

**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      X   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:**

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

**FUNDING:**

<u>(2)</u>	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
<u>\$</u>	AMOUNT OF EXPENDITURE
<u>\$</u>	REVENUE TO BE RECEIVED

**SOURCE AND AMOUNT OF FUNDS**

<u>\$</u>	OPERATING BUDGET
<u>\$</u>	CIP PROJECT # _____
<u>\$</u>	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,



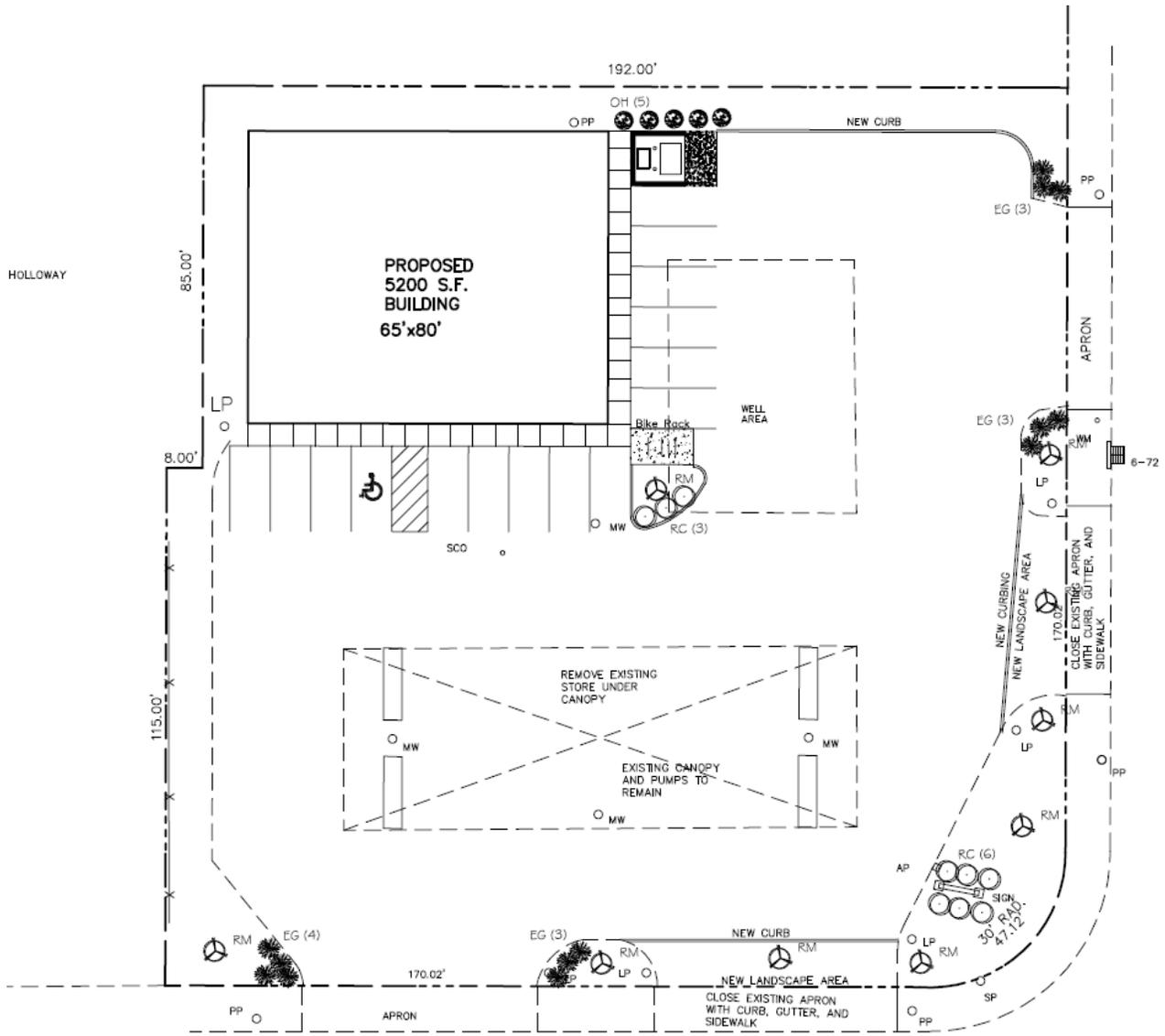
Nicholas Wardroup  
Land Use and Development Services  
Division of Planning and Development

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**

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**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.



**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)	

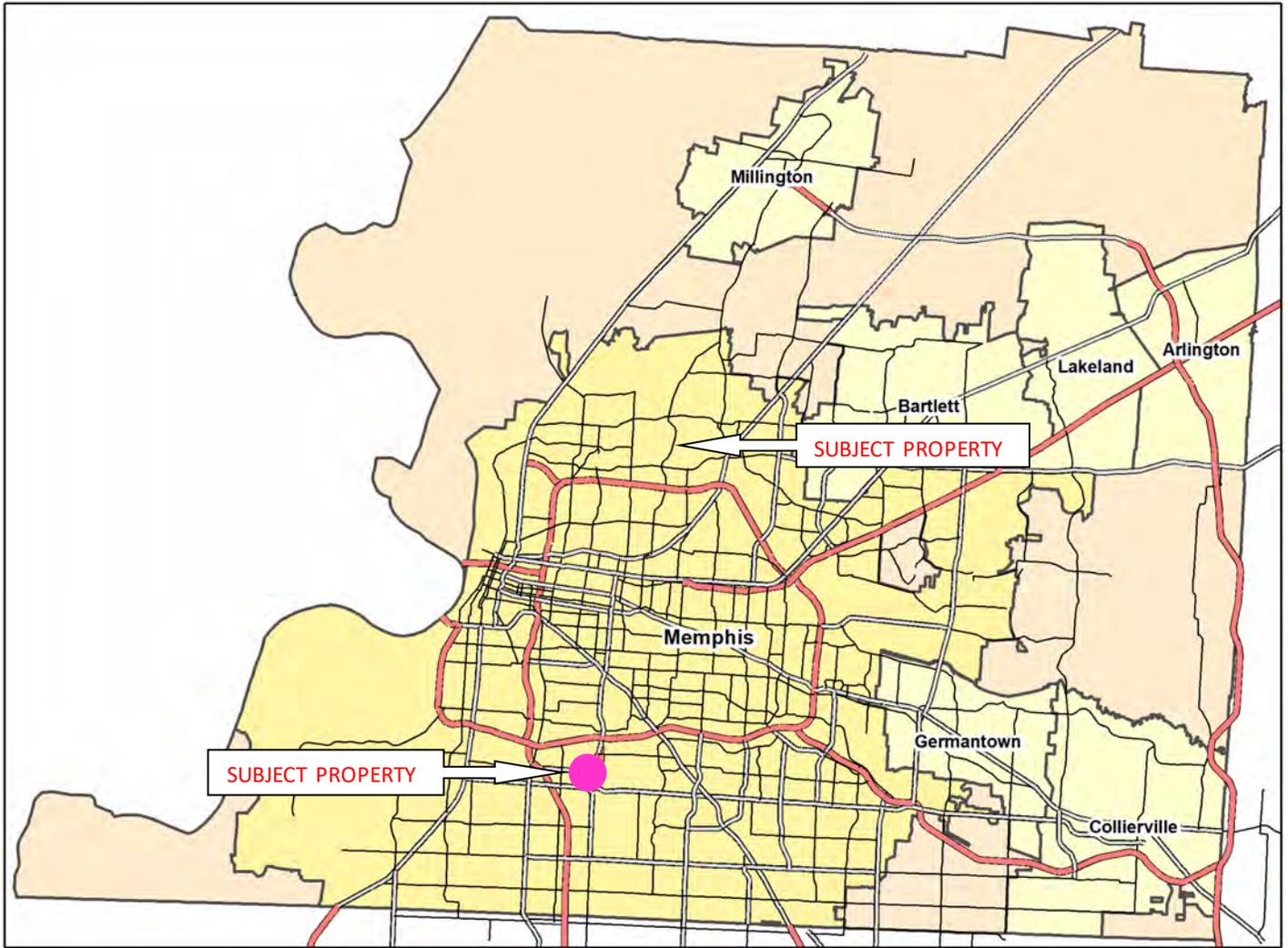
**NEIGHBORHOOD MEETING**

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**

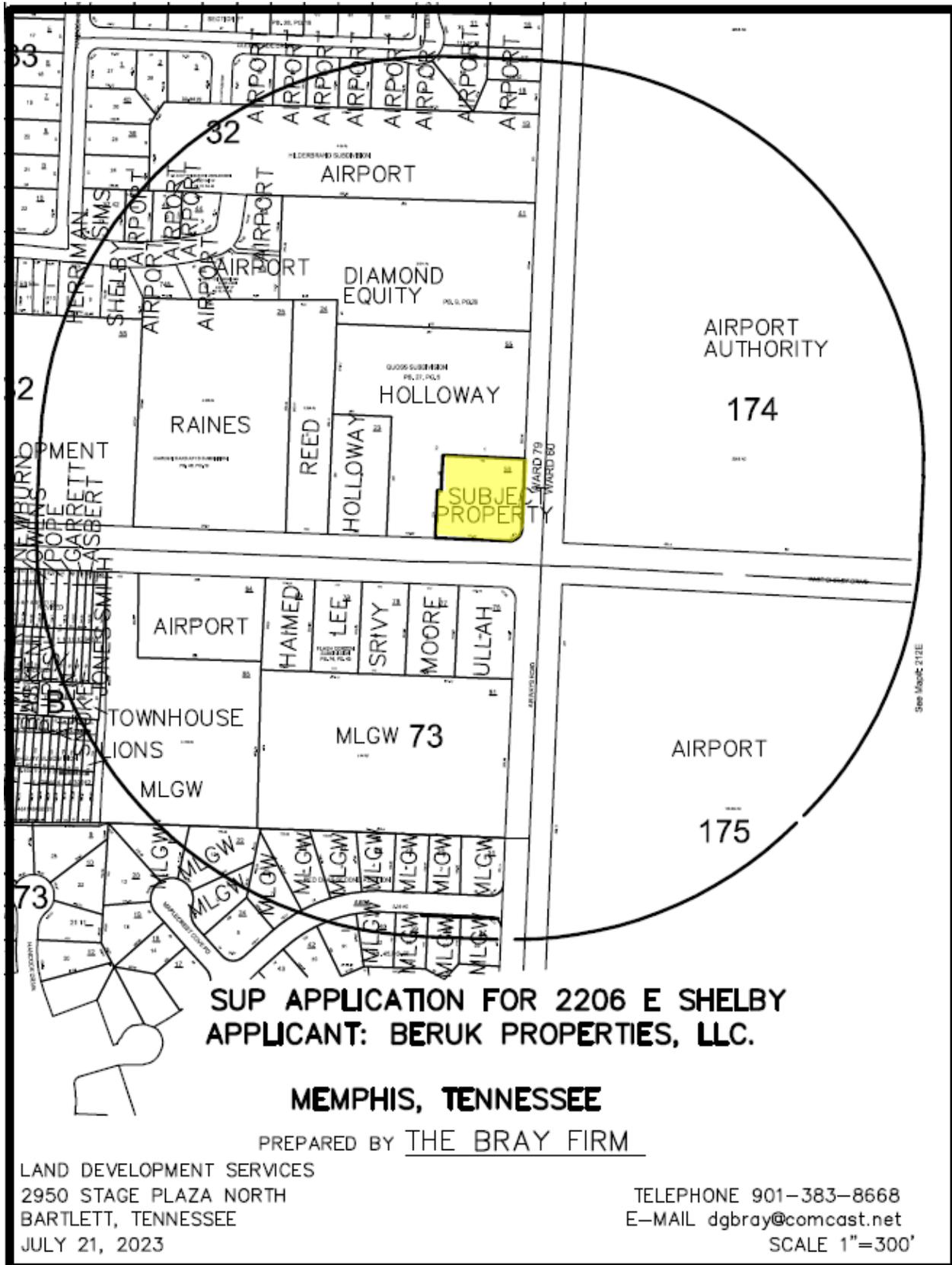
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 32 notices were mailed on August 22, 2023, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

**LOCATION MAP**



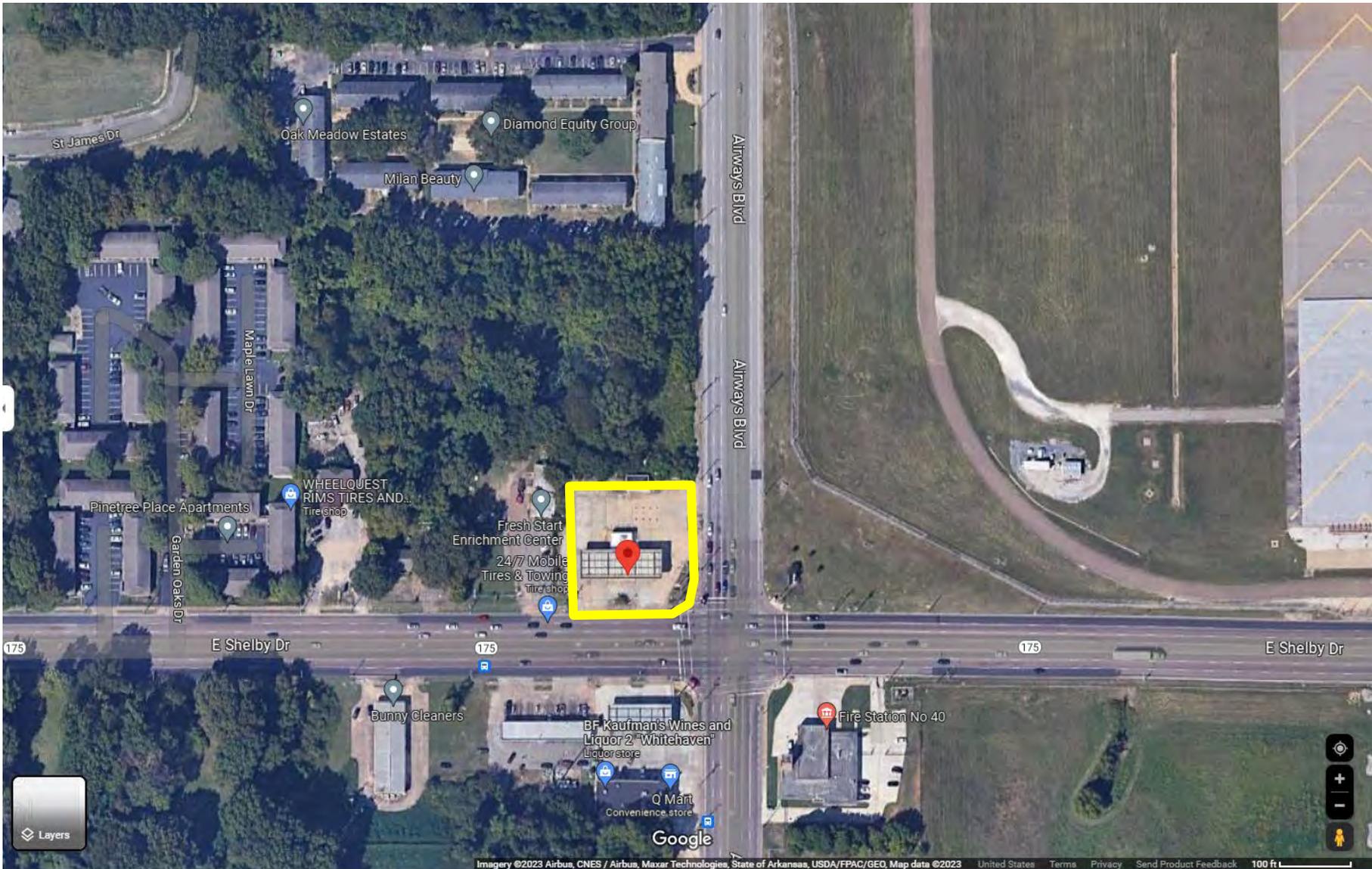
Subject property located within the pink circle, Airport area

**VICINITY MAP**



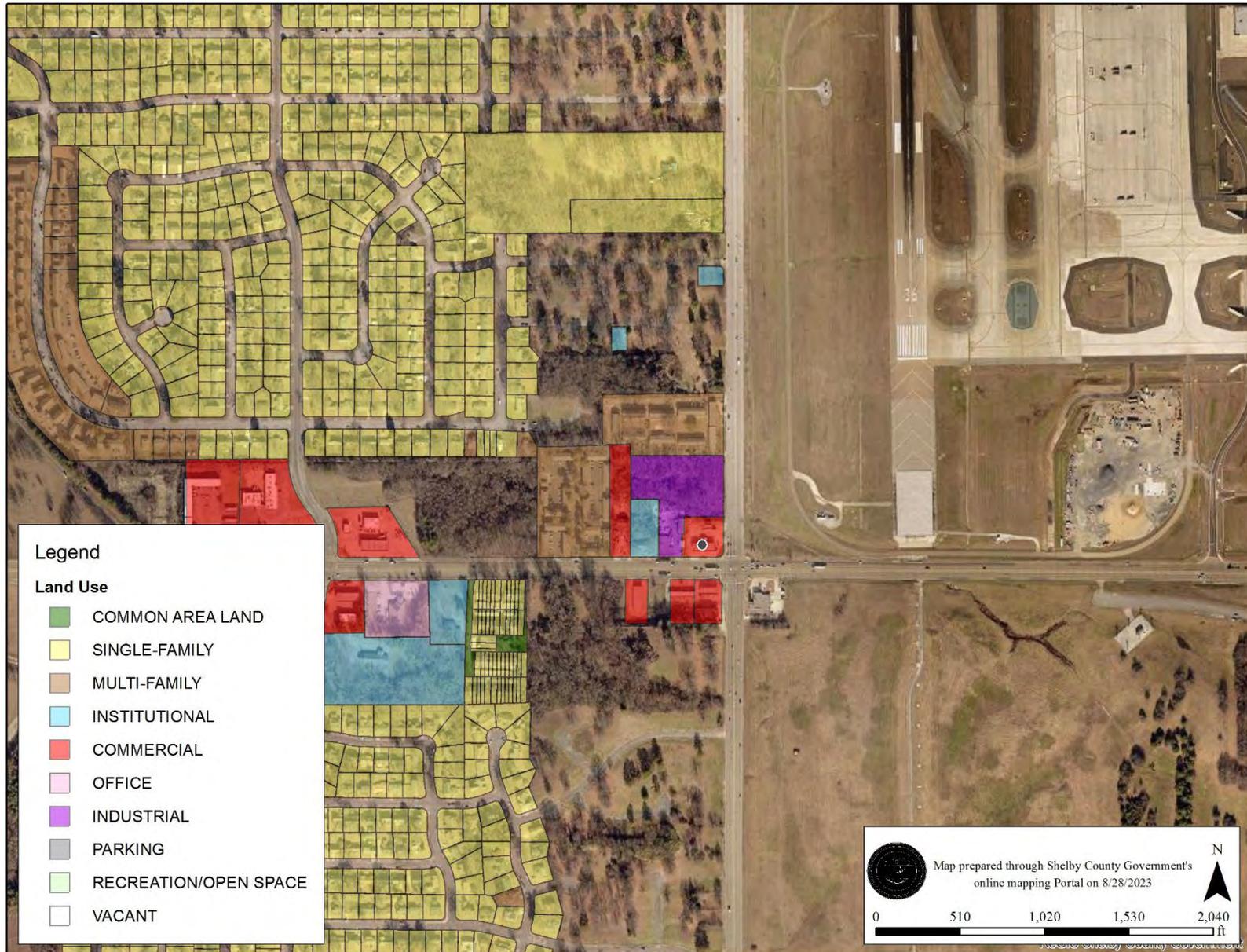
Subject Property highlighted in yellow

**AERIAL**

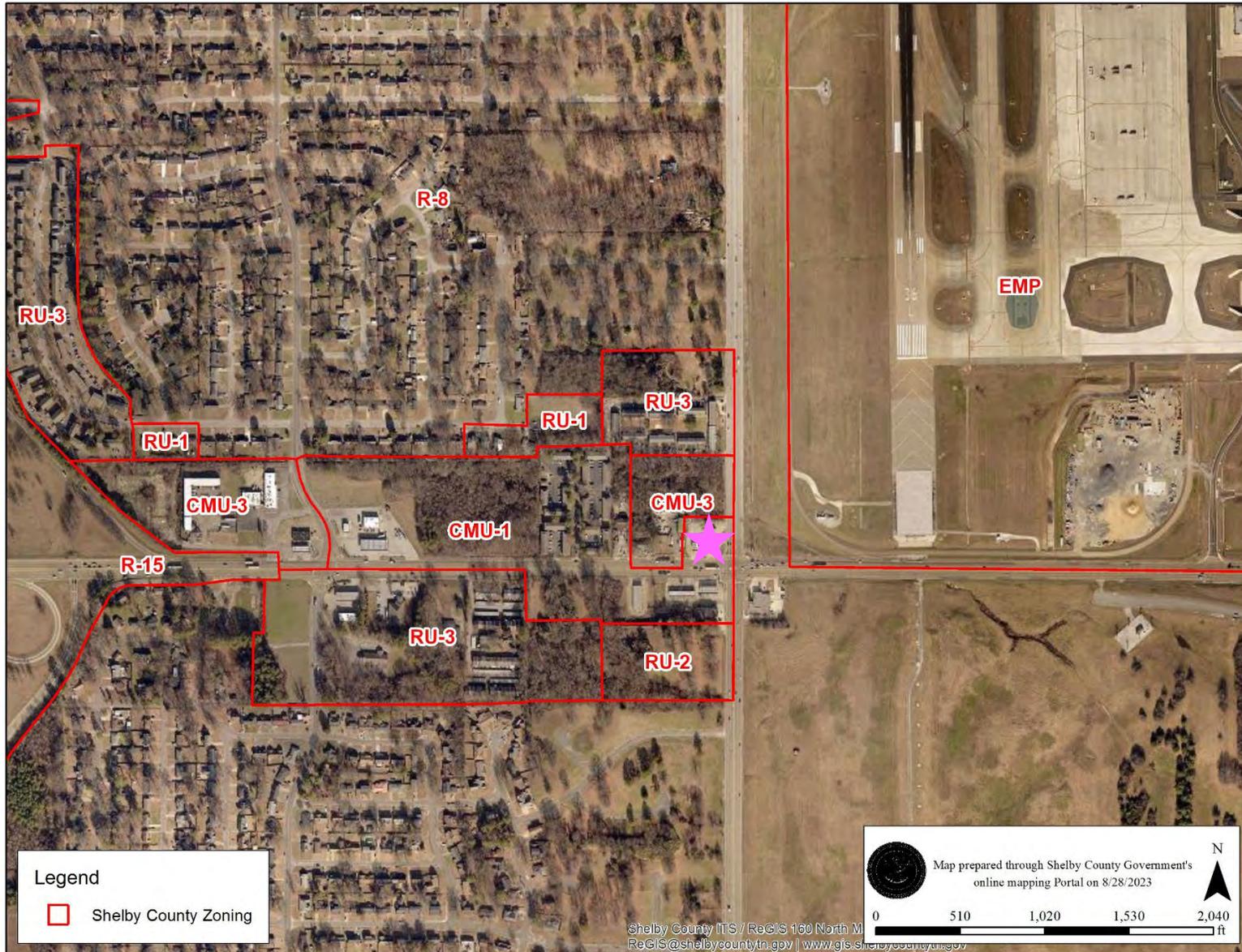


Subject property outlined in yellow, imagery 2023

LAND USE MAP

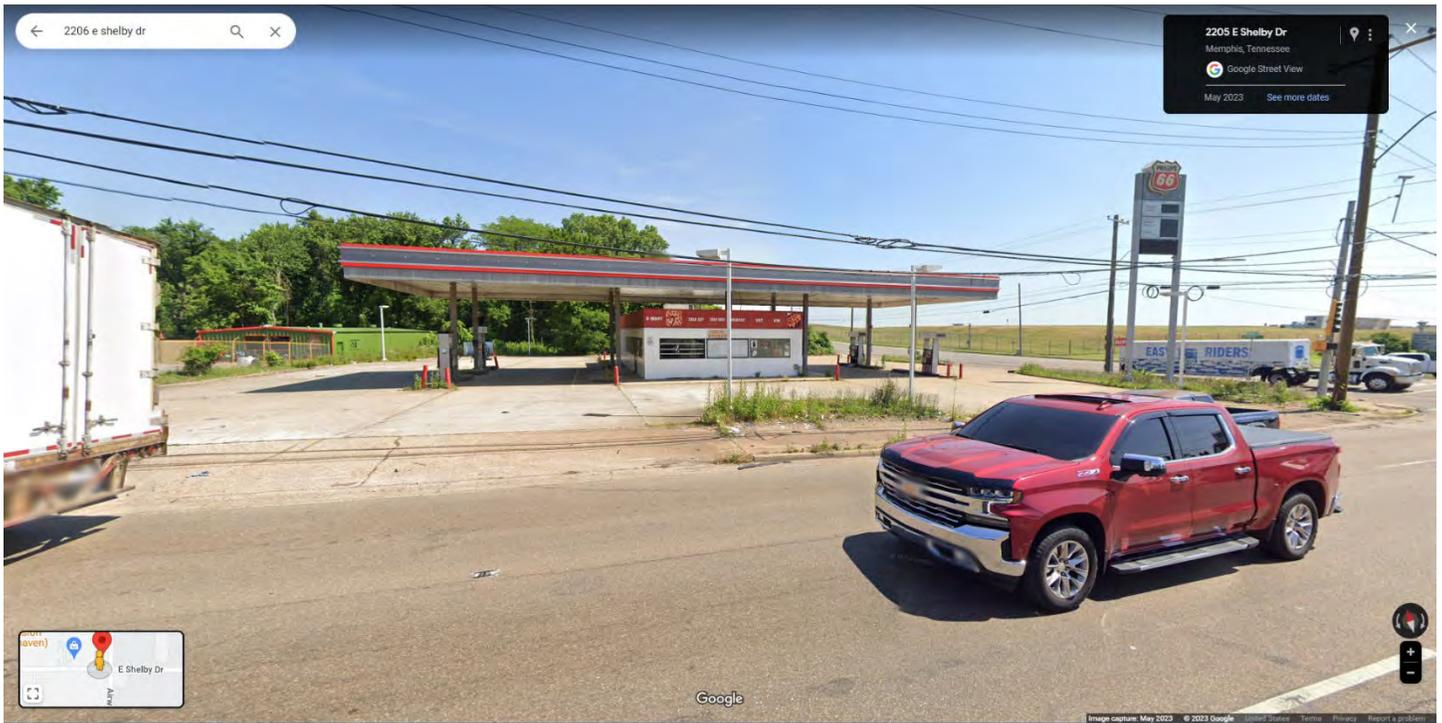


ZONING MAP



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

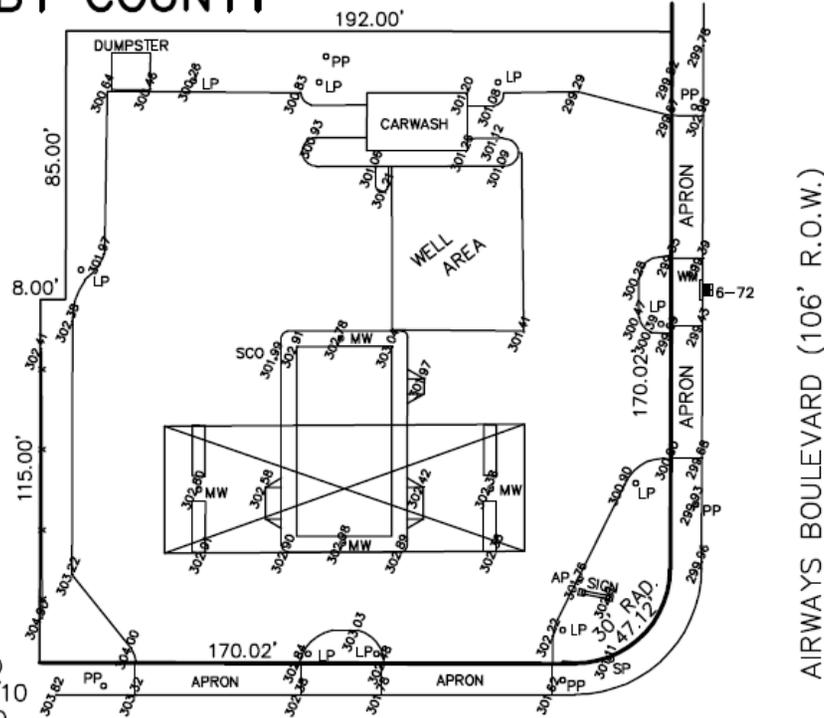
**SURVEY**

**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



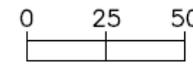
HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE ERROR OF POSITIONAL ACCURACY DOES NOT EXCEED 1/10 OF A FOOT AT ANY PROPERTY CORNER SHOWN HEREON, AND THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THE STATE OF TENNESSEE.

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.

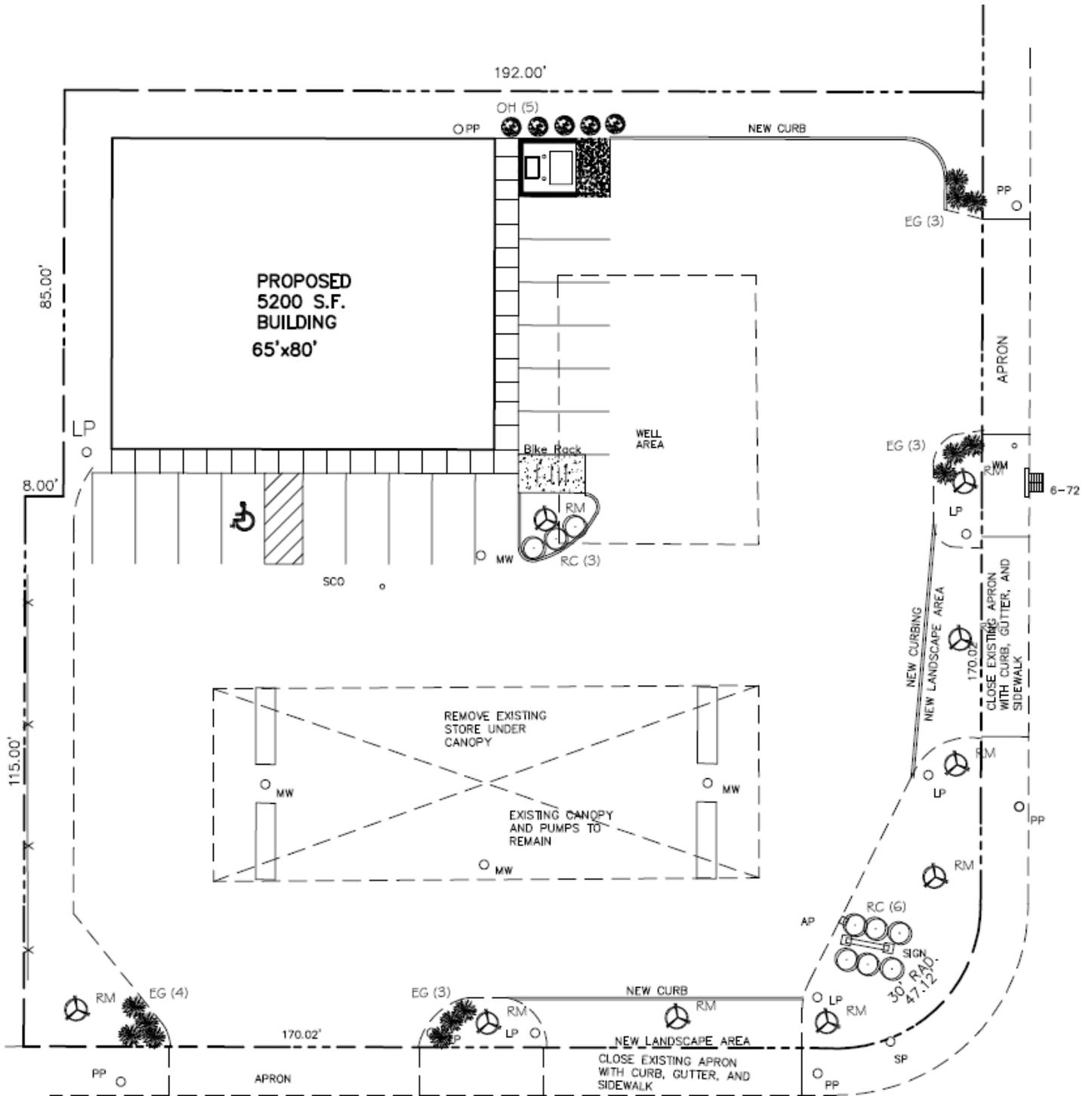
SHELBY DRIVE (110' R.O.W.)



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

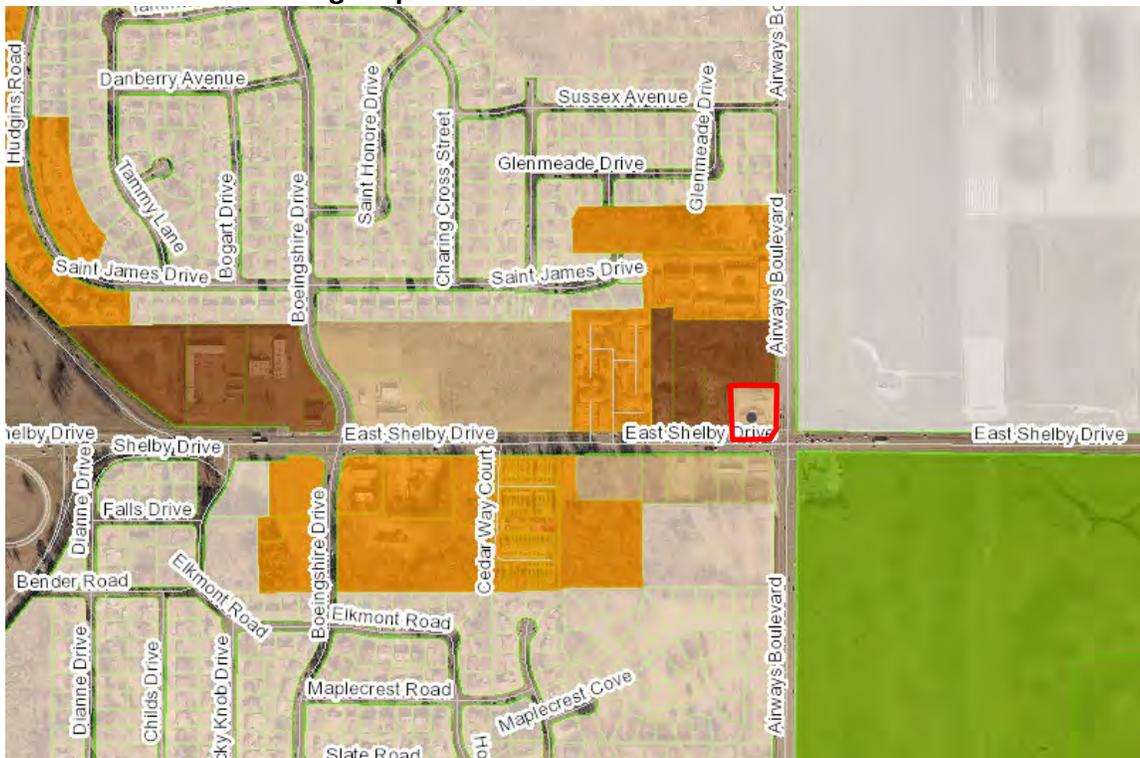
Future Land Use Designation: Low Intensity Commercial and Services (CSL)

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:

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### 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

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### Parcel Information

079032 00056

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### 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

-

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**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

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**Payment Information**

Payment Amount	Method of Payment
\$513.00	Credit Card

# The Bray Firm

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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**

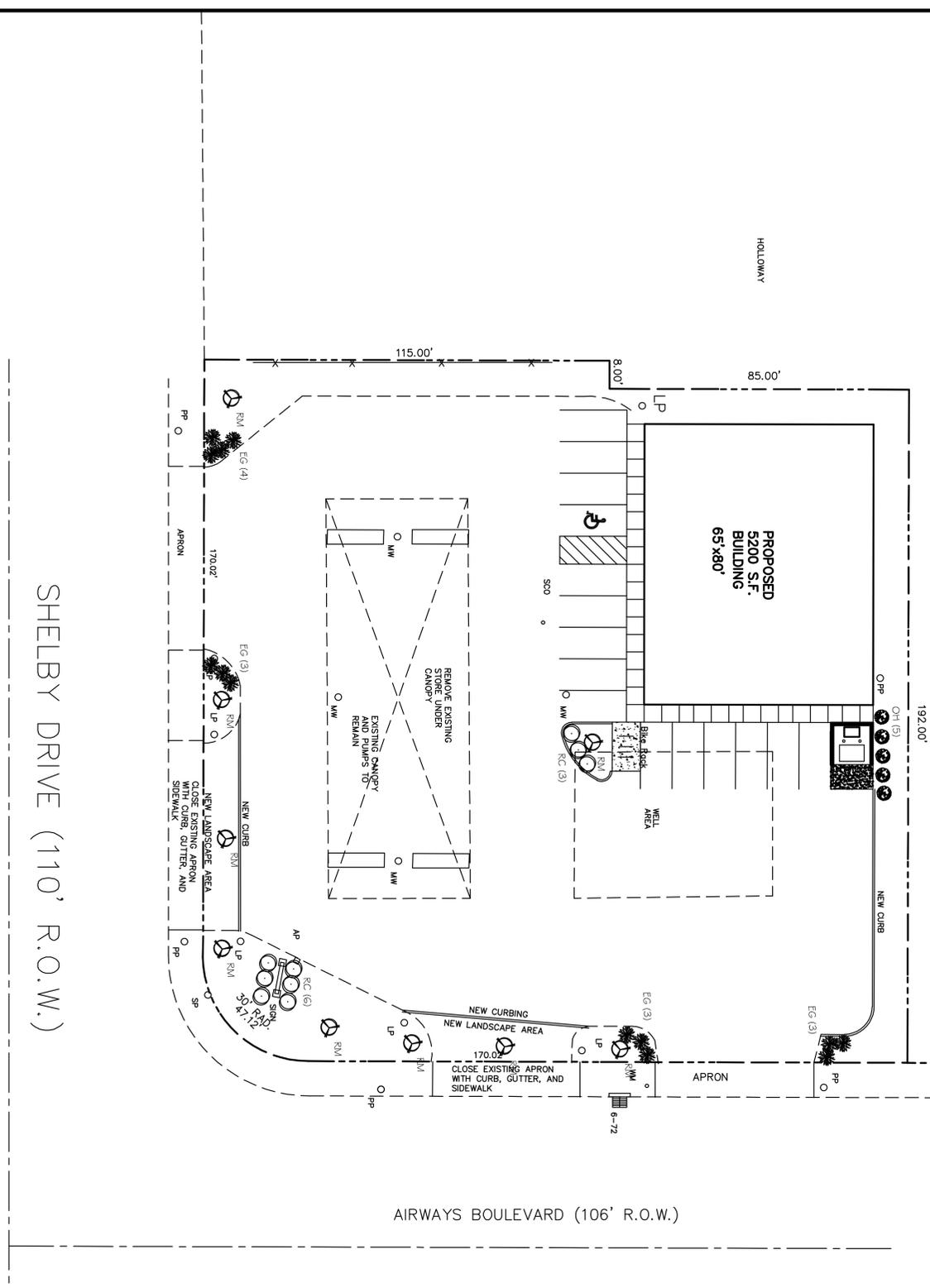
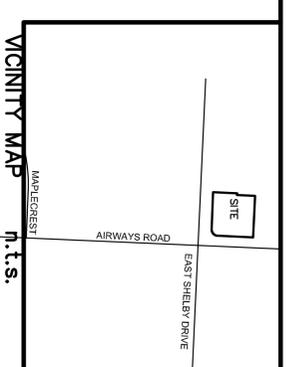
Mr. Ragsdale:

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.)

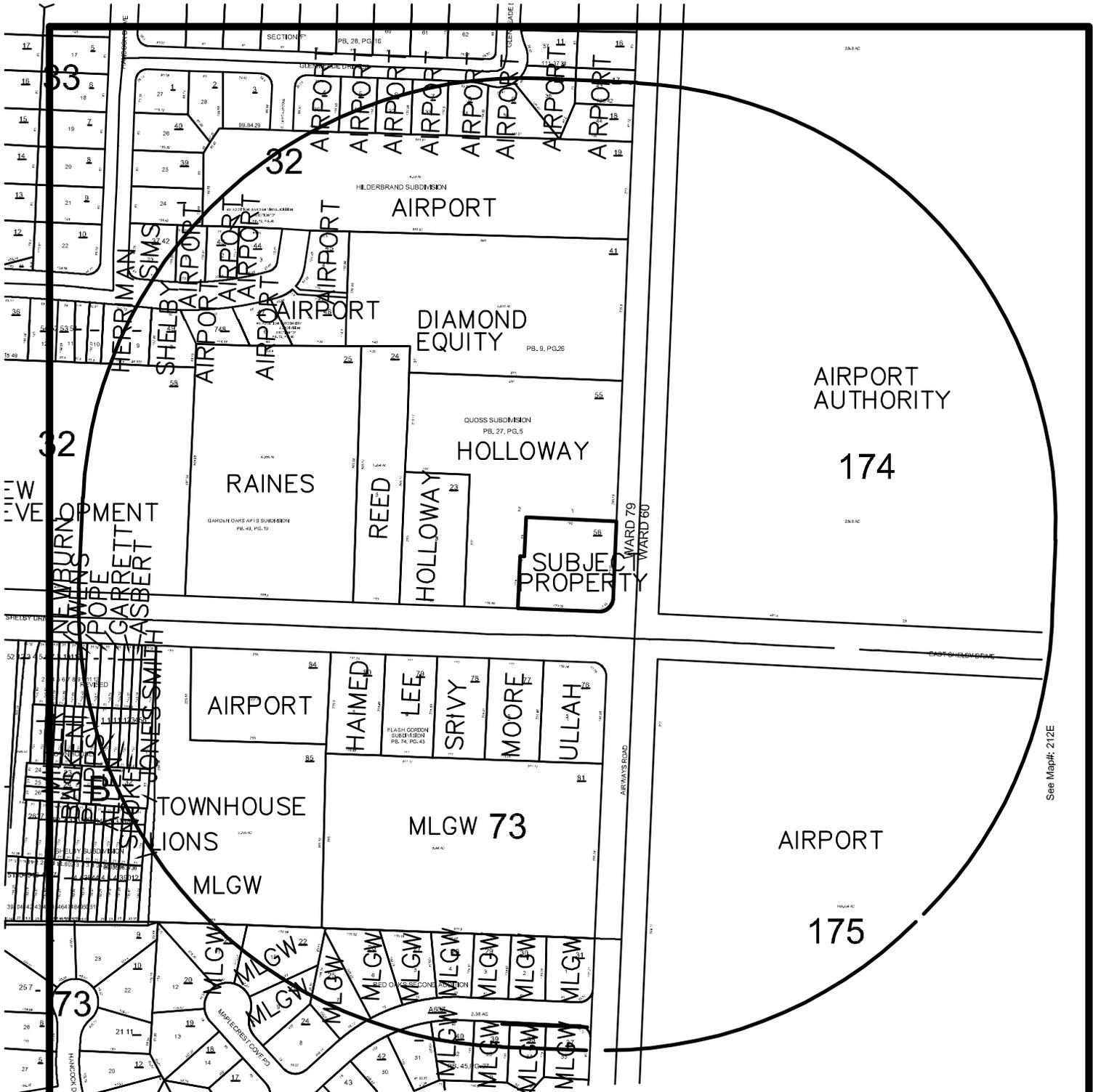
THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP # 47157C0420 F DATED SEPTEMBER 28, 2007.

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

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.

