

**WHEREAS**, when worthy circumstances arise, the Memphis City Council has seen fit to name certain public roads to honor citizens who have served this community – the life, legacy, and contributions of **Walter Cleveland Casey Sr.** are certainly worth recognition; and

**WHEREAS**, a native Memphian of widespread acclaim, **Walter Cleveland Casey Sr.** began his journey to success when he graduated from Lester High School in 1969; he later earned a Bachelor of Arts Degree in Health and Physical Education from Tennessee State University in Nashville, Tennessee in 1973, and in 1977 earned a Master's Degree in Education from what was then Memphis State University; and

**WHEREAS**, **Walter Cleveland Casey Sr.** began his career with Memphis Parks, then called the Memphis Park Commission in 1968, working as a Lifeguard and Water Safety Instructor at Pine Hill Swimming Pool until 1973; he went on to work as Assistant Director at Hanley Community Center and Dave Wells Community Center, and, later, as Assistant Director at Douglass Community Center under the late Milton Thomas; and

**WHEREAS**, **Walter Cleveland Casey Sr.** became Director of the Lester Community Center in January of 1980, and continues to serve in that position, making him the only Director the Center has had for the last forty-three years.; and

**WHEREAS**, Mrs. Alice Davis, the right hand of **Walter Cleveland Casey Sr.** has worked forth-three years with Mr. Casey at Lester Center and volunteered 3 years together at Douglass Center. They have worked together for 46 years.; and

**WHEREAS**, **Walter Cleveland Casey Sr.** had perfect attendance for 42 years straight until he was "forced" to have knee replacement surgery, not wishing to break his perfect attendance record; in October 2023, Mr. Casey will have put in 50 years of full-time service with the City of Memphis Division of Parks, with 5 years part-time service, for a total of 55 years with the City; and

**WHEREAS**, throughout his tenure with the City, **Walter Cleveland Casey Sr.** has earned numerous awards and accolades in recognition of his hard work and dedicated service, including three City of Memphis Ovation Awards, two Exceptional Service Performance to the City of Memphis recognitions and the President of the United States Volunteer Service Award; and

**WHEREAS**, **Walter Casey** is described as a staple in the Binghampton community, where his expertise, opinion, and assistance are liberally sought by community members; it is undeniable he is a voice for the Binghampton community, who will use his legacy as a model of what it means to work hard and diligently serve others; and

**WHEREAS**, outside his professional reputation, **Walter Cleveland Casey Sr.** is also known for his commitment to his family; **Walter Cleveland Casey Sr.** is married to his wife of 33 years, Dawn Mechelle Casey, and they have one son, Walter Cleveland Casey, Jr.; Ms. Casey describes her husband as "a great and kind person to anyone who meets and knows him"; and

**WHEREAS**, the Memphis City Council wishes to honor **Walter Cleveland Casey Sr.** for his devotion to duty and to the City of Memphis, and encourages all Memphians to do the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MEMPHIS, TENNESSEE** that Tillman Street between Mimosa Avenue and Yale Avenue shall be designated and always remembered as

## **WALTER CLEVELAND CASEY SR. STREET**

**BE IT FURTHER RESOLVED** that the City Engineer is requested to affix suitable signs so designating such public road.

**Given by my hand and under the  
Great seal of the City of  
Memphis, this 10<sup>th</sup> day of  
October, 2023.**



Worth Morgan  
Memphis City Council  
District 5

**WHEREAS**, on occasion the Memphis City Council has seen fit to honor citizens who have enriched the community, and as a Memphis music legend and luminary, **Nat D. Williams** is one such citizen whose memory is certainly worthy of honoring and celebrating; and

**WHEREAS**, born on historic Beale Street, **Nat D. Williams** was drawn to Beale's vibrant atmosphere as it served as a sanctuary from racism where African-American culture could flourish; after earning his bachelor's and master's degrees from the illustrious Tennessee State University in Nashville, he returned to Memphis and in 1930, he accepted a teaching position at the legendary Booker T. Washington High School, bringing history and social studies to life; not only did he foster academic growth, but he also nurtured the school's extracurricular landscape by editing the school paper, mentoring the pep squad, and contributing to senior speeches for over four decades; his legacy included a stream of students who would go on to serve in the state legislature, among them Judge Benjamin Hooks, who ascended to the national Chairman of the NAACP; and

**WHEREAS**, championing the cause to increase Booker T. Washington High School's funding, **Nat D. Williams** revitalized the talent show, transforming it into the Booker T. Washington Ballet; this once-modest fundraiser blossomed into a star-studded production; under his guidance, the program evolved from its ballet origins to include song, comedy, and tap routines; the show not only enriched the school's funds but also boosted enrollment; he also facilitated a seamless transition to higher education by solidifying a fourth year of high school; and

**WHEREAS**, from 1938 to 1960, **Nat D. Williams** was the host of the renowned Beale Street Amateur Night at the Palace Theater featuring stars such as Rufus Thomas, B. B. King, Bobby "Blue" Bland, Elvis Presley and a collection of other stars; he fostered their rise to fame on Memphis' record labels, notably Sun Records, Hi Records, and Stax Records; in 1948, a pivotal moment in WDIA Radio Station's history, his resounding laughter and charismatic personality resonated across the airwaves by appealing to African-American listeners; as the first African-American disc jockey on the station, his inaugural broadcast of "Tan Town Jubilee" marked a turning point; he spearheaded a groundbreaking endeavor as WDIA assembled an entire cast of Black disc jockeys, marking a historic milestone in American radio history; and

**WHEREAS**, in 1951, **Nat D. Williams** was selected as the inaugural city editor by the newly founded African-American newspaper in Memphis, the Tri-State Defender; his journey in journalism began in 1931 when he started writing for the Memphis World, an African-American publication, and continued with contributions to the Chicago Defender in 1937; he established himself as a syndicated columnist with "Down On Beale" in 1931, which ran for twenty-five years; one of his columns was entered into the Congressional Record on June 1, 1955; and

**WHEREAS**, **Nat D. Williams** was a prolific writer, a dedicated educator, an engaging emcee, and a visionary promoter; moreover, he was a loving husband to Lucille Butler Williams and devoted father; his legacy is a testament to his extraordinary intellect, incomparable talent, and boundless energy; he emerged as a true Renaissance man, a strong force, and an enduring voice for the City of Memphis.

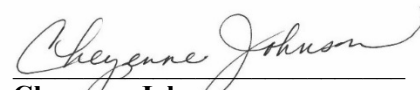
**NOW, THEREFORE, BE IT RESOLVED** by the Memphis City Council that Mississippi Boulevard between East Georgia Avenue and East E.H. Crump Boulevard be designated as

## **Nat D. Williams Boulevard**

in honor of his everlasting service and achievements enriching the City of Memphis' heritage.

**BE IT FURTHER RESOLVED** that the City Engineer is requested to affix suitable signs designating this public road, effective with the passage of this resolution.

**Given by my hand and under the  
great seal of the City of Memphis  
this 10<sup>th</sup> day of October, 2023.**



**Cheyenne Johnson**  
**Memphis City Councilwoman**  
**Super District 8-2**

**CITY OF MEMPHIS  
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL  
ONLY STAPLED  
TO DOCUMENTS**

**Planning & Development  
DIVISION**

Planning & Zoning COMMITTEE: 09/26/2023

DATE

PUBLIC SESSION: 09/26/2023

DATE

**ITEM (CHECK ONE)**

       ORDINANCE      X   RESOLUTION      X   REQUEST FOR PUBLIC HEARING

**ITEM DESCRIPTION:** Resolution approving the appeal of Robert Gordon on behalf of MidtownMemphis.org seeking to overturn the action of the Memphis and Shelby County Land Use Control Board Special exception to Section 8.4.9 to allow four (4) stories in height at the subject property located on 34, 40, 42, and 48 S. McLean Blvd, known as case number SE 2023-001

**CASE NUMBER:** SE 2023-001

**DEVELOPMENT:** McLean Blvd Four Stories Height

**LOCATION:** 34, 40, 42, and 48 S. McLean Blvd

**COUNCIL DISTRICTS:** District 6 and Super District 8 – Positions 1, 2, and 3

**APPELLANT:** Robert Gordon

**REQUEST:** Overturn a decision of the Land Use Control Board

**AREA:** 1.07 acres – 46,747.5 Sq.-Ft

**RECOMMENDATION:** The Division of Planning and Development recommended *Approval with conditions*  
The Land Use Control Board Recommended *Approval with conditions*

**RECOMMENDED COUNCIL ACTION:** **Public Hearing Required**  
Add to consent agenda requesting public hearing – September 12, 2023  
Public hearing – **September 26, 2023**

**PRIOR ACTION ON ITEM:**

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
06/8/2023 _____	DATE
(1) Land Use Control Board _____	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

**FUNDING:**

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED

**SOURCE AND AMOUNT OF FUNDS**

\$ _____	OPERATING BUDGET
\$ _____	CIP PROJECT # _____
\$ _____	FEDERAL/STATE/OTHER

**ADMINISTRATIVE APPROVAL:**

	<u>DATE</u>	<u>POSITION</u>
<u>Kendra Cobles</u>	<u>9/5/23</u>	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
<u>Brett Regalado</u>	<u>09/05/2023</u>	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	<b>CHIEF ADMINISTRATIVE OFFICER</b>
_____	_____	<b>COMMITTEE CHAIRMAN</b>



## Memphis City Council Summary Sheet

### SE 2023-001

RESOLUTION APPROVING THE APPEAL OF ROBERT GORDON ON BEHALF OF MIDTOWN MEMPHIS.ORG SEEKING TO OVERTURN THE ACTION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD APPROVING SPECIAL EXCEPTION TO SECTION 8.4.9 TO ALLOW FOUR (4) STORIES IN HEIGHT AT THE SUBJECT PROPERTY LOCATED ON 34, 40, 42, AND 48 S. MCLEAN BLVD, KNOWN AS CASE NUMBER SE 2023-001.

- This item is a resolution to appeal the Land Use Control Board's approval of Special exception to Section 8.4.9 to allow four (4) stories in height; and
- The Land Use Control Board held a public hearing on June 8, 2023, and approved the aforementioned request subject to four (4) site plan conditions; and
- An appeal of the Land Use Control Board decision was filed on June 12, 2023, by Robert Gordon on behalf of MidtownMemphis.org requesting the Memphis City Council overturn the action of the Land Use Control Board; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

## **LAND USE CONTROL BOARD RECOMMENDATION**

At its regular meeting on **Thursday, June 8, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

**CASE NUMBER:** SE 2023-001

**LOCATION:** 34, 40, 42, and 48 S. McLean Blvd

**COUNCIL DISTRICT(S):** District 6 and Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:** McLean Partners, LLC

**REPRESENTATIVE:** Cindy Reaves

**REQUEST:** Special exception to Section 8.4.9 to allow four (4) stories in height

**EXISTING ZONING:** Residential Urban – 4 (RU-4) with Medical District Overlay

**AREA:** 1.07 acres – 46,747.5 Sq.-Ft

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**The following spoke in support of the application:** Josh Whitehead

**The following spoke in regards to the application:** Robert Gordon, Mark Fleischer, Earlice Taylor Charle, Linda Williams, Michael Berry, Cathy Winterburn and Termaria Tyszka

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions of the application.

**The motion passed by a vote of 5-2 on the regular agenda.**

Respectfully,  
*Brett Ragsdale*

Brett Ragsdale, AIA  
Zoning Administrator  
Land Use and Development Services  
Division of Planning and Development

Cc: Committee Members  
File

**SE 2023-001**  
**CONDITIONS**

Site Conditions

1. The project shall meet the requirements of Sub-Section 8.4.8E Shopfront frontage, with the following exception: the ground floor elevation is not required to be 18 inches above the adjacent sidewalk.
2. EIFS shall comprise no more than ten percent (10%) of any building's exterior finish.
3. Elevations with exterior finishes shall be submitted for review and approval by the Division of Planning and Development (DPD).
4. A landscape plan shall be submitted for administrative review and approval by the Division of Planning and Development.

**RESOLUTION APPROVING THE APPEAL OF ROBERT GORDON ON BEHALF OF MIDTOWN MEMPHIS.ORG SEEKING TO OVERTURN THE ACTION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD APPROVING SPECIAL EXCEPTION TO SECTION 8.4.9 TO ALLOW FOUR (4) STORIES IN HEIGHT AT THE SUBJECT PROPERTY LOCATED ON 34, 40, 42, AND 48 S. MCLEAN BLVD, KNOWN AS CASE NUMBER SE 2023-001**

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**WHEREAS**, McLean Partners, LLC filed an application with the Memphis and Shelby County Division of Planning and Development to allow four (4) stories in height; and

**WHEREAS**, the Memphis and Shelby County Division of Planning and Development reviewed the application in accordance with the standards and regulations of Memphis and Shelby County Unified Development Code and submitted its findings and recommendation to the Memphis and Shelby County Land Use Control Board; and

**WHEREAS** a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on June 8, 2023, and said Board approved the request of the applicant subject to four (4) site plan conditions.

**WHEREAS**, Robert Gordon, filed an appeal on June 12, 2023, on behalf of MidtownMemphis.org with the Memphis and Shelby County Division of Planning and Development requesting that the Council of the City of Memphis overturn the action of the Memphis and Shelby County Land Use Control Board; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned appeal pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said appeal is consistent with the Memphis 3.0 General Plan: and

**WHEREAS**, upon evidence presented at this public hearing by the appellant, the City Council of the City of Memphis, concludes the appeal herein should be granted.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS**, that the appeal of the appellant, Robert Gordon on behalf of the MidtownMemphis.org, is granted and the action of the Memphis and Shelby County Land Use Control Board on June 8, 2023, is hereby overturned.

**BE IT FURTHER RESOLVED** that this resolution shall take effect from and after the date it shall have been enacted according to due process of law by virtue of the passage thereof by the Council of the City of Memphis.

***ATTEST:***

**CC: Division of Planning and Development  
– Land Use and Development Services  
– Office of Construction Enforcement**



**AGENDA ITEM:** 4

**CASE NUMBER:** SE 2023-001 **L.U.C.B. MEETING:** June 8, 2023

**LOCATION:** 34, 40, 42, and 48 S. McLean Blvd.

**OWNER:** McLean Partners, LLC

**APPLICANT:** McLean Partners, LLC

**REPRESENTATIVE:** Cindy Reaves

**REQUEST:** Special exception to Section 8.4.9 to allow four (4) stories in height

**AREA:** 1.07 acres – 46,747.5 Sq.-Ft.

**EXISTING ZONING:** Residential Urban – 4 (RU-4) with Medical District Overlay

## CONCLUSIONS

1. McLean Partners, LLC has requested a special exception to Section 8.4.9 of the Unified Development Code (UDC) to allow four (4) stories in height. The subject property is permitted three (3) stories by right and additional stories may be permitted through the special exception process.
2. The Land Use Control Board is authorized to grant exceptions to Midtown Overlay District height requirements per Sub-Section 8.4.6C of the UDC.
3. Considering the context, including adjacent land use, and height of adjacent structures, staff believes the proposed increase to four (4) stories is appropriate and that this request meets the special exception approval criteria, see page 11 of this report for said criteria.

## CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 Comprehensive Plan is inapplicable to this request as it does not concern a use.

## RECOMMENDATION

*Approval with conditions*

**GENERAL INFORMATION**

**Street Frontage:** S. McLean Blvd. 258 Linear Feet

**Zoning Atlas Page:** 2030

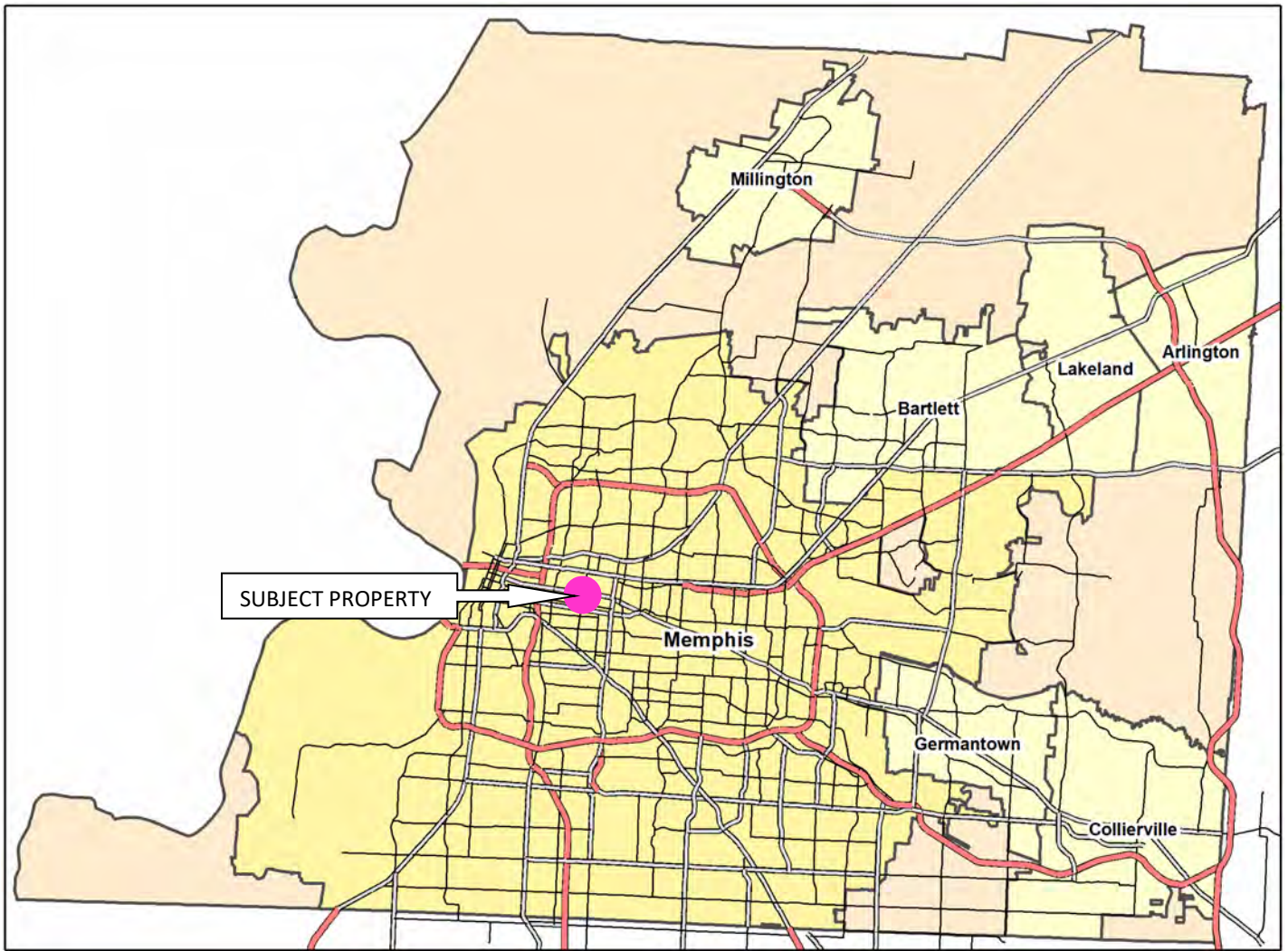
**Parcel ID:** 017053 00026, 017053 00025, 017053 00024, and 017053 00023

**Existing Zoning:** Residential Urban – 4 (RU-4) with Midtown Overlay

**PUBLIC NOTICE**

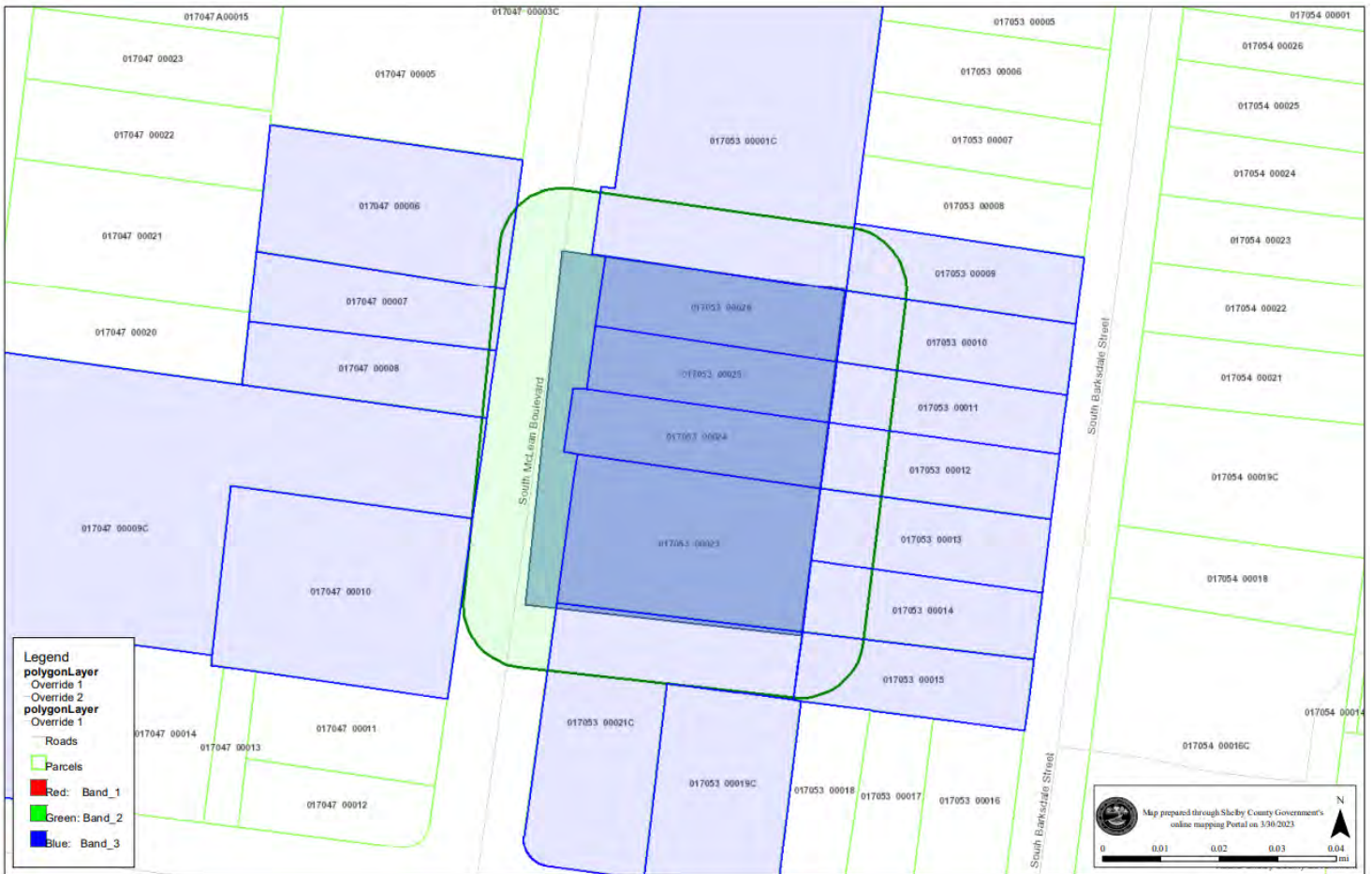
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 19 notices were mailed on April 27, 2023, and one sign posted at the subject property. The sign affidavit has been added to this report.

**LOCATION MAP**



Subject property located in Midtown, indicated by pink circle

VICINITY MAP

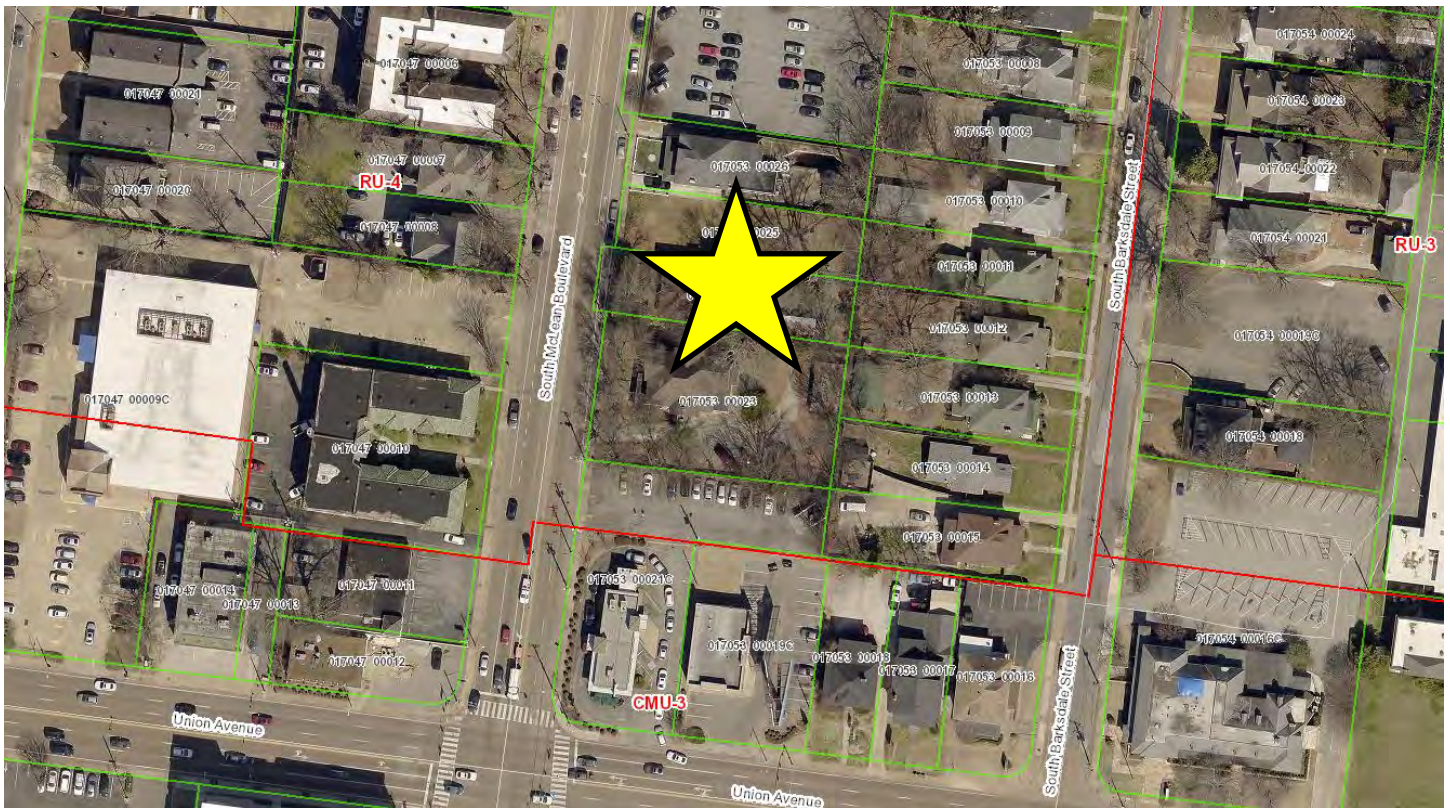


**AERIAL**



Subject Property outlined in yellow.

**ZONING MAP**



**Existing Zoning:** Residential Urban – 4 (RU-4) with Midtown Overlay

**Surrounding Zoning**

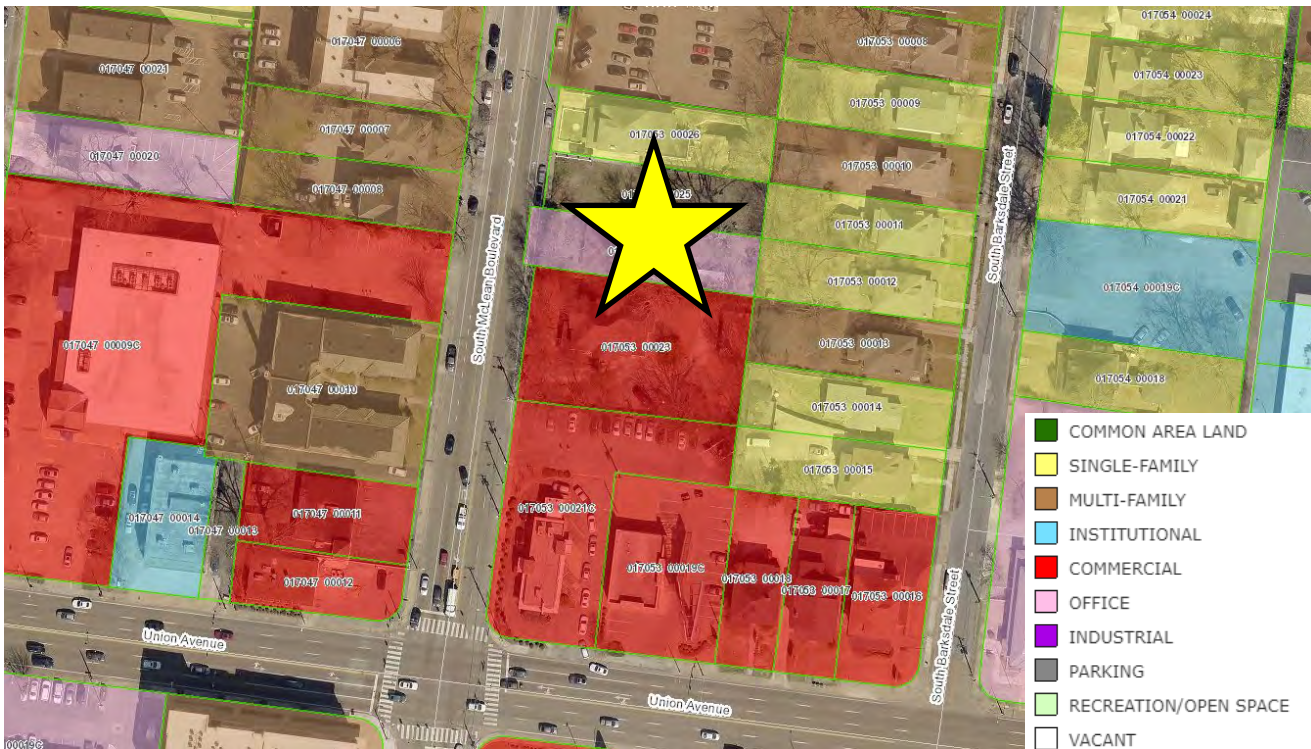
**North:** Commercial Mixed Use – 3 (CMU-3) with Midtown Overlay

**East:** Residential Urban – 3 (RU-3) with Midtown Overlay

**South:** Commercial Mixed Use – 3 (CMU-3) with Midtown Overlay

**West:** Residential Urban – 4 (RU-4) with Midtown Overlay

LAND USE MAP



Subject property indicated by the yellow star.

The Current Land Uses of the property are:

- |                     |                           |
|---------------------|---------------------------|
| Parcel 017053 00026 | Single-family residential |
| Parcel 017053 00025 | Vacant                    |
| Parcel 017053 00024 | Office                    |
| Parcel 017053 00023 | Commercial                |

**SITE PHOTOS**



View of 38 South McLean Boulevard, from South McLean Boulevard facing east (February 2022)

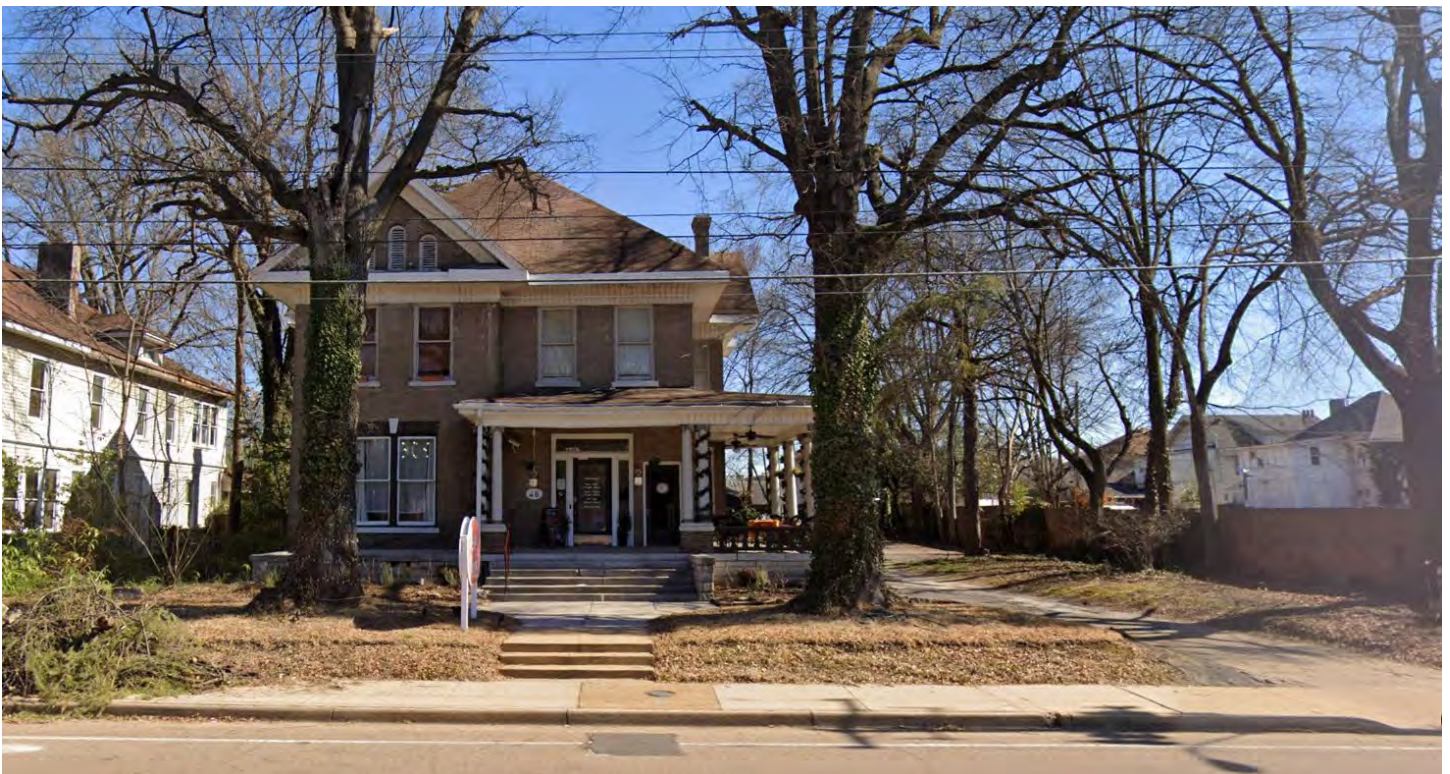


View of 40 South Mclean Boulevard, from South McLean Boulevard facing east (February 2022)



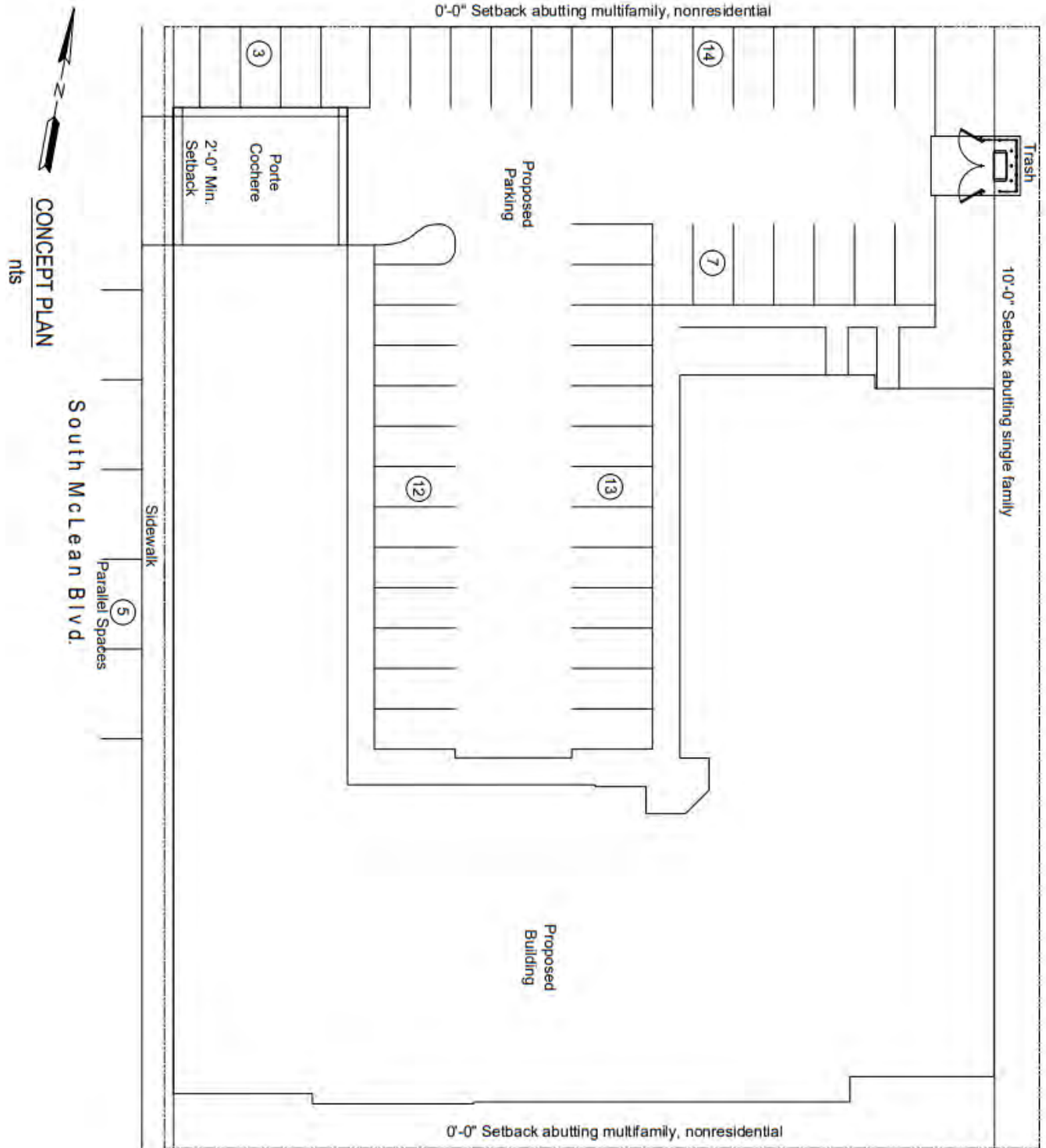


View of 42 South McLean Boulevard, from South McLean Boulevard facing east (February 2022)



View of 48 South McLean Boulevard, from South McLean Boulevard facing east (February 2022)

CONCEPT PLAN



CONCEPT ELEVATION



## STAFF ANALYSIS

### **Request**

The request is for a special exception to Height Map 8.4.9 to permit four stories where 3 stories are allowed.

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

### **Approval Criteria**

Staff **agrees** the approval criteria in regard to special exceptions as set out in Unified Development Code Section 9.14.6 are met.

#### *9.14.6 Approval Criteria*

*To approve a special exception, the Land Use Control Board shall make an affirmative finding that all of the following criteria are met:*

- A. The request will not adversely affect any plans to be considered (see Chapter 1.9).*
- B. A special exception does not injure or damage the use, value or enjoyment of surrounding property or hinder or prevent the development of surrounding property.*
- C. A special exception does not have an adverse impact on land use compatibility.*
- D. A special exception does not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed use.*
- E. When approving a special exception, the Land Use Control Board shall give special consideration to building and site improvements that enhance the level of pedestrian amenities.*

### **Site Description**

The project area consists of four adjacent parcels on the east side of South McLean Boulevard. To the immediate north of the site is a parking lot that serves a three-story apartment building, which is adjacent to an eight-story apartment building. To the immediate south of the site is a parking lot that serves the Starbucks on Union Avenue. One of the three parcels is a vacant lot. Parcel 017053 00026 has a two-story house on its lot. Parcel 017053 00024 has a two-story house that operates as an office. Parcel 017053 0023 has a two-story house that operates as mixed residential/commercial. There are two-story single-family homes to the east of the site, on the same block. There are two-story multi-family homes and commercial lots to the west, across South McLean Boulevard.

### **Zoning History**

In 2017, the Board of Adjustment approved a use variance, BOA 17-97, for the property located at 48 S. McLean to legitimize the continuation of office and office accessory uses on the ground floor of a principal structure.

### **Conclusions**

1. McLean Partners, LLC has requested a special exception to Section 8.4.9 of the Unified Development Code (UDC) to allow four (4) stories in height. The subject property is permitted three (3) stories permitted by right and additional stories may be permitted through the special exception process.
2. The Land Use Control Board is authorized to grant exceptions to Midtown Overlay District height requirements per Sub-Section 8.4.6C of the UDC.
3. Considering the context, including adjacent land use, and height of adjacent structures, staff believes the proposed increase to four (4) stories is appropriate and that this request meets the special exception approval criteria, see page 11 of this report for said criteria.

