

- S. Trained personnel shall always be present during **landfill** operation hours to operate the facility.
- T. ~~The **landfill** facility shall be locked at all times outside of normal hours of operation and whenever trained personnel are not present on-site. **Security cameras are present on site and gates can be monitored remotely if needed.**~~
- U. ~~The applicant shall submit to the Office of Planning & Development, and the Frayser Community Development Corporation a written report on the landscaping along Thomas Street on November 1st, and on April 30th of each year for three years to ensure that the landscaping is properly maintained.~~ The **Division of Planning and Development** ~~Office of Planning and Development~~ may require landscaping be replaced or additional landscaping be provided to maintain the integrity of the landscape plan as depicted on the Outline Plan.
- V. The entrance drive shall be asphalted for approximately 100-feet from Thomas Street.
- W. A gravel access road shall be provided from the asphalt entrance drive for approximately 500-feet.
- X. An all-weather drive shall be provided from the gravel access road to the deposit area.
- Y. A sprinkling system shall be provided on-site and utilized for dust control.
- Z. Water and/or calcium shall be utilized for dust control.
- AA. A truck wheel wash facility shall be provided on-site.
- BB. Any windblown debris shall be collected daily and deposited in appropriate storage bins.

IX. Site Plan Review Except for Landfill Operations

- A. A Site Plan shall be submitted for the review and comment of the **Division of Planning and Development (DPD)** ~~Office of Planning and Development~~ and appropriate City agencies; and the approval of **DPD** ~~OPD~~ prior to the approval of any Final Plan except for the landfill operation. The Frayser Neighborhood Association shall be mailed copies of all site plans 20 days prior to **DPD** ~~OPD~~ approval. If **DPD** ~~OPD~~ rejects the site plan an appeal may be filed with the Land Use Control Board and notification to the Frayser Neighborhood Association and applicant shall be mailed no later than 15 days prior to the Board's meeting.
- B. Any Site Plan shall include the following information:
 1. The location, dimensions, floor area and height of all buildings, structures, signs, lighting and parking areas.

2. Specific plans for internal and perimeter landscaping and screening including plant material names and sizes at time of installation.
3. Illustrations of the design, materials, and colors of any proposed signs.
4. A grading plan of the site including any retention or detention areas.
5. Finished floor elevations.
6. Any outdoor storage shall not be located less than ~~350~~**100**-feet from Thomas Street and shall be screened from view of adjacent properties.

C. The Site Plan shall be reviewed based upon the following criteria:

1. Conformance with the Outline Plan and Conditions.
2. Landscaping and adequacy of screening from residential areas including the preservation of trees.
3. Building orientation and setback.
4. Access and circulation providing a unified and continuous circulation pattern on the site and between phases.
5. Parking spaces and design.
6. Compatibility with adjacent properties as judged from the final elements of the site development including landscaping, screening and architectural design.

X. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading, screening, signs, and other site requirements if equivalent alternatives are presented; provided, however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may, within ten days of such action file a written appeal to the Director of **Division of Planning and Development** ~~Office of Planning and Development~~, to have such action reviewed by the legislative bodies.

XI. A Final Plat shall be recorded within five years of the date that this application shall have been approved by the appropriate legislative body(s). The Land Use Control Board may grant time extensions after filing a correspondence application with notice to abutting property owners and the associations identified in VIII above.

XII. Any final plan shall include the following:

- A. The Outline Plan conditions.
- B. A standard subdivision contract as defined by the Subdivision Regulations for any needed public improvements.
- C. The exact location and dimensions including height of all buildings or build-able areas, parking areas, drives, and identification of plant materials in required

landscaping as well as a rendering of the appearance of all proposed buildings including labeling of predominant construction materials.

- D. The number of parking spaces.
- E. The location and ownership, whether public or private of any easement.
- F. The Floodway District boundary, the 100-year flood elevation and any wetlands.
- G. The following note shall be placed on the final plat of any development requiring onsite 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 or County Engineer, as applicable. 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/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.

**NOTICE TO INTERESTED OWNERS OF PROPERTY
(PLANNED DEVELOPMENT AMENDMENT)**

You will take notice that a public hearing will be held by the City Council of the City of Memphis, Tennessee, meeting in session in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee, 38103, on Tuesday, October 15, 2024 at 3:30 P.M., in the matter of granting an application for a planned development amendment pursuant to Article 9.6 of the Memphis and Shelby County Unified Development Code, as follows:

CASE NUMBER: PD 2024-005
LOCATION: 3086 Coscia St.
COUNCIL DISTRICTS: District 7, Super District 8
OWNER/APPLICANT: Memphis Wrecking Co.
REPRESENTATIVE: Lew Wardlaw – Martin, Tate, Morrow & Marston, P.C.
EXISTING ZONING: Residential Single-Family – 6 (R-6)
REQUEST: Amendment to the Frayser Business Center PD to allow expansion of existing construction debris landfill and recycling center
AREA: +/-58.8 acres

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: ***Rejection***

Memphis and Shelby County Land Use Control Board: ***Rejection***

NOW, THEREFORE, you will take notice that on Tuesday, October 15, 2024, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance’s or protests against the making of such changes; such remonstrance’s or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

THIS THE 25th DAY OF SEPTEMBER, 2024

JB SMILEY, JR.
CHAIRMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT
CITY COMPTROLLER

3128 RAMLMILL LLC
3180 MILLINGTON RD #
MEMPHIS TN 38137

C C C 2022 LLC
2301 S 3RD ST #
MEMPHIS TN 38109

NEW-MAR GROUP LLC (THE)
1010 STAGE RD #
MEMPHIS TN 38127

MEMPHIS NORTHGATE COMMONS LLC
PO BOX 1509 #
COLLIERVILLE TN 38027

PAFFORD WILLIAM E & MAXINE S
3030 THOMAS ST #
MEMPHIS TN 38127

NEW-MAR GROUP LLC
1010 STAGE AVE #
MEMPHIS TN 38127

CHAMBERS ROSE M C AND
1112 DELLWOOD AVE #
MEMPHIS TN 38127

AYESH AYMEN
2980 N THOMAS ST #
MEMPHIS TN 38127

SHELBY COUNTY TAX SALE 17.03
PO BOX 2751 #
MEMPHIS TN 38101

MEMPHIS NORTHGATE COMMONS LLC
PO BOX 1509 #
COLLIERVILLE TN 38027

FLETCHER STEVEN
2985 THOMAS ST #
MEMPHIS TN 38127

HAWKINS FELICIA L
1135 RAND ST #
MEMPHIS TN 38127

HIGGINS TERRY B SR
539 PIN OAK PT #
SOUTHAVEN MS 38671

FLETCHER LISA C
12173 S SHADY TREE LN #
ARLINGTON TN 38002

FOX DIANE
2915 LAREDO ST #
MEMPHIS TN 38127

MEMPHIS NORTHGATE COMMONS LLC
PO BOX 1509 #
COLLIERVILLE TN 38027

DUFFY DIANNE S
PO BOX 239 #
SUCHES GA 30572

HIEB JARED J
3201 UPLAND DR #
ANCHORAGE AK 99504

COSCIA DOROTHY L AND ELIZABETH A COSCIA
3086 COSCIA ST #
MEMPHIS TN 38127

C C C 2022 LLC
2301 S 3RD ST #
MEMPHIS TN 38109

CORNELL RICKIE L
9435 BOLTON ESTATES RD #
MILLINGTON TN 38053

ALSHUJAA AHMED M
3191 JOSLYN ST #
MEMPHIS TN 38128

GARLAND DAPHANIE D
1156 RAND AVE #
MEMPHIS TN 38127

NDIRITU SAMUEL
5012 CHUCK AVE #
MEMPHIS TN 38118

STEEN GARY & KATHY P
PO BOX 820283 #
MEMPHIS TN 38182

DAVIS SHERRIL K H
1150 RAND AVE #
MEMPHIS TN 38127

JEFFRIES CEDRICK
1111 RAND AVE #
MEMPHIS TN 38127

STEEN GARY D & KATHY P
PO BOX 820283 #
MEMPHIS TN 38182

SMITH LEROY AND SANDRA L JOHNSON
1126 RAND AVE #
MEMPHIS TN 38127

ALL IN ONE RENTER'S LLC
3080 MCGEE CV #
MEMPHIS TN 38128

KING RICHARD II (ESTATE OF)
2899 LAREDO ST #
MEMPHIS TN 38127

KIRK LULA M
2869 LAREDO ST #
MEMPHIS TN 38127

HASSAN AHMED A
8460 TIMBER CREEK #
CORDOVA TN 38018

EVANS JAMES M & KATHERINE B (LE) AND
1150 FINCH DR #
MEMPHIS TN 38127

FLETCHER LISA C
12173 S SHADY TREE LN #
ARLINGTON TN 38002

LONG DONNA D REVOCABLE LIVING TRUST
7380 WOODSTOCK CUBA RD #
MILLINGTON TN 38053

DEAN JASMINE
1142 FINCH DR #
MEMPHIS TN 38127

FLETCHER STEVEN L
12173 S SHADY TREE LN #
LAKELAND TN 38002

DORTCH STEVEN S JR
9060 NEW BETHEL RD #
MILLINGTON TN 38053

WILLIAMS GLADYS A
2892 LAREDO ST #
MEMPHIS TN 38127

HAYES TIA
1140 RAND DR #
MEMPHIS TN 38127

DORTCH STEVEN S JR
9060 NEW BETHEL RD #
MILLINGTON TN 38053

JACKSON TRACY D
2884 LAREDO ST #
MEMPHIS TN 38127

WARD EMMETT L SR & DOROTHY S
1134 RAND AVE #
MEMPHIS TN 38127

DORTCH STEVEN S JR
9060 NEW BETHEL RD #
MILLINGTON TN 38053

RODGERS MOSE JR & BETTY J
2885 LAREDO ST #
MEMPHIS TN 38127

P FIN VII MEM LLC
3525 PIEDMONT RD #5
ATLANTA GA 30305

WASHINGTON ETHEL REVOCABLE LIVING TRUST
2740 WOODLAND HILLS CV #
MEMPHIS TN 38127

MASON AUDREY D
1128 FINCH DR #
MEMPHIS TN 38127

MELLORS MEMPHIS PROPERTIES LLC
5810 SHELBY OAKS DR #
BARTLETT TN 38134

CITY OF MEMPHIS
2599 AVERY AVE #
MEMPHIS TN 38112

MEDINA IRIS V
6609 POLK ST #
WEST NEW YORK NJ 07093

BUTLER MAURICE JR
PO BOX 280 #
CORDOVA TN 38088

BRD OF EDUCATION MEMPHIS
2597 AVERY AVE #
MEMPHIS TN 38112

HOLLOWELL CONSWELLAR
1116 FINCH DR #
MEMPHIS TN 38127

NYLON JACKIE D
2900 LAREDO ST #
MEMPHIS TN 38127

NEW-MAR GROUP LLC (THE)
1010 STAGE AVE #
MEMPHIS TN 38127

BRANCH PAUL JR AND AALIYAH J BRANCH
2870 LAREDO ST #
MEMPHIS TN 38127

NONCONNAH CREEK REALTY LLC
7 AMARYLLIS LN #
LUMBERTON NJ 08048

ROANE SPECIALIZED SERVICES LLC
284 CARDIFF VALLEY RD #
ROCKWOOD TN 37854

CROWN CASTLE TOWERS 09 LLC
4017 WASHINGTON RD #PMB 353
MCMURRAY PA 15317

NEW BD DEVELOPMENT LLC
2725 S MENDENHALL RD #27
MEMPHIS TN 38115

SWERDLOW FAMILY HOLDINGS LLC
2200 PACIFIC COAST HWY #303
HERMOSA BEACH CA 90254

BOGENSCHNEIDER MICHAEL A
8036 B ST #
MILLINGTON TN 38053

RIVAS OSMIN & JESSENIA R
1368 W CRESTWOOD DR #
MEMPHIS TN 38119

COSCIA DOROTHY L (LE) AND STEVEN L
11317 COUNTRY FOREST CV #
MEMPHIS TN 38107

RIVAS OSMIN & JESSENIA R
1368 W CRESTWOOD DR #
MEMPHIS TN 38119

WILLIAMSON STEVEN L & CAROL A
11317 COUNTRY FOREST CV #
COLLIERVILLE TN 38017

RIVAS OSMIN & JESSENIA R
1368 W CRESTWOOD DR #
MEMPHIS TN 38119

VERSALAND TEXAS LLC
4401 PATTERSON DR #
NEW ORLEANS LA 70131

DRAPER STEVEN
1402 LINDEN AVE #
MEMPHIS TN 38104

WILLIAMSON STEVEN L & CAROL A
11317 COUNTRY FOREST CV #
COLLIERVILLE TN 38017

STEEN GARY & KATHY P
PO BOX 820283 #
MEMPHIS TN 38182

GIRLS INCORPORATED OF MEMPHIS
1568 ROBINHOOD LN #
MEMPHIS TN 38111

NULL'S TOWING SERVICE LLC
992 STAGE AVE #
MEMPHIS TN 38127

ROBINSON CHARLES K AND JOYCE L
1081 STAGE RD #
MEMPHIS TN 38127

HEALTH EDUCATIONAL AND HOUSING FACILITY
65 UNION AVE #120
MEMPHIS TN 38103

MEMPHIS NORTHGATE COMMONS LLC
PO BOX 1509 #
COLLIERVILLE TN 38027

SAHA ESTATES LLC
2025 PATAPSCO DR #
APEX NC 27523

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 07/23/2024
DATE
PUBLIC SESSION: 08/06/2024
DATE

ITEM (CHECK ONE)

 ORDINANCE RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution approving the closure of a portion of Jackson Avenue and Lauderdale Street between N. Third Street and Interstate 40, known as case number SAC 2024-004

CASE NUMBER: SAC 2024-004

LOCATION: A portion of Jackson Ave. and Lauderdale Street between N. Third Street and Interstate 40

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

OWNER/APPLICANT: American Lebanese Syrian Associated Charities (St. Jude)

REPRESENTATIVES: Josh Whitehead, Burch, Porter & Johnson

REQUEST: Request close and vacate a portion of Jackson Ave. and Lauderdale Street south of N. Third Street

AREA: +/- 1.55 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

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
04/11/2024 _____	DATE
(1) Land Use Control Board _____	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

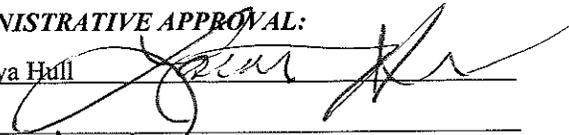
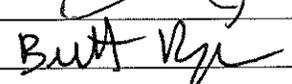
FUNDING:

(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> </u>	<u>DATE</u>	<u>POSITION</u>
LaTonya Hull 	<u>7/15/2024</u>	PRINCIPAL PLANNER
<u> </u>	<u> </u>	DEPUTY ADMINISTRATOR
	<u>7/15/24</u>	ADMINISTRATOR
<u> </u>	<u> </u>	DIRECTOR (JOINT APPROVAL)
<u> </u>	<u> </u>	COMPROLLER
<u> </u>	<u> </u>	FINANCE DIRECTOR
<u> </u>	<u> </u>	CITY ATTORNEY
<u> </u>	<u> </u>	CHIEF ADMINISTRATIVE OFFICER
<u> </u>	<u> </u>	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SAC 2024-004

RESOLUTION APPROVING THE CLOSURE OF A PORTION OF JACKSON AVENUE AND LAUDERDALE STREET BETWEEN N. THIRD STREET AND INTERSTATE 40, KNOWN AS CASE NUMBER SAC 2024-004

- This item is a resolution with conditions to allow the above; and
- This item may require a new public improvement contract.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, April 11, 2024**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SAC 2024-004

LOCATION: A portion of Jackson Ave. and Lauderdale Street between N. Third Street and Interstate 40

COUNCIL DISTRICT(S): District 7 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: American Lebanese Syrian Associated Charities (St. Jude)

REPRESENTATIVE: Josh Whitehead, Burch, Porter & Johnson

REQUEST: Right-of-way vacation

EXISTING ZONING: Uptown Hospital District (UH)

AREA: 1.55 acres

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

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

Respectfully,



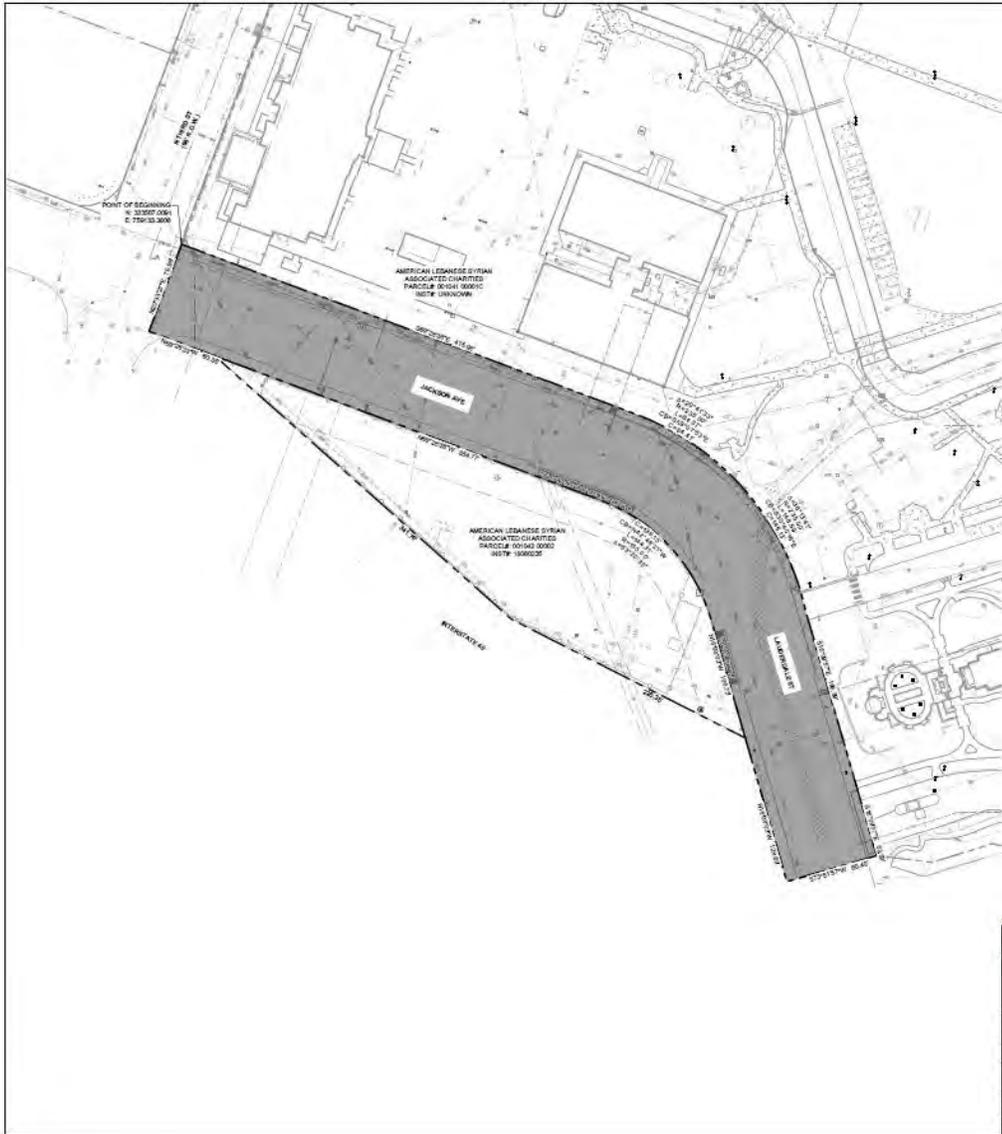
LaTonya Hull
Planner I
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SAC 2024-004
CONDITIONS

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above-required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader. Drawings are subject to approval by City Engineering.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

CLOSURE PLAT



PROPOSED CLOSURE

STREET AND ALLEY CLOSURE LEGAL DESCRIPTIONS:

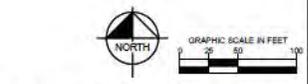
1. PROPERTY DESCRIPTION OF THE PORTION OF JACKSON AVENUE BETWEEN NORTH THIRD STREET AND INTERSTATE 40 IN MEMPHIS, SHELBY COUNTY, TENNESSEE, TO BE CLOSED AND OBTAINED ENTIRELY TO AMERICAN LEADERSHIP SYSTEM ASSOCIATED CHARITIES (ALSAC);

1. PROPERTY DESCRIPTION OF THE PORTION OF JACKSON AVENUE AND LAUDERDALE BETWEEN NORTH THIRD STREET AND INTERSTATE 40 IN MEMPHIS, SHELBY COUNTY, TENNESSEE, TO BE CLOSED AND OBTAINED ENTIRELY TO AMERICAN LEADERSHIP SYSTEM ASSOCIATED CHARITIES (ALSAC);

BEGINS AT A POINT LOCATED AT THE RIGHT OF WAY OF THIRD STREET WITH A NORTHING OF 33087.000' AND AN EASTING OF 75013.000' ON THE TENNESSEE AND 33 STATE PLANE THE POINT OF BEGINNING, THENCE S 89° 30' 30" E FOR A DISTANCE OF 418.86 FEET TO A POINT OF CURVATURE, THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORDE BEARING OF S 50° 07' 52" E, A CORD DISTANCE OF 344.1 FEET, AND AN ARC LENGTH OF 344.1 FEET TO A POINT OF TANGENCY, THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 30° 40' 18" E, A CORD DISTANCE OF 163.0 FEET, AND AN ARC LENGTH OF 163.0 FEET TO A POINT ON A LINE, THENCE S 19° 00' 00" E A DISTANCE OF 103.00 FEET TO A POINT ON A LINE, THENCE S 10° 00' 00" E A DISTANCE OF 63.00 FEET TO A POINT ON A LINE, THENCE S 10° 00' 00" E A DISTANCE OF 63.00 FEET TO A POINT ON A LINE, THENCE S 10° 00' 00" E A DISTANCE OF 63.00 FEET TO A POINT ON A LINE, THENCE S 10° 00' 00" E A DISTANCE OF 63.00 FEET TO A POINT OF CURVATURE, THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF N 47° 40' 31" W, A CORD DISTANCE OF 136.00 FEET, AND AN ARC LENGTH OF 136.00 FEET TO A POINT ON A LINE, THENCE N 89° 38' 30" W A DISTANCE OF 344.77 FEET TO A POINT ON A LINE, THENCE N 89° 38' 30" W A DISTANCE OF 344.77 FEET TO A POINT ON A LINE, THENCE N 89° 38' 30" W A DISTANCE OF 344.77 FEET TO A POINT ON A LINE, THENCE N 89° 38' 30" W A DISTANCE OF 344.77 FEET TO THE POINT OF COMMENCEMENT CONTAINING 1.55 ACRES.

2. ADJACENT PARCELS: #00140 0000

LOT 7, JACKSON AVENUE URBAN RESIDENTIAL AREA SUBDIVISION AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 36, PAGE 51, IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAID PROPERTY.



PER F.E.M.A. PANEL 47-15703707, THIS PROPERTY IS LOCATED IN ZONE A, PROTECTED BY LEVEE

CLOSURE PLAT		
JACKSON AVENUE/LAUDERDALE STREET		
CASE NUMBER: PENDING		
CITY OF MEMPHIS, SHELBY COUNTY, TN		
PARCELS OF CITY:	1	81.55 ACRES
OWNER:	ALBAC, SON OF JAMES CL, MEMPHIS, TN 38105	ZONING: M0R01U
PREPARED BY:	220 LEVEE PROTECTED	Kimley-Horn
DATE:	MARCH 2023	47-15703707
SCALE:	AS SHOWN	FEBRUARY 6, 2007
		SHEET 3 OF 3



RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF A PORTION OF JACKSON AVENUE AND LAUDERDALE STREET BETWEEN NORTH THIRD STREET AND INTERSTATE 40, KNOWN AS CASE NUMBER SAC 2024-004

WHEREAS, the City of Memphis is the owner of real property known as a portion of Jackson Avenue and Lauderdale Street between N. Third Street and Interstate 40 in Memphis, Tennessee and being more particularly described as follows:

BEGINNING AT A POINT LOCATED AT THE RIGHT OF WAY OF THIRD STREET WITH A NORTHING OF 323567.0091 AND AN EASTING OF 759133.3606 ON THE TENNESSEE NAD 83 STATE PLANE THE POINT OF BEGINNING; THENCE, S 69° 28' 38" E FOR A DISTANCE OF 415.98 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 59° 07' 53" E, A CORD DISTANCE OF 84.41 FEET, AND AN ARC LENGTH OF 84.87' TO A POINT OF TANGENCY; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 30° 40' 16" E, A CORD DISTANCE OF 146.13 FEET, AND AN ARC LENGTH OF 148.59 FEET TO A POINT ON A LINE; THENCE S 16° 09' 57" E A DISTANCE OF 166.69 FEET TO A POINT ON A LINE; THENCE S 16° 09' 57" E A DISTANCE OF 53.53' TO A POINT ON A LINE; THENCE S 73° 51' 57" W A DISTANCE OF 80.40 FEET TO A POINT ON A LINE; THENCE N 16° 08' 03" W A DISTANCE OF 128.69 FEET TO A POINT ON A LINE; THENCE N 16° 08' 03" W A DISTANCE OF 106.75 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 155.00 FEET, A CORD BEARING OF N 42° 48' 21" W, A CORD DISTANCE OF 139.15 FEET, AND AN ARC LENGTH OF 144.31 FEET TO A POINT ON A LINE; THENCE N 69° 28' 38" W A DISTANCE OF 354.77 FEET TO A POINT ON A LINE; THENCE N 69° 26' 33" W A DISTANCE OF 60.35 FEET TO A POINT ON A LINE; THENCE N 20° 33' 27" E A DISTANCE OF 79.96 FEET TO THE POINT OF COMMENCEMENT CONTAINING 1.55 ACRES.

WHEREAS, 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 desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

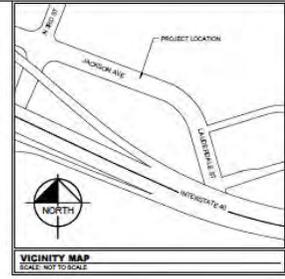
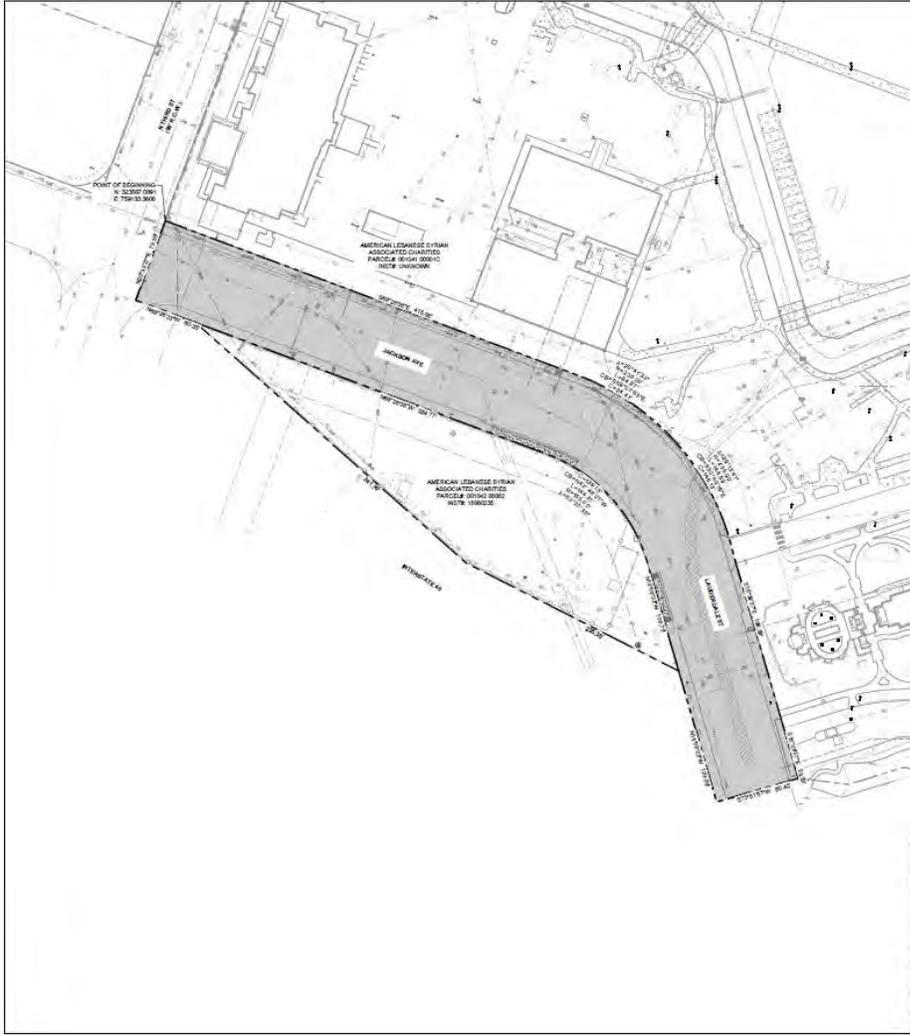
WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on April 11, 2024, and said Board has submitted its findings and recommendation to the Council of the City of Memphis subject to the following conditions:

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above-required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader. Drawings are subject to approval by City Engineering.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above described public right-of-way be and is hereby closed for public use, subject to the aforementioned conditions.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deed(s) to the owners of the properties abutting on the above-described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company and the Shelby County Property Assessor's Office.



PROPOSED CLOSURE

STREET AND ALLEY CLOSURE LEGAL DESCRIPTION:

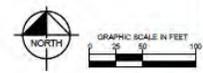
1. PROPERTY DESCRIPTION OF THE PORTION OF JACKSON AVENUE AND LAUDERDALE BETWEEN NORTH THIRD STREET AND INTERSTATE 40 IN MEMPHIS, SHELBY COUNTY, TENNESSEE, TO BE CLOSED AND QUIT CLAIMED ENTIRELY TO AMERICAN LEAGUE'S SYRAN ASSOCIATED CHARITIES (ALSC).

2. PROPERTY DESCRIPTION OF THE PORTION OF JACKSON AVENUE AND INTERSTATE 40 IN MEMPHIS, SHELBY COUNTY, TENNESSEE, TO BE CLOSED AND QUIT CLAIMED ENTIRELY TO AMERICAN LEAGUE'S SYRAN ASSOCIATED CHARITIES (ALSC).

3. BEGINNING AT A POINT LOCATED AT THE RIGHT OF WAY OF THIRD STREET WITH A BEARING OF 103°02'00" AND AN DISTANCE OF 790.3308 ON THE TENNESSEE AND STATE PLANT THIS POINT OF BEGINNING, THENCE S 89° 38' 38" E FOR A DISTANCE OF 412.88 FEET TO A POINT OF CURVATURE, THENCE SOUTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 236.9 FEET, A CURVE BEARING OF 8 58' 27" E, A CURVE DISTANCE OF 84.1 FEET, AN AND AN ARC LENGTH OF 84.9 TO A POINT OF TANGENCY, THENCE SOUTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 236.9 FEET, A CURVE BEARING OF 148.13 FEET AND AN ARC LENGTH OF 148.59 FEET TO A POINT ON A LINE, THENCE S 19° 02' 07" E A DISTANCE OF 158.9 FEET TO A POINT ON A LINE, THENCE S 19° 02' 07" E A DISTANCE OF 158.9 FEET TO A POINT ON A LINE, THENCE N 1° 02' 07" E A DISTANCE OF 158.9 FEET TO A POINT ON A LINE, THENCE N 1° 02' 07" E A DISTANCE OF 158.9 FEET TO A POINT OF CURVATURE, THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 158.9 FEET, A CURVE BEARING OF N 42° 46' 21" W A CURVE DISTANCE OF 158.9 FEET AND AN ARC LENGTH OF 148.59 FEET TO A POINT ON A LINE, THENCE N 69° 33' 38" W A DISTANCE OF 84.7 FEET TO A POINT ON A LINE, THENCE N 69° 33' 38" W A DISTANCE OF 84.7 FEET TO A POINT ON A LINE, THENCE N 69° 33' 38" W A DISTANCE OF 84.7 FEET TO A POINT ON A LINE, THENCE N 33° 33' 38" E A DISTANCE OF 78.88 FEET TO THE POINT OF COMMENCEMENT CONTAINING 1.55 ACRES.

4. ADJACENT PARCEL #00142 0000

5. LOT 7, JACOBSON AVENUE URBAN REMAIN AREA SUBDIVISION AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 28, PAGE 51, IN THE SOUTHWEST CORNER OF SHELBY COUNTY, TENNESSEE, TO WHICH THIS REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAID PROPERTY.



PER F.E.A. PARCEL #41020179, THIS PROPERTY IS LOCATED IN ZONE A, PROTECTED BY LEVEE.

CLOSURE PLAT		
JACKSON AVENUE/LAUDERDALE STREET		
CASE NUMBER: PENDING		
CITY OF MEMPHIS, SHELBY COUNTY, TN		
PARCEL NUMBER	1	2.08 ACRES
OWNER	ALSC	2.08 ACRES
OWNER ADDRESS	801 ST ASH PL MEMPHIS, TN 38103	
PREPARED BY	Kimley-Horn	
DATE	4/16/2007	FEBRUARY 6, 2007
250' LEVEE PROTECTED	YES	NO
DATE	MARCH 2003	AS SHOWN
		SHEET 1 OF 1

AGENDA ITEM: 20 **L.U.C.B. MEETING:** April 11, 2024

CASE NUMBER: SAC 2024-004

LOCATION: Jackson Avenue and Lauderdale Street south of N. Third Street

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

OWNER/APPLICANT: American Lebanese Syrian Associated Charities (St. Jude)

REPRESENTATIVE: Josh Whitehead, Burch, Porter & Johnson

REQUEST: Close and vacate a portion of Jackson Ave. and Lauderdale Street south of N. Third Street

EXISTING ZONING: Uptown Hospital District (UH)

CONCLUSIONS

1. This applicant is requesting the closure of a portion of Jackson Avenue east of North Third Street and a portion of Lauderdale Street north of Alabama Avenue.
2. The closure will support the implementation of its campus master plan, which calls for developing several controlled access/exit points, and repurposing the area for campus operations, including the proposed construction of a campus visitor.
3. Approving the closure of the street for use by the general public is appropriate because it supports the planned growth and development of St. Jude and the UH district. It also helps to improve, secure, and control circulation in and around St. Jude.
4. The closure of the intersection at N. Lauderdale Street was previously modeled in the Memphis Tourism Development Zone (TDZ) Traffic Study for the City of Memphis and did not show significant impacts to the surrounding network and intersections. The primary anticipated effect of the closure of the subject right of way is that it will cause some drivers an inconvenience because Jackson Avenue/Lauderdale Street is utilized as an alternate route to east downtown. Drivers will now be required to take one of several alternative routes depending on their trip origin or destination, including Danny Thomas Boulevard.
5. Access to utility easements and for emergency vehicles will be retained.
6. The divestiture/abandonment of the subject right-of-way will not have any undue or substantial effect on the existing vehicular and pedestrian traffic flow of the surrounding area.

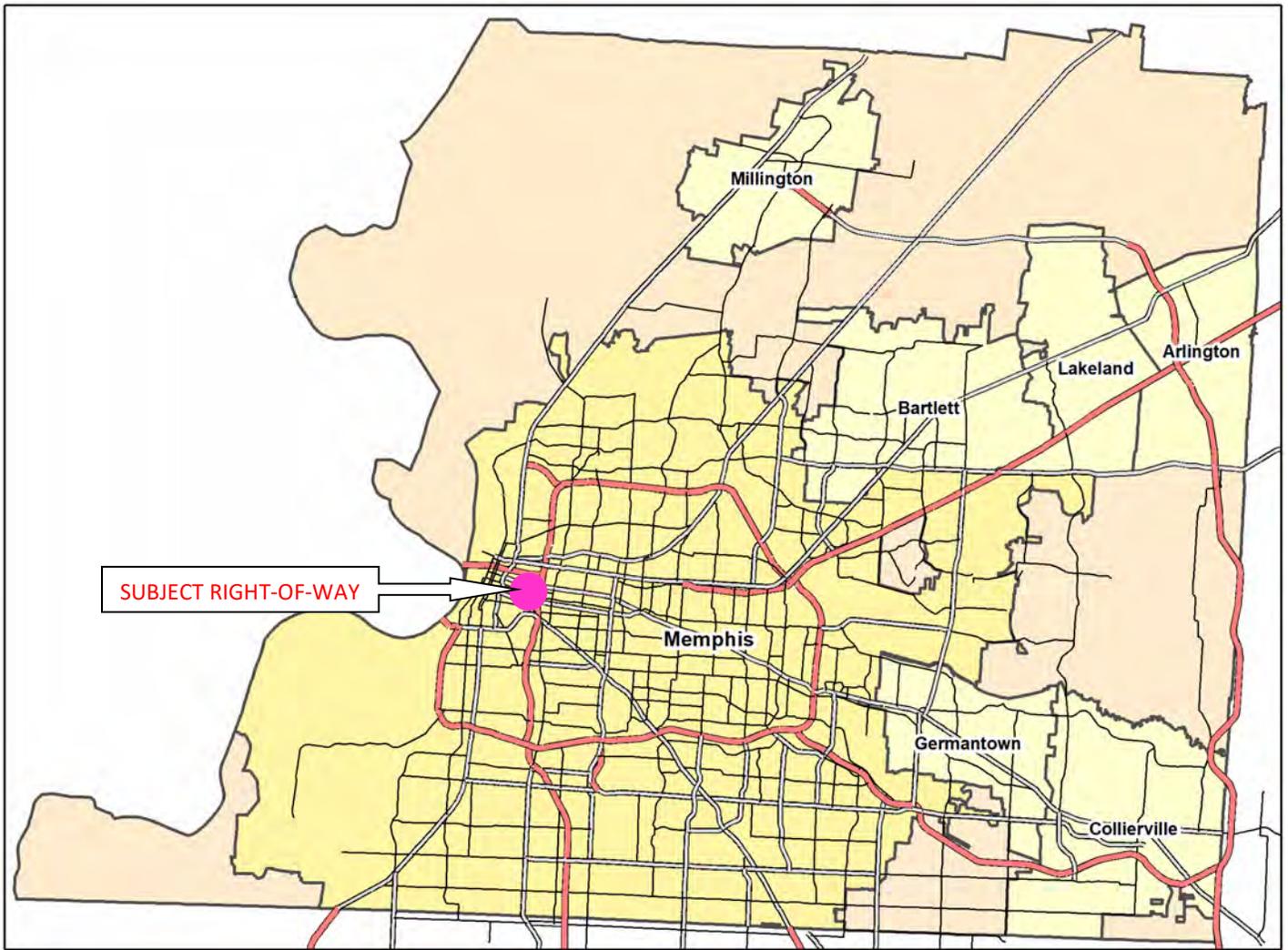
CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 General Plan is not applicable as it does not address the divestiture of streets and alleys.

RECOMMENDATION:

Approval with conditions

LOCATION MAP



Subject right-of-way located within the pink circle

PUBLIC NOTICE VICINITY MAP

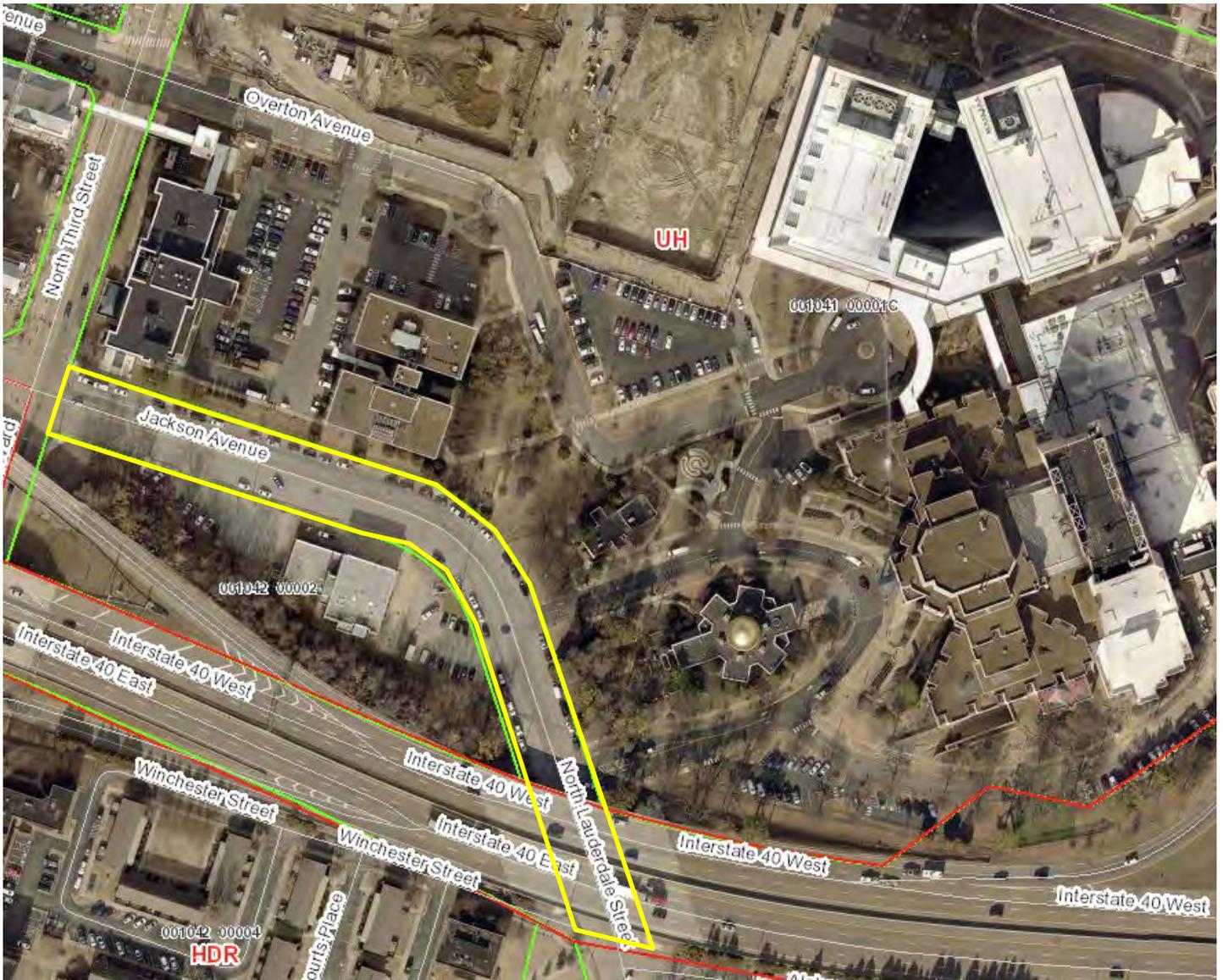


Subject right-of-way highlighted in yellow

PUBLIC NOTICE DETAILS

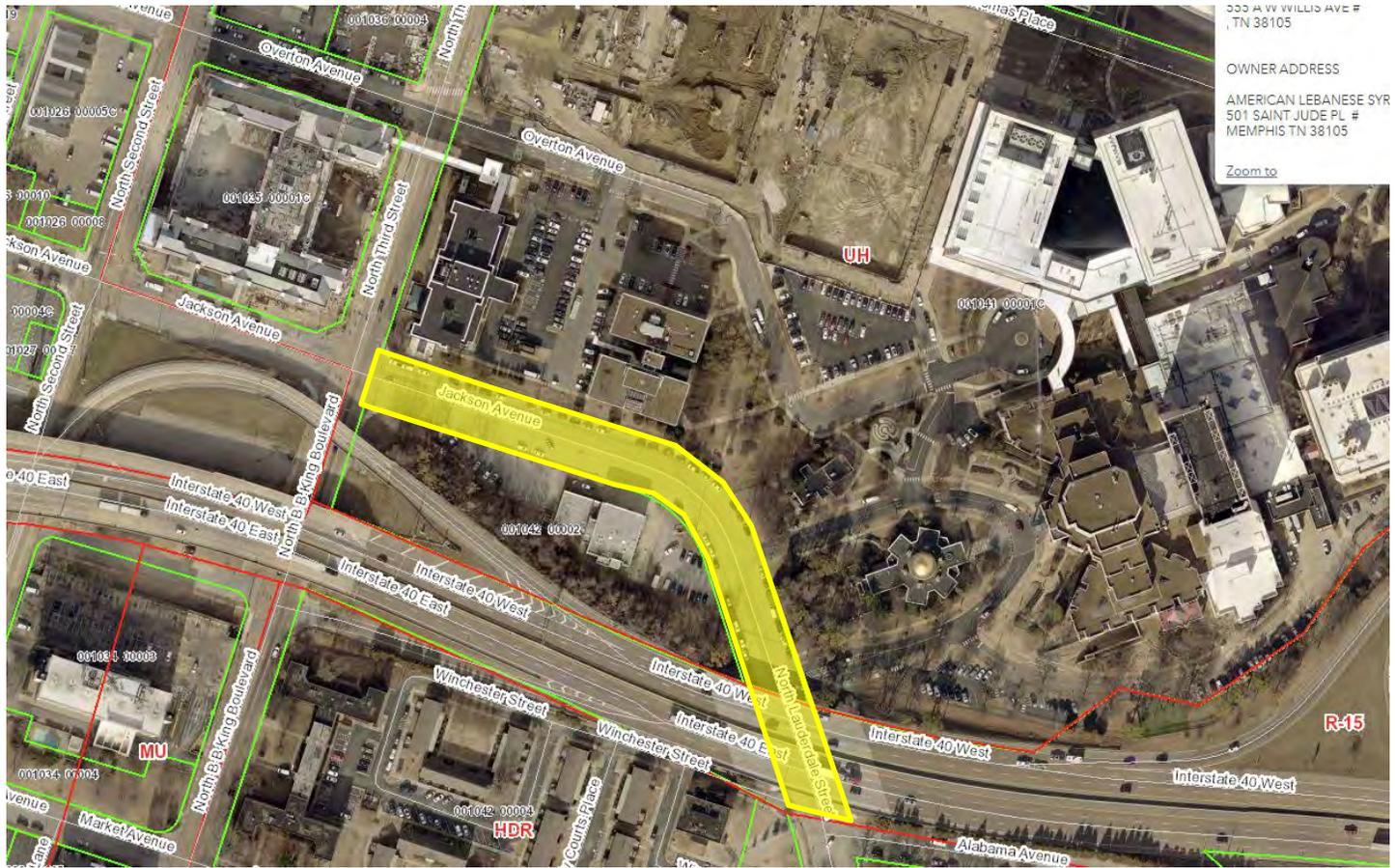
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed. A total of 14 notices were mailed on March 15, 2024, see pages 15-16 of this report for a copy of said notice.

AERIAL



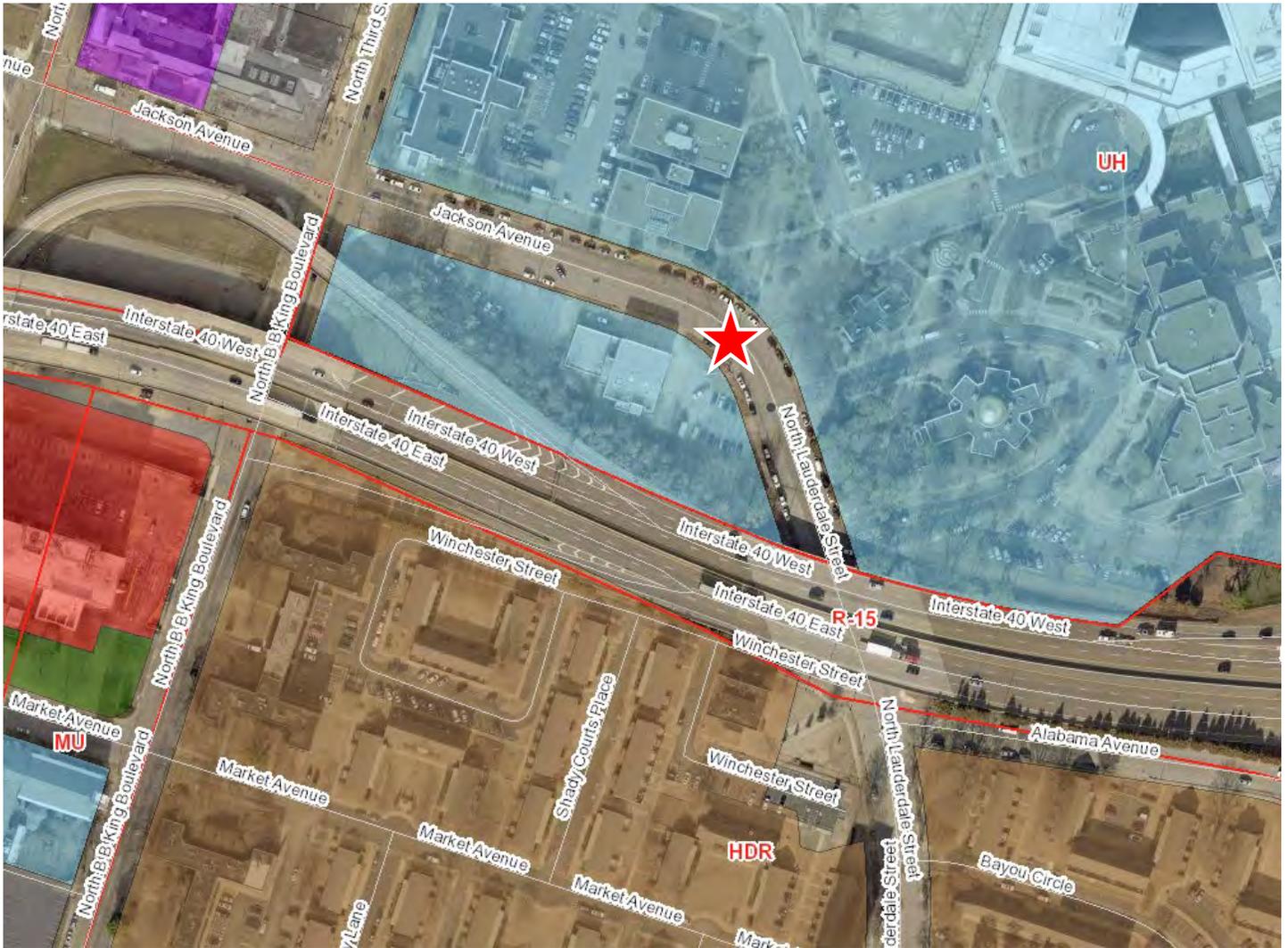
Subject right-of-way outlined in yellow, imagery from 2023

ZONING MAP



Subject right-of-way highlighted in yellow

LAND USE MAP



Subject right-of-way indicated by a red star

SITE PHOTOS



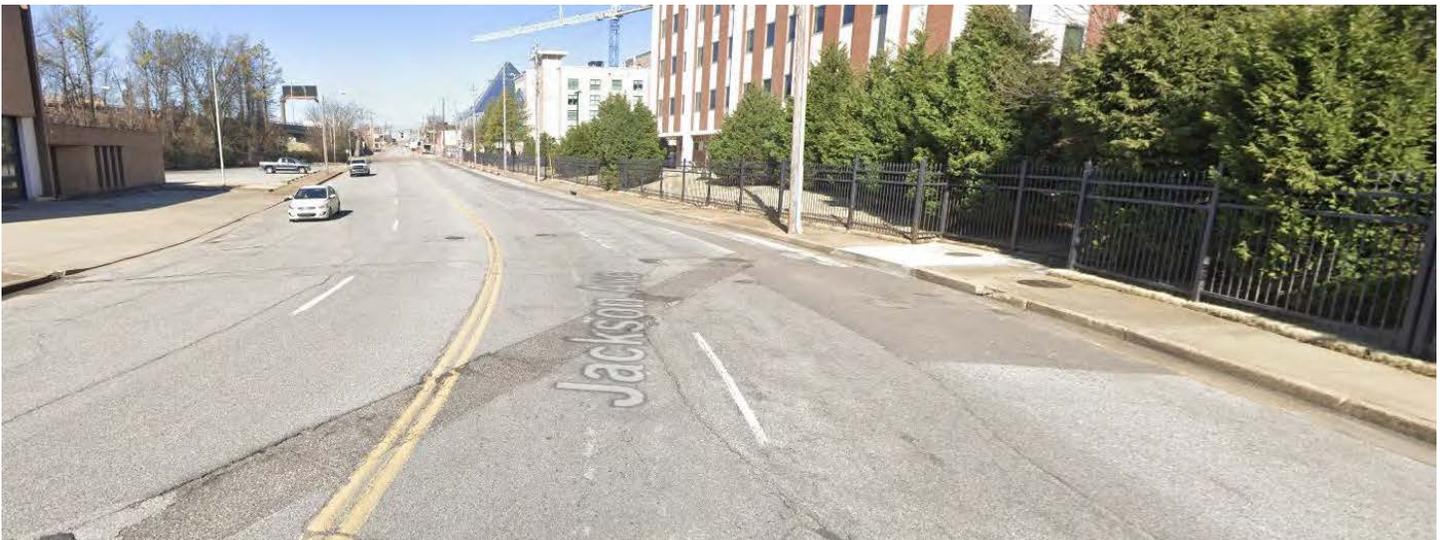
View of subject right-of-way, Jackson Avenue from N. third looking east towards N. Lauderdale Street



View of subject right-of-way, N. Lauderdale from Jackson Avenue looking south towards the I-40

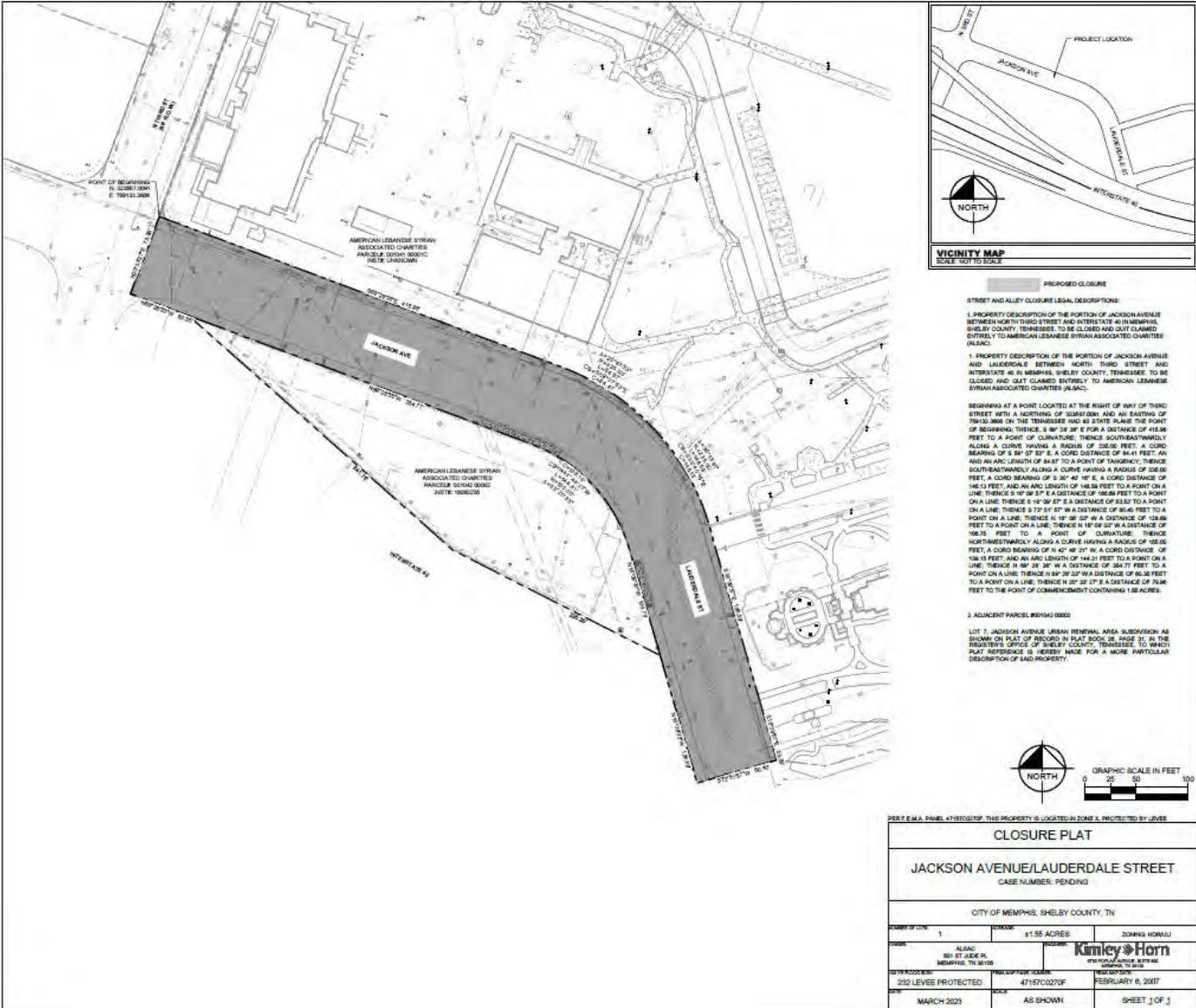


View of subject right-of-way, N. Lauderdale Street looking northwest towards Jackson Avenue



View of subject right-of-way, Jackson Ave looking west towards Third street

RIGHT-OF-WAY VACATION PLAT



PER F.E.M.A. PANEL 4718700210P THIS PROPERTY IS LOCATED IN ZONE A, PROTECTED BY LEVEE

CLOSURE PLAT			
JACKSON AVENUE/LAUDERDALE STREET			
CASE NUMBER: PENDING			
CITY OF MEMPHIS, SHELBY COUNTY, TN			
NUMBER OF LOTS	1	ACRES	1.155 ACRES
OWNER	ALASC 800 ST. JESUS BL. MEMPHIS, TN 38115	ENGINEER	Kimley-Horn 4810 COLLETT AVENUE MEMPHIS, TN 38115
DATE PROTECTED	2020	PLAT NUMBER	4718700210P
DATE	MARCH 2023	DATE	FEBRUARY 6, 2024
SCALE	AS SHOWN	SHEET	2 OF 3

LEGAL DESCRIPTION

1. PROPERTY DESCRIPTION OF THE PORTION OF JACKSON AVENUE AND LAUDERDALE BETWEEN NORTH THIRD STREET AND INTERSTATE 40 IN MEMPHIS, SHELBY COUNTY, TENNESSEE. TO BE CLOSED AND QUIT CLAIMED ENTIRELY TO AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES (ALSAC).

