WHEREAS, the Memphis City Council recognizes and has seen fit to name certain public roads to honor the invaluable contributions of citizens who have dedicated themselves to serving and enriching our community; and

WHEREAS, on a spring Memphis morning, April 23, 1945, Terry Don Douglas, Sr. was brought into this world, a son of the Bluff City, destined to become a pillar in the community he loved, a man whose hands and heart would shape not only the upholstery of boats and homes, but also the very fabric of Binghampton itself; and

WHEREAS, a proud graduate of Lester High School, Terry Don Douglas, Sr. stood tall on the football field as a standout, but it was his love of the craft that led him to start his own upholstery business at the tender age of 18. In an era where the dreams of Black men often seemed deferred, Terry Don Douglas, Sr.'s dream wasn't just a dream—it became a reality, a beacon of hope for others to follow; and

Whereas, Douglas Upholstery, founded in 1974, is one of the oldest Black-owned businesses in Binghampton. It stood not just as a shop, but as a sanctuary, a place where men without work found dignity in the craftsmanship **Terry Don Douglas, Sr.** so lovingly taught. He became a teacher, a mentor, and a father figure, extending opportunities where there once were none. He made his community better, not through words, but through action, through hard work, through love of his people; and

WHEREAS, Terry Don Douglas, Sr.'s meticulous skill, his attention to detail, became legendary—not just in Memphis, but in homes and businesses across the nation. He worked with top designers, but always stayed grounded, humble, and fiercely dedicated to his craft. His upholstery work was more than a job—it was an art form, with pieces that would last a lifetime, reflecting the same endurance and resilience he carried within himself; and

WHEREAS, a man of few words, but when Terry Don Douglas, Sr. spoke, those around him listened. Whether gathered at neighborhood cookouts, engaging with the youth, or offering work to those who needed it most, his presence was felt, his wisdom sought. He was a man deeply rooted in faith, an anchor to his family and friends, and an example to all who knew him of what quiet strength, humility, and faithfulness look like in action; and

WHEREAS, he lived with love, always protecting and providing for those he cared for, Terry Don Douglas, Sr. was a devoted member of Rock of Ages C.M.E, a congregation located just blocks from his shop, where he worshipped and served, growing even more in his strong faith. And just weeks before his retirement celebration, and the 50th anniversary of Douglas Upholstery, Terry Don Douglas, Sr. was called home to glory, a servant's job well done; and

WHEREAS, he leaves behind his loving wife, Alfreda, and a family that spans generations—sons, grandsons, granddaughters, great-grandchildren, brothers, sisters, and more—each one carrying the legacy of **Terry Don Douglas, Sr.**, a man whose hands were never idle, whose heart was never closed, and whose love was never in short supply.

NOW, THEREFORE, BE IT RESOLVED, that we, the Memphis City Council, designate Scott Street between Mimosa Avenue and Nathan Avenue be declared

"TERRY DON DOUGLAS, SR. STREET"

and stand in deep admiration for the life of **Terry Don Douglas, Sr.**, and honor the extraordinary impact he has made on the City of Memphis, on his community in Binghampton, and on every soul fortunate enough to have crossed his path.

BE IT FURTHER RESOLVED, that the City Engineer is hereby requested to affix suitable signs designating this public road in recognition of that the legacy **Terry Don Douglas, Sr**. has left behind—the business he built, the family he nurtured, the community he uplifted—will live on, as a testimony to the power of perseverance, the beauty of craftsmanship, and the boundless potential of one man determined to make a difference. His work, like his spirit, is woven into the very fabric of Memphis, and for that, we are eternally grateful.

Philip Spinosa, Jr.
District 5 Councilmember

Adopted: Tuesday, October 15, 2024

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development | ONE ORIGINAL | DIVISION ONLY STAPLED Planning & Zoning COMMITTEE: 8/20/2024 TO DOCUMENTS DATE **PUBLIC SESSION:** 9/10/2024 DATE ITEM (CHECK ONE) REQUEST FOR PUBLIC HEARING X RESOLUTION ORDINANCE Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving ITEM DESCRIPTION: a planned development at the subject property located at 2899 Lamar Avenue, known as case number PD 2024-004 PD 2024 - 004 CASE NUMBER: Self-Storage Lamar Crossing Planned Development **DEVELOPMENT:** 2899 Lamar Avenue LOCATION: District 4 and Super District 8 - Positions 1, 2, and 3 **COUNCIL DISTRICTS:** OWNER/APPLICANT: Lamar, Inc. Delinor Smith, Smith Building Design REPRESENTATIVE: Amendment to Lamar Crossing Planned Development to allow a mini storage REQUEST: +/- 1.81 acres AREA: The Division of Planning and Development recommended rejection RECOMMENDATION: The Land Use Control Board recommended rejection RECOMMENDED COUNCIL ACTION: Public Hearing Not Required Hearing - September 10, 2024 PRIOR ACTION ON ITEM: APPROVAL - (1) APPROVED (2) DENIED <u>(1)</u> 06/13/2024 DATE ORGANIZATION - (1) BOARD / COMMISSION (1) Land Use Control Board (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE FUNDING: 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: **POSITION** DATE 8/12/24 PLANNER I Broth Regadole **DEPUTY ADMINISTRATOR** 8/12/24 **ADMINISTRATOR** DIRECTOR (JOINT APPROVAL) **COMPTROLLER** FINANCE DIRECTOR CITY ATTORNEY CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

PD 2024 - 004

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 2899 LAMAR AVENUE, KNOWN AS CASE NUMBER PD 2024 – 004

- This item is a resolution with conditions to allow a planned development amendment to allow self-storage at the Lamar Crossing Planned Development; and
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, June 13, 2024*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: PD 2024 – 004

LOCATION: 2899 Lamar Avenue

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

OWNER/APPLICANT: Lamar, Inc.

REPRESENTATIVE: Delinor Smith, Smith Building Design

REQUEST: Amendment to Planned Development to allow a mini storage

EXISTING ZONING: Governed by PD 06 - 313, Area B Commercial Mixed Use - 2

permitted uses

AREA: 1.81 acres

The following spoke in support of the application:

Delinor Smith

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 failed by a unanimous vote of 8-0-1 on the regular agenda.

Respectfully,

Alexis Longstreet

Planner I

Land Use and Development Services
Division of Planning and Development

Cc: Committee Members

Alexis Longsteet

File

PD 2024 – 004 CONDITIONS

Outline Plan Conditions – Revisions

Proposed language is indicated in **bold**, **underline**; deletions are indicated in **bold** strikethrough

Lamar Crossing Planned Development P.D. 06-313 Outline Plan Conditions

- Uses Permitted:
 - A. Area 'A': A maximum of one-hundred twenty (120) multi-family apartment dwelling units, including clubhouse and playgrounds.
 - B. Area 'B': Any use permitted by right or administrative site plan review in accordance with the Planned Commercial (C-P) District.
- C. Area 'B-1': Any use permitted by right in accordance with Commercial Mixed Use 2 (CMU-2) and the following use shall be permitted:
 - a. Mini storage



Area 'C': Church Parking Lot - A maximum of 182 parking spaces shall be permitted and designated Church Parking Only, or Open Space for the apartments shall be provided.

- Bulk Requiations:
 - A. Area 'A': The bulk regulations of R-ML District zoning shall apply, except the maximum height of buildings shall be forty (40') feet. The opaque wall area of multi-family apartment buildings shall be eighty (80%) percent brick.
 - B. Area 'B': The bulk regulations of C-P District zoning shall apply, except the maximum allowable building area shall not exceed 35,000 square feet.
 - C. Area 'C': Parking shall be in accordance with the Parking (P) District, including landscape islands with one (I) tree for every twenty (20) parking spaces.
 - D. Area 'B-1': The bulk regulations of the CMU-2 District shall apply.

III. Access, Circulation and Parking:

- A. Dedicate thirty-four (34) feet from the centerline of Dunn Avenue for a distance of 175 feet west and improve in accordance with Subdivision Regulations to provide a left-turn stacking lane 125 feet in length, including a transition land a distance of fifty (50') feet.
- B. Dedicate a thirty (30') foot property line radius at the intersection of Dunn Avenue and Lamar Avenue (U.S. '18) and improve in accordance with Subdivision Regulations.
- C. The following curb-cuts shall be permitted subject to review and approval by the City Engineer.
 - 1. One (1) curb-cut shall be permitted on Lamar Avenue (U.S. 78).
 - Two (2) curb-cuts shall be permitted on Dunn Avenue.
- D. All private and rear service drives shall be constructed to meet pavement requirements of the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty-two (22') feet, exclusive of curb and gutter.
- E. Any existing non-conforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
- F. Adequate maneuvering room shall be provided between the right-of-way and the aate/auardhouse/card reader for vehicles to exit bu forward

IV. Landscaping:

- A. A Plate 'A-3' landscape screen shall be provided and installed along Lamar Avenue (U.S. 78), including a landscaped entryway feature subject to review and approval by the Office of Planning and Development.
- B. A Plate 'A-4' (modified) landscape screen shall be provided and installed along Dunn Avenue, including a landscaped entryway feature subject to review and approval by the Office of Planning and Development. The landscape screen shall be Illustrated on the Concept/Landscape Plan.
- C. A landscape screen shall be provided and installed along the west property line of Area 'A.' The landscape screen shall be illustrated on the Concept/Landscape Plan.
- D. A Plate 'B-4'(modified) landscape screen shall be provided and installed along the south property line and shall include a sight-proof wood fence eight (B') feet in height. The landscape screen shall be as illustrated on the Concept/Landscape Plan.
- E. Internal landscaping will be provided at a ration of 300 square feet of landscaped area and one (I) shade tree per every twenty (20) parking spaces.
- F. Commercial developments shall provide perimeter landscaping and landscaping flowering beds as illustrated on the Concept/Landscape Plan.
- G. Equivalent landscaping may be substituted for that required above, subject to review and approval by the Office of Planning and Development.
- Refuse containers shall be completely screened from view from adjacent properties and the public roadways.

V. Signs:

 A. Area 'A': Signs shall be in accordance with the requirements of R-ML District zoning for the multi-family apartments.

Area's 'B' and 'B-1'

- B. Area 194 Signs shall be in accordance with the requirements of Planned Commercial (C-P) District zoning for retail commercial land uses.
- C. Area 'C': Signs shall be in accordance with the requirements of R-56 District zoning for church parking.

Area's 'B', 'B-1' and 'C'

A eas A, B, C: Portable and temporary signs shall not be permitted.
 No outdoor, off-premise advertising signs shall be permitted.

VI. Drainage:

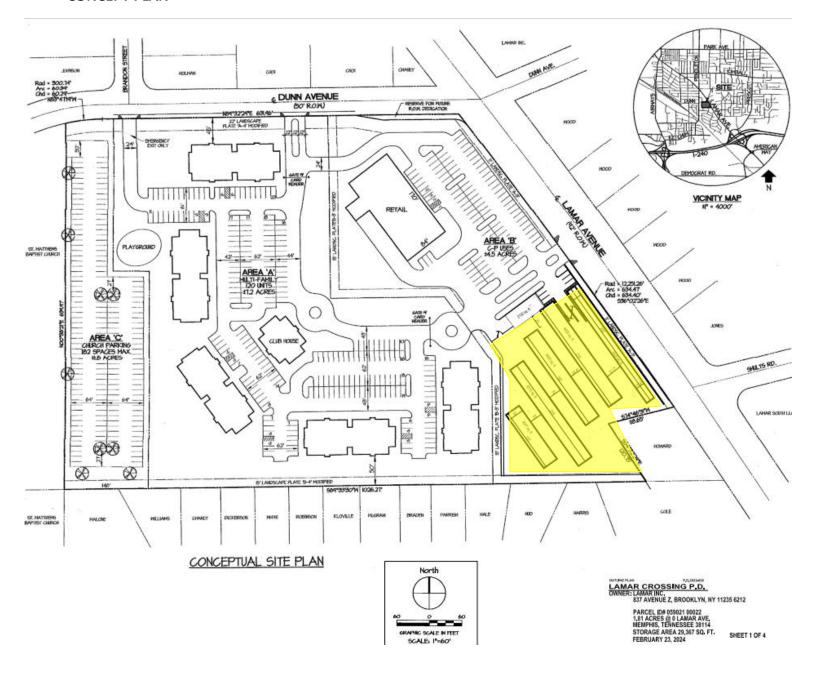
- A. Drainage improvements, including on-site detention, shall be provided under a Standard Subdivision Contract in accordance with Subdivision Regulation and the City of Memphis Drainage Design Manual.
- B. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
- C. Design of the storm water conveyance and management facilities for this project shall be in accordance with the City of Memphis Drainage Design Manual. The manual requires on-site detention of storm water run-off generated from this project which exceeds the capacity of the down stream system. Drainage calculations performed in accordance with this manual shall be submitted verifying that adequate non-buildable areas have been provided for storm water detention facilities. For information concerning this requirement, please contact the City Engineer's office.
- D. All drainage plans shall be submitted to the City Engineer for review.
- All drainage emanating on-site shall be private, easements shall not be accepted.