SHAPE	SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	QTY
EG	○	Emerald Green Arborvitae	Thuja occidentalis - Emerald Green	2-3 ft	13
OH	○	Oak Leaf Holly	Ilex X Cornif	3-4 ft	5
RC	○	Koae Creek Abelia	Abelia X Koae	4-6' STR.	9
RM	○	October Glory Red Maple	Acer rubrum 'October Glory	4-5 ft	9

SITE PLAN	
PART OF LOT 1, QUASS SUBDIVISION	
EXISTING ZONING DISTRICT	OMU-1
AREA	MEMPHIS, TENNESSEE
INST.	KJ7476
LOTS:	1
AREA:	0.89 ACRES
PREPARED FOR:	THE BRAVY FIRM
ENGINEER:	2950 STAGE PLAZA NORTH
	BARTLETT, TN 38134
	(901) 385-8688
DATE:	AUGUST 2023
SCALE:	1"=20'
SHEET:	1 OF 1



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'



**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

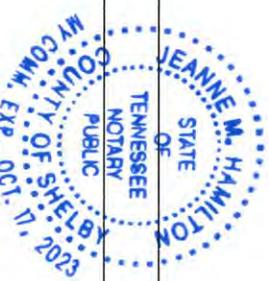
OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and 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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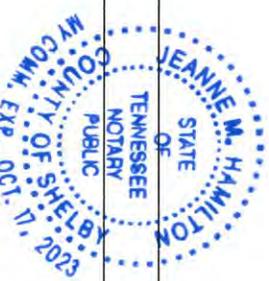
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Jeanne M. Hamilton  
Signature of Notary Public 10/17/2023  
My Commission Expires



# Shelby County Tennessee

## *Shelandra Y Ford*

Shelby County Register

---

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: [Signature]  
Stephen J. Lattig, President

ACKNOWLEDGEMENT

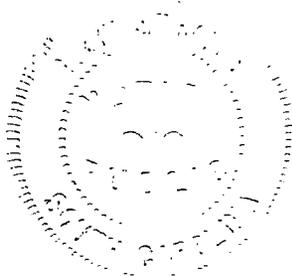
STATE OF SOUTH CAROLINA    §  
  §  
COUNTY OF GREENVILLE    §

Before me, Vicki 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.

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

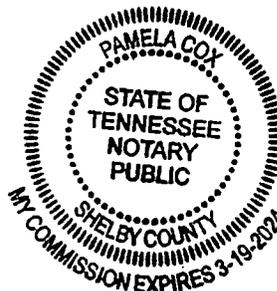


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Land in Shelby County, Tennessee, being part of Lot 1, Quoss Subdivision, recorded in Plat Book 27, Page 5, particularly described as follows:

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

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

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Womble Bond Dickinson (US), LLP  
550 South Main Street, Suite 400  
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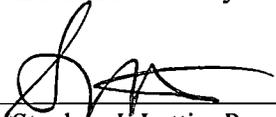
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a Delaware limited liability company

By:   
Stephen J. Lattig, President

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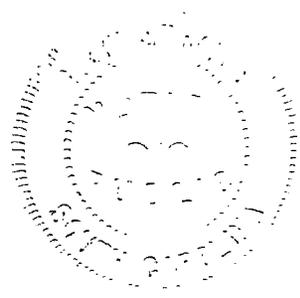
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   §  
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Vicki Straits  
Notary Public for the State of S.C.

My Commission Expires: July 13, 2021



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Christina Hall

Affiant

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Pamela Cox

Notary Public

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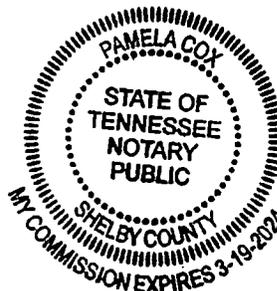


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Store No. 160

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**

Planning & Development  
**DIVISION**

**ONE ORIGINAL |  
ONLY STAPLED |  
TO DOCUMENTS**

Planning & Zoning COMMITTEE: 09/12/2023  
DATE  
PUBLIC SESSION: 09/12/2023  
DATE

**ITEM (CHECK ONE)**

       ORDINANCE      X   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 north of 1184 Covington Pike and 314 feet north of Earnestine Cove, known as case number SUP 2023-016

**CASE NUMBER:** SUP 2023-016

**LOCATION:** North of 1184 Covington Pike and 314 feet north of Earnestine Cove

**COUNCIL DISTRICTS:** District 2 and Super District 9 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Covington Crossing, Inc.

**REPRESENTATIVE:** Cindy Reaves - SR Consulting, LLC

**REQUEST:** Special use permit to allow a commercial surface parking lot

**AREA:** +/-1.957 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 – September 12, 2023

**PRIOR ACTION ON ITEM:**

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
08/10/2023	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>Kandra Colby</u>	<u>8/31/23</u>	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
<u>Butt</u>	<u>9/1/23</u>	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	<b>CHIEF ADMINISTRATIVE OFFICER</b>
_____	_____	<b>COMMITTEE CHAIRMAN</b>



## Memphis City Council Summary Sheet

### SUP 2023-016

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 NORTH OF 1184 COVINGTON PIKE AND 314 FEET NORTH OF EARNESTINE COVE, KNOWN AS CASE NUMBER SUP 2023-016

- This item is a resolution with conditions for a special use permit to allow a commercial surface parking lot; and
- The item may require future public improvement contracts.

## **LAND USE CONTROL BOARD RECOMMENDATION**

At its regular meeting on **Thursday, August 10, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

<b>CASE NUMBER:</b>	SUP 2023-016
<b>LOCATION:</b>	North of 1184 Covington Pike and 314 feet north of Earnestine Cove
<b>COUNCIL DISTRICT(S):</b>	District 2 and Super District 9 – Positions 1, 2, and 3
<b>OWNER/APPLICANT:</b>	Covington Crossing, Inc.
<b>REPRESENTATIVE:</b>	Cindy Reaves - SR Consulting, LLC
<b>REQUEST:</b>	Special use permit to allow commercial parking
<b>EXISTING ZONING:</b>	Commercial Mixed Use - 2 (CMU-2)
<b>AREA:</b>	+/-1.957 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 8-0 on the consent agenda.**

Respectfully,  
*Kendra Cobbs*

Kendra Cobbs, AICP  
Planner III  
Land Use and Development Services  
Division of Planning and Development

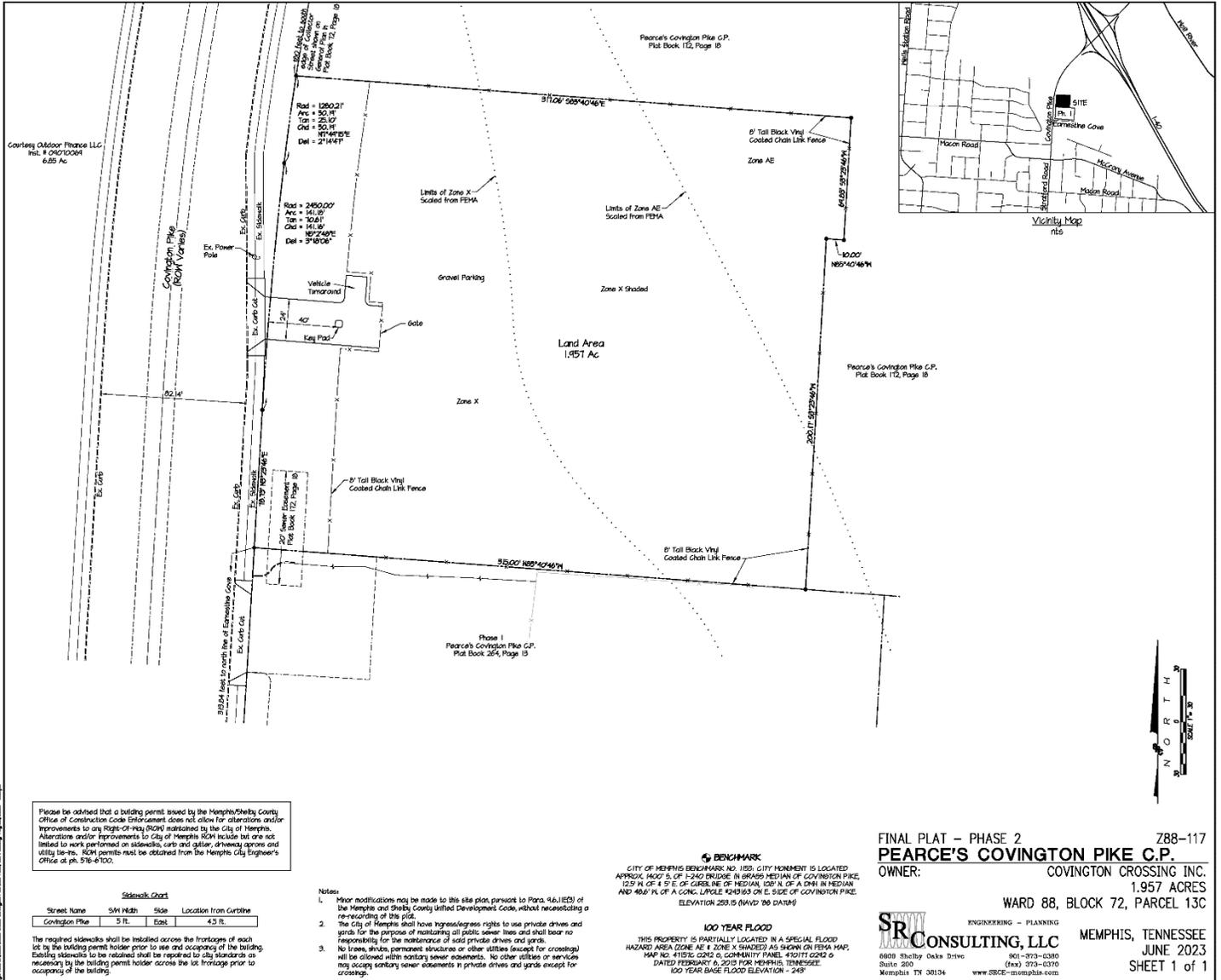
Cc: Committee Members  
File

**SUP 2023-016**

**CONDITIONS**

1. Development of the site will require the submittal and approval of a final plat that will include compliance with any of the applicable General Development Standards found in UDC Chapter 4.1 for New Construction/New Facilities.
2. Administrative Site Plan Review by the City Engineer shall be required.
3. TDEC requirements regarding development near/in the floodplain and wetlands must be met.

# SITE PLAN



Please be advised that a building permit issued by the Memphis/Shelby County Office of Construction Code Enforcement does not allow for alterations and/or improvements to any Right-of-Way (ROW) maintained by the City of Memphis. Alterations and/or improvements to City of Memphis ROW include but are not limited to work performed on sidewalks, curb and gutter, driveway aprons and utility tie-ins. ROW permits must be obtained from the Memphis City Engineer's Office at PL 516-6100.

Sidewalk Chart			
Street Name	SW Width	Side	Location from Curbside
Covington Pike	5 ft.	East	43 ft.

The required sidewalks shall be installed across the frontages of each lot by the building permit holder prior to use and occupancy of the building. Existing sidewalks to be retained shall be repaired to city standards as necessary by the building permit holder across the lot frontage prior to occupancy of the building.

- Notes:
- Minor modifications may be made to this site plan, pursuant to Para. 4.6.1(B)(2) of the Memphis and Shelby County Unified Development Code, without necessitating a re-recording of this plat.
  - The City of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives and yards.
  - No trees, shrubs, permanent structures or other utilities (except for crossings) shall be allowed within sanitary sewer easements. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.

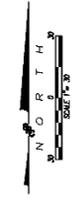
**BENCHMARK**  
 CITY OF MEMPHIS BENCHMARK NO. 1153. CITY MONUMENT IS LOCATED APPROX. 160' S. OF E-240 BRIDGE IN GRASS MEDIAN OF COVINGTON PIKE, 123' N. OF 4" S.E. OF CURBLINE OF MEDIAN, 10' N. OF A D.M. IN MEDIAN AND 48' N. OF A CONC. LAPOLE #243163 ON E. SIDE OF COVINGTON PIKE. ELEVATION 253.15 (MVD '86 DATA)

**100 YEAR FLOOD**  
 THIS PROPERTY IS PARTIALLY LOCATED IN A SPECIAL FLOOD HAZARD AREA ZONE AE & ZONE X SHADED AS SHOWN ON FEMA MAP. MAP NO. 4118C-02G IS COMMUNITY PANEL 410111 0212 G DATED FEBRUARY 6, 2013 FOR MEMPHIS, TENNESSEE. 100 YEAR BASE FLOOD ELEVATION - 249'

FINAL PLAT - PHASE 2 Z88-117  
**PEARCE'S COVINGTON PIKE C.P.**  
 OWNER: COVINGTON CROSSING INC.  
 1.957 ACRES  
 WARD 88, BLOCK 72, PARCEL 13C

**SR CONSULTING, LLC**  
 ENGINEERING - PLANNING  
 6608 Shelby Oaks Drive  
 Suite 201  
 Memphis TN 38134  
 (901) 373-0380  
 (901) 373-0390  
 www.SRCE-memphis.com

MEMPHIS, TENNESSEE  
 JUNE 2023  
 SHEET 1 of 1



**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 NORTH OF 1184 COVINGTON PIKE AND 314 FEET NORTH OF EARNESTINE COVE, KNOWN AS CASE NUMBER SUP 2023-016**

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**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**, Covington Crossing, Inc. filed an application with the Memphis and Shelby County Division of Planning and Development to allow a commercial surface parking lot; 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 August 10, 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:***

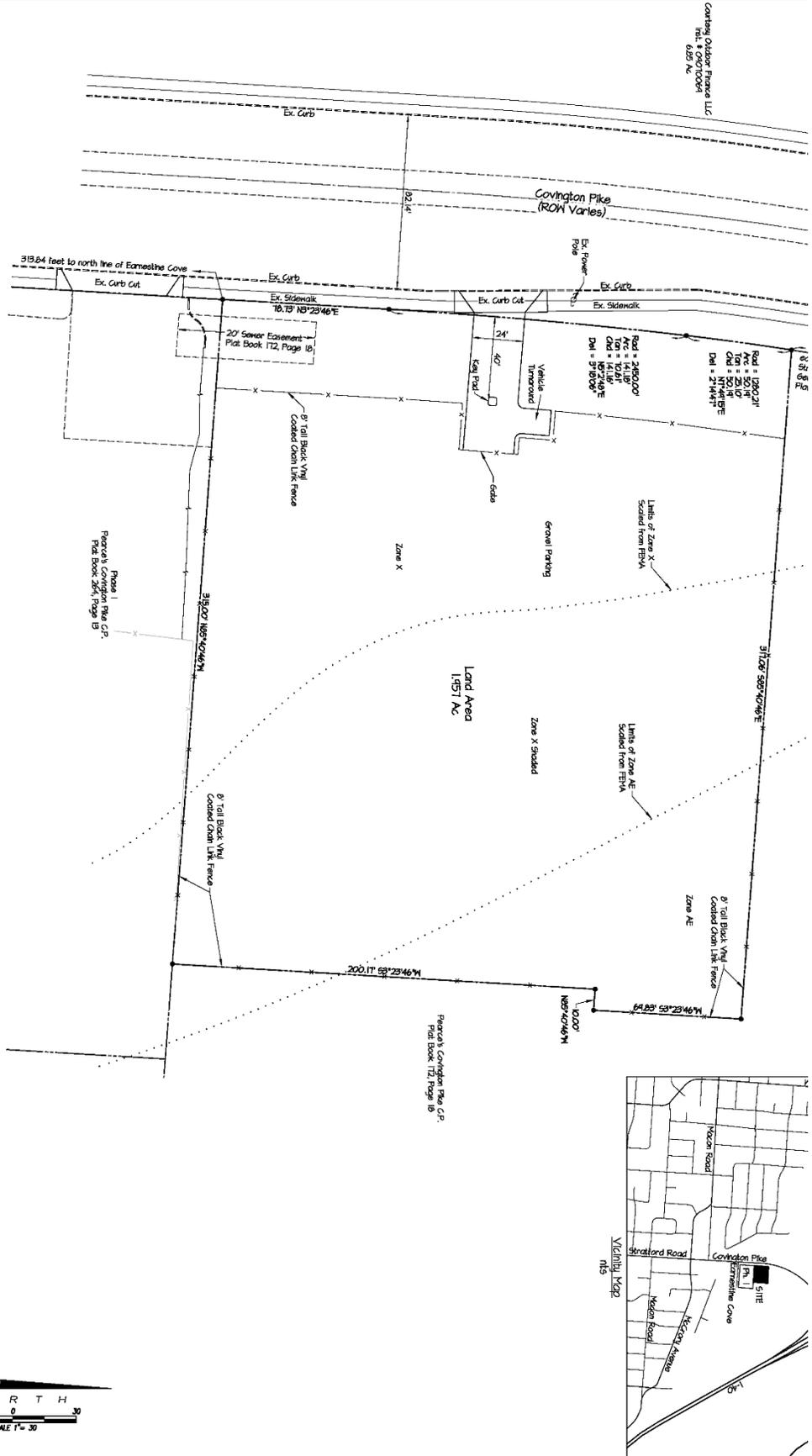
**CC: Division of Planning and Development  
– Land Use and Development Services  
– Office of Construction Enforcement**

## **CONDITIONS**

1. Development of the site will require the submittal and approval of a final plat that will include compliance with any of the applicable General Development Standards found in UDC Chapter 4.1 for New Construction/New Facilities.
2. Administrative Site Plan Review by the City Engineer shall be required.
3. TDEC requirements regarding development near/in the floodplain and wetlands must be met.

# SITE PLAN

Crossing Outdoor Finance LLC  
 Ref: # 09070004  
 02/27/16



Please be advised that a building permit issued by the Memphis/Shelby County Office of Construction Code Enforcement does not allow for alterations and/or improvements to any Right-of-Way (ROW) maintained by the City of Memphis. Any proposed improvements to the Right-of-Way must be approved by the City of Memphis. All work performed on sidewalks, curbs and gutters, driveway aprons and utility lines, ROW permits must be obtained from the Memphis City Engineer's Office at 514-941000.

Sheet Name: Schematic Court  
 Scale: 5/8" = 1'-0"  
 Location from Centerline: 4.175'

Notes:  
 1. Minor modifications may be made to this site plan, provided to trace 54.1 (B) of the Memphis and Shelby County Unified Development Code, without necessitating a re-recording of this plan.

**BENCHMARK**  
 CITY OF MEMPHIS BENCHMARK NO. 1255. CITY MONUMENT IS LOCATED APPROX. 1400' S. OF I-240 BRIDGE. N. 86°06' W. 1.000' TO CORNER OF GOVERNMENT PLEASANT AVENUE. ELEVATION 231.5 (MVD 99 24119)

FINAL PLAT - PHASE 2  
**PEARCE'S COVINGTON PIKE C.P.**  
 Z88-117  
 OWNER: COVINGTON CROSSING, INC.  
 1.957 ACRES  
 WARD 88, BLOCK 72, PARCEL 13C



PEPPER HART ARCHITECTS, PLLC  
 200 W. MAIN ST., SUITE 200, MEMPHIS, TN 38102  
 901.525.1100

**AGENDA ITEM:** 16

**CASE NUMBER:** SUP 2023-016 **L.U.C.B. MEETING:** August 10, 2023

**LOCATION:** North of 1184 Covington Pike and 314 feet north of Earnestine Cove

**COUNCIL DISTRICT:** District 2 and Super District 9

**OWNER/APPLICANT:** Covington Crossing, Inc.

**REPRESENTATIVE:** Cindy Reaves - SR Consulting, LLC

**REQUEST:** Special use permit to allow commercial parking

**AREA:** +/-1.957 acres

**EXISTING ZONING:** Commercial Mixed Use - 2 (CMU-2)

## CONCLUSIONS

1. The applicant is seeking a special use permit for a gravelled-commercial parking lot, which will allow parking for MLGW vehicles.
2. There will be no structures on the lot; this is only a request for commercial parking.
3. As shown on the final plat (Page 4), the site was approved in 2018 for outdoor retail sales of private sheds; however, that use has since terminated and now the site is vacant.
4. This 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.

## 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 pages 22-24 of this report.

## RECOMMENDATION

*Approval with conditions*

**GENERAL INFORMATION**

**Street Frontage:** Covington Pike +/-264 linear feet  
**Zoning Atlas Page:** 1940  
**Parcel ID:** 088072 00013C  
**Existing Zoning:** Commercial Mixed Use - 2 (CMU-2)

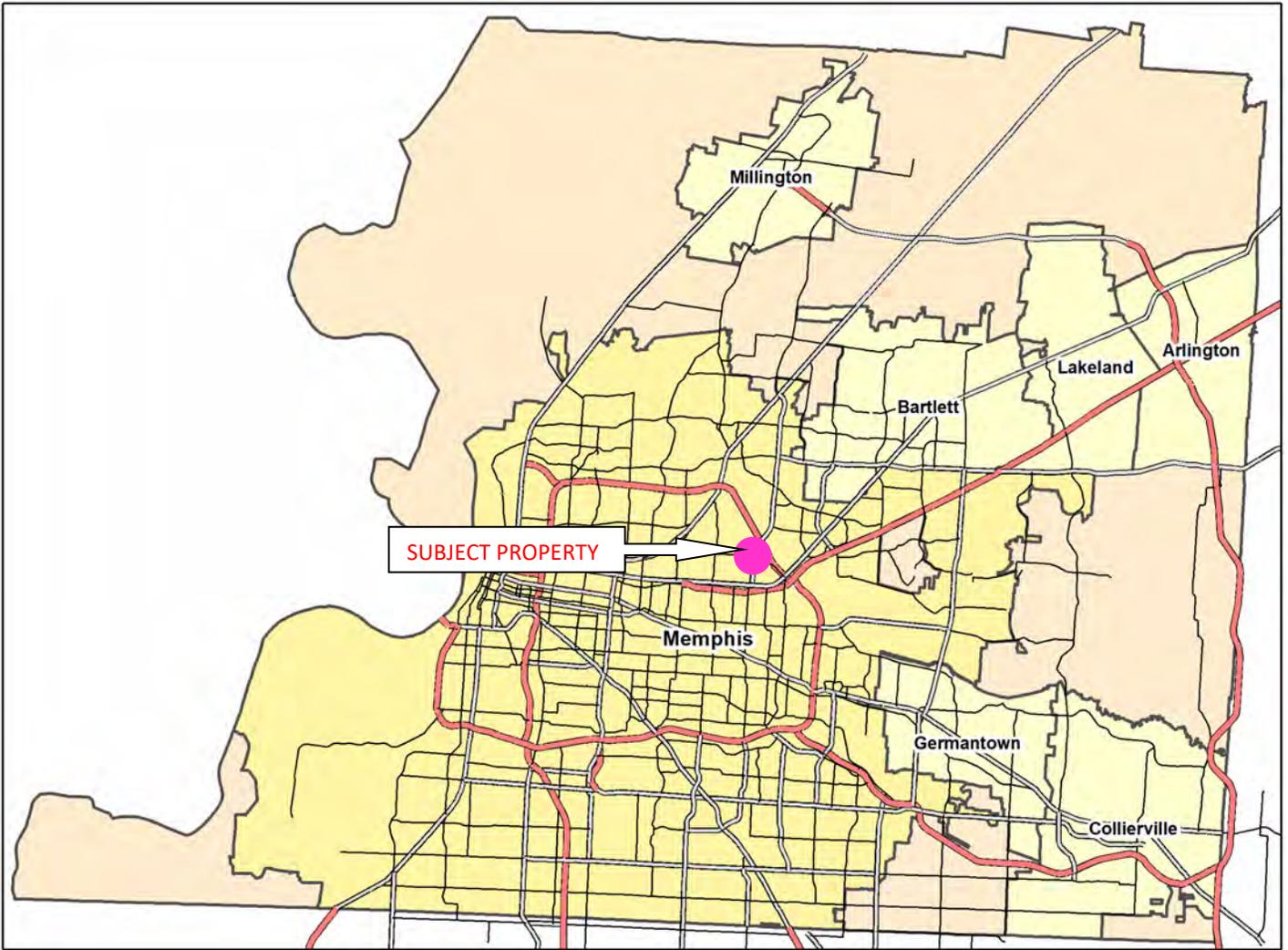
**NEIGHBORHOOD MEETING**

The meeting was held at 5:30 PM on Tuesday, July 25, 2023 at 1049 Stratford Road.

**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 29 notices were mailed on July 26, 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, Berclair neighborhood





SITE DATA	
Land Area	1.957 Ac
Zoning	CMU-2
Land Use	Outdoor Retail Sales*
Parking Required	1
Parking Provided	
Standard	5
Accessible	1
Total	6

\* See Unified Development Code Paragraph 2.6.3N(1)

18035754  
04/16/2018 - 08:07 AM  
2 PGS  
LACY 1723820-18035754  
PLAT BOOK : 276  
PAGE : 35

RECORDING FEE	15.00
DP FEE	2.00
TOTAL AMOUNT	17.00

TOM LEATHERWOOD  
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE



Sign Design

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**Sidewalk Chart**

Street Name	SWH #428	Side	Location from Curbside
Covington Plaza	3 ft.	South	45 ft.

The required sidewalks shall be installed across the frontages of work lot 14 by the building permit holder prior to use and occupancy of the building. Existing sidewalks to be retained shall be repaired to city standards as necessary by the building permit holder across the lot frontage prior to

**Notes:**

- Minor modifications may be made to this site plan pursuant to Paragraph 46.02(2) of the Memphis and Shelby County Unified Development Code, without necessitating a re-recording of this plat.
- The City of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives and yards.
- No trees, shrubs, permanent structures or other utilities (except for overhead) will be allowed within sanitary sewer easements. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for overhead.

**BENCHMARK**

CITY OF MEMPHIS BENCHMARK NO. 100. CITY MONUMENT IS LOCATED APPROX. 1400' S OF JACOBS BRIDGE IN GRASS MEDIAN OF GOVERNOR PARK, 125' W OF A S.E. OF CURVE OF MEDIAN, 100' N OF A DPH IN MEDIAN AND 482' N OF A CONC. UTILITY TRENCH ON E. SIDE OF GOVERNOR PARK. ELEVATION 258 IS BOUND TO DATE.

**100 YEAR FLOOD**

THIS PROPERTY IS PARTIALLY LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE AE & ZONE X SHADDED) AS SHOWN ON FEMA MAP: MAP NO. 4107C-0212 A, COMMUNITY PANEL #10077-0212-B DATED FEBRUARY 6, 2015 FOR MEMPHIS, TENNESSEE. 100 YEAR BASE FLOOD ELEVATION = 247'

VICINITY MAP



Site highlighted in yellow

**AERIAL**



Subject property outlined in orange

FLOOD ZONES



Subject property outlined in pink

**ZONING MAP**



Subject property indicated by a pink star

**Existing Zoning:** Conservation Agriculture (CMU-2)

**Surrounding Zoning**

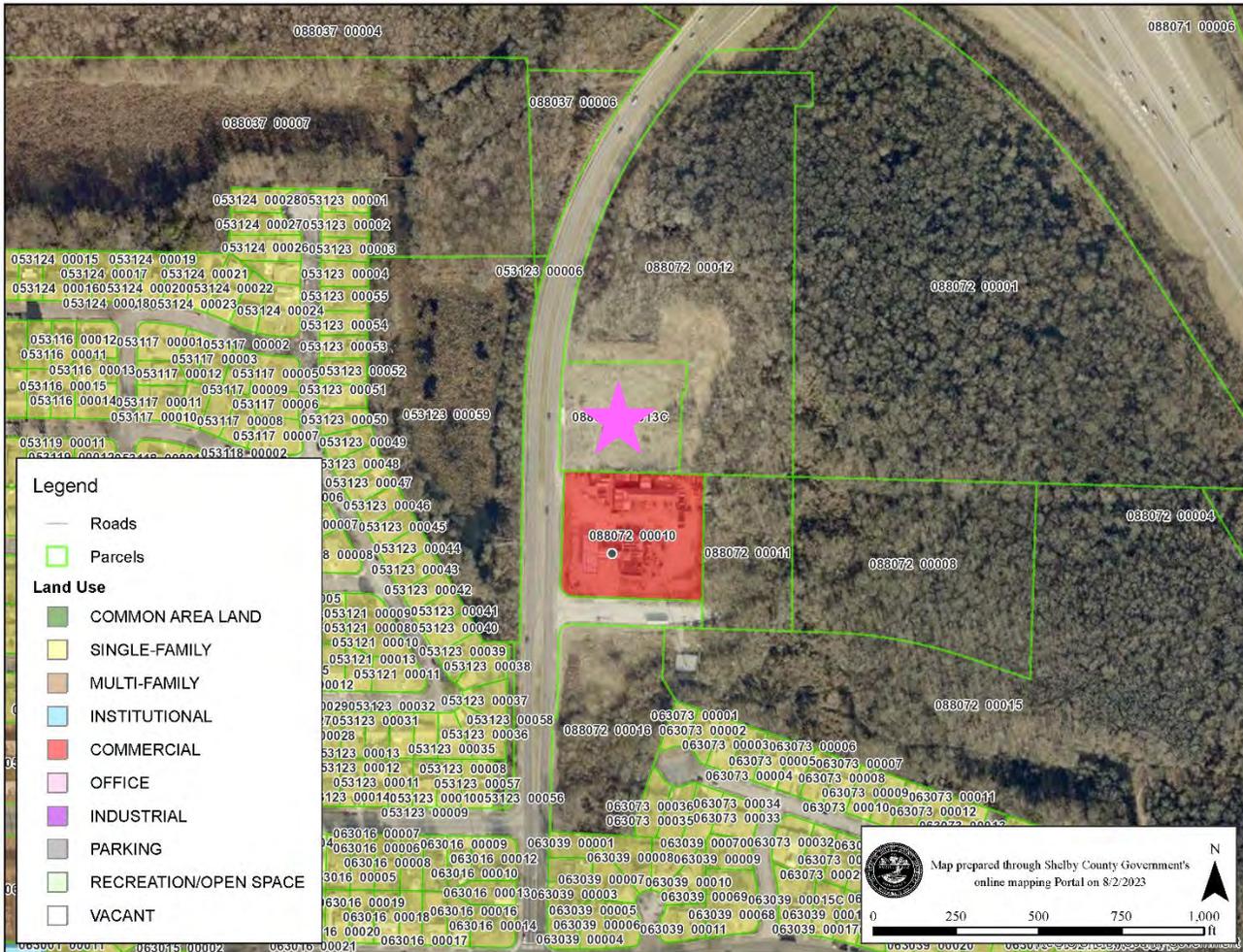
**North:** CMU-2

**East:** CMU-2

**South:** CMU-2

**West:** Employment (EMP)

LAND USE MAP



Subject property indicated by a pink star

**SITE PHOTOS**



View of the site from Covington Pike looking southeast



View of the site from Covington Pike looking northwest



View from the site looking south



View from Covington Pike looking north

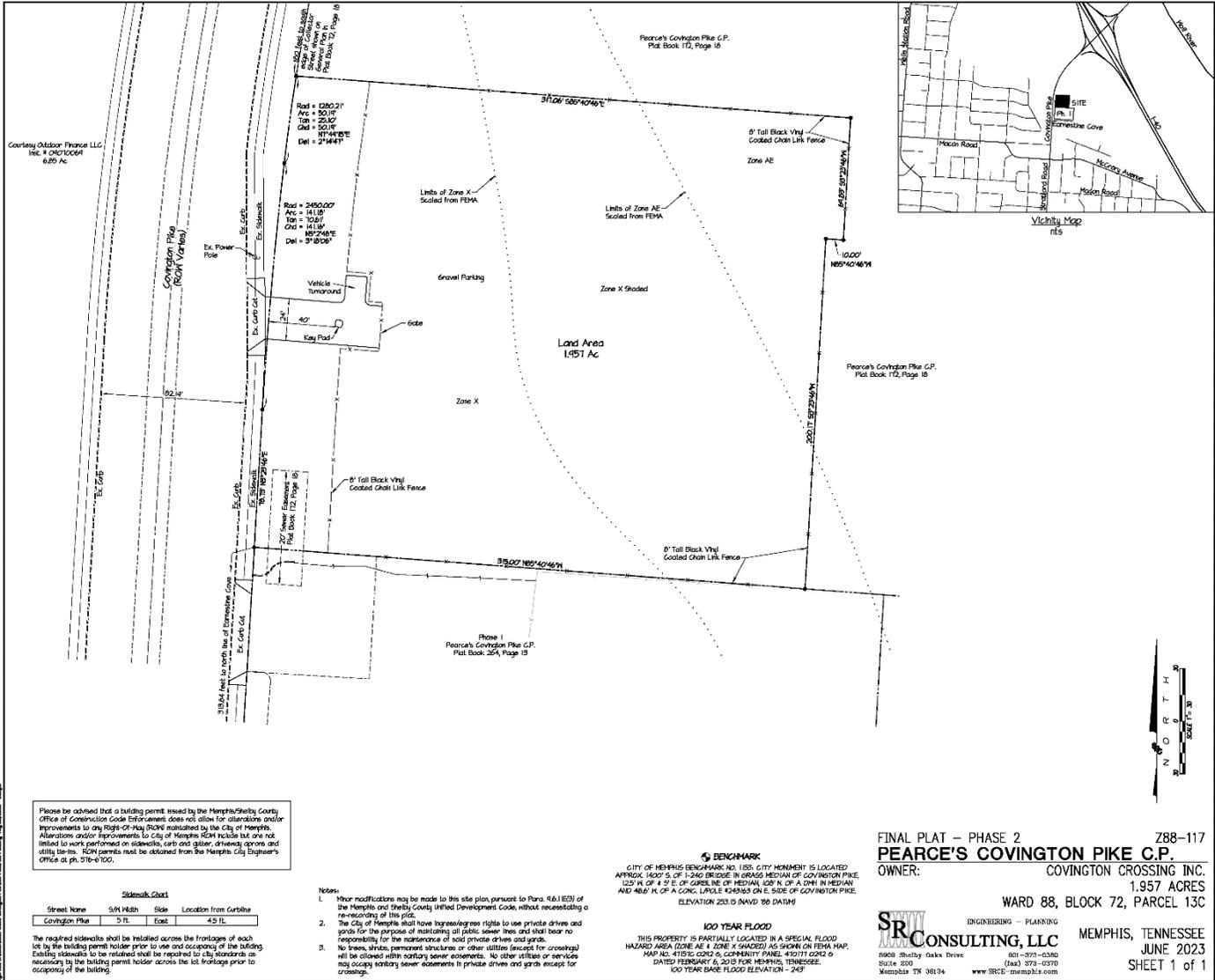


View of subject site from adjacent Exxon property looking north



View from Covington Pike looking west

**SITE PLAN**



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**Sidewalk Chart**

Street Name	S/W Width	Side	Location from Curbline
Covington Pike	5 ft	East	45 ft

The required sidewalks shall be installed across the frontages of each lot by the building permit holder prior to use and occupancy of the building. Existing sidewalks to be retained shall be repaired to city standards as necessary by the building permit holder across the lot frontage prior to occupancy of the building.

- Notes:**
- Minor modifications may be made to this site plan pursuant to Para. 4.61 (E)(3) of the Memphis and Shelby County Unified Development Code without necessitating a re-recording of this plat.
  - The City of Memphis shall have inspection rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives and yards.
  - No trees, shrubs, perennial structures or other utilities (except for crossings) will be allowed within sanitary sewer easements. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.

**BENCHMARK**  
CITY OF MEMPHIS BENCHMARK NO. 125, CITY MONUMENT IS LOCATED APPROX. 1402' S, OF I-240 BRIDGE IN GRASS MEDIAN OF COVINGTON PIKE, 125' W OF 4' S/E OF GARBLINE OF MEDIAN, 100' N OF A DWM IN MEDIAN AND 480' W OF A CONC. UTILITY CROSSING ON E. SIDE OF COVINGTON PIKE, ELEVATION 233.05 NAVD 88 DATUM

**100 YEAR FLOOD**  
THIS PROPERTY IS PARTIALLY LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA ZONE AE & ZONE X SHADDED AS SHOWN ON FEMA MAP. MAP NO. 41261C 0282 & COMMUNITY PANEL 410711 0282 & DATED FEBRUARY 5, 2015 FOR MEMPHIS, TENNESSEE. 100 YEAR BASE FLOOD ELEVATION - 243'

FINAL PLAT - PHASE 2  
**PEARCE'S COVINGTON PIKE C.P.** Z88-117  
OWNER: COVINGTON CROSSING INC. 1.957 ACRES  
WARD 88, BLOCK 72, PARCEL 13C

**SR CONSULTING, LLC**  
ENGINEERING - PLANNING  
8908 Shulby Oaks Drive  
SUITE 200  
Memphis TN 38134  
801-371-0380  
(toll) 378-0370  
www.SRCE-memphis.com

MEMPHIS, TENNESSEE  
JUNE 2023  
SHEET 1 of 1



## STAFF ANALYSIS

### Request

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

The request is for a gravelled-commercial parking lot to allow MLGW vehicular parking.

### 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 site is a +/-1.957 acre property located approximately 314 feet north of Earnestine Cove and adjacent to 1184 Covington Pike. The site is vacant land, primarily surrounded by other vacant or wooded property within the floodplain. There is an Exxon convenience store (1184 Covington Pike) with tire sales to the immediate south. The lot is a mostly grassy area that at one time was the location of Mid South Sheds retailer. The curb cut for this business still exists.

### Site Zoning History

On August 2, 1988, the Council of the City of Memphis adopted Ordinance Number 3786, which rezoned the

subject property from Agricultural (AG) and Single Family Residential (Floodplain) [R-S6 (FP)] to Planned Commercial (C-P) District. The recommendation from the Land Use Control Board was designated as case number Z 88-117.

### **Conclusions**

The applicant is seeking a special use permit for a gravelled-commercial parking lot, which will allow parking for MLGW vehicles.

There will be no structures on the lot; this is only a request for commercial parking.

As shown on the final plat (Page 4), the site was approved in 2018 for outdoor retail sales of private sheds; however, that use has since terminated and now the site is vacant.

This 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.

### **RECOMMENDATION**

Staff recommends approval with conditions.

### **Conditions**

1. Development of the site will require the submittal and approval of a final plat that will include compliance with any of the applicable General Development Standards found in UDC Chapter 4.1 for New Construction/New Facilities.
2. Administrative Site Plan Review by the City Engineer shall be required.
3. TDEC requirements regarding development near/in the floodplain and wetlands must be met.

### **DEPARTMENTAL COMMENTS**

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

**City Engineer:** See comments as follows:  
NAME: 1220 Covington Pike

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

### **Sewers:**

2. A sewer extension will be required to serve this development.
3. **Extended sewer to serve upstream property**

### **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. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
13. 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.
14. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
15. 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.

16. 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.

**General Notes:**

- 17. The width of all existing off-street sewer easements shall be widened to meet current city standards.
- 18. Development is greater than 1 acre.
- 19. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 20. All connections to the sewer shall be at manholes only.
- 21. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.
- 22. Required landscaping shall not be placed on sewer or drainage easements.

**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:** See comments as follows:  
**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.

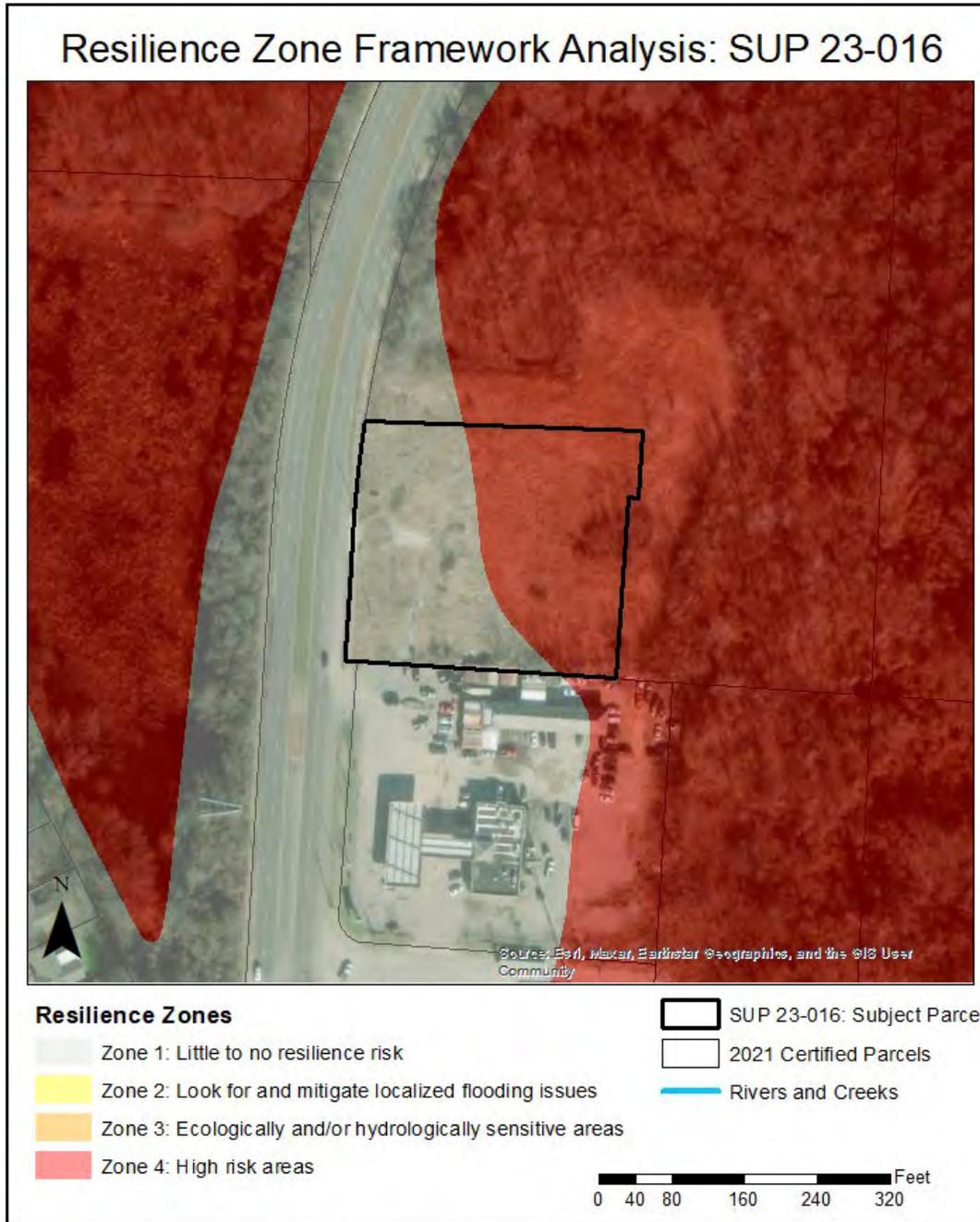
The site's designation in Zone 4 is due to its location within the 100-year and 500-year floodplains for the Wolf River. There are, additionally, many wetlands associated with the Wolf River nearby.

The applicant is requesting a special use permit to add commercial parking to the approved uses for the parcel, which is currently zoned as Commercial Mixed Use – 2 (CMU-2). The applicant is not planning on constructing any additional structures on the parcel aside from a parking lot.

**Consistent with the Mid-South Regional Resilience Master Plan best practices: No**

This request for a special use permit is generally inconsistent with the Mid-South Regional Resilience Master Plan, as Section 4.1 – Resilient Sites discourages development within sensitive areas such as floodplains. However, of the kinds of development typically available for areas zoned CMU-2, a parking lot presents less immediate risk than other forms of development, as water could flow over the pavement during a flood, and there are no other structures that could be damaged in the event of a natural disaster.

Consistent with the Memphis Area Climate Action Plan best practices: N/A



**Recommendations:** Staff recommends including the following conditions to the special use permit:

- The applicant shall obtain all necessary permits and approvals from local, state, and federal agencies for development in the floodplain and near wetlands.
- The applicant should use Low-Impact Development (LID) practices to help manage stormwater runoff as planning for the site continues. These could include elements like bioswales, permeable pavement, or infiltration areas.