BEGINNING AT A POINT LOCATED AT THE RIGHT OF WAY OF THIRD STREET WITH A NORTHING OF 323567.0091 AND AN EASTING OF 759133.3606 ON THE TENNESSEE NAD 83 STATE PLANE THE POINT OF BEGINNING; THENCE, S 69° 28' 38" E FOR A DISTANCE OF 415.98 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 59° 07' 53" E, A CORD DISTANCE OF 84.41 FEET, AN AND AN ARC LENGTH OF 84.87' TO A POINT OF TANGENCY; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 30° 40' 16" E, A CORD DISTANCE OF 146.13 FEET, AND AN ARC LENGTH OF 148.59 FEET TO A POINT ON A LINE; THENCE S 16° 09' 57" E A DISTANCE OF 166.69 FEET TO A POINT ON A LINE; THENCE S 16° 09' 57" E A DISTANCE OF 53.53' TO A POINT ON A LINE; THENCE S 73° 51' 57" W A DISTANCE OF 80.40 FEET TO A POINT ON A LINE; THENCE N 16° 08' 03" W A DISTANCE OF 128.69 FEET TO A POINT ON A LINE; THENCE N 16° 08' 03" W A DISTANCE OF 106.75 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 155.00 FEET, A CORD BEARING OF N 42° 48' 21" W, A CORD DISTANCE OF 139.15 FEET, AND AN ARC LENGTH OF 144.31 FEET TO A POINT ON A LINE; THENCE N 69° 28' 38" W A DISTANCE OF 354.77 FEET TO A POINT ON A LINE; THENCE N 69° 26' 33" W A DISTANCE OF 60.35 FEET TO A POINT ON A LINE; THENCE N 20° 33' 27" E A DISTANCE OF 79.96 FEET TO THE POINT OF COMMENCEMENT CONTAINING 1.55 ACRES.

CASE REVIEW

Request

Close and vacate a portion of Jackson Ave. and Lauderdale Street south of N. Third Street

Site Details

Address:

Jackson Avenue and Lauderdale Street south of N. Third Street

Area:

+/-1.55 acres

Description:

The subject right-of-way is a +/-80-foot wide and +/-1,000-foot-long east-southerly public street for a total area of +/-1.55 acres within the block bounded by N. Third Street and Alabama Avenue. The subject right-of-way is located between two parcels (001042 00002, 001041 00001C) both of which are owned by the applicant. A copy of the deeds for each parcel is included in the application. The zoning of the adjacent properties is Uptown Hospital (UH), and Residential Single-Family 15 – R-15 (Interstate 40) to the South.

Analysis

This applicant is requesting the closure of a portion of Jackson Avenue east of North Third Street and a portion of Lauderdale Street north of Alabama Avenue. Jackson Avenue runs east/west for +/-415 feet east of North Third Street, then bends southeasterly and becomes Lauderdale Street, which passes under the 1-40 overpass.

Closing both right-of-ways will allow St. Jude to implement its campus master plan, which calls for developing several controlled access/exit points to the St. Jude campus. One of these points is at Jackson Avenue at North Third Street. The applicant intends to install guard-controlled access structures and gates at this location. A concrete band will be inserted at BB King and Jackson Avenue demarcating the public right of way. The Lauderdale Street access will be closed, and an emergency gate will be installed.

The closure will also allow the applicant to repurpose the area for campus operations, including the proposed construction of a campus visitor center to be constructed on Parcel 001042 00002 located on the south side of the right of way to be vacated. The gate on Jackson Avenue will serve as the entrance point for clients and patients visiting the center and campus.

Approving the closure of the street to preclude use by the general public is appropriate because it supports the planned growth and development of St. Jude and the UH district. It also helps to improve, secure, and control circulation in and around St. Jude. The change corresponds with planned improvements around Campus Gate 1 and adjacent to the existing campus.

Additionally, the closure will have minimal impact on vehicular and pedestrian traffic flow. The closure of the intersection at N. Lauderdale Street was previously modeled in the Memphis Tourism Development Zone (TDZ) Traffic Study for the City of Memphis and did not show significant impacts to the surrounding network and intersections. A memo of the traffic impact of the closure is located on pages (22-25) of this report. The primary anticipated effect of the closure of the subject right of way is that it will cause some drivers an inconvenience because Jackson Avenue/Lauderdale Street is utilized as an alternate route to east downtown. Drivers will now

be required to take one of several alternative routes depending on their trip origin or destination, including Danny Thomas Boulevard. Access to utility easements and for emergency vehicles will be retained.

The divestiture/abandonment of the subject right-of-way will not have any undue or substantial effect on the existing vehicular and pedestrian traffic flow of the surrounding area.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above-required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader. Drawings are subject to approval by City Engineering.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

DEPARTMENTAL COMMENTS

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

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 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. A sanitary sewer service connection plan is required to be submitted (via 901 portal) to the City Land Development Office for review and approval.

4. All required design plans and potential traffic control plan must be prepared in accordance with the City's Standard Requirements and must be stamped by a Professional Engineer registered in the State of Tennessee.

5. A Sewer Development fee may be required per the City of Memphis Sewer Use Ordinance.

Street Closures:

6. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.

7. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.

8. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.

Site Plan Notes:

9. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.

10. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

City Fire Division:	No comments received.
City Real Estate:	No comments received.
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:	No comments received.

MAILED PUBLIC NOTICE

14 Notices Mailed on 03/15/2024



City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a land use application filed with the Division of Planning and Development. The MEMPHIS & SHELBY COUNTY LAND USE CONTROL BOARD will hold a Public Hearing on the following application, pursuant to Sub-Section 9.3.4A of the Memphis & Shelby County Unified Development Code:

CASE NUMBER: SAC 2024-004
LOCATION: Jackson Ave and Lauderdale Street south of N. Third Street
(SEE SITE PLAN ON REVERSE SIDE)
APPLICANT: American Lebanese Syrian Associated Charities
REQUEST: Close and vacate a portion of Jackson Ave and Lauderdale Street south of N. Third Street

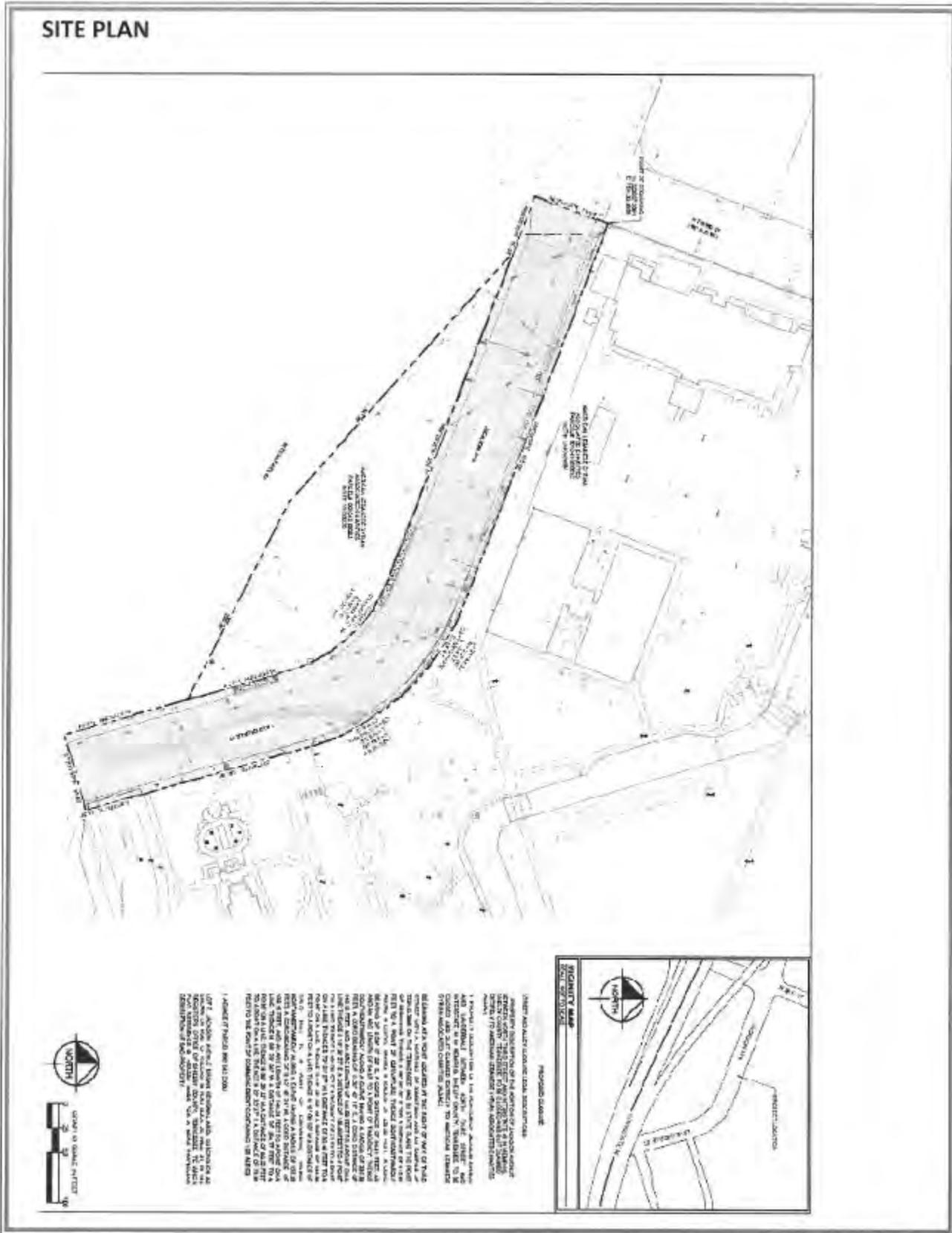
THE LAND USE CONTROL BOARD PUBLIC MEETING WILL BE HELD:

DATE: Thursday, April 11, 2024
TIME: 9:00 AM
LOCATION: Council Chambers on the First Floor of City Hall, 125 N. Main Street

During the public hearing, the Board may recommend the approval or rejection of this item or hold the item for a public hearing at a subsequent Board meeting. For this case, the Board will make a **recommendation** to the legislative body; the legislative body will take final action at a later date.

Please note the Board may place this item on the Consent Agenda, which is considered at the beginning of the Board meeting. No individual public hearing will be held, nor will the Board debate items on the Consent Agenda unless a member of the audience, staff or Board requests that the item be removed from the Consent Agenda.

You are not required to attend this hearing, although you are welcome to do so if you wish to speak for or against this application. You may also contact LaTonya Hull Latonya.hull@memphistn.gov or (901) 636-7179 to learn more about the proposal and/or to submit a letter of support or opposition no later than **Wednesday, April 3, 2024, at 8 AM**. **Note, comments sent to anyone other than the staff planner will not be recognized or included in the staff report.**



APPLICATION



Memphis and Shelby County
Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET, SUITE 476, MEMPHIS, TENNESSEE 38103-2084 (901) 363-6619

APPLICATION FOR RIGHT-OF-WAY VACATION/
STREET/ALLEY/CLOSURE APPROVAL

Date: _____

Case #: _____

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Jackson Ave/Lauderdale St

Property Owner of Record: ALSAC Phone #: 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Property Owner E-Mail Address: sara.hall@alsac.stjude.org

Applicant: ALSAC Phone # 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Applicant E-Mail Address: sara.hall@alsac.stjude.org

Representative: Sara Hall Phone #: 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Representative E-Mail Address: sara.hall@alsac.stjude.org

Engineer/Surveyor: Kimley-Horn and Associates Phone # 901-334-5319

Mailing Address: 6750 Poplar Ave Ste 600 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: jennifer.peregoy@kimley-horn.com

Closure Street Address Location: 211 Jackson Ave

Inside of Memphis City Limits Yes No

Unincorporated Shelby County Yes No

City of Reserve Area Yes No

Distance to nearest intersecting street: 0 ft from the intersection of Jackson Ave and 3rd St

Area of ROW: 1.55 acres Square-Feet/Acres Length x Width of ROW: 870' x 80' Feet

Closure starts at: 3rd St and

Proceeds to Interstate 40

Reason for Closure: Jackson Avenue between 3rd St and Interstate 40 is proposed to be closed because of the following: ALSAC owns the property on both sides of this portion of Jackson Ave. As part of the St. Jude campus expansion, a new entrance and visitor's center is planned at this location. Closure of this road will improve the patient and visitor experience by providing space to greet and direct visitors off of city streets. Closing the street is necessary to accommodate this growth and investment.

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: 10/17/2023 with Brett Ragsdale

I (we) hereby make application for approval of the street/alley closure described above and on the accompanying materials and closure plat. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

<u>Sara Hall, CLD, ALSAC</u> Property Owner of Record*	<u>3/8/24</u> Date	<u>AP</u> Applicant	<u>KR</u> Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

Every property owner that both abuts the right-of-way to be closed and will be deeded a respective portion shall sign this application unless the signee above is a duly elected representative of a homeowners or property owners association that will be taking ownership of the vacated right of way. See Item H at the bottom of this application for further instructions and exceptions.

Types of Vacation (from Chapter 9.8 of the Unified Development Code)

- 1. Conversions** (public-to-private street conversions, pursuant to Section 5.2.18 of the UDC)
Note: street conversions entirely within approved subdivisions or planned developments shall be processed as revisions to the subdivision plat or planned development plat. Please refer to those appropriate applications.
- 2. Physical closures** (street and alley closures that involve the physical closure of an existing street or alley)
- 3. Abandonment** (divesture of abandoned or excess right-of-way, paper streets, paper alleys and easements)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

LETTER OF INTENT



Josh Whitehead
Senior Attorney
Direct: 901.524.5127
jwhitehead@bpjlaw.com

LAW OFFICES

Burch, Porter & Johnson, PLLC
130 North Court Avenue
Memphis, TN 38103
Phone: 901.524.5000
Fax: 901.524.5024
bpjlaw.com

March 8, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development

Mary W. Sharp and
Members
Memphis and Shelby County
Land Use Control Board

Dear Mr. Ragsdale, Chair Sharp and Members of the Board:

On behalf of the American Lebanese Syrian Associated Charities ("ALSAC"), the fundraising and awareness organization for St. Jude Children's Research Hospital, I am pleased to submit this application for a Street and Alley Closure ("SAC") for the stretch of Jackson Avenue/Lauderdale Street between B.B. King Blvd. (formerly known as Third Street) and Interstate 40.

St. Jude Children's Research Hospital is currently undergoing a multi-billion-dollar expansion, representing the largest single investment in downtown Memphis since the City's founding. As a key part of this expansion, ALSAC purchased the former Fire Station No. 1 on the south side of Jackson Avenue from the City of Memphis in 2018. The purpose of this acquisition was to facilitate growth at the southwest quadrant of the campus by allowing the construction of a visitors' center and a new entrance to the St. Jude campus, both proposed in the area of the subject road closure (see Campus Plan below).

A traffic study commissioned in conjunction with this application shows that the closure of Jackson Avenue/Lauderdale Street will not adversely impact traffic patterns of the area. In fact, eliminating this stretch of roadway from the public roadway system will prevent through traffic in the adjacent neighborhood while accommodating new construction and investment associated with the St. Jude campus expansion.

Thank you for your consideration of this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Whitehead", written over a light blue horizontal line.

Josh Whitehead

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Josh Whitehead, being duly sworn, depose and say that at 3:00 am/pm on the 19th day of March, 2024, I posted 1 Public Notice Sign(s) pertaining to Case No. SAC 2024-004 at the SE corner of B.B. King Blvd and Jackson Ave. providing notice of a Public Hearing before the (check one):

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

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

[Signature]
Owner, Applicant or Representative

March 20, 2024
Date

Subscribed and sworn to before me this 20th day of March, 2024.

[Signature]
Notary Public

My commission expires: 2/2/26



CAMPUS PLAN



TRAFFIC MEMO



MEMORANDUM

To: LaTonya Hull
Date: April 5, 2024
Subject: N. Lauderdale Street Closure Traffic Memo

1. Introduction

St. Jude Children's Research Hospital (SJCRH) is requesting the closure of N. Lauderdale Street / Jackson Avenue to through traffic from Third Street to Alabama Avenue. This change corresponds with planned improvements around campus Gate 1 and adjacent to the existing SJCRH campus. The closure of N. Lauderdale Street would allow SJCRH to repurpose the area for campus operations. The closure of this section of N. Lauderdale Street was previously modeled in the Memphis Tourism Development Zone (TDZ) Traffic Study for the City of Memphis, and did not show significant impacts to the surrounding intersections. The sub-area travel demand model created in the TDZ Study was used as a base for this analysis.

1.1 Project Location

The segment of N. Lauderdale Street / Jackson Avenue from Third Street to Alabama Avenue is shown in **Figure 1**. This segment is primarily used as a connection between I-40 and the SJCRH campus / Pinch District. It currently has a 4-lane cross-section with additional width available for on-street parking.



Figure 1: Vicinity Map

1.2 Data Collection and Methodology

Additional traffic counts were conducted during the AM, MD, and PM peak hours. Turning movement traffic counts were performed at the following study intersections.

- Mill Avenue at Front Street
- Mill Avenue at Main Street
- Mill Avenue at Second Street
- Mill Avenue at Third Street
- Mill Avenue at Fourth Street

Existing traffic counts for the study intersections were taken from the existing traffic models developed in the TDZ Traffic Study.

This analysis used the Downtown Memphis TDZ TransModeler and Synchro microscopic models to conduct an evaluation of the roadway network in the study area. Separate models were developed in TransModeler and Synchro for existing and future year conditions, as well as for each time-of-day period. Origin and destination data developed from the Memphis Metropolitan Planning Organization's (MPO's) Travel Demand Model (TDM) was imported to the TransModeler models to run microsimulations that provided more detailed definition of the travel patterns and determined future turning movement volumes for the study intersections. The turning movement volumes from the TransModeler models were imported to the Synchro models to conduct intersection level traffic analyses.

2. Existing Conditions

To evaluate existing traffic conditions and network deficiencies and to establish a baseline to compare future year results, existing conditions traffic analysis models were created in Synchro for AM and PM peak hours. The existing conditions model from the TDZ study was used as a base for these models. These models contained all intersections and roads within the study area. Updated signal timing information and peak hour turning movement counts were input into each model.

3. Future Conditions

To determine the direct impact of closing N. Lauderdale Street on the surrounding network, the future full-build out subarea model was analyzed with and without the roadway closure. This model includes all committed and proposed roadway projects and socioeconomic data from proposed developments in and around the study area that was collected for the TDZ study. Major changes to the roadway network within the study area include the introduction of a bus-only lane on both Second Street and Third Street and the reduction of one through lane in each direction on Poplar Avenue from the Poplar Avenue Streetscape Project.



4. Summary

Based on the results of the analyses, it was determined that the closure will have minimal impacts on the surrounding road network and study intersections in a future build out condition. As noted, there are multiple alternate routes that can be taken to access the Pinch District and SJCRH besides N. Lauderdale Street depending on the trip origin or destination. Signal timing adjustments can be implemented at many of the intersections to improve overall delay and LOS. In many instances, the signal timing and geometric improvements identified in the TDZ Traffic Study are applicable as well and will improve the overall system in the area if future developments are completed.

LETTERS RECEIVED

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



Memphis and Shelby County Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET, SUITE 476, MEMPHIS, TENNESSEE 38103-2084 (901) 363-6619

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: _____

Case #: _____

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Jackson Ave/Lauderdale St

Property Owner of Record: ALSAC Phone #: 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Property Owner E-Mail Address: sara.hall@alsac.stjude.org

Applicant: ALSAC Phone # 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Applicant E- Mail Address: sara.hall@alsac.stjude.org

Representative: Sara Hall Phone #: 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Representative E-Mail Address: sara.hall@alsac.stjude.org

Engineer/Surveyor: Kimley-Horn and Associates Phone # 901-334-5319

Mailing Address: 6750 Poplar Ave Ste 600 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: jennifer.peregoy@kimley-horn.com

Closure Street Address Location: 211 Jackson Ave

Inside of Memphis City Limits Yes No

Unincorporated Shelby County Yes No

City of Reserve Area Yes No

Distance to nearest intersecting street: 0 ft from the intersection of Jackson Ave and 3rd St

Area of ROW: 1.55 acres Square-Foot/Acres Length x Width of ROW: 870' x 80' Feet

Closure starts at: 3rd St and

Proceeds to Interstate 40

Reason for Closure: Jackson Avenue between 3rd St and Interstate 40 is proposed to be closed because of the following: ALSAC owns the property on both sides of this portion of Jackson Ave. As part of the St. Jude campus expansion, a new entrance and visitor's center is planned at this location. Closure of this road will improve the patient and visitor experience by providing space to greet and direct visitors off of city streets. Closing the street is necessary to accommodate this growth and investment.

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: 10/17/2023 with Brett Ragsdale

I (we) hereby make application for approval of the street/alley closure described above and on the accompanying materials and closure plat. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

<u>Sara Hall, CLD, ALSAC</u> Property Owner of Record*	<u>3/8/24</u> Date	<u>APPROVED</u> Applicant	<u>KR</u> Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

Every property owner that both abuts the right-of-way to be closed and will be deeded a respective portion shall sign this application unless the signee above is a duly elected representative of a homeowners or property owners association that will be taking ownership of the vacated right of way. See Item H at the bottom of this application for further instructions and exceptions.

Types of Vacation (from Chapter 9.8 of the Unified Development Code)

1. **Conversions** (public-to-private street conversions, pursuant to Section 5.2.18 of the UDC)

Note: street conversions entirely within approved subdivisions or planned developments shall be processed as revisions to the subdivision plat or planned development plat. Please refer to those appropriate applications.

2. **Physical closures** (street and alley closures that involve the physical closure of an existing street or alley)

3. **Abandonment** (divesture of abandoned or excess right-of-way, paper streets, paper alleys and easements)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

**GUIDE FOR SUBMITTING
RIGHT-OF-WAY VACATION/CLOSURE APPLICATION**

A **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the preliminary closure plat, shall be provided on sheets of 8.5"x11" in size. The application with original signatures of the applicant and adjacent property owners to the street or alley to be closed shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:

- 1) This application, 8.5"x11" Preliminary Closure Plat, Metes & Bounds Descriptions, Vicinity Maps, Property Deeds & Easements of Record, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Preliminary Closure Plat (folded), Original Instrument of Dedication.
- 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

B **METES AND BOUNDS DESCRIPTION**

Two (2) copies of a metes and bounds description of the right-of-way to be closed, and four (4) copies of metes & bounds descriptions of those portions of the right-of-way which are to be quit claimed to adjacent property owners. Descriptions must read to the centerline unless the properties on either side of the right-of-way are under the same ownership.

CLOSURE PLAT*

C Two (2) prints 20" x 24", two (2) 8.5" x 11" reduced copies of the closure plat drawn to scale (1"=50' or =100') and prepared, certified and sealed by a Civil Engineer or Surveyor registered in the State of Tennessee. The plat must show the names of abutting property owners, all bearings and dimensions of the alley or street, dimensions and legal descriptions of abutting lots, existing buildings on adjacent lots, driveways, utilities, easements to be retained and a vicinity map.

*A closure plat is unnecessary for Street Closure Example 4 (see Pine Street Closure below).

VICINITY MAP

D Two (2) copies showing the subject property (boldly outlined) and all parcels adjacent to the section of the street or alley being closed. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.

E **LIST OF NAMES AND ADDRESSES**

- 1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2^{5/8}" self-adhesive mailing labels and 2 paper sets. Three (3) sets of gummed back mailing labels and paper copies are needed for subject properties located in Shelby County but within five (5) miles of the Memphis City limits.
- 2) Two (2) self-adhesive mailing labels (1"x 2^{5/8}") each for the owner of record, applicant, representative and/or engineer/surveyor.

DEDICATION INSTRUMENT

F A copy of the instrument which dedicated the right-of-way for public use must be submitted with the application.

*A dedication instrument is unnecessary for Street Closure Example 4 (see Pine Street Closure below).

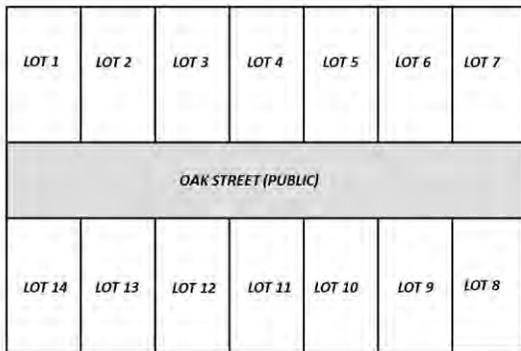
G. **FILING FEES** (All Fees Are Subject To Change without Prior Notice)
 Submit a non-refundable check or money order in the amount of \$400.00. Make check payable to "M/SC Office of Planning and Development"

H. **SIGNATURES** (from Section 9.8.2 of the Unified Development Code)
 The official application form shall include the signatures of all abutting property owners. If any abutting property owners refuse to sign the application, the governing body may delete that portion of the right-way if they so choose. Abutting property owners are those owners who will be recipients of all or a portion of the right-of-way proposed to be vacated and are the owners of record at the time the right-of-way vacation application is filed with the Planning Director. To qualify as a recipient of all or a portion of former right-of-way, an abutting property owner's parcel must be identified on the subdivision plat or Planned Development final plan through which the right-of-way proposed for vacation was originally dedicated to the City or County and that parcel must abut the right-of-way proposed for vacation. See graphics below for explanation. *Note: After an application has been filed with the Planning Director, the withdrawal of consent to the closure by an abutting property owner is prohibited.*

TYPES OF STREET CLOSURES

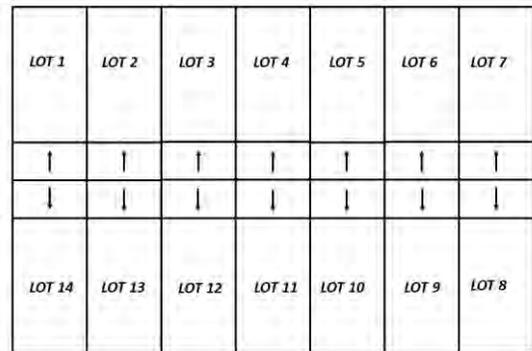
Example 1: Oak Street Closure.

Oak Street is a paper street that was never constructed. It is now strewn with weeds and undergrowth and the abutting owners now wish to take the area over and make it part of their rear yards. Oak Street was dedicated to the public with the recording of Oak Street Subdivision. This portion of Oak Street is abutted by Lots 1-14 of Oak Street Subdivision. Owners of Lots 1-14 will be required to sign off the application and be deeded their half of the street, unless the governing bodies approve the closure specifically allotting their half of the street to another property owner who has signed the application.



PLAT FOR OAK STREET SUBDIVISION

Before closure.

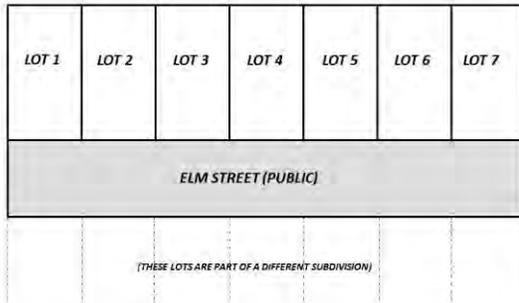


PLAT FOR OAK STREET SUBDIVISION

After closure.

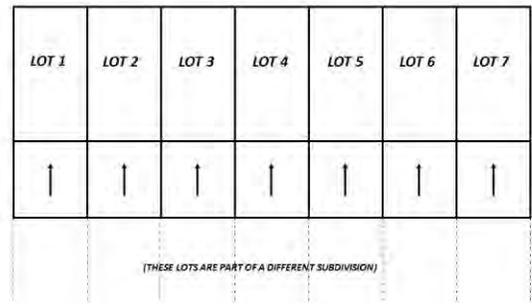
Example 2: Elm Street Closure.

Like Oak Street, Elm Street is a paper street and was never constructed. Unlike Oak Street, Elm Street was dedicated through a plat with lots on only one side of it. Therefore, only the lot owners on that side of the street will be required to sign the application.



PLAT FOR ELM STREET SUBDIVISION

Before closure.

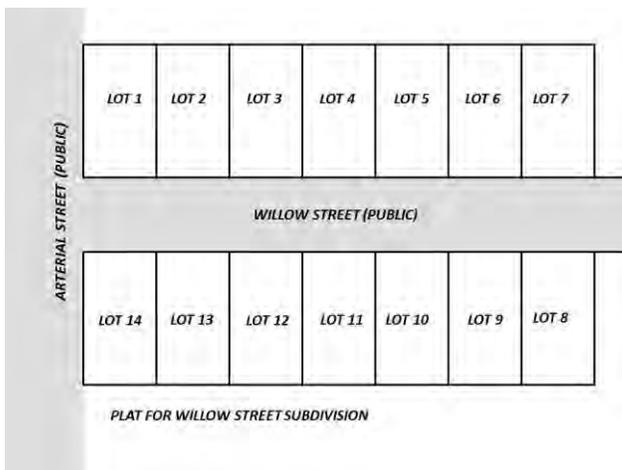


PLAT FOR ELM STREET SUBDIVISION

After closure.

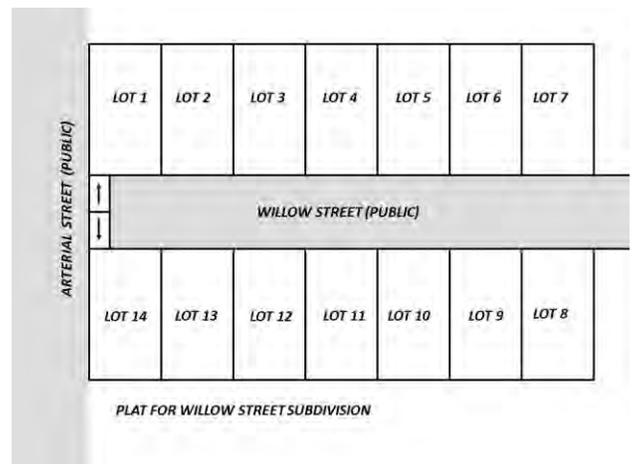
Example 3: Willow Street Closure.

Unlike Oak and Elm Streets, Willow Street is a built City street open to the public. Concerned with the traffic that cuts through the neighborhood from Arterial Street, the owners of Willow Street have proposed that the street remain public, but that the street be closed off at Arterial Street. Willow Street connects to the system of city streets from the other direction. With this scenario, only the owners of Lot 1 and 14 will be required to sign the application since only a small portion of Willow Street will be deeded to them.



PLAT FOR WILLOW STREET SUBDIVISION

Before closure.

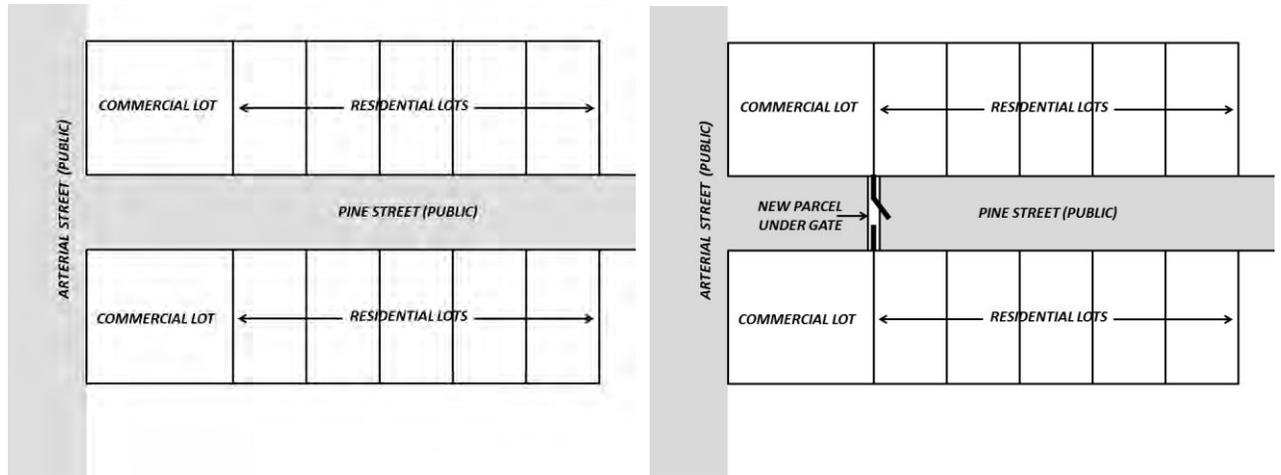


PLAT FOR WILLOW STREET SUBDIVISION

After closure.

Example 4: Pine Street Closure

Like Willow Street, Pine Street is a built City street open to the public. Unlike Willow Street, the owners along Pine Street do not want to vacate any right-of-way; instead, they wish to erect a gate for emergency access only in the public street. Pine Street connects to the system of city streets from another direction. This will require that the right-of-way under the gate be deeded to an established Homeowners Association to which the adjacent owners are members (the City will first deed the property to the adjacent owners, who can then immediately transfer it to the HOA). It will also require covenants to be recorded that will bind either the adjacent property owner(s), all lot owners within the subdivision or a homeowners association to take full responsibility and ownership of the gate and to hold the City or County harmless for any damages to the gate or vehicles that have struck the gate.



Before closure.

After closure.

Example 5: Street Closures with active Homeowners Associations.

If a street is to be closed and converted to a private drive that will be maintained by a duly chartered homeowners or property owners association, only the representative of the association will be required to sign the application.

ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM STAFF

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: 10/17/2023 with Brett Ragsdale

I (we) hereby make application for approval of the street/alley closure described above and on the accompanying materials and closure plat. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

Aana Hall, CLO, ALSAC
Property Owner of 1111 Poplar 3/18/24 Applicant Date

[Signature] 5/7/24
Property Owner of Record* CITY OF MEMPHIS Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Every property owner that both abuts the right-of-way to be closed and will be deeded a respective portion shall sign this application unless the signee above is a duly elected representative of a homeowners or property owners association that will be taking ownership of the vacated right of way. See Item H at the bottom of this application for further instructions and exceptions.

Types of Vacation (from Chapter 9.8 of the Unified Development Code)

1. **Conversions** (public-to-private street conversions, pursuant to Section 5.2.18 of the UDC)
Note: street conversions entirely within approved subdivisions or planned developments shall be processed as revisions to the subdivision plat or planned development plat. Please refer to those appropriate applications.
2. **Physical closures** (street and alley closures that involve the physical closure of an existing street or alley)
3. **Abandonment** (divesture of abandoned or excess right-of-way, paper streets, paper alleys and easements)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.



Josh Whitehead
Senior Attorney
Direct: 901.524.5127
jwhitehead@bpjlaw.com

LAW OFFICES
Burch, Porter & Johnson, PLLC
130 North Court Avenue
Memphis, TN 38103
Phone: 901.524.5000
Fax: 901.524.5024
bpjlaw.com

March 8, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development

Mary W. Sharp and
Members
Memphis and Shelby County
Land Use Control Board

Dear Mr. Ragsdale, Chair Sharp and Members of the Board:

On behalf of the American Lebanese Syrian Associated Charities (“ALSAC”), the fundraising and awareness organization for St. Jude Children’s Research Hospital, I am pleased to submit this application for a Street and Alley Closure (“SAC”) for the stretch of Jackson Avenue/Lauderdale Street between B.B. King Blvd. (formerly known as Third Street) and Interstate 40.

St. Jude Children’s Research Hospital is currently undergoing a multi-billion-dollar expansion, representing the largest single investment in downtown Memphis since the City’s founding. As a key part of this expansion, ALSAC purchased the former Fire Station No. 1 on the south side of Jackson Avenue from the City of Memphis in 2018. The purpose of this acquisition was to facilitate growth at the southwest quadrant of the campus by allowing the construction of a visitors’ center and a new entrance to the St. Jude campus, both proposed in the area of the subject road closure (see Campus Plan below).

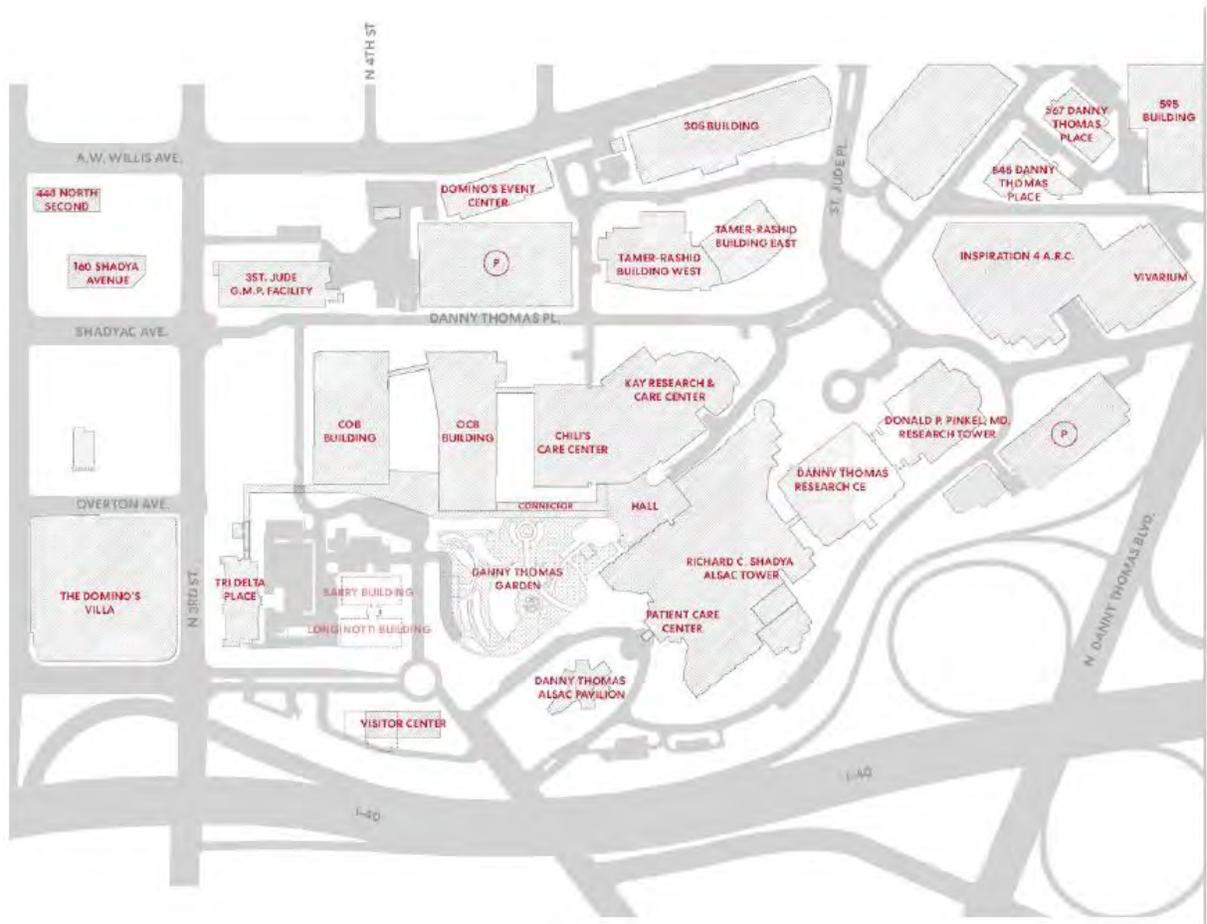
A traffic study commissioned in conjunction with this application shows that the closure of Jackson Avenue/Lauderdale Street will not adversely impact traffic patterns of the area. In fact, eliminating this stretch of roadway from the public roadway system will prevent through traffic in the adjacent neighborhood while accommodating new construction and investment associated with the St. Jude campus expansion.

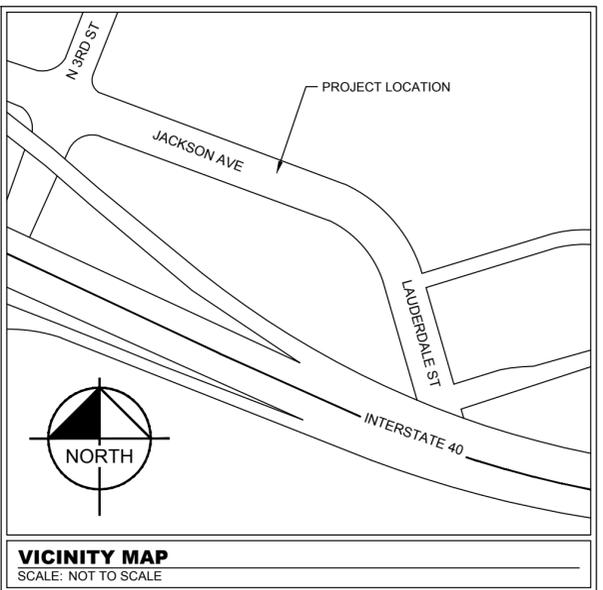
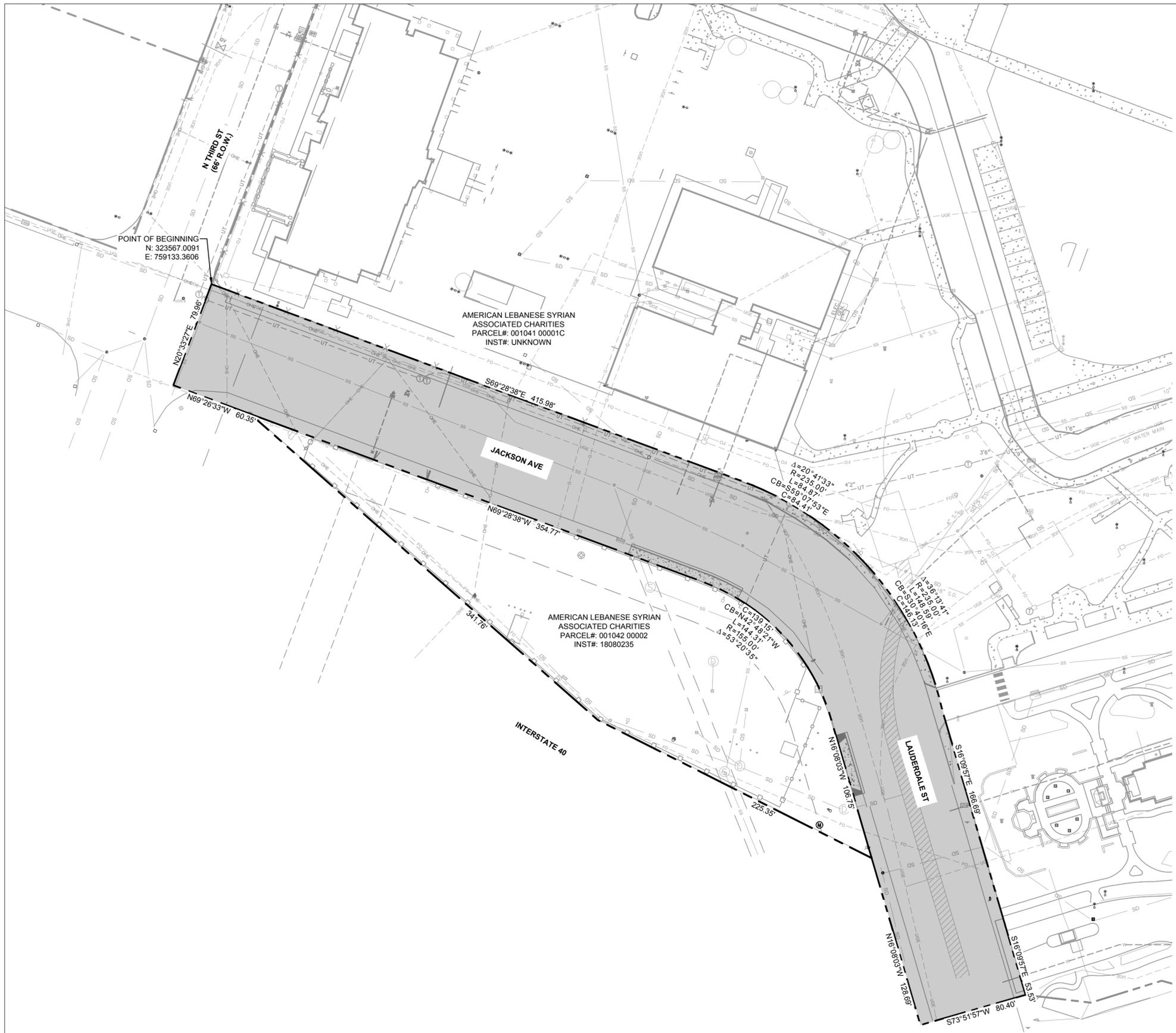
Thank you for your consideration of this matter.

Very truly yours,

Josh Whitehead

CAMPUS PLAN





PROPOSED CLOSURE

STREET AND ALLEY CLOSURE LEGAL DESCRIPTIONS:

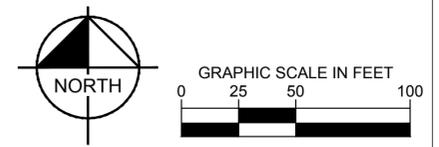
1. PROPERTY DESCRIPTION OF THE PORTION OF JACKSON AVENUE BETWEEN NORTH THIRD STREET AND INTERSTATE 40 IN MEMPHIS, SHELBY COUNTY, TENNESSEE, TO BE CLOSED AND QUIT CLAIMED ENTIRELY TO AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES (ALSAC).

1. PROPERTY DESCRIPTION OF THE PORTION OF JACKSON AVENUE AND LAUDERDALE BETWEEN NORTH THIRD STREET AND INTERSTATE 40 IN MEMPHIS, SHELBY COUNTY, TENNESSEE, TO BE CLOSED AND QUIT CLAIMED ENTIRELY TO AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES (ALSAC).

BEGINNING AT A POINT LOCATED AT THE RIGHT OF WAY OF THIRD STREET WITH A NORTHING OF 323567.0091 AND AN EASTING OF 759133.3606 ON THE TENNESSEE NAD 83 STATE PLANE THE POINT OF BEGINNING; THENCE, S 69° 28' 38" E FOR A DISTANCE OF 415.98 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 59° 07' 53" E, A CORD DISTANCE OF 84.41 FEET, AN AND AN ARC LENGTH OF 84.87' TO A POINT OF TANGENCY; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 30° 40' 16" E, A CORD DISTANCE OF 146.13 FEET, AND AN ARC LENGTH OF 148.59 FEET TO A POINT ON A LINE; THENCE S 16° 09' 57" E A DISTANCE OF 166.69 FEET TO A POINT ON A LINE; THENCE S 16° 09' 57" E A DISTANCE OF 53.53' TO A POINT ON A LINE; THENCE S 73° 51' 57" W A DISTANCE OF 80.40 FEET TO A POINT ON A LINE; THENCE N 16° 08' 03" W A DISTANCE OF 128.69 FEET TO A POINT ON A LINE; THENCE N 16° 08' 03" W A DISTANCE OF 106.75 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 155.00 FEET, A CORD BEARING OF N 42° 48' 21" W, A CORD DISTANCE OF 139.15 FEET, AND AN ARC LENGTH OF 144.31 FEET TO A POINT ON A LINE; THENCE N 69° 28' 38" W A DISTANCE OF 354.77 FEET TO A POINT ON A LINE; THENCE N 69° 26' 33" W A DISTANCE OF 60.35 FEET TO A POINT ON A LINE; THENCE N 20° 33' 27" E A DISTANCE OF 79.96 FEET TO THE POINT OF COMMENCEMENT CONTAINING 1.55 ACRES.

2. ADJACENT PARCEL #001042 00002

LOT 7, JACKSON AVENUE URBAN RENEWAL AREA SUBDIVISION AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 26, PAGE 31, IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAID PROPERTY.