VII. Design and Other:

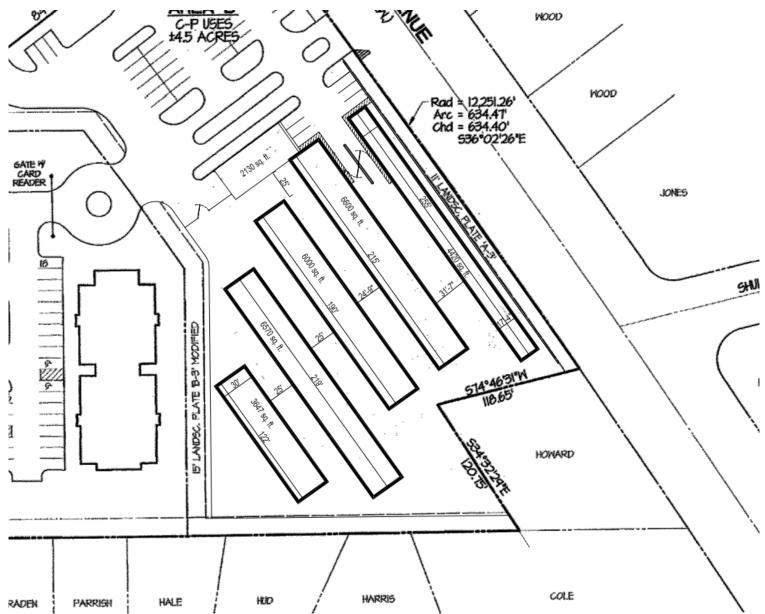
- The approved Concept/Landscape Plan shall be included and recorded with the Outline Plan.
- B. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading, screening, signage, and other site design requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten (IO) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.

- VIII. A final plan shall be filed within five (5) years of approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plan shall include the following:
 - A. All final plans shall generally conform with the Concept/Landscape Plan and Outline Plan Conditions.
 - 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 buildable area, parking areas, drives and required landscaping.
 - The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easements.
 - F. A statement conveying all common facilities and areas to a Property Owner's Association, or other entity, for ownership and maintenance purposes.
 - G. The one-hundred (100) year flood elevation.
 - H. The location, diameter and species name of all existing trees over eight (8) inches in diameter and differentiation between those trees to be preserved and those to be removed.
 - 1. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserved for Storm Water Detention" shall not be used as 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, mowling, outlet cleaning, and repair of drainage structures.

CONCEPT PLAN



CONCEPT PLAN – MAGNIFIED



RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 2899 LAMAR AVENUE, KNOWN AS CASE NUMBER PD 2024 – 004

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

WHEREAS, the Lamar, Inc. filed an application with the Memphis and Shelby County Division of Planning and Development for an amendment to allow self-storage within the Lamar Crossing planned development; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on June 13, 2024 and said Board has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Council of the City of Memphis; and

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

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

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a planned development is hereby granted in accordance with the attached revised outline plan conditions.

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

OUTLINE PLAN CONDITIONS - REVISED

Proposed language is indicated in **bold**, **underline**; deletions are indicated in **bold** strikethrough

Lamar Crossing Planned Development P.D. 06-313 Outline Plan Conditions

- 1. Uses Permitted:
 - A. Area 'A': A maximum of one-hundred twenty (120) multi-family apartment dwelling units, including clubhouse and playgrounds.
 - B. Area 'B': Any use permitted by right or administrative site plan review in accordance with the Planned Commercial (C-P)
 District.
- C. Area 'B-1': Any use permitted by right in accordance with Commercial Mixed Use 2 (CMU-2) and the following use shall be permitted:
 - a. Mini storage



Area 'C': Church Parking Lot - A maximum of 182 parking spaces shall be permitted and designated Church Parking Only, or Open Space for the apartments shall be provided.

- II. Bulk Regulations:
 - A. Area 'A': The bulk regulations of R-ML District zoning shall apply, except the maximum height of buildings shall be forty (40') feet. The opaque wall area of multi-family apartment buildings shall be eighty (80%) percent brick.
 - B. Area 'B': The bulk regulations of C-P District zoning shall apply, except the maximum allowable building area shall not exceed 35,000 square feet.
 - C. Area 'C': Parking shall be in accordance with the Parking (P) District, including landscape islands with one (I) tree for every twenty (20) parking spaces.
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- D. All private and rear service drives shall be constructed to meet pavement requirements of the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty-two (22') feet, exclusive of curb and gutter.

POST OF THE RESIDENCE

E. Any existing non-conforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

IV. Landscaping:

- A. A Plate 'A-3' landscape screen shall be provided and installed along Lamar Avenue (U.S. 78), including a landscaped entryway feature subject to review and approval by the Office of Planning and Development.
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- B. Area 191. Signs shall be in accordance with the requirements of Planned Commercial (C-P) District zoning for retail commercial land uses.
- C. Area 'C': Signs shall be in accordance with the requirements of R-56 District zoning for church parking.

Area's 'B', 'B-1' and 'C'

D. Areas 'A, B, & G': Portable and temporary signs shall not be permitted. No outdoor, off-premise advertising signs shall be permitted.

VI. Drainage:

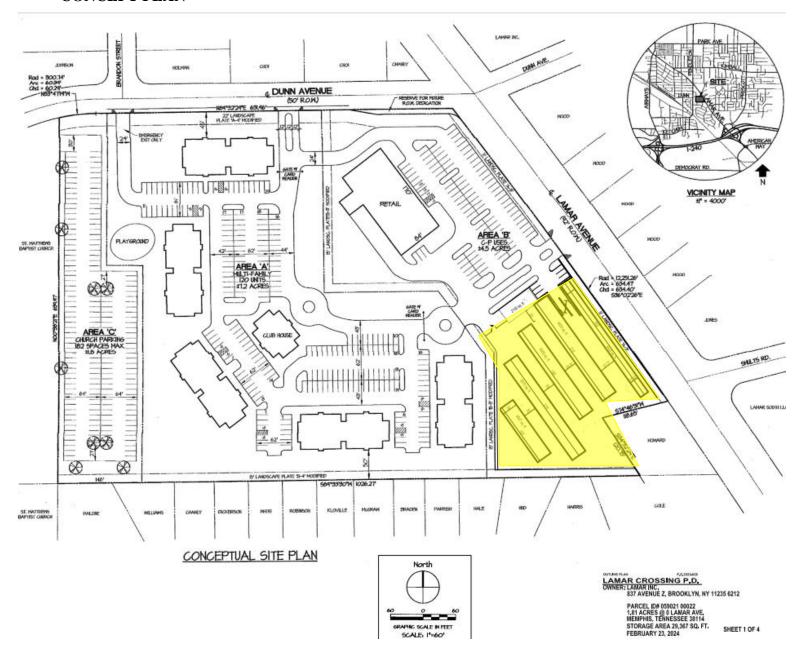
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- D. All drainage plans shall be submitted to the City Engineer for review.
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CONCEPT PLAN



ATTEST:

Division of Planning and Development

– Land Use and Development Services

– Office of Construction Enforcement CC:

dpd STAFF REPORT

AGENDA ITEM: 16 L.U.C.B. MEETING: June 13, 2024

CASE NUMBER: PD 2024 – 004

DEVELOPMENT: Self Storage at Lamar Crossing PD

LOCATION: 2899 Lamar Avenue

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

OWNER/APPLICANT: Lamar, Inc.

REPRESENTATIVE: Delinor Smith, Smith Building Design

REQUEST: Amendment to Planned Development to allow a mini storage

EXISTING ZONING: Governed by PD 06 – 313, Area B Commercial Mixed Use – 2 permitted uses.

CONCLUSIONS

- 1. The subject property is located within the Lamar Crossing Planned Development (PD 06 313) and designated as "Area B" which permits any Commercial Mixed Use 2 uses.
- 2. The applicants proposed use of Mini-storage is allowed by the Special Use Permit (SUP) within the CMU 2 zoning districts.
- 3. The applicants proposed use of Mini-storage is a special permitted use within the CMU -2 zoning districts.
- 4. The project will have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

CONSISTENCY WITH MEMPHIS 3.0

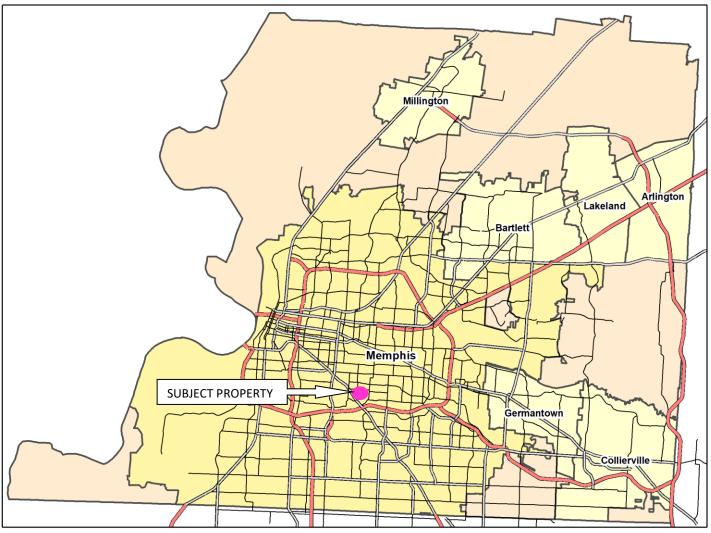
This proposal is inconsistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 22 - 24 of this report.

RECOMMENDATION:

Rejection

Staff Writer: Alexis Longstreet E-mail: alexis.longstreet@memphistn.gov

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 57 notices were mailed on May 17, 2024, see pages 24 – 25 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 26 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

The meeting was held at 4:30 PM on Friday, May 31, 2024, at the Cherokee Library, 3300 Sharpe Avenue.

AERIAL



Subject property outlined in yellow, imagery from 2022

ZONING MAP



Subject property highlighted in yellow.

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from Lamar Avenue looking South.

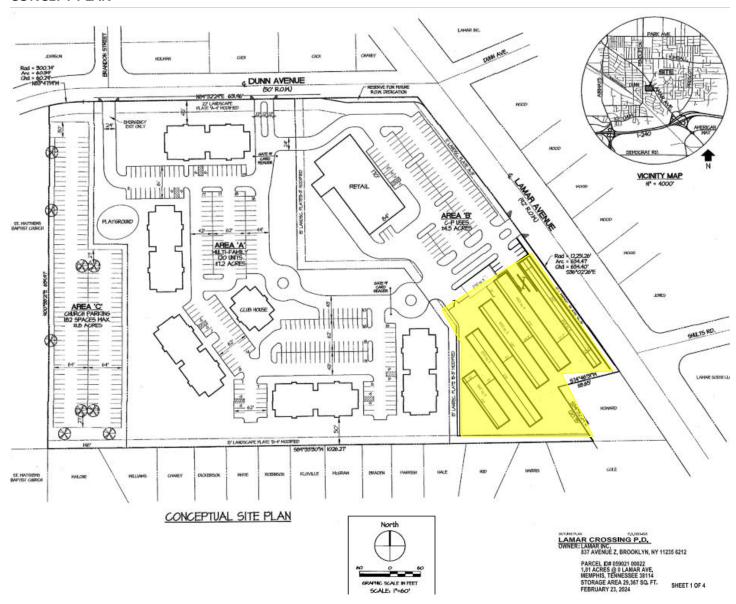


View of subject property from Lamar.

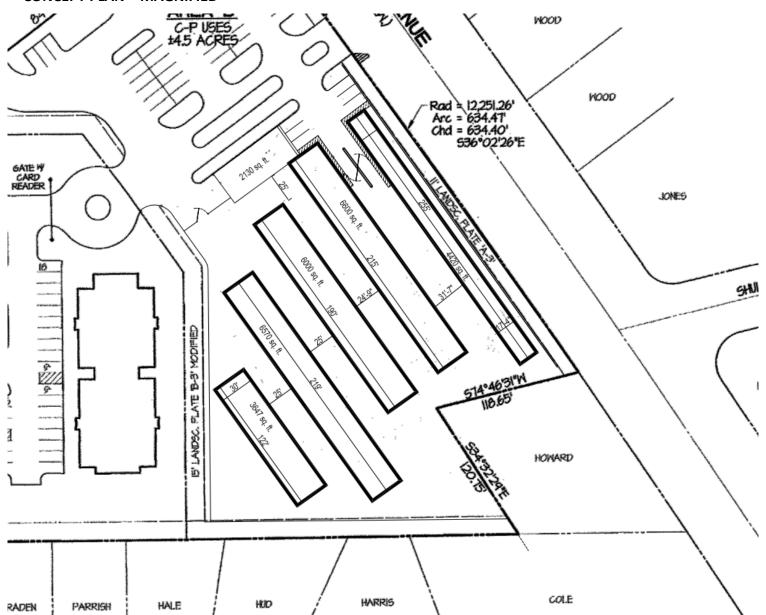


View of subject property from entrance point of abutting property.

