

Ordinance No. _____

An Ordinance Renaming S. Hollywood Street between Union Avenue and Southern Avenue as
Glenn Rogers, Sr. Street

WHEREAS, the Memphis City Council possesses naming and renaming powers for public streets, parks, and other public spaces pursuant to Ordinance No. 5759, which amended the City of Memphis Code of Ordinances for this purpose; and

WHEREAS, on occasion, the Memphis City Council sees fit to recognize members of the Memphis community who have had a lasting impact through the renaming of public streets and spaces in their honor; and

WHEREAS, Glenn Rogers, Sr. is certainly worthy of recognition for his historical impact at the University of Memphis, where he was the first African American football player for the university, playing for the team from 1968 to 1971; and

WHEREAS, Glenn Rogers, Sr. was awarded the M Club Hall of Fame Billy J. Murphy Award in 2000 from the University of Memphis for his post-football contributions to the community; and

WHEREAS, the Memphis City Council does wish to honor Glenn Rogers, Sr. by renaming a stretch of S. Hollywood Street adjacent to the Simmons Bank Liberty Stadium, which the Memphis Tigers football team calls home, to commemorate Mr. Roger's historical significance to the university and its football program.

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the following street shall be renamed, and the administrative street renaming process shall proceed as follows:

- (A) S. Hollywood Street between Union Avenue and Southern Avenue shall be renamed as Glenn Rogers, Sr. Street.
- (B) The Memphis City Council, Division of Planning and Development, Division of Engineering, and any other applicable City of Memphis Divisions shall coordinate to perform the appropriate notifications and administrative protocols necessary to complete this permanent street name change.
- (C) The City Engineer is requested to affix suitable signs denoting the street as Glenn Rogers, Sr. Street.

Sponsor:
Chase Carlisle

JB Smiley, Jr.
Chairman

WHEREAS, on occasion the Memphis City Council has seen fit to honor citizens who have enriched the community, and **Judge Earnestine Hunt Dorse**, as a trailblazer in the judiciary, is one such citizen who is undoubtedly worthy of honoring and celebrating; and

WHEREAS, **Judge Earnestine Hunt Dorse**, a native Memphian born and raised on Baltimore Street in Orange Mound, Tennessee, has exemplified unwavering commitment, resilience, and dedication throughout her illustrious life and career; and

WHEREAS, **Judge Dorse's** journey started with humble beginnings, being the fourth of six siblings born to Mr. William Ernest Hunt and Mrs. Jennie Hunt, and later marrying Fred O. Dorse, a retired businessman with whom she shares a loving family of seven children, five grandsons, and two great-grandchildren; and

WHEREAS, as a tenth-grade student at Melrose High School, **Judge Dorse** demonstrated extraordinary courage and solidarity by leading her fellow students in support of the local sanitation workers' strike and Dr. Martin Luther King Jr.'s march in downtown Memphis; and as a charter member of the Southern Christian Leadership Conference Choir, she lent her voice to the cause of civil rights, performing with the choir during Dr. King's final speech; and

WHEREAS, inspired by these profound experiences, **Judge Dorse** pursued her education with diligence and distinction, graduating cum laude from Clark College (now Clark Atlanta University) and earning her Juris Doctor Degree from the University of Memphis in 1984; she further enriched her understanding of global affairs as an exchange student at Dag Hammarskjold College, where she studied United Nations agencies in multiple foreign countries, including Geneva, Switzerland; Vienna, Austria; Paris, France; Malmo, Sweden; and Luxembourg, Germany; and

WHEREAS, **Judge Dorse's** illustrious career in law and tireless dedication to public service were demonstrated in her roles as an educator within the Memphis City School system, a diligent research associate, and a dedicated paralegal; and in 1990, she shattered barriers and blazed a trail by making history as the first African-American female City Court Judge elected in Memphis and only the second African-American female judge in the state's history; her unwavering commitment to upholding principles of fairness, compassion, and integrity has permanently shaped the judicial landscape, leaving an enduring legacy on both the legal system and the countless lives she has impacted; and

WHEREAS, **Judge Dorse's** exemplary achievements as a member of the National Bar Association have significantly impacted both the legal community and the city of Memphis, including the historic milestone of bringing the annual National Bar Association Convention to Memphis for the first time in 1998, attracting esteemed figures and generating substantial economic and national recognition for the city; and

WHEREAS, **Judge Dorse's** impact extends beyond the courtroom with her election as Chair of the 2003-2004 National Bar Association Judicial Council, emphasizing her exceptional leadership qualities and dedication to representing judges across four countries and demonstrating her commitment to advancing the principles of justice and equality on a global scale; and

WHEREAS, **Judge Dorse's** steadfast commitment and leadership within the Ben F. Jones Chapter have played a pivotal role in advancing the representation of African American lawyers in the judiciary, paving the way for diversity and inclusion within the legal profession; furthermore, her pioneering spirit and unwavering dedication to upholding the rule of law stand as a beacon of inspiration, especially to young girls whom she has mentored with grace and wisdom, imparting upon them the values of perseverance and selfless service.

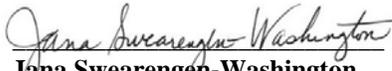
NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that Dallas Street between Carnes Avenue and Park Avenue be designated as

Judge Earnestine Hunt Dorse Street

that will testify to her unparalleled dedication, leadership, and unwavering commitment to justice throughout her remarkable life.

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

**Given by my hand and under the
great seal of the City of Memphis
this 5th day of March 2024.**


**Jana Swarengen-Washington
Memphis City Councilwoman
District 4**

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 3/5/2024

DATE

PUBLIC SESSION: 3/5/2024

DATE

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

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 3925 Chelsea Avenue, known as case number SUP 2023-042

CASE NUMBER: SUP 2023-042

LOCATION: 3925 Chelsea Avenue

COUNCIL DISTRICTS: District 7 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Pure Youth Athletics Alliance/John Golwen

REPRESENTATIVE: Bass, Berry & Sims PLC

REQUEST: To allow a dormitory and lighted recreation field

AREA: +/-7.72 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 – March 5, 2024

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
<u>2/8/2024</u>	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>Kendrea Cobbs</u>	<u>2/26/2024</u>	PRINCIPAL PLANNER
<u>[Signature]</u>	<u>2/26/2024</u>	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2023-042

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 3925 CHELSEA AVENUE, KNOWN AS CASE NUMBER SUP 2023-042.

- This item is a resolution with conditions for a special use permit to allow a dormitory and lighted recreation field; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER:	SUP 2023-042
LOCATION:	3925 Chelsea Avenue
COUNCIL DISTRICT(S):	District 7 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Pure Youth Athletics Alliance/John Golwen
REPRESENTATIVE:	Bass, Berry & Sims PLC
REQUEST:	New special use permit for a dormitory and lighted recreation field
EXISTING ZONING:	Residential Single-Family – 6 (R-6)
AREA:	+/-7.72 acres

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 on the consent agenda.

Respectfully,

Kendra Cobbs

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

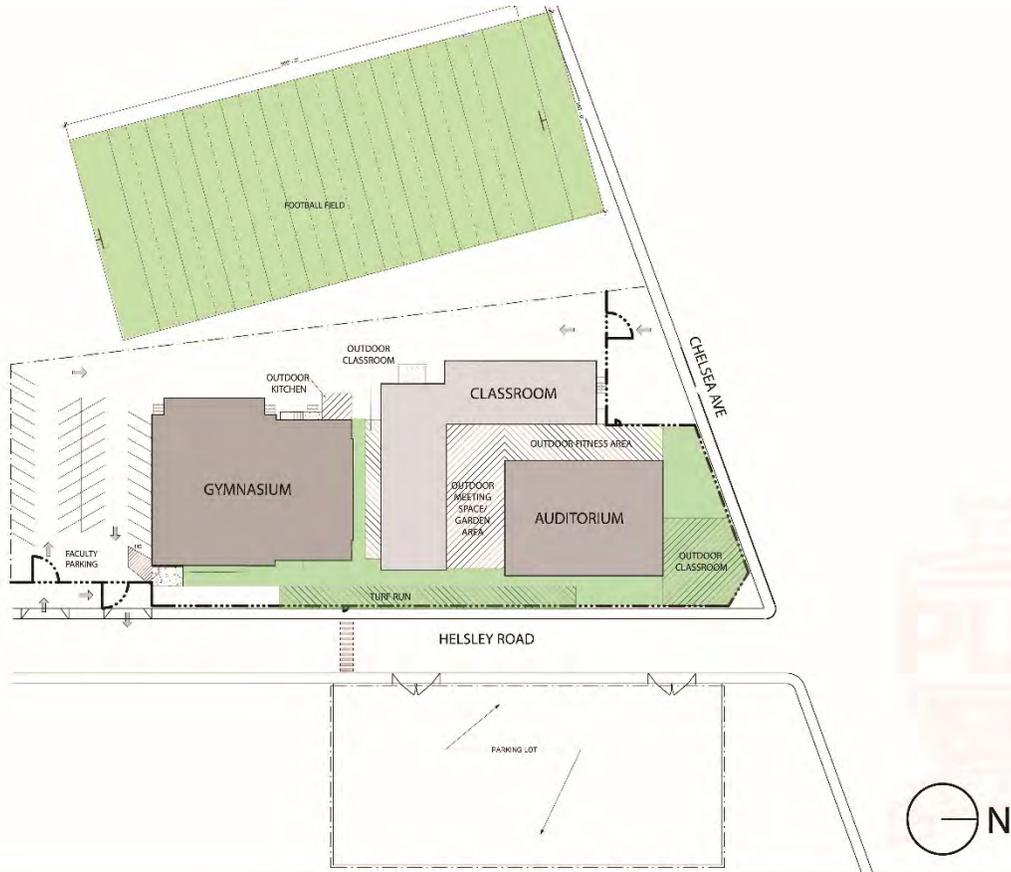
Cc: Committee Members
File

SUP 2023-042

CONDITIONS

1. A minimum Class II, Type C buffer meeting the requirements of Section 4.6.5 of the Unified Development Code shall be established along the right-of-way frontage of the lighted recreation field.
2. A Class III buffer shall be established along any side of the property within 400 feet of a single-family residential use or single-family residential district.
3. A final site plan and landscape plan shall be submitted for administrative review and approval by the Division of Planning and Development (DPD) for the entirety of the property.
4. A photometric plan shall be submitted showing the field lighting adhering to requirements of Chapter 4.7, Outdoor Site Lighting of the Unified Development Code.
5. Lighting for outdoor recreation fields shall be arranged/positioned to prevent direct glare onto any public right-of-way or private property.
6. Noise emanating from the electronic scoreboard is subject to compliance with city ordinances.
7. Music should not be played or any public address system announced later than 9:00 PM.
8. No athletic field lighting poles shall exceed 60 feet in height.
9. Any fencing shall be subject to the approval of DPD.
10. Future modifications to the site plan will not require re-recording of the site plan unless additional uses/activities are being added that are beyond the scope of prior approvals for the site or this approval.

SITE PLAN



PURE ACADEMY
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 AT 3925 CHELSEA AVENUE, KNOWN AS CASE NUMBER SUP 2023-042

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, John Golwen filed an application with the Memphis and Shelby County Division of Planning and Development to allow a dormitory and lighted recreation field; 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 February 8, 2024, 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.

CONDITIONS

1. A minimum Class II, Type C buffer meeting the requirements of Section 4.6.5 of the Unified Development Code shall be established along the right-of-way frontage of the lighted recreation field.
2. A Class III buffer shall be established along any side of the property within 400 feet of a single-family residential use or single-family residential district.
3. A final site plan and landscape plan shall be submitted for administrative review and approval by the Division of Planning and Development (DPD) for the entirety of the property.
4. A photometric plan shall be submitted showing the field lighting adhering to requirements of Chapter 4.7, Outdoor Site Lighting of the Unified Development Code.
5. Lighting for outdoor recreation fields shall be arranged/positioned to prevent direct glare onto any public right-of-way or private property.
6. Noise emanating from the electronic scoreboard is subject to compliance with city ordinances.
7. Music should not be played or any public address system announced later than 9:00 PM.
8. No athletic field lighting poles shall exceed 60 feet in height.
9. Any fencing shall be subject to the approval of DPD.
10. Future modifications to the site plan will not require re-recording of the site plan unless additional uses/activities are being added that are beyond the scope of prior approvals for the site or this approval.



ATTEST:

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

AGENDA ITEM: 22

CASE NUMBER: SUP 2023-042 **L.U.C.B. MEETING:** February 8, 2024

LOCATION: 3925 Chelsea Avenue

COUNCIL DISTRICT: District 7 and Super District 9

OWNER/APPLICANT: Pure Youth Athletics Alliance/John Golwen

REPRESENTATIVE: Bass, Berry & Sims PLC

REQUEST: New special use permit for a dormitory and lighted recreation field

AREA: +/-7.72 acres

EXISTING ZONING: Residential Single-Family – 6 (R-6)

CONCLUSIONS

1. The applicant is seeking to add a dormitory to a school facility, as well as lights to the existing outdoor recreational field.
2. The request for a dormitory will, per the applicant’s Letter of Intent, allow the ability to house approximately 150 students in two of the three existing buildings on the campus.
3. Additionally, the 100-plus yard outdoor field is proposed to be upgraded into a football venue for practices and games with bleacher seating, lighting and an electronic scoreboard.
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 consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 23 of this report.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: Chelsea Avenue +/-375.9 linear feet
Helsley Street +/-581.97 linear feet

Zoning Atlas Page: 1940

Parcel ID: 053037 00003C and 053037 00002C

Existing Zoning: Residential Single-Family – 6 (R-6)

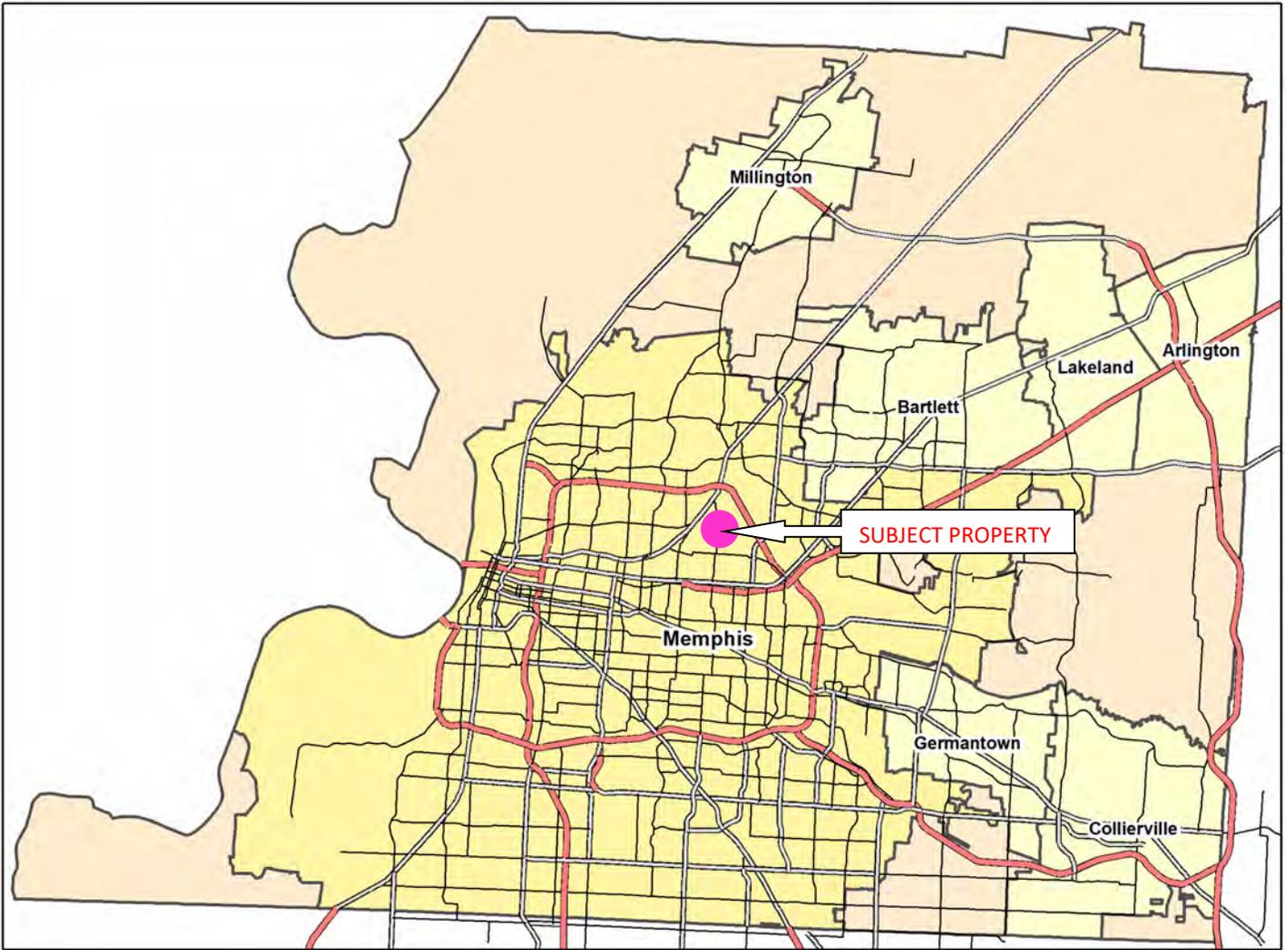
NEIGHBORHOOD MEETING

The meeting was held at 4:00 PM on Friday, January 26, 2024, at 3925 Chelsea Avenue.

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 140 notices were mailed on January 12, 2024, and a total of 3 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle, Nutbush neighborhood

VICINITY MAP



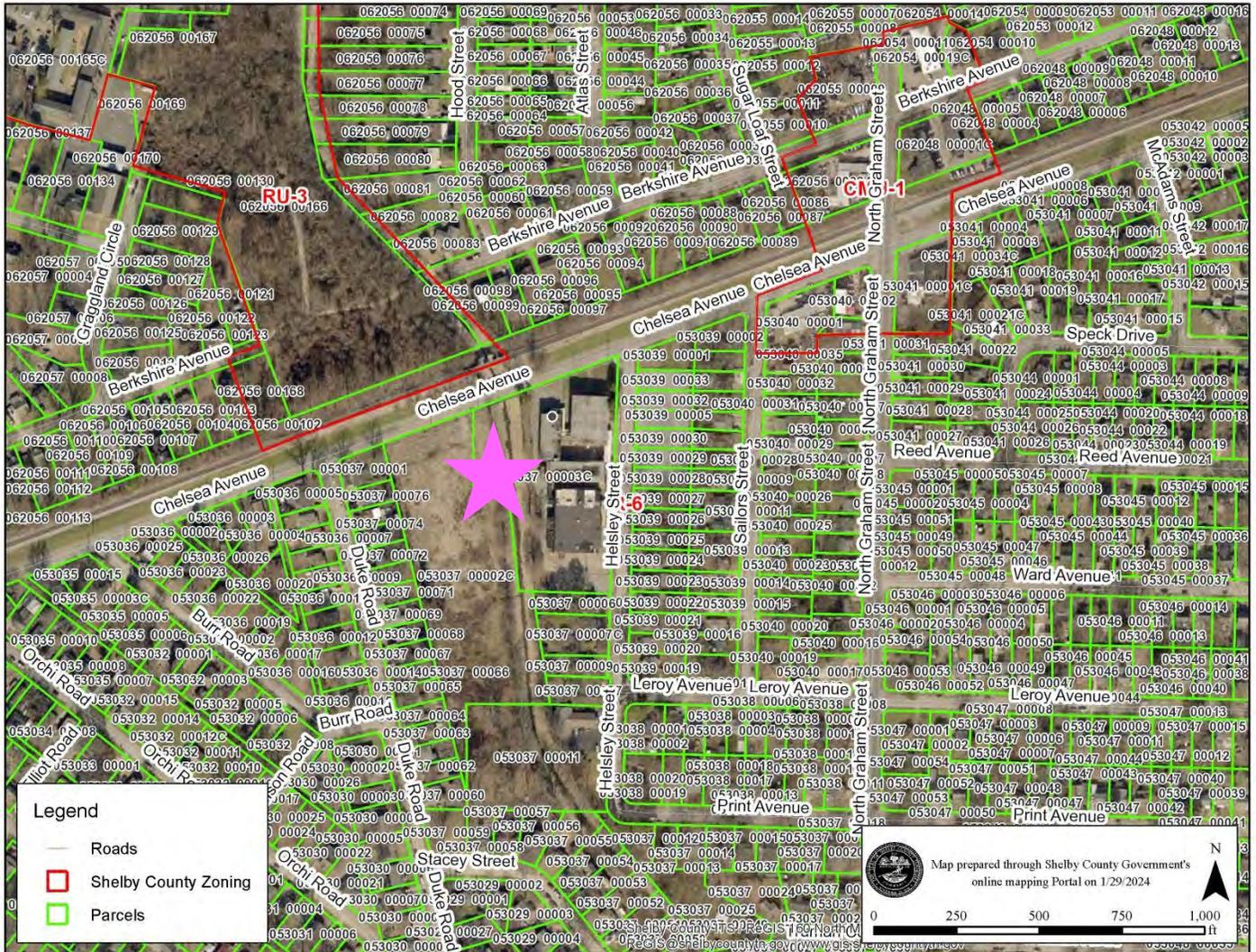
Site highlighted in yellow

AERIAL



Subject property outlined in orange

ZONING MAP



Subject property indicated by a pink star

Existing Zoning: Residential Single-Family – 6 (R-6)

Surrounding Zoning

North: R-6 and Residential Urban – 3 (RU-3)

East: R-6

South: R-6

West: R-6

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of eastern portion of the site from Chelsea Avenue looking south



View of western portion of the site from Chelsea Avenue looking south

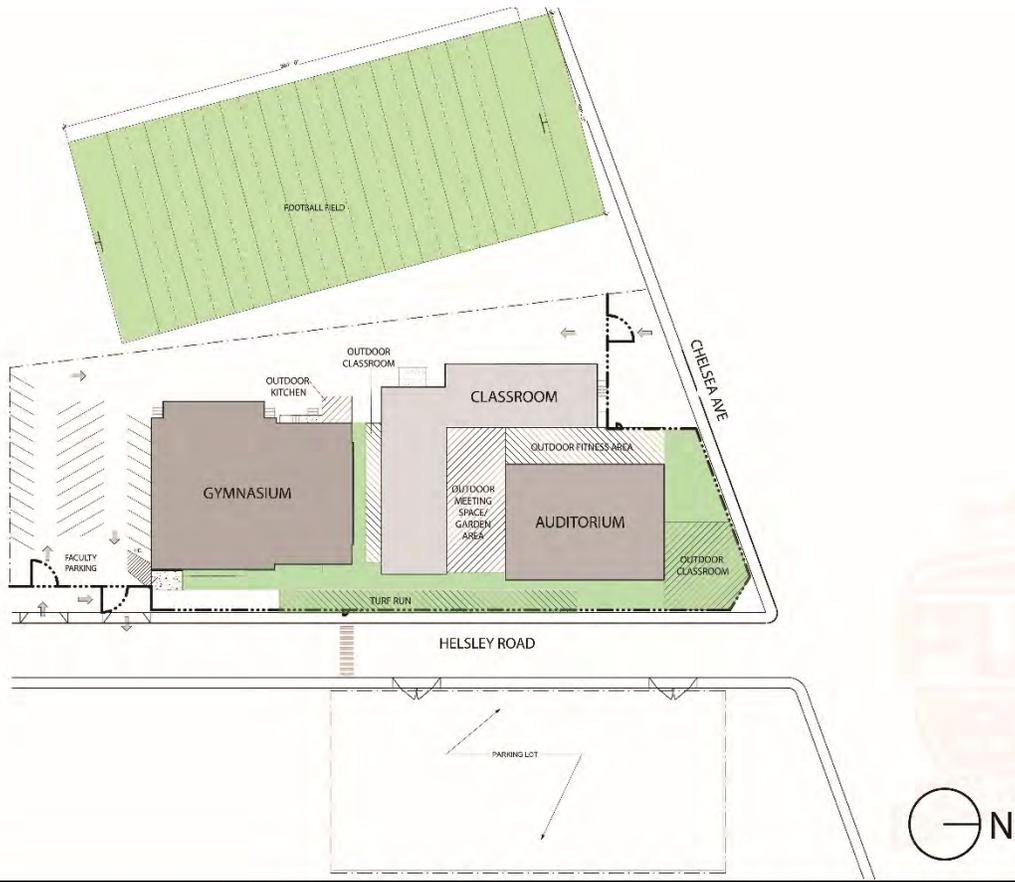


View of subject property from Helsley Road looking west



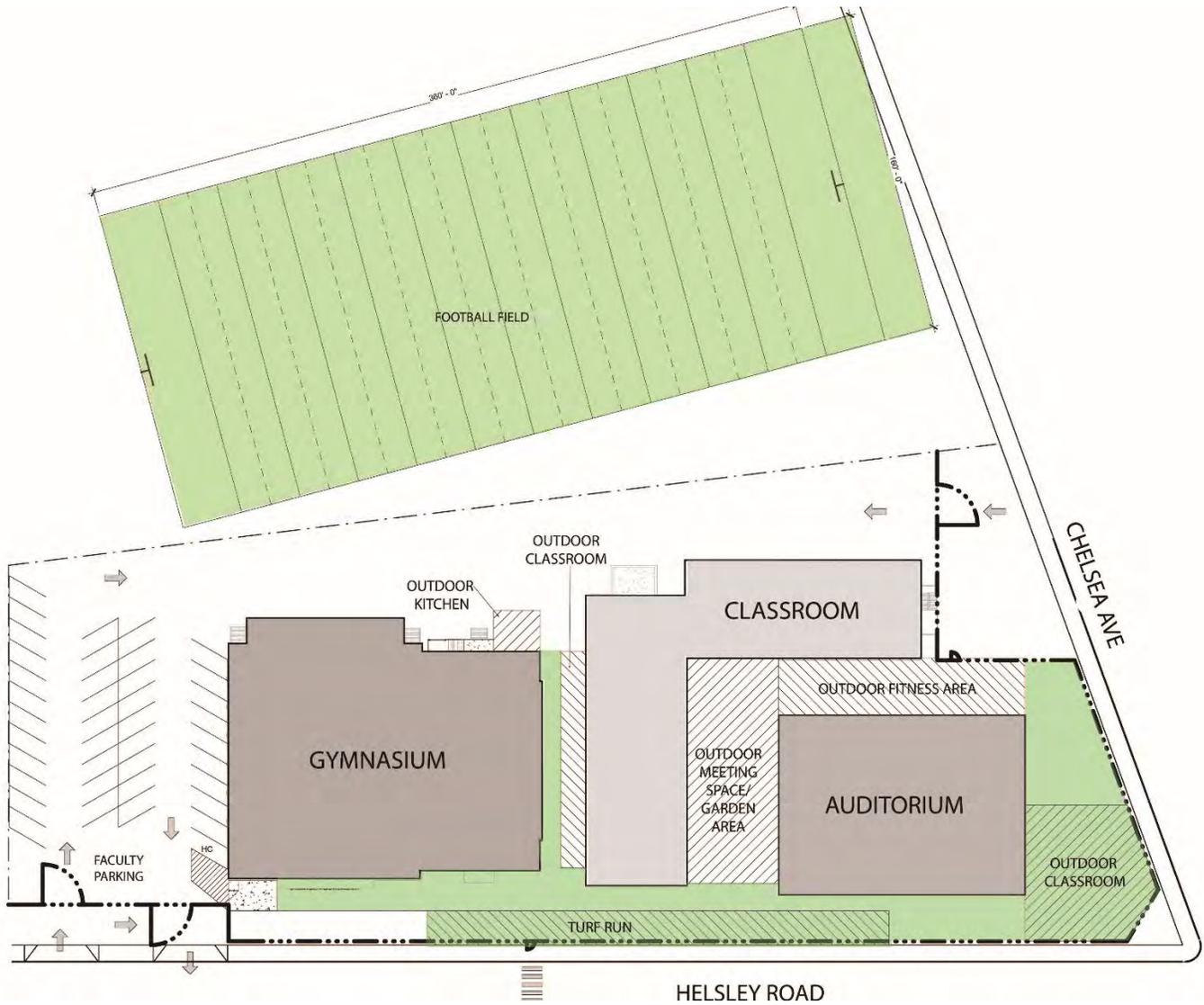
View of subject property from Helsley Road looking north

SITE PLAN

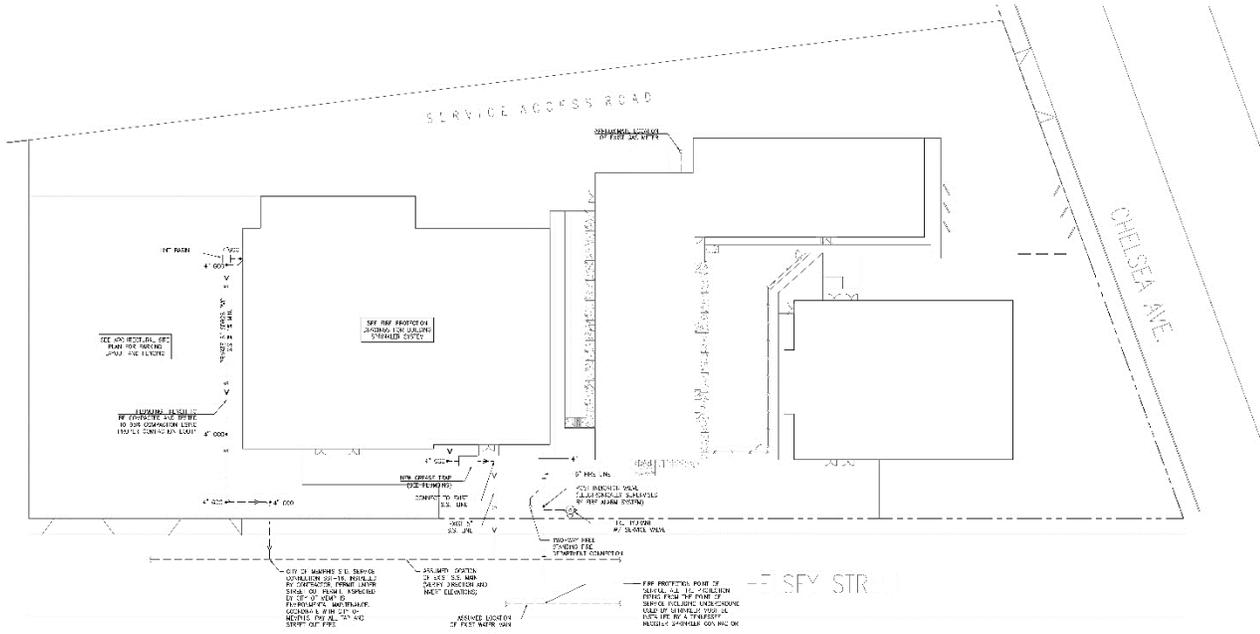


PURE ACADEMY
SITE PLAN

SITE PLAN – MAGNIFIED



SITE PLAN – UTILITIES



1876 John Avenue
Atlanta, GA 30324
90.278.8888

PURE CHELSEA GYMNASIUM - PH 1
PERMIT SET

1.00A UTILITIES AND NOTES

1.1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY UNDISCOVERED UTILITIES SHALL BE STOPPED IMMEDIATELY AND REPORTED TO THE CITY OF CHESAIRE.

1.2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF CHESAIRE AND ANY AFFECTED UTILITIES COMPANIES PRIOR TO CONSTRUCTION.

1.3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF CHESAIRE SPECIFICATIONS AND ANY APPLICABLE CODES.

1.4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.

1.5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND SERVICES DURING CONSTRUCTION. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.