PER F.E.M.A. PANEL 47157C0270F, THIS PROPERTY IS LOCATED IN ZONE X, PROTECTED BY LEVEE

CLOSURE PLAT		
JACKSON AVENUE/LAUDERDALE STREET		
CASE NUMBER: PENDING		
CITY OF MEMPHIS, SHELBY COUNTY, TN		
NUMBER OF LOTS: 1	ACREAGE: ±1.55 ACRES	ZONING: HDR/U1
OWNER: ALSAC 501 ST JUDE PL MEMPHIS, TN 38105	ENGINEER: Kimley»Horn 6750 POPLAR AVENUE, SUITE 600 MEMPHIS, TN 38138	FEMA MAP DATE: FEBRUARY 6, 2007
100 YR FLOOD ELEV: 232 LEVEE PROTECTED	FEMA MAP PANEL NUMBER: 47157C0270F	DATE: MARCH 2023
SCALE: AS SHOWN	SHEET 1 OF 1	



Legend

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


 Map prepared through Shelby County Government's online mapping Portal on 3/13/2024

0 0.03 0.06 0.09 0.12
 mi

N


001041 00001C - AMERICAN LEBANESE SYRAIN ASSOCIATED

001042 00002 - AMERICAN LEBANESE SYRIAN ASSOCIATED

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

MEMPHIS HOUSING AUTHORITY
700 ADAMS AVE #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATION OF
501 SAINT JUDE PL #
MEMPHIS TN 38105

MEMPHIS HOUSING AUTHORITY
700 ADAMS AVE #
MEMPHIS TN 38105

PINCH PARTNERS INVESTMENT CO
65 UNION AVE #
MEMPHIS TN 38103

MEMPHIS HOUSING AUTHORITY
700 ADAMS AVE #
MEMPHIS TN 38105

PINCH PARTNERS INVESTMENT COMPANY
65 UNION AVE #
MEMPHIS TN 38103

MEMPHIS HOUSING AUTHORITY
700 ADAMS AVE #
MEMPHIS TN 38105

MEMPHIS CENTER CITY REVENUE FINANCE CORP
2727 LBJ FREEWAY #
DALLAS TX 75234

AMERICAN LEVANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRAIN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

001120 00001 - MEMPHIS HOUSING AUTHORITY
001026 00005C - AMERICAN LEBANESE SYRIAN ASSOCIATED
001026 00008 - AMERICAN LEBANESE SYRIAN ASSOCIATION OF
001027 00004C - PINCH PARTNERS INVESTMENT CO
001027 00007 - PINCH PARTNERS INVESTMENT COMPANY
001034 00003 - MEMPHIS CENTER CITY REVENUE FINANCE CORP
001035 00001C - AMERICAN LEVANESE SYRIAN ASSOCIATED
001036 00004 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001036 00005 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001041 00001C - AMERICAN LEBANESE SYRAIN ASSOCIATED
001042 00002 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001042 00004 - MEMPHIS HOUSING AUTHORITY
001042 00005 - MEMPHIS HOUSING AUTHORITY
001042 00006 - MEMPHIS HOUSING AUTHORITY



Tom Leatherwood
Shelby County Register

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

 18080235	
08/08/2018	02:04 PM
5 PGS	
TAMMY 1769364-18080235	
VALUE	1725000.00
MORTGAGE TAX	0.00
TRANSFER TAX	6382.50
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	8410.50
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

This instrument prepared by:
Monice Hagler, Esquire
HAGLER LAW GROUP, PLLC
2650 Thousand Oaks Boulevard
Suite 2140
Memphis, Tennessee 38118
(901) 290-6620

Return to: City of Memphis Real Estate Department
125 N. Main Street, Room 568
Memphis, Tennessee 38103

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into on this, the 31st day of July, 2018, by the **CITY OF MEMPHIS**, a Tennessee Municipality, ("Grantor") whose address is 125 N. Main Street, Room 568, Memphis, TN 38103 and **AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES, INC., aka ALSAC**, a Tennessee not for profit corporation ("Grantee") whose address is 501 St. Jude Place, Memphis, Tennessee 38105.

WITNESSETH:

A. Grantor holds legal title to that certain real property commonly known as **0 North Third Street** sometimes referred to as 211 Jackson Avenue (parcel number 001042-00002) and are more particularly described in **Exhibit A** attached hereto and situated in the County of Shelby, Tennessee (the "Property"):

Being the same property conveyed to Grantor by Deed of record at Book 5163, Page 106 dated September 23, 1963 and filed in the Register's Office of Shelby County, Tennessee.

B. Property is being sold by Grantor to Grantee "AS-IS, WHERE IS" with all faults, with no representation or warranty whatsoever, express or implied as to the condition of the property or any other matter relating to the property. Grantor desires to convey to Grantee in fee simple all of its right, title and interest in and to the Property with exceptions to title being described herein as attached **Exhibit B**, "Exceptions to Title."

NOW, THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee, its heirs, successors and assigns, in fee simple the Property;

TO HAVE AND TO HOLD the Property, together with all the rights of way, easements, rights, privileges, appurtenances, hereditaments, improvements, estate, title interests and claims thereunto belonging or in any wise appertaining thereto, at law or in equity, forever. Notwithstanding the foregoing, this conveyance is subject to all those matters shown on Exhibit B, attached hereto.

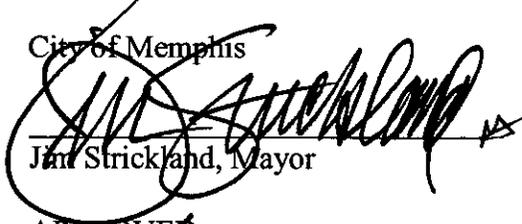
Grantor hereby covenants with Grantee that the title to the afore-described real estate and the quiet enjoyment thereof it will warrant and forever defend against the lawful claims of all

persons whomsoever claiming by, through or under Grantor, and such persons only; and that Grantor will execute such further assurances of the Property as may be required.

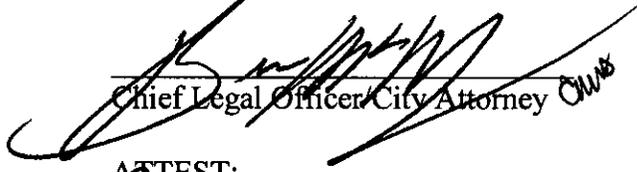
IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by his or her own hand or its duly authorized representative on the day and year first above written.

Grantor:

City of Memphis

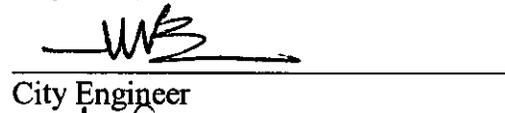

Jim Strickland, Mayor

APPROVED:


Chief Legal Officer/City Attorney

ATTEST:


City Comptroller


City Engineer


Director of General Services

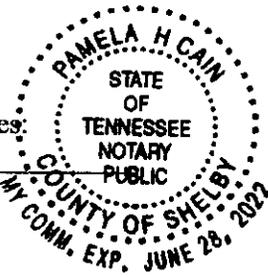

Real Estate Manager

COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said State and County duly commissioned and qualified personally appeared JIM STRICKLAND, Mayor of the City of Memphis, with whom I am personally acquainted, and who, upon his oath, acknowledges himself to be the Mayor of the City of Memphis, the within named bargainer, a Municipal Corporation of the State of Tennessee, and that he as such Mayor of said City, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as such Mayor of said City.

WITNESS my hand and Notarial Seal at office on this, the 31 day of July, 2018.

My commission expires: 6/28/22



Pamela H. Cain
Notary Public

VALUE AFFIDAVIT

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is \$1,725,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Barbara Moore
Affiant

Subscribed and sworn to before me on this, the 31st day of July, 2018.

My commission expires: _____



Pamela Gray
Notary Public

<p><u>Property Address (and Tax Parcel No.):</u></p> <p>0 North Third (parcel number 001042-00002)</p> <p>Property also known as 211 Jackson Avenue Memphis, Tennessee</p>	<p><u>Name and Address of Grantor, and Mail Tax Bills To:</u></p> <p>American Lebanese Syrian Associated Charities, Inc. 501 St. Jude Place MEMPHIS, TN 38105</p>
--	---

EXHIBIT A - LEGAL DESCRIPTION

Lot 7, Jackson Avenue Urban Renewal Area Subdivision as shown on plat of record in Plat Book 26, Page 31, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

EXHIBIT B – EXCEPTIONS

All matters of record and all taxes and similar items not yet due and payable including those Easements found of record at Plat Book 26, Page 31 and Deed Restrictions found at Instrument Number 5163-106, filed in the Register's Office of Shelby County, Tennessee.



Tom Leatherwood
Shelby County Register

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

 18080235	
08/08/2018	02:04 PM
5 PGS	
TAMMY 1769364-18080235	
VALUE	1725000.00
MORTGAGE TAX	0.00
TRANSFER TAX	6382.50
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	8410.50
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

This instrument prepared by:
Monice Hagler, Esquire
HAGLER LAW GROUP, PLLC
2650 Thousand Oaks Boulevard
Suite 2140
Memphis, Tennessee 38118
(901) 290-6620

Return to: City of Memphis Real Estate Department
125 N. Main Street, Room 568
Memphis, Tennessee 38103

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into on this, the 31st day of July, 2018, by the **CITY OF MEMPHIS**, a Tennessee Municipality, ("Grantor") whose address is 125 N. Main Street, Room 568, Memphis, TN 38103 and **AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES, INC., aka ALSAC**, a Tennessee not for profit corporation ("Grantee") whose address is 501 St. Jude Place, Memphis, Tennessee 38105.

WITNESSETH:

A. Grantor holds legal title to that certain real property commonly known as **0 North Third Street** sometimes referred to as 211 Jackson Avenue (parcel number 001042-00002) and are more particularly described in **Exhibit A** attached hereto and situated in the County of Shelby, Tennessee (the "Property"):

Being the same property conveyed to Grantor by Deed of record at Book 5163, Page 106 dated September 23, 1963 and filed in the Register's Office of Shelby County, Tennessee.

B. Property is being sold by Grantor to Grantee "AS-IS, WHERE IS" with all faults, with no representation or warranty whatsoever, express or implied as to the condition of the property or any other matter relating to the property. Grantor desires to convey to Grantee in fee simple all of its right, title and interest in and to the Property with exceptions to title being described herein as attached **Exhibit B**, "Exceptions to Title."

NOW, THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee, its heirs, successors and assigns, in fee simple the Property;

TO HAVE AND TO HOLD the Property, together with all the rights of way, easements, rights, privileges, appurtenances, hereditaments, improvements, estate, title interests and claims thereunto belonging or in any wise appertaining thereto, at law or in equity, forever. Notwithstanding the foregoing, this conveyance is subject to all those matters shown on Exhibit B, attached hereto.

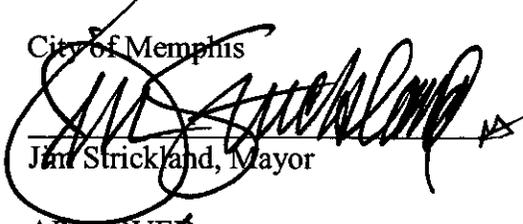
Grantor hereby covenants with Grantee that the title to the afore-described real estate and the quiet enjoyment thereof it will warrant and forever defend against the lawful claims of all

persons whomsoever claiming by, through or under Grantor, and such persons only; and that Grantor will execute such further assurances of the Property as may be required.

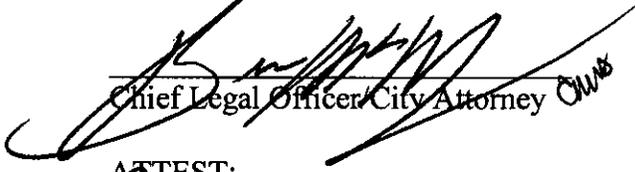
IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by his or her own hand or its duly authorized representative on the day and year first above written.

Grantor:

City of Memphis


Jim Strickland, Mayor

APPROVED:

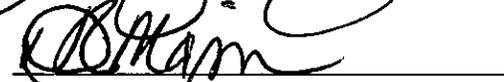

Chief Legal Officer/City Attorney *Chris*

ATTEST:


City Comptroller


City Engineer


Director of General Services

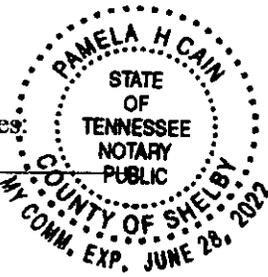

Real Estate Manager

COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said State and County duly commissioned and qualified personally appeared JIM STRICKLAND, Mayor of the City of Memphis, with whom I am personally acquainted, and who, upon his oath, acknowledges himself to be the Mayor of the City of Memphis, the within named bargainer, a Municipal Corporation of the State of Tennessee, and that he as such Mayor of said City, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as such Mayor of said City.

WITNESS my hand and Notarial Seal at office on this, the 31 day of July, 2018.

My commission expires: 6/28/22



Pamela H. Cain
Notary Public

VALUE AFFIDAVIT

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is \$1,725,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Barbara Moore
Affiant

Subscribed and sworn to before me on this, the 31st day of July, 2018.

My commission expires: _____



Pamela Gray
Notary Public

<p><u>Property Address (and Tax Parcel No.):</u></p> <p>0 North Third (parcel number 001042-00002)</p> <p>Property also known as 211 Jackson Avenue Memphis, Tennessee</p>	<p><u>Name and Address of Grantor, and Mail Tax Bills To:</u></p> <p>American Lebanese Syrian Associated Charities, Inc. 501 St. Jude Place MEMPHIS, TN 38105</p>
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1. PROPERTY DESCRIPTION OF THE PORTION OF JACKSON AVENUE AND LAUDERDALE BETWEEN NORTH THIRD STREET AND INTERSTATE 40 IN MEMPHIS, SHELBY COUNTY, TENNESSEE. TO BE CLOSED AND QUIT CLAIMED ENTIRELY TO AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES (ALSAC).

BEGINNING AT A POINT LOCATED AT THE RIGHT OF WAY OF THIRD STREET WITH A NORTHING OF 323567.0091 AND AN EASTING OF 759133.3606 ON THE TENNESSEE NAD 83 STATE PLANE THE POINT OF BEGINNING; THENCE, S 69° 28' 38" E FOR A DISTANCE OF 415.98 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 59° 07' 53" E, A CORD DISTANCE OF 84.41 FEET, AN AND AN ARC LENGTH OF 84.87' TO A POINT OF TANGENCY; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 235.00 FEET, A CORD BEARING OF S 30° 40' 16" E, A CORD DISTANCE OF 146.13 FEET, AND AN ARC LENGTH OF 148.59 FEET TO A POINT ON A LINE; THENCE S 16° 09' 57" E A DISTANCE OF 166.69 FEET TO A POINT ON A LINE; THENCE S 16° 09' 57" E A DISTANCE OF 53.53' TO A POINT ON A LINE; THENCE S 73° 51' 57" W A DISTANCE OF 80.40 FEET TO A POINT ON A LINE; THENCE N 16° 08' 03" W A DISTANCE OF 128.69 FEET TO A POINT ON A LINE; THENCE N 16° 08' 03" W A DISTANCE OF 106.75 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 155.00 FEET, A CORD BEARING OF N 42° 48' 21" W, A CORD DISTANCE OF 139.15 FEET, AND AN ARC LENGTH OF 144.31 FEET TO A POINT ON A LINE; THENCE N 69° 28' 38" W A DISTANCE OF 354.77 FEET TO A POINT ON A LINE; THENCE N 69° 26' 33" W A DISTANCE OF 60.35 FEET TO A POINT ON A LINE; THENCE N 20° 33' 27" E A DISTANCE OF 79.96 FEET TO THE POINT OF COMMENCEMENT CONTAINING 1.55 ACRES.



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

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

April 11, 2024

American Lebanese Syrian Associated Charities (St. Jude)
C/O Josh Whitehead
Burch, Porter & Johnson
130 North Court Avenue
Memphis, TN 3813

Sent via electronic mail to: jwhitehead@bpjlaw.com

Case Number: SAC 2024-004

LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, April 11, 2024, the Memphis and Shelby County Land Use Control Board recommended approval with conditions of your right-of-way vacation application to close and vacate a portion of Jackson Ave. and Lauderdale Street south of N. Third Street, subject to the following conditions:

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above-required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader. Drawings are subject to approval by City Engineering.

Letter to Applicant
SAC 2024-004

5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

The 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) 636-7179 or via email at Latonya.hull@memphistn.gov.

Respectfully,

A handwritten signature in black ink, appearing to read "LaTonya Hull". The signature is written in a cursive, flowing style.

LaTonya Hull,
Planner I
Land Use and Development Services
Division of Planning and Development

Cc: File

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 07/23/2024

DATE

PUBLIC SESSION: 08/6/2024

DATE

ITEM (CHECK ONE)

 ORDINANCE RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution approving the closure of a portion of St. Jude Place east of Danny Thomas Blvd, known as case number SAC 2024-005

CASE NUMBER: SAC 2024-005

LOCATION: The entirety of St. Jude Place between Danny Thomas Boulevard and Lane Avenue.

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

OWNER/APPLICANT: American Lebanese Syrian Associated Charities (St. Jude)

REPRESENTATIVES: Josh Whitehead, Burch, Porter & Johnson

REQUEST: Request close and vacate a portion of St. Jude Place east of Danny Thomas Blvd

AREA: +/- 1.11 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

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
04/11/2024	DATE
(1) Land Use Control Board	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

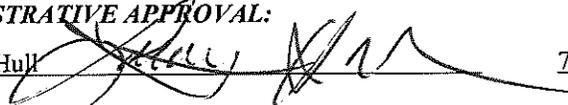
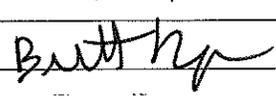
FUNDING:

(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>
LaTonya Hull 	7/15/2024	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
	7/15/24	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SAC 2024-005

RESOLUTION APPROVING THE CLOSURE OF THE ENTIRETY OF ST. JUDE PLACE BETWEEN DANNY THOMAS BOULEVARD AND LANE AVENUE, KNOWN AS CASE NUMBER SAC 2024-005

- This item is a resolution with conditions to allow the above; and
- This item may require a new public improvement contract.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, April 11, 2024**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SAC 2024-005
LOCATION:	The entirety of St. Jude Place between Danny Thomas Boulevard and Lane Avenue.
COUNCIL DISTRICT(S):	District 7 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	American Lebanese Syrian Associated Charities (St. Jude)
REPRESENTATIVE:	Josh Whitehead, Burch, Porter & Johnson
REQUEST:	Right-of-way vacation
EXISTING ZONING:	Uptown Hospital District (UH)
AREA:	1.11 acres

The following spoke in support of the application: Sarah Hall

The following spoke in opposition of the application: Jimmy Rout, Graham Perry

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

The motion passed by a unanimous vote of 7-0.

Respectfully,



LaTonya Hull
Planner I
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SAC 2024-005
CONDITIONS

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb-cut permit from the City Engineer to cover the above-required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader. Drawings are subject to approval by City Engineering.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.
6. The applicant will modify the existing cul de sac to a 96' diameter to comply with the requirements of IFC 503.2.5 Dead Ends(amended).



RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF ST. JUDE PLACE BETWEEN DANNY THOMAS BLVD. AND LANE AVENUE, KNOWN AS CASE NUMBER SAC 2024-005

WHEREAS, the City of Memphis is the owner of real property known as St. Jude Place between Danny Thomas Blvd. and Lane Ave. in Memphis, Tennessee and being more particularly described as follows:

BEGINNING AT THE NORTH CORNER OF THE PARCEL WITH THE ID OF 0011900004 HAVING A NORTHING OF 323404.7200 AND AN EASTING OF 761581.2248 ON THE NAD 83 TENNESSEE STATE PLANE THE POINT OF BEGINNING; THENCE N 14° 37' 33" E ALONG THE EXISTING ST JUDE PL RIGHT OF WAY A DISTANCE OF 66.89 FEET TO A POINT OF CURVATURE WITH THE WESTERNMOST POINT OF THE PARCEL WITH THE ID OF 00113000001; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 483.00', A CORD BEARING OF S 43° 53' 20" E, A CORD DISTANCE OF 374.0', AND AN ARC LENGTH OF 384.03' TO A POINT OF TANGENCY; THENCE S 21° 06' 40" E A DISTANCE OF 68.78' TO A POINT OF INTERSECTION; THENCE S 21° 32' 14" E A DISTANCE OF 30.30' TO A POINT OF INTERSECTION; THENCE S 73° 39' 00" W A DISTANCE OF 15.90' TO A POINT OF INTERSECTION; THENCE S 09° 00' 52" E A DISTANCE OF 318.44' TO A POINT OF INTERSECTION; THENCE S 80° 59' 08" W A DISTANCE OF 58.79' TO A POINT OF INTERSECTION; THENCE N 09° 01' 46" W A DISTANCE OF 323.95' TO A POINT OF INTERSECTION; THENCE N 70° 00' 25" E A DISTANCE OF 5.16' TO A POINT OF INTERSECTION; THENCE N 20° 28' 54" W 80.14' TO A POINT OF CURVATURE; THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 417.00', A CORD BEARING OF N 43° 11' 35" W, A CORD DISTANCE OF 313.53', AND AN ARC LENGTH OF 321.43' TO THE POINT OF COMMENCEMENT CONTAINING 1.11 ACRES OF LAND.

WHEREAS, 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 desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on April 11, 2024, and said Board has submitted its findings and recommendation to the Council of the City of Memphis subject to the following conditions:

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb-cut permit from the City Engineer to cover the above-required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader. Drawings are subject to approval by City Engineering.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.
6. The applicant will modify the existing cul de sac to a 96' diameter to comply with the requirements of IFC 503.2.5 Dead Ends(amended).

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above-described public right-of-way be and is hereby closed for public use, subject to the aforementioned conditions.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deed(s) to the owners of the properties abutting on the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company and the Shelby County Property Assessor's Office.

AGENDA ITEM: 21 **L.U.C.B. MEETING:** April 11, 2024
CASE NUMBER: SAC 2024-005
LOCATION: St. Jude Place East of Danny Thomas Blvd.
COUNCIL DISTRICT: District 7 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT: American Lebanese Syrian Associated Charities
REPRESENTATIVE: Josh Whitehead, Burch, Porter & Johnson
REQUEST: Close and vacate a portion of St. Jude Place east of Danny Thomas Blvd.
EXISTING ZONING: Uptown Hospital District (UH)

CONCLUSIONS

1. This applicant is requesting the closure of a portion of St. Jude Place that runs east of North Danny Thomas Boulevard and bends southeasterly to Lane Avenue.
2. The closure will support the implementation of its campus master plan, which calls for developing several controlled access/exit points on campus, and increasing parking for employees, including the proposed construction of a 2,400-vehicle parking garage on the east side of campus.
3. Approving the closure of the street for use by the general public and restricting access to employees and deliveries only is appropriate because it supports the planned growth and development of St. Jude and the UH district. It also helps to improve, secure, and control circulation in and around St. Jude.
4. A traffic analysis suggests that the closure will have minimal impact on vehicular and pedestrian traffic flow. The primary impact of closing the subject right of ways, traffic flow changes, construction of the garage, and installation of the gate on Gene Logan Blvd is increased queuing during the PM peak hour exiting the campus onto North Manassas Street. Additional improvements will need to be made at the intersections of Gene Logan Blvd at N. Manassas Street and North Parkway at N. Manassas Street to accommodate the additional traffic.
5. Access to utility easements and for emergency vehicles will be retained.
6. The divestiture/abandonment of the subject right-of-way will not have any undue or substantial effect on the existing vehicular and pedestrian traffic flow of the surrounding area.

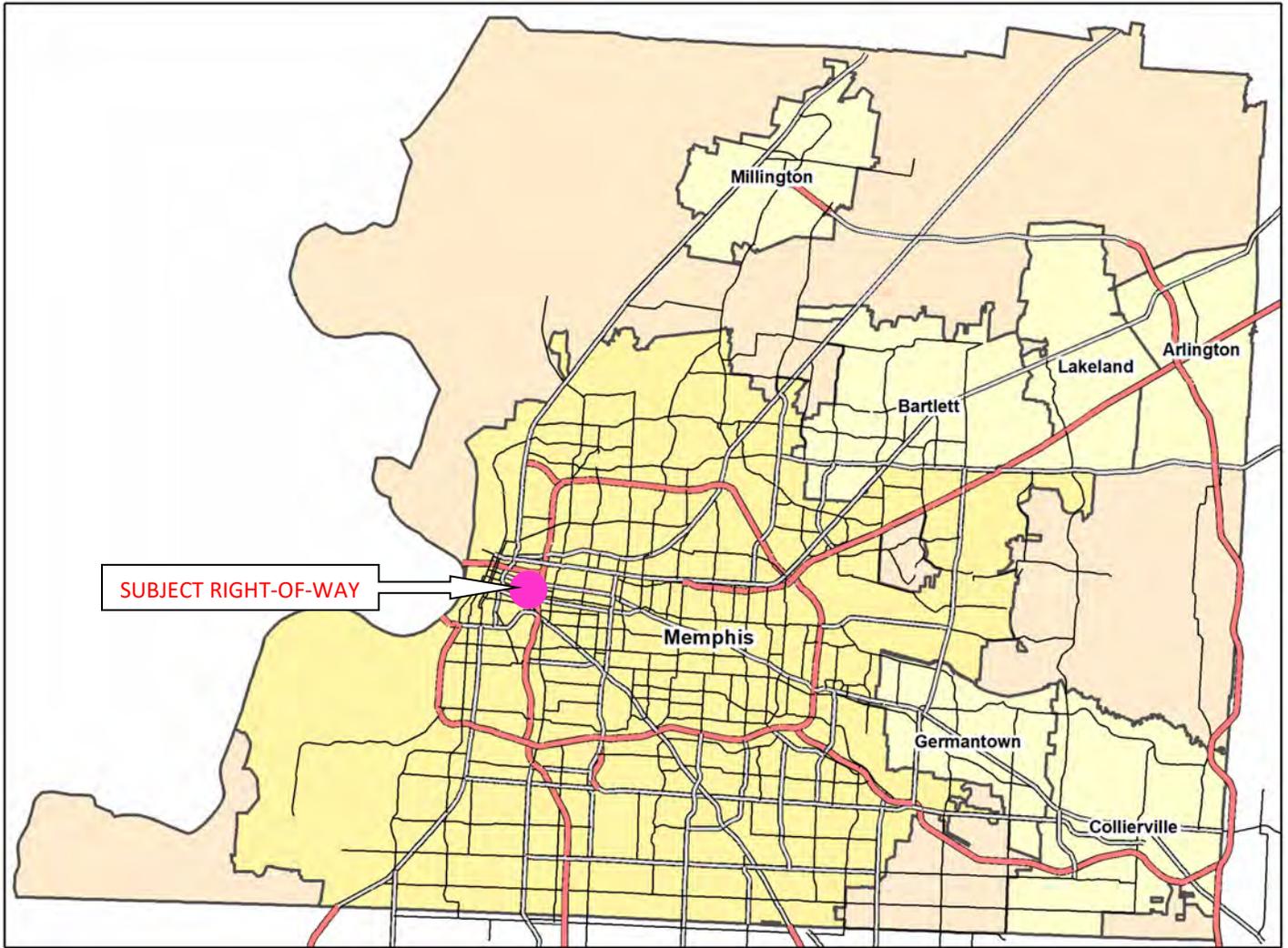
CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 General Plan is not applicable as it does not address the divestiture of streets and alleys.

RECOMMENDATION:

Approval with conditions

LOCATION MAP



Subject right-of-way located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject right-of-way highlighted in yellow

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed. A total of 46 notices were mailed on March 15, 2024, see pages 16-17 of this report for a copy of said notice.

AERIAL



Subject right-of-way outlined in yellow, imagery from 2023

ZONING MAP



Subject right-of-way highlighted in yellow

LAND USE MAP



Subject right-of-way indicated by a red star

SITE PHOTOS

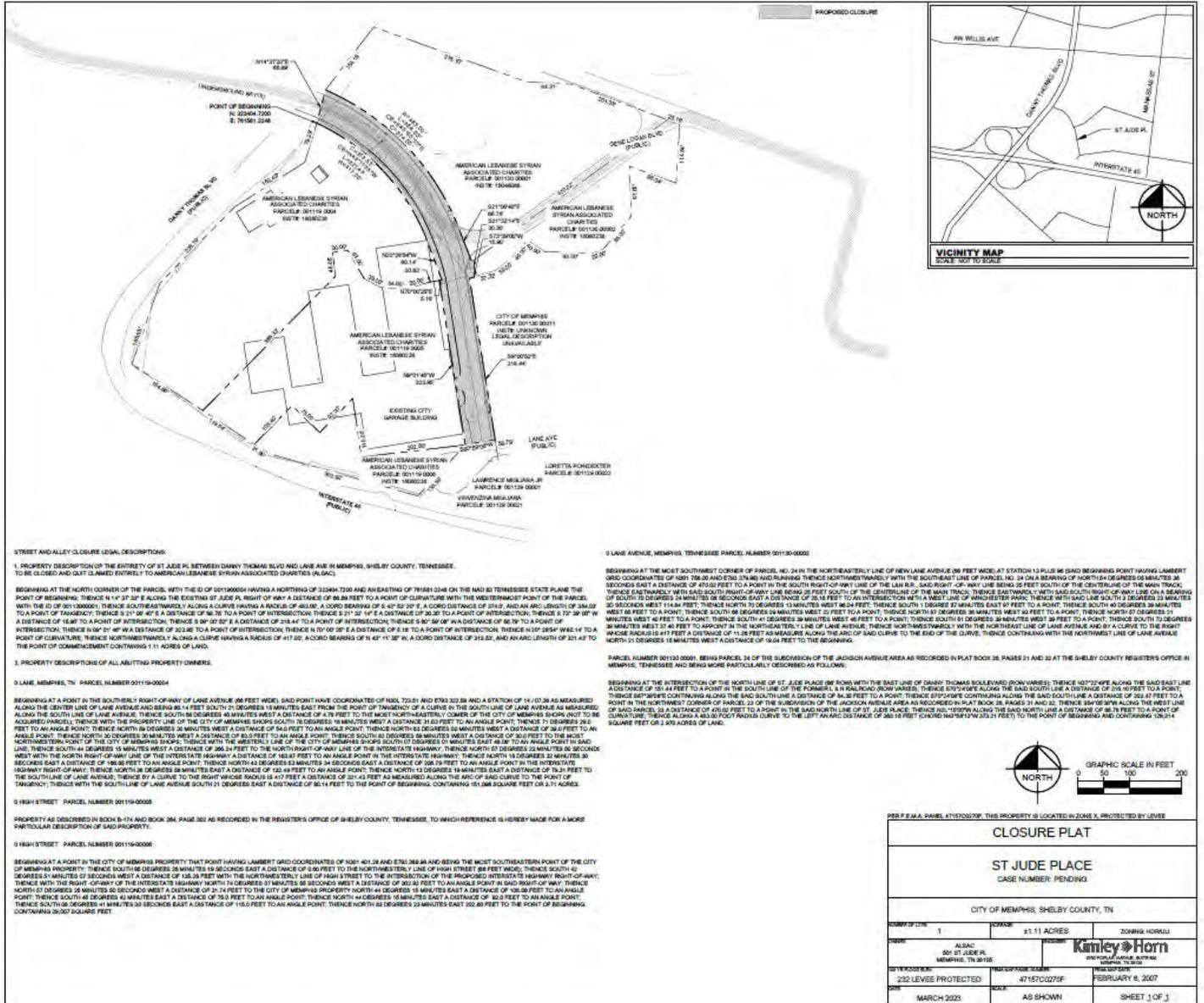
Views of subject right-of-way looking northeastward toward Danny Thomas Blvd.



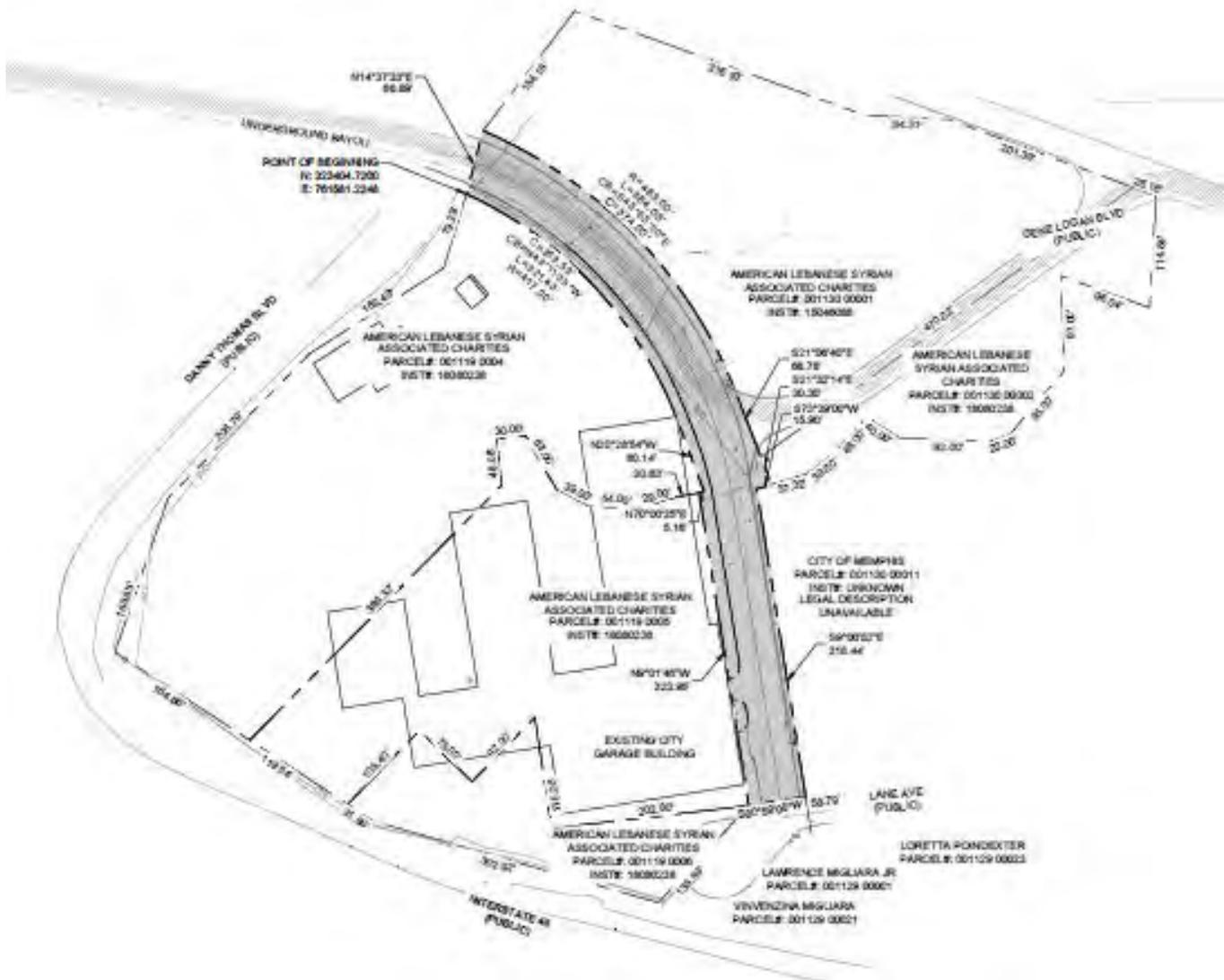
Views of subject right-of-way looking southward toward Lane Avenue



RIGHT-OF-WAY VACATION PLAT



RIGHT-OF-WAY VACATION PLAT MAGNIFIED



LEGAL DESCRIPTION

1. PROPERTY DESCRIPTION OF THE ENTIRETY OF ST JUDE PL BETWEEN DANNY THOMAS BLVD AND LANE AVE IN MEMPHIS, SHELBY COUNTY, TENNESSEE.

TO BE CLOSED AND QUIT CLAIMED ENTIRELY TO AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES (ALSAC).

BEGINNING AT THE NORTH CORNER OF THE PARCEL WITH THE ID OF 0011900004 HAVING A NORTHING OF 323404.7200 AND AN EASTING OF 761581.2248 ON THE NAD 83 TENNESSEE STATE PLANE THE POINT OF BEGINNING; THENCE N 14° 37' 33" E ALONG THE EXISTING ST JUDE PL RIGHT OF WAY A DISTANCE OF 66.89 FEET TO A POINT OF CURVATURE WITH THE WESTERNMOST POINT OF THE PARCEL WITH THE ID OF 00113000001; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 483.00', A CORD BEARING OF S 43° 53' 20" E, A CORD DISTANCE OF 374.0', AND AN ARC LENGTH OF 384.03' TO A POINT OF TANGENCY; THENCE S 21° 06' 40" E A DISTANCE OF 68.78' TO A POINT OF INTERSECTION; THENCE S 21° 32' 14" E A DISTANCE OF 30.30' TO A POINT OF INTERSECTION; THENCE S 73° 39' 00" W A DISTANCE OF 15.90' TO A POINT OF INTERSECTION; THENCE S 09° 00' 52" E A DISTANCE OF 318.44' TO A POINT OF INTERSECTION; THENCE S 80° 59' 08" W A DISTANCE OF 58.79' TO A POINT OF INTERSECTION; THENCE N 09° 01' 46" W A DISTANCE OF 323.95' TO A POINT OF INTERSECTION; THENCE N 70° 00' 25" E A DISTANCE OF 5.16' TO A POINT OF INTERSECTION; THENCE N 20° 28' 54" W 80.14' TO A POINT OF CURVATURE; THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 417.00', A CORD BEARING OF N 43° 11' 35" W, A CORD DISTANCE OF 313.53', AND AN ARC LENGTH OF 321.43' TO THE POINT OF COMMENCEMENT CONTAINING 1.11 ACRES OF LAND.

CASE REVIEW

Request

Close and vacate a portion St. Jude Place east of Danny Thomas Boulevard

Site Details

Address:

St. Jude Place east of Danny Thomas Boulevard

Area:

+/-1.11 acres

Description:

The subject right-of-way is a +/-60-foot-wide and +/-825-foot-long east-southerly public street for a total area of +/-1.1 acres within the block bounded by Lane Avenue and North Danny Thomas Boulevard. The subject right-of-way is located between six parcels (001119 00004, 001119 0005, 001119 00006, 001130 00001, 001130 00002, 001130 00011) all of which are owned by the applicant. A copy of the deeds for each parcel is included in the application. The zoning of the adjacent properties is Uptown Hospital (UH), and Residential Single-Family-15 - R-15 (Interstate 40) to the South.

Analysis

This applicant is requesting the closure of a portion of St. Jude Place that runs east of North Danny Thomas Boulevard and bends southeasterly to Lane Avenue. Closing the right-of-way will serve two primary purposes. First, it will allow St. Jude to implement its campus master plan which calls for developing several controlled access/exit points to the St. Jude campus. The existing guard shack located under North Danny Thomas Boulevard will be removed. The applicant intends to install guard-controlled access structures and gates on Gene Logan Boulevard (a St. Jude-owned private drive) at its intersection with North Manassas Street. This access will be for employees and deliveries only. Clients and patients will have to enter campus primarily from the access point on Jackson Avenue.

Secondly, the closure supports St. Jude's plan to provide additional parking options for its increasing number of employees by constructing an eight (8) story parking garage with a capacity for 2,400 vehicles at the southwest corner of St. Jude Place and Lane Avenue. St. Jude Place at Lane Avenue will be closed using curbs and gutters to prevent the general public from accessing this area of campus from Lane Avenue, while still allowing them to access Winchester Park located on Lane Avenue.

Approving the closure of the street for use by the general public is appropriate because it supports the planned growth and development of St. Jude and the UH district. It also helps to improve, secure, and control circulation on the east side of campus. It more evenly distributes traffic through the road network surrounding campus as currently, the majority of vehicles access the campus through the gates on the west and north side of campus along Third Street and A.W. Willis.

According to a traffic analysis, the closure will have minimal impact on vehicular and pedestrian traffic flow. The primary impact of closing the subject right of way, traffic flow changes, construction of the garage, and installation of the gate on Gene Logan Blvd. is increased queuing during the PM peak hour exiting the campus

onto North Manassas Street. Improvements will need to be made to accommodate the additional traffic. A diagram of the existing layout of Gene Logan Blvd and the expected egress of vehicles from the proposed garage is included in the traffic memo located on pages (22-25) of this report. Access to utility easements and for emergency vehicles will be retained.

The divestiture/abandonment of the subject right-of-way will not have any undue or substantial effect on the existing vehicular and pedestrian traffic flow of the surrounding area.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb-cut permit from the City Engineer to cover the above-required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader. Drawings are subject to approval by City Engineering.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.
6. The applicant will modify the existing cul de sac to a 96' diameter to comply with the requirements of IFC 503.2.5 Dead Ends(amended).

DEPARTMENTAL COMMENTS

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

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. Dedicate a minimum 30' Sewer easement for Existing 30", 15' each side of center line of sewer.

Street Closures:

3. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.

4. City sanitary sewers/drainage facilities are located within the proposed closure area.

5. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.

6. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.

Site Plan Notes:

7. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.

8. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

City Fire Division:

This street closure creates a dead-end FD access on Lane in excess of 150' which will require existing cul de sac to be modified to 96' to comply with IFC 503.2.5 Dead Ends(amended):

“Turnarounds required by this section shall comply with Table D103.4 Requirements for Dead-End Apparatus Access Roads in Appendix D.

TABLE D103.4
REQUIREMENTS FOR DEAD-END
FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

- City Real Estate:** No comments received.
- 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:** No comments received.

MAILED PUBLIC NOTICE

46 Notices Mailed on 03/15/2024



City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a land use application filed with the Division of Planning and Development. The **MEMPHIS & SHELBY COUNTY LAND USE CONTROL BOARD** will hold a Public Hearing on the following application, pursuant to Sub-Section 9.3.4A of the Memphis & Shelby County Unified Development Code:

CASE NUMBER: SAC 2024-005
LOCATION: St. Jude Place
(SEE SITE PLAN ON REVERSE SIDE)
APPLICANT: American Lebanese Syrian Associated Charities
REQUEST: Close and vacate a portion of St. Jude Place east of Danny Thomas Blvd.

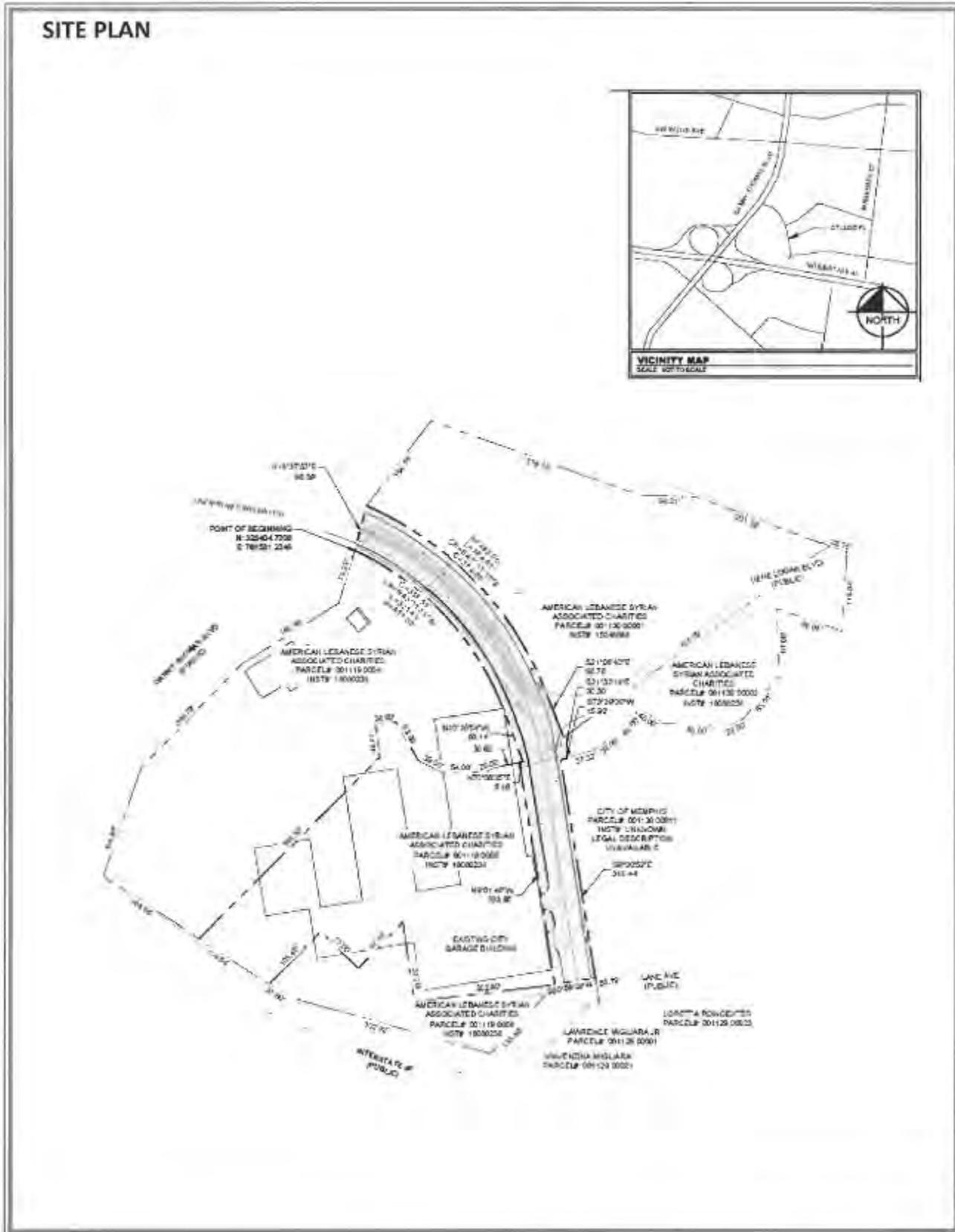
THE LAND USE CONTROL BOARD PUBLIC MEETING WILL BE HELD:

DATE: Thursday, April 11, 2024
TIME: 9:00 AM
LOCATION: Council Chambers on the First Floor of City Hall, 125 N. Main Street

During the public hearing, the Board may recommend the approval or rejection of this item or hold the item for a public hearing at a subsequent Board meeting. For this case, the Board will make a *recommendation* to the legislative body; the legislative body will take final action at a later date.

Please note the Board may place this item on the Consent Agenda, which is considered at the beginning of the Board meeting. No individual public hearing will be held, nor will the Board debate items on the Consent Agenda unless a member of the audience, staff or Board requests that the item be removed from the Consent Agenda.

You are not required to attend this hearing, although you are welcome to do so if you wish to speak for or against this application. You may also contact LaTonya Hull Latonya.hull@memphistn.gov or (901) 636-7179 to learn more about the proposal and/or to submit a letter of support or opposition no later than **Wednesday, April 3, 2024, at 8 AM**. **Note, comments sent to anyone other than the staff planner will not be recognized or included in the staff report.**



APPLICATION



Memphis and Shelby County
Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET, SUITE 476, MEMPHIS, TENNESSEE 38103-2084 (901) 363-6619

APPLICATION FOR RIGHT-OF-WAY VACATION/
STREET/ALLEY/CLOSURE APPROVAL

Date: _____

Case #: _____

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: St Jude Pl

Property Owner of Record: ALSAC Phone #: 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Property Owner E-Mail Address: sara.hall@alsac.stjude.org

Applicant: ALSAC Phone # 901-578-2007

Mailing Address: _____ City/State: Memphis, TN Zip 38105

Applicant E-Mail Address: sara.hall@alsac.stjude.org

Representative: Sara Hall Phone #: 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Representative E-Mail Address: sara.hall@alsac.stjude.org

Engineer/Surveyor: Kimley-Horn and Associates Phone # 901-334-5319

Mailing Address: 6750 Poplar Ave Ste 600 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: jennifer.perego@kimley-horn.com

Closure Street Address Location: 671 St Jude Pl

Inside of Memphis City Limits Yes No

Unincorporated Shelby County Yes No

City of Reserve Area Yes No

Distance to nearest intersecting street: 0 ft from the intersection of St Jude Pl and Lane Ave

Area of ROW: 1.11 acres Square-Feet/Acres Length x Width of ROW: 817'x66' Feet

Closure starts at: Lane Ave and

Proceeds to Danny Thomas Blvd

Reason for Closure: St Jude Pl between Lane Ave and Danny Thomas Blvd is proposed to be closed because of the following: To accommodate the St. Jude campus expansion and to route through-traffic from the garage onto Manassas St, a collector road designed to handle traffic, rather than through narrower roads. The only existing and proposed end destinations are to ALSAC property and therefore closure of the road does not negatively impact nearby property owners.

LETTER OF INTENT



Josh Whitehead
Senior Attorney
Direct: 901.524.5127
jwhitehead@bpjlaw.com

LAW OFFICES
Burch, Porter & Johnson, PLLC
130 North Court Avenue
Memphis, TN 38103
Phone: 901.524.5000
Fax: 901.524.5024
bpjlaw.com

March 8, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development

Mary W. Sharp and
Members
Memphis and Shelby County
Land Use Control Board

Dear Mr. Ragsdale, Chair Sharp and Members of the Board:

On behalf of the American Lebanese Syrian Associated Charities ("ALSAC"), the fundraising and awareness organization for St. Jude Children's Research Hospital, I am pleased to submit this application for a Street and Alley Closure ("SAC") for St. Jude Place on the east side of our campus.

St. Jude Children's Research Hospital is currently undergoing a multi-billion-dollar expansion, representing the largest single investment in downtown Memphis since the City's founding. As a key part of this expansion, ALSAC purchased the former City Garage from the City of Memphis in 2018. The primary purpose of this acquisition was to facilitate the construction of a new parking garage for our growing staff (see site plan of proposed employee garage below).

Closing St. Jude Place between Lane Avenue and Danny Thomas Blvd. will accommodate the St. Jude campus expansion and route through-traffic from the new parking garage to Manassas Street, a roadway designated by the Memphis Urban Area Metropolitan Planning Organization as a collector designed to handle such traffic. The only existing and proposed end destinations are to ALSAC property and therefore closure of the St. Jude Place does not negatively impact nearby property owners. We believe the removal of all through-traffic along Lane Avenue will help the continued stabilization of this important neighborhood adjacent to our campus.

Thank you for your consideration of this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Whitehead", written over a light blue horizontal line.

Josh Whitehead

PROPOSED SITE PLAN



TRAFFIC STUDY MEMO



MEMORANDUM

To: ALSAC / St. Jude Children's Research Hospital
From: Douglas Swett (Kimley-Horn and Associates, Inc.)
CC: Jennifer Peregoy (Kimley-Horn and Associates, Inc.)
Robert Tworek (Kimley-Horn and Associates, Inc.)
Date: October 10, 2023
Subject: General Services Garage Traffic Memo

General Services Garage

As the SJCRH campus expands and employment increases, there will be an increased need for additional parking options. SJCRH is evaluating constructing a new parking garage on the former City of Memphis General Services lot. The potential plan for this parking garage is to be eight (8) stories and have the capacity for approximately 2,400 vehicles. To access the garage, vehicles would need to enter campus from N. Manassas St. and use the gate along Gene Logan Blvd. The purpose of this memo is to evaluate the potential impacts to adjacent critical intersections which facilitate access into and out of the potential garage location.

Analysis

Gene Logan Boulevard at N Manassas Street is a T-intersection operating under stop control for the eastbound movement and free for the northbound and southbound movements. North Parkway at N. Manassas Street is a signalized intersection with coordination along North Parkway. Both intersections currently operate at acceptable levels of service.

A peak hour exiting volume for the gate along Gene Logan Boulevard was determined from the new proposed garage and existing parking garage 1. In addition to the 2,400-vehicle capacity of the proposed garage, parking garage 1 has a capacity of 1,000 vehicles. Based on the volumes developed in the TransModeler subarea model for a study of the overall St. Jude Children's Hospital campus shows traffic counts where 33% of vehicles from the garages were assumed to exit the garage during the PM peak hour, which resulted in a PM peak hour exiting volume of 1,155. A distribution ratio of 75%-25% for right turns and left turns onto N Manassas Street was developed from the ratio in the TransModeler subarea model. The volume per movement is shown below in Table 1.

Table 1: PM Peak Hour Garage Exiting Volumes at Gene Logan Blvd and N. Manassas St.

Movement	Distribution	PM Peak Hour Exiting Volume
Left	75%	866
Right	25%	289
Total		1,155

The estimated left-turn volume at this intersection was used to develop northbound turning movement volumes at the intersection of North Parkway and N Manassas St. The turning movement distribution in the future year TransModeler subarea model for the northbound approach at this intersection was used to determine the turning movement volumes, which are shown below in Table 2.

Table 2: Northbound Manassas St. Turning Movement Development at North Parkway

Movement	Future Subarea Model Volume	Distribution	PM Peak Hour Volume
Left	291	40%	420
Through	280	39%	404
Right	150	21%	217
Total	721		1,041

Volumes for N. Manassas Street and North Parkway were taken from the existing conditions subarea model. Full intersection turning movements are shown below in Figure 1.