**Office of Comprehensive Planning:** See comments as follows:

Site Address/Location: 0 Covington Pike (Parcel 088072 00013C)

Overlay District/Historic District/Flood Zone: Not in an Overlay Zone or Historic District, Located in a Floodplain and a Flood Zone with a 0.2% Annual Chance Flood Hazard  
Future Land Use Designation: Open Spaces & Natural Features (OSN)  
Street Type: Parkway

*The applicant is seeking approval to allow parking of utility vehicles on the parcel.*

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

Wildlands, waterways, and natural features with a focus on preservation and occasional opportunities for passive recreation. Conservation Agriculture. Graphic portrayal of OSN to the right.



#### “OSN” Form & Location Characteristics

Conservation and recreational uses.

#### “OSN” Zoning Notes

Generally compatible with the following zone districts: OS, FW, CA in accordance with Form and characteristics listed above.

#### Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, CMU-2

Adjacent Land Use and Zoning: Commercial and Vacant; CMU-3, CA

**Overall Compatibility:** *This requested land use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning.*

### 3. Degree of Change Map



**APPLICATION**



**Record Summary for Special Use Permit**

Record Detail Information

Record Type: Special Use Permit

Record Status: Pending

Opened Date: July 7, 2023

Record Number: SUP 2023-016

Expiration Date:

Record Name: Covington Pike SUP

Description of Work: Special use permit to allow commercial parking

Parent Record Number:

---

**Address:**

1220 COVINGTON PIKE, MEMPHIS 38122

**Owner Information**

Primary Owner Name

Y COVINGTON CROSSING INC

Owner Address

3000 WALNUT GROVE RD, MEMPHIS, TN 38111

Owner Phone

---

**Parcel Information**

088072 00013C

---

**Data Fields**

PREAPPLICATION MEETING

Name of OPD Planner Jeffrey Penzes

Date of Meeting -

Pre-application Meeting Type -

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 Z88-117

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 -

**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 No affect to adjacent property.

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 Consistent with surrounding property.

UDC Sub-Section 9.6.9C There are adequate existing facilities on the property.

UDC Sub-Section 9.6.9D No affect to any features.

UDC Sub-Section 9.6.9E The development will meet the requirements for the requested use.

UDC Sub-Section 9.6.9F No affect to plans to be considered.

**GIS INFORMATION**

Case Layer	-
Central Business Improvement District	No
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  
 COVINGTON CROSSING INC.  
 Address

Contact Type  
 APPLICANT

**LETTER OF INTENT**



Date: June 29, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Pearce's Covington Pike C-P Phase 2

**LETTER OF INTENT**

We are submitting a Special Use Permit for property on Covington Pike north of Earnestine Cove. The property is Phase 2 of Pearce's Covington Pike C-P recorded in Plat Book 172, Page 18. We are requesting a use of commercial parking in order to park MLGW trucks on the property. The property does not have sewer so uses are limited for the property.

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 10:15 am on the 28th day of July, 2023 I posted one Public Notice Sign pertaining to Case No. SUP 2023-016 along the property located on Covington Pike just north of Ernestine Cove providing notice of a Public Hearing before the August 10, 2023 Land Use Control Board for consideration of a proposed Land Use Action (Special Use Permit), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

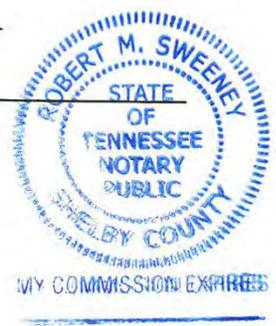
Kristin Reaves  
Owner, Applicant or Representative

7/31/23  
Date

Subscribed and sworn to before me this 31 day of July, 2023

Robert M. Sweeney  
Notary Public

My commission expires: 9/29/23



**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: Pending

Opened Date: July 7, 2023

Record Number: SUP 2023-016

Expiration Date:

Record Name: Covington Pike SUP

Description of Work: Special use permit to allow commercial parking

Parent Record Number:

---

### Address:

1220 COVINGTON PIKE, MEMPHIS 38122

### Owner Information

Primary Owner Name

Y COVINGTON CROSSING INC

Owner Address

3000 WALNUT GROVE RD, MEMPHIS, TN 38111

Owner Phone

---

### Parcel Information

088072 00013C

---

### Data Fields

#### PREAPPLICATION MEETING

Name of OPD Planner

Jeffrey Penzes

Date of Meeting

-

Pre-application Meeting Type

-

#### 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 Z88-117

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 -

**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 No affect to adjacent property.

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UDC Sub-Section 9.6.9F No affect to plans to be considered.

**GIS INFORMATION**

Case Layer -

Central Business Improvement District No

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 COVINGTON CROSSING INC. Contact Type APPLICANT

Address

Phone

-

---

**Fee Information**

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1484105	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	07/07/2023
1484105	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	07/07/2023

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

---

**Payment Information**

Payment Amount	Method of Payment
\$513.00	Credit Card



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: June 29, 2023

To: Division of Planning & Development

From: Cindy Reaves

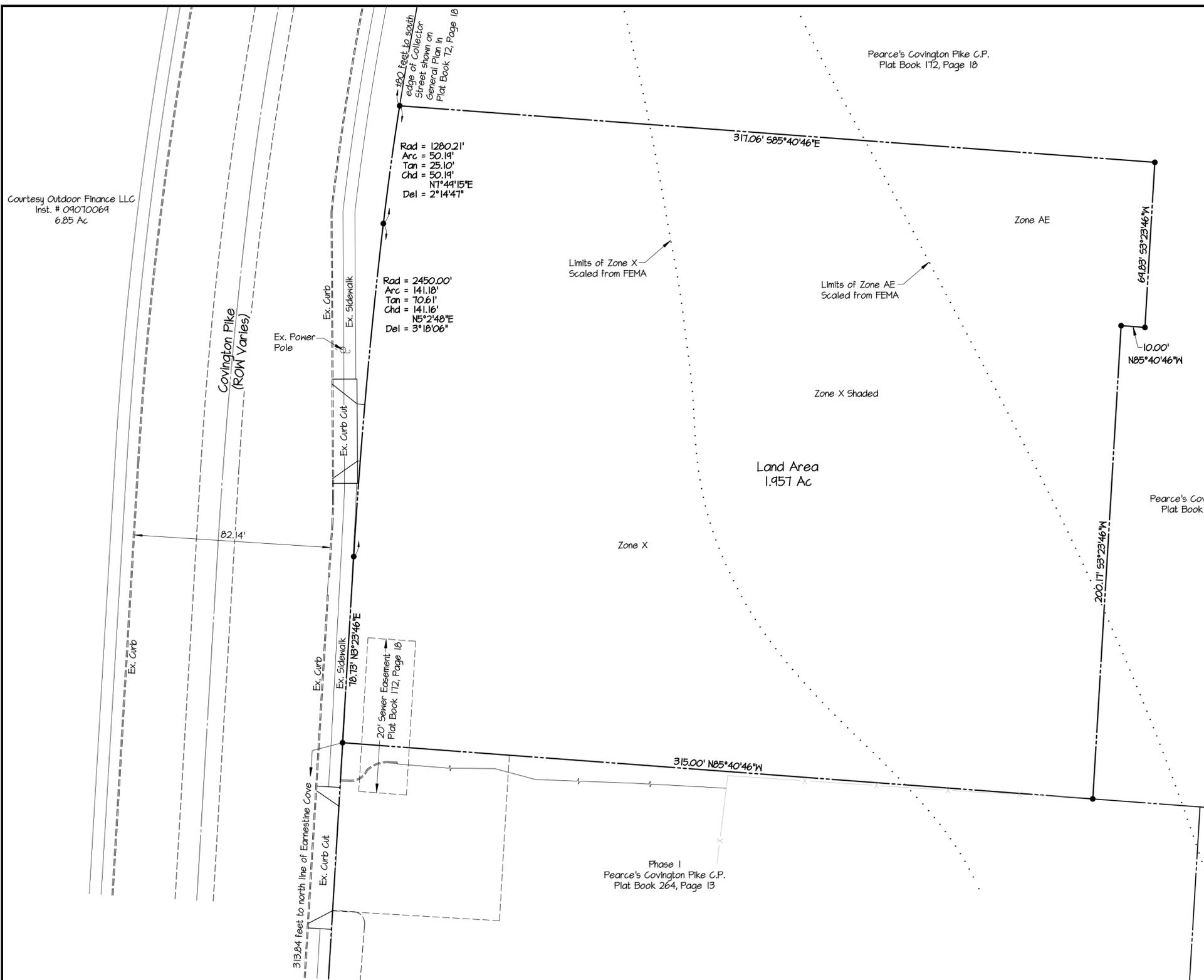
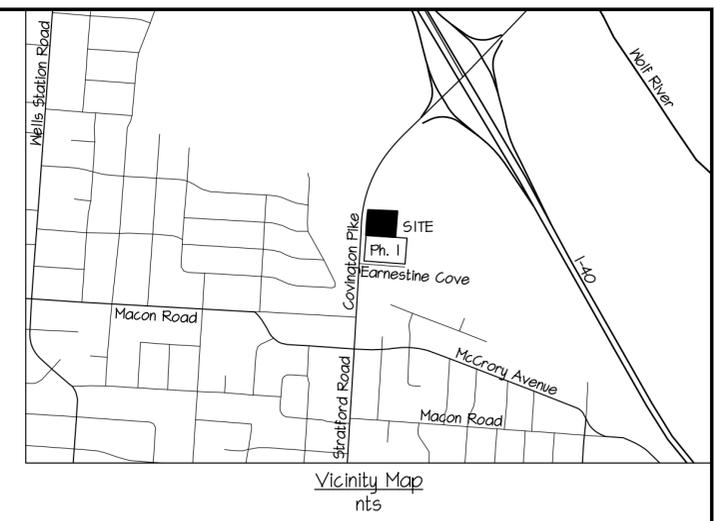
Re: Pearce's Covington Pike C-P Phase 2

## **LETTER OF INTENT**

We are submitting a Special Use Permit for property on Covington Pike north of Earnestine Cove. The property is Phase 2 of Pearce's Covington Pike C-P recorded in Plat Book 172, Page 18. We are requesting a use of commercial parking in order to park MLGW trucks on the property. The property does not have sewer so uses are limited for the property.

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

Courtesy Outdoor Finance LLC  
Inst. # 04070064  
6.85 Ac



Rad = 1280.21'  
Arc = 50.14'  
Tan = 25.10'  
Chd = 50.14'  
N7°44'15"E  
Del = 2°14'47"

Rad = 2450.00'  
Arc = 141.18'  
Tan = 70.61'  
Chd = 141.16'  
N5°24'48"E  
Del = 3°10'06"

20' Sewer Easement  
Plat Book 172, Page 18

Phase I  
Pearce's Covington Pike C.P.  
Plat Book 264, Page 13

Please be advised that a building permit issued by the Memphis/Shelby County Office of Construction Code Enforcement does not allow for alterations and/or improvements to any Right-Of-Way (ROW) maintained by the City of Memphis. Alterations and/or improvements to City of Memphis ROW include but are not limited to work performed on sidewalks, curb and gutter, driveway aprons and utility tie-ins. ROW permits must be obtained from the Memphis City Engineer's Office at ph. 516-6700.

Sidewalk Chart

Street Name	S/W Width	Side	Location from Curbline
Covington Pike	5 ft.	East	4.5 ft.

The required sidewalks shall be installed across the frontages of each lot by the building permit holder prior to use and occupancy of the building. Existing sidewalks to be retained shall be repaired to city standards as necessary by the building permit holder across the lot frontage prior to occupancy of the building.

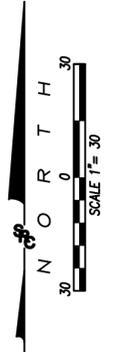
- Notes:
- Minor modifications may be made to this site plan, pursuant to Para. 9.6.11E(3) of the Memphis and Shelby County Unified Development Code, without necessitating a re-recording of this plat.
  - The City of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives and yards.
  - No trees, shrubs, permanent structures or other utilities (except for crossings) will be allowed within sanitary sewer easements. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.

**BENCHMARK**

CITY OF MEMPHIS BENCHMARK NO. 1153: CITY MONUMENT IS LOCATED APPROX. 1400' S. OF I-240 BRIDGE IN GRASS MEDIAN OF COVINGTON PIKE, 12.5' N. OF 4 5' E. OF CURBLINE OF MEDIAN, 100' N. OF A DMH IN MEDIAN AND 48.6' N. OF A CONC. L/POLE #243163 ON E. SIDE OF COVINGTON PIKE. ELEVATION 253.15 (NAVD '88 DATUM)

**100 YEAR FLOOD**

THIS PROPERTY IS PARTIALLY LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE AE & ZONE X SHADED) AS SHOWN ON FEMA MAP, MAP NO. 47157C 0242 G, COMMUNITY PANEL 47011T 0242 G DATED FEBRUARY 6, 2013 FOR MEMPHIS, TENNESSEE. 100 YEAR BASE FLOOD ELEVATION - 243'



**FINAL PLAT - PHASE 2**  
**PEARCE'S COVINGTON PIKE C.P.**

OWNER: **COVINGTON CROSSING INC.**  
1.957 ACRES  
WARD 88, BLOCK 72, PARCEL 13C

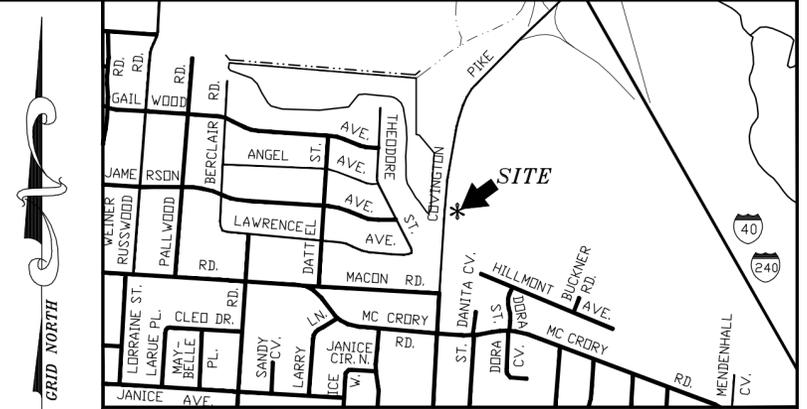
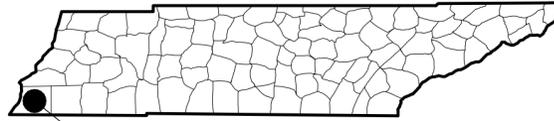
**SR CONSULTING, LLC**  
ENGINEERING - PLANNING  
5909 Shelby Oaks Drive  
Suite 200  
Memphis TN 38134  
901-373-0380  
(fax) 373-0370  
www.SRCE-memphis.com

MEMPHIS, TENNESSEE  
JUNE 2023  
SHEET 1 of 1

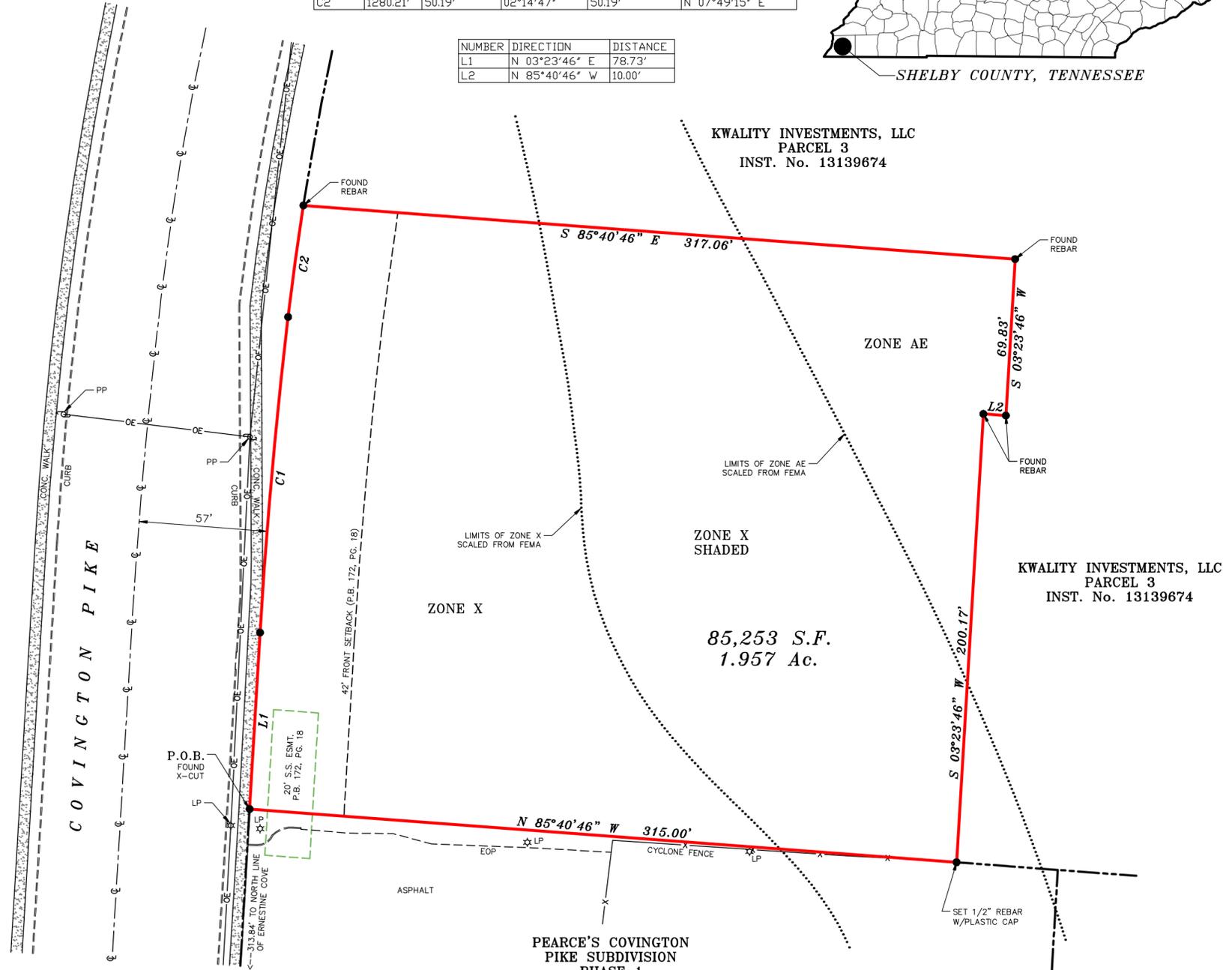
File No. 912225-0250 Covington Pike/Phase 2 Final Plat.dwg - Jun 23, 2023 - 2:22pm

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION
C1	2450.00'	141.18'	03°18'06"	141.16'	N 05°02'48" E
C2	1280.21'	50.19'	02°14'47"	50.19'	N 07°49'15" E

NUMBER	DIRECTION	DISTANCE
L1	N 03°23'46" E	78.73'
L2	N 85°40'46" W	10.00'



VICINITY MAP NOT TO SCALE



KWALITY INVESTMENTS, LLC  
PARCEL 3  
INST. No. 13139674

KWALITY INVESTMENTS, LLC  
PARCEL 3  
INST. No. 13139674

PEARCE'S COVINGTON  
PIKE SUBDIVISION  
PHASE 1  
P.B. 176, PG. 56

85,253 S.F.  
1.957 Ac.

**DESCRIPTION:**  
Description of the Belle Properties, LLC property recorded at Instrument No. 17023972 in Memphis, Shelby County, Tennessee:

Beginning at a found x-cut in the east line of Covington Pike (57' from centerline), said point being located 313.84 feet north of the tangent intersection of the east line of said Covington Pike and the north line of Ernestine Cove and being located in the north line of Phase 1, Pearce's Covington Pike Subdivision recorded in Plat Book 176, Page 56; thence in a northerly direction with the east line of said Covington Pike the following calls: north 03 degrees 23 minutes 46 seconds east, 78.73 feet to a point of curvature; along a curve to the right having a radius of 2450.00 feet, delta angle of 03 degrees 18 minutes 06 seconds, chord = north 05 degrees 02 minutes 48 seconds east - 141.16 feet, an arc length of 141.18 feet to a point of compound curvature; along a curve to the right having a radius of 1280.21 feet, delta angle of 02 degrees 14 minutes 47 seconds, chord = north 07 degrees 49 minutes 15 seconds east - 50.19 feet, an arc length of 50.19 feet to a found rebar in the westernmost south line of Parcel 3 of the Kwality Investments, LLC property recorded at Instrument No. 13139674; thence south 85 degrees 40 minutes 46 seconds east with the westernmost south line of Parcel 3 of said property recorded at Instrument No. 13139674 the following calls: south 03 degrees 23 minutes 46 seconds west, 69.83 feet to a found rebar; north 85 degrees 40 minutes 46 seconds west, 10.00 feet to a found rebar; south 03 degrees 23 minutes 46 seconds west, 200.17 feet to a set 1/2" rebar with plastic cap in the north line of said property recorded in Plat Book 176, Page 56; thence north 85 degrees 40 minutes 46 seconds west with the north line of said property recorded in Plat Book 176, Page 56, 315.00 feet to the Point of Beginning and containing 85,253 square feet or 1.957 acres of land.

**CERTIFICATION:**  
I hereby certify that this is a Category I Survey and that the ratio of precision of the unadjusted survey is 1:10,000 or greater.

MILESTONE LAND SURVEYING, INC.

By *Regis T. Storch, Jr.*  
Regis T. Storch, Jr., RLS  
Vice President  
Tennessee Certificate No. 2138

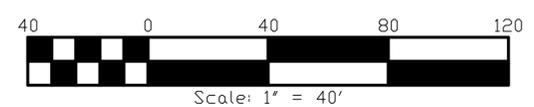


- LEGEND:**
- P. O. B. POINT OF BEGINNING
  - P. B. PLAT BOOK
  - PG. PAGE
  - INST. INSTRUMENT
  - No. NUMBER
  - Ac. ACRES
  - S. F. SQUARE FEET
  - CONC. CONCRETE
  - EOP EDGE OF PAVEMENT
  - OE OVERHEAD ELECTRIC
  - LP LIGHT POLE
  - PP POWER POLE



Milestone Land Surveying, Inc.  
2880 Cobb Road  
Lakeland, TN 38002  
Phone: (901) 867-8671  
Fax: (901) 867-9889  
milestones@bellsouth.net

**SURVEY OF THE  
BELLE PROPERTIES, LLC  
PROPERTY  
RECORDED AT  
INST. No. 17023972  
MEMPHIS,  
SHELBY COUNTY, TENNESSEE**



- NOTES:**
1. Survey prepared for Bart Thomas.
  2. Bearings are relative to NAD '83.
  3. This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property.
  4. All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
  5. This property is partially located in Special Flood Hazard Areas (Zone AE & Zone X Shaded) per Flood Insurance Rate Map, Map No. 47157C 0292 G, Community Panel No. 470177 0292 G, Effective Date: February 6, 2013.
  6. Structures visible on the date of this survey are shown hereon.
  7. All visible utility structures located on this property of which we have knowledge are shown hereon.
  8. There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
  9. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.

- NOTES CONTINUED:**
10. Subsurface and environmental conditions were not examined or considered as a part of this survey.
  11. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
  12. If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
  13. Survey is valid only if print has original seal of surveyor.
  14. Reference is hereby made to General Plan, Pearce's Covington Pike Subdivision recorded in Plat Book 172, Page 18 that affects the subject property, as shown hereon.
  15. Reference is hereby made to Final Plat, Pearce's Covington Pike Subdivision recorded in Plat Book 176, Page 56 that affects the subject property, as shown hereon.



**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 6/29/2023

0 0.02 0.04 0.06 0.08 mi

N



# 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.

22079219

07/18/2022 - 09:14:30 AM

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5 PGS

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BRANDON 2458750-22079219

---

VALUE	200000.00
MORTGAGE TAX	0.00
TRANSFER TAX	740.00
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	770.00

---

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

**WARRANTY DEED**

**THIS INDENTURE**, made and entered into this 7<sup>th</sup> day of July, ~~2020~~ 2022 by and between **BELLE PROPERTIES, LLC**, a Tennessee limited liability company, party of the first part, and **COVINGTON CROSSING, INC.**, a Tennessee Corporation, party(ies) of the second part,

WITNESSETH: That for and in consideration of \$10.00, cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in the County of Shelby, State of Tennessee and being more particularly described as follows:

See Exhibit A for Legal Description

Parcel No.: 088-072-00013C

Address: 0-                      Covington Pike, Memphis, Tennessee 38122

Being the same property conveyed to Belle Properties, LLC, a Tennessee limited liability company, by Quit Claim Deed of record in Instrument No. 17023972 in the Shelby County, Tennessee Register's Office.

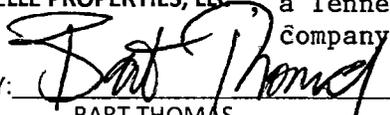
\*17022940 and re-recorded in Instrument No.

TO HAVE AND TO HOLD The aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second party, its heirs and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that it is lawfully seized in fee of the aforesaid real estate; that it has a good right to sell and convey the same; that the same is unencumbered except: any and all existing easements, subdivision restrictions, covenants, conditions, building lines, deed restrictions and all other matters shown in the public record, as recorded in the Register's Office of Shelby County, Tennessee and including Plat Book 118, Page 44; Plat Book 118, Page 45; Plat Book 172, Page 18; Plat Book 176, Page 56 and Plat Book 276, Page 35 and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

WITNESS the signatures of the said party of the first part the day and year first above written.

**BELLE PROPERTIES, LLC**, a Tennessee limited liability company

BY:   
BART THOMAS

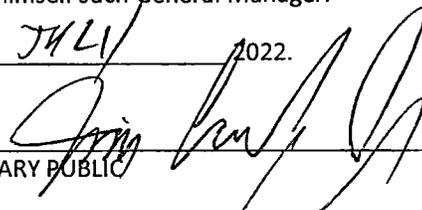
ITS: GENERAL MANAGER

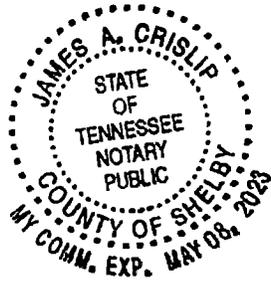
STATE OF: TENNESSEE )  
COUNTY OF: SHELBY)

Before me, a Notary Public, of the state and county aforesaid, personally appeared BART THOMAS, in his capacity as the duly appointed General Manager, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the General Manger of Belle Properties, LLC, the within named bargainor, and that he as such General Manager, being authorized so to do by the bargainor, executed the foregoing for the purpose

22-00325

therein contained, by signing the name of Belle Properties, LLC by himself such General Manager.

WITNESS my hand an Official Seal this 7 day of JULY 2022.  
  
NOTARY PUBLIC

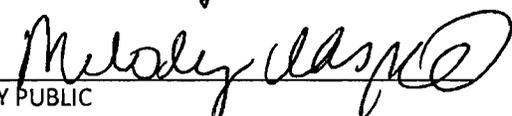


STATE OF TENNESSEE:  
COUNTY OF SHELBY:

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 \$200,000.00, which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

  
AFFIANT

Subscribed and sworn to before me this the 8 day of July 2022.

  
NOTARY PUBLIC



REGISTER'S USE ONLY

Property also known as:  
0. Covington Pike  
Memphis, TN 38122  
Vacant Land

NEW OWNER & Send tax notice to:  
Covington Crossing, Inc.  
3000 Walnut Grove, Suite 200  
Memphis, TN 38111

This instrument prepared by:  
James A. Crislip, Jr., Attorney  
Crislip, Philip & Royal  
5170 Sanderlin Ave., Ste. 201  
Memphis, TN 38117  
(901) 525-2427

**EXHIBIT "A"**

Page 1

Part of Pearce's Covington Pike C.P. General Plan as recorded in Plat Book 172, Page 18 in the Register's Office of Shelby County, and being more particularly described as follows:

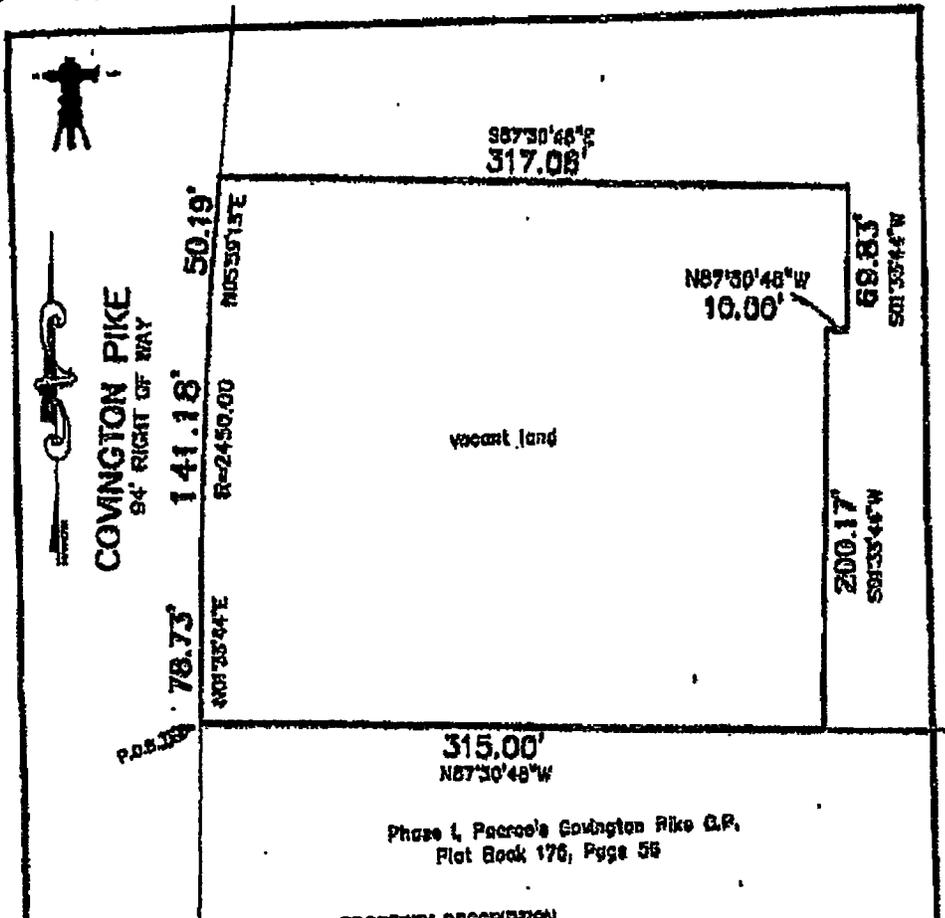
Beginning at a point in the east line of Covington Pike (94' wide), said point being the northwest corner of Phase I, Pearce's Covington Pike C.P. (Plat Book 176, Page 56); thence North 01 degrees 33 minutes 44 seconds East along said east line a distance of 78.73 feet to a point of curvature; thence along a curve to the right which radius is 2450.0 feet an arc distance of 141.18 feet; thence North 05 degrees 59 minutes 13 seconds East a distance of 50.19 feet; thence South 87 degrees 30 minutes 48 seconds East a distance of 317.06 feet; thence South 01 degrees 33 minutes 44 seconds West a distance of 69.83 feet; thence North 87 degrees 30 minutes 48 seconds West a distance of 10.00 feet; thence South 01 degrees 33 minutes 44 seconds West a distance of 200.17 feet; thence North 87 degrees 30 minutes 48 seconds West a distance of 315.00 feet to the point of beginning.

Tom Leatherwood, Shelby County Register of Deeds: Instr. # 09111256

JUL 16 2009 9:37AM

CAMPBELL SURVEYING

NO. 037 P. 1/2



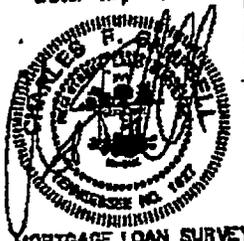
**PROPERTY DESCRIPTION**

Part of Pearce's Covington Pike C.P. General Plan as recorded in Plat Book 172, Page 18 in the Register's Office of Shelby County, and being more particularly described as follows:

Beginning at a point in the east line of Covington Pike (84' wide), said point being the northwest corner of Phase I, Pearce's Covington Pike C.P. (Plat Book 176, Page 55); thence North 01 degrees 33 minutes 44 seconds East along said east line a distance of 78.73 feet to a point of curvature; thence along a curve to the right which radius is 2450.0 feet an arc distance of 141.18 feet; thence North 05 degrees 59 minutes 13 seconds East a distance of 50.19 feet; thence South 87 degrees 30 minutes 44 seconds East a distance of 317.08 feet; thence South 01 degrees 33 minutes 44 seconds West a distance of 69.83 feet; thence North 87 degrees 30 minutes 48 seconds West a distance of 10.00 feet; thence South 01 degrees 33 minutes 44 seconds West a distance of 200.17 feet; thence North 87 degrees 30 minutes 48 seconds West a distance of 315.00 feet to the point of beginning.

Scale 1" = 80'  
 Date: July 16, 2009

This plot represents a nonmonumented mortgage loan survey done under the authority of TCA 522-18-126; and as such, this is not a general property survey as defined under Rule 0820-3-.07. This plot meets the requirements of Rule 0820-3-.6 as established by the Tennessee State Board of Examiners for Land Surveyors, Campbell Surveying Company, Inc. does not guarantee the completeness of the title information. Underground features are not located unless shown hereon. This property is subject to any governmental codes, ordinances, restrictions, regulations, etc. There are no visible encroachments or projections other than those shown and this plot is true and correct to the best of my knowledge and belief. © This survey is copyright protected. Any unauthorized use is strictly forbidden.



*Handwritten signature: JB*

**CAMPBELL SURVEYING CO., INC.**  
 1023 S. YATES • SUITE 101 • MEMPHIS, TN 38119 • (901) 683-9114  
 Prepared exclusively for: City Enterprises Chris Bailey

I, Joshua D. Asplund, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on July 7, 2022 (date of document).

Joshua D. Asplund  
Affiant's Signature

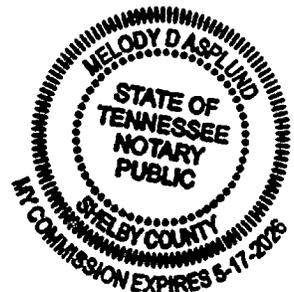
July 11, 2022  
Date

State of Tennessee  
County of Shelby

Sworn to and subscribed before me this 11 date of July, 2022.

Melody D Asplund  
Notary Public's Signature

My Commission Expires: \_\_\_\_\_



LEYVA FRANCISCO J AND MARIA L RAMIREZ  
1238 THEODORE ST #  
MEMPHIS TN 38122

BROO RAMZI  
1210 THEODORE ST #  
MEMPHIS TN 38122

PEARCE RICHARD  
596 WARING RD #  
MEMPHIS TN 38122

TIE PROPERTIES LLC  
PO BOX 1148 #  
CORDOVA TN 38088

SAUCEDO HERACLIO  
1202 THEODORE ST #  
MEMPHIS TN 38122

PEARCE RICHARD  
510 NORTH WALNUT BEND #  
CORDOVA TN 38018

PAYNE BRIAN  
PO BOX 1849  
OLIVE BRANCH MS 38654

SAUCEDO DEISY  
1198 THEODORE ST #  
MEMPHIS TN 38122

PACHECO SANTIAGO & FILOMENA  
1150 THEODORE ST #  
MEMPHIS TN 38122

BELLE PROPERTIES LLC  
PO BOX 772808 #  
MEMPHIS TN 38177

GOLDSTAR HOMES LLC  
3480 WINCHESTER RD #  
MEMPHIS TN 38118

KWALITY INVESTMENTS LLC  
8104 CAMBURY CV W  
GERMANTOWN TN 38138

NAB LLC  
3254 WINBROOK DR #  
MEMPHIS TN 38116

ARENAS ABEL AND JORGE ARENAS AND BLANCA  
1184 THEODORE ST #  
MEMPHIS TN 38122

KWALITY INVESTMENTS LLC  
8104 CAMBURY CV W  
GERMANTOWN TN 38138

KITCHIN PROPERTIES LLC  
1802 CHARRINGTON LN #  
COLLIERVILLE TN 38017

BUNCH MARIA S  
4919 OLD SUMMER RD #  
MEMPHIS TN 38122

MEMPHIS CITY OF ETAL  
125 N MAIN ST #  
MEMPHIS TN 38103

JRC INVESTMENTS LLC  
PO BOX 172144 #  
MEMPHIS TN 38187

SUAREZ SENAIDA  
1166 THEODORE ST #  
MEMPHIS TN 38122

KWALITY INVESTMENTS LLC  
8104 CAMBURY CV W #221  
GERMANTOWN TN 38138

MUNOZ JOSE J G AND KARINA L GUERRERO  
1226 THEODORE ST #  
MEMPHIS TN 38122

GRANADOS PEDRO  
4609 LAWRENCE RD #  
MEMPHIS TN 38122

COURTESY OUTDOOR FINANCE LLC  
3495 PIEDMONT RD NE #103  
ATLANTA GA 30305

CRESTCORE III LLC  
4435 SUMMER AVE #  
MEMPHIS TN 38122

PEREZ ISMAEL R  
1156 THEODORE ST #  
MEMPHIS TN 38122

COURTESY OUTDOOR FINANCE LLC  
3495 PIEDMONT RD NE #103  
ATLANTA GA 30305

DAVIS RENTALS LLC  
8801 CHAFFEE RD #  
ARLINGTON TN 38002

KWALITY INVESTMENTS LLC  
8104 CAMBURY CV W  
GERMANTOWN TN 38138

SCENIC OUTDOOR LLC  
3495 PIEDMONT RD #103  
ATLANTA GA 30356

COURTESY OUTDOOR FINANCE LLC  
3495 PIEDMONT RD #103  
ATLANTA GA 30305

053123 00053 - LEYVA FRANCISCO J AND MARIA L RAMIREZ  
053123 00052 - TIE PROPERTIES LLC  
053123 00042 - PAYNE BRIAN  
088072 00013C - BELLE PROPERTIES LLC  
053123 00058 - NAB LLC  
053123 00055 - KITCHIN PROPERTIES LLC  
053123 00054 - JRC INVESTMENTS LLC  
053123 00051 - MUNOZ JOSE J G AND KARINA L GUERRERO  
053123 00050 - CRESTCORE III LLC  
053123 00049 - DAVIS RENTALS LLC  
053123 00048 - BROO RAMZI  
053123 00047 - SAUCEDO HERACLIO  
053123 00046 - SAUCEDO DEISY  
053123 00045 - GOLDSTAR HOMES LLC  
053123 00044 - ARENAS ABEL AND JORGE ARENAS AND BLANCA  
053123 00043 - BUNCH MARIA S  
053123 00041 - SUAREZ SENaida  
053123 00040 - GRANADOS PEDRO  
053123 00039 - PEREZ ISMAEL R  
088072 00010 - KWALITY INVESTMENTS LLC  
088072 00015 - PEARCE RICHARD  
088072 00008 - PEARCE RICHARD  
053123 00038 - PACHECO SANTIAGO & FILOMENA  
088072 00012 - KWALITY INVESTMENTS LLC  
088072 00011 - KWALITY INVESTMENTS LLC

088072 00001 - MEMPHIS CITY OF ETAL

088072 00016 - KWALITY INVESTMENTS LLC

088037 00007 - COURTESY OUTDOOR FINANCE LLC

088037 00006 - COURTESY OUTDOOR FINANCE LLC

053123 00006 - SCENIC OUTDOOR LLC

053123 00059 - COURTESY OUTDOOR FINANCE LLC

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

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Memphis TN 38134

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5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

Covington Crossing Inc.  
3000 Walnut Grove Rd. Suite 200  
Memphis, TN 38111-3503

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3000 Walnut Grove Rd. Suite 200  
Memphis, TN 38111-3503

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3000 Walnut Grove Rd. Suite 200  
Memphis, TN 38111-3503

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

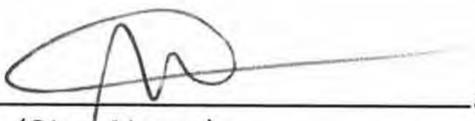
City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

**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, NASH HASSEN  
(Print Name)

  
(Sign Name)

state that I have read the definition of

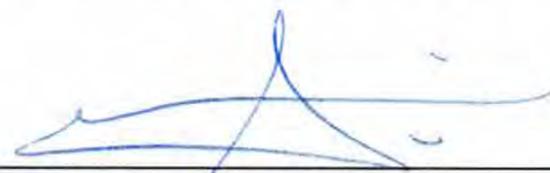
“Owner” as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

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 0 Covington Pike  
and further identified by Assessor’s Parcel Number 088072 00013C,  
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 June in the year of 2023.

  
Signature of Notary Public



**My Commission Expires  
January 19, 2025**  
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

August 24, 2023

SR Consulting, LLC  
5909 Shelby Oaks Dr  
Memphis, TN 38134

Sent via electronic mail to: [cindy.reaves@srce-memphis.com](mailto:cindy.reaves@srce-memphis.com) and [melanie.jones@srce-memphis.com](mailto:melanie.jones@srce-memphis.com)

Case Number: SUP 2023-016

LUCB Recommendation: Approval with conditions

Dear Applicant,

On Thursday, August 10, 2023, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow a commercial parking lot located north of 1184 Covington Pike and 314 feet north of Earnestine Cove, subject to the following conditions:

1. Development of the site will require the submittal and approval of a final plat that will include compliance with any of the applicable General Development Standards found in UDC Chapter 4.1 for New Construction/New Facilities.
2. Administrative Site Plan Review by the City Engineer shall be required.
3. TDEC requirements regarding development near/in the floodplain and wetlands must be met.

This application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

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

**Letter to Applicant**  
**SUP 2023-016**

Respectfully,  
*Kendra Cobbs*

Kendra Cobbs, AICP  
Planner III  
Land Use and Development Services  
Division of Planning and Development

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

**ONE ORIGINAL  
ONLY STAPLED  
TO DOCUMENTS**

**Planning & Development  
DIVISION**

**Planning & Zoning COMMITTEE: 7/11/2023**

**DATE**

**PUBLIC SESSION: 7/11/2023**

**DATE**

**ITEM (CHECK ONE)**

       ORDINANCE      X   RESOLUTION           REQUEST FOR PUBLIC HEARING

**ITEM DESCRIPTION:** Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 3337 Overton Crossing St., known as case PD 23-09

**CASE NUMBER:** PD 23-09

**LOCATION:** 3337 Overton Crossing St.

**COUNCIL DISTRICTS:** District 7 and Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Cash America Central, Inc.

**REPRESENTATIVE:** SR Consulting

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

**REQUEST:** New planned development and outline plan conditions to allow the expansion of an existing pawn shop at 3337 Overton Crossing St.

**AREA:** +/-0.543 acres

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

**RECOMMENDED COUNCIL ACTION:** **Public Hearing Not Required**  
Hearing – July 11, 2023

**PRIOR ACTION ON ITEM:**

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

**FUNDING:**

<u>(2)</u>	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
<u>\$</u>	AMOUNT OF EXPENDITURE
<u>\$</u>	REVENUE TO BE RECEIVED

**SOURCE AND AMOUNT OF FUNDS**

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

**ADMINISTRATIVE APPROVAL:**

<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>	PLANNER III
<u>      </u>	<u>      </u>	DEPUTY ADMINISTRATOR
<u>      </u>	<u>      </u>	ADMINISTRATOR
<u>      </u>	<u>      </u>	DIRECTOR (JOINT APPROVAL)
<u>      </u>	<u>      </u>	COMPTROLLER
<u>      </u>	<u>      </u>	FINANCE DIRECTOR
<u>      </u>	<u>      </u>	CITY ATTORNEY

              **CHIEF ADMINISTRATIVE OFFICER**

              **COMMITTEE CHAIRMAN**



## Memphis City Council Summary Sheet

### PD 23-09

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 3337 OVERTON CROSSING STREET, KNOWN AS CASE PD 23-09

- This item is a resolution with conditions to allow a new planned development and outline plan conditions to allow the expansion of an existing pawn shop at 3337 Overton Crossing Street; and
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.

## **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:** PD 23-09

**LOCATION:** 3337 Overton Crossing St.

**COUNCIL DISTRICTS:** District 7 and Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Cash America Central, Inc.

**REPRESENTATIVE:** SR Consulting

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

**REQUEST:** New planned development and outline plan conditions to allow the expansion of an existing pawn shop at 3337 Overton Crossing St.