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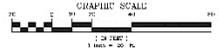
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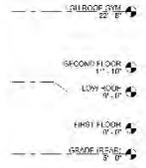
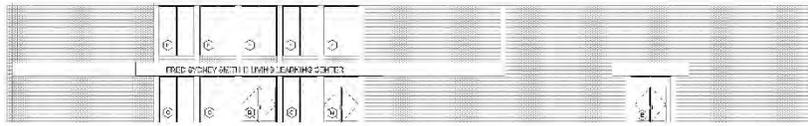
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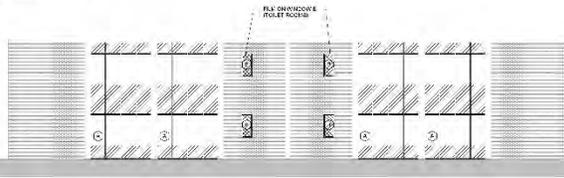


PROJECT NO. 2320
DATE: 02/08/24
SCALE: AS SHOWN
C401
C:\PROJECTS\2320\

ELEVATIONS



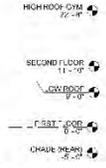
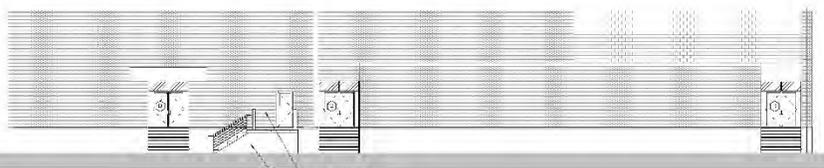
1 EAST ELEVATION GYM
 1/8" = 1'-0"



2 NORTH ELEVATION GYM
 1/8" = 1'-0"



3 SOUTH ELEVATION GYM
 1/8" = 1'-0"



4 WEST ELEVATION GYM
 1/8" = 1'-0"

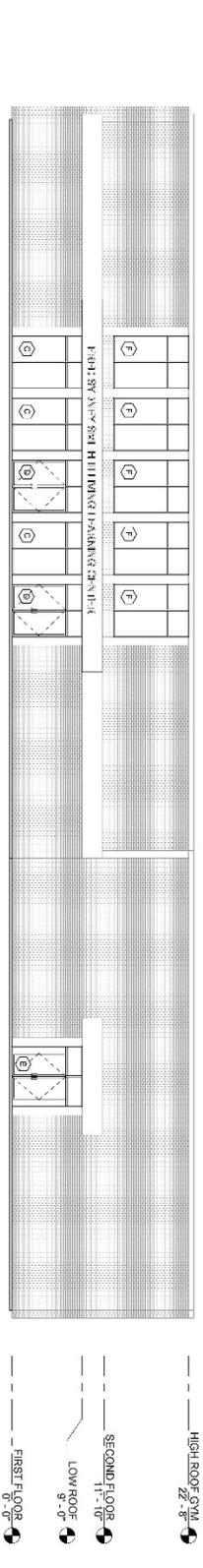
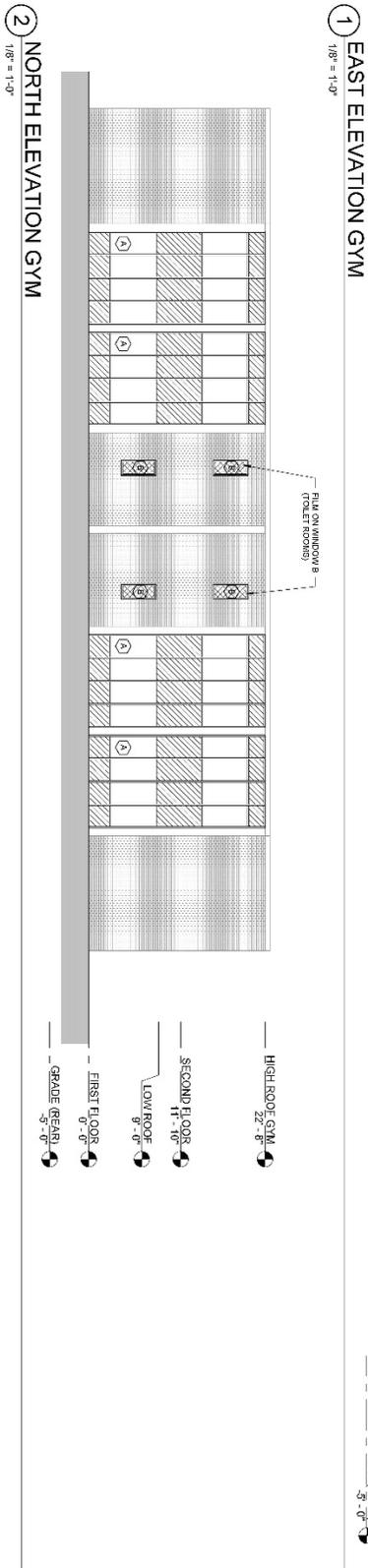


PURE CHELSEA GYMNASIUM - PH1
 SANGHEE, P.C.
 ARCHITECTS, P.C. 02/08/24
 PERMIT SET

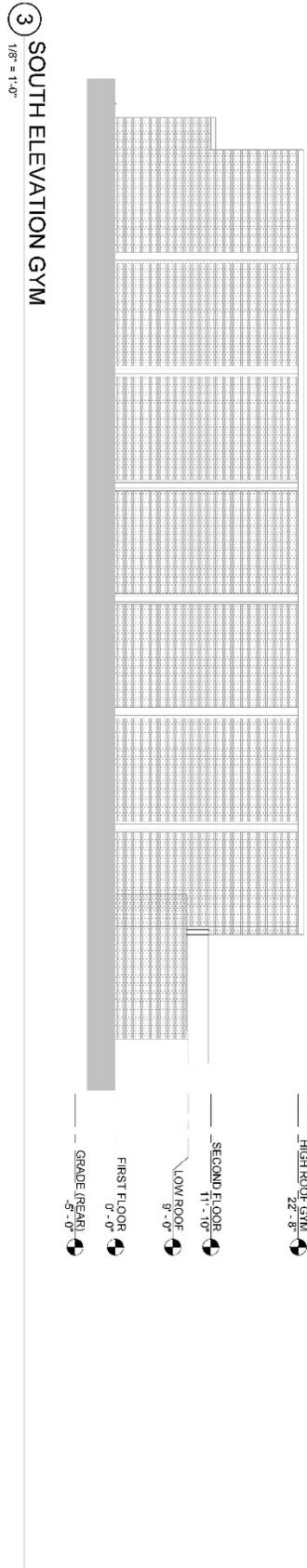
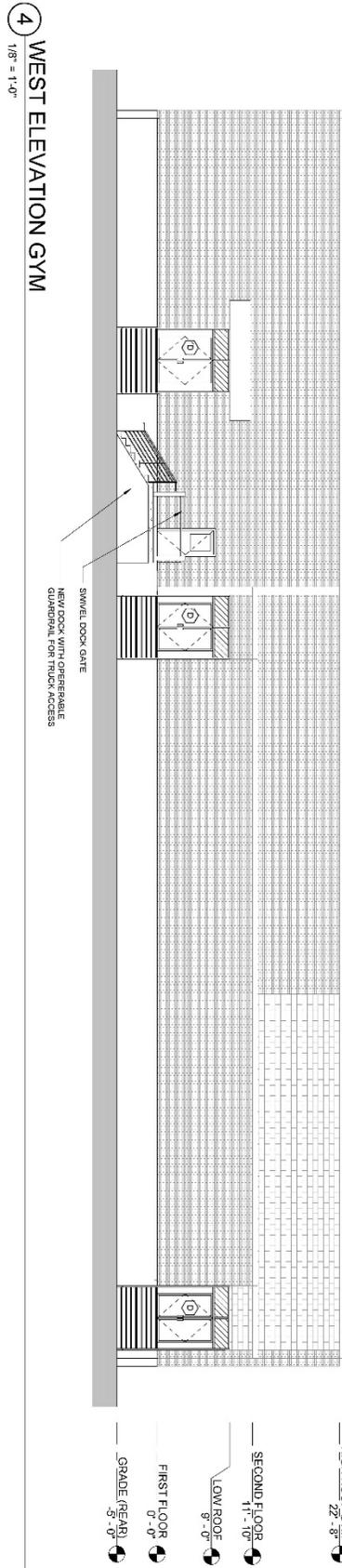


A301G
 EXTERIOR
 BLOCK WORK - GYM

ELEVATIONS – MAGNIFIED



ELEVATIONS – MAGNIFIED



STAFF ANALYSIS

Request

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

The request is for a special use permit for a dormitory and lighted recreation field at a school facility in the Residential Single-Family – 6 (R-6) 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 ensure 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 +/-7.72 acres and includes two parcels (053037 00003C and 053037 00002C) located at southwest corner of Chelsea Avenue and Helsley Road. Previously occupied by the Memphis Academy of Health Sciences, the school has been vacant for over a year since Memphis Academy closed. There are three structures on the site consisting of an auditorium, classrooms and a gymnasium connected by breezeway. The northeastern portion of Parcel ID 053037 00002C has an existing curb cut leading to the school's outdoor recreation field.

Site Zoning History

On April 25, 1956, the Board of Adjustment approved Docket BOA 1956-063-CI for a variation to allow the expansion of a church building by adding a vestibule with a steeple, see pages 23-24 of this report for said notice of disposition.

Site Plan Review

- Existing outdoor recreation field on the northeastern portion of Parcel ID 053037 00002C; request is to add lights to this field;
- Within Phase I, the request is to convert four of the classrooms on the second floor of the gymnasium to dormitory rooms;
- Then, Phase III proposes converting eight classrooms in the classroom building shown on the site plan to dormitory rooms.

Conclusions

The applicant is seeking to add a dormitory to a school facility, as well as lights to the existing outdoor recreational field.

The request for a dormitory will, per the applicant's Letter of Intent, allow the ability to house approximately 150 students in two of the three existing buildings on the campus.

Additionally, the 100-plus yard outdoor field is proposed to be upgraded into a football venue for practices and games with bleacher seating, lighting and an electronic scoreboard.

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. A minimum Class II, Type C buffer meeting the requirements of Section 4.6.5 of the Unified Development Code shall be established along the right-of-way frontage of the lighted recreation field.
2. A Class III buffer shall be established along any side of the property within 400 feet of a single-family residential use or single-family residential district.
3. A final site plan and landscape plan shall be submitted for administrative review and approval by the Division of Planning and Development (DPD) for the entirety of the property.
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9. Any fencing shall be subject to the approval of DPD.
10. Future modifications to the site plan will not require re-recording of the site plan unless additional uses/activities are being added that are beyond the scope of prior approvals for the site or this approval.

NOTICE OF DISPOSITION

FORM No. 4

Notice of Disposition of Zoning Case

BOARD OF ADJUSTMENT
CITY OF MEMPHIS

Memphis, Tenn. ~~June 7, 1956~~ 19.....

To ~~Thriftaven Baptist Church~~
~~3925 Chelsea Avenue~~ Street,
Memphis, Tennessee.

PREMISES AFFECTED: 3925 Chelsea Avenue

Sir:

You will please be advised that on ~~April 25~~, 19. ~~56~~, the Board of Adjustment { granted } your { appeal } Docket No. ~~56-63~~
~~XXXXXXXX~~ { disallowed } { application for variation }

The resolution of the Board is subject to your inspection at the office of the Board of Adjustment.

Respectfully,

BOARD OF ADJUSTMENT

ALL APPEALS AND APPLICATIONS GRANTED ARE EXPRESSLY
CONDITIONED UPON THE APPLICANT OBTAINING THE PERMIT
REQUESTED OR OTHER ORDER WITHIN SIXTY (60) DAYS FROM
THE DECISION OF THE BOARD OF ADJUSTMENT.

34

Granted to permit the erection of said addition in accordance with plans incorporated in the application on condition that the applicant provide

DEPARTMENTAL COMMENTS

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

City/County Engineer: See comments as follows:
3925 Chelsea Avenue; NUTBUSH

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 require engineering ASPR.

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. Development is greater than 1 acre and is located within a sensitive drainage basin.
18. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
19. All connections to the sewer shall be at manholes only.
20. 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.
21. Required landscaping shall not be placed on sewer or drainage easements.

City/County Fire Division:

See comments as follows:

Reviewed by: J. Stinson

Address or Site Reference: 3925 Chelsea

- All design and construction shall comply with the 2021 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503.
- Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- IFC 510 In-building two-way emergency responder communication coverage shall be provided in all new and existing buildings. Buildings and structures that cannot support the required level of coverage shall be equipped with systems and components to enhance signals and achieve the required level of communication coverage.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

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: See comments as follows:

Site Address/Location: 3925 Chelsea Ave

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

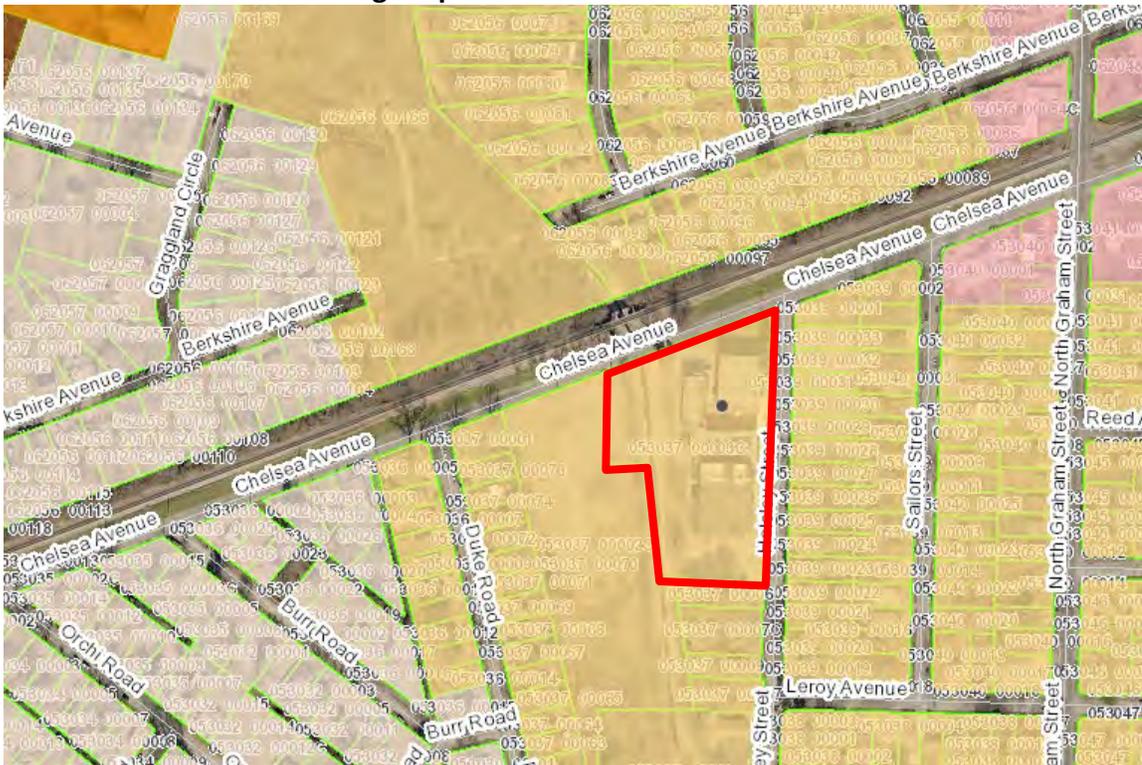
Future Land Use Designation: Anchor Neighborhood-Primarily Single-Unit (AN-S)

Street Type: Avenue

The applicant is seeking a Special Use Permit to operate a category one nonpublic school, including a dormitory and lighted recreation field on the former Memphis Academy of Health Science site in an R-6 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

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

Primarily detached, single-family residences. Attached single-family residences permitted on parcels within 100 feet of an anchor. Height: 1-2 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 above.

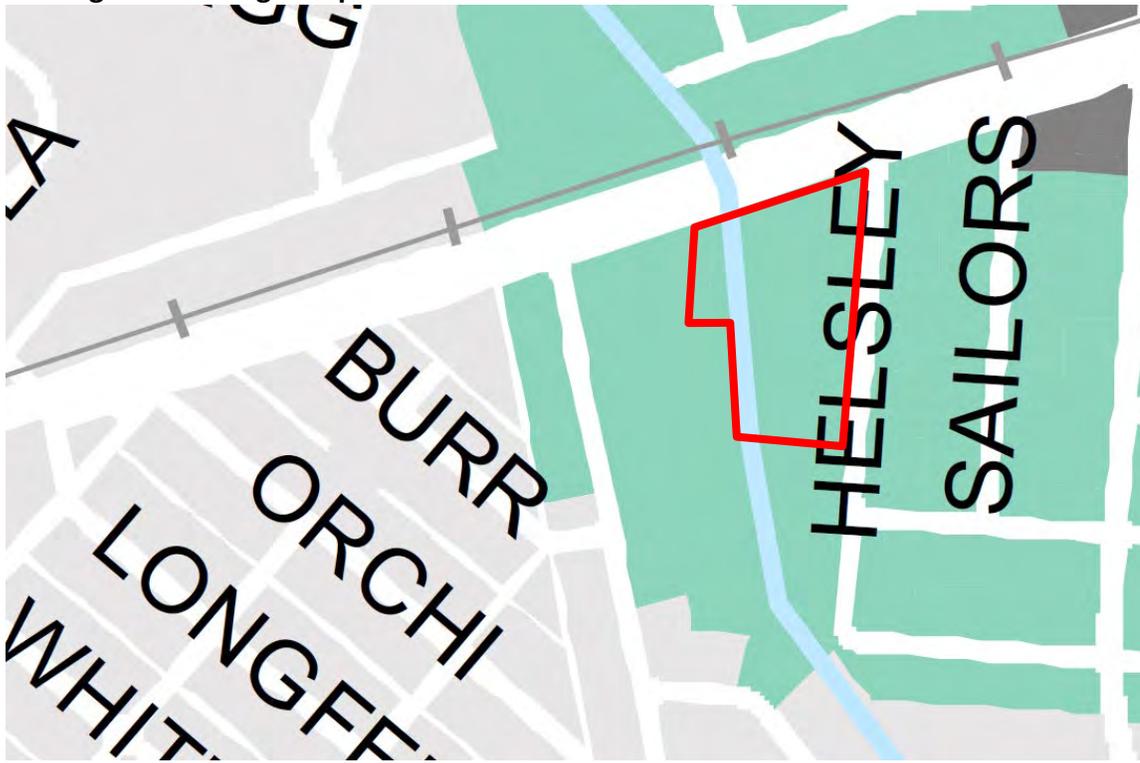
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Institutional, R-6

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

Overall Compatibility: *This requested use is not compatible with the future land use description/intent, form & location characteristics; however, the use is consistent with the zoning notes, and existing, adjacent land use and zoning as the proposed building will be operating as an educational institution in a previously existing institutional facility.*

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

Nurture areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place. *The proposed use is a private investment, which will stabilize the community and protect and support community asset by revitalizing the vacant school building.*

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 a Special Use Permit to operate a category one nonpublic school, including a dormitory and lighted recreation field on the former Memphis Academy of Health Science site in an R-6 district.

This requested use is not compatible with the future land use description/intent, form & location characteristics; however, the use is consistent with the zoning notes, and existing, adjacent land use and zoning as the proposed building will be operating as an educational institution in a previously existing institutional facility.

The proposed use is a private investment, which will stabilize the community and protect and support community asset by revitalizing the vacant school building.

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

Summary Compiled by: Romana Haque Suravi, Comprehensive Planning.

APPLICATION



Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Processing

Opened Date: December 21, 2023

Record Number: SUP 2023-042

Expiration Date:

Record Name: PURE Academy Chelsea Avenue Campus

Description of Work: This is a category 1 nonpublic school, including a dormitory and lighted recreation field.

Parent Record Number:

Address:

3925 CHELSEA AVE, MEMPHIS 38108

Owner Information

Primary Owner Name

Y PURE YOUTH ATHLETICS ALLIANCE

Owner Address

4847 AMEY RD, MEMPHIS, TN 38109

Owner Phone

9015435903

Parcel Information

053037 00003C

Data Fields

PREAPPLICATION MEETING

Name of OPD Planner

Lucas Skinner

Date of Meeting

11/28/2023

Pre-application Meeting Type

Email

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 -

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

The uses will be self-contained and will not substantially increase traffic counts or require substantial parking. Rather, many of the boys attending the school will be housed on-site in the proposed dormitory. The property is currently under-utilized and will be revitalized through infill that supports the City's long-term growth strategy of denser development, but existing utility facilities are adequate for the anticipated uses. Adjacent property values will increase as the result of the investment in the neighborhood and renewed interest and attention of City leadership and administration. The overall safety and welfare of the area will rise as the result of the positive impact of the strategic objectives of PURE as outlined in the letter of intent for PURE's recent planned development approval for its Amey Road property.

APPROVAL CRITERIA

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

The project will not interfere with the development and use of adjacent property, which is largely residential. Up until 2022, Memphis Academy of Health Sciences operated a school on the site. During the school's operation, the site was clean and well-maintained and had an overall positive impact on the neighborhood and surrounding property values. While the property has sat vacant, it has invited vandalism as well as unauthorized and unsafe occupation. The use of the site as a school with the proposed addition of on-site dormitory and a lighted recreation field will restore the property to beneficial use and offer vital opportunities for families in the area to enroll their boys in a school with an established record for building character and delivering quality education tailored to the needs of the students. The proposed dormitory facility will be located in two of the existing buildings on the site. Although specific athletic events may be accompanied by occasional increases in traffic, the housing of students on-site will reduce the daily flow of traffic to and from the school. The proposed lighted recreation field lies on the western portion of the property and will continue serve as a buffer between the building housing the school and the adjacent residential area. Athletic events would provide an affordable entertainment venue and rally point for the neighborhood. Discussions to date with the neighbors have been overwhelmingly positive.

UDC Sub-Section 9.6.9C

The site is bordered by paved City of Memphis streets. The existing, concrete-lined Harrison Creek drainage ditch bisects the site and drains into the Wolf River, and stormwater on site will be managed in accordance with the City of Memphis Stormwater Manual. City of Memphis provides fire protection and emergency services. MLGW provides water to the site. The sanitary sewer is connected to City of Memphis.

UDC Sub-Section 9.6.9D

There are no significant features on the project site of natural, scenic or historic importance.

UDC Sub-Section 9.6.9E

Compliance with the standards or approved alternatives to be satisfied during further consultation with planning staff and finalized prior to Land Use Control Board hearing.

APPROVAL CRITERIA

UDC Sub-Section 9.6.9F

Applicant is not aware of any adverse impact on Memphis 3.0, the Highland Heights Small Area Plan, or any currently established standards for development of adjacent properties. Accordingly, no adverse impact is anticipated, and the project is consistent with the Memphis 3.0 objectives to reduce blight and vacancy, improve access to quality education, promote development without displacement for communities with infill opportunity, and provide an anchor for the local community by creating a productive community asset from an underutilized property.

GIS INFORMATION

Case Layer	BOA1956-063-CI
Central Business Improvement District	No
Class	E
Downtown Fire District	No
Historic District	-
Land Use	INSTITUTIONAL
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	R-6
State Route	-
Lot	4
Subdivision	HARRISON
Planned Development District	-
Wellhead Protection Overlay District	No

Data Tables

AREA INFORMATION

Name:	PURE Academy Chelsea Ave
Size (Acres):	8.54
Existing Use of Property:	Charter school through 2022
Requested Use of Property:	School, dorm, lighted recreation field

Contact Information

Name	JOHN GOLWEN	Contact Type	APPLICANT
Address	4847 AMEY ROAD, MEMPHIS, TN, 38109		
Phone	(901)543-5903		

LETTER OF INTENT

BASS BERRY + SIMS PC

John S. Golwen
jgolwen@bassberry.com
+1 (901) 543-5903

December _____, 2023

Mr. Lucas Skinner
Planner III
Land Use and Development Services
Division of Planning and Development
125 North Main Street, Suite 468
Memphis, Tennessee 38103

**Re: PURE Youth Athletics Alliance, Inc. –
Special Use Permit Application Letter of Intent.**

Dear Mr. Skinner:

This law firm represents PURE Youth Athletics Alliance, Inc. operating PURE Academy (hereinafter “PURE”). This is PURE’s Letter of Intent (the “LOI”) relating to its purchase and re-development of an existing school campus located at 3925 Chelsea Avenue in Memphis, Tennessee (the “Chelsea Campus”). In conjunction with the development of the Chelsea Campus, operation of a school at the location and the use of school grounds for a recreation field currently are permitted pursuant to R-6 zoning under the UDC. A special use permit is requested, however, for: (1) dormitory (to allow for the conversion of certain existing classrooms into student dormitory rooms); and, (2) lighted recreation field (to allow for the use of the existing recreation field as, inter alia, a football field for practices and games with bleachers, lighting and electronic scoreboard).

PURE, an acronym for “Progressing Under Restraints and Extremes,” is a 501(c)(3), Tennessee non-profit founded in 2011. PURE currently operates PURE Academy with year-around academic classes in a 24 hour/7 day per week residential, family-like, boarding environment located at 4847 Amey Road. Utilizing consistent adult supervision, PURE provides its students with disciplined daily time management, group sport participation and post high school graduation support. PURE breaks the cycle of generational poverty through its holistic program of education, athletics, mentorship and emotional development. PURE’s holistic approach minimizes the barriers related to poor living conditions and extreme poverty while focusing on developing students to properly prepare them for college and/or the work environment. PURE’s graduates are first generation college students who continue to receive support and mentorship throughout their college experience. <https://pureacademy901.com>

On October 3, 2023, PURE purchased the Chelsea Campus, hired Standard Builders as its general contractor, ANF Architects as its design team, and Burr & Cole as its engineer to renovate the Chelsea Campus. Once approved and renovated, PURE will at the Chelsea Campus greatly expand the number of youth it can serve. After PURE completes renovations on Chelsea

The Tower at Peabody Place
100 Peabody Place, Suite 1300
Memphis, TN 38103-3649
bassberry.com

December ____, 2023
Page 2

Avenue, it will go from serving 30 residential boarding students to serving up to 300 students with over 150 of them as residential boarding students.

PURE has been hugely successful in taking teenage students who enter PURE testing below grade level in math and reading and helping them experience multi-grade level increases to eventually achieve college admission or successful workforce entry. PURE has used the game of football in order to obtain numerous college scholarship offers for its graduates. At Chelsea Avenue, PURE will be able to offer participation in other sports such as basketball, boxing, etc. to its students. PURE utilizes programming in agriculture, STEM, robotics as well as exposing its students to numerous professions and vocations. The Phase I, building 1 will have a commercial grade teaching kitchen. The additional acreage at the Chelsea Campus also will be used for gardening.

PURE has demonstrated success as evidenced by the accomplishments of its most recent 22 graduates in the past two years:

- Near 100% high school attendance during the trailing 24 months
- 100% graduation rate
- 73% moved on to college compared to 37% for SCS; and 23% acquired jobs or military service
- All of its college student graduates received full or partial scholarships
- 0% of PURE students encounter the Criminal Justice system after entering PURE

The success of PURE derives in great part from its residential program in which it removes its most vulnerable students from their current environment and placing them in a safe, secure, and nurturing environment where they can succeed. While PURE can house no more than 30 students in its residential program on Amey Road, PURE seeks a special use permit to house approximately 150 students in two of the three existing buildings at the Chelsea Campus. In Phase I, PURE seeks to convert 4 existing classrooms in building 1 on the second floor to dormitory rooms each housing 16 students for a total of 64 residential students. (See Site Plan and Elevations). In Phase III, PURE seeks to convert 8 existing classrooms in building 2 to house approximately 90 students. All of the classrooms converted to dormitory rooms will meet all existing building and fire code standards for such dormitory rooms.

While operation at the Chelsea Campus will afford PURE students the opportunity to participate in other group and individual sports, football has been a key mechanism used by PURE to successfully send many PURE graduates to college on scholarship. While PURE maintained an unlit 50-yard practice field at its Amey Road campus, PURE seeks a special use permit to convert the existing 100 plus yard field on the Northwestern part of the Chelsea Campus into a football venue to host practices and games with bleacher seating, lighting and an electronic scoreboard. (See Site Plan).

The Chelsea Campus was previously operated by its former owners as the Memphis Academy of Health Sciences. When that school closed and terminated operations, the Chelsea Campus was heavily vandalized, and steel and other metal items, mechanical equipment and electrical systems were stolen from the buildings. Almost all of the first floor windows were

December ____, 2023
Page 3

broken and trash remained inside and outside the three buildings. In preparation for renovation, the site has been completely cleaned and fenced. Renovation will greatly enhance the surrounding North Memphis neighborhood.

In Memphis, only 4% of youth living in poverty have a chance for success. In the Chelsea Campus neighborhood, only 1% are destined for success. With increased capacity, PURE will be able to accept and educate many students from the surrounding neighborhood. The Chelsea Campus area will greatly benefit from the residential student program offered by PURE, as well as the gateway to college that PURE's use of the game of football provides.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

John S. Golwen

cc: Paden Hemphill, Esq.
Taylor Gray, Esq.
Melvin Cole
Tammy Golwen

36978001.2

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, John S. Golwen, being duly sworn, depose and say that at 4:00 am/pm on the 29th day of January, 2024, I posted 3 Public Notice Sign(s) pertaining to Case No. SUP 2023-042 at 3925 Chelsea Ave, Memphis, TN 38108, 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] 1/30/24
 Owner, Applicant or Representative Date

Subscribed and sworn to before me this 30th day of January, 2024.

[Signature]
Notary Public

My commission expires: Apr. 20, 2027



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: Processing

Opened Date: December 21, 2023

Record Number: SUP 2023-042

Expiration Date:

Record Name: PURE Academy Chelsea Avenue Campus

Description of Work: This is a category 1 nonpublic school, including a dormitory and lighted recreation field.

Parent Record Number:

Address:

3925 CHELSEA AVE, MEMPHIS 38108

Owner Information

Primary Owner Name

Y PURE YOUTH ATHLETICS ALLIANCE

Owner Address

4847 AMEY RD, MEMPHIS, TN 38109

Owner Phone

9015435903

Parcel Information

053037 00003C

Data Fields

PREAPPLICATION MEETING

Name of OPD Planner

Lucas Skinner

Date of Meeting

11/28/2023

Pre-application Meeting Type

Email

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 -

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

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APPROVAL CRITERIA

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The site is bordered by paved City of Memphis streets. The existing, concrete-lined Harrison Creek drainage ditch bisects the site and drains into the Wolf River, and stormwater on site will be managed in accordance with the City of Memphis Stormwater Manual. City of Memphis provides fire protection and emergency services. MLGW provides water to the site. The sanitary sewer is connected to City of Memphis.

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UDC Sub-Section 9.6.9E

Compliance with the standards or approved alternatives to be satisfied during further consultation with planning staff and finalized prior to Land Use Control Board hearing.