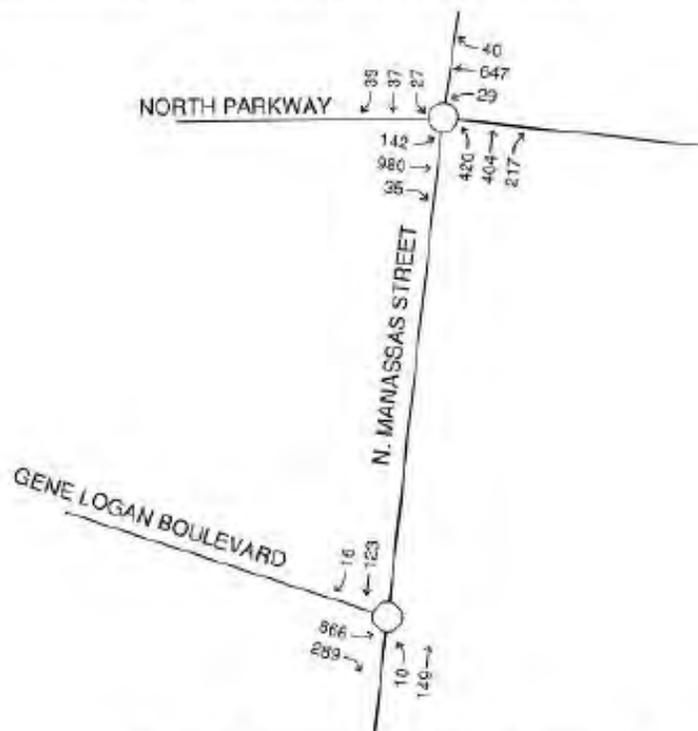


Figure 1: Projected PM Peak Hour Volumes



Results and Recommendations

Overall, geometric and operational improvements will be required at the intersection of Gene Logan Blvd. at N. Manassas St. to meet the demand of the proposed 2,400 vehicle parking garage. If no improvements are made to the intersection, the eastbound queue is expected to significantly increase due to the egress from the parking garage. An exclusive eastbound right-turn lane and changing the intersection control to all-way stop control would reduce the queuing. A roundabout may be an option given that volumes on N. Manassas St. are relatively low compared to the expected peak hour exiting volume. A single lane roundabout with channelized right turn lanes would reduce the eastbound queue and improve the overall operations at the intersection to acceptable levels. Further analysis is required to determine the appropriate intersection control at this location.

The addition of vehicles to this area of campus will more evenly distribute traffic through the road network surrounding campus. Currently, the majority of vehicles access the campus through the gates on the west and north side of campus along Third Street and A.W. Willis. This location improves accessibility to parking on the east side of campus providing more options for parking distributed to a new area of campus.

The majority of the anticipated impact of the addition of parking to this side of campus is increased queuing during the PM peak hour exiting the campus to North Manassas St., similar to other gate locations surrounding campus. Improvements will be necessary at the intersections of Gene Logan Blvd at N. Manassas St. and North Parkway at N. Manassas St. to accommodate the additional traffic. Figure 2 below shows the existing layout of Gene Logan Blvd and the expected egress of vehicles from the proposed garage.



Figure 2: Proposed Access for Future General Services Garage

LETTERS RECEIVED

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



Memphis and Shelby County Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET, SUITE 476, MEMPHIS, TENNESSEE 38103-2084 (901) 363-6619

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: _____

Case #: _____

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: St Jude Pl

Property Owner of Record: ALSAC Phone #: 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Property Owner E-Mail Address: sara.hall@alsac.stjude.org

Applicant: ALSAC Phone # 901-578-2007

Mailing Address: _____ City/State: Memphis, TN Zip 38105

Applicant E- Mail Address: sara.hall@alsac.stjude.org

Representative: Sara Hall Phone #: 901-578-2007

Mailing Address: 501 St Jude Pl City/State: Memphis, TN Zip 38105

Representative E-Mail Address: sara.hall@alsac.stjude.org

Engineer/Surveyor: Kimley-Horn and Associates Phone # 901-334-5319

Mailing Address: 6750 Poplar Ave Ste 600 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: jennifer.peregoy@kimley-horn.com

Closure Street Address Location: 671 St Jude Pl

Inside of Memphis City Limits Yes No

Unincorporated Shelby County Yes No

City of _____ Reserve Area Yes No

Distance to nearest intersecting street: 0 ft from the intersection of St Jude Pl and Lane Ave

Area of ROW: 1.11 acres Square-Foot/Acres Length x Width of ROW: 817'x66' Feet

Closure starts at: Lane Ave and _____

Proceeds to Danny Thomas Blvd

Reason for Closure: St Jude Pl between Lane Ave and Danny Thomas Blvd is proposed to be closed because of the following: To accommodate the St. Jude campus expansion and to route through-traffic from the garage onto Manassas St, a collector road designed to handle traffic, rather than through narrower roads. The only existing and proposed end destinations are to ALSAC property and therefore closure of the road does not negatively impact nearby property owners.

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: 10/17/2023 with Brett Ragsdale

I (we) hereby make application for approval of the street/alley closure described above and on the accompanying materials and closure plat. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

Aana Hall, CLO, ALSAC
Property Owner of 1111 Poplar 3/18/24 Applicant Date

[Signature] 5/7/24
Property Owner of Record* CITY OF MEMPHIS Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Every property owner that both abuts the right-of-way to be closed and will be deeded a respective portion shall sign this application unless the signee above is a duly elected representative of a homeowners or property owners association that will be taking ownership of the vacated right of way. See Item H at the bottom of this application for further instructions and exceptions.

Types of Vacation (from Chapter 9.8 of the Unified Development Code)

- 1. **Conversions** (public-to-private street conversions, pursuant to Section 5.2.18 of the UDC)
Note: street conversions entirely within approved subdivisions or planned developments shall be processed as revisions to the subdivision plat or planned development plat. Please refer to those appropriate applications.
- 2. **Physical closures** (street and alley closures that involve the physical closure of an existing street or alley)
- 3. **Abandonment** (divesture of abandoned or excess right-of-way, paper streets, paper alleys and easements)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: 10/17/2023 with Brett Ragsdale

I (we) hereby make application for approval of the street/alley closure described above and on the accompanying materials and closure plat. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

Every property owner that both abuts the right-of-way to be closed and will be deeded a respective portion shall sign this application unless the signee above is a duly elected representative of a homeowners or property owners association that will be taking ownership of the vacated right of way. See Item H at the bottom of this application for further instructions and exceptions.

Types of Vacation (from Chapter 9.8 of the Unified Development Code)

- 1. Conversions** (public-to-private street conversions, pursuant to Section 5.2.18 of the UDC)
Note: street conversions entirely within approved subdivisions or planned developments shall be processed as revisions to the subdivision plat or planned development plat. Please refer to those appropriate applications.
- 2. Physical closures** (street and alley closures that involve the physical closure of an existing street or alley)
- 3. Abandonment** (divesture of abandoned or excess right-of-way, paper streets, paper alleys and easements)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

**GUIDE FOR SUBMITTING
RIGHT-OF-WAY VACATION/CLOSURE APPLICATION**

A **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the preliminary closure plat, shall be provided on sheets of 8.5"x11" in size. The application with original signatures of the applicant and adjacent property owners to the street or alley to be closed shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:

- 1) This application, 8.5"x11" Preliminary Closure Plat, Metes & Bounds Descriptions, Vicinity Maps, Property Deeds & Easements of Record, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Preliminary Closure Plat (folded), Original Instrument of Dedication.
- 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

B **METES AND BOUNDS DESCRIPTION**

Two (2) copies of a metes and bounds description of the right-of-way to be closed, and four (4) copies of metes & bounds descriptions of those portions of the right-of-way which are to be quit claimed to adjacent property owners. Descriptions must read to the centerline unless the properties on either side of the right-of-way are under the same ownership.

CLOSURE PLAT*

C Two (2) prints 20" x 24", two (2) 8.5" x 11" reduced copies of the closure plat drawn to scale (1"=50' or =100') and prepared, certified and sealed by a Civil Engineer or Surveyor registered in the State of Tennessee. The plat must show the names of abutting property owners, all bearings and dimensions of the alley or street, dimensions and legal descriptions of abutting lots, existing buildings on adjacent lots, driveways, utilities, easements to be retained and a vicinity map.

*A closure plat is unnecessary for Street Closure Example 4 (see Pine Street Closure below).

VICINITY MAP

D Two (2) copies showing the subject property (boldly outlined) and all parcels adjacent to the section of the street or alley being closed. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.

E **LIST OF NAMES AND ADDRESSES**

- 1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2^{5/8}" self-adhesive mailing labels and 2 paper sets. Three (3) sets of gummed back mailing labels and paper copies are needed for subject properties located in Shelby County but within five (5) miles of the Memphis City limits.
- 2) Two (2) self-adhesive mailing labels (1"x 2^{5/8}") each for the owner of record, applicant, representative and/or engineer/surveyor.

DEDICATION INSTRUMENT

F A copy of the instrument which dedicated the right-of-way for public use must be submitted with the application.

*A dedication instrument is unnecessary for Street Closure Example 4 (see Pine Street Closure below).

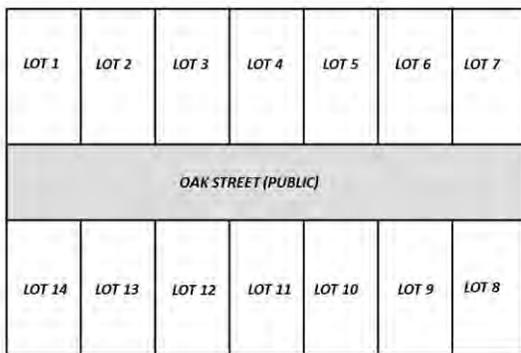
G. **FILING FEES** (All Fees Are Subject To Change without Prior Notice)
 Submit a non-refundable check or money order in the amount of \$400.00. Make check payable to "M/SC Office of Planning and Development"

H. **SIGNATURES** (from Section 9.8.2 of the Unified Development Code)
 The official application form shall include the signatures of all abutting property owners. If any abutting property owners refuse to sign the application, the governing body may delete that portion of the right-way if they so choose. Abutting property owners are those owners who will be recipients of all or a portion of the right-of-way proposed to be vacated and are the owners of record at the time the right-of-way vacation application is filed with the Planning Director. To qualify as a recipient of all or a portion of former right-of-way, an abutting property owner's parcel must be identified on the subdivision plat or Planned Development final plan through which the right-of-way proposed for vacation was originally dedicated to the City or County and that parcel must abut the right-of-way proposed for vacation. See graphics below for explanation. *Note: After an application has been filed with the Planning Director, the withdrawal of consent to the closure by an abutting property owner is prohibited.*

TYPES OF STREET CLOSURES

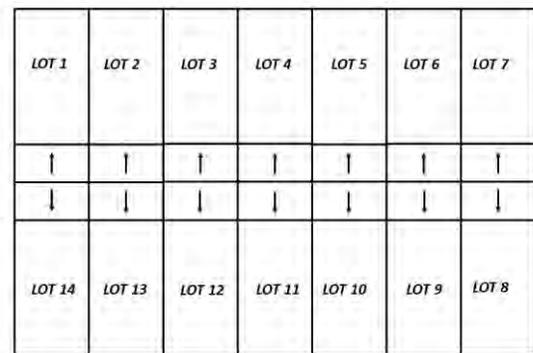
Example 1: Oak Street Closure.

Oak Street is a paper street that was never constructed. It is now strewn with weeds and undergrowth and the abutting owners now wish to take the area over and make it part of their rear yards. Oak Street was dedicated to the public with the recording of Oak Street Subdivision. This portion of Oak Street is abutted by Lots 1-14 of Oak Street Subdivision. Owners of Lots 1-14 will be required to sign off the application and be deeded their half of the street, unless the governing bodies approve the closure specifically allotting their half of the street to another property owner who has signed the application.



PLAT FOR OAK STREET SUBDIVISION

Before closure.

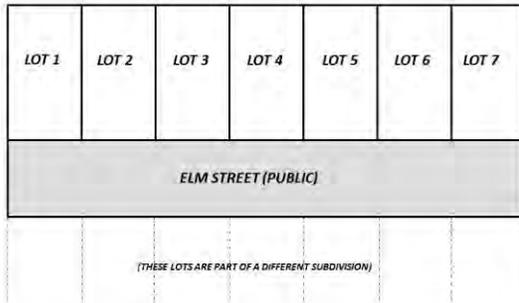


PLAT FOR OAK STREET SUBDIVISION

After closure.

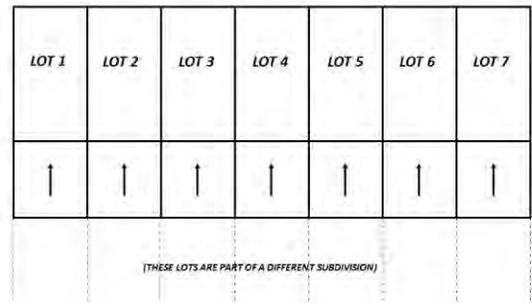
Example 2: Elm Street Closure.

Like Oak Street, Elm Street is a paper street and was never constructed. Unlike Oak Street, Elm Street was dedicated through a plat with lots on only one side of it. Therefore, only the lot owners on that side of the street will be required to sign the application.



PLAT FOR ELM STREET SUBDIVISION

Before closure.

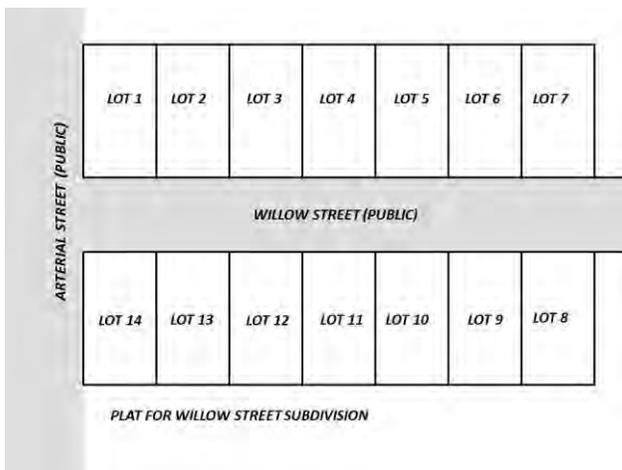


PLAT FOR ELM STREET SUBDIVISION

After closure.

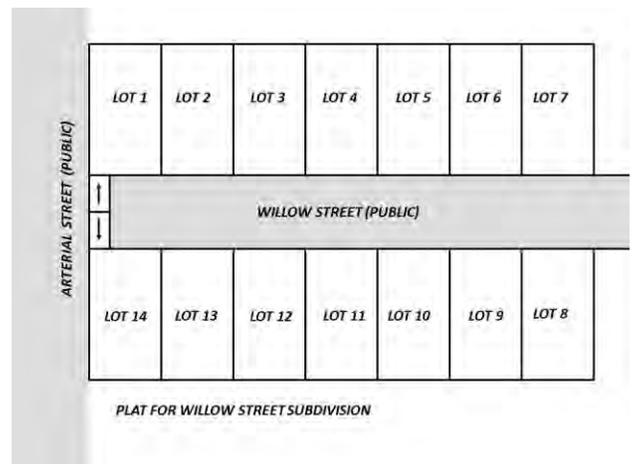
Example 3: Willow Street Closure.

Unlike Oak and Elm Streets, Willow Street is a built City street open to the public. Concerned with the traffic that cuts through the neighborhood from Arterial Street, the owners of Willow Street have proposed that the street remain public, but that the street be closed off at Arterial Street. Willow Street connects to the system of city streets from the other direction. With this scenario, only the owners of Lot 1 and 14 will be required to sign the application since only a small portion of Willow Street will be deeded to them.



PLAT FOR WILLOW STREET SUBDIVISION

Before closure.

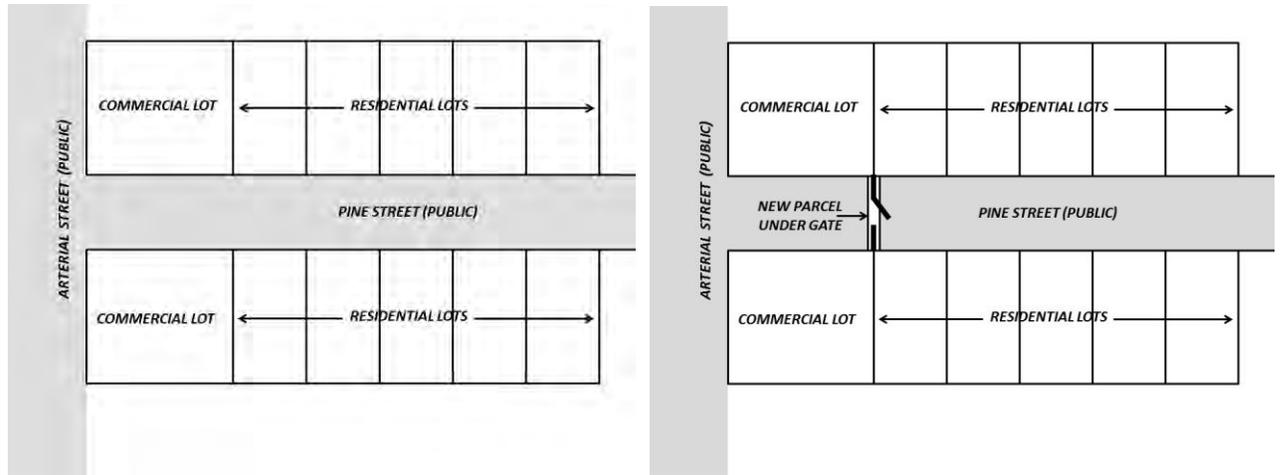


PLAT FOR WILLOW STREET SUBDIVISION

After closure.

Example 4: Pine Street Closure

Like Willow Street, Pine Street is a built City street open to the public. Unlike Willow Street, the owners along Pine Street do not want to vacate any right-of-way; instead, they wish to erect a gate for emergency access only in the public street. Pine Street connects to the system of city streets from another direction. This will require that the right-of-way under the gate be deeded to an established Homeowners Association to which the adjacent owners are members (the City will first deed the property to the adjacent owners, who can then immediately transfer it to the HOA). It will also require covenants to be recorded that will bind either the adjacent property owner(s), all lot owners within the subdivision or a homeowners association to take full responsibility and ownership of the gate and to hold the City or County harmless for any damages to the gate or vehicles that have struck the gate.



Before closure.

After closure.

Example 5: Street Closures with active Homeowners Associations.

If a street is to be closed and converted to a private drive that will be maintained by a duly chartered homeowners or property owners association, only the representative of the association will be required to sign the application.

ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM STAFF



Josh Whitehead
Senior Attorney
Direct: 901.524.5127
jwhitehead@bpjlaw.com

LAW OFFICES
Burch, Porter & Johnson, PLLC
130 North Court Avenue
Memphis, TN 38103
Phone: 901.524.5000
Fax: 901.524.5024
bpjlaw.com

March 8, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development

Mary W. Sharp and
Members
Memphis and Shelby County
Land Use Control Board

Dear Mr. Ragsdale, Chair Sharp and Members of the Board:

On behalf of the American Lebanese Syrian Associated Charities (“ALSAC”), the fundraising and awareness organization for St. Jude Children’s Research Hospital, I am pleased to submit this application for a Street and Alley Closure (“SAC”) for St. Jude Place on the east side of our campus.

St. Jude Children’s Research Hospital is currently undergoing a multi-billion-dollar expansion, representing the largest single investment in downtown Memphis since the City’s founding. As a key part of this expansion, ALSAC purchased the former City Garage from the City of Memphis in 2018. The primary purpose of this acquisition was to facilitate the construction of a new parking garage for our growing staff (see site plan of proposed employee garage below).

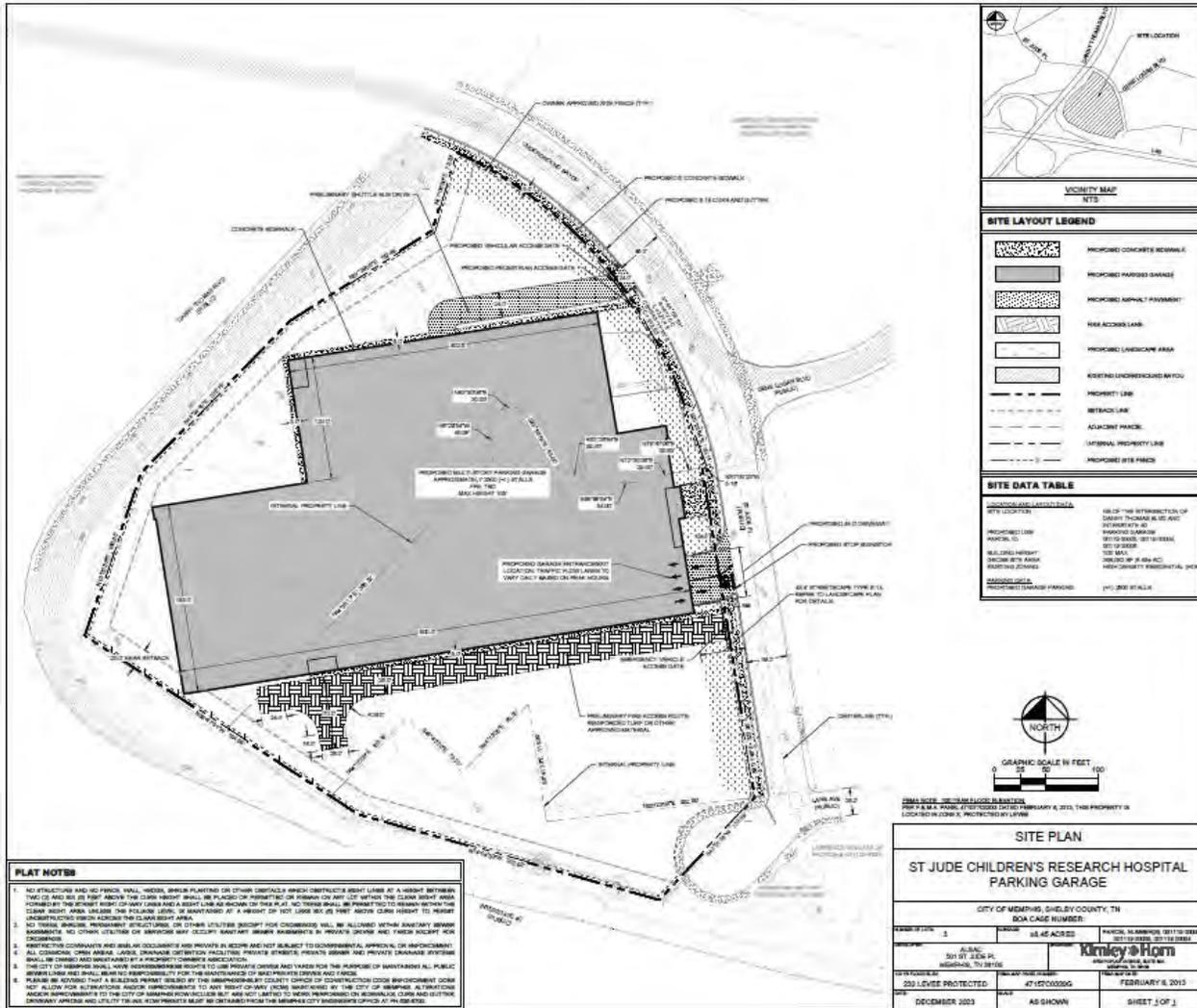
Closing St. Jude Place between Lane Avenue and Danny Thomas Blvd. will accommodate the St. Jude campus expansion and route through-traffic from the new parking garage to Manassas Street, a roadway designated by the Memphis Urban Area Metropolitan Planning Organization as a collector designed to handle such traffic. The only existing and proposed end destinations are to ALSAC property and therefore closure of the St. Jude Place does not negatively impact nearby property owners. We believe the removal of all through-traffic along Lane Avenue will help the continued stabilization of this important neighborhood adjacent to our campus.

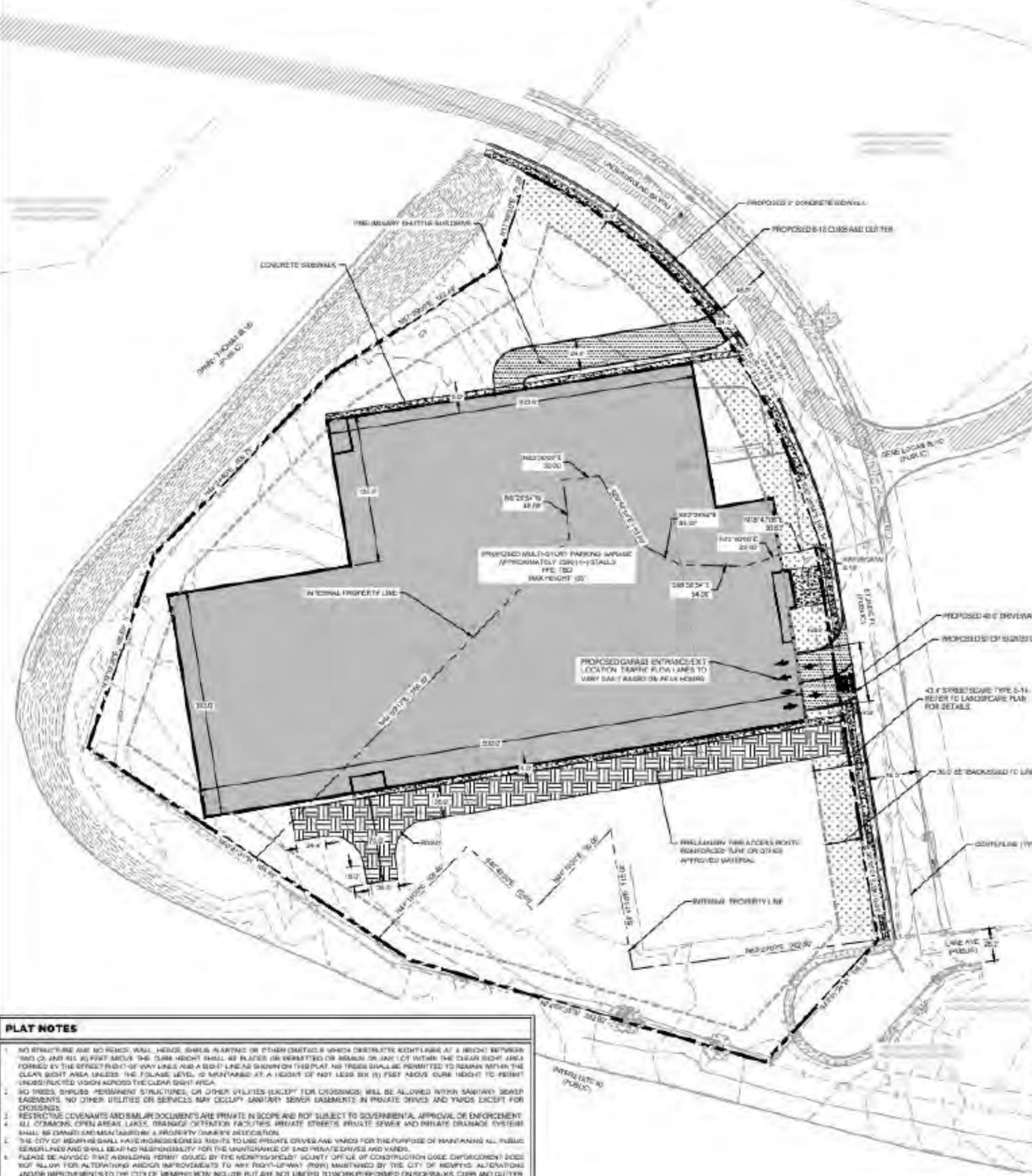
Thank you for your consideration of this matter.

Very truly yours,

Josh Whitehead

SITE PLAN OF PROPOSED EMPLOYEE GARAGE





VICINITY MAP
NTS

SITE LAYOUT LEGEND

	PROPOSED CONCRETE SIDEWALK
	PROPOSED PARKING GARAGE
	PROPOSED ASPHALT PAVEMENT
	FIRE ACCESS LANE
	PROPOSED LANDSCAPE AREA
	EXISTING UNDERGROUND BAYOU
	PROPERTY LINE
	SETBACK TO LINE
	ADJACENT PARCEL
	INTERNAL PROPERTY LINE

SITE DATA TABLE

LOCATION AND LAYOUT DATA	
PROPOSED USE:	RE OF THE INTERSECTION OF DANNY THOMAS BLVD AND INTERSTATE 40
PROPOSED PARCEL ID:	PARKING GARAGE
BUILDING HEIGHT:	60' TO 65' (MAX. 10'11" OVER)
GRASSY SITE AREA:	100' TO 100'
EXISTING CONING:	100' TO 100'
EXISTING DATA:	100' TO 100'
PROPOSED GARAGE PARKING:	200 STALLS



NOTE: 100 YEAR FLOOD ELEVATION PER F.E.M.A. PANEL 470770202 DATED FEBRUARY 4, 2013. THIS PROPERTY IS LOCATED IN ZONE X PROTECTED BY LEVEE.

- PLAT NOTES**
- NO STRUCTURE AND NO FENCE, WALL, HEDGE, SHARK BARKING OR OTHER OBSTACLE WHICH OBSTRUCTS RIGHT-OF-WAY AT A POINT BETWEEN TWO (2) AND SIX (6) FEET ABOVE THE CURB HEIGHT SHALL BE PLACED OR PERMITTED OR REMOVED ON ANY LOT WITHIN THE CLEAR RIGHT AREA FORMED BY THE STREET RIGHT-OF-WAY LINES AND A RIGHT-LINE AS SHOWN ON THIS PLAN. NO TREES SHALL BE PERMITTED TO REMAIN WITHIN THE CLEAR RIGHT AREA UNLESS THE FOLIAGE LEVEL IS MAINTAINED AT A HEIGHT OF NOT LESS SIX (6) FEET ABOVE CURB HEIGHT TO PERMIT UNOBSTRUCTED VIEW ACROSS THE CLEAR RIGHT AREA.
 - NO TREES, SHRUBS, PERMANENT STRUCTURES, OR OTHER UTILITIES (EXCEPT FOR CROSSINGS) WILL BE ALLOWED WITHIN SANITARY SEWER EASEMENTS. NO OTHER UTILITIES OR SERVICES MAY OCCUPY SANITARY SEWER EASEMENTS IN PRIVATE DRIVES AND YARDS EXCEPT FOR CROSSINGS.
 - RESTRICTIVE COVENANTS AND SIMILAR DOCUMENTS ARE PRIVATE IN SCOPE AND NOT SUBJECT TO GOVERNMENTAL APPROVAL OR ENFORCEMENT. ALL COMMONS, OPEN AREAS, LAKES, DRAINAGE DETENTION FACILITIES, PRIVATE STREETS, PRIVATE SEWER AND PRIVATE DRAINAGE SYSTEMS SHALL BE OWNED AND MAINTAINED BY A PROPERTY OWNERS ASSOCIATION.
 - THE CITY OF MEMPHIS SHALL HAVE RESPONSIBILITY TO USE PRIVATE DRIVES AND YARDS FOR THE PURPOSE OF MAINTAINING ALL PUBLIC SEWER LINES AND SHALL BEAR NO RESPONSIBILITY FOR THE MAINTENANCE OF SAID PRIVATE DRIVES AND YARDS.
 - PLEASE BE ADVISED THAT A BUILDING PERMIT ISSUED BY THE MEMPHIS/SHELBY COUNTY OFFICE OF CONSTRUCTION CODE ENFORCEMENT DOES NOT ALLOW FOR ALTERATIONS AND/OR IMPROVEMENTS TO ANY RIGHT-OF-WAY (ROW) MAINTAINED BY THE CITY OF MEMPHIS. ALTERATIONS AND/OR IMPROVEMENTS TO THE CITY OF MEMPHIS ROW INCLUDE BUT ARE NOT LIMITED TO WORK PERFORMED ON SIDEWALKS, CURBS AND GUTTER DRIVEWAY APPROX. AND UTILITY TIE-INS. ROW PERMITS MUST BE OBTAINED FROM THE MEMPHIS CITY ENGINEER'S OFFICE AT 916-634-7076.

SITE PLAN

**ST JUDE CHILDREN'S RESEARCH HOSPITAL
PARKING GARAGE**

CITY OF MEMPHIS, SHELBY COUNTY, TN
BOA CASE NUMBER:

3	48.45 ACRES	PARCEL NUMBER(S): 01113 0000, 02113 0000, 03113 0004
ALDAM 801 ST JUDE PL MEMPHIS, TN 38105		
232 LEVEE PROTECTED	47157 C033005	FEBRUARY 6, 2013
OCTOBER 2013	AS SHOWN	SHEET 1 OF 1

Kinley Horn
REAL ESTATE & CONSTRUCTION
MEMPHIS, TN 38105



Legend
polygonLayer
- Override 1
- Override 2
polygonLayer
- Override 1
■ Parcels

 Map prepared through Shelby County Government's online mapping Portal on 3/13/2024

0 0.06 0.12 0.18 0.24 mi

N

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

TENNESSEE STATE OF
558 ALABAMA AVE #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

STATE OF TENNESSEE
170 N MAIN ST #
MEMPHIS TN 38103

TENNESSEE STATE OF
558 ALABAMA AVE #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 ST JUDE PL #
MEMPHIS TN 38105

STATE OF TENNESSEE
170 N MAIN ST #
MEMPHIS TN 38103

TENNESSEE STATE OF
558 ALABAMA AVE #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOC CHARITIES
501 ST JUDE PL #
MEMPHIS TN 38105

TENNESSEE STATE OF
558 ALABAMA AVE #
MEMPHIS TN 38105

TENNESSEE STATE OF
558 ALABAMA AVE #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

TENNESSEE STATE OF
558 ALABAMA AVE #
MEMPHIS TN 38105

MIGLIARA LAWRENCE JR
673 CYPRESS DR #
MEMPHIS TN 38112

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

STATE OF TENNESSEE
170 N MAIN ST #
MEMPHIS TN 38103

TLC PROPERTIES INC
1600 CENTURY CENTER PKWY #
MEMPHIS TN 38134

AMERICAN LEBANESE SYRIAN ASSOC OF
501 SAINT JUDE PL #
MEMPHIS TN 38103

STATE OF TENNESSEE
170 N MAIN ST #
MEMPHIS TN 38103

CENTER MEMPHIS PROPERTIES LLC
1910 MADISON AVE #
MEMPHIS TN 38104

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PALACE #
MEMPHIS TN 38103

CITY OF MEMPHIS
125 N MAIN ST #
MEMPHIS TN 38103

BUTLER PROPERTIES LLC
1027 S YATES RD #
MEMPHIS TN 38119

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

TENNESSEE STATE OF
558 ALABAMA AVE #
MEMPHIS TN 38105

HAYWOOD RUBY
381 JONES ST #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

TENNESSEE STATE OF
558 ALABAMA AVE #
MEMPHIS TN 38105

STATE OF TENNESSEE
170 N MAIN ST #
MEMPHIS TN 38103

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

CHRISTIAN VICKI DOROTHEA
675 LANE AVE #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

POINDEXTER LORETTA
671 LANE AVE #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN CHARITIES INC
501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

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501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

CTY OF MEMPHIS WINCHESTER CMTY
125 N MAIN ST #
MEMPHIS TN 38103

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

AMERICAN LEBANESE SYRIAN ASSOCIATED
501 SAINT JUDE PL #
MEMPHIS TN 38105

CENTER MEMPHIS PROPERTIES LLC
1755 KIRBY PKWY #
MEMPHIS TN 38120

MIGLIARA VINCENZINA ETAL
673 CYPRESS DR #
MEMPHIS TN 38112

001118 00002C - AMERICAN LEBANESE SYRIAN ASSOCIATED
001119 00004 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001119 00005 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001119 00006 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001119 00008 - STATE OF TENNESSEE
001126 00035 - STATE OF TENNESSEE
001128 00002 - TENNESSEE STATE OF
001128 00003 - TENNESSEE STATE OF
001128 00004 - STATE OF TENNESSEE
001128 00005 - STATE OF TENNESSEE
001128 00006 - CITY OF MEMPHIS
001128 00007 - TENNESSEE STATE OF
001128 00008 - TENNESSEE STATE OF
001128 00009 - TENNESSEE STATE OF
001128 00010 - TENNESSEE STATE OF
001128 00011 - TENNESSEE STATE OF
001128 00034 - TENNESSEE STATE OF
001129 00001 - MIGLIARA LAWRENCE JR
001129 00003 - TLC PROPERTIES INC
001129 00004 - CENTER MEMPHIS PROPERTIES LLC
001129 00005C - BUTLER PROPERTIES LLC
001129 00007C - HAYWOOD RUBY
001129 00009 - STATE OF TENNESSEE
001129 00010 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001129 00011 - AMERICAN LEBANESE SYRIAN ASSOCIATED

001129 00012 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001129 00013 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001129 00014 - AMERICAN LEBABESE SYRIAN ASSOCIATED
001129 00015 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001129 00016 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001129 00018 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001129 00019 - CENTER MEMPHIS PROPERTIES LLC
001129 00021 - MIGLIARA VINCENZINA ETAL
001129 00022 - CHRISTIAN VICKI DOROTHEA
001129 00023 - POINDEXTER LORETTA
001130 00001 - AMERICAN LEBANESE SYRIAN CHARITIES INC
001130 00002 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001130 00003 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001130 00011 - CTY OF MEMPHIS WINCHESTER CMTY
001095 00002C - AMERICAN LEBANESE SYRIAN ASSOCIATED
001095 00002Z - AMERICAN LEBANESE SYRIAN ASSOCIATED
001095 00003 - AMERICAN LEBANESE SYRIAN ASSOC CHARITIES
001095 00005C - AMERICAN LEBANESE SYRIAN ASSOCIATED
001108 00004 - AMERICAN LEBANESE SYRIAN ASSOCIATED
001108 00005C - AMERICAN LEBANESE SYRIAN ASSOC OF
001041 00001C - AMERICAN LEBANESE SYRAIN ASSOCIATED



Tom Leatherwood
Shelby County Register

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

	
18080238	
08/08/2018	02:06 PM
8 PGS	
TAMMY 1769367-18080238	
VALUE	3325000.00
MORTGAGE TAX	0.00
TRANSFER TAX	12302.50
RECORDING FEE	40.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	12345.50
TOM LEATHERWOOD	
<small>REGISTER OF DEEDS SHELBY COUNTY TENNESSEE</small>	

This instrument prepared by:
Monice Hagler, Esquire
HAGLER LAW GROUP, PLLC
2650 Thousand Oaks Boulevard
Suite 2140
Memphis, Tennessee 38118
(901) 290-6620

Return to: *City of Memphis Real Estate Department*
125 N. Main Street, Rm 568
Memphis, Tennessee 38103

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into on this, the 31st day of July, 2018, by the **CITY OF MEMPHIS**, a Tennessee Municipality, ("Grantor") whose address is 125 N. Main Street, Room 568, Memphis, TN 38103 and **AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES, INC., aka ALSAC**, a Tennessee not for profit corporation ("Grantee") whose address is 501 St. Jude Place, Memphis, Tennessee 38105.

WITNESSETH:

A. Grantor holds legal title to those certain real properties commonly known as **0 Lane** (parcel number 001119-00004; **0 High Street** (parcel number 001119-00005); **0 High Street** (parcel number 001119-00006); **0 Lane** (parcel number 00113-00002); **0 Railroad** (parcel number 001130-00003); **435 N Manassas** (parcel number 001130-00004); and **425 N Manassas** (parcel number 001130-00005) (property addresses may vary) and are more particularly described in **Exhibit A** attached hereto and situated in the County of Shelby, Tennessee (the "Property"):

Being the same properties conveyed to Grantor by Deeds of record at Book 4914, Page 251 dated September 13, 1962; Book 4914, Page 265 dated September 13, 1962; Instrument Number B-174; Book 264, Page 302 dated August 8, 1898; Book 4914, Page 257 dated September 13, 1962 and filed in the Register's Office of Shelby County, Tennessee.

B. Property is being sold by Grantor to Grantee "AS-IS, WHERE IS" with all faults, with no representation or warranty whatsoever, express or implied as to the condition of the property or any other matter relating to the property. Grantor desires to convey to Grantee in fee simple all of its right, title and interest in and to the Property with exceptions to title being described herein as attached **Exhibit B**, "Exceptions to Title."

NOW, THEREFORE, in consideration of *Ten and No/100 Dollars (\$10.00)* cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee, its heirs, successors and assigns, in fee simple the Property;

TO HAVE AND TO HOLD the Property, together with all the rights of way, easements, rights, privileges, appurtenances, hereditaments, improvements, estate, title interests and claims thereunto belonging or in any wise appertaining thereto, at law or in equity, forever.

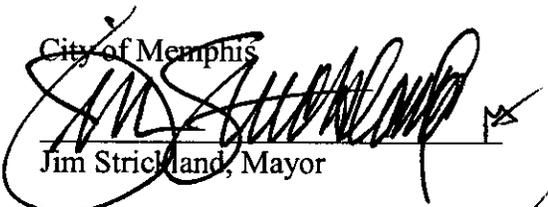
Notwithstanding the foregoing, this conveyance is subject to all those matters shown on Exhibit B, attached hereto.

Grantor hereby covenants with Grantee that the title to the afore-described real estate and the quiet enjoyment thereof it will warrant and forever defend against the lawful claims of all persons whomsoever claiming by, through or under Grantor, and such persons only; and that Grantor will execute such further assurances of the Property as may be required.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by his or her own hand or its duly authorized representative on the day and year first above written.

Grantor:

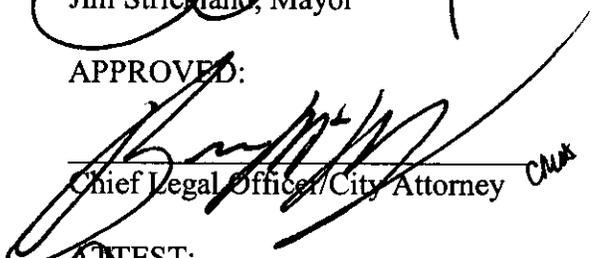
City of Memphis



Jim Strickland, Mayor

APPROVED:

Chief Legal Officer/City Attorney *Chief*



Chief Legal Officer/City Attorney *Chief*

ATTEST:

City Comptroller

City Engineer

Director of General Services

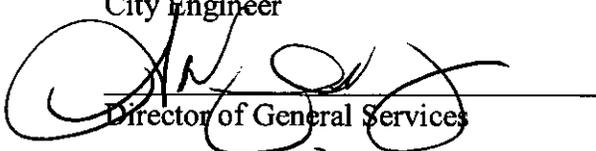
Real Estate Manager



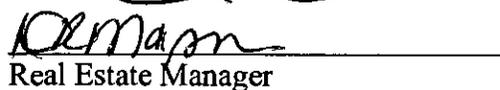
City Comptroller



City Engineer



Director of General Services



Real Estate Manager

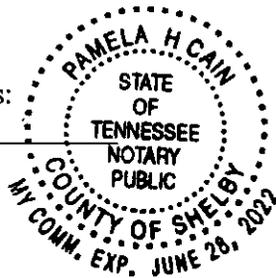
STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said State and County duly commissioned and qualified personally appeared JIM STRICKLAND, Mayor of the City of Memphis, with whom I am personally acquainted, and who, upon his oath, acknowledges himself to be the Mayor of the City of Memphis, the within named bargainor, a Municipal Corporation of the State of Tennessee, and that he as such Mayor of said City, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as such Mayor of said City.

WITNESS my hand and Notarial Seal at office on this, the 31 day of July, 2018.

My commission expires:

6/28/22



Notary Public

Pamela Cain

VALUE AFFIDAVIT

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is \$3,325,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

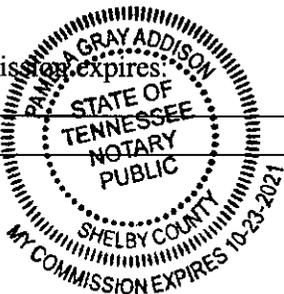
Barbara Moore

Subscribed and sworn to before me on this, the 2nd day of August, 2018.

Notary Public

Pamela Gray Addison

My commission expires:



<u>Property Address (and Tax Parcel No.):</u>	Name and Address of Grantor, and Mail Tax Bills To:
0 Lane (parcel number 001119-00004); 0 High Street (parcel number 001119-00005); 0 High Street (parcel number 001119-00006); 0 Lane (parcel number 00113-00002); 0 Railroad (parcel number 001130-00003); 435 N Manassas (parcel number 001130-00004); 425 N Manassas (parcel number 001130-00005) (STREET NAMES MAY VARY)	American Lebanese Syrian Associated Charities, Inc. 501 St. Jude Place MEMPHIS, TN 38105

EXHIBIT A – LEGAL DESCRIPTION**0 Lane, Memphis, TN****Parcel Number 001119-00004**

BEGINNING at a point in the southerly right-of-way of Lane Avenue (66 feet wide), said point have coordinates of N301 723.51 and E793 322.59 and a station of 14 / 07.36 as measured along the center line of Lane Avenue and being 80.14 feet south 21 degrees 15 minutes East from the point of tangency of a curve in the south line of Lane Avenue As measured along the south line of Lane Avenue; thence South 68 degrees 45 minutes West a distance of 4.76 feet to the most north-easterly corner of the City of Memphis Shops (Not to be acquired parcel); thence with the property line of the City of Memphis Shops South 78 degrees 16 minutes West a distance 31.03 feet to an angle point; thence 71 degrees 29.0 feet to an angle point; thence North 89 degrees 30 minutes West a distance of 54.0 feet to an angle point; thence North 63 degrees 00 minutes West a distance of 39.0 feet to an angle point; thence North 30 degrees 30 minutes West a distance of 63.0 feet to an angle point; thence South 82 degrees 59 minutes West a distance of 30.0 feet to the most northwestern point of the City of Memphis Shops; thence with the westerly line of the City of Memphis Shops South 07 degrees 01 minutes East 48.08' to an angle point in said line; thence South 44 degrees 15 minutes West a distance of 366.24 feet to the north right-of-way line of the Interstate Highway; thence North 57 degrees 23 minutes 50 seconds West with the north right-of-way line of the Interstate Highway a distance of 163.97 feet to an angle point in the Interstate Highway; thence North 18 degrees 32 minutes 30 seconds East a distance of 166.65 feet to an angle point; thence North 43 degrees 53 minutes 34 seconds East a distance of 206.79 feet to an angle point in the Interstate Highway right-of-way; thence North 36 degrees 58 minutes East a distance of 132.49 feet to an angle point; thence North 13 degrees 19 minutes East a distance of 79.31 feet to the South line of Lane Avenue; thence by a curve to the right whose radius is 417 feet a distance of 321.43 feet as measured along the arc of said curve to the point of tangency; thence with the south line of Lane Avenue South 21 degrees East a distance of 80.14 feet to the point of beginning. Containing 151,098 square feet or 3.71 acres.

0 High Street**Parcel Number 001119-00005**

Property as described in Book B-174 and Book 264, Page 302 as recorded in the Register's Office of Shelby County, Tennessee, to which reference is hereby made for a more particular description of said property.

0 High Street**Parcel Number 001119-00006**

BEGINNING at a point in the City of Memphis property that point having Lambert Grid coordinates of N301 401.28 and E 793 368.98 and being the most southeastern point of the City of Memphis property; thence South 85 degrees 26 minutes 19 seconds East a distance of 0.60 feet to the northwesterly line of High Street (66 feet wide); thence South 42 degrees 51 minutes 07 seconds West a distance of 135.26 feet with the northwesterly line of High Street to the

intersection of the proposed Interstate Highway right-of-way; thence with the right -of-way of the Interstate Highway North 74 degrees 07 minutes 55 seconds West a distance of 302.92 feet to an angle point in said right-of way; thence North 57 degrees 25 minutes 50 seconds West a distance of 31.74 feet to the City of Memphis property North 44 degrees 15 minutes East a distance of 106.08 feet to an angle point; thence South 45 degrees 42 minutes East a distance of 75.0 feet to an angle point; thence North 44 degrees 15 minutes East a distance of 92.0 feet to an angle point; thence South 08 degrees 41 minutes 30 seconds east a distance of 115.0 feet to an angle point; thence North 83 degrees 23 minutes East 202.80 feet to the point of beginning. Containing 29,007 square feet.

0 Lane Avenue, Memphis, Tennessee

Parcel Number 001130-00002

BEGINNING at the most southwest corner of Parcel No. 24 in the northeasterly line of New Lane Avenue (66 feet wide) at Station 13 plus 96 (said beginning point having Lambert Grid coordinates of N301 758.00 and E793 379.98) and running thence northwestwardly with the southeast line of Parcel No. 24 on a bearing of north 54 degrees 05 minutes 38 seconds east a distance of 470.02 feet to a point in the south right-of-way line of the L&N R.R., said right -of-way line being 25 feet south of the centerline of the main track; thence eastwardly with said south right-of-way line being 25 feet south of the centerline of the main track; thence eastwardly with said south right-of-way line on a bearing of south 70 degrees 24 minutes 08 seconds east a distance of 25.18 feet to an intersection with a west line of Winchester Park; thence with said line south 3 degrees 23 minutes 36 seconds west 114.84 feet; thence north 70 degrees 13 minutes west 96.04 feet; thence south 1 degree 57 minutes east 97 feet to a point; thence south 40 degrees 39 minutes west 85 feet to a point; thence south 68 degrees 09 minutes west 22 feet to a point; thence north 87 degrees 36 minutes west 93 feet to a point; thence north 57 degrees 21 minutes west 40 feet to a point; thence south 41 degrees 39 minutes west 46 feet to a point; thence south 51 degrees 39 minutes west 39 feet to a point; thence south 73 degrees 39 minutes west 37.40 feet to appoint in the northeasterly line of Lane Avenue; thence northwestwardly with the northeast line of Lane Avenue and by a curve to the right whose radius is 417 feet a distance of 11.26 feet as measure along the arc of said curve to the end of the curve; thence continuing with the northwest line of Lane Avenue north 21 degrees 15 minutes west a distance of 19.04 feet to the beginning.

A 30 ft. wide Drainage Easement for Quimby Bayou Culvert is reserved along and adjacent to the N.W. Line for a major portion of its length, curving eastwardly near the Northerly end of the parcel and curving westwardly into Parcel No. 24 and Lane Avenue near the southerly end of the parcel.

Containing 37,015 square feet.

0 Railroad, Memphis, Tennessee

Parcel Number 001130-00003

Part of the Josiah Jackson 7 acres more or less in Country Lot 517, more particularly described as follows:

BEGINNING at a point in the north line of Louisville and Nashville Railroad Right-of-Way and the dividing line between Country Lots 516 and 517; thence in the southerly direction along the aforesaid dividing line 149.3 feet, more or less, to appoint in the north line of "Winchester Cemetery" property; thence in the westerly direction along the aforesaid north line 222 feet; more or less, to a point in the east line for the Saint Subdivision; thence in a northerly direction along the aforesaid east line to a point in the north line of the aforesaid Railroad Right-of-Way; thence in a southeasterly direction along the north line of the Railroad Right-Of-Way 235.5 feet more or less, to the point of beginning. Including herein but excluding therefrom any portion of the above description of land owned by aforesaid Railroad Company and being all of the property remaining in the name of the Tennessee Lumber & Building Material Company, Inc. and being the same property conveyed to the grantor herein by Warranty Deed of Record in Book 4514, Page 374, of the Register's Office of Shelby County, Tennessee. This conveyance is made subject to that part of the property in the Right-of-Way of the L & N Railroad.

**435 N Manassas Street
AND
425 N Manassas Street**

Parcel Number 001130-00004

Parcel Number 001130-00005

Two properties as described in Warranty Deed Book 4623, Page 96, as recorded in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

EXHIBIT B – EXCEPTIONS

All matters of record and all taxes and similar items not yet due and payable including those Easements found of record at Plat Book 26, Page 31 and 32; Plat Book 25, Pages 35 and 36; 16080125; 17023960; 17023961; Plat Book 25, Pages 35 and 36, filed in the Register's Office of Shelby County, Tennessee.

Declaration of Conditions, Covenants and Restrictions at 4808-57-67, filed in the Register's Office of Shelby County, Tennessee.



Tom Leatherwood
Shelby County Register / Archives

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.

	
15046088	
05/18/2015 - 08:27 AM	
4 PGS	
DONALD 1327441-15046088	
VALUE	660000.00
MORTGAGE TAX	0.00
TRANSFER TAX	2442.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	2465.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

Instrument prepared by *and Return To:*
City of Memphis
Real Estate Office
125 N. Main Street Suite 568
Memphis, TN 38103

664 ST. JUDE PLACE
QUIT CLAIM DEED

THIS INDENTURE made and entered into this 13th day of March, 2015
 by and between the **City of Memphis**, a Municipal Corporation in the State of
 Tennessee, hereinafter referred to as Grantor; and **American Lebanese Syrian**
Charities, Inc. ("ALSAC"), hereinafter referred to as Grantee;

WITNESSETH:

Pursuant to Resolution adopted by the Council of the City of Memphis on February 3,
 2015, for and in consideration of the sum of "Six Hundred Sixty Thousand dollars
 (\$660,000.00)", from the Grantee, receipt of which is hereby acknowledged, the Grantor
 hereby conveys and quitclaims unto the Grantee all of its right, title and interest, less and
 except as provided below, in and to all of the real property located in the County of
 Shelby, City of Memphis, State of Tennessee, known as 664 St. Jude Place, Parcel
 ID#001130 00001, identified by the Shelby County Tax Assessor as Ward 001, Block
 130, Parcel 0001, recorded in book # 4914 page # 261, containing 3.99 acres, more or
 less, together with all rights, privileges, and appurtenances belonging or appertaining to
 such land. Such real property being more particularly described to wit:

Being Parcel 24 of the Subdivision of the Jackson Avenue Area as recorded in Plat Book
 26, Pages 31 and 32 at the Shelby County Register's Office in Memphis, Tennessee and
 being more particularly described as follows:

Beginning at the intersection of the north line of St. Jude Place (66' ROW) with the east
 line of Danny Thomas Boulevard (ROW Varies); thence N37°22'49"E along the said
 east line a distance of 151.44 feet to a point in the south line of the former L & N
 Railroad (ROW Varies); thence S70°24'08"E along the said south line a distance of
 316.10 feet to a point; thence S87°39'08"E continuing along the said south line a distance
 of 84.35 feet to a point; thence S70°24'08"E continuing along the said south line a
 distance of 202.47 feet to a point in the northwest corner of Parcel 23 of the Subdivision
 of the Jackson Avenue Area as recorded in Plat Book 26, Pages 31 and 32; thence
 S54°05'38"W along the west line of said Parcel 23 a distance of 470.02 feet to a point in
 the said north line of St. Jude Place; thence N21°15'00"W along the said north line a
 distance of 68.78 feet to a point of curvature; thence along a 483.00 foot radius curve to
 the left an arc distance of 383.18 feet (chord N43°58'13"W 373.21 feet) to the point of
 beginning and containing 129,314 square feet or 2.970 acres of land.