### **RECOMMENDATION**

Staff recommends ***approval*** with the following conditions:

1. The project shall meet the requirements of Sub-Section 8.4.8E Shopfront frontage, **with the following exception: the ground floor elevation is not required to be 18 inches above the adjacent sidewalk.**
2. EIFS shall comprise no more than ten percent (10%) of any building's exterior finish.
3. Elevations with exterior finishes shall be submitted for review and approval by the Division of Planning and Development (DPD).
4. A landscape plan shall be submitted for administrative review and approval by the Division of Planning and Development.

**DEPARTMENTAL COMMENTS**

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

- |                                                 |                       |
|-------------------------------------------------|-----------------------|
| <b>City/County Engineer:</b>                    | No comments received. |
| <b>City/County Fire Division:</b>               | No comments received. |
| <b>City Real Estate:</b>                        | No comments received. |
| <b>City/County Health Department:</b>           | No comments received. |
| <b>Shelby County Schools:</b>                   | No comments received. |
| <b>Construction Code Enforcement:</b>           | No comments received. |
| <b>Memphis Light, Gas and Water:</b>            | No comments received. |
| <b>Office of Sustainability and Resilience:</b> | No comments received. |
| <b>Office of Comprehensive Planning:</b>        | No comments received. |

APPLICATION



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Ed Apple [Signature], state that I have read the definition of  
(Print Name) (Sign Name)

"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises

I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 34, 40, 42 & 48 S. McLean Blvd.  
and further identified by Assessor's Parcel Number 017053 00023-26  
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 30<sup>th</sup> day of March in the year of 2023

[Signature]  
Signature of Notary Public

9/29/23  
My Commission Expires

**LETTER OF INTENT**



Date: March 30, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: S. McLean Blvd.

**LETTER OF INTENT**

We are submitting a Special Exception application for property at 34, 40, 42, and 48 S. McLean Blvd. The property is in the Midtown District Overlay. We are requesting a special exception to allow 4 stories.

We appreciate your support with this request. Please contact me if you have any questions.



**SIGN AFFIDAVIT**

AFFIDAVIT

Shelby County  
State of Tennessee

I, Kristin Reaves, being duly sworn, depose and say that at 9:36 am on the 28th day of April, 2023 I posted one Public Notice Sign pertaining to Case No. SE 23-001 in front of the property located on South McLean providing notice of a Public Hearing before the May 11, 2023 Land Use Control Board for consideration of a proposed Land Use Action (Special Exception), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Kristin Reaves  
\_\_\_\_\_  
Owner, Applicant or Representative

05/01/2023  
\_\_\_\_\_  
Date

Subscribed and sworn to before me this 1 day of May, 2023

Cynthia J. Reaves  
\_\_\_\_\_  
Notary Public  
My commission expires: 9/27/23





# TECHPLUS

CREATIVE PRODUCTS FOR  
CREATIVE PEOPLE



**TECHPLUS, INC.**  
2085 Hillshire Circle  
Memphis, TN 38133

## INVOICE

DATE	NUMBER	PG
04.21.23	299165	

Customer Telephone: 901-373-0380 I

(901) 386-2083 • 1-800-933-0015 • FAX (901) 386-2062

Due Date: 05.21.23  
PLEASE REMIT TO:  
P.O. BOX 514  
JACKSON, TN 38302

**S**  
**O** TO  
**L**  
**D** SR CONSULTING, LLC  
5909 SHELBY OAKS DR.  
SUITE 200  
MEMPHIS, TN

**S**  
**H** TO  
**I**  
**P**

38134

ORDER NUMBER	ORDER DATE	CUSTOMER NO.	SLSM. NO.	PURCHASE ORDER NUMBER	SHIP VIA	SHIP DATE	TERMS
		195781	8				NET 30
QUANTITY I.O.	QUANTITY ORDERED	QUANTITY TO SHIP	ITEM NUMBER	ITEM DESCRIPTION	UNIT PRICE	EXTENDED PRICE	
	3.00	3.00	COLOSE-OUTDRS	OUTDOOR SIGNS-ECONOMY	38.500	115.50	
	3.00	3.00	COLHW-HARDWAR	COLOR HARDWARE	27.500	82.50	

All claims and returned goods must be accompanied by this bill. A service charge of 1 1/2% per month (18% per annum) will be charged on all accounts over 30 days. The customer agrees to pay all court costs and attorney fees if suit is necessary.

The undersigned represents that the reproduction of the above described material does not violate any copyright laws and the undersigned agrees to indemnify and hold TechPlus, Inc. harmless against all claims for an alleged copyright infringement. TechPlus, Inc. is not responsible for consequential damages.

Purchaser agrees that title to the above merchandise is reserved by and remains vested in seller until the purchase price is paid in full, if purchaser fails to pay, seller may take possession of said merchandise without notice or liability to purchaser.

AMOUNT OF SALE	198.00
MISC. CHARGES	
SALES TAX	19.30
FREIGHT	
<b>TOTAL</b>	<b>217.30</b>

Received by \_\_\_\_\_

## LETTERS RECEIVED

Fifty-five (55) letters of opposition were received at the time of completion of this report and have subsequently been attached.

### SE-23-01: Midtown

Beth Hoffberg <beth.hoffberg@gmail.com>

Wed 5/3/2023 1:48 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



**The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender beth.hoffberg@gmail.com**

CAUTION: This email originated outside of the City of Memphis organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Hello Mr. Harris,

My name is Beth Hoffberg and I am a Memphis resident. I am writing to request that no special exception be made at 34, 40, 42, and 48 S McClean and that those building not be torn down and replaced with a four story complex.

First of all, the land these building are on now was once a sacred ground used by the native people of the land for ceremonies. It should be treated with respect and honored.

The building at 48 S McClean was constructed 111 years ago in 1912 and should be a historical landmark. The history of this part of Midtown should not be lost simply due to a desire for profit by the owner of the land.

There is a thriving Black-woman-owned business building community at Lucyja Hygge located in 48 S McClean. This business brings me to this area of Midtown and provides the community with safe evening events, which we all need.

Please do not allow this to move forward.

Thank you,  
Beth Hoffberg  
717 S Riverside Drive  
Memphis, TN 38103

## Please don't tear down McClellan 42-48

Kalyna Hanover <kalyna.hanover@gmail.com>

Wed 5/3/2023 7:49 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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This is a neighborhood gem. Find another piece to build.

Sent from my iPhone

## 42 and 48 S Mclean

Rebecca Dunfrey <itsbeccad5056@gmail.com>

Wed 5/3/2023 8:13 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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Good morning,

It has recently come to my attention the city of Memphis has plans to tear down the house located at 42 and 48 s Mclean.

I strongly disagree with this motion.

Lucyja Hygge is bastion of light. It is a beautiful store.

Filled with beautiful people.

The work they do is extremely important.

To tear their house down would be tear apart their livelihood. It would negatively impact myself as well as countless others.

Please, I implore you to leave those houses standing. For the good of the community.

## 42 and 48 S Mclean

Ashli Scott <lunarcryalline@gmail.com>

Wed 5/3/2023 8:16 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good morning Mr. Harris

I'm writing you this morning to express my concern about a possible plan to tear down 42 and 48 S McLean.

Lucyja Hygge is one of these buildings. This place is a safe haven to the community. It has changed my life and the lives of so many others who walk through its doors. It is a place of healing, of inspiring the local residents of the Memphis area to help create security and balance. I have seen it change many lives and create unity. It's built on historical land and sacred ground which only adds to its potency in a way that can be felt at such a deep level to try and articulate its significance is very difficult. I am writing this as a plea for your support and help. There are talks of putting a nursing home here and it is just devastating because the impact it would have on the residents of the community would be felt tremendously. So many people look to this place as a lighthouse in a world that is becoming increasingly dark. I appreciate you taking the time to read this and hope that it helps to open your heart and mind. I invite you to even come down and experience the love of this place yourself. Hope you are having a good day and sending care to you

-Ashli Scott

Sent from my iPhone

## Concerns About Houses 42, 58 S. Mclean

Imaru Haru <imaruharru@gmail.com>

Wed 5/3/2023 8:23 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Hello, Robert Harris

I, and many others, believe you should NOT turn this beautiful place into more apartment complexes and/or nursing homes. There are plenty of other plots of land that would be suitable for your wishes. This place shouldn't be a victim of gentrification, as it is a historical sit in Memphis.

Please, if you value the thoughts of the people of Memphis, hear our pleas. Protect our historical buildings and prevent gentrification.

Much love,  
Brianna Anderson

## Lucyja Hygge Shop 48 S. McLean

Dawnetria Edwards <dawn.edwardsj19@yahoo.com>

Wed 5/3/2023 8:49 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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To whom this may concern,

My name is Dawn Lowe and I've been visiting 48 S. Cleveland to be greeted and accompanied by wonderful energies and safe open arms, from group yoga, healing practices or simply shopping I've always known this shop to be so distinct from any other businesses in the city of Memphis. It was very disheartening and shocking for it to be revealed that the city is choosing to replace such a historical landmark for greed and modernization. It would be a complete eyesore to witness such destruction take place. Ms.Hygge's metaphysical shop belongs on that land as is- NOT high end establishment(s). She is a wonderful HEALER AND TEACHER of her crafts. The youth in Memphis isn't getting any safer, it should be there to help reform ,guide, and heal those who choose to visit.

## 42 and 48 S. McLean BLVD

sarcdc <sarcdc@proton.me>

Wed 5/3/2023 8:51 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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Good Morning,

I am emailing expressing why the houses at 42 and 48 S. McLean Blvd. should not be torn down to be replaced with a high end nursing home.

Lucyja Hygge provides much for our community,

and it should be considered a historical site in Memphis due to it being there over 112 years and built on sacred ground. I have attended many inspiring and thoughtful classes. I urge you not to follow through with this plan as we have more than enough buildings that are not at capacity.

Thank you, and I hope you reconsider,

S

## 42 & 48 S. McLean

Kate Kornegay <kornegaykate@gmail.com>

Wed 5/3/2023 9:06 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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---

Not only are these houses a beautiful and historic part of midtown, that's a terrible spot for a nursing home (speaking as someone who has a master's degree in dementia).



## Lucyja Hygge petition

osean bailey <oseantbailey@yahoo.com>

Wed 5/3/2023 9:09 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good morning Mr. Harris,

My name is Osean Bailey-Cole and I am reaching out in hopes to keep Lucyja Hygge in business and to save the historical homes that are located at 42 and 48 S. Mclean as they are landmarks. Myself and the community consider these homes to be a historical site in Memphis due to it being there over 112 years and built on sacred ground. Please consider preserving these homes.

Thank you so much!

Osean T. Bailey-Cole

## Lucyja Hygge

Andrew Travis <atravis80@gmail.com>

Wed 5/3/2023 9:15 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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I personally would like to express why the houses at 42 and 48 S. Mclean should not be torn down to be replaced with a high end nursing home.

My experience at Lucyja Hygge has been phenomenal and has helped me through my emotional and spiritual dis-eases. The sitting area outside has brought me much peace and i love the energy of Maria and the staff. The land that Lucyja Hygge sit on should be considered a historical site in Memphis due to it being there over 112 years and built on sacred ground. This land should be honored and conserved, not repurposed.

Thank you for your time

Andrew Travis

--

Andrew Travis

## The properties at 42 and 48 S McLean Ave

Debbie Ledford <debbieledford22@yahoo.com>

Wed 5/3/2023 9:18 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Sir,

I am a frequent patron of the business at 48 S McLean Ave, the business known as Lucyja Hygge, and I am a lover of historic properties.

I understand there is a petition to demolish these two buildings to replace them with "new buildings, either more apartments or a nursing home", which does not foster any sense of architecture or history. Since this is what Midtown Memphis is known for and what draws people to this area, this seems counter productive to the community and the locals best interests. Plus, it displaces two small businesses which could force them from the community.

The two buildings at 42 & 48 S McLean Ave are integral parts of the historical value of Midtown Memphis, not only for their architecture but also the history of the land they rest upon. When I enter these buildings there is a sense of peace, welcome, a come in and be at home feeling, it's safe here comfort which is highly needed after recent events. This is something very rare in our business world today, even in small businesses, and I believe this sense comes from the type of business within the walls of these buildings as well as from the buildings themselves, which is something to be preserved. Almost a perfect blend.

I moved from the Bartlett community to Midtown in January of this year so that I could live in the historic area. I wanted be to able to enjoy the ambience of the area, to experience the small businesses as well as to support the changes coming as our community rebirths from recent tragedies.

In closing, I petition the buildings at 42 & 48 S McLean remain as they currently stand, with the opportunity for the small businesses in them to flourish in their current locations, thus taking one more step in preserving Midtown Memphis.

Respectfully,

Deborah (Debbie) Ledford  
1855 Manila Ave  
Memphis, TN 38124  
731-445-5034  
debbieledford22@yahoo.com

## 42 and 48 mclean

Brittany Collier <brittany.collier@creativecoop.com>

Wed 5/3/2023 9:36 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Hi Robert-

I hope this email finds you well. I wanted to reach out to express my concerns for rebuilding over at 42 and 48 Mclean Blvd. What Memphis needs more of is a community where everyone can be seen, heard, and provides a deep feeling of safety. Maria, the owner of Lucyja Hygge provides just that right in the heart of Midtown. I have seen her welcome so many people into her space exuding love and respect and sprinkling good throughout Memphis. It would be a disservice to our community to have this taken away from us. I highly encourage you to reconsider the deconstruction and also take into consideration the sacred grounds that its built on- former Native American grounds. The last thing we need is more apartments and high end nursing homes that no one will appreciate. Thank you for your time!

Thanks,

Brittany Collier

## Do Not Tear Down Lucyja Hygge

Hannah Berthelson <berthelsonh\_ec@scsk12.org>

Wed 5/3/2023 9:42 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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Good morning,

I hope this email finds you well. I am writing to beseech you in considering the age and history of the properties on 42 and 48 S. Mclean in Midtown. Lucyja Hygge dwells in a 112-year-old house that is built on sacred ground. That statement alone simply radiates with meaning and heart, and is proof enough that these properties should be considered a historical site in Memphis, TN. Please keep that rare history and culture intact and refrain from erecting a new building in its place. The people of Midtown, and Memphis as a whole, cherish its architectural history. It is rare to have buildings with such character, detail, and historical value still whole and in use. We don't need, or want, another nursing home or apartment complex. We crave community. We desire to feel in touch with our story, our history, our home. Please consider the future of our city, and the value that tangible history adds to it. Thank you for your time, and take care.

Kindly,  
Hannah Berthelson, M.A., CCC-SLP

## Houses on S. Mclean? Memphis TN

Mark Edgar Stuart <markedgarstuart@gmail.com>

Wed 5/3/2023 9:52 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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Are you guys really gonna tear down those historical old houses? It's about all that's left over there that's not a corporate chain housed in ugly concrete cubes. I get it, profit. Anyway to save 'em? Locals would love ya. My 2 cents, longtime midtowner.

Sincerely,

--

**MARK EDGAR STUART**  
**Memphis, TN via Pine Bluff, AR**  
[www.markedgarstuart.com](http://www.markedgarstuart.com)

*"Can't wait to hear his new album!" - GARDEN & GUN MAGAZINE*

*"His acerbic wit is reminiscent of John Prine & Randy Newman..." - NO DEPRESSION*

*"His wry cutting view of the world makes something old new again..." - PASTE MAGAZINE*

*"Album of The Year" - THE MEMPHIS FLYER*

*"Literate & Intelligent..." - ELMORE MAGAZINE*

*"His songwriting is smart as it is sincere..." - POP MATTERS*

*"Damn fine songwriter..." - ARKANSAS TIMES*

## The Houses at 42 and 48 S. McLean

Bailey Bigger <bailey\_bigger@yahoo.com>

Wed 5/3/2023 10:04 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Mr. Harris,

My name is Bailey Bigger and I am a local Memphis folk artist and singer/songwriter. I am also someone who loves and cherishes Memphis history and our community, especially our spiritual community. The houses at 42 and 48 S. McLean are not only historical properties that are over 112 years old, but they are also built on sacred ground. Lucyja Hygge is a place that creates space for this sacredness to continue on. It is a space where the indigenous people who worshiped on this land, where their spirits can rest here safely. The owners of Lucyja Hygge have been such a light in the spiritual community in Memphis just in the short amount of time they have occupied this home. The energy in their store is beautiful and light and full of love. All things that my home city is in desperate need of, now more than ever. Please do not tear down these shops to build more high rises. Please choose to keep the uniqueness and history intact in midtown. Please keep this place here to continue to spread light and joy through our city that is hurting. There are many more places and empty plots we could build nursing homes on, which we do need. But please, do not tear down a beautiful thing to do so. Please keep our favorite shop in this home. Please keep history alive.

Thank you for your time and consideration.

With peace,  
Bailey Bigger

## Lucyjahygge

Mary McCadden Farris <marymfarris@gmail.com>

Wed 5/3/2023 10:20 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Robert,

My name is Mary McMullin and I have been a local Memphian most of my life. In the past year I have visited with the owners of Lucyjahygge extensively as well as shopped at their store and experienced some of the beautiful services they offer to our community.

I am deeply disturbed to hear about the possibility of tearing down this establishment to build more high rises. To know the history of this place and the love that has been poured in recently I feel strongly that this shouldn't happen. Please hear our pleas to NOT tear this place down. Memphis loves this sacred space and I and many others feel what it brings to our city is more valuable than any high rise could be.

Our city needs community and places like Lucyjahygge now more than ever. Please hear us. Thank you for your time.

Sincerely,  
Mary McMullin



## Lucyia Hygges Historic Landmark

Ashton Knight <ashtonknight88@gmail.com>

Wed 5/3/2023 10:27 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good Morning Mr. Harris, I am emailing you in hopes of stopping the demolition of the house on 48 S McLean Blvd. This business and its beloved owners are a gem to the community of midtown and surrounding areas. Please hear all of us out in trying to stop this project from happening over this sacred ground. Lucyia Hygge's shop has been a safe space and outlet for a community in suffering and need. My personal testimonies will not be enough to express my urgency in halting this demolition. Midtown/Memphis needs this business to keep the historic district alive and save whatever history there is left in Memphis. Once a church to our lost Native Americans, we want their legacy and land to forever be protected. I am pleading that you may do anything you can to help our citizens in this beautiful city to keep one of our treasures alive. Thank you for your time. best regards. Ashton.

Lucyja Hygge - 42 and 48 S. Mclean

Tawanda Knight <tawanda.knight@aimbridge.com>

Wed 5/3/2023 10:38 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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Dear Mr. Harris,

I am writing on behalf of the above referenced business. I would like to go on record by offering my petition to save the business and home at the above location. Lucyja Hygge has been a true asset to the community and to my life personally. The wellness goods and services that they provide are so essential to the growth and development of the mind, body and soul. My family have benefited from the Maria and Lucyja Hygge through the offering, education, meditation, yoga and wide variety of customized herbal teas, and essential oils that provide tranquility and wholistic remedies that fit every facet of day-to-day life. After Covid, my 16-year grandson participated in one of her meditation sessions, and it truly helped him overcome the anxiety that he developed during at home learning for over a year. He has adapted her practices and uses them at home to help him navigate the mental and emotional challenges of teen years.

The community really needs this place as it provides wellness services, tools and activities that promote spiritual and mental focus, especially given the current state of our world and city. Please do not remove this business from our area as it is a vital organ that breathes life into midtown and Memphis one breath at a time.

Sincerely,

**Tawanda Knight**

General Manager

Hampton Inn & Suites Memphis - Shady Grove

962 S. Shady Grove Rd.

Memphis, TN. 38120

901-762-0056 ext. 7701

tawanda.knight@hilton.com

tawanda.knight@aimhosp.com

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## Lucyja Hygge

Jacobia Anderson <jacobia2007@gmail.com>

Wed 5/3/2023 11:02 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Greetings,

My name is Jacobia Anderson. I want to share my experience with Lucyja Hygge. It is my safe haven. Mrs. Maria is God sent. This should be considered a historical site in Memphis due to it being there for 112 years being built on sacred ground. I pray you hear my request because it truly helps the community out.

Sent from my iPhone

**I love Lucyja Hygge !!!!!!!**

Dayla Rhodes <daylarhodes02@gmail.com>

Wed 5/3/2023 11:33 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Sent from my iPhone

## I NEED LUCYJA HYGGE

Dayla Rhodes <daylarhodes02@gmail.com>

Wed 5/3/2023 11:40 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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I pray that y'all can find another location to have your nursing home I know Ms Maria worked hard to have that location for her shop n it's helped me so much on my spiritual journal and dealing with life overall and it ain't been easy. I know it's the only place I can come to just to feel ok when too much is going on in my life. I could also feel the stress from a small business perspective of her having to relocate when It's easier for a company like you to find a location for a nursery home. Please consider the people like me that actually rely on Ms. Maria and her husband to make their day when they walk into their shop. Thank you

Sent from my iPhone

## Please Preserve the Houses at 42 and 48 South Mclean Blvd

Kimberly S <kim7818silva@gmail.com>

Wed 5/3/2023 11:50 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Dear Mr. Harris,

I am writing to you today to express my deep concerns about the fate of the two houses at 42 and 48 South Mclean Blvd. As a developer, I understand the importance of progress and development, but as a member of this community, I also understand the importance of preserving our history and heritage.

These two houses have been standing for over 112 years and hold significant historical and cultural value. They were built on sacred Indian ceremonial grounds and have witnessed the growth and changes of our community. They are a testament to our past and should be preserved for future generations to appreciate and learn from.

Additionally, I would like to bring to your attention the impact of Lucyja Hygge in our community. Lucyja Hygge is a peaceful place that helps people heal from trauma or recharge themselves thanks to their services to continue with everyday life. As someone who has personally benefitted from their services, I can attest to the transformative power of their work. My mom was going through depression after my stepdad died. But thanks to Lucyja Hygge, they helped my mom get over it and be in peace with it. And now she's living life thanks to them.

As a developer, you have the power to make a difference in our community. By preserving these houses, you will not only honor our history but also support organizations like Lucyja Hygge that contribute to our community's well-being. I implore you to reconsider your plans and work with us to find a better solution that benefits everyone.

Thank you for your time and consideration.

Sincerely,

Kimberly Silva

## Construction

Empress aly <perezalya52@gmail.com>

Wed 5/3/2023 12:16 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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I wanted to be nice but I will just be passionate.

LUCYJAHYGGGE is saving lives. Is HEALING THE CITY. You white people who think you can just tear down, gentrify, and white flight everything is what is killing OUR CITY.

I know you don't understand because of your small world of privilege you live in.

But this sanctuary is a safe haven for lost soul, new souls, old souls, and people needing guidance when they haven't gotten the answers they want.

LUCYJAHYGGGE is more than just a "spiritual" "woohoo" "crystal store". It is peace in the community. It provides the knowledge, guidance, and resources for those who want PEACE FOR THERE SOUL.

STOP gentrifying everything and anything. Please stop doing these things for MONEY. IT IS SICKENING.

The reason why Memphis is Memphis is because of its community. By tearing down LUCYJAHYGGGE you are taking apart of very IMPACTFUL piece of our community. A safe HAVEN for black, brown, white, Hispanic, and all races. She has brought people together.

We need less gentrification more refurbishing. While you are trying to build a new whatever. There are roads still unpaved, families homeless, pimps running the streets,

## Important: 42 and 48 S McLean

Jennifer Nicole <jen.orbik@gmail.com>

Wed 5/3/2023 12:58 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred burial ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Kindly,

Jennifer Orbik

A concerned Midtown resident and Lucyja Hygge regular customer

## Request to Preserve a Historical Site on Sacred Ground

Christy Gilles <christyg3273@gmail.com>

Wed 5/3/2023 1:10 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Dear Robert Harris,

I am writing to you with deep concern about your plans to tear down the houses at 42 and 48 South Mclean Boulevard. As a member of the local community and a passionate advocate for the preservation of our cultural heritage, I strongly believe that this property should be considered a historical site and preserved for future generations to come.

This site holds a great deal of significance for our community. Specifically, it was once an Indian ceremonial sacred ground, and during the 1800s, a church was placed on the land forcing the Indigenous People off. Although the church was later moved in 1890, the site still holds a deep historical and cultural significance for the local community.

In 1912, the house that currently stands on the site was built. Today, this house is home to the welcoming shop, Lucyja Hygge (pronounced lucy-ya hoo-gah). Lucyja not only serves as a sanctuary for those seeking healing and comfort but also honors the sacred ground on which it stands. The shop's spiritual offerings and practices, such as energy healing, Healing Meditation, and personal Oracle Readings, pay homage to the Indigenous practices that took place on this land for centuries. The shop has become a vital part of the community's connection to the sacred land and the spirituality that it represents.

I would also like to add that Lucyja Hygge has been instrumental in my healing process and that of many others in the community. Losing my mom to cancer recently has been a difficult and painful experience, and having a space like Lucyja's to turn to has been invaluable. It's a place where we can find comfort, share our stories, and feel a sense of community during an incredibly isolating time.

In addition to offering a welcoming space, Lucyja Hygge also offers a variety of services that have helped me on my grief journey. The workshops, events, and meets they host have given me new tools to cope with my loss and have allowed me to connect with others who are going through similar experiences and have brought us so much comfort and solace.

I would like to invite you to visit Lucyja's for yourself to truly experience being in the heart of Midtown and to recognize and understand the rich history of this site - even down to the four trees that were planted long before everything was built. I know you would be welcomed with open arms and given a great amount of knowledge as to why Memphis needs these houses to be protected for future generations to come.

Given the historical and cultural significance of the site, as well as its importance to the local community, I urge you to consider alternative development plans that would not result in the



destruction of this property. I understand that your project may have specific requirements, but I believe that we can work together to find a solution that respects the legacy of this House and land while also meeting your needs.

Perhaps you could consider working with the community so we can work with you to find a way to protect the site while still achieving your goals.

I implore you to recognize the importance of preserving this site and the legacy it represents. Together, we can find a way to balance development needs with the preservation of our cultural heritage.

Thank you for your time and consideration.

Blessing and Best regards,

Christiana Gilles  
901-319-2343  
[christyg3272@gmail.com](mailto:christyg3272@gmail.com)

## SE 23-001 - Opposition to Application for Special Exception - 42 and 48 S. McLean Street

Jennifer Hinds <jennifer.hinds@gmail.com>

Wed 5/3/2023 1:36 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon, Mr. Harris -

I hope that this e-mail finds you well. I have received notice that a special exception to the zoning laws has been made to the planning commission to allow for the building of a multi-unit nursing home on the lots which include 42 and 48 S. McLean, Memphis, Tennessee. I would like to register my opposition to the same for the following reasons.

First, the sites are zoned for single residential use, with a carve-out for a small home business on the ground floor of the business. The expansion of the use of the land to multi-unit residential would cause an increased use of the city water and sewer services that the existing infrastructure is not likely suited to handle. The power grid will also be strained with the increased need for electricity, making outages more likely especially when storms hit.

Second, S. McLean itself is not constructed to handle the increased traffic that would be brought on by the comings and goings of the residents, their families, and their caregivers. It is a three-lane street (one Northbound, one Southbound, and one turn lane) with no existing left turn arrow where it meets Union to the south. To widen it further would encroach on historic apartments on the other side of the street and would take out two or three old-growth trees associated with the land. The businesses that currently occupy these sites are not known for having comings and goings of multiple people at all hours of the night, nor are they known to have cars parking on the street for any length of time.

Third, the character of the neighborhood would be completely changed. These two houses are approximately 100 years old and match the houses behind it on Tucker. This city block was all part of one piece of land originally according to the tax assessor's records. If I recall correctly, the land has been single residential/farming in nature since the turn of the century, and professionals from the 1930s on (including a former Tennessee State legislator who promoted the use of seatbelts in the state) have lived and worked in this area. Adding a nursing home or an apartment complex will lead to increased traffic and a different building style to the rest of the neighborhood along with (likely) an open-air parking lot where there used to be vegetation and trees.

Fourth, a nursing home or apartment complex will have deliveries made to it and shift personnel coming in overnight. The noise levels and the hours for delivering needed supplies and maintenance will disturb the peaceful enjoyment of the properties that would be on the other side of the fence to the east.

In conclusion, these are not abandoned properties, nor is it property that has no value without a special exception being granted to the owner. To grant the exception would put a burden on the city and its power grid, would require road work to improve the street to avoid traffic flow issues, and would cause hardship to the neighbors who own residential homes behind the proposed development and those across the street. I ask that you please keep these factors in mind as you evaluate the request in SE-23-001.

Thank you for your kind attention to these matters; it is appreciated. I am sorry that I may not be able to attend next week's meeting on the 11th, but I hope that this e-mail will serve to show some of the concerns among the community with regard to granting this exception to the zoning laws.

Sincerely,

Jennifer Collins  
(901) 409-6389

42 and 48 S. Mclean

Danielle Billingsley <dani.billingsley@gmail.com>

Wed 5/3/2023 1:37 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender dani.billingsley@gmail.com

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Robert,

I am a former Memphian who has been made aware that you, as well as some others, are planning on destroying the beautiful houses that are at 42 S. Mclean and 48 S. Mclean. This is very upsetting to me. As someone who has family and friends still in Memphis, I visit often. Memphis is where I grew up. One of my favorite things is looking at houses like those at 42 and 48 S. Mclean. They are gorgeous houses that are on historical land. The current area that I live in is constantly destroying housing that is wonderful just to build overpriced homes. This is not okay. What need is there for a high end nursing home? Memphis is already a place where most of its citizens suffer from poverty. So why a high end nursing home when most of the people in the area can't even imagine affording something like that? Lucyja Hygge is a business that is in one of the houses. This business is so amazing. I have experienced so much love and joy just by walking into the establishment and talking to the owner and employees. Taking the building that this business is on and replacing the historical land is something that shouldn't be thought of. This business provides jobs. It provides things that people need. I highly discourage you moving forward with this project.

Thank you for your time,

Danielle Billingsley, former Memphian, forever fond of Midtown

--

Danielle Billingsley

## Urgent: 42 and 48 S. McLean

emily.budde18 <emily.budde18@gmail.com>

Wed 5/3/2023 1:51 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history. This home has created a place for every soul and being. This home now holds so much more than history but a community being built and growing fast.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerley,  
Emily

## In Regards to Lucyja Hygge

Taylor Herron <taylor\_herron@yahoo.com>

Wed 5/3/2023 2:35 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

Cc: Taylor Herron <tlherron.92@gmail.com>



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender taylor\_herron@yahoo.com

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Good day,

I am emailing you in regards to the very disturbing and very saddening news that I received today. To my understanding, Lucyja Hygge (along with other properties along the row), will be demolished for the purposes of placing a luxury nursing home on its' grounds. My heart aches. This metaphysical shop has literally saved my life. I'm unable to frequent often due to my proximity to the location, however, taking the trip to get there is always worth it and leaves me feeling more at peace than before I arrived. I WISH I could properly articulate how wrong this is; not only in the manner of reasoning behind this call to demolish, but in the manner of timing the city (and all officials involved with this matter) are allowing the patrons to respond. It's cruel and it's unfair. I get it, we are existing in a capitalistic environment and I can imagine how great of a business venture it would be for the company desiring to build on these sacred grounds. That will never negate how wrong it is. People like me find ways to keep living because of places like this. It was word of mouth that brought me to this place, and I pray it's word of mouth that help to keep it here. I would ask that you truly reconsider the offer that is on the table to strip so many Memphians (and those abroad) from a spiritual safe haven. I would beg that you consider the people who are literally relying on this place to stay alive. Upon visiting Lucyja's today, my heart was weeping as their store associate Maria helped me find the proper herbs to help cleanse my body that is plagued by sickness. There is a level of service at this metaphysical shop that is unmatched, and it is truly the reason why I support this business. You can never replace an experience in person that not only feeds your spirit, provides you with the product and services you desire, but still keeps your budget in mind. That experience can not be replicated through a digital platform, nor can it be fully replaced by forcing the owners to uproot decades of business rapport for the sake of finding a new building to continue their spiritual service through. I am afraid that in me stating that, that you won't truly FEEL what I am saying. I pray you do. I pray the voices you hear while you're reading the numerous emails in your inbox help you to feel not only what I'm saying but what the communities are saying. It's wrong to put this business venture over the spiritual health and well being of the patrons of Lucyja Hygge. My name is Taylor Herron, I can be reached at 901-800-6933. If a phone call would help plant a seed of discernment in you or anyone else involved, I will gladly give it. Otherwise, I pray this email has found you in a well space and an open mind. Please reconsider. I thank you for your time.

Taylor L. Herron

## Urgent: 42 and 48 S. McLean

Termaria Tyszka <otyliaprimarycare@gmail.com>

Wed 5/3/2023 3:44 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerely,

Termaria Tyszka  
Sent from [Mail](#) for Windows

**Urgent: 42 and 48 S. McLean**

Arion Cage <arion.cage@icloud.com>

Wed 5/3/2023 4:02 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerley,



## Urgent: 42 and 48 S. McLean

Tracey Brown <t.brownmegagate@gmail.com>

Wed 5/3/2023 5:10 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerley,

## Urgent: 42 and 48 S. McLean

Tracey Brown <jazzyspeaks1@gmail.com>

Wed 5/3/2023 5:12 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



The CoM Email Security System finds this email suspicious! We know Tracey Brown by name, but the email was sent from an unfamiliar address jazzyspeaks1@gmail.com | [Know this sender?](#)

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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

While I believe history should be preserved, I also believe the business that now occupies the house at 48 S McLean. Lucyja Hygge has become a safe place that my friends and I can go to purchase our tools and herbs for continued spiritual growth, maintenance and healing. The shop owner provides, yoga, meditation, and a host of additional products and services that are essential to us and many others. It has become a second home where all can feel welcome. I attribute some of that to the fact that this was once a ceremonial burial ground centuries ago. I feel compelled to implore our city to consider that in the decision to make this property a historical landmark, as Memphis has lost quite a few of our other landmarks including the destruction of the original Stax Recording Studio on McClemore, and much of the reconstructed Beale Street.

Sincerley,

Tracey Brown

**Urgent: 42 and 48 S. McLean**

roshonbarlow@gmail.com <roshonbarlow@gmail.com>

Wed 5/3/2023 6:00 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerley,

Sent from my iPhone

## Urgent action needed to save historic building 48 S. McLean

VaShaunna Dixson <mrvashaunnadixson@gmail.com>

Wed 5/3/2023 6:17 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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I am writing to you with great concern for the future of Lucyja Hygge at 48 S. McLean, a historic building that is currently being considered for demolition. As a member of the community, I urge you to take immediate action to prevent the destruction of this valuable piece of local history.

48 S. McLean has long been an important part of our community, having been built in 1912 and serving as a home to many important events over the years. It is a cultural and historical landmark that serves as a reminder of our town's rich heritage, and is an important symbol of our collective identity.

I urge you to take this matter seriously and reconsider the decision to demolish Lucyja Hygge.

Sincerely,

VaShaunna Dixson

## Lucyja Hygge

Steph Clinton <stephanie.clinton2000@gmail.com>

Wed 5/3/2023 6:34 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender stephanie.clinton2000@gmail.com

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Hello,

I am a concerned Tennessean living in Memphis and a recent graduate of Rhodes College and I've recently heard the devastating potential news that the historic buildings at 42 and 48 South McLean are being torn down? Building an expensive nursing home is not necessary and will be tearing down historic buildings on sacred grounds. I am appalled the government and elected officials would even consider pushing through with these plans and allow such a beloved and historically significant piece of Memphis down. Memphis is built by community, and the community loves Lucyja Hygge. Please, I urge you to stop the building plans for this nursing home. Thank you.

## Urgent: 42 and 48 S. McLean

Abigail Latture <abbylatture@gmail.com>

Wed 5/3/2023 6:37 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

**The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender abbylatture@gmail.com**

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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerley,

Sent from my iPhone

## Urgent: 42 and 48 S. McLean

DJ Alpha Whiskey <djalpawhiskey88@gmail.com>

Wed 5/3/2023 7:16 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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Dear Robert Harris,

I am writing to express my deep concern about the construction of a retirement apartment complex on Indian Ceremonial Ground in Memphis, Tennessee. As you may be aware, this land is of immense cultural and historical significance to the indigenous people of this region.

The Indian Ceremonial Ground has been used for thousands of years for sacred ceremonies, cultural events, and as a burial ground for Native Americans. It is a sacred site that holds deep spiritual meaning and significance to the Native American community and Lucyja Hygge serves it morally and respectfully. Building an apartment complex on this site would be disrespectful and dishonorable to the indigenous people of this region.

I urge you to reconsider your plans and halt the construction of this apartment complex. Instead, I implore you to work with the Native American community and the City of Memphis to preserve this site and find a more suitable location for your project.

Preserving cultural heritage is not only a moral obligation but also a legal requirement. The construction of the apartment complex on Indian Ceremonial Ground could potentially violate several federal and state laws, including the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act.

I urge you to act responsibly and with respect towards the Native American community and their cultural heritage. Thank you for your consideration.

Sincerely, Alpha Whiskey International LLC

**Urgent: 42 and 48 S. McLean**

Mary Le <maryle100@gmail.com>

Wed 5/3/2023 11:40 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerely,  
Mary Le

**Lucyja Hygge**

Turquoise Majesty <turquoisemajesty@gmail.com>

Thu 5/4/2023 7:36 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Hi!

Lucyja Hygge is a beautiful addition to the community where it is located and should not be replaced with a high-end elder care home.

Best Regards,

A tax paying citizen 😊

## 42 & 48 S. Mclean

Hannah Fort <hannahfort285@gmail.com>

Thu 5/4/2023 10:08 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Hello Robert,

I am emailing in regards to the houses located at 42 and 48 S. Mclean Blvd. These houses have provided a valuable addition to our community, as they have been around for 112 years and are situated on a sacred burial ground. As stated, these homes are on a burial ground, making them protected under the Tennessee Government mandate, 46-8-101. I will provide a link below. This location should be considered as a historical site in this city, as well as a valuable economical addition to the community, as it holds a fully operating store at 48 S. Mclean. I ask you to reconsider your decision to demolish these buildings, as they hold important value to the city at large. Thank you for your consideration.

[https://www.tn.gov/content/dam/tn/environment/archaeology/documents/TCA\\_Cemeteries.pdf](https://www.tn.gov/content/dam/tn/environment/archaeology/documents/TCA_Cemeteries.pdf)

Best,  
Hannah Fort



## Please help: 42 and 48 S. Mclean historical sites

olivia campo <oliviacampo@gmail.com>

Thu 5/4/2023 11:00 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Hello Mr. Harris,

I moved to Memphis from New Jersey with my family in 2005. One of the reasons I moved, raised my three children, attended the University of Memphis, and opened two businesses is all due to the richness of the culture, community, and history of the city. I watched the growth and expansion of the city with joy and hopes of containing the city's values and uniqueness without allowing the negative effects of capitalism to ruin the people, places, and things that truly set Memphis apart from any other city.

I am writing to ask you to help save a healing staple in the community and acknowledge a historical site currently unrecognized. Lucyja Hygge and a neighboring house located at 42 and 48 S. McLean has a property owner that's planning to replace them with a high-end nursing home. These homes should not be torn down and replaced. Both homes were built over 112 years and built on sacred ground.

Please go to both homes and save these staples of history. You would do an injustice if you didn't walk inside Lucyja's and feel why it's a house of love and healing that this city so needs.

I appreciate your time, support, and understanding.

Thank you  
Olivia Campo  
901-500-6419

This light is contagious, go tell your neighbors; just reach out and pass it on!  
- Emeli Sande'

## Lucyja Hygge

Abby Waite <abigail.l.waite@gmail.com>

Thu 5/4/2023 12:19 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Hello Robert,

I am emailing in regards to the houses located at 42 and 48 S. Mclean Blvd. These houses have provided a valuable addition to our community, as they have been around for 112 years and are situated on a sacred burial ground. This location should be considered as a historical site in this city, as well as a valuable economical addition to the community, as it holds a fully operating store at 48 S. Mclean. I ask you to reconsider your decision to demolish these buildings, as they hold important value to the city at large.

Secondly, the owners of Lucyja Hygge are by far the kindest people I have ever encountered in my life and they have created a space that is so deeply important to the kind of city I know Memphis can become. It would be a mistake to displace this community for that reason alone. They've worked incredibly hard to keep this space open through the pandemic and the following chaos and it would set the city back to create a precedent that shows that community leaders and the progress of the city as a whole is not valued at the government level.