CONCEPT PLAN



CONCEPT PLAN – MAGNIFIED



Page 12

CASE REVIEW

Request

The request is an amendment to the Lamar Crossing Planned Development to allow mini-storage.

Applicability

Staff does not agree the applicability standards and criteria as set out in Section 4.10.2 of the Unified Development Code are or will be met.

4.10.2 Applicability

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

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

General Provisions

Staff does not agree the general provisions standards and criteria as set out in Section 4.10.3 of the Unified Development Code are or will be met.

4.10.3 General Provisions

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

A. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

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

Commercial or Industrial Criteria

Staff does not agree the additional planned commercial or industrial development criteria as set out in Section 4.10.5 of the Unified Development Code are or will be met.

4.10.5 Planned Commercial or Industrial Developments

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

A. Screening

When commercial or industrial structures or uses in a planned commercial or industrial development abut a residential district or permitted residential buildings in the same development, screening may be required by the governing bodies.

B. Display of Merchandise

All business, manufacturing and processing shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way, provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.

C. Accessibility

The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development.

D. Landscaping

Landscaping shall be required to provide screening of objectionable views of uses and the reduction of noise. High-rise buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining low-rise buildings.

Approval Criteria

Staff does not agree the approval criteria as set out in Section 9.6.9 of the Unified Development Code are being met.

9.6.9 Approval Criteria

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

- A. The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.
- B. The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.
- C. The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.
- D. The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.
- E. The project complies with all additional standards imposed on it by any particular provisions authorizing such use.
- F. The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.
- G. The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to ensure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.
- H. Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.

Staff Report PD 2024 – 004 June 13, 2024 Page 15

Site Details

Address:

2899 Lamar Avenue

Parcel ID:

059021 00051

Area:

+/- 1.81 acres

Description:

The subject property is known as Area B of Lamar Crossing Planned Development (PD 06 - 313) with an underlying zoning of Commercial Mixed Use -1 (CMU-1) for any regulation not stated within the PD.

Site Zoning History

On October 03, 2006, the Council of the City of Memphis approved Planned Development to allow +/- 35,000 square feet of retail space and one-hundred twenty (120) multi-family apartments in accordance with the Outline Plan and Conditions.

On September 1, 2020, the Council of the City of Memphis adopted Ordinance Number 5757 which approved the downzoning of several properties including the subject property from Commercial Mixed Use -3 to Commercial Mixed Use -1. Since the subject property is a part of the Lamar Crossing Planned Development, this downzoning does not supersede the designating zoning outlined in the approved planned conditions. The subject property is governed by Area B Commercial Mixed Use -2 zoning uses.

Concept Plan Review

The applicant is proposing five (5) mini storage units ranging from +/-3,647 square feet to +/-6,570 square feet. The structure located along Lamar Avenue does not meet the CMU -2 setback building requirements set out in subsection 3.10.2B of the Unified Development Code.

The development will utilize the existing curb cut along Lamar Avenue.

The development will have controlled access that will serve as main egress and ingress and one (1) proposed exit gate southwest of the main entrance.

The proposed landscaping plan is in keeping with the previously approved outline plan conditions.

Analysis

The proposed use of the subject property is in keeping with the previously projected use for Area B of the Lamar Crossing PD. The subject property currently has a vacant land use designation and Low Intensity Commercial future land use designation. The property is surrounded by commercial, institutional, and residential land use designations. The proposed amendment to allow mini storage density is not in keeping with the future land use designation as mini storage is not a permitted use in the CSL future land designation. Therefore, staff recommends rejection of the proposed amendment.

The proposed amendment was considered inconsistent with Memphis 3.0 based on the not being compatible with future land use and intensity. The Lamar Crossing Planned Development is near a proposed Safety Intersection Project boundary which encompasses Lamar/Kimball/Pendleton up to Dunn Avenue which is located at the beginning of the existing Planned Development.

 Staff Report
 June 13, 2024

 PD 2024 – 004
 Page 16

The project will have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

RECOMMENDATION

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

Note: The subject property used for mini storage will be Area B-1 and indicated on the outline plan and final plat.

Outline Plan Conditions – Revisions

Proposed language is indicated in **bold**, **underline**; deletions are indicated in **bold strikethrough**

Lamar Crossing Planned Development P.D. 06-313 Outline Plan Conditions

- Uses Permitted:
 - A. Area 'A': A maximum of one-hundred twenty (120) multi-family apartment dwelling units, including clubhouse and playgrounds.
 - B. Area 'B': Any use permitted by right or administrative site plan review in accordance with the Planned Commercial (C-P) District.
- C. Area 'B-1': Any use permitted by right in accordance with Commercial Mixed Use 2 (CMU-2) and the following use shall be permitted:
 - a. Mini-storage



Area 'C': Church Parking Lot - A maximum of 182 parking spaces shall be permitted and designated Church Parking Only, or Open Space for the apartments shall be provided.

C

II. Bulk Regulations:

- A. Area 'A': The bulk regulations of R-ML District zoning shall apply, except the maximum height of buildings shall be forty (40') feet. The opaque wall area of multi-family apartment buildings shall be eighty (80%) percent brick.
- B. Area 'B': The bulk regulations of C-P District zoning shall apply, except the maximum allowable building area shall not exceed 35,000 square feet.
- C. Area 'C': Parking shall be in accordance with the Parking (P) District, including landscape islands with one (I) tree for every twenty (20) parking spaces.

D. Area 'B-1': The bulk regulations of the CMU-2 District shall apply.

III. Access, Circulation and Parking:

- A. Dedicate thirty-four (34) feet from the centerline of Dunn Avenue for a distance of 175 feet west and improve in accordance with Subdivision Regulations to provide a left-turn stacking lane 125 feet in length, including a transition land a distance of fifty (50') feet.
- B. Dedicate a thirty (30') foot property line radius at the intersection of Dunn Avenue and Lamar Avenue (U.S. '18) and improve in accordance with Subdivision Regulations.
- C. The following curb-cuts shall be permitted subject to review and approval by the City Engineer.
 - One (I) curb-cut shall be permitted on Lamar Avenue (U.S. 78).
 - 2. Two (2) curb-cuts shall be permitted on Dunn Avenue.
- D. All private and rear service drives shall be constructed to meet pavement requirements of the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty-two (22') feet, exclusive of curb and gutter.
- E. Any existing non-conforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
- F. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

IV. Landscaping:

- A. A Plate 'A-3' landscape screen shall be provided and installed along Lamar Avenue (U.S. 78), including a landscaped entryway feature subject to review and approval by the Office of Planning and Development.
- B. A Plate 'A-4' (modified) landscape screen shall be provided and installed along Durn Avenue, including a landscaped entryway feature subject to review and approval by the Office of Planning and Development. The landscape screen shall be illustrated on the Concept/Landscape Plan.
- C. A landscape screen shall be provided and installed along the west property line of Area 'A.' The landscape screen shall be illustrated on the Concept/Landscape Plan.
- D. A Plate 'B-4'(modified) landscape screen shall be provided and installed along the south property line and shall include a sight-proof wood fence eight (8') feet in height. The landscape screen shall be as illustrated on the Concept/Landscape Plan.
- E. Internal landscaping will be provided at a ration of 300 square feet of landscaped area and one (I) shade tree per every twenty (20) parking spaces.
- F. Commercial developments shall provide perimeter landscaping and landscaping flowering beds as illustrated on the Concept/Landscape Plan.
- Equivalent landscaping may be substituted for that required above, subject to review and approval by the Office of Planning and Development.
- Refuse containers shall be completely screened from view from adjacent properties and the public roadways.

V. Slans:

 A. Area 'A': Signs shall be in accordance with the requirements of R-ML District zoning for the multi-family apartments.

Area's 'B' and 'B-1'

- B. Area 194 Signs shall be in accordance with the requirements of Planned Commercial (C-P) District zoning for retail commercial land uses.
- Area 'C': Signs shall be in accordance with the requirements of R-56
 District zonling for church parking.

Area's 'B', 'B-1' and 'C'

D. Areas A, B, & C: Portable and temporary signs shall not be permitted. No outdoor, off-premise advertising signs shall be permitted.

VI. Drainage:

- A. Drainage improvements, including on-site detention, shall be provided under a Standard Subdivision Contract in accordance with Subdivision Regulation and the City of Memphis Drainage Design Manual.
- B. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
- C. Design of the storm water conveyance and management facilities for this project shall be in accordance with the City of Memphis Drainage Design Manual. The manual requires on-site detention of storm water run-off generated from this project which exceeds the capacity of the down stream system. Drainage calculations performed in accordance with this manual shall be submitted verifying that adequate non-buildable areas have been provided for storm water detention facilities. For information concerning this requirement, please contact the City Engineer's office.
- D. All drainage plans shall be submitted to the City Engineer for review.
- All drainage emanating on-site shall be private, easements shall not be accepted.

VII. Design and Other:

- The approved Concept/Landscape Plan shall be included and recorded with the Outline Plan.
- B. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading, screening, signage, and other site design requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten (IO) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.

- VIII. A final plan shall be filed within five (5) years of approval of the Outline Plan.
 The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plan shall include the following:
 - A. All final plans shall generally conform with the Concept/Landscape Plan and Outline Plan Conditions.
 - 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 buildable area, parking areas, drives and required landscaping.
 - The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easements.
 - F. A statement conveying all common facilities and areas to a Property Owner's Association, or other entity, for ownership and maintenance purposes.
 - G. The one-hundred (100) year flood elevation.
 - H. The location, diameter and species name of all existing trees over eight (δ) inches in diameter and differentiation between those trees to be preserved and those to be removed.
 - 1. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserved for Storm Water Detention" shall not be used as 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, mowling, outlet cleaning, and repair of drainage structures.

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DEPARTMENTAL COMMENTS

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

City/County Engineer:

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

Sewers:

2. City sanitary sewers are available to serve this development.

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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

Drainage:

- 11. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
- 12. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
- 13. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- 14. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water

 Staff Report
 June 13, 2024

 PD 2024 – 004
 Page 22

detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

15. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

City/County Fire Division:

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

City Real Estate:

County Health Department:

Shelby County Schools:

Construction Code Enforcement:

Memphis Light, Gas and Water:

Office of Sustainability and Resilience:

No comments received.

No comments received.

No comments received.

No comments received.

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: <u>PD 2024-004: Lamar</u>

Site Address/Location: 2899 LAMAR AVE

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

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

Street Type: Parkway

The applicant is requesting an amendment to the Lamar Crossing PD to allow mini storage. 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

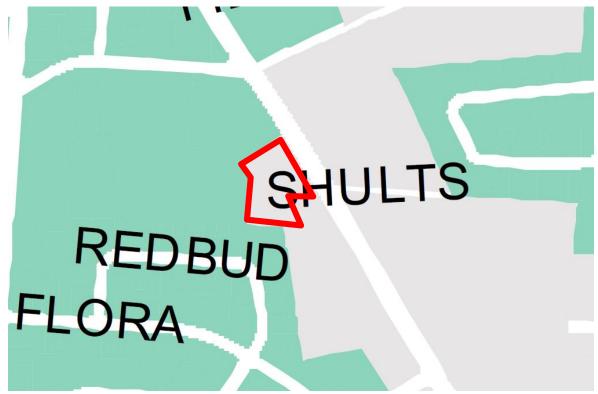
Generally compatible with the following zone districts: CMU-1 without frontage requirements, OG, SDBP in accordance with Form and characteristics listed above.

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, CMU-1

Adjacent Land Use and Zoning: Single-family, Commercial, and Vacant Land; CMU-1, RU-3 and EMP **Overall Compatibility:** This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning.

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 an amendment to the Lamar Crossing PD to allow mini storage.

This requested use is not 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 <u>NOT CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Romana Haque Suravi, Comprehensive Planning.