APPROVAL CRITERIA

UDC Sub-Section 9.6.9F

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GIS INFORMATION

Case Layer	BOA1956-063-CI
Central Business Improvement District	No
Class	E
Downtown Fire District	No
Historic District	-
Land Use	INSTITUTIONAL
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	R-6
State Route	-
Lot	4
Subdivision	HARRISON
Planned Development District	-
Wellhead Protection Overlay District	No

Data Tables

AREA INFORMATION

Name:	PURE Academy Chelsea Ave
Size (Acres):	8.54
Existing Use of Property:	Charter school through 2022
Requested Use of Property:	School, dorm, lighted recreation field

Contact Information

Name	Contact Type
JOHN GOLWEN	APPLICANT
Address	
4847 AMEY ROAD, MEMPHIS, TN, 38109	
Phone	
(901)543-5903	

Fee Information

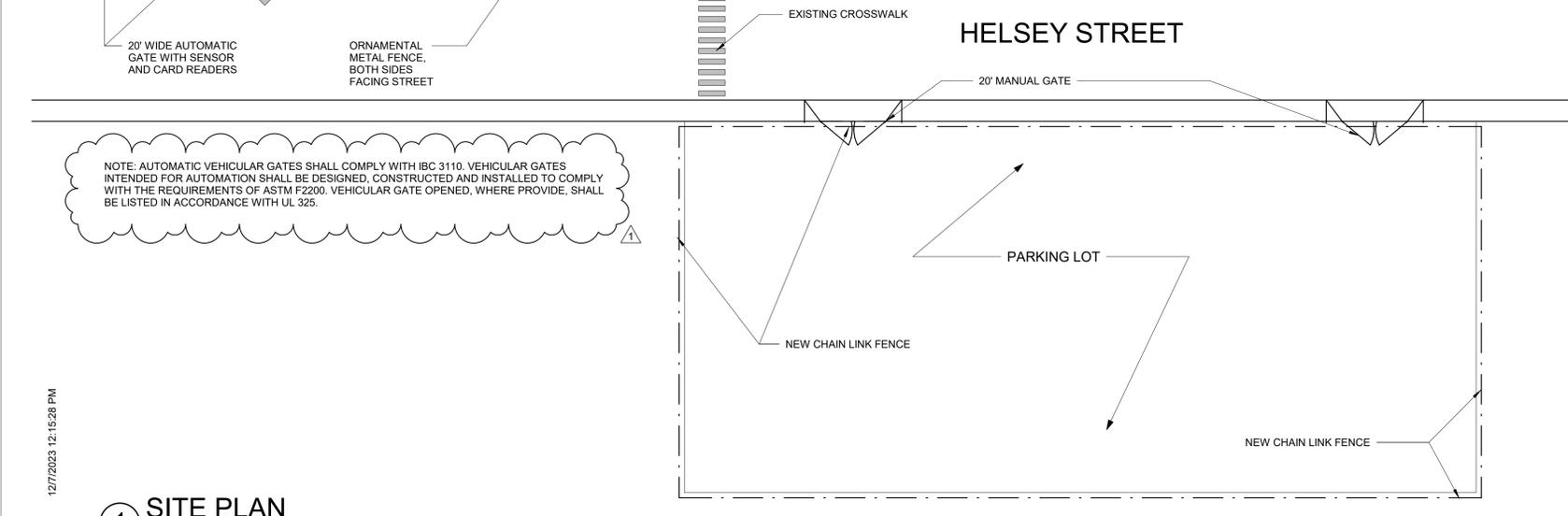
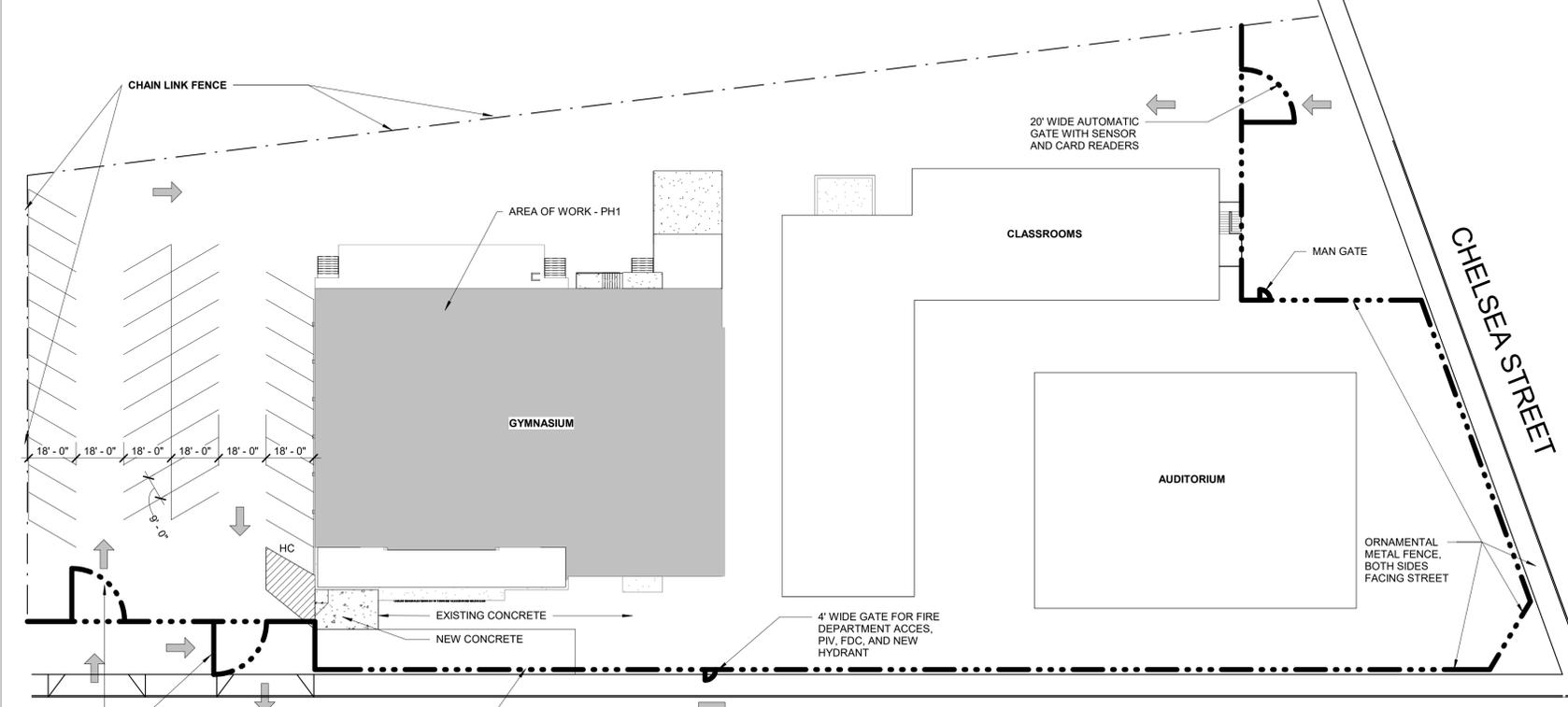
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1526407	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	12/21/2023
1526407	Special Use Permit Fee Per Acre (each acre or fraction thereof over 5 acre)	4	200.00	INVOICED	0.00	12/21/2023
1526407	Credit Card Use Fee (.026 x fee)	1	18.20	INVOICED	0.00	12/21/2023

Total Fee Invoiced: \$718.20

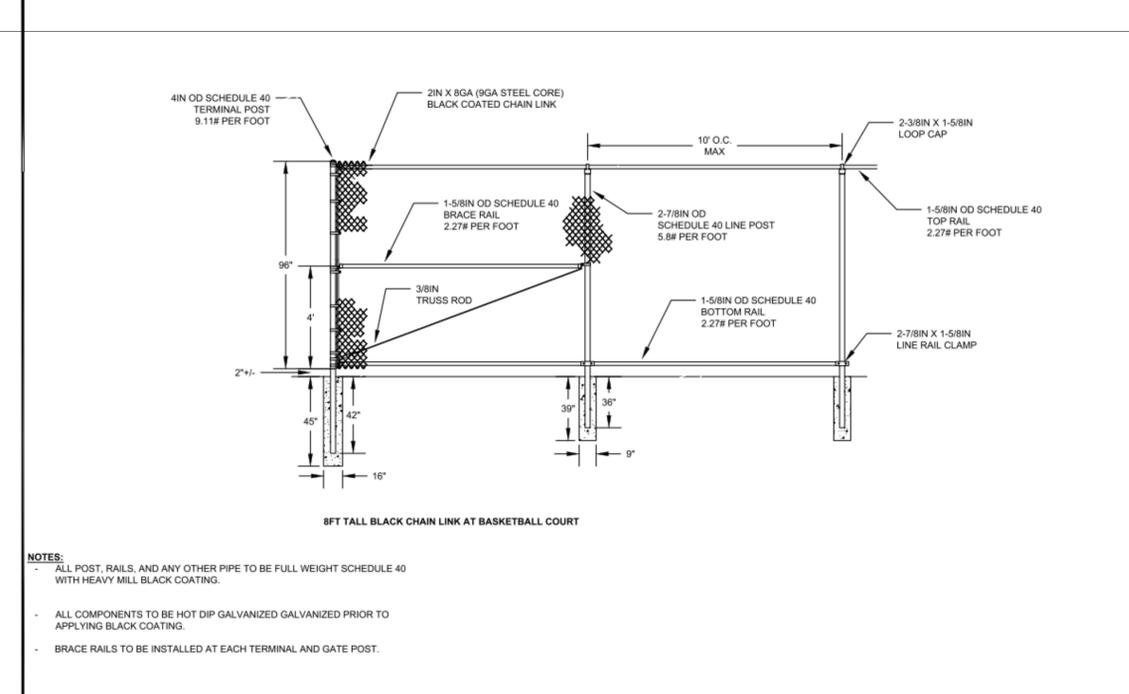
Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$718.20	Credit Card



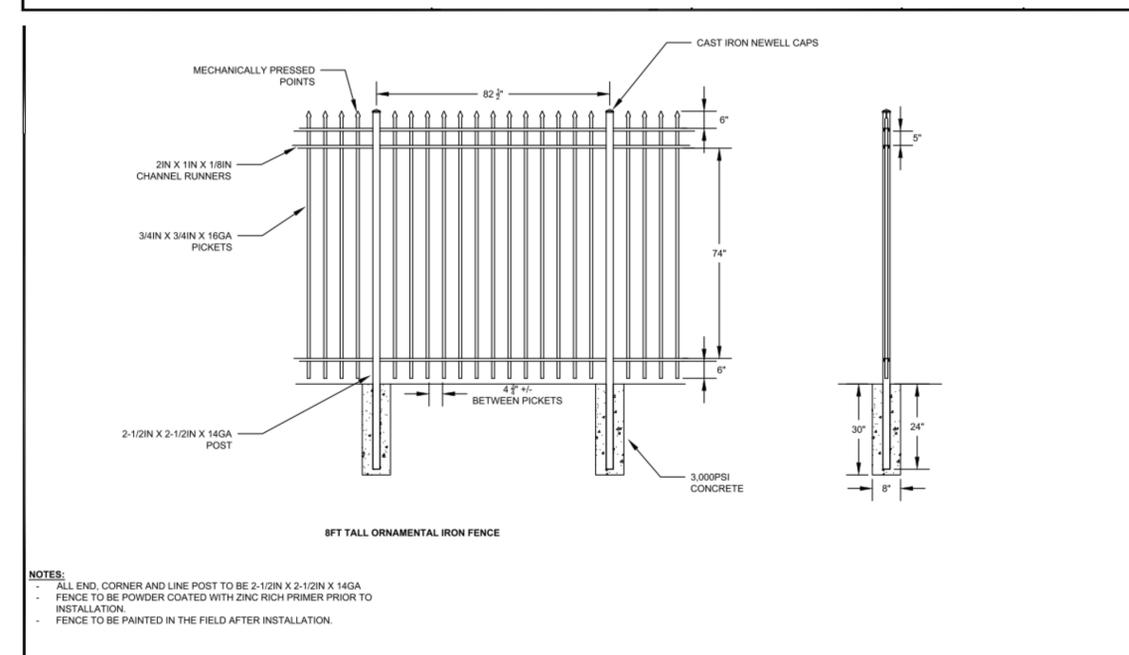
NOTE: AUTOMATIC VEHICULAR GATES SHALL COMPLY WITH IBC 3110. VEHICULAR GATES INTENDED FOR AUTOMATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F2200. VEHICULAR GATE OPENED, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325.



8FT TALL BLACK CHAIN LINK AT BASKETBALL COURT

NOTES:

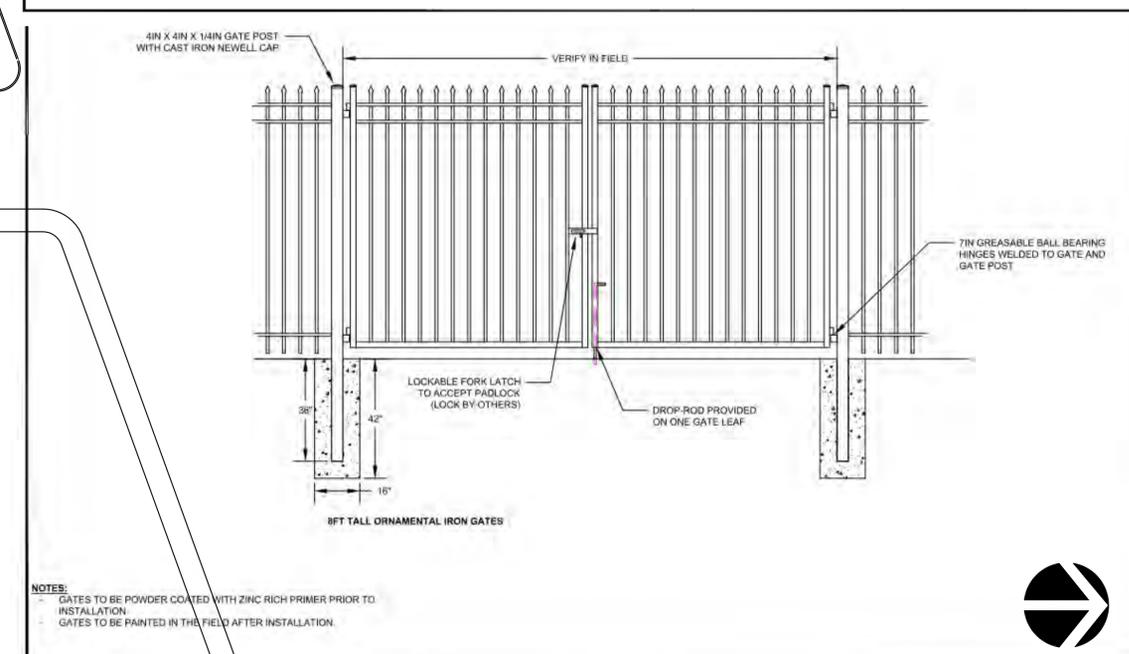
- ALL POST, RAILS, AND ANY OTHER PIPE TO BE FULL WEIGHT SCHEDULE 40 WITH HEAVY MILL BLACK COATING.
- ALL COMPONENTS TO BE HOT DIP GALVANIZED GALVANIZED PRIOR TO APPLYING BLACK COATING.
- BRACE RAILS TO BE INSTALLED AT EACH TERMINAL AND GATE POST.



8FT TALL ORNAMENTAL IRON FENCE

NOTES:

- ALL END, CORNER AND LINE POST TO BE 2-1/2in X 2-1/2in X 14GA
- FENCE TO BE POWDER COATED WITH ZINC RICH PRIMER PRIOR TO INSTALLATION.
- FENCE TO BE PAINTED IN THE FIELD AFTER INSTALLATION.



8FT TALL ORNAMENTAL IRON GATES

NOTES:

- GATES TO BE POWDER COATED WITH ZINC RICH PRIMER PRIOR TO INSTALLATION.
- GATES TO BE PAINTED IN THE FIELD AFTER INSTALLATION.

1 13/02/23 Code Comment
NO. DATE DESCRIPTION
REVISIONS
DATE
11/03/2023
SEAL

PROJECT NUMBER
23030

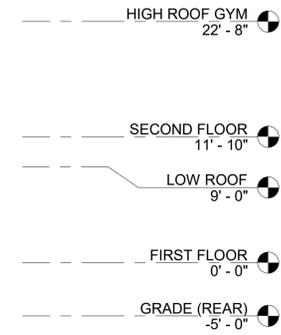
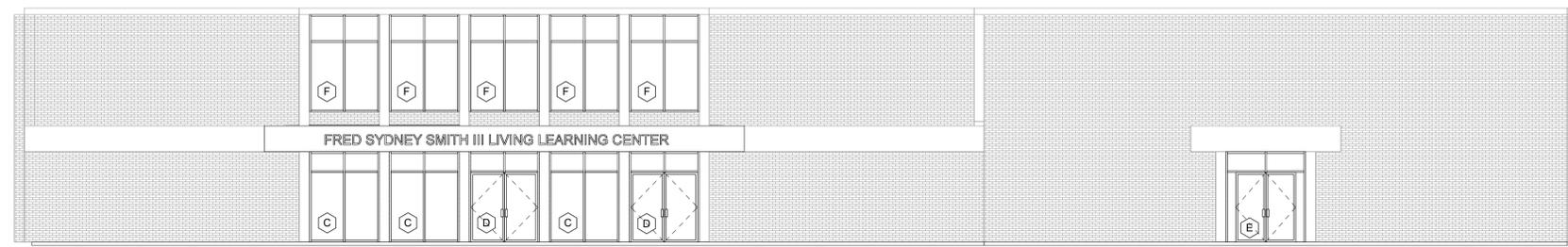
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ARCHITECTURAL SITE PLAN

SHEET NO.
A001

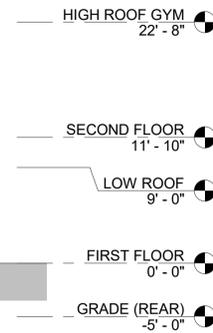
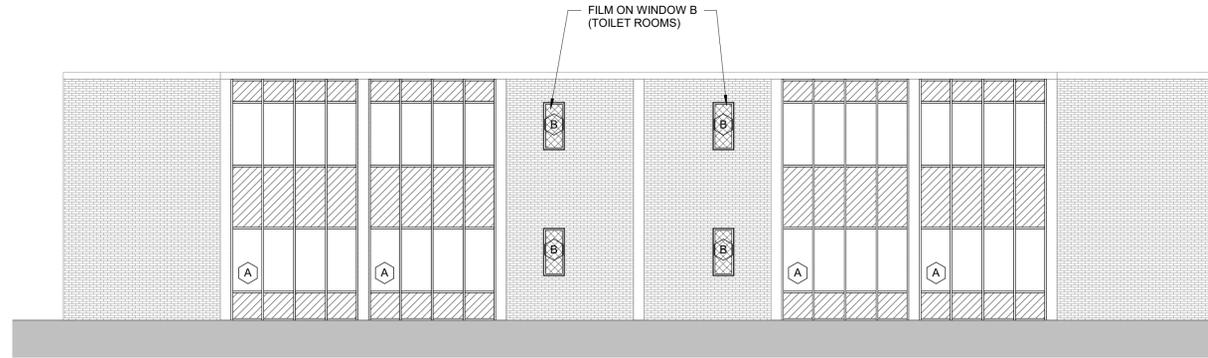
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12/7/2023 12:15:28 PM

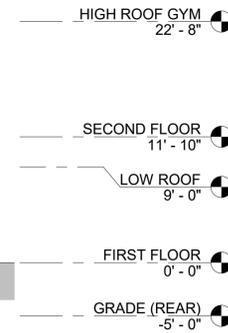
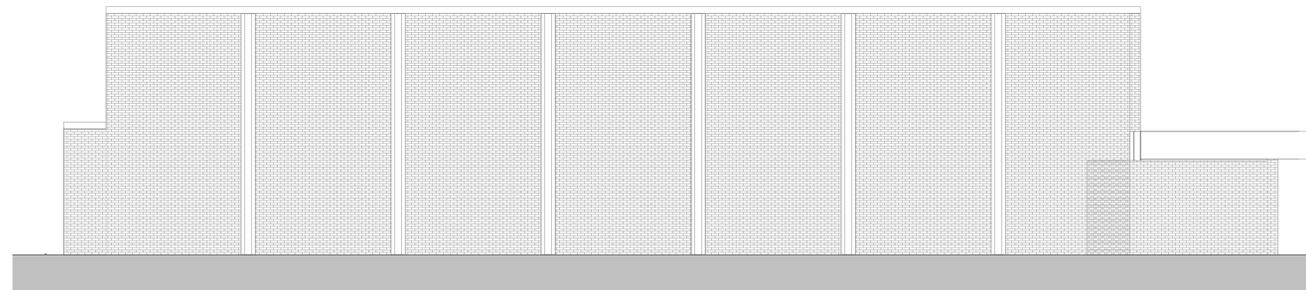




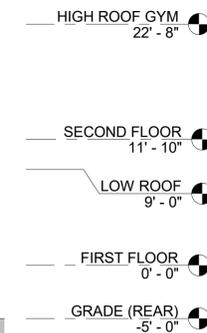
① EAST ELEVATION GYM
1/8" = 1'-0"



② NORTH ELEVATION GYM
1/8" = 1'-0"



③ SOUTH ELEVATION GYM
1/8" = 1'-0"



④ WEST ELEVATION GYM
1/8" = 1'-0"

SWIVEL DOCK GATE
NEW DOCK WITH OPERERABLE GUARDRAIL FOR TRUCK ACCESS

NO.	DATE	DESCRIPTION
1	11/03/2023	



PROJECT NUMBER
23030
SHEET TITLE
EXTERIOR ELEVATIONS - GYM

SHEET NO.
A301G
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- Layer List**
- Operational layers
- Roads
 - Zoning Cases
 - Zoning
 - Overlays and Corridors
 - Street Frontage Overlay
 - Sign Zones
 - Historic Districts
 - Contextual Infill
 - Memphis 3.0 Future Land Use
 - Election Districts

Public Notification

Select or search for a feature in the map

Shelby County Geocoder

Apply a search distance

500 Feet

Addressee Layer

Owner Address Labels

Format

PDF label 1 x 2-5/8 inches; 30 per page

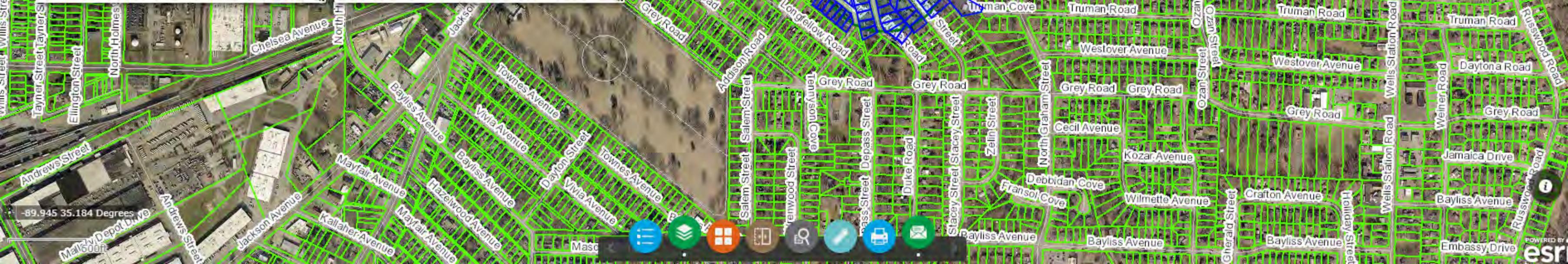
213 addressees found; do you want to continue?

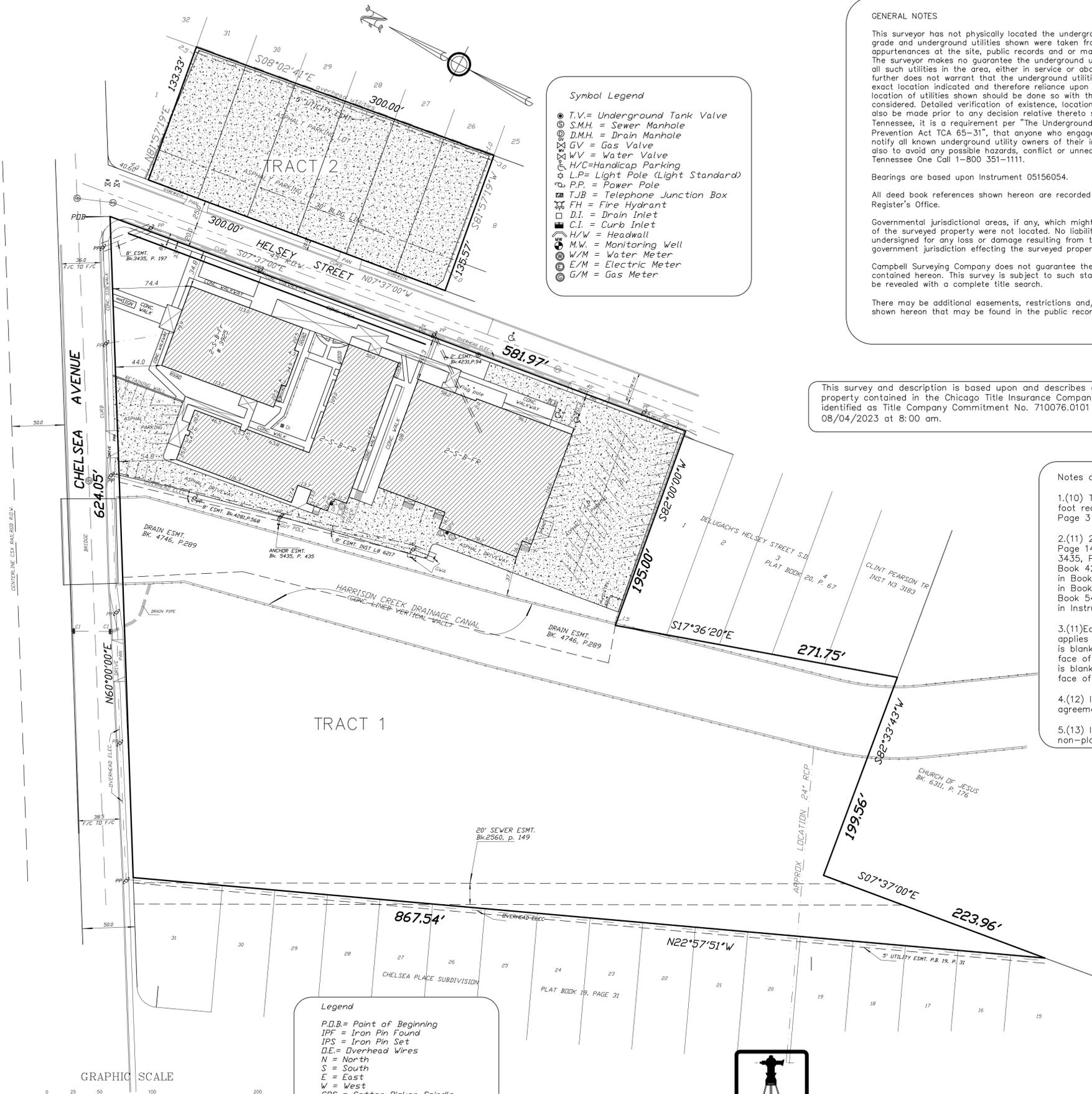
Download

How to Use

ZONING ATLAS PUBLIC NOTIFICATION TOOL GUIDE

STEP 1
Go to the Shelby County Zoning Atlas website:
<https://gis.shelbycountyttn.gov/zoning/>





GENERAL NOTES

This surveyor has not physically located the underground utilities. Above grade and underground utilities shown were taken from visible appurtenances of the site, public records and or maps prepared by others. The surveyor makes no guarantee the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated and therefore reliance upon the type, size and location of utilities shown should be done so with this circumstance considered. Detailed verification of existence, location and depth should also be made prior to any decision relative thereto should be made. In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act TCA 65-31", that anyone who engages in excavation must notify all known underground utility owners of their intent to excavate and also to avoid any possible hazards, conflict or unnecessary expense. Tennessee One Call 1-800 351-1111.

Bearings are based upon Instrument 05156054.
All deed book references shown hereon are recorded in the Shelby County Register's Office.

Governmental jurisdictional areas, if any, which might impact on the use of the surveyed property were not located. No liability is assumed by the undersigned for any loss or damage resulting from the exercise of any government jurisdiction affecting the surveyed property.

Campbell Surveying Company does not guarantee the title information contained hereon. This survey is subject to such state of facts that would be revealed with a complete title search.

There may be additional easements, restrictions and/or reservations not shown hereon that may be found in the public records of Shelby County.

Symbol Legend

- T.V. = Underground Tank Valve
- ⊙ S.M.H. = Sewer Manhole
- ⊙ D.M.H. = Drain Manhole
- ⊙ G.V. = Gas Valve
- ⊙ W.V. = Water Valve
- ⊙ H/C = Handicap Parking
- ⊙ L.P. = Light Pole (Light Standard)
- ⊙ P.P. = Power Pole
- ⊙ T.J.B. = Telephone Junction Box
- ⊙ F.H. = Fire Hydrant
- ⊙ D.I. = Drain Inlet
- ⊙ C.I. = Curb Inlet
- ⊙ H/W = Headwall
- ⊙ M.W. = Monitoring Well
- ⊙ W/M = Water Meter
- ⊙ E/M = Electric Meter
- ⊙ G/M = Gas Meter

This survey and description is based upon and describes all of the property contained in the Chicago Title Insurance Company Commitment identified as Title Company Commitment No. 710076.0101 Dated 08/04/2023 at 8:00 am.

Notes corresponding to Schedule B:

- 1.(10) There is a 30 foot front building line and a 5 foot rear Utility easement recorded in Plat Book 16, Page 3 and located as shown on Tract 2.
- 2.(11) 20 foot sewer easement recorded in Book 2560, Page 149, 8 foot Utility easement recorded in Book 3435, Page 197, 2 foot Utility easement recorded in Book 4231, Page 194, 8 foot Utility easement recorded in Book 4281, Page 568, Drainage easement recorded in Book 4746, Page 289, Anchor easement recorded in Book 5435, Page 435, 8 foot Utility easement recorded in Instrument L8 6217 are located as shown hereon.
- 3.(11) Easement and agreement at Instrument HA 6951 applies to Lots 3,4,5 and 6 of Tract 2. This Instrument is blanket in nature and therefore non-plottable on the face of the survey. Easement at Instrument 14004818 is blanket in nature and therefore non-plottable on the face of the survey.
- 4.(12) Instrument 05158213 cancels the easement and agreement at Instrument HA 6951.
- 5.(13) Instrument 05156054 is applicable, however, is non-plottable on the face of the survey.

This property is located in Flood Zone X per FEMA Map Panel 47157C0291G Dated 02/06/2013

PROPERTY DESCRIPTION:

TRACT 1
Memphis Academy of Health Sciences property recorded in Instrument 05156054 of the Shelby County Register's Office and being more particularly described as follows:

Beginning at the intersection of the southeast line of Chelsea Avenue (50 feet wide) and the west line of Helsey Street (45 feet wide) said point being located 100 feet from the centerline of the CSX Railroad (100 feet right of way) and 20 feet from the centerline of Helsey Street; thence South 07 degrees 37 minutes 00 seconds East along the west line of Helsey Street a distance of 581.97 feet; thence South 82 degrees 00 minutes 00 seconds West along the north line of Lot 1 Delugach's Helsey Street Subdivision (Plat Book 20, Page 67 R.O.S.C.) a distance of 195.00 feet to the northwest corner of said Lot 1; thence South 17 degrees 36 minutes 20 seconds East along the westerly boundary line of Lots 1, 2, 3 and 4 of said Helsey Street Subdivision and the westerly line of Clint Pearson Trust property (Instrument N3 3183 R.O.S.C.) a distance of 271.75 feet to a point in the northerly line of the Church of Jesus property (Book 6311, Page 176 R.O.S.C.); thence South 82 degrees 33 minutes 43 seconds West along said north line a distance of 199.56 feet to the northwest corner of said Church of Jesus property; thence South 07 degrees 37 minutes 00 seconds East along the westerly line of said Church of Jesus property a distance of 223.96 feet to an angle point in the easterly line of Lot 15 Chelsea Place Subdivision (Plat Book 19, Page 31 R.O.S.C.), said point being located 48.64 feet north of the southeast corner of said Lot 15; thence North 22 degrees 57 minutes 51 seconds West along the easterly line of said Chelsea Place Subdivision a distance of 867.54 feet to the northeast corner of Lot 31 of said Chelsea Place Subdivision and being in the southeast line of Chelsea Avenue; thence North 60 degrees 00 minutes 00 seconds East along said southeast line a distance of 624.05 feet to the point of beginning.