The former L&N RR now abandoned and used as a private driveway known as Gene
 Logan Drive and further described in metes and bounds as being part of the former L &
 N Railroad property east of Danny Thomas Boulevard in Memphis, Tennessee and being
 more particularly described as follows:

Beginning at the intersection of the south line of former L & N Railroad (ROW Varies)
 with the east line of Danny Thomas Boulevard (ROW Varies); thence N37°22'49"E
 along the said east line a distance of 52.51 feet to a point; thence N28°10'00"E
 continuing along the said east line a distance of 50.56 feet to a point in the north line of
 the said former L & N Railroad, said point also being in the southwest corner of Lot 22A
 of the Re-subdivision of Lots 20, 21, & 22 of Jackson Avenue Area Subdivision as
 recorded in Plat Book 180, Page 17; thence along the said north line of former L & N
 Railroad the following courses: S70°24'08"E a distance of 280.31 feet; S10°24'08"E a
 distance of 28.87 feet; S70°24'08"E a distance of 241.98 feet; S70°45'23"E a distance of
 38.52 feet to a point; thence S19°14'37"W leaving said north line a distance of 50.22 feet

to a point in the said south line of former L & N Railroad, said point also being in the northeast corner of Parcel 24 of the Jackson Avenue Area Subdivision as recorded in Plat Book 26, Page 32; thence along the said south line of former L & N Railroad the following courses: N70°24'08"W a distance of 202.47 feet; N87°39'08"W a distance of 84.35 feet; N70°24'08"W a distance of 316.10 feet to the point of beginning and containing 45,245 square feet or 1.039 acres of land.

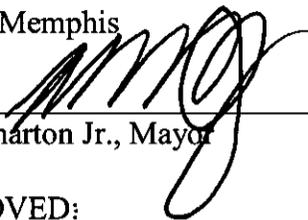
The Grantor hereby retains easements for existing utilities, sanitary sewer and drainage facilities recorded and unrecorded located in the above described parcels of real property. Grantor makes no claim or warranty relative to the environmental condition of the above described properties.

It is hereby agreed and understood between the parties, Grantee and Grantor, hereto that if the Grantee seeks a change of zoning or use on the property described herein, notice will be given to the Land Use Control Board and the Memphis City Council.

Signatures on the next page

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by the affixing thereto of the signature of the City of Memphis Mayor, the Mayor being authorized to do so.

City of Memphis


A C Wharton Jr., Mayor

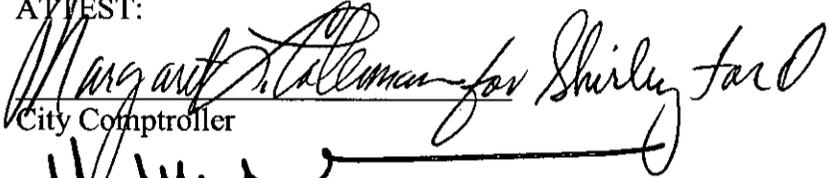
MS

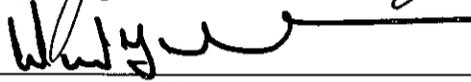
APPROVED:


City Attorney

MS

ATTEST:


City Comptroller


Director of Public Works


City Engineer


Director of General Services


Real Estate Manager

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said State and County duly commissioned and qualified personally appeared A C WHARTON, JR. , Mayor of the City of Memphis, with whom I am personally acquainted, and who, upon his oath, acknowledges himself to be the Mayor of the City of Memphis, the within named bargainor, a Municipal Corporation of the State of Tennessee, and that he as such Mayor of said City, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as such Mayor of said City.

Witness my hand and seal at office in Memphis, Shelby County, Tennessee, this the 13th day of March, 2015.

My Commission Expires:

September 16, 2018


Notary Public



Property Address:
664 St. Jude
Memphis, Tennessee, 38105

Property Owner's:
ALSAC
501 St. Jude
Memphis, TN 38105

Mail Tax Bills to:
ALSAC
501 St. Jude
Memphis, TN 38105

STATE OF TENNESSEE
COUNTY OF SHELBY

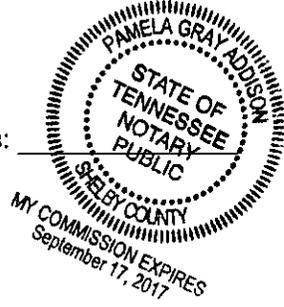
I, or we, hereby swear or affirm that to the best of Affiant's knowledge, information and belief the actual consideration for this transfer of value of the property transferred, whichever is greater is \$660,000.00 which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Barbara Moore
Affiant

SUBSCRIBED AND SWORN TO before me this 28th day of April, 2015.

Pamela Gray Addison
Notary Public

My Commission Expires:





Tom Leatherwood
Shelby County Register

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

	
18080238	
08/08/2018	02:06 PM
8 PGS	
TAMMY	1769367-18080238
VALUE	3325000.00
MORTGAGE TAX	0.00
TRANSFER TAX	12302.50
RECORDING FEE	40.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	12345.50
TOM LEATHERWOOD	
<small>REGISTER OF DEEDS SHELBY COUNTY TENNESSEE</small>	

This instrument prepared by:
Monice Hagler, Esquire
HAGLER LAW GROUP, PLLC
2650 Thousand Oaks Boulevard
Suite 2140
Memphis, Tennessee 38118
(901) 290-6620

Return to: City of Memphis Real Estate Department
125 N. Main Street, Rm 568
Memphis, Tennessee 38103

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into on this, the 31st day of July, 2018, by the **CITY OF MEMPHIS**, a Tennessee Municipality, ("Grantor") whose address is 125 N. Main Street, Room 568, Memphis, TN 38103 and **AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES, INC., aka ALSAC**, a Tennessee not for profit corporation ("Grantee") whose address is 501 St. Jude Place, Memphis, Tennessee 38105.

WITNESSETH:

A. Grantor holds legal title to those certain real properties commonly known as **0 Lane** (parcel number 001119-00004; **0 High Street** (parcel number 001119-00005); **0 High Street** (parcel number 001119-00006); **0 Lane** (parcel number 00113-00002); **0 Railroad** (parcel number 001130-00003); **435 N Manassas** (parcel number 001130-00004); and **425 N Manassas** (parcel number 001130-00005) (property addresses may vary) and are more particularly described in **Exhibit A** attached hereto and situated in the County of Shelby, Tennessee (the "Property"):

Being the same properties conveyed to Grantor by Deeds of record at Book 4914, Page 251 dated September 13, 1962; Book 4914, Page 265 dated September 13, 1962; Instrument Number B-174; Book 264, Page 302 dated August 8, 1898; Book 4914, Page 257 dated September 13, 1962 and filed in the Register's Office of Shelby County, Tennessee.

B. Property is being sold by Grantor to Grantee "AS-IS, WHERE IS" with all faults, with no representation or warranty whatsoever, express or implied as to the condition of the property or any other matter relating to the property. Grantor desires to convey to Grantee in fee simple all of its right, title and interest in and to the Property with exceptions to title being described herein as attached **Exhibit B**, "Exceptions to Title."

NOW, THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee, its heirs, successors and assigns, in fee simple the Property;

TO HAVE AND TO HOLD the Property, together with all the rights of way, easements, rights, privileges, appurtenances, hereditaments, improvements, estate, title interests and claims thereunto belonging or in any wise appertaining thereto, at law or in equity, forever.

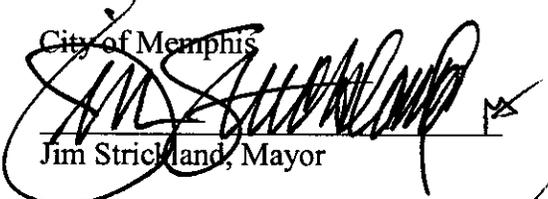
Notwithstanding the foregoing, this conveyance is subject to all those matters shown on Exhibit B, attached hereto.

Grantor hereby covenants with Grantee that the title to the afore-described real estate and the quiet enjoyment thereof it will warrant and forever defend against the lawful claims of all persons whomsoever claiming by, through or under Grantor, and such persons only; and that Grantor will execute such further assurances of the Property as may be required.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by his or her own hand or its duly authorized representative on the day and year first above written.

Grantor:

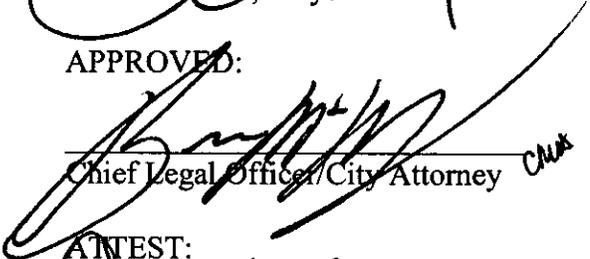
City of Memphis



Jim Strickland, Mayor

APPROVED:

Chief Legal Officer/City Attorney



Chief Legal Officer/City Attorney *Chief*

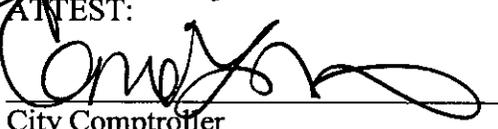
ATTEST:

City Comptroller

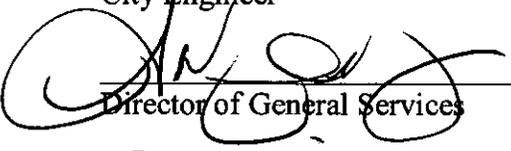
City Engineer

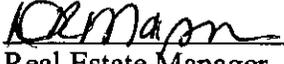
Director of General Services

Real Estate Manager









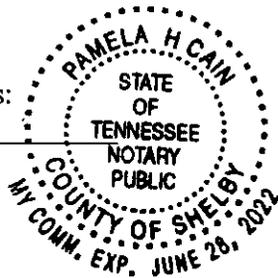
STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said State and County duly commissioned and qualified personally appeared JIM STRICKLAND, Mayor of the City of Memphis, with whom I am personally acquainted, and who, upon his oath, acknowledges himself to be the Mayor of the City of Memphis, the within named bargainor, a Municipal Corporation of the State of Tennessee, and that he as such Mayor of said City, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as such Mayor of said City.

WITNESS my hand and Notarial Seal at office on this, the 31 day of July, 2018.

My commission expires:

6/28/22



Pamela Cain

Notary Public

VALUE AFFIDAVIT

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is \$3,325,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Barbara Moore

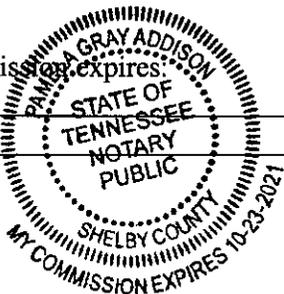
Affiant

Subscribed and sworn to before me on this, the 2nd day of August, 2018.

Pamela Gray Addison

Notary Public

My commission expires:



<u>Property Address (and Tax Parcel No.):</u>	Name and Address of Grantor, and Mail Tax Bills To:
0 Lane (parcel number 001119-00004); 0 High Street (parcel number 001119-00005); 0 High Street (parcel number 001119-00006); 0 Lane (parcel number 00113-00002); 0 Railroad (parcel number 001130-00003); 435 N Manassas (parcel number 001130-00004); 425 N Manassas (parcel number 001130-00005) (STREET NAMES MAY VARY)	American Lebanese Syrian Associated Charities, Inc. 501 St. Jude Place MEMPHIS, TN 38105

EXHIBIT A – LEGAL DESCRIPTION**0 Lane, Memphis, TN****Parcel Number 001119-00004**

BEGINNING at a point in the southerly right-of-way of Lane Avenue (66 feet wide), said point have coordinates of N301 723.51 and E793 322.59 and a station of 14 / 07.36 as measured along the center line of Lane Avenue and being 80.14 feet south 21 degrees 15 minutes East from the point of tangency of a curve in the south line of Lane Avenue As measured along the south line of Lane Avenue; thence South 68 degrees 45 minutes West a distance of 4.76 feet to the most north-easterly corner of the City of Memphis Shops (Not to be acquired parcel); thence with the property line of the City of Memphis Shops South 78 degrees 16 minutes West a distance 31.03 feet to an angle point; thence 71 degrees 29.0 feet to an angle point; thence North 89 degrees 30 minutes West a distance of 54.0 feet to an angle point; thence North 63 degrees 00 minutes West a distance of 39.0 feet to an angle point; thence North 30 degrees 30 minutes West a distance of 63.0 feet to an angle point; thence South 82 degrees 59 minutes West a distance of 30.0 feet to the most northwestern point of the City of Memphis Shops; thence with the westerly line of the City of Memphis Shops South 07 degrees 01 minutes East 48.08' to an angle point in said line; thence South 44 degrees 15 minutes West a distance of 366.24 feet to the north right-of-way line of the Interstate Highway; thence North 57 degrees 23 minutes 50 seconds West with the north right-of-way line of the Interstate Highway a distance of 163.97 feet to an angle point in the Interstate Highway; thence North 18 degrees 32 minutes 30 seconds East a distance of 166.65 feet to an angle point; thence North 43 degrees 53 minutes 34 seconds East a distance of 206.79 feet to an angle point in the Interstate Highway right-of-way; thence North 36 degrees 58 minutes East a distance of 132.49 feet to an angle point; thence North 13 degrees 19 minutes East a distance of 79.31 feet to the South line of Lane Avenue; thence by a curve to the right whose radius is 417 feet a distance of 321.43 feet as measured along the arc of said curve to the point of tangency; thence with the south line of Lane Avenue South 21 degrees East a distance of 80.14 feet to the point of beginning. Containing 151,098 square feet or 3.71 acres.

0 High Street**Parcel Number 001119-00005**

Property as described in Book B-174 and Book 264, Page 302 as recorded in the Register's Office of Shelby County, Tennessee, to which reference is hereby made for a more particular description of said property.

0 High Street**Parcel Number 001119-00006**

BEGINNING at a point in the City of Memphis property that point having Lambert Grid coordinates of N301 401.28 and E 793 368.98 and being the most southeastern point of the City of Memphis property; thence South 85 degrees 26 minutes 19 seconds East a distance of 0.60 feet to the northwesterly line of High Street (66 feet wide); thence South 42 degrees 51 minutes 07 seconds West a distance of 135.26 feet with the northwesterly line of High Street to the

intersection of the proposed Interstate Highway right-of-way; thence with the right -of-way of the Interstate Highway North 74 degrees 07 minutes 55 seconds West a distance of 302.92 feet to an angle point in said right-of way; thence North 57 degrees 25 minutes 50 seconds West a distance of 31.74 feet to the City of Memphis property North 44 degrees 15 minutes East a distance of 106.08 feet to an angle point; thence South 45 degrees 42 minutes East a distance of 75.0 feet to an angle point; thence North 44 degrees 15 minutes East a distance of 92.0 feet to an angle point; thence South 08 degrees 41 minutes 30 seconds east a distance of 115.0 feet to an angle point; thence North 83 degrees 23 minutes East 202.80 feet to the point of beginning. Containing 29,007 square feet.

0 Lane Avenue, Memphis, Tennessee

Parcel Number 001130-00002

BEGINNING at the most southwest corner of Parcel No. 24 in the northeasterly line of New Lane Avenue (66 feet wide) at Station 13 plus 96 (said beginning point having Lambert Grid coordinates of N301 758.00 and E793 379.98) and running thence northwestwardly with the southeast line of Parcel No. 24 on a bearing of north 54 degrees 05 minutes 38 seconds east a distance of 470.02 feet to a point in the south right-of-way line of the L&N R.R., said right -of-way line being 25 feet south of the centerline of the main track; thence eastwardly with said south right-of-way line being 25 feet south of the centerline of the main track; thence eastwardly with said south right-of-way line on a bearing of south 70 degrees 24 minutes 08 seconds east a distance of 25.18 feet to an intersection with a west line of Winchester Park; thence with said line south 3 degrees 23 minutes 36 seconds west 114.84 feet; thence north 70 degrees 13 minutes west 96.04 feet; thence south 1 degree 57 minutes east 97 feet to a point; thence south 40 degrees 39 minutes west 85 feet to a point; thence south 68 degrees 09 minutes west 22 feet to a point; thence north 87 degrees 36 minutes west 93 feet to a point; thence north 57 degrees 21 minutes west 40 feet to a point; thence south 41 degrees 39 minutes west 46 feet to a point; thence south 51 degrees 39 minutes west 39 feet to a point; thence south 73 degrees 39 minutes west 37.40 feet to appoint in the northeasterly line of Lane Avenue; thence northwestwardly with the northeast line of Lane Avenue and by a curve to the right whose radius is 417 feet a distance of 11.26 feet as measure along the arc of said curve to the end of the curve; thence continuing with the northwest line of Lane Avenue north 21 degrees 15 minutes west a distance of 19.04 feet to the beginning.

A 30 ft. wide Drainage Easement for Quimby Bayou Culvert is reserved along and adjacent to the N.W. Line for a major portion of its length, curving eastwardly near the Northerly end of the parcel and curving westwardly into Parcel No. 24 and Lane Avenue near the southerly end of the parcel.

Containing 37,015 square feet.

0 Railroad, Memphis, Tennessee

Parcel Number 001130-00003

Part of the Josiah Jackson 7 acres more or less in Country Lot 517, more particularly described as follows:

BEGINNING at a point in the north line of Louisville and Nashville Railroad Right-of-Way and the dividing line between Country Lots 516 and 517; thence in the southerly direction along the aforesaid dividing line 149.3 feet, more or less, to appoint in the north line of "Winchester Cemetery" property; thence in the westerly direction along the aforesaid north line 222 feet; more or less, to a point in the east line for the Saint Subdivision; thence in a northerly direction along the aforesaid east line to a point in the north line of the aforesaid Railroad Right-of-Way; thence in a southeasterly direction along the north line of the Railroad Right-Of-Way 235.5 feet more or less, to the point of beginning. Including herein but excluding therefrom any portion of the above description of land owned by aforesaid Railroad Company and being all of the property remaining in the name of the Tennessee Lumber & Building Material Company, Inc. and being the same property conveyed to the grantor herein by Warranty Deed of Record in Book 4514, Page 374, of the Register's Office of Shelby County, Tennessee. This conveyance is made subject to that part of the property in the Right-of-Way of the L & N Railroad.

**435 N Manassas Street
AND
425 N Manassas Street**

Parcel Number 001130-00004

Parcel Number 001130-00005

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All matters of record and all taxes and similar items not yet due and payable including those Easements found of record at Plat Book 26, Page 31 and 32; Plat Book 25, Pages 35 and 36; 16080125; 17023960; 17023961; Plat Book 25, Pages 35 and 36, filed in the Register's Office of Shelby County, Tennessee.

Declaration of Conditions, Covenants and Restrictions at 4808-57-67, filed in the Register's Office of Shelby County, Tennessee.



Tom Leatherwood
Shelby County Register / Archives

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.

	
15046088	
05/18/2015 - 08:27 AM	
4 PGS	
DONALD 1327441-15046088	
VALUE	660000.00
MORTGAGE TAX	0.00
TRANSFER TAX	2442.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	2465.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

Instrument prepared by *and Return To:*
City of Memphis
Real Estate Office
125 N. Main Street Suite 568
Memphis, TN 38103

664 ST. JUDE PLACE
QUIT CLAIM DEED

THIS INDENTURE made and entered into this 13th day of March, 2015
 by and between the **City of Memphis**, a Municipal Corporation in the State of
 Tennessee, hereinafter referred to as Grantor; and **American Lebanese Syrian**
Charities, Inc. ("ALSAC"), hereinafter referred to as Grantee;

WITNESSETH:

Pursuant to Resolution adopted by the Council of the City of Memphis on February 3,
 2015, for and in consideration of the sum of "Six Hundred Sixty Thousand dollars
 (\$660,000.00)", from the Grantee, receipt of which is hereby acknowledged, the Grantor
 hereby conveys and quitclaims unto the Grantee all of its right, title and interest, less and
 except as provided below, in and to all of the real property located in the County of
 Shelby, City of Memphis, State of Tennessee, known as 664 St. Jude Place, Parcel
 ID#001130 00001, identified by the Shelby County Tax Assessor as Ward 001, Block
 130, Parcel 0001, recorded in book # 4914 page # 261, containing 3.99 acres, more or
 less, together with all rights, privileges, and appurtenances belonging or appertaining to
 such land. Such real property being more particularly described to wit:

Being Parcel 24 of the Subdivision of the Jackson Avenue Area as recorded in Plat Book
 26, Pages 31 and 32 at the Shelby County Register's Office in Memphis, Tennessee and
 being more particularly described as follows:

Beginning at the intersection of the north line of St. Jude Place (66' ROW) with the east
 line of Danny Thomas Boulevard (ROW Varies); thence N37°22'49"E along the said
 east line a distance of 151.44 feet to a point in the south line of the former L & N
 Railroad (ROW Varies); thence S70°24'08"E along the said south line a distance of
 316.10 feet to a point; thence S87°39'08"E continuing along the said south line a distance
 of 84.35 feet to a point; thence S70°24'08"E continuing along the said south line a
 distance of 202.47 feet to a point in the northwest corner of Parcel 23 of the Subdivision
 of the Jackson Avenue Area as recorded in Plat Book 26, Pages 31 and 32; thence
 S54°05'38"W along the west line of said Parcel 23 a distance of 470.02 feet to a point in
 the said north line of St. Jude Place; thence N21°15'00"W along the said north line a
 distance of 68.78 feet to a point of curvature; thence along a 483.00 foot radius curve to
 the left an arc distance of 383.18 feet (chord N43°58'13"W 373.21 feet) to the point of
 beginning and containing 129,314 square feet or 2.970 acres of land.

The former L&N RR now abandoned and used as a private driveway known as Gene
 Logan Drive and further described in metes and bounds as being part of the former L &
 N Railroad property east of Danny Thomas Boulevard in Memphis, Tennessee and being
 more particularly described as follows:

Beginning at the intersection of the south line of former L & N Railroad (ROW Varies)
 with the east line of Danny Thomas Boulevard (ROW Varies); thence N37°22'49"E
 along the said east line a distance of 52.51 feet to a point; thence N28°10'00"E
 continuing along the said east line a distance of 50.56 feet to a point in the north line of
 the said former L & N Railroad, said point also being in the southwest corner of Lot 22A
 of the Re-subdivision of Lots 20, 21, & 22 of Jackson Avenue Area Subdivision as
 recorded in Plat Book 180, Page 17; thence along the said north line of former L & N
 Railroad the following courses: S70°24'08"E a distance of 280.31 feet; S10°24'08"E a
 distance of 28.87 feet; S70°24'08"E a distance of 241.98 feet; S70°45'23"E a distance of
 38.52 feet to a point; thence S19°14'37"W leaving said north line a distance of 50.22 feet

to a point in the said south line of former L & N Railroad, said point also being in the northeast corner of Parcel 24 of the Jackson Avenue Area Subdivision as recorded in Plat Book 26, Page 32; thence along the said south line of former L & N Railroad the following courses: N70°24'08"W a distance of 202.47 feet; N87°39'08"W a distance of 84.35 feet; N70°24'08"W a distance of 316.10 feet to the point of beginning and containing 45,245 square feet or 1.039 acres of land.

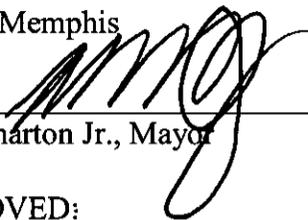
The Grantor hereby retains easements for existing utilities, sanitary sewer and drainage facilities recorded and unrecorded located in the above described parcels of real property. Grantor makes no claim or warranty relative to the environmental condition of the above described properties.

It is hereby agreed and understood between the parties, Grantee and Grantor, hereto that if the Grantee seeks a change of zoning or use on the property described herein, notice will be given to the Land Use Control Board and the Memphis City Council.

Signatures on the next page

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by the affixing thereto of the signature of the City of Memphis Mayor, the Mayor being authorized to do so.

City of Memphis


A C Wharton Jr., Mayor

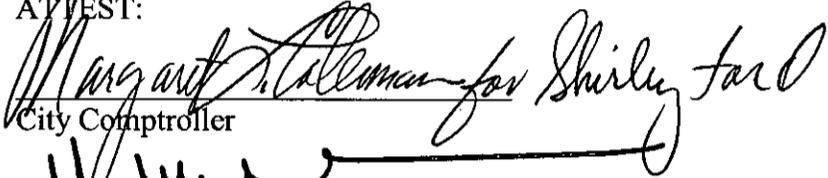
MS

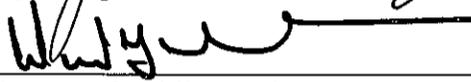
APPROVED:


City Attorney

MS

ATTEST:


City Comptroller


Director of Public Works


City Engineer


Director of General Services


Real Estate Manager

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public within and for said State and County duly commissioned and qualified personally appeared A C WHARTON, JR. , Mayor of the City of Memphis, with whom I am personally acquainted, and who, upon his oath, acknowledges himself to be the Mayor of the City of Memphis, the within named bargainor, a Municipal Corporation of the State of Tennessee, and that he as such Mayor of said City, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as such Mayor of said City.

Witness my hand and seal at office in Memphis, Shelby County, Tennessee, this the 13th day of March, 2015.

My Commission Expires:

September 16, 2018


Notary Public



Property Address:
664 St. Jude
Memphis, Tennessee, 38105

Property Owner's:
ALSAC
501 St. Jude
Memphis, TN 38105

Mail Tax Bills to:
ALSAC
501 St. Jude
Memphis, TN 38105

STATE OF TENNESSEE
COUNTY OF SHELBY

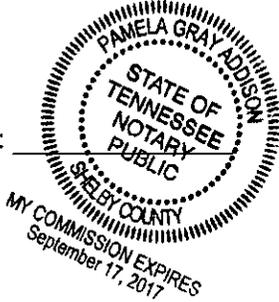
I, or we, hereby swear or affirm that to the best of Affiant's knowledge, information and belief the actual consideration for this transfer of value of the property transferred, whichever is greater is \$660,000.00 which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Barbara Moore
Affiant

SUBSCRIBED AND SWORN TO before me this 28th day of April, 2015.

Pamela Gray Addison
Notary Public

My Commission Expires:



1. PROPERTY DESCRIPTION OF THE ENTIRETY OF ST JUDE PL BETWEEN DANNY THOMAS BLVD AND LANE AVE IN MEMPHIS, SHELBY COUNTY, TENNESSEE.

TO BE CLOSED AND QUIT CLAIMED ENTIRELY TO AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES (ALSAC).

BEGINNING AT THE NORTH CORNER OF THE PARCEL WITH THE ID OF 0011900004 HAVING A NORTHING OF 323404.7200 AND AN EASTING OF 761581.2248 ON THE NAD 83 TENNESSEE STATE PLANE THE POINT OF BEGINNING; THENCE N 14° 37' 33" E ALONG THE EXISTING ST JUDE PL RIGHT OF WAY A DISTANCE OF 66.89 FEET TO A POINT OF CURVATURE WITH THE WESTERMOST POINT OF THE PARCEL WITH THE ID OF 00113000001; THENCE SOUTHEASTWARDLY ALONG A CURVE HAVING A RADIUS OF 483.00', A CORD BEARING OF S 43° 53' 20" E, A CORD DISTANCE OF 374.0', AND AN ARC LENGTH OF 384.03' TO A POINT OF TANGENCY; THENCE S 21° 06' 40" E A DISTANCE OF 68.78' TO A POINT OF INTERSECTION; THENCE S 21° 32' 14" E A DISTANCE OF 30.30' TO A POINT OF INTERSECTION; THENCE S 73° 39' 00" W A DISTANCE OF 15.90' TO A POINT OF INTERSECTION; THENCE S 09° 00' 52" E A DISTANCE OF 318.44' TO A POINT OF INTERSECTION; THENCE S 80° 59' 08" W A DISTANCE OF 58.79' TO A POINT OF INTERSECTION; THENCE N 09° 01' 46" W A DISTANCE OF 323.95' TO A POINT OF INTERSECTION; THENCE N 70° 00' 25" E A DISTANCE OF 5.16' TO A POINT OF INTERSECTION; THENCE N 20° 28' 54" W 80.14' TO A POINT OF CURVATURE; THENCE NORTHWESTWARDLY ALONG A CURVE HAVING A RADIUS OF 417.00', A CORD BEARING OF N 43° 11' 35" W, A CORD DISTANCE OF 313.53', AND AN ARC LENGTH OF 321.43' TO THE POINT OF COMMENCEMENT CONTAINING 1.11 ACRES OF LAND.



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

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

April 11, 2024

American Lebanese Syrian Associated Charities (St. Jude)
C/O Josh Whitehead
Burch, Porter & Johnson
130 North Court Avenue
Memphis, TN 3813

Sent via electronic mail to: jwhitehead@bpjlaw.com

Case Number: SAC 2024-005

LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, April 11, 2024, the Memphis and Shelby County Land Use Control Board recommended approval with conditions of your right-of-way vacation application to close and vacate a portion of St. Jude Place east of Danny Thomas Blvd., subject to the following conditions:

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb-cut permit from the City Engineer to cover the above-required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader. Drawings are subject to approval by City Engineering.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.
6. The applicant will modify the existing cul de sac to a 96' diameter to comply with the

Letter to Applicant
SAC 2024-005

requirements of IFC 503.2.5 Dead Ends(amended).

The 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) 636-7179 or via email at Latonya.hull@memphistn.gov.

Respectfully,

A handwritten signature in black ink, appearing to read "LaTonya Hull". The signature is written in a cursive style with a large initial "L" and "H".

LaTonya Hull,
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: File



Memphis City Council Summary Sheet

SUP 2024-035

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 2895 POPLAR AVE., KNOWN AS CASE NUMBER SUP 2024-035

- This item is a resolution with conditions for a special use permit to allow a drive-thru restaurant in the Transit Overlay District.
- The subject property is +/- 2/3 acre in area and hosts a drive-thru restaurant structure originally built as a typical Wendy's in 1985. The applicant plans to reuse this structure, which has experienced intermittent vacancy since the closure of the Wendy's circa 2015.
- This special use permit is necessary due to the property's location in the Transit Overlay District. Created in 2023, this overlay is intended to promote transit-oriented development along the alignment of the future Innovation Corridor. One of several provisions associated with the overlay is the requirement that all drive-thru restaurants receive a special use permit.
- Staff is supportive of the intention to reuse the existing structure. However, we are concerned about further entrenching auto-oriented uses along the future Innovation Corridor. Therefore, we are recommending **approval** with several conditions, most notably the following:
 - That the SUP is tied to the existing structure and would not allow its expansion nor the construction of a new structure.
 - A sunset provision that would require the operator to seek renewal of this approval every five years, to be granted by the Land Use Control Board.
- This item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, September 12, 2024**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 2024-035

LOCATION: 2895 Poplar Ave.

COUNCIL DISTRICT(S): District 5 and Super District 9

OWNER/APPLICANT: Huang Guokang

REPRESENTATIVE: The Bray Firm, David Bray

REQUEST: To allow a drive-thru restaurant in the Transit Overlay District

EXISTING ZONING: Commercial Mixed-Use – 3 (CMU-3), Transit Overlay (-TOD)

AREA: +/-29,055 sq. ft. (+/- 2/3 acre)

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 9-0 on the consent agenda.

Respectfully,



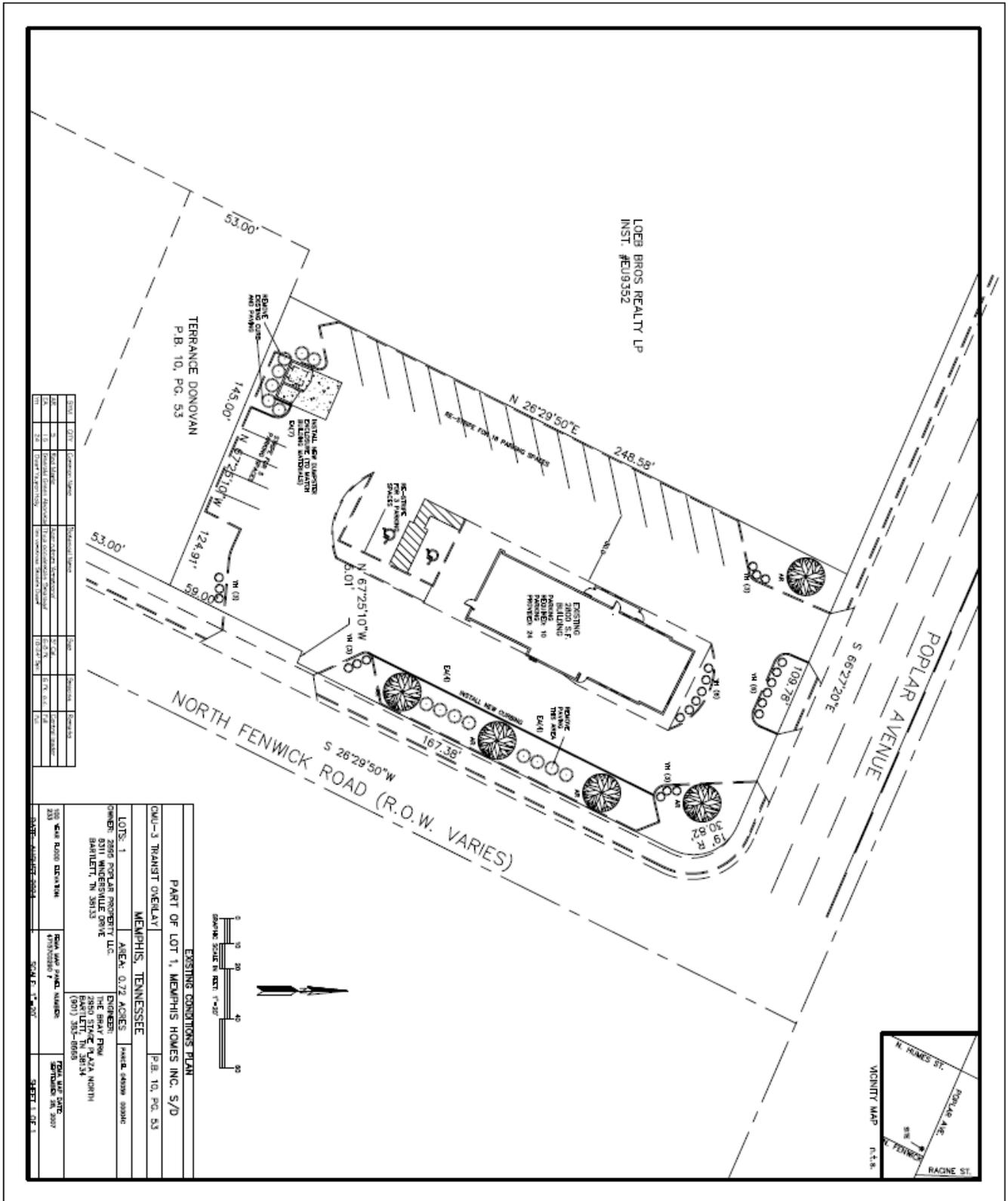
Nicholas Wardroup
Planner II
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SUP 2024-035
CONDITIONS

1. Should the existing principal structure ever be voluntarily or involuntarily demolished, this Special Use Permit shall be rendered null and void. The granting of this Special Use Permit shall not be construed as to allow the construction of any future drive-thru restaurant structure.
2. Use of the drive-thru window shall cease no later than January 1, 2030. The Land Use Control Board may, no earlier than one year prior to its expiry, consider extensions to this date not to exceed five years as major modifications.
3. Should use of the drive-thru window ever be discontinued for a consecutive period of two years, this Special Use Permit shall be rendered null and void.
4. The granting of this special use permit shall not be construed as to legitimize any unpermitted or illegal signage. The property shall be brought into compliance with all relevant provisions of UDC Chapter 4.9 and Sub-Section 8.13.7C prior to the issuance of a Certificate of Occupancy.
5. Any existing window graphics shall be removed. Any future window graphics shall conform with Paragraph 4.9.2D(9).
6. At least eight bicycle parking spaces (four racks) shall be provided. They shall be of an inverse-U (“staple” or “loop”) design and spaced at least 48” apart and at least 96” from any walls. They shall be placed together along the northwestern property line immediately adjacent to the primary building entrance. They shall be protected on both sides by planters or equivalent protection and clearly indicated with signage. The applicant may eliminate vehicular parking spaces as necessary to fulfil this requirement.
7. All refuse containers shall be completely screened from all 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 primary building to the satisfaction of the Zoning Administrator.
8. No additions, expansion of floor area, or construction of any accessory structures shall be permitted.
9. A revised site plan shall be submitted to the Zoning Administrator for administrative review and approval. It shall illustrate the locations of the required bicycle facilities as well as include an image of the required bicycle parking sign. Additionally, it shall illustrate the location and orientation of the menu board and speaker, which shall, to the satisfaction of the Zoning Administrator, face away from the southwestern property line.

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 2895 POPLAR AVE., KNOWN AS CASE NUMBER SUP 2024-035

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, Huang Guokang filed an application with the Memphis and Shelby County Division of Planning and Development to allow a drive-thru restaurant in the Transit Overlay District; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on September 12, 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. Should the existing principal structure ever be voluntarily or involuntarily demolished, this Special Use Permit shall be rendered null and void. The granting of this Special Use Permit shall not be construed as to allow the construction of any future drive-thru restaurant structure.
2. Use of the drive-thru window shall cease no later than January 1, 2030. The Land Use Control Board may, no earlier than one year prior to its expiry, consider extensions to this date not to exceed five years as major modifications.
3. Should use of the drive-thru window ever be discontinued for a consecutive period of two years, this Special Use Permit shall be rendered null and void.
4. The granting of this special use permit shall not be construed as to legitimize any unpermitted or illegal signage. The property shall be brought into compliance with all relevant provisions of UDC Chapter 4.9 and Sub-Section 8.13.7C prior to the issuance of a Certificate of Occupancy.
5. Any existing window graphics shall be removed. Any future window graphics shall conform with Paragraph 4.9.2D(9).
6. At least eight bicycle parking spaces (four racks) shall be provided. They shall be of an inverse-U (“staple” or “loop”) design and spaced at least 48” apart and at least 96” from any walls. They shall be placed together along the northwestern property line immediately adjacent to the primary building entrance. They shall be protected on both sides by planters or equivalent protection and clearly indicated with signage. The applicant may eliminate vehicular parking spaces as necessary to fulfil this requirement.
7. All refuse containers shall be completely screened from all 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 primary building to the satisfaction of the Zoning Administrator.
8. No additions, expansion of floor area, or construction of any accessory structures shall be permitted.
9. A revised site plan shall be submitted to the Zoning Administrator for administrative review and approval. It shall illustrate the locations of the required bicycle facilities as well as include an image of the required bicycle parking sign. Additionally, it shall illustrate the location and orientation of the menu board and speaker, which shall, to the satisfaction of the Zoning Administrator, face away from the southwestern property line.

ATTEST:

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

AGENDA ITEM: 26 L.U.C.B. MEETING: September 12, 2024
CASE NUMBER: SUP 2024-035
LOCATION: 2895 Poplar Ave.
COUNCIL DISTRICT: District 5 and Super District 9
OWNER/APPLICANT: Huang Guokang
REPRESENTATIVE: The Bray Firm, David Bray
REQUEST: Special use permit to allow a drive-thru restaurant within the Transit Overlay District
EXISTING ZONING: Commercial Mixed-Use – 3 (CMU-3), Transit Overlay

CONCLUSIONS

1. The applicant is requesting to resume the use of an existing drive-thru restaurant structure, which was used as a Wendy's between 1985 and 2015 and has since experienced intermittent periods of vacancy.
2. This subject application is necessary due to the 2023 adoption of the Transit Overlay District, which seeks to encourage transit-oriented development along the alignment of the planned Innovation Corridor Bus Rapid Transit (BRT) project.
3. Staff recognizes that the applicant is seeking only to reuse an existing structure and therefore recommends approval of the request. However, we are concerned about allowing drive-thru uses to be further entrenched along the Innovation Corridor route. Therefore, we are recommending the following conditions:
 - a. Tying the SUP to the existing structure and not allowing it to be transferred to a new structure.
 - b. A sunset provision requiring renewal by the Land Use Control Board.
 - c. A prohibition on new buildings or additions.
4. The granting of this special use permit, **as conditioned by staff**, will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC. Note that we could no longer make this finding if the drive-thru use were to be permitted in perpetuity, as doing so would undermine the efforts of the UDC to promote transit-oriented development in the vicinity of the planned Innovation Corridor BRT project.

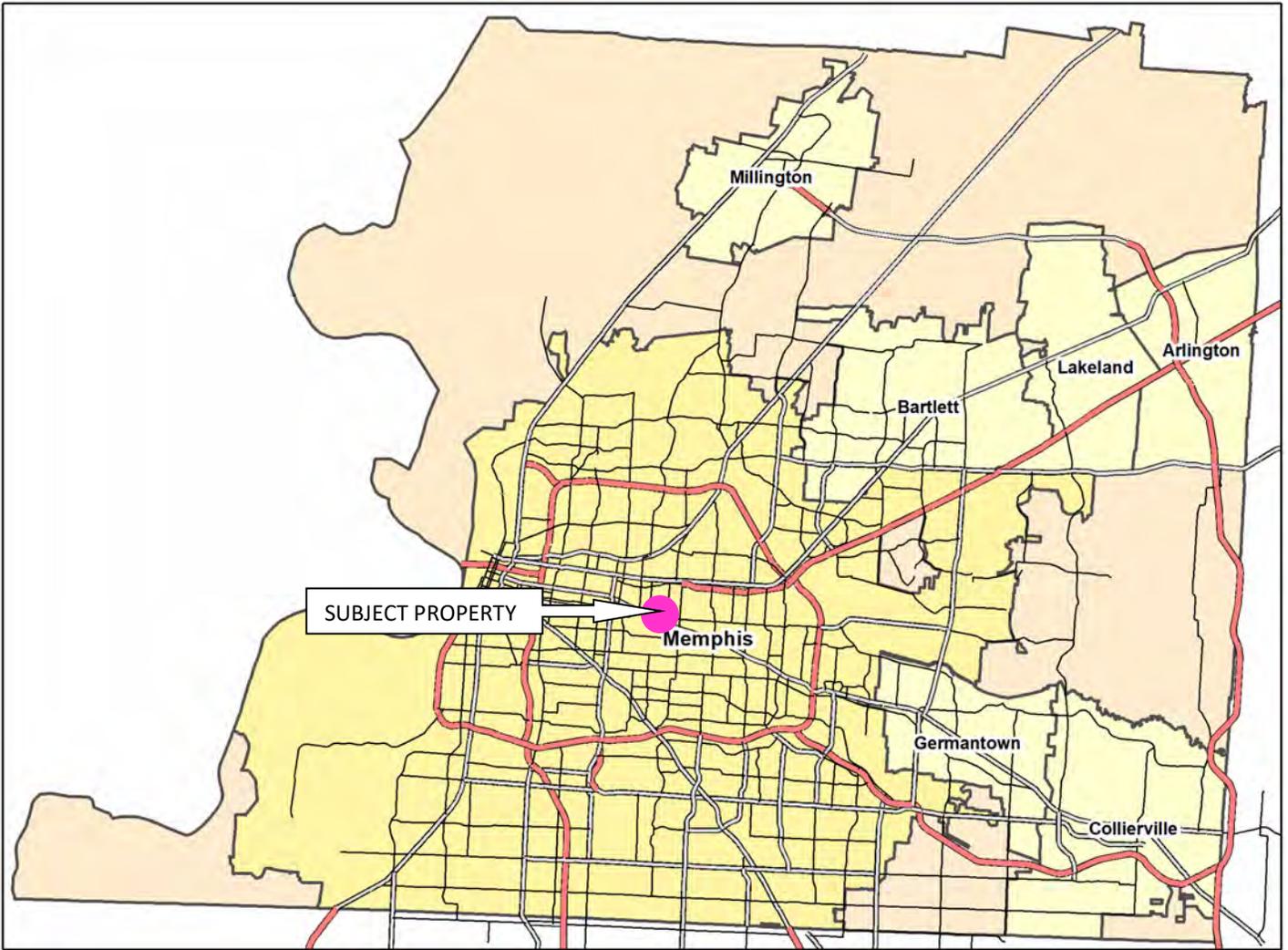
CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 17-18 of this report.

RECOMMENDATION:

Approval with conditions

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Notice mailed to owners of properties outlined in blue.

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 54 notices were mailed on August 19, 2024, see page 19 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 20 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Thursday, August 29, 2024, at Benjamin L. Hooks Library.

AERIAL



Subject property outlined in yellow, imagery 2024



Subject property highlighted in yellow

SURROUNDING LAND USE



Subject property indicated by pink star

SITE PHOTOS

Note that the existing structure has been painted and had new signs installed since the photos below were captured. See the photos of the posted notice sign (pg. 21) for the existing exterior of the structure.



View of subject property from Fenwick Rd. looking northwest



View of rear of property from Fenwick Rd. looking northwest

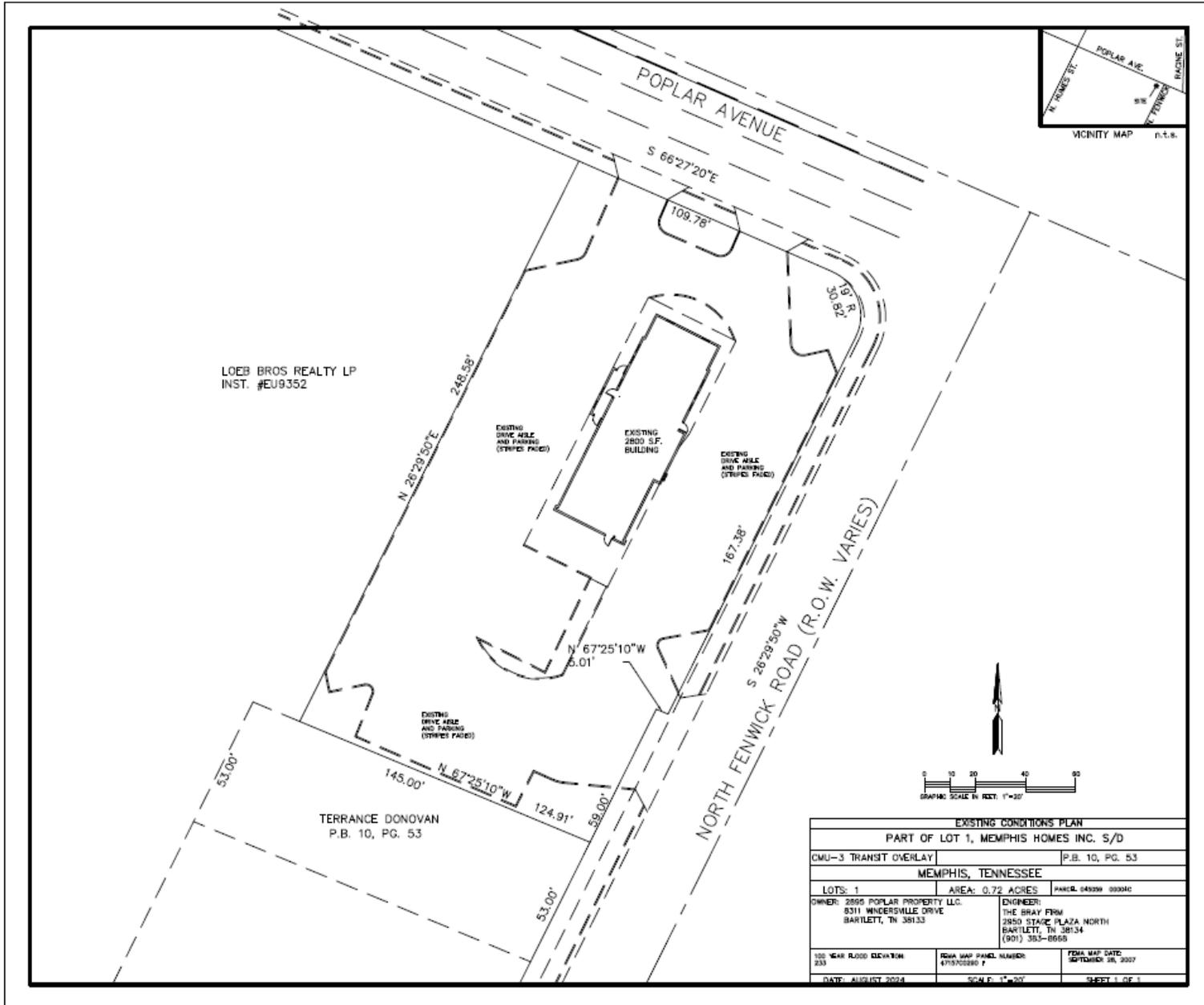


View of subject property from neighboring property looking southeast



View of subject property from Poplar Ave. looking southwest

EXISTING CONDITIONS



CASE REVIEW

Request

The request is a special use permit to allow a drive-thru restaurant in the Transit Overlay 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 Details

Address:
2895 Poplar Ave.

Parcel ID:
045059 00004C

Area:
+/- 29,055 square feet (+/- 2/3 acre)

Description:

The subject property is an approximately 2/3-acre lot at the western corner of Poplar Ave. and Fenwick Rd. It hosts a +/- 2800 sq. ft. principal structure built in 1985 and featuring a drive-thru window. It is served by three curb cuts: two on Poplar Ave. and one on Fenwick Rd.

Site History

The existing principal structure was built in 1985 to host a typical Wendy's restaurant, which operated until approx. 2015. Since the closure of the Wendy's, it has hosted a variety of independent drive-thru restaurants. Notably, however, the drive-thru window has not been in operation for at least two years.

In 2023 (ZTA 2022-001), the Transit Overlay District was added to the UDC in order to "support transit-oriented development in locations of the city where there is existing or planned high frequency transit service, such as bus rapid transit (BRT). One of the provisions of this overlay is the requirement that drive-thru restaurants receive special use permit review. Had the use of the drive-thru window not been interrupted, its use would be legally nonconforming and no special use permit would be required. However, as stated, it has recently been discontinued, necessitating the subject application.

Site Plan Review

The applicant proposes no significant changes to the overall site layout. Landscaping is proposed primarily along Fenwick Rd., but minor landscaping is also proposed along Poplar Ave.

Notably, the Transit Overlay District features a maximum parking requirement. Staff calculates this maximum to be 26 spaces and therefore finds that the proposed 24 (including 2 ADA) spaces to be in conformance with this provision (Sub-section 8.13.7B). Note that staff estimates that recommended condition #6 would decrease this to 20-22 spaces.

Analysis

Staff is supportive of the applicant's intention to reuse the existing principal structure, which has seen intermittent periods of vacancy since the closure of the Wendy's. Additionally, we note that the restaurant use (without the drive-thru) would be by-right. In other words, should this application be rejected, the applicant would still be entitled to operate the restaurant, just not the drive-thru window. We find, therefore, that the approval of this application will not undermine the intent of the Transit Overlay District in promoting pedestrian-oriented development.

Staff also recognizes the reality of the auto-oriented development pattern that dominates the vicinity. However, as the planned Innovation Corridor BRT project is anticipated to make pedestrian-oriented development more

feasible, we have concerns about permitting auto-oriented uses (such as drive-thru restaurants) in perpetuity. Our recommended conditions, therefore, include the following:

- A condition that ties this SUP to the building itself, preventing it from allowing the construction of a new drive-thru restaurant on the property (condition #1).
- A sunset provision (condition #2). This allows staff (and the Land Use Control Board) to periodically reassess whether drive-thru uses remain appropriate in the area.
- A prohibition on building expansion and accessory structures (condition #8). This prevents further entrenchment of the drive-thru use and, by extension, the auto-oriented built form of the area.

Other recommended conditions would do the following:

- Require the installation of a bicycle corral (condition #6).
- Ensure that the menu board and speaker face away from the residential properties to the south (condition #9).
- Clarify that the various provisions of the UDC related to signage remain in effect (conditions #4 and #5).
- Ensure that refuse containers are adequately screened (condition #7).

In summary, while staff recommends allowing the resumption of the drive-thru use, we wish to reserve the right to reassess this recommendation as the anticipated impacts of the Innovation Corridor project become more concrete. Our recommended conditions would also prevent further reinforcement of the auto-oriented built form through the construction of new buildings or expansion of the existing building.

The granting of this special use permit, **as conditioned by staff**, will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC. Note that we could no longer make this finding if the drive-thru use were to be permitted in perpetuity, as doing so would undermine the efforts of the UDC to promote transit-oriented development in the vicinity of the planned Innovation Corridor BRT project.

RECOMMENDATION

Staff recommends approval with nine (9) conditions.