Thank you,  
Abigail Waite

## Urgent: 42 and 48 S. McLean

Avant Avant <briana.avant1@gmail.com>

Thu 5/4/2023 1:18 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerley,

Sent from my iPhone

## Urgent: 42 and 48 S. McLean

Brian Word <briantwordsr@gmail.com>

Thu 5/4/2023 4:33 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerley,

Sent from my iPhone

**URGENT MATTER: 42 and 48 S. McLean**

Emily Schwartz <emilyannaschwartz@gmail.com>

Thu 5/4/2023 6:47 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender emilyannaschwartz@gmail.com

**CAUTION:** This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Harris,

As a concerned Memphian, I am writing to urge you to reconsider the decision to tear down 42 and 48 S McLean. I made the conscious decision to make Memphis my home several years ago after falling in love with the grit, the soul, and the resilience of the city. Unfortunately, over the past few years, as urban development has progressed, the city I fell in love with has begun to become unrecognizable.

As I am sure you have read from your emails, 42 and 48 S McLean hold a history that provides Midtown with the charm, character, and community that are distinctive of this neighborhood. Yet, the Midtown neighborhood is becoming a land of gentrified complexes and structures that are disintegrating this neighborhood into a cold, urban district. I urge you not only to consider the over 112 years of history these homes hold, but also the sacred ground they are built upon.

American land, in essence, is not our land. This land is sacred land to the natives. However, we continue to build, rebuild, gentrify, and capitalize on land that was never ours to begin with. The Black-owned small business Lucyja Hygge is located in one of these homes. However, Lucyja Hygge is beyond a business, it is a community and home to all who have entered its doors. Lucyja's has cultivated a safe and sacred space for the Memphis community to reconnect with themselves and their spirituality. In a world where we cannot escape colonialism as a part of our history, Lucyja's has established a space that is beginning to reclaim that, and that honors the ancestors of whom this land belongs to.

Surely, there are many more locations in the city suited for the development of a nursing home that would not entail the destruction of history and community.

I urge you to consider that the destruction of these homes is a destruction of history. I urge you to consider that the destruction of these homes is destruction of sacred ground. I urge you to consider the destruction of these homes contributes to the malicious colonized narrative of this country. And finally, I urge you to consider, ***if these homes housed a church, would we be having the same conversation?***

Lucyja's cultivation of a warm and supportive spiritual community is similar to that of which many find in the churches throughout our city. Please additionally take that into consideration. I am hopeful you have the empathy and understanding to recognize what the demolishing of these homes holds for many--it is a demolishing of their "home away from home," and their spirit.

**Again, I am calling for action to be taken to stop the destruction of these homes, this community, this sacred ground.**

Your distressed citizen,  
Emily

**Emily Schwartz, MA, RDT** (she/her)  
Drama Therapist  
[emilyannaschwartz@gmail.com](mailto:emilyannaschwartz@gmail.com)  
407.619.7233

42 and 48 N Mclean

Joy Murray <joyzmailbox@gmail.com>

Thu 5/4/2023 7:05 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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Dear Mr. Harris,

I live at 50 N McLean Blvd and am dismayed to hear of the plans to tear down 42 and 48 N Mclean. They are the type of properties that make this area of midtown so enjoyable. They are lovely old buildings with lots of history, and the properties have a few of the awe inspiring old trees now left on that stretch of Mclean.

I am a wheelchair user and pass by there often, and it's always a nice break from the traffic and commercial buildings around it. They provide a little breathing space for the many pedestrians in this area.

The owners of Lucyja Hygge have been particularly nice to me. Their business isn't wheelchair accessible, but they've reached out to me, and helped me enjoy their store, even delivering products I've wanted to my house for free.

This area of Midtown has been gentrified enough. There needs to be spaces where small businesses can get a start, and where people who live nearby can enjoy the city's past architectural styles.

I understand there are plans to build a luxury senior citizens/nursing home there, but I don't think any business like that will be as friendly and enjoyable to this senior citizen, who has lived in the neighborhood for almost 40 years.

It may seem like a small area to you, but it's a vitalbit of beauty on the street. There are still areas of Midtown that have vacant lots that could be a better fit for the new development.

If you'd like, please read my blog post about my first encounter with the owner of Lucyja Hygge: <https://joymurray.com/2022/02/19/wonderful-world/>

An island of friendliness in a busy city is a contribution in big and small ways for the health of its citizens of all ages.

With respect,

Joy Murray

--

Joy Murray

<http://joymurray.com>

*"Love art. Of all lies, it is the least untrue." Gustave Flaubert*

*If you'd like to support my art, check out my Patreon page:*

<https://www.patreon.com/user>

34, 40, 42, & 48 S McLean Blvd

Kayla Trent <ktrent71216@gmail.com>

Thu 5/4/2023 8:27 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender ktrent71216@gmail.com

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Hello Mr. Harris,

I'm writing to ask you please not allow a special exception be made at 34, 40, 42, and 48 S McLean Blvd.

48 S McLean Blvd is the location of a thriving Black woman-owned business called Lucyja Hygge. The services provided at this location bring revenue to Midtown from beyond the city limits and state line.

I travel from Mississippi to Midtown for her services, always purchase a meal nearby, and often venture to other businesses in the area. I bring friends and family along who also purchase meals, merchandise, and other services while in the area. I also know of a man who travels from Arkansas every weekend for the healing provided at 48 S McLean Blvd.

Please honor the sacred land, these historic homes, and the cultural & financial contributions to Memphis which are provided through 34, 40, 42, and 48 S McLean Blvd by not permitting the special exception.

Sincerely,  
Kayla Trent

## Saving the historic houses on McLean Blvd

Zachary Provines <zachprovines@gmail.com>

Thu 5/4/2023 9:32 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender zachprovines@gmail.com

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Good evening,

I wanted to email you over the plans regarding the demolition of the older houses on McLean Blvd to have a retirement home built on top of them. I don't feel that the decision would be wise, considering the locations are site to quite a lot of substantial history!

I recently learned the building that the store Lucyga Hyyge is located at has tunnels underneath that slaves historically used to escape their situations, on top of that the building itself used to act as a church and a doctors place of practice. Please look into these and consider this before following through the demolition process.

Thanks!



## Urgent: 42 and 48 S. McLean

Jacqueline Oselen <jeoselen1@gmail.com>

Thu 5/4/2023 10:02 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

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---

Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

If this happens please know that you will be destroying history and sacred ground. I know that I could not live with that on my conscience, can you?

Sincerley,  
Jacqueline E. Oselen

--

**Jackie O!** Holistic Life Coach

Equipping You to **THRIVE** in Spirit, Mind & Body

*Health & Wellness Coach*

*Certified Yoga Teacher*

*Essential Oils Educator*

*Holistic Health Practitioner*

**901.281.7585**

## lucyja hygge

Sarah Hennan <sarahhennan@aol.com>

Thu 5/4/2023 10:19 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

CAUTION: This email originated outside of the City of Memphis organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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hello, my name is sarah hennan and i'm sending this email because of what i've heard. the houses at 42 and 48 s.mclean st should NOT be torn down and removed, they have a special piece of memphis in them. todays world has just gone absolutely down hill to a point where people need some good. every corner in memphis there's a shooting after a robbery after a car jacking etc.. and you don't know how many lives it would affect if these houses stayed there. memphis has so many apartments and nursing homes it's outrageous and from my personal experience with one nursing homes... they really aren't much to brag about. my grandmother was placed in the nursing home on mclean and it was an absolute nightmare. no one would change her or clean her and everyone there just didn't care. my sister and i had to go in every day to take proper care of our grandmother which is what the nurses get paid to do but didn't... right? the reason for this email is about lucyja hygge.. this place sits so dear not only in my heart but in the people of memphis hearts as well. i hit a very very low point in my life in 2021.. i was at work one day and a girl came through my line and i complimented her bracelet and she told me she got it from her work which is right behind starbucks and to come after work... so i did. the moment i walked in i was welcomed in like they had known me for years. they helped me get back on the path that i needed to be on. they helped ease my mind and find my peace. they have supported me through everything and for the possibility of my safe place and the people i hold close to my heart to be taken away like that is terrifying to think about. they pulled me out of my darkest place.. and not just me, other people in the community. these buildings have so much history behind them and if they get torn down it will be devastating.

thank you for your time  
-sarah hennan

Sent from my iPhone

## Urgent: 42 and 48 S. McLean

Lisa Moore <lisa@dancingwaterusa.com>

Thu 5/4/2023 10:55 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>



**The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender lisa@dancingwaterusa.com**

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Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

Please do not tear these places down to build high end nursing homes, there are so many other locations that can be used for such a place.

When I travel the world I am in awe of the age of buildings in the cities. My awe is increased by the beauty of how the old is maintained and honored in the midst of modern progress. Please keep the beautiful buildings that remain on McLean

Sincerely,

Lisa Moore

Sent from my iPhone  
Please forgive any typos

**Urgent: 42 and 48 S. McLean**

Tieranee Lawson <ltieranee@yahoo.com>

Thu 5/4/2023 11:33 PM

To: Harris, Robert <Robert.Harris@memphistn.gov>

**The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender ltieranee@yahoo.com**

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---

Good afternoon,

I am emailing in regards to the decision to tear down 42 and 48 S McLean. These houses have been here for over 112 years and should be considered historical landmarks. Not only this, but Lucyja Hygge is a small Black owned business that creates community in Memphis. Lucyja Hygge is also on sacred ground and if you tear these places down you will be destroying history.

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Sincerley,

Sent from my iPhone

**48 S McLean Blvd**

obohatch@gmail.com <obohatch@gmail.com>

Fri 5/5/2023 7:09 AM

To: Harris, Robert <Robert.Harris@memphistn.gov>

**The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender obohatch@gmail.com**

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Hello Mr. Harris,

Please do not grant the special exception requests to allow 4 stories where not permitted by Section 8.4.9 at 34, 40, 42, and 48 S McLean Blvd. Built in 1910, this beautiful structure is part of Memphis history. Please do not let that small piece be erased.

Thank you,  
Ona Bohatch

TO: Land Use Control Board  
Re: SE 23-01  
Attn: [Robert.Harris@memphistn.gov](mailto:Robert.Harris@memphistn.gov)



Board of Adjustment:

Neighborhood representatives from across Midtown discussed SE 23-01 at our monthly meeting last night. There are two major comments:

1) As the city embarks on its Innovation Corridor, with a stop literally at this address's front door, why would the city not want to build something here that would support that effort? Transit oriented development requires density, not a health care facility. Adults who have lost their faculties are unlikely to be heavy users of public transportation. We urge the Board of Approval to support Memphis's expansion of public transport and REJECT this application.

2) Should the Board support this proposal, we ask that the board also support the city's efforts toward sustainable housing and require that these two perfectly good buildings, both in-use or recently occupied, be moved to another location and re-established. Demolishing the old housing stock that defines this part of Memphis is creating a characterless locale with no definition. Further there are vacant lots and other areas ripe for development that are further from busy street corners and thus safer for those who will occupy this proposed facility.

The opposition is much larger than us.

There are nearing 1000 signatures on a Change.org petition that is against this petition; that number has probably gone up. That is a loud and firm voice from the community. View here:

[https://www.change.org/p/save-the-historical-house-located-at-48-s-mclean-blvd-memphis-tn-38104?source\\_location=search](https://www.change.org/p/save-the-historical-house-located-at-48-s-mclean-blvd-memphis-tn-38104?source_location=search)

We support the need for facilities like what's proposed, but we also support the community that will surround this proposed facility. The community would prefer to maintain character not lose character; the community would prefer to support the city's efforts to become denser, cleaner, less chaotic.

We ask the Board of Adjustment to also support the community and to support the city by REJECTING this proposal.

Thank you,

*Emily Bishop*

Emily Bishop  
MM.org President

A handwritten signature in black ink, appearing to read "Robert Gordon".

Robert Gordon  
P&D Cmte Chair

---

EXECUTIVE COMMITTEE

Emily Bishop

Porsche Stevens

Karen Lebovitz

Karen Edwards

Sterling Owens

---

BOARD OF DIRECTORS

Kerri Campbell

Chip Clay

J.De DeHart

Robert Gordon

Trace Hallowell

Andy Kitsinger

Jackie Nichols

Linda Sowell

Natasha Strong

---

66 S. Cooper St., Ste. 506  
Memphis, TN 38104

[info@midtownmemphis.org](mailto:info@midtownmemphis.org)

[MidtownMemphis.org](http://MidtownMemphis.org)



## Record Summary for Special Exception

### Record Detail Information

Record Type: Special Exception

Record Status: Assignment

Opened Date: April 6, 2023

Record Number: SE 2023-001

Expiration Date:

Record Name: 34-48 S. McLean

Description of Work: Special Exception to allow 4 stories

Parent Record Number:

### Address:

34 S MCLEAN BLVD, MEMPHIS 38104

### Owner Information

Primary Owner Name

Y MCLEAN PARTNERS LLC

Owner Address

3025 GARDENS WAY, MEMPHIS, TN 38111

Owner Phone

### Parcel Information

017053 00026

### Data Fields

#### PREAPPLICATION MEETING

Name of DPD Planner N/A

Date of Meeting -

Pre-application Meeting Type -

#### GENERAL INFORMATION

Requested Special Exception -

**GENERAL INFORMATION**

Is this application in response to a citation from Construction Code Enforcement or Zoning Letter? No

If yes, please provide additional information -

**RELATED CASE INFORMATION**

Primary Case Number -

Associated Case Numbers -

**APPROVAL CRITERIA**

The request will not adversely affect any plans to be considered (see Chapter 1.9) The request is consistent with adjacent properties

A special exception does not injure or damage the use, value or enjoyment of surrounding property or hinder or prevent the development of surrounding property. The request is consistent with adjacent properties

A special exception does not have an adverse impact on land use compatibility. No affect to land use compatibility

A special exception does not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed use. No affect to uses of adjacent properties.

When approving a special exception, the Land Use Control Board shall give special consideration to building and site improvements that enhance the level of pedestrian amenities. The request does not affect pedestrian amenities.

**GIS INFORMATION**

Case Layer BOA1978-219

Central Business Improvement District No

Class R

Downtown Fire District No

Historic District -

Land Use SINGLE-FAMILY

Municipality MEMPHIS

Overlay/Special Purpose District Midtown Overlay

Zoning RU-4

State Route -

Lot 0 9

Subdivision M C WELLFORD BLK 1

Planned Development District -

Wellhead Protection Overlay District -

**Data Tables**

**ADDRESS AND PARCEL LIST**

Property Address: 34 S. McLean Blvd.

Property Parcel Number: 01705300026

---

Property Address: 40 S. McLean Blvd.

Property Parcel Number: 017053 00025

---

Property Address: 42 S. McLean Blvd.  
Property Parcel Number: 017053 00024

---

Property Address: 48 S. McLean Blvd.  
Property Parcel Number: 017053 00023

---

### Contact Information

Name	Contact Type
EDDIE KIRCHER	APPLICANT

Address

Phone

-

---

### Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1459910	Special Exception (5 acres or less)	1	750.00	INVOICED	0.00	04/06/2023
1459910	Credit Card Use Fee (.026 x fee)	1	19.50	INVOICED	0.00	04/06/2023

Total Fee Invoiced: \$769.50

Total Balance: \$0.00

---

### Payment Information

Payment Amount	Method of Payment
\$769.50	Credit Card



**MEMPHIS AND SHELBY COUNTY**  **DIVISION OF PLANNING AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

**Property Owner's Affidavit**

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Ed Apple [Signature], state that I have read the definition of  
(Print Name) (Sign Name)

"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises

I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

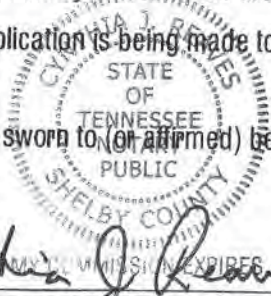
of the property located at 34, 40, 42 & 48 S. McLean Blvd.

and further identified by Assessor's Parcel Number 017053 00023-26

for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 30<sup>th</sup> day of March in the year of 2023

Cynthia J. Reeves  
Signature of Notary Public



9/27/23  
My Commission Expires



ENGINEERING • PLANNING

5909 Shelby Oaks Drive  
Suite 200  
Memphis TN 38134

Tel: 901-373-0380  
Fax: 901-373-0370  
[www.SRCE-memphis.com](http://www.SRCE-memphis.com)

Date: March 30, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: S. McLean Blvd.

### **LETTER OF INTENT**

We are submitting a Special Exception application for property at 34, 40, 42, and 48 S. McLean Blvd. The property is in the Midtown District Overlay. We are requesting a special exception to allow 4 stories.

We appreciate your support with this request. Please contact me if you have any questions.

KIRCHER, LLC

**Snapshot Market Assessment**  
**Memphis, Tennessee**  
**July, 2022**

Study Conducted By

**ProMatura**

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## Independent Living Demand

### Methodology

Exhibit 5.1 provides estimates of market opportunity developed using the ProMatura Demand Model for independent living apartments for the target markets within the primary market area. Demand is projected for the years 2022 and 2027 using estimates for households headed by someone 75+ years with an annual income of \$35,000+ and \$50,000+.

**Line A: Total Qualified Market:** Claritas, Inc. projects the total number of households headed by someone 75+ years with an annual income of \$35,000+ and \$50,000+. These totals are not cumulative because the number of 75+ households with \$35,000+ annual income includes households with income of \$50,000+.

**Line B: Total Demand from Within the Market:** Using the ProMatura Demand Model, independent living demand is from 75+ households with incomes of \$35,000+ and \$50,000+ in the PMA.

**Line C: Percent of Demand from Outside the PMA:** The ProMatura Demand Model projects an increase in demand to account for the demand created by households not currently living in the PMA. Depending on the economic characteristics of the geographical area in which the subject property is located, a percentage of the demand may come from households not living in the PMA. It is here, also, that the adult child market is recognized.

**Line D: Households Drawn from Outside the PMA:** The demand from Line B is divided by the percent of demand assumed to come from within the PMA (determined from Line C) to give the total estimated demand. The demand from within the PMA is subtracted from this total and the net difference is assumed to come from outside the PMA.

**Line E: Total Estimated Demand:** The total estimated demand for independent living in the PMA, based on census estimates for the years 2022 and 2027 (the sum of Lines B and D), is projected among households headed by someone 75+ with annual income of \$35,000+ and \$50,000+.

**Line F: Competitive Units in the Market Area:** The number of independent living units currently serving the market that have been deemed to be in direct competition with the units in or proposed for the subject property.

**Line G: Competitive Units Vacated (12 months):** The number of units listed on Line F that will turn over each year based on the type of property.

**Line H: Competitive Units Under Construction:** The number of independent living units in development that are likely to be completed and compete with the subject property.

**Line I: Number of Independent Living Units to be Filled:** The sum of Line G and Line H.

**Line J: Estimated Market Opportunity for after Planned Units are Developed:** Using household estimates for the years 2022 and 2027, and assuming the appropriate draw from outside the market area, the ProMatura Demand Model projects the independent living market opportunity, or demand in excess of current supply, among households 75+ with an annual income of \$35,000+ and \$50,000+ living in the PMA.

Exhibit 5.1. Estimated Annual Market Opportunity for Independent Living in the 5-Mile PMA					
	Income Segment:	\$35,000+ Annual Income		\$50,000+ Annual Income	
	Year:	2022	2027	2022	2027
A.	Total Qualified Market (75+ Households)	3,650	4,578	2,476	3,183
B.	Total Demand within the Market	138	177	90	119
C.	Percent of Demand from Outside PMA	30%		30%	
D.	Households Drawn from Outside the PMA	59	76	39	51
<b>E.</b>	<b>Total Estimated Demand (B+D)</b>	<b>197</b>	<b>253</b>	<b>129</b>	<b>171</b>
F.	Competitive Units in Market Area	379	379	379	379
G.	Competitive Units Vacated in 12 months	113	113	113	113
H.	Competitive Units Under Construction	0	0	0	0
I.	Number of Independent Living Units to be Filled (G+H)	113	113	113	113
<b>J.</b>	<b>Estimated Market Opportunity for Additional Units (E-I)</b>	<b>84</b>	<b>140</b>	<b>16</b>	<b>58</b>

### Methodology

Exhibit 5.2 provides estimates of market opportunity developed using the ProMatura Demand Model for assisted living apartments for the target market in the primary market area. Demand is projected for the years 2022 and 2027 using estimates for households headed by someone 75+ years of age with annual income of \$35,000+ and \$50,000+.

**Line A: Total Qualified Market:** Claritas, Inc. projects the total number of households headed by someone 75+ years of age with annual income of \$35,000+ and \$50,000+. These totals are not cumulative because the number of 75+ households with \$35,000+ in annual income includes households with income of \$50,000+.

**Line B: Total Demand from Within the Market:** Using the ProMatura Demand Model, assisted living demand is from 75+ households with incomes of \$35,000+ and \$50,000+ in the PMA.

**Line C: Placed by Family Member:** The ProMatura Demand Model was built on decisions made by 60+ households and does not take into account decisions of children to move their parents to an assisted living residence. A separate research study of 1,023 residents in 178 communities across the United States shows that of the residents, 32.8 % move to an assisted living residence as a result of the decision of someone other than themselves. To accurately project assisted living demand, the demand figures are increased by 32.8 %. Many of the 32.8% moved to the community to be closer to their adult children.

**Line D: Percent of Demand from Outside the PMA:** The ProMatura Demand Model projects an increase in demand to account for the demand created by households not currently living in the PMA. Depending on the economic characteristics of the geographical area in which the subject site is, or is going to be located, a percentage of the demand may come from households not living in the PMA. It is here also, that the “adult child” market is recognized.

**Line E: Households Drawn from Outside the PMA:** The total demand from Lines B and C is divided by the percent of demand assumed to come from within the PMA (determined in Line D) to give the total estimated demand. The demand from within the PMA is subtracted from this total and the net difference is assumed to come from outside the PMA.

**Line F: Total Estimated Demand:** The total estimated demand for assisted living in the PMA, based on census estimates for the years 2022 and 2027 (the sum of Lines B, C and E), is projected among households headed by someone 75+ with annual income of \$35,000+ and \$50,000+.

**Line G: Competitive Units in the Market Area:** The number of assisted living units currently serving the market that have been deemed to be in direct competition with the units in or proposed for the subject property.

**Line H: Annual Turnover of Competitive Units:** The number of units listed on Line G that will turn over each year based on the type of property.

**Line I: Units under Construction:** Number of competitive units actively being developed.

**Line J: Number of Assisted Living Units to be Filled:** The sum of Line H and Line I.

**Line K: Estimated Market Opportunity For Additional Units:** Using household estimates for the years 2022 and 2027, and assuming the appropriate draw from outside the market area, the ProMatura Demand Model projects the assisted living market opportunity, or demand in excess of current supply, among households 75+ with annual income of \$35,000+ and \$50,000+ living in the PMA, after planned units are developed.

Exhibit 5.2. Estimated Annual Market Opportunity for Assisted Living in the 5-Mile PMA

	Income Segment:		\$35,000+ Annual Income		\$50,000+ Annual Income	
	Year:	2022	2027	2022	2027	
A. Total Qualified Market (75+ Households)		3,650	4,578	2,476	3,183	
B. Total Demand within the Market		159	194	88	112	
C. Placed by Family Members (32.8%)		52	64	29	37	
D. Percent of Demand from Outside PMA		30%		30%		
E. Households Drawn from Outside the PMA		68	83	38	48	
<b>F. TOTAL ESTIMATED DEMAND (B+C+E)</b>		<b>279</b>	<b>341</b>	<b>155</b>	<b>196</b>	
G. Competitive Units in Market Area		92	92	92	92	
H. Annual Turnover in Competitive Units (57.8%)		48	48	48	48	
I. Units under Construction		0	0	0	0	
J. Number of Assisted Living Units to be Filled (H+I)		48	48	48	48	
<b>K. ESTIMATED MARKET OPPORTUNITY FOR ADDITIONAL UNITS (F-J)</b>		<b>231</b>	<b>293</b>	<b>107</b>	<b>148</b>	

### Methodology

Demand projections for individuals with mild-to-moderate Alzheimer's symptoms among households 65+ with \$35,000+ and \$50,000+ income for the years 2022 and 2027. Need is projected using prevalence rates of Alzheimer's disease from the National Institute on Aging as presented in the *Archives of Neurology*. Each line item in Exhibit 5.3 – 5.6 is described below:

**Line A: Total Qualified Market:** Claritas, Inc. projects the number of individuals 65+ years of age with annual income of \$35,000+ and \$50,000+ in the PMA for year studied.

**Line B: Alzheimer's Prevalence Rate:** The percent of the population believed to have Alzheimer's disease or some form of dementia (Prevalence Rate) is shown for three age cohorts (65 to 74, 75 to 84 and 85+).

**Line C: Income Qualified Population with Alzheimer's Symptoms:** In the PMA, the estimated numbers of individuals 65+ years of age with annual incomes of \$35,000+ and \$50,000+ who have Alzheimer's disease (Line A x Line B).

**Line D: Percent of Alzheimer's Patients Cared for Outside the Home:** The Alzheimer's Association estimates that 30% of those with Alzheimer's disease are cared for outside the home.

**Line E: Number of Alzheimer's Patients Cared for Outside the Home:** Total number of individuals in the PMA who are estimated to have Alzheimer's disease or a related disorder requiring care outside the home.

**Line F: Percent of Population with Alzheimer's Disease who are Classified as "Severe":** Estimates from *Archives of Neurology* show the percent by age segment of those with Alzheimer's disease whose symptoms are classified as "severe." An individual with severe Alzheimer's symptoms generally requires skilled nursing care and cannot be cared for in an assisted living Alzheimer's setting. Those who have "severe" Alzheimer's disease will likely be cared for outside the home.

**Line G: Number with "Severe" Alzheimer's:** The total number of individuals with Alzheimer's disease who have symptoms that are classified as "severe" (Line C x Line F).

**Line H: Number of Individuals in the PMA with Mild-to-Moderate Alzheimer's Disease Cared for Outside the Home:** The estimated number of individuals 65+, with annual incomes of \$35,000+ and \$50,000+ in the PMA, who have mild-to-moderate Alzheimer's symptoms and need care outside the home (Line E – Line G).

**Line I: Demand from Outside the PMA:** Based on economic conditions and the size of the PMA, the proportion of demand/need that will come from households not currently living in the PMA.

**Line J: Total Need for Alzheimer's Care in Assisted Living:** The number of individuals who will need Alzheimer's care provided by the subject property at the designated location.

**Line K: Number of Alzheimer's Units in the Primary Market Area:** The total number of directly competitive units currently serving the PMA.

**Line L: Annual Turnover:** According to the American Seniors Housing Association, the annual turnover in memory care units is 52.2%.

**Line M: Number of Alzheimer's Units Under Construction:** Using the McGraw Hill/NIC MAP construction report, any memory care units in properties identified by ProMatura as under construction within the PMA are included in Line M. ProMatura notes that these projects are in early stages of development and there is no way to guarantee that they will come to fruition. Also, it is important to note that ProMatura does not have a way to ascertain information regarding properties under construction that are not in the formal planning stages and, therefore, it is possible that there are developments under construction that are not included below.

**Line N: Total Estimated Units to be Filled** (Line L + Line M)

**Line O: Assisted Living Alzheimer's Need:** The total need for additional memory care units in an assisted living setting in the PMA.



Exhibit 5.3. Estimated Annual Need in the 5-Mile PMA for Memory Care \$35,000+ (2022)

	65 to 74	75 to 84	85+	Total
A. Total Qualified Market ( <b>\$35,000+</b> )	11,203	3,726	1,159	16,087
B. Prevalence Rate of Alzheimer's Disease	1.6%	19.5%	43.2%	
C. Income Qualified Population with Alzheimer's Disease	179	726	501	1,406
D. Percent of Alzheimer's Patients Cared for Outside Home		30%		
E. Number of Alzheimer's Patients Cared for Outside Home	54	218	150	422
F. Percent with Severe Alzheimer's Disease	17.0%	20.0%	28.0%	
G. Number with Severe Alzheimer's Disease (Line C x Line F)	30	145	140	316
H. Number of Persons with Mild-to-Moderate Alzheimer's Cared for Outside the Home (Line E - Line G)	23	73	10	106
I. Demand from Outside the PMA (+30%)	10	31	4	45
<b>J. Total Need for Alzheimer's Care in Assisted Living</b>				<b>151</b>
K. Number of Alzheimer's Units in the PMA				27
L. Annual Turnover				17
M. Number of Alzheimer's units under construction				0
N. Total Estimated Units to Fill (Line L + Line M)				17
<b>O. Assisted Living Alzheimer's Need</b>				<b>135</b>

Exhibit 5.4. Estimated Annual Need in the 5-Mile PMA for Memory Care \$50,000+ (2022)

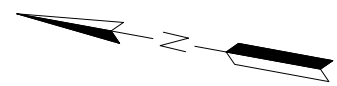
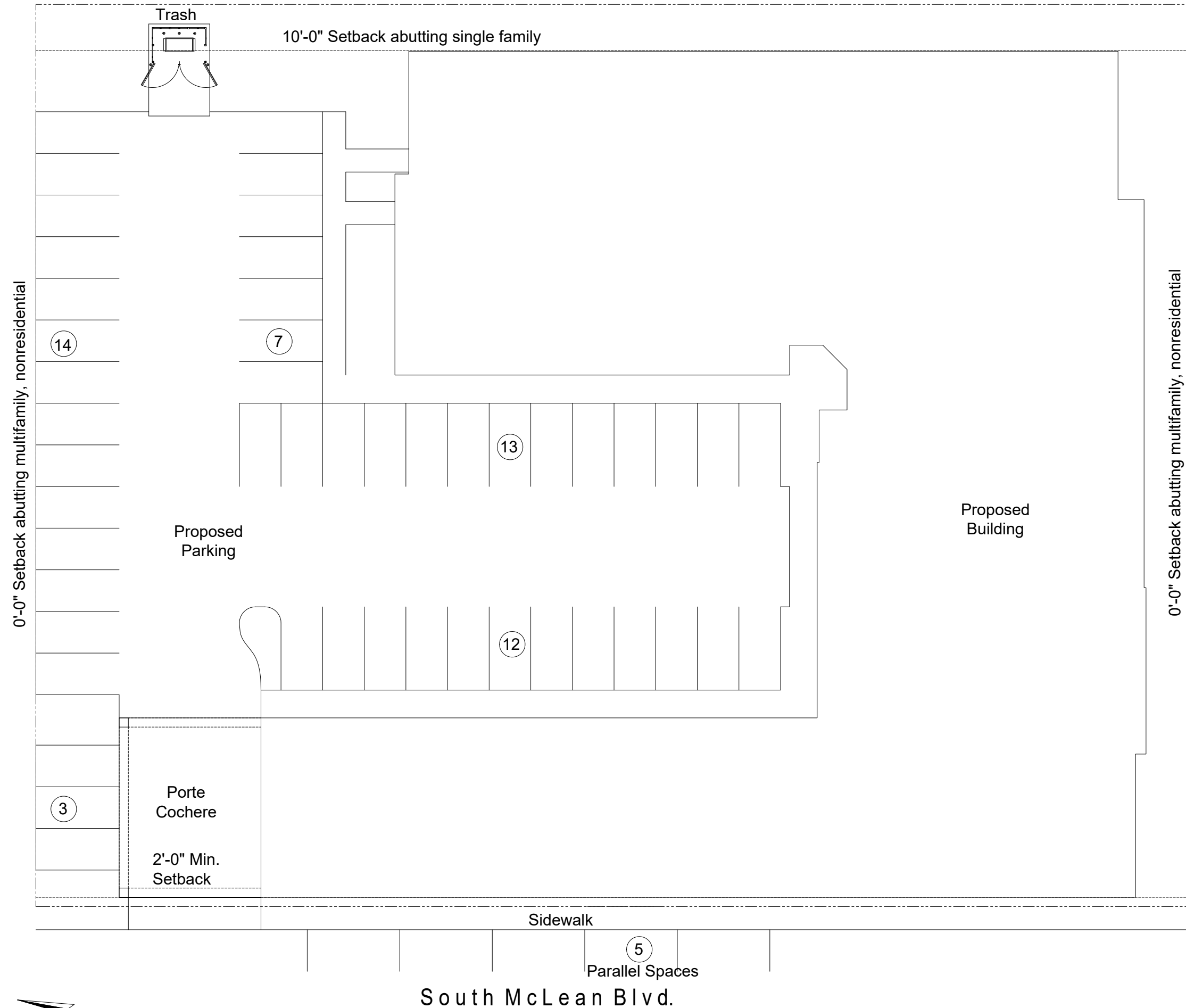
	65 to 74	75 to 84	85+	Total
A. Total Qualified Market ( <b>\$50,000+</b> )	8,847	2,577	735	12,159
B. Prevalence Rate of Alzheimer’s Disease	1.6%	19.5%	43.2%	
C. Income Qualified Population with Alzheimer’s Disease	142	503	318	962
D. Percent of Alzheimer’s Patients Cared for Outside Home		30%		
E. Number of Alzheimer’s Patients Cared for Outside Home	42	151	95	288
F. Percent with Severe Alzheimer’s Disease	17.0%	20.0%	28.0%	
G. Number with Severe Alzheimer’s Disease (Line C x Line F)	24	101	89	213
H. Number of Persons with Mild-to-Moderate Alzheimer’s Cared for Outside the Home (Line E - Line G)	18	50	6	75
I. Demand from Outside the PMA (+30%)	8	22	3	32
<b>J. Total Need for Alzheimer’s Care in Assisted Living</b>				<b>107</b>
K. Number of Alzheimer’s Units in the PMA				27
L. Annual Turnover				17
M. Number of Alzheimer’s units under construction				0
N. Total Estimated Units to Fill (Line L + Line M)				17
<b>O. Assisted Living Alzheimer’s Need</b>				<b>90</b>

Exhibit 5.5. Estimated Annual Need in the 5-Mile PMA for Memory Care \$35,000+ (2027)

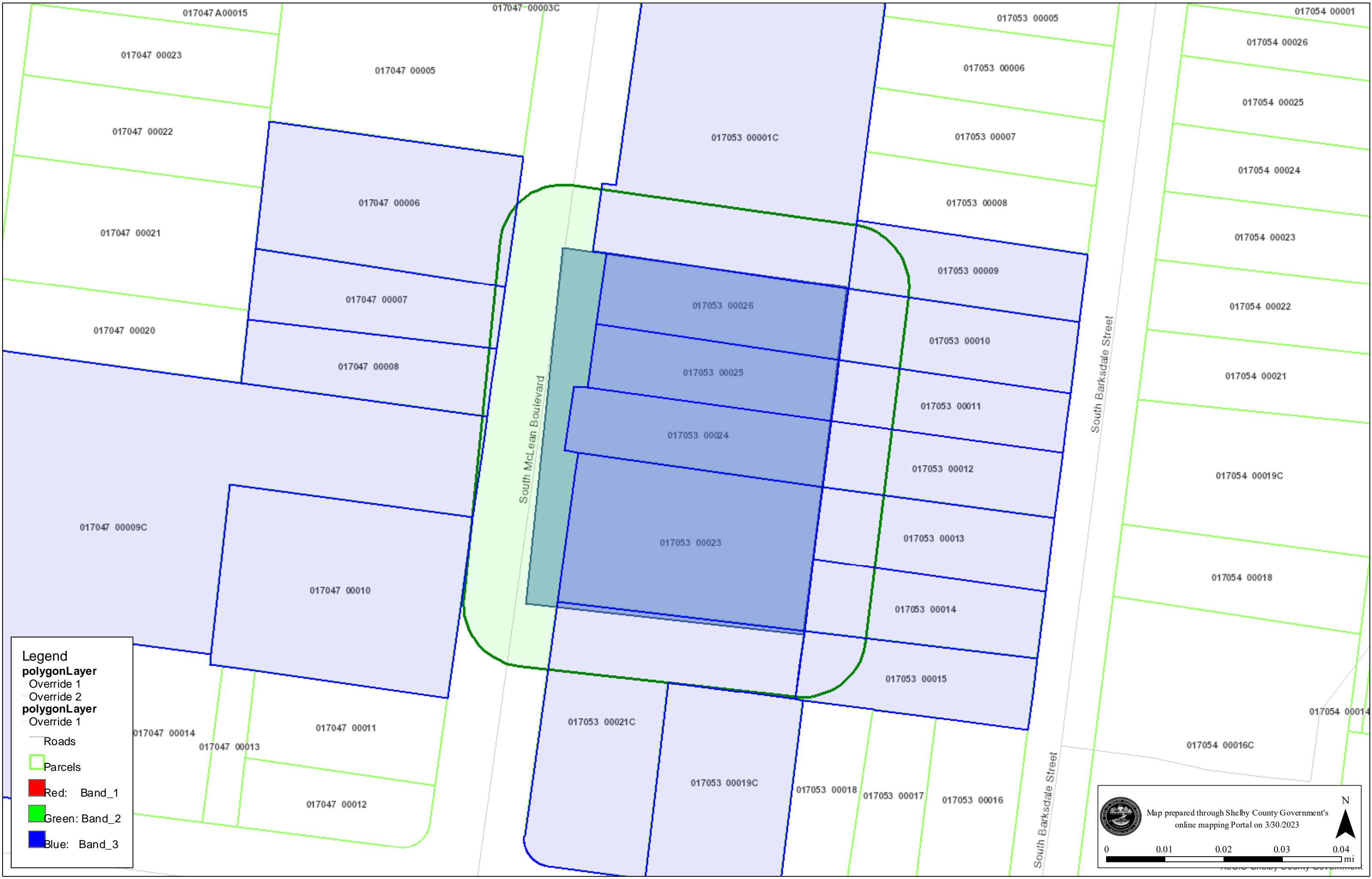
	65 to 74	75 to 84	85+	Total
A. Total Qualified Market ( <b>\$35,000+</b> )	13,441	4,796	1,327	19,564
B. Prevalence Rate of Alzheimer's Disease	1.6%	19.5%	43.2%	
C. Income Qualified Population with Alzheimer's Disease	215	935	573	1,724
D. Percent of Alzheimer's Patients Cared for Outside Home		30%		
E. Number of Alzheimer's Patients Cared for Outside Home	65	281	172	517
F. Percent with Severe Alzheimer's Disease	17.0%	20.0%	28.0%	
G. Number with Severe Alzheimer's Disease (Line C x Line F)	37	187	161	384
H. Number of Persons with Mild-to-Moderate Alzheimer's Cared for Outside the Home (Line E - Line G)	28	94	11	133
I. Demand from Outside the PMA (+30%)	12	40	5	57
<b>J. Total Need for Alzheimer's Care in Assisted Living</b>				<b>190</b>
K. Number of Alzheimer's Units in the PMA				27
L. Annual Turnover				17
M. Number of Alzheimer's units under construction				0
N. Total Estimated Units to Fill (Line L + Line M)				17
<b>O. Assisted Living Alzheimer's Need</b>				<b>173</b>

**Exhibit 5.6. Estimated Annual Need in the 5-Mile PMA for Memory Care \$50,000+ (2027)**

	<b>65 to 74</b>	<b>75 to 84</b>	<b>85+</b>	<b>Total</b>
A. Total Qualified Market ( <b>\$50,000+</b> )	10,864	3,408	848	15,120
B. Prevalence Rate of Alzheimer’s Disease	1.6%	19.5%	43.2%	
C. Income Qualified Population with Alzheimer’s Disease	174	664	366	1,205
D. Percent of Alzheimer’s Patients Cared for Outside Home		30%		
E. Number of Alzheimer’s Patients Cared for Outside Home	52	199	110	361
F. Percent with Severe Alzheimer’s Disease	17.0%	20.0%	28.0%	
G. Number with Severe Alzheimer’s Disease (Line C x Line F)	30	133	103	265
H. Number of Persons with Mild-to-Moderate Alzheimer’s Cared for Outside the Home (Line E - Line G)	23	66	7	96
I. Demand from Outside the PMA (+30%)	10	28	3	41
<b>J. Total Need for Alzheimer’s Care in Assisted Living</b>				<b>138</b>
K. Number of Alzheimer’s Units in the PMA				27
L. Annual Turnover				17
M. Number of Alzheimer’s units under construction				0
N. Total Estimated Units to Fill (Line L + Line M)				17
<b>O. Assisted Living Alzheimer’s Need</b>				<b>121</b>



**CONCEPT PLAN**  
nts



**Legend**

**polygonLayer**

- Override 1
- Override 2


**polygonLayer**

- Override 1

Roads

Parcels

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



Map prepared through Shelby County Government's online mapping Portal on 3/30/2023

0 0.01 0.02 0.03 0.04 mi

N

017053 00024 - BRODE ROBERT M AND WILLIAMS H BRODE  
017047 00010 - RIVER CITY APARTMENTS LLC  
017053 00015 - BEHAVIORAL HEALTH INITIATIVES  
017047 00006 - SEVENTEEN NINETY TWO AVENUE CORP  
017053 00009 - KAPPA PSI HOUSING CORP  
017047 00007 - BOUTWELL INVESTMENTS LLC  
017053 00010 - COAN MARK A  
017047 00008 - BOUTWELL INVESTMENTS LLC  
017053 00025 - CITY BUILDERS LLC  
017053 00011 - ZUMBRO BRYAN  
017053 00012 - DEWOLFE CHEYNE Z  
017053 00023 - HOOVER DANIEL E AND SUSAN E HOOVER  
017053 00013 - HOLMAN LESTER C JR  
017053 00014 - SMALL TRAKELA AND THOMAS R BOWIE (RS)  
017053 00001C - GILMORE ASSOCIATES  
017053 00021C - SAWYER NANCY H  
017053 00026 - CITY BUILDERS LLC  
017047 00009C - ANDREW PARTNERSHIP  
017053 00019C - GREGORY REALTY GP

BRODE ROBERT M AND WILLIAMS H BRODE  
42 S MCLEAN BLVD #  
MEMPHIS TN 38104

DEWOLFE CHEYNE Z  
43 S BARKSDALE ST #  
MEMPHIS TN 38104

RIVER CITY APARTMENTS LLC  
1005 JARRELL RD #  
MC KENZIE TN 38201

HOOVER DANIEL E AND SUSAN E HOOVER  
2131 S BERRYS CHAPEL RD #  
FRANKLIN TN 37069

BEHAVIORAL HEALTH INITIATIVES  
2430 POPLAR AVE #  
MEMPHIS TN 38112

HOLMAN LESTER C JR  
45 S BARKSDALE DOWN #  
MEMPHIS TN 38104

SEVENTEEN NINETY TWO AVENUE CORP  
PO BOX 38914 #  
GERMANTOWN TN 38183

SMALL TRAKELA AND THOMAS R BOWIE (RS)  
290 N CLAYBROOK ST #  
MEMPHIS TN 38104

KAPPA PSI HOUSING CORP  
31 S BARKSDALE ST #  
MEMPHIS TN 38104

GILMORE ASSOCIATES  
65 UNION AVE #1200  
MEMPHIS TN 38103

BOUTWELL INVESTMENTS LLC  
9020 FOREST HILL IRENE CV #  
GERMANTOWN TN 38139

SAWYER NANCY H  
2650 THOUSAND OAKS BLVD #2350  
MEMPHIS TN 38118

COAN MARK A  
35 S BARKSDALE ST #  
MEMPHIS TN 38104

CITY BUILDERS LLC  
3025 GARDENS WAY  
MEMPHIS TN 38111

BOUTWELL INVESTMENTS LLC  
9020 FOREST HILL IRENE CV #  
GERMANTOWN TN 38139

ANDREW PARTNERSHIP  
1055 SAINT CHARLES AVE #701  
NEW ORLEANS LA 70130

CITY BUILDERS LLC  
PO BOX 11736 #  
MEMPHIS TN 38111

GREGORY REALTY GP  
PO BOX 382366  
GERMANTOWN TN 38183

ZUMBRO BRYAN  
19 S BARKSDALE ST #  
MEMPHIS TN 38104



SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

McLean Partners LLC  
3025 Gardens Way  
Memphis, TN 38111

McLean Partners LLC  
3025 Gardens Way  
Memphis, TN 38111

McLean Partners LLC  
3025 Gardens Way  
Memphis, TN 38111

McLean Partners LLC  
3025 Gardens Way  
Memphis, TN 38111

McLean Partners LLC  
3025 Gardens Way  
Memphis, TN 38111



# Shelby County Tennessee

## *Willie F. Brooks Jr*

Shelby County Register

---

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



23022904

03/23/2023 - 12:00:55 PM

4 PGS	
EVELYN 2556077 - 23022904	
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	22.00

WILLIE F. BROOKS JR  
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared by and Return to:  
**Commercial Title Group, LLC**  
**6389 Quail Hollow**  
**Suite 201**  
**Memphis, TN 38120**

**QUIT CLAIM DEED**

To the property located in Shelby County, Tennessee.