MAILED PUBLIC NOTICE

57 Notices Mailed on 05/17/2024.



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: PD 2024-004

LOCATION: 2899 Lamar Avenue

(SEE SITE PLAN ON REVERSE SIDE)

APPLICANT: Delinor Smith

REQUEST: Amendment to the Lamar Crossing PD to allow mini-storage

THE LAND USE CONTROL BOARD PUBLIC MEETING WILL BE HELD:

DATE: Thursday, June 13, 2024

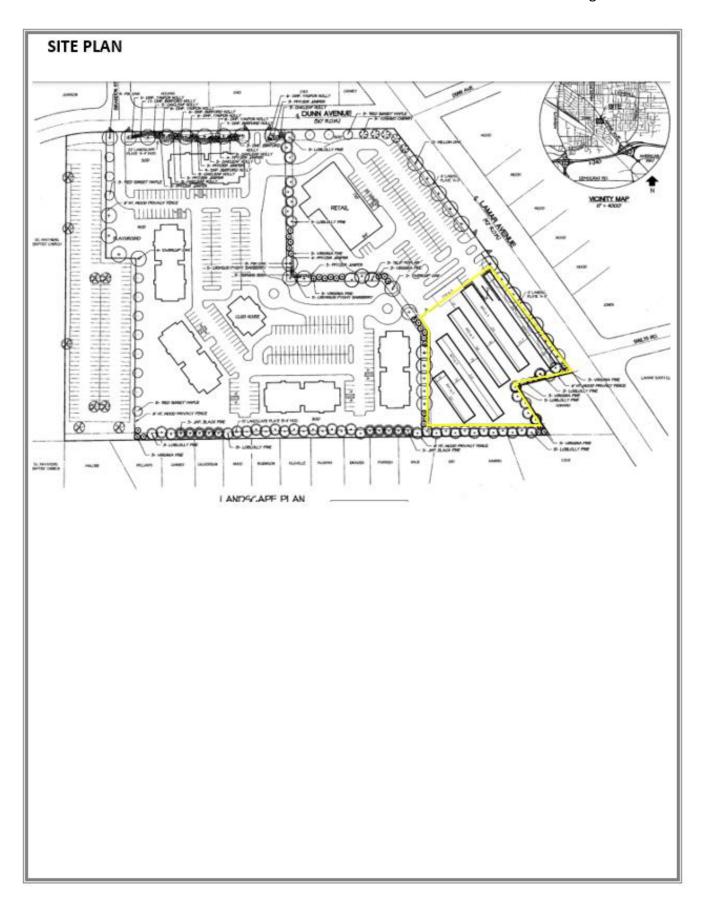
TIME: 9:00 AM

LOCATION: Council Chambers on the First Floor of City Hall, 125 N. Main Street

During the public hearing, the Board may approve or reject this item or hold the item for a public hearing at a subsequent Board meeting.

Please note the Board may place this item on the <u>Consent Agenda</u>, 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, <u>staff</u> 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 5**, **2024**, **at 8 AM**.



SIGN AFFIDAVIT

AFFIDAVIT

on the 30	day of	MAY		, 2024	, I posi	ted 2	_ Public	2:00 PM am/pn Notice Sign(s
pertaining to	Case No.	PD 2024-00	4 at	2899 L	AMAR AV	/E.		
providing no			ng before	the (cl	heck one):		
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T	rd of Adjust							
XMen	nphis City C	Council						
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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 Planned Development

Record Detail Information

Record Type: Planned Development Record Status: Processing

Opened Date: April 7, 2024

Expiration Date: Record Number: PD 2024-004

Record Name: SELF STORAGE - JUNE LUCB

Description of Work: THE CONSTRUCTION OF SELF STORAGE UNITES WITH AN ESTIMATED OF

29,367 SQ. FT. OF STORAGE AREAS AND A SMALL OFFICE.

Parent Record Number:

Address:

2899 LAMAR AVE, MEMPHIS 38114

Owner Information

Primary Owner Name LAMAR INC

Owner Phone Owner Address

837 AVENUE Z, BROOKLYN, NY 11235

Parcel Information

059021 00051

Data Fields

PREAPPLICATION MEETING

GENERAL PROJECT INFORMATION

Name of DPD Planner ALEXIS LONGSTREET

Date of Meeting 11/01/2023 Pre-application Meeting Type Phone

Planned Development Type Amendment to Existing PD

Previous Docket / Case Number PD 06-313 Nο

Medical Overlay / Uptown

GENERAL PROJECT INFORMATION

If this development is located in unincorporated Shelby County, is the tract at least three acres? (Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County)

Is this application in response to a citation, stop 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 APPROVAL CRITERIA

UDC Sub-Section 9.6.9A

UDC Sub-Section 9.6.9B

UDC Sub-Section 9.6.9C

UDC Sub-Section 9.6.9D

UDC Sub-Section 9.6.9E

UDC Sub-Section 9.6.9F

GENERAL PROVISIONS

UDC Sub-Section 4.10.3A

B) An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development C) The location and arrangement of the structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation D) Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not

inconsistent with the public interest

E) Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common

SEE ATTACHED PDF FILE OF THE APPLICATION - THE TRACT IS NOT LOCATED IN UNINCORPORATED SHELBY COUNTY

Nο

SEE ATTACHED PDF FILE OF THE APPLICATION

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SEE ATTACHED PDF FILE OF THE APPLICATION

Page 2 of 3 PD 2024-004

29

GENERAL PROVISIONS

elements

F) Lots of record are created with the recording

of a planned development final plan

GIS INFORMATION

Case Layer

Central Business Improvement District

Class

Downtown Fire District No
Historic District Land Use -

Municipality

Overlay/Special Purpose District

Zoning State Route

Lot

Subdivision

Planned Development District

Wellhead Protection Overlay District

Contact Information

DELINOR DELINOR SMITH

Contact Type

APPLICANT

Address

Name

Phone

(190)169-0394

Fee Information

 Invoice #
 Fee Item
 Quantity
 Fees
 Status
 Balance
 Date Assessed

 1553561
 Credit Card Use Fee (.026
 1
 39.00
 INVOICED
 0.00
 04/07/2024

x fee)

1553561 Planned Development - 5 1 1,500.00 INVOICED 0.00 04/07/2024

acres or less

Total Fee Invoiced: \$1,539.00 Total Balance: \$0.00

SEE ATTACHED PDF FILE OF THE

APPLICATION

Nο

No

Payment Information

Payment Amount Method of Payment \$1,539.00 Credit Card

Page 3 of 3 PD 2024-004

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.

Memphis and Shelby County Unified De	evelopment Code Section 12.3.1.
I. MUHAMMAD V. NAWID . definition of LAMAR INC.	, state that I have read the
definition of LAMAR INC.	
(Print Name)	(Sign Name)
"Owner" as outlined in the Memphis and hereby state that (select applicable box):	d Shelby County Unified Development Code Section 12.3.1 and
mortgage holder of record as show	on the current tax rolls of the county Assessor of Property; the vn in the mortgage records of the county Register of Deeds; mortgagee or vendee in possession; or I have a freehold or lesser
I charge, care or control of the receiver, guardian or lessee (and h	ne premises as trustee, agent, executor, administrator, assignee, ave included documentation with this affidavit)
of the property located at	
and further identified by Assessor's Parc	cel Number
for which an application is being made t	to the Division of Planning and Development,
Subscribed and sworn to (or affirmed) be	efore me this o8th day of April in the year of
2024	
Jannec A. Dle	2
Cincoture of Notone Public	My Commission Expires
Signature of Notary Public	05/31/202
- 200	

TANWEER AHMED KHAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01KH6242057
Qualified in Kings County
My Commission Expires 05-31-2027

LETTER OF INTENT

Dear Zoning Department,

I am writing to express my intent to open a self-storage facility at 2899 Lamar Ave, Memphis TN 38114. The proposed development is aimed at providing secure and convenient storage solutions for individuals and businesses in the local area.

The facility will consist of units of varying sizes to accommodate the diverse storage needs of our customers. The location of the facility is strategically chosen to serve the surrounding neighborhoods and businesses, with easy access to major highways and thoroughfares.

The proposed self-storage facility will offer 24/7 access and state-of-the-art security measures, including surveillance cameras, individual unit alarms, and secure gate access. Our goal is to provide a safe and secure storage environment for our customers' peace of mind.

We believe that the self-storage market in the local area is ripe for growth, with a growing population and booming economy creating a high demand for storage solutions. Furthermore, the ongoing trend of remote work and e-commerce is driving up the need for additional storage space, making our proposed facility an attractive option for potential customers.

We are committed to working closely with the division of planning and development to ensure that our proposed development meets all local zoning and building regulations. Our aim is to create a facility that is not only beneficial to our customers but also enhances the community in which it is located.

Thank you for your consideration of this letter of intent. If you require any further information or have any questions, please do not hesitate to contact me.

Sincerely,

Muhammad U Nawid

Staff Report PD 2024 – 004 June 13, 2024 Page 33

LETTERS RECEIVED

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



Record Summary for Planned Development

Record Detail Information

Record Type: Planned Development Record Status: Assignment

Opened Date: November 9, 2023

Record Number: PD 2023-028 Expiration Date:

Record Name: SELF STORAGE

Description of Work: DRIVE UP SELF STORAGE OR MINI STORAGE

Parent Record Number: MJR 2023-037

Address:

2899 LAMAR AVE, MEMPHIS 38114

Owner Information

Primary Owner Name
Y LAMAR INC

Owner Address Owner Phone

837 AVENUE Z, BROOKLYN, NY 11235

Parcel Information

059021 00051

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner
Date of Meeting
Pre-application Meeting Type
GENERAL PROJECT INFORMATION

Phone

LUCAS SKINNER

09/08/2022

Planned Development Type

New Planned Development (PD)

Page 1 of 3 PD 2023-028

GENERAL PROJECT INFORMATION

Previous Docket / Case Number Medical Overlay / Uptown If this development is located in unincorporated Shelby County, is the tract at least three acres? (Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County) Is this application in response to a citation, stop work order, or zoning letter If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any	- No SEE APPLICATION No -
other relevant information APPROVAL CRITERIA	
UDC Sub-Section 9.6.9A UDC Sub-Section 9.6.9B UDC Sub-Section 9.6.9C UDC Sub-Section 9.6.9D UDC Sub-Section 9.6.9E UDC Sub-Section 9.6.9F GENERAL PROVISIONS	SEE APPLICATION SEE APPLICATION SEE APPLICATION SEE APPLICATION SEE APPLICATION
UDC Sub-Section 4.10.3A B) An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development	SEE APPLICATION SEE APPLICATION
C) The location and arrangement of the structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation	SEE APPLICATION
D) Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest	SEE APPLICATION
E) Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements	SEE APPLICATION
F) Lots of record are created with the recording of a planned development final plan	SEE APPLICATION
Central Business Improvement District	No

Page 2 of 3 PD 2023-028

GIS INFORMATION

Case Layer Class C
Downtown Fire District No
Historic District Land Use Municipality Overlay/Special Purpose District -

Zoning CMU-3

State Route Lot Subdivision Planned Development District Wellhead Protection Overlay District No

Contact Information

Name
MUHAMMAD U NAWID
Contact Type
APPLICANT

Address

Phone

(917)690-8686

Page 3 of 3 PD 2023-028

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Sincerely,

Muhammad U Nawid

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

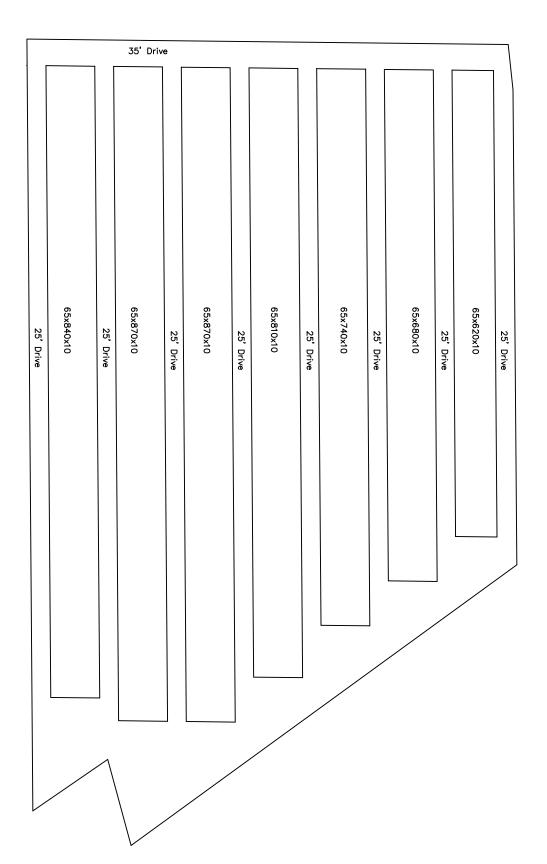
Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