TRACT 2
Lots 2,3,4,5,6 and 7, Ward Subdivision as recorded in Plat Book 16, Page 3 of the Shelby county Register's Office and being further described hereon:

Beginning at a point in the east line of Helsey Street (45 feet wide) a distance of 40.60 feet south of the south line of Chelsea Avenue (50 feet wide) and being the common corner of Lots 1 and 2; thence North 81 degrees 57 minutes 19 seconds East along the line dividing said Lots 1 and 2 a distance of 133.33 feet to the common corner of Lots 1,2,32 and 31; thence South 08 degrees 02 minutes 41 seconds East along the line dividing Lots 31,30,29,28,27 and 26 from Lots 2,3,4,5,6 and 7 a distance of 300.00 feet to the common corner of Lots 25,26,7 and 8; thence South 81 degrees 57 minutes 19 seconds West along the line dividing Lots 7 and 8 a distance of 135.57 feet to a point in the east line of Helsey Street; thence North 07 degrees 37 minutes 00 seconds West a distance of 300.00 feet to the point of beginning.

List of Possible Encroachments:

1. The street improvements along the west line of Helsey Street extend westwardly into the eastern property line 3.5 feet as shown on Tract 1.
2. 2 foot easement recorded at Book 4231, Page 94 projects southwesterly into the 2 story brick building as shown. However the existing pole #69928 cited as the southwestern terminus of said easement no longer appears to exist on Tract 1. Easement appears not to be in use.
3. Asphalt parking lot on Tract 2 extends north of north property line 3.4 feet as shown.

AREA
3925 Chelsea
331,602.98 Sq. Ft.
7.61 acres
Helsey Street
40,333.88 Sq. Ft.
0.93 acres

PARKING STALLS
Tract 1
64 STANDARD SPACES
2 Handicap

Tract 2
Paint is faded

ALTA/NSPS Land Title Survey

3925 Chelsea Avenue
Memphis Academy of Health Sciences property recorded in Instrument 05156054 of the Shelby County Register's Office

1674-1700 Helsey Street
Lots 2,3,4,5,6 and 7, Ward Subdivision as recorded in Plat Book 16, Page 3 of the Shelby County Register's Office
MEMPHIS, TENNESSEE

Dwn By: LARRY ASTIN	Date: Revision:
Surveyor Ref.No:	Date: Revision:
Aprvd By: CHARLES CAMPBELL	Date: Revision:
Field Date: 09/15/2023	Date: Revision:
Scale: 1" = 50'	Date: Revision:

Prepared For:
Chicago Title Insurance Company,
Pure Youth Athletics Alliance and
Bass Berry & Sims PLC

Project Address:
3925 CHELSEA AVENUE

Project Location:
MEMPHIS, TN

Project Name:

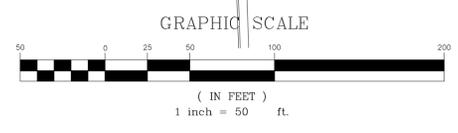
Job Number:

To:
Chicago Title Insurance Company, Pure Youth Athletics Alliance and Bass Berry & Sims PLC

This is to certify that this map or plat on the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS. The field work was completed on: 09/15/2023



Date:



Legend
P.D.B. = Point of Beginning
I.P.F. = Iron Pin Found
I.P.S. = Iron Pin Set
O.E. = Overhead Wires
N = North
S = South
E = East
W = West
C.P.S. = Cotton Picker Spindle
R/W = Right of Way
D.P. = Drain Pipe
P.K. Set = P.K. nail set

CAMPBELL SURVEYING COMPANY
1023 S. YATES • SUITE 101 • MEMPHIS, TN 38119
PHONE (901) 683-9114 • FAX (901) 761-4661
www.campbellsurveying.net

VAZQUEZ ALEJANDRA & JOSE M CRUZ
10228 BELCHER ST #
DOWNEY CA 90242

DISHMON VARIAN AND GXM LLC
3164 MACKHAM AVE #
MEMPHIS TN 38118

JRC INVESTMENTS LLC
PO BOX 172144 #
MEMPHIS TN 38187

BATEMAN JOSEPH F
1555 STACEY ST #
MEMPHIS TN 38108

BOX ARLEN JR
92 COUNTY ROAD 168 #
COFFEEVILLE MS 38922

BRYANT JOLEY
1545 DUKE RD #
MEMPHIS TN 38108

SANDERS KESHAUN
1551 STACEY ST #
MEMPHIS TN 38108

GOLDSTAR HOMES LLC
3840 WINCHESTER RD #
MEMPHIS TN 38118

STAIRWAY TO VICTORY CHURCH OF GOD IN
3856 ORCHI RD #
MEMPHIS TN 38108

OLVERA ROSALES MAGDALENA MA
1547 STACEY ST #
MEMPHIS TN 38108

HIGGINBOTTOM DERMOTT C & DEBORAH L
1589 DUKE RD #
MEMPHIS TN 38108

LOPEZ IVAN AND AND JULIO LOPEZ AND
7595 SHELBY WOOD CV #
MEMPHIS TN 38125

PHAM FAMILY PROPERTY LLC
375 STONEWALL ST #
MEMPHIS TN 38112

MEJIA MARIA E P
4087 LEWEIR ST #
MEMPHIS TN 38127

PEREZ SERGIO
1999 CHAMBERS CHAPEL RD #
EADS TN 38028

MOREHOUSE HELEN AND DONNA J DUBRA AND
25 TIMBER VIEW CV #
CORDOVA TN 38018

KITCHIN PROPERTIES LLC
1802 CHARRINGTON LN #
COLLIERVILLE TN 38017

BONILLA CARLOS E A
3849 BURR RD #
MEMPHIS TN 38108

YIP PHONG
333 E 34TH ST #
NEW YORK NY 10016

HERRERA DANY O
1447 WEINER RD #
MEMPHIS TN 38108

PEREZ SERGIO
1999 CHAMBERS CHAPEL RD #
EADS TN 38028

HPM PROPERTIES LLC
9686 WOODLAND VIEW CV #
CORDOVA TN 38018

VEGA CIRILO
1561 DUKE RD #
MEMPHIS TN 38108

MANZANARES JESUS & BLANCA IRAHETA
1608 ADDISON RD #
MEMPHIS TN 38108

BOONE MICHAEL
1544 DUKE ST #
MEMPHIS TN 38108

MARTINEZ RUEBEN
1557 DUKE RD #
MEMPHIS TN 38108

LOPEZ JULIO C AND IVAN E LOPEZ AND
7595 SHELBY WOOD CV #
MEMPHIS TN 38125

RUIZ EDUARDA P
1548 DUKE RD #
MEMPHIS TN 38108

STEWART JOHN S & SHIRLEY R
1553 DUKE RD #
MEMPHIS TN 38108

TREJO MA LUISA O
3849 ORCHI RD #
MEMPHIS TN 38108

LOPEZ JULIO C AND IVAN E LOPEZ
7595 SHELBY WOOD CV #
MEMPHIS TN 38125

BONILLA MARIA E
3849 BURR RD #
MEMPHIS TN 38108

QUINONES CRISPIN
1348 IDLEWOOD RD #
GLENDALE CA 91202

TSRSDR HOLDINGS LLC
1080 BRICKELL AVE #
MIAMI FL 33131

LEEK WILLIAM R & TERESEA C
3830 ORCHI RD #
MEMPHIS TN 38108

TURNER TODD & CHRISTINE
603 SEGAZE DR #
OCEANSIDE CA 92054

LOPEZ JULIO & ADELAIDA AND IVAN LOPEZ
7595 SHELBY WOOD CV #
MEMPHIS TN 38128

LEEK TERESA C & WILLIAM R
3830 ORCHI RD #
MEMPHIS TN 38108

GAROOGIAN RYAN
3138 TOPAZ LAKE CT #
TULARE CA 93274

LOPEZ JULIO AND IVAN LOPEZ AND
7595 SHELBY WOOD CV #
MEMPHIS TN 38125

PHAM FAMILY PROPERTIES LLC
375 STONEWALL ST #
MEMPHIS TN 38112

GOLDSTAR HOMES LLC
3840 WINCHESTER RD #
MEMPHIS TN 38118

ESCOBAR OSCAR O AND NANCY MORENO-JIMENEZ
3869 ORCHI RD #
MEMPHIS TN 38108

ODUM MARSHALL
7205 AUSTIN RD #
LAKE CORMORANT MS 38641

INNOVATIVE REAL ESTATE INVESTMENTS LLC
6329 FLOR DEL SOL PL #
ALBUQUERQUE NM 87120

CARILLO MANUEL
6270 CAROLOT LN #
BARTLETT TN 38135

ZUBIA JUAN G
813 CHESTNUT GRV #
BROWNSVILLE TN 38012

MADRID HECTOR R
1621 DUKE ST #
MEMPHIS TN 38108

WILLIAMS ETTA J
3835 BURR RD #
MEMPHIS TN 38108

DIAZ ALVARO & MARIA TREVINO
7753 COMMODORE RD #
MILLINGTON TN 38053

KENSINGTON HOLDINGS GROUP LLC
334 AMBERWICK LN #
BREA CA 32821

VILLAZANA PEDRO
3821 ORCHI RD #
MEMPHIS TN 38108

BUNCH MARIA S
4919 OLD SUMMER RD #
MEMPHIS TN 38122

ROACH MARIO
826 ERICSON #
CORDOVA TN 38018

VILLAZANA PEDRO
3821 ORCHI RD #
MEMPHIS TN 38108

HEER HOLLY H 2018 REVOCABLE FAMILY TRUST
1015 STONEY CREEK RD #
COLUMBUS OH 43235

ROACH MARIO
826 ERICSON #
CORDOVA TN 38018

BONILLA ELIZABETH
3849 BURR RD #
MEMPHIS TN 38108

FAMILY FIRST LLC
6263 POPLAR AVE #
MEMPHIS TN 38119

GONZALEZ GUADALUPE C
3836 BURR RD #
MEMPHIS TN 38108

MOLINA LEONARDO
2660 SUNBURY CIR #
MEMPHIS TN 38133

SERIO SAMMY J & LISA R
1629 HELSEY #
MEMPHIS TN 38108

VENEGAS GENARO & RAFAELA REYES
1558 STACEY ST #
MEMPHIS TN 38108

ZAPATA JUAN G R
4858 GIVEN AVE #
MEMPHIS TN 38122

IGLESIA PENTECOSTES DEL DECRETO DE DIOS
4267 REED AVE #
MEMPHIS TN 38108

PULSE SIDNEY E & BILLIE M
1562 STACEY ST #
MEMPHIS TN 38108

ROACH MARIO
826 ERICSON #
CORDOVA TN 38018

BORDEN JERRY B
3616 APPLING LAKE DR #
MEMPHIS TN 38133

DACUS SYLVIA A D
933 HARBOR VIEW DR #
MEMPHIS TN 38103

BOX ARLEN JR
92 COUNTY ROAD 168 #
COFFEEVILLE MS 38922

MAHER BETTY A AND JUSTIN A JONES (RS)
3959 PRINT AVE #
MEMPHIS TN 38108

MITCHELL BONNIE A
1570 STACEY ST #
MEMPHIS TN 38108

M & S PROPERTY HOLDINGS LLC
420 TUSCUMBIA CV #
COLLIERVILLE TN 38017

KING JOHNNIE B AND DONNA L DAY
3963 PRINT AVE #
MEMPHIS TN 38108

ROBERTS ALISA R A
1954 ADNEY GAP #
MEMPHIS TN 38134

GONZALEZ JENNIFER
1666 DUKE RD #
MEMPHIS TN 38108

MAHER PAUL L
3973 PRINT AVE #
MEMPHIS TN 38108

CARRILLO MANUEL & SOLEDAD ORDAZ
6270 CAROLOT LN #
BARTLETT TN 38135

MEMPHIS ACADEMY OF HEALTH SCIENCES
3925 CHELSEA AVE #
MEMPHIS TN 38103

ELLIS FAMILY REVOCABLE LIVING TRUST
4105 CANNA HILL CT #
BARTLETT TN 38135

FUENTES JOSE O P & KAREN M A REVELO
4119 REED AVE #
MEMPHIS TN 38108

MEMPHIS ACADEMY OF HEALTH SCIENCES
3925 CHELSEA AVE #
MEMPHIS TN 38103

HILLIARD MARTINI AND ANNIE HILLIARD
1546 STACEY ST #
MEMPHIS TN 38108

BALTZ ANTONE E
8454 BRUAN LOOP #
ARVADA CO 80005

LANDEROS ALONZO M
1643 HELSLEY ST #
MEMPHIS TN 38108

SABILLON HECTOR A M & SILVIA C R
1550 STACEY ST #
MEMPHIS TN 38108

AARON M DAVID & SALY COULIBALY
440 N BARRANCA AVE #
COVINA CA 91723

ARELLANO JUAN
1639 HELSLEY ST #
MEMPHIS TN 38108

LANDERS MILDRED B AND KAY ROGERS (RS)
1554 STACEY ST #
MEMPHIS TN 38108

MEDINA IRWIN R H & ANA L A ANDRADE
1602 DUKE ST #
MEMPHIS TN 38108

TRAN KIM & DOE NGUYEN
4066 CYPRESS HILL CV #
LAKELAND TN 38002

ARZATE-LOPEZ MARIA C
1658 DUKE RD #
MEMPHIS TN 38108

JRC INVESTMENTS LLC
299 S WALNUT BEND RD #
CORDOVA TN 38018

TARPLEY FRANK V
1612 DUKE RD #
MEMPHIS TN 38108

CASA AMERICANA LLC
8901 CLAIR DOUWIE CV #
MEMPHIS TN 38108

TAYLOR MICHAEL W & HEATHER D
9606 OAK POINT CV #
LAKELAND TN 38002

PHAM THANH T T
5840 LILIAN BEND DR #
ARLINGTON TN 38002

IGLESIA PENTECOSTES DEL DECRETO DE DIOS
1660 WALTER ST #
MEMPHIS TN 38108

BIRUK MEAZI
8897 VERSILIA AVE #
CORDOVA TN 38018

GMA PROPERTIES LLC
1066 KINGS PARK RD #
MEMPHIS TN 38117

PRATCHER ANTHONY C
20165 N 67TH AVE #
GLENDALE AZ 85308

IBARRA JOHNNY
1098 S HIGHLAND ST #
MEMPHIS TN 38111

REYES ROBERTO JR
27102 NOGAL #
MISSION VIEJO CA 92692

FLOCK ALICA AND JOSE MENA
3961 LEROY AVE #
MEMPHIS TN 38108

BOSHWIT BROS MORTGAGE CORP
2595 BROAD AVE #
MEMPHIS TN 38112

MINK RICHARD C AND KELLI R MINK
9 FIELD PT #
TRABUCO CANYON CA 92679

DUREN WILLIAM C III & LISA M
3967 LEROY AVE #
MEMPHIS TN 38108

MONTGOMERY RONALD E
9024 ARKABUTLA RD #
COLDWATER MS 38618

ACOSTA ANTHONY
1636 DUKE ST #
MEMPHIS TN 38108

ROWENS LLC
275 JEFFERSON AVE #
MEMPHIS TN 38103

CONLEE L Q & LAVERNE
3941 CHELSEA AVENUE EXT #
MEMPHIS TN 38108

RJ REAL ESTATE HOLDINGS GP
5099 OLD SUMMER RD #
MEMPHIS TN 38122

BRUMLOW BILLY R & CRYSTAL
3975 LEROY AVE #
MEMPHIS TN 38108

ROWENS LLC
275 JEFFERSON AVE #
MEMPHIS TN 38103

PICHARDO NOHEMI GONZALEZ
4454 MACON RD #
MEMPHIS TN 38122

RALPH BRENDA M
3981 LEROY AVE #
MEMPHIS TN 38108

WAKEFIELD CARLA
1707 SAILORS ST #
MEMPHIS TN 38108

BRYSON TOMMIE
1652 DUKE RD #
MEMPHIS TN 38108

BUNCH MARIA
4919 OLD SUMMER RD #
MEMPHIS TN 38122

MARTINEZ ROSENDO C
1701 SAILORS ST #
MEMPHIS TN 38108

BUNCH MARIA
4919 OLD SUMMER AVE #
MEMPHIS TN 38122

LOPEZ JULIO C & ADELAIDA
7595 SHELBY WOOD CV #
MEMPHIS TN 38125

USREY BEVERLY
1658 HELSLEY RD #
MEMPHIS TN 38108

WOLF RIVER PROPERTIES LLC
161 POINT CLEAR CV #
EADS TN 38028

RODRIGUEZ ALONSO I AND DENE M I
1637 SAILORS ST #
MEMPHIS TN 38122

PHAM FAMILY PROPERTIES LLC
375 STONEWALL ST #
MEMPHIS TN 38112

FEMAT HORTENCIA & JAIME F FERNANDEZ
1696 SAILORS ST #
MEMPHIS TN 38108

VERGOS CHARLES
1177 JAMERSON RD #
MEMPHIS TN 38122

HENSON E B JR
543 GERALD RD #
MEMPHIS TN 38122

COOK CHARLES B II & JENNIFER
1679 SAILORS ST #
MEMPHIS TN 38108

HENSON E B DANIEL JR
543 GERALD RD #
MEMPHIS TN 38122

MEMPHIS ACADEMY OF HEALTH SCIENCES HIGH
3925 CHELSEA AVE #
MEMPHIS TN 38108

KING ALAN L AND LEANDER D KING
2980 MILKYWAY CV #
BARTLETT TN 38134

HINDS DOROTHY B
3324 SHELBY ST #
BARTLETT TN 38134

MEMPHIS ACADEMY OF HEALTH SCIENCES HIGH
3925 CHELSEA AVE #
MEMPHIS TN 38108

LEE JOHNNY CARL & P W
1665 SAILORS ST #
MEMPHIS TN 38108

HOOD JAMES R
3780 OAK FOREST DR #
BARTLETT TN 38135

MEMPHIS ACADEMY OF HEALTH SCIENCES HIGH
3925 CHELSEA AVE #
MEMPHIS TN 38108

MONTOYA JUAN C
8160 SHALLOW GLEN TRL #
CORDOVA TN 38016

1638 HELSLEY ROAD TRUST
90 W 84TH AVE #
THORNTON CO 80260

MEMPHIS ACADEMY OF HEALTH SCIENCES HIGH
3925 CHELSEA AVE #
MEMPHIS TN 38108

TRIBBLE SHANNAN M
1669 SAILORS ST #
MEMPHIS TN 38108

MENDOZA-HERNANDEZ JOSE J
1642 HELSLEY RD #
MEMPHIS TN 38108

MEMPHIS ACADEMY OF HEALTH SCIENCES HIGH
3925 CHELSEA AVE #
MEMPHIS TN 38108

METCALFE CHARLES E JR
97 ABBY RD #
DRUMMONDS TN 38023

CASTRUITA RODOLFO & ESMERALDA CASTANEDA
1648 HELSLEY RD #
MEMPHIS TN 38108

MEMPHIS ACADEMY OF HEALTH SCIENCES HIGH
3925 CHELSEA AVE #
MEMPHIS TN 38108

SIMMONS SUSAN A
1649 SAILORS ST #
MEMPHIS TN 38108

PEGASUS REAL ESTATE SERVICES LLC
P O BOX 381373 #
GERMANTOWN TN 38183

RAMIREZ RAFAEL
9398 FOREST WIND DR #
COLLIERVILLE TN 38017

ZUBIA JUAN
813 CHESTNUT GRV #
BROWNSVILLE TN 38012

BECHARD WILFRED
PO BOX 321 #
ELLENDALE TN 38029

BECHARD WILFRED
PO BOX 321 #
ELLENDALE TN 38029

SIMONS RICHARD A
3858 SUMMER AVE #
MEMPHIS TN 38122

CERDA FERNANDO GAONA AND ROSA A GAYTAN
1639 N GRAHAM ST #
MEMPHIS TN 38108

BECHARD WILFRED
7139 CENTRALIA RD #
BARTLETT TN 38135

SATURNINO DIAZ & BARRERA DAYSI
1683 N GRAHAM ST #
MEMPHIS TN 38108

ARLINGTON ROAD LLC
6222 CHESTER ST #
ARLINGTON TN 38002

CUMPAR MAURICIO A D AND MARIA A ALVARADO
1680 SAILORS ST #
MEMPHIS TN 38108

TAYLOR SANDRA R
1679 N GRAHAM ST #
MEMPHIS TN 38108

SANCHEZ INVESTMENTS LLC
8220 E WALNUT CREEK RD #
CORDOVA TN 38018

ARTEAGA ANA L M AND HORTENCIA FEMAT
1687 SAILORS ST #
MEMPHIS TN 38108

MILLER JOY
19525 144TH PL #
MONROE WA 98272

GOLDSTAR HOMES LLC
3840 WINCHESTER RD #
MEMPHIS TN 38118

INNOVATIVE REAL ESTATE INVESTMENTS LLC
6329 FLOR DEL SOL PL #
ALBUQUERQUE NM 87120

MANNON PAMELA S
1667 N GRAHAM ST #
MEMPHIS TN 38108

HUMPHREY ANTHONY G AND ARVIL L GALLOWAY
4052 LEROY AVE #
MEMPHIS TN 38108

FEMAT JAIME
1696 SAILORS ST #
MEMPHIS TN 38108

BECHARD WILFRED
PO BOX 321 #
ELLENDALE TN 38029

KELLEY GASTON
1648 SAILORS ST #
MEMPHIS TN 38108

ROCHA JUVENTINO AND MARGARITA FLORES
1700 SAILORS ST #
MEMPHIS TN 38108

BECHARD WILFRED
P O BOX 321 #
ELLENDALE TN 38029

CARRILLO MANUEL
6270 CAROLOT LN #
BARTLETT TN 38135

MONTEALVO ACACIO M
1706 SAILORS ST #
MEMPHIS TN 38108

ROWENS LLC
275 JEFFERSON AVE #
MEMPHIS TN 38103

BECHARD WILFRED
PO BOX 321 #
ELLENDALE TN 38029

BAUTISTA JAVIER & MARIA
4100 WARD AVE #
MEMPHIS TN 38108

WHITAKER LIVING REVOCABLE TRUST AND
5099 OLD SUMMER RD #
MEMPHIS TN 38122

BECHARD WILFRED
PO BOX 321 #
ELLENDALE TN 38029

RAINER JOHNNIE M AND JAMES E TAYLOR
1695 N GRAHAM ST #
MEMPHIS TN 38108

RAINER JOHNNIE M
200 JEFFERSON AVE #
MEMPHIS TN 38103

ZARATE MARTIN & VERONICA SUAREZ
3894 BERKSHIRE AVE #
MEMPHIS TN 38108

GOODMAN MICHAEL A & SAMANTHA L
3915 BERKSHIRE AVE #
MEMPHIS TN 38108

PHAM ANDY
593 WARING RD #
MEMPHIS TN 38122

FLORES CARLOS & NOLVIA X GRANADOS
3979 BERKSHIRE AVE #
MEMPHIS TN 38108

WHITEHEAD ERNESTINE
3909 BERKSHIRE AVE #
MEMPHIS TN 38108

PHAM FAMILY PROPERTY LLC
375 STONEWALL ST #
MEMPHIS TN 38112

RAMIREZ-MARQUEZ JUAN R
1773 ATLAS ST #
MEMPHIS TN 38108

W TN HOLDINGS LLC
1779 KIRBY PKWY #
MEMPHIS TN 38120

SALTOS-DURAN MARIA I AND RAMON GARCIA-
3940 BERKSHIRE AVE #
MEMPHIS TN 38108

RAMIREZ-MARQUEZ JUAN R
1773 ATLAS ST #
MEMPHIS TN 38108

LEACHMAN ELEVERIA
3893 BERKSHIRE #
MEMPHIS TN 38108

JONES CHRISTOPHER O
1749 ATLAS ST #
MEMPHIS TN 38108

ELIAS WILBER E E
3963 BERKSHIRE AVE #
MEMPHIS TN 38108

KENSINGTON GROUP HOLDINGS LLC
334 AMBERWICK LN #
BREA CA 92821

SULLIVAN MINNIE
3926 BERKSHIRE AVE #
MEMPHIS TN 38108

RAMIREZ JUAN R
1773 ATLAS ST #
MEMPHIS TN 38108

CALDERA JIMMY H & GRIS A R MARTINEZ
2469 BOXFORD LN #
CORDOVA TN 38016

BUNCH MARIA
4919 OLD SUMMER RD #
MEMPHIS TN 38122

RELIFORD BLANCHE G
3941 BERKSHIRE AVE #
MEMPHIS TN 38108

CALDERA JIMMY H AND GRIS A R MARTINEZ
2469 BOXFORD LN #
CORDOVA TN 38016

PHAM FAMILY PROPERTY LLC
3912 BERKSHIRE AVE #
MEMPHIS TN 38108

MCCOLLUM ETHEL B S
3933 BERKSHIRE AVE #
MEMPHIS TN 38108

GONZALEZ FRANCISCO
3819 BERKSHIRE AVE #
MEMPHIS TN 38108

VIEYRA GABRIEL
1746 HOOD ST #
MEMPHIS TN 38108

GROOMS JOSIE M
3927 BERKSHIRE AVE #
MEMPHIS TN 38108

STAMPER OUIDA R
1370 MOUNT MORIAH RD #
MEMPHIS TN 38117

LONG ROBERT AND BARBARA LONG
1741 HOOD ST #
MEMPHIS TN 38108

SULLIVAN ETHEL B AND MINNIE E SULLIVAN
3921 BERKSHIRE AVE #
MEMPHIS TN 38108

WILLIAMS SHANNON D
3834 BERKSHIRE AVE #
MEMPHIS TN 38108

GILMORE RICHARD L
3826 BERKSHIRE AVE #
MEMPHIS TN 38108

SOUTHWEST DEVELOPMENT GROUP LLC
1311 BRIGHTWATER AVE #
BROOKLYN NY 11235

MEMVEST LLC
15 DIVINO LN #
HOT SPRINGS VILLAGE AR 71909

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, PURE YOUTH ATHLETICS ALLIANCE, INC
JOHN S. GOLWEN, CHAIRMAN (Print Name), [Signature] (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):

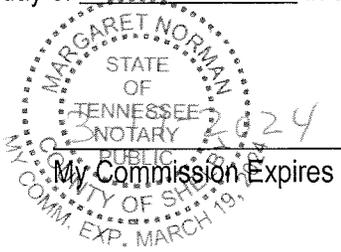
I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in 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 Chelsea Ave. 1674, 1680, 1686, 1690, 1696 and 1700 Helsley St., Memphis, TN
3925 CHELSEA AVENUE, MEMPHIS, TN
 and further identified by Assessor's Parcel Number 053037000036, 053037000026, 05303900028,
05303900029, 05303900030, 05303900031
 for which an application is being made to the Division of Planning and Development. 05303900032, 05303900033

Subscribed and sworn to (or affirmed) before me this 21 day of Dec in the year of 2023.

Margaret Norman
 Signature of Notary Public



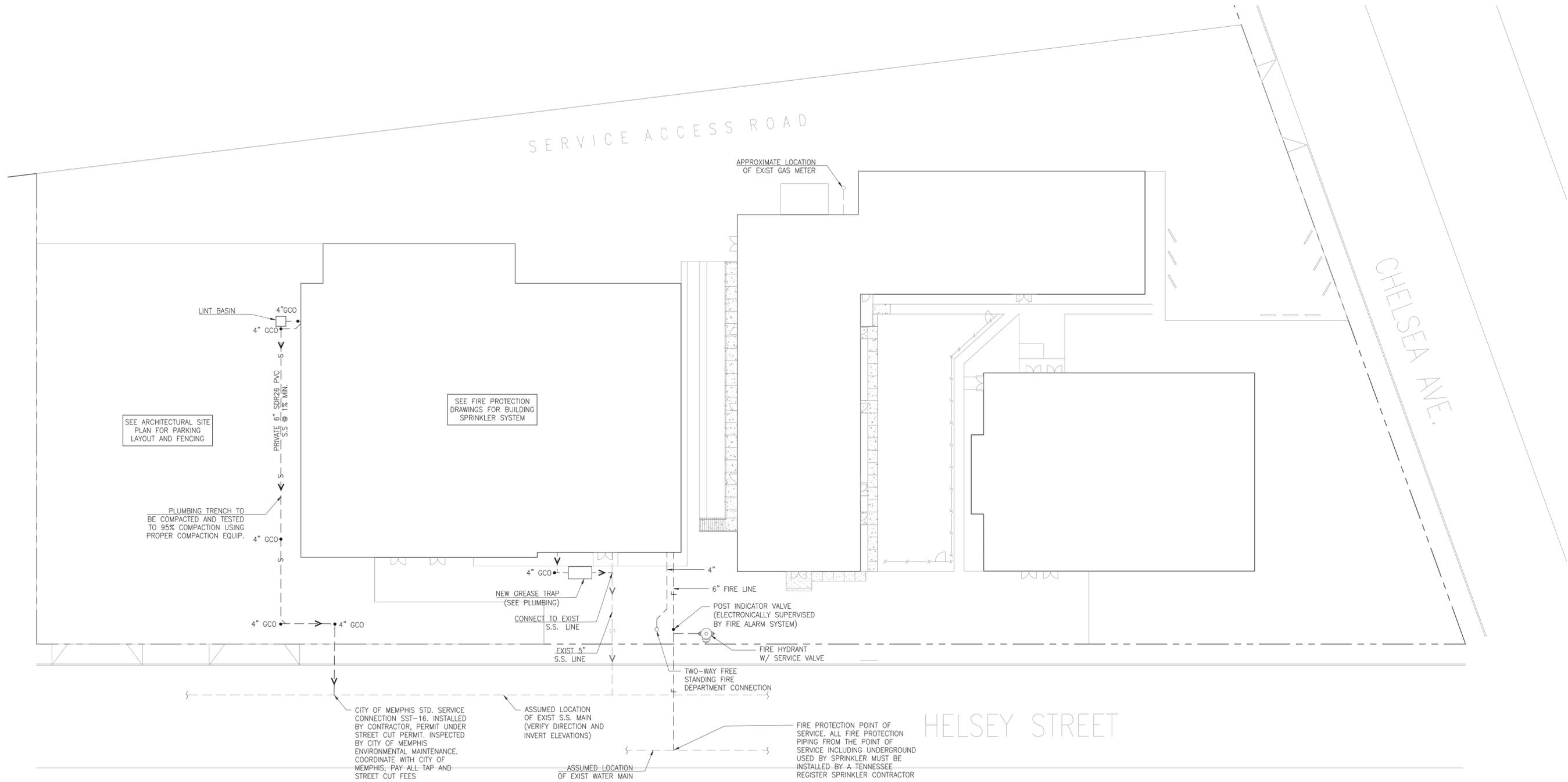


1500 Union Avenue
Memphis, TN 38104
901.278.6868

PROJECT NAME
PURE CHELSEA GYMNASIUM - PH1

3005 CHELSEA
MEMPHIS, TN 38108
PROJECT STATUS

PERMIT SET



TYPICAL CONSTRUCTION NOTES

LOCATION OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE AND ARE NOT NECESSARILY ALL THE SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE APPROPRIATE UTILITY COMPANY TO DETERMINE THE EXACT LOCATION OF ALL UTILITIES AND/OR UNDERGROUND STRUCTURES PRIOR TO THE INITIATION OF ANY CONSTRUCTION. CONTRACTOR SHALL ALSO ASSUME FULL RESPONSIBILITY FOR DAMAGE TO ANY UTILITIES ENCOUNTERED WITHIN CONSTRUCTION PERIMETERS. FOR SITE LOCATIONS OF EXISTING UTILITIES INVOLVING M.L.G.&W., SOUTH CENTRAL BELL, AND/OR TEXAS GAS COMPANY, PLEASE CALL 1-800-351-1111. FOR SEWER SERVICE LOCATIONS, CALL 901-636-8025.