**AREA:** +/-0.543 acres

**The following spoke in support of the application:** Cindy Reaves

**The following spoke in opposition the application:** Anthony Anderson

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 4-2 with one member abstaining on the regular agenda.**

Respectfully,



Seth Thomas  
Planner III  
Land Use and Development Services  
Division of Planning and Development

Cc: Committee Members  
File

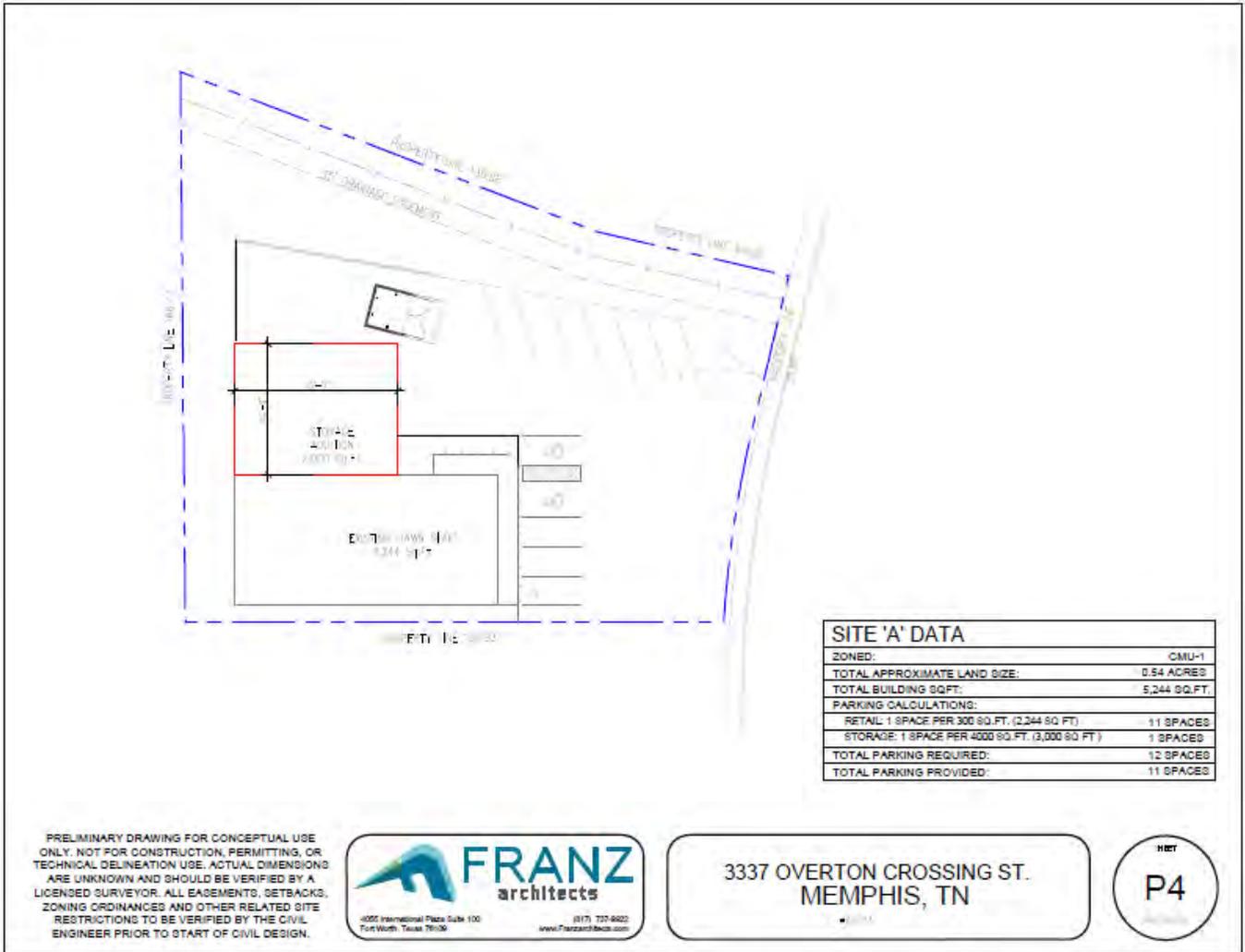
**PD 23-09  
CONDITIONS**

Outline Plan Conditions

- I. Uses Permitted:
  - A. Any use permitted in the CMU-1 District including a Pawn Shop. No Payday loans, Title loan or Flexible loans permitted. The hours of operation will be 10 AM to 6 PM Monday through Friday and 10 AM to 5 PM Saturday. The business is not open on Sundays.
  - B. No sale of guns or ammunition permitted.
- II. Bulk Regulations: The bulk regulations of the CMU-1 District shall apply.
- III. Access, Parking and Circulation:
  - A. The design and location of curb cuts shall be subject to review and approval by the City Engineer.
  - B. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
  - C. 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.
- IV. Landscaping, Screening & Lighting:
  - A. All refuse containers shall be completely screened from view from all adjacent properties and public roads.
  - B. All outdoor lighting shall be directed downward to the extent possible and shall not glare into public rights-of-way or onto adjacent properties.
  - C. All required landscaping and screening shall not conflict with any easements and shall not be placed on any sewer or drainage easements.
  - D. A Landscape plan shall be recorded with the final plat.
- V. Signs:
  - A. Attached and detached signs shall be permitted in accordance with CMU-1 District regulations.

- VI. The Land Use Control Board may modify the bulk, access, parking, landscaping and sign requirements if equivalent alternatives are presented.
- VII. A final plan for recording shall be filed within five (5) years of approval by the Memphis City Council. The Land Use Control Board may grant extensions at the request of the applicant.
- VIII. Any final plan shall include the following:
  - A. The Outline Plan Conditions.
  - B. A Standard Subdivision Contract, if necessary, as required in Section 5.5 of Unified Development Code for any needed public improvements.
  - C. The exact location and dimensions, including height of all buildings or buildable areas, parking areas, and drives.
  - D. The number of employee parking, loading and docking spaces.
  - E. The location and ownership, whether public or private of any easement(s).
  - F. The one-hundred (100) year flood elevation.
  - G. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plan.
  - H. Landscape Plan and elevations shall be recorded with the final plat.

# CONCEPT PLAN



SITE 'A' DATA	
ZONED:	CMU-1
TOTAL APPROXIMATE LAND SIZE:	0.54 ACRES
TOTAL BUILDING SQFT:	5,244 SQ.FT.
PARKING CALCULATIONS:	
RETAIL: 1 SPACE PER 300 SQ. FT. (2,244 SQ. FT.)	11 SPACES
STORAGE: 1 SPACE PER 4000 SQ. FT. (2,000 SQ. FT.)	1 SPACES
TOTAL PARKING REQUIRED:	12 SPACES
TOTAL PARKING PROVIDED:	11 SPACES

PRELIMINARY DRAWING FOR CONCEPTUAL USE ONLY. NOT FOR CONSTRUCTION, PERMITTING, OR TECHNICAL DELINEATION USE. ACTUAL DIMENSIONS ARE UNKNOWN AND SHOULD BE VERIFIED BY A LICENSED SURVEYOR. ALL EASEMENTS, SETBACKS, ZONING ORDINANCES AND OTHER RELATED SITE RESTRICTIONS TO BE VERIFIED BY THE CIVIL ENGINEER PRIOR TO START OF CIVIL DESIGN.



3337 OVERTON CROSSING ST.  
MEMPHIS, TN



**RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 3337 OVERTON CROSSING STREET, KNOWN AS CASE NUMBER PD 23-09**

---

**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 planned development for certain stated purposes in the various zoning districts; and

**WHEREAS**, the Cash America Central Inc. filed an application with the Memphis and Shelby County Division of Planning and Development to allow a new planned development and outline plan conditions to allow the expansion of an existing pawn shop and

**WHEREAS**, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives and standards for planned developments 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 subject to outline plan conditions concerning the above considerations 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 has submitted its findings and recommendation subject to outline plan conditions 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 planned development is hereby granted in accordance with the attached outline plan conditions.

**BE IT FURTHER RESOLVED**, that the requirements of said aforementioned clause of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.

***ATTEST:***

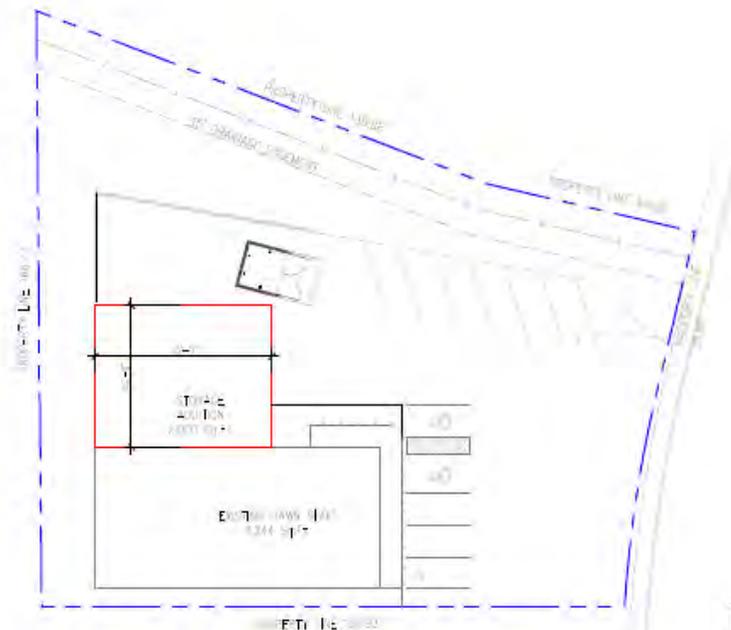
**CC: Division of Planning and Development  
– Land Use and Development Services  
– Office of Construction Enforcement**

## Outline Plan Conditions

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  - B. No sale of guns or ammunition permitted.
- II. Bulk Regulations: The bulk regulations of the CMU-1 District shall apply.
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TOTAL PARKING PROVIDED:	11 SPACES

PRELIMINARY DRAWING FOR CONCEPTUAL USE ONLY. NOT FOR CONSTRUCTION, PERMITTING, OR TECHNICAL DELINEATION USE. ACTUAL DIMENSIONS ARE UNKNOWN AND SHOULD BE VERIFIED BY A LICENSED SURVEYOR. ALL EASEMENTS, SETBACKS, ZONING ORDINANCES AND OTHER RELATED SITE RESTRICTIONS TO BE VERIFIED BY THE CIVIL ENGINEER PRIOR TO START OF CIVIL DESIGN.



3337 OVERTON CROSSING ST.  
MEMPHIS, TN



AGENDA ITEM: 9

**CASE NUMBER:** PD 2023-09 **L.U.C.B. MEETING:** June 8, 2023

**DEVELOPMENT:** Cash America Planned Development

**LOCATION:** 3337 Overton Crossing

**COUNCIL DISTRICT:** District 7 and Super District 8 – Positions 1, 2, and 3

**OWNER/APPLICANT:** Cash America Central, Inc.

**REPRESENTATIVE:** SR Consulting

**REQUEST:** New planned development and outline plan conditions to allow the expansion of an existing pawn shop

**AREA:** +/-0.543 acres

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

## CONCLUSIONS

1. The applicant is requesting a new planned development to allow for the expansion of a legal nonconforming pawn shop.
2. The applicant intends to convert the site into a new prototype building. The proposed outline plan condition will remove the buildings legal nonconforming status and bring other aspects of the site into conformity with the Unified Development Code.
3. In staff's opinion, the proposed development will unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

## 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 pages 19-21 of this report.

## RECOMMENDATION

*Rejection*

**GENERAL INFORMATION**

**Street Frontage:** Overton Crossing Street +/-103.2 curvilinear feet  
**Zoning Atlas Page:** 1735  
**Parcel ID:** 072011 00048  
**Existing Zoning:** Commercial Mixed Use – 1 (CMU-1)

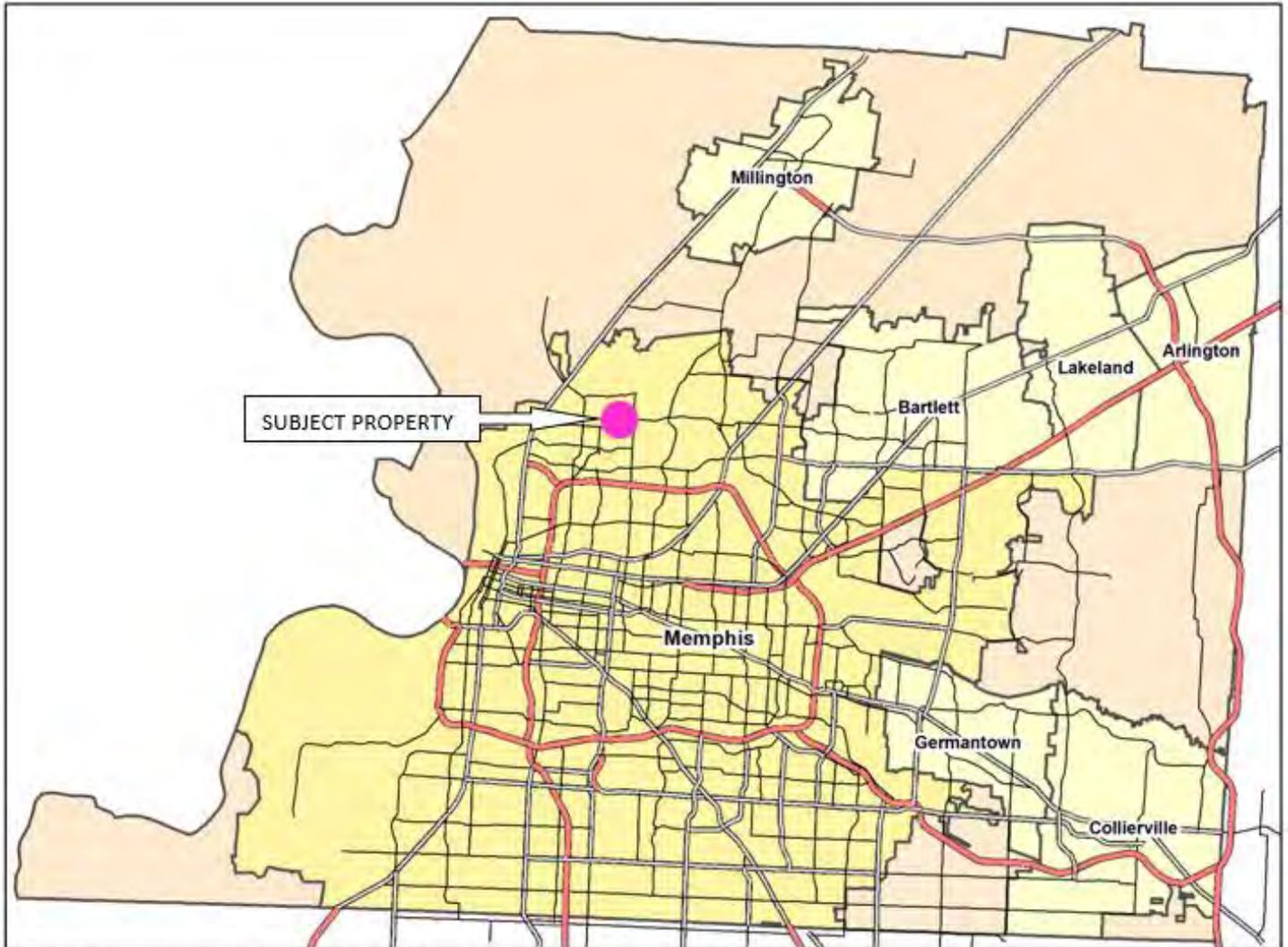
**NEIGHBORHOOD MEETING**

The meeting was held at 5:30 PM on Wednesday, June 25, 2023, at 3337 Overton Crossing.

**PUBLIC NOTICE**

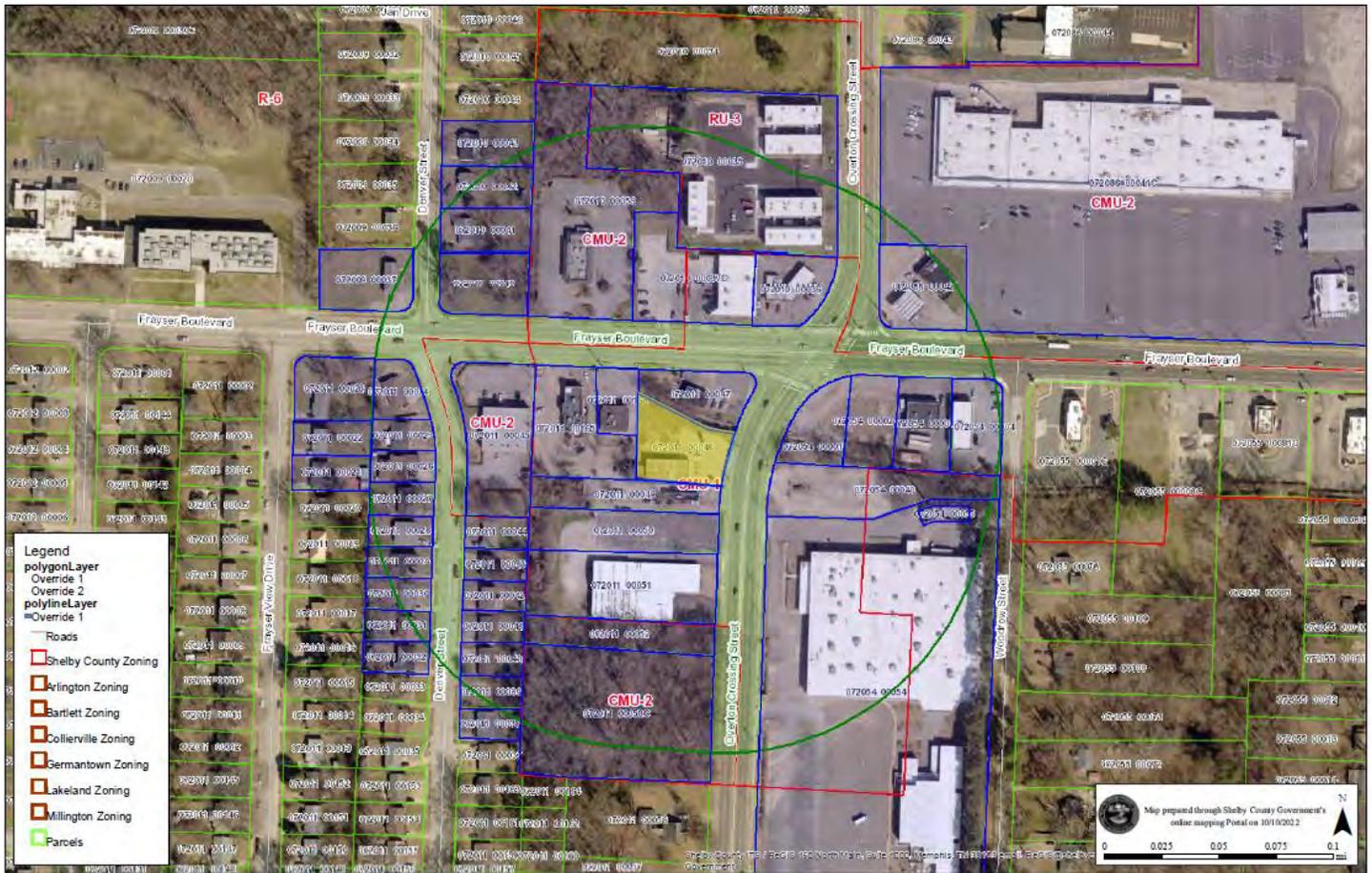
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 50 notices were mailed on May 22, 2023, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

**LOCATION MAP**



Subject property located within the pink circle, Frayser neighborhood

VICINITY MAP



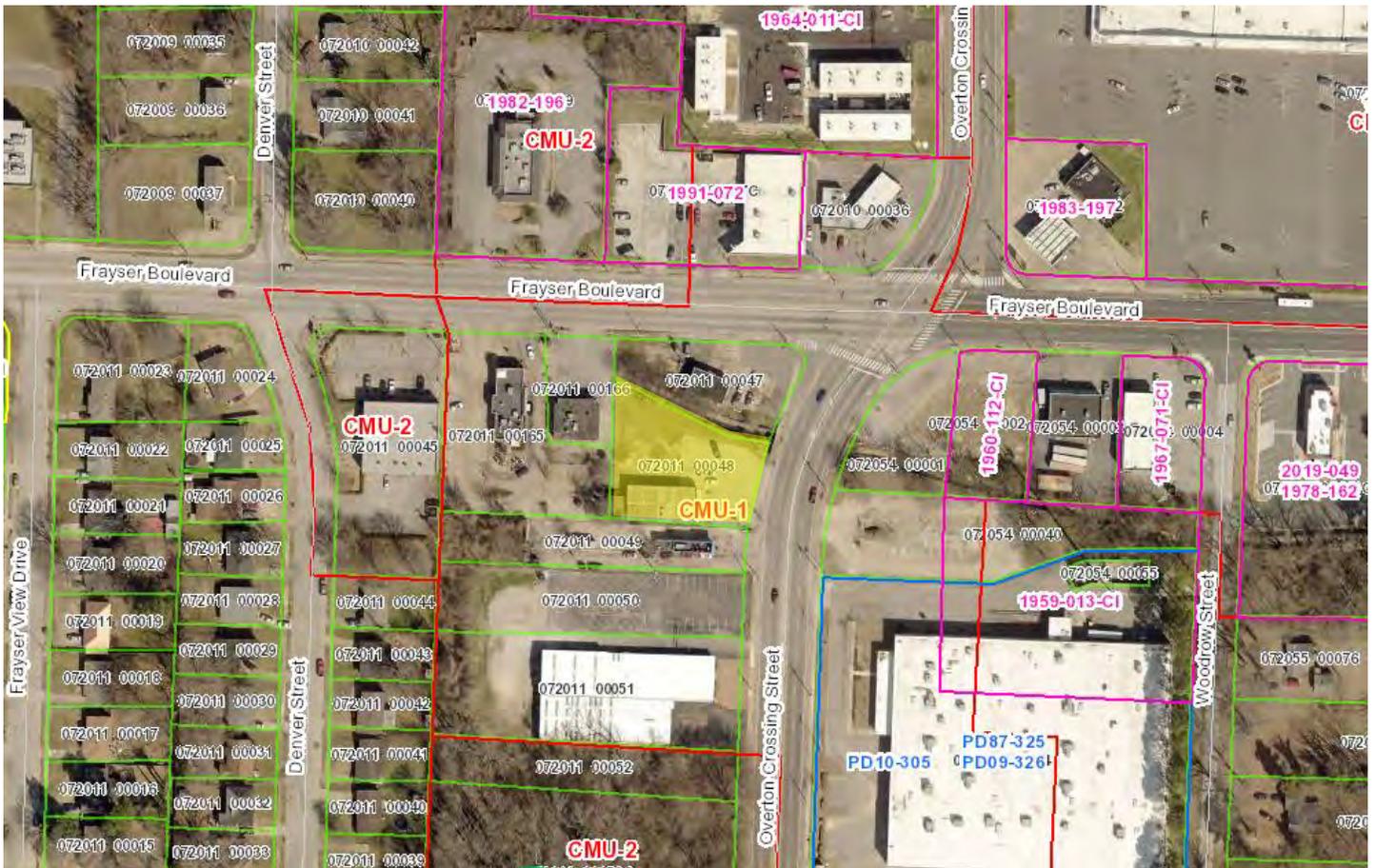
Subject property highlighted in yellow

**AERIAL**



Subject property outlined in yellow

**ZONING MAP**



Subject property highlighted in yellow

**Existing Zoning:** Commercial Mixed Use – 1 (CMU-1)

**Surrounding Zoning**

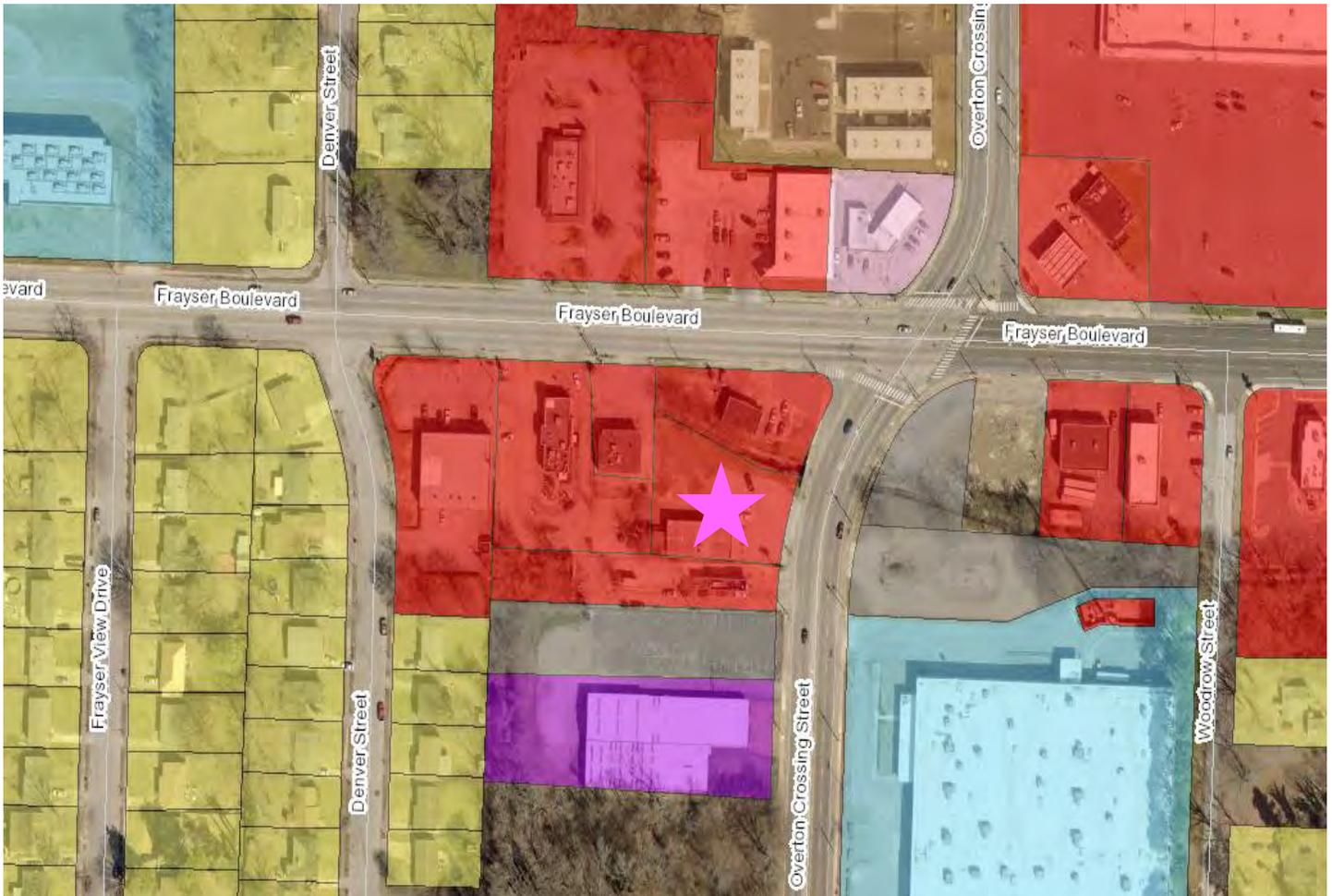
**North:** CMU-1, CMU-2, Office General, BOA 91-072, BOA 82-196

**East:** CMU-1, PD 10-305, BOA 60-112, BOA 58-013

**South:** CMU-1 and CMU-2

**West:** CMU-2 and R-6

**LAND USE MAP**

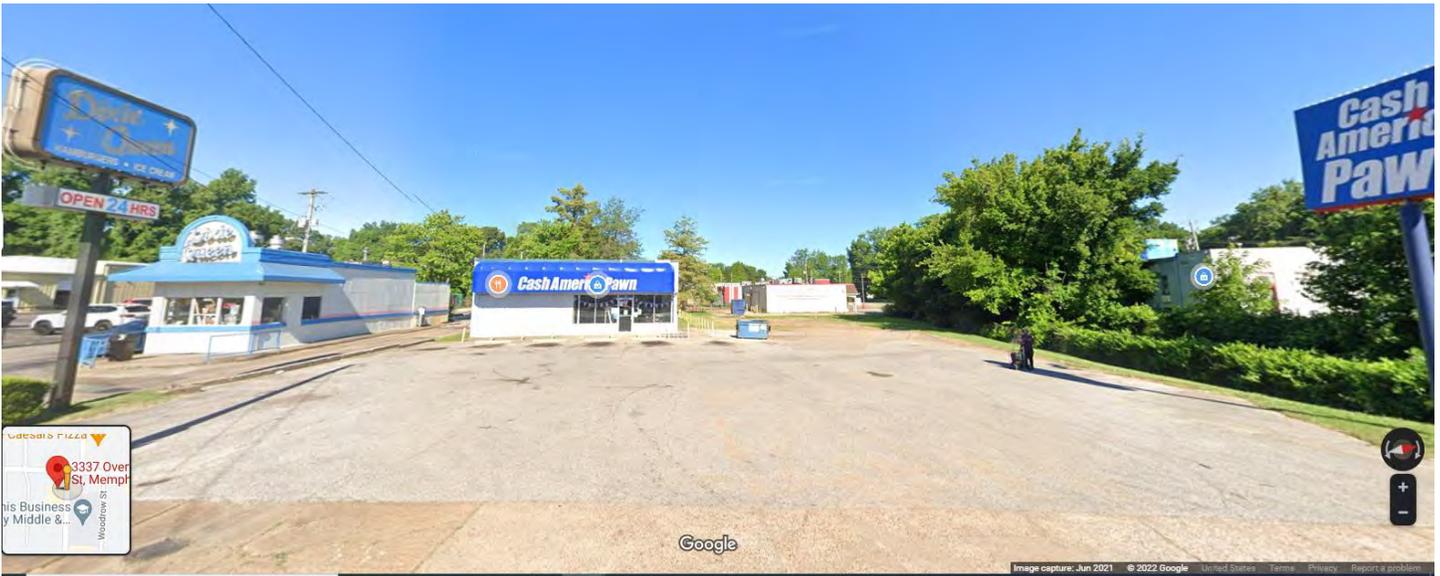


**LandUse**

- |   |  |
|---|--|
|  SINGLE-FAMILY             |  OFFICE     |
|  MULTI-FAMILY              |  INDUSTRIAL |
|  INSTITUTIONAL             |  PARKING    |
|  COMMERCIAL                |  VACANT     |
|  RECREATIONAL / OPEN SPACE |  |

Subject property indicated by a pink star

**SITE PHOTOS**



View of subject property from Overton Crossing Street looking west.



View of subject property from Overton Crossing Street looking southwest.



View of proposed expansion area from Overton Crossing Street looking west.



**CONCEPT PLAN**



① PROPOSED ELEVATION



② EXISTING ELEVATION

EXTERIOR FINISH SCHEDULE			
ITEM	LOCATION	MANUFACTURER	FINISH
SP. 001	CONCRETE CURB	Y	CONCRETE
SP. 002	CONCRETE DRIVE	Y	CONCRETE
SP. 003	CONCRETE SIDEWALK	Y	CONCRETE
SP. 004	CONCRETE DRIVE	Y	CONCRETE
SP. 005	CONCRETE DRIVE	Y	CONCRETE
SP. 006	CONCRETE DRIVE	Y	CONCRETE
SP. 007	CONCRETE DRIVE	Y	CONCRETE
SP. 008	CONCRETE DRIVE	Y	CONCRETE
SP. 009	CONCRETE DRIVE	Y	CONCRETE
SP. 010	CONCRETE DRIVE	Y	CONCRETE
SP. 011	CONCRETE DRIVE	Y	CONCRETE
SP. 012	CONCRETE DRIVE	Y	CONCRETE
SP. 013	CONCRETE DRIVE	Y	CONCRETE
SP. 014	CONCRETE DRIVE	Y	CONCRETE
SP. 015	CONCRETE DRIVE	Y	CONCRETE
SP. 016	CONCRETE DRIVE	Y	CONCRETE
SP. 017	CONCRETE DRIVE	Y	CONCRETE
SP. 018	CONCRETE DRIVE	Y	CONCRETE
SP. 019	CONCRETE DRIVE	Y	CONCRETE
SP. 020	CONCRETE DRIVE	Y	CONCRETE

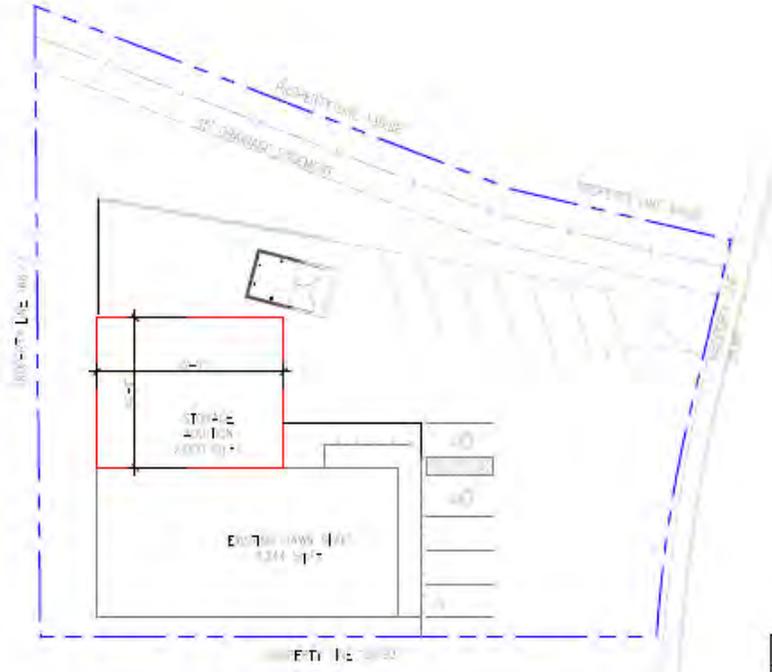


1 PROPOSED ELEVATION



2 EXISTING ELEVATION

**SITE PLAN**



SITE 'A' DATA	
ZONED:	CMU-1
TOTAL APPROXIMATE LAND SIZE:	0.54 ACRES
TOTAL BUILDING SQFT:	5,244 SQ.FT.
PARKING CALCULATIONS:	
RETAIL: 1 SPACE PER 300 SQ.FT. (2,244 SQ.FT.)	11 SPACES
STORAGE: 1 SPACE PER 4000 SQ.FT. (3,000 SQ.FT.)	1 SPACES
TOTAL PARKING REQUIRED:	12 SPACES
TOTAL PARKING PROVIDED:	11 SPACES

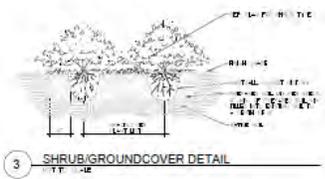
PRELIMINARY DRAWING FOR CONCEPTUAL USE ONLY. NOT FOR CONSTRUCTION, PERMITTING, OR TECHNICAL DELINEATION USE. ACTUAL DIMENSIONS ARE UNKNOWN AND SHOULD BE VERIFIED BY A LICENSED SURVEYOR. ALL EASEMENTS, SETBACKS, ZONING ORDINANCES AND OTHER RELATED SITE RESTRICTIONS TO BE VERIFIED BY THE CIVIL ENGINEER PRIOR TO START OF CIVIL DESIGN.



3337 OVERTON CROSSING ST.  
 MEMPHIS, TN

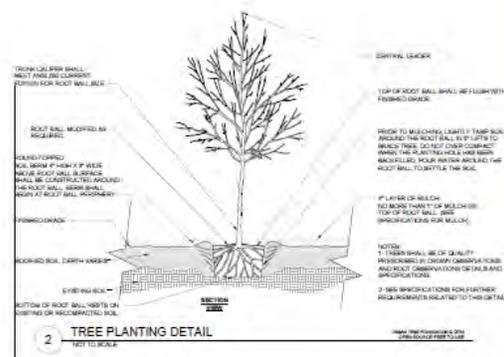


LANDSCAPE PLAN



**MAINTENANCE NOTE**  
 THE CONTRACTOR SHALL MAINTAIN THE SHRUBS AND GROUND COVER THROUGHOUT THE CONSTRUCTION PERIOD. THE CONTRACTOR SHALL PROTECT THE SHRUBS AND GROUND COVER FROM DAMAGE BY CONSTRUCTION EQUIPMENT AND MATERIALS. THE CONTRACTOR SHALL WATER THE SHRUBS AND GROUND COVER REGULARLY TO KEEP THEM HEALTHY AND VIGILANT. THE CONTRACTOR SHALL REMOVE ANY DEAD OR DAMAGED SHRUBS AND GROUND COVER IMMEDIATELY AND REPLACE THEM WITH NEW PLANTS OF THE SAME SPECIES AND SIZE. THE CONTRACTOR SHALL MAINTAIN THE SHRUBS AND GROUND COVER IN THE SAME CONDITION AS WHEN THEY WERE DELIVERED TO THE SITE.

**PLANTING SPECIFICATIONS**  
 THE CONTRACTOR SHALL PLANT THE SHRUBS AND GROUND COVER IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:  
 1. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN THE SPACES INDICATED ON THE LANDSCAPE PLAN.  
 2. THE SHRUBS AND GROUND COVER SHALL BE PLANTED AT THE SAME DEPTH AS THEY WERE DELIVERED TO THE SITE.  
 3. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SHADY AREA.  
 4. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A WELL-DRAINING SOIL.  
 5. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS RICH IN ORGANIC MATTER.  
 6. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF PESTICIDES AND HERBICIDES.  
 7. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ROCKS AND DEBRIS.  
 8. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF STUMP REMAINS.  
 9. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF OTHER PLANTS.  
 10. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER OBSTRUCTIONS.  
 11. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER PLANTS.  
 12. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER OBSTRUCTIONS.  
 13. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER PLANTS.  
 14. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER OBSTRUCTIONS.  
 15. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER PLANTS.  
 16. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER OBSTRUCTIONS.  
 17. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER PLANTS.  
 18. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER OBSTRUCTIONS.  
 19. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER PLANTS.  
 20. THE SHRUBS AND GROUND COVER SHALL BE PLANTED IN A SOIL THAT IS FREE OF ANY OTHER OBSTRUCTIONS.



ITEM	DESCRIPTION	QUANTITY	UNIT
1	SHRUBS	10	EA
2	GROUND COVER	100	SQ YD
3	TREES	5	EA
4	SOIL	100	CY
5	GROUND COVER	100	SQ YD
6	TREES	5	EA
7	SOIL	100	CY
8	GROUND COVER	100	SQ YD
9	TREES	5	EA
10	SOIL	100	CY
11	GROUND COVER	100	SQ YD
12	TREES	5	EA
13	SOIL	100	CY
14	GROUND COVER	100	SQ YD
15	TREES	5	EA
16	SOIL	100	CY
17	GROUND COVER	100	SQ YD
18	TREES	5	EA
19	SOIL	100	CY
20	GROUND COVER	100	SQ YD



## STAFF ANALYSIS

### Request

The application, planned development general provisions, and letter of intent have been added to this report.

The request is a new planned development and outline plan conditions to allow the expansion of an existing pawn shop

### Applicability

Staff disagrees the applicability standards and criteria as set out in Section 4.10.2 of the Unified Development Code are or will be met.

#### *4.10.2 Applicability*

*The governing bodies may, upon proper application, grant a special use permit for a planned development (see Chapter 9.6) for a tract of any size within the City or for tracts of at least three acres in unincorporated Shelby County to facilitate the use of flexible techniques of land development and site design, by providing relief from district requirements designed for conventional developments, and may establish standards and procedures for planned developments in order to obtain one or more of the following objectives:*

- A. Environmental design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property.*
- B. Diversification in the uses permitted and variation in the relationship of uses, structures, open space and height of structures in developments intended as cohesive, unified projects.*
- C. Functional and beneficial uses of open space areas.*
- D. Preservation of natural features of a development site.*
- E. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.*
- F. Rational and economic development in relation to public services.*
- G. Efficient and effective traffic circulation, both within and adjacent to the development site, that supports or enhances the approved transportation network.*
- H. Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.*
- I. Revitalization of established commercial centers of integrated design in order to encourage the rehabilitation of such centers in order to meet current market preferences.*
- J. Provision in attractive and appropriate locations for business and manufacturing uses in well-designed buildings and provision of opportunities for employment closer to residence with a reduction in travel time from home to work.*
- K. Consistency with the Memphis 3.0 General Plan.*

### General Provisions

Staff disagrees the general provisions standards and criteria as set out in Section 4.10.3 of the Unified Development Code are or will be met.

#### *4.10.3 General Provisions*

*The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations of the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions*

contained in this Chapter.

- A. *The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.*
- B. *An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.*
- C. *The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.*
- D. *Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.*
- E. *Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.*
- F. *Lots of record are created with the recording of a planned development final plan.*

### **Commercial or Industrial Criteria**

Staff disagrees the additional planned commercial or industrial development criteria as set out in Section 4.10.5 of the Unified Development Code are or will be met.

#### *4.10.5 Planned Commercial or Industrial Developments*

*Approval of a planned commercial or industrial development may be issued by the governing bodies for buildings or premises to be used for the retail sale of merchandise and services, parking areas, office buildings, hotels and motels and similar facilities ordinarily accepted as commercial center uses and those industrial uses which can be reasonably be expected to function in a compatible manner with the other permitted uses in the area. In addition to the applicable standards and criteria set forth in Section 4.10.3, planned commercial or industrial developments shall comply with the following standards:*

- A. *Screening*  
*When commercial or industrial structures or uses in a planned commercial or industrial development abut a residential district or permitted residential buildings in the same development, screening may be required by the governing bodies.*
- B. *Display of Merchandise*  
*All business, manufacturing and processing shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way, provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.*
- C. *Accessibility*  
*The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development.*
- D. *Landscaping*  
*Landscaping shall be required to provide screening of objectionable views of uses and the reduction*

*of noise. High-rise buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining low-rise buildings.*

### **Approval Criteria**

Staff disagrees the approval criteria as set out in Section 9.6.9 of the Unified Development Code are being 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:*

- 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.*
- 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.*
- C. 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.*
- D. 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.*
- E. The project complies with all additional standards imposed on it by any particular provisions authorizing such use.*
- F. 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.*
- G. 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.*
- H. 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 located at 3337 Overton Crossing, zoning Commercial Mixed Use - 1 (CMU-1), in the Frayser Neighborhood. The site is +/-0.543 acres with an existing 3,280 square foot commercial structure. The property has an existing drainage easement that runs along the north property line.

**Conclusions**

The applicant is requesting a new planned development to allow for the expansion of a legal nonconforming pawn shop.

The applicant intends to convert the site into a new prototype building. The proposed outline plan condition will removing the buildings legal nonconforming status and bring other aspects of the site into conformity with the Unified Development Code.

In staff's opinion, the proposed development will unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

**RECOMMENDATION**

Staff recommends rejection; however, if approved, staff recommends the following outline plan conditions:

**Outline Plan Conditions**

- I. Uses Permitted:
  - A. Any use permitted in the CMU-1 District including a Pawn Shop. No Payday loans, Title loan or Flexible loans permitted. The hours of operation will be 10 AM to 6 PM Monday through Friday and 10 AM to 5 PM Saturday. The business is not open on Sundays.
  - B. No sale of guns or ammunition permitted.
- II. Bulk Regulations: The bulk regulations of the CMU-1 District shall apply.
- III. Access, Parking and Circulation:
  - A. The design and location of curb cuts shall be subject to review and approval by the City Engineer.
  - B. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
  - C. 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.
- IV. Landscaping, Screening & Lighting:
  - A. All refuse containers shall be completely screened from view from all adjacent properties and public roads.
  - B. All outdoor lighting shall be directed downward to the extent possible and

shall not glare into public rights-of-way or onto adjacent properties.