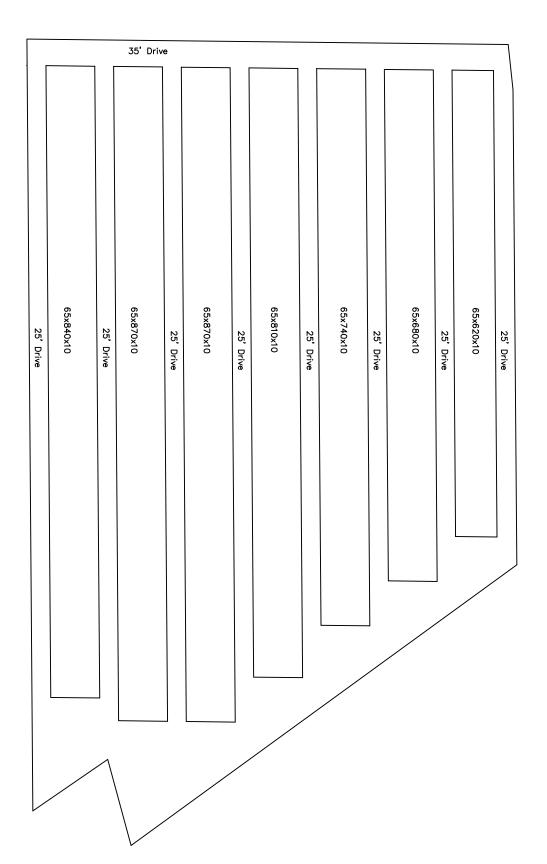
Signature of Notary Public

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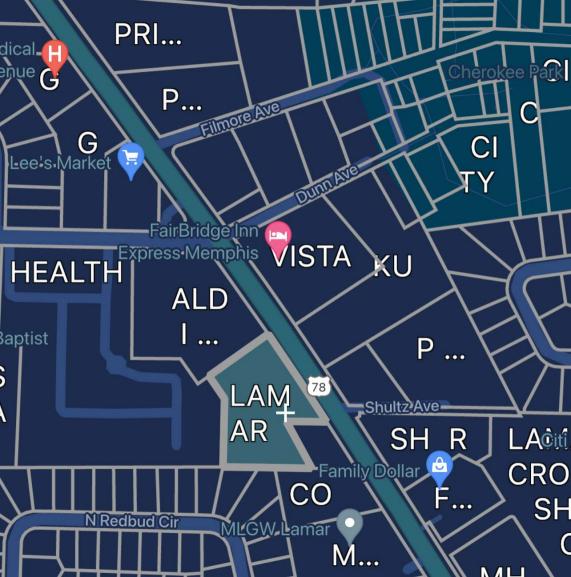
My Commission Expires







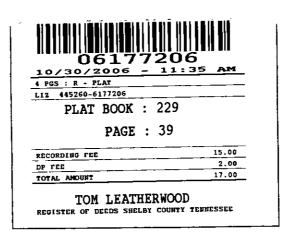


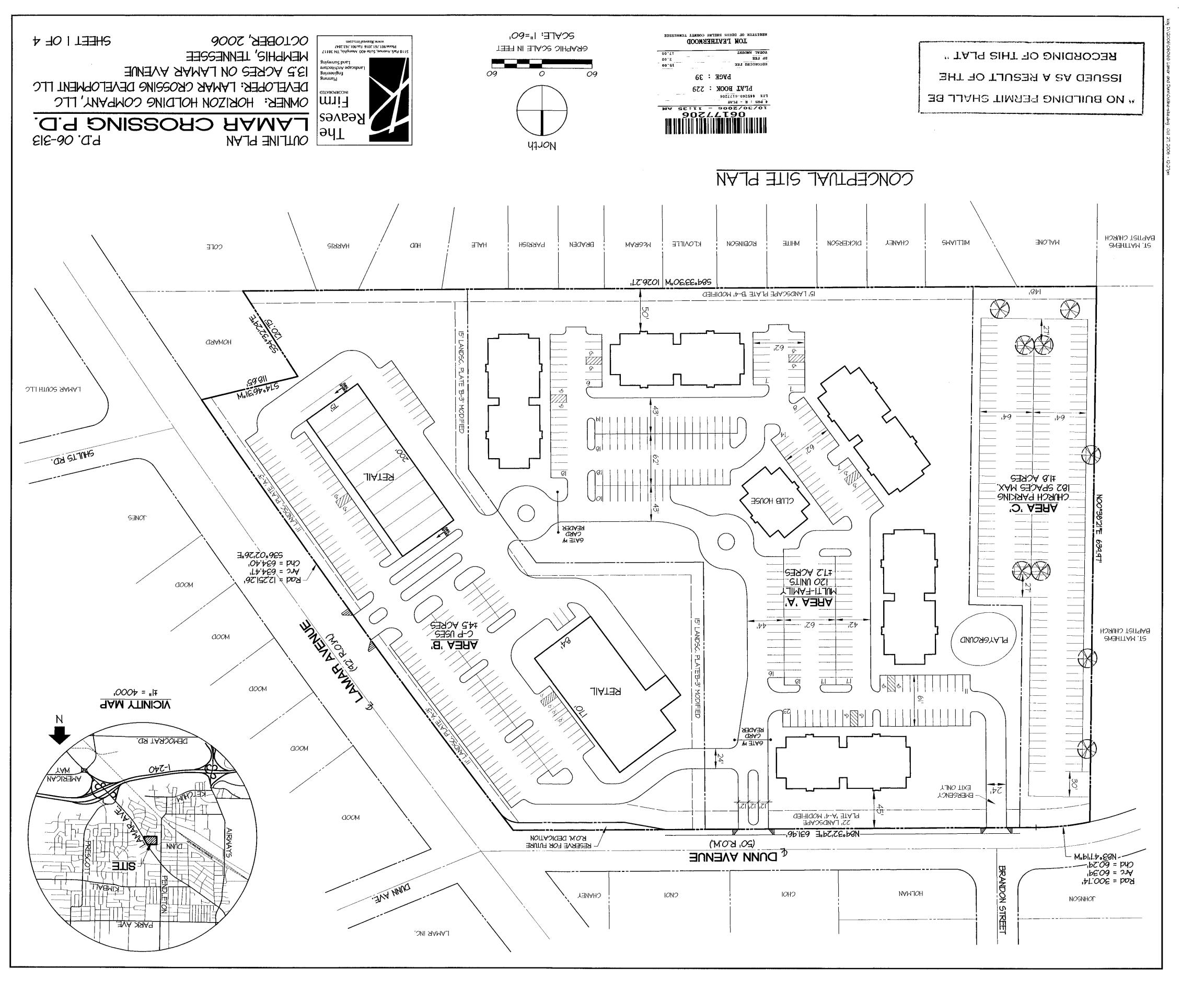


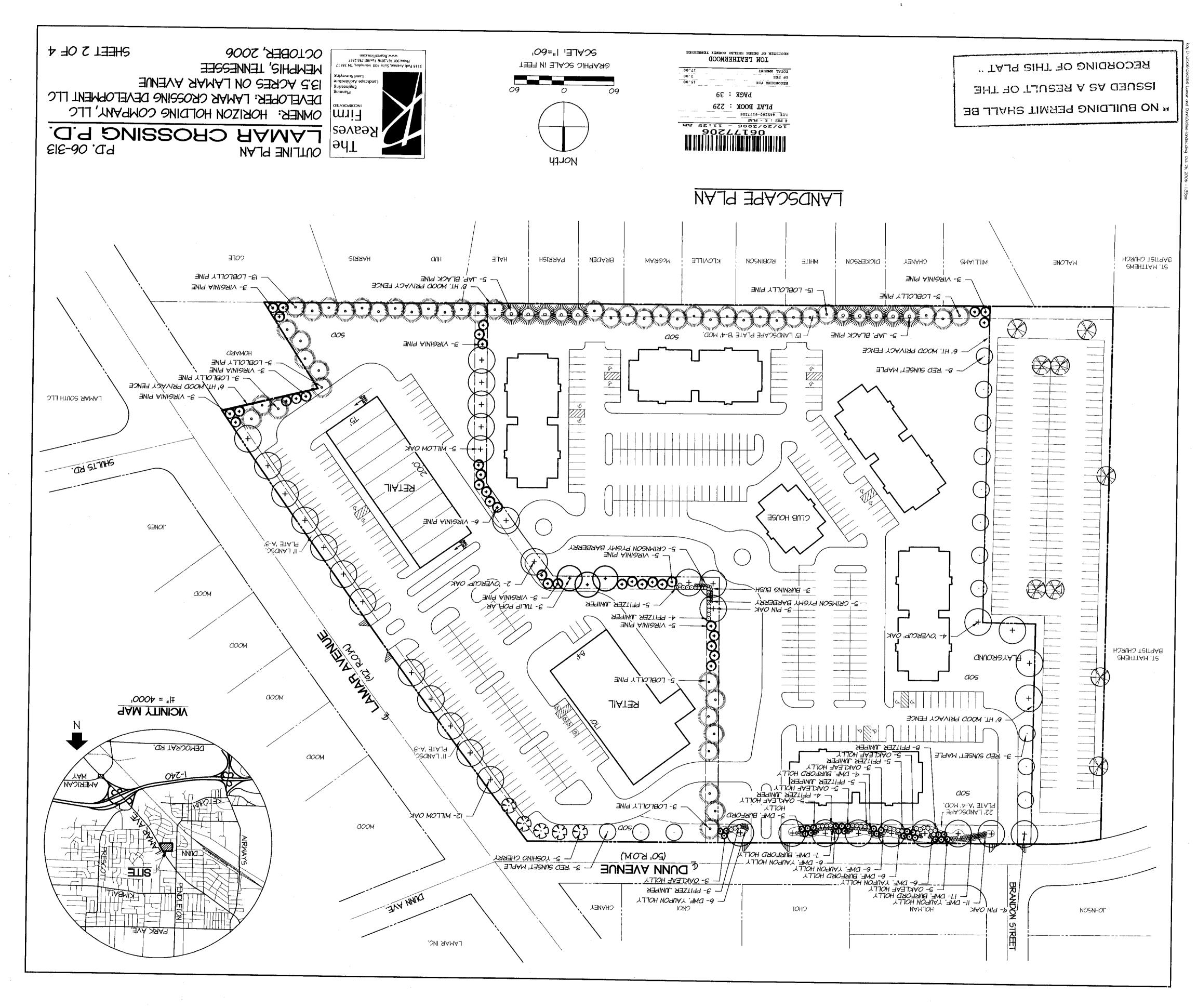


Tom Leatherwood Shelby County Register

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.







Lamar Crossing Planned Development P.D. 06-313 Outline Plan Conditions

1. Uses Permitted:

- A. Area 'A': A maximum of one-hundred twenty (120) multi-family apartment dwelling units, including clubhouse and plauarounds.
- B. Area 'B': Any use permitted by right or administrative site plan review in accordance with the Planned Commercial (C-P)

 District.
- C. Area 'C': Church Parking Lot A maximum of 182 parking spaces shall be permitted and designated Church Parking Only, or Open Space for the apartments shall be provided.

II. Bulk Regulations:

- A. Area 'A': The bulk regulations of R-ML District zoning shall apply, except the maximum height of buildings shall be forty (40') feet. The opaque wall area of multi-family apartment buildings shall be eighty (80%) percent brick.
- B. Area 'B': The bulk regulations of C-P District zoning shall apply, except the maximum allowable building area shall not exceed 35,000 square feet.
- C. Area 'C': Parking shall be in accordance with the Parking (P)
 District, including landscape islands with one (I) tree for
 every twenty (20) parking spaces.

III. Access, Circulation and Parking:

- A. Dedicate thirty-four (34) feet from the centerline of Dunn Avenue for a distance of 175 feet west and Improve in accordance with Subdivision Regulations to provide a left-turn stacking lane 125 feet in length, including a transition land a distance of fifty (50') feet.
- B. Dedicate a thirty (30') foot property line radius at the intersection of Dunn Avenue and Lamar Avenue (U.S. 78) and improve in accordance with Subdivision Regulations.
- C. The following curb-cuts shall be permitted subject to review and approval by the City Engineer.
 - 1. One (1) curb-cut shall be permitted on Lamar Avenue (U.S. 78).
 - 2. Two (2) curb-cuts shall be permitted on Dunn Avenue.
- D. All private and rear service drives shall be constructed to meet pavement requirements of the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty-two (22') feet, exclusive of curb and gutter.
- E. Any existing non-conforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
- F. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

IV. Landscaping:

- A. A Plate 'A-3' landscape screen shall be provided and installed along Lamar Avenue (U.S. 78), including a landscaped entryway feature subject to review and approval by the Office of Planning and Development.
- B. A Plate 'A-4' (modified) landscape screen shall be provided and installed along Dunn Avenue, including a landscaped entryway feature subject to review and approval by the Office of Planning and Development. The landscape screen shall be illustrated on the Concept/Landscape Plan.
- C. A landscape screen shall be provided and installed along the west property line of Area 'A.' The landscape screen shall be illustrated on the Concept/Landscape Plan.
- D. A Plate 'B-4'(modified) landscape screen shall be provided and installed along the south property line and shall include a sight-proof wood fence eight (8') feet in height. The landscape screen shall be as illustrated on the Concept/Landscape Plan.
- E. Internal landscaping will be provided at a ration of 300 square feet of landscaped area and one (1) shade tree per every twenty (20) parking spaces.
- F. Commercial developments shall provide perimeter landscaping and landscaping flowering beds as illustrated on the Concept/Landscape Plan.
- 6. Equivalent landscaping may be substituted for that required above, subject to review and approval by the Office of Planning and Development.
- Refuse containers shall be completely screened from view from adjacent properties and the public roadways.