CONTRACTOR SHALL ENSURE UNINTERRUPTED SEWER SERVICE ON EXISTING SEWER AND SERVICE CONNECTIONS BY PROVIDING AMPLE TEMPORARY WASTEWATER PUMPING AND/OR BYPASSING.

CONTRACTOR SHALL MAINTAIN ACCESS TO ALL PROPERTIES.

CONTRACTOR SHALL NOTIFY THE CITY OF MEMPHIS CONSTRUCTION INSPECTION OFFICE AT 636-2462 A MINIMUM OF 24 HOURS PRIOR TO BEGINNING ANY CONSTRUCTION.

ALL AREAS IN CUT OR FILL WHERE VEGETATION HAS BEEN REMOVED SHALL BE SEEDED, MULCHED, FERTILIZED, AND/OR SODDED AS REQUIRED TO PREVENT EROSION.

THE CONTRACTOR SHALL VERIFY EXISTING DATA AND REPORT ANY SIGNIFICANT DISCREPANCIES TO THE ENGINEER.

ALL SANITARY SEWER TO BE CONSTRUCTED AS PER CITY OF MEMPHIS STANDARD CONSTRUCTION SPECIFICATIONS. SANITARY SEWER SERVICE CONNECTIONS TO BE INSTALLED AS PER CITY OF MEMPHIS STANDARD SST-16.

ALL SEWER MANHOLE LIDS IN OPEN AREAS ARE TO BE CONSTRUCTED 1.5' ABOVE PROPOSED GRADE. IN BACKYARDS, MANHOLE LIDS ARE TO BE 1.5' ABOVE INITIAL GRADE, 0.5' ABOVE FINAL GRADE.

ALL SANITARY SEWER, INCLUDING SERVICE CONNECTIONS, WHICH HAS LESS THAN 1.5' CLEARANCE (OUTSIDE OF PIPES) WITH DRAINAGE OR IN FILLED AREAS SHALL BE CLASS 50 D.I.P. OR CONCRETE ENCASED, 10' MINIMUM BOTH SIDES OF CROSSING. ALL DUCTILE IRON PIPE (D.I.P.) SHALL BE POLYETHYLENE LINED OR SHALL BE TREATED WITH PROTECTO 401 OR APPROVED EQUIVALENT.

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 MAINTENANCE OF SAID PRIVATE DRIVES AND YARDS.

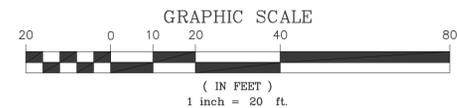
NO TREES, SHRUBS, PERMANENT STRUCTURES, OR OTHER UTILITIES (EXCEPT FOR CROSSINGS) WILL BE ALLOWED WITHIN SANITARY SEWER EASEMENT. NO OTHER UTILITIES OR SERVICES MAY OCCUPY SANITARY SEWER EASEMENTS IN PRIVATE DRIVE AND YARDS EXCEPT FOR CROSSINGS.

ALL SANITARY SEWER MANHOLES IN REVERSE CROWN STREETS, ALLEYS, OR DRIVES (PUBLIC OR PRIVATE) SHALL BE PROVIDED WITH GASKETS AND PLUGS FOR PICK HOLES TO PREVENT DRAINAGE INFLOW INTO SEWER SYSTEM.

THE CONTRACTOR SHALL PROVIDE ADEQUATE AND EFFECTIVE EROSION CONTROL AS NECESSARY TO PREVENT ANY SILTATION INTO EXISTING DRAINAGE SYSTEM AND/OR ADJACENT PROPERTIES.

SITE CONDITIONS AND LOCATIONS OF UTILITIES SHOWN ARE BASED ON AVAILABLE EXISTING DRAWINGS AND SITE OBSERVATIONS. NO SURVEY WAS RECORDED FOR THE PURPOSE OF THIS PROJECT.

CONTRACTOR IS RESPONSIBLE FOR VERIFYING SITE CONDITIONS AND LOCATIONS OF ALL UTILITIES PRIOR TO PERFORMING ANY WORK ON THIS PROJECT.



NO.	DATE	DESCRIPTION
11/03/23		



PROJECT NUMBER
23030
SHEET TITLE
SITE UTILITY PLAN

SHEET NO.
C401
© 2023 ANF ARCHITECTS INC.



Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

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



23090975

10/24/2023 - 01:03:47 PM

10 PGS	
ABRIA 2634083 - 23090975	
VALUE	80000.00
MORTGAGE TAX	0.00
TRANSFER TAX	296.00
RECORDING FEE	50.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	349.00

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (MLR)
100 Peabody Place, Suite 1300
Memphis, Tennessee 38103

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust, Security Agreement, and Assignment of Rents and Leases recorded as Instrument No. 17020176, securing the indebtedness therein described pursuant to and secured thereby (as it may have been amended or assigned from time to time, including pursuant to that certain Assignment of Deed of Trust recorded as Instrument No. 23073082, the "Deed of Trust"), all in the Register's Office for Shelby County, Tennessee (the "Register's Office"), Memphis Academy of Health Sciences, a Tennessee nonprofit corporation, (the "Debtor"), conveyed the real property described on attached Exhibit A, which is incorporated herein by reference (the "Property"), to Michael E. Goldstein, as Trustee (the "Trustee"), to secure payment of the indebtedness described in the Deed of Trust (the "Indebtedness"); and

WHEREAS, by Appointment of Successor Trustee recorded as Instrument No. 23014851 in the Register's Office, Wendy Geurin Smith was appointed successor Trustee under the Deed of Trust in the place and stead of Michael E. Goldstein;

WHEREAS, by Appointment of Substitute Trustee recorded as Instrument No. 23075796 in the Register's Office, Marisa L. Rouse was appointed substitute Trustee (the "Substitute Trustee") under the Deed of Trust in the place and stead of Wendy Geurin Smith; and

WHEREAS, default has occurred under the terms and conditions of the Deed of Trust and in the payment of the Indebtedness secured thereby; and

WHEREAS, at the request of the lawful owner and holder of the Indebtedness, the Substitute Trustee gave notice of the time and place of a sale of the Property, all in accordance with the Deed of Trust and the laws of the State of Tennessee, by publishing a notice of sale in *The Daily News*, a newspaper published in Shelby County, Tennessee, a correct copy of which is attached hereto as Exhibit B, said notice being first published on September 12, 2023, and thereafter published on September 19, 2023 and September 26, 2023, with said notice advertising the sale of the Property to be held on October 3, 2023, at 12:00 noon, and by sending a copy of the notice of sale to the Debtor and any co-debtor on or before the first date of publication by registered or certified mail, return receipt requested;

WHEREAS, on October 3, 2023, at 12:00 noon, at the southwest corner of the Courthouse in Memphis, Shelby County, Tennessee, and at the Adams Street entrance thereof, being the time and place fixed in said notice, the Property was offered for sale and sold in the manner provided in said notice and in the Deed of Trust, and the Substitute Trustee received a bid of \$80,000.00, which bid was the last and highest bid, and payment has been made, the receipt of which is hereby acknowledged;

NOW, THEREFORE, in consideration of the foregoing and of the sum bid and paid as provided herein, I, Marisa L. Rouse, Substitute Trustee, have bargained and sold, and do hereby bargain, sell, transfer and convey unto Pure Youth Athletics Alliance, a Tennessee nonprofit corporation (the "Grantee"), the Property, being the same property conveyed to Memphis Academy of Health Sciences by Warranty Deed of record at Instrument No. 05156054, as to Tract 1 of the Property, and to Memphis Academy of Health Sciences High School by Warranty Deeds of record at Instrument Nos. 11053907, 11053912, 11053916 and 13038214, as to Tract 2 of the Property, in the aforesaid Register's Office, all subject to the Deed of Trust as set forth therein.

TO HAVE AND TO HOLD the Property, together with the estate, title and interest of Substitute Trustee therein and all hereditaments, easements, appurtenances and improvements thereto belonging, to the Grantee, its successors and assigns, in fee simple forever, free from the equity of redemption, all rights of redemption (statutory or otherwise), homestead, dower, elective share, rights of appraisalment or valuation, and all other rights and exemptions of every kind, all of which were expressly waived by Debtor in the Deed of Trust, and subject only to liens, easements, encumbrances, liens for property and other taxes, rights of redemption of taxing entities, and other matters that are prior in right to the lien and security title of the Deed of Trust. Without limiting the foregoing, the Property is or may be subject to:

1. Any taxes for past, present or future tax years which may become due but which are not presently due and payable because of the existing tax classification of the Land as exempt.
2. Subdivision restrictions, building lines and easements of record in Plat Book 16, Page 3, in the Register's Office of Shelby County, Tennessee (as to Tract 2).
3. Easements of record in Book 2560, Page 149; Book 3435, Page 197; Book 4231, Page 94; Book 4281, Page 568; Book 4746, Page 289; Book 5435, Page 435; and at Instrument No. L8 6217, all in the aforesaid Register's Office (all as to Tract 1).
4. Instrument No. 14004818, in the aforesaid Register's Office
5. Deed Restrictions of record at Instrument No. 05156054, in the aforesaid Register's Office (as to Tract 1).

I, Marisa L. Rouse, Substitute Trustee, believe the title hereby conveyed to be good, subject to the matters expressly set forth above, and do hereby transfer, assign and set over unto Grantee all of the covenants and warranties contained in the Deed of Trust; and, to the extent that I am able to do so as Substitute Trustee, and subject only to the matters herein expressly reserved, I hereby warrant the title to the Property against the lawful claims of all persons claiming by, through or under me as such Substitute Trustee, under the provisions of the above described Deed of Trust, but not further or otherwise.

WITNESS my hand as Substitute Trustee on this 16th day of October, 2023.

Marisa L. Rouse
Marisa L. Rouse, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned, a Notary Public having authority within the State and County aforesaid, Marisa L. Rouse, Substitute Trustee, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, on this 16th day of October, 2023.

My Commission Expires:
April 20, 2027

Cynthia M. Bailey
Notary Public



STATE OF TENNESSEE
COUNTY OF SHELBY

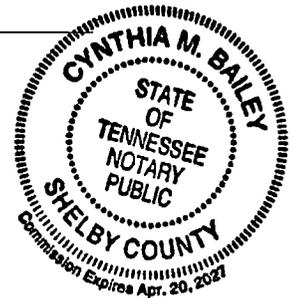
The actual consideration for this transfer or value of the property conveyed (whichever is greater) is \$80,000.00.

Marisa L. Rouse
Affiant

Sworn to and subscribed before me on this 16th day of October, 2023.

My commission Expires:
April 20, 2027

Cynthia M. Bailey
Notary Public



Mailing Address of Property and
Tax Parcel I.D. Nos.:
3925 Chelsea Ave., 0 Chelsea Ave.
and 1674, 1680, 1686, 1690, 1696
and 1700 Helsley Street
Memphis, TN 38108

Party Responsible for Taxes and
Send Tax Bills To:
Pure Youth Athletics Alliance
4847 Amey Rd.
MEMPHIS, TN 38109

05303700003C,
05303700002C,
05303900028,
05303900029,
05303900030,
05303900031,
05303900032 and
05303900033

EXHIBIT "A"

PROPERTY

Land situated in Shelby County, Tennessee:

Tract 1:

Memphis Academy of Health Sciences property recorded in Instrument 05156054 of the Shelby County Register's Office and being more particularly described as follows:

Beginning at the intersection of the southeast line of Chelsea Avenue (50 feet wide) and the west line of Helsey Street (45 feet wide) said point being located 100 feet from the centerline of the CSX Railroad (100 feet right of way) and 20 feet from the centerline of Helsey Street; thence South 07 degrees 37 minutes 00 seconds East along the west line of Helsey Street a distance of 581.97 feet; thence South 82 degrees 00 minutes 00 seconds West along the north line of Lot 1 Delugach's Helsey Street Subdivision (Plat Book 20, Page 67 R.O.S.C.) a distance of 195.00 feet to the northwest corner of said Lot 1; thence South 17 degrees 36 minutes 20 seconds East along the westerly boundary line of Lots 1, 2, 3 and 4 of said Helsey Street Subdivision and the westerly line of Clint Pearson Trust property (Instrument N3 3183 R.O.S.C.) a distance of 271.75 feet to a point in the northerly line of the Church of Jesus property (Book 6311, Page 176 R.O.S.C.); thence South 82 degrees 33 minutes 43 seconds West along said north line a distance of 199.56 feet to the northwest corner of said Church of Jesus property; thence South 07 degrees 37 minutes 00 seconds East along the westerly line of said Church of Jesus property a distance of 223.96 feet to an angle point in the easterly line of Lot 15 Chelsea Place Subdivision (Plat Book 19, Page 31 R.O.S.C.), said point being located 48.64 feet north of the southeast corner of said Lot 15; thence North 22 degrees 57 minutes 51 seconds West along the easterly line of said Chelsea Place Subdivision a distance of 867.54 feet to the northeast corner of Lot 31 of said Chelsea Place Subdivision and being in the southeast line of Chelsea Avenue; thence North 60 degrees 00 minutes 00 seconds East along said southeast line a distance of 624.05 feet to the point of beginning.

Tract 2:

Lots 2, 3, 4, 5, 6 & 7, Ward Subdivision as shown on plat of record in Plat Book 16, Page 3, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said Land and being further described hereon:

Beginning at a point in the east line of Helsey Street (45 feet wide) a distance of 40.60 feet south of the south line of Chelsea Avenue (50 feet wide) and being the common corner of Lots 1 and 2; thence North 81 degrees 57 minutes 19 seconds East along the line dividing said Lots 1 and 2 a distance of 133.33 feet to the common corner of Lots 1, 2, 32 and 31; thence South 08 degrees 02 minutes 41 seconds East along the line dividing Lots 31, 30, 29, 28, 27 and 26 from Lots 2, 3, 4, 5, 6 and 7 a distance of 300.00 feet to the common corner of Lots 25, 26, 7 and 8; thence South 81 degrees 57 minutes 19 seconds West along the line dividing Lots 7 and 8 a distance of 135.57 feet to a point in the east line of Helsey Street; thence North 07 degrees 37 minutes 00 seconds West a distance of 300.00 feet to the point of beginning.

EXHIBIT "B"
PUBLICATION NOTICE

[see attached]

36242464.3

EXHIBIT B

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

3925 Chelsea Ave., 0 Chelsea Ave. and 1674, 1680, 1686, 1690, 1696 and 1700 Helsley St.,
Memphis, Shelby County, Tennessee

Default having been made in the terms, conditions, and payments, including without limitation the failure to make principal and interest payments, provided for in that certain Deed of Trust, Security Agreement and Assignment of Rents and Leases dated February 9, 2017, as recorded on February 28, 2017 at **Instrument Number 17020176**, in the Register's Office for Shelby County, Tennessee, executed by Memphis Academy of Health Sciences, a Tennessee nonprofit corporation ("Borrower"), in favor of Michael E. Goldstein, as Trustee, as affected by that certain Appointment of Successor Trustee, dated February 22, 2023 and recorded February 23, 2023 as **Instrument 23014851** in said Register's Office appointing Wendy Geurin Smith as Successor Trustee in the place and stead of Michael E. Goldstein, as assigned by that certain Assignment of Deed of Trust dated as of August 28, 2023 and recorded August 30, 2023 as **Instrument No. 23073082**, in said Register's Office, securing the indebtedness therein and secured thereby (the "Deed of Trust"), which indebtedness is now due and unpaid, and has been declared in default by the lawful owner and holder thereof;

On September 6, 2023, Marisa L. Rouse of Shelby County, Tennessee was appointed Substitute Trustee to serve in the place and stead of Wendy Geurin Smith, Successor Trustee, said appointment being recorded on September 7, 2023, in the Register's Office for Shelby County, Tennessee as **Instrument No. 23075796**;

NOW, THEREFORE, I, Marisa L. Rouse, Substitute Trustee, pursuant to said Deed of Trust, having been requested by Pure Youth Athletics Alliance, the owner and holder of said indebtedness, so to do, and by virtue of the authority and power vested in me by said Deed of Trust will, on October 3, 2023, at 12:00 noon, at the southwest corner of the Courthouse in Memphis, Shelby County, Tennessee and at the Adams Avenue entrance thereof, proceed to sell at public outcry to the highest bidder for cash (or credit upon the indebtedness secured if the lawful owner and holder thereof is the successful purchaser), in bar of all statutory rights and equities of redemption, homestead, dower, and all other rights or exemptions of every kind, all of which have been expressly waived by Borrower in said Deed of Trust, the property in Shelby County, Tennessee described as follows:

Tract 1:

Memphis Academy of Health Sciences property recorded in Instrument 05156054 of the Shelby County Register's Office and being more particularly described as follows:

Beginning at the intersection of the southeast line of Chelsea Avenue (50 feet wide) and the west line of Helsey Street (45 feet wide) said point being located 100 feet from the centerline of the CSX Railroad (100 feet right of way) and 20 feet from the centerline of Helsey Street; thence South 07 degrees 37 minutes 00 seconds East along the west line of Helsey Street a distance of 581.97 feet; thence

South 82 degrees 00 minutes 00 seconds West along the north line of Lot 1 Delugach's Helsey Street Subdivision (Plat Book 20, Page 67 R.O.S.C.) a distance of 195.00 feet to the northwest corner of said Lot 1; thence South 17 degrees 36 minutes 20 seconds East along the westerly boundary line of Lots 1, 2, 3 and 4 of said Helsey Street Subdivision and the westerly line of Clint Pearson Trust property (Instrument N3 3183 R.O.S.C.) a distance of 271.75 feet to a point in the northerly line of the Church of Jesus property (Book 6311, Page 176, R.O.S.C.); thence South 82 degrees 33 minutes 43 seconds West along said north line a distance of 199.56 feet to the northwest corner of said Church of Jesus property; thence South 07 degrees 37 minutes 00 seconds East along the westerly line of said Church of Jesus property a distance of 223.96 feet to an angle point in the easterly line of Lot 15 Chelsea Place Subdivision (Plat Book 19, Page 31 R.O.S.C.), said point being located 48.64 feet north of the southeast corner of said Lot 15; thence North 22 degrees 57 minutes 51 seconds West along the easterly line of said Chelsea Place Subdivision a distance of 867.54 feet to the northeast corner of Lot 31 of said Chelsea Place Subdivision and being in the southeast line of Chelsea A venue; thence North 60 degrees 00 minutes 00 seconds East along said southeast line a distance of 624.05 feet to the point of beginning.

Tract 2:

Lots 2, 3, 4, 5, 6 & 7, Ward Subdivision as shown on plat of record in Plat Book 16, Page 3, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said Land and being further described hereon:

Beginning at a point in the east line of Helsley Street (45 feet wide) a distance of 40.60 feet south of the south line of Chelsea Avenue (50 feet wide) and being the common corner of Lots 1 and 2; thence North 81 degrees 57 minutes 19 seconds East along the line dividing said Lots 1 and 2 a distance of 133.33 feet to the common corner of Lots 1, 2, 32 and 31; thence South 08 degrees 02 minutes 41 seconds East along the line dividing Lots 31, 30, 29, 28, 27 and 26 from Lots 2, 3, 4, 5, 6 and 7 a distance of 300.00 feet to the common corner of Lots 25, 26, 7 and 8; thence South 81 degrees 57 minutes 19 seconds West along the line dividing Lots 7 and 8 a distance of 135.57 feet to a point in the east line of Helsley Street; thence North 07 degrees 37 minutes 00 seconds West a distance of 300.00 feet to the point of beginning.

The above-described real estate is improved property known as 3925 Chelsea Ave., 0 Chelsea Ave. and 1674, 1680, 1686, 1690, 1696 and 1700 Helsley St., Memphis, Shelby County, Tennessee.

The tax map and parcel numbers of the above-described real estate are 05303700003C, 05303700002C, 05303900028, 05303900029, 05303900030, 05303900031, 05303900032, and 05303900033.

The present owners of the above-described real estate are Memphis Academy of Health Sciences, as to Tract 1, and Memphis Academy of Health Sciences High School, as to Tract 2.

In accordance with Tennessee Code Annotated Section 47-9-604(a)(2), the sale of the property described above will be combined with a sale of the personal property located thereon and described in the Deed of Trust.

This sale is subject to liens, easements, encumbrances, property taxes, rights of redemption of taxing entities, and other matters which are prior in right to the lien of the aforesaid Deed of Trust, to the rights of tenants in possession under unrecorded leases, and to any matters that would be disclosed by an accurate survey or inspection of the real estate.

The following parties may have liens against or claim an interest in the above-described property that will be extinguished or adversely affected by the sale: any party with an interest in such property junior to the lien of the Deed of Trust.

The Substitute Trustee may adjourn or postpone the aforementioned sale of real property without further publication by public announcement at such time and place of sale, and from time to time thereafter may postpone such sale by public announcement at the time and place fixed by the preceding postponement or subsequently noticed sale, and without further notice make such sale at the time fixed by the last postponement, or may, in her discretion, give a new notice of sale.

This 8th day of September, 2023.

/s/ Marisa L. Rouse

Marisa L. Rouse, Substitute Trustee

Bass, Berry and Sims PLC

100 Peabody Place, Suite 1300

Memphis, Tennessee 38103

Telephone No. 901/543-5900

For publication in the September 12th, September 19th and September 26th editions of *The Daily News*.

36273474.4



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

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

February 9, 2024

Bass, Berry & Sims PLC
The Tower at Peabody Place - 100 Peabody Place, Suite 1300
Memphis, TN 38103-3672

Sent via electronic mail to: jgolwen@bassberry.com

Case Number: SUP 2023-042
LUCB Recommendation: Approval with conditions

Dear Applicant,

On Thursday, February 8, 2024, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow a dormitory and lighted recreation field located at 3925 Chelsea Avenue, subject to the following conditions:

1. A minimum Class II, Type C buffer meeting the requirements of Section 4.6.5 of the Unified Development Code shall be established along the right-of-way frontage of the lighted recreation field.
2. A Class III buffer shall be established along any side of the property within 400 feet of a single-family residential use or single-family residential district.
3. A final site plan and landscape plan shall be submitted for administrative review and approval by the Division of Planning and Development (DPD) for the entirety of the property.
4. A photometric plan shall be submitted showing the field lighting adhering to requirements of Chapter 4.7, Outdoor Site Lighting of the Unified Development Code.
5. Lighting for outdoor recreation fields shall be arranged/positioned to prevent direct glare onto any public right-of-way or private property.
6. Noise emanating from the electronic scoreboard is subject to compliance with city ordinances.
7. Music should not be played or any public address system announced later than 9:00 PM.
8. No athletic field lighting poles shall exceed 60 feet in height.

Letter to Applicant
SUP 2023-042

9. Any fencing shall be subject to the approval of DPD.

10. Future modifications to the site plan will not require re-recording of the site plan unless additional uses/activities are being added that are beyond the scope of prior approvals for the site or this approval.

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.

Respectfully,
Kendra Cobbs

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

Cc: Paden Hemphill
B. Taylor Gray
File

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 02/20/2024
DATE
PUBLIC SESSION: 02/20/2024
DATE

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

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located 2426 Lamar Ave., known as case number SUP 2024-001

CASE NUMBER: SUP 2024-001

LOCATION: 2426 Lamar Ave.

COUNCIL DISTRICTS: District 4 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Jim Song

REPRESENTATIVE: David Baker, Fisher Arnold

REQUEST: To allow a drive-thru restaurant in the CMU-1 zoning district

AREA: +/-0.6 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 – February 20, 2024

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
02/08/2024	DATE
(1) Land Use Control Board	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

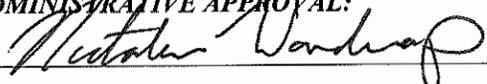
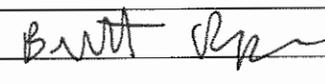
FUNDING:

(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>2/8/24</u>	STAFF PLANNER
		DEPUTY ADMINISTRATOR
	<u>2/8/24</u>	ZONING ADMINISTRATOR
		DIRECTOR (JOINT APPROVAL)
		COMPROLLER
		FINANCE DIRECTOR
		CITY ATTORNEY
		CHIEF ADMINISTRATIVE OFFICER
		COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2024-001

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 2426 LAMAR AVENUE, KNOWN AS CASE NUMBER SUP 2024-001

- This item is a resolution with conditions for a special use permit to allow drive-thru restaurant in the Commercial Mixed Use – 1 (CMU-1) zoning district; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, February 8, 2024**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 2024-001

LOCATION: 2426 Lamar Avenue

COUNCIL DISTRICT(S): District 4 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Jim Song

REPRESENTATIVE: David Baker, Fisher Arnold

REQUEST: To allow a drive-thru restaurant in the CMU-1 zoning district

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

AREA: +/-0.6 acres

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 8-0-0 on the consent agenda.

Respectfully,



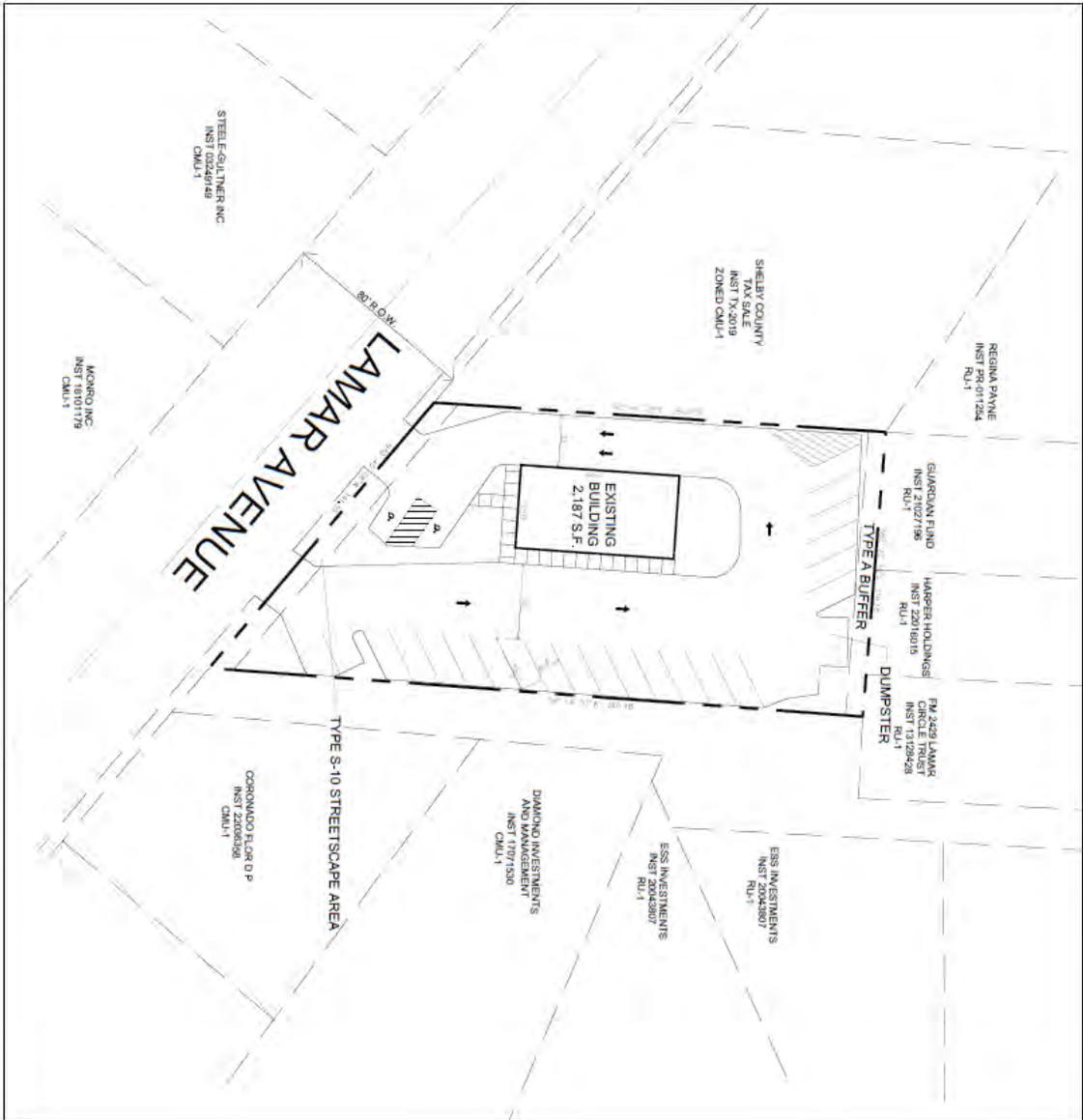
Nicholas Wardroup
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

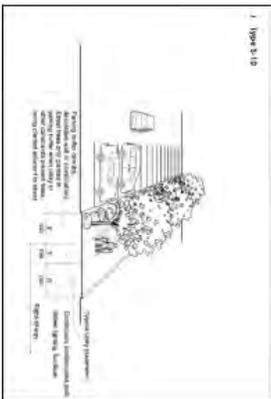
SUP 2024-001
CONDITIONS

1. The existing pole sign shall be removed.
2. At least six bicycle parking spaces (three racks) shall be installed in accordance with UDC Sub-Section 4.5.3C. They 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. They shall be located within 200’ of a functioning entrance.
3. All existing curb cuts and abutting sidewalks shall be repaired to City standards.
4. All refuse containers shall be completely screened from view from adjacent properties and public rights-of-way. They shall be enclosed by a fence or wall composed of an opaque matte material compatible with the dominant material of the principal structure. All such enclosures shall be a minimum 6’ in height.
5. A detailed landscaping plan shall be included as part of the final SUP site plan to be approved by DPD.

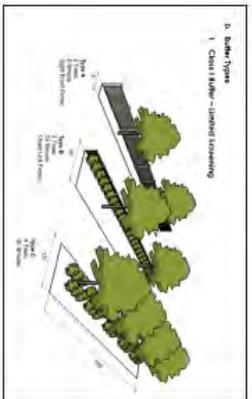
SITE PLAN



SITE LOCATION MAP

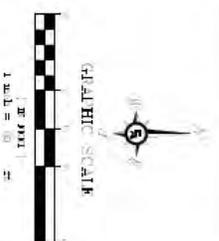


1. Street Edge - Landscaping connecting



2. Corner Edge - Landscaping connecting

LANDSCAPE PLATES



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 2426 LAMAR AVENUE, KNOWN AS CASE NUMBER SUP 2024-001

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, Jim Song filed an application with the Memphis and Shelby County Division of Planning and Development to allow a drive-thru restaurant in the Commercial Mixed Use – 1 (CMU-1) zoning 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 February 8, 2024, 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 requested 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.

CONDITIONS

1. The existing pole sign shall be removed.
2. At least six bicycle parking spaces (three racks) shall be installed in accordance with UDC Sub-Section 4.5.3C. They 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. They shall be located within 200’ of a functioning entrance.
3. All existing curb cuts and abutting sidewalks shall be repaired to City standards.
4. All refuse containers shall be completely screened from view from adjacent properties and public rights-of-way. They shall be enclosed by a fence or wall composed of an opaque matte material compatible with the dominant material of the principal structure. All such enclosures shall be a minimum 6’ in height.
5. A detailed landscaping plan shall be included as part of the final SUP site plan to be approved by DPD.