FOR AND IN CONSIDERATION of the sum of Ten Dollars and no/100 (\$10.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the undersigned, **CITY BUILDERS, LLC, A Tennessee limited liability company** ("Grantor"), hereby sells, remises, releases, conveys, and quit claims unto **MCLEAN PARTNERS, LLC, a Tennessee limited liability company** ("Grantee"), all of its right, title, and interest in the following described real property, to wit:

**See Exhibit "A" attached hereto and made a part hereof by reference.**

This document was prepared without the benefit of title examination at the request of the parties hereto.

IN TESTIMONY WHEREOF I have executed this instrument this the 15<sup>th</sup> day of March, 2023.

**CITY BUILDERS, LLC**  
**a Tennessee limited liability company**

By: \_\_\_\_\_

**Ed Apple, Chief Manager**

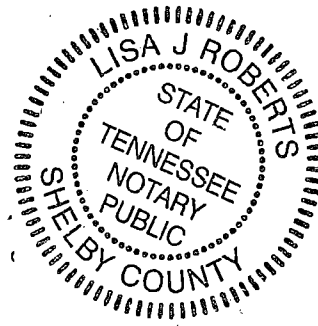
STATE OF TENNESSEE  
COUNTY OF SHELBY

On this 15th day of March, 2023, before me, the undersigned Notary Public in the State and County aforesaid, personally appeared **Ed Apple**, with whom I am personally acquainted and who, upon oath, acknowledged that he is the **Chief Manager** of **City Builders, LLC**, the within named bargainor, a Tennessee Limited Liability Company and that he as such **Chief Manager** being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Limited Liability Company by himself as **Chief Manager**.

WITNESS my hand and Notarial Seal at office the day and year above written.

  
\_\_\_\_\_  
NOTARY PUBLIC


My Commission Expires:  
7/14/26



For recording information only:

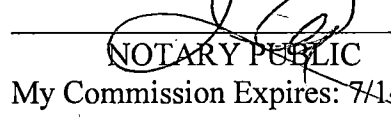
Property Owner and Address:  
McLean Partners, LLC  
3025 GARDENS WAY  
MEMPHIS, TN 38111

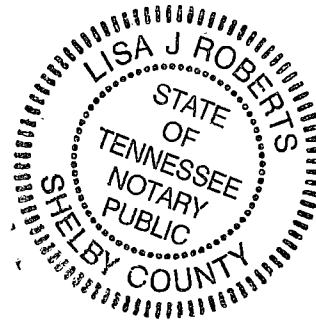
I, or we, hereby swear  
or affirm that to  
the best of affiants  
knowledge, information,  
and belief, the actual  
consideration for this  
transfer is \$ 10.00

  
\_\_\_\_\_  
Affiant

Please mail tax notices to:  
McLean Partners, LLC  
3025 GARDENS WAY  
MEMPHIS, TN 38111

Subscribed and Sworn before  
me this 15 day of March, 2023.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: 7/14/26



**EXHIBIT "A"**

**Parcel I:**

Lot 9, Block 1, Mary C. Wellford Subdivision, as shown on plat of record in Plat Book 6, Page 70, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said lot.

Being the same property conveyed to City Builders, LLC, by virtue of Warranty Deed of record at Instrument No. 21083746 in the Register's Office of Shelby County, Tennessee.

Property Address: 34 South McLean Blvd., Memphis, TN 38111

Parcel No: 01705300000260

**Parcel II:**

The following described real estate in Shelby County, Tennessee, to-wit

Lot 10, Block 1, Mary C. Wellford Subdivision of Lots 1 and 2, McLean Subdivision as shown on plat of record in Plat Book 6, Page 70, in the Register's Office of Shelby County, Tennessee, and being more particularly described as follows:

Beginning at a point in the east line of South McLean Boulevard a distance of 347.37 feet north of the north line of Union Avenue, said point being 364.87 feet north of the north line of Union Avenue as formerly laid out; thence North with said east line of South McLean Boulevard a distance of 50 feet; thence east parallel with Union Avenue a distance of 200 feet; thence south a distance of 50 feet; thence west 200 feet to the point of beginning. LESS AND EXCEPT that portion of the above described property taken for the purpose of widening McLean Boulevard.

Being the same property conveyed to City Builders, LLC, a Tennessee limited liability company by virtue of Special Warranty Deed of record at Instrument No. 20083383 in the Register's Office of Shelby County, Tennessee.

Property Address: 40 South McLean, Memphis, TN 38111

Parcel No: 017053000025



# Shelby County Tennessee

## *Willie F. Brooks Jr*

Shelby County Register

---

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



23022903

03/23/2023 - 12:00:55 PM

3 PGS	
EVELYN 2556077 - 23022903	
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

**WILLIE F. BROOKS JR**  
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared by and Return to:  
**Commercial Title Group, LLC**  
**6389 Quail Hollow**  
**Suite 201**  
**Memphis, TN 38120**

**QUIT CLAIM DEED**

To the property located in Shelby County, Tennessee.

FOR AND IN CONSIDERATION of the sum of Ten Dollars and no/100 (\$10.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the undersigned, **APPLE PARTNERS, LLC, A Tennessee limited liability company** ("Grantor"), hereby sells, remises, releases, conveys, and quit claims unto **MCLEAN PARTNERS, LLC, a Tennessee limited liability company** ("Grantee"), all of its right, title, and interest in the following described real property, to wit:

**Lot 11, Block 1, Mary C. Wellford Subdivision of Lots 1 and 2, McLean Subdivision, as shown on plat of record in Plat 6, Page 70, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said lot.**

This document was prepared without the benefit of title examination at the request of the parties hereto.

IN TESTIMONY WHEREOF I have executed this instrument this the 15<sup>th</sup> day of March, 2023.

**APPLE PARTNERS, LLC**  
**a Tennessee limited liability company**

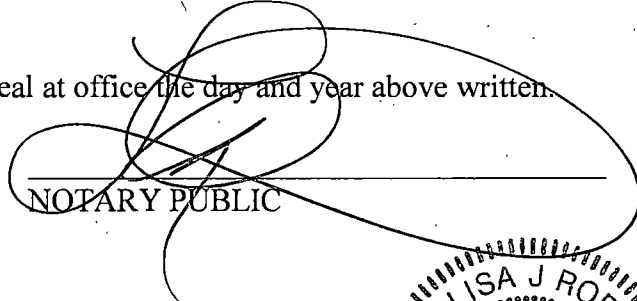
By:   
\_\_\_\_\_  
**Ed Apple, Chief Manager**



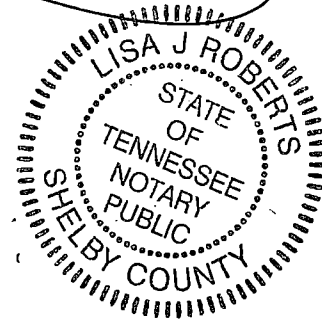
STATE OF TENNESSEE  
COUNTY OF SHELBY

On this 15<sup>th</sup> day of March, 2023, before me, the undersigned Notary Public in the State and County aforesaid, personally appeared **Ed Apple**, with whom I am personally acquainted and who, upon oath, acknowledged that he is the **Chief Manager of Apple Partners, LLC**, the within named bargainor, a Tennessee Limited Liability Company and that he as such **Chief Manager** being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Limited Liability Company by himself as **Chief Manager**.

WITNESS my hand and Notarial Seal at office the day and year above written.

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
7/14/26



For recording information only:

Property Owner and Address:  
McLean Partners, LLC  
3025 GARDENS WAY  
MEMPHIS, TN 38111

I, or we, hereby swear  
or affirm that to  
the best of affiants  
knowledge, information,  
and belief, the actual  
consideration for this  
transfer is \$ 10.00

\_\_\_\_\_  
Affiant

Please mail tax notices to:  
McLean Partners, LLC  
3025 GARDENS WAY  
MEMPHIS, TN 38111

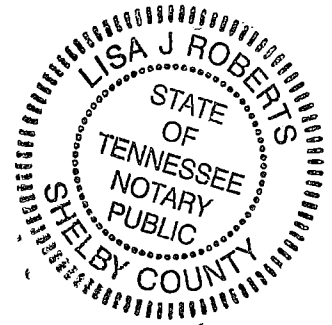
\_\_\_\_\_  
Subscribed and Sworn before  
me this 31<sup>st</sup> day of December, 2022.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: 7/14/26

Property Address:  
42 South McLean  
Memphis, TN 38111

Parcel No: 01705300024





# Shelby County Tennessee

## *Shelandra Y Ford*

Shelby County Register

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As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



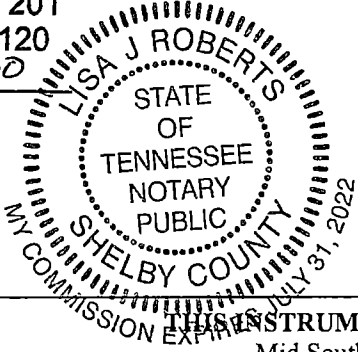
22069837

06/23/2022 - 12:01:33 PM

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LINDA 2449186 - 22069837	
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TRANSFER TAX	2405.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	2428.00

**SHELANDRA Y FORD**  
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

<p><b>Return To:</b>                    <b>WARRANTY DEED</b>  <b>Commercial Title Group, LLC</b>  <b>6389 Quail Hollow, Suite 201</b>  <b>Memphis, Tennessee 38120</b>  <b>File No. <u>CT02260</u></b></p>	<p style="text-align: center;"><b>STATE OF TENNESSEE</b>  <b>COUNTY OF SHELBY</b></p> <p>THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS <b>650,000.00</b></p> <p style="text-align: right;"><i>[Signature]</i>  <small>Affiant</small></p> <p>SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE <u>10</u> DAY OF <u>June</u>, 2022.</p> <p style="text-align: right;"><i>[Signature]</i>  <small>Notary Public</small></p> <p>MY COMMISSION EXPIRES: _____  <small>(AFFIX SEAL)</small></p>	
<p><b>THIS INSTRUMENT WAS PREPARED BY</b>                  Mid South Title Services, LLC                  O. Douglas Shipman, Attorney                  1715 Aaron Brenner Drive, Suite 401                  Memphis, Tennessee 38120</p>		
<p>ADDRESS NEW OWNER(S) AS FOLLOWS:</p> <p><b>McLean Partners, LLC</b>  <small>(NAME)</small></p> <p><b>3025 Gardens Way</b>  <small>(ADDRESS)</small></p> <p><b>Memphis TN 38111</b>  <small>(CITY) (STATE) (ZIP)</small></p>	<p>SEND TAX BILLS TO:</p> <p><b>McLean Partners, LLC</b>  <small>(NAME)</small></p> <p><b>3025 Gardens Way</b>  <small>(ADDRESS)</small></p> <p><b>Memphis TN 38111</b>  <small>(CITY) (STATE) (ZIP)</small></p>	<p>MAP-PARCEL NUMBERS</p> <p style="text-align: center;"><b>088 030 00169</b></p>



FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, **DANIEL EDMONSON HOOVER** and **SUSAN ELIZABETH HOOVER COOK**, HEREINNAFTER CALLED THE GRANTORS, HAVE BARGANED AND SOLD, AND BY THESE PRESENTS DOES TRANSFER AND CONVEY UNTO **McLean Partners, LLC, \***, HEREINAFTER CALLED THE GRANTEE, HIS HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN **SHELBY COUNTY**, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

\*a Tennessee limited liability company

Reference is hereby made to Exhibit "A" which is incorporated herein by reference and made a part hereof.

Being all and the same property conveyed to Daniel Edmonson Hoover and Susan Elizabeth Hoover Cook by Executor's Deed of record at Instrument Number 03069920 and Warranty Deeds of record at Instrument Numbers 05061495, 05072462 and 06089839 in the Register's Office of Shelby County, Tennessee..

The above described property is subject to Subdivision Restriction, Building Lines and Easements of record in Plat Book 6, Pages 69-70; Deed Restrictions of record in Book 6155, Page 115; Easements of record at Instrument Number HB 0323 and other Restrictions of record in Book 364, Page 83, Book 470, Page 394 and Book 470, Page 391 in said Register's Office and except for 2022 Memphis City taxes and 2022 Shelby County taxes, not yet due and payable which Grantee herein assumes and agrees to pay.

unimproved   
 This is improved  property, known as

48 South McLean Street, Memphis, TN 38104  
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS my hand this 2 day of June, 2022.

Daniel Edmonson Hoover

Daniel Edmonson Hoover

STATE OF TENNESSEE

COUNTY OF WILLIAMSON

On this 2<sup>nd</sup> day of June, 2022, before me, the undersigned Notary Public of the State and County aforesaid, personally appeared, **DANIEL EDMONSON HOOVER**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged to be the person within named and that he executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and Notary Seal at office the day and year above written.

Commission expires:

1-21-26



Kaitlyn Ewer

Notary Public

**Return To:**

Mid South Title Services, LLC  
1715 Aaron Brenner Dr., Suite 401  
Memphis, TN 38120

MST# 2022050450 LM

WITNESS by hand this 2<sup>nd</sup> day of June, 2022.

Susan Elizabeth Hoover Cook  
Susan Elizabeth Hoover Cook

STATE OF TENNESSEE

COUNTY OF WILLIAMSON

On this 2<sup>nd</sup> day of June, 2022, before me, the undersigned Notary Public of the State and County aforesaid, personally appeared, **SUSAN ELIZABETH HOOVER COOK**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath, acknowledged to be the person within named and that she executed the foregoing instrument for the purpose therein contained.

WITNESS my hand and Notary Seal at office the day and year above written.

Commission expires:  
1-21-26



Kaitlyn Ewer

Notary Public

~~Return to:~~

Mid South Title Services, LLC  
1715 Aaron Brenner Dr., Suite 401  
Memphis TN 38120

MST# 2022050450 LM

EXHIBIT "A"

The following described real estate, situated in the City of Memphis, County of Shelby, State of Tennessee, to-wit:

Lots 12 and 13, Block 1, Mary C. Wellford Subdivision, and more particularly described as follows:

Beginning at a point in the east line of South McLean Boulevard 197.37 feet northwardly from the north line of Union Avenue; thence northwardly with said east line of South McLean Boulevard 100 feet to a point in the south line of Lot 11; thence eastwardly with said south line and parallel with Union Avenue 195 feet to a point; thence southwardly parallel with South McLean Boulevard 100 feet to a point; thence westwardly 195 feet to the point of beginning.

LESS AND EXCEPT:

1. To convey to the City of Memphis by Warranty Deed in fee simple the following described parcel of real estate to-wit:

Part of that property as described in Deed of record in Book 2551, Page 149 in the Office of the Register of Shelby County, Tennessee, being more particularly described as follows: BEGINNING at a point in the present east line of McLean Street 197.37 feet northwardly from the north line of Union Avenue; running thence northwardly along the present east line of McLean Street 100 feet to a point; thence eastwardly 15.15 feet to a point in the proposed east line of McLean Street; thence southwardly along the said proposed east line 100 feet, more or less, to a point; thence westwardly 14.07 feet to the beginning.

**MEMPHIS AND  
SHELBY COUNTY**  **DIVISION OF PLANNING  
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

June 27, 2023

Josh Whitehead, AICP  
Burch, Porter & Johnson, PLLC  
130 North Court Avenue | Memphis, TN 38103

Sent via electronic mail to: Josh Whitehead [jwhitehead@BPJLAW.COM](mailto:jwhitehead@BPJLAW.COM)

Case Number: SE 23-01  
LUCB Decision: Approval with conditions

Dear applicant,

On Thursday, June 8, 2023, the Memphis and Shelby County Land Use Control Board **approved** your application for a special exception to Section 8.4.9 of the Unified Development Code to allow 4 stories where 3 stories are permitted, subject to the following conditions:

1. The project shall meet the requirements of Sub-Section 8.4.8E Shopfront frontage, with the following exception: the ground floor elevation is not required to be 18 inches above the adjacent sidewalk.
2. EIFS shall comprise no more than ten percent (10%) of any building's exterior finish.
3. Elevations with exterior finishes shall be submitted for review and approval by the Division of Planning and Development (DPD).
4. A landscape plan shall be submitted for administrative review and approval by the Division of Planning and Development.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at [brett.ragsdale@memphistn.gov](mailto:brett.ragsdale@memphistn.gov).

Respectfully,



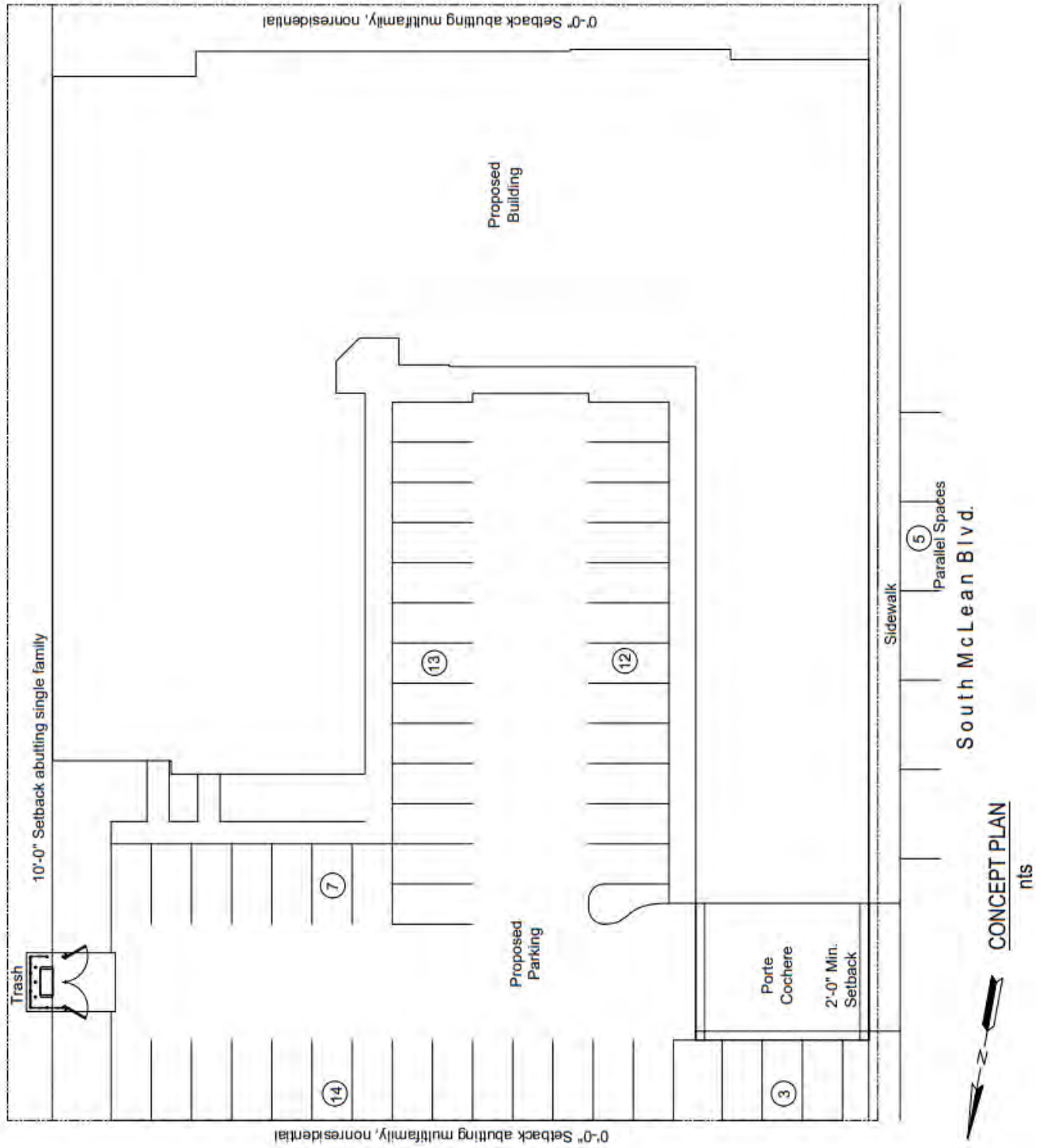
Brett Ragsdale  
Zoning Administrator  
Land Use and Development Services  
Division of Planning and Development

Cc: Cindy Reaves, SR Consulting, LLC  
File

Encl: Site Plan & Elevation



# SITE PLAN



# ELEVATION



1 Front Elevation

Scale: 1/8" = 1'-0"

## Cobbs, Kendra

---

**From:** Robert Gordon <bguh@bellsouth.net>  
**Sent:** Monday, June 12, 2023 1:37 PM  
**To:** Jones, Martavius; Ragsdale, Brett  
**Subject:** Re: LUCB appeal to City Council

**CAUTION:** This email originated outside of the City of Memphis organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kindly advise to whom the check should be made.  
And if email will suffice, please also take this as formal notice of appeal of LUCB SE 23-01.  
Thank you,  
Robert Gordon  
MidtownMemphis.org

[www.TheRobertGordon.com](http://www.TheRobertGordon.com)

On Monday, June 12, 2023, 11:03:24 AM CDT, Ragsdale, Brett <brett.ragsdale@memphistn.gov> wrote:

you can confirm via email that you wish to appeal. Then pay the fee by cash, check, or money order at the DPD service center, City Hall 4<sup>th</sup> floor Ste. 468.

we are not forwarding any cases to council that have opposition during budget discussions so the earliest we would forward it would be in July.

Brett Ragsdale, AIA

Zoning Administrator

Division of Planning and Development

125 N. Main, Ste. 468 Memphis, TN 38103

Phone: 901-636-6619

Email: [brett.ragsdale@memphistn.gov](mailto:brett.ragsdale@memphistn.gov)



**NOTICE TO INTERESTED OWNERS OF PROPERTY  
(APPEAL OF LAND USE CONTROL BOARD ACTION)**

You will take notice that a public hearing will be held by the City Council of the City of Memphis, Tennessee, meeting in session in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee, 38103, on Tuesday, \_\_\_\_\_ at 3:30 P.M., in the matter of granting an application for an appeal of decision made by the Memphis and Shelby County Land Use Control Board, as follows:

- CASE NUMBER:** SE 2023-001
- LOCATION:** 34, 40, 42, and 48 S. McLean Blvd
- COUNCIL DISTRICTS:** District 6 and Super District 8 – Positions 1, 2, and 3
- APPEALANT:** Robert Gordon
- EXISTING ZONING:** Residential Urban – 4 (RU-4) with Medical District Overlay
- REQUEST:** Overturn a decision of the Land Use Control Board (LUCB)  
(The LUCB approved a special exception to Section 8.4.9 to allow four (4) stories in height)
- AREA:** +/-1.07 acres

**RECOMMENDATIONS:**

Memphis and Shelby County Division of Planning and Development: *Approval with conditions*

Memphis and Shelby County Land Use Control Board: *Approval with conditions*

**NOW, THEREFORE,** you will take notice that on Tuesday, \_\_\_\_\_, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance’s or protests against the making of such changes; such remonstrance’s or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

This case will also be heard at the Planning and Zoning Committee on the same day with the specific time to be determined prior to the meeting date and posted on the City of Memphis’ website.

**THIS THE \_\_\_\_\_, \_\_\_\_\_**

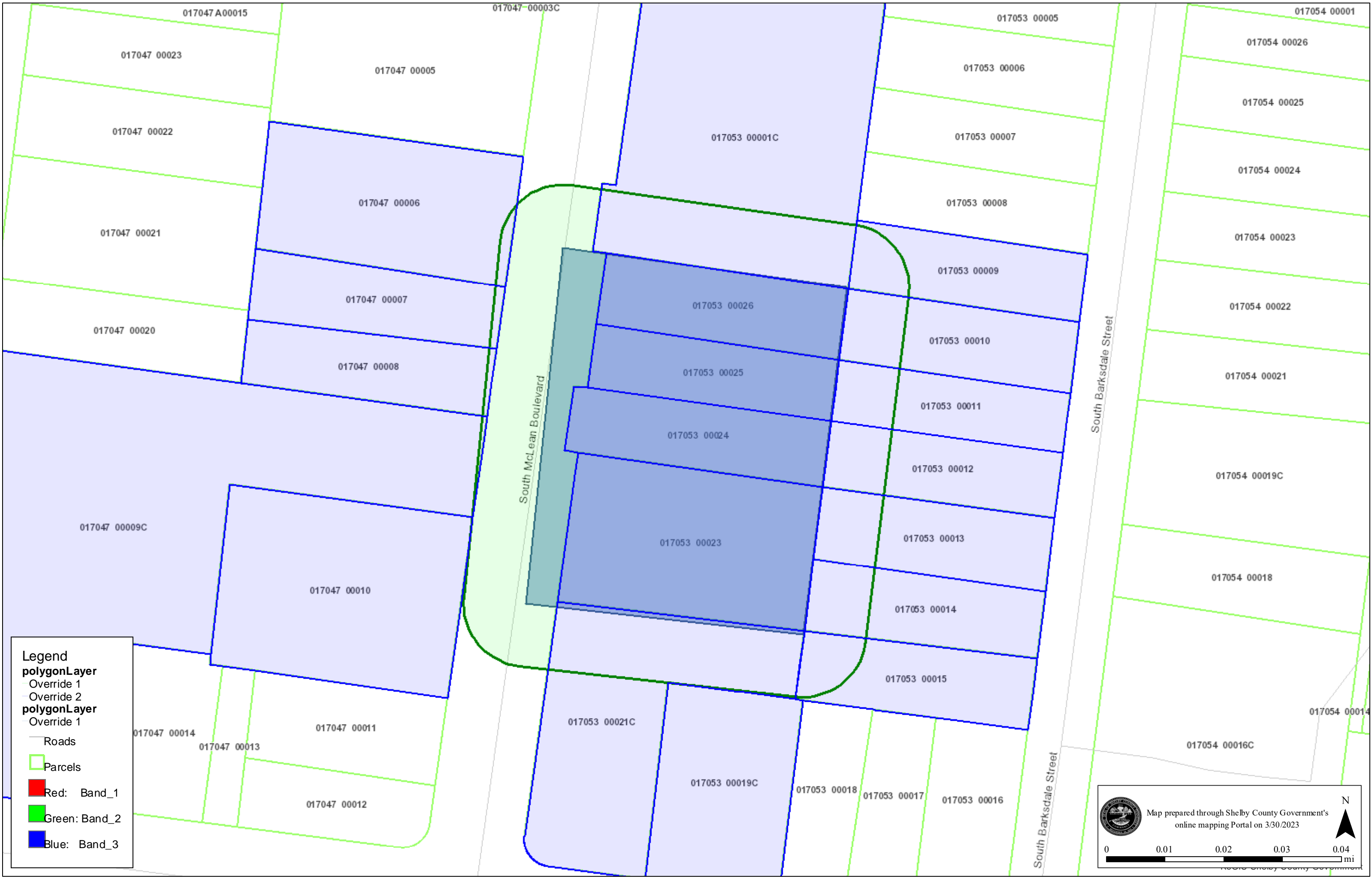
**MARTAVIUS JONES**  
***CHAIRMAN OF COUNCIL***

**ATTEST:**

**WALTER PERSON**  
***CITY COMPTROLLER***

---

**TO BE PUBLISHED:**



**Legend**

**polygonLayer**

- Override 1
- Override 2

**polygonLayer**

- Override 1


Roads

Parcels

Red: Band\_1

Green: Band\_2

Blue: Band\_3



Map prepared through Shelby County Government's  
online mapping Portal on 3/30/2023

0 0.01 0.02 0.03 0.04  
mi

N

BRODE ROBERT M AND WILLIAMS H BRODE  
42 S MCLEAN BLVD #  
MEMPHIS TN 38104

DEWOLFE CHEYNE Z  
43 S BARKSDALE ST #  
MEMPHIS TN 38104

RIVER CITY APARTMENTS LLC  
1005 JARRELL RD #  
MC KENZIE TN 38201

HOOVER DANIEL E AND SUSAN E HOOVER  
2131 S BERRYS CHAPEL RD #  
FRANKLIN TN 37069

BEHAVIORAL HEALTH INITIATIVES  
2430 POPLAR AVE #  
MEMPHIS TN 38112

HOLMAN LESTER C JR  
45 S BARKSDALE DOWN #  
MEMPHIS TN 38104

SEVENTEEN NINETY TWO AVENUE CORP  
PO BOX 38914 #  
GERMANTOWN TN 38183

SMALL TRAKELA AND THOMAS R BOWIE (RS)  
290 N CLAYBROOK ST #  
MEMPHIS TN 38104

KAPPA PSI HOUSING CORP  
31 S BARKSDALE ST #  
MEMPHIS TN 38104

GILMORE ASSOCIATES  
65 UNION AVE #1200  
MEMPHIS TN 38103

BOUTWELL INVESTMENTS LLC  
9020 FOREST HILL IRENE CV #  
GERMANTOWN TN 38139

SAWYER NANCY H  
2650 THOUSAND OAKS BLVD #2350  
MEMPHIS TN 38118

COAN MARK A  
35 S BARKSDALE ST #  
MEMPHIS TN 38104

CITY BUILDERS LLC  
3025 GARDENS WAY  
MEMPHIS TN 38111

BOUTWELL INVESTMENTS LLC  
9020 FOREST HILL IRENE CV #  
GERMANTOWN TN 38139

ANDREW PARTNERSHIP  
1055 SAINT CHARLES AVE #701  
NEW ORLEANS LA 70130

CITY BUILDERS LLC  
PO BOX 11736 #  
MEMPHIS TN 38111

GREGORY REALTY GP  
PO BOX 382366  
GERMANTOWN TN 38183

ZUMBRO BRYAN  
19 S BARKSDALE ST #  
MEMPHIS TN 38104

**CITY OF MEMPHIS  
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL  
ONLY STAPLED  
TO DOCUMENTS**

**Planning & Development  
DIVISION**

**Planning & Zoning COMMITTEE: 10/10/2023  
DATE  
PUBLIC SESSION: 10/10/2023  
DATE**

**ITEM (CHECK ONE)**  
 ORDINANCE     RESOLUTION     REQUEST FOR PUBLIC HEARING

**ITEM DESCRIPTION:** Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 2206 E Shelby Drive, known as case number SUP 23-19

**CASE NUMBER:** SUP 23-19

**LOCATION:** 2206 E Shelby Drive

**COUNCIL DISTRICTS:** District 3 and Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Beruk Properties, LCC

**REPRESENTATIVE:** The Bray Firm, David Bray

**REQUEST:** To allow a convenience store with gasoline sales in the CMU-1 district

**AREA:** +/-0.98 acres

**RECOMMENDATION:** The Division of Planning and Development recommended *Approval with conditions*  
The Land Use Control Board recommended *Approval with conditions*

**RECOMMENDED COUNCIL ACTION:** **Public Hearing Not Required**  
Hearing – October 10, 2023

**PRIOR ACTION ON ITEM:**

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
09/14/2023 _____	DATE
(1) Land Use Control Board _____	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

**FUNDING:**

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED

**SOURCE AND AMOUNT OF FUNDS**

\$ _____	OPERATING BUDGET
\$ _____	CIP PROJECT # _____
\$ _____	FEDERAL/STATE/OTHER _____

**ADMINISTRATIVE APPROVAL:**

	<u>DATE</u>	<u>POSITION</u>
_____	_____	LUDS STAFF PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	<b>CHIEF ADMINISTRATIVE OFFICER</b>
_____	_____	<b>COMMITTEE CHAIRMAN</b>



## Memphis City Council Summary Sheet

### SUP 23-19

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED 2206 E SHELBY DRIVE, KNOWN AS CASE NUMBER SUP 23-19

- This item is a resolution with conditions for a special use permit to allow convenience store with gasoline sales in the CMU-1 district; and
- The item may require future public improvement contracts.



## **LAND USE CONTROL BOARD RECOMMENDATION**

At its regular meeting on **Thursday, September 14, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

**CASE NUMBER:** SUP 23-19

**LOCATION:** 2206 E Shelby Dr.

**COUNCIL DISTRICT(S):** District 3 and Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Beruk Properties, LLC

**REPRESENTATIVE:** The Bray Firm, David Bray

**REQUEST:** To allow a convenience store with gasoline sales in the CMU-1 district

**EXISTING ZONING:** Commercial Mixed-Use – 1 (CMU-1)

**AREA:** +/-0.98 acres

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**The following spoke in support of the application:** None

**The following spoke in opposition the application:** None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions.

**The motion passed by a vote of 7-0-0 on the consent agenda.**

Respectfully,



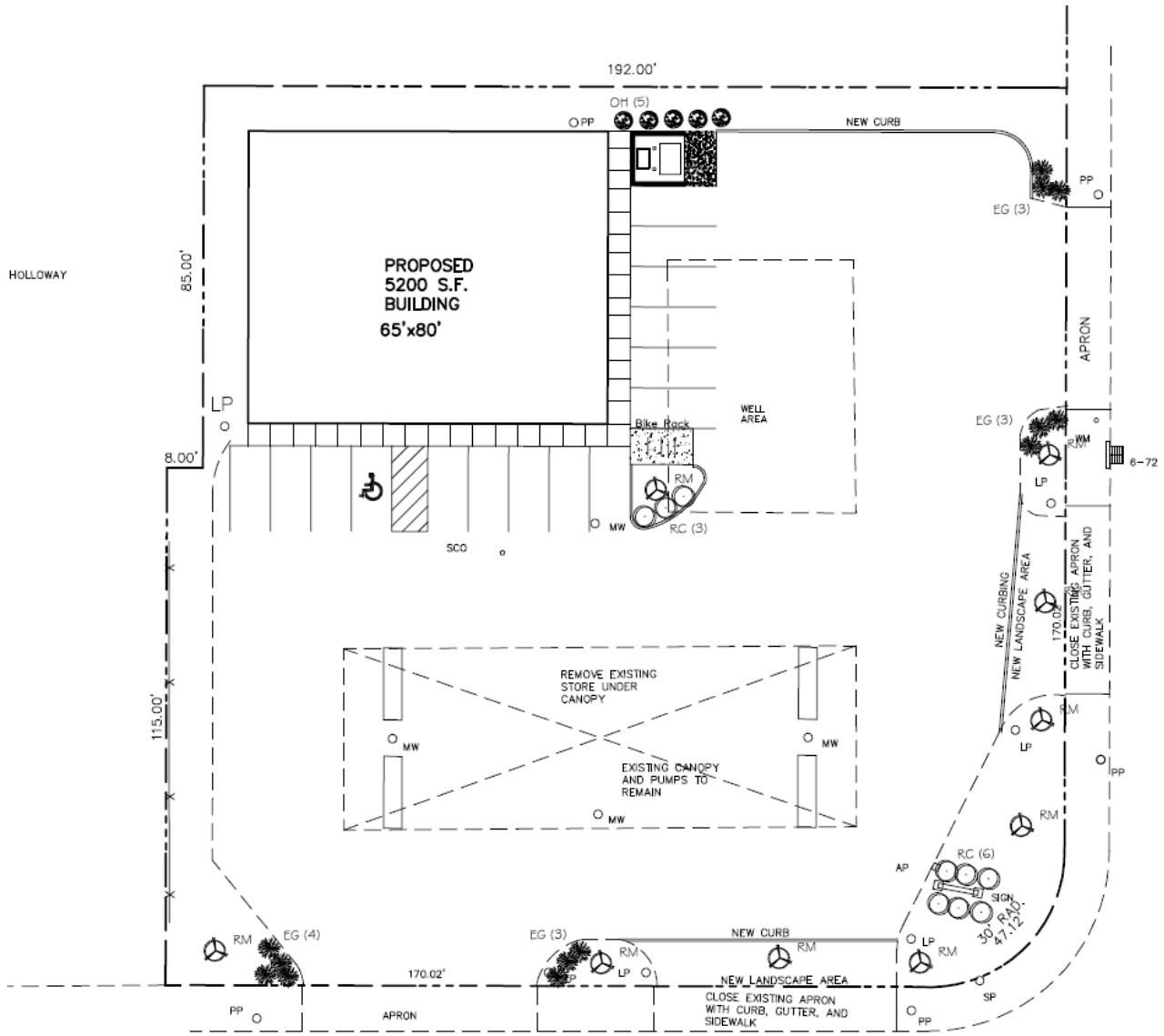
Nicholas Wardroup  
Land Use and Development Services  
Division of Planning and Development

Cc: Committee Members  
File

**SUP 23-19**  
**CONDITIONS**

1. The required bicycle parking facilities shall be of an inverted-U (“staple” or “loop”) design and shall be spaced at least 48” apart and set back at least 96” from any walls pursuant to the recommended guidelines in UDC 4.5.3C. To ensure general compliance with UDC chapter 4.5, at least three such racks must be installed.
2. All existing curb cuts and abutting sidewalks shall be repaired to City standards.

# SITE PLAN



**RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED 2206 E SHELBY DRIVE, KNOWN AS CASE NUMBER SUP 23-19**

---

**WHEREAS**, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a special use permit for certain stated purposes in the various zoning districts; and

**WHEREAS**, Beruk Properties, LLC filed an application with the Memphis and Shelby County Division of Planning and Development to allow a convenience store with gasoline sales in the CMU-1 district; and

**WHEREAS**, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives, and standards for special use permits as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation concerning the above considerations to the Land Use Control Board; and

**WHEREAS**, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on September 14, 2023, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

**WHEREAS**, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and said development is consistent with the public interests.

**NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS**, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted for the request use in accordance with the attached conditions.

**BE IT FURTHER RESOLVED**, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Council of the City of Memphis have been met.

**BE IT FURTHER RESOLVED**, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

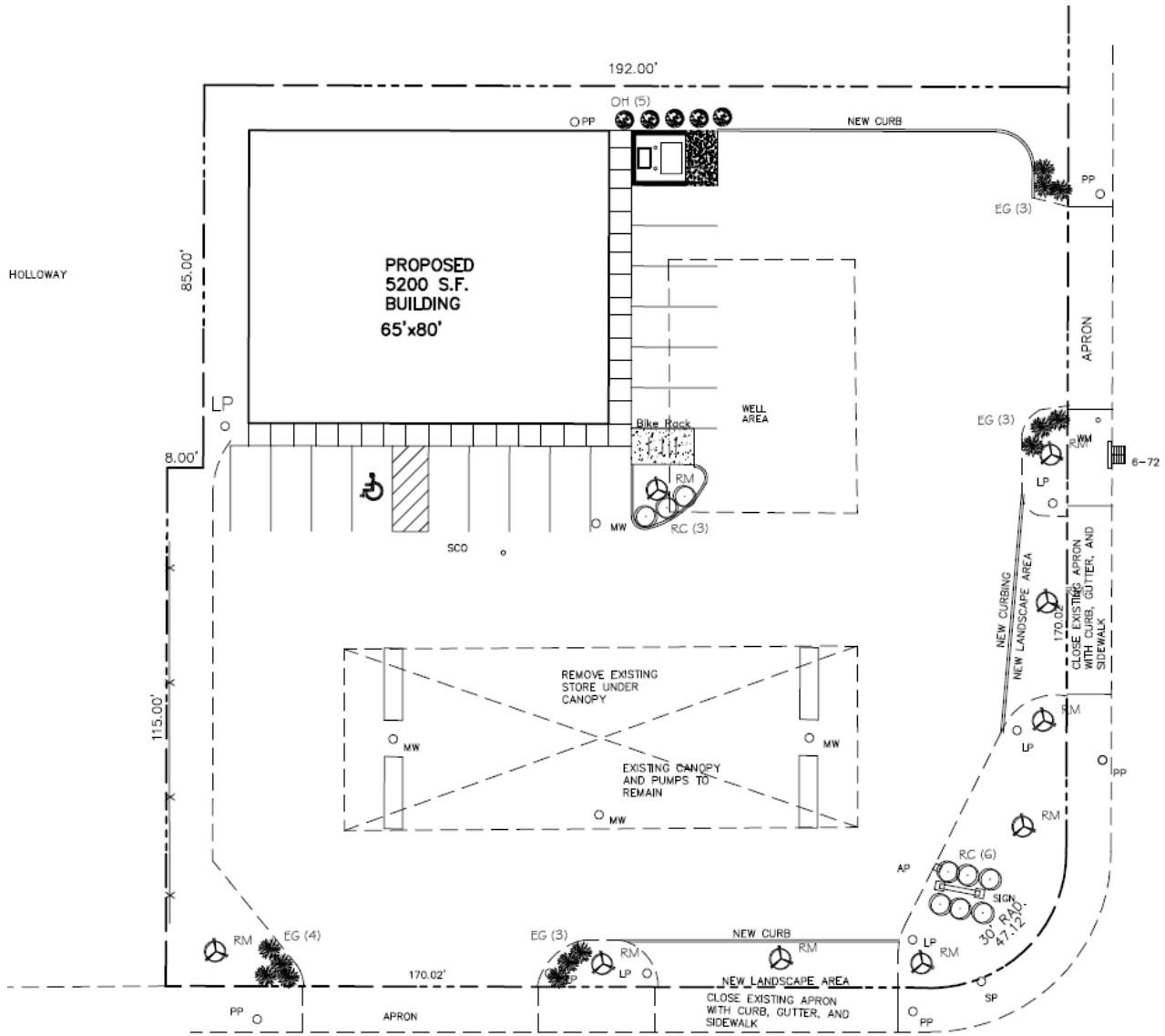
***ATTEST:***

**CC: Division of Planning and Development  
– Land Use and Development Services  
– Office of Construction Enforcement**

## **CONDITIONS**

1. The required bicycle parking facilities shall be of an inverted-U (“staple” or “loop”) design and shall be spaced at least 48” apart and set back at least 96” from any walls pursuant to the recommended guidelines in UDC 4.5.3C. To ensure general compliance with UDC chapter 4.5, at least three such racks must be installed.
2. All existing curb cuts and abutting sidewalks shall be repaired to City standards.

# SITE PLAN



**AGENDA ITEM:** 24

**CASE NUMBER:** SUP 2023-019 **L.U.C.B. MEETING:** September 14, 2023

**LOCATION:** 2206 E Shelby Dr.

**COUNCIL DISTRICT:** District 3 and Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Beruk Properties, LLC

**REPRESENTATIVE:** The Bray Firm, David Bray

**REQUEST:** Convenience store with gasoline sales in CMU-1 district

**AREA:** +/-0.98 acres

**EXISTING ZONING:** Commercial Mixed-Use – 1 (CMU-1)

## CONCLUSIONS

1. The subject property is a non-conforming convenience store with gasoline sales (a non-conforming use). The applicant is seeking a new special use permit to demolish the existing store and construct a new 5,200 sq. ft. store.
2. Staff finds that the proposed project satisfies the approval criteria found in UDC 9.6.9 and therefore recommends approval subject to the included conditions.

## CONSISTENCY WITH MEMPHIS 3.0

This proposal is **consistent** with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 16 of this report.

## RECOMMENDATION

***Approval with two (2) conditions***



**GENERAL INFORMATION**

<b>Street Frontage:</b>	E Shelby Drive Airways Boulevard	+/-170 linear feet +/-170 linear feet
<b>Zoning Atlas Page:</b>	2435	
<b>Parcel ID:</b>	079032 00056	
<b>Existing Zoning:</b>	Commercial Mixed-Use – 1 (CMU-1)	

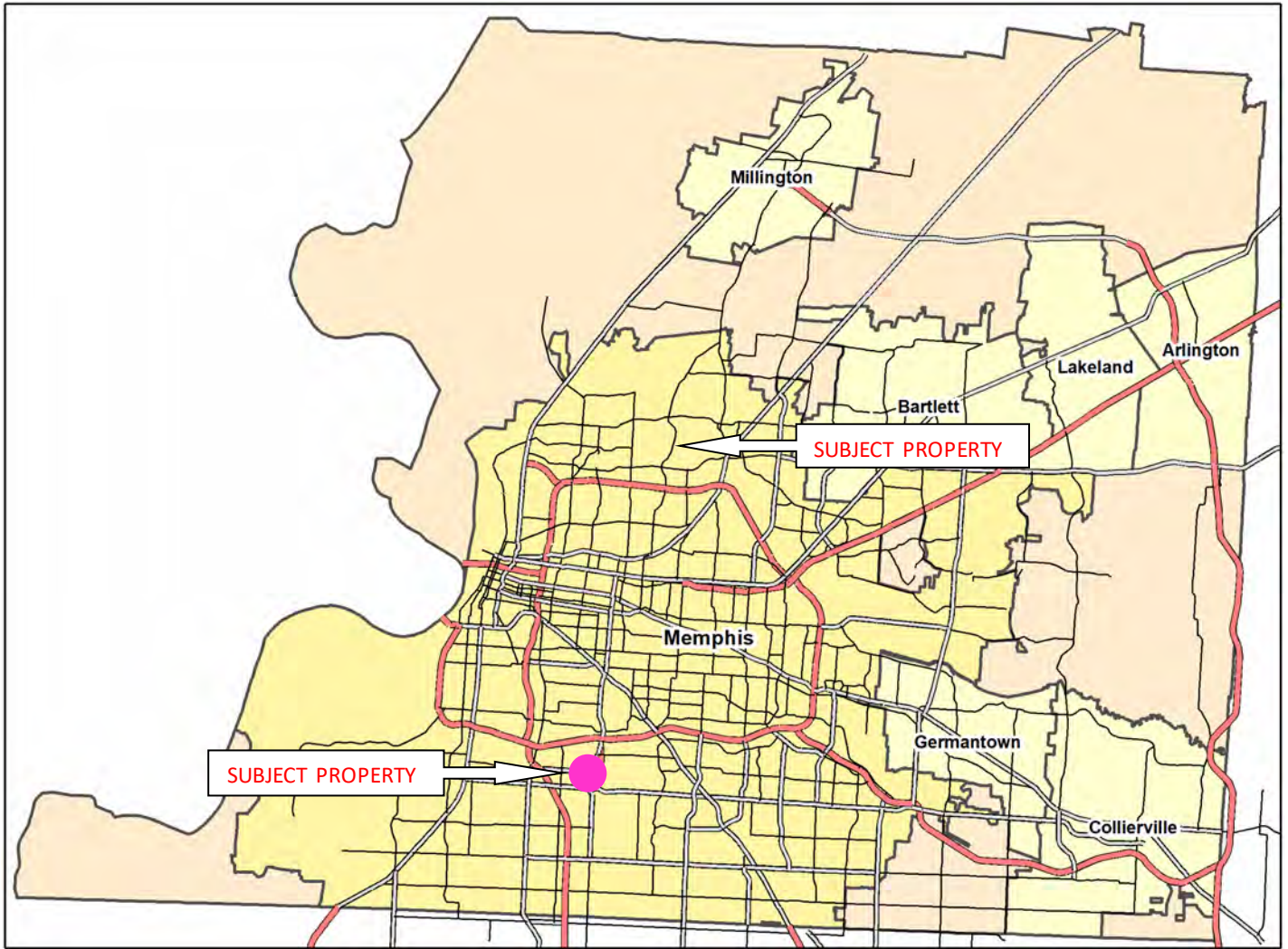
**NEIGHBORHOOD MEETING**

The meeting was held at 7:00 PM on Tuesday, August 29, 2023, at the subject property. Per the applicant's representative, there were no attendees.

**PUBLIC NOTICE**

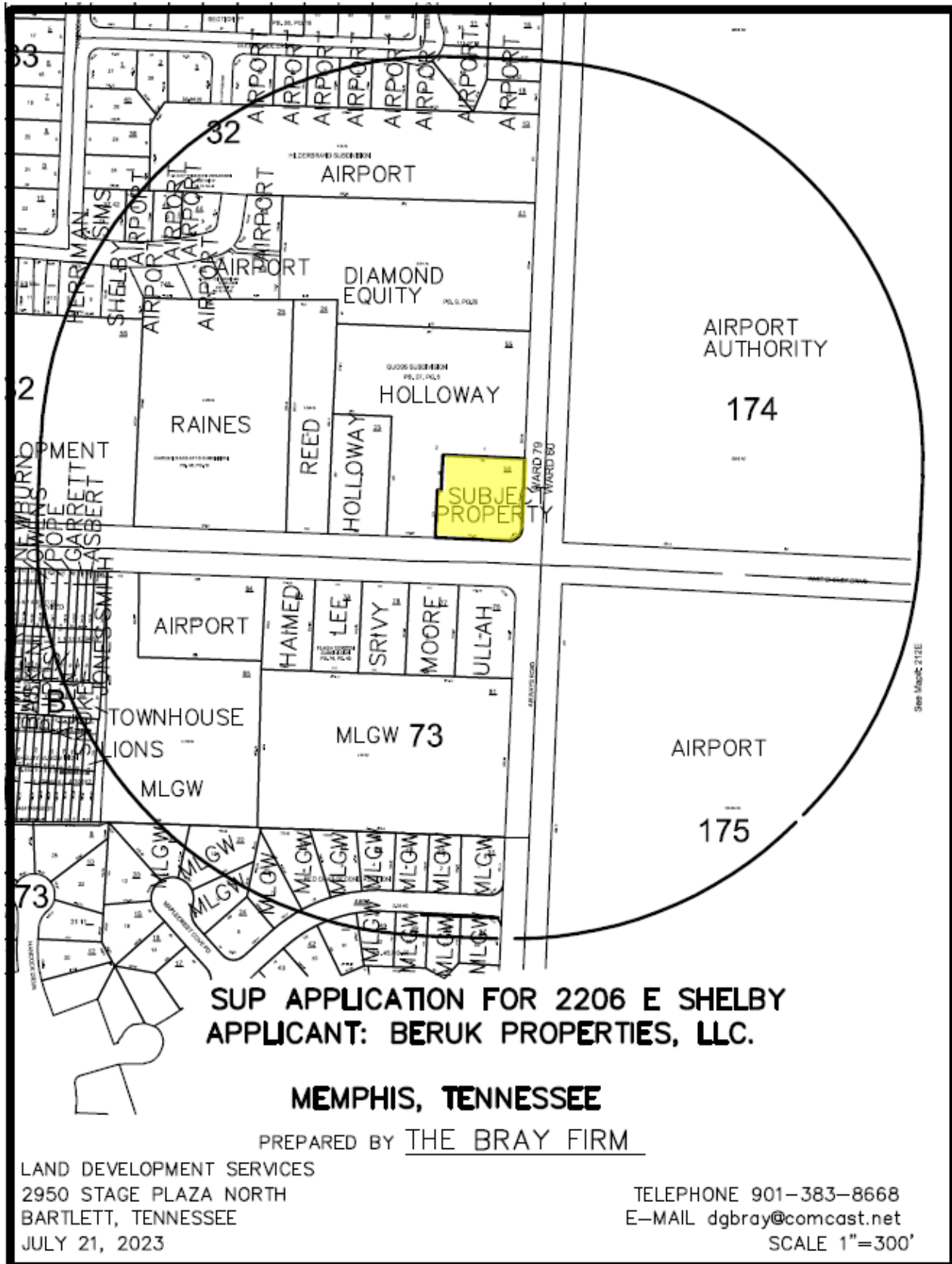
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 32 notices were mailed on August 22, 2023, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

**LOCATION MAP**



Subject property located within the pink circle, Airport area

**VICINITY MAP**



**SUP APPLICATION FOR 2206 E SHELBY  
APPLICANT: BERUK PROPERTIES, LLC.**

**MEMPHIS, TENNESSEE**

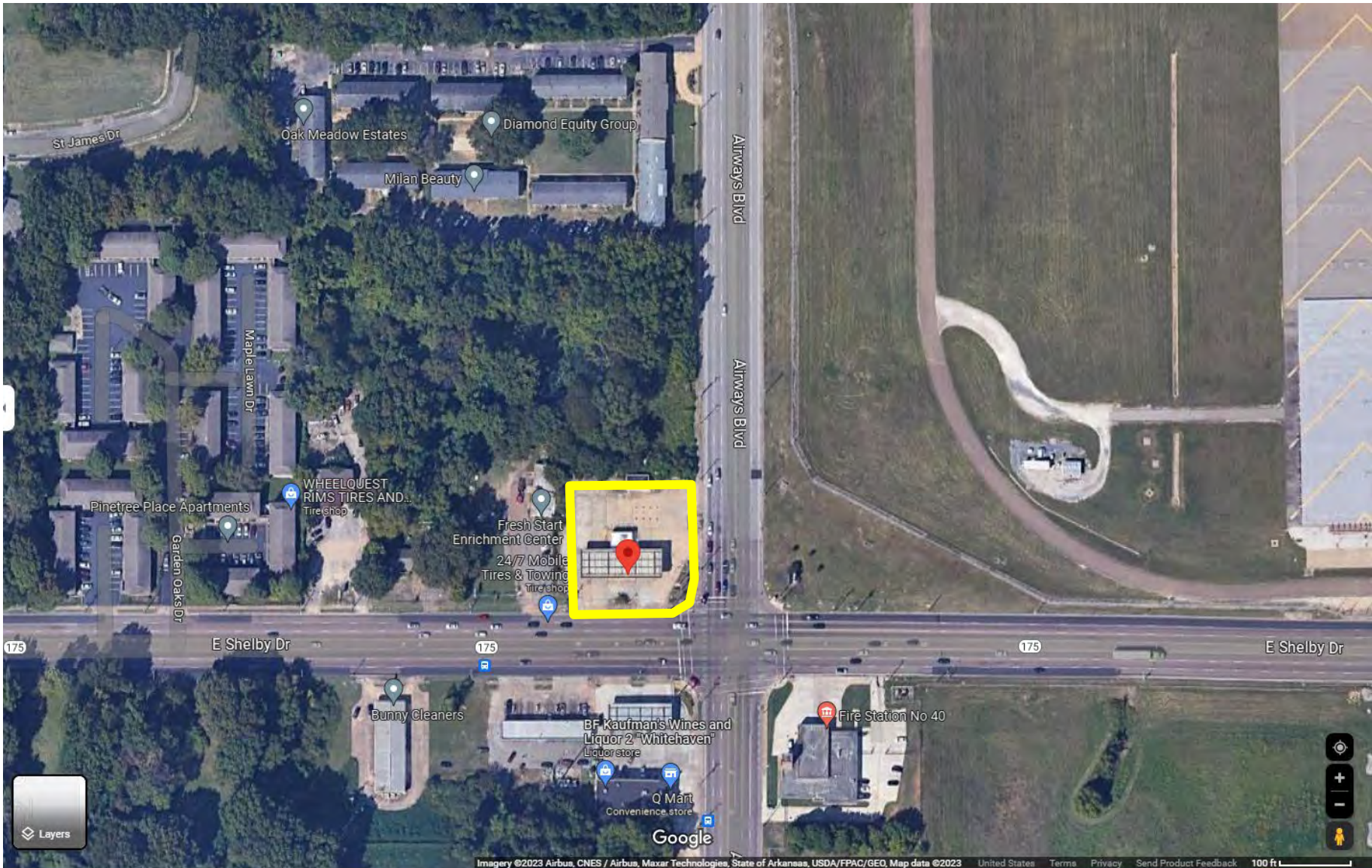
PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES  
2950 STAGE PLAZA NORTH  
BARTLETT, TENNESSEE  
JULY 21, 2023

TELEPHONE 901-383-8668  
E-MAIL dgbray@comcast.net  
SCALE 1"=300'

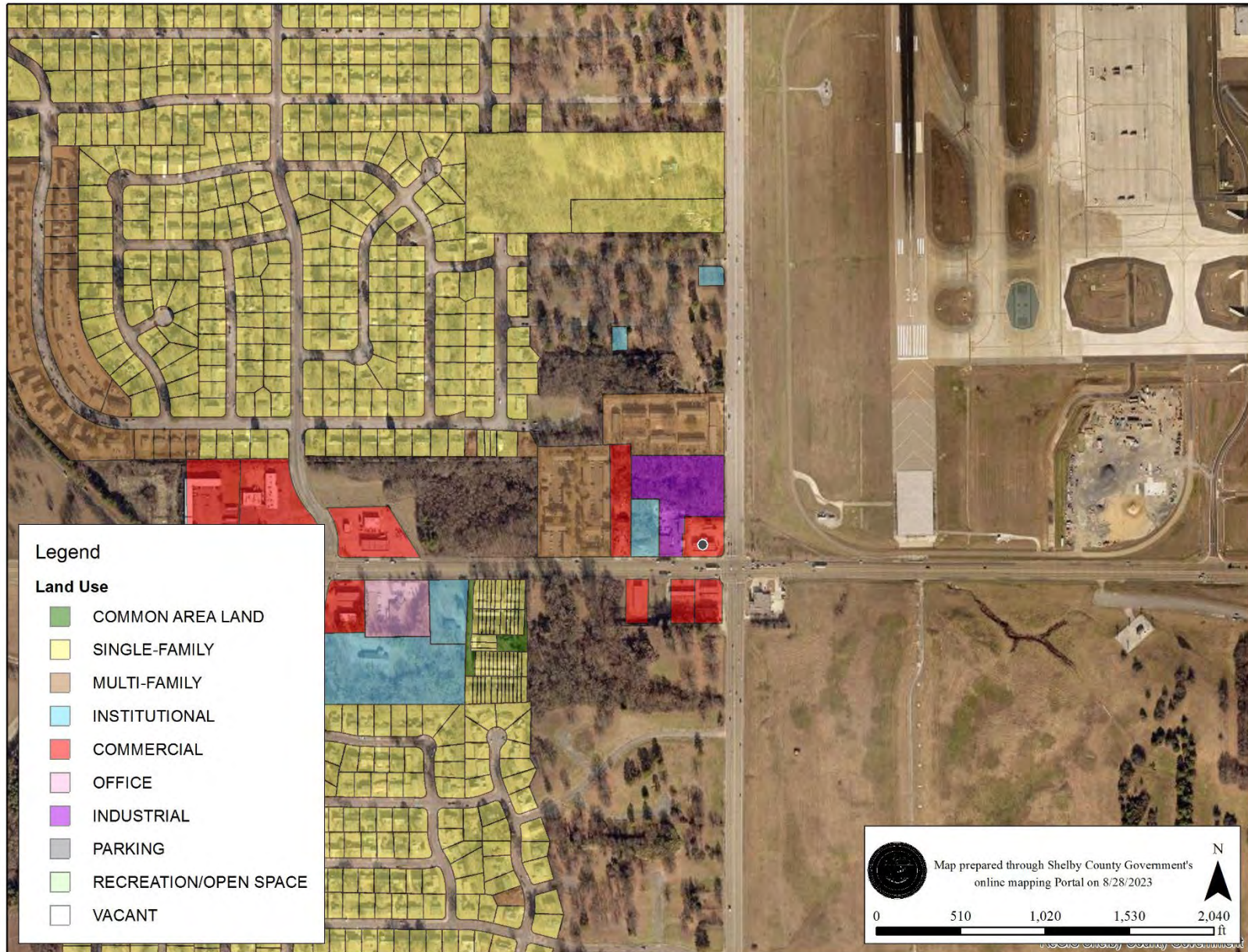
Subject Property highlighted in yellow

**AERIAL**



Subject property outlined in yellow, imagery 2023

LAND USE MAP



ZONING MAP



Subject property indicated by a pink star, CMU-1 district

**SITE PHOTOS**



View of existing structure from E Shelby Drive, looking north.



View from Airways Blvd looking west

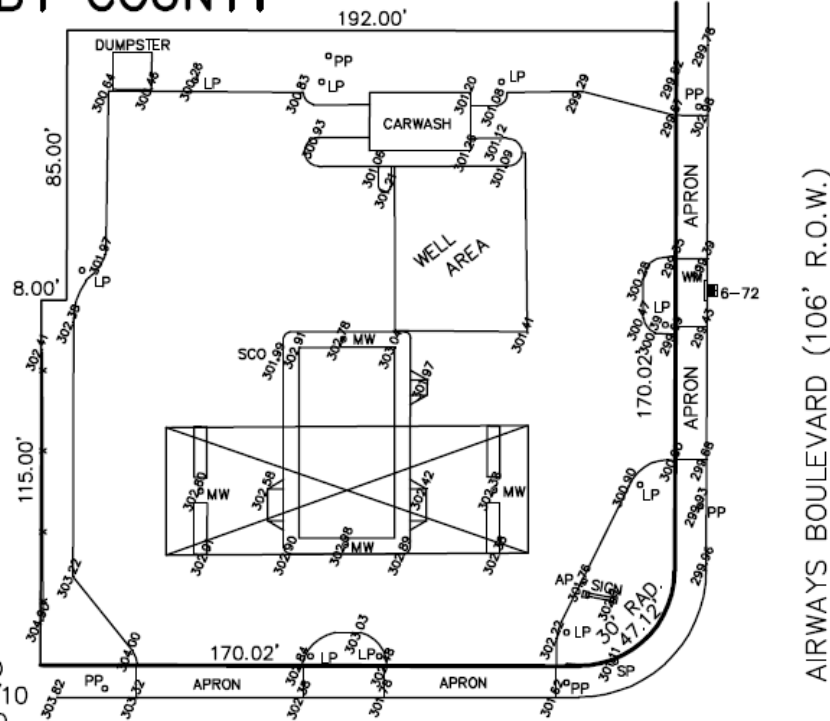
SURVEY

LOT SURVEY  
PART OF LOT 1  
QUASS S/D  
AS RECORDED AT THE SHELBY COUNTY  
REGISTER'S OFFICE  
INST.# KJ7476  
MEMPHIS, TN

PREPARED FOR:  
FASIL



- LEGEND
- LP - LIGHT POLE
  - SP - SIGNAL POLE
  - AP - AIR PUMP
  - PP - POWER POLE
  - LP - LIGHT POLE
  - GV - GAS VALVE
  - MW - MONITOR WELL
  - WM - WATER METER
  - SCO - SEWER CLEANOUT



AIRWAYS BOULEVARD (106' R.O.W.)

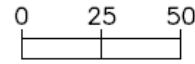
SHELBY DRIVE (110' R.O.W.)

HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE ERROR OF POSITIONAL ACCURACY DOES NOT EXCEED 1/10 OF A FOOT AT ANY PROPERTY CORNER SHOWN HEREON, AND THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THE STATE OF TENNESSEE.

THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED TO THAT PROPERTY AND SHOWS ANY OTHER PERTINENT INFORMATION SUCH AS EASEMENTS, JOINT DRIVEWAYS, ETC. OF WHICH I HAVE BEEN ADVISED BY THE TITLE ATTORNEY.

NOTE: THIS FIRM DOES NOT PERFORM TITLE SEARCHES.

THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP # 47157C0420 F DATED SEPTEMBER 8, 2007.

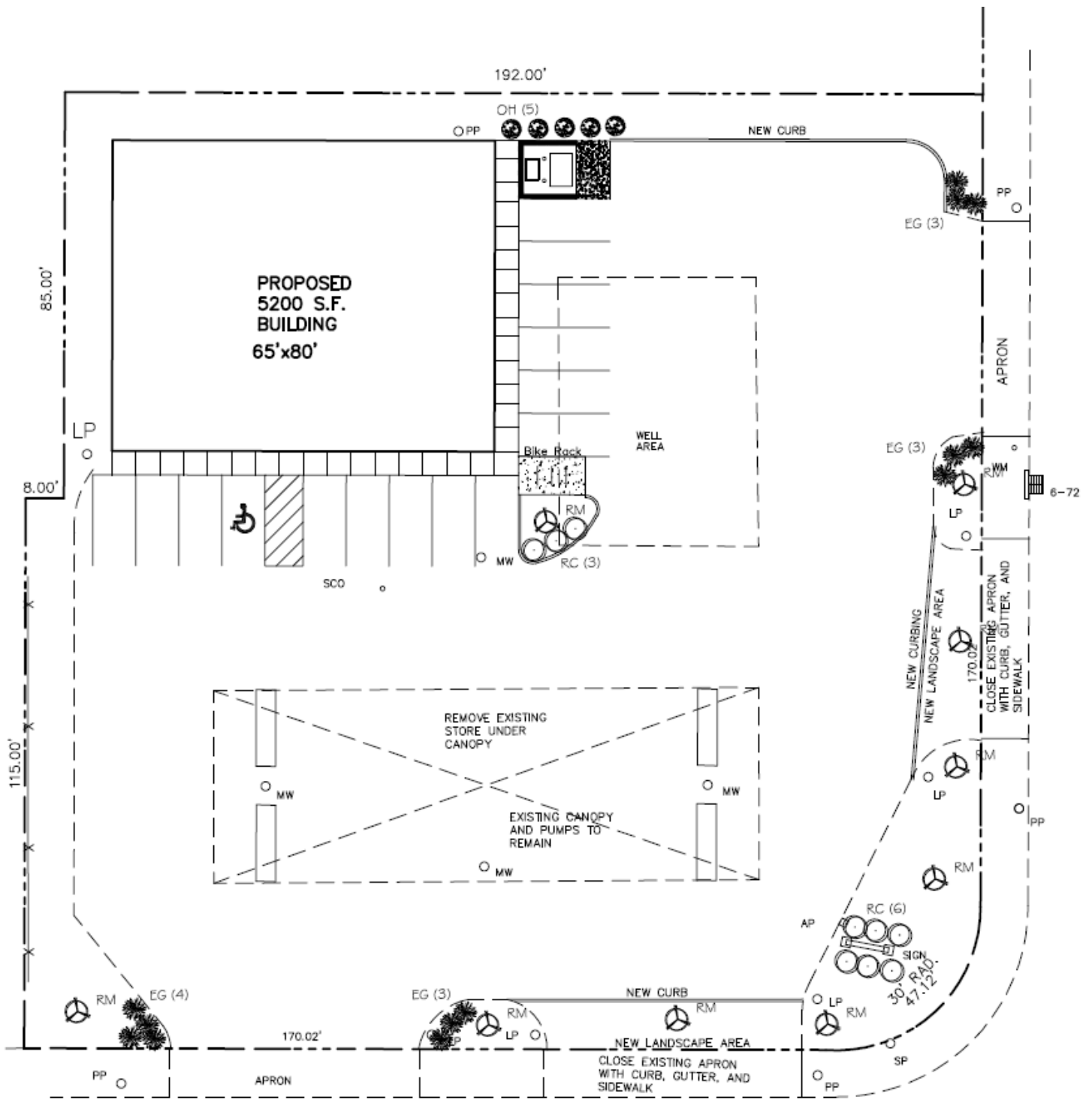


DATE: 5/22/20  
SCALE: 1"=50'

PREPARED BY:  
THE BRAY FIRM  
2950 STAGE PLAZA N.  
BARTLETT, TN 38134  
(901) 383-8668



**SITE PLAN**



## STAFF ANALYSIS

### Request

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

The request is an SUP for a new 5,200 sq. ft. convenience store with gasoline sales in the CMU-1 district.

### Approval Criteria

Staff **agrees** the approval criteria in regard special use permits as set out in Section 9.6.9 of the Unified Development Code are met.

#### *9.6.9 Approval Criteria*

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

- 9.6.9A 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.*
- 9.6.9B 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.*
- 9.6.9C 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.*
- 9.6.9D 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.*
- 9.6.9E The project complies with all additional standards imposed on it by any particular provisions authorizing such use.*
- 9.6.9F The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.*
- 9.6.9G The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to insure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.*
- 9.6.9H Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.*

### **Site Description**

- The subject property is a +/- 0.98-acre lot in in the northwest corner of Shelby Dr. and Airways Blvd.
- The existing structures on the property include a canopy, four gasoline pumps, a drive-in convenience store, and a rear carwash. See survey pg. 9.
- The abutting property to the north received a special use permit (SUP 2022-003) to construct a hotel with 120 rooms in February 2022.
- The site has been used as a “drive-in grocery store” since at least 1957, see BOA 1957-012-CO. The current principal structure was constructed in 1988.

### **Site Plan Review**

- The standard parking ratio (1 space per 300 sq. ft. of floor area) would require 18 spaces for this use. However, the site’s proximity to a transit stop entitles it to a 10% (two-space) reduction. As long as three bike racks are installed, the site will be entitled to a further one-space reduction and the 15 planned spaces will be compliant with UDC chapter 4.5.
- Because the existing canopy will remain, this project is not subject to the architectural review normally applied to fuel canopies. See UDC 2.6.3J(1)(g).
- Staff has determined that the proposed landscaping is compliant with requirements of UDC chapter 4.6. No buffer is required between the subject property and the abutting properties.

### **Conclusions**

1. The subject property is a non-conforming convenience store with gasoline sales (a non-conforming use). The applicant is seeking a new special use permit to demolish the existing store and construct a new 5,200 sq. ft. store.
2. Staff finds that the proposed project satisfies the approval criteria found in UDC 9.6.9 and therefore recommends approval subject to the included conditions.

### **RECOMMENDATION**

Staff recommends approval with two (2) conditions.

### **Conditions**

1. The required bicycle parking facilities shall be of an inverted-U (“staple” or “loop”) design and shall be spaced at least 48” apart and set back at least 96” from any walls pursuant to the recommended guidelines in UDC 4.5.3C. To ensure general compliance with UDC chapter 4.5, at least three such racks must be installed.
2. All existing curb cuts and abutting sidewalks shall be repaired to City standards.

## DEPARTMENTAL COMMENTS

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

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

NAME: 2206 E. Shelby Drive; Quoss SD

1. Standard Public Improvement Contract or Right-Of-Way Permit as required in Section 5.5.5 of the Unified Development Code.

### Sewers:

2. City sanitary sewers are available to serve this development.
3. An overall sewer plan for the entire site shall be submitted for review and approval to the City Engineer prior to approval.

### Roads:

4. 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.
5. 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.

### Traffic Control Provisions:

6. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5-foot-wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5-foot clear pedestrian path, an exception may be considered.
7. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
8. The developer's engineer shall submit a **Trip Generation Report** that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the

City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

9. The City Engineer shall approve the design, number, and location of curb cuts.
10. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter, and sidewalk.
11. Will require engineering ASPR.

Drainage:

12. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
13. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
14. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
15. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

<b>City/County Fire Division:</b>	No comments received.
<b>City Real Estate:</b>	No comments received.
<b>City/County Health Department:</b>	No comments received.
<b>Shelby County Schools:</b>	No comments received.
<b>Construction Code Enforcement:</b>	No comments received.
<b>Memphis Light, Gas and Water:</b>	No comments received.
<b>Office of Sustainability and Resilience:</b>	No comments received.

**Office of Comprehensive Planning:**

**Comprehensive Planning Review of Memphis 3.0 Consistency**

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This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: SUP 23-19 Airport Adjacent

Site Address/Location: 2206 E Shelby Dr

Overlay District/Historic District/Flood Zone: Not in an Overlay District, Historic District, or Flood Zone

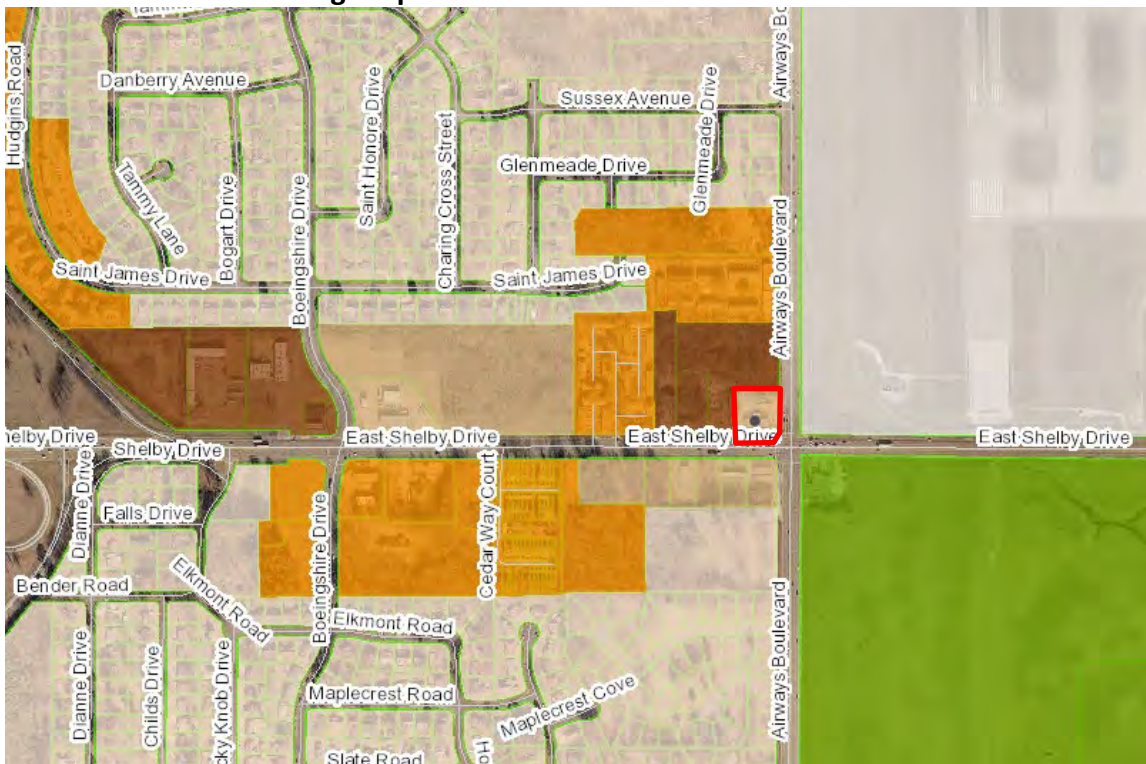
Future Land Use Designation: Low Intensity Commercial and Services (CSL)

Street Type: Parkway

*The applicant is requesting a special use permit to allow a convenience store with gas sales in the CMU-1 zoning district.*

The following information about the land use designation can be found on pages 76 – 122:

**1. Future Land Use Planning Map**



Red polygon indicates the application site on the Future Land Use Map.

**2. Land Use Description/Intent**

Low Intensity Commercial and Service (CSL) areas are typically not associated with anchors. These areas may include neighborhood supporting commercial uses such as retail sales and services, offices, restaurants, funeral services, small-scale recreation, social service institutions, and occasional upper-story residential. Graphic portrayal



of CSL is

to the right.

**“CSL” Form & Location Characteristics**

Commercial and services uses, 1-4 stories height.

**“CSL” Zoning Notes**

Generally compatible with the following zone districts: CMU-1 without frontage requirements, OG, SDBP in accordance with Form and characteristics listed above.

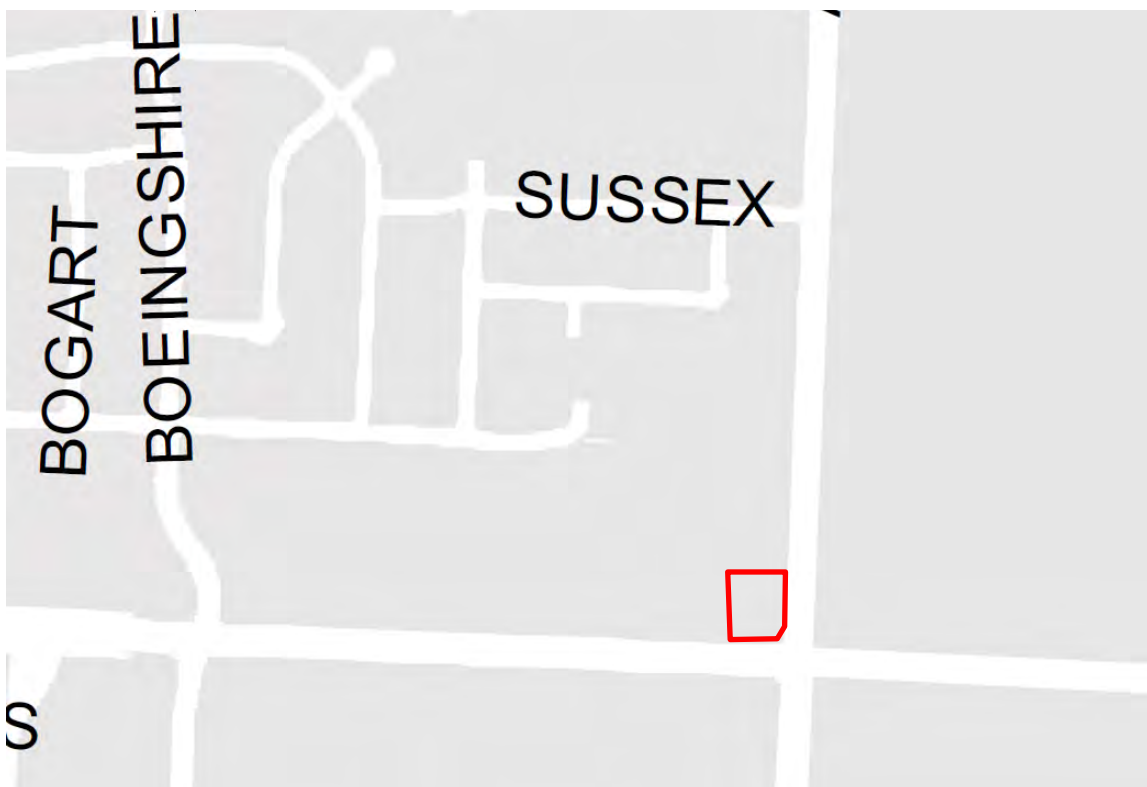
**Existing, Adjacent Land Use and Zoning**

Existing Land Use and Zoning: Commercial, CMU-1

Adjacent Land Use and Zoning: Commercial, Industrial, Commercial, Airport and Vacant Land; CMU-1, CMU-3 and R-8

**Overall Compatibility:** *This requested gas sale with convenience store use is not compatible with the future land use description/intent, form & location characteristics, zoning notes, and existing zoning. However, it is compatible with the existing land use and adjacent land use/zoning.*

**3. Degree of Change Map**



Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change.

**4. Degree of Change Description:** N/A

**5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities:** N/A

**6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations:** N/A

**Consistency Analysis Summary**



*The applicant is requesting a special use permit to allow a convenience store with gas sales in the CMU-1 zoning district.*

*This requested gas sale with convenience store use is not compatible with the future land use description/intent, form & location characteristics, zoning notes, and existing zoning. However, it is compatible with the existing land use and adjacent land use/zoning.*

**Based on the information provided, the proposal is CONSISTENT with the Memphis 3.0 Comprehensive Plan.**

Summary Compiled by: Romana Haque Suravi, Comprehensive Planning.