" NO BUILDING PERMIT SHALL BE ISSUED AS A RESULT OF THE RECORDING OF THIS PLAT"

V. Signs:

- A. Area 'A': Signs shall be in accordance with the requirements of R-ML District zoning for the multi-family apartments.
- B. Area 'B': Signs shall be in accordance with the requirements of Planned Commercial (C-P) District zoning for retail commercial land uses.
- C. Area 'C': Signs shall be in accordance with the requirements of R-S6 District zoning for church parking.
- D. Areas 'A, B, & C': Portable and temporary signs shall not be permitted.

 No outdoor, off-premise advertising signs shall be permitted.

VI. Drainage:

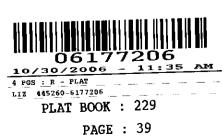
- A. Drainage improvements, including on-site detention, shall be provided under a Standard Subdivision Contract in accordance with Subdivision Regulation and the City of Memphis Drainage Design Manual.
- B. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
- C. Design of the storm water conveyance and management facilities for this project shall be in accordance with the City of Memphis Drainage Design Manual. The manual requires on-site detention of storm water run-off generated from this project which exceeds the capacity of the down stream system. Drainage calculations performed in accordance with this manual shall be submitted verifying that adequate non-buildable areas have been provided for storm water detention facilities. For information concerning this requirement, please contact the City Engineer's office.
- D. All drainage plans shall be submitted to the City Engineer for review.
- E. All drainage emanating on-site shall be private, easements shall not be accepted.

VII. Design and Other:

- A. The approved Concept/Landscape Plan shall be included and recorded with the Outline Plan.
- B. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading, screening, signage, and other site design requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten (10) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.
- VIII. A final plan shall be filed within five (5) years of approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.

IX. Any final plan shall include the following:

- A. All final plans shall generally conform with the Concept/Landscape Plan and 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 buildable area, parking areas, drives and required landscaping.
- D. The number of parking spaces.
- E. The location and ownership, whether public or private, of any easements.
- F. A statement conveying all common facilities and areas to a Property Owner's Association, or other entity, for ownership and maintenance purposes.
- G. The one-hundred (100) year flood elevation.
- H. The location, diameter and species name of all existing trees over eight (8) inches in diameter and differentiation between those trees to be preserved and those to be removed.
- I. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserved for Storm Water Detention" shall not be used as 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.



 RECORDING FEE
 15

 DP FEE
 2

 TOTAL AMOUNT
 17

TOM LEATHERWOOD



Phone:901.761.2016 Fax:901.763.2847

www.ReavesFirm.com

OUTLINE PLAN
P.D. 06-313
LAMAR CROSSING P.D.

OWNER: HORIZON HOLDING COMPANY, LLC

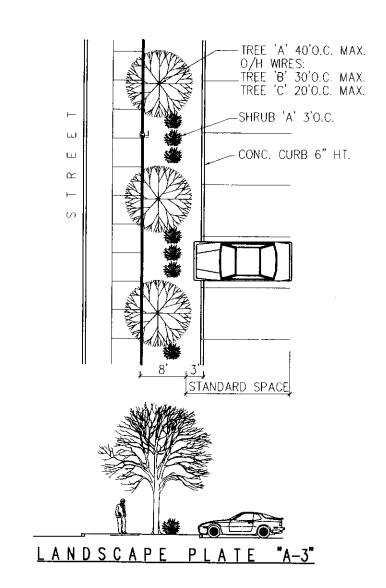
DEVELOPER: LAMAR CROSSING DEVELOPMENT LLC

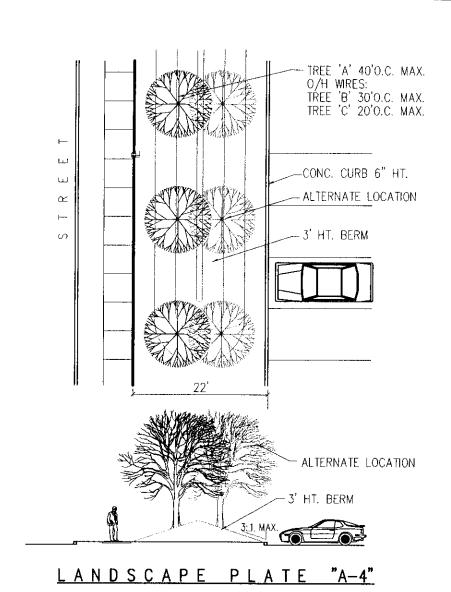
13.5 ACRES ON LAMAR AVENUE

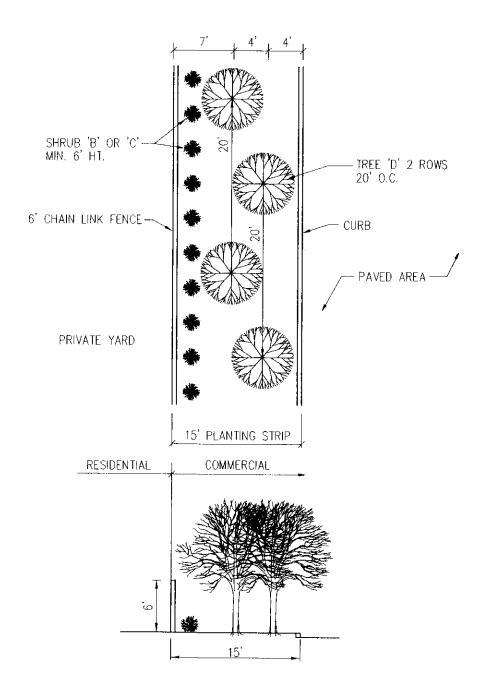
MEMPHIS, TENNESSEE

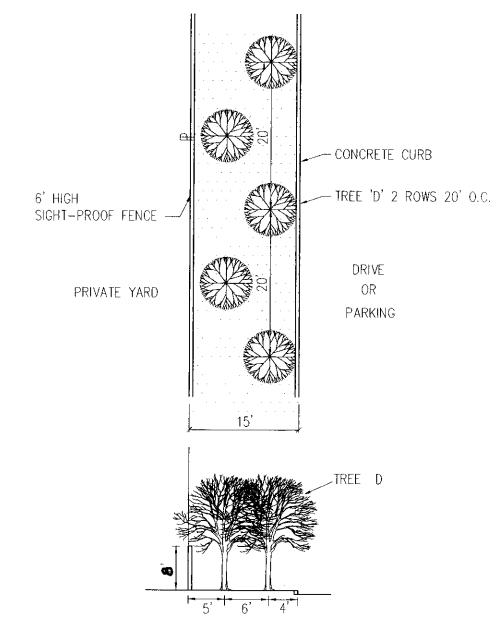
OCTOBER, 2006

SHEET 3 OF 4









LANDSCAPE PLATE "B-3"

LANDSCAPE PLATE "B4"

OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE

This outline plan conforms with the planned development acted on by the Memphis and Shelby County Land Use Control Board on <u>August 10, 2006</u>. Approved by the Memphis City Council on <u>October 3, 2006</u>.



OWNER'S CERTIFICATE

#We, Horizon Holding Company, U, the undersigned owner of the property shown, hereby adopt this plat as my/our plan of development. #We certify that #We amare the owner of the said property in fee simple, duly authorized to act, and that said property is not encumbered by any taxes (or mortgages) which have become due and payable.

NOTARY'S CERTIFICATE

State of Tennessee County of Shelby

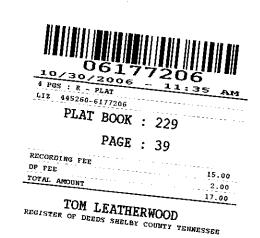
Before me, the undersigned, a Notary Public in and for the said State and County at Memphis, Duly commissioned and qualified, personally appeared PRESTON BYRD with whom I am personally acquainted, and who upon his (her) oath acknowledged himself (herself) to be CHIEF MANAGER of the HORIZON HOLDING COMPANY LIC the within named bargainer, and that he (she) executed the foregoing instrument for the purpose therein contained. In witness whereof, I have hereunto set my hand and affixed my notarial seal at my office in Memphis, this 300 day of OCTOBER.

My Commission Expires MY CX MINISTER WEXTURE HAN 30 3000

ENGINEER'S CERTIFICATE

It is hereby certified that this plat is true and correct, is in conformance with the design requirements of the Zoning Ordinance, the Subdivision Regulations and the specific conditions imposed on this development, and regulations building laws and regulations.

Tennessee Certificate No





OUTLINE PLAN P.D. 06-313 LAMAR CROSSING P.D.

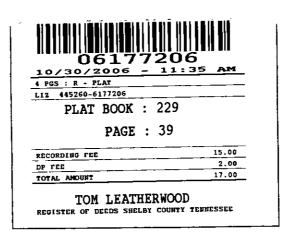
OWNER: HORIZON HOLDING COMPANY, LLC DEVELOPER: LAMAR CROSSING DEVELOPMENT LLC 13.5 ACRES ON LAMAR AVENUE MEMPHIS, TENNESSEE **OCTOBER**, 2006