ATTEST:

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

AGENDA ITEM: 23

CASE NUMBER: SUP 2024-001 **L.U.C.B. MEETING:** February 8, 2024

LOCATION: 2426 Lamar Avenue

COUNCIL DISTRICT: District 4 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Jim Song

REPRESENTATIVE: David Baker, Fisher Arnold

REQUEST: Special Use Permit to establish a drive-thru restaurant in the Commercial Mixed Use – 1 (CMU-1) zoning district

AREA: +/-0.6 acres

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

CONCLUSIONS

1. The applicant is requesting a special use permit to establish a drive-thru restaurant.
2. This site was among those downzoned from CMU-3 to CMU-1 as part of the Lamar Avenue comprehensive rezoning (Z 20-04).
3. The applicant intends to reuse an existing vacant building which was formerly a laundromat.
4. Staff finds that this request meets the UDC standards regarding special use permits and therefore recommends approval with 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 14 of this report.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: Lamar Avenue +/-141.49 linear feet
Zoning Atlas Page: 2135
Parcel ID: 04761 00050
Existing Zoning: Commercial Mixed Use – 1 (CMU-1)

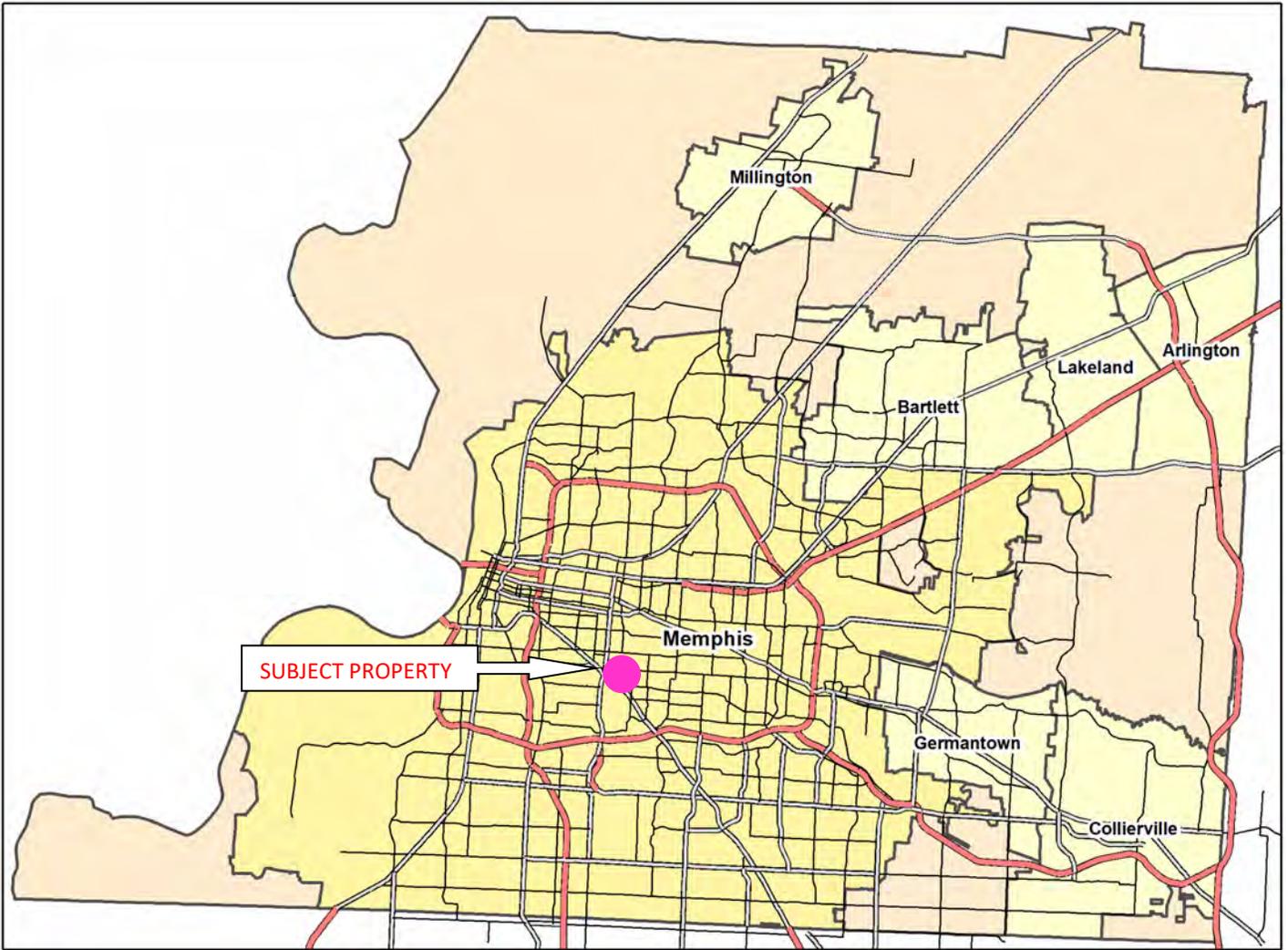
NEIGHBORHOOD MEETING

The meeting was held at 5:30 PM on Tuesday, January 23, 2024, at the subject property.

PUBLIC NOTICE

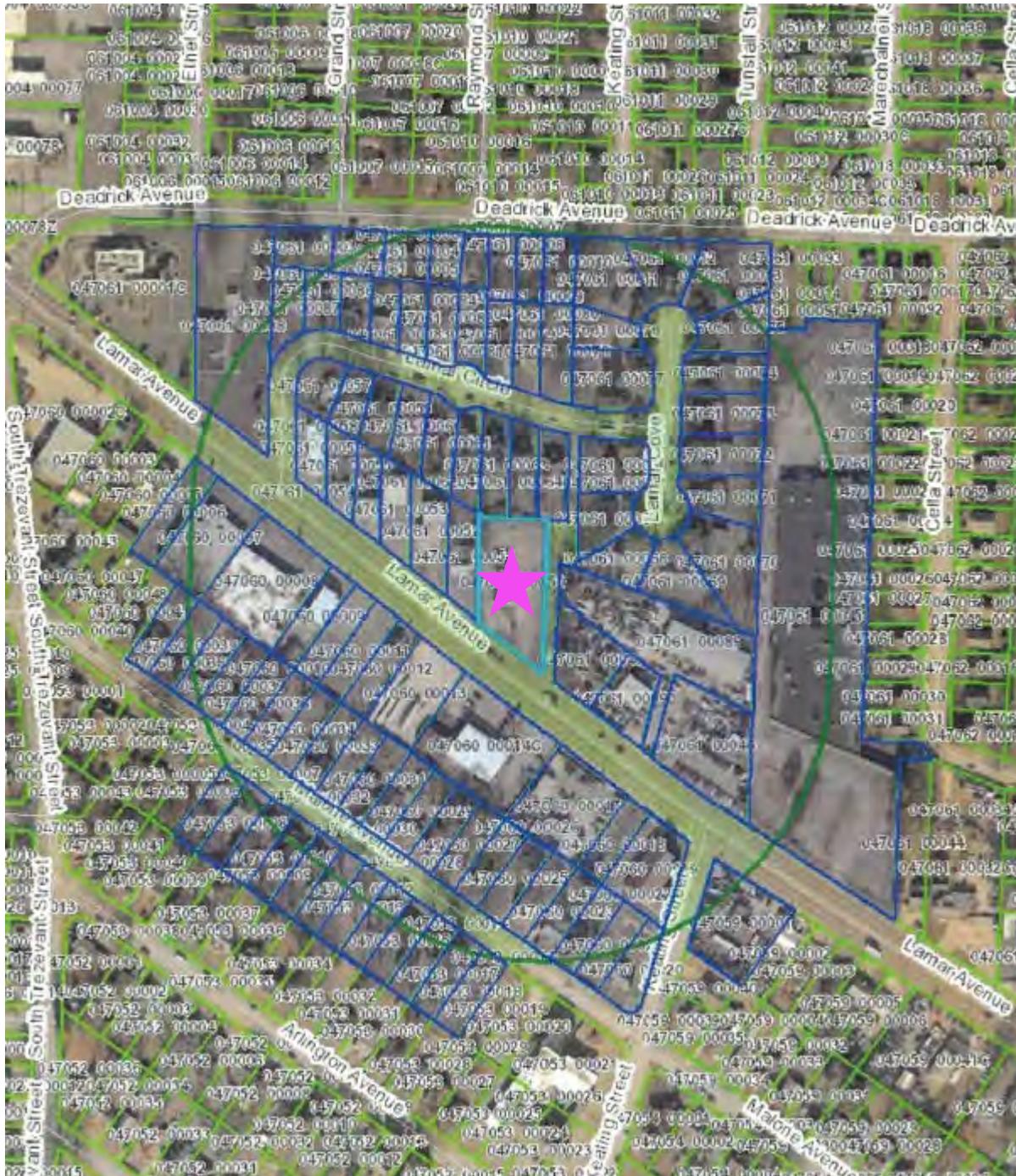
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 152 notices were mailed on January 25, 2024 and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



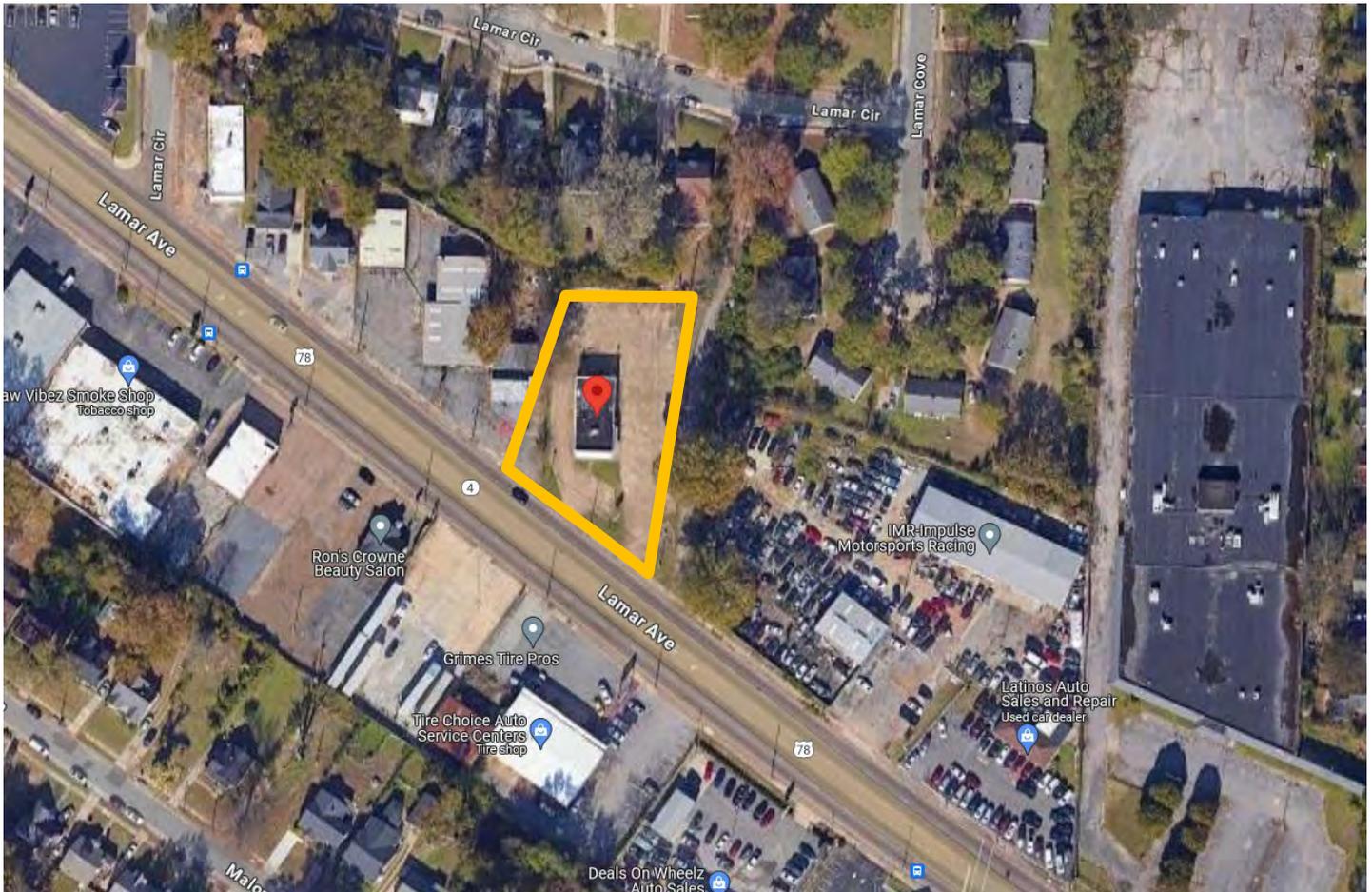
Subject property located within the pink circle, Orange Mound

VICINITY MAP



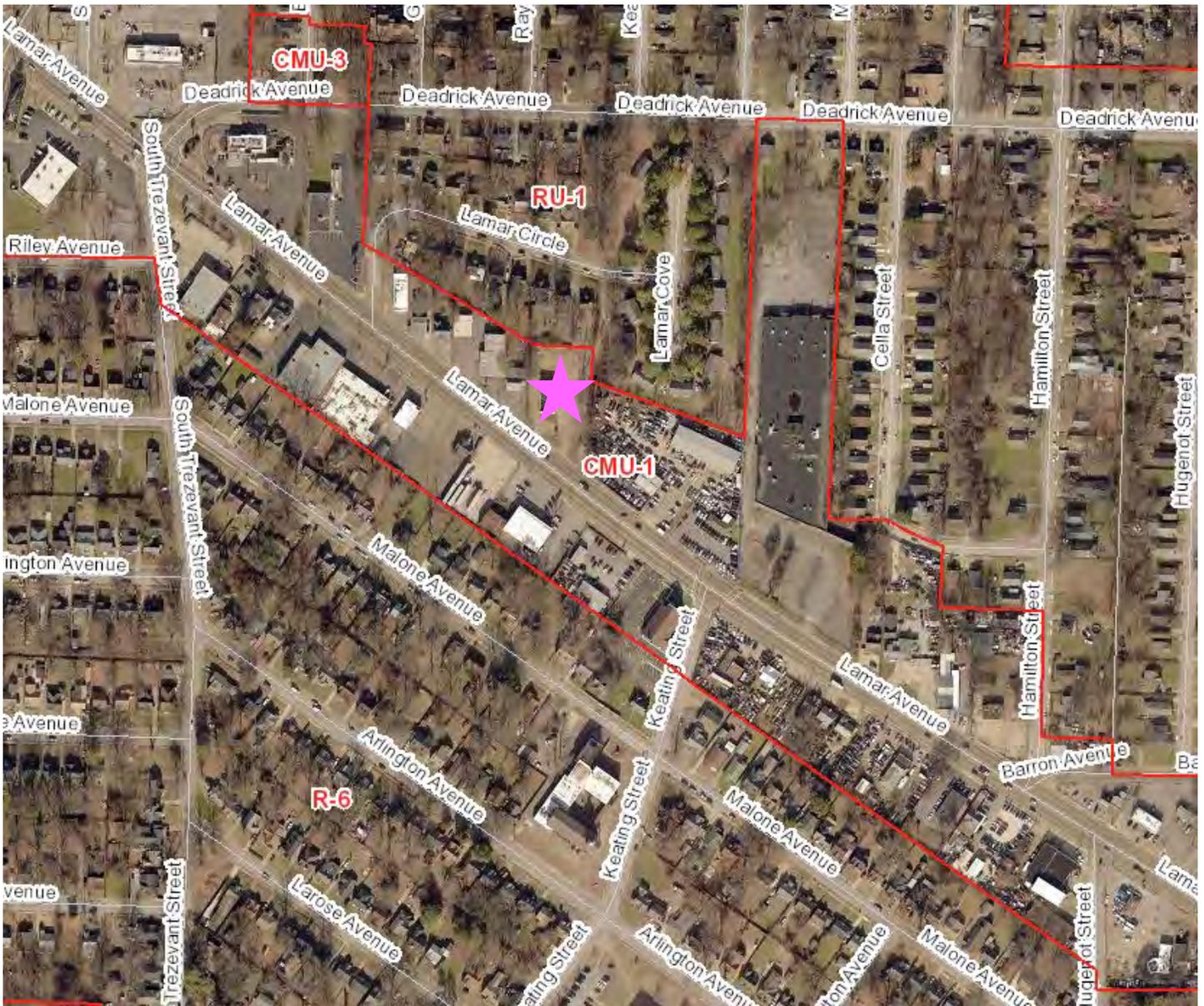
Site outlined in cyan and indicated by pink star.

AERIAL



Subject property outlined in orange.

ZONING MAP



Subject property indicated by a pink star

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

Surrounding Zoning

North: Residential Urban – 1 (RU-1)

East: CMU-1 and RU-1

South: Residential Single Family – 6 (R-6)

West: CMU-1 and R-6

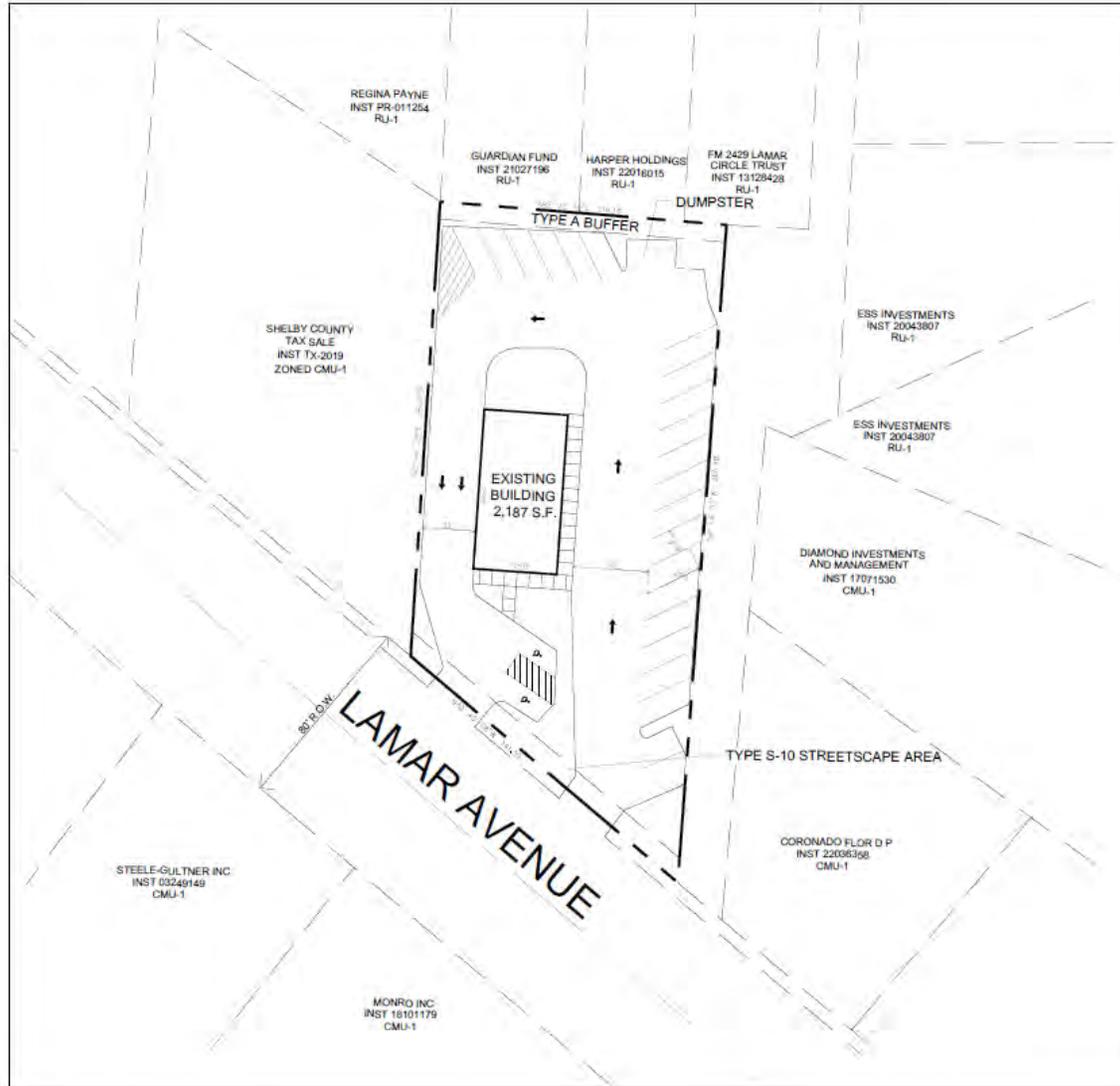


View of subject property (former Washtown Coin Laundry) looking along Lamar Ave to the northwest.

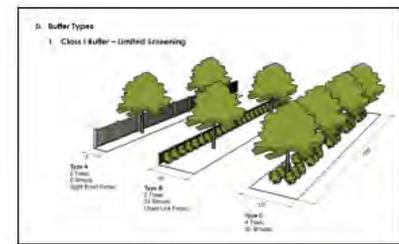
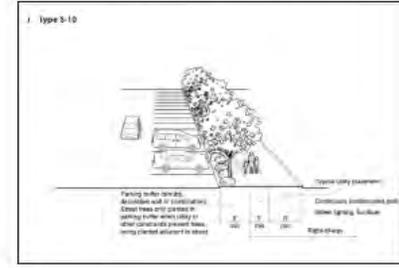


View of subject property from Lamar Ave. looking northeast.

SITE PLAN



SITE LOCATION MAP



LANDSCAPE PLATES



STAFF ANALYSIS

Request

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

The request is for a special use permit to establish a drive-thru restaurant.

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 ensure 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 and Site Plan Review

This site is a +/- 0.6 acre parcel (047061 00050) along the westbound side of Lamar Ave. It features two curb cuts along Lamar as well as a pole sign. The applicant intends to reuse the existing structure on the site, which was constructed in 1982. The site plan shows 26 on-site parking spaces, well in excess of the 8 which are required under UDC Chapter 4.5. While the site plan does not indicate the required six bicycle parking spaces, staff recommended conditions ensure clarity on this matter.

Site Zoning History

This property was one of 200 downzoned in 2020 as part of the Lamar Ave. comprehensive rezoning (Z 20-4). These properties were downzoned from CMU-3 to CMU-1 in order to increase restrictions on auto-oriented uses, primarily vehicle repair. At the same time, a zoning text amendment removed the by-right status of drive thru restaurants in the CMU-1 district in favor of special use review, necessitating the subject application.

Conclusions

The applicant is requesting a special use permit to establish a drive-thru restaurant.

This site was among those downzoned from CMU-3 to CMU-1 as part of the Lamar Avenue comprehensive rezoning (Z 20-04).

The applicant intends to reuse an existing vacant building which was formerly a laundromat.

Staff finds that this request meets the UDC standards regarding special use permits and therefore recommends approval with conditions.

RECOMMENDATION

Staff recommends **approval** of a special use permit to establish a drive thru restaurant subject to the following five (5) conditions.

Conditions

1. The existing pole sign shall be removed.
2. At least six bicycle parking spaces (three racks) shall be installed in accordance with UDC Sub-Section 4.5.3C. They 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. They shall be located within 200’ of a functioning entrance.
3. All existing curb cuts and abutting sidewalks shall be repaired to City standards.
4. All refuse containers shall be completely screened from view from adjacent properties and public rights-of-way. They shall be enclosed by a fence or wall composed of an opaque matte material compatible with the dominant material of the principal structure. All such enclosures shall be a minimum 6’ in height.
5. A detailed landscaping plan shall be included as part of the final SUP site plan to be approved by DPD.

DEPARTMENTAL COMMENTS

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

- | | |
|---|-----------------------|
| City/County Engineer: | See following page. |
| 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: | See page 14 |

CITY ENGINEERING COMMENTS

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 require engineering ASPR.

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 24-01: Orange Mound

Site Address/Location: 2830 Chelsea Avenue

Overlay District/Historic District/Flood Zone: N/A

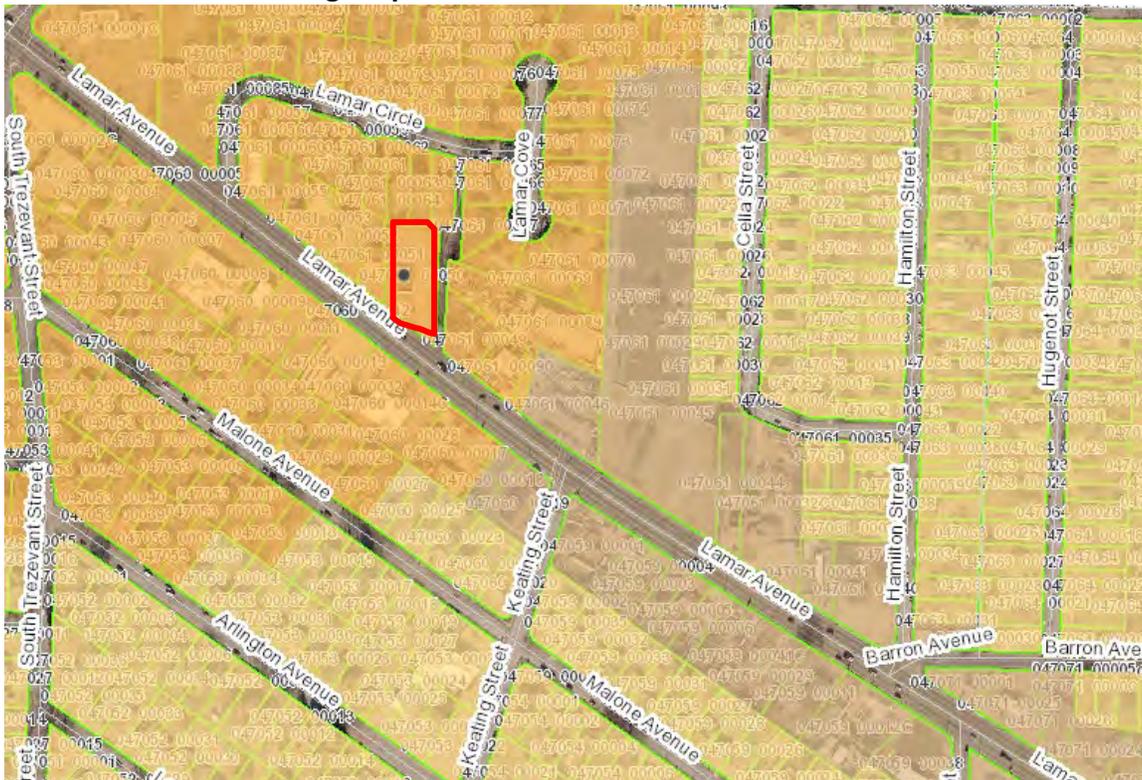
Future Land Use Designation: Anchor Neighborhood-Mix of Building Types (AN-M)

Street Type: Parkway

The applicant is seeking approval to construct a restaurant with a drive-thru in a CMU-1 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

Anchor Neighborhood-Mix of Building Types (AN-M) are walkable neighborhoods within a 5 – 10-minute walk of a Community Anchor. neighborhoods are made up of a mix of single-unit and multi-unit
Graphic portrayal of AN-M is to the right.



These housing.

“AN-M” Form & Location Characteristics

ACCELERATE: Primarily detached, single-family house-scale residences of 1-3 stories in height. Attached, house-scale single-family, duplexes, triplexes and quadplexes of 1-3 stories in height permitted on parcels within 200 feet of an anchor and at intersections where the presence of such housing type currently exists. Building-scale large homes and apartments of 2-4 stories in height permitted on parcels within 100 feet of an anchor; at intersections where the presence of such housing type currently exists at the intersection. Other housing and commercial types along avenues, boulevards and parkways as identified in the Street Types Map where same types exist on one or more adjacent parcels.

“AN-M” Zoning Notes

Generally compatible with the following zone districts: RU-2, RU-3, RU-4, R-SD, R-R, MDR, and CMU-1 when located along avenues, boulevards, and parkways as identified in the Street Types Map, in accordance with Form and characteristics listed above.

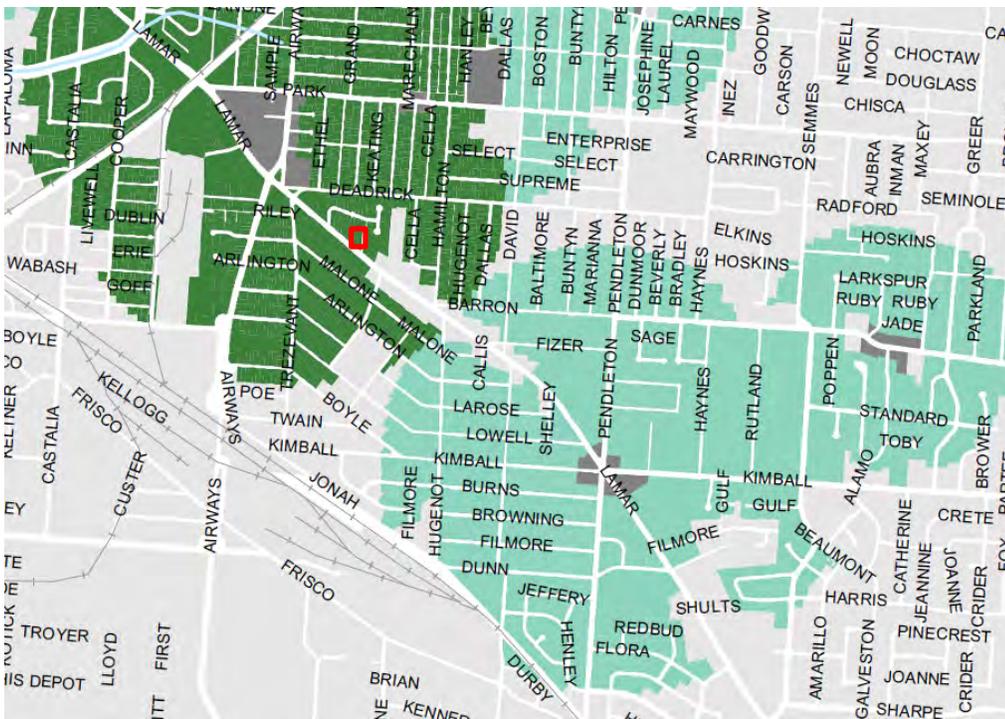
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, CMU-1

Adjacent Land Use and Zoning: Commercial, Vacant, Single Family; RU-1, CMU-3

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

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 and the reuse of a vacant structure has the potential to attract further redevelopment of the neighborhood.

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 approval to construct a restaurant with a drive-thru in a CMU-1 district. This requested use is not compatible with the land use description/intent, form & location characteristics, and zoning notes. However, the use is compatible with adjacent land uses. The proposed application is a private investment and the reuse of a vacant structure has the potential to attract further redevelopment of the neighborhood.

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

Summary Compiled by: Melanie Batke Olejarczyk, Comprehensive Planning.

APPLICATION SUMMARY

See full application [here](#), which includes full-resolution site plans.



Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Processing

Opened Date: January 4, 2024

Record Number: SUP 2024-001

Expiration Date:

Record Name: American Deli Lamar

Description of Work: Requesting a Special Use Permit to allow a restaurant with drive-thru or drive-in services as stipulated in Article 2.5.2 of the UDC.

Parent Record Number:

Address:

2426 LAMAR AVE, MEMPHIS 38114

Owner Information

Primary Owner Name

Y S KING HOLDING INC

Owner Address

1674 PREAKNESS RUN LN, COLLIERVILLE, TN 38017

Owner Phone

Parcel Information

047061 00050

Data Fields

PREAPPLICATION MEETING

Name of OPD Planner

Lucas Slinner

Date of Meeting

12/04/2023

Pre-application Meeting Type

Email

GENERAL PROJECT INFORMATION

GENERAL PROJECT INFORMATION

Application Type

New Special Use Permit (SUP)

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

COM-ALT-23-000828

Is this application in response to a citation, stop work order, or zoning letter

Yes

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

COM-ALT-23-000828

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

The prior use was a drop off cleaner, and the property is vacant. The proposed use is compatible with commercial uses and reuse of the building improves the community over a vacant, deteriorating building.