**PUBLIC NOTICE SIGN**

One public notice sign was posted on the property on September 4, 2023. Photos of the posted sign are included below:





**LETTERS RECEIVED**

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



## Record Summary for Special Use Permit

### Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: August 3, 2023

Record Number: SUP 2023-019

Expiration Date:

Record Name: Part of Lot 1, Quoss Subdivision

Description of Work: SUP for C-store with gasoline sales in the CMU-1 zoning district

Parent Record Number:

---

### Address:

2206 E SHELBY DR, MEMPHIS 38116

### Owner Information

Primary Owner Name

Y BERUK PROPERTIES INC

Owner Address

3264 W SARAZENS CIR, MEMPHIS, TN 38125

Owner Phone

---

### Parcel Information

079032 00056

---

### Data Fields

#### PREAPPLICATION MEETING

Name of OPD Planner

Chip Saliba

Date of Meeting

06/19/2023

Pre-application Meeting Type

Phone

#### GENERAL PROJECT INFORMATION

Application Type

New Special Use Permit (SUP)

**GENERAL PROJECT INFORMATION**

List any relevant former Docket / Case Number(s) related to previous applications on this site n/a

Is this application in response to a citation, stop work order, or zoning letter No

If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information n/a

**APPROVAL CRITERIA**

A) 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 This is an existing c-store with store under canopy. Applicant is seeking to build a new building on the north portion of the lot.

B) 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 This project will be compatible with surrounding uses.

UDC Sub-Section 9.6.9C The site is existing with existing utilities.

UDC Sub-Section 9.6.9D Agreed

UDC Sub-Section 9.6.9E Agreed

UDC Sub-Section 9.6.9F Agreed

**GIS INFORMATION**

Case Layer BOA1932-018-CO, BOA1957-012-CO

Central Business Improvement District No

Class C

Downtown Fire District No

Historic District -

Land Use COMMERCIAL

Municipality MEMPHIS

Overlay/Special Purpose District -

Zoning CMU-1

State Route 1

Lot 1&2

Subdivision QUOSS

Planned Development District -

Wellhead Protection Overlay District No

---

**Contact Information**

Name BERUK PROPERTIES INC Contact Type APPLICANT

Address

Phone

-

---

**Fee Information**

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1491539	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	08/03/2023
1491539	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	08/03/2023

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

---

**Payment Information**

Payment Amount	Method of Payment
\$513.00	Credit Card

# The Bray Firm

---

Telephone 901-383-8668  
2950 Stage Plaza North  
Bartlett, Tennessee 38134

August 3, 2023

Brett Ragsdale  
Memphis and Shelby County  
Division of Planning and Development  
125 North Main Street  
Memphis, Tennessee 38103

**RE: Special Use Permit for C-store with gasoline sales in the CMU-1 zoning district  
Part of Lot 1, Quass Subdivision  
Memphis, Shelby County, Tennessee**

Mr. Ragsdale:

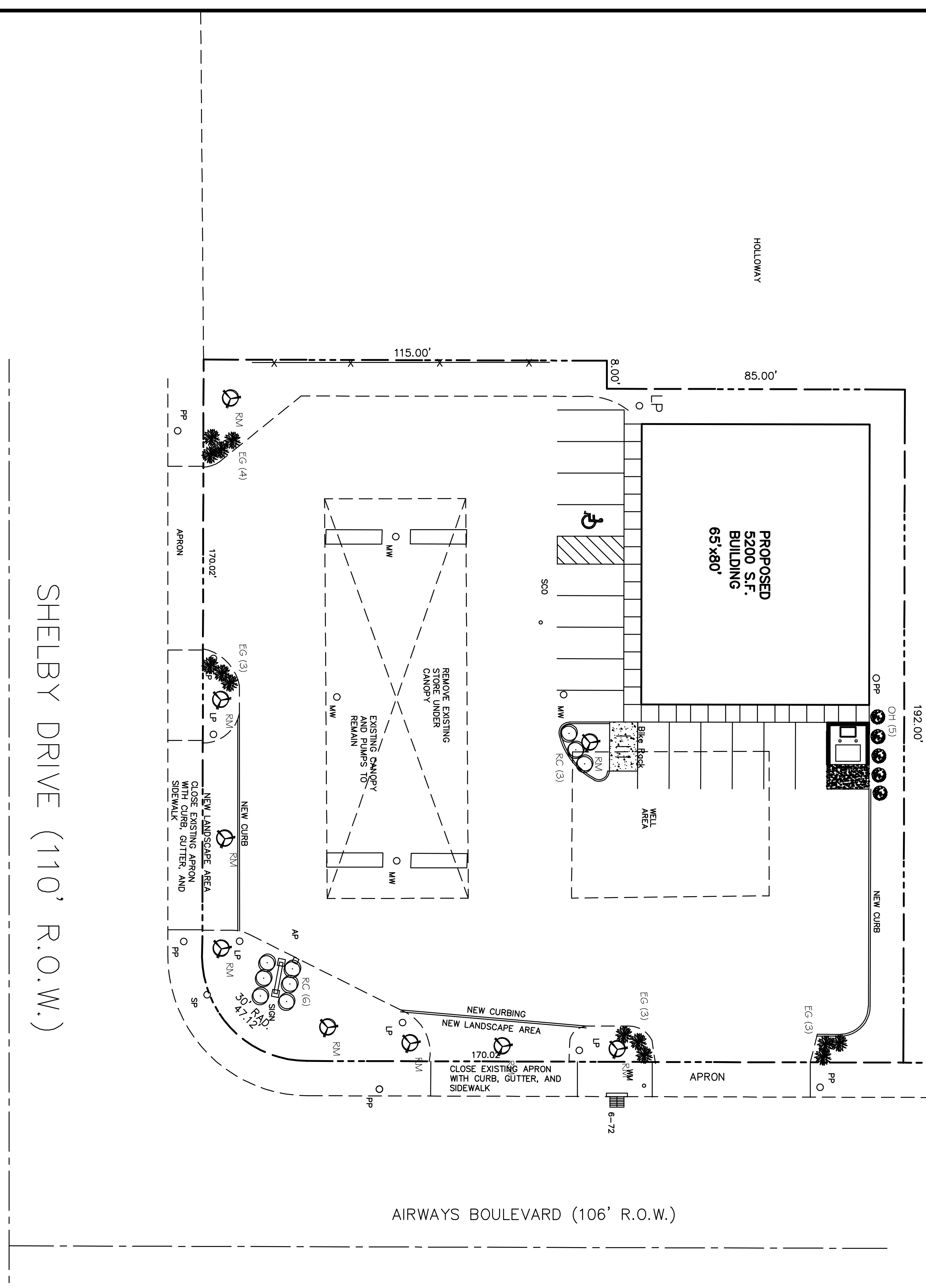
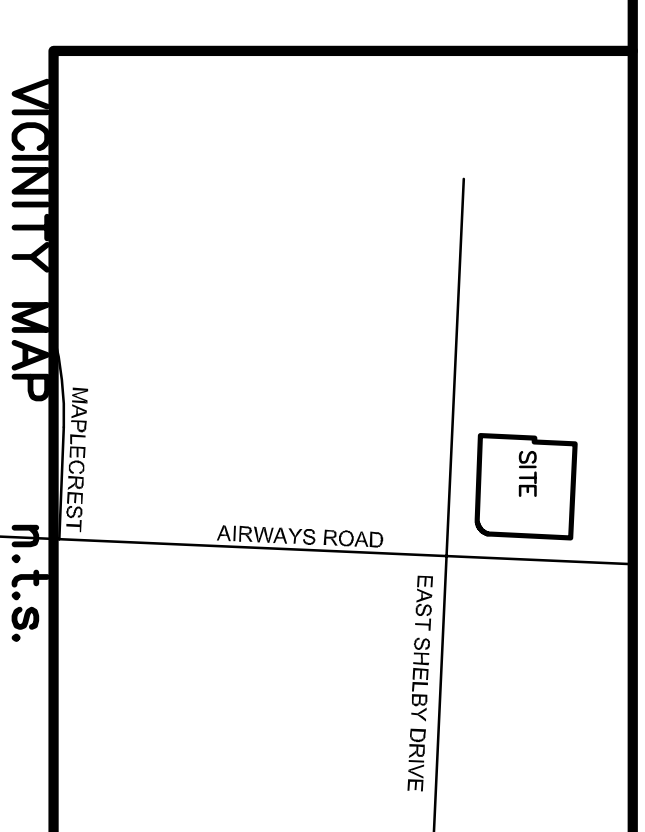
Please find attached an application to permit a C-store with gasoline sales in the CMU-1 zoning district on the above captioned property. The existing site is configured as a store under canopy C-store with gasoline sales. At this time, the owners would like to remove the existing store under canopy and the car wash structure and construct a new 5200 square foot building on the north portion of the lot.

Thank you for considering this request. If you have any questions or need any additional information, please feel free to call.

Sincerely,

David Gean Bray, P.E.





SHELBY DRIVE (110' R.O.W.)

AIRWAYS BOULEVARD (106' R.O.W.)

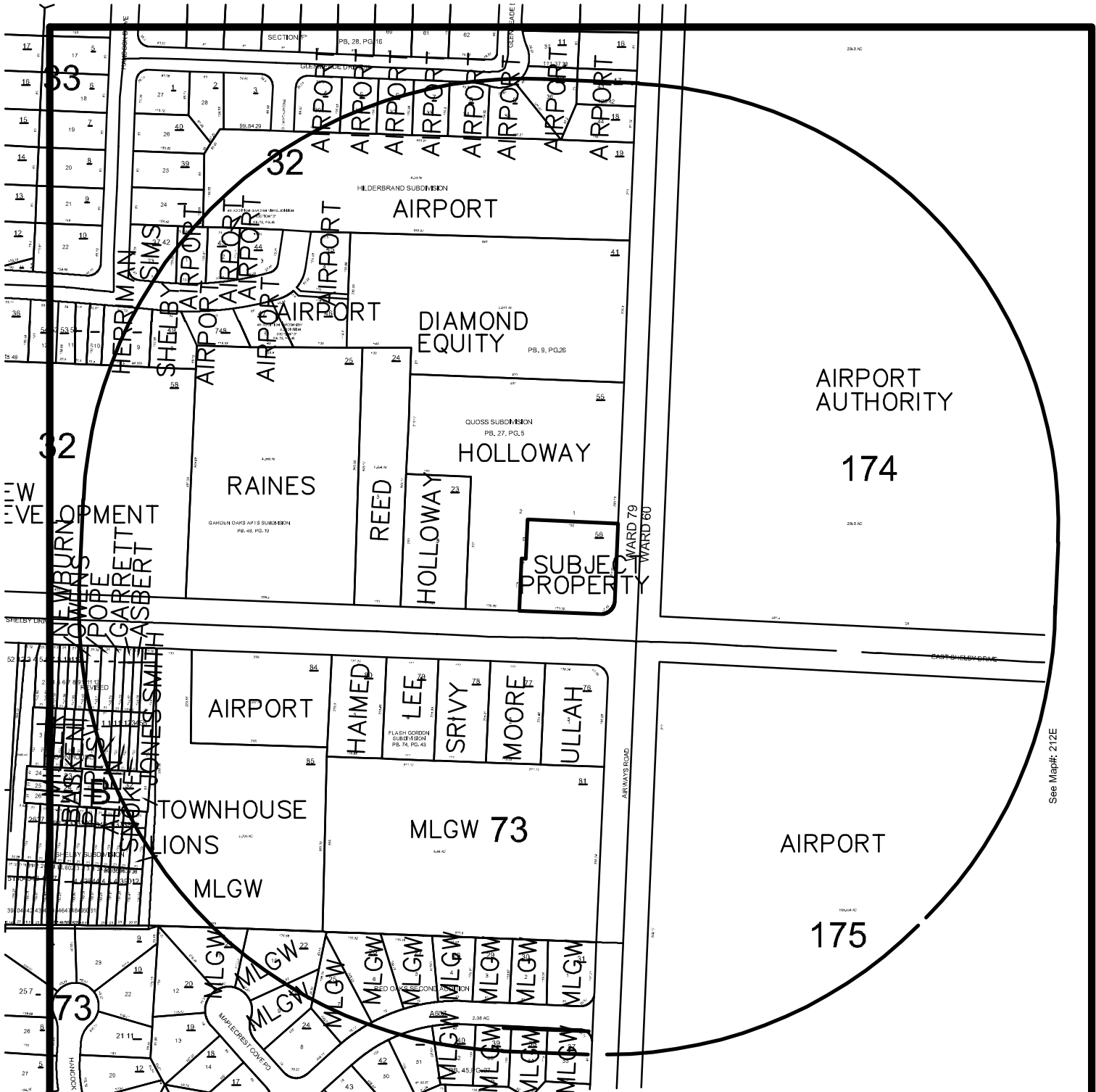
THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP # 47157C0420 F DATED SEPTEMBER 28, 2007.

STREET NAME	SIDEWALK WIDTH	SIDE LOCATION	ACTION
E. SHELBY	8.0	NORTH	REPAIR/REPLACE
AIRWAYS	8.0	WEST ADJACENT TO CURB	REPAIR/REPLACE

PROPOSED PLANTS			
SHAPE	SYMBOL	COMMON NAME	BOTANICAL NAME
EG	○	Emerald Green Arborvitae	Thuja occidentalis - Emerald Green
OH	○	Oak Leaf Holly	Ilex X Cornif
RC	○	Koae Creek Abelia	Abelia X Koae
RM	○	October Glory Red Marigold	Acer rubrum 'October Glory

SITE PLAN	
EXISTING ZONING DISTRICT: CMU-1	
AREA: 0.89 ACRES	
PREPARED FOR: NEW DEVELOPMENT LLC.	
ENGINEER: THE BRAY FIRM, 2950 STAGE PLAZA NORTH, BARLETTI, TN 38134, (901) 385-8688	
DATE: AUGUST 2023	SHEET 1 OF 1

THE REQUIRED SIDEWALK SHALL BE INSTALLED ACROSS THE FRONTAGE OF EACH LOT BY THE BUILDING PERMIT HOLDER PRIOR TO USE AND OCCUPANCY. EXISTING SIDEWALKS SHALL BE REPAIRED AS NECESSARY BY THE BUILDING PERMIT HOLDER ACROSS THE LOT FRONTAGE PRIOR TO USE AND OCCUPANCY. THAT IS IN OBEYANCE OF A.D.A. NON-COMPLIANT INSTALL. Compliant Curb Ramp. Survey sidewalk, replace broken and non-compliant areas along R.O.W.



See Map# 212E

**SUP APPLICATION FOR 2206 E SHELBY  
 APPLICANT: BERUK PROPERTIES, LLC.**

**MEMPHIS, TENNESSEE**

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES  
 2950 STAGE PLAZA NORTH  
 BARTLETT, TENNESSEE  
 JULY 21, 2023

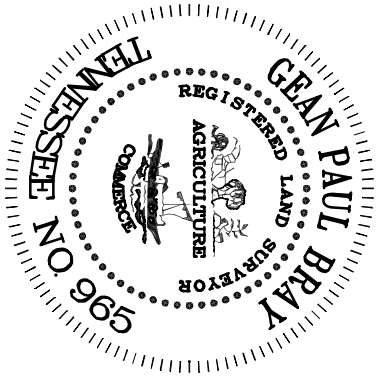
TELEPHONE 901-383-8668  
 E-MAIL dgbray@comcast.net

SCALE 1"=300'

LOT SURVEY  
PART OF LOT 1  
QUASS S/D

AS RECORDED AT THE SHELBY COUNTY  
REGISTER'S OFFICE  
INST.# KJ7476  
MEMPHIS, TN

PREPARED FOR:  
FASIL



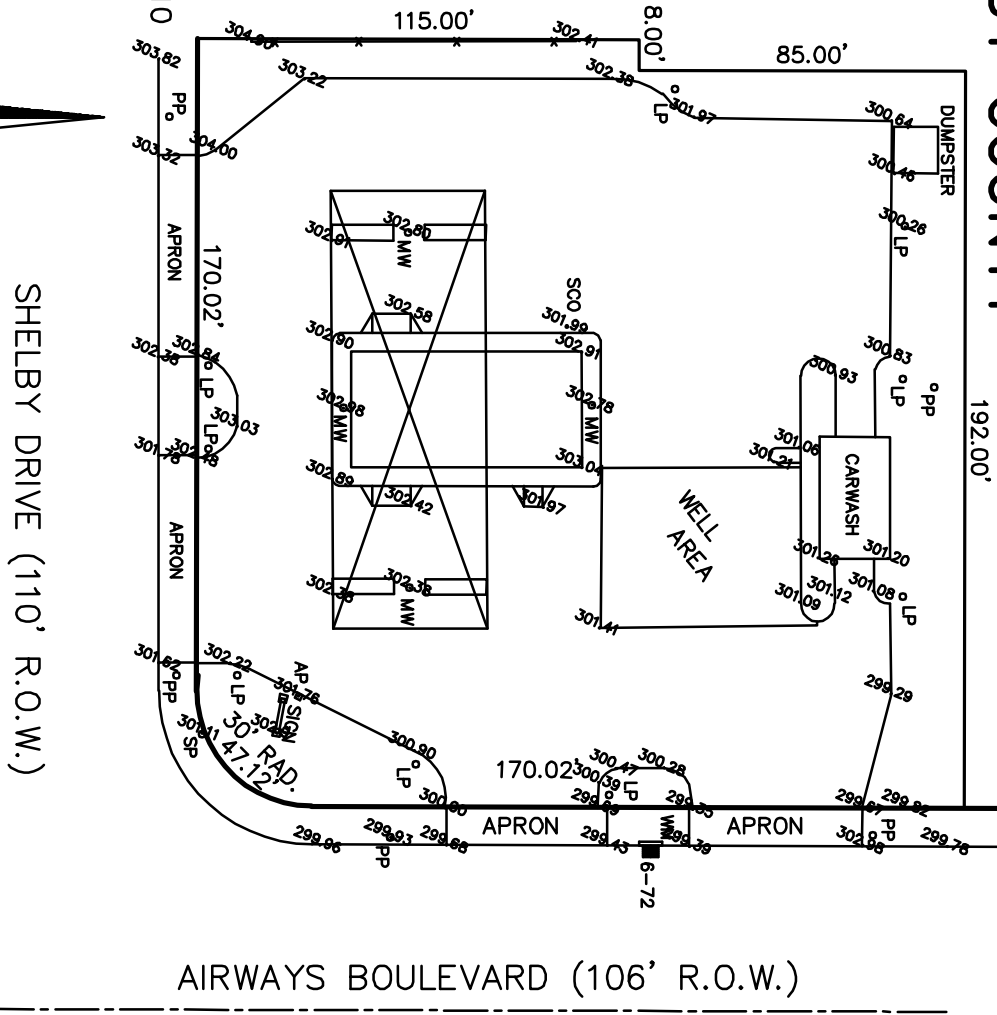
- LEGEND
- LP - LIGHT POLE
  - SP - SIGNAL POLE
  - AP - AIR PUMP
  - PP - POWER POLE
  - LP - LIGHT POLE
  - GV - GAS VALVE
  - MW - MONITOR WELL
  - WM - WATER METER
  - SCO - SEWER CLEANOUT

I HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE ERROR OF POSITIONAL ACCURACY DOES NOT EXCEED 1/10 OF A FOOT AT ANY PROPERTY CORNER SHOWN HEREON, AND THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THE STATE OF TENNESSEE.

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DATE: 5/22/20  
SCALE: 1"=50'

PREPARED BY:  
THE BRAY FIRM  
2950 STAGE PLAZA N.  
BARTLETT, TN 38134  
(901) 383-8668

**MEMPHIS AND  
SHELBY COUNTY** **DIVISION OF PLANNING  
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

**Property Owner's Affidavit**

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, FASIL KEBEDE Fasil Kebede, state that I have read the definition of  
(Print Name) (Sign Name)

"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 2206 E Shelby Dr.  
and further identified by Assessor's Parcel Number \_\_\_\_\_  
for which an application is being made to the Division of Planning and Development.



Subscribed and sworn to (or affirmed) before me this 1st day of August in the year of 2023.

Jeanne M. Hamilton  
Signature of Notary Public 10/17/2023  
My Commission Expires

**MEMPHIS AND  
SHELBY COUNTY** **DIVISION OF PLANNING  
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

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(Print Name) (Sign Name)

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- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

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Jeanne M. Hamilton  
Signature of Notary Public 10/17/2023  
My Commission Expires



# Shelby County Tennessee

## *Shelandra Y Ford*

Shelby County Register

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As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



20081141

08/04/2020 - 02:13:00 PM

5 PGS	
ALONZO 2064062 - 20081141	
VALUE	200000.00
MORTGAGE TAX	0.00
TRANSFER TAX	740.00
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	768.00

**SHELANDRA Y FORD**  
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

**This Instrument Prepared By:**

W. Lindsay Smith, Esquire  
Womble Bond Dickinson (US), LLP  
550 South Main Street, Suite 400  
Greenville, South Carolina 29601

**Name and Address of New Owner:**

Beruk Properties, Inc.  
3264 W. Sarazens Circle,  
Memphis, Tennessee 38125

**Return to:**

Mark J. Grai, Esq.  
The Winchester Law Firm, PLLC  
6060 Poplar Avenue, Suite 295  
Memphis, Tennessee 38119

**Send Tax Bills To:**

Beruk Properties, Inc.  
3264 W. Sarazens Circle,  
Memphis, Tennessee 38125

**Tax Map Parcel No.: 079032 00056**

**SPECIAL WARRANTY DEED**

**KNOW ALL PERSONS BY THESE PRESENTS:**

THAT FLASH MARKET, LLC, a Delaware limited liability company, with an address of 501 River Street, Suite 300, Greenville, South Carolina, 29601 ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by **Beruk Properties, Inc.**, a Tennessee corporation, with an address of 3264 W. Sarazens Circle, Memphis, Tennessee 38125 ("Grantee"), the receipt whereof is hereby acknowledged, does hereby GRANT, BARGAIN, SELL, CONVEY AND ASSIGN unto Grantee, and its successors and assigns, the following described property with improvements (if any) thereon, being situated and located in the County of Shelby, State of Tennessee, as more particularly described to wit:

See Exhibit A attached hereto and made a part hereof (the "Property");

Being the same property conveyed to Grantor by Deed of Record in Instrument No. 19081308 in the Register's Office for Shelby County, Tennessee.

The above-described Property is improved property and is commonly known as 2206 E. Shelby Drive, Memphis, TN 38116-7644 (Store No. 160).

TO HAVE AND TO HOLD the Property unto Grantee, and its successors and assigns, forever, with all tenements, appurtenances and hereditaments thereunto belonging, subject to: current ad valorem property taxes not yet due and payable; easements, conditions, restrictions and other matters of record; and all matters set forth in the final title insurance commitment #8519196 issued by Fidelity National Title Insurance Company for the Property.

Except as provided in the unrecorded Contract For Purchase and Sale between Grantor and Grantee dated as of May 12, 2020, as amended, no representations or warranties of any kind have been made by Grantor or anyone on Grantor's behalf to Grantee as to the condition of the Property described herein or any improvements thereon erected, if any, including without limitation the environmental or ecological condition of the Property, and it is understood and agreed by the parties that the Property is sold **"AS IS, WHERE IS – WITH ALL FAULTS AND WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, EXPRESS OR IMPLIED."**

Without limiting the foregoing, and except as provided in the unrecorded Contract For Purchase and Sale between Grantor and Grantee dated as of May 12, 2020, as amended, Grantee hereby covenants and agrees that Grantee accepts the property "AS IS" and "WHERE IS", and with all faults and defects, latent or otherwise, and that Grantor is making no representations or warranties, either expressed or implied, by operation of law or otherwise, with respect to the quality, physical conditions or value of the Property, the Property's habitability, suitability, merchantability or fitness for a particular purpose, the presence or absence of conditions on the Property that could give rise to a claim for personal injury, property or natural resource damages; the presence of hazardous or toxic substances, materials or wastes, substances, contaminants or pollutants on, under or about the Property, or the income or expenses from or of the Property.

AND SAID GRANTOR does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Property, unto Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through and under Grantor, but not further nor otherwise.

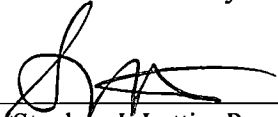
The words "Grantor" and "Grantee shall include their respective successors and assigns where the context requires or permits.

*[Remainder of page left intentionally blank - Signature page follows]*



IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and effective as of the 24 day of July, 2020.

FLASH MARKET, LLC,  
a Delaware limited liability company

By:   
Stephen J. Lattig, President

ACKNOWLEDGEMENT

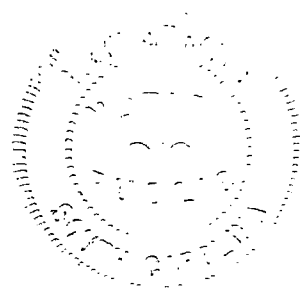
STATE OF SOUTH CAROLINA    §  
                                                          §  
COUNTY OF GREENVILLE    §

Before me, Wicki Straits, a Notary Public in and for the State and County aforesaid, personally appeared Stephen J. Lattig, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the President of Flash Market, LLC, a Delaware limited liability company, the within named Grantor, and that he as such President, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as such President.

Witness my hand, at office, this 24 day of July, 2020.

Wicki Straits  
Notary Public for the State of S.C.

My Commission Expires: July 13, 2021



Oath of Value

I hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$200,000, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Christina Hall

Affiant

Subscribed and sworn to before me this the \_\_\_\_\_ day of July, 2020.

Pamela Cox

Notary Public

My Commission Expires: 3-19-2024

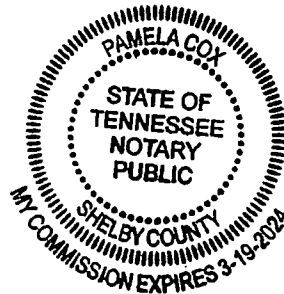


EXHIBIT A

Land in Shelby County, Tennessee, being part of Lot 1, Quoss Subdivision, recorded in Plat Book 27, Page 5, particularly described as follows:

Beginning at a point in the north line of Shelby Drive (110' ROW) 29.98 feet west of the west line of Airways Road (106' ROW); thence along the north line of said road, S 89 degrees 57 minutes 30 seconds W, a distance of 172.02 feet to a point; thence north a distance of 115.00 feet to a point; thence N 89 degrees 57 minutes 30 seconds E, a distance of 8.00 feet to a point; thence north a distance of 85.00 feet to a point; thence N 89 degrees 57 minutes 30 seconds E, a distance of 192.00 feet to a point in the west line of Airways Road; thence South along said road a distance of 170.02 feet to a point; thence along a curve to the right (RAD=30.0') a distance of 47.11 feet to the point of beginning.

Store No. 160

Address: 2206 Shelby Dr., Memphis, Tennessee 38116

APN: 079032 00056



# Shelby County Tennessee

## *Shelandra Y Ford*

Shelby County Register

---

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



20081141

08/04/2020 - 02:13:00 PM

5 PGS	
ALONZO 2064062 - 20081141	
VALUE	200000.00
MORTGAGE TAX	0.00
TRANSFER TAX	740.00
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	768.00

**SHELANDRA Y FORD**  
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

**This Instrument Prepared By:**

W. Lindsay Smith, Esquire  
Womble Bond Dickinson (US), LLP  
550 South Main Street, Suite 400  
Greenville, South Carolina 29601

**Name and Address of New Owner:**

Beruk Properties, Inc.  
3264 W. Sarazens Circle,  
Memphis, Tennessee 38125

**Return to:**

Mark J. Grai, Esq.  
The Winchester Law Firm, PLLC  
6060 Poplar Avenue, Suite 295  
Memphis, Tennessee 38119

**Send Tax Bills To:**

Beruk Properties, Inc.  
3264 W. Sarazens Circle,  
Memphis, Tennessee 38125

**Tax Map Parcel No.: 079032 00056**

**SPECIAL WARRANTY DEED**

**KNOW ALL PERSONS BY THESE PRESENTS:**

THAT FLASH MARKET, LLC, a Delaware limited liability company, with an address of 501 River Street, Suite 300, Greenville, South Carolina, 29601 ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by **Beruk Properties, Inc.**, a Tennessee corporation, with an address of 3264 W. Sarazens Circle, Memphis, Tennessee 38125 ("Grantee"), the receipt whereof is hereby acknowledged, does hereby GRANT, BARGAIN, SELL, CONVEY AND ASSIGN unto Grantee, and its successors and assigns, the following described property with improvements (if any) thereon, being situated and located in the County of Shelby, State of Tennessee, as more particularly described to wit:

See Exhibit A attached hereto and made a part hereof (the "Property");

Being the same property conveyed to Grantor by Deed of Record in Instrument No. 19081308 in the Register's Office for Shelby County, Tennessee.

The above-described Property is improved property and is commonly known as 2206 E. Shelby Drive, Memphis, TN 38116-7644 (Store No. 160).

TO HAVE AND TO HOLD the Property unto Grantee, and its successors and assigns, forever, with all tenements, appurtenances and hereditaments thereunto belonging, subject to: current ad valorem property taxes not yet due and payable; easements, conditions, restrictions and other matters of record; and all matters set forth in the final title insurance commitment #8519196 issued by Fidelity National Title Insurance Company for the Property.

Except as provided in the unrecorded Contract For Purchase and Sale between Grantor and Grantee dated as of May 12, 2020, as amended, no representations or warranties of any kind have been made by Grantor or anyone on Grantor's behalf to Grantee as to the condition of the Property described herein or any improvements thereon erected, if any, including without limitation the environmental or ecological condition of the Property, and it is understood and agreed by the parties that the Property is sold **"AS IS, WHERE IS – WITH ALL FAULTS AND WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, EXPRESS OR IMPLIED."**

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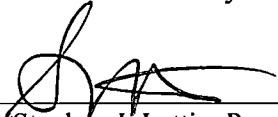
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*[Remainder of page left intentionally blank - Signature page follows]*

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and effective as of the 24 day of July, 2020.

FLASH MARKET, LLC,  
a Delaware limited liability company

By:   
Stephen J. Lattig, President

ACKNOWLEDGEMENT

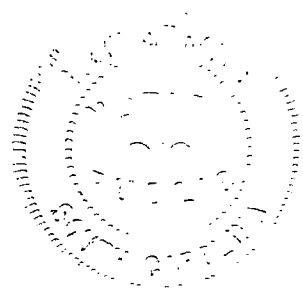
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                                                           §  
COUNTY OF GREENVILLE     §

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Witness my hand, at office, this 24 day of July, 2020.

Vicki Straits  
Notary Public for the State of S.C.

My Commission Expires: July 13, 2021



Oath of Value

I hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$200,000, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Christina Hall

Affiant

Subscribed and sworn to before me this the \_\_\_\_\_ day of July, 2020.

Pamela Cox

Notary Public

My Commission Expires: 3-19-2024

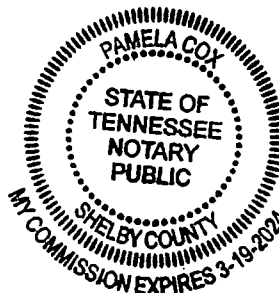




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Store No. 160

Address: 2206 Shelby Dr., Memphis, Tennessee 38116

APN: 079032 00056

2206 E Shelby Dr.

Page 1 of 2

Beruk Properties Inc.  
3264 W Sarazens Circle  
Memphis, TN 38125-0808

The Bray Firm  
2950 Stage Plaza North  
Bartlett, TN 38134

Owner

Engineer

Michael E Holloway Jr.  
2190 E SHELBY DR  
MEMPHIS TN 38116 7642

Tony Reed  
2138 CHELSEA AVE  
MEMPHIS TN 38108

Shelby Raines LLC  
5737 KANAN RD STE 140  
AGOURA HILLS CA 91301 1601

New Development LLC  
3264 W SARAZENS CIR  
MEMPHIS TN 38125 0808

Barbara L Herriman  
2103 ST JAMES DR  
MEMPHIS TN 38116

Shelby Residential & Vocational Serv  
Inc.  
3971 KNIGHT ARNOLD RD  
MEMPHIS TN 38118 3004

Mohammad A Ullah and Sheikh M  
Ahamed  
2205 E SHELBY DR  
MEMPHIS TN 38116 7659

Tommy G & Judy K Moore  
4935 FOREST HILL IRENE RD  
MEMPHIS TN 38125 4000

Srivy General Partnership  
875 W POPLAR AVE STE 23-232  
COLLIERVILLE TN 38017 2513

Lois J Lee  
642 E RIDGE SPRINGS RD  
COLLIERVILLE TN 38017 8526

Haroon Haimed  
986 DR HOLLIS F PRICE ST  
MEMPHIS TN 38126 5910

Memphis Shelby County Airport Authority  
2491 WINCHESTER RD STE 113  
MEMPHIS TN 38116 3856

MPHS Light Gas and Water Div City Of  
Memphis  
220 S MAIN ST  
MEMPHIS TN 38103 3917

Jimmie L Smith  
2111 E SHELBY DR  
MEMPHIS TN 38116 7641

Asbert Holdings LLC  
2150 CAMINO DE LA RENIA UNIT 204  
SAN DIEGO CA 92108 5517

Joe E Garrett II  
2107 E SHELBY DR  
MEMPHIS TN 38116 7641

Sheryl L Pope and Cameron L Pope  
2105 E SHELBY DR  
MEMPHIS TN 38116

Patricia E Owens  
2103 E SHELBY DR  
MEMPHIS TN 38116 7641

Ruben H Jones  
2110 WOODEN HEART CT  
MEMPHIS TN 38116 8160

Julia Snoke-Morales & Ignacio C Morales  
290 OLD SMITH HOLLOW RD  
PULASKI TN 38478 7032

Annie D Allen  
2106 WOODEN HEART CT # 21  
MEMPHIS TN 38116 8160

2206 E Shelby Dr  
Page 2 of 2

Jonathon & Angela Phipps  
845 DOLAN RD  
MEMPHIS TN 38116 4007

Townhouse Village Shelby Homeowners  
Association Inc.  
100 N MAIN ST  
MEMPHIS TN 38103 501

Darius Basken  
2102 WOODEN HEART CT  
MEMPHIS TN 38116 8160

Miller and Thompson Realty Inc.  
926 WOODLAND ST UNIT 104  
NASHVILLE TN 37206 3746

Erick D Newbern  
2101 E SHELBY DR  
MEMPHIS TN 38116 7641

Terry & Tammy Sims  
4594 HANCOCK DR  
MEMPHIS TN 38116

**CITY OF MEMPHIS  
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL  
ONLY STAPLED  
TO DOCUMENTS**

**Planning & Development  
DIVISION**

**Planning & Zoning COMMITTEE: 11/07/2023**

*DATE*

**PUBLIC SESSION: 11/07/2023**

*DATE*

**ITEM (CHECK ONE)**

ORDINANCE      \_\_\_\_\_ RESOLUTION       REQUEST FOR PUBLIC HEARING

**ITEM CAPTION:**      Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the south side of Cornell St. between Felts Station Rd. and Thomas St. By taking the land out of the Residential Urban – 3 (RU-3) Use District and including it in the Heavy Industrial (IH) Use District, known as case number Z 23-11

**CASE NUMBER:**      Z 23-11

**LOCATION:**      South side of Cornell St. between Felts Station Rd. and Thomas St.

**COUNCIL DISTRICTS:**      District 7 and Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:**      Marcino Pigram

**REPRESENTATIVES:**      The Bray Firm, David Bray

**REQUEST:**      Rezoning of +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)

**RECOMMENDATION:**      The Division of Planning and Development recommended **Rejection**  
The Land Use Control Board recommended **Approval**

**RECOMMENDED COUNCIL ACTION:**      **Public Hearing Required**

Set date for first reading – October 10, 2023

Second reading – October 24, 2023

Third reading – November 7, 2023

**PRIOR ACTION ON ITEM:**

(1) \_\_\_\_\_  
09/14/2023  
(1) Land Use Control Board

APPROVAL - (1) APPROVED (2) DENIED  
DATE  
ORGANIZATION - (1) BOARD / COMMISSION  
(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

**FUNDING:**

(2) \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

REQUIRES CITY EXPENDITURE - (1) YES (2) NO  
AMOUNT OF EXPENDITURE  
REVENUE TO BE RECEIVED

**SOURCE AND AMOUNT OF FUNDS**

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

OPERATING BUDGET  
CIP PROJECT # \_\_\_\_\_  
FEDERAL/STATE/OTHER

**ADMINISTRATIVE APPROVAL:**

**DATE**

**POSITION**

_____	_____	LUDS STAFF PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY

\_\_\_\_\_ **CHIEF ADMINISTRATIVE OFFICER**

\_\_\_\_\_ **COMMITTEE CHAIRMAN**



## Memphis City Council Summary Sheet

### Z 23-11

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE SOUTH SIDE OF CORNELL ST. BETWEEN FELTS STATION RD. AND THOMAS ST. BY TAKING THE LAND OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE HEAVY INDUSTRIAL (IH) USE DISTRICT, KNOWN AS CASE NUMBER Z 23-11

- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

## **LAND USE CONTROL BOARD RECOMMENDATION**

At its regular meeting on **Thursday, September 14, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

**CASE NUMBER:** Z 23-11

**LOCATION:** South side of Cornell St. between Felts Station Rd. and Thomas St.

**COUNCIL DISTRICT(S):** District 7, Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Marcino Pigram

**REPRESENTATIVE:** The Bray Firm, David Bray

**REQUEST:** Rezoning of +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)

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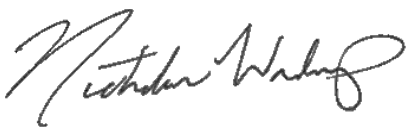
**The following spoke in support of the application:** David Bray, Marcino Pigram

**The following spoke in opposition of the application:** None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application.