Conditions

1. Should the existing principal structure ever be voluntarily or involuntarily demolished, this Special Use Permit shall be rendered null and void. The granting of this Special Use Permit shall not be construed as to allow the construction of any future drive-thru restaurant structure.
2. Use of the drive-thru window shall cease no later than January 1, 2030. The Land Use Control Board may, no earlier than one year prior to its expiry, consider extensions to this date not to exceed five years as major modifications.
3. Should use of the drive-thru window ever be discontinued for a consecutive period of two years, this Special Use Permit shall be rendered null and void.
4. The granting of this special use permit shall not be construed as to legitimize any unpermitted or illegal signage. The property shall be brought into compliance with all relevant provisions of UDC Chapter 4.9 and Sub-Section 8.13.7C prior to the issuance of a Certificate of Occupancy.
5. Any existing window graphics shall be removed. Any future window graphics shall conform with Paragraph 4.9.2D(9).
6. At least eight bicycle parking spaces (four racks) shall be provided. They shall be of an inverse-U (“staple” or “loop”) design and spaced at least 48” apart and at least 96” from any walls. They shall be placed together along the northwestern property line immediately adjacent to the primary building entrance. They shall be protected on both sides by planters or equivalent protection and clearly indicated with signage. The applicant may eliminate vehicular parking spaces as necessary to fulfil this requirement.
7. All refuse containers shall be completely screened from all 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 primary building to the satisfaction of the Zoning Administrator.
8. No additions, expansion of floor area, or construction of any accessory structures shall be permitted.
9. A revised site plan shall be submitted to the Zoning Administrator for administrative review and approval. It shall illustrate the locations of the required bicycle facilities as well as include an image of the required bicycle parking sign. Additionally, it shall illustrate the location and orientation of the menu board and speaker, which shall, to the satisfaction of the Zoning Administrator, face away from the southwestern property line.

DEPARTMENTAL COMMENTS

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

City/County Engineer:	See Next Page.
City/County Fire Division:	No comments received.
City Real Estate:	No comments received.
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 pages 17-18

CITY ENGINEERING COMMENTS

CASE 17: SUP-24-035

NAME: 2895 Poplar Ave.

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 sewer capacity is available to serve this development.
3. If the water meter size is upgraded, a sewer development fee is required.

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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

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: SUP 2024-035

Site Address/Location: 2895 Poplar Ave

Overlay District/Historic District/Flood Zone: Transit District Overlay

Future Land Use Designation: High Intensity Commercial & Services (CSH)

Street Type: Avenue & Parkway

The applicant is seeking a Special Use Permit to allow a drive through window in an existing structure.

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

High Intensity Commercial and Service areas typically not associated with anchors. These areas may include commercial uses that serve a larger trade area; this may include large-scale retail, self-storage, vehicle sales, leasing and repair, water-oriented services, lodging, indoor recreation, and social service institutions. Graphic portrayal of CSH is to the right.



“CSH” Form & Location Characteristics

Commercial and services uses with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map, 1-7 stories height

“CSH” Zoning Notes

Generally compatible with the following zone districts: CMU-2, CMU-3 without frontage requirements, C-G in accordance with Form and characteristics listed above.

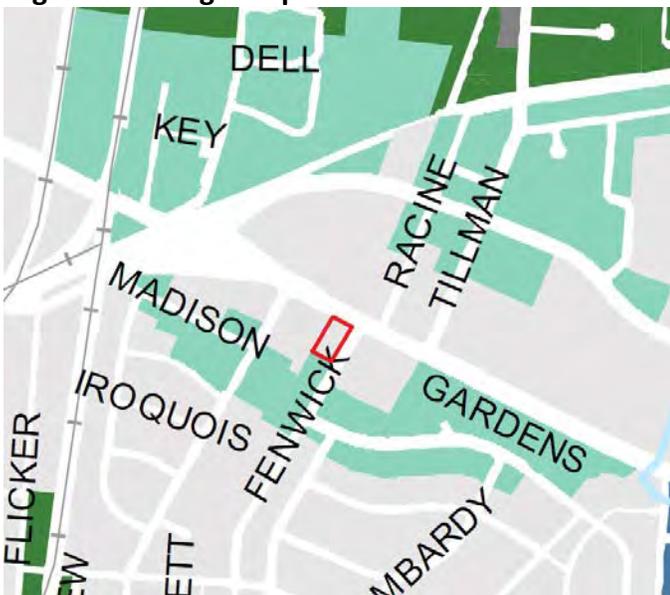
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, CMU-3

Adjacent Land Use and Zoning: Low Intensity Commercial, High Intensity Commercial, Single-Family, Office; CMU-1, CMU-2, RU-1

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

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 a Special Use Permit to allow a drive through window in an existing structure.

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

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

Summary Compiled by: Nick Wiggins, Comprehensive Planning.

MAILED PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than **Wednesday, September 4, 2024 at 8 AM.**

CASE NUMBER: SUP 2024-035
ADDRESS: 2895 Poplar Ave.
REQUEST: Special Use Permit to allow a drive-thru restaurant within the Transit Overlay District
APPLICANT: Huang Guokang

Meeting Details

Location: Council Chambers City Hall 1st Floor 125 N Main St.	Time: 9:00 AM Date: Thursday, Sept. 12
--	---

Staff Planner Contact:

Nicholas Wardroup
✉ nicholas.wardroup@memphistn.gov
☎ (901) 636-7398



VICINITY MAP



To learn more about this proposal, contact the staff planner or use the QR code to view the full application.



54 Notices Mailed 08/19/2024

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, GUOKANG HUANG, being duly sworn, depose and say that at 2:00 am/pm on the 29 day of August, 2024, I posted 2 Public Notice Sign(s) pertaining to Case No. SUP-2024-035 at 2895 Poplar Ave Memphis TN 38111 providing notice of a Public Hearing before the (check one):

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

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

[Signature]
Owner, Applicant or Representative

8/29/2024
Date

Subscribed and sworn to before me this 29 day of August, 2024.

[Signature]
Notary Public

My commission expires: 12/21/2026



POSTED SIGN PHOTOS



Sign posted along Poplar Ave.



Sign posted along Fenwick Rd.

OWNER AFFIDAVIT



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, GUOKANG HUANG (Print Name), [Signature] (Sign Name), 8/08/24, 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 2895 Poplar Ave Memphis TN 38111
and further identified by Assessor's Parcel Number 04-5059-D-0004C
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 8th day of August in the year of 2024.

[Signature]
Signature of Notary Public



My commission expires on October 4, 2025.

My Commission Expires

LETTER OF INTENT



Telephone 901-383-8668

2950 Stage Plaza North
Bartlett, Tennessee 38134

August 9, 2024

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

**RE: 2895 Poplar Avenue
Part of Lot 1, Memphis Homes Inc. S/D
Memphis, Tennessee**

Mr. Ragsdale:

Please find attached an application for a Special Use Permit to allow a drive through window in the CMU-3 Transit Overlay District. The site is currently improved and was previously used as restaurant with drive through prior to the overlay restriction. The applicant purchased the building to open Grill Madness with the intention of utilizing the existing drive through window but was unaware that the applicable zoning codes did not allow that as a use by right. Per this application, he is requesting to be allowed to use this as a part of his business. The existing site was overparked per the UDC regulations so we have eliminated the parking along the Fenwick side of the site to add additional landscaped area and screen the drive through and queued cars from the roadway frontage.

Thank you for considering this request. If you have any questions or need any additional information, please contact me.

Sincerely,

David Gean Bray, P.E.

LETTERS RECEIVED

One letter of comment was received and has subsequently been attached. Also attached is the sign-in sheet from the required neighborhood meeting.

Wardroup, Nicholas

From: Terry Donovan <tdonovanfsu@yahoo.com>
Sent: Tuesday, September 3, 2024 10:33 PM
To: Wardroup, Nicholas
Cc: dgbray@comcast.net
Subject: Case # SUP 2024-035 2895 Poplar Avenue

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

September 3, 2024

Mr. Nicholas Wardroup
Memphis and Shelby County
Division of Planning and Development
Land Use Control Board

Re: 2895 Poplar Avenue
Future Restaurant

Mr. Wardroup -

As you may have already read on David Bray's 8/30/24 email summarizing his 8/29/24 Neighborhood Meeting, I own the residence at 43 N Fenwick, sharing a property line with 2895 Poplar. As David explained to me, the lapse in having a restaurant open has triggered this new request for the drive through window.

As far as the actual drive through 'window' itself, I have no objection. I purchased this house last summer, well aware that this adjoining property may reopen as a restaurant. Post-Covid, I can't imagine a fast-food place without a window. I do however have a concern with the associated Menu Board and Speaker. The original Wendy's and the most recent operation, had the Menu Board close to the window, and facing more toward Fenwick. There's now a new larger Menu Board, facing directly south toward my house, and much closer to me. The board has been illuminated all night long the past month or two. The sounds from the speaker at this new location and orientation may be much more of an issue.

A positive item that came out of my meeting with David Bray, are the required site improvements. On the back side of David Bray's Meeting Invite Notice, was a copy of the Site Plan Drawing. Please make sure these requirements/changes are completed before the business is reopened. Moving the Dumpster Enclosure further away from Fenwick, making a wider curbed area parallel with the drive through, and all the new required plantings for screening, should have a positive impact on the look of this property. It's been a real distraction to the neighborhood, with it's poor upkeep. Granted, the public has left trash on this site, but the grass is seldom cut, and right now there's a large pile of construction debris piled up next to my property, where a simple construction dumpster would normally be used. I look forward to seeing the changes, but am not confident they will get done if left to the owner/tenant, without pressure

from your office. This may come across pessimistic, but a quick look at the quality of new exterior work will "bear that out".

If you visit at night, you'll get to see the new blue rope lights as well (I'm hoping those are short-lived).

I hope the new Owner/tenant is successful in this venture. I'll certainly try them out. This first year in my house I've updated the inside. I hope to concentrate more on the outside this winter, including installing new fencing close to this shared property line, which will further improve the look of these adjoining properties.

Thanks

Terry Donovan
901-870-7010
tdonovanfsu@yahoo.com
43 N Fenwick Road
Memphis, TN 38111

copy: David Bray, P.E., The Bray Firm

560 IN SHEET
SOP 2024-035

NAME

CONTACT

TERRY DONOVAN

901-870-7010

tdonovanfsu@yahoo.com

CATHY CHESTEEN

901-³301-1647

CATHY.CHESTEEN@BELZ.COM



Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis, Tennessee 38134

Downtown Service Center: 125 N. Main Street; Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Processing

Opened Date: August 9, 2024

Record Number: SUP 2024-035

Expiration Date:

Record Name: Part of Lot 1, Memphis Homes Inc. Subdivision

Description of Work: SUP request to allow drive through window in CMU-1 zoning district, Transit Overlay District.

Parent Record Number:

Address:

2895 POPLAR AVE, MEMPHIS 38111

Owner Information

Primary Owner Name

Y S & D REAL ESTATE LLC

Owner Address

4438 CANADA RD, ARLINGTON, TN 38002

Owner Phone

Parcel Information

045059 00004C

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Help Desk

Date of Meeting

06/12/2024

Pre-application Meeting Type

Service Desk

GENERAL PROJECT INFORMATION

Application Type

New Special Use Permit (SUP)

List any relevant former Docket / Case

n/a

Number(s) related to previous applications on this site

Is this application in response to a citation, stop

No

GENERAL PROJECT INFORMATION

work order, or zoning letter

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

n/a

APPROVAL CRITERIA

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

The site was previously a restaurant with drive through. The existing building will be reused. Landscaping will be added to shield the drive through from adjacent street.

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

This is an existing site that will be reused.

UDC Sub-Section 9.6.9C

This is an existing building with existing services.

UDC Sub-Section 9.6.9D

agreed

UDC Sub-Section 9.6.9E

agreed

UDC Sub-Section 9.6.9F

agreed

GIS INFORMATION

Case Layer

BOA1981-059

Central Business Improvement District

No

Class

C

Downtown Fire District

No

Historic District

-

Land Use

COMMERCIAL

Municipality

MEMPHIS

Overlay/Special Purpose District

Transit Overlay District Overlay

Zoning

CMU-1

State Route

1

Lot

-

Subdivision

SARAH JONES PT

Planned Development District

-

Wellhead Protection Overlay District

No

Contact Information

Name
HUANG GUOKANG

Contact Type
APPLICANT

Address

Phone
-

Name
THE BRAY FIRM

Contact Type
ARCHITECT / ENGINEER /
SURVEYOR

Address
2950 STAGE PLAZA NORTH,

Phone
(901)487-2425

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1584878	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	08/09/2024
1584878	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	08/09/2024

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$513.00	Credit Card



Telephone 901-383-8668

2950 Stage Plaza North
Bartlett, Tennessee 38134

August 9, 2024

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

**RE: 2895 Poplar Avenue
Part of Lot 1, Memphis Homes Inc. S/D
Memphis, Tennessee**

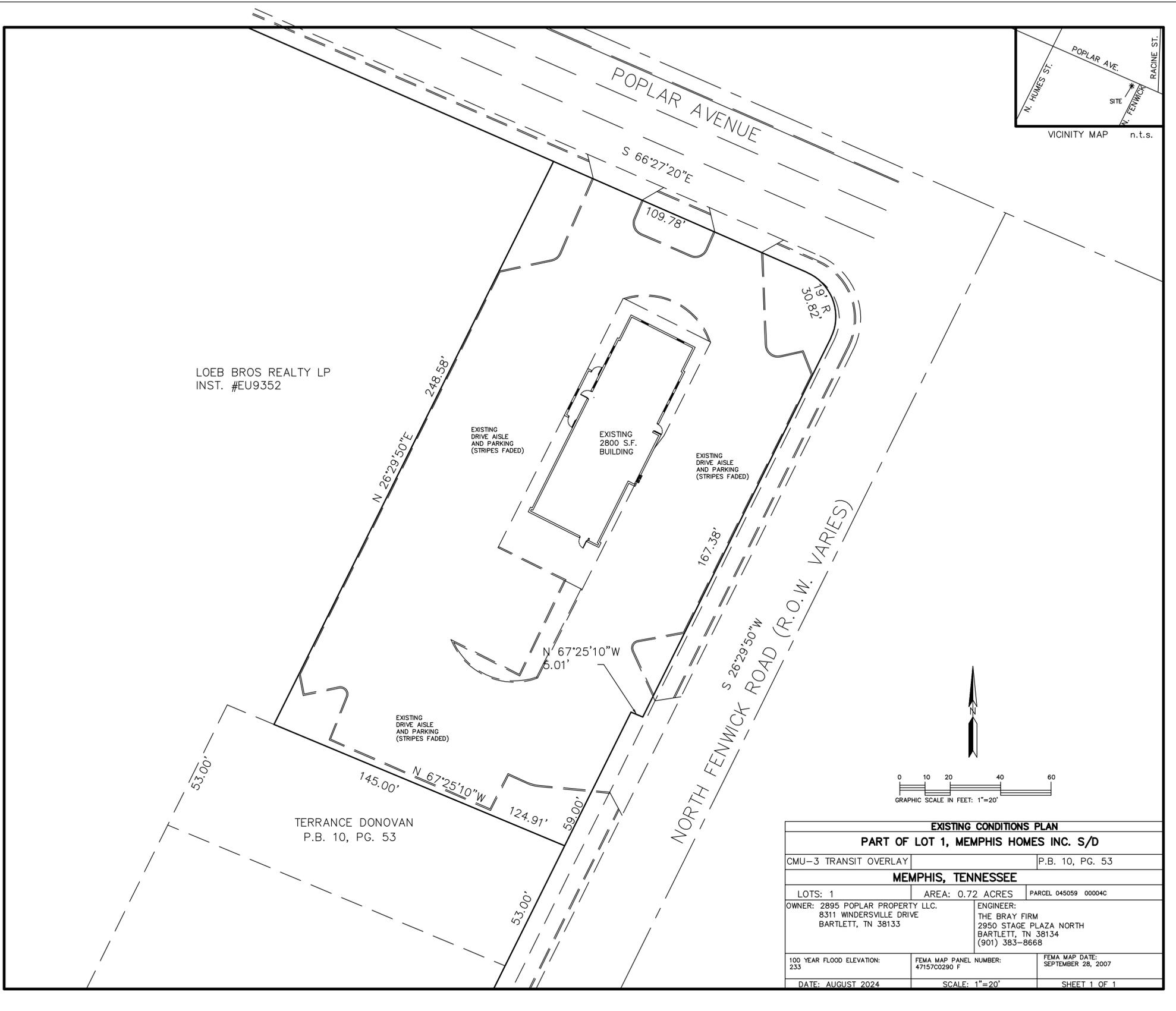
Mr. Ragsdale:

Please find attached an application for a Special Use Permit to allow a drive through window in the CMU-3 Transit Overlay District. The site is currently improved and was previously used as restaurant with drive through prior to the overlay restriction. The applicant purchased the building to open Grill Madness with the intention of utilizing the existing drive through window but was unaware that the applicable zoning codes did not allow that as a use by right. Per this application, he is requesting to be allowed to use this as a part of his business. The existing site was overparked per the UDC regulations so we have eliminated the parking along the Fenwick side of the site to add additional landscaped area and screen the drive through and queued cars from the roadway frontage.

Thank you for considering this request. If you have any questions or need any additional information, please contact me.

Sincerely,

David Gean Bray, P.E.



EXISTING CONDITIONS PLAN		
PART OF LOT 1, MEMPHIS HOMES INC. S/D		
CMU-3 TRANSIT OVERLAY	P.B. 10, PG. 53	
MEMPHIS, TENNESSEE		
LOTS: 1	AREA: 0.72 ACRES	PARCEL 045059 00004C
OWNER: 2895 POPLAR PROPERTY LLC. 8311 WINDERSVILLE DRIVE BARTLETT, TN 38133	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668	
100 YEAR FLOOD ELEVATION: 233	FEMA MAP PANEL NUMBER: 47157C0290 F	FEMA MAP DATE: SEPTEMBER 28, 2007
DATE: AUGUST 2024	SCALE: 1"=20'	SHEET 1 OF 1



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.



23095582

11/07/2023 - 11:05:41 AM

3 PGS	
ALLYSON 2642579 - 23095582	
VALUE	950000.00
MORTGAGE TAX	0.00
TRANSFER TAX	3515.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	3533.00

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

Prepared by and return to:
Summit Title & Escrow, LLC
6263 Poplar Avenue
801
Memphis, TN 38119
(901) 881-8600

WARRANTY DEED

Effective as of **6th day of November, 2023**, for and in consideration of the sum of Ten (\$10.00) Dollars, cash in hand paid by the hereinafter named grantee and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, **S & D Real Estate, LLC, a Tennessee Limited Liability Company**, hereinafter referred to as Grantor, has bargained, sold, conveyed and by these presents does transfer sell and convey unto **2895 Poplar Property LLC, a Tennessee Limited Liability Company** hereinafter called the Grantee, its successors, heirs and assigns, a certain tract or parcel of land together with all improvements thereon and appurtenances thereto, in Shelby County, State of Tennessee, and described as follows:

BEING PART OF LOT 1, MEMPHIS HOMES, INC. SUBDIVISION AS RECORDED IN PLAT BOOK 10, PAGE 53, IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF POPLAR AVENUE, SAID POINT BEING THE WESTERLY END OF A CURVE HAVING A RADIUS OF 19.00 FEET LOCATED AT THE SOUTHWEST CORNER OF POPLAR AVENUE AND NORTH FENWICK ROAD; THENCE, SOUTHEASTWARDLY AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 19.00 FEET A DISTANCE OF 30.82 FEET TO A POINT OF TANGENCY IN THE WESTERLY LINE OF NORTH FENWICK ROAD; THENCE, SOUTH 26 DEGREES 29 MINUTES 50 SECONDS WEST WITH THE WESTERLY LINE OF NORTH FENWICK ROAD A DISTANCE OF 167.38 FEET TO A POINT IN THE NORTHERLY LINE OF MEMPHIS HOMES, INC. SUBDIVISION; THENCE NORTH 67 DEGREES 25 MINUTES 10 SECONDS WEST WITH THE SAID NORTHERLY LINE OF MEMPHIS HOMES, INC. SUBDIVISION A DISTANCE OF 5.01 FEET TO A POINT IN THE WESTERLY LINE OF NORTH FENWICK ROAD; THENCE, SOUTH 26 DEGREES 29 MINUTES 50 SECONDS WEST WITH THE WESTERLY LINE OF NORTH FENWICK ROAD A DISTANCE OF 59.00 FEET TO AN IRON PIN FOUND IN THE NORTHERLY LINE OF LOT 2, MEMPHIS HOMES, INC. SUBDIVISION; THENCE, NORTH 67 DEGREES 25 MINUTES 10 SECONDS WEST WITH THE SAID NORTHERLY LINE OF LOT 2, MEMPHIS HOMES, INC. SUBDIVISION A DISTANCE OF 124.91 FEET TO AN IRON PIN SET IN THE EASTERLY LINE OF THE JOHN MCDOWELL ET AL PROPERTY; THENCE NORTH 26 DEGREES 29 MINUTES 50 SECONDS EAST WITH THE SAID EASTERLY LINE OF THE JOHN MCDOWELL ET AL PROPERTY A DISTANCE OF 248.58 FEET TO A POINT IN THE SOUTHERLY LINE OF POPLAR AVENUE; THENCE, SOUTH 66 DEGREES 27 MINUTES 20 SECONDS EAST WITH THE SOUTHERLY LINE OF POPLAR AVENUE A DISTANCE OF 109.78 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THAT PART CONVEYED BY WARRANTY DEED OF RECORD IN INSTRUMENT 11109338, IN THE REGISTER'S OFFICE, SHELBY COUNTY, TENNESSEE.

Being the same property conveyed to S&D Real Estate, LLC, a Tennessee limited liability company, by Special Warranty Deed from Valenti Mid-South Realty, L.L.C., a Tennessee limited liability company, of record in Instrument No. 16100387, in the Register's Office of Shelby County, Tennessee, dated and recorded on September 30, 2016.

This property is unencumbered except for all applicable restrictions, easements, visible easements, matters appearing on the plan(s) of record; and all matters referenced in the master deed and by-laws in additional to applicable government and zoning regulations, all of record in the Register's Office of Shelby County, Tennessee; and 2024 Shelby County, and 2024 City of Memphis, Tennessee real estate taxes and is being conveyed subject to those taxes and real estate taxes and assessments for all subsequent years.

TO HAVE AND TO HOLD this tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the Grantee and Grantee's successors, heirs and assigns forever; and Grantor covenants with the Grantee that Grantor is lawfully seized and possessed of said land in fee simple, has a good right to convey it and the land is unencumbered, unless otherwise stated in this deed; and Grantor does further covenant and bind Grantor and Grantor's heirs and representatives, to warrant and forever defend the title to the said land to the Grantee and Grantee's successors, 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 the Grantor's hand on this 4 day of November 2023

GRANTOR:

S & D Real Estate, LLC, a Tennessee Limited Liability Company

By: 
Dana Lin, Authorized Signor

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, as notary public of the state and county mentioned, personally appeared Dana Lin, Authorized Signor of S & D Real Estate, LLC, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be Authorized Signor of S & D Real Estate, LLC, the within named bargainor, a Limited Liability Company, and that such Dana Lin, Authorized Signor of S & D Real Estate, LLC as such Authorized Signor, executed the foregoing instrument for the purpose therein contained, by personally signing the name of the Limited Liability Company as Authorized Signor.

Witness my hand and seal, at office in Shelby, TN, this 4 day of November 2023.


Notary Signature
My commission expires: 3/11/2026



New Owner Name and Address to/ Mail tax bills to:

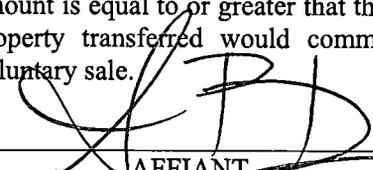
2895 Poplar Property LLC
8311 Windersville Drive
Bartlett, TN 38133

Property Address:

2895 Poplar Avenue
Memphis, TN 38111

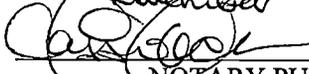
Parcel I.D. Numbers: 045-059-00004C

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred whichever is greater is **\$950,000.00**, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.



AFFIANT

Subscribed and sworn to before me this 10
day of ~~October~~ November, 2023



NOTARY PUBLIC

Commission expires: 3/11/2024



My Comm. Exp. 03-11-28

2895 Poplar Avenue
Page 1 of 4

2895 Poplar Property LLC
8311 Windersville Dr.
Bartlett, TN 38133

The Bray Firm
2950 Stage Plaza North
Bartlett, TN 38134

Applicant

Engineer

LOEB Bros Realty L P
P O Box 171247
Memphis, TN 38187

Resident
2875 Poplar Ave
Memphis, TN 38111

Terrence Donovan
43 N Fenwick Rd
Memphis, TN 38111

Wesley Knox
934 Hawthorne St
Memphis, TN 38107

Resident
37 N Fenwick Rd
Memphis, TN 38111

Han H & Natalie Gregorie
8 Hillcrest Ave
Unit 2517
Ontario, CA

Resident
33 N Fenwick Rd
Memphis, TN 38111

Tomeria N Scroggins
27 N Fenwick Rd
Memphis, TN 38111

Grant Buckley
21 N Fenwick Rd
Memphis, TN 38111

Danna Greenfield
17 N Fenwick St
Memphis, TN 38111

Shelby County Tax 16.01
P O Box 2751
Memphis, TN 38101

Samantha Gullede
13 N Fenwick Rd
Memphis, TN 38111

Sandra Upchurch
9 Fenwick Rd
Memphis, TN 38111

John Little
5 N Fenwick Rd
Memphis, TN 38111

Barbara Little Revocable Trust
8279 Honey Tree Cv
Germantown, TN 38138

Resident
1 N Fenwick Rd
Memphis, TN 38111

Harrington Patricia H Living Trust
3 S Fenwick Dr
Memphis, TN 38111

Anita Flynn & Eugene Pirani
5446 Sportsman Dr
Nesbit, MS 38651

Resident
10 N Humes St
Memphis, TN 38111

Lynn Paczkowski
14 N Humes St
Memphis, TN 38111

Courtney Conrad
18 N Humes St
Memphis, TN 38111

John & Charlotte Siegart
22 N Humes St
Memphis, TN 38111

5K Properties LLC
9509 Osborn Rd
Arlington, TN 38002

Resident
F28 N Humes St
Memphis, TN 38111

Daniel Day
34 N Humes St
Memphis, TN 38111

Hooks Annie R
38 N Humes St
Memphis, TN 38111

Gill Poplar Humes Gp
8120 Macon Station
Ste 114
Memphis TN 38108

Alexander Investment Partners
P O Box 770119
Memphis, TN 38177

Resident
51 N Humes St
Memphis, TN 38111

Resident
45 N Humes St
Memphis, TN 38111

Erin Buck
35 Humes St
Memphis, TN 38111

Dan Hanson & Adam & Stephanie
Reynolds
29 Humes
Memphis, TN 38111

Taylor Spicer
23 N Humes St
Memphis, TN 38111

Dennis Sparks
P O Box 9154
Memphis, TN 38111

Resident
2911 Poplar Ave
Memphis, TN 38111

Ess Prisa II LLC
P O Box 71870
Salt Lake City, UT 84171

Resident
2939 Poplar Ave
Memphis, TN 38111

Richard & Christina Roberts
2884 Tishomingo Ln
Memphis, TN 38111

Caroline Palazola & Jessee Conrad
2892 Tishomingo Ln
Memphis, TN 38111

ETJ LLC
644 Rozelle St
Memphis, TN 38104

Resident
2904 Tishomingo Ln
Memphis, TN 38111

M Turley Prop. LLC
871 Ridgeway Loop
Ste 107
Memphis, TN 38120

Resident
2916 Tishomingo Ln
Memphis, TN 38111

Anne Gamble
2926 Tishomingo Ln
Memphis, TN 38111

Marie Murrah
2938 Tishomingo Ln
Memphis, TN 38111

Sandra Harbison
2945 Gardens Way
Memphis, TN 38111

Kimberly Macqueen
2947 Gardens Way
Memphis, TN 38111

Wesson Development Co Inc
3251 Poplar Ave
Memphis, TN 38111

Kaye Lichterman
2944 Gardens Way
Memphis, TN 38111

Clark Family Community Property Trust
1 Cherokee Dr
Memphis, TN 38111

Ledger Family TCP Trust
11 Cherokee Dr
Memphis, TN 38111

Henry & Thankful Sullivant
2899 Tishomingo Ln
Memphis, TN 38111

Margaret Turley
2905 Tishomingo Ln
Memphis, TN 38111

Poplar-Tillman LLC
4385 Poplar Ave
Memphis, TN 38117

Resident
2944 Poplar Ave
Memphis, TN 38111

Robert & Patrick Averwater Revocable
Trust
2918 Poplar Ave
Memphis, TN 38111

Resident
2936 Poplar Ave
Memphis, TN 38111

Womans Exchange Of Memphis
88 Racine St
Memphis, TN 38111

RKA Investments LLC
PO Box 111505
Memphis, TN 38111

Resident
81 Tillman St
Memphis, TN 38111

Hiles Holdings LLC
2893 Muma Rd
Parma, MI 49269

Resident
91 Tillman St
Memphis, TN 38111

Resident
2906 Poplar
Memphis, TN 38111

Resident
91 Racine St
Memphis, TN 38111

RF Properties LLC
2918 Poplar Ave
Memphis, TN 38111

Resident
111 Racine St
Memphis, TN 38111

City of Memphis Light Gas & Water
General Delivery
Memphis, TN 38101

Resident
2904 Poplar Ave
Memphis, TN 38111

C & R Events Enterprise LLC
5156 Scenic Ridge Dr
Las Vegas, NV 29148

Resident
2866 Poplar Ave
Memphis, TN 38111

Mascom Properties LLC
8039 Stage Hill Blvd
Ste 201
Bartlett, TN 38133

Resident
2870 Poplar Ave
Memphis, TN 38111

Couloubaritsis & Partners
756 Brookhaven Cir
Memphis, TN 38117

Resident
2860 Poplar Ave
Memphis, TN 38111

Resident
2842 Poplar Ave
Memphis, TN 38111

2895 Poplar Avenue
Page 4 of 4

Resident
2852 Poplar Ave
Memphis, TN 38111

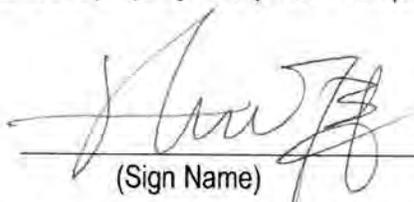
**MEMPHIS AND
SHELBY COUNTY**  **DIVISION OF PLANNING
AND DEVELOPMENT**

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, GUOKANG HUANG  8/08/24, state that I have read the definition of
(Print Name) (Sign Name)

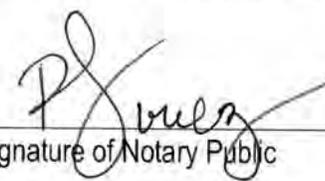
"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

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

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

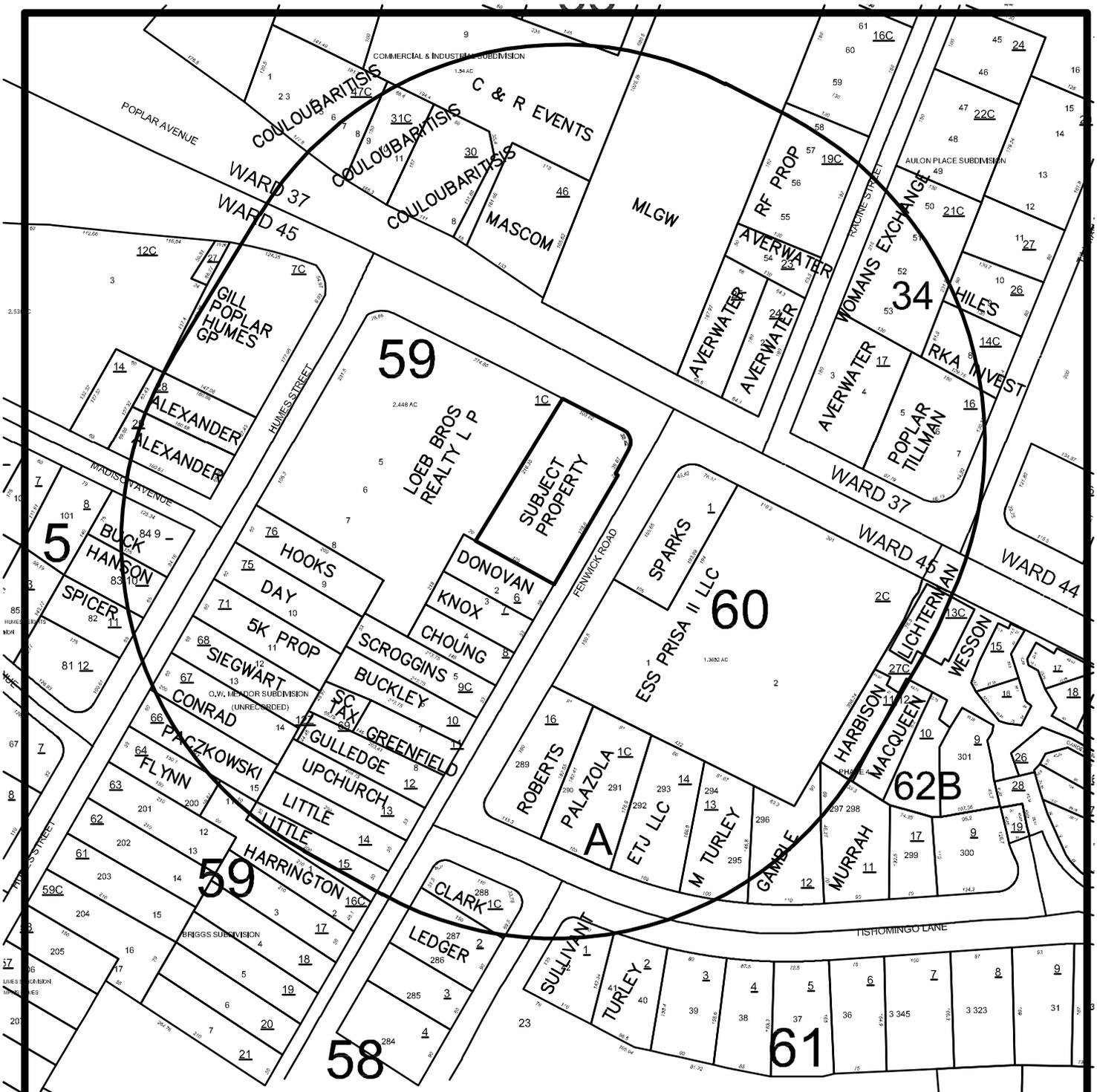
of the property located at 2895 Poplar Ave Memphis TN 38111
and further identified by Assessor's Parcel Number 04-5059-0-0004C,
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 8th day of August in the year of 2024.


Signature of Notary Public



My commission expires on October 4, 2025.
My Commission Expires



SUP REQUEST – 2895 POPLAR AVENUE

APPLICANT: GRILL MADNESS

MEMPHIS, TENNESSEE

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES
 2950 STAGE PLAZA NORTH
 BARTLETT, TENNESSEE
 JULY 30, 2024

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

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 10/15/2024
DATE**

**PUBLIC SESSION: 11/5/2024
DATE**

ITEM (CHECK ONE)

ORDINANCE RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the east side of Waring Road south of Sam Cooper Blvd. by taking the land out of the Residential Single-Family – 6 (R-6), Residential Single-Family – 15 (R-15), and Employment (EMP) Use Districts and including it in the Residential Urban – 1 (RU-1) Use District, known as case number Z 2024-005.

CASE NUMBER: Z 2024-005

LOCATION: East side of Waring Rd south of Sam Cooper Blvd.

COUNCIL DISTRICTS: District 5 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: James & Karen Street Revocable Living Trust

REPRESENTATIVES: Cindy Reaves, SR Consulting

REQUEST: Rezoning of +/-2.02 acres from the Residential Single-Family – 6 (R-6), Residential Single-Family – 15 (R-15), and Employment (EMP) to Residential Urban – 1 (RU-1)

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
Set date for first reading – October 1, 2024
Second reading – October 15, 2024
Third reading – November 5, 2024

PRIOR ACTION ON ITEM:

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

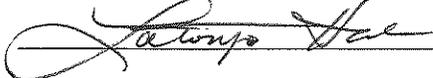
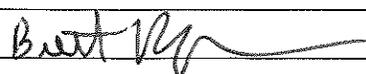
FUNDING:

(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>
	9/23/24	PLANNER II
_____		DEPUTY ADMINISTRATOR
	9/23/24	ADMINISTRATOR
_____		DIRECTOR (JOINT APPROVAL)
_____		COMPROLLER
_____		FINANCE DIRECTOR
_____		CITY ATTORNEY

**CHIEF ADMINISTRATIVE OFFICER
COMMITTEE CHAIRMAN**



Memphis City Council Summary Sheet

Z 2024-005

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE EAST SIDE OF WARING ROAD SOUTH OF SAM COOPER BLVD. BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6), RESIDENTIAL SINGLE-FAMILY – 15 (R-15), AND EMPLOYMENT (EMP) USE DISTRICTS AND INCLUDING IT IN THE RESIDENTIAL URBAN – 1 (RU-1) USE DISTRICT, KNOWN AS CASE NUMBER Z 2024-005

- 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, August 8, 2024**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 2024-005

LOCATION: East side of Waring Road south of Sam Cooper Blvd.

COUNCIL DISTRICT(S): District 5 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: James & Karen Street Revocable Living Trust

REPRESENTATIVE: Cindy Reaves, SR Consulting

REQUEST: Rezoning of +/-2.02 acres from the Residential Single-Family – 6 (R-6), Residential Single-Family – 15 (R-15), and Employment (EMP) to Residential Urban – 1 (RU-1)

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

The motion passed by a unanimous vote of 9-0 on the consent agenda.

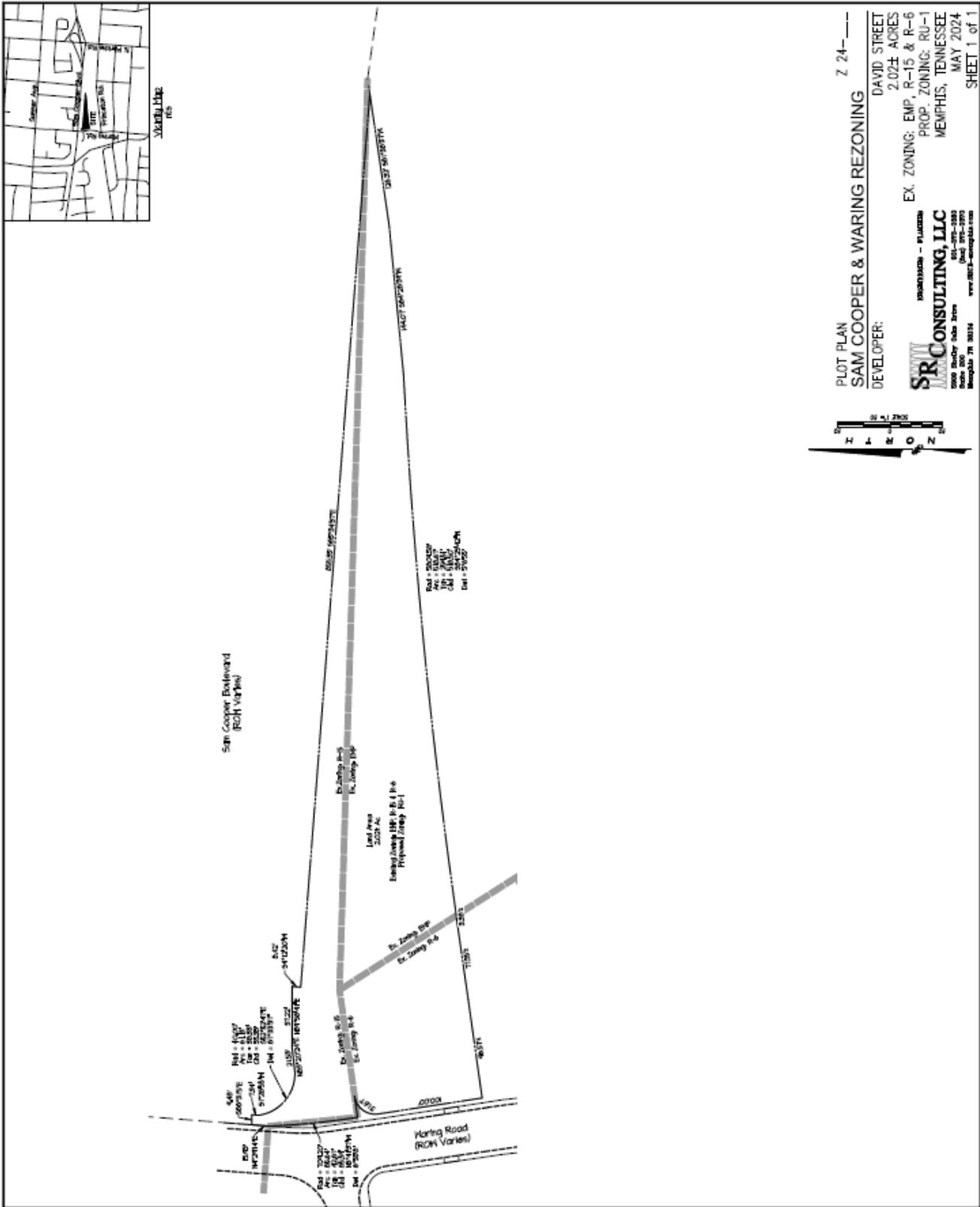
Respectfully,



LaTonya Hull
Planner II
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

PLOT PLAN



PLOT PLAN
 SAM COOPER & WARING REZONING Z 24-
 DEVELOPER: DAVID STREET
 2.02± ACRES
 EX. ZONING: EMP, R-15 & R-6
 PROP. ZONING: RU-1
 MEMPHIS, TENNESSEE
 MAY 2024
 SHEET 1 of 1

SR CONSULTING, LLC
 CONSULTING - PLANNING
 1000 Poplar Avenue
 Suite 800
 Memphis TN 38104
 Tel: 901-525-1000
 Fax: 901-525-1000
 www.srconsulting.com



ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE EAST SIDE OF WARING ROAD SOUTH OF SAM COOPER BLVD. BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6), RESIDENTIAL SINGLE-FAMILY – 15 (R-15), AND EMPLOYMENT (EMP) USE DISTRICTS AND INCLUDING IT IN THE RESIDENTIAL URBAN – 1 (RU-1) USE DISTRICT, KNOWN AS CASE NUMBER Z 2024-005

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2024-005**; 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), RESIDENTIAL SINGLE-FAMILY – 15 (R-15), AND EMPLOYMENT (EMP) USE DISTRICTS AND INCLUDING IT IN THE RESIDENTIAL URBAN – 1 (RU-1) USE DISTRICT.

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

Beginning at a right-of-way monument found at the intersection of the south line of Interstate 40 with the east line of Waring Road (right-of-way varies); thence northwestwardly along a curve to the right having a radius of 709.20 feet with the east line of Waring Road a distance of 85.64 feet (chord = North 05 degrees 41 minutes 37 seconds West, 85.59 feet, delta = 6 degrees 55 minutes 08 seconds) to a right-of-

way monument found in the east line of Waring Road; thence North 04 degrees 29 minutes 14 seconds East with the east line of Waring Road a distance of 15.93 feet to a 1/2" iron pin set; thence South 88 degrees 31 minutes 05 seconds East a distance of 9.48 feet to a point in the toe of slope; thence generally with the toe of slope the following calls:

South 01 degrees 28 minutes 55 seconds West 7.34 feet to a point of curvature; thence southeastwardly along a curve to the left having a radius of 40.00 feet a distance of 61.13 feet (chord = South 52 degrees 52 minutes 47 seconds East, 55.35 feet, delta = 87 degrees 33 minutes 37 seconds) to a point; thence North 83 degrees 20 minutes 24 seconds East a distance of 21.53 feet to a point; thence North 89 degrees 58 minutes 41 seconds East a distance of 57.22 feet to a 1/2" iron pin set in the northerly projection of the east line of Lot 29, Gram Park Subdivision as recorded in Plat Book 14 Page 75; thence South 04 degrees 12 minutes 20 seconds West with said projection line a distance of 8.42 feet to an iron pin set 105.7 feet south of the centerline of Sam Cooper Blvd.(50 feet south of the white strip); thence South 85 degrees 34 minutes 57 seconds East parallel with the white stripe a distance of 855.35 feet to an iron pin set in the south line of Sam Cooper Blvd. (102.1 feet south of centerline) and the north line of the said Shelby County Government property; thence South 81 degrees 38 minutes 37 seconds West a distance of 126.32 feet to right-of-way monument found at an angle point; thence South 84 degrees 28 minutes 39 seconds West a distance of 144.07 feet to a point on a curve; thence southwestwardly along a non-tangent curve to the left having a radius of 5809.58 feet a distance of 518.67 feet (chord = South 84 degrees 25 minutes 42 seconds West, 518.50 feet, delta = 5 degrees 06 minutes 55 seconds) right-of-way monument found; thence South 81 degrees 58 minutes 33 seconds West with said north line a distance of 175.90 feet to the east line of Waring Road; thence North 08 degrees 45 minutes 13 seconds West with the east line of Waring Road a distance of 99.98 feet to a point of curvature; thence northeastwardly along a curve to the right having a radius of 20.00 feet a distance of 31.67 feet (chord = North 36 degrees 36 minutes 22 seconds East 28.46 feet, delta = 90 degrees 43 minutes 09 seconds) to a point; thence South 81 degrees 57 minutes 56 seconds West a distance of 20.32 feet to the point of beginning and containing 87,826 square feet or 2.02 acres 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.

ATTEST:

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

AGENDA ITEM: 6 **L.U.C.B. MEETING:** August 8, 2024

CASE NUMBER: Z 2024-005

LOCATION: East side of Waring Rd south of Sam Cooper Blvd

COUNCIL DISTRICT: District 5 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: James & Karen Street Revocable Living Trust

REPRESENTATIVE: Cindy Reaves, SR Consulting

REQUEST: Rezoning from R-6, R-15, and Employment (EMP) to Residential Urban – 1 (RU-1)

CONCLUSIONS

1. The applicant is requesting a rezoning of the subject property consisting of three parcels owned by the applicant totaling +/- 2.02 acres from R-6, R-15, and EMP to Residential Urban-1 (RU-1).
2. Parcel (054043 00002) directly abutting Waring Road contains the single-family residence of the applicant. The remaining parcels are located to the rear of the home between Sam Cooper Boulevard and the Shelby Farms Green Line, of which +/- 1.44 acres were recently purchased by the applicant from the Tennessee Department of Transportation and have not yet been assigned a parcel number or included in the county GIS mapping system.
3. The applicant's intent is that the subject property will be redeveloped as single-family housing. It should be noted that once rezoned, the following housing types are permitted by right: Single-Family Detached which includes a conventional home, side yard house, and cottage, and Single-Family Attached which includes Semi-Attached, Two-Family, and Townhouse dwellings.
4. The surrounding land uses are single-family residential. The rezoning request is consistent with the development pattern in the surrounding vicinity.

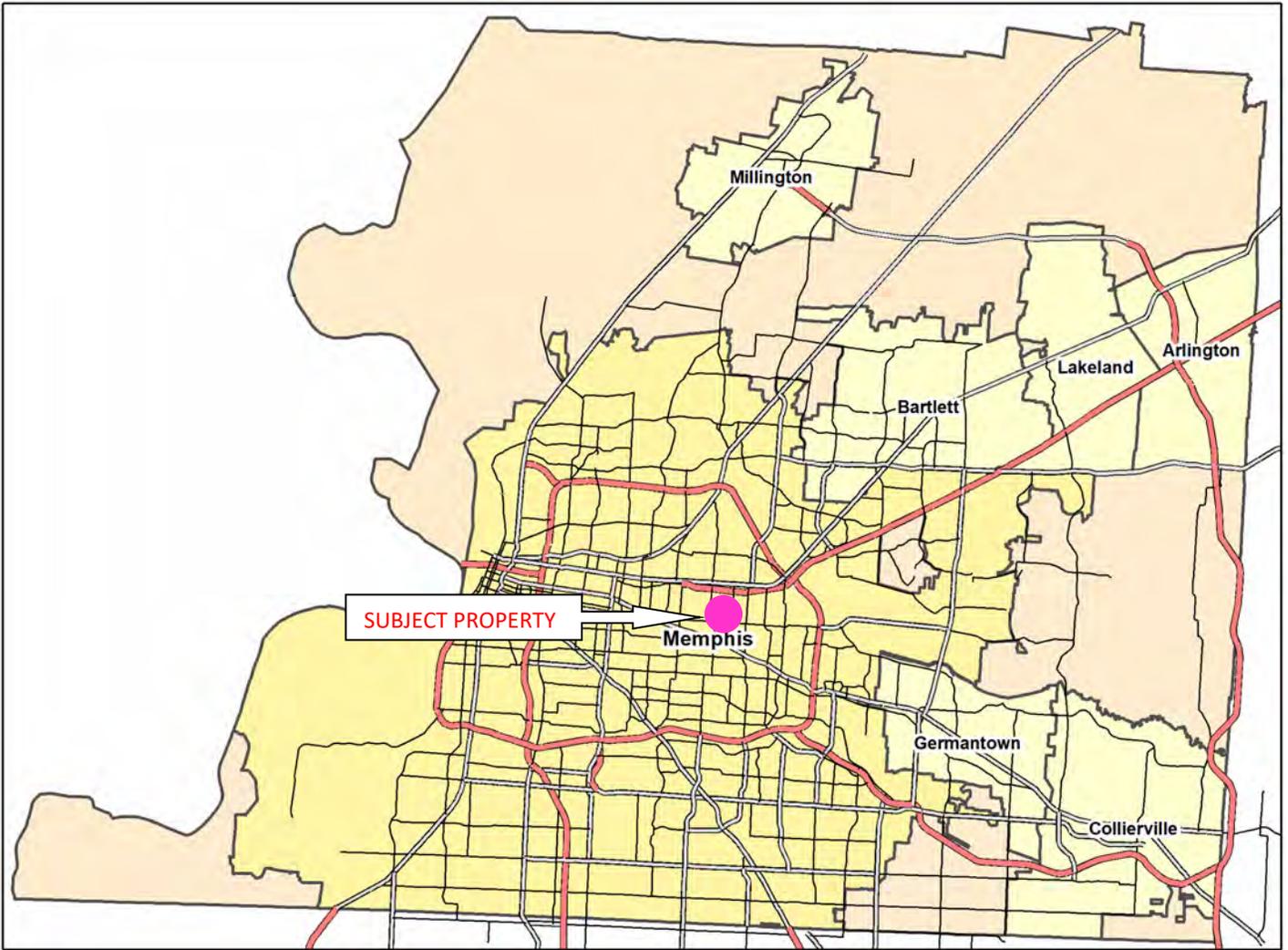
CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 17 of this report.