- C. All required landscaping and screening shall not conflict with any easements and shall not be placed on any sewer or drainage easements.
  - D. A Landscape plan shall be recorded with the final plat.
- V. Signs:
- A. Attached and detached signs shall be permitted in accordance with CMU-1 District regulations.
- VI. The Land Use Control Board may modify the bulk, access, parking, landscaping and sign requirements if equivalent alternatives are presented.
- VII. A final plan for recording shall be filed within five (5) years of approval by the Memphis City Council. The Land Use Control Board may grant extensions at the request of the applicant.
- VIII. Any final plan shall include the following:
- A. The Outline Plan Conditions.
  - B. A Standard Subdivision Contract, if necessary, as required in Section 5.5 of Unified Development Code for any needed public improvements.
  - C. The exact location and dimensions, including height of all buildings or buildable areas, parking areas, and drives.
  - D. The number of employee parking, loading and docking spaces.
  - E. The location and ownership, whether public or private of any easement(s).
  - F. The one-hundred (100) year flood elevation.
  - G. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plan.
  - H. Landscape Plan and elevations shall be recorded with the final plat.

## **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.
3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.
4. An overall sewer plan for the entire site shall be submitted to the City Engineer prior to approval of the first final plat.

### **Roads:**

5. 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.
6. 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:**

7. 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.
8. 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.
9. 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:**

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

**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.

**General Notes:**

15. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
16. All connections to the sewer shall be at manholes only.
17. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.
18. Required landscaping shall not be placed on sewer or drainage easements.

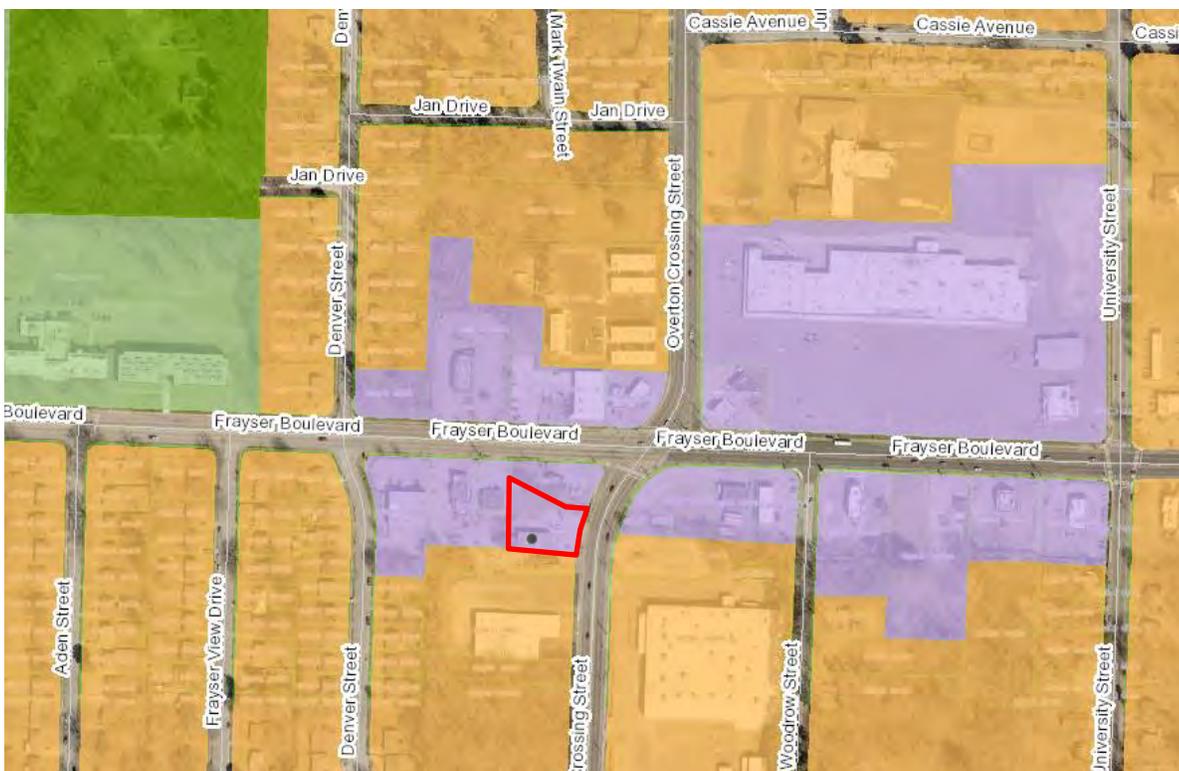
**City/County Fire Division:** No comments received.

**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:** No comments received.
- Office of Comprehensive Planning:**

**1. Future Land Use Planning Map**



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

**2. Land Use Description/Intent**

Anchor Neighborhood Main Street (A-NMS) are walkable, mixed-use centers comprised of house-scale buildings, some of which may be attached, lining two facing blocks, sometimes extending for several adjacent blocks. Graphic portrayal of A-NMS is to the right.



**“A-NMS” Form & Location Characteristics**

ACCELERATE - Detached and attached single family, duplexes, triplexes, quadplexes, large homes and apartments, including those with active ground floor commercial uses (including live/work) along sidewalk, as

well as commercial and institutional uses. Height: 1-5 stories. Scales: house-scale and block-scale.

### “A-NMS” Zoning Notes

Generally compatible with the following zone districts: MU, NC, CMU-1, CMU-2 with frontage requirements (MO District) in accordance with Form and characteristics listed above.

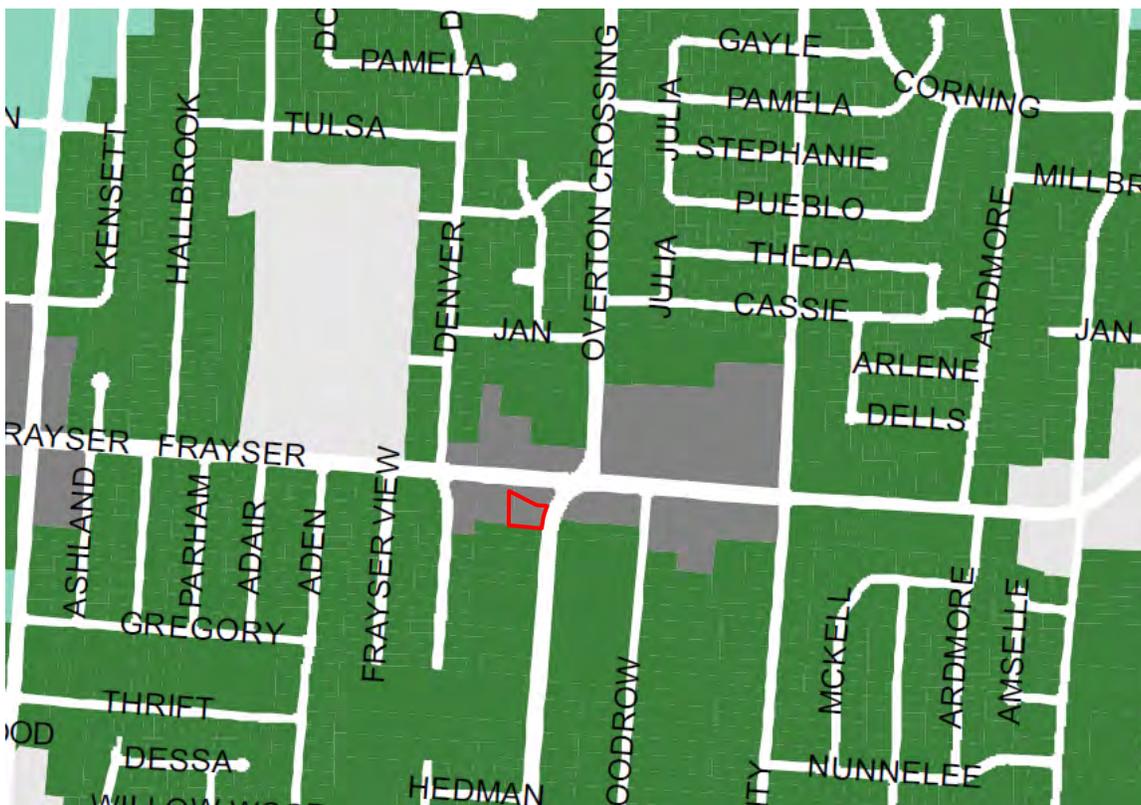
### Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, CMU-1

Adjacent Land Use and Zoning: Commercial, Industrial, Institutional and Single-Family, CMU-1, CMU-2 and R-6

**Overall Compatibility:** *This requested use is compatible with the land use description/intent, form & location characteristics, and existing, adjacent land use and zoning. However, it is not compatible with the zoning notes as a pawn shop is not allowed in the CMU-1.*

### 3. Degree of Change Map



Red polygon denotes the proposed site in Degree of Change area. The Degree of Change is Accelerate.

### 4. Degree of Change Description

Accelerate areas rely on a mix of primarily private and philanthropic resources along with some public resources to intensify the existing pattern of a place.

*The proposed application is a private investment. However the proposed development does not promote pedestrian-oriented infill development or attract retail and service uses that cater to large-scale markets.*

## 5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities

N/A

## 6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations

The parcel is located in the Frayser Planning District and the requested use is not consistent with Frayser Planning District Priority – *Improve the quality of commercial, retail, and restaurant options. Additionally, the proposed use does not align with the vision and desired actions for the Frayser Plaza anchor, which focuses on pedestrian friendly commercial development.*

### Consistency Analysis Summary

*The applicant is seeking a variance to allow expansion and renovation to the existing pawnshop building and site within the CMU-1 zoning district. This analysis will address the consistency of the expansion of the existing building.*

*This requested use is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning.*

*The proposed application is a private investment. However the proposed development does not promote pedestrian-oriented infill development or attract retail and service uses that cater to large-scale markets.*

*The parcel is located in the Frayser Planning District and the requested use is not consistent with Frayser Planning District Priority – *Improve the quality of commercial, retail, and restaurant options.**

*Additionally, the proposed use does not align with the vision and desired actions for the Frayser Plaza anchor, which focuses on pedestrian friendly commercial development.*

*Overall the proposed development is not consistent with the future land use in many aspects.*

**Based on the information provided, the proposal is NOT CONSISTENT with the Memphis 3.0 Comprehensive Plan.**

Summary Compiled by: Romana Haque Suravi, Comprehensive Planning.

**APPLICATION**



### Record Summary for Planned Development

**Record Detail Information**

Record Type: Planned Development

Record Status: Assignment

Opened Date: April 26, 2023

Record Number: PD 2023-009

Expiration Date:

Record Name: First Cash 3337 Overton Crossing

Description of Work: Use variance to allow expansion of the existing pawn shop.

Parent Record Number: BOA 2023-0011

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**Address:**

3337 OVERTON CROSSING ST, MEMPHIS 38127

**Owner Information**

Primary Owner Name

Y CASH AMERICA CENTRAL INC

Owner Address:

1800 W 7TH ST, FORT WORTH, TX 76102

Owner Phone

---

**Parcel Information**

072011 00048

---

**Data Fields**

**PREAPPLICATION MEETING**

Name of DPD Planner

Seth Thomas

Date of Meeting

-

Pre-application Meeting Type

-

**GENERAL PROJECT INFORMATION**

Planned Development Type

New Planned Development (PD)

**GENERAL PROJECT INFORMATION**

Previous Docket / Case Number	-
Medical Overlay / Uptown	No
If this development is located in unincorporated Shelby County, is the tract at least three acres? (Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County)	0.543 ACRES
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	-

**APPROVAL CRITERIA**

UDC Sub-Section 9.6.9A	SEE APPLICATION
UDC Sub-Section 9.6.9B	SEE APPLICATION
UDC Sub-Section 9.6.9C	SEE APPLICATION
UDC Sub-Section 9.6.9D	SEE APPLICATION
UDC Sub-Section 9.6.9E	SEE APPLICATION
UDC Sub-Section 9.6.9F	SEE APPLICATION

**GENERAL PROVISIONS**

UDC Sub-Section 4.10.3A	SEE APPLICATION
B) An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development	SEE APPLICATION
C) The location and arrangement of the structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation	SEE APPLICATION
D) Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest	SEE APPLICATION
E) Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements	SEE APPLICATION
F) Lots of record are created with the recording of a planned development final plan	SEE APPLICATION

**GIS INFORMATION**

Central Business Improvement District	No
---------------------------------------	----

**GIS INFORMATION**

Case Layer -  
 Class C  
 Downtown Fire District No  
 Historic District -  
 Land Use COMMERCIAL  
 Municipality MEMPHIS  
 Overlay/Special Purpose District -  
 Zoning CMU-1  
 State Route -  
 Lot 0 20  
 Subdivision KNIGHT & GUY  
 Planned Development District -  
 Wellhead Protection Overlay District -

**Contact Information**

Name FIRST CASH Contact Type APPLICANT  
 Address  
 Phone

**Fee Information**

Invoice #	Fee Item	Quantity	Fee	Status	Balance	Date Assessed
1484787	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	04/28/2023
1484787	Adjustment Fee	500	500.00	INVOICED	0.00	04/28/2023
Total Fee Invoiced:			\$513.00	Total Balance:		\$0.00

**Payment Information**

Payment Amount \$513.00 Method of Payment Credit Card

**LETTER OF INTENT**



Date: June 1, 2023  
To: Division of Planning & Development  
From: Cindy Reaves  
Re: 3337 Overton Crossing Street

### **LETTER OF INTENT**

We are submitting a Planned Development application for property at 3337 Overton Crossing Street. The property is within the CMU-1 zoning district and the existing pawn shop was previously an approved use in the zoning district. We originally filed a Board of Adjustment case to expand a nonconforming use because they were closing a shop across the street at 2198 Frayser Blvd. but it was converted to a use variance instead of an expansion. A Planned Development will be a better fit for a use variance since it is more restrictive and our proposed enlargement of the building will be a more aesthetically pleasing site for the area than the current site. Section 10.3.2. Enlargement, Repair, Alterations of the UDC seems to allow "Any nonconforming structure may be enlarged, maintained, repaired or altered; provided, however, that no such enlargement, maintenance, repair or alteration shall either create an additional nonconformity or increase the degree of the existing nonconformity of all or any part of such structure." The enlargement of the building to add storage will not increase the degree of the existing nonconformity.

The proposed improvements to the existing building are only cosmetic improvements. They propose to raise the existing parapets to help hide the roof, paint the building and add a thin stone wainscot. These improvements and the expansion will not extend the eventual elimination of the building. The existing building is a very solid structure that was built in 1971. The addition will not extend the life of this building and no structural repairs will be done to the existing building. This will allow us to convert the site to their new prototype building and allow expansion for storage instead of continuing to operate in the current building that needs more storage area. This will not increase the business by adding storage. It will allow for a more orderly way to display their merchandise with storage in the rear expansion area and allow customers a more comfortable environment.

First Cash/Cash America Pawn has been in business since 1988 and has been in the Memphis area for over 25 years with 49 stores in Tennessee with 16 stores in Memphis. First Cash is a leading international operator of pawn stores with over 2,800 locations and 16,000 employees.

The Company's primary business line continues to be the operation of retail pawn stores, also known as "pawnshops," which focus on serving cash and credit-constrained consumers. Pawn stores are neighborhood based retail stores that help customers meet small short-term cash needs by providing

non-recourse pawn loans and buying merchandise directly from customers. Personal property, such as jewelry, electronics, tools, appliances, sporting goods and musical instruments, is pledged and held as collateral for the pawn loans over the typical 30-day term of the loan. Pawn stores also generate retail sales primarily from the merchandise acquired through collateral forfeitures and over-the-counter purchases from customers.

Pawn stores also provide a quick and convenient source of small, secured consumer loans, also known as pawn loans, to unbanked, under-banked and credit-constrained customers. Pawn loans are safe and affordable non-recourse loans for which the customer has no legal obligation to repay. The Company does not engage in post-default collection efforts, does not take legal actions against its customers for defaulted loans, does not ban its customers for nonpayment, nor does it report any negative credit information to credit reporting agencies, but rather, relies only on the resale of the pawn collateral for recovery. Cash America Pawn/First Cash is not a high interest payday loan shop and they do not sell guns or ammunition at this location. Their hours of operation are 9:00 to 6:00 and closed on Sundays.

I have included a document that gives you the background of their corporation along with before and after photos of a few of their renovated locations including the interior look they are looking for the Cash America Site.

The nearby location at 2198 Frayser Blvd., within 1300 feet of the subject tract, will be closed at the same time and the inventory will go to this store that First Cash owns. The nearest pawnshop from the Overton Park site is 5.2 miles at 3305 Austin Peay or 3202 Jackson Ave. is 6.8 miles. This area is not saturated with Pawn shops and the expansion will allow for storage space; it is not to add more retail space. The requested improvements are needed to improve safety, security and accessibility of the site. Improvements to the building, parking, landscaping and irrigation will be made and a masonry dumpster enclosure will be added. This will create a much more appealing site than the existing store and making the improvements of the new prototype building is much more desirable for the area.

We would 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 5:32 pm on the 24th day of May, 2023 I posted one Public Notice Sign pertaining to Case No. PD 23-009 on the property located at 3337 Overton Crossing providing notice of a Public Hearing before the June 8, 2023 Land Use Control Board for consideration of a proposed Land Use Action (Planned Development), 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

05/25/2023

Date

Subscribed and sworn to before me this 24th day of May, 2023

Cynthia J. Reaves  
Notary Public  
My commission expires: 9/29/23





**LETTERS RECEIVED**

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



## Record Summary for Planned Development

### Record Detail Information

Record Type: Planned Development

Record Status: Assignment

Opened Date: April 26, 2023

Record Number: PD 2023-009

Expiration Date:

Record Name: First Cash 3337 Overton Crossing

Description of Work: Use variance to allow expansion of the existing pawn shop.

Parent Record Number: BOA 2023-0011

### Address:

3337 OVERTON CROSSING ST, MEMPHIS 38127

### Owner Information

Primary Owner Name

Y CASH AMERICA CENTRAL INC

Owner Address

1600 W 7TH ST, FORT WORTH, TX 76102

Owner Phone

### Parcel Information

072011 00048

### Data Fields

#### PREAPPLICATION MEETING

Name of DPD Planner

Seth Thomas

Date of Meeting

-

Pre-application Meeting Type

-

#### GENERAL PROJECT INFORMATION

Planned Development Type

New Planned Development (PD)

**GENERAL PROJECT INFORMATION**

Previous Docket / Case Number -  
Medical Overlay / Uptown No  
If this development is located in unincorporated Shelby County, is the tract at least three acres? 0.543 ACRES  
(Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County)  
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 -

**APPROVAL CRITERIA**

UDC Sub-Section 9.6.9A SEE APPLICATION  
UDC Sub-Section 9.6.9B SEE APPLICATION  
UDC Sub-Section 9.6.9C SEE APPLICATION  
UDC Sub-Section 9.6.9D SEE APPLICATION  
UDC Sub-Section 9.6.9E SEE APPLICATION  
UDC Sub-Section 9.6.9F SEE APPLICATION

**GENERAL PROVISIONS**

UDC Sub-Section 4.10.3A SEE APPLICATION  
B) An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development SEE APPLICATION  
C) The location and arrangement of the structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation SEE APPLICATION  
D) Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest SEE APPLICATION  
E) Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements SEE APPLICATION  
F) Lots of record are created with the recording of a planned development final plan SEE APPLICATION

**GIS INFORMATION**

Central Business Improvement District No

**GIS INFORMATION**

Case Layer -  
Class C  
Downtown Fire District No  
Historic District -  
Land Use COMMERCIAL  
Municipality MEMPHIS  
Overlay/Special Purpose District -  
Zoning CMU-1  
State Route -  
Lot 0 20  
Subdivision KNIGHT & GUY  
Planned Development District -  
Wellhead Protection Overlay District -

---

**Contact Information**

Name FIRST CASH Contact Type APPLICANT

Address

Phone

-

---

**Fee Information**

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1464787	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	04/26/2023
1464787	Adjustment Fee	500	500.00	INVOICED	0.00	04/26/2023
			Total Fee Invoiced: \$513.00	Total Balance: \$0.00		

---

**Payment Information**

Payment Amount \$513.00 Method of Payment Credit Card

#2720

**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.

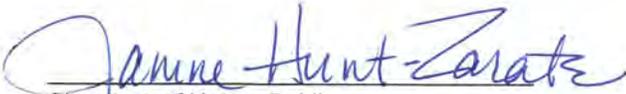
I, R. Douglas Orr (Print Name)  (Sign Name), state that I have read the definition of

"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 3337 Overton Crossing St.  
 and further identified by Assessor's Parcel Number 072-011-00048  
 for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 23rd day of September in the year of 2022

  
 Signature of Notary Public

9/24/2022  
 My Commission Expires



Date: April 28, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: 3337 Overton Crossing Street

## **LETTER OF INTENT**

We are submitting a Planned Development application for property at 3337 Overton Crossing Street. The property is within the CMU-1 zoning district and the existing use was previously an approved use in the zoning district. We originally filed a Board of Adjustment case to expand a nonconforming use but it was converted to a use variance. We feel a Planned Development would be a better fit for a use variance since it is more restrictive and our proposed improvements with the addition will be a major improvement. This will allow us to convert this site to their new prototype building and allow expansion and renovation instead of continuing to operate in the current building.

The existing building is constructed of split block and is a very solid structure that was built in 1971. The addition will not extend the life of this building and no structural repairs will be done to the existing building. First Cash has been in business since 1988 and has been in the Memphis area for over 25 years with 49 stores in Tennessee with 16 stores in Memphis. First Cash is a leading international operator of pawn stores with over 2,800 locations and 16,000 employees. The Company's primary business line continues to be the operation of retail pawn stores, also known as "pawnshops," which focus on serving cash and credit-constrained consumers. Pawn stores are neighborhood based retail stores that help customers meet small short-term cash needs by providing non-recourse pawn loans and buying merchandise directly from customers. Personal property, such as jewelry, electronics, tools, appliances, sporting goods and musical instruments, is pledged and held as collateral for the pawn loans over the typical 30-day term of the loan. Pawn stores also generate retail sales primarily from the merchandise acquired through collateral forfeitures and over-the-counter purchases from customers.

Pawn stores also provide a quick and convenient source of small, secured consumer loans, also known as pawn loans, to unbanked, under-banked and credit-constrained customers. Pawn loans are safe and affordable non-recourse loans for which the customer has no legal obligation to repay. The Company does not engage in post-default collection efforts, does not take legal actions against its customers for defaulted loans, does not ban its customers for nonpayment, nor does it report any negative credit information to credit reporting agencies, but rather, relies only on the resale of the

pawn collateral for recovery. Cash America Pawn/First Cash is not a high interest payday loan shop and they do not sell guns or ammunition at this location.

I have included a document that gives you the background of their corporation along with before and after photos of a few of their renovated locations including the interior look they are looking for the Cash America Site.

A nearby location at 2198 Frayser Blvd., within 1300 feet of the subject tract, will be closed at the same time and the inventory will go to this store that First Cash owns. The expansion is needed to improve safety, security and accessibility of the site. Improvements to the building, parking, landscaping and irrigation will be made and a masonry dumpster enclosure will be added. This will create a much more appealing site than the existing store and making the improvements of the new prototype building is much more desirable for the area.

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



WHO WE ARE AND THE NEIGHBORHOOD SERVICES WE PROVIDE



---

## FIRSTCASH AT A GLANCE

FIRSTCASH IS A LEADING INTERNATIONAL OPERATOR OF PAWN STORES WITH OVER 2,800 RETAIL PAWN LOCATIONS AND 16,000 EMPLOYEES IN 25 U.S. STATES, THE DISTRICT OF COLUMBIA AND FOUR COUNTRIES IN LATIN AMERICA INCLUDING MEXICO, GUATEMALA, COLOMBIA AND EL SALVADOR

### PAWN INDUSTRY



PAWN STORES ARE NEIGHBORHOOD-BASED RETAIL LOCATIONS THAT BUY AND SELL PRE-OWNED CONSUMER PRODUCTS SUCH AS JEWELRY, ELECTRONICS, TOOLS, APPLIANCES, SPORTING GOODS AND MUSICAL INSTRUMENTS, AND MAKE SMALL CONSUMER PAWN LOANS

### MISSION



PROVIDE A QUICK AND CONVENIENT LOCATION TO BUY AND SELL VALUE-PRICED MERCHANDISE AND OBTAIN SMALL SECURED CONSUMER LOANS, ALSO KNOWN AS PAWN LOANS, TO UNBANKED, UNDER-BANKED AND CREDIT-CHALLENGED CUSTOMERS

### BUSINESS STRATEGY



GROW REVENUES AND INCOME BY OPENING NEW RETAIL PAWN LOCATIONS, ACQUIRING EXISTING PAWN STORES IN STRATEGIC MARKETS AND INCREASING REVENUE AND OPERATING PROFITS IN EXISTING STORES

*"ABOUT 53 MILLION U.S. ADULTS DON'T HAVE CREDIT SCORES. ANOTHER ROUGHLY 56 MILLION HAVE SUBPRIME SCORES. SOME HAVE A CHECKERED BORROWING HISTORY OR HIGH DEBT LOADS. BUT OTHERS, BANKS POINT OUT, JUST DON'T HAVE TRADITIONAL BORROWING BACKGROUNDS, OFTEN BECAUSE THEY ARE NEW TO THE U.S. OR PAY FOR MOST EXPENSES WITH CASH"*

*— THE WALL STREET JOURNAL*

# FIRSTCASH HISTORY

LONG-TERM BUSINESS PLAN IS TO GROW REVENUES AND INCOME BY OPENING NEW (“DE NOVO”) RETAIL PAWN LOCATIONS, ACQUIRING EXISTING PAWN STORES IN STRATEGIC MARKETS, DRIVING SAME-STORE SALES, AND STRATEGIC ACQUISITIONS

**American First Finance**  
 AMERICAN FIRST FINANCE ACQUISITION:  
 (ENTRANCE INTO POS PAYMENTS MARKET)

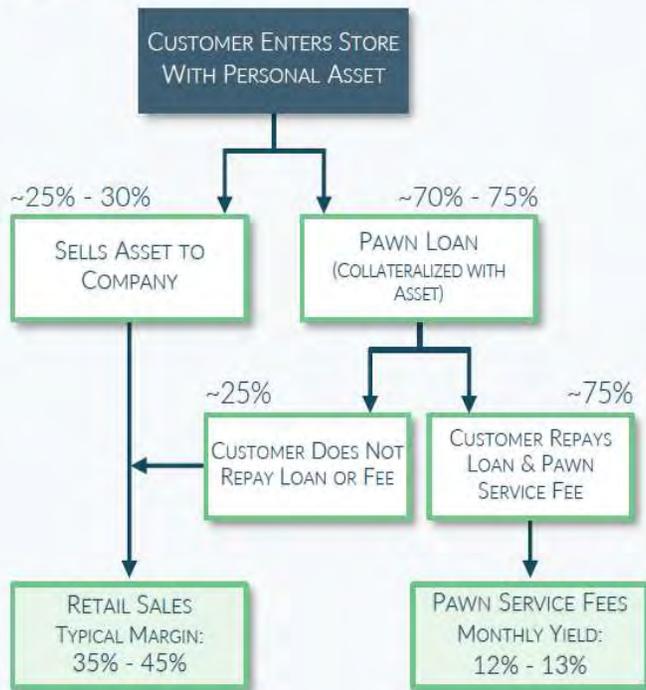


# PAWN LOAN OVERVIEW

NON-RECOURSE LOANS FULLY COLLATERALIZED WITH PERSONAL PROPERTY

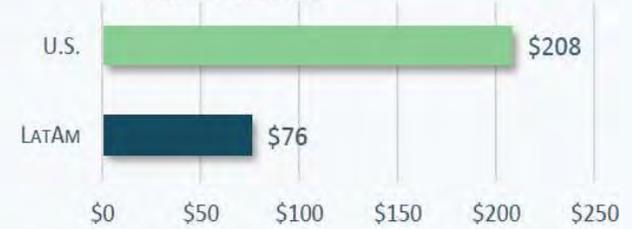
## TYPICAL PAWN TRANSACTION CYCLE

TOTAL TRANSACTION TIME LESS THAN 15 MINUTES



## PAWN LOANS ARE SMALL AND AFFORDABLE WITH A SHORT DURATION

- TYPICALLY 30-TO-60-DAY TERM
- AVERAGE LOAN SIZE:



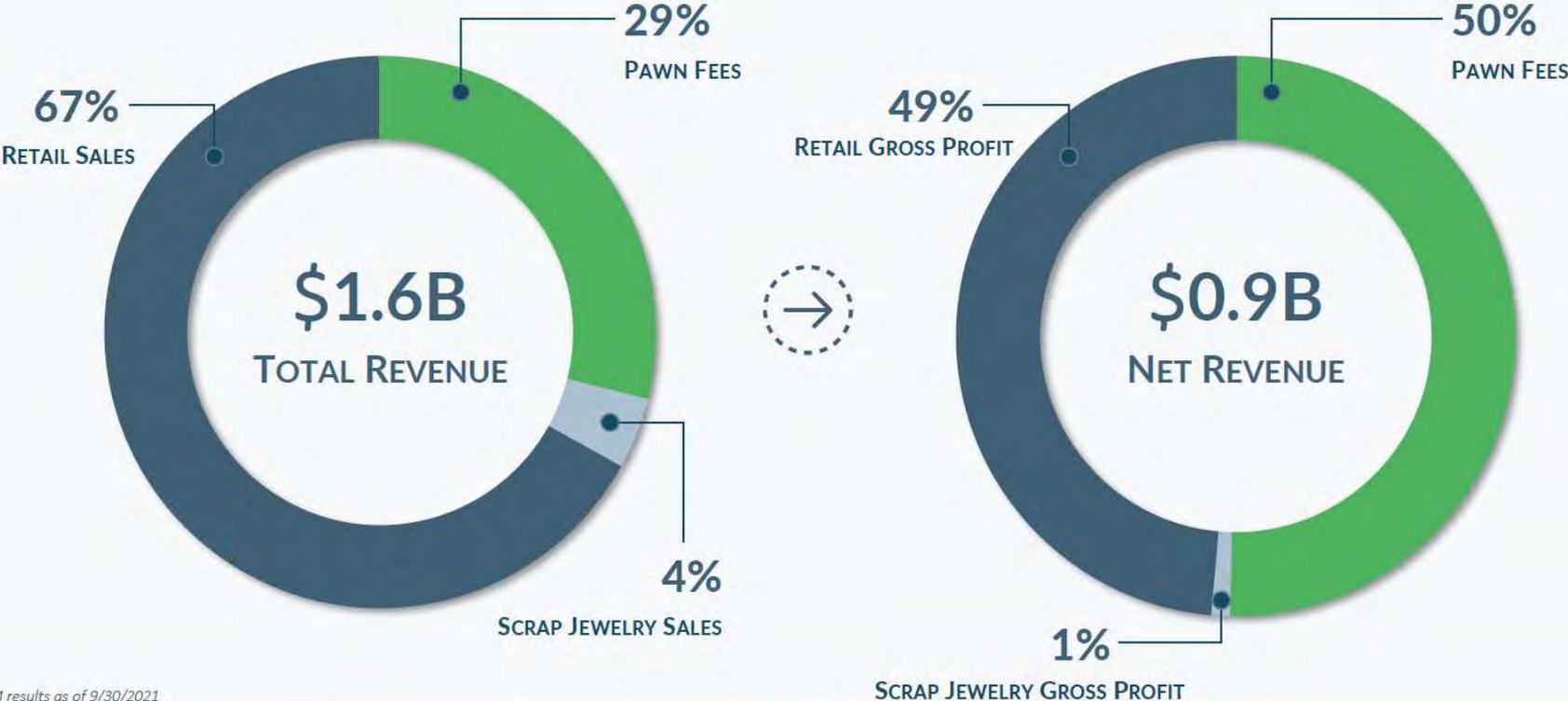
As of 9/30/2021

## FIRSTCASH SERVES UNDERBANKED AND CASH CONSTRAINED CONSUMERS

- DESIGNATED ESSENTIAL BUSINESS IN MOST JURISDICTIONS
- COLLATERAL HELD IN SECURE BACKROOM OF STORE
- RAPID LIQUIDATION OF FORFEITED COLLATERAL THROUGH PAWNSHOP RETAIL OPERATIONS

# DIVERSIFIED REVENUE STREAM

RETAIL SALES AND PAWN LENDING



TTM results as of 9/30/2021

# ESG: COMMITMENT TO SOCIAL RESPONSIBILITY



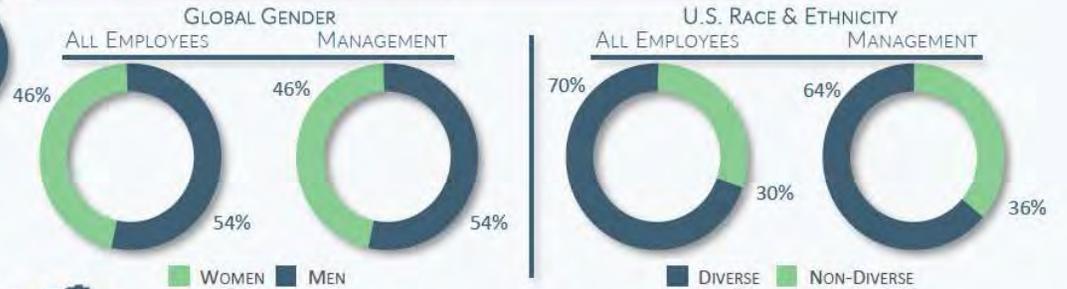
## EMPLOYEE EMPOWERMENT

- EMPLOYEE-TRAINING PROGRAMS THAT PROMOTE CUSTOMER SERVICE AND PROFESSIONALISM
- SPECIALIZED SKILL TRAINING PROGRAMS IN LENDING PRACTICES, MERCHANDISE VALUATION AND REGULATORY COMPLIANCE
- PROFIT SHARING, INCENTIVE AND BONUS PROGRAMS WHICH PAY ON AVERAGE 4-5% OF GROSS PROFIT DIRECTLY TO EMPLOYEES

## CUSTOMER AND EMPLOYEE PROTECTIONS

- STRICT COVID-19 SAFETY PROTOCOLS
- ROBUST CONSUMER AND CORPORATE COMPLIANCE PROGRAMS
- PRIVACY AND DATA PROTECTION POLICIES

## DIVERSE WORKPLACE



All Demographics as of 12/31/2020

# ESG: SUSTAINABILITY IS CORE TO FIRSTCASH

REPLACING TAKE → MAKE → DISPOSE WITH BUY → USE → RETURN

## PAWNSHOPS PIONEERED CIRCULAR ECONOMY

NEIGHBORHOOD-BASED STORES CONTRIBUTE TO THE MODERN "CIRCULAR ECONOMY"

## EXTENDING LIFE CYCLE OF CONSUMER PRODUCTS

INVENTORY IS PRE-OWNED MERCHANDISE WHICH IS SOURCED AND THEN RECYCLED WITHIN EACH STORE'S GEOGRAPHIC NEIGHBORHOOD

## SAVING WATER AND CARBON EMISSIONS WITH NO PACKAGING OR HAZARDOUS WASTE

LOCAL SOURCING OF PRE-OWNED GOODS ELIMINATES CARBON FOOTPRINT OF MANUFACTURING FACILITIES, DISTRIBUTION CENTERS AND TRANSPORTATION SERVICES

## SAFE ENVIRONMENT

BUY AND RESELL POPULAR CONSUMER PRODUCTS IN A SAFE AND SECURE ENVIRONMENT FOR EMPLOYEES AND CUSTOMERS



## Proposed Conversion Enhancements For 3337 Overton Crossing



### Site

- Address any overgrown or neglected plants and deliver a green scape consistent with the city of Memphis requirements. Assure that proper irrigation is in good working order and meets the needs of any new and existing landscaping,
- Assure that drainage meets or exceeds any retention associated with the impervious conditions that currently exist. Make any repairs to the parking lot to assure the personal and automobile safety.
- Dedicate handicapped parking that allows the simplest and safest access to the building.
- Retrofit the existing site lighting to LED for nighttime safety.
- Build masonry dumpster enclosure that meets city requirements.

## **Building**

- Redesign the exterior to add a retail presence.
- Remove any fixed security bars added on the windows and doors. Interior roll down grills added for afterhours protection.
- Environmentally friendly interior design using polished concrete floors and LED lighting with sensor and motion controls.

## **Signage**

- Remove the existing fabric awning. Install turnbuckle awning and new LED Channel letters to the entrance side of the fascia. Copy would be Cash America Pawn.

## Before and After



### Aransas Pass, TX

SWC of Hwy 361 and Harrison Blvd

Former 4,000 SF Vacant Boat Restoration Industrial Building converted to new 6,500 SF Cash America retail center. New Parking Lot, Façade of Stone and Stucco, new landscape and trees added.

Completed 2013



**Cash America**  
Cash America International, Inc.



## Charlotte, NC

NEC of Albemarle and N Sharon Amity Rd

Former 6,000 SF Vacant Restaurant/Retail Building converted to new 8,000 SF Cash America retail center. New Parking Lot, Façade of Stone and Stucco, new landscape and trees added.

Completed 2012/2013



**Cash America**  
Cash America International, Inc.



**Midland, TX**

2613 W. Wall St.

*Former used car lot Converted  
Into Cash America Pawn*





## Jacksonville, FL

4460 Blanding Blvd

Former Liquor Store Converted  
Into Cash America Pawn

**Cash America**  
Cash America International, Inc.



Retail Sales







# Untitled Map

Write a description for your map.

## Legend

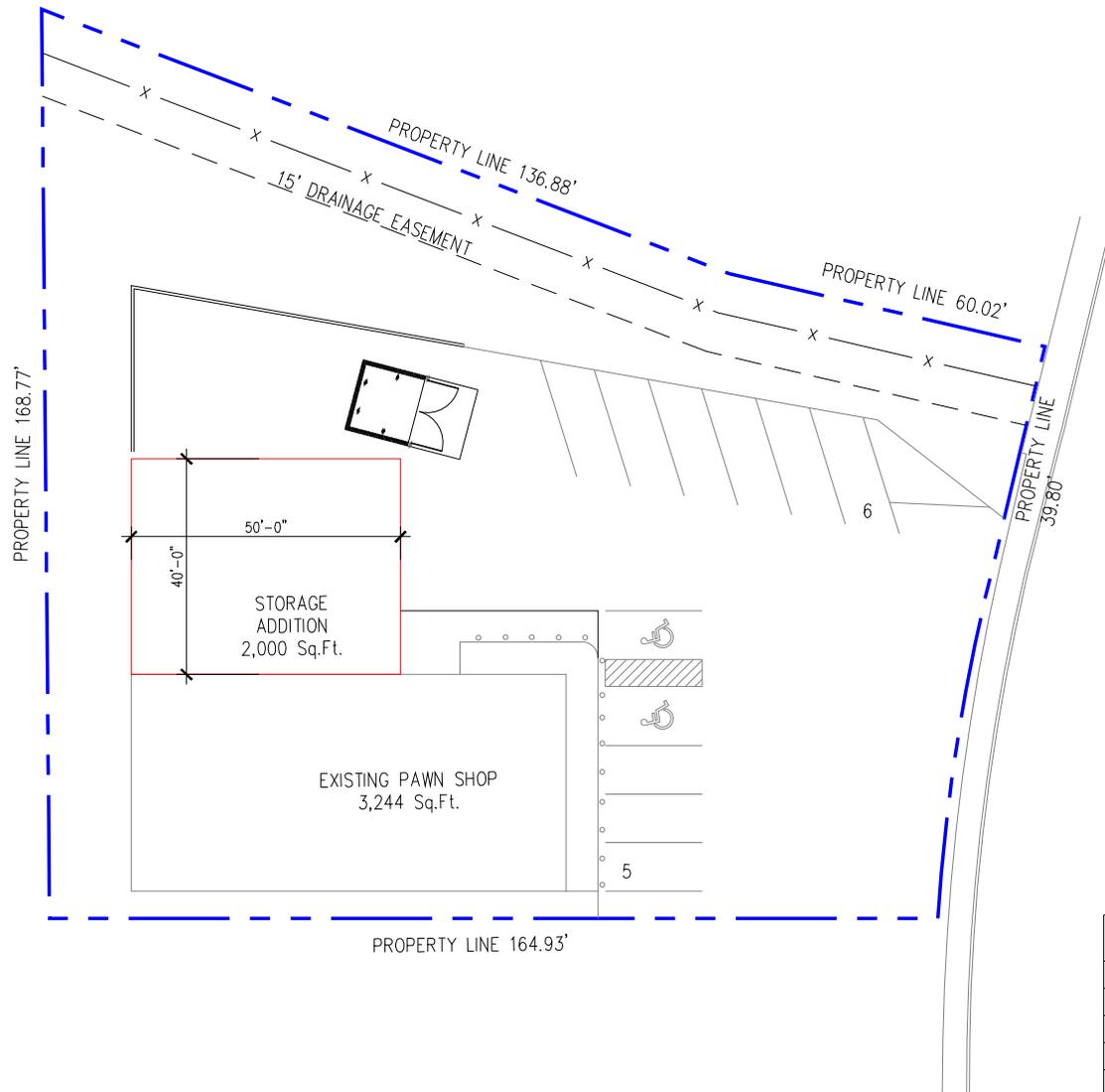
-  3337 Overton Crossing St
-  O'Reilly Auto Parts





# Codes Chart 1

Footnotes	AG	RSE	RS15	RS10	RS8	RS6	RD	RTII	RML	RMI	RMI	RMO	OL	OG	CP	CL	CH	CBD	IL	III	II	CU	FW	P	SMSD	CBID	
Tire Motor vehicle sales & Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P*	X	X	X	X	-	-	-	-	-	X	
Transmission	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	X	X	X	X	-	-	-	-	-	X	
Truck service exceeds 3/4 ton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	X	X	X	X	-	-	-	-	-	X	
Tune up	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	J*	X	X	X	X	-	-	-	-	-	X	
Upholstery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	X	X	X	X	-	-	-	-	-	X	
Motor vehicle wash	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	X	
Music or dancing academy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	X	X	X	X	X	-	-	-	-	-	X	
Night club	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	X	X	X	X	-	-	-	-	-	X	
<i>NOTE! Night Club provides entertainment in addition to or without alcoholic beverages (on premises)</i>																											
Offices	-	-	-	-	-	-	-	-	S	S	S	-	P	P	P	X	X	X	X	X	P	P	-	P	X	X	
Pawn shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	X	X	X	X	X	-	-	-	-	-	X	
Personal service establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	X	X	X	X	X	-	-	-	-	-	X	
Palmist(TDN)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	X	X	X	X	X	-	-	-	-	-	X	
Tattoo (\$10.00)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	X	X	X	X	X	-	-	-	-	-	X	
Massage parlor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	X	X	X	X	X	-	-	-	-	-	X	
<i>Shall be in compliance with Code Codes Chapter 19</i>																											
Photo finishing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-	-	-	-	-	X	
Photo finishing pickup station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	X	X	X	X	X	-	-	-	-	-	X	
Photo finishing by computer & Retail sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	X	X	X	X	X	-	-	-	-	-	X	
Plumbing shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	X	X	X	-	-	-	-	-	X	
<i>Page 130</i>																											
Private sales (D & E)14	X	X	X	X	X	X	X	X	X	X	X	-	-	-	-	-	-	X	-	-	-	X	-	-	-	X	



SITE 'A' DATA	
ZONED:	CMU-1
TOTAL APPROXIMATE LAND SIZE:	0.54 ACRES
TOTAL BUILDING SQFT:	5,244 SQ.FT.
PARKING CALCULATIONS:	
RETAIL: 1 SPACE PER 300 SQ.FT. (2,244 SQ FT)	11 SPACES
STORAGE: 1 SPACE PER 4000 SQ.FT. (3,000 SQ FT )	1 SPACES
TOTAL PARKING REQUIRED:	12 SPACES
TOTAL PARKING PROVIDED:	11 SPACES

PRELIMINARY DRAWING FOR CONCEPTUAL USE ONLY. NOT FOR CONSTRUCTION, PERMITTING, OR TECHNICAL DELINEATION USE. ACTUAL DIMENSIONS ARE UNKNOWN AND SHOULD BE VERIFIED BY A LICENSED SURVEYOR. ALL EASEMENTS, SETBACKS, ZONING ORDINANCES AND OTHER RELATED SITE RESTRICTIONS TO BE VERIFIED BY THE CIVIL ENGINEER PRIOR TO START OF CIVIL DESIGN.