**The motion passed by a unanimous vote of 8-0**

Respectfully,

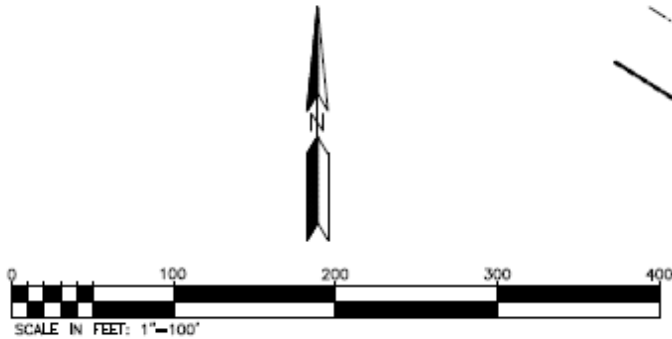


Nicholas Wardroup  
Land Use and Development Services  
Division of Planning and Development

Cc: Committee Members  
File

PLOT PLAN

**PLOT PLAN**  
**PART OF LOT 1, OVERTON S/D**  
**O CORNELL**  
**AS RECORDED AT THE**  
**SHELBY COUNTY REGISTER'S OFFICE**  
**# 21114498**  
**MEMPHIS, SHELBY COUNTY, TN**



JPR INC.  
 LOTS 3 & 7  
 OVERTON S/D  
 INST. EJ 9654  
 ZONED: CMU-3

SWAIN/SWAIN  
 GEORGETOWN  
 VILLAGE  
 ZONED: RU-3

CORNELL ROAD  
 635.0' TO EAST  
 LINE OF HIGHWAY 51  
 S58°02'26"E

Lots 1-7  
 Overton S/D  
 Inst. # 20072987  
 Mateo LLC.  
 Zoned: RU-3

AREA TO  
 BE RE-  
 ZONED  
 TO IH

HAMILTON  
 LOT 1  
 OVERTON S/D  
 INST. # 06181066  
 ZONED: RU-3

Zoned: IH

approx. limits of zoning

N 44°40'00"E 707.04'

IH

BEGINNING AT A POINT IN THE SOUTHWEST LINE OF CORNELL AVENUE A DISTANCE OF 635.0 FEET SOUTHWARDLY AS MEASURED ALONG THE SOUTHWEST LINE OF CORNELL AVENUE FROM ITS TANGENT INTERSECTION WITH THE EAST LINE OF U.S. HIGHWAY 51; THENCE SOUTH 57 DEGREES 30 MINUTES EAST A DISTANCE OF 90.0 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 45 DEGREES 3 MINUTES WEST A DISTANCE OF 630.6 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 129.5 FEET, MORE OR LESS TO A POINT; THENCE NORTH 44 DEGREES 40 MINUTES EAST A DISTANCE OF 707.4 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

129.05'  
 S 86°30'00"W

CITY OF MEMPHIS  
 LOT 1, OVERTON S/D  
 ZONED: RU-3

MEMPHIS  
 BLUES PD  
 P.B. 298,  
 PG. 036  
 ZONED: R-MP

PREPARED FOR:  
 MARCINO PIGRAM

PREPARED BY:  
 THE BRAY FIRM  
 2950 STAGE PLAZA N.  
 BARTLETT, TN 38134  
 (901) 383-8668

A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0260 F DATED SEPTEMBER 28, 2007. BFE: 234

**ORDINANCE NO: \_\_\_\_\_**

**ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE SOUTH SIDE OF CORNELL ST. BETWEEN FELTS STATION RD. AND THOMAS ST. BY TAKING THE LAND OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE HEAVY INDUSTRIAL USE DISTRICT, KNOWN AS CASE NUMBER Z 23-11**

---

**WHEREAS**, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 23-11**; and

**WHEREAS**, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

**WHEREAS**, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

**WHEREAS**, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

**NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:**

**SECTION 1:**

**THAT**, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

**BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE HEAVY INDUSTRIAL USE DISTRICT.**

The following property located in the City of Memphis, Tennessee being more particularly described as follows:

**PARCEL 1**

**PART OF THE R.L. PHELPS 27.6 ACRE TRACT, UNRECORDED, IN MEMPHIS, SHELBY COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT IN THE SOUTHWEST LINE OF CORNELL AVENUE A DISTANCE OF**



635 FEET SOUTHWESTARDLY AS MEASURED ALONG THE SOUTHWEST LINE OF CORNELL AVENUE FROM ITS TANGENT INTERSECTION WITH THE EAST LINE OF U.S. HIGHWAY 51; THENCE SOUTH 57 DEGREES 30 MINUTES EAST A DISTANCE OF 90 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 45 DEGREES 3 MINUTES WEST A DISTANCE OF 630.6 FEET, MORE OR LESS TO A POINT, THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 129.5 FEET, MORE OR LESS TO A POINT; THENCE NORTH 44 DEGREES 40 MINUTES EAST A DISTANCE OF 707.4 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

**SECTION 2:**

**THAT**, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

**SECTION 3:**

**THAT**, this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

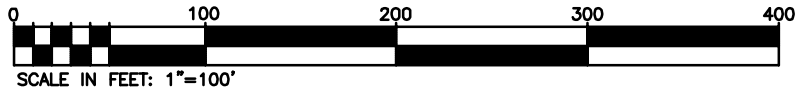
**ATTEST:**

**CC: Division of Planning and Development  
– Land Use and Development Services  
– Office of Construction Enforcement  
Shelby County Assessor**

**//: ATTACHMENTS  
Plot Plan**

**PLOT PLAN**  
**PART OF LOT 1, OVERTON S/D**  
**O CORNELL**  
**AS RECORDED AT THE**  
**SHELBY COUNTY REGISTER'S OFFICE**  
**# 21114498**  
**MEMPHIS, SHELBY COUNTY, TN**

JPR INC.  
 LOTS 3 & 7  
 OVERTON S/D  
 INST. EJ 9654  
 ZONED: CMU-3



SWAIM & SWAIM  
 GEORGETOWN  
 VILLAGE  
 ZONED: RU-3

CORNELL ROAD  
 S58°02'26"E  
 635.0' TO EAST  
 LINE OF HIGHWAY 51

Lots 1-7  
 Overton S/D  
 Inst. # 20072987  
 Mateo LLC.

Zoned: RU-3

AREA TO  
 BE RE-  
 ZONED  
 TO IH

HAMILTON  
 LOT 1  
 OVERTON S/D  
 INST. # 06161066  
 ZONED: RU-3

Zoned: IH

*approx. limits of zoning*

RU-3

IH

N 44°40'00"E 707.04'

S 45°03'00"W 630.06'

BEGINNING AT A POINT IN THE SOUTHWEST LINE OF CORNELL AVENUE A DISTANCE OF 635.0 FEET SOUTHWARDLY AS MEASURED ALONG THE SOUTHWEST LINE OF CORNELL AVENUE FROM ITS TANGENT INTERSECTION WITH THE EAST LINE OF U.S. HIGHWAY 51: THENCE SOUTH 57 DEGREES 30 MINUTES EAST A DISTANCE OF 90.0 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 45 DEGREES 3 MINUTES WEST A DISTANCE OF 630.6 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 129.5 FEET, MORE OR LESS TO A POINT; THENCE NORTH 44 DEGREES 40 MINUTES EAST A DISTANCE OF 707.4 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

129.05'  
 S 86°30'00"W

MEMPHIS  
 BLUES PD  
 P.B. 298,  
 PG. 036  
 ZONED: R-MP

CITY OF MEMPHIS  
 LOT 1, OVERTON S/D  
 ZONED: RU-3

PREPARED FOR:  
 MARCINO PIGRAM

PREPARED BY:  
 THE BRAY FIRM  
 2950 STAGE PLAZA N.  
 BARTLETT, TN 38134  
 (901) 383-8668

A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0260 F DATED SEPTEMBER 28, 2007. BFE: 234

AGENDA ITEM: 10

**CASE NUMBER:** Z 2023-011 **L.U.C.B. MEETING:** September 14, 2023

**LOCATION:** 0 Cornell St, Frayser

**COUNCIL DISTRICT:** District 7 and Super District 9 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Marcino Pigram

**REPRESENTATIVE:** David G. Bray, P.E., The Bray Firm

**REQUEST:** Rezone +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)

**AREA:** +/-0.5 acres

**EXISTING ZONING:** Residential Urban – 3 (RU-3)

## CONCLUSIONS

1. The request is to rezone +/- 0.5 Acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH).
2. Staff recommends **rejection** of this request due to its inconsistency with the Memphis 3.0 Comprehensive Plan.
3. Even if comprehensive plan consistency were not considered, staff would find the allowance of additional industrial uses in the proximity of nearby residences inappropriate.
4. This request is also inconsistent with the Mid-South Resiliency Plan, see Office of Sustainability and Resilience comments pg. 14.

## CONSISTENCY WITH MEMPHIS 3.0

This proposal is **inconsistent** with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 16 of this report.

## RECOMMENDATION

***Rejection***

**GENERAL INFORMATION**

**Street Frontage:** Cornell Street +/- 90 linear feet  
**Zoning Atlas Page:** 1630  
**Parcel ID:** 069065 00005  
**Existing Zoning:** Residential Urban – 3 (RU-3)  
**Requested Zoning:** Heavy Industrial (IH)

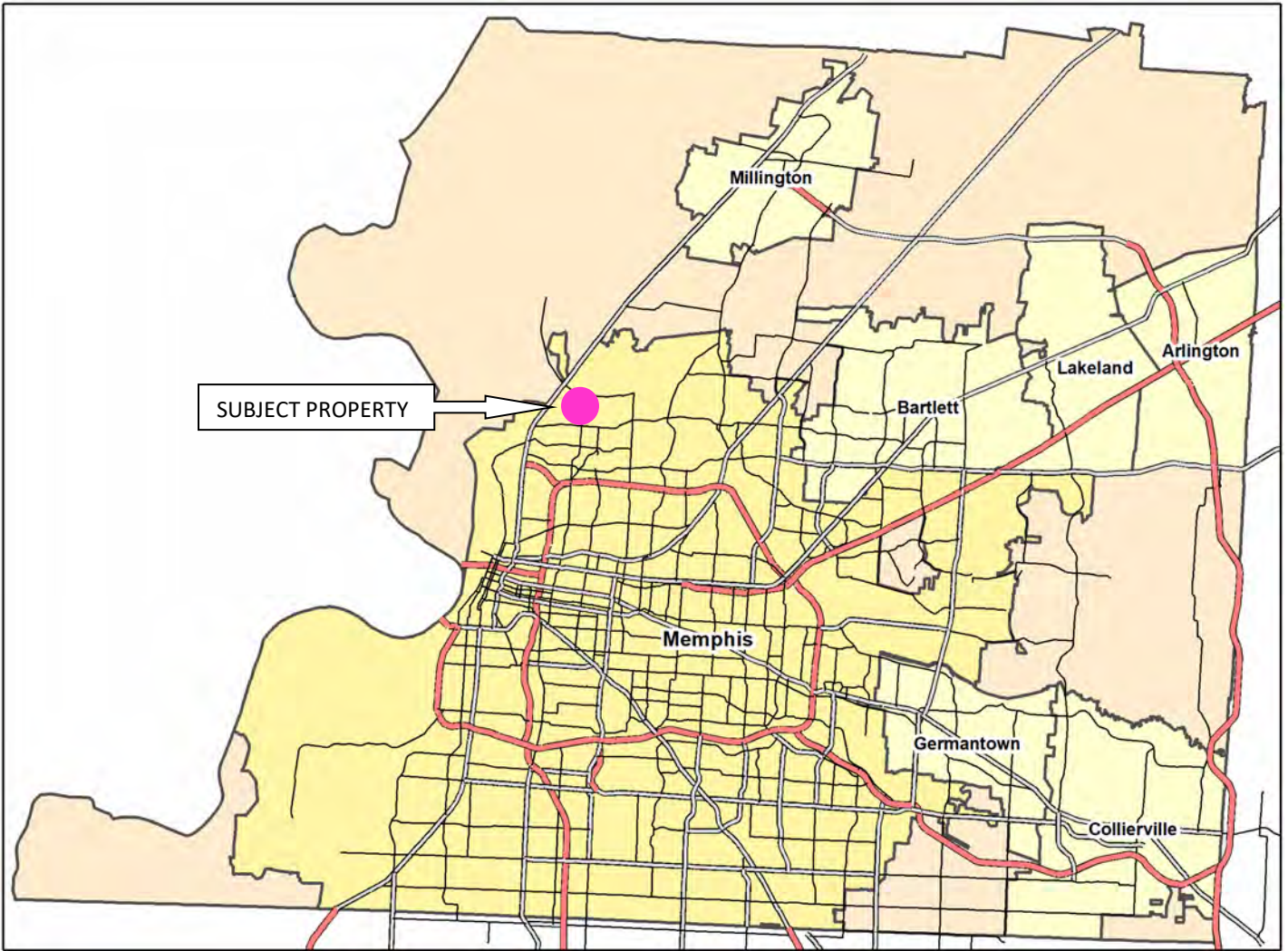
**NEIGHBORHOOD MEETING**

The meeting was held on Monday, July 24, 2023.

**PUBLIC NOTICE**

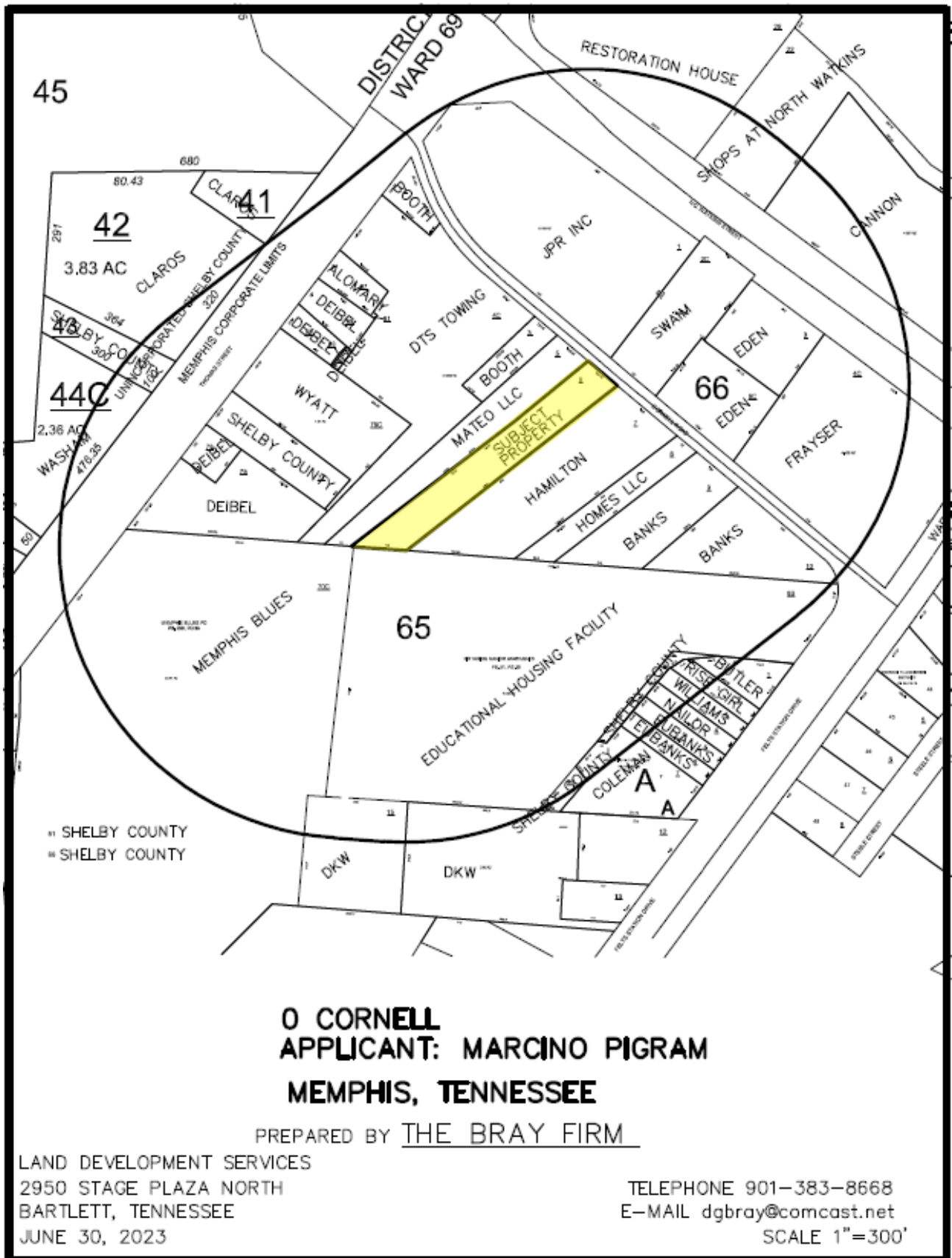
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 30 notices were mailed on August 24, 2023, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

**LOCATION MAP**



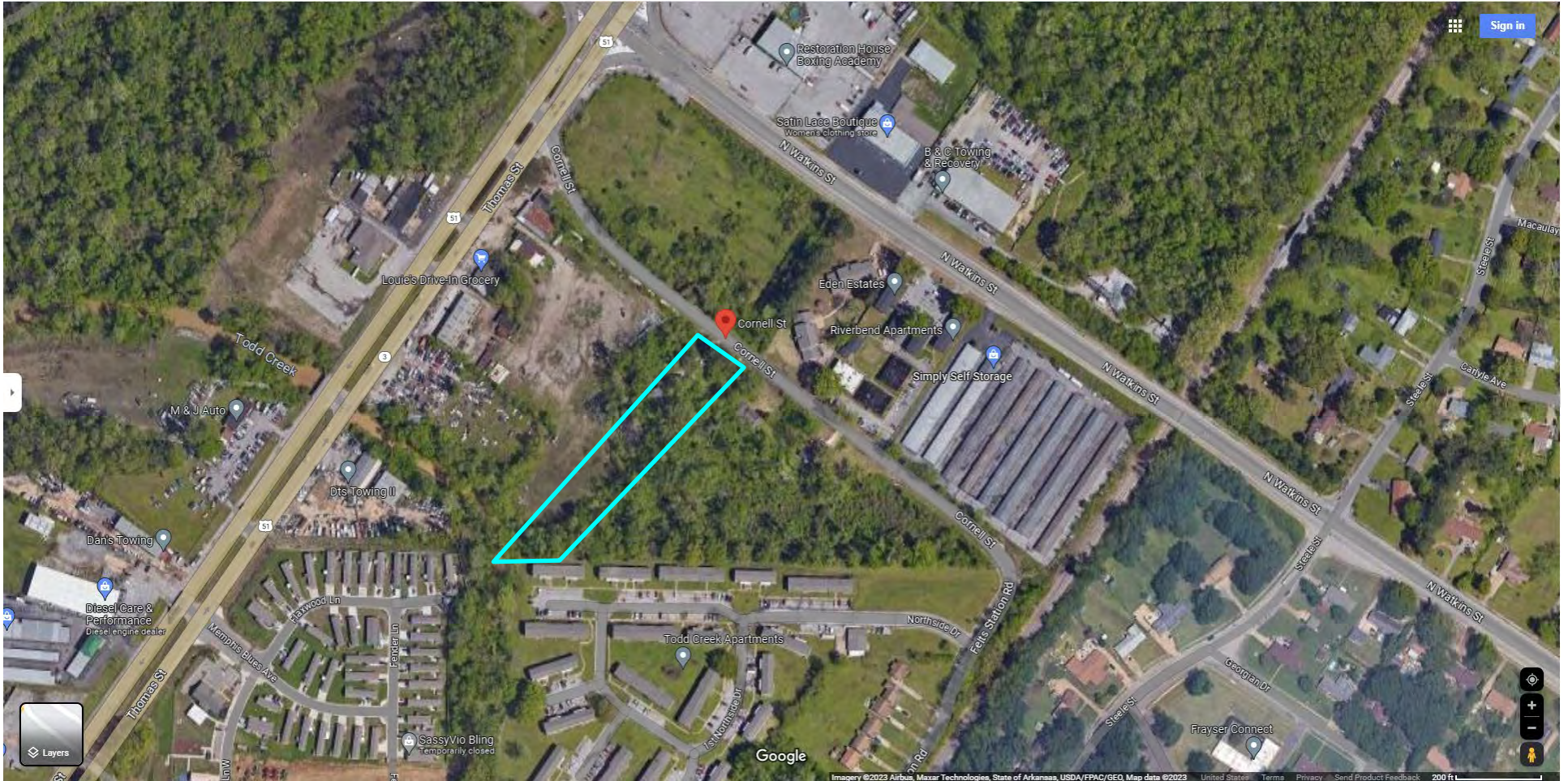
Subject property located within the pink circle, Frayser

VICINITY MAP



In the following maps, the subject property is outlined in cyan.

**AERIAL**

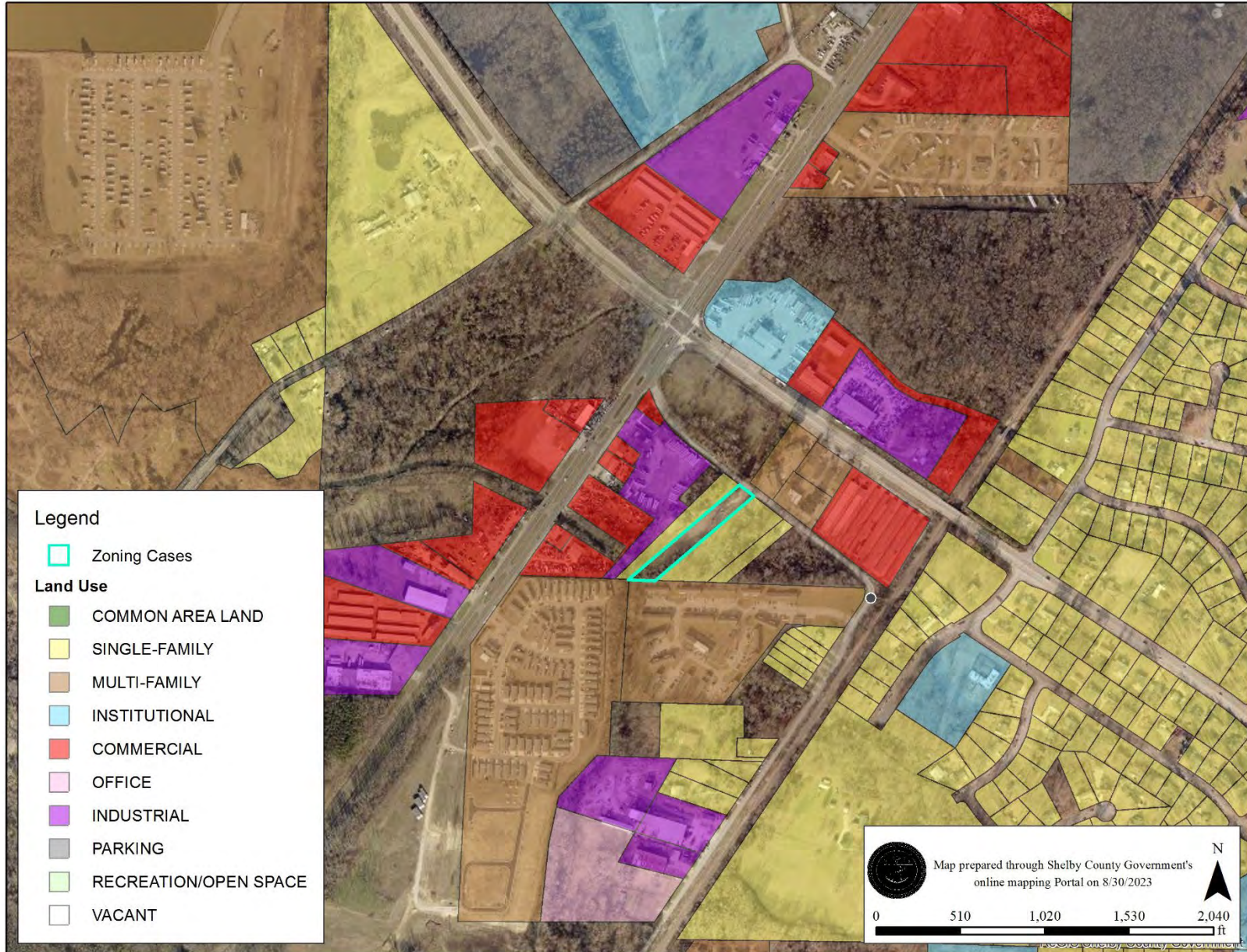




ZONING MAP



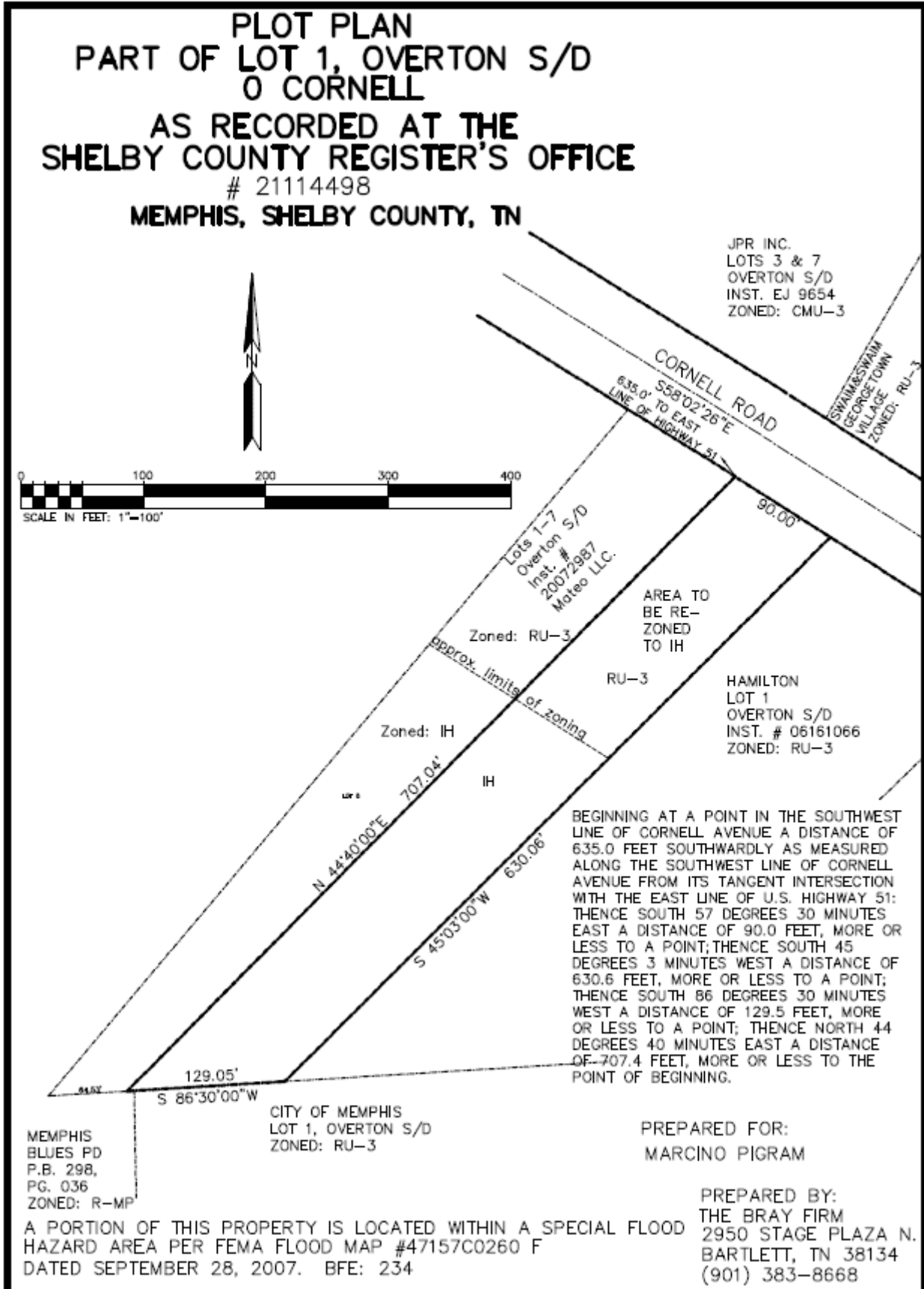
LAND USE MAP



### MEMPHIS 3.0 FUTURE LAND USE



PLOT PLAN



**SITE PHOTOS**



View of subject property from Cornell St. looking southeast.



View of subject property from Cornell St. looking southwest.

## STAFF ANALYSIS

### Request

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

The request is to rezone +/- 0.5 acres from Residential Urban – 3 (RU-10) to Heavy Industrial (IH) zoning district.

### Review Criteria

Staff **disagrees** the review criteria as set out in Sub-Section 9.5.7B of the Unified Development Code are met. The exact language of these criteria is listed below and followed by more detailed staff analysis.

#### *9.5.7B Review Criteria*

*In making recommendations, the Land Use Control Board shall consider the following matters:*

- 9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);*
- 9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;*
- 9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;*
- 9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and*
- 9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.*

### Criteria Analysis

1. The requested rezoning is inconsistent with the Memphis 3.0 comprehensive plan. This site is designated as a primarily multifamily neighborhood by the future land use map. Memphis 3.0's land use decision criteria, in combination with Tennessee state law's requirement that zoning changes be consistent with the approved comprehensive plan (if one exists), are sufficient to recommend rejection of this request. The exact language of the Memphis 3.0 land use decision criteria is included on pages 19-20.

Staff recognizes that the site's proximity to future industrial uses may lead the Board to reasonably disagree with our consistency determination. We find however, that this request also falls short several of the other UDC 9.5.7B criteria (see below). Our recommendation, therefore, would stand even if comprehensive planning consistency were not to be considered.

2. Staff has determined that the allowance of additional IH uses would be incompatible with the existing multifamily land uses in the immediate vicinity, potentially damaging property owners and residents.
3. Staff cites the Memphis 3.0 future land use map, sewer availability, and proximity to existing multifamily developments in determining that this site is suitable for RU-3 uses. Our analysis of criterion #3 therefore supports our general recommendation of rejection.
4. Staff does not find that the proposed change would improve the balance of uses in the City. We are concerned that it would further undermine the potential for future residential development of the nearby vacant parcels zoned RU-3.

5. This site is adequately served by the necessary public services for both the existing and requested permissible uses.

### **Site Description**

The subject site roughly the northeastern third of a lot known as parcel 069065 00006 located near the City of Memphis's northwestern boundary. The remainder of the lot already zoned IH and the applicant is seeking to rezone the subject portion to facilitate the use of the entire lot for similar uses. The site is currently vacant.

As shown by the land use map (pg. 7), the site primarily abuts single-family residential uses. Commercial, industrial, and auto-oriented uses exist to the west along Thomas St and to the north along N Watkins St. Three large multifamily complexes surround the site to the south and northeast.

### **Conclusions**

1. The request is to rezone +/- 0.5 Acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH).
2. Staff recommends **rejection** of this request due to its inconsistency with the Memphis 3.0 Comprehensive Plan.
3. Even if comprehensive plan consistency were not considered, staff would find the allowance of additional industrial uses in the proximity of nearby residences undesirable.
4. This request is also inconsistent with the Mid-South Resiliency Plan, see Office of Sustainability and Resilience comments pg. 14.

### **RECOMMENDATION**

Staff recommends rejection.

**DEPARTMENTAL COMMENTS**

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

**City/County Engineer:**

1. Standard Public Improvement Contract or Right-Of-Way Permit as required in Section 5.5.5 of the Unified Development Code.

**Sewers:**

2. City sanitary sewers are available to serve this development.

**City/County Fire Division:** No comments received.

**City Real Estate:** No comments received.

**City/County Health Department:** No comments received.

**Shelby County Schools:** No comments received.

**Construction Code Enforcement:** No comments received.

**Memphis Light, Gas and Water:** No comments received.



**Office of Sustainability and Resilience:**



**MEMORANDUM**

To: Nicholas Wardroup, LUDS Intern  
From: Robin Richardson, Planner  
Date: August 28, 2023  
Subject: OSR Comments on Z 23-011: FRAYSER

**General Comments & Analysis:**

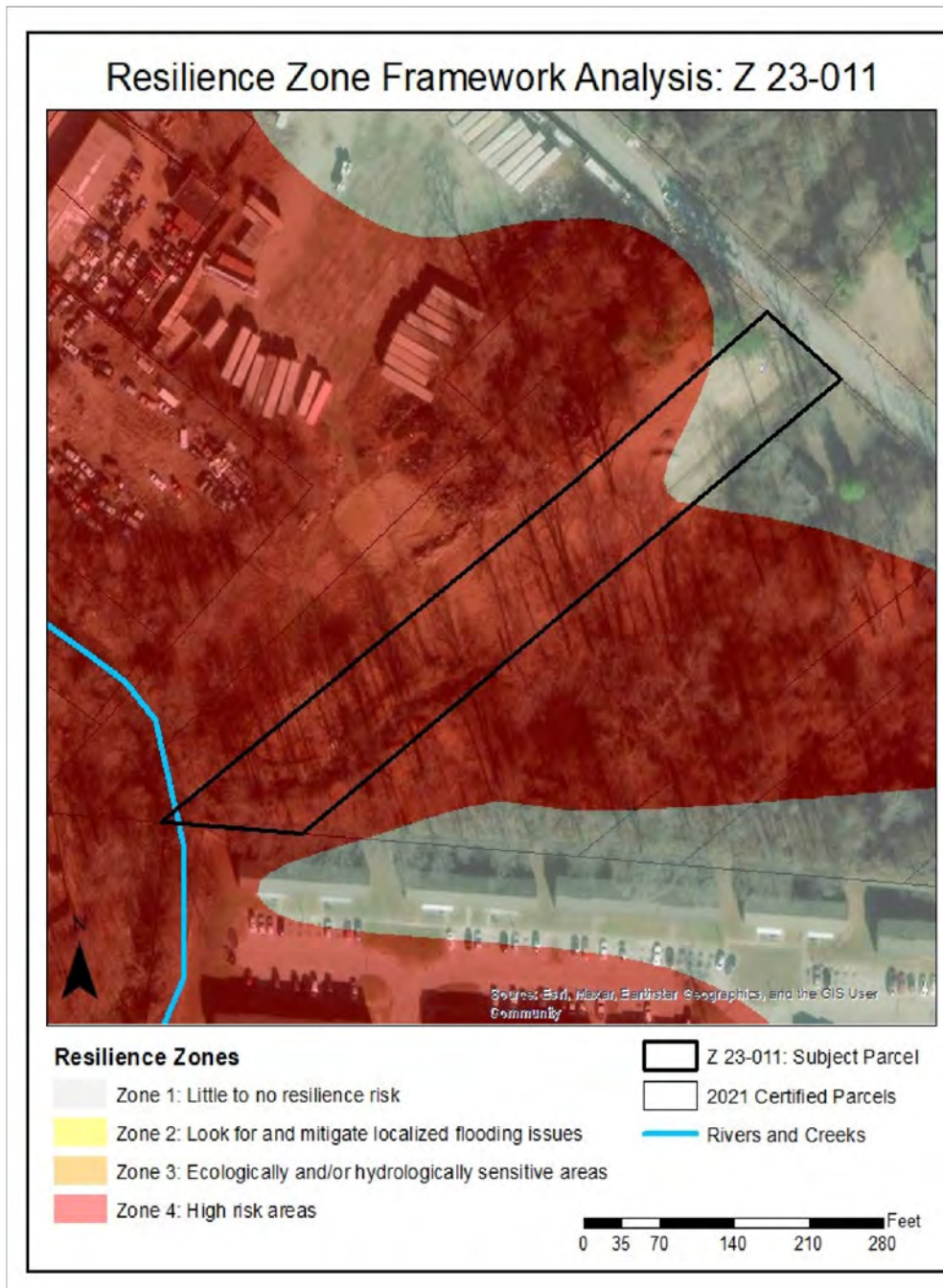
Located in Zones 1 and 4 of the Resilience Zone Framework:

Zone 1 areas have the lowest level of development risk and conflict. These areas avoid high risk disaster zones, such as floodplains, and they also do not conflict with sensitive ecological areas. These areas are the most straightforward for development, and development would have the lowest impact on regional resilience. Consider incorporating the protection of ecological assets while balancing the promotion of low-impact site design and compact development typologies in appropriate areas.

Zone 4 areas are high risk locations, namely riparian corridors, floodplains, and especially high vulnerability to earthquakes. Development in these locations is often directly at risk for flooding. Although these risks could be mitigated through the construction of major flood control infrastructure and higher seismic construction standards, it is generally advisable to avoid these areas for future development whenever possible. Efforts should be made to protect and further prevent development within Zone 4 for the purposes of mitigating the risk exposure to health and safety.

The site's designation in Zone 4 is due to its location within the 100-year and 500-year floodplains for Todd Creek. This creek is a tributary of the Loosahatchie River, which is located just over a mile west of the site. The Tennessee Department of Environmental Conservation (TDEC) has determined that neither body of water is currently supporting its classified uses due to poor water quality.

The applicant is requesting a rezoning of this parcel to IH in order for the parcel to be located in only one zone as opposed to two. According to the Shelby County Zoning Atlas, this parcel is currently zoned in both Residential Urban-3 (RU-3) and Industrial-Heavy (IH).



Consistent with the Mid-South Regional Resilience Master Plan best practices: No

This rezoning request is generally inconsistent with the Mid-South Regional Resilience Master Plan. Section 4.1 – Resilient Sites discourages development within sensitive areas such as floodplains, and increasing the intensity of zoning for a parcel within the floodplain would be in conflict with that part of the plan.

Consistent with the Memphis Area Climate Action Plan best practices: N/A

Recommendations: Staff recommends denial of this rezoning request.

**Office of Comprehensive Planning:**

**Comprehensive Planning Review of Memphis 3.0 Consistency**

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This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: LUCB Z 23-11: Frayser

Site Address/Location: 0 Cornell Avenue (Parcel 069065 00006)

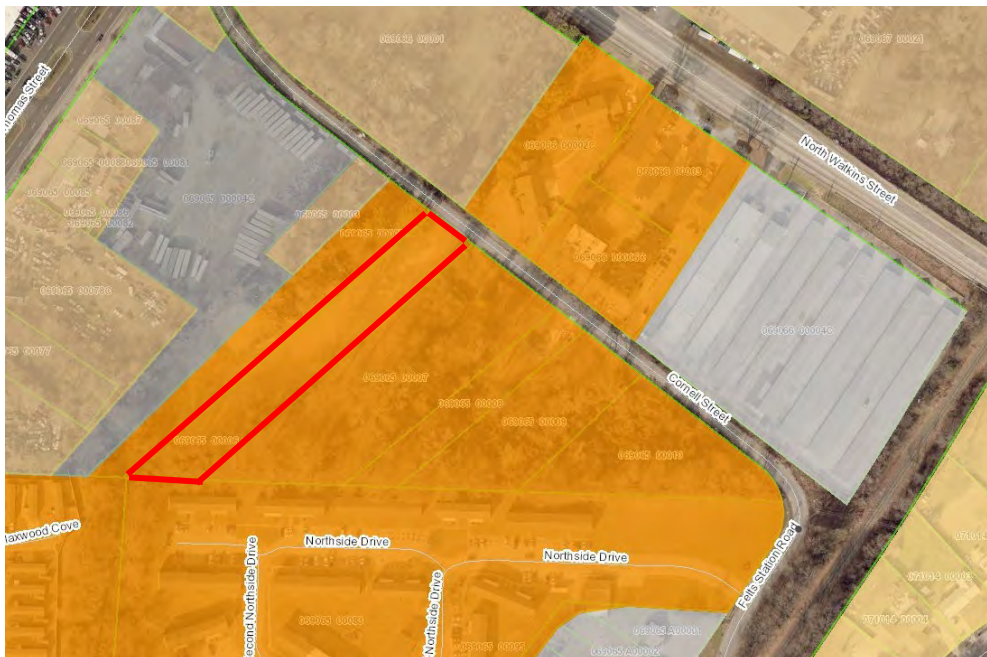
Overlay District/Historic District/Flood Zone: Not located in an overlay or historic district, Located in a floodplain and flood zone with a 0.2% Annual Chance Flood Hazard Future Land Use Designation: Primarily Multifamily Neighborhood (NM)

Street Type: N/A

*The applicant is seeking to rezone a parcel with RU-3 zoning to EMP zoning.*

The following information about the land use designation can be found on pages 76 – 122: **1. Future**

**Land Use Planning Map**



Red polygon indicates the application site on the Future Land Use Map.

## 2. Land Use Description/Intent

Primarily Multifamily Neighborhood (NM) are residential neighborhoods consisting primarily of multi-unit buildings that are not near a Community Anchor. Graphic portrayal of NM is to the right. **“NM” Form & Location Characteristics**



Attached, semi-detached, and detached House-scale and some block-scale buildings, Primarily residential with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map, 1-3+ stories height; Beyond 1/2 mile from a Community Anchor

### “NM” Zoning Notes

Generally compatible with the following zone districts: R-E, R-15, R-10, R-8, R-6 in accordance with Form and characteristics listed above.

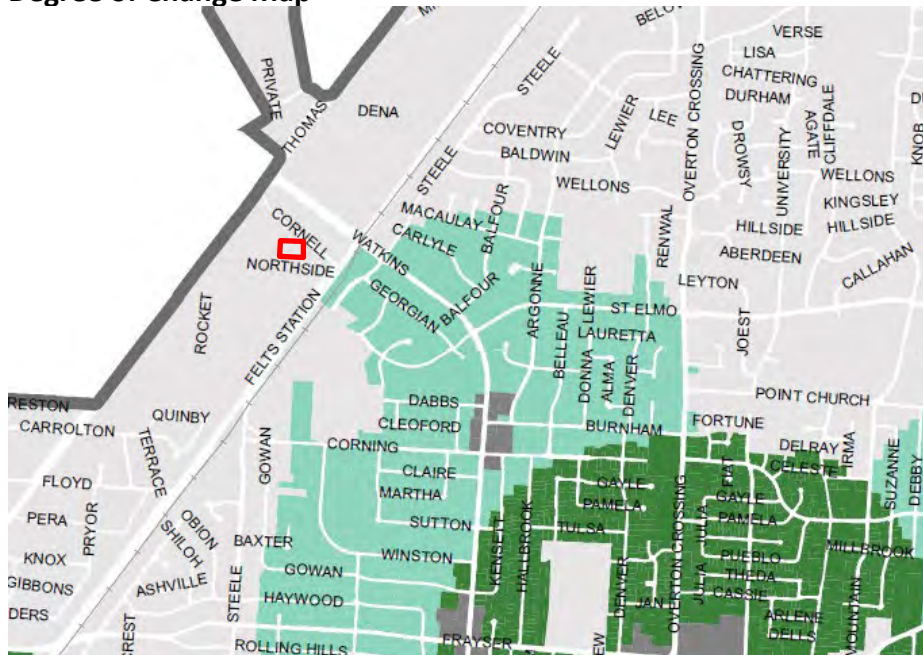
### Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant lot, RU-3

Adjacent Land Use and Zoning: Multifamily, Industrial, Vacant; IH, CMU-3

**Overall Compatibility:** *This requested use is not compatible with the land use description/intent, form & location characteristics. Additionally, it is not compatible with zoning notes, and existing, adjacent land use and zoning.*

## 3. Degree of Change Map



Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change.