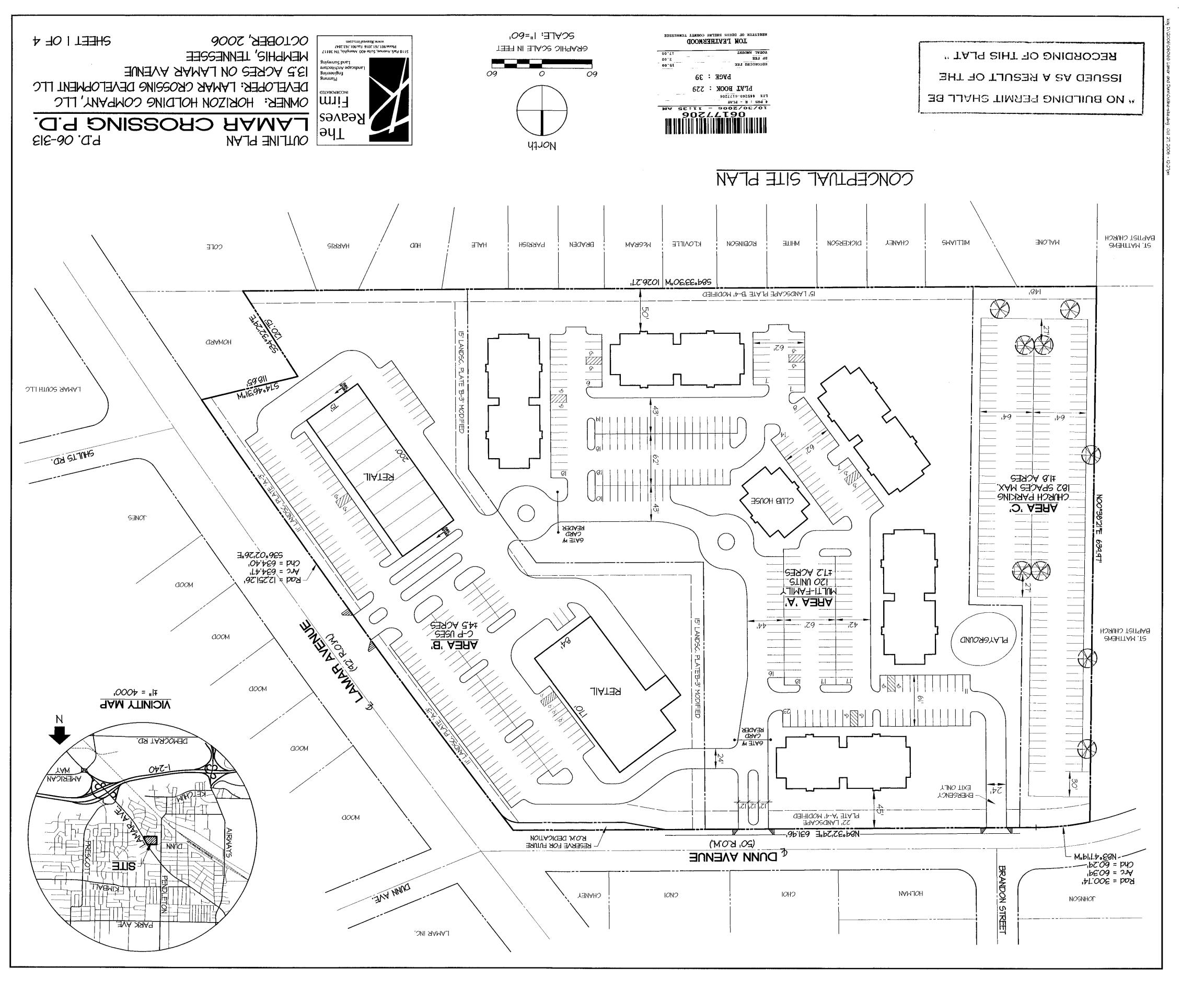
SHEET 4 OF 4

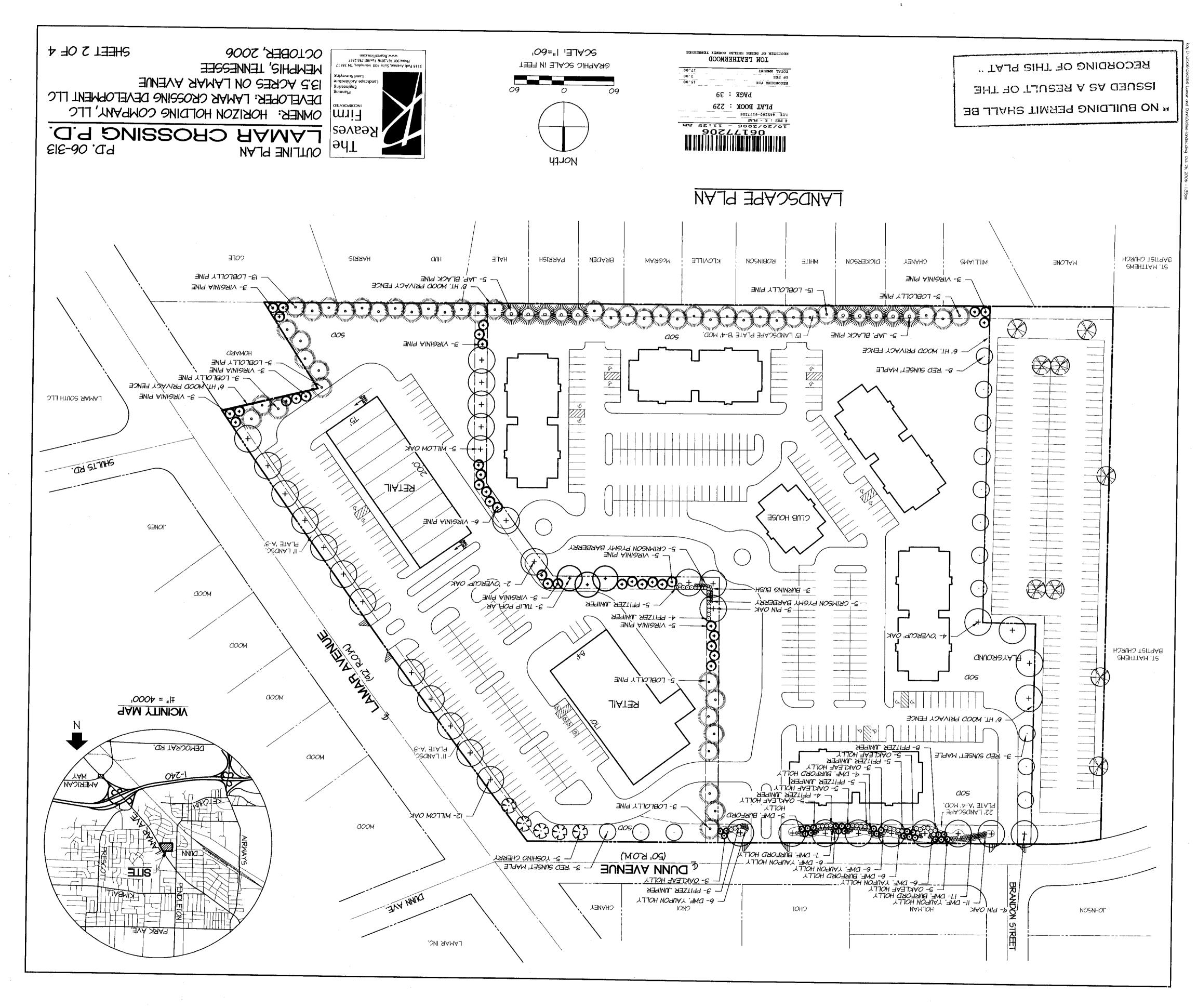


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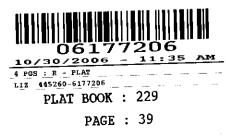
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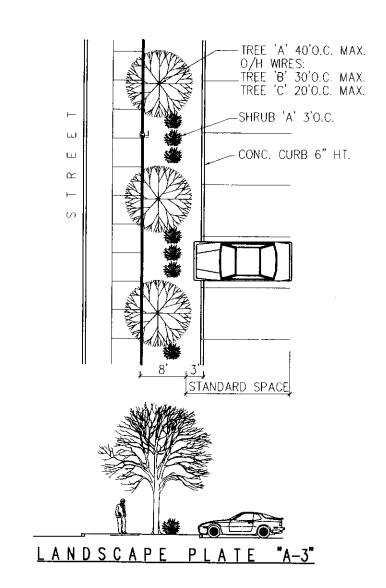
www.ReavesFirm.com

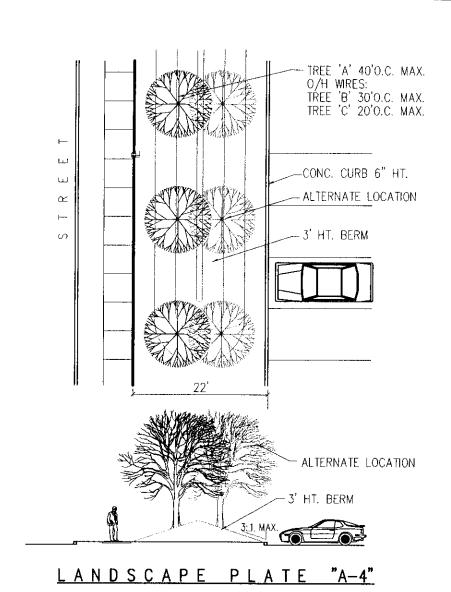
OUTLINE PLAN
P.D. 06-313
LAMAR CROSSING P.D.
OWNER: HORIZON HOLDING COMPANY, LLC

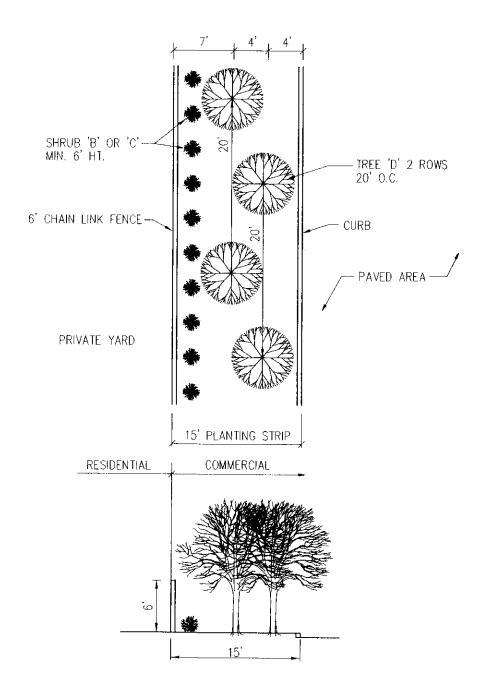
OWNER: HORIZON HOLDING COMPANY, LLC
DEVELOPER: LAMAR CROSSING DEVELOPMENT LLC
13.5 ACRES ON LAMAR AVENUE
MEMPHIS, TENNESSEE

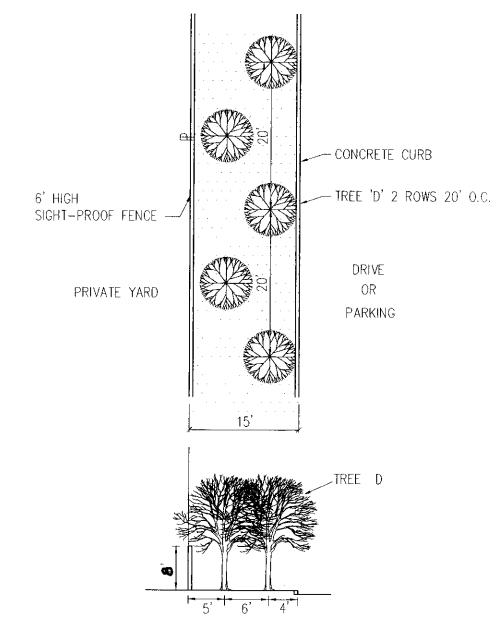
OCTOBER, 2006

SHEET 3 OF 4









LANDSCAPE PLATE "B-3"

LANDSCAPE PLATE "B4"

OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE

This outline plan conforms with the planned development acted on by the Memphis and Shelby County Land Use Control Board on <u>August 10, 2006</u>. Approved by the Memphis City Council on <u>October 3, 2006</u>.



OWNER'S CERTIFICATE

#We, Horizon Holding Company, U, the undersigned owner of the property shown, hereby adopt this plat as my/our plan of development. #We certify that #We amare the owner of the said property in fee simple, duly authorized to act, and that said property is not encumbered by any taxes (or mortgages) which have become due and payable.

NOTARY'S CERTIFICATE

State of Tennessee County of Shelby

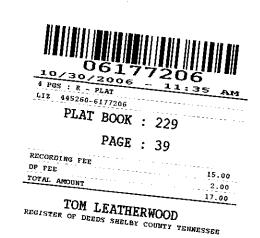
Before me, the undersigned, a Notary Public in and for the said State and County at Memphis, Duly commissioned and qualified, personally appeared PRESTON BYRD with whom I am personally acquainted, and who upon his (her) oath acknowledged himself (herself) to be CHIEF MANAGER of the HORIZON HOLDING COMPANY LIC the within named bargainer, and that he (she) executed the foregoing instrument for the purpose therein contained. In witness whereof, I have hereunto set my hand and affixed my notarial seal at my office in Memphis, this 300 day of OCTOBER.

My Commission Expires MY CX MINISTER WEXTURE HAN 30 3000

ENGINEER'S CERTIFICATE

It is hereby certified that this plat is true and correct, is in conformance with the design requirements of the Zoning Ordinance, the Subdivision Regulations and the specific conditions imposed on this development, and regulations building laws and regulations.

Tennessee Certificate No





OUTLINE PLAN P.D. 06-313 LAMAR CROSSING P.D.

OWNER: HORIZON HOLDING COMPANY, LLC DEVELOPER: LAMAR CROSSING DEVELOPMENT LLC 13.5 ACRES ON LAMAR AVENUE MEMPHIS, TENNESSEE **OCTOBER**, 2006

SHEET 4 OF 4



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.

20026259 03/11/2020 - 09:30:30 AM

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3 PGS		
LACY	1992319-20026259	
VALUE		140000.00
MORTGAGE TAX		0.00
TRANSFER TAX		518.00
RECORDING FEE		15.00
DP FEI	<u> </u>	2.00
REGISTER'S FEE		1.00
EFILE	FEE	2.00
TOTAL	AMOUNT	538.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

PREPARED BY: Home Surety Title & Escrow, LLC, 5583 Murray Road, Suite 120, Memphis, TN 38119, (901) 737-2100, File No.: 201281

WARRANTY DEED

THIS INDENTURE, made and entered as of this the 28th day of February, 2020 by and between:

Sherman Cole and Thomas L. Cole, an undivided 1/2 interest each as tenants in common, party of the first part, and

Lamar Inc., a Tennessee corporation, party of the second part,

For and in consideration of One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00), cash in hand paid by the party of the second part, hereinafter called GRANTEES, and other good and valuable considerations, the receipt of which is hereby acknowledged, the party of the first part, hereinafter called the GRANTORS, have bargained and sold, and by these presents do transfer and convey unto the GRANTEES, their heirs and assigns, a certain tract or parcel of land of Shelby County State of Tennessee, described as follows, to-wit:

COMMENCING AT A SET 1/2" REBAR (WITH ID CAP STAMPED "REAVES FIRM" AND TYPICAL OF ALL REBAR REFERRED TO HEREIN AS SET) AT INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF DUNN AVENUE (50' PUBLIC R.O.W.) AND LAMAR AVENUE (US HIGHWAY 78) (92' PUBLIC R.O.W); THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 12,251.26 FEET AND AN ARC LENGTH OF 302.00 FEET (CHORD S36 DEGREES 49'04" E - 301.99 FEET) TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 12,251.26 FEET AND AN ARC LENGTH OF 332.47 FEET (CHORD S35 DEGREES 20'03"E - 332.46 FEET) TO A FOUND CHISEL MARK AT THE NORTHEAST CORNER OF THE JAMES E. AND MARTHA HOWARD PROPERTY (INSTRUMENT NUMBER T9-1366); THENCE WITH THE NORTH LINE OF SAID HOWARD PROPERTY, S74 DEGREES 46'31" W A DISTANCE OF 118.65 FEET TO A FOUND IRON PIN, THENCE WITH THE WEST LINE OF SAID HOWARD PROPERTY, S34 DEGREES 32'29" E A DISTANCE OF 120.75 FEET TO A SET 1/2" REBAR IN THE NORTH LINE OF THE SHERMAN E. AND WILLIE JOE COLE PROPERTY (INSTRUMENT NUMBER JZ-7035); THENCE WITH THE NORTH LINE OF SAID COLE PROPERTY AND THE NORTH LINE OF SECTION "B" OF FAIRLAWN SUBDIVISION (PLAT BOOK 17, PAGE 15) S89 DEGREES 33'30"W A DISTANCE OF 271.10 FEET TO A POINT; THENCE N 0 DEGREES 27'31"W LEAVING SAID NORTH LINE A DISTANCE OF 212.59 FEET TO A POINT; THENCE N36 DEGREES 06'42"W A DISTANCE OF 80.00 FEET TO A POINT ON THE SOUTH LINE OF THE ALDI INC. (TENNESSEE) PROPERTY (INSTRUMENT 06177789); THENCE N53 DEGREES 53'18"E ALONG SAID SOUTH LINE A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING,

Being the same property conveyed to Sherman Cole and Thomas L Cole, an undivided one half interest each as tenants in common herein by Warranty Deed filed for record November 20, 2014 at Instrument Number 14118269 as shown in the Register's Office of Shelby County, Tennessee.