**FRANZ**  
architects

4055 International Plaza Suite 100  
Fort Worth, Texas 76109

(817) 737-9922  
www.Franzarchitects.com

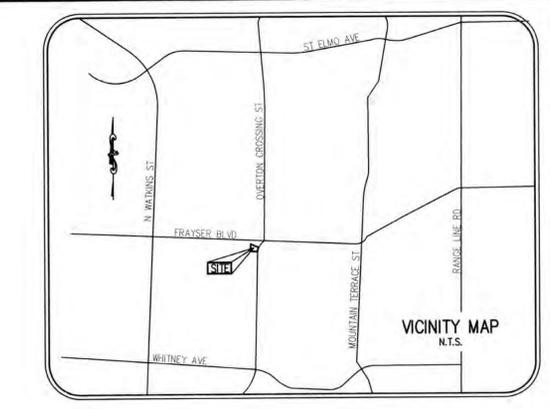
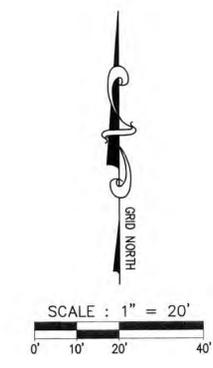
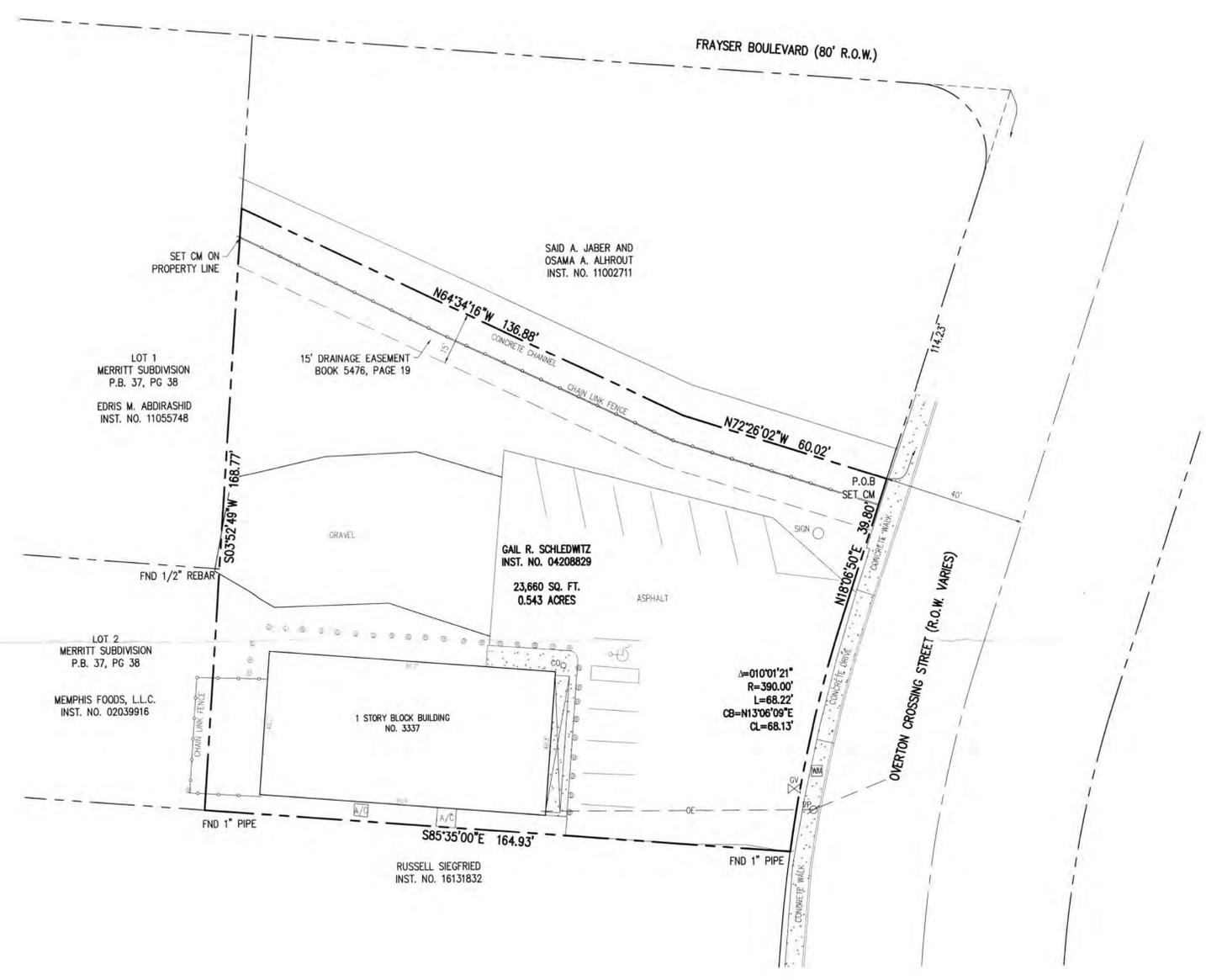
3337 OVERTON CROSSING ST.  
MEMPHIS, TN

#22243

SHEET

**P4**

09/06/22



**LEGEND**

- A/C AIR CONDITIONER
- CM CHISEL MARK
- OE OVERHEAD ELECTRIC
- INST. INSTRUMENT
- NO. NUMBER
- P.B. PLAT BOOK
- PG PAGE
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT OF WAY
- PP POWER POLE
- GV GAS VALVE
- WM WATER METER
- B BOLLARD
- PROPERTY LINE
- AWNING
- CONCRETE

**SURVEYOR'S DESCRIPTION**

A tract of land situated in Memphis, Shelby County, Tennessee being the Gail R. Schledwitz property of record in Instrument Number 04208829 in the Shelby County Register's Office and being more particularly described as follows:

BEGINNING at a set chisel mark in the west line of Overton Crossing Street (40' from centerline) being the southeast corner of the Said A. Jaber and Osama A. Alhrouf property of record in Instrument Number 11002711 in said Register's Office, said point being 114.23 feet southwardly from the tangent intersection of said west line and the south line of Frayser Boulevard (80' R.O.W.); thence South 18 degrees 06 minutes 50 seconds West along said west line a distance of 39.80 feet to a point of curvature; thence southwardly along said west line and along a curve to the left having a radius of 390.00 feet, a central angle of 10 degrees 01 minutes 21 seconds, a chord bearing of South 13 degrees 06 minutes 09 seconds West, a chord distance of 68.13 feet, a distance along its arc of 68.22 feet to a found 1 inch pipe being the northeast corner of the Russel Siegfried property of record in Instrument Number 16131832 in said Register's Office; thence North 85 degrees 35 minutes 00 seconds West along the north line of said Siegfried property a distance of 164.93 feet to a found 1 inch pipe being the southeast corner of Lot 2 of Merritt Subdivision of record in Plat Book 37, Page 38 in said Register's Office; thence North 03 degrees 52 minutes 49 seconds East along the east line of Lots 2 and 1 of said Merritt Subdivision a distance of 168.77 feet to a point in the center of a concrete drainage channel; thence South 64 degrees 34 minutes 16 seconds East along the center of said channel a distance of 136.88 feet to an angle point; thence South 72 degrees 26 minutes 02 seconds East along the center of said channel a distance of 60.02 feet to the POINT OF BEGINNING and containing 23,660 square feet or 0.543 acres of land, more or less.

**SURVEYOR'S CERTIFICATE**

I hereby certify that this survey meets the requirements of an urban land survey (Category 1), with a ratio of precision of the unadjusted survey of greater than 1:10,000 as per the Standards of Practice adopted by the Board of Examiners for Land Surveyors in the State of Tennessee; that this plat of survey represents an actual survey performed on the ground under my supervision.



Kenneth E. Francis, Jr., R.L.S.  
Tennessee Certificate Number 1567  
Barge Waggoner Sumner & Cannon, Inc.

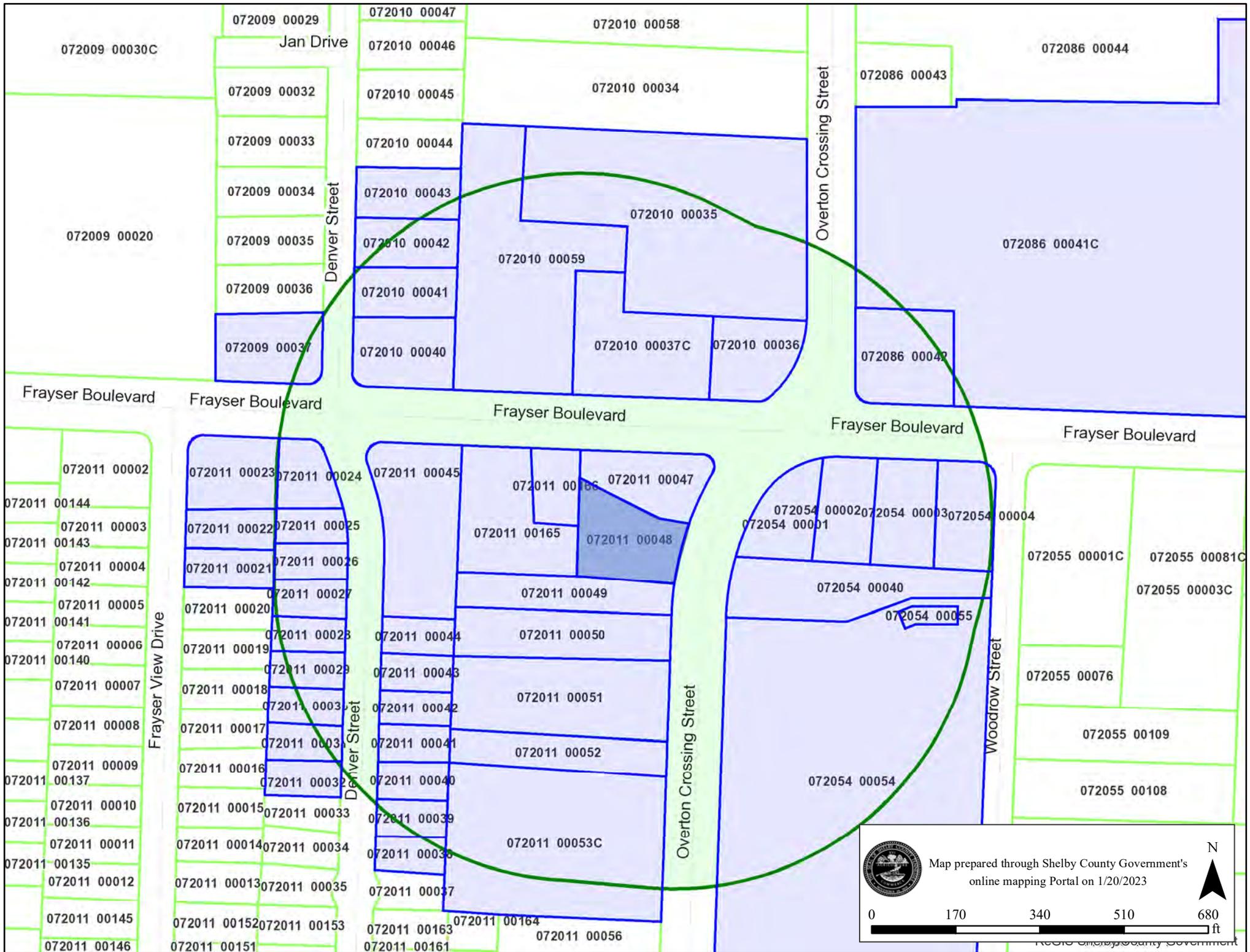
**UTILITY NOTES**

There are utilities, drain lines or sewer lines across this property that are not shown. The appropriate utility companies should be contacted for more specific locations and information on underground utilities.  
Before digging in this area, call Tennessee One Call @ 1-800-351-1111 for field locations (request for ground markings) of underground utility lines.

**MISCELLANEOUS NOTES**

1. Survey prepared for Cash America Central, Inc.
2. This survey was prepared in accordance with the laws of the State of Tennessee.
3. Property is in the name of the Gail R. Schledwitz per Instrument Number 04208829 in the Shelby County Register's Office, Shelby County, Tennessee.
4. Bearings are relative to state plane coordinates (Tennessee NAD83).
5. This survey was prepared without the benefit of abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property. This survey is based on the deeds of record as shown.
6. The property shown hereon is subject to any existing easements, zoning restrictions, right-of-ways, restrictions and setback lines recorded or unrecorded in public records. No liability is assumed by the undersigned for loss relating to the existence of any such easements or restrictions.
7. Some features shown on this plat may be shown out of scale for clarity.
8. Visible address is 3337 Overton Crossing Street.
9. The subject property has access to a public road.
10. Subsurface and environmental conditions were not examined or considered as part of this survey.
11. By map scaling and graphic plotting only, the subject property is located within an area having a Zone Designation "X" by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 47157C0280F, with an effective date of of September 28, 2007.

DR.	CHK.	DATE	DESCRIPTION
KF		10/23/18	STAMPED ISSUE




Map prepared through Shelby County Government's  
online mapping Portal on 1/20/2023

0 170 340 510 680 ft

N



072086 00041C - MEMPHIS BUSINESS ACADEMY  
072010 00035 - J AND R LIBERI LLC  
072010 00043 - WARE ELIZABETH J  
072010 00041 - MITCHELL HERBERT L & PARTHENIA  
072009 00037 - MITCHELL HERBERT & PARTHENIA  
072011 00024 - HATCHETT CASSANDRA  
072011 00045 - FULTHEIM GARY  
072011 00165 - MEMPHIS FOODS LLC  
072011 00047 - JABER SAID A AND OSAMA ALHROUT A  
072054 00001 - S AND R OVERTON LLC  
072054 00004 - TRAN HAI X  
072011 00025 - CAPLES CASSIE W  
072011 00026 - SLAYDEN AARON  
072011 00050 - GALLAGHER FAMILY LEASING CO LLC  
072011 00028 - DE JESUS AUBREY N  
072011 00044 - LOPEZ PAUL JR & TERESA J  
072011 00051 - GALLAGHER FAMILY LEASING CO LLC  
072011 00030 - CLAYBORNE CHENELL  
072011 00042 - FRAYSER COMMUNITY DEVELOPMENT  
072011 00031 - COTTON JARVIOUS C & SABRINA SMITH  
072011 00041 - VB ONE LLC  
072011 00052 - GALLAGHER FAMILY LEASING CO LLC  
072011 00032 - COLLINS JAMES E  
072011 00053C - HUBBARD JANE  
072011 00039 - SHELBY COUNTY TAX SALE 17.01

072011 00038 - CLARK DORIS M AND CHARLES E CLARK JR  
072010 00059 - BHA INVESTMENT GROUP LLC  
072010 00040 - GAMBLE FLORA J  
072086 00042 - MAPCO PETROLEUM INC  
072010 00036 - SHELLY DEBORAH  
072011 00023 - HUGHES ERIC  
072011 00166 - ABDIRASHID EDRIS M  
072054 00002 - ALQIRM SALAH AND RAFAT M MASOUD  
072054 00003 - AWWAD MAJDI  
072011 00048 - CASH AMERICA CENTRAL INC  
072011 00022 - PATTERSON BEVERLY AND DARYL L JOHNSON  
072054 00040 - MEMPHIS BUSINESS ACADEMY  
072011 00049 - SIEGFRIED RUSSELL  
072011 00027 - MOORE DEMETRIUS R  
072011 00029 - WILLIAMS ESTER  
072011 00040 - JACKSON NESBY E  
072010 00042 - BATTLE JOHN AND SHEILA BATTLE REVOCABLE  
072054 00055 - MEMPHIS BUSINESS ACADEMY  
072054 00054 - MEMPHIS BUSINESS ACADEMY  
072011 00021 - BAF 1 LLC  
072011 00043 - DMJL CORP  
072010 00037C - AUTOZONE INC

MEMPHIS BUSINESS ACADEMY  
3306 OVERTON CROSSING ST #  
MEMPHIS TN 38127

TRAN HAI X  
454 POLO CLUB DR #  
GLENDALE HEIGHTS IL 60139

VB ONE LLC  
5550 HUBER RD #  
HUBER HEIGHTS OH 45424

J AND R LIBERI LLC  
16192 COASTAL HWY #  
LEWES DE 19958

CAPLES CASSIE W  
3339 DENVER ST #  
MEMPHIS TN 38127

GALLAGHER FAMILY LEASING CO LLC  
3315 OVERTON CROSSING ST #  
MEMPHIS TN 38127

WARE ELIZABETH J  
3398 DENVER ST #  
MEMPHIS TN 38127

SLAYDEN AARON  
3333 DENVER ST #  
MEMPHIS TN 38127

COLLINS JAMES E  
815 NE 123 ST #  
SEATTLE WA 98125

MITCHELL HERBERT L & PARTHENIA  
3371 DENVER ST #  
MEMPHIS TN 38127

GALLAGHER FAMILY LEASING CO LLC  
3315 OVERTON CROSSING ST #  
MEMPHIS TN 38127

HUBBARD JANE  
8607 LOXLEY FAIRWAY #  
CORDOVA TN 38018

MITCHELL HERBERT & PARTHENIA  
3371 DENVER ST #  
MEMPHIS TN 38127

DE JESUS AUBREY N  
2912 WHEELER ST #  
HOUSTON TX 77004

SHELBY COUNTY TAX SALE 17.01  
PO BOX 2751  
MEMPHIS TN 38101

HATCHETT CASSANDRA  
3351 DENVER ST #  
MEMPHIS TN 38127

LOPEZ PAUL JR & TERESA J  
22265 DELTA CT #  
TEHACHAPI CA 93561

CLARK DORIS M AND CHARLES E CLARK JR  
3288 DENVER ST #  
MEMPHIS TN 38127

FULTHEIM GARY  
PO BOX 06116 #  
CHICAGO IL 60606

GALLAGHER FAMILY LEASING CO LLC  
3315 OVERTON CROSSING ST #  
MEMPHIS TN 38127

BHA INVESTMENT GROUP LLC  
518 WINOKA CV E  
COLLIERVILLE TN 38017

MEMPHIS FOODS LLC  
139 SOUTHWEST DR #  
JONESBORO AR 72401

CLAYBORNE CHENELL  
3311 DENVER ST #  
MEMPHIS TN 38127

GAMBLE FLORA J  
4393 BRIGHT RD #  
HERNANDO MS 38632

JABER SAID A AND OSAMA ALHROUT A  
9100 GROVELAWN CV #  
GERMANTOWN TN 38139

FRAYSER COMMUNITY DEVELOPMENT  
3684 N WATKINS ST #  
MEMPHIS TN 38127

MAPCO PETROLEUM INC  
2424 RIDGE RD  
ROCKWALL TX 75087

S AND R OVERTON LLC  
9375 OWL HILL DR #  
ARLINGTON TN 38002

COTTON JARVIOUS C & SABRINA SMITH  
3303 DENVER ST  
MEMPHIS TN 38127

SHELLY DEBORAH  
5769 SPRINGLAKE RD #  
BARTLETT TN 38135

HUGHES ERIC  
555 W 23RD ST #S-6D  
NEW YORK NY 10011

JACKSON NESBY E  
3298 DENVER ST #  
MEMPHIS TN 38127

ABDIRASHID EDRIS M  
2067 FRAYSER BLVD #  
MEMPHIS TN 38127

BATTLE JOHN AND SHEILA BATTLE REVOCABLE  
4938 KIMBALL AVE #  
MEMPHIS TN 38117

ALQIRM SALAH AND RAFAT M MASOUD  
9375 OWL HILL DR #  
LAKELAND TN 38002

MEMPHIS BUSINESS ACADEMY  
2450 FRAYSER BLVD #  
MEMPHIS TN 38127

AWWAD MAJDI  
2125 FRAYSER BLVD #  
MEMPHIS TN 38127

MEMPHIS BUSINESS ACADEMY  
2450 FRAYSER BLVD #  
MEMPHIS TN 38127

CASH AMERICA CENTRAL INC  
1600 W 7TH ST #  
FORT WORTH TX 76102

BAF 1 LLC  
5001 PLAZA ON THE LAKE #200  
AUSTIN TX 78746

PATTERSON BEVERLY AND DARYL L JOHNSON  
3340 FRAYSER VIEW DR #  
MEMPHIS TN 38127

DMJL CORP  
4535 W SAHARA AVE #200  
LAS VEGAS NV 89102

MEMPHIS BUSINESS ACADEMY  
3306 OVERTON CROSSING #  
MEMPHIS TN 38127

AUTOZONE INC  
PO BOX 2198 #8088  
MEMPHIS TN 38101

SIEGFRIED RUSSELL  
5764 RAYBEN CIR #  
MEMPHIS TN 38115

MOORE DEMETRIUS R  
2841 RUSSELL BOND RD #  
MILLINGTON TN 38053

WILLIAMS ESTER  
3317 DEVER ST #  
MEMPHIS TN 38127

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

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5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

Cash America Central, Inc.  
1600 West 7<sup>th</sup> Street  
Fort Worth, Texas 76102

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Fort Worth, Texas 76102

Cash America Central, Inc.  
1600 West 7<sup>th</sup> Street  
Fort Worth, Texas 76102



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.

18124276

12/05/2018 - 02:04 PM

6 PGS	
LAKECIA	1813379-18124276
VALUE	1230000.00
MORTGAGE TAX	0.00
TRANSFER TAX	4551.00
RECORDING FEE	30.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	4584.00

**SHELANDRA Y FORD**

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

**PREPARED BY AND AFTER  
RECORDING RETURN TO:**

Cash America Central, Inc.  
1600 West 7<sup>th</sup> Street  
Fort Worth, Texas 76102  
ATTN: Chris Lee

GENERAL WARRANTY DEED

STATE OF TENNESSEE           §  
  §     KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF SHELBY       §

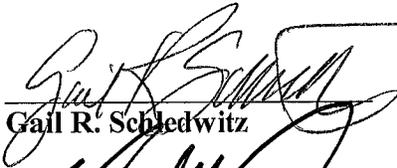
That **Gail R. Schledwitz** (“Grantor”) and spouse, **Karl Schledwitz**, for and in consideration of the sum of ten and no/100 dollars (\$10.00) and other good and valuable consideration to Grantor paid by **Cash America Central, Inc., a Tennessee corporation** (“Grantee”), the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee all of the real property in Shelby County, Tennessee, described in Exhibit “A” attached hereto and made a part hereof, together with all improvements attached thereto (collectively, the “Property”), subject to the items in Exhibit “B” attached hereto and made a part hereof.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee’s successors and assigns forever; and Grantor does hereby bind Grantor and Grantor’s successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee and Grantee’s successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Title to the above described property is vested in Gail R. Schledwitz. Karl Schledwitz, husband of Gail R. Schledwitz, joins herein to grant, sell and convey, and does hereby grant, sell and convey, all right, title and interest he may have in said property by virtue of his marriage to the said Gail R. Schledwitz, but does not join in the covenants or warranties of this indenture.

Executed and effective as of the 3<sup>rd</sup> day of December, 2018.

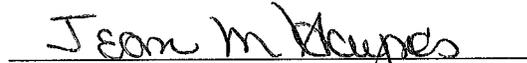
THOMAS TITLE & ESCROW  
6 FF# 1089N7L

  
Gail R. Schledwitz

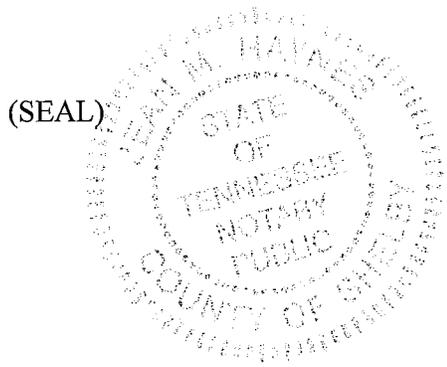
  
Karl Schledwitz

STATE OF TENNESSEE §  
  §  
COUNTY OF SHELBY §

This instrument was acknowledged before me this 3 day of December, 2018, by **Gail R. Schledwitz and Karl Schledwitz**, known to me personally or proved to me to be the persons stated in the herein described instrument, and acknowledged before me on this day that, being informed of the contents of the conveyance, they executed same voluntarily as a free act and deed.

  
Notary Public in and for the State of Tennessee

My Commission Expires October 19, 2022



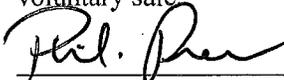
Property Address:  
**3337 Overton Crossing Street,  
Memphis, TN 38127  
And  
1302 Poplar Avenue  
Memphis, TN 38104**

Name and Address of the Property Owner:  
**Cash America Central, Inc. a Texas corporation  
1600 West 7<sup>th</sup> Street  
Fort Worth, TX 76102**

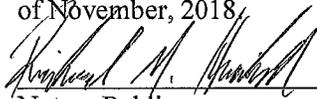
Name & Address of the Person or Entity Responsible  
for Payment of Real Property Taxes:  
**Cash America Central, Inc. a Texas corporation  
1600 West 7<sup>th</sup> Street  
Fort Worth, TX 76102**

Tax Parcel ID Number.:  
**072011 0048 & 020025 00009**

I, or we, 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 \$1,230,000.00, which amount is equal to or  
greater than the amount which the property  
transferred would command at a fair and  
voluntary sale

  
\_\_\_\_\_  
Affiant

Subscribed and sworn to before me this 4<sup>th</sup> day  
of November, 2018,

  
\_\_\_\_\_  
Notary Public

My commission expires:

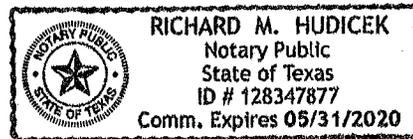


EXHIBIT "A"

Tract 1:

Part of Lot 20, Knight & Guy Subdivision, in Shelby County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in Overton Crossing Road 135 feet south of the south line of Raleigh-Frayser Road, as measure in a straight line; thence southwardly with Overton Crossing Road 103 feet to a point;

thence westwardly parallel with Raleigh Frayser Road 200 feet to a stake; thence northwardly parallel to the east line of Lot 20, 174 feet to a point;

thence southeastwardly 212.3 feet to the point of beginning.

Being the same property conveyed to Gail R. Schledwitz in Quit Claim Deed filed for record 12-15-2004 at Instrument Number 04208829 as shown in the Register's Office of Shelby County, Tennessee.

Tract 2:

Parts of Lots 7 and 8 and 1/2 of Alley to North, JOHN BROWN Subdivision, of Lots 4 and 5, WILLIAM LAWRENCE Subdivision, City of Memphis, Shelby County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the present north line of Poplar Avenue 23 feet eastwardly from the intersection of said present north line of Poplar Avenue with the east line of North Claybrook Street;

thence eastwardly along the present north line of Poplar Avenue 77 feet to a P.K. Nail in the line dividing Lots 6 and 7;

thence northwardly with said dividing line and continuing in a straight line and parallel to North Claybrook Street 152.07 feet to a stake;

thence westwardly parallel to Poplar Avenue 100 feet to a chisel mark in the east line of North Claybrook Street;

thence southwardly along said east line of North Claybrook Street 129.07 feet to a point of curve; thence southeastwardly along a curve to the left having a radius of 23 feet 36.13 feet to the point of beginning.

Being the same property conveyed to Gail R. Schledwitz in Warranty Deed filed for record 12-31-1991 at Instrument Number CP 2737 as shown in the Register's Office of Shelby County, Tennessee.

**EXHIBIT "B"**

1. Taxes for the year 2019, a lien, not yet due and payable.
2. Deed restrictions recorded at Warranty Deed of record in Book 5091, Page 35 as recorded in the Register's Office of Shelby County, Tennessee. (TRACT 2)
3. Todd Creek Drainage District Easement recorded at Book 5476, Page 19 as shown in the Register's Office of Shelby County, Tennessee. (TRACT 1)
4. Reservation of Easement granted for establishing maintenance of public utilities, service for sewers, light, telephone and telegraph pole lines, underground conduits, etc. of record in Quit Claim Deed recorded in Book 1823, Page 506, in the Register's Office of Shelby County, Tennessee. (TRACT 2)

Tennessee Certification of Electronic Document

I, Philip Prentice, do hereby make oath that I am a licensed attorney and/or the  
Signer's Name  
custodian of the electronic version of the attached document tendered for registration herewith and that this  
is a true and correct copy of the original document executed and authenticated according to law.

Philip Prentice  
Signature

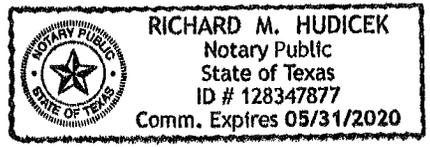
State of Texas  
County of Dallas

Personally appeared before me, Richard M. Hudicek, a notary public for this county and  
Notary's Name  
state, Philip Prentice, who acknowledges that this certification of an electronic  
Signer's Name  
document is true and correct and whose signature I have witnessed.

Richard M. Hudicek  
Notary Signature

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY'S SEAL





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

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

June 20, 2023

Cash America Central Inc.  
1600 W 7<sup>th</sup> Street  
Fort Worth, TX 76102

*Sent via electronic mail to: [jeff.cullum@firstcash.com](mailto:jeff.cullum@firstcash.com)*

Cash America Planned Development  
Case Number: PD 23-09  
LUCB Recommendation: Approval with outline plan conditions

Dear applicant,

On Thursday, June 8, 2023, the Memphis and Shelby County Land Use Control Board recommended **approval** of your planned development application for the Cash America Planned Development, subject to the attached outline plan conditions.

This application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

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

Respectfully,



Seth Thomas

**Letter to Applicant**  
**PD 23-09**

Planner III  
Land Use and Development Services  
Division of Planning and Development

Cc: Cindy Reaves, SR Consulting, LLC  
File

## Letter to Applicant

PD 23-09

### Outline Plan Conditions

- I. Uses Permitted:
  - A. Any use permitted in the CMU-1 District including a Pawn Shop. No Payday loans, Title loan or Flexible loans permitted. The hours of operation will be 10 AM to 6 PM Monday through Friday and 10 AM to 5 PM Saturday. The business is not open on Sundays.
  - B. No sale of guns or ammunition permitted.
- II. Bulk Regulations: The bulk regulations of the CMU-1 District shall apply.
- III. Access, Parking and Circulation:
  - A. The design and location of curb cuts shall be subject to review and approval by the City Engineer.
  - B. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
  - C. 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.
- IV. Landscaping, Screening & Lighting:
  - A. All refuse containers shall be completely screened from view from all adjacent properties and public roads.
  - B. All outdoor lighting shall be directed downward to the extent possible and shall not glare into public rights-of-way or onto adjacent properties.
  - C. All required landscaping and screening shall not conflict with any easements and shall not be placed on any sewer or drainage easements.
  - D. A Landscape plan shall be recorded with the final plat.
- V. Signs:
  - A. Attached and detached signs shall be permitted in accordance with CMU-1 District regulations.
- VI. The Land Use Control Board may modify the bulk, access, parking, landscaping and sign requirements if equivalent alternatives are presented.

**Letter to Applicant**  
**PD 23-09**

- VII. A final plan for recording shall be filed within five (5) years of approval by the Memphis City Council. The Land Use Control Board may grant extensions at the request of the applicant.
- VIII. Any final plan shall include the following:
- A. The Outline Plan Conditions.
  - B. A Standard Subdivision Contract, if necessary, as required in Section 5.5 of Unified Development Code for any needed public improvements.
  - C. The exact location and dimensions, including height of all buildings or buildable areas, parking areas, and drives.
  - D. The number of employee parking, loading and docking spaces.
  - E. The location and ownership, whether public or private of any easement(s).
  - F. The one-hundred (100) year flood elevation.
  - G. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plan.
  - H. Landscape Plan and elevations shall be recorded with the final plat.

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

**ONE ORIGINAL  
ONLY STAPLED  
TO DOCUMENTS**

**Planning & Development  
DIVISION**

Planning & Zoning COMMITTEE: 11/7/2023  
DATE

PUBLIC SESSION: 11/7/2023  
DATE

**ITEM (CHECK ONE)**

ORDINANCE     RESOLUTION     REQUEST FOR PUBLIC HEARING

**ITEM DESCRIPTION:** A ordinance approving a residential corridor overlay deletion  
**CASE NUMBER:** RC 2023-001  
**LOCATION:** 1560 S Parkway East (southeast corner of S Parkway East and South Willett St)  
**COUNCIL DISTRICTS:** District 4 and Super District 8  
**OWNER/APPLICANT:** Alhrouh Osama and Jaber Said  
**REPRESENTATIVE:** David Bray, The Bray Firm  
**REQUEST:** Residential corridor overlay deletion at 1560 S Parkway East  
**AREA:** +/-0.046 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 Required**  
Add to consent agenda requesting public hearing – October 24, 2023  
Public hearing – November 7, 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>
<u>Kendra Cobble</u>	<u>10/16/23</u>	PRINCIPAL PLANNER
		DEPUTY ADMINISTRATOR
<u>Burt Ryan</u>	<u>10/16/23</u>	ADMINISTRATOR
		DIRECTOR (JOINT APPROVAL)
		COMPTROLLER
		FINANCE DIRECTOR
		CITY ATTORNEY
		<b>CHIEF ADMINISTRATIVE OFFICER</b>
		<b>COMMITTEE CHAIRMAN</b>

## **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:

<b>CASE NUMBER:</b>	RC 2023-001
<b>LOCATION:</b>	1560 S Parkway East (southeast corner of S Parkway East and South Willett St)
<b>COUNCIL DISTRICT(S):</b>	District 4 and Super District 8
<b>OWNER/APPLICANT:</b>	Alhrout Osama and Jaber Said
<b>REPRESENTATIVE:</b>	David Bray, The Bray Firm
<b>REQUEST:</b>	Residential corridor overlay deletion at 1560 S Parkway East
<b>EXISTING ZONING:</b>	Residential Urban - 1 (RU-1)
<b>AREA:</b>	+/-0.046 acres

---

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

**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.

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

Respectfully,  
*Kendra Cobbs*

Kendra Cobbs, AICP  
Planner III  
Land Use and Development Services  
Division of Planning and Development

Cc: Committee Members  
File

**ORDINANCE NO:** \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO DELETE A SECTION OF THE S PARKWAY EAST RESIDENTIAL CORRIDOR OVERLAY, KNOWN AS CASE NUMBER RC 23-001**

---

**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: RC 2023-001**; 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 Residential Corridors, as follows:

**BY TAKING THE FOLLOWING PROPERTY OUT OF THE S PARKWAY EAST RESIDENTIAL CORRIDOR DESIGNATION**

The following property located in the City of Memphis, Tennessee being more particularly described as follows:

Part of Lot 1, Hicks and Smith Subdivision of Lot 5, Whitmore Tract, being the northeast corner of South Willett Street and South Parkway, more particularly described as follows: Beginning where the west line of the Frisco Railway right of way interests the east line of South Willett Street; thence southeast along the south line of said right of way 90 feet, more or less, to the north line of South Parkway East; thence west along the north line of South Parkway East 60 feet, more or less, to the east line of South Willett Street; thence north with the east line of South Willett Street 89 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 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**

AGENDA ITEM: 1

**CASE NUMBER:** RC 2023-001 **L.U.C.B. MEETING:** September 14, 2023

**LOCATION:** 1560 S Parkway East

**COUNCIL DISTRICT:** District 4 and Super District 8

**OWNER/APPLICANT:** Alhrout Osama and Jaber Said

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

**REQUEST:** Residential corridor deletion at 1560 S Parkway East

**AREA:** +/-0.046 acres

**EXISTING ZONING:** Residential Urban - 1 (RU-1)

## CONCLUSIONS

1. The item was held at the July 13, 2023 and August 10, 2023 Board meetings per the applicant's request.
2. This item is also a companion case to SUP 2023-014.
3. This location was the site of a neighborhood store for years prior, and per the Assessor's Office was constructed in 1933; also, the 1952 volume of the Sanborn Fire Insurance Maps shows the site existing as a store with the same lot configuration as present day.
4. The residential corridor serves as an additional layer of land use control which prohibits the approval of nonresidential developments within 200 feet on either side of a designated residential roadway. The land use exceptions are certain civic and institutional uses which may be permitted by filing a special use permit application. Therefore, the applicant's special use permit request to allow a convenience store would not be permitted without the deletion of the residential corridor from overlaying the subject property.
5. Ordinance No. 3077 was adopted on October 28, 1980, by the Council of the City of Memphis to establish the Residential Corridor Overlay on twenty-three specific segments of certain major roads within city limits. This overlay repealed, deleted, and replaced Ordinance No. 2070, adopted in July of 1974, which had established scenic drive designations on the same twenty-three specific segments of certain major roads within city limits.

## 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 15 of this report.

## RECOMMENDATION

*Approval*

**GENERAL INFORMATION**

**Street Frontage:** South Parkway East +/-63.06 linear feet  
South Willett Street +/-69.45 linear feet

**Zoning Atlas Page:** 2130

**Parcel ID:** 031010 00001

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

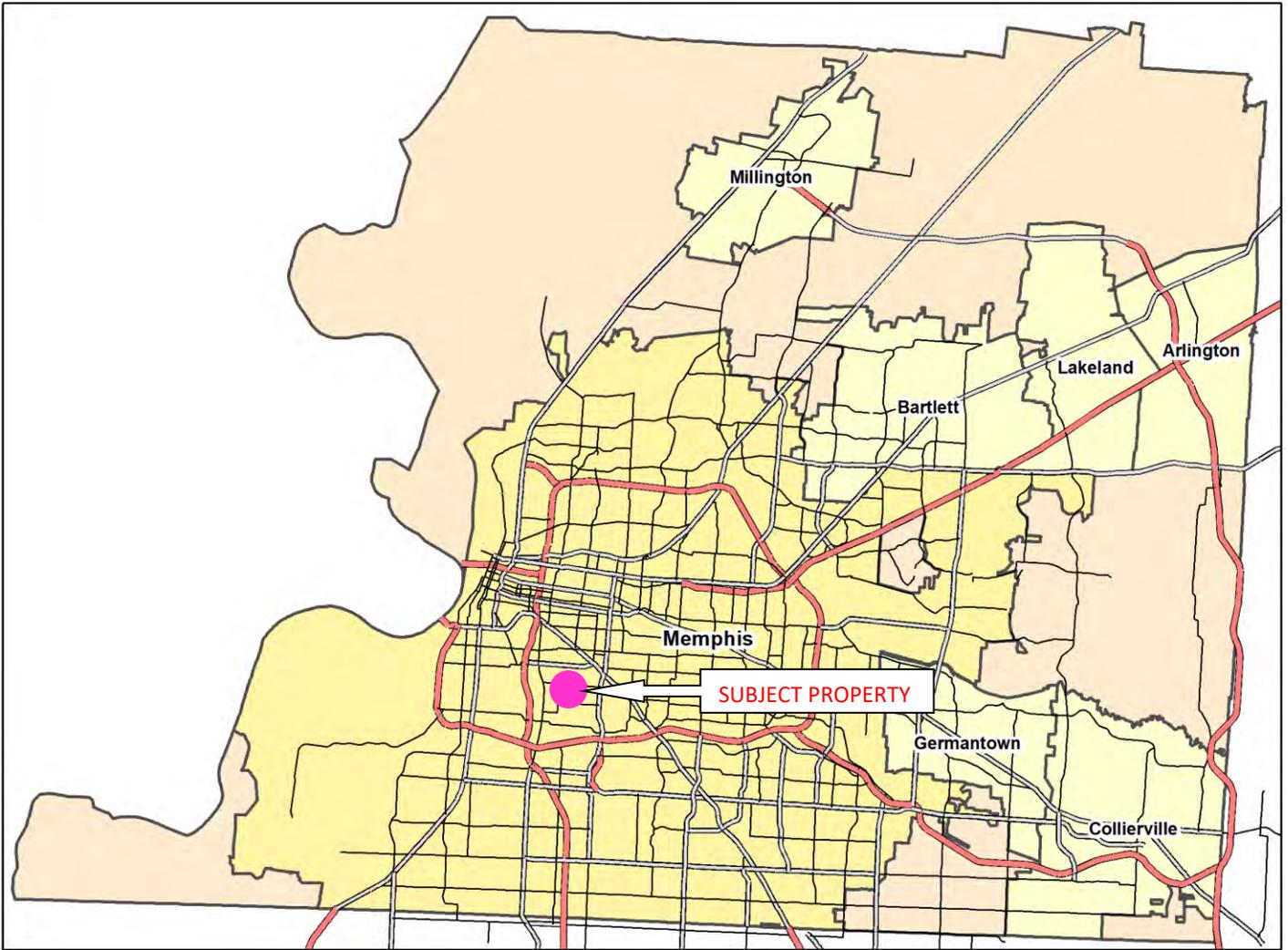
**NEIGHBORHOOD MEETING**

The meeting was held at 6:00 PM on Tuesday, June 27, 2023, at the subject site, 1560 S Parkway East.