RECOMMENDATION:

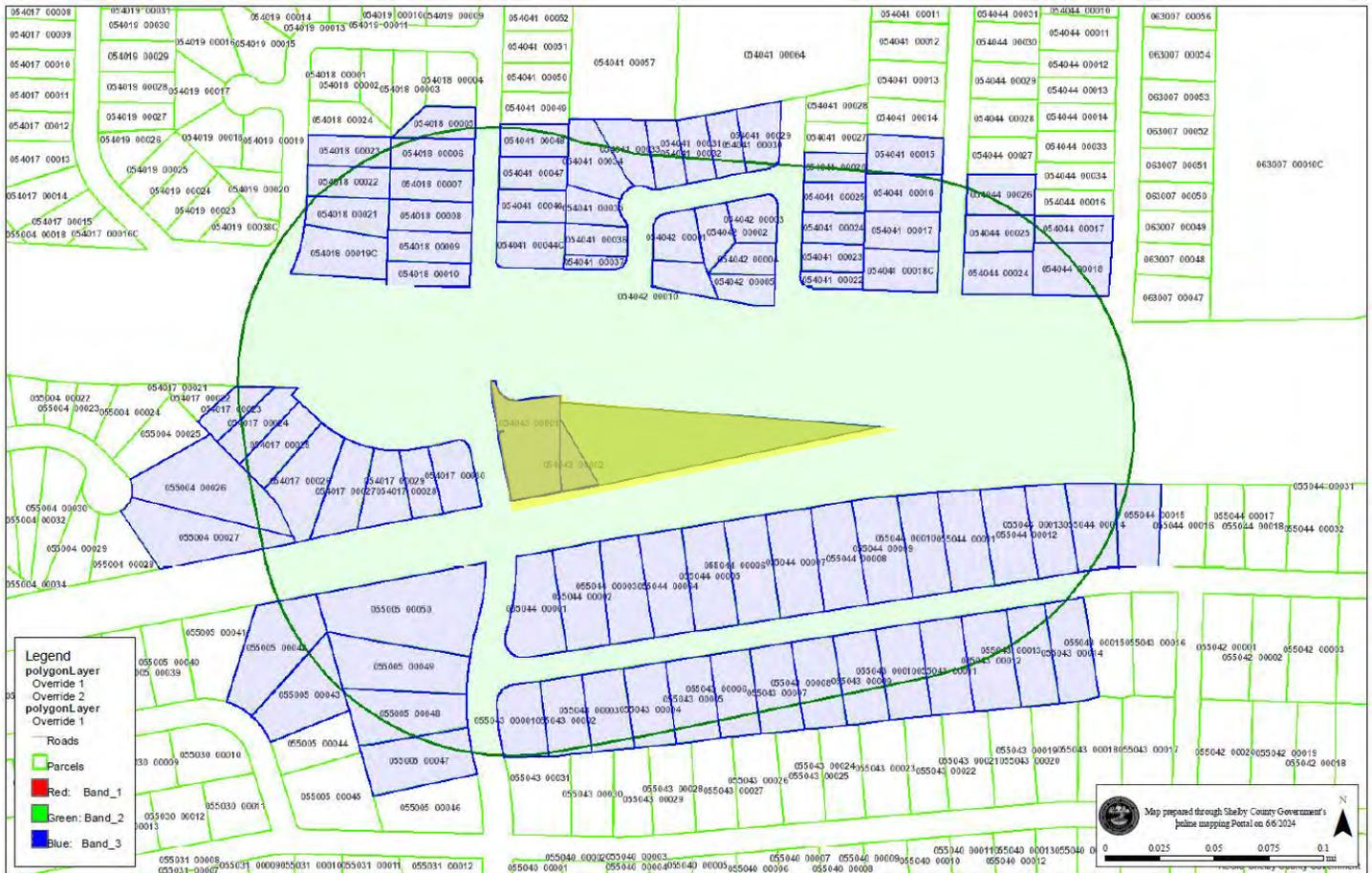
Approval

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow

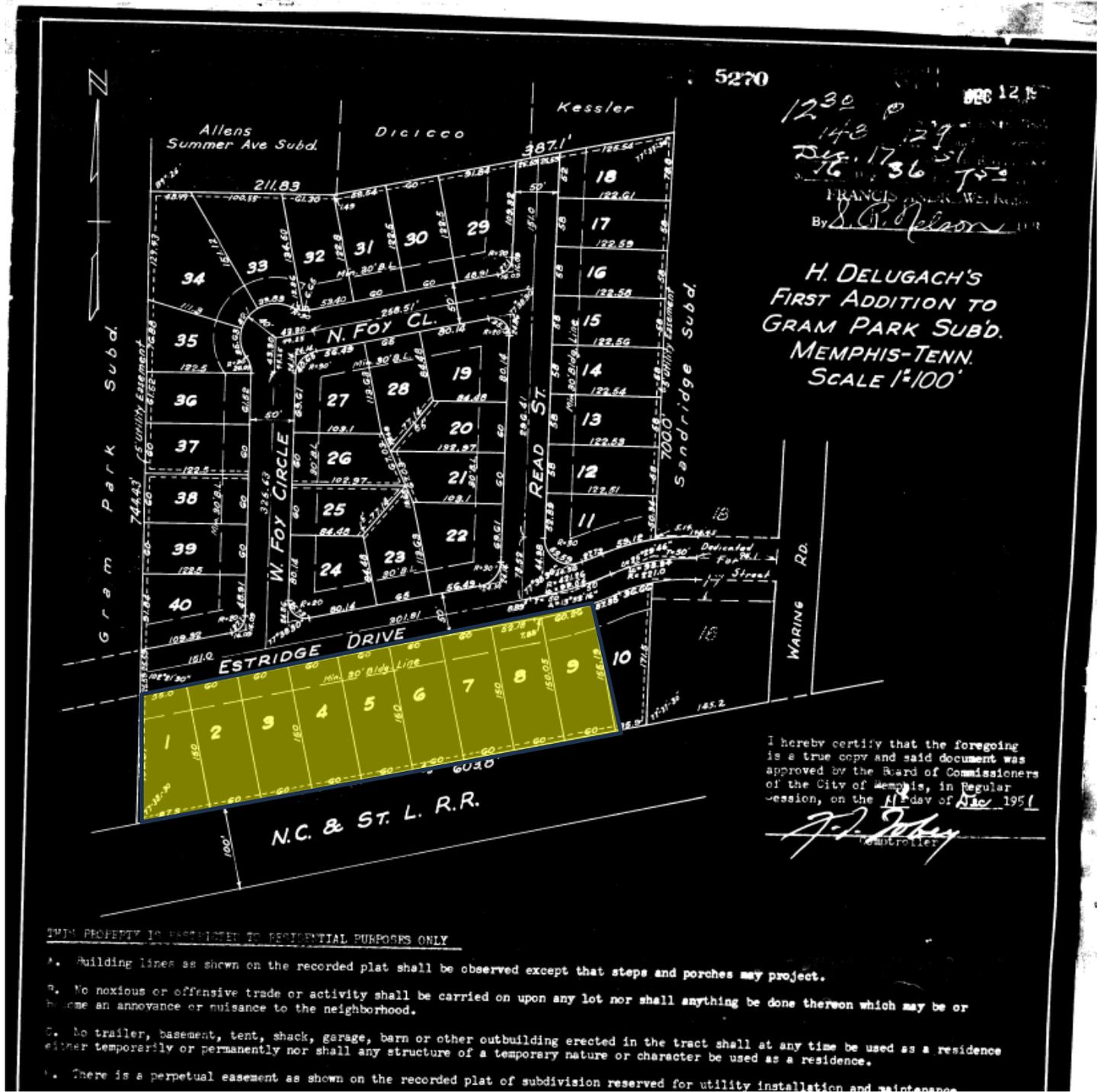
PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 90 notices were mailed on June 14, 2024, see pages 20-21 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 22 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

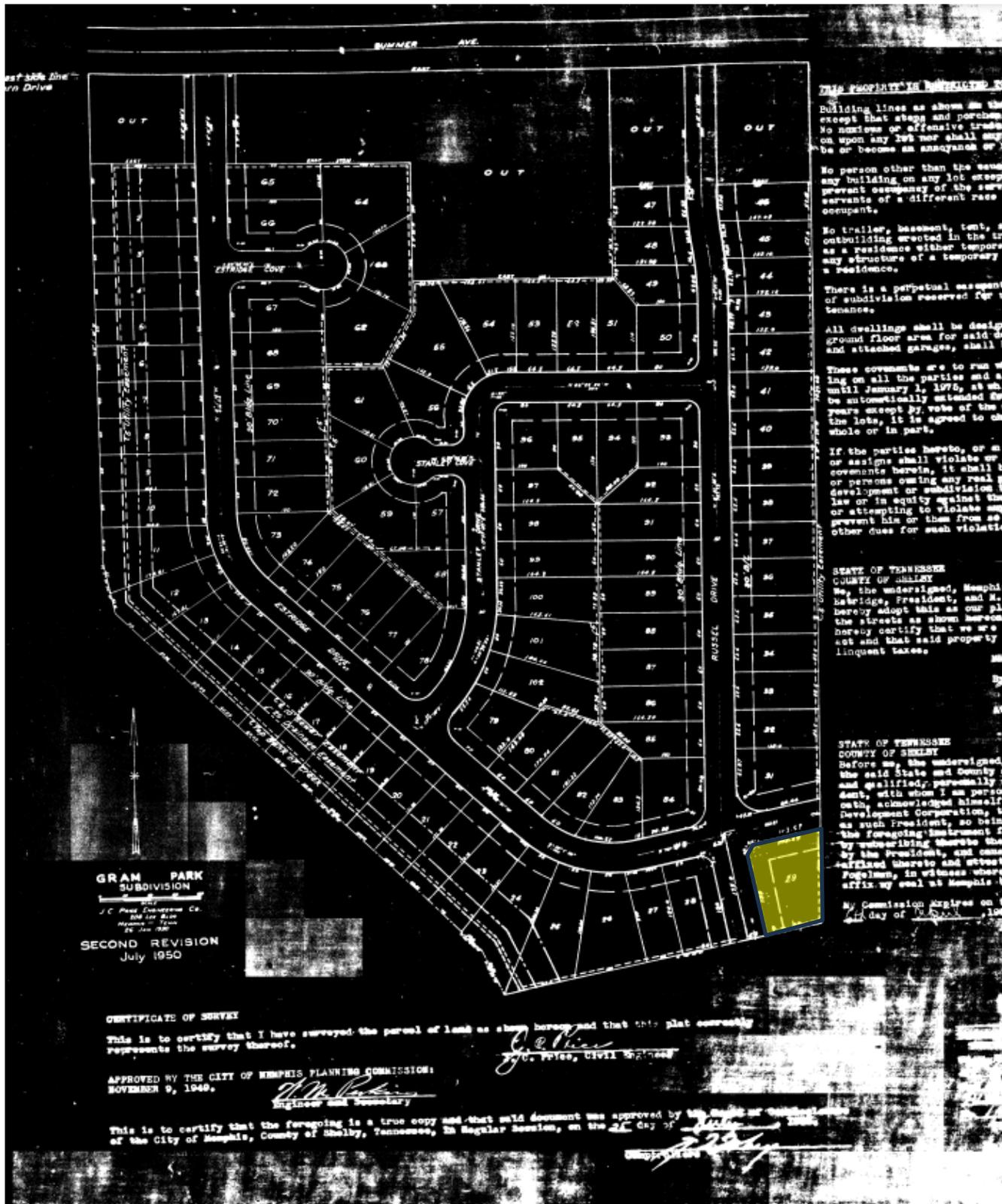
The meeting was held at 5:30 PM on Monday, June 27, 2024, at 496 Waring Road.

First Addition Gram Park Subdivision (1919) (PLAT BOOK 16 PAGE 36)



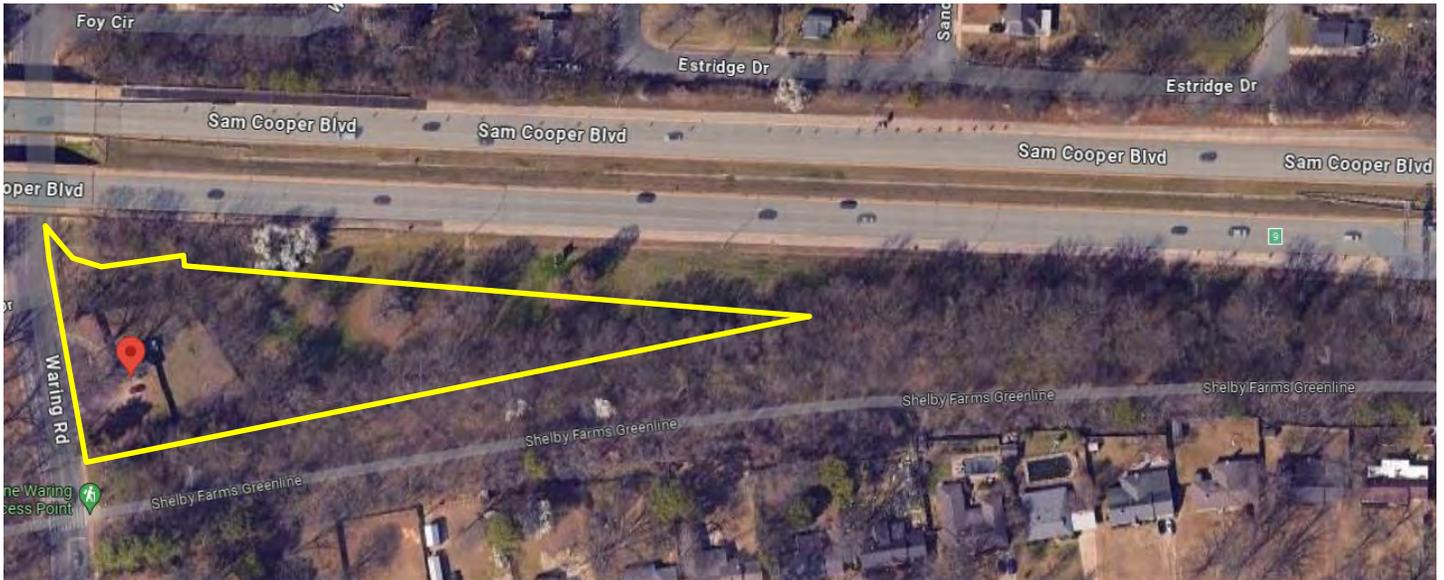
Subject property highlighted in yellow, 1-9

Gram Park Subdivision (1919) (PLAT BOOK 14 PAGE 75)



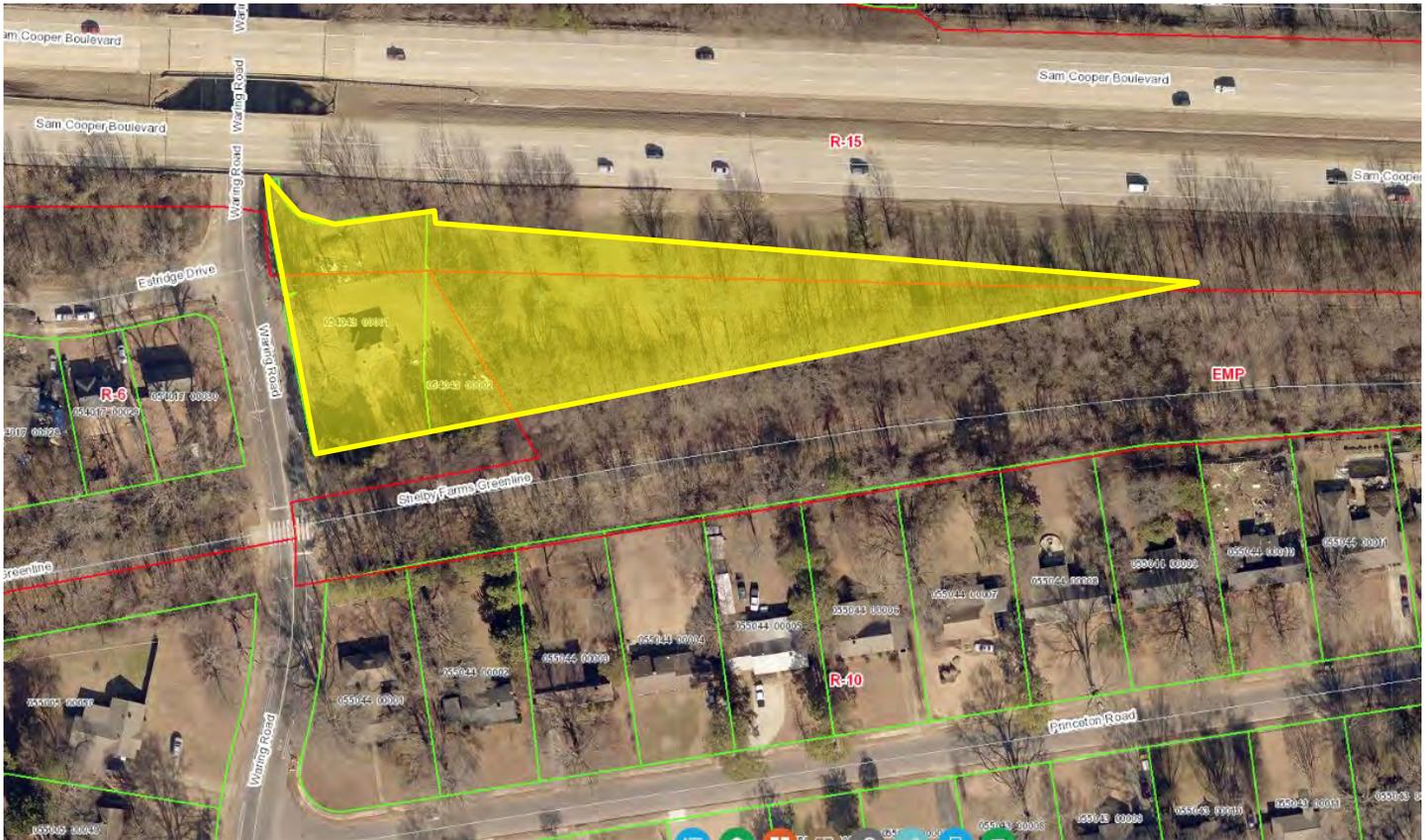
Subject property highlighted in yellow, Lot 29

AERIAL



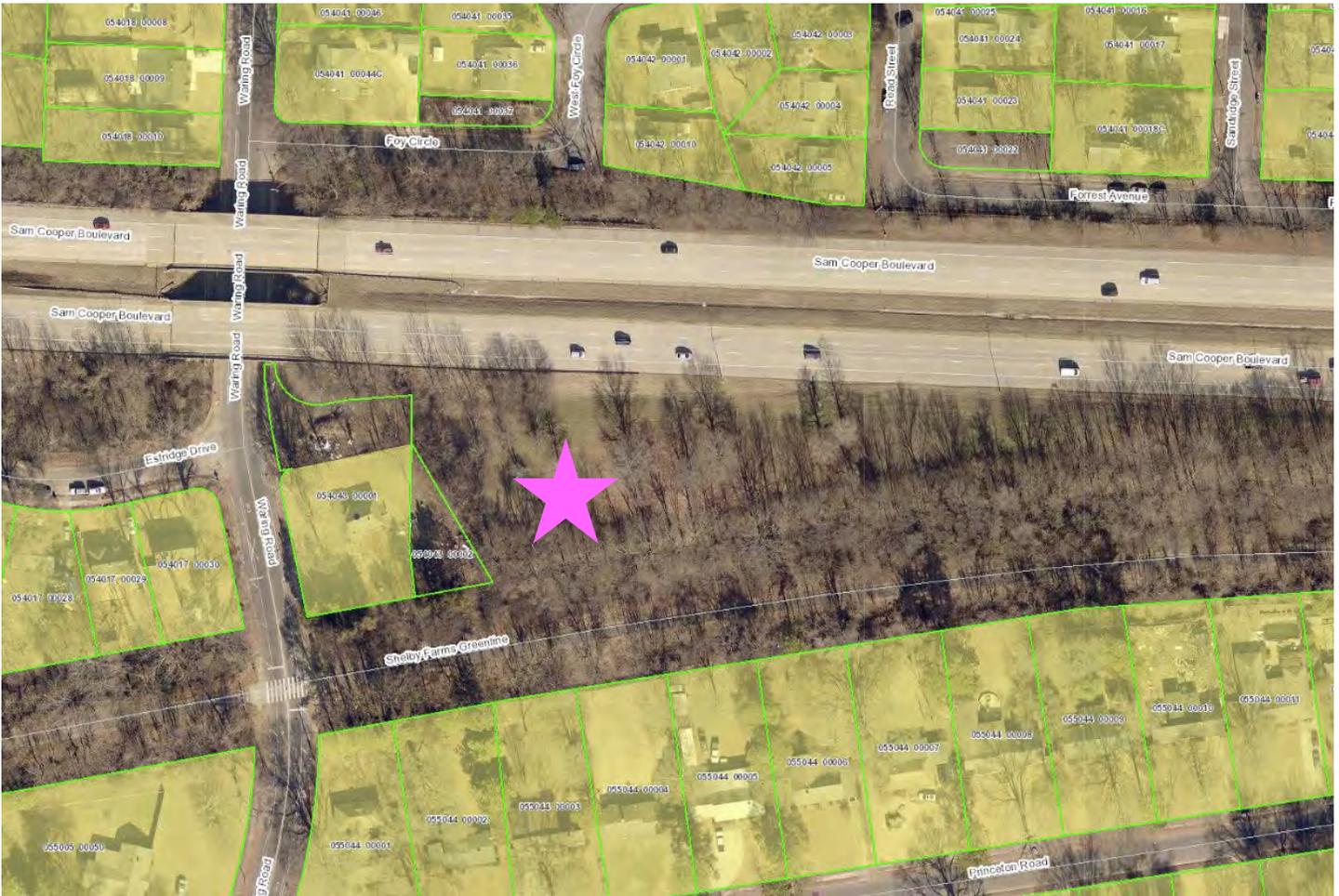
Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from Waring Road looking north toward Sam Cooper Blvd.



View of subject property from Waring Road looking East

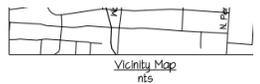
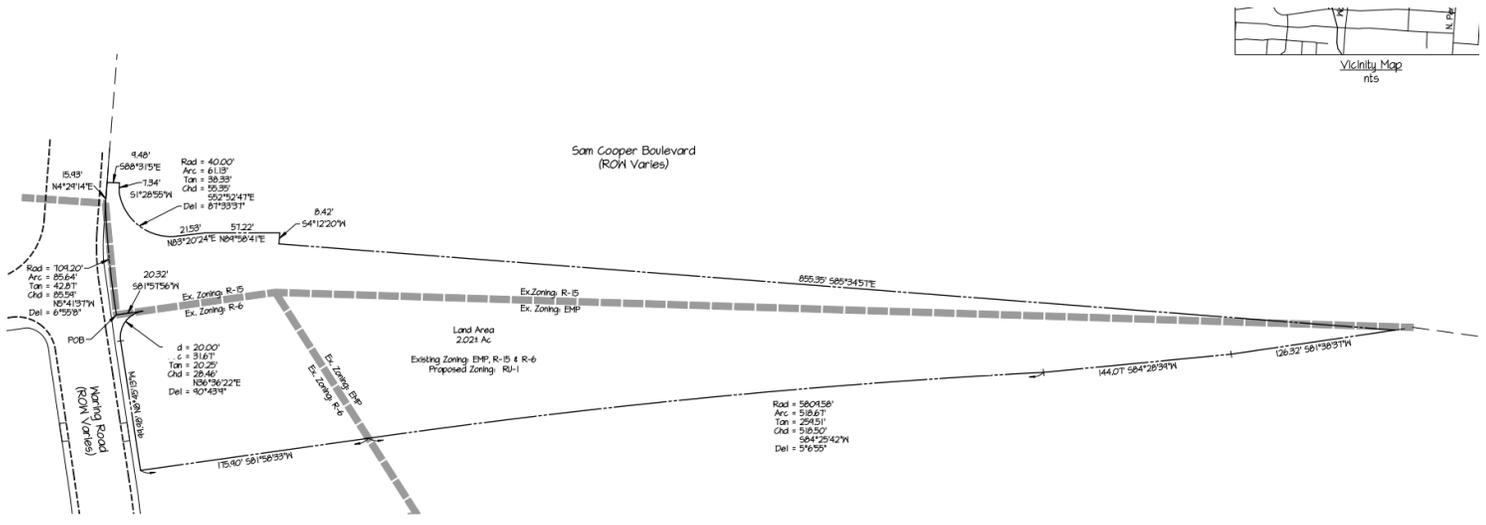


View of subject property from Shelby Farms Greenline looking west towards Waring Road



View of subject property from Sam Cooper Blvd. looking South

PLOT PLAN



LEGAL DESCRIPTION

Property description of Jeremy and Christy Street property as described in Instrument 21149191, the James D. Street and Karen B. Street, Trustees property as described in Instrument 24024647 and part Lot 29, Gram Park Subdivision as recorded in Plat Book 14 Page 75 in Memphis, Shelby County, Tennessee:

Beginning at a right-of-way monument found at the intersection of the south line of Interstate 40 with the east line of Waring Road (right-of-way varies); thence northwestwardly along a curve to the right having a radius of 709.20 feet with the east line of Waring Road a distance of 85.64 feet (chord = North 05 degrees 41 minutes 37 seconds West, 85.59 feet, delta = 6 degrees 55 minutes 08 seconds) to a right-of-way monument found in the east line of Waring Road; thence North 04 degrees 29 minutes 14 seconds East with the east line of Waring Road a distance of 15.93 feet to a 1/2" iron pin set; thence South 88 degrees 31 minutes 05 seconds East a distance of 9.48 feet to a point in the toe of slope; thence generally with the toe of slope the following calls:

South 01 degrees 28 minutes 55 seconds West 7.34 feet to a point of curvature; thence southeastwardly along a curve to the left having a radius of 40.00 feet a distance of 61.13 feet (chord = South 52 degrees 52 minutes 47 seconds East, 55.35 feet, delta = 87 degrees 33 minutes 37 seconds) to a point; thence North 83 degrees 20 minutes 24 seconds East a distance of 21.53 feet to a point; thence North 89 degrees 58 minutes 41 seconds East a distance of 57.22 feet to a 1/2" iron pin set in the northerly projection of the east line of Lot 29, Gram Park Subdivision as recorded in Plat Book 14 Page 75; thence South 04 degrees 12 minutes 20 seconds West with said projection line a distance of 8.42 feet to an iron pin set 105.7 feet south of the centerline of Sam Cooper Blvd. (50 feet south of the white strip); thence South 85 degrees 34 minutes 57 seconds East parallel with the white stripe a distance of 855.35 feet to an iron pin set in the south line of Sam Cooper Blvd. (102.1 feet south of centerline) and the north line of the said Shelby County Government property; thence South 81 degrees 38 minutes 37 seconds West a distance of 126.32 feet to right-of-way monument found at an angle point; thence South 84 degrees 28 minutes 39 seconds West a distance of 144.07 feet to a point on a curve; thence southwestwardly along a non-tangent curve to the left having a radius of 5809.58 feet a distance of 518.67 feet (chord = South 84 degrees 25 minutes 42 seconds West, 518.50 feet, delta = 5 degrees 06 minutes 55 seconds) right-of-way monument found; thence South 81 degrees 58 minutes 33 seconds West with said north line a distance of 175.90 feet to the east line of Waring Road; thence North 08 degrees 45 minutes 13 seconds West with the east line of Waring Road a distance of 99.98 feet to a point of curvature; thence northeastwardly along a curve to the right having a radius of 20.00 feet a distance of 31.67 feet (chord = North 36 degrees 36 minutes 22 seconds East 28.46 feet, delta = 90 degrees 43 minutes 09 seconds) to a point; thence South 81 degrees 57 minutes 56 seconds West a distance of 20.32 feet to the point of beginning and containing 87,826 square feet or 2.02 acres more or less.

Description based on records and subject to survey.

CASE REVIEW

Request

The request is a Rezoning of +/-2.028 acres from Residential Single-Family-6 (R-6), Residential Single-Family-15 (R-15), and Employment (EMP) to Residential Urban-1 (RU-1).

Review Criteria

Staff agrees 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.*

Site Details

Address:

4353 Estridge, 0 Estridge Drive, and East side of Waring Rd south of Sam Cooper Blvd and north of Shelby Farms Greenline

Parcel ID:

054043 00002, 054043 0001, and Property conveyed via instrument 24024647. Currently, no Parcel ID assigned

Area:

+/-2.02 acres

Description:

The subject properties are known as Lot 1-9 of the First Addition of Gram Park Subdivision and 29 of the Gram Park Subdivision. The underlying zoning of parcels 054043 00002 and 054043 0001 is Residential Single-Family – 6 (R-6). Per the Assessor’s website, the principal structure on parcel 054043 00002 was built in 1952 and currently is a single-story structure with a ground floor area of 940 square feet. The remaining land is zoned Residential Single-Family-15 (R-15) and was part of Interstate 40 (Sam Cooper Blvd.) right of way. Parcel 054043 00001 and the remainder of the site is vacant. The surrounding land uses are vacant and single-family residential.

Analysis

The applicant is requesting a rezoning of the subject property from R-6, R-15, and EMP to Residential Urban-1 (RU-1). The subject property consists of three parcels owned by the applicant. Parcel (054043 00002) directly abutting Waring Road contains the single-family residence of the applicant and is zoned R-6. The other two parcels are vacant land located to the rear of the home between Sam Cooper Boulevard and Shelby Farms Green

Line. Parcel (054043 00001) is vacant and is also zoned R-6. The remaining parcel is a +/-1.44-acre portion of vacant land zoned R-15 that was a portion of the right-of-way of Interstate 40 (Sam Cooper Blvd.) at Waring Road. The applicant recently purchased this parcel from the Tennessee Department of Transportation. It has not yet been assigned a parcel number or included in the county GIS mapping system.

The applicant intends that the property will be redeveloped as single-family housing. It should be noted that once rezoned, the following housing types are permitted by right: Single-Family Detached which includes a conventional home, side yard house, and cottage, and Single-Family Attached which includes Semi-Attached, Two-Family, and Townhouse dwellings.

This rezoning request is consistent with the development pattern in the immediate vicinity of the site.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

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

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. A sewer extension will be required to serve this development.

3. The sewer capacity will not be determined until the developer provide the proposed discharge to the Engineering Div/Sewer Design Dept. to check the capacity of the existing system.

City Fire Division: No comments received.

City Real Estate: No comments received.

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:

General Comments & Analysis:

Located in Zone 1 of the Resilience Zone Framework:

Zone 1 areas have the lowest level of development risk and conflict. These areas avoid high risk disaster zones, such as floodplains, and they also do not conflict with sensitive ecological areas. These areas are the most straightforward for development, and development would have the lowest impact on regional resilience. Consider incorporating the protection of ecological assets while balancing the promotion of low-impact site design and compact development typologies in appropriate areas.

The Applicant is requesting a rezoning from Employment to Residential Urban – 1. The parcel is not located in a sensitive resilience zone, conservation priority area, or aquifer recharge area.

Consistent with the Mid-South Regional Resilience Master Plan best practices: Yes

This application is consistent with the Mid-South Regional Resilience Master Plan. The site is located within Zone 1, where development is encouraged, which is consistent with Section 4.1 – Resilient Sites. Encouraging compact development and urban infill in areas with low-risk of flooding is consistent with Section 4.2 – Smart Growth.

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

Recommendations: Staff recommends approval. Staff suggests the incorporation of Low-Impact Development practices (See below) in the future design of the site. Some examples include vegetated strips such as linear/ultra-urban bioretention areas, residential rain gardens, and permeable pavement.



Linear/Ultra-Urban Bioretention

Small vegetated areas that collect runoff through local inlets and drains. May be depressed areas in sidewalks and plazas.



Residential Rain Gardens

Small-scale basins designed to capture a target amount of water from the site. The water is treated through chemical and biophysical processes by vegetation and engineered media.



Permeable Pavement

Porous paving (such as porous concrete or gravel) or unit pavers set with permeable joints and on a permeable setting bed that allow water to infiltrate through to the subsoil, rather than run-off.

Mid-South Regional Resilience Master Plan: Section 2.3 Low Impact Development

**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: Z 2024-005 University

Site Address/Location: Sam Cooper Blvd and Waring Road, Memphis, TN 38122
Overlay District/Historic District/Flood Zone: N/A
Future Land Use Designation: Primarily Single-Unit Neighborhood (NS)
Street Type: N/A

The applicant is requesting a rezoning of a parcel from EMP to RU-1.

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: Vacant, EMP

Adjacent Land Use and Zoning: Single-Family, Park/Open Space; R-6, R-10

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

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**

The requested use is consistent with Objective 1.3 Action 1.3.2 – Assess vacant land throughout anchors and communities for strategic land assembly and re-use.

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

N/A

Consistency Analysis Summary

The applicant is requesting a rezoning of a parcel from EMP to RU-1.

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

The requested use is consistent with Objective 1.3 Action 1.3.2 – Assess vacant land throughout anchors and communities for strategic land assembly and re-use.

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

Summary Compiled by: Nick Wiggins, Comprehensive Planning.

MAILED PUBLIC NOTICE

90 Notices Mailed on 06/14/2024



City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a land use application filed with the Division of Planning and Development. The MEMPHIS & SHELBY COUNTY LAND USE CONTROL BOARD will hold a Public Hearing on the following application, pursuant to Sub-Section 9.3.4A of the Memphis & Shelby County Unified Development Code:

CASE NUMBER: Z 2024-005
LOCATION: 0 Estridge Drive (east side of Waring Rd south of Sam Cooper Blvd)
(SEE SITE PLAN ON REVERSE SIDE)
APPLICANT: James & Karen Street Revocable Living Trust
REQUEST: Rezoning from Employment (EMP) to Residential Urban – 1 (RU-1)

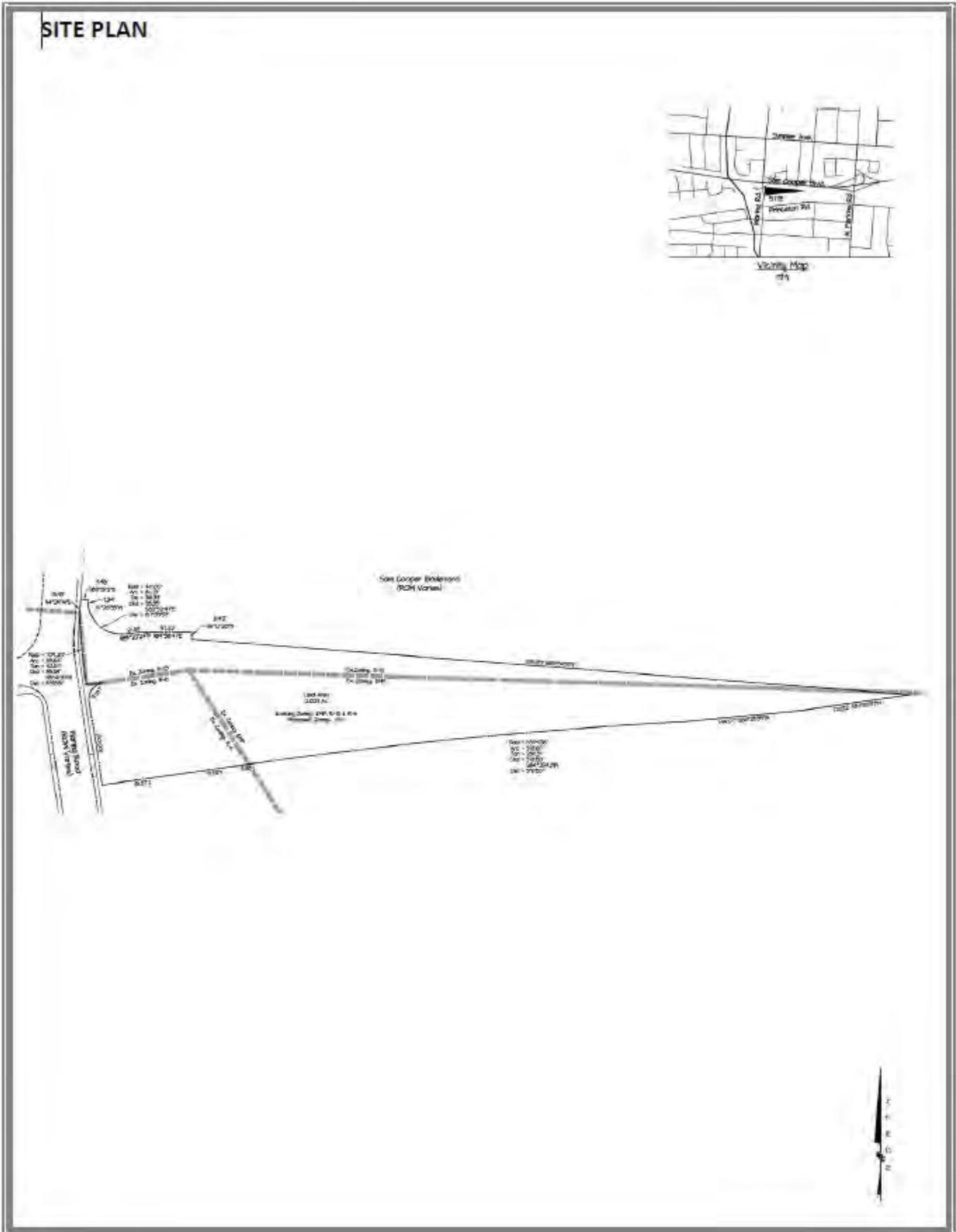
THE LAND USE CONTROL BOARD PUBLIC MEETING WILL BE HELD:

DATE: Thursday, July 11, 2024
TIME: 9:00 AM
LOCATION: Council Chambers on the First Floor of City Hall, 125 N. Main Street

During the public hearing, the Board may recommend the approval or rejection of this item or hold the item for a public hearing at a subsequent Board meeting. For this case, the Board will make a *recommendation* to the legislative body; the legislative body will take final action at a later date.

Please note the Board may place this item on the Consent Agenda, which is considered at the beginning of the Board meeting. No individual public hearing will be held, nor will the Board debate items on the Consent Agenda unless a member of the audience, staff or Board requests that the item be removed from the Consent Agenda.

You are not required to attend this hearing, although you are welcome to do so if you wish to speak for or against this application. You may also contact LaTonya Hull at Latonya.hull@memphistn.gov or (901) 636-7179 to learn more about the proposal and/or to submit a letter of support or opposition no later than **Wednesday, July 3, 2024, at 8 AM.**



SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Kristin Reaves, being duly sworn, depose and say that at 5:24 pm am/pm on the 27th day of June, 2024, I posted 1 Public Notice Sign(s) pertaining to Case No. Z 2024-005 at 496 Waring Road providing notice of a Public Hearing before the (check one):

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

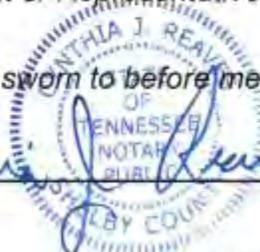
for consideration of a proposed land use action, a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

[Signature]
Owner, Applicant or Representative

7/1/24
Date

Subscribed and sworn to before me this 1 day of July, 2024.

[Signature]
Notary Public



My commission expires: 9/26/27

APPLICATION



**Memphis and Shelby County Division of
Planning and Development**

East Service Center: 6465 Mullins Station Rd; Memphis,
Tennessee 38134
Downtown Service Center: 125 N. Main Street;
Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Processing

Opened Date: June 6, 2024

Record Number: Z 2024-005

Expiration Date:

Record Name: Sam Cooper at Waring Rezoning

Description of Work: Rezoning from EMP to RU-1

Parent Record Number:

Address:

, MEMPHIS 38122

Owner Information

Primary Owner Name

Y James & Karen Street Revocable Living Trust

Owner Address

PO Box 187, Watauga, TN 37694

Owner Phone

Parcel Information

054043 00002

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Alexis Longstreet

Date of Meeting -

Pre-application Meeting Type -

GENERAL INFORMATION

Have you held a neighborhood meeting? No

Is this application in response to a citation from No

Construction Code Enforcement or Zoning

Letter?

If yes, please provide additional information -

GIS INFORMATION

GIS INFORMATION

Central Business Improvement District	No
Case Layer	-
Class	R
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	-
Overlay/Special Purpose District	-
Zoning	R-6
State Route	-
Lot	0 1
Subdivision	GRAM PARK FIRST ADDN
Planned Development District	-
Wellhead Protection Overlay District	Yes

Contact Information

Name DAVID STREET	<u>Contact Type</u> APPLICANT
Address	
Phone -	

Name CINDY REAVES	<u>Contact Type</u> REPRESENTATIVE
Address	
Phone (901)870-7003	

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1569573	Residential Rezoning - 5 acres or less	1	750.00	INVOICED	0.00	06/06/2024
1569573	Credit Card Use Fee (.026 x fee)	1	19.50	INVOICED	0.00	06/06/2024

Total Fee Invoiced: \$769.50 Total Balance: \$0.00

Payment Information

Payment Amount \$769.50	Method of Payment Credit Card
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OWNER AFFIDAVIT



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, James David Street (Print Name) James David Street (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 Sam Cooper Blvd.

and further identified by Assessor's Parcel Number N/A

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

Subscribed and sworn to (or affirmed) before me this 31 day of May in the year of 2024.

Kimberly D. Hensley
Signature of Notary Public



10-1-2025
My Commission Expires

LETTER OF INTENT



Date: May 23, 2024

To: Division of Planning & Development

From: Cindy Reaves

Re: Sam Cooper Blvd. & Waring Rd. Rezoning

LETTER OF INTENT

We are submitting a rezoning application for property at Sam Cooper Boulevard east of Waring Road. The property is within the EMP zoning district. We are requesting a rezoning to RU-1.

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

LETTERS RECEIVED

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



Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis, Tennessee 38134

Downtown Service Center: 125 N. Main Street; Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Processing

Opened Date: June 6, 2024

Record Number: Z 2024-005

Expiration Date:

Record Name: Sam Cooper at Waring Rezoning

Description of Work: Rezoning from EMP to RU-1

Parent Record Number:

Address:

, MEMPHIS 38122

Owner Information

Primary Owner Name

Y James & Karen Street Revocable Living Trust

Owner Address

PO Box 187, Watauga, TN 37694

Owner Phone

Parcel Information

054043 00002

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Alexis Longstreet

Date of Meeting -

Pre-application Meeting Type -

GENERAL INFORMATION

Have you held a neighborhood meeting? No

Is this application in response to a citation from No

Construction Code Enforcement or Zoning Letter?

If yes, please provide additional information -

GIS INFORMATION

GIS INFORMATION

Central Business Improvement District	No
Case Layer	-
Class	R
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	-
Overlay/Special Purpose District	-
Zoning	R-6
State Route	-
Lot	0 1
Subdivision	GRAM PARK FIRST ADDN
Planned Development District	-
Wellhead Protection Overlay District	Yes

Contact Information

Name

DAVID STREET

Contact Type

APPLICANT

Address

Phone

-

Name

CINDY REAVES

Contact Type

REPRESENTATIVE

Address

Phone

(901)870-7003

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1569573	Residential Rezoning - 5 acres or less	1	750.00	INVOICED	0.00	06/06/2024
1569573	Credit Card Use Fee (.026 x fee)	1	19.50	INVOICED	0.00	06/06/2024

Total Fee Invoiced: \$769.50

Total Balance: \$0.00

Payment Information

Payment Amount

\$769.50

Method of Payment

Credit Card

DAVIS STEPHEN R
4939 BRIARCLIFF AVE #
MEMPHIS TN 38117

WEST BARBARA C
4470 PRINCETON RD #
MEMPHIS TN 38117

ALGER KEVIN
4445 PRINCETON RD #
MEMPHIS TN 38117

MUSSO SAMANTHA L
552 STANLEY DR #
MEMPHIS TN 38122

BOSWELL EMERY J REVOCABLE LIVING TRUST
4460 PRINCETON RD #
MEMPHIS TN 38117

PENDER JOHN V JR & KATHLEEN TR
6125 E SHADY GROVE RD #
MEMPHIS TN 38120

CLEVELAND MICAH
583 N FOY CIR #
MEMPHIS TN 38122

O'MALLEY PETER & HOLLY OBOIKOVITZ
4444 PRINCETON RD #
MEMPHIS TN 38117

RIGG GREGORY L & AMANDA G
4377 PRINCETON RD #
MEMPHIS TN 38117

NUTH RADY AND SOPHA KEO (RS)
4494 PRINCETON RD #
MEMPHIS TN 38117

WULFF KURT S & KRISTIN L
469 WARING RD #
MEMPHIS TN 38117

HENRY BLAKE AND EMETERIO ALVAREZ AND
4963 ESSEXSHIRE AVE #
MEMPHIS TN 38117

HARAH ABDULKHALEK
544 SANDRIDGE ST #
MEMPHIS TN 38122

COWGILL PAUL & JEANETTE
4485 PRINCETON RD #
MEMPHIS TN 38117

STALLINGS JOE W JR
3685 NW DEER OAK DR #
JENSEN BEACH FL 34957

DEEP BAY PROPERTIES TN LLC
3441 W 31ST AVE #
DENVER CO 80211

HARDER CHRISTOPHER H
4332 HILLDALE AVE #
MEMPHIS TN 38117

STALLINGS JOE W JR
3685 NW DEER OAK DR #
JENSEN BEACH FL 34957

NUTH RADY
4494 PRINCETON RD #
MEMPHIS TN 38117

SMITH BLOUNT D
457 WARING RD #
MEMPHIS TN 38117

KEO KELLY & SOPHA
4348 SUMMER AVE #
MEMPHIS TN 38122

MYERS RUBY D AND MARIE H JOWERS (RS)
533 READ #
MEMPHIS TN 38122

COUCH THEO (ESTATE OF)
4475 PRINCETON RD #
MEMPHIS TN 38117

KEO KELLY T & SOPHA
4348 SUMMER AVE #
MEMPHIS TN 38122

NOOR LLC
974 NATIONAL ST #
MEMPHIS TN 38122

LIKLEY STEPHEN G
4465 PRINCETON RD #
MEMPHIS TN 38117

MOORE TROY
PO BOX 770373 #
MEMPHIS TN 38177

LOPEZ FRANCES L
535 ESTRIDGE DR #
MEMPHIS TN 38122

GEORGE ASHISH AND KATARZYNA BIELANSKA
3815 N MONTCLAIR DR #
MEMPHIS TN 38111

CARPENTER RICHARD F & MARY B
561 WARING RD #
MEMPHIS TN 38122

AMNL ASSET CO 3 LLC
5001 PLAZA ON THE LAKE #200
AUSTIN TX 78746

SNOATES AND CO LLC
4323 CHICKASAW CV #
MEMPHIS TN 38117

BONDS RANDELL L
538 W FOY CIR #
MEMPHIS TN 38122

ERWIN DAVID O & LORETTA B
4480 PRINCETON RD #
MEMPHIS TN 38117

ZUBER JEFFREY K & SYLVIA
548 READ ST #
MEMPHIS TN 38122

SAKAAN ABBY J
540 SANDRIDGE ST #
MEMPHIS TN 38122

BREWI JONATHAN W
553 WARING RD #
MEMPHIS TN 38122

CHIOZZA MARIO
541 WARING RD #
MEMPHIS TN 38122

DEEP BAY PROPERTIES TN LLC
3441 W 31ST AVE #
DENVER CO 80211

JOHNSON DON W AND DONELLE M J MORRISON
560 READ ST #
MEMPHIS TN 38122

HAIR REVA M
543 W FOY CIR #
MEMPHIS TN 38122

MEMPHIS INVESTMENT PROPERTIES IV LLC
4701 SUMMER AVE #
MEMPHIS TN 38122

TROUT I RAY AND SANDRA K SHAPPLEY (RS)
555 SANDRIDGE ST #
MEMPHIS TN 38122

BOSIN SLAVA
PO BOX 771496 #
MEMPHIS TN 38177

ERWIN DAVID O & LORETTA B
4480 PRINCETON RD #
MEMPHIS TN 38117

LE HUY V
2471 LAMAR AVE #
MEMPHIS TN 38114

QUALITY PROPERTIES LLC
299 S WALNUT BND #100
CORDOVA TN 38018

SHORT NATHAN T
4474 PRINCETON RD #
MEMPHIS TN 38117

BARNETT MARK T SR & BRENDA J
554 SANDRIDGE ST #
MEMPHIS TN 38122

PRIME RENTAL LLC
3707 MACON RD #
MEMPHIS TN 38122

GUERRERO JORGE
4486 PRINCETON RD #
MEMPHIS TN 38117

JAROTO LLC
4337 CHICKASAW CV #
MEMPHIS TN 38117

DIANO-ANGLIN MARIA S
535 WARING RD #
MEMPHIS TN 38122

HEATH RICHARD J & LAURA S
4464 PRINCETON RD #
MEMPHIS TN 38117

CHIOZZA EUGENE M & MARY A
547 WARING RD #
MEMPHIS TN 38122

DEAN PHOEBE
667 GLANKLER ST #
MEMPHIS TN 38112

HOWELL CAMERON & DUNCAN
3816 NORTHWOOD DR #
MEMPHIS TN 38111

BACOPULOS DIONYSIA S
567 N FOY CIR #
MEMPHIS TN 38122

BANES BERNICE L TRUST A REVOCABLE LIVING
205 S YATES RD #
MEMPHIS TN 38120

HAYS KENNY F & AMELIA A
4434 PRINCETON RD #
MEMPHIS TN 38117

CARRINGTON KENNETH R & MARILYN A
4418 PRINCETON RD #
MEMPHIS TN 38117

FOSTER ROLANNE L
4401 PRINCETON RD #
MEMPHIS TN 38117

PARKER LUTHER
139 HARBOR RIDGE LN #
MEMPHIS TN 38103

BURESS JAMES O
4408 PRINCETON RD #
MEMPHIS TN 38117

BURTON KERRIE B
4391 PRINCETON RD #
MEMPHIS TN 38117

JAROTO LLC
715 CHANEY CV #
COLLIERVILLE TN 38017

ATKEISON PETER
4400 PRINCETON RD #
MEMPHIS TN 38117

SIMPSON BRENDA G
4383 PRINCETON RD #
MEMPHIS TN 38117

WOLF GARY & EDIT ALFARO
2583 KRISTINA DR #
HERNANDO MS 38632

DEFRANK PHILIP M
4390 PRINCETON RD #
MEMPHIS TN 38117

HARDEE WILLIAM D & RACHAEL A
449 WARING RD #
MEMPHIS TN 38117

KELLY PATRICK D
580 N FOY CIR #
MEMPHIS TN 38122

DAVIS ELLEN B
4380 PRINCETON RD #
MEMPHIS TN 38117

UTECH RAYMOND & RAMYA
441 WARING RD #
MEMPHIS TN 38117

MCKINNEY MICHAEL
8893 N VALLEY CREEK DR #
ARLINGTON TN 38002

WHEELER JERRY L & DIANE R
4328 HILLDALE AVE #
MEMPHIS TN 38117

HANSEL RUSTY W
539 ESTRIDGE DR #
MEMPHIS TN 38122

BURRESS JAMES D
568 N FOY CIR #
MEMPHIS TN 38122

GESKE GREGORY J & HAYLIE L
4461 PRINCETON AVE #
MEMPHIS TN 38117

CARPENTER FAYE M AND RICHARD F CARPENTER
544 WARING RD #
MEMPHIS TN 38122

ALEJEAL RHAMY E & ELIZABETH M
PO BOX 342950 #
BARTLETT TN 38135

LOBIANCO THOMAS J
4433 PRINCETON RD #
MEMPHIS TN 38117

WOODRUFF FRANK L & MICHELLE G
4280 EASTERN CV #
MEMPHIS TN 38122

STREET JEREMY
4353 ESTRIDGE DR #
MEMPHIS TN 38122

COLTURI HOMES INC
939 LINDEN AVE #
MEMPHIS TN 38104

ASHWORTH DANNY R
547 ESTRIDGE DR #
MEMPHIS TN 38122

STREET JAMES AND KAREN STREET REVOCABLE
PO BOX 187 #
WATAUGA TN 37694

FILIBERTO DINA AND PATRICK IMLAY TRUST
4409 PRINCETON RD #
MEMPHIS TN 38117

BAKER JOHN D & MAXINE H
543 ESTRIDGE DR #
MEMPHIS TN 38122

GILBERT DANIEL A & LORI C
554 N FOY CIR #
MEMPHIS TN 38122



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

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



22087668

08/04/2022 - 12:07:50 PM

3 PGS	
EVELYN 2465794 - 22087668	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This transfer is exempt from the payment of any transfer tax as provided in T.C.A. § 67-4-409(a)(3)(f).

This instrument was prepared by:

AmeriEstate Legal Plan, Inc.
3525 Hyland Ave. Suite 150
Costa Mesa, CA 92626

Address New Owner as Follows:

THE JAMES AND KAREN
STREET TRUST
P.O. BOX 187
WATAUGA, TN 37694

Send Tax Bill to:

JAMES D. STREET AND
KAREN B. STREET
Trustee(s) of
THE JAMES AND KAREN
STREET TRUST
P.O. BOX 187
WATAUGA, TN 37694

Map Parcel Number:

054-043-00002

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that JAMES D. STREET who acquired title as DAVID STREET and KAREN STREET, husband and wife, for and in consideration of the sum of Ten Dollars and 00/100 (\$10.00), cash in hand paid, the receipt of which is hereby acknowledged, and do hereby remise, release and forever quitclaim unto JAMES D. STREET AND KAREN B. STREET Trustee(s) respectively, and his/her/their successors in a Revocable Living Trust for the benefit of JAMES D. STREET AND KAREN B. STREET, under the terms of THE JAMES AND KAREN STREET TRUST Dated June 29, 2022, its successors and assigns, his/her entire right title and interest in and to a certain tract or parcel of land in **SHELBY County, Tennessee**, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BEING the same land conveyed to the Grantors by D. LEE DUNN, A MARRIED MAN to JAMES D. STREET who acquired title as DAVID STREET and KAREN STREET, husband and wife, by Deed of record as Instrument 16130037 on 12/22/2016 in the Register's Office for SHELBY County, Tennessee.

Description contained herein was taken from a prior deed and without benefit of an updated survey. Preparer makes no representation as to the accuracy of said description.

This improved property is known as: 0 ESTRIDGE DRIVE, MEMPHIS, TN

This instrument and the interest hereby released and quitclaimed are subject to such limitations, restrictions and encumbrances as may affect the premises.

WITNESS my hand this 29th day of June, 20 22

James D. Street
JAMES D. STREET

Karen B. Street
KAREN STREET

**STATE OF TENNESSEE
COUNTY OF CARTER, ss.**

On this 29th day of June, 20 22, before me, the undersigned officer, personally appeared JAMES D. STREET and KAREN STREET, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same for the uses and purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

David G. Hohl
Notary Public
My commission expires on 2/20/23

AFFIDAVIT OF VALUE

The actual consideration for this transfer is \$-0-

James D. Street
Affiant



STATE OF TENNESSEE

COUNTY OF Carter

Subscribed and sworn to before me this day of June 29, 20 22.

David G. Hohl
Notary Public

My Commission Expires: 2/20/23



THIS INSTRUMENT HAS BEEN PREPARED SOLELY FROM INFORMATION GIVEN BY THE PARTIES HERETO. DESCRIPTION CONTAINED HEREIN WAS TAKEN FROM A PRIOR DEED AND WITHOUT BENEFIT OF AN UPDATED SURVEY. PREPARER MAKES NO REPRESENTATION AS TO THE ACCURACY OF SAID DESCRIPTION.