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

The project will be utilizing the existing building, parking and other facilities and has been established in the neighborhood and is compatible with the community.

UDC Sub-Section 9.6.9C

Because it is a reuse of an existing building, existing public facilities and services will be utilized and not cause a burden to those existing facilities.

UDC Sub-Section 9.6.9D

There aren't any significant natural or historical features on the site.

UDC Sub-Section 9.6.9E

The project complies with the requirements of the CMU-1 District of the UDC.

UDC Sub-Section 9.6.9F

The proposed use will not have a negative impact on adjacent properties and provides a needed use for the community.

GIS INFORMATION

Case Layer

BOA1953-103-CI

Central Business Improvement District

No

Class

C

Downtown Fire District

No

Historic District

-

Land Use

COMMERCIAL

Municipality

MEMPHIS

Overlay/Special Purpose District

-

Zoning

CMU-3

State Route

1

Lot

6

Subdivision

M P DEADRICK

Planned Development District

-

Wellhead Protection Overlay District

No

Contact Information

Name

JIM SONG

Contact Type

APPLICANT

Address

7886 WINCHESTER RD, SUITE 201, MEMPHIS, TN, 38125

Phone

(901)493-6785

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1528806	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	01/04/2024
1528806	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	01/04/2024

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

Payment Information

Payment Amount

\$513.00

Method of Payment

Credit Card

LETTER OF INTENT



January 5, 2024

Mr. Chip Saliba, Deputy Administrator, Development Services
Memphis and Shelby County Office of Planning and Development
Land Use Controls
125 N Main Street, Suite 468
Memphis, TN 38104

**RE: AMERICAN DELI LAMAR AVE SPECIAL USE PERMIT
MEMPHIS, TENNESSEE**

Dear Chip:

On behalf of S King Holdings, Inc. and Mr. Jim Song, we are pleased to submit this Special Use Permit Application for the American Deli on Lamar Avenue. The subject property is located on the north side of Lamar Avenue approximately 1,044 feet east of Trezevant Street. The subject property is located in the CMU-1 Commercial Mixed Use Zoning District. Our application requests a Special Use Permit to allow a restaurant with a drive thru as required by Article 2.5.2 of the Unified Development Code.

Attached with our application is a preliminary site plan that illustrates the reuse of the existing building and site conditions.

As always, we look forward to working with the Office of Planning and Development and appreciate your consideration of our request. If there is anything you may need to assist in your review of our proposal, please do not hesitate to contact me.

Sincerely

FISHER & ARNOLD, INC.



David Baker
Manager - Planning and Landscape Architecture

DBB/dbb

SIGN AFFIDAVIT

PUBLIC NOTICE SIGN POSTING AFFIDAVIT

AFFIDAVIT
Shelby County
State of Tennessee

I, David Baker, being duly sworn, deposes and says that at 5:00 pm on the 23rd day of January 2024, he posted Public Notice Signs pertaining to Case Number SUP 24-0001 at the following address: 2426 Lamar Avenue, providing notice of a Public Hearing before the Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, Special Use Permit, Use Variance, Zoning District Map Amendment), photograph of said sign being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

David Baker _____ Date 1/24/24
Owner, Applicant or Representative

Subscribed and sworn to before me this 24th day of January, 2024.

Hope Rogers _____
Notary Public

My commission expires: 3/2/2024



LETTERS RECEIVED

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



Record Summary for Special Use Permit

Record Detail Information

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Land Use

COMMERCIAL

Municipality

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Planned Development District

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Wellhead Protection Overlay District

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JIM SONG

Contact Type

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Phone(901)493-6785

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Total Balance: \$0.00

Payment Information**Payment Amount**

\$513.00

Method of Payment

Credit Card



FISHER ARNOLD

ENGINEERS | ARCHITECTS | CONSULTANTS | PLANNERS

January 5, 2024

Mr. Chip Saliba, Deputy Administrator, Development Services
Memphis and Shelby County Office of Planning and Development
Land Use Controls
125 N Main Street, Suite 468
Memphis, TN 38104

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MEMPHIS, TENNESSEE**

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Sincerely

FISHER & ARNOLD, INC.

David Baker
Manager – Planning and Landscape Architecture

DBB/dbb

Z:\Jim_Song.0004PL\planning\documents\application cover letter.doc

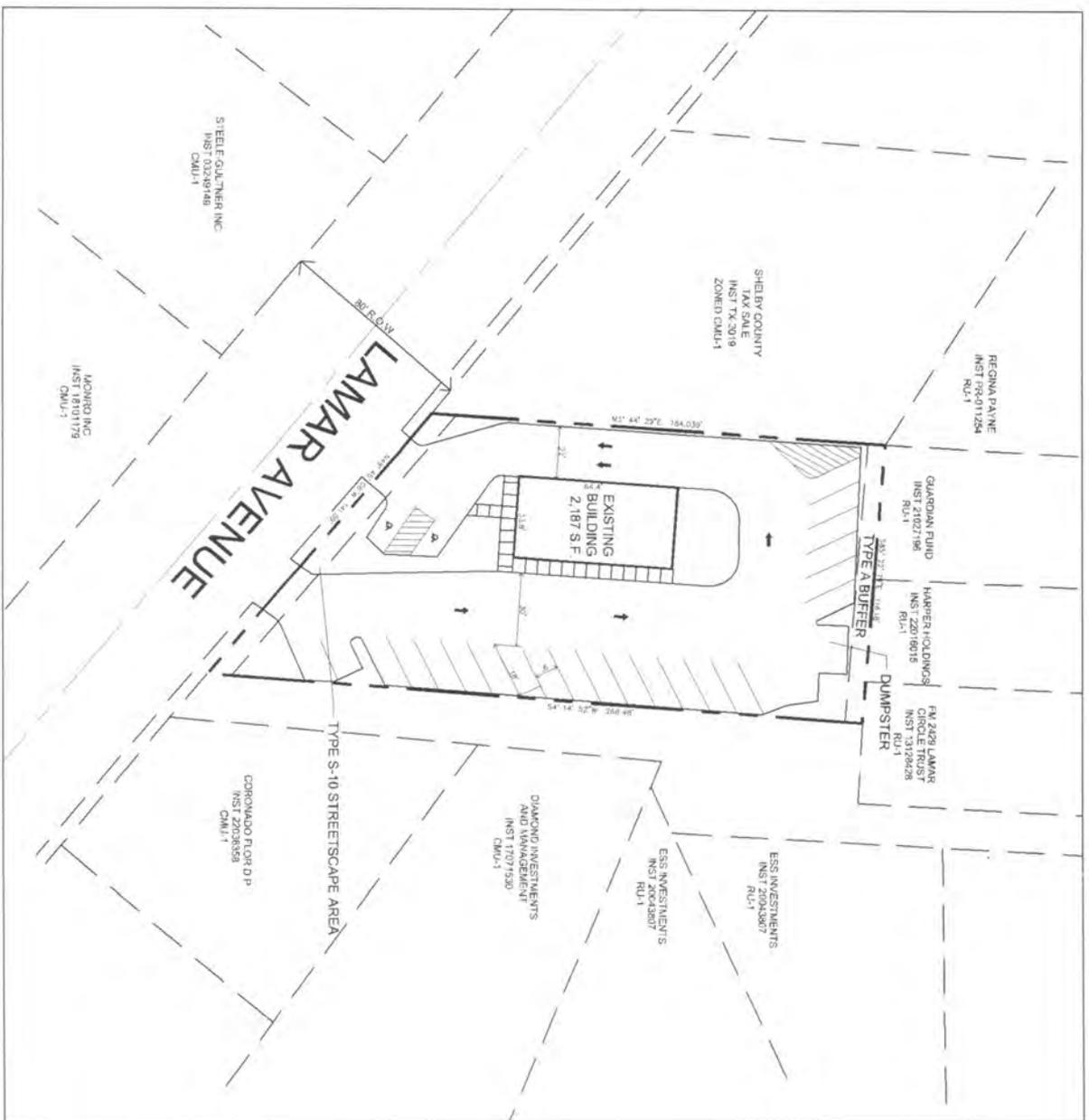
9180 Crestwyn Hills Drive
Memphis, TN 38125

901.748.1811

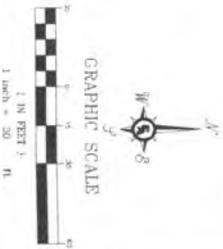
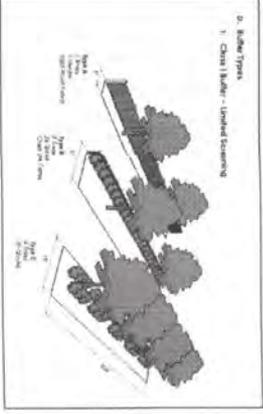
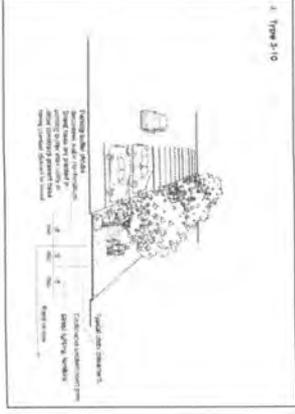
Fax: 901.748.3115

Toll Free: 1.888.583.9724

www.fisherarnold.com

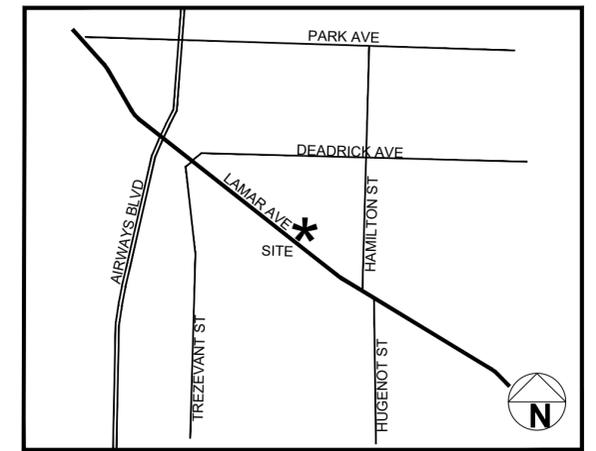
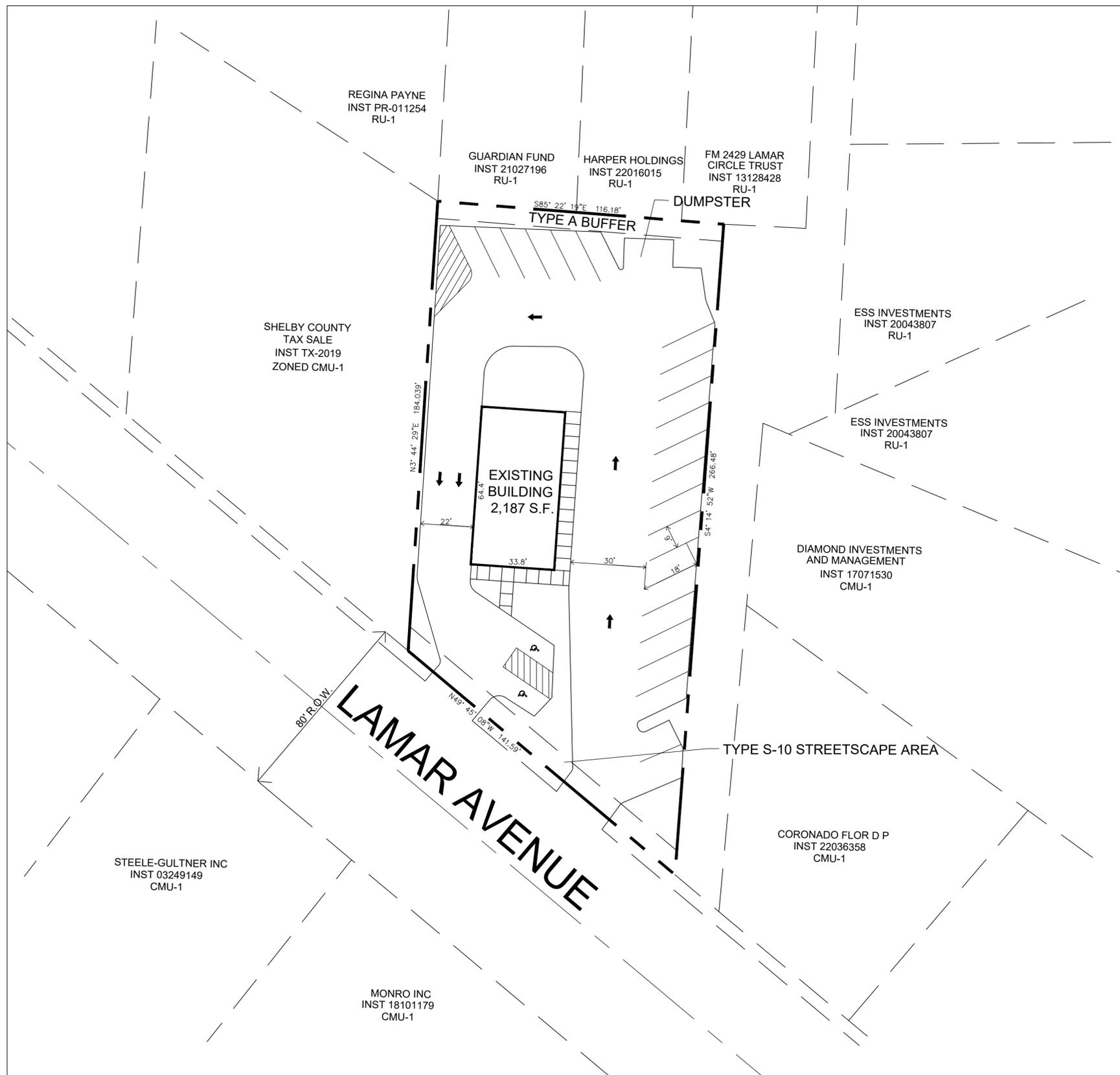


PLAN DATA
 TOTAL AREA..... 0.60 ACRES
 BUILDING SIZE..... 2,187 S.F.
 DENSITY..... 0.08 F.A.R.

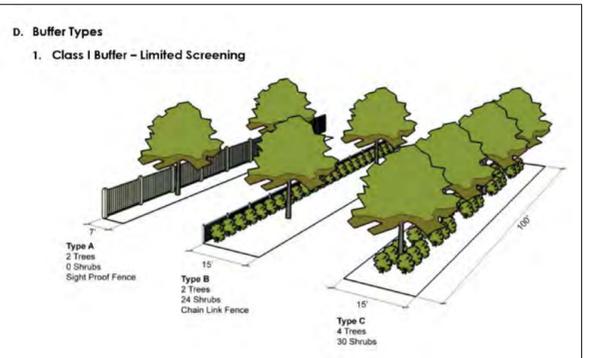
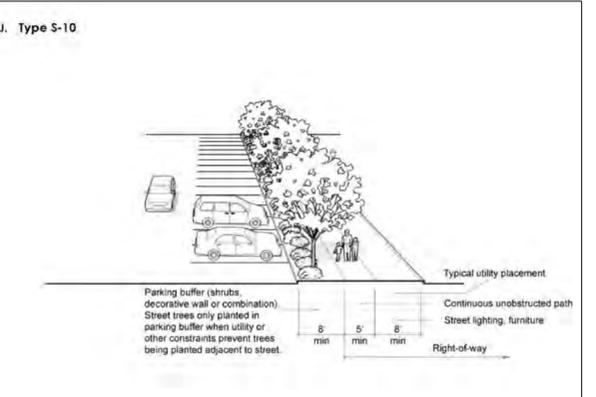


SPECIAL USE PERMIT
AMERICAN DELI

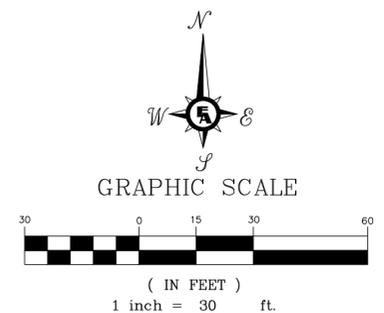
CASE NO.: SUP-24-	FORGEMER CASE NUMBERS
NUMBER OF LOTS: 1	ASFRANGE: 0.60 AC
DEVELOPER: JIM SONG 7866 WINCHESTER RD, SUITE 201 MEMPHIS, TN 38125	ENGINEER: FISHER & ASKOLD, INC. 9180 CRESTVIEW HILLS DR. MEMPHIS, TN 38125
100-YEAR FLOOD ELEVATION: ELEV. MA	FEHA MAP PANEL NUMBER: SEPTEMBER 24, 2007
DATE: DECEMBER, 2023	SCALE: 1" = 30'



SITE LOCATION MAP



LANDSCAPE PLATES

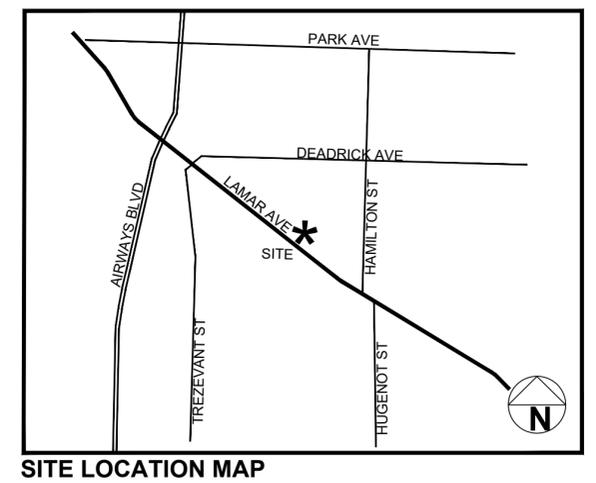
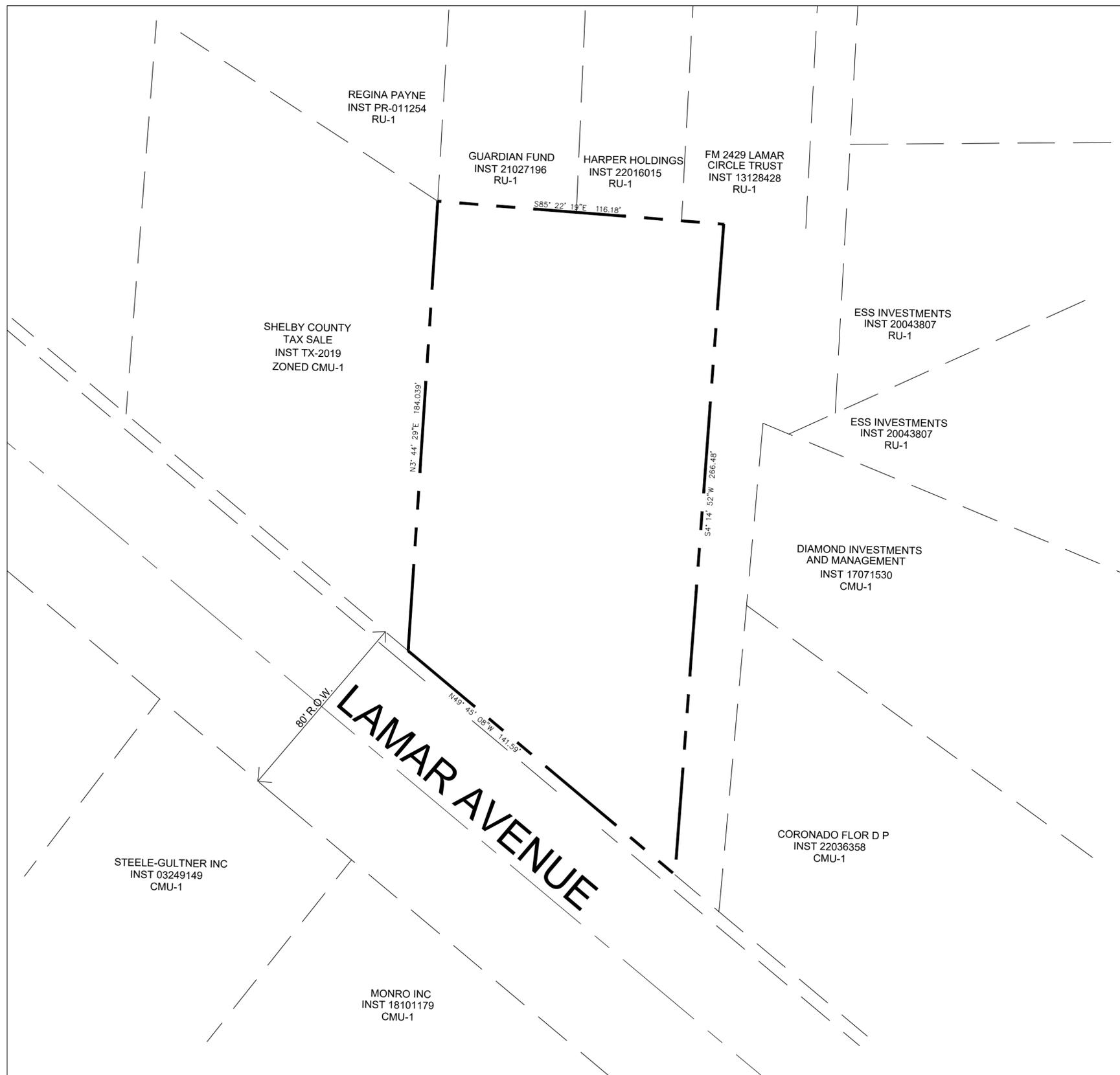


PLAN DATA

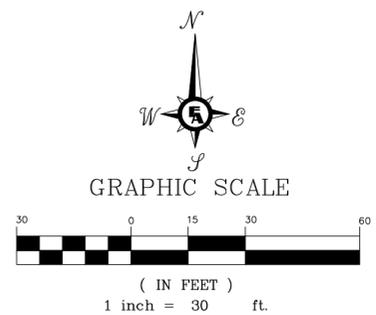
TOTAL AREA.....0.60 ACRES
 BUILDING SIZE2,187 S.F.
 DENSITY.....0.08 F.A.R.

**SPECIAL USE PERMIT
 AMERICAN DELI**

CASE NO.: SUP 24-		FORMER CASE NUMBERS:
NUMBER OF LOTS: 1	ACREAGE: 0.60 AC.	DISTRICT: WARD 47, BLOCK 61, PARCEL 50
DEVELOPER: JIM SONG 7886 WINCHESTER RD, SUITE 201 MEMPHIS, TN 38125		ENGINEER: FISHER & ARNOLD, INC. 9180 CRESTWYN HILLS DR. MEMPHIS, TN 38125
100 YEAR FLOOD ELEVATION: ELEV. N/A	FEMA MAP PANEL NUMBER: 47157C 0430F	FEMA MAP DATE: SEPTEMBER 28, 2007
DATE: DECEMBER, 2023	SCALE: 1" = 30'	SHEET 1 OF 1.



SITE LOCATION MAP



PLOT PLAN		
AMERICAN DELI		
CASE NO.: SUP 24-		FORMER CASE NUMBERS:
NUMBER OF LOTS: 1	ACREAGE: 0.60 AC.	DISTRICT: WARD 47, BLOCK 61, PARCEL 50
DEVELOPER: JIM SONG 7886 WINCHESTER RD, SUITE 201 MEMPHIS, TN 38125		ENGINEER: FISHER & ARNOLD, INC. 9180 CRESTWYN HILLS DR. MEMPHIS, TN 38125
100 YEAR FLOOD ELEVATION: ELEV. N/A	FEMA MAP PANEL NUMBER: 47157C 0430F	FEMA MAP DATE: SEPTEMBER 28, 2007
DATE: DECEMBER, 2023	SCALE: 1" = 30'	SHEET 1 OF 1.

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, Dae cheol Shin (Print Name) [Signature] (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):

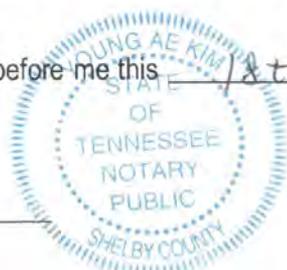
I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in 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 2426 Lamar Ave, Memphis, TN 38114
and further identified by Assessor's Parcel Number 047061 00050
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 18th day of December in the year of 2023.

[Signature]
Signature of Notary Public



MY COMMISSION EXPIRES SEPTEMBER 23, 2026
My Commission Expires _____

January 8, 2024

You are invited to a neighborhood meeting to discuss questions you may have about a Proposed Special Use Permit Application filed with the Memphis and Shelby County Division of Planning and Development. The site is located at 2624 Lamar. We are requesting the approval of a Special Use Permit to allow a restaurant (American Deli) that provides drive thru services.

NEIGHBORHOOD MEETING NOTICE

SUBJECT: AMERICAN DELI LAMAR
OPD CASE # SUP 24-001

DATE: January 23, 2024

TIME: 5:30 P.M.

PLACE: American Deli
2624 Lamar Avenue
Memphis, TN 38114

THIS SPECIAL USE APPLICATION WILL ALSO BE HEARD AT **THE LAND USE CONTROL BOARD MEETING:**

CASE NUMBER: SUP 2024-001

DATE: Tuesday February 8, 2024

LOCATION: CITY HALL

COUNCIL CHAMBERS

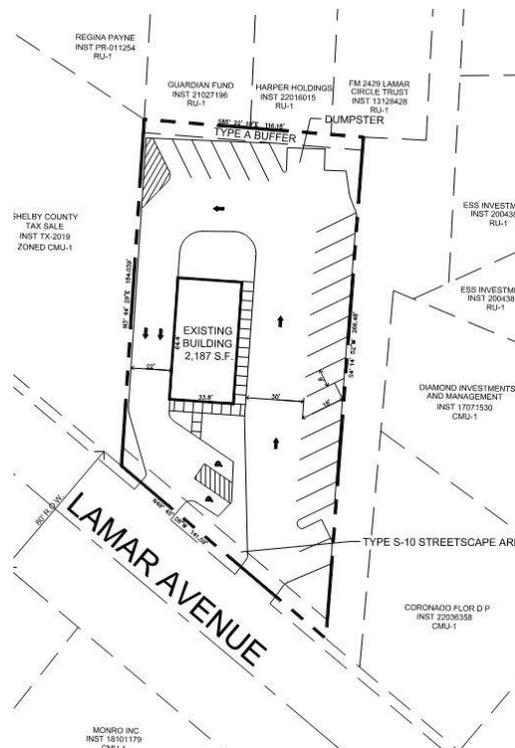
125 N MAIN STREET

MEMPHIS, TENNESSEE

TIME: 9:00 a.m.

OR CAN BE VIEWED LIVE ON THE FOLLOWING LINK: <https://www.youtube.com/c/divisionofplanninganddevelopment>

I am available by phone or email should you have any questions concerning the neighborhood meeting or application. You can reach me, David Baker, at 901-748-1811 or via email at dbaker@fisherarnold.com. If you have questions concerning the application, you may also contact the Memphis and Shelby County Division of Planning and Development at 901-636-6619.



JAMES LARRY
10406 RIVER BEND DR #
ROWLETT TX 75089

MASON BOBBY L & JOYCE
2423 MALONE AVE #
MEMPHIS TN 38114

STEELE-GULTNER INC
100 N MISSOURI ST #
WEST MEMPHIS AR 72301

LAWSON FRIZZELL L
2393 MALONE AVE #
MEMPHIS TN 38114

GRIMES ROSIE M
2427 MALONE AVE #
MEMPHIS TN 38114

MONRO INC
200 HOLLEDER PKWY #
ROCHESTER NY 14615

BLOCKER ROSIE L & KEITH A
2397 MALONE AVE #
MEMPHIS TN 38114

LE PHUONG
453 N WHITE STATION RD #
MEMPHIS TN 38117

TAYLOR DEREK & ZIAN
2443 LAMAR AVE #
MEMPHIS TN 38114

BLOCKER KEITH A & ROSIE L
2401 MALONE AVE #
MEMPHIS TN 38114

GREGORY REALTY GP
310 GERMANTOWN BEND CV #
MEMPHIS TN 38018

NEW HOPE CHURCH OF GOD IN CHRIST (TRS)
2455 LAMAR AVE #
MEMPHIS TN 38114

HOLMAN ROSIE L AND ROOSEVELT H LUNDY AND
2405 MALONE AVE #
MEMPHIS TN 38114

GREGORY REALTY GP
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2455 LAMAR AVE #
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WARE MICHAEL A & ALTA R
1 FIRST AMERICAN DFW-1-5 WAY #
WESTLAKE TX 76262

BLOCH EIGENTUM LLC
928 OLSON SPRING CLOSE #
BELVIDERE IL 61008

NEW HOPE CHURCH OF GOD IN CHRIST (TRS)
2455 LAMAR AVE #
MEMPHIS TN 38114

RANKIN WILLIAM
2415 MALONE AVE #
MEMPHIS TN 38114

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BELVIDERE IL 61008

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2415 MALONE CIR #
MEMPHIS TN 38114

MITCHELL RONNIE L
PO BOX 140117 #
MEMPHIS TN 38111

RAY-RAY KIDDIE CARE LLC
2436 MALONE AVE #
MEMPHIS TN 38114

MONIX ANTHONY T & DORETHA H
4069 ACORN RIDGE CV #
MEMPHIS TN 38125

MITCHELL RONNIE
P O BOX 140117 #
MEMPHIS TN 38111

TENNESSEE LLC
13465 BRAUN RD #
GOLDEN CO 80401

COULOUBARITSIS JERRY
756 E BROOKHAVEN CIR #
MEMPHIS TN 38117

SMITH GERRILYN
4781 ROSEWOOD CV #
SOUTHAVEN MS 38672

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

SHELBY COUNTY TAX SALE 17.04
PO BOX 2751 #
MEMPHIS TN 38101

VANPELT CASSANDRA
5000 S FLUSS CV #
BARTLETT TN 38135

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

WARREN MARLON
1006 N 7TH ST #
MEMPHIS TN 38107

PAYNE REGINA R J
6794 BEAGLE RUN LN #
ARLINGTON TN 38002

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

WARREN MARLON
1006 N 7TH ST #
MEMPHIS TN 38107

GUARDIAN FUND LLC
PO BOX 12430 #
RENO NV 89510

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

MOSLEY MELANIE L
39 E WYNDSOR RD #
MEMPHIS TN 38109

HARPER HOLDINGS LLC SERIES 1
132 MARIE ST #
NASHVILLE TN 37207

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

GRAY THURMAN & BONNIE J
2394 LAMAR AVE #
MEMPHIS TN 38114

FM 2429 LAMAR CIRCLE TRUST
11781 MAGNOLIA PARK CT #
LAS VEGAS NV 89141

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

RENTALS R US LLC
PO BOX 1722 #
COLLIERVILLE TN 38027

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

JONES MELVINA L
2391 LAMAR CIR #
MEMPHIS TN 38114

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

TRIBBLE HOMES LLC
PO BOX 302 #
LYNNVILLE TN 38472

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

STROWDER PAMELA J
2430 LAMAR CIR #
MEMPHIS TN 38114

BALLARD PHILLIP
2410 LAMAR CIR #
MEMPHIS TN 38114

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

HOUSE & YOU BUSINESS AND INVESTMENTS LLC
756 E BROOKHAVEN CIR #
MEMPHIS TN 38117

KNOX LEVON
3078 ATMORE ST #
MEMPHIS TN 38118

STUART JOHN W
1907 CRUMP AVE #
MEMPHIS TN 38107

LIONHEART PROPERTIES LLC
1926 GEMINI CT #
LOVELAND CO 80537

HARLEY TONY
7597 PARKMONT AVE #
MEMPHIS TN 38125

MIDGETT SAMUEL L AND LARRY MIDGETT (RS)
2390 MALONE AVE #
MEMPHIS TN 38114

JACKSON GWENDOLYN F
4229 PAULA DR #
MEMPHIS TN 38116

PLUMMER FREDERICK JR
5939 SPRINGBRANCH CV #
MEMPHIS TN 38115

ELITE GROUP INVESTMENTS LLC
#

MOSBY NATHANIEL III & DECUBANICE
2425 DEADRICK AVE #
MEMPHIS TN 38114

SEVERSON RUSSELL M
1406 N SPRING MOUNTAIN DR #
SPRINGVILLE UT 84663

SANDERS RAMECO & LYKSCIA
4305 MICKEY DR #
MEMPHIS TN 38116

BROOKS DEADRICK & CYNTHIA B
14223 ASHMORE REEF CT #
SUGAR LAND TX 77478

CARRUTHERS DENNIS R & SCHERVONE W
9076 HERVAY LN #
CORDOVA TN 38016

INGRAM GLENDA R T
2023 BELMAR ST #
MEMPHIS TN 38106

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

MCINTYRE CORA N
2412 MALONE AVE #
MEMPHIS TN 38114

WARDLEY WILLIAM JR
2372 MALONE AVE #
MEMPHIS TN 38114

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

JEFFRIES JACQUELINE A
2410 MALONE AVE #
MEMPHIS TN 38114

COLLINS JEANINE M
PSC 115 BOX 1047 #
DPO AE 9213

ESS INVESTMENTS LLC
2109 PEABODY AVE #
MEMPHIS TN 38104

BROWN CLARENCE JR
2408 MALONE AVE #
MEMPHIS TN 38106

MARSHALL LUEELLA
2393 DEADRICK AVE #
MEMPHIS TN 38114

CHURCH OF GOD IN CHRIST INC
938 MASON ST #
MEMPHIS TN 38126

MCKENZIE VESSIE (ESTATE OF)
2404 MALONE AVE #
MEMPHIS TN 38114

HARDIN NELLIE M W AND COREY R GARRISON
2403 DEADRICK AVE #
MEMPHIS TN 38114

DIAMOND INVESTMENTS AND MANAGEMENT INC
1140 BELLEWOOD CV #
COLLIERVILLE TN 38017

SHELBY COUNTY TAX SALE 18.01
PO BOX 2751 #
MEMPHIS TN 38101

ELASHERY AHMAD & ALAA BAKR
208 YORKTOWNE PL #
CHARLESTON WV 25309

CORONADO FLOR D P
PO BOX 25084 #
MEMPHIS TN 38125

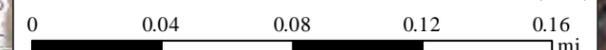


Legend

- polygonLayer
- Override 1
- Override 2
- polylineLayer
- Override 1
- Roads
- Parcels



Map prepared through Shelby County Government's online mapping Portal on 12/14/2023



PUBLIC NOTICE SIGN POSTING AFFIDAVIT

AFFIDAVIT
Shelby County
State of Tennessee

I, David Baker, being duly sworn, deposes and says that at 5:00 pm on the 23rd day of January 2024, he posted Public Notice Signs pertaining to Case Number SUP 24-0001 at the following address: 2426 Lamar Avenue, providing notice of a Public Hearing before the Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, Special Use Permit, Use Variance, Zoning District Map Amendment), photograph of said sign being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

David Baker _____ Date 1/24/24
Owner, Applicant or Representative

Subscribed and sworn to before me this 24th day of January, 2024.