**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 80 notices were mailed on June 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, Glenview neighborhood

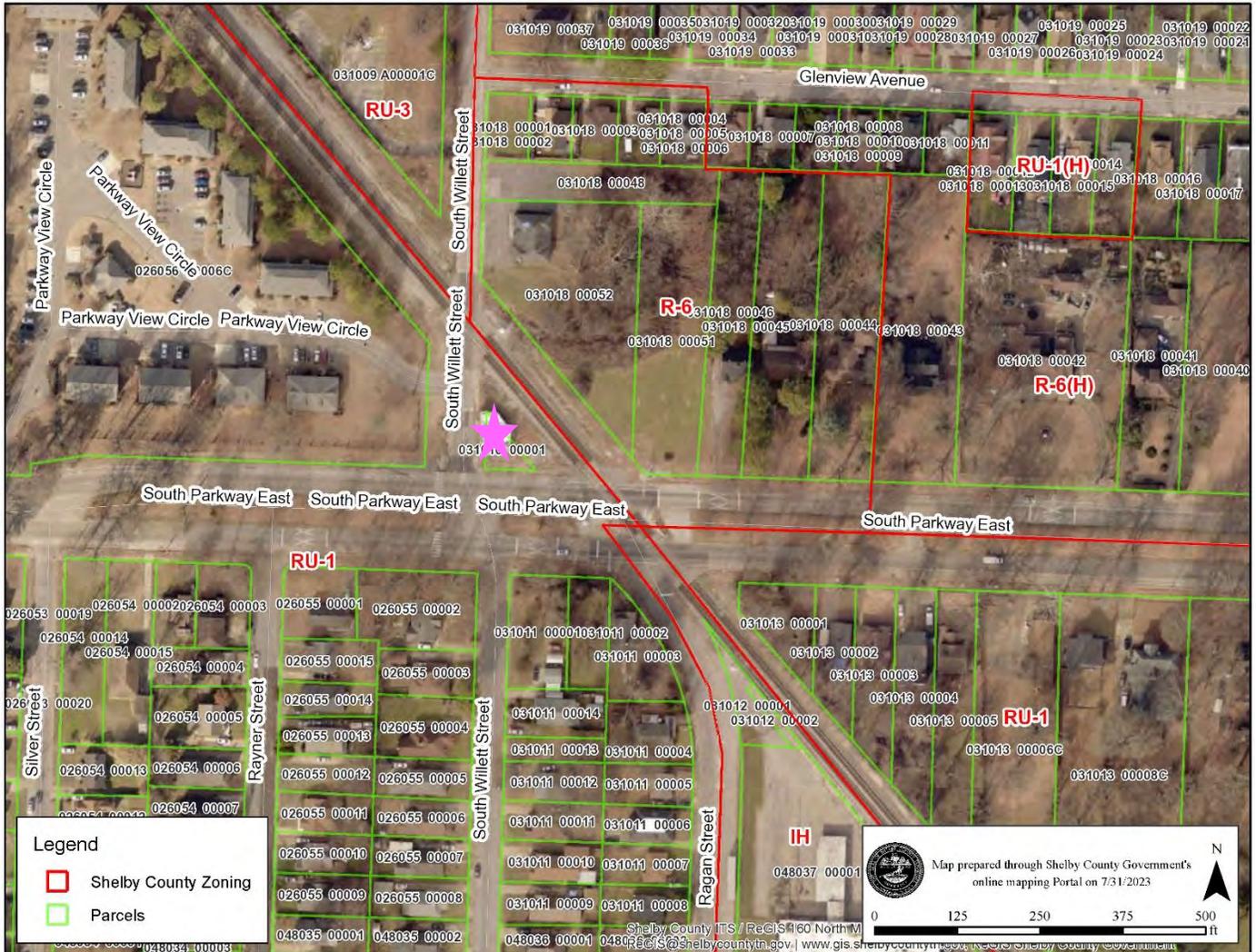


OVERLAY MAP



Subject property outlined in orange

**ZONING MAP**



Subject property indicated by a pink star

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

**Surrounding Zoning**

**North:** Residential Single-Family – 6 (R-6)

**East:** R-6

**South:** RU-1

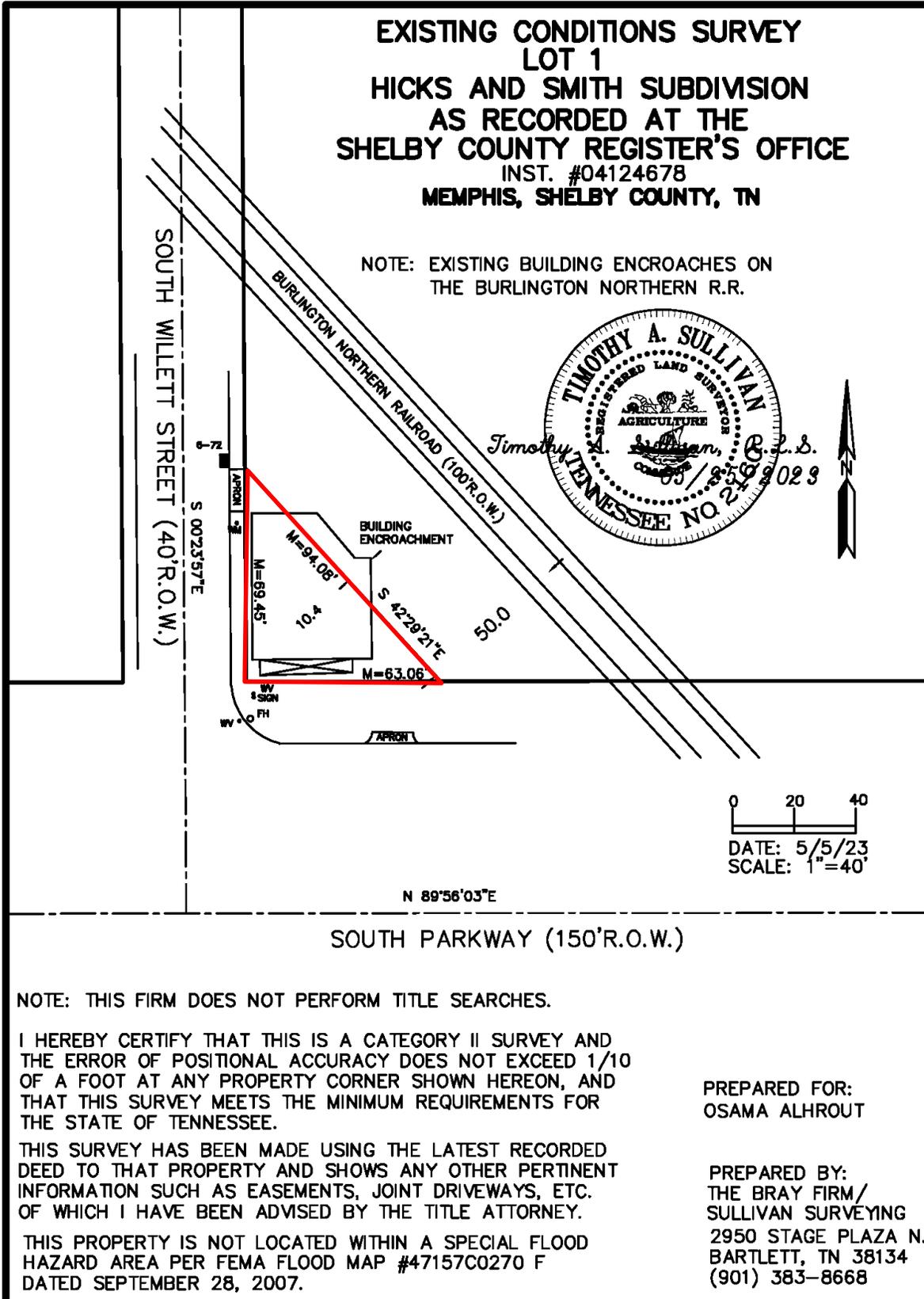
**West:** RU-1

LAND USE MAP



Subject property indicated by a pink star

**BOUNDARY SURVEY**



Residential Corridor Overlay outlined in red

**LEGAL DESCRIPTION**

Part of Lot 1, Hicks and Smith Subdivision of Lot 5, Whitmore Tract, being the northeast corner of South Willett Street and South Parkway, more particularly described as follows: Beginning where the west line of the Frisco Railway right of way interests the east line of South Willett Street; thence southeast along the south line of said right of way 90 feet, more or less, to the north line of South Parkway East; thence west along the north line of South Parkway East 60 feet, more or less, to the east line of South Willett Street; thence north with the east line of South Willett Street 89 feet, more or less, to the point of beginning.

**SITE PHOTOS**



View of subject property from South Parkway East looking north



View of subject property from South Parkway East looking northeast



View of S Parkway E looking west



View of S Parkway E looking west

## **STAFF ANALYSIS**

### **Request**

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

The request is the deletion of the residential corridor overlay at 1560 S Parkway East.

### **Site Description**

The subject property is +/-0.046 acres and is uniquely triangular-shaped abutting an active railway. There is an existing structure on-site that according to the Assessor's Office, was built in 1933. It is a one-story structure consisting of 1,585 square feet. The site is at the northeast corner of South Parkway East and South Willet Street. This is a primarily residential area; multi-family property exists to the west, while churches and single-family residential are to the north, south and east.

### **Conclusions**

The item was held at the July 13, 2023 Board meeting per the applicant's request.

This item is also a companion case to SUP 2023-014.

This location was the site of a neighborhood store for years prior, and per the Assessor's Office was constructed in 1933; also, the 1952 volume of the Sanborn Fire Insurance Maps shows the site existing as a store with the same lot configuration as present day.

The residential corridor serves as an additional layer of land use control which prohibits the approval of nonresidential developments within 200 feet on either side of a designated residential roadway. The land use exceptions are certain civic and institutional uses which may be permitted by filing a special use permit application. Therefore, the applicant's special use permit request to allow a convenience store would not be permitted without the deletion of the residential corridor from overlaying the subject property.

Ordinance No. 3077 was adopted on October 28, 1980, by the Council of the City of Memphis to establish the Residential Corridor Overlay on twenty-three specific segments of certain major roads within city limits. This overlay repealed, deleted, and replaced Ordinance No. 2070, adopted in July of 1974, which had established scenic drive designations on the same twenty-three specific segments of certain major roads within city limits.

Staff finds that this residential corridor overlay deletion request is consistent with Sub-Section 8.5.5B of the Unified Development Code.

## **RECOMMENDATION**

Staff recommends approval.

## **DEPARTMENTAL COMMENTS**

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

**City Engineer:** See comments as follows:  
NAME: 1560 S Parkway; GLENVIEW

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.

### **Roads:**

3. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
4. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.

### **Traffic Control Provisions:**

5. 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.
6. 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.
7. 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:**

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

10. Will need to replace existing curb cuts with City of Memphis standard commercial curb cut.

**Drainage:**

11. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
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.

**General Notes:**

16. The width of all existing off-street sewer easements shall be widened to meet current city standards.
17. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
18. All connections to the sewer shall be at manholes only.
19. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.
20. Required landscaping shall not be placed on sewer or drainage easements.

**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:** See comment as follows:  
RC 23-01 – MLGW COMMENT - No street name changes

**Office of Sustainability and Resilience:** No comments received.

**Office of Comprehensive Planning:** See comments as follows:  
This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: RC 23-1: Glenview

Site Address/Location: 1560 S Parkway

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

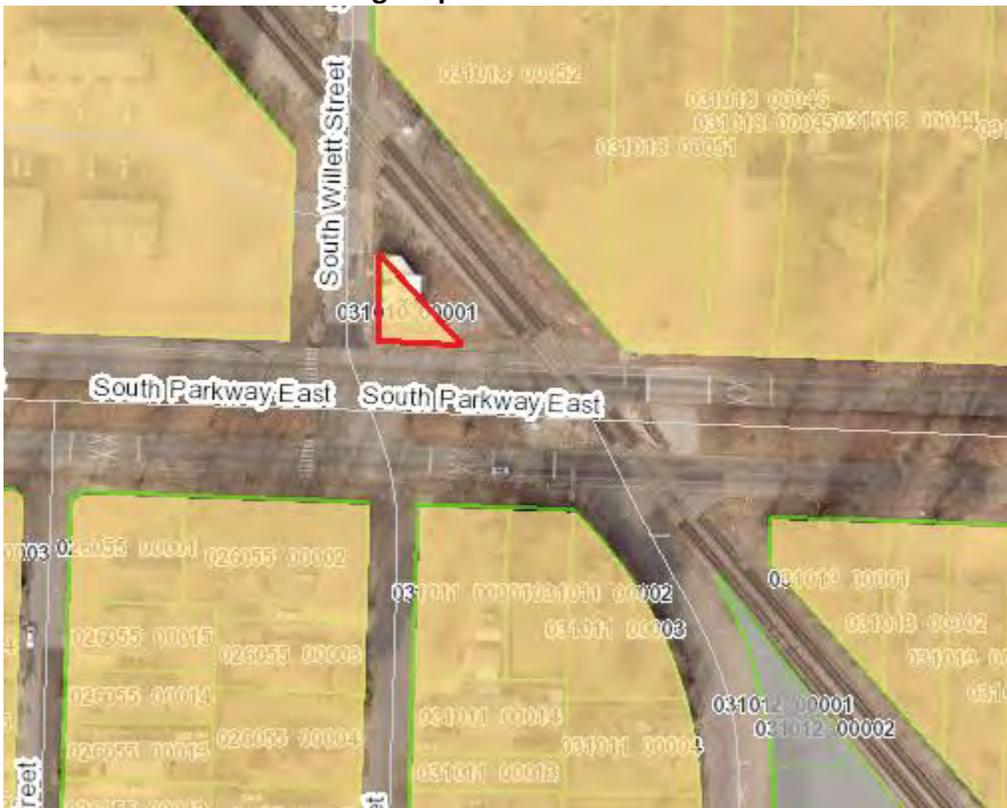
Future Land Use Designation: Anchor Neighborhood-Primarily Single-Unit (AN-S)

Street Type: Parkway

*The applicant is seeking revocation of a residential corridor designation for the subject parcel to allow a neighborhood market use at the subject parcel.*

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

Anchor Neighborhood-Primarily Single-Unit (AN-S) are walkable neighborhoods within a 5 – 10-minute walk of a Community Anchor. These neighborhoods are made up of single-unit and duplex housing. Graphic portrayal of AN-S is to the right.



### “AN-S” Form & Location Characteristics

NURTURE, ACCELERATE, and SUSTAIN

Primarily detached, single-family residences and commercial and institutional uses. Attached single-family, duplexes, triplexes, quadplexes and large homes (defined in the UDC as those apartment buildings with up to 6 units), including those with active ground floor commercial uses (including live/work) along sidewalk, are also permitted. Height: 1-3 stories. Scale: house-scale.

### “AN-S” Zoning Notes

Generally compatible with the following zone districts: R-15, R-10, R-8, R-6, R-3, RU-1, MDR in accordance with Form and characteristics listed below.

#### Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, RU-1

Adjacent Land Use and Zoning: Multi-Family, Single-Family, Institutional, Vacant; RU-1, RU-3 and R-6

**Overall Compatibility:** *This requested use is not compatible with the land use description/intent as the proposed use is not residential. However, it is consistent with the form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use is commercial, house-scale and located within a nurture degree of change area.*

## 3. Degree of Change Map



Red polygon denotes the proposed site in Degree of Change area. The Degree of Change is Nurture.

#### **4. Degree of Change Description**

Nuture areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place.

*The proposed use is private investment and its approval will allow a broader mix of uses within the neighborhood.*

#### **5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities**

The requested use is consistent with Objective 1.1 – Focus future growth and density in and around Community and Citywide Anchors, Action 1.1.31 – Increase infill and redevelopment that locate residential, employment, and retail uses near each other to maximize transit and active transportation. The approval of this application would allow for the reuse of a currently vacant structure and locate a commercial use near a residential neighborhood.

#### **6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations**

The parcel is located in the South Planning District and the requested use is consistent with South Planning District Priority - Strategically address blight and vacancy with a mix of building redevelopment and open space and agricultural uses. The parcel currently remains vacant, and the approval of this application would allow for building redevelopment on the site.

#### **Consistency Analysis Summary**

*The applicant is seeking revocation of a residential corridor designation for the subject parcel to allow a neighborhood market use at the subject parcel.*

*This requested use is not compatible with the land use description/intent as the proposed use is not residential. However, it is consistent with the form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use is commercial, house-scale and located within a nurture degree of change area. The proposed use is private investment and its approval will allow a broader mix of uses within the neighborhood.*

The requested use is consistent with Objective 1.1 – Focus future growth and density in and around Community and Citywide Anchors, Action 1.1.31 – Increase infill and redevelopment that locate residential, employment, and retail uses near each other to maximize transit and active transportation. The approval of this application would allow for the reuse of a currently vacant structure and locate a commercial use near a residential neighborhood.

The parcel is located in the South Planning District and the requested use is consistent with South Planning District Priority - Strategically address blight and vacancy with a mix of building redevelopment and open space and agricultural uses. The parcel currently remains vacant, and the approval of this application would allow for building redevelopment on the site.

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

Summary Compiled by: Brian Mykulyn, Comprehensive Planning.

**APPLICATION**



**Record Summary for Residential Corridor Revocation**

Record Detail Information

Record Type: Residential Corridor Revocation

Record Status: Assignment

Opened Date: June 2, 2023

Record Number: RC 2023-001

Expiration Date:

Record Name: 1560 S. Parkway East

Description of Work: Residential Corridor Revocation request attendant to SUP application to allow a previously permitted neighborhood market that has been vacant for 5 years to operate in the RU-3 zoning district.

Parent Record Number:

---

**Address:**

1560 S PARKWAY, MEMPHIS 38106

**Owner Information**

Primary Owner Name

Y ALHROUT OSAMA AND JABER SAID

Owner Address

1560 S PARKWAY E, MEMPHIS, TN 38106

Owner Phone

---

**Parcel Information**

031010 00001

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**Data Fields**

PREAPPLICATION MEETING

Name of DPD Planner

chip saliba

Date of Meeting

09/19/2022

Pre-application Meeting Type

Email

**GENERAL INFORMATION**

What is the name of the Street, Alley or Right-of-Way? South Parkway East  
 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 -

**GIS INFORMATION**

Case Layer -  
 Central Business Improvement District No  
 Class C  
 Downtown Fire District No  
 Historic District -  
 Land Use COMMERCIAL  
 Municipality MEMPHIS  
 Overlay/Special Purpose District -  
 Zoning RU-1  
 Lot 1  
 State Route -  
 Subdivision HICKS & SMITH  
 Planned Development District -  
 Wellhead Protection Overlay District No

**Contact Information**

Name ALHROUT OSAMA AND JABER SAID Contact Type APPLICANT  
 Address

Phone -

**Fee Information**

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1474430	Plat of Record Revocation	1	400.00	INVOICED	0.00	06/02/2023
1474430	Credit Card Use Fee (.026 x fee)	1	10.40	INVOICED	0.00	06/02/2023

Total Fee Invoiced: \$410.40 Total Balance: \$0.00

**Payment Information**

Payment Amount \$410.40 Method of Payment Credit Card

**LETTER OF INTENT**

## The Bray Firm

---

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

June 1, 2023

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

**RE: 1560 S Parkway E  
Special Use Permit for C-store (without gas) in the RU-1 zoning district &  
Residential Corridor Revocation  
Memphis, Tennessee**

Mr. Ragsdale;

Please find attached the above referenced applications for the property identified as 1560 South Parkway East. The subject property is currently zoned RU-1 and is located in a Residential Corridor. The owner of the site previously operated a neighborhood convenience store in this location. He had leased it to another entity for operation while he was out of the country and during that time the business was closed. The closure has been for a long enough period that the property lost its existing non-conforming use status. At this time, the owner would like to re-open the business as a neighborhood convenience store/market (no gasoline sales are proposed at the site). To achieve this goal it is our understanding that first the City Council would have to agree to remove the Residential Corridor designation from the property and then approve the application for the Special Use Permit.

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

I, LATH JABOR, being duly sworn, depose and say that at 11 am on the 16 day of JUNE, 2023, I posted  Public Notice Sign(s) pertaining to Case No. RC 2023-001 at 1560 S. PARKWAY, providing notice of a Public Hearing before the (check one):

- Land Use Control Board
- Board of Adjustment
- Memphis City Council
- Shelby County Board of Commissioners

for consideration of a proposed land use action, a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

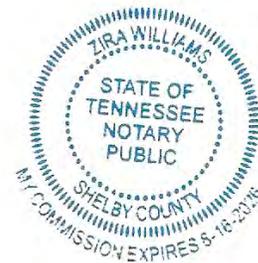
[Signature]  
Owner, Applicant or Representative

8/09/23  
Date

Subscribed and sworn to before me this 9<sup>th</sup> day of August, 2023.

[Signature]  
Notary Public

My commission expires: 8/16/2026



**LETTERS RECEIVED**

One letter of support with 22 signatures was received at the time of completion of this report and has subsequently been attached.

# The Bray Firm

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

June 7, 2023

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

**RE: 1560 S Parkway E  
Special Use Permit for C-store (without gas) in the RU-1 zoning district &  
Residential Corridor Revocation  
Memphis, Tennessee**

Mr. Ragsdale;

As residents of the surrounding neighborhood we support this application to allow the business at 1560 S Parkway E to reopen as a convenience store:

Name	Address	Phone/Email
1 Aaron Williams	1387 Willett	(901) 512-0025
2 Terrell Jones	1397 Willett	AarontwinWilliams@gmail.com
3 Mildred Mamon	1394 S Willett St	(901) 775-1625
4 Chris Branch	1424 Parkway	901 244 32 71
5 Angie Moore	1388 S. Willett	(901) 273-6352 (901) 585-1938
6 Jarrett Webb	1414 Ratner St	689-289-4517
7 Stanley Foster	1417 Rayner	901-267-7054
8 Antonio Taylor	1398 S. Willett	turktonio@gmail.com
9 Mattie Daniels	1535 Parkwayview Circle	901-708-0412
10 Grace Massie	1535 Parkwayview Circle	901-774-9726
11 Rofat C Oyele	901 3108912	
Jamiece Jones	1395 Rayner	901-4126723

12. ERICA YOUNG 1478 PARKWAY VIEW CIR #201

13. ~~STERNARD WANNABE~~

14. ANTHONY HILL - 1416 SILVER - 570-0295

15. BARRY FLYNN 1465 RANER ST

16. Alvin Mitchell 1494 Ranger Street - 390-7086

17. JARVIS Somerville 1418 RAYNER ST - (901) 831-1964

18. Tony Fields 1511 south Willett 901-825-3670

19. Eddie Caver 4506 Willett

20. Toni Haley 1397 RAYNER 901 210-0675

21. Rex Manning 1397 RAYNER 901 581-1453

22. Jasmine Johnson 901 427 9938



## Record Summary for Residential Corridor Revocation

### Record Detail Information

Record Type: Residential Corridor Revocation

Record Status: Assignment

Opened Date: June 2, 2023

Record Number: RC 2023-001

Expiration Date:

Record Name: 1560 S. Parkway East

Description of Work: Residential Corridor Revocation request attendant to SUP application to allow a previously permitted neighborhood market that has been vacant for 5 years to operate in the RU-3 zoning district.

Parent Record Number:

---

### Address:

1560 S PARKWAY, MEMPHIS 38106

### Owner Information

Primary Owner Name

Y ALHROUT OSAMA AND JABER SAID

Owner Address

1560 S PARKWAY E, MEMPHIS, TN 38106

Owner Phone

---

### Parcel Information

031010 00001

---

### Data Fields

#### PREAPPLICATION MEETING

Name of DPD Planner

chip saliba

Date of Meeting

09/19/2022

Pre-application Meeting Type

Email

**GENERAL INFORMATION**

What is the name of the Street, Alley or Right-of-Way? South Parkway East  
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 -

**GIS INFORMATION**

Case Layer -  
Central Business Improvement District Class No  
Downtown Fire District No  
Historic District -  
Land Use COMMERCIAL  
Municipality MEMPHIS  
Overlay/Special Purpose District -  
Zoning RU-1  
Lot 1  
State Route -  
Subdivision HICKS & SMITH  
Planned Development District -  
Wellhead Protection Overlay District No

---

**Contact Information**

**Name** ALHROUT OSAMA AND JABER SAID **Contact Type** APPLICANT  
**Address**  
  
**Phone**  
-

---

**Fee Information**

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1474430	Plat of Record Revocation	1	400.00	INVOICED	0.00	06/02/2023
1474430	Credit Card Use Fee (.026 x fee)	1	10.40	INVOICED	0.00	06/02/2023

Total Fee Invoiced: \$410.40

Total Balance: \$0.00

---

**Payment Information**

**Payment Amount** \$410.40 **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, Osama Alhrou alhou, 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 1560 Southparkway east memphis TN-38106  
and further identified by Assessor's Parcel Number 031-0100-0-00001-0  
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 15 day of May in the year of 2023

[Signature]  
Signature of Notary Public



March 14, 2024  
My Commission Expires

# The Bray Firm

---

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

June 1, 2023

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

**RE: 1560 S Parkway E  
Special Use Permit for C-store (without gas) in the RU-1 zoning district &  
Residential Corridor Revocation  
Memphis, Tennessee**

Mr. Ragsdale;

Please find attached the above referenced applications for the property identified as 1560 South Parkway East. The subject property is currently zoned RU-1 and is located in a Residential Corridor. The owner of the site previously operated a neighborhood convenience store in this location. He had leased it to another entity for operation while he was out of the country and during that time the business was closed. The closure has been for a long enough period that the property lost its existing non-conforming use status. At this time, the owner would like to re-open the business as a neighborhood convenience store/market (no gasoline sales are proposed at the site). To achieve this goal it is our understanding that first the City Council would have to agree to remove the Residential Corridor designation from the property and then approve the application for the Special Use Permit.

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.

**SITE PLAN  
LOT 1  
HICKS AND SMITH SUBDIVISION  
AS RECORDED AT THE  
SHELBY COUNTY REGISTER'S OFFICE  
INST. #04124678  
MEMPHIS, SHELBY COUNTY, TN**

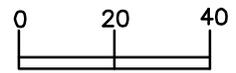
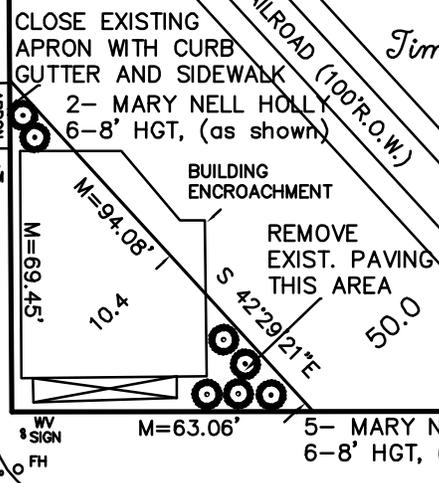
NOTE: EXISTING BUILDING ENCROACHES ON  
THE BURLINGTON NORTHERN R.R.



SOUTH WILLETT STREET (40'R.O.W.)

S 00°23'57"E

BURLINGTON NORTHERN RAILROAD (100'R.O.W.)



DATE: 5/5/23  
SCALE: 1"=40'

N 89°56'03"E  
SOUTH PARKWAY (150'R.O.W.)

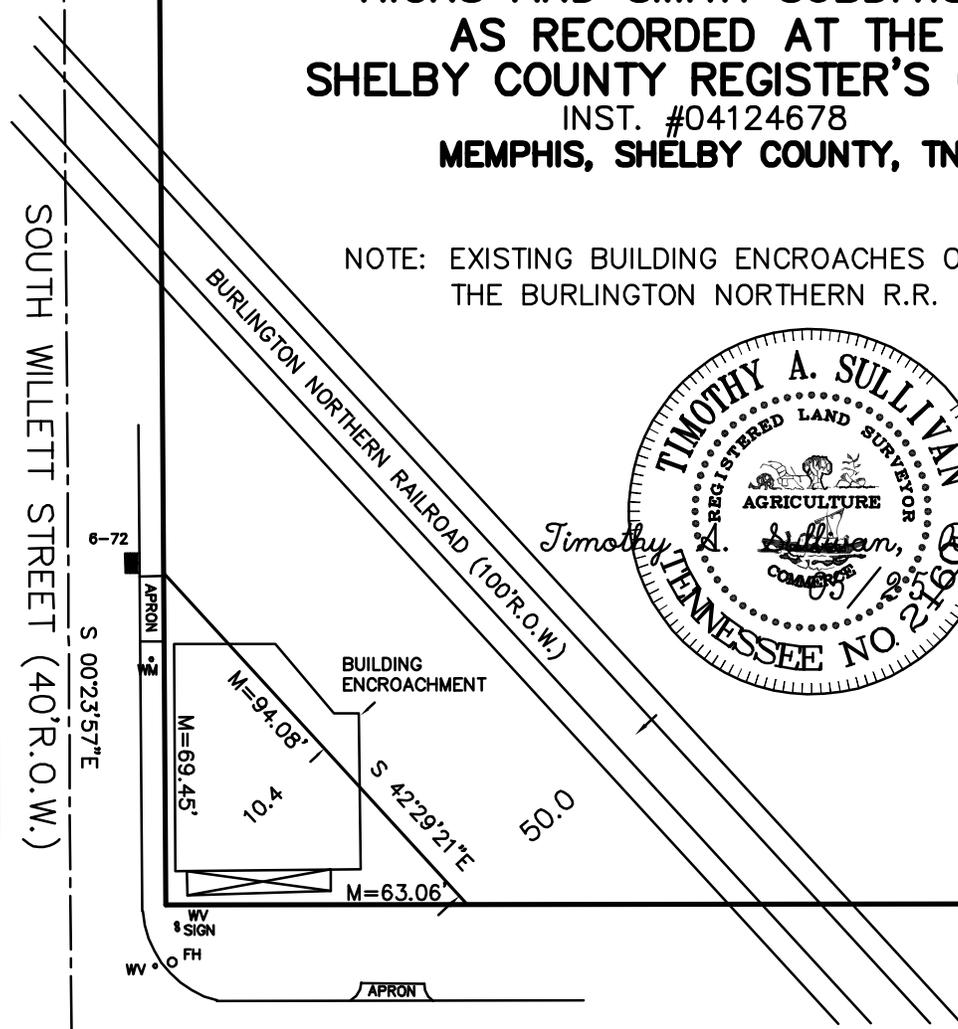
PREPARED FOR:  
OSAMA ALHROUT

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

THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD  
HAZARD AREA PER FEMA FLOOD MAP #47157C0270 F  
DATED SEPTEMBER 28, 2007.

**EXISTING CONDITIONS SURVEY  
LOT 1  
HICKS AND SMITH SUBDIVISION  
AS RECORDED AT THE  
SHELBY COUNTY REGISTER'S OFFICE  
INST. #04124678  
MEMPHIS, SHELBY COUNTY, TN**

NOTE: EXISTING BUILDING ENCROACHES ON  
THE BURLINGTON NORTHERN R.R.



0 20 40  
DATE: 5/5/23  
SCALE: 1"=40'

N 89°56'03"E

SOUTH PARKWAY (150'R.O.W.)

NOTE: THIS FIRM DOES NOT PERFORM TITLE SEARCHES.

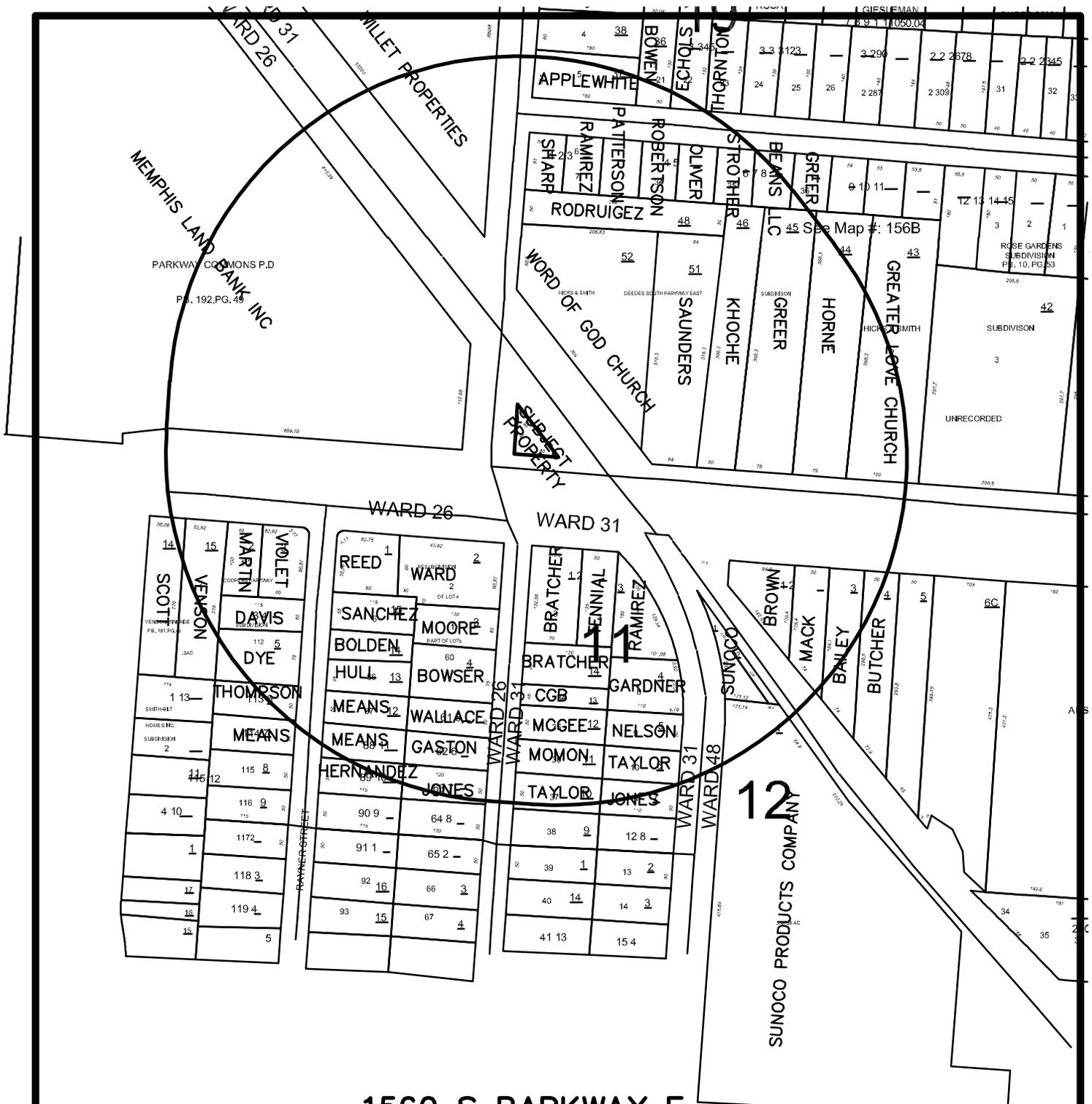
I HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE ERROR OF POSITIONAL ACCURACY DOES NOT EXCEED 1/10 OF A FOOT AT ANY PROPERTY CORNER SHOWN HEREON, AND THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THE STATE OF TENNESSEE.

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.

THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0270 F DATED SEPTEMBER 28, 2007.

PREPARED FOR:  
OSAMA ALHROUT

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



**1560 S PARKWAY E**  
**APPLICANT: OSAMA ALHROUT**

**MEMPHIS, TENNESSEE**

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES  
 2950 STAGE PLAZA NORTH  
 BARTLETT, TENNESSEE  
 MAY 25, 2023

TELEPHONE 901-383-8668  
 E-MAIL dgbray@comcast.net  
 SCALE 1"=200'

Osama Alhrouf  
1560 S Parkway E  
Memphis, TN 38106

The Bray Firm  
2950 Stage Plaza North  
Bartlett, TN 38134

Owner

Engineer

Word of God Deliverance Temple  
Church  
1874 FREEMONT  
MEMPHIS TN 38114

George W Saunders  
PO BOX 40582  
MEMPHIS TN 38174 0582

Vivek Khoche  
2496 EASY ST  
SAN LEANDRO CA 94578 1107

Resident  
1580 S Parkway E  
MEMPHIS TN 38106

Janice R Greer  
1019 VIA CALDERIA PL  
HENDERSON NV 89011 0806

Resident  
1584 S Parkway  
MEMPHIS TN 38106

Merrick V Horne  
9603 MALLARD LAKE RD  
COLLIERVILLE TN 38017 9326

Greater Love Miracle Center Church  
585 VANCE AVE  
MEMPHIS TN 38126 2207

Resident  
1608 S Parkway E  
Memphis TN 38106

Resident  
1601 Glenview Ave  
Memphis, TN 38106

RA SFR Beans LLC  
11 S ORLEANS ST  
MEMPHIS TN 38103 3320

Resident  
1595 Glenview Ave  
MEMPHIS TN 38106

Betty J Strother  
564 MONTEAGLE  
MEMPHIS TN 38109

Resident  
1589 Glenview Ave  
MEMPHIS TN 38106

Barney L & Brice L & Deloise Oliver  
1585 GLENVIEW AVE  
MEMPHIS TN 38106 3803

Alice Robertson  
1579 GLENVIEW AVE  
MEMPHIS TN 38106

Louis C Patterson & Cecelia P Keys  
1360 TREEBROOK CT  
ROSWELL GA 30075 1827

Resident  
1573 Glenview Ave  
MEMPHIS TN 38106

Angelica Ramirez & Alfredo C Lopez  
1567 GLENVIEW AVE  
MEMPHIS TN 38106 3803

Clara Sharp  
4465 TIPTON CV  
MEMPHIS TN 38125 3563

Rachel Rodriguez  
8425 HICKORY GLEN DR  
GERMANTOWN TN 38138 6282

Willet Property LLC & 1221 Willet A  
Series of Aspen Investing LLC  
5021 MISTY RIVER RD  
BARTLETT TN 38135 6179

Resident  
1562 Glenview Ave  
MEMPHIS TN 38106

Leah J Scott  
1410 EASON AVE  
MEMPHIS TN 38116 8929

Lawrence Martin  
3247 PATRICIA ELLEN DR  
MEMPHIS TN 38133

Resident  
1523 S Parkway E  
MEMPHIS TN 38106

Catrice T Dye  
9728 WOODLAND EDGE LN  
CORDOVA TN 38018 6695

James C Means & Jaroy R Means  
2111 GLENMEADE DR  
MEMPHIS TN 38116 7603

Resident  
1392 Rayner St  
MEMPHIS TN 38106

Paola A Sanchez  
3924 S QUEMOY CT  
AURORA CO 80018 3132

Memphis Land Bank INC  
2600 THOUSAND OAKS BLVD STE  
3210  
MEMPHIS TN 38118 2457

Laryan Bowen  
3976 TAYLOR RD  
NASHVILLE TN 37211 4820

Clyde R Venson  
1215 SLEDGE AVE  
MEMPHIS TN 38104 4659

Resident  
1515 S Parkway E  
MEMPHIS TN 38106

Davie D Davis  
16 TALL FOREST CV  
BYHALIA MS 38611 7558

Resident  
1381 Rayner St  
MEMPHIS TN 38106

Resident  
1393 Rayner St  
MEMPHIS TN 38106

Tommie D Hull  
1384 RAYNER ST  
MEMPHIS TN 38106 5022

Resident  
1374 Rayner St  
MEMPHIS TN 38106

Kimberly S Applewhite  
6579 MALLARD NEST CV  
MEMPHIS TN 38141

Resident  
1576 Glenview Rd  
MEMPHIS TN 38106

Resident  
1509 S Parkway East  
MEMPHIS TN 38106

Violet Assets LLC  
360 GRUNION CT  
SAN MATEO CA 94404 1923

Resident  
1377 Rayner St  
Memphis TN 38106

Gussie L Thompson  
1387 RAYNER ST  
MEMPHIS TN 38106 5021

Nicholas Hernandez  
1394 RAYNERS ST  
MEMPHIS TN 38106 5022

Jacquelyn Bolden  
1380 RAYNER ST  
MEMPHIS TN 38106 5022

Beverly Reed  
468 S LILLIAN DR  
MEMPHIS TN 38109 4336

1560 Parkway  
Page 3 of 4

Jack & Evelyn Ward  
1291 ELLISTON RD  
MEMPHIS TN 38106 7709

Resident  
1367 S Willet St  
MEMPHIS TN 38106

Ernest F Moore & Gwendolyn Marshall  
1373 S WILLETT ST  
MEMPHIS TN 38106 5031

Clarrether Bowser  
1381 S WILLETT ST  
MEMPHIS TN 38106 5031

Nancy Wallace & Cameron and Lacy D  
Stevenson JR  
4757 BLACKISTON CV  
MEMPHIS TN 38109 6116

Resident  
1387 S Willet St  
MEMPHIS TN 38106

Janice D Gaston  
1393 S WILLETT ST  
MEMPHIS TN 38106 5031

Reginald D Jones  
175 THUNDERBIRD DR  
HARVEST AL 35749

Resident  
1379 S Willet St  
MEMPHIS TN 38106

Antonio D Taylor  
1398 S WILLETT ST  
MEMPHIS TN 38106 5032

Mildred Momon  
1394 S WILLETT ST  
MEMPHIS TN 38106 5032

Thomas Mcgee  
4370 ECKOIS CV  
MILLINGTON TN 38053 8258

Resident  
1388 S Willet St  
MEMPHIS TN 38106

CGB Partners LLC & Skytopia  
Investments LLC  
3310 LEBANON PIKE STE 203  
HERMITAGE TN 37076 2027

Etta Mae Bratcher  
1380 S WILLETT ST  
MEMPHIS TN 38106 5032

Tennial Brothers Investments LLC  
1033 W MONTEBELLO CIR  
CORDOVA TN 38018 8403

Claude E Gardner  
999 PARKLAND RD  
MEMPHIS TN 38111

Resident  
1381 Ragan St  
MEMPHIS TN 38106

Jennetta J Nelson  
1659 SILVER ST  
MEMPHIS TN 38106

Resident  
1387 Ragan St  
Memphis, TN 38106

Jerry & Arand Taylor  
1393 RAGAN ST  
MEMPHIS TN 38106 6101

Ethel Jones  
1397 RAGAN ST  
MEMPHIS TN 38106 6101

Alex Brown  
1591 S PARKWAY E  
MEMPHIS TN 38106 5109

Irene B Mack  
1597 S PARKWAY E  
MEMPHIS TN 38106 5109

William H Bailey SR  
4810 LUFKIN ST S  
BEAUMONT TX 77703 1314

Resident  
1603 S Parkway E  
Memphis, TN 38106

Martin A Butcher JR  
1607 S PARKWAY E  
MEMPHIS TN 38106 5114

Sunoco Products company  
1 N SECOND ST  
HARTSVILLE SC 29550 3300

Lashonda Echols  
1580 GLENVIEW AVE  
MEMPHIS TN 38106 3804

1560 Parkway  
Page 4 of 4

Thelma Thornton  
1586 GLENVIEW AVE  
MEMPHIS TN 38106 3804

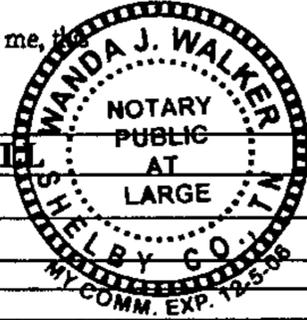


*Tom Leatherwood*  
Shelby County Register

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.

	
<b>04124678</b>	
07/28/2004 - 10:37 AM	
2 PGS : R - WARRANTY DEED	
MICHELLE 246775-4124678	
VALUE	50000.00
MORTGAGE TAX	0.00
TRANSFER TAX	185.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	198.00
<b>TOM LEATHERWOOD</b>	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

State of Tennessee County of Shelby The	
actual consideration or value, whichever is greater, for this transfer is.	
<u>George Smith</u>	Affiant Subscribed and sworn to before me, the
the 24th day of June, 2004.	<u>Wanda J Walker</u>
Notary Public My commission expires:	(AFFIX SEAL)
<b>THIS INSTRUMENT WAS PREPARED BY WEISSMAN, OSTROW &amp; MITCHELL</b>	
<b>Attorneys at Law 5118 Park Avenue Suite 600, Memphis, TN 38117-5710</b>	
Address of New Owner(s) as follows: <u>Osama Alhrout Jaber Said</u>	
Map-Parcel Numbers <u>031-010-00001</u>	
<u>1560 S. Parkway East</u>	PROPERTY ADDRESS
<u>Memphis, Tennessee</u>	



FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HERINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE COISDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGE, I/WE,

**Sara Rose Segal, Harold Segal and Eileen Segal**

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO

**Osama Alhrout, and, and Jaber Said**

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN Shelby COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

**See attached Exhibit for legal description**

And being the same property conveyed to Ronald H. Segal, deceased by Warranty Deed of record in Register's file Book 2234, Page 20. Ronald H. Segal, having died intestate on or about April 4, 1959 and was survived by his spouse, Sara Rose Segal and his two children, namely Harold Segal and Eileen the grantors herein and as shown in the Probate Administration in the Probate Court of Shelby County docket number 74461, Minute Book 269, Page 608.

This conveyance is subject to 2004 county taxes, a lien, but not yet due and payable and assumed by the Grantees; and is otherwise unencumbered.

**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 that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same in unencumbered, unless otherwise herein set out above; 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/our hand(s) this 24th day of June, 2004.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Sara Rose Segal**  
Sara Rose Segal  
**Harold Segal**  
Harold Segal  
**Eileen Segal**  
Eileen Segal

LEGAL

Part of Lot 1, Hicks and Smith Subdivision of Lot 5, Whitmore Tract, being the northeast corner of South Willett Street and South Parkway, more particularly described as follows: Beginning where the west line of the Frisco Railway right of way interests the east line of South Willett Street; thence southeast along the south line of said right of way 90 feet, more or less, to the north line of South Parkway East; thence west along the north line of South Parkway East 60 feet, more or less, to the east line of South Willett Street; thence north with the east line fo South Willett Street 89 feet, more or less, to the point of beginning.

STATE OF TENNESSEE

COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Sara Rose Segal, Harold Segal and Eileen Segal, to me known to be the person(s) described in and who executed for foregoing instrument, and acknowledged that they executed the same as their free act and deed.

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

My commission expires: \_\_\_\_\_



*Wanda J. Walker*  
NOTARY PUBLIC

Mail Tax Bills To: Osama Alhrout  
PROPERTY ADDRESS: 1560 S. Parkway East  
Memphis, TN

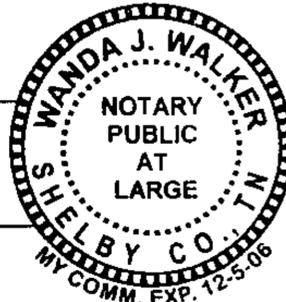
I, or we, hereby swear of affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred whichever is greater is \$50,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

*Terri G. Smith*  
AFFIANT

Subscribed and sworn to before me this the 24th day of June, 2004.