EXHIBIT "A"

Map Parcel Number:

054-043-00002

Part of Lot 1, First Addition to Gram Park Subdivision, as shown on plat of record in Plat Book 16, Page 36, in the Register's Office of Shelby County, Tennessee, said part being more particularly described as follows: Beginning at a point in the south line of Estridge Drive 123.59 feet east of the east line of Waring Road said point of beginning being the northeast corner of Lot #29, Second Revision, Gram Subdivision as shown in Plat Book 14, Page 75 in said Register's Office; said point of beginning being also the northwest corner of the land conveyed to State of Tennessee for interstate highway Route I-40; thence along the west line of the land conveyed to the State of Tennessee for Interstate highway Route -40 south 32 degrees 48 minutes 30 seconds east a distance of 132 feet to a point in the east of Lot 1 said subdivision 30 feet north of the southeast corner of said Lot 1; thence westwardly a distance of 7.37 feet; thence south 81 degrees 48 minutes 43 seconds west a distance of 77.55 feet to a point in the west line of Lot 29 of Gram Park Subdivision, Second Revision as shown in Plat Book 14, Page 75 said Register's Office; thence along east line of said Lot 29 a distance of 123.10 feet to the point of beginning.

This being the same property conveyed to Grantor herein by Warranty Deed of record at Instrument Number E6-0882, in the aforesaid Register's Office.

This conveyance is made subject to subdivision restrictions, building lines and easements of record at Plat Book 16, Page 36, in the aforesaid Register's Office; and the 2017 City of Memphis taxes and the 2017 Shelby County taxes, which the party of the second part agrees to assume and pay.

unimproved

This is improved property, known as

0 Estridge Drive, Memphis, TN
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

HS 9690

HT 5063 2

3

PREPARED BY:
Fred M. McDonald, IV
1709 Kirby Parkway
Memphis, Tennessee 38120

WARRANTY DEED

THIS INDENTURE is made and entered into this **28th** day of **August, 1998** between **MARGIE R. WARFIELD, UNMARRIED**, GRANTOR, and **JEREMY STREET, UNMARRIED**, GRANTEE.

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the GRANTOR does hereby bargain, sell, transfer and convey unto the GRANTEES, all of GRANTOR'S right, title and interest in the following described property lying in City of **MEMPHIS,, County of Shelby, State of Tennessee, more particularly described as follows:**

Part of Lot 29, Second Revision to GRAM PARK Subdivision, as recorded in Shelby County Register's Office, Plat Book 14, Page 75 and being more particularly described as follows:

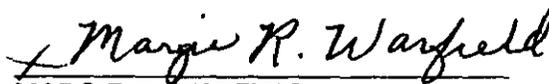
BEGINNING at a point in the east line of Waring Road, said point being 20 feet southwardly from the south line of Estridge Drive (Interstate I-40); thence southwardly along said east line a distance of 100.0 feet to a point; thence eastwardly a distance of 96.57 feet to a point in the northwest line of Lot 1, First Addition to Gram Park Subdivision; thence northeastwardly along said northwest line a distance of 123.09 feet to a point in the south line of Estridge Drive (Interstate I-40); thence westwardly along said south line a distance of 103.59 feet to a point of curvature; thence on a curve to the left having a radius of 20 feet a distance of 31.42 feet to the point of beginning.

Being the same property conveyed to grantor by Warranty Deed Book 3685, Page 3 of record in Register's Office of Shelby County, Tennessee and the death of Curtiss G. Warfield on or about 2/15/88.

This conveyance is made subject to 1999 City and 1998 County Taxes, not yet due and payable; Subdivision Restrictions, Building Lines and Easements of record in Plat Book 14, Page 75 as amended at Book 2705, Page 399 and Deed Restrictions at Book 6232, Page 122, in said Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto GRANTEE, GRANTEE'S heirs, successors and assigns forever. The GRANTOR does covenant and agree with the said GRANTEE that GRANTOR is lawfully seized and possessed of the said real estate and that GRANTOR has a good and lawful right to sell the same. The GRANTOR further covenants that the same is unencumbered except as otherwise set forth herein, and that the title and quiet possession thereto GRANTOR will forever warrant and defend against the lawful claims of all persons whomsoever.

WITNESS my hand on the day and year first above written.



MARGIE R. WARFIELD

Signature of Seller

This document being re-recorded to correct legal description.

HS 9690

HT 5063

INDIVIDUAL
STATE OF TENNESSEE)
COUNTY OF SHELBY)

Personally appeared before me, a Notary Public of said County and State, **MARGIE R. WARFIELD, UNMARRIED**, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand and seal, this **28th** day of **August, 1998**.

[Signature]
Notary Public



My Commission Expires: September 06, 1998

Name and Address of Property Owner:

**JEREMY STREET
4353 ESTRIDGE DRIVE
MEMPHIS, TENNESSEE 38122**

Property Address:

**4353 ESTRIDGE DRIVE
MEMPHIS, TENNESSEE 38122**

Person Responsible for Taxes:

**UNION PLANTERS BANK, NA
P O BOX 3137
MEMPHIS, TENNESSEE 38173**

Parcel #: 054-043-001

AFFIDAVIT OF VALUE

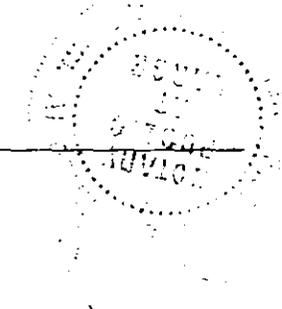
STATE OF TENNESSEE
COUNTY OF SHELBY

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **\$49,000.00** which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

[Signature: Margie R. Warfield]
Affiant

Sworn to and subscribed before me, a Notary Public, this **28th** day of **August, 1998**.

[Signature]
Notary Public



My Commission Expires: ~~September 06, 1998~~

RETURN TO:
Fred M. McDonald, IV
1709 Kirby Parkway
Memphis, Tennessee 38120

HS 9690	
Doc #	6
Vol	2
Price	49,000.00
Ad Val	181.30
Transfer Tax	1.00
Notary Fee	8.00
Other	2.50
Total	192.30
STATE OF TENNESSEE SHELBY COUNTY GUY B. BAYES REGISTER	

HS 9690

SHELBY COUNTY
REGISTER OF DEEDS
98 SEP -1 PM 12:40

HT 5063

Pre-Recording Inc.

No.	HT 5063
D/C	DR # 15
Pgs.	3 Itm.
Val	
STATE TAX	
REGISTER'S FEE	
RECORDING FEE	12.00
D.P. FEE	21.00
WT <input type="checkbox"/> MISC FEE	
TOTAL	24.00
STATE OF TENNESSEE SHELBY COUNTY GUY B. BATES REGISTER	

HT5063

SHELBY COUNTY
REGISTER OF DEEDS
98 SEP -9 PM 3: 55



ENGINEERING • PLANNING

5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134

Tel: 901-373-0380
Fax: 901-373-0370
www.SRCE-memphis.com

Date: May 23, 2024

To: Division of Planning & Development

From: Cindy Reaves

Re: Sam Cooper Blvd. & Waring Rd. Rezoning

LETTER OF INTENT

We are submitting a rezoning application for property at Sam Cooper Boulevard east of Waring Road. The property is within the EMP zoning district. We are requesting a rezoning to RU-1.

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

055044 00006 - DAVIS STEPHEN R
054018 00021 - MUSSO SAMANTHA L
054042 00003 - CLEVELAND MICAH
054042 00002 - NUTH RADY AND SOPHA KEO (RS)
054044 00025 - HARAH ABDULKHALEK
054041 00023 - DEEP BAY PROPERTIES TN LLC
054041 00018C - NUTH RADY
054042 00005 - MYERS RUBY D AND MARIE H JOWERS (RS)
054017 00030 - NOOOR LLC
054017 00028 - LOPEZ FRANCES L
055044 00012 - WEST BARBARA C
055044 00010 - BOSWELL EMERY J REVOCABLE LIVING TRUST
055044 00008 - O'MALLEY PETER & HOLLY OBOIKOVITZ
055005 00050 - WULFF KURT S & KRISTIN L
055043 00014 - COWGILL PAUL & JEANETTE
055005 00043 - HARDER CHRISTOPHER H
055005 00049 - SMITH BLOUNT D
055043 00013 - COUCH THEO (ESTATE OF)
055043 00012 - LIKLEY STEPHEN G
055043 00010 - GEORGE ASHISH AND KATARZYNA BIELANSKA
055043 00009 - ALGER KEVIN
055043 00006 - PENDER JOHN V JR & KATHLEEN TR
055043 00001 - RIGG GREGORY L & AMANDA G
055004 00026 - HENRY BLAKE AND EMETERIO ALVAREZ AND
054017 00023 - STALLINGS JOE W JR

054017 00024 - STALLINGS JOE W JR
054018 00005 - KEO KELLY & SOPHA
054041 00048 - KEO KELLY T & SOPHA
054018 00023 - MOORE TROY
054018 00006 - CARPENTER RICHARD F & MARY B
054041 00015 - AMNL ASSET CO 3 LLC
054018 00022 - ERWIN DAVID O & LORETTA B
054018 00007 - BREWI JONATHAN W
054041 00026 - JOHNSON DON W AND DONELLE M J MORRISON
054041 00016 - TROUT I RAY AND SANDRA K SHAPPLEY (RS)
054041 00046 - LE HUY V
054044 00026 - BARNETT MARK T SR & BRENDA J
054041 00025 - JAROTO LLC
054018 00008 - CHIOZZA EUGENE M & MARY A
054042 00001 - BACOPULOS DIONYSIA S
054018 00019C - SNOATES AND CO LLC
054041 00024 - ZUBER JEFFREY K & SYLVIA
054018 00009 - CHIOZZA MARIO
054041 00036 - HAIR REVA M
054041 00017 - BOSIN SLAVA
054044 00017 - QUALITY PROPERTIES LLC
054042 00004 - PRIME RENTAL LLC
054018 00010 - DIANO-ANGLIN MARIA S
054041 00037 - DEAN PHOEBE
054044 00018 - BANES BERNICE L TRUST A REVOCABLE LIVING

054042 00010 - BONDS RANDELL L
054044 00024 - SAKAAN ABBY J
054041 00022 - DEEP BAY PROPERTIES TN LLC
054017 00029 - MEMPHIS INVESTMENT PROPERTIES IV LLC
055044 00014 - ERWIN DAVID O & LORETTA B
055044 00013 - SHORT NATHAN T
055044 00015 - GUERRERO JORGE
055044 00011 - HEATH RICHARD J & LAURA S
055044 00009 - HOWELL CAMERON & DUNCAN
055044 00007 - HAYS KENNY F & AMELIA A
055044 00005 - CARRINGTON KENNETH R & MARILYN A
055044 00004 - BURESS JAMES O
055044 00003 - ATKEISON PETER
055044 00002 - DEFRANK PHILIP M
055044 00001 - DAVIS ELLEN B
055005 00042 - WHEELER JERRY L & DIANE R
055043 00011 - GESKE GREGORY J & HAYLIE L
055043 00008 - LOBIANCO THOMAS J
055043 00007 - COLTURI HOMES INC
055043 00005 - FILIBERTO DINA AND PATRICK IMLAY TRUST
055043 00004 - FOSTER ROLANNE L
055043 00003 - BURTON KERRIE B
055043 00002 - SIMPSON BRENDA G
055005 00048 - HARDEE WILLIAM D & RACHAEL A
055005 00047 - UTECH RAYMOND & RAMYA

054017 00027 - HANSEL RUSTY W
054041 00044C - CARPENTER FAYE M AND RICHARD F CARPENTER
055004 00027 - WOODRUFF FRANK L & MICHELLE G
054017 00025 - ASHWORTH DANNY R
054017 00026 - BAKER JOHN D & MAXINE H
054041 00033 - PARKER LUTHER
054041 00035 - JAROTO LLC
054041 00029 - WOLF GARY & EDIT ALFARO
054041 00030 - KELLY PATRICK D
054041 00031 - MCKINNEY MICHAEL
054041 00032 - BURRESS JAMES D
054041 00047 - ALEJEAL RHAMY E & ELIZABETH M
054043 00001 - STREET JEREMY
054043 00002 - STREET JAMES AND KAREN STREET REVOCABLE
054041 00034 - GILBERT DANIEL A & LORI C

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

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

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

James & Karen Street Revocable Living
Trust
P.O. Box 187
Watauga, TN 37694-0187

James & Karen Street Revocable Living
Trust
P.O. Box 187
Watauga, TN 37694-0187

James & Karen Street Revocable Living
Trust
P.O. Box 187
Watauga, TN 37694-0187

**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, James David Street (Print Name) James David Street (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):

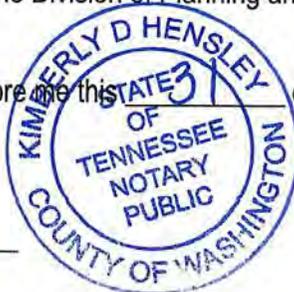
I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in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

Subscribed and sworn to (or affirmed) before me this 31 day of May in the year of 2024.

Kimberly D. Hensley
Signature of Notary Public



10.1.2025
My Commission Expires

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

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

August 9, 2024

James & Karen Street Revocable Living Trust
PO Box 187
Watauga, TN 37694

Sent via electronic mail to: cindy.reaves@srce-memphis.com

Case Number: Z 2024-005
LUCB Recommendation: Approval

Dear applicant,

On Thursday, August 8, 2024, the Memphis and Shelby County Land Use Control Board recommended **approval** of your rezoning application located on the east side of Waring Road south of Sam Cooper Blvd. be included in the Residential Urban – 1 (RU-1) Zoning District.

This application will be forwarded, for final action, to the Council of the City of Memphis. Ordinances appear on three consecutive Council Agendas with the third one being the Public Hearing. 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) 636-7179 or via email at Latonya.hull@memphistn.gov.

Respectfully,



LaTonya Hull
Planner II

Letter to Applicant
Z 2024-005

Land Use and Development Services
Division of Planning and Development

Cc: Cindy Reaves, SR Consulting, LLC
File

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO THE ZONING MAP OF THE CITY OF MEMPHIS**

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, November 5, 2024 at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

- CASE NUMBER:** Z 2024-005
- LOCATION:** East side of Waring Road south of Sam Cooper Blvd.
- COUNCIL DISTRICTS:** District 5 and Super District 8 – Positions 1, 2, and 3
- OWNER/APPLICANT:** James & Karen Street Revocable Living Trust
- REPRESENTATIVE:** Cindy Reaves, SR Consulting
- REQUEST:** Rezoning of +/-2.02 acres from the Residential Single-Family – 6 (R-6), Residential Single-Family – 15 (R-15), and Employment (EMP) to Residential Urban – 1 (RU-1)

RECOMMENDATIONS:

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

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

NOW, THEREFORE, you will take notice that on Tuesday, November 5, 2024, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance’s or protests against the making of such changes; such remonstrance’s or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

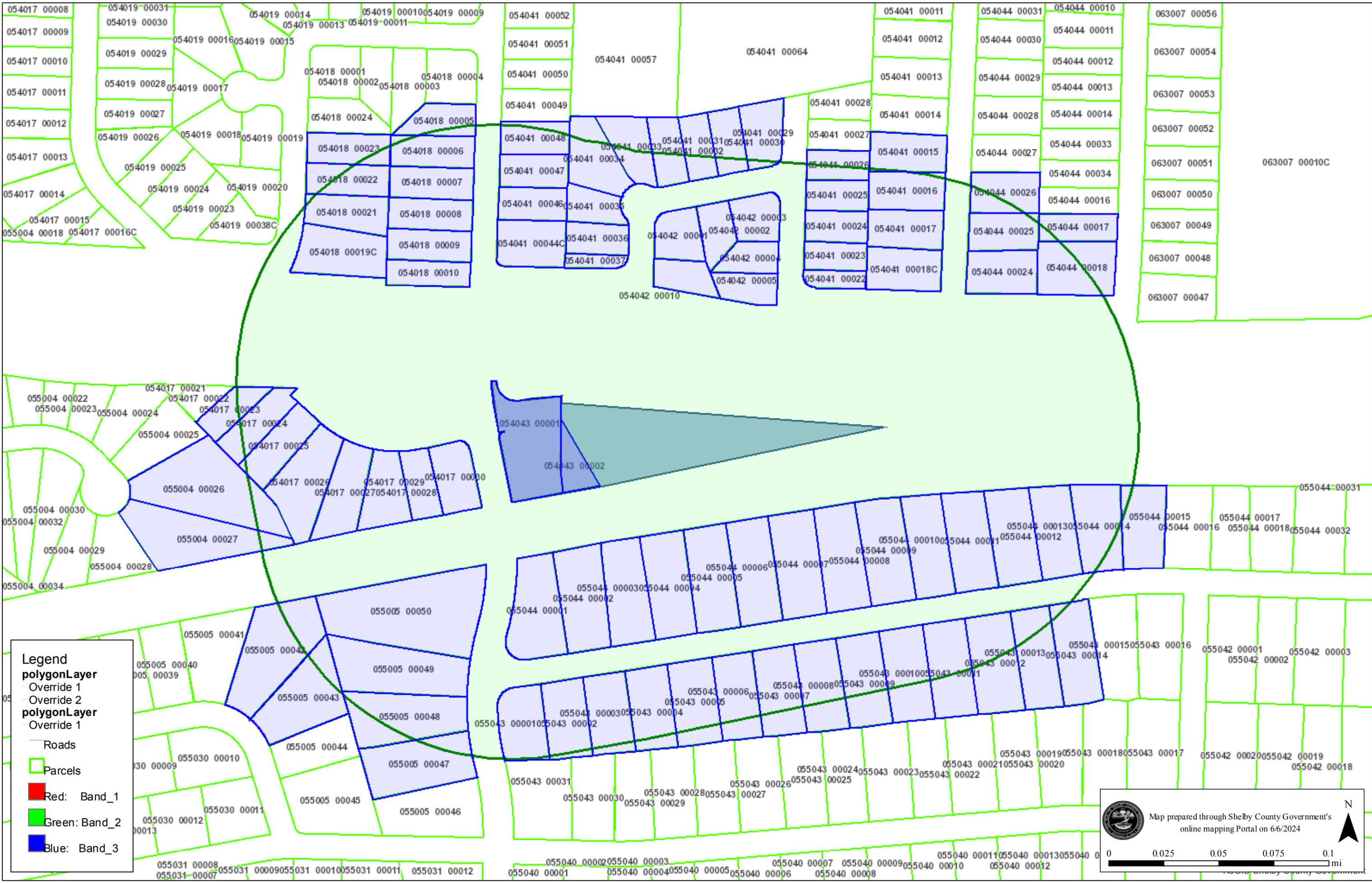
THIS THE _____, _____

JB SMILEY, JR.
CHAIRMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT
CITY COMPTROLLER

TO BE PUBLISHED:



Legend

polygonLayer

- Override 1
- Override 2

polygonLayer

- Override 1

— Roads

□ Parcels

- Red: Band_1
- Green: Band_2
- Blue: Band_3

Map prepared through Shelby County Government's online mapping Portal on 6/6/2024

0 0.025 0.05 0.075 0.1 mi

North Arrow

DAVIS STEPHEN R
4939 BRIARCLIFF AVE #
MEMPHIS TN 38117

WEST BARBARA C
4470 PRINCETON RD #
MEMPHIS TN 38117

ALGER KEVIN
4445 PRINCETON RD #
MEMPHIS TN 38117

MUSSO SAMANTHA L
552 STANLEY DR #
MEMPHIS TN 38122

BOSWELL EMERY J REVOCABLE LIVING TRUST
4460 PRINCETON RD #
MEMPHIS TN 38117

PENDER JOHN V JR & KATHLEEN TR
6125 E SHADY GROVE RD #
MEMPHIS TN 38120

CLEVELAND MICAH
583 N FOY CIR #
MEMPHIS TN 38122

O'MALLEY PETER & HOLLY OBOIKOVITZ
4444 PRINCETON RD #
MEMPHIS TN 38117

RIGG GREGORY L & AMANDA G
4377 PRINCETON RD #
MEMPHIS TN 38117

NUTH RADY AND SOPHA KEO (RS)
4494 PRINCETON RD #
MEMPHIS TN 38117

WULFF KURT S & KRISTIN L
469 WARING RD #
MEMPHIS TN 38117

HENRY BLAKE AND EMETERIO ALVAREZ AND
4963 ESSEXSHIRE AVE #
MEMPHIS TN 38117

HARAH ABDULKHALEK
544 SANDRIDGE ST #
MEMPHIS TN 38122

COWGILL PAUL & JEANETTE
4485 PRINCETON RD #
MEMPHIS TN 38117

STALLINGS JOE W JR
3685 NW DEER OAK DR #
JENSEN BEACH FL 34957

DEEP BAY PROPERTIES TN LLC
3441 W 31ST AVE #
DENVER CO 80211

HARDER CHRISTOPHER H
4332 HILLDALE AVE #
MEMPHIS TN 38117

STALLINGS JOE W JR
3685 NW DEER OAK DR #
JENSEN BEACH FL 34957

NUTH RADY
4494 PRINCETON RD #
MEMPHIS TN 38117

SMITH BLOUNT D
457 WARING RD #
MEMPHIS TN 38117

KEO KELLY & SOPHA
4348 SUMMER AVE #
MEMPHIS TN 38122

MYERS RUBY D AND MARIE H JOWERS (RS)
533 READ #
MEMPHIS TN 38122

COUCH THEO (ESTATE OF)
4475 PRINCETON RD #
MEMPHIS TN 38117

KEO KELLY T & SOPHA
4348 SUMMER AVE #
MEMPHIS TN 38122

NOOR LLC
974 NATIONAL ST #
MEMPHIS TN 38122

LIKLEY STEPHEN G
4465 PRINCETON RD #
MEMPHIS TN 38117

MOORE TROY
PO BOX 770373 #
MEMPHIS TN 38177

LOPEZ FRANCES L
535 ESTRIDGE DR #
MEMPHIS TN 38122

GEORGE ASHISH AND KATARZYNA BIELANSKA
3815 N MONTCLAIR DR #
MEMPHIS TN 38111

CARPENTER RICHARD F & MARY B
561 WARING RD #
MEMPHIS TN 38122

AMNL ASSET CO 3 LLC
5001 PLAZA ON THE LAKE #200
AUSTIN TX 78746

SNOATES AND CO LLC
4323 CHICKASAW CV #
MEMPHIS TN 38117

BONDS RANDELL L
538 W FOY CIR #
MEMPHIS TN 38122

ERWIN DAVID O & LORETTA B
4480 PRINCETON RD #
MEMPHIS TN 38117

ZUBER JEFFREY K & SYLVIA
548 READ ST #
MEMPHIS TN 38122

SAKAAN ABBY J
540 SANDRIDGE ST #
MEMPHIS TN 38122

BREWI JONATHAN W
553 WARING RD #
MEMPHIS TN 38122

CHIOZZA MARIO
541 WARING RD #
MEMPHIS TN 38122

DEEP BAY PROPERTIES TN LLC
3441 W 31ST AVE #
DENVER CO 80211

JOHNSON DON W AND DONELLE M J MORRISON
560 READ ST #
MEMPHIS TN 38122

HAIR REVA M
543 W FOY CIR #
MEMPHIS TN 38122

MEMPHIS INVESTMENT PROPERTIES IV LLC
4701 SUMMER AVE #
MEMPHIS TN 38122

TROUT I RAY AND SANDRA K SHAPPLEY (RS)
555 SANDRIDGE ST #
MEMPHIS TN 38122

BOSIN SLAVA
PO BOX 771496 #
MEMPHIS TN 38177

ERWIN DAVID O & LORETTA B
4480 PRINCETON RD #
MEMPHIS TN 38117

LE HUY V
2471 LAMAR AVE #
MEMPHIS TN 38114

QUALITY PROPERTIES LLC
299 S WALNUT BND #100
CORDOVA TN 38018

SHORT NATHAN T
4474 PRINCETON RD #
MEMPHIS TN 38117

BARNETT MARK T SR & BRENDA J
554 SANDRIDGE ST #
MEMPHIS TN 38122

PRIME RENTAL LLC
3707 MACON RD #
MEMPHIS TN 38122

GUERRERO JORGE
4486 PRINCETON RD #
MEMPHIS TN 38117

JAROTO LLC
4337 CHICKASAW CV #
MEMPHIS TN 38117

DIANO-ANGLIN MARIA S
535 WARING RD #
MEMPHIS TN 38122

HEATH RICHARD J & LAURA S
4464 PRINCETON RD #
MEMPHIS TN 38117

CHIOZZA EUGENE M & MARY A
547 WARING RD #
MEMPHIS TN 38122

DEAN PHOEBE
667 GLANKLER ST #
MEMPHIS TN 38112

HOWELL CAMERON & DUNCAN
3816 NORTHWOOD DR #
MEMPHIS TN 38111

BACOPULOS DIONYSIA S
567 N FOY CIR #
MEMPHIS TN 38122

BANES BERNICE L TRUST A REVOCABLE LIVING
205 S YATES RD #
MEMPHIS TN 38120

HAYS KENNY F & AMELIA A
4434 PRINCETON RD #
MEMPHIS TN 38117

CARRINGTON KENNETH R & MARILYN A
4418 PRINCETON RD #
MEMPHIS TN 38117

FOSTER ROLANNE L
4401 PRINCETON RD #
MEMPHIS TN 38117

PARKER LUTHER
139 HARBOR RIDGE LN #
MEMPHIS TN 38103

BURESS JAMES O
4408 PRINCETON RD #
MEMPHIS TN 38117

BURTON KERRIE B
4391 PRINCETON RD #
MEMPHIS TN 38117

JAROTO LLC
715 CHANEY CV #
COLLIERVILLE TN 38017

ATKEISON PETER
4400 PRINCETON RD #
MEMPHIS TN 38117

SIMPSON BRENDA G
4383 PRINCETON RD #
MEMPHIS TN 38117

WOLF GARY & EDIT ALFARO
2583 KRISTINA DR #
HERNANDO MS 38632

DEFRANK PHILIP M
4390 PRINCETON RD #
MEMPHIS TN 38117

HARDEE WILLIAM D & RACHAEL A
449 WARING RD #
MEMPHIS TN 38117

KELLY PATRICK D
580 N FOY CIR #
MEMPHIS TN 38122

DAVIS ELLEN B
4380 PRINCETON RD #
MEMPHIS TN 38117

UTECH RAYMOND & RAMYA
441 WARING RD #
MEMPHIS TN 38117

MCKINNEY MICHAEL
8893 N VALLEY CREEK DR #
ARLINGTON TN 38002

WHEELER JERRY L & DIANE R
4328 HILLDALE AVE #
MEMPHIS TN 38117

HANSEL RUSTY W
539 ESTRIDGE DR #
MEMPHIS TN 38122

BURRESS JAMES D
568 N FOY CIR #
MEMPHIS TN 38122

GESKE GREGORY J & HAYLIE L
4461 PRINCETON AVE #
MEMPHIS TN 38117

CARPENTER FAYE M AND RICHARD F CARPENTER
544 WARING RD #
MEMPHIS TN 38122

ALEJEAL RHAMY E & ELIZABETH M
PO BOX 342950 #
BARTLETT TN 38135

LOBIANCO THOMAS J
4433 PRINCETON RD #
MEMPHIS TN 38117

WOODRUFF FRANK L & MICHELLE G
4280 EASTERN CV #
MEMPHIS TN 38122

STREET JEREMY
4353 ESTRIDGE DR #
MEMPHIS TN 38122

COLTURI HOMES INC
939 LINDEN AVE #
MEMPHIS TN 38104

ASHWORTH DANNY R
547 ESTRIDGE DR #
MEMPHIS TN 38122

STREET JAMES AND KAREN STREET REVOCABLE
PO BOX 187 #
WATAUGA TN 37694

FILIBERTO DINA AND PATRICK IMLAY TRUST
4409 PRINCETON RD #
MEMPHIS TN 38117

BAKER JOHN D & MAXINE H
543 ESTRIDGE DR #
MEMPHIS TN 38122

GILBERT DANIEL A & LORI C
554 N FOY CIR #
MEMPHIS TN 38122

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

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

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

James & Karen Street Revocable Living
Trust
P.O. Box 187
Watauga, TN 37694-0187

James & Karen Street Revocable Living
Trust
P.O. Box 187
Watauga, TN 37694-0187

James & Karen Street Revocable Living
Trust
P.O. Box 187
Watauga, TN 37694-0187

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 08/06/2024
DATE
PUBLIC SESSION: 08/20/2024
DATE**

ITEM (CHECK ONE)

ORDINANCE _____ RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the east side of Elvis Presley Boulevard, +/- 208 feet north of Commercial Parkway. By taking the land out of the Residential Single-Family – 15 (R-15) Use District and including it in the Commercial Mixed Use – 1 (CMU-1) District, known as case number Z 2024 – 006

CASE NUMBER: Z 2024 – 006

LOCATION: 3230 Commercial Parkway

COUNCIL DISTRICTS: District 3

OWNER/APPLICANT: Yaaqob Al Shugga

REPRESENTATIVES: David Bray, The Bray Firm

REQUEST: Rezoning of +/-20, 265 square feet from Residential Single-Family – 15 (R-15) to Commercial Mixed Use – 1 (CMU-1) located at 3230 Commercial Parkway

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
Set date for first reading – August 06, 2024
Second reading – August 20, 2024
Third reading – September 10, 2024

PRIOR ACTION ON ITEM:

(1) _____ APPROVAL - (1) APPROVED (2) DENIED
07/11/2024 _____ 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>
_____	_____	PLANNER I
_____	_____	DEPUTY ADMINISTRATOR
	<u>July 29, 2024</u>	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2024 - 006

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 3230 COMMERCIAL PARKWAY ON THE EAST SIDE OF ELVIS PRESLEY BOULEVARD, +/- 208 FEET NORTH OF COMMERCIAL PARKWAY ROAD. BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 15 (R-15) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED USE – 1 (CMU-1) DISTRICT, KNOWN AS CASE NUMBER Z 2024 – 006

- 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, July 11, 2024** the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 2024 – 006

LOCATION: 3230 Commercial Parkway

COUNCIL DISTRICT(S): District 3, Super District 8 – Position 1, 2, 3

OWNER/APPLICANT: Yaaqob Al Shugga

REPRESENTATIVE: David Bray, The Bray Firm

REQUEST: Rezoning of +/-20, 265 acres from Residential Single-Family – 15 (R-15) to Commercial Mixed Use – 1 (CMU-1)

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

The motion passed by a unanimous vote of 9-0 on the consent agenda.

Respectfully,



Alexis Longstreet
Planner I
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 3230 COMMERCIAL PARKWAY BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE FAMILY – 15 (R-15) TO COMMERCIAL MIXED USE – 1 (CMU-1) USE DISTRICT, KNOWN AS CASE NUMBER Z 2024-006.

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2024-006**; 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 – 15 (R-15) TO COMMERCIAL MIXED USE – 1 (CMU-1) USE DISTRICT.

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

Commencing at the intersection of the north line of Commercial Parkway (80-foot right of-way) and the east line of Elvis Presley Boulevard (U.S. Highway 51) (100-foot right of-way); then along the

said east line of Elvis Presley North 13 degrees 49 minutes 45 seconds East a distance of 208.49 feet to the Point of Beginning; thence continuing along said east line North 13 degrees 49 minutes 45 seconds East a distance of 92.56 feet to a point; thence South 63 degrees 33 minutes 14 seconds East a distance of 263.43 feet to a point; thence south 17 degrees 9 minutes 10 seconds West a distance of 25.32 feet to a point; thence North 64 degrees 7 minutes 28 seconds West a distance of 99.05 feet to a point; thence North 89 degrees 7 minutes 42 seconds West a distance of 246.30 feet to the Point of Beginning and containing 20265 square feet 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.

ATTEST:

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

AGENDA ITEM: 16 **L.U.C.B. MEETING:** July 11, 2024
CASE NUMBER: Z 2024 – 006
LOCATION: 3230 Commercial Parkway
COUNCIL DISTRICT: District 3
OWNER/APPLICANT: Yaaqob Al Shugaa
REPRESENTATIVE: David Bray, The Bray Firm
REQUEST: Rezoning from Residential Single Family – 15 to Commercial Mixed Use – 1.
EXISTING ZONING: Commercial Mixed Use – 1, Residential Single – Family – 15

CONCLUSIONS

1. The applicant is requesting rezoning of a +/- 20, 265 square feet portion of the +/- 3.78-acre lot.
2. The subject property is split zoned Commercial Mixed Use – 1 (CMU-1) and the northwest portion of the parcel is zoned Residential Single – Family – 15 (R-15).
3. The applicant is requesting a zoning change of the portion zoned R-15 to CMU-1.

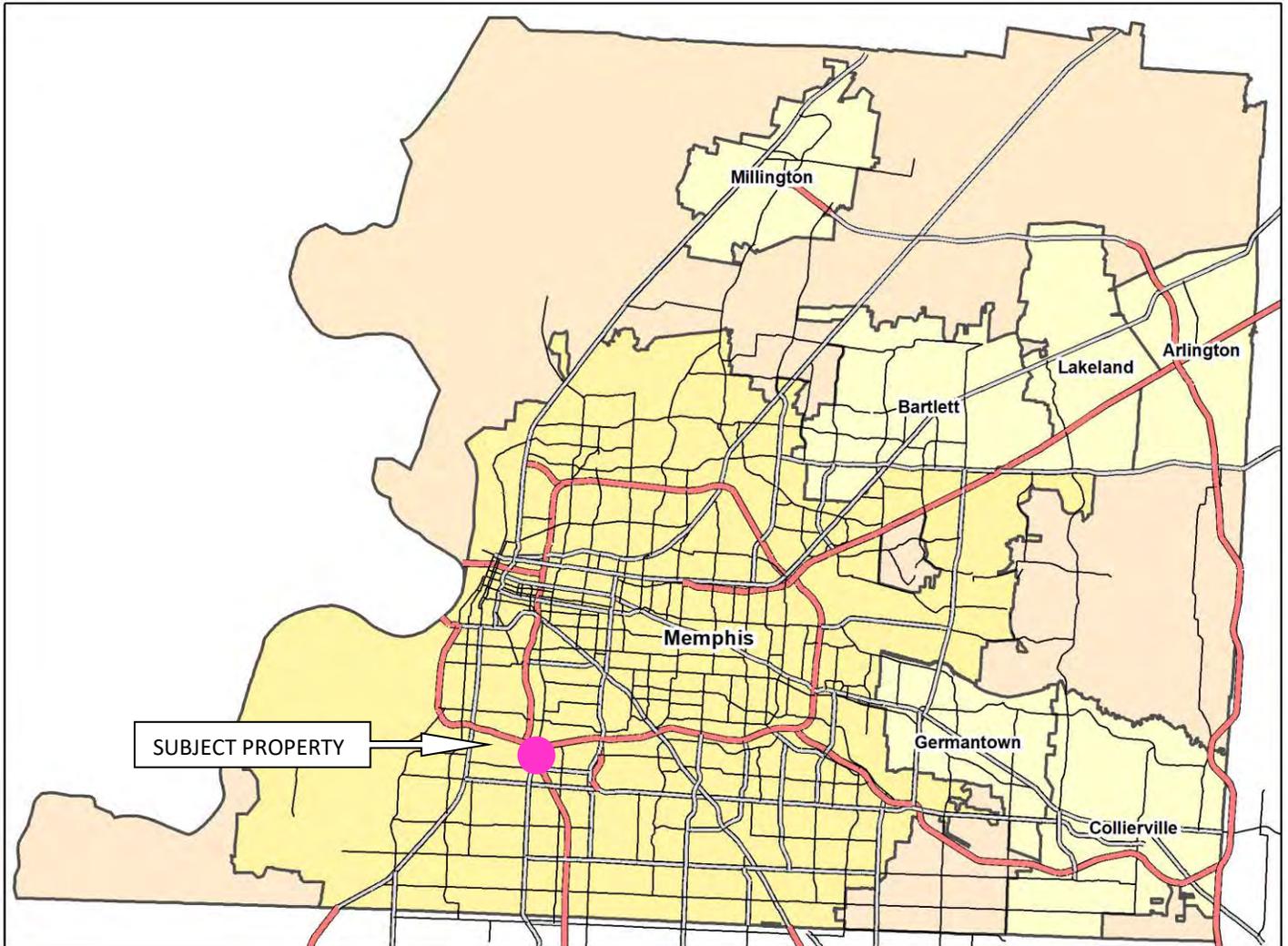
CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 15 – 16 of this report.

RECOMMENDATION:

Approval

LOCATION MAP



Subject property located within the pink circle.

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow.

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 28 notices were mailed on May 13, 2024, see pages 25 - 26 of this report for a copy of said notice. Additionally, xx sign was posted at the subject property, see page xx of this report for a copy of the sign affidavit (awaiting copy of sign affidavit from property owner).

NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Thursday, July 1, 2024, at Southbrook Mall, 1254 East Shelby Drive.

AERIAL



Subject property outlined in yellow. The northwest portion of this site is currently zoned R-15.

ZONING MAP



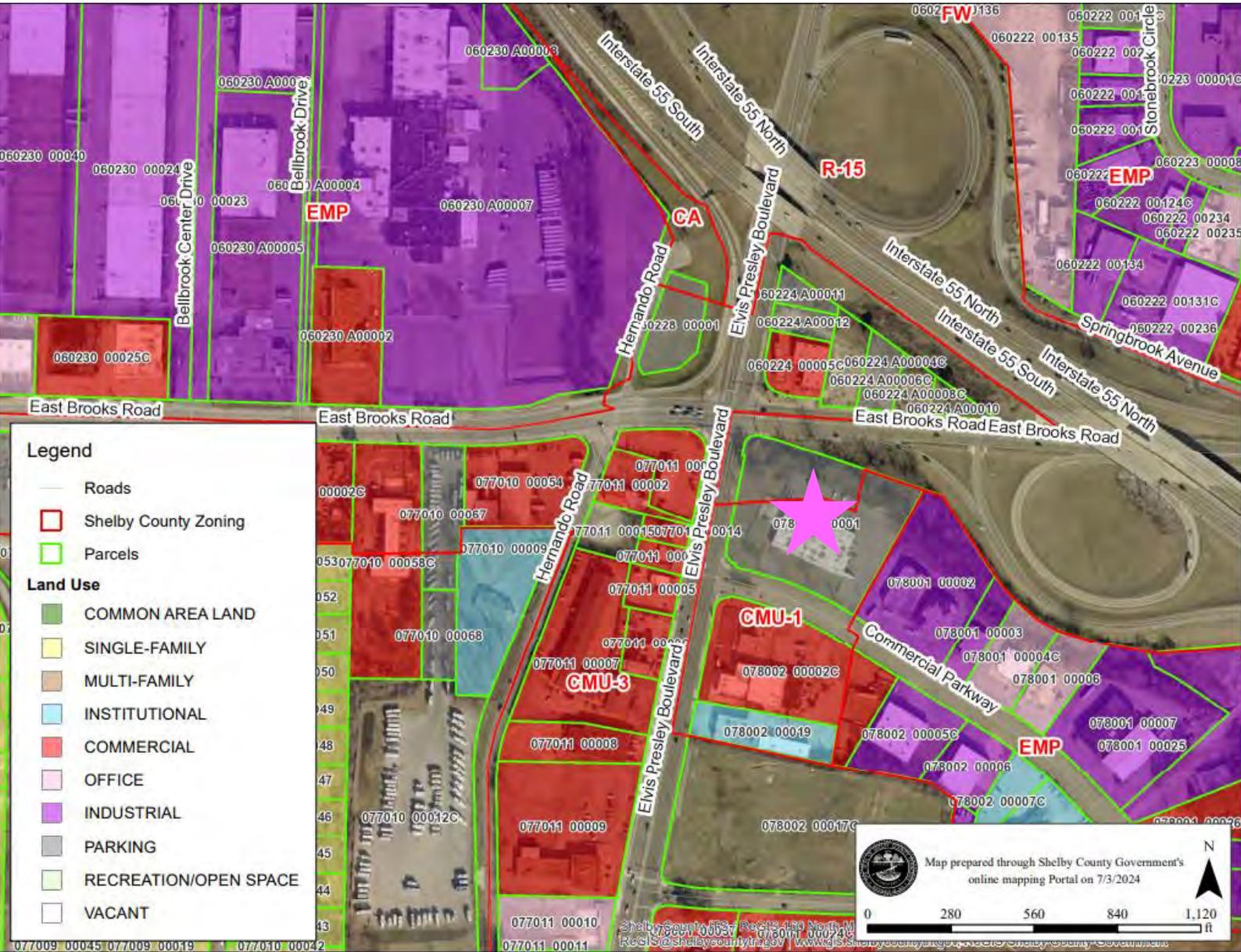
Subject area of proposed rezoning highlighted in yellow.

FEMA MAP



Subject area of proposed rezoning highlighted in yellow.

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from Elvis Presley.



View of subject property from Commercial Parkway looking North.

LOT DESCRIPTION

*Property Line Description
of
Part of Lot 4,
Freeway Commercial Park Subdivision
as recorded by
Plat Book 24, Page 42
in the
Shelby County Registers Office;
Property located in Memphis, Shelby County, Tennessee
and being more particularly described as follows:*

Commencing at the intersection of the north line of Commercial Parkway (80-foot right-of-way) and the east line of Elvis Presley Boulevard (U.S. Highway 51) (100-foot right-of-way); then along the said east line of Elvis Presley North 13 degrees 49 minutes 45 seconds East a distance of 208.49 feet to the Point of Beginning; thence continuing along said east line North 13 degrees 49 minutes 45 seconds East a distance of 92.56 feet to a point; thence South 63 degrees 33 minutes 14 seconds East a distance of 263.43 feet to a point; thence south 17 degrees 9 minutes 10 seconds West a distance of 25.32 feet to a point; thence North 64 degrees 7 minutes 28 seconds West a distance of 99.05 feet to a point; thence North 89 degrees 7 minutes 42 seconds West a distance of 246.30 feet to the Point of Beginning and containing 20265 square feet of land, more or less.

CASE REVIEW

Request

The request is a rezoning from Residential Single Family – 15 to Commercial Mixed Use – 1.

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.

9.5.7B 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.*

Site Details

Address:
3230 Commercial Parkway

Parcel ID:
078001 00001

Area:
+/- 3.78 acres

Description:

The subject property is located along Elvis Presley and located within the Whitehaven neighborhood. The property is split zoned CMU-1 and R-15. There is currently a warehouse located on the property that would remain. Per the Assessor’s website, the principal structure on the site was built circa 1961 with a building area of +/- 8,000 square feet. The surrounding land uses are a mixture of commercial, industrial, institutional, and single-family and vacant lots. Additionally, this lot has two street frontages: one along Elvis Presley Boulevard and one along Commercial Parkway.

Analysis

The applicant is proposing a rezoning of +/- 20,265 square feet of the subject property that is included in the Residential Single – Family – 15 zoning district to Commercial Mixed Use – 1. The surrounding areas support the rezoning proposal as majority of the surrounding areas have land designations of similar intensities.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

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

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 sewer capacity will not be determined until the developer provide the proposed discharge to the Engineering Div/Sewer Design Dept. to check the capacity of the existing system.

Drainage:

3. 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.

4. 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.

5. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.

6. 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.

7. 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.

8. Development is greater than 1 acre and is located within a sensitive drainage basin.

9. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.

10. All connections to the sewer shall be at manholes only.

11. 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.

12. Required landscaping shall not be placed on sewer or drainage easements.

City Fire Division:	No comments received.
City Real Estate:	No comments received.
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 pages 15 – 16.

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: Z 2024-006 Whitehaven

Site Address/Location: 3230 highway 51

Overlay District/Historic District/Flood Zone: Located in a 0.2% Annual Flood Hazard Zone, but not in an Overlay District or Historic District

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

Street Type: Parkway

The applicant is requesting rezoning of a portion of the lot from R-15 to CMU-1.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



“CSL” Form & Location Characteristics

Commercial and services uses, 1-4 stories height

“CSL” Zoning Notes

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

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, CMU-1 and R-15

Adjacent Land Use and Zoning: Commercial, Industrial, Institutional, Office and Vacant; R-15, CMU-1 and EMP

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

3. Degree of Change Map



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

4. Degree of Change Description: N/A

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

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

Consistency Analysis Summary

The applicant is requesting rezoning of a portion of the lot from R-15 to CMU-1.

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

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

Summary Compiled by: Romana Haque Suravi, Comprehensive Planning.

MAILED PUBLIC NOTICE

28 Notices Mailed on 05/13/2024.



City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a land use application filed with the Division of Planning and Development. The **MEMPHIS & SHELBY COUNTY LAND USE CONTROL BOARD** will hold a Public Hearing on the following application, pursuant to Sub-Section 9.3.4A of the Memphis & Shelby County Unified Development Code:

CASE NUMBER: SUP 2024 – 019 and Z 2024 – 006
LOCATION: 3230 Commercial Parkway
(SEE SITE PLAN ON REVERSE SIDE)
APPLICANT: Shugga Yaaqob
REQUEST: Special use permit to allow a convenience store with gas pumps

THE LAND USE CONTROL BOARD PUBLIC MEETING WILL BE HELD:

DATE: Thursday, July 11, 2024
TIME: 9:00 AM
LOCATION: Council Chambers on the First Floor of City Hall, 125 N. Main Street

During the public hearing, the Board may recommend the approval or rejection of this item or hold the item for a public hearing at a subsequent Board meeting. For this case, the Board will make a **recommendation** to the legislative body; the legislative body will take final action at a later date.

Please note the Board may place this item on the Consent Agenda, which is considered at the beginning of the Board meeting. No individual public hearing will be held, nor will the Board debate items on the Consent Agenda unless a member of the audience, staff or Board requests that the item be removed from the Consent Agenda.

You are not required to attend this hearing, although you are welcome to do so if you wish to speak for or against this application. You may also contact Alexis Longstreet at Alexis.Longstreet@memphistn.gov or (901) 636-7120 to learn more about the proposal and/or to submit a letter of support or opposition no later than **Wednesday, June 19, 2024, at 8 AM**

ZONING APPLICATION



**Memphis and Shelby County Division of
Planning and Development**

East Service Center: 6465 Mullins Station Rd; Memphis,
Tennessee 38134
Downtown Service Center: 125 N. Main Street;
Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Processing

Opened Date: June 7, 2024

Record Number: Z 2024-006

Expiration Date:

Record Name: Freeway Commercial Park Subdivision, Lot 4

Description of Work: Rezone request of a portion of the lot from R-15 to CMU-1

Parent Record Number:

Address:

3230 highway 51 38116

Owner Information

Primary	Owner Name
Y	SHUGAA YAAQOB A

Owner Address
, MEMPHIS, TN 38126

Owner Phone

Parcel Information

078001 00001

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner	Alexis Longstreet
Date of Meeting	06/03/2024
Pre-application Meeting Type	Email

GENERAL INFORMATION

Have you held a neighborhood meeting?	Yes
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No
If yes, please provide additional information	n/a

GIS INFORMATION

GIS INFORMATION

Central Business Improvement District	No
Case Layer	SUP19-006
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	CMU-1
State Route	-
Lot	0 4
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No

Contact Information

Name
SHUGAA YAAQOB A **Contact Type**
APPLICANT

Address
MEMPHIS, TN, 38126

Phone
-

Name
THE BRAY FIRM **Contact Type**
ARCHITECT / ENGINEER /
SURVEYOR

Address
2950 STAGE PLAZA NORTH,

Phone
(901)487-2425

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1569821	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	06/07/2024
1569925	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	06/07/2024
1569925	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	06/07/2024

Total Fee Invoiced: \$1,026.00 Total Balance: \$0.00

Payment Information

Payment Amount \$1,026.00	Method of Payment Credit Card
-------------------------------------	---

OWNER AFFIDAVIT



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, Yaqub Shogaa (Print Name)  (Sign Name), state that I have read the definition of

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

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

of the property located at 3220 Elvis Presley
and further identified by Assessor's Parcel Number 07806100001
for which an application is being made to the Division of Planning and Development.

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

Signature of Notary Public

My Commission Expires

LETTER OF INTENT



Telephone 901-383-8668

2950 Stage Plaza North
Bartlett, Tennessee 38134

June 7, 2024

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

**RE: Lot 4, Freeway Commercial Park Subdivision
3230 Elvis Presley Blvd.
Memphis, Tennessee**

Mr. Ragsdale:

Please find attached an application to rezone a portion of the above captioned property from R-15 to CMU-1. The subject property is located at the intersection of Elvis Presley and Commercial Avenue. A Special Use Permit is currently under consideration for this property. It does not appear from the 1980 comprehensive rezoning that the intention was for a portion of this property (currently used as commercial) to have an area designated R-15 but the zoning map as currently drawn reflect the split zoning.

Thank you for considering this request. If you have any questions or need any additional information, please contact me.

Sincerely,

David Gean Bray, P.E.

LETTERS RECEIVED

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

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

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

July 24, 2024

Yaaqob Shugaa
547 Vance Avenue
Memphis, TN 38126

Sent via electronic mail to: dqbray@comcast.net, Mustafashujaa2003@yahoo.com

Case Number: Z 24-006
LUCB Recommendation: Approval

Dear applicant,

On Thursday, July 11, 2024, the Memphis and Shelby County Land Use Control Board recommended **approval** of your rezoning application for a portion of property located on 3230 Commercial Parkway to be included in the Commercial Mixed Use – 1 Zoning District.

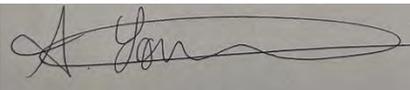
This application will be forwarded, for final action, to the Council of the City of Memphis. Ordinances appear on three consecutive Council Agendas with the third one being the Public Hearing. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The 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) 636-7120 or via email at alexis.longstreet@memphistn.gov.

Respectfully,



Alexis Longstreet
Planner I
Land Use and Development Services
Division of Planning and Development
Cc: David Bray, The Bray Firm
File

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO THE ZONING MAP OF THE CITY OF MEMPHIS**

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, _____ at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

- CASE NUMBER:** Z 2024 – 006
- LOCATION:** 3230 Commercial Parkway
- COUNCIL DISTRICTS:** District 3 and Super District 8 – Positions 1, 2, and 3
- OWNER/APPLICANT:** Yaaqob Al Shugga
- REPRESENTATIVE:** David Bray, The Bray Firm
- REQUEST:** Rezoning of +/-20, 265 acres from Residential Single-Family – 15 (R-15) to Commercial Mixed Use – 1 (CMU-1)

RECOMMENDATIONS:

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

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

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

THIS THE _____, _____

JB SMILEY, JR.
CHAIRMAN OF COUNCIL

ATTEST:

CRYSTAL GIVENS
CITY COMPTROLLER

TO BE PUBLISHED:



Legend

-  Roads
-  Parcels



Map prepared through Shelby County Government's online mapping Portal on 7/29/2024



TLC PROPERTIES INC
1600 CENTURY CENTER #104
BARTLETT TN 38134

OM SHIVAYA NAMAH INC
3265 ELVIS PRESLEY BLVD #
MEMPHIS TN 38116

MEMPHIS SMOKES CIGAR LOUNGE LLC
5341 BRADLEY RIDGE LN #
MEMPHIS TN 38125

JOLLY BEE LLC
PO BOX 400 #
WHEATLEY AR 72392

STAFFORD W DELL AND EDWIN W STAFFORD
3262 COMMERCIAL PKWY #
MEMPHIS TN 38116

SHIVA PROPERTIES
8720 SOMERSET LN #
GERMANTOWN TN 38138

JOLLY BEE LLC
PO BOX 400 #
WHEATLEY AR 72392

YET HOLDING LLC
4970 RALEIGH LAGRANGE RD #9
MEMPHIS TN 38128

SHUGAA YAAQOB A
547 VANCE AVE #
MEMPHIS TN 38126

JOLLY BEE LLC
PO BOX 400 #
WHEATLEY AR 72392

NELSON WILL J SR
465 TENNESSEE ST #
MEMPHIS TN 38103

BERUK PROPERTIES INC
3264 W SARAZENS CL #
MEMPHIS TN 38125

ANJU HOTELS LLC
8720 SOMERSET LN #
GERMANTOWN TN 38138

DOUGLAS PAUL M AND GEORGE R DOUGLAS V
3261 COMMERCIAL PKWY #
MEMPHIS TN 38116

NONCONNAH BAPTIST CHURCH TR
3257 HERNANDO RD #
MEMPHIS TN 38116

JOLLY BEE LLC
PO BOX 400 #
WHEATLEY AR 72392

NELSON WILLIE J & HATTIE
3360 FONTAINE RD #
MEMPHIS TN 38116

ANJU PROPERTIES LLC
8720 SOMERSET LN #
GERMANTOWN TN 38138

TLC PROPERTIES INC
1600 CENTURY CENTER #104
BARTLETT TN 38134

KARN JAMES JR
3271 COMMERCIAL PKWY #
MEMPHIS TN 38116

YORK PROPERTIES LLC
3100 BELLBROOK DR #
MEMPHIS TN 38116

LG INVESTMENTS LLC
407 SAINTT TAMMANY ST #
MADISONVILLE LA 70447

WATSON KENNETH D
8909 GEORGIAN DR #
AUSTIN TX 78753

YORK PROPERTIES LLC
3100 BELLBROOK DR #
MEMPHIS TN 38116

SMART INC STUDENT MAKING A REWARDED
3242 COMMERCIAL PKWY #
MEMPHIS TN 38116

MEMPHIS CONVENTION AND VISTORS BUREAU
47 UNION AVE #
MEMPHIS TN 38103

BLU RIVER LLC
119 S MAIN ST #500
MEMPHIS TN 38103

SHIVA PROPERTIES
8720 SOMERSET LN #
GERMANTOWN TN 38138