Hope Rogers _____
Notary Public

My commission expires: 3/2/2024





Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

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



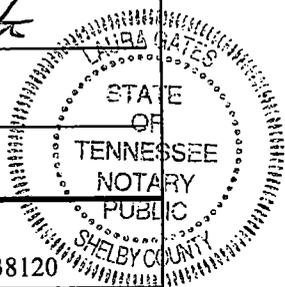
23081902

09/26/2023 - 03:12:49 PM

2 PGS	
LAQUITA 2624107 - 23081902	
VALUE	250000.00
MORTGAGE TAX	0.00
TRANSFER TAX	925.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	938.00

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

<p>WARRANTY DEED</p>	<p>STATE OF TENNESSEE COUNTY OF Shelby THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$ <u>250,000.00</u></p> <p style="text-align: right;"><i>[Signature]</i> Grantor</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE <u>15</u> DAY OF <u>September</u>, 2023.</p> <p style="text-align: right;"><i>[Signature]</i> Notary Public</p> <p>My Commission Expires: <u>5/22/24</u></p> <p style="text-align: right;">(AFFIX SEAL)</p>
-----------------------------	--



THIS INSTRUMENT WAS PREPARED BY
 H. MARK BEANBLOSSOM, P.C., 1661 Aaron Brenner Drive, Suite 301, Memphis, TN 38120

ADDRESS NEW OWNER AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS:
S.King Holding INC	S.King Holding INC	047-061-00050
<u>1674 Preakness Run Ln.</u>	<u>1674 Preakness Run Ln.</u>	
<u>Collierville TN 38017</u>	<u>Collierville TN 38017</u>	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREAFTER NAMED GRANTEE, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, **Amir S. Puauti**

HEREINAFTER CALLED THE GRANTOR, HAS BARGAINED AND SOLD, AND BY THESE PRESENTS DOES TRANSFER AND CONVEY UNTO **S.King Holding INC**

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

Beginning at a point in the northeast line of Lamar Avenue (80 ft. wide) a distance of 404.33 ft. (deed call 460.35 ft., tax map plant call 404.45 ft.) southeastwardly from the intersection of said northeast line of Lamar Ave. with the east line of Lamar Circle; thence run north 3 deg. 21 min. 56 sec. west 175.92 ft. (call 176.0 ft.) to a 1 iron pipe found; thence run north 86 deg. 32 min. 39 sec. east 121.90 feet to a point (set iron pin); thence run south 2 deg. 32 min. 52 sec. east 216.35 ft. to a point in the northeast line of Lamar Avenue (cut chisel mark); thence run north 57 deg. 14 min. 39 sec. west along said line 144.50 ft. to a point (found chisel mark) being the point of beginning.

Being the same property conveyed to Grantor herein by Warranty Deed of record at Instrument No. 23062964, in the Register's Office of Shelby County, Tennessee.

This conveyance is made subject to Easements of record at Instrument No. U1-0534, in the Register's Office of Shelby County, Tennessee; and also subject to 2024 City of Memphis taxes and 2024 Shelby County taxes, not now due or payable, which Grantee herein assumes and agrees to pay.

Property Address: 2426 Lamar Avenue, Memphis, TN 38114

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

WITNESS my hand(s) this 14th day of September, 2023.

[Signature]
Amir S. Puauti

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Amir S. Puauti to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and Notarial Seal at office this 14th day of September, 2023.

[Signature]
Notary Public

My Commission Expires: 9-6-26





Memphis City Council Summary Sheet

Z 2023-013

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 OF LAND MUNICIPALLY ADDRESSED AS 3549, 3555, AND 3561 FULLER RD. FROM THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2023-013

- 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, November 9, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 2023-013
LOCATION: 3549, 3555, and 3561 Fuller Rd.
COUNCIL DISTRICTS: District 3 and Super District 8
OWNER/APPLICANT: Fleet Equipment, LLC
REPRESENTATIVES: Cindy Reaves of SR Consulting, LLC
REQUEST: Rezoning of +/-0.538 acres from Residential Single-Family – 6 (R-6) to Employment (EMP)

The following spoke in support of the application: Cindy Reaves

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.**

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 OF LAND MUNICIPALLY ADDRESSED AS 3549, 3555, AND 3561 FULLER RD. FROM THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2023-013

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: 2023-013**; 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 SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT.

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

BOUNDARY

Beginning at a point in the south line of Fuller Road (40' ROW), approximately 319 feet east of the east line of Lamar Avenue; thence S88°22'41"E a distance of 182.07 feet to a point; thence S00°05'01"W a distance of 126.31 feet to a point; thence N89°54'59"W a distance of 182.00 feet to a point; thence N00°05'01"E a distance of 131.20 feet to the point of beginning and containing 0.538 acres of land more or less.

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.

AGENDA ITEM: 21

CASE NUMBER: Z 2023-013 **L.U.C.B. MEETING:** November 9, 2023

LOCATION: 3549, 3555, and 3561 Fuller Rd.

COUNCIL DISTRICT: District 3 and Super District 8

OWNER/APPLICANT: Fleet Equipment, LLC

REPRESENTATIVE: Cindy Reaves of SR Consulting, LLC

REQUEST: Rezone from Residential Single-Family – 6 to Employment

AREA: 0.538 acres

CONCLUSIONS

1. The applicant has requested the rezoning of three properties on Fuller Rd. from Residential Single-Family – 6 to Employment.
2. This request is inconsistent with the Memphis 3.0 Comprehensive Plan.
3. Additionally, it would have a significantly injurious impact on adjacent residential properties, while providing little benefit to the applicant other than legitimizing illegal work and occupancy.
4. For these reasons, staff recommends rejection.

CONSISTENCY WITH MEMPHIS 3.0

This request is *inconsistent* with the Memphis 3.0 Comprehensive Plan, according to the Office of Comprehensive Planning.

RECOMMENDATION

Rejection

GENERAL INFORMATION

Street Frontage: Fuller Rd. 182'
Zoning Atlas Page: 2235
Parcel ID: 073017 00117, 073017 00118, and 073017 00119
Existing Zoning: Residential Single-Family – 6
Requested Zoning: Employment

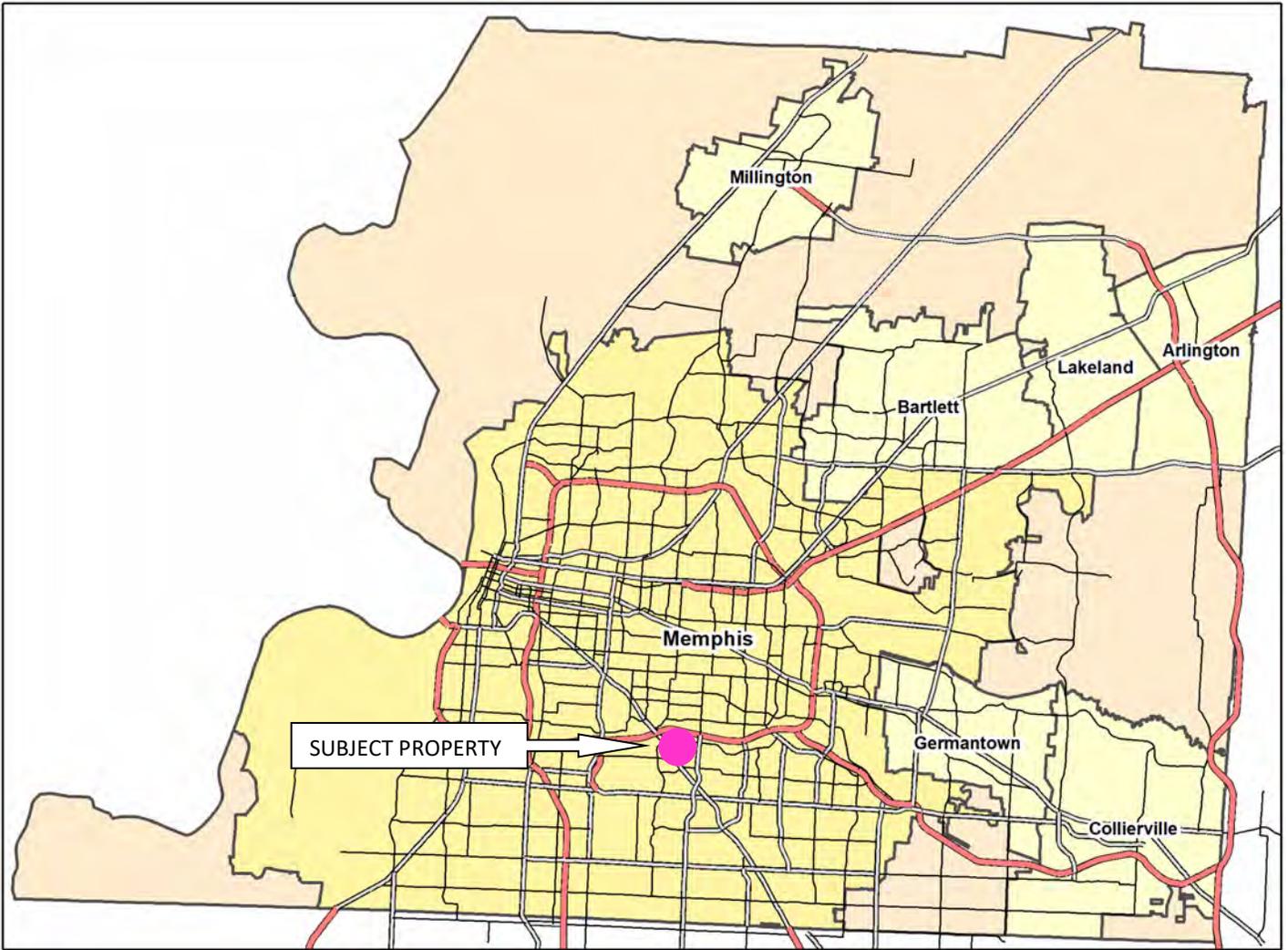
NEIGHBORHOOD MEETING

The required neighborhood meeting was held at 5:30 p.m. at 3549 Fuller Rd. on October 25, 2023.

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, notice of public hearing is required to be mailed and posted. 38 notices were mailed on October 26, 2023, and one sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



FULLER SUBDIVISION (1945)

We, C. H. Fuller and wife Emily Scott Fuller the undersigned owners of the property shown hereon, hereby adopt this as our plan of Subdivision and dedicate the streets as shown hereon to the public use forever and hereby certify that we are the owners in fee simple of the property, and that said tract is not encumbered by any mortgage or delinquent taxes.

C. H. Fuller : Emily Scott Fuller
owners.

State of Tennessee, County of Shelby.
Personally appeared before me the undersigned A. Notary Public, in and for said State and County, duly commissioned and qualified, C. H. Fuller and wife Emily Scott Fuller with whom I am personally acquainted and who under oath acknowledged that they executed the foregoing instrument for the purpose therein contained.

Witness my hand and Notarial Seal.
This 25 day of July 1945.

A. C. Humphrey
Notary Public.
My Commission expires April 28-1949.

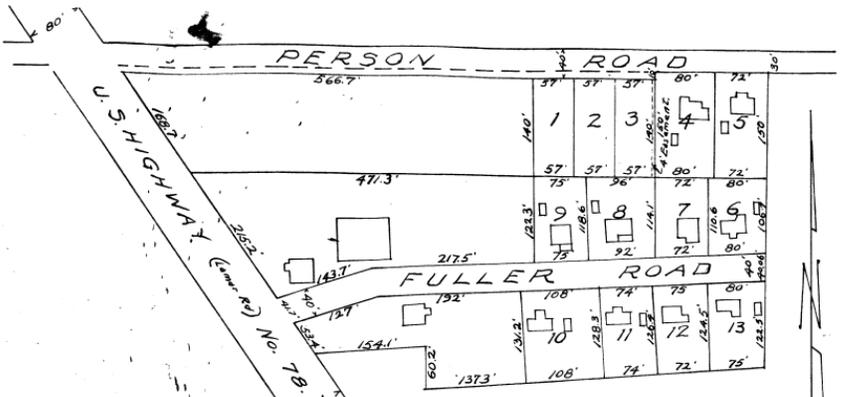


RESTRICTIONS

No person of any race other than the Caucasian race shall use or occupy any building on the lots except that this covenant shall not prevent occupancy by domestic servants of a different race or color.

Easement as may be necessary as to be reserved for public utilities and maintenance.

#1538
SEPT-11-45
107 38
SEPT-17-45
11 12
Buy E. Jopner
L. H. Nelson



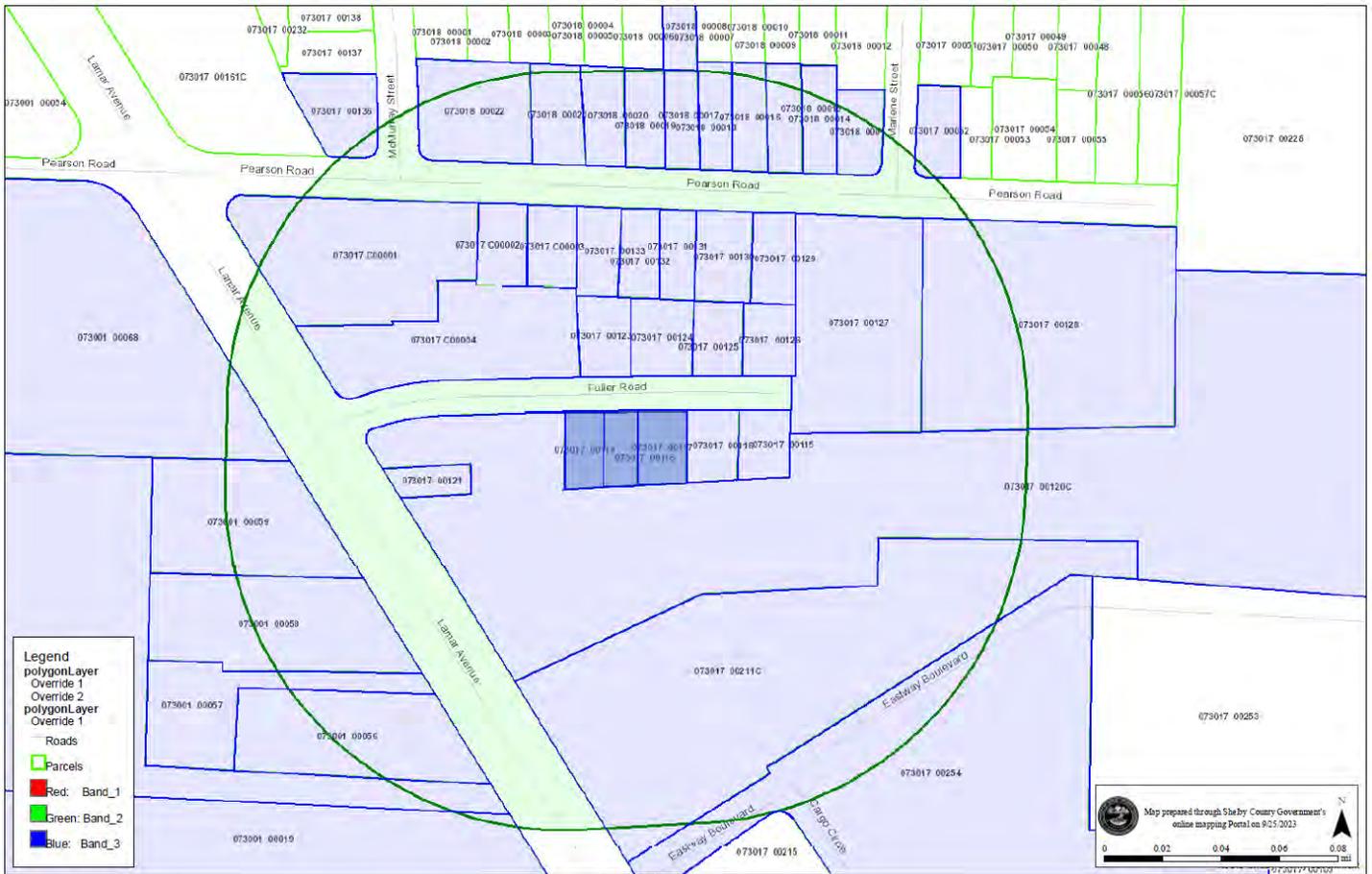
FULLER SUBDIVISION
OF PART OF LOTS 2 AND 4, OF CONNELL TRACT EAST OF HIGHWAY NO. 78 IN THE SECOND CIVIL DISTRICT OF SHELBY COUNTY, TENNESSEE.
AUG 1945 SCALE 1"=100'
SAM W. MCLESKEY
COUNTY SURVEYOR.

Approved by the City of Memphis Planning Commission
7-25-45 L. P. Cockrill
DATE Engineer & Secretary.
Approved by the Shelby County Commission
Sept. 10, 1945 B. J. Bellie
DATE Commissioner of Roads.

This is to certify that I have surveyed the above plan of Subdivision and that same is true and correct.
Sam W. McLeskey
Civil Engineer
State of Tennessee Certificate No. 27.

ZONED A. RESIDENTIAL.

VICINITY MAP



ZONING MAP



Existing Zoning: Residential Single-Family – 6

Surrounding Zoning

North: Residential Single-Family – 6

East: Residential Single-Family – 6

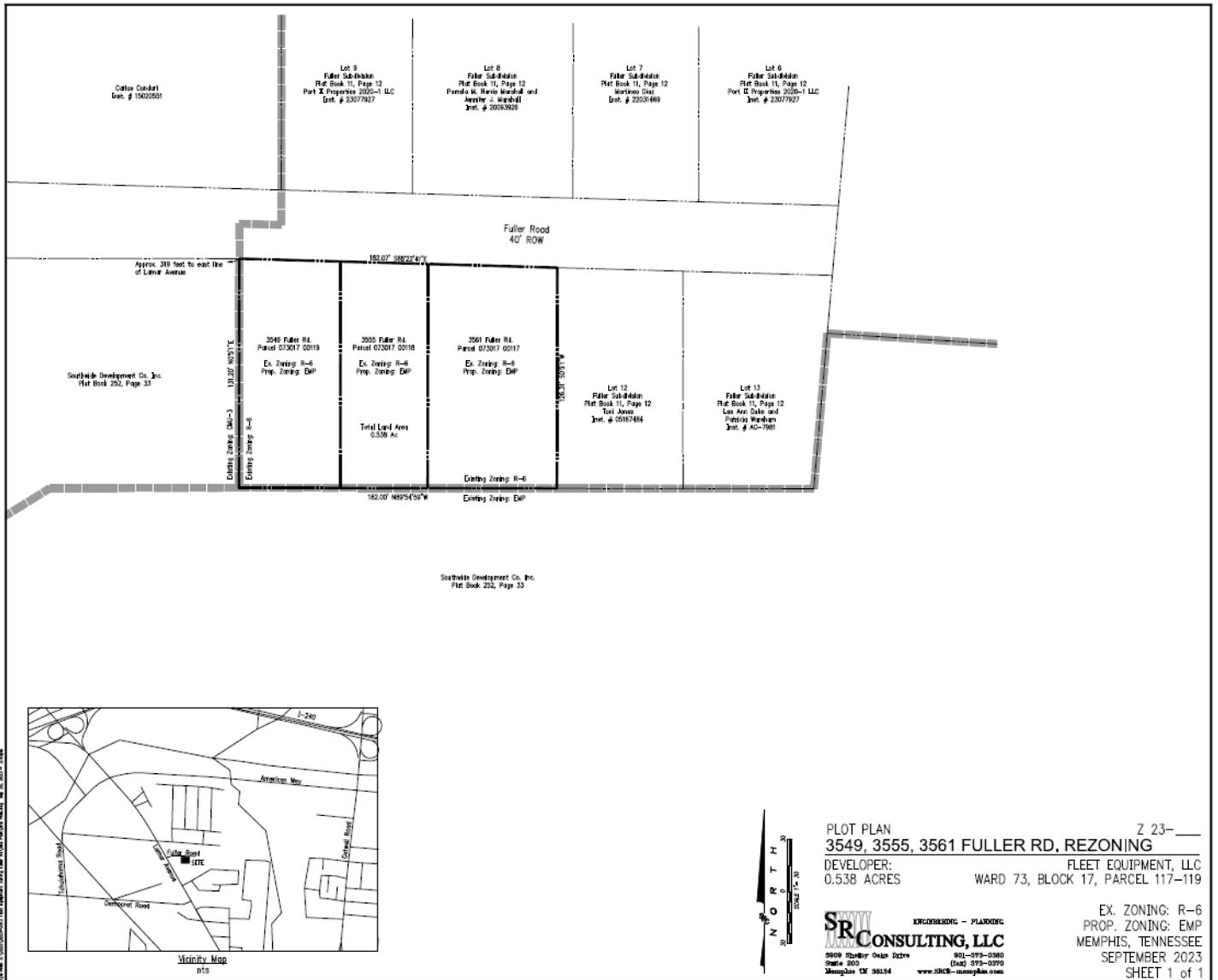
South: Employment

West: Commercial Mixed Use – 3

LAND USE MAP



PLOT PLAN



SITE PHOTOS



3549 Fuller



3555 Fuller



3561 Fuller



View west down Fuller



Adjacent houses

STAFF ANALYSIS

Request

The request is to rezone 0.538 acres from Residential Single-Family – 6 to Employment.

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

Review Criteria

Staff **disagrees** the review criteria as set out in Sub-Section 9.5.7B of the Unified Development Code are met.

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.

Conclusions

The applicant has requested the rezoning of three properties on Fuller Rd. from Residential Single-Family – 6 to Employment.

This request is inconsistent with the Memphis 3.0 Comprehensive Plan.

Additionally, it would have a significantly injurious impact on adjacent residential properties, while providing little benefit to the applicant other than legitimizing illegal work and occupancy.

For these reasons, staff recommends rejection.

RECOMMENDATION

Staff recommends **rejection**.

DEPARTMENTAL COMMENTS

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

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 23-13: Oakville

Site Address/Location: 3549, 3555, 3561 Fuller Road

Overlay District/Historic District/Flood Zone: N/A

Future Land Use Designation: Primarily Single-Unit Neighborhood (NS)

Street Type: N/A

The applicant is seeking approval to rezone three parcels located in R-6 zoning district to EMP.

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 Single-Unit Neighborhood (NS) are residential neighborhoods consisting primarily of single-unit houses that are not near a Community Anchor. Graphic portrayal of NS is to the right.



“NS” Form & Location Characteristics

Primarily detached, House scale buildings, Primarily residential, 1 – 3 stories; Beyond ½ mile from a Community Anchor

“NS” 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.

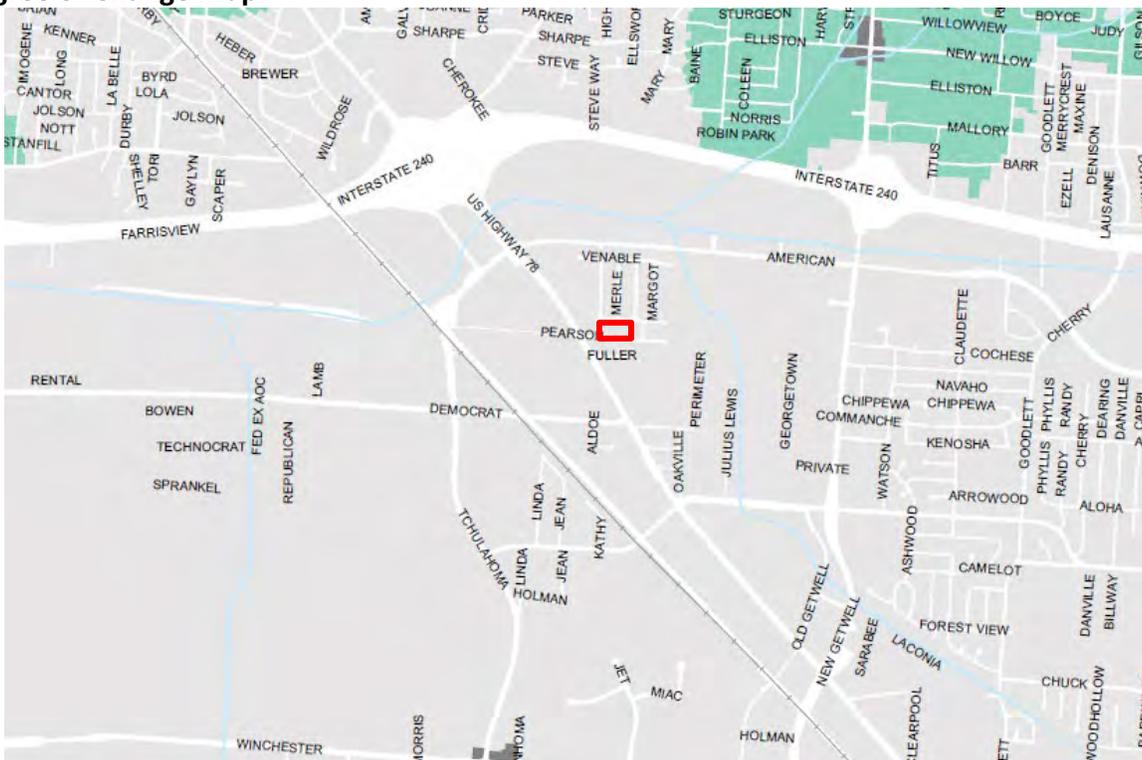
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Single-Family, R-6

Adjacent Land Use and Zoning: Single-Family, Truck Storage; EMP

Overall Compatibility: *This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use is not a single-family home.*

Degree of Change Map



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

3. Degree of Change Description N/A

4. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities N/A

5. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations N/A

Consistency Analysis Summary

The applicant is seeking approval to rezone three parcels located in R-6 zoning district to EMP.

This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use is not a single-family home.

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

Summary Compiled by: Melanie Batke Olejarczyk, Comprehensive Planning.

City 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. The availability of City sanitary sewer capacity is unknown at this time. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept, a determination can be made as to available sewer capacity.
3. No further comments from City Engineering.

APPLICATION FORM



Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Assignment

Opened Date: October 2, 2023

Record Number: Z 2023-013

Expiration Date:

Record Name: 3549, 3555, 3561 Fuller Rd. Rezoning

Description of Work: Rezoning from R-6 to EMP

Parent Record Number:

Address:

3549 FULLER RD, MEMPHIS 38118

Owner Information

Primary Owner Name

Y INTERSTATE DROP YARD LLC

Owner Address

2505 FARRISVIEW BLVD, MEMPHIS, TN 38118

Owner Phone

Parcel Information

073017 00119

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Chip Saliba

Date of Meeting 09/22/2023

Pre-application Meeting Type -

GENERAL INFORMATION

Is this application in response to a citation from No

GENERAL INFORMATION

Construction Code Enforcement or Zoning Letter? No
Have you held a neighborhood meeting? -
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

Data Tables

ADDRESS AND PARCEL LIST

Property Address: 3549 Fuller Rd.
Property Parcel Number: 073017 00119

Property Address: 3555 Fuller Rd.
Property Parcel Number: 073017 00118

Property Address: 3561 Fuller Rd.
Property Parcel Number: 073017 00117

Contact Information

Name	Contact Type
FLEET EQUIPMENT LLC	APPLICANT
Address	
Phone	
-	

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1507377	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	26.00	10/04/2023
1507377	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	1,000.00	10/04/2023
1506407	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	10/02/2023

Total Fee Invoiced: \$1,026.00

Total Balance: \$1,026.00

LETTER OF INTENT



Date: September 25, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: 3549, 3555, 3561 Fuller Rd. Rezoning

LETTER OF INTENT

We are submitting a rezoning application for property at 3549, 3555, and 3561 Fuller Rd. The property is within the R-6 zoning district. We are requesting a rezoning to EMP to incorporate the property into the adjacent property of Interstate Drop Yard.

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

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Cindy Reaves, being duly sworn, depose and say that at 5:46 pm on the 25th day of October, 2023 I posted one Public Notice Signs pertaining to Case No. Z 2023-013 along the property located 3555 Fuller Road providing notice of a Public Hearing before the November 9, 2023 Land Use Control Board for consideration of a proposed Land Use Action (Subdivision), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Cindy Reaves
Owner, Applicant or Representative

10/26/23
Date

Subscribed and sworn to before me this 26th day of October, 2023

Robert M. Sweeney
Notary Public
My commission expires: 9/26/2027



LETTERS RECEIVED

No letters received by the comment deadline.