*Wanda J. Walker*  
NOTARY PUBLIC

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

September 15, 2023

The Bray Firm  
2950 Stage Plaza North  
Bartlett, TN 38134

*Sent via electronic mail to: [dgbray@comcast.net](mailto:dgbray@comcast.net)*

Case Number: RC 2023-001  
LUCB Recommendation: Approval

Dear Applicant,

On Thursday, September 14, 2023, the Memphis and Shelby County Land Use Control Board recommended **approval** of your residential corridor revocation application to remove a portion of land from the Residential Corridor Overlay District located at 1560 S Parkway East.

This application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

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

Respectfully,  
*Kendra Cobbs*

Kendra Cobbs, AICP  
Planner III  
Land Use and Development Services  
Division of Planning and Development

**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, \_\_\_\_\_ 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:** RC 2023-001
- LOCATION:** 1560 S Parkway East (southeast corner of S Parkway East and South Willett St)
- COUNCIL DISTRICTS:** District 4 and Super District 8
- OWNER/APPLICANT:** Alhrou Osama and Jaber Said
- REPRESENTATIVE:** David Bray, The Bray Firm
- REQUEST:** Residential corridor overlay deletion at 1560 S Parkway East
- AREA:** +/-0.046 acres

**RECOMMENDATIONS:**  
Memphis and Shelby County Division of Planning and Development: *Approval*  
Memphis and Shelby County Land Use Control Board: *Approval*

**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:***

**JOEL PHILHOURS**  
***CITY COMPTROLLER***

---

**TO BE PUBLISHED:**



Osama Alhrouf  
1560 S Parkway E  
Memphis, TN 38106

The Bray Firm  
2950 Stage Plaza North  
Bartlett, TN 38134

Owner

Engineer

Word of God Deliverance Temple  
Church  
1874 FREEMONT  
MEMPHIS TN 38114

George W Saunders  
PO BOX 40582  
MEMPHIS TN 38174 0582

Vivek Khoche  
2496 EASY ST  
SAN LEANDRO CA 94578 1107

Resident  
1580 S Parkway E  
MEMPHIS TN 38106

Janice R Greer  
1019 VIA CALDERIA PL  
HENDERSON NV 89011 0806

Resident  
1584 S Parkway  
MEMPHIS TN 38106

Merrick V Horne  
9603 MALLARD LAKE RD  
COLLIERVILLE TN 38017 9326

Greater Love Miracle Center Church  
585 VANCE AVE  
MEMPHIS TN 38126 2207

Resident  
1608 S Parkway E  
Memphis TN 38106

Resident  
1601 Glenview Ave  
Memphis, TN 38106

RA SFR Beans LLC  
11 S ORLEANS ST  
MEMPHIS TN 38103 3320

Resident  
1595 Glenview Ave  
MEMPHIS TN 38106

Betty J Strother  
564 MONTEAGLE  
MEMPHIS TN 38109

Resident  
1589 Glenview Ave  
MEMPHIS TN 38106

Barney L & Brice L & Deloise Oliver  
1585 GLENVIEW AVE  
MEMPHIS TN 38106 3803

Alice Robertson  
1579 GLENVIEW AVE  
MEMPHIS TN 38106

Louis C Patterson & Cecelia P Keys  
1360 TREEBROOK CT  
ROSWELL GA 30075 1827

Resident  
1573 Glenview Ave  
MEMPHIS TN 38106

Angelica Ramirez & Alfredo C Lopez  
1567 GLENVIEW AVE  
MEMPHIS TN 38106 3803

Clara Sharp  
4465 TIPTON CV  
MEMPHIS TN 38125 3563

Rachel Rodriguez  
8425 HICKORY GLEN DR  
GERMANTOWN TN 38138 6282

Willet Property LLC & 1221 Willet A  
Series of Aspen Investing LLC  
5021 MISTY RIVER RD  
BARTLETT TN 38135 6179

Resident  
1562 Glenview Ave  
MEMPHIS TN 38106

Leah J Scott  
1410 EASON AVE  
MEMPHIS TN 38116 8929

Lawrence Martin  
3247 PATRICIA ELLEN DR  
MEMPHIS TN 38133

Resident  
1523 S Parkway E  
MEMPHIS TN 38106

Catrice T Dye  
9728 WOODLAND EDGE LN  
CORDOVA TN 38018 6695

James C Means & Jaroy R Means  
2111 GLENMEADE DR  
MEMPHIS TN 38116 7603

Resident  
1392 Rayner St  
MEMPHIS TN 38106

Paola A Sanchez  
3924 S QUEMOY CT  
AURORA CO 80018 3132

Memphis Land Bank INC  
2600 THOUSAND OAKS BLVD STE  
3210  
MEMPHIS TN 38118 2457

Laryan Bowen  
3976 TAYLOR RD  
NASHVILLE TN 37211 4820

Clyde R Venson  
1215 SLEDGE AVE  
MEMPHIS TN 38104 4659

Resident  
1515 S Parkway E  
MEMPHIS TN 38106

Davie D Davis  
16 TALL FOREST CV  
BYHALIA MS 38611 7558

Resident  
1381 Rayner St  
MEMPHIS TN 38106

Resident  
1393 Rayner St  
MEMPHIS TN 38106

Tommie D Hull  
1384 RAYNER ST  
MEMPHIS TN 38106 5022

Resident  
1374 Rayner St  
MEMPHIS TN 38106

Kimberly S Applewhite  
6579 MALLARD NEST CV  
MEMPHIS TN 38141

Resident  
1576 Glenview Rd  
MEMPHIS TN 38106

Resident  
1509 S Parkway East  
MEMPHIS TN 38106

Violet Assets LLC  
360 GRUNION CT  
SAN MATEO CA 94404 1923

Resident  
1377 Rayner St  
Memphis TN 38106

Gussie L Thompson  
1387 RAYNER ST  
MEMPHIS TN 38106 5021

Nicholas Hernandez  
1394 RAYNERS ST  
MEMPHIS TN 38106 5022

Jacquelyn Bolden  
1380 RAYNER ST  
MEMPHIS TN 38106 5022

Beverly Reed  
468 S LILLIAN DR  
MEMPHIS TN 38109 4336

1560 Parkway  
Page 3 of 4

Jack & Evelyn Ward  
1291 ELLISTON RD  
MEMPHIS TN 38106 7709

Resident  
1367 S Willet St  
MEMPHIS TN 38106

Ernest F Moore & Gwendolyn Marshall  
1373 S WILLETT ST  
MEMPHIS TN 38106 5031

Clarrether Bowser  
1381 S WILLETT ST  
MEMPHIS TN 38106 5031

Nancy Wallace & Cameron and Lacy D  
Stevenson JR  
4757 BLACKISTON CV  
MEMPHIS TN 38109 6116

Resident  
1387 S Willet St  
MEMPHIS TN 38106

Janice D Gaston  
1393 S WILLETT ST  
MEMPHIS TN 38106 5031

Reginald D Jones  
175 THUNDERBIRD DR  
HARVEST AL 35749

Resident  
1379 S Willet St  
MEMPHIS TN 38106

Antonio D Taylor  
1398 S WILLETT ST  
MEMPHIS TN 38106 5032

Mildred Momon  
1394 S WILLETT ST  
MEMPHIS TN 38106 5032

Thomas Mcgee  
4370 ECKOIS CV  
MILLINGTON TN 38053 8258

Resident  
1388 S Willet St  
MEMPHIS TN 38106

CGB Partners LLC & Skytopia  
Investments LLC  
3310 LEBANON PIKE STE 203  
HERMITAGE TN 37076 2027

Etta Mae Bratcher  
1380 S WILLETT ST  
MEMPHIS TN 38106 5032

Tennial Brothers Investments LLC  
1033 W MONTEBELLO CIR  
CORDOVA TN 38018 8403

Claude E Gardner  
999 PARKLAND RD  
MEMPHIS TN 38111

Resident  
1381 Ragan St  
MEMPHIS TN 38106

Jennetta J Nelson  
1659 SILVER ST  
MEMPHIS TN 38106

Resident  
1387 Ragan St  
Memphis, TN 38106

Jerry & Arand Taylor  
1393 RAGAN ST  
MEMPHIS TN 38106 6101

Ethel Jones  
1397 RAGAN ST  
MEMPHIS TN 38106 6101

Alex Brown  
1591 S PARKWAY E  
MEMPHIS TN 38106 5109

Irene B Mack  
1597 S PARKWAY E  
MEMPHIS TN 38106 5109

William H Bailey SR  
4810 LUFKIN ST S  
BEAUMONT TX 77703 1314

Resident  
1603 S Parkway E  
Memphis, TN 38106

Martin A Butcher JR  
1607 S PARKWAY E  
MEMPHIS TN 38106 5114

Sunoco Products company  
1 N SECOND ST  
HARTSVILLE SC 29550 3300

Lashonda Echols  
1580 GLENVIEW AVE  
MEMPHIS TN 38106 3804

1560 Parkway  
Page 4 of 4

Thelma Thornton  
1586 GLENVIEW AVE  
MEMPHIS TN 38106 3804

**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) \_\_\_\_\_ 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)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	<b>CHIEF ADMINISTRATIVE OFFICER</b>
_____	_____	<b>COMMITTEE CHAIRMAN</b>



## 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)

---

**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,

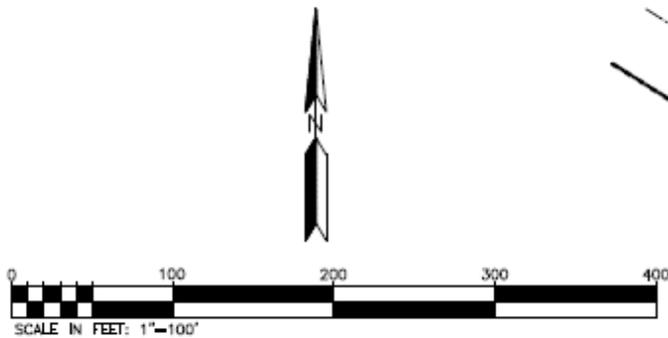


Nicholas Wardroup  
Land Use and Development Services  
Division of Planning and Development

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)

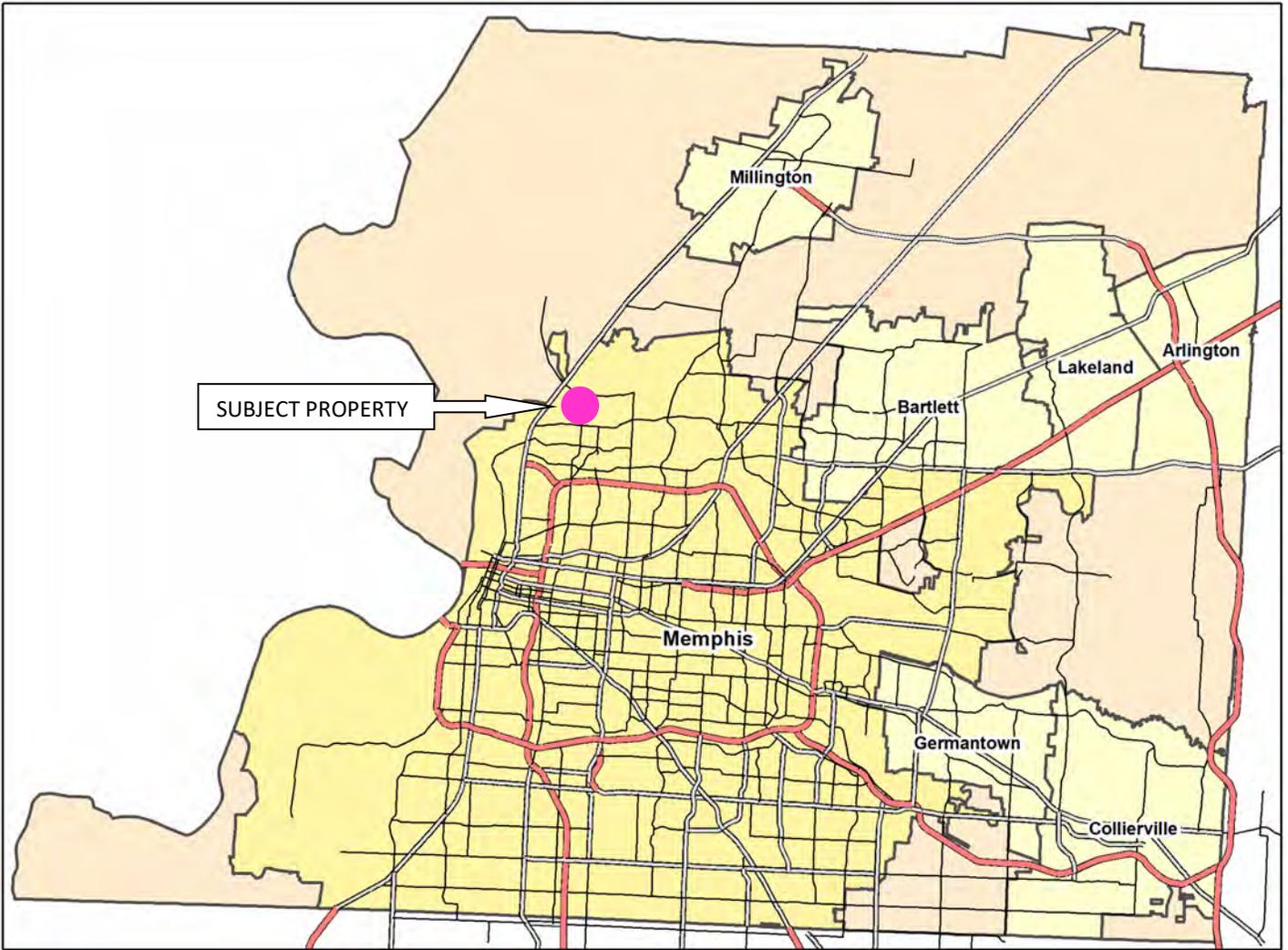
**NEIGHBORHOOD MEETING**

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**

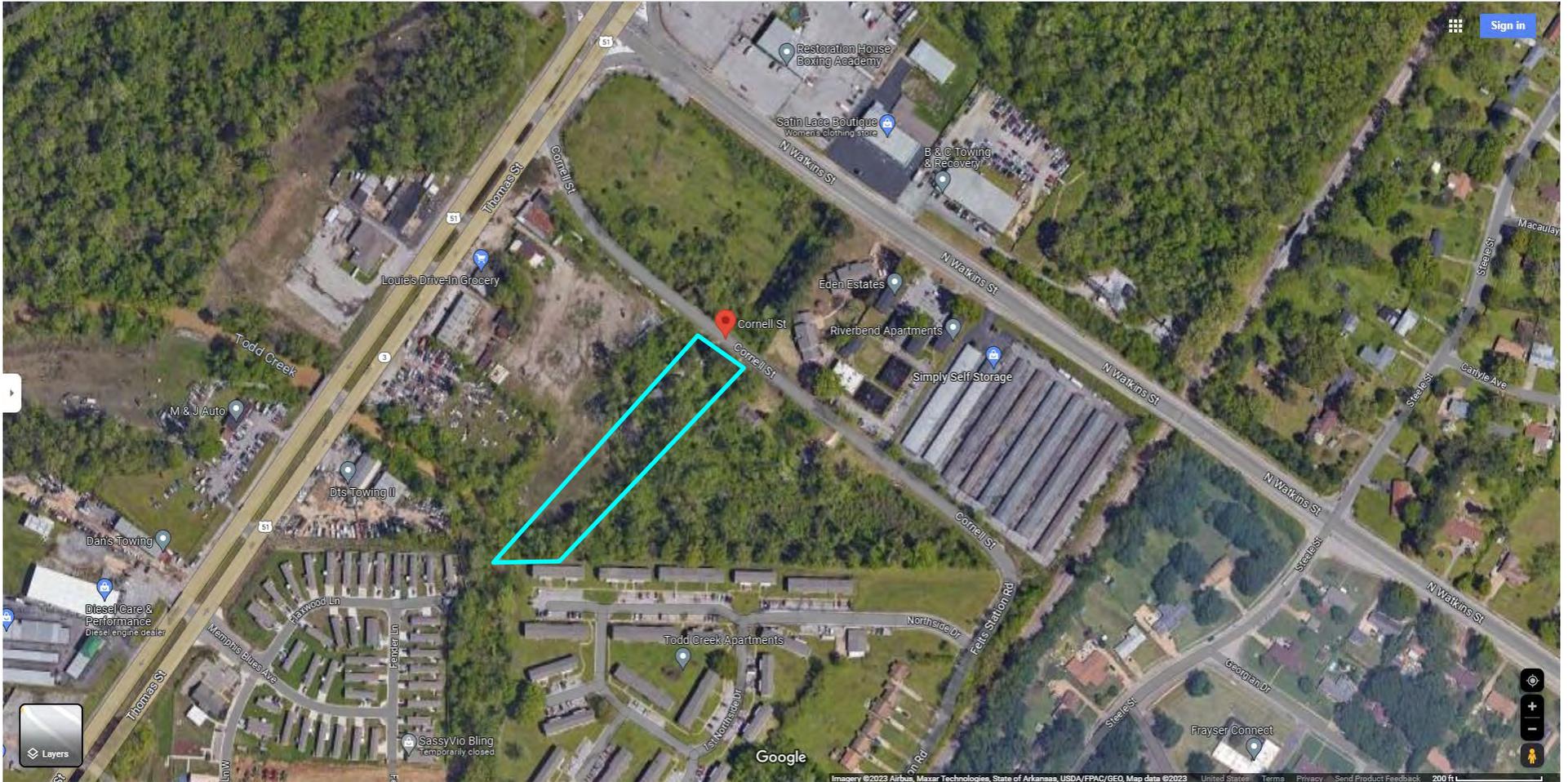


Subject property located within the pink circle, Frayser



In the following maps, the subject property is outlined in cyan.

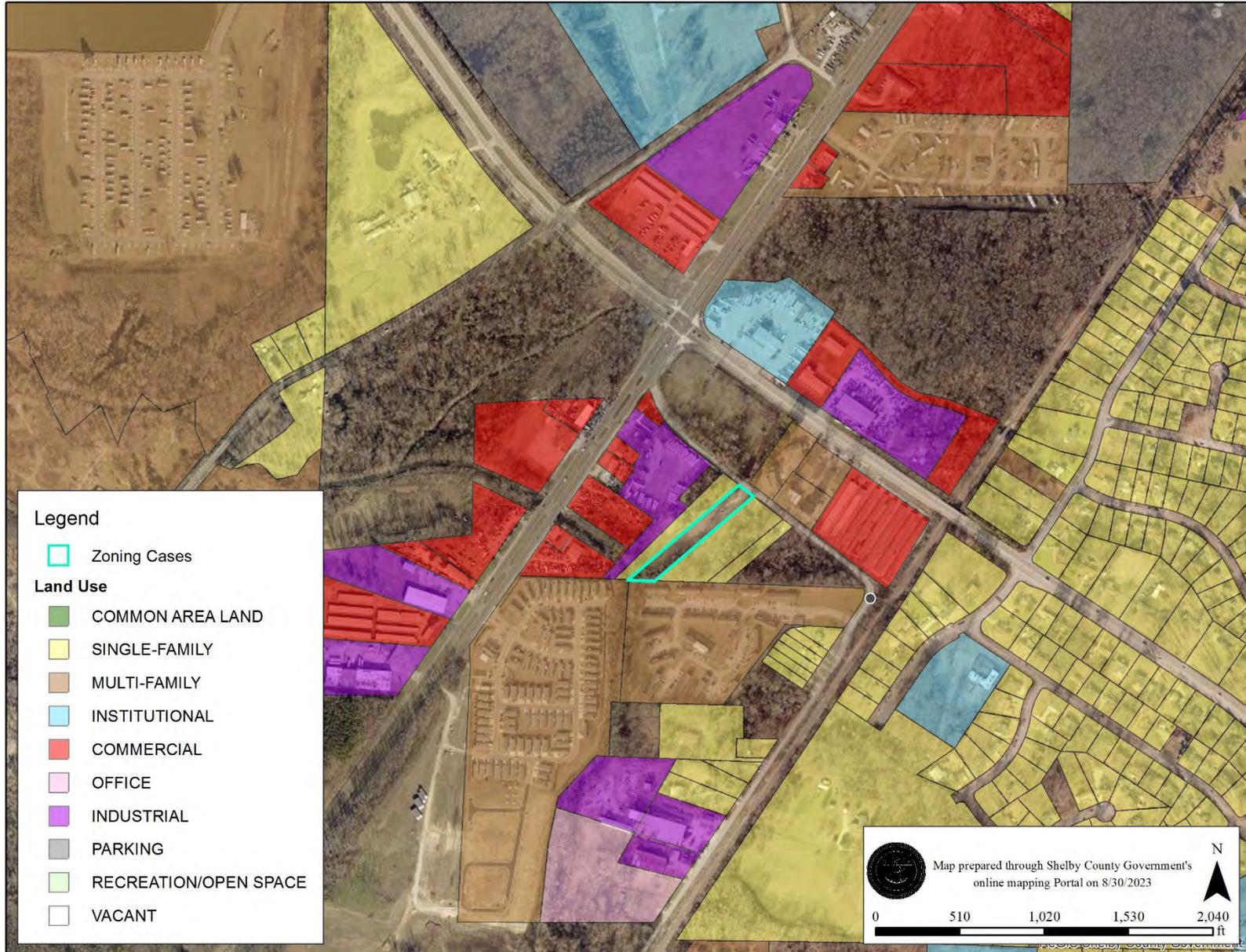
**AERIAL**



ZONING MAP



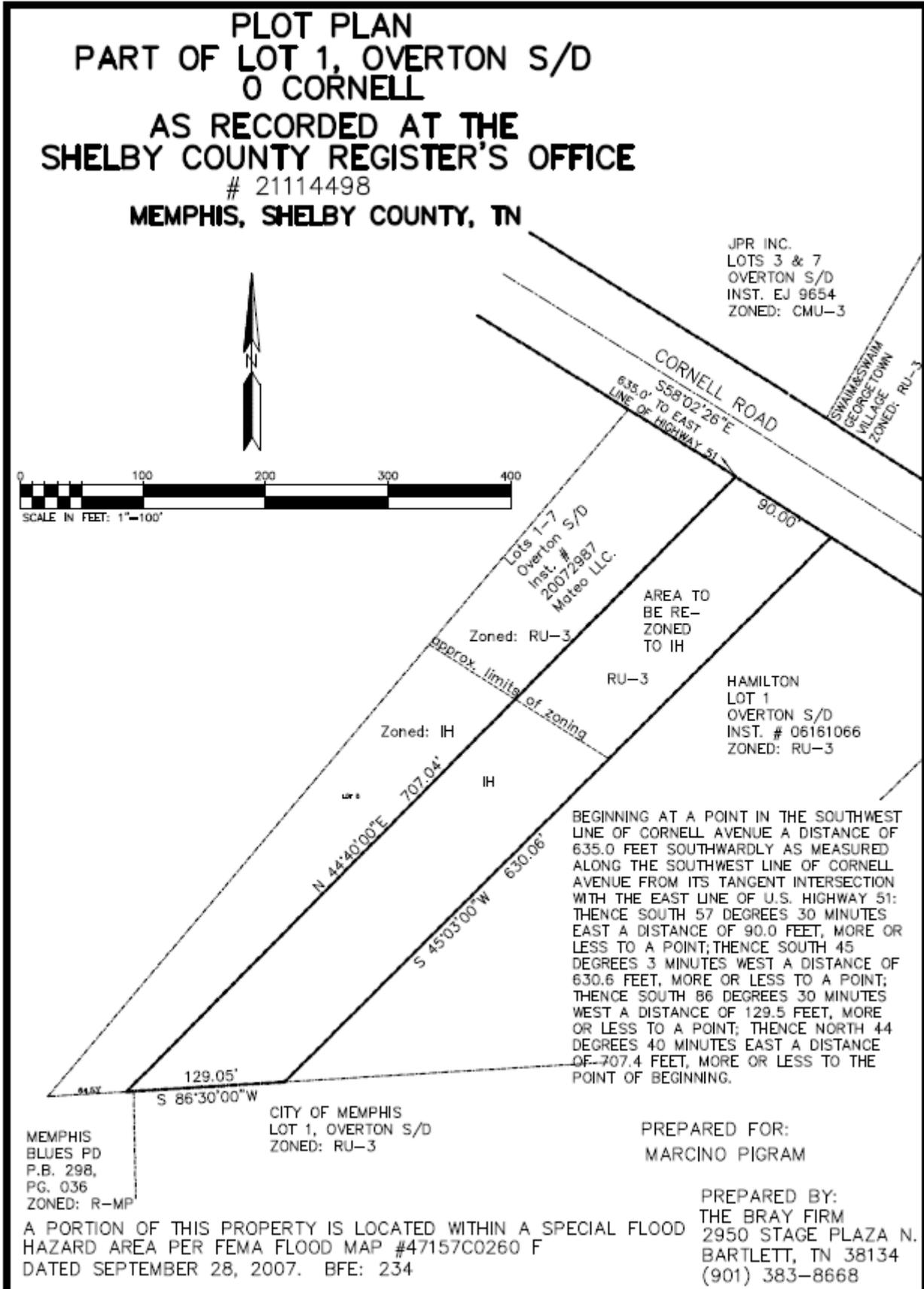
LAND USE MAP



### MEMPHIS 3.0 FUTURE LAND USE



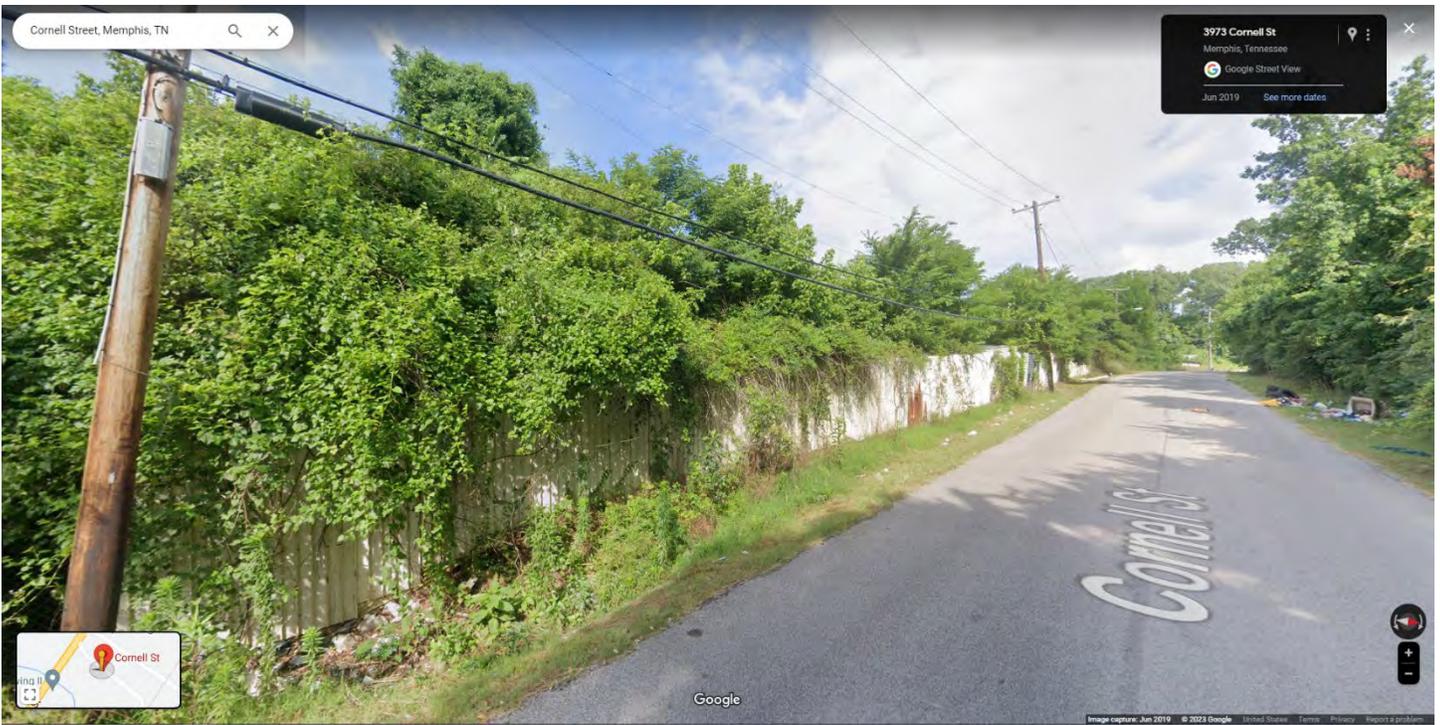
PLOT PLAN



**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:**

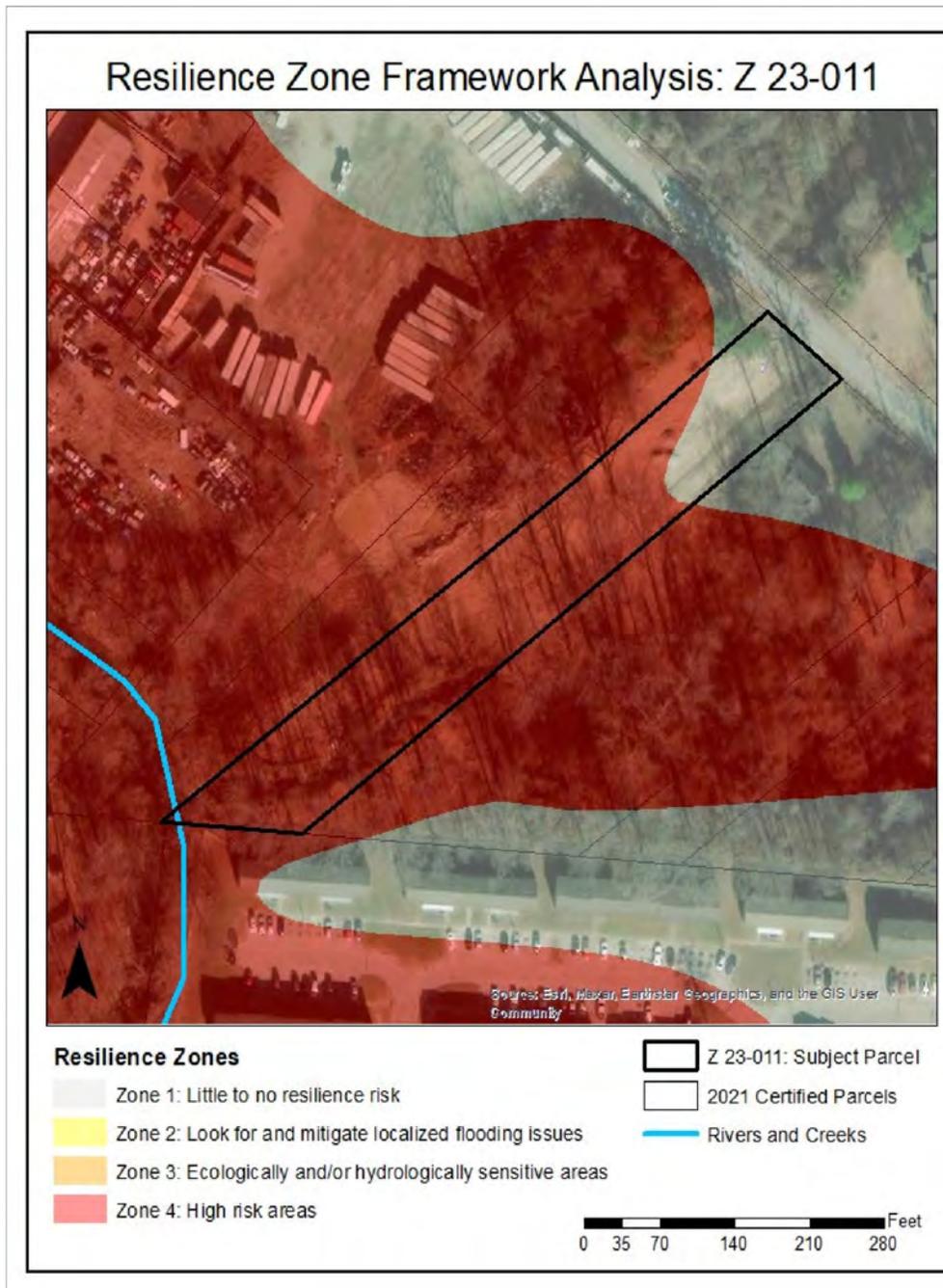
Located in Zones 1 and 4 of the Resilience Zone Framework:

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**

---

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)

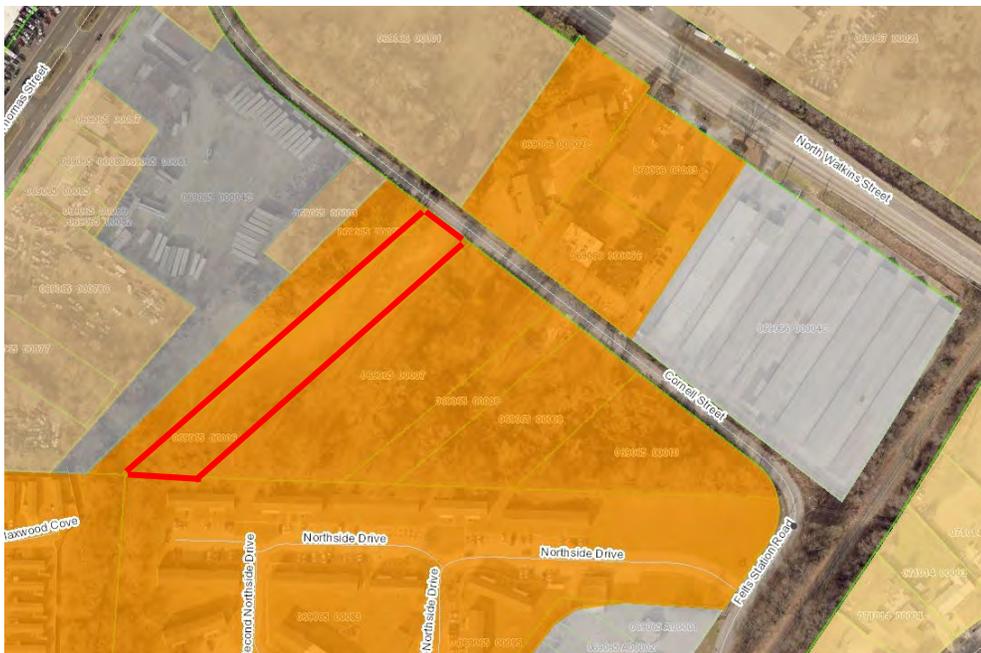
Overlay District/Historic District/Flood Zone: Not located in an overlay or historic district, Located in a floodplain and flood zone with a 0.2% Annual Chance Flood Hazard Future Land Use Designation: Primarily Multifamily Neighborhood (NM)

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.

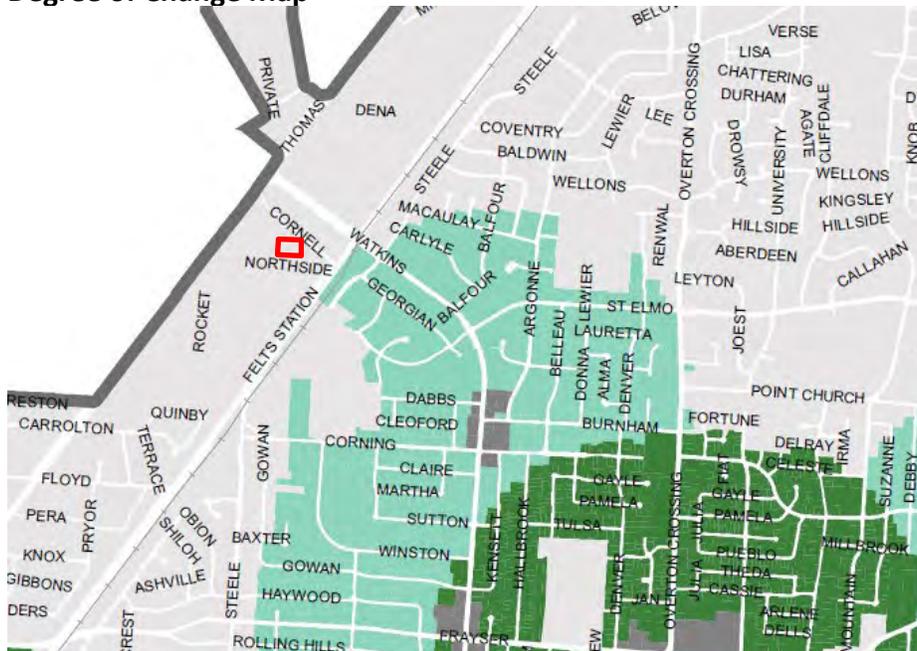
### Existing, Adjacent Land Use and Zoning

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 X Land Use Control Board X Memphis City Council, X Shelby County Board of Commissioners for consideration of a proposed Land Use Action ( \_\_\_\_\_ Planned Development X Special Use Permit, X Zoning District Map Amendment, X 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: Reznoring 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

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Parent Record Number:

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### Address:

0 cornell 38105

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Primary Owner Name

Y PIGRAM MARCINO

Owner Address

21 NEELY ST, MEMPHIS, TN 38105

Owner Phone

---

### Parcel Information

069065 00006

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

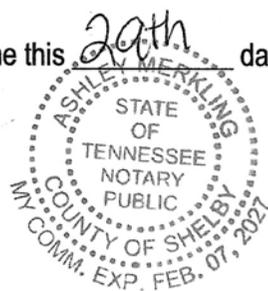
6/29/2023

- 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)**  
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**Proposed zoning: IH to match rear of property**

Mr. Ragsdale;

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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.

AREA TO  
BE RE-  
ZONED  
TO IH

Zoned: RU-3

RU-3

HAMILTON  
LOT 1  
OVERTON S/D  
INST. # 06161066  
ZONED: RU-3

Zoned: IH

IH

*approx. limits of zoning*

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

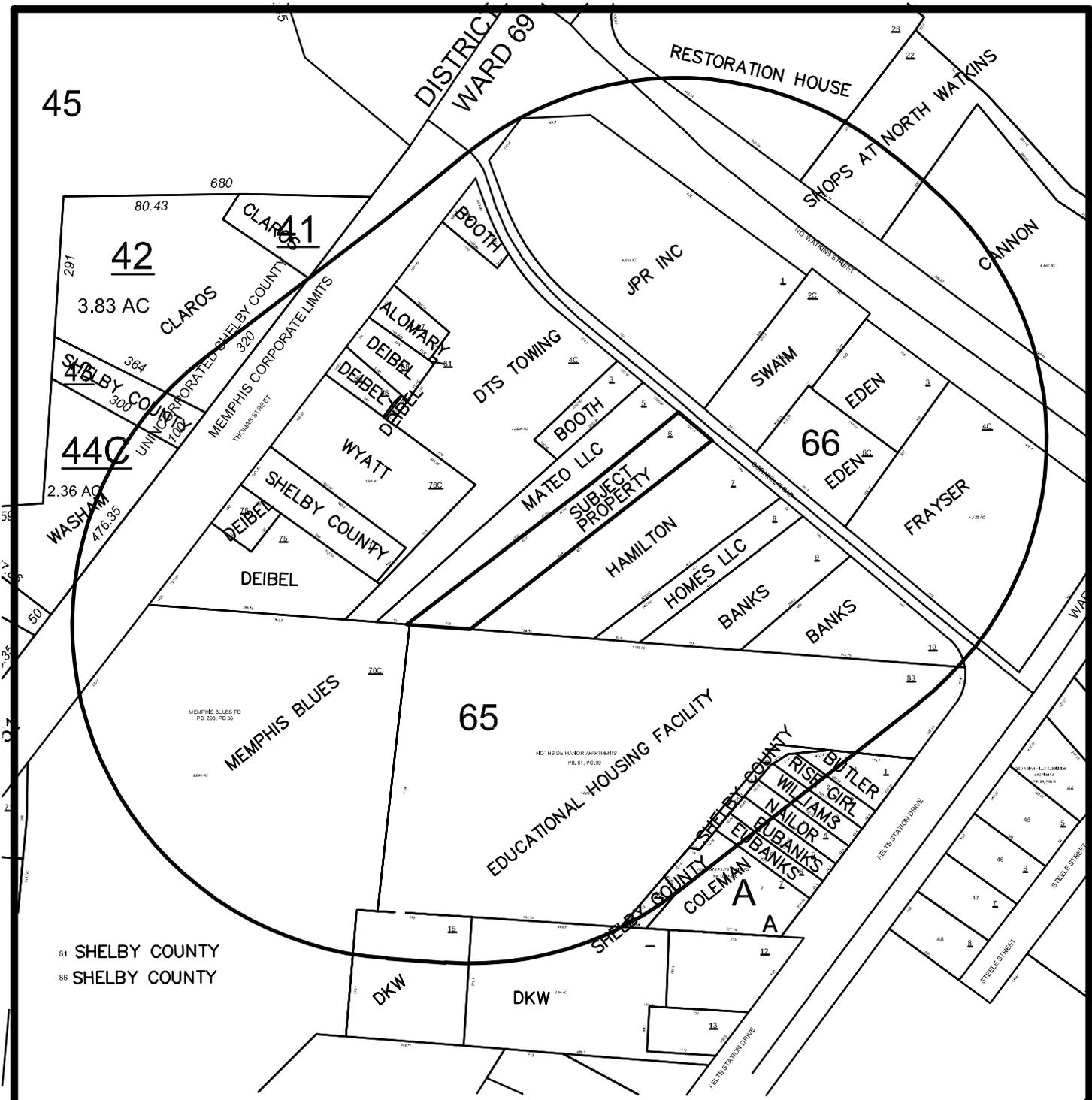
MEMPHIS  
BLUES PD  
P.B. 298,  
PG. 036  
ZONED: R-MP

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

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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.

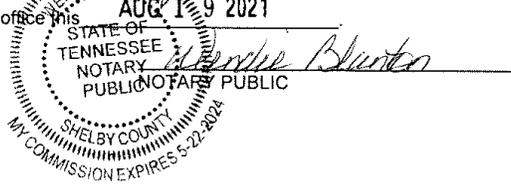
IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Trustee, this Aug 17, 2021

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

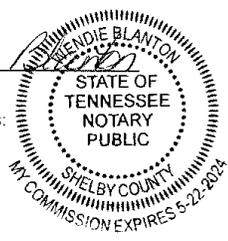
*Leslie Blessike*  
\_\_\_\_\_  
AFFIANT

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

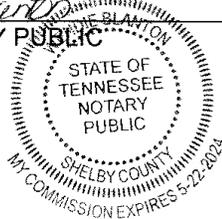
I, Thomas Koelbl, do hereby make oath that I am a licensed attorney and/or the custodian of the paper version of the electronic record tendered for registration herewith and that this is a true and correct copy of the electronic record executed pursuant to § 47-10-112 and other provisions of the Uniform 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: \_\_\_\_\_



# 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

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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.

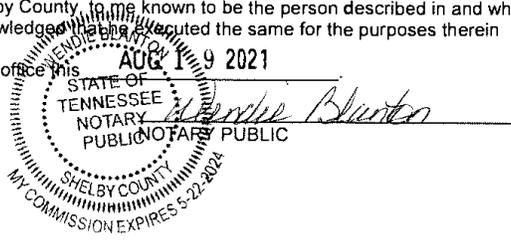
IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Trustee, this Aug 17, 2021

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

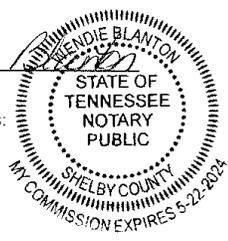
*Leslie Blessike*  
\_\_\_\_\_  
AFFIANT

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

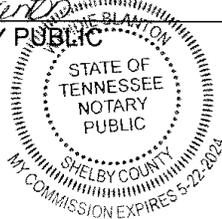
I, Thomas Koelbl, do hereby make oath that I am a licensed attorney and/or the custodian of the paper version of the electronic record tendered for registration herewith and that this is a true and correct copy of the electronic record executed pursuant to § 47-10-112 and other provisions of the Uniform 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