## 4. Degree of Change Description N/A

## 5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities N/A

## **6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations N/A**

### **Consistency Analysis Summary**

*The applicant is seeking to rezone a parcel with RU-3 zoning to EMP zoning. This requested use is not compatible with the land use description/intent, form & location characteristics. Additionally, it is not compatible with zoning notes, and existing, adjacent land use and zoning.*

**Based on the information provided, the proposal is INCONSISTENT with the Memphis 3.0 Comprehensive Plan.**

Summary Compiled by: Melanie Batke Olejarczyk, Comprehensive Planning.

## MEMPHIS 3.0 LAND USE DECISION CRITERIA

# Using The Plan

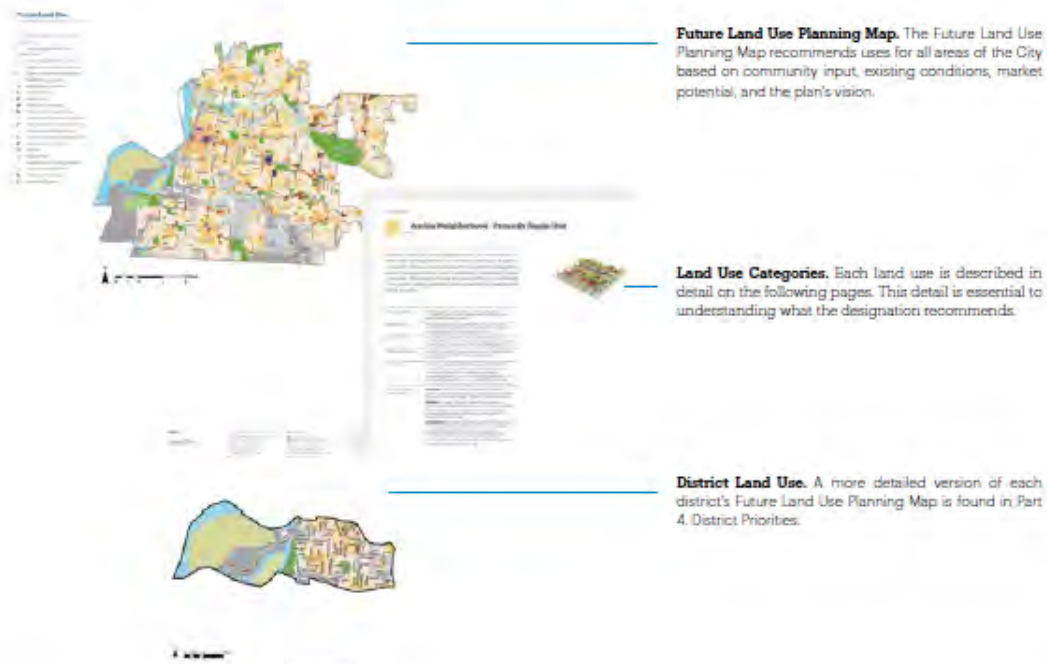
### Legal Basis

Tennessee Code Annotated Section 13-4-202 provides for the manner in which a general plan is adopted by the Board and the City Council. TCA Section 13-4-202(B)(2)(B)(iii) states once the general plan is adopted by the Council, all land use decisions in the City shall thereafter be consistent with the plan. For the purposes of defining "consistency," only those elements of the plan related to land use decisions become effective pursuant to the guidance on the following pages. **All other sections of the plan are intended as a guide and only for planning purposes.**

### Future Land Use Planning Map Purpose

The heart of the Memphis 3.0 Comprehensive Plan is the Future Land Use Planning Map. The Future Land Use Planning Map helps guide the City on land use decisions, streets, transportation, transit, public investments in infrastructure and civic spaces, and investments and incentives in housing, neighborhoods, and job centers. The value of the Future Land Use Planning Map is its clarity and predictability in how these resources can be invested in Memphis.

Between November, 2017, through August, 2018, the planning team combined its efforts with various organizations, artists, and architects/designers to engage Memphians in all 14 districts in a series of three



**USING THE PLAN**

workshops conducted to envision the future of the neighborhoods that shaped the Future Land Use Planning Map. Each set of district workshops culminated in a draft map for the area.

It is important to understand what the Future Land Use Planning Map is not. The Future Land Use Planning Map does not replace or change zoning. The Future Land Use Planning Map does not have the authority to allow the uses shown to be built by-right; it guides. Only the zoning code (the Unified Development Code or UDC) and decision-making bodies such as the Memphis City Council, Memphis and Shelby County Land Use Control Board, and Memphis and Shelby County Board of Adjustment can allow uses to be built. In those instances where a request goes before one of these bodies, the Future land use planning map is a guide for the decisions made. The guidelines, review, and process for applications subject to historic zoning through the Memphis Landmarks Commission do not change as a result of the Comprehensive Plan.

**Zoning and Overlays**

Adopted land use does not alter, circumvent, or supersede established zoning or overlays in the Unified Development Code (UDC). The zoning map in the UDC is not changed as a result of the adoption of the Comprehensive Plan, nor does the effect of zoning change. Proposed developments that meet zoning standards are still by-right. And proposed developments requiring a variance from zoning standards still require approval from City Council, Land Use Control Board, Board of Adjustment, even if they conform to recommended land use.

Likewise, areas of the City that are zoned with an overlay (such as the Midtown Overlay) or historic overlay (or local Landmarks district) are not changed as a result of plan adoption. If anything, these areas are strengthened by the recommended land use, degree of change, and recommended actions of the plan. Any changes to zoning as a result of recommended land use will be addressed in a Small Area Plan, which is described in more detail in a later section of the plan.

In order to reinforce this point, the following language shall be added to the UDC: "The Memphis 3.0 General Plan shall be used to guide land use decisions but not in any way supplant the regulations of this Code [the UDC], including but not limited to its Zoning Map or Overlay Districts. A determination of consistency with Memphis 3.0 shall not supersede the approval criteria and findings of fact required for individual land use decisions, as provided in this Code."

**Decision Criteria**

Pursuant to the legal basis of the plan, the test of "consistency" with the plan is only applied to land use decisions, or when an application is made to change or deviate from zoning. The steps below describe the decision process that will be used to determine consistency, and that will be added to the UDC. This criteria is to be used by staff from Office of Planning and Development (OPD) and Office of Comprehensive Planning (OCP) to review development proposal applications submitted to OPD in order to make an interpretation of consistency in their staff recommendations. This criteria is intended to guide the various bodies in position of making decisions on applications in their interpretations of consistency, as well. In instances where a determination is made that consistency is met, this does not constitute or require approval of a proposal. A determination of consistency shall not supercede the approval criteria and findings of fact for individual land use decisions as provided in the Unified Development Code (UDC).

When making land use decisions, the Land Use Control Board, Memphis City Council and Board of Adjustment shall consider all of the following elements of the Memphis 3.0 General Plan in its determination of consistency:

1. The Future Land Use Planning Map;
2. The land use category descriptions and graphic portrayals, including whether the proposed use would be compatible with the zone districts listed in the zoning notes, the proposed building(s) fit the listed form and location characteristics, and existing, adjacent land uses and zoning;
3. The degree of change map;
4. The degree of change descriptions;
5. The objectives and actions articulated in Goal 1, Complete, Cohesive Communities; and
6. Any other pertinent sections of the Memphis 3.0 General Plan that address land use recommendations.
7. When making recommendations to the Land Use Control Board, Memphis City Council and Board of Adjustment and when consulting with applicants on the appropriateness of a particular land use application, the Office of Planning and Development shall consider all of the sections of the Memphis 3.0 General Plan cited in Paragraphs 1 through 6 of this Sub-Section in its determination of consistency.

LETTER OF INTENT



---

Telephone 901-383-8668  
2950 Stage Plaza North  
Bartlett, Tennessee 38134

June 30, 2023

Brett Ragsdale  
Memphis and Shelby County  
Division of Planning and Development  
125 North Main Street  
Memphis, Tennessee 38103

**RE: Re-zoning application for 0 Cornell (Parcel ID 069065 00006)**  
**Existing zoning: RU-3 on front ½ of property**  
**Proposed zoning: IH to match rear of property**

Mr. Ragsdale:

Please find attached the above referenced application for a rezoning of the front portion (approximately 250 feet deep) of the subject property, a 1.685 acre tract, from RU-3 to IH. The subject property has frontage on Cornell. The rear of the property is zoned IH but the property cannot be utilized in this manner as the front portion is zoned RU-3. Rezoning of the front portion of this tract would allow this property to be utilized in a similar fashion as the other parcels west of this site towards Thomas Street.

Thank you for considering this request. If you have any questions or need any additional information, please feel free to call.

Sincerely,

David Gean Bray, P.E.



**SIGN AFFIDAVIT**

**AFFIDAVIT**

Shelby County  
State of Tennessee

MARCINO PIGRAM, being duly sworn, depose and say that at 5:00 PM on the 9th day of August, 2023, I posted a Public Notice Sign(s) pertaining to Case No. Z 2023-11 at \_\_\_\_\_ providing notice of a Public Hearing before the  Land Use Control Board  Memphis City Council,  Shelby County Board of Commissioners for consideration of a proposed Land Use Action ( Planned Development  Special Use Permit,  Zoning District Map Amendment,  Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Marcino Pigran  
Owner, Applicant or Representative

8/10/2023  
Date

Subscribed and sworn to before me this 10th day of August, 2023.

Lisa Nash  
Notary Public

My commission expires: 08/08/24



**LETTERS RECEIVED**

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



## Record Summary for Rezoning

### Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: June 30, 2023

Record Number: Z 2023-011

Expiration Date:

Record Name: 0 Cornell Rezoning

Description of Work: Reznoning request for 0 Cornell from RU-3 to EMP

Parent Record Number:

---

### Address:

0 cornell 38105

### Owner Information

Primary Owner Name

Y PIGRAM MARCINO

Owner Address

21 NEELY ST, MEMPHIS, TN 38105

Owner Phone

---

### Parcel Information

069065 00006

---

### Data Fields

#### PREAPPLICATION MEETING

Name of DPD Planner

Chip Saliba

Date of Meeting

06/07/2023

Pre-application Meeting Type

In Person

#### GENERAL INFORMATION

Is this application in response to a citation from

No

**GENERAL INFORMATION**

Construction Code Enforcement or Zoning Letter?  
 Have you held a neighborhood meeting? No  
 If yes, please provide additional information -

**GIS INFORMATION**

Central Business Improvement District No  
 Case Layer -  
 Class -  
 Downtown Fire District No  
 Historic District -  
 Land Use -  
 Municipality -  
 Overlay/Special Purpose District -  
 Zoning -  
 State Route -  
 Lot -  
 Subdivision -  
 Planned Development District -  
 Wellhead Protection Overlay District No

**Contact Information**

**Name** PIGRAM MARCINO **Contact Type** APPLICANT  
**Address**

**Phone**  
 (901)288-6437

**Fee Information**

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1482796	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	06/30/2023
1482796	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	06/30/2023

Total Fee Invoiced: \$1,026.00 Total Balance: \$0.00

**Payment Information**

**Payment Amount** \$1,026.00 **Method of Payment** Credit Card

**MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

**Property Owner's Affidavit**

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, MARCINO FIGRAM Marcino Figram, state that I have read the definition of (Print Name) (Sign Name)

"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

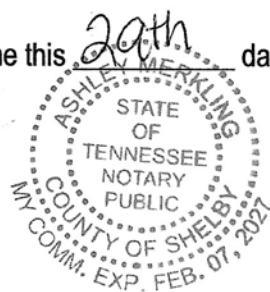
6/29/2023

- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 0 Cornell st and further identified by Assessor's Parcel Number 0690650000060 for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 29th day of June in the year of 2023.

Ashley Merkling  
Signature of Notary Public



02/07/2027  
My Commission Expires



## Record Summary for Rezoning

### Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: June 30, 2023

Record Number: Z 2023-011

Expiration Date:

Record Name: 0 Cornell Rezoning

Description of Work: Reznoning request for 0 Cornell from RU-3 to EMP

Parent Record Number:

---

### Address:

0 cornell 38105

### Owner Information

Primary Owner Name

Y PIGRAM MARCINO

Owner Address

21 NEELY ST, MEMPHIS, TN 38105

Owner Phone

---

### Parcel Information

069065 00006

---

### Data Fields

#### PREAPPLICATION MEETING

Name of DPD Planner

Chip Saliba

Date of Meeting

06/07/2023

Pre-application Meeting Type

In Person

#### GENERAL INFORMATION

Is this application in response to a citation from

No

**GENERAL INFORMATION**

Construction Code Enforcement or Zoning Letter?  
 Have you held a neighborhood meeting? No  
 If yes, please provide additional information -

**GIS INFORMATION**

Central Business Improvement District No  
 Case Layer -  
 Class -  
 Downtown Fire District No  
 Historic District -  
 Land Use -  
 Municipality -  
 Overlay/Special Purpose District -  
 Zoning -  
 State Route -  
 Lot -  
 Subdivision -  
 Planned Development District -  
 Wellhead Protection Overlay District No

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Total Fee Invoiced: \$1,026.00 Total Balance: \$0.00

**Payment Information**

**Payment Amount** \$1,026.00 **Method of Payment** Credit Card

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Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, MARCINO FIGRAM Marcino Figram, state that I have read the definition of (Print Name) (Sign Name)

"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

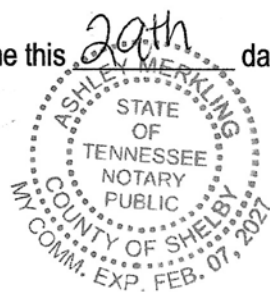
6/29/2023

- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 0 Cornell st and further identified by Assessor's Parcel Number 0690650000060 for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 29th day of June in the year of 2023.

Ashley Merkling  
Signature of Notary Public



02/07/2027  
My Commission Expires





---

Telephone 901-383-8668  
2950 Stage Plaza North  
Bartlett, Tennessee 38134

June 30, 2023

Brett Ragsdale  
Memphis and Shelby County  
Division of Planning and Development  
125 North Main Street  
Memphis, Tennessee 38103

**RE: Re-zoning application for 0 Cornell (Parcel ID 069065 00006)**  
**Existing zoning: RU-3 on front ½ of property**  
**Proposed zoning: IH to match rear of property**

Mr. Ragsdale;

Please find attached the above referenced application for a rezoning of the front portion (approximately 250 feet deep) of the subject property, a 1.685 acre tract, from RU-3 to IH. The subject property has frontage on Cornell. The rear of the property is zoned IH but the property cannot be utilized in this manner as the front portion is zoned RU-3. Rezoning of the front portion of this tract would allow this property to be utilized in a similar fashion as the other parcels west of this site towards Thomas Street.

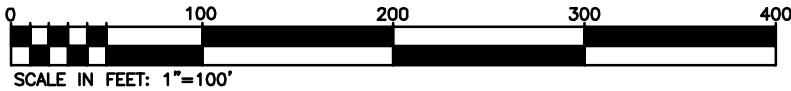
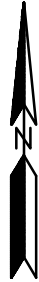
Thank you for considering this request. If you have any questions or need any additional information, please feel free to call.

Sincerely,

David Gean Bray, P.E.

**PLOT PLAN**  
**PART OF LOT 1, OVERTON S/D**  
**O CORNELL**  
**AS RECORDED AT THE**  
**SHELBY COUNTY REGISTER'S OFFICE**  
**# 21114498**  
**MEMPHIS, SHELBY COUNTY, TN**

JPR INC.  
 LOTS 3 & 7  
 OVERTON S/D  
 INST. EJ 9654  
 ZONED: CMU-3



SWAIM & SWAIM  
 GEORGETOWN  
 VILLAGE  
 ZONED: RU-3

CORNELL ROAD  
 S58°02'26"E  
 635.0' TO EAST  
 LINE OF HIGHWAY 51

Lots 1-7  
 Overton S/D  
 Inst. # 20072987  
 Mateo LLC.

Zoned: RU-3

AREA TO  
 BE RE-  
 ZONED  
 TO IH

HAMILTON  
 LOT 1  
 OVERTON S/D  
 INST. # 06161066  
 ZONED: RU-3

Zoned: IH

*approx. limits of zoning*

RU-3

IH

N 44°40'00"E 707.04'

S 45°03'00"W 630.06'

BEGINNING AT A POINT IN THE SOUTHWEST LINE OF CORNELL AVENUE A DISTANCE OF 635.0 FEET SOUTHWARDLY AS MEASURED ALONG THE SOUTHWEST LINE OF CORNELL AVENUE FROM ITS TANGENT INTERSECTION WITH THE EAST LINE OF U.S. HIGHWAY 51: THENCE SOUTH 57 DEGREES 30 MINUTES EAST A DISTANCE OF 90.0 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 45 DEGREES 3 MINUTES WEST A DISTANCE OF 630.6 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 129.5 FEET, MORE OR LESS TO A POINT; THENCE NORTH 44 DEGREES 40 MINUTES EAST A DISTANCE OF 707.4 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

129.05'  
 S 86°30'00"W

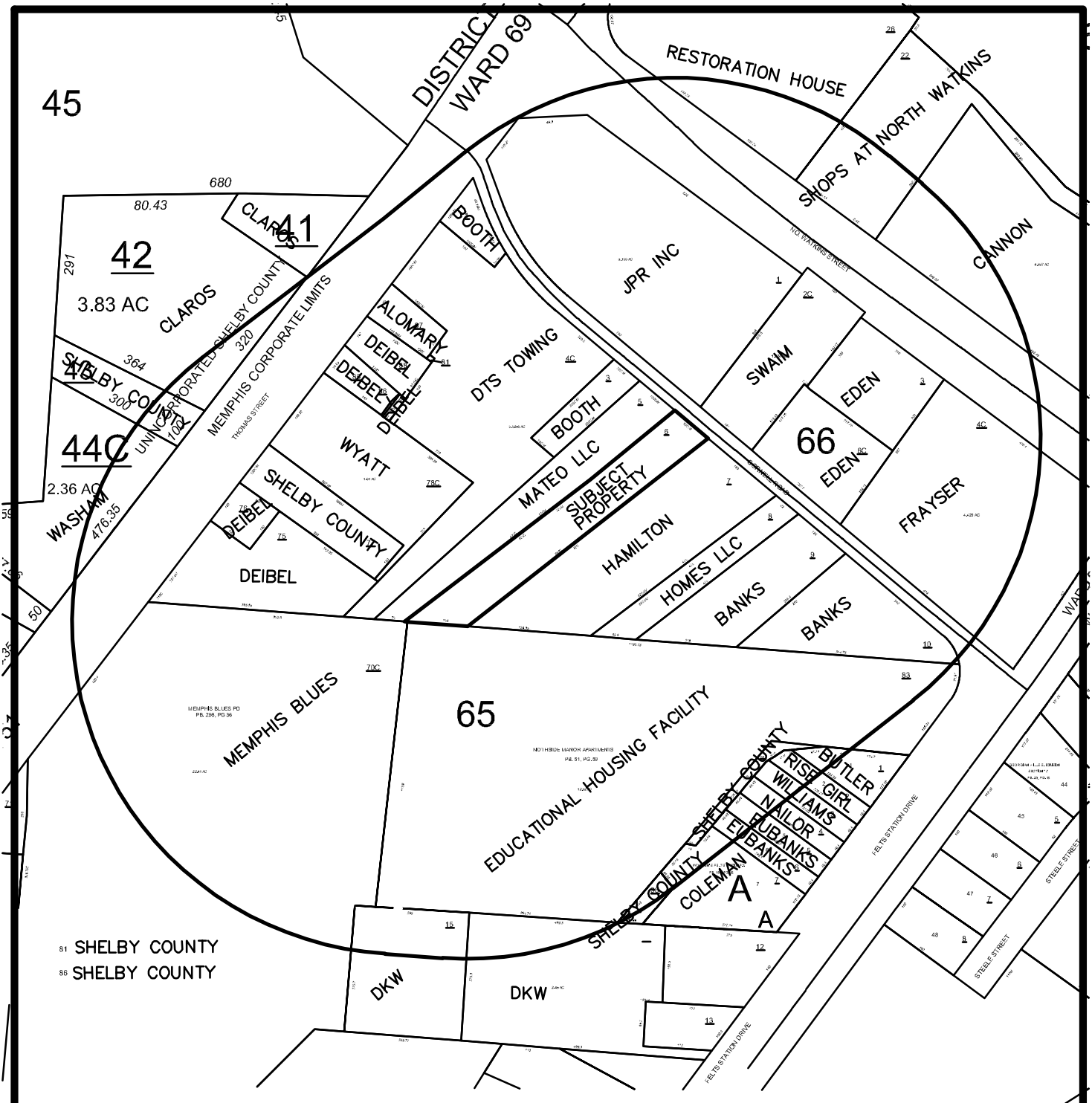
MEMPHIS  
 BLUES PD  
 P.B. 298,  
 PG. 036  
 ZONED: R-MP

CITY OF MEMPHIS  
 LOT 1, OVERTON S/D  
 ZONED: RU-3

PREPARED FOR:  
 MARCINO PIGRAM

PREPARED BY:  
 THE BRAY FIRM  
 2950 STAGE PLAZA N.  
 BARTLETT, TN 38134  
 (901) 383-8668

A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0260 F DATED SEPTEMBER 28, 2007. BFE: 234



**O CORNELL**  
**APPLICANT: MARCINO PIGRAM**  
**MEMPHIS, TENNESSEE**

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES  
 2950 STAGE PLAZA NORTH  
 BARTLETT, TENNESSEE  
 JUNE 30, 2023

TELEPHONE 901-383-8668  
 E-MAIL dgbray@comcast.net  
 SCALE 1"=300'

Marcino Pigram  
21 Neely Street  
Memphis, TN 38105

The Bray Firm  
2950 Stage Plaza North  
Bartlett, TN 38134

Owner

Engineer

Mateo LLC  
1735 SWANSEA CV  
CORDOVA TN 38016 3541

Roy F Booth  
6719 HOLSTON RD  
SARDIS MS 38666 3384

DTS Towing LLC  
3930 THOMAS ST  
MEMPHIS TN 38127 3732

Ismail A Alomary  
3990 THOMAS ST  
MEMPHIS TN 38127 3732

Robert E Deibel III  
1255 FITE RD  
MILLINGTON TN 38053 6963

Shelby County  
165 N MAIN ST  
MEMPHIS TN 38103 1802

Connon D Wyatt  
9330 NEW BETHEL RD  
MILLINGTON TN 38053 8829

Memphis Blues  
1401 MEMPHIS BLUES AVE N  
MEMPHIS TN 38127

Health Educational and Housing Facility  
Board of the City of Memphis  
35 UNION AVE STE 200  
MEMPHIS TN 38103

Vennie B Butler  
3899 FELTS STATION RD  
MEMPHIS TN 38127 3808

Rise Girl Walk Woman LLC  
3737 OUTLAND RD  
MEMPHIS TN 38118 6475

Resident  
3893 Felts Station PD  
MEMPHIS TN 38127

Canzater Williams  
3887 FELTS STATION RD  
MEMPHIS TN 38127 3808

Gloria Nailor  
3881 FELTS STATION RD  
MEMPHIS TN 38127 3808

Joyce Eubanks  
3869 FELTS STATION RD  
MEMPHIS TN 38127 3808

Resident  
3875 FELTS STATION DR  
MEMPHIS TN 38127

Coleman Enterprises and Holding  
41 CALLOWAY CV  
MEDINA TN 38355 8928

DKW Professional Removal Services  
2262 SANTA FE AVE  
TORRANCE CA 90501 4314

Joe Hamilton  
1115 W 57TH ST  
LOS ANGELES CA 90037

Ashley Homes LLC  
924 DOLAN DR  
DRUMMONDS TN 38023 6416

Dion M Banks  
1735 SWANSEA CV  
CORDOVA TN 38016

0 Cornell  
Page 2 of 2

SS North Watkins Frayser LLC  
PO BOX 800729  
DALLAS TX 75380 0729

Eden Estates  
3171 SIGNAL ST  
MEMPHIS TN 38127 7273

Swaim and Swaim West LLC  
PO BOX 33  
MARTIN TN 38237

JPR INC  
1208 FOXWOOD DR  
MIDLAND MI 48642 7106

Shops at North Watkins LLC  
4485 RAINFORD CV  
MEMPHIS TN 38128 1919

Darren & Vealer L Cannon  
4000 N WATKINS AVE  
MEMPHIS TN 38127 4336

Erick Claros & Kriscia L P De Alas  
8915 GERMANTOWN RD  
OLIVE BRANCH MS 38654 8533

|

|



# Shelby County Tennessee

## *Shelandra Y Ford*

Shelby County Register

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As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.

21114498

09/14/2021 - 03:56:30 PM

4 PGS

LINDA 2299638-21114498

VALUE	3080.00
MORTGAGE TAX	0.00
TRANSFER TAX	11.40
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	34.40

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the County of Shelby, a political subdivision of the State of Tennessee, for and in consideration of:

THREE THOUSAND EIGHTY DOLLARS & NO/100 **\$3,080.00 Dollars,**  
does hereby bargain, sell, remise, quit claim and convey unto the said:

**MARCINO PIGRAM**

the following described real estate located in Shelby County, Tennessee, to-wit:

**(SEE ATTACHED EXHIBIT "A")**

Being the same property conveyed to Shelby County Government in Tax Sale **1502** on **10/23/2018**  
which sale was confirmed in Docket # **2017-1**

Property Address: **0 CORNELL** Parcel # **06906500000060**

Conveyance of the above described property is made without warranties of any sort.

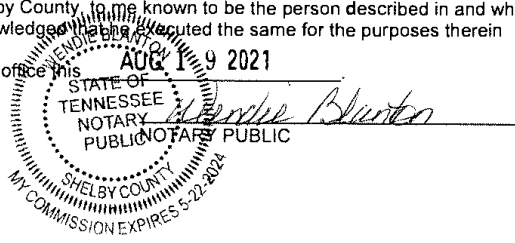
IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Trustee, this Aug 17, 2021

BY [Signature]  
REGINA MORRISON NEWMAN, SHELBY COUNTY TRUSTEE

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Regina Morrison Newman, as Trustee of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this AUG 17 2021



My Commission Expires:

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Mayor, this 12 day of AUGUST, 2021.

BY [Signature]  
LEE HARRIS, SHELBY COUNTY MAYOR

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Lee Harris as Mayor of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 12 day of AUGUST, 2021.

[Signature]  
NOTARY PUBLIC

My Commission Expires:



APPROVED AS TO FORM:

BY Thomas Koelbl  
Thomas Koelbl #037574)  
DELINQUENT TAX ATTORNEY

RECORDING DATA ONLY

Return Address:

Office of the Shelby County Trustee  
157 Poplar Avenue - Third Floor  
Memphis, TN 38103

ATTENTION: LESLIE BLESSIKE

Property Address:

0 CORNELL  
0690650000060

Mail Tax Bills To:

MARCINO PIGRAM  
21 NEELY STREET  
MEMPHIS TN 38105

Property Owner:

MARCINO PIGRAM  
21 NEELY STREET  
MEMPHIS TN 38105

I/We hereby swear/affirm that to the best of  
affiant's knowledge, information, and belief,  
the actual consideration for this transfer  
is \$3,080.00

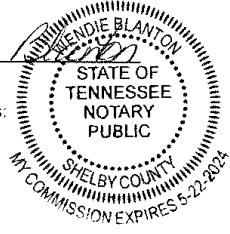
*Leslie Blessike*  
\_\_\_\_\_  
AFFIANT

This instrument prepared by:  
Thomas Koelbl #037574)  
DELINQUENT TAX ATTORNEY  
157 POPLAR AVENUE, 2ND FLOOR  
MEMPHIS, TN 38103

Subscribed and sworn to before me

this AUG 19 2021

STATE TAX \_\_\_\_\_  
REGISTER'S FEE \_\_\_\_\_  
RECORDING FEE \_\_\_\_\_  
TOTAL \_\_\_\_\_

*Wendie Blanton*  
\_\_\_\_\_  
NOTARY  
My Commission expires: \_\_\_\_\_  




## **“Exhibit A”**

Part of the R. L. Phelps 27.6 Acre Tract, Unrecorded, in Memphis, Shelby County, Tennessee, and being more particularly described as follows:

Beginning at a point in the southwest line of Cornell Avenue a distance of 635.0 feet southwardly as measured along the southwest line of Cornell Avenue from its tangent intersection with the east line of U.S. Highway 51; thence south 57 degrees 30 minutes east a distance of 90.0 feet, more or less to a point; thence south 45 degrees 3 minutes west a distance of 630.6 feet, more or less to a point; thence south 86 degrees 30 minutes west a distance of 129.5 feet, more or less to a point; thence north 44 degrees 40 minutes east a distance of 707.4 feet, more or less to the point of beginning.

Being part of the same property as described in Instrument No. M8 7253. The above description is the same as found in prior deed of record as a boundary line survey was not done at the time of this conveyance.

PARCEL ID: 06906500000060

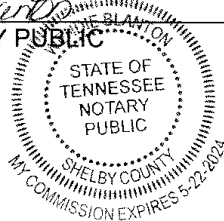
I, Thomas Koelbl, do hereby make oath that I am a licensed attorney and/or the custodian of the paper version of the electronic record tendered for registration herewith and that this is a true and correct copy of the electronic record executed pursuant to § 47-10-112 and other provisions of the Uniform Electronic Transactions Act or other provisions of law.

Thomas Koelbl  
Signature

STATE OF TENNESSEE)  
COUNTY OF SHELBY)

On this AUG 05 2021 before me personally appeared Thomas Koelbl, to me known to be the person described in and who acknowledges that this certification is true and correct and whose signature I have witnessed.

Wendie Blanton  
NOTARY PUBLIC



My Commission Expires: \_\_\_\_\_



# Shelby County Tennessee

## *Shelandra Y Ford*

Shelby County Register

---

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.

21114498

09/14/2021 - 03:56:30 PM

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4 PGS

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LINDA 2299638-21114498

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VALUE	3080.00
MORTGAGE TAX	0.00
TRANSFER TAX	11.40
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	34.40

---

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the County of Shelby, a political subdivision of the State of Tennessee, for and in consideration of:

THREE THOUSAND EIGHTY DOLLARS & NO/100 **\$3,080.00 Dollars,**  
does hereby bargain, sell, remise, quit claim and convey unto the said:

**MARCINO PIGRAM**

the following described real estate located in Shelby County, Tennessee, to-wit:

**(SEE ATTACHED EXHIBIT "A")**

Being the same property conveyed to Shelby County Government in Tax Sale 1502 on 10/23/2018 which sale was confirmed in Docket # 2017-1

Property Address: 0 CORNELL Parcel # 06906500000060

Conveyance of the above described property is made without warranties of any sort.

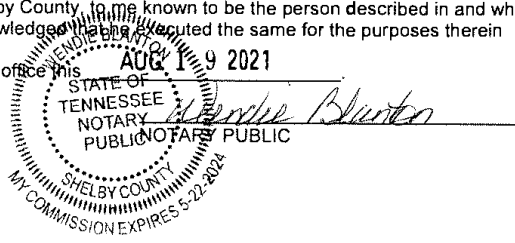
IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Trustee, this Aug 17, 2021

BY [Signature]  
REGINA MORRISON NEWMAN, SHELBY COUNTY TRUSTEE

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Regina Morrison Newman, as Trustee of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this AUG 17 2021



My Commission Expires:

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Mayor, this 12 day of AUGUST, 2021.

BY [Signature]  
LEE HARRIS, SHELBY COUNTY MAYOR

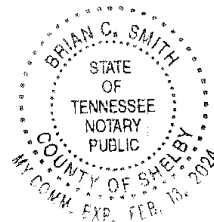
STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Lee Harris as Mayor of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 12 day of AUGUST, 2021.

[Signature]  
NOTARY PUBLIC

My Commission Expires:



APPROVED AS TO FORM:

BY [Signature]  
Thomas Koelbl #037574)  
DELINQUENT TAX ATTORNEY

RECORDING DATA ONLY

Return Address:

Office of the Shelby County Trustee  
157 Poplar Avenue - Third Floor  
Memphis, TN 38103

ATTENTION: LESLIE BLESSIKE

Property Address:

0 CORNELL  
0690650000060

Mail Tax Bills To:

MARCINO PIGRAM  
21 NEELY STREET  
MEMPHIS TN 38105

Property Owner:

MARCINO PIGRAM  
21 NEELY STREET  
MEMPHIS TN 38105

I/We hereby swear/affirm that to the best of  
affiant's knowledge, information, and belief,  
the actual consideration for this transfer  
is \$3,080.00

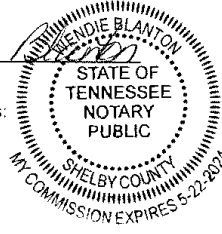
*Leslie Blessike*  
\_\_\_\_\_  
AFFIANT

This instrument prepared by:  
Thomas Koelbl #037574)  
DELINQUENT TAX ATTORNEY  
157 POPLAR AVENUE, 2ND FLOOR  
MEMPHIS, TN 38103

Subscribed and sworn to before me

this AUG 19 2021

STATE TAX \_\_\_\_\_  
REGISTER'S FEE \_\_\_\_\_  
RECORDING FEE \_\_\_\_\_  
TOTAL \_\_\_\_\_

*Wendie Blanton*  
\_\_\_\_\_  
NOTARY  
My Commission expires: \_\_\_\_\_  


## **“Exhibit A”**

Part of the R. L. Phelps 27.6 Acre Tract, Unrecorded, in Memphis, Shelby County, Tennessee, and being more particularly described as follows:

Beginning at a point in the southwest line of Cornell Avenue a distance of 635.0 feet southwardly as measured along the southwest line of Cornell Avenue from its tangent intersection with the east line of U.S. Highway 51; thence south 57 degrees 30 minutes east a distance of 90.0 feet, more or less to a point; thence south 45 degrees 3 minutes west a distance of 630.6 feet, more or less to a point; thence south 86 degrees 30 minutes west a distance of 129.5 feet, more or less to a point; thence north 44 degrees 40 minutes east a distance of 707.4 feet, more or less to the point of beginning.

Being part of the same property as described in Instrument No. M8 7253. The above description is the same as found in prior deed of record as a boundary line survey was not done at the time of this conveyance.

PARCEL ID: 06906500000060

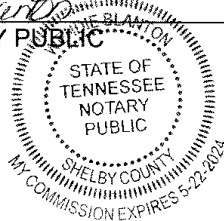
I, Thomas Koelbl, do hereby make oath that I am a licensed attorney and/or the custodian of the paper version of the electronic record tendered for registration herewith and that this is a true and correct copy of the electronic record executed pursuant to § 47-10-112 and other provisions of the Uniform Electronic Transactions Act or other provisions of law.

Thomas Koelbl  
Signature

STATE OF TENNESSEE)  
COUNTY OF SHELBY)

On this AUG 05 2021 before me personally appeared Thomas Koelbl, to me known to be the person described in and who acknowledges that this certification is true and correct and whose signature I have witnessed.

Wendie Blanton  
NOTARY PUBLIC



My Commission Expires: \_\_\_\_\_

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT  
TO THE ZONING MAP OF THE CITY OF MEMPHIS**

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, November 27, 2023 at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

- CASE NUMBER:** Z 23-11
- LOCATION:** South side of Cornell St. between Felts Station Rd. and Thomas St.
- COUNCIL DISTRICTS:** District 7 and Super District 8 – Positions 1, 2, and 3
- OWNER/APPLICANT:** Marcino Pigram
- REPRESENTATIVE:** The Bray Firm, David Bray
- REQUEST:** Rezoning of +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)
- RECOMMENDATIONS:**

Memphis and Shelby County Division of Planning and Development: *Rejection*

Memphis and Shelby County Land Use Control Board: *Approval*

**NOW, THEREFORE,** you will take notice that on Tuesday, November 27, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance’s or protests against the making of such changes; such remonstrance’s or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

This case will also be heard at the Planning and Zoning Committee on the same day with the specific time to be determined prior to the meeting date and posted on the City of Memphis’ website.

**THIS THE \_\_\_\_\_, \_\_\_\_\_**

**MARTAVIUS JONES**  
***CHAIRMAN OF COUNCIL***

***ATTEST:***

**WALTER PERSON**  
***CITY COMPTROLLER***


---

**TO BE PUBLISHED:**





**Legend**  
**polygonLayer**  
-Override 1  
-Override 2  
**polygonLayer**  
-Override 1  
■ Parcels

 Map prepared through Shelby County Government's online mapping Portal on 10/2/2023

0 0.06 0.12 0.18 0.24 mi

N

CLAROS ERICK & KRISCIA PARADA  
4182 BRIGHTON DR #  
HORN LAKE MS 38637

ASHLEY HOMES LLC  
924 DOLAN DR #  
DRUMMONDS TN 38023

SHELBY COUNTY TAX SALE #83.1 EXH #6841  
160 N MAIN ST #  
MEMPHIS TN 38103

CLAROS ERICK & KRISCIA L P DE ALAS  
8915 GERMANTOWN RD #  
OLIVE BRANCH MS 38654

BANKS DION M  
1735 SWANSEA CV #  
CORDOVA TN 38016

DEIBEL ROBERT E III  
1255 FITE RD #  
MILLINGTON TN 38053

SHELBY COUNTY  
160 N MAIN ST #  
MEMPHIS TN 38103

BANKS DION M  
1735 SWANSEA CV #  
CORDOVA TN 38016

HEALTH EDUCATIONAL AND HOUSING FACILITY  
35 UNION AVE #  
MEMPHIS TN 38103

WASHAM SHIRLEY  
6930 HEDGEWOOD LN #  
BARTLETT TN 38135

DKW PROFESSIONAL REMOVAL SERVICES  
2262 SANTA FE AVE #  
TORRANCE CA 90501

DEIBEL ROBERT E III  
1255 FITE RD #  
MILLINGTON TN 38053

BOOTH ROY F  
6719 HOLSTON RD #  
SARDIS MS 38666

DKW PROFESSIONAL REMOVAL SERVICES  
2262 SANTA FE AVE #  
TORRANCE CA 90501

SHELBY COUNTY TAX SALE 15.02  
PO BOX 2751 #  
MEMPHIS TN 38101

BOOTH ROY F  
6719 HOLSTON RD #  
SARDIS MS 38666

MEMPHIS BLUES  
1401 MEMPHIS BLUES AVE #  
MEMPHIS TN 38127

ALOMARY ISMAIL A A  
3990 THOMAS ST #  
MEMPHIS TN 38127

DTS TOWING LLC  
3930 THOMAS ST #  
MEMPHIS TN 38127

DEIBEL ROBERT E III  
1255 FITE RD #  
MILLINGTON TN 38053

DEIBEL ROBERT E III  
1255 FITE RD #  
MILLINGTON TN 38053

MATEO LLC  
1735 SWANSEA CV #  
CORDOVA TN 38016

DEIBEL ROBERT  
1255 FITE RD #  
MILLINGTON TN 38053

SHELBY COUNTY TAX SALE 16.03  
PO BOX 2751 #  
MEMPHIS TN 38101

PIGRAM MARCINO  
21 NEELY ST #  
MEMPHIS TN 38105

SHELBY COUNTY  
165 N MAIN ST #  
MEMPHIS TN 38103

SHELBY COUNTY TAX SALE 16.03  
PO BOX 2751 #  
MEMPHIS TN 38101

HAMILTON JOE  
1115 W 57TH ST #  
LOS ANGELES CA 90037

WYATT CONNON D IRREVOCABLE TRUST  
9330 NEW BETHEL RD #  
MILLINGTON TN 38053

BUTLER VENNIE B  
3899 FELTS STATION RD #  
MEMPHIS TN 38127

RISE GIRL WALK WOMAN INC  
3737 OUTLAND RD #  
MEMPHIS TN 38118

EDEN ESTATES INC  
3171 SIGNAL ST #  
MEMPHIS TN 38127

WILLIAMS CANZATER  
3887 FELTS STATION RD #  
MEMPHIS TN 38127

CANNON DARREN & VEALER L  
4000 N WATKINS AVE #  
MEMPHIS TN 38127

NAILOR GLORIA  
3881 FELTS STATION RD #  
MEMPHIS TN 38127

SHOPS AT NORTH WATKINS LLC  
4485 RAINFORD CV #  
MEMPHIS TN 38128

EUBANKS JOYCE  
3869 FELTS STATION RD #  
MEMPHIS TN 38127

RESTORATION HOUSE  
4050 THOMAS ST #  
MEMPHIS TN 38127

EUBANKS JOYCE  
3869 FELTS STATION RD #  
MEMPHIS TN 38127

COLEMAN ENTERPRISES AND HOLDING  
41 CALLOWAY CV #  
MEDINA TN 38355

JPR INC  
1208 FOXWOOD DR #  
MIDLAND MI 48642

SWAIM AND SWAIM WEST LLC  
PO BOX 33 #  
MARTIN TN 38237

EDEN ESTATES INC  
3171 SIGNAL ST #  
MEMPHIS TN 38127

SS NORTH WATKINS FRAYSER LLC  
PO BOX 800729 #  
DALLAS TX 75380