This conveyance is made subject to:

2020 City of Memphis and 2020 Shelby County taxes, liens, not yet due and payable.

Subdivision Restrictions, Building Lines and Easements of record recorded at Plat Book 229, Page 39; Plat Book 233, Page 24; Plat Book 234, Page 32; and Plat Book 260, Page 38 as shown in the Register's Office of Shelby County, Tennessee.

Easements recorded at Instruments E6 6980, T2 1290, 07010137, 12057432 and 15024820; and Book 2031, Page 191; Book 3027, Page 37; Book 3783, Page 633; Book 3799, Page 592; Book 3799, Page 594; and Book 5084, Page 100 as shown in the Register's Office of Shelby County, Tennessee.

Outline Plan of record recorded at Plat Book 229, Page 39; Plat Book 233, Page 34; Plat Book 234, Page 32; and Plat Book 260, Page 38 as shown in the Register's Office of Shelby County, Tennessee.

This document was prepared from information furnished by the parties herein for which the preparer assumes no responsibility.

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

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

Sherman Cole
Thomas L. Cole

State of Tennessee

County of Shelby

Personally appeared before me, the undersigned Notary Public in and for said State and County, Sherman Cole and Thomas L. Cole, the within bargainor(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person(s) executed the within instrument for the purposes therein contained.

WITNESS my hand and seal this

1 NESS my nand and sear-this

day of February, 2020.

Notary Public

My Commission Expires:

PEEV AND OF TENNESSEE NOTARY PUBLIC Ommission Expires

State of: County of:

Tennessee 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 or value of the property transferred, whichever is greater, is \$140,000.00, which amount if equal to or greater than the amount which the property would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this the

Warch

day of February 2020.

Notary Public

My Commission Expires:

STATE OF TENNESSEE NOTARY PUBLIC PUBLIC SION EXPIRES 1.3

Property Owner & Address: & Mail Tax Bills To: Lamar Inc. 837 Avenue Z Brooklyn, NY 11235 Tax ID No.: 059021 00051 Property Address 0 Lamar Ave. AKA 2899 Lamar Memphis, TN 38114

After recording, return to:

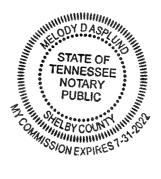
I, J. Seth Waddell, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

J. Seth Waddell

State of Tennessee County of Shelby

Personally appeared before me, Melody D. Asplund, a notary public for this county and state, J. Seth Waddell, who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.

Notary's Signature



GARCIA JOSE A 2903 MONTAGUE AVE # MEMPHIS TN 38114

THOMAS JUANDA J 2821 REDBUD CL # MEMPHIS TN 38114

SHELBY COUNTY TAX SALE 17.02 PO BOX 2751 # MEMPHIS TN 38101

ROBINSON LINDA 2832 N REDBUD CIR # MEMPHIS TN 38114

MYERS MATTIE 5075 ROYSTON LN # MEMPHIS TN 38125

JAMERSON CLARA 2854 FLORA AVE # MEMPHIS TN 38114

WILLIAMS JANICE 2826 N REDBUD CIR # MEMPHIS TN 38114

EVANS LILLIE G 2833 REDBUD CL # MEMPHIS TN 38114

PAYNE HORTON R & FLORA E 2718 KIMBALL AVE # MEMPHIS TN 38114

WHITE GWENDOLYN Y 2820 N REDBUD CIR # MEMPHIS TN 38114

FUNDERBURG WILLIAM B & ZOLA C TAO JENKANG 2839 REDBUD CL # MEMPHIS TN 38114

22 CHESTNUT PL # **BROOKLINE MA 2445**

HANEY JAMES C 3617 PHILSDALE AVE # MEMPHIS TN 38111

CLARK AND LANGE LLC 4745 POPLAR AVE #

HIATT HAROLD AND TAMMY HIATT 385 KNOCO CV # EADS TN 38028

ALDI INC PO BOX 460049 # HOUSTON TX 77056

THOMAS WILLIE E AND MARY THOMAS (RS) HIATT HAROLD & TAMMY 2851 N REDBUD CIR # MEMPHIS TN 38114

385 KNOCO CV # EADS TN 38028

LAMAR INC 837 AVENUE Z # BROOKLYN NY 11235

MAYS JOHNNIE (LE) AND SHEILA MAYS AND BROAD ST LLC 2857 N REDBUD CIR # MEMPHIS TN 38114

2595 BROAD AVE # MEMPHIS TN 38112

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

2865 REDBUD CIR # MEMPHIS TN 38114

REALTY INCOME PROPERTIES 30 LLC PRUITT DORIS H 11995 EL CAMINO REAL # 2067 REDBUD CIR # SAN DIEGO CA 92130

MEMPHIS TN 38114

MEMPHIS CITY OF L G & W 220 S MAIN ST # MEMPHIS TN 38103

MOSS HERBERT W & PATRICIA T 2073 REDBUD ST # MEMPHIS TN 38114



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

June 13, 2024

Delinor Smith, Smith Building Design

Sent via electronic mail to: dsmith920@comcast.net

Lamar Crossing Planned Development Amendment – Self Storage

Case Number: PD 2024-004

LUCB Recommendation: Rejection

Dear applicant,

On Thursday, June 13, 2024, the Memphis and Shelby County Land Use Control Board recommended *rejection* of your planned development amendment application for the Lamar Crossing Planned Development.

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

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

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

If you have questions regarding this matter, please feel free to contact me at (901) 636-7120 or via email at alexis.longstreet@memphistn.gov.

Respectfully,

Alexis Longstreet

Planner I

Land Use and Development Services

Division of Planning and Development

Letter to Applicant PD 24-004

Cc:

File

Outline Plan Conditions – Revisions

Proposed language is indicated in **bold**, **underline**; deletions are indicated in **bold** strikethrough

Lamar Crossing Planned Development P.D. 06-313 Outline Plan Conditions

- Uses Permitted:
 - A. Area 'A': A maximum of one-hundred twenty (120) multi-family apartment dwelling units, including clubhouse and playgrounds.
 - B. Area 'B': Any use permitted by right or administrative site plan review in accordance with the Planned Commercial (C-P)

 District.
 - C. Area 'B-1': Any use permitted by right in accordance with Commercial Mixed Use 2 (CMU-2) and the following use shall be permitted:
 - a. Mini storage



Area 'C': Church Parking Lot - A maximum of 182 parking spaces shall be permitted and designated Church Parking Only, or Open Space for the apartments shall be provided.

- II. Bulk Regulations:
 - A. Area 'A': The bulk regulations of R-ML District zoning shall apply, except the maximum height of buildings shall be forty (40') feet. The opaque wall area of multi-family apartment buildings shall be eighty (80%) percent brick.
 - B. Area 'B': The bulk regulations of C-P District zoning shall apply, except the maximum allowable building area shall not exceed 35,000 square feet.
 - C. Area 'C': Parking shall be in accordance with the Parking (P) District, including landscape islands with one (I) tree for every twenty (20) parking spaces.
 - D. Area 'B-1': The bulk regulations of the CMU-2 District shall apply.

III. Access, Circulation and Parking:

- A. Dedicate thirty-four (34) feet from the centerline of Dunn Avenue for a distance of 175 feet west and improve in accordance with Subdivision Regulations to provide a left-turn stacking lane 125 feet in length, including a transition land a distance of fifty (50') feet.
- B. Dedicate a thirty (30') foot property line radius at the intersection of Dunn Avenue and Lamar Avenue (U.S. '18) and improve in accordance with Subdivision Regulations.
- C. The following curb-cuts shall be permitted subject to review and approval by the City Engineer.
 - 1. One (1) curb-cut shall be permitted on Lamar Avenue (U.S. 78).
 - Two (2) curb-cuts shall be permitted on Dunn Avenue.
- D. All private and rear service drives shall be constructed to meet pavement requirements of the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty-two (22') feet, exclusive of curb and autter.
- E. Any existing non-conforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
- F. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

IV. Landscaping:

- A. A Plate 'A-3' landscape screen shall be provided and installed along Lamar Avenue (U.S. 78), including a landscaped entryway feature subject to review and approval by the Office of Planning and Development.
- B. A Plate 'A-4' (modified) landscape screen shall be provided and installed along Durn Avenue, including a landscaped entryway feature subject to review and approval by the Office of Planning and Development. The landscape screen shall be illustrated on the Concept/Landscape Plan.
- C. A landscape screen shall be provided and installed along the west property line of Area 'A.' The landscape screen shall be illustrated on the Concept/Landscape Plan.
- D. A Plate 'B-4'(modified) landscape screen shall be provided and installed along the south property line and shall include a sight-proof wood fence eight (B') feet in height. The landscape screen shall be as illustrated on the Concept/Landscape Plan.
- E. Internal landscaping will be provided at a ration of 300 square feet of landscaped area and one (I) shade tree per every twenty (20) parking spaces.
- F. Commercial developments shall provide perimeter landscaping and landscaping flowering beds as illustrated on the Concept/Landscape Plan.
- Equivalent landscaping may be substituted for that required above, subject to review and approval by the Office of Planning and Development.
- Refuse containers shall be completely screened from view from adjacent properties and the public roadways.

V. Slans:

- A. Area 'A': Signs shall be in accordance with the requirements of R-ML District zoning for the multi-family apartments.
- B. Area 'B': Signs shall be in accordance with the requirements of Planned Commercial (C-P) District zoning for retail commercial land uses.
- C. Area 'C': Signs shall be in accordance with the requirements of R-S6 District zoning for church parking.
- D. Areas 'A, B, & C': Portable and temporary signs shall not be permitted. No outdoor, off-premise advertising signs shall be permitted.

VI. Drainage:

- A. Drainage improvements, including on-site detention, shall be provided under a Standard Subdivision Contract in accordance with Subdivision Regulation and the City of Memphis Drainage Design Manual.
- B. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.
- C. Design of the storm water conveyance and management facilities for this project shall be in accordance with the City of Memphis Drainage Design Manual. The manual requires on-site detention of storm water run-off generated from this project which exceeds the capacity of the down stream system. Drainage calculations performed in accordance with this manual shall be submitted verifying that adequate non-buildable areas have been provided for storm water detention facilities. For information concerning this requirement, please contact the City Engineer's office.
- D. All drainage plans shall be submitted to the City Engineer for review.
- All drainage emanating on-site shall be private, easements shall not be accepted.

VII. Design and Other:

- The approved Concept/Landscape Plan shall be included and recorded with the Outline Plan.
- B. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading, screening, signage, and other site design requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten (IO) days of such action, file a written appeal to the Director of the Office of Planning and Development to have such action reviewed by the Memphis City Council.

Letter to Applicant PD 24-004

- VIII. A final plan shall be filed within five (5) years of approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plan shall include the following:
 - A. All final plans shall generally conform with the Concept/Landscape Plan and 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 buildable area, parking areas, drives and required landscaping.
 - The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easements.
 - F. A statement conveying all common facilities and areas to a Property Owner's Association, or other entity, for ownership and maintenance purposes.
 - G. The one-hundred (100) year flood elevation.
 - H. The location, diameter and species name of all existing trees over eight (8) inches in diameter and differentiation between those trees to be preserved and those to be removed.
 - 1. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserved for Storm Water Detention" shall not be used as 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, mowling, outlet cleaning, and repair of drainage structures.

CITY OF MEMPHIS

COUNCIL AGENDA CHECK OFF SHEET ONE ORIGINAL Planning & Development ONLY STAPLED | **DIVISION TO DOCUMENTS Planning & Zoning** COMMITTEE: 10/15/2024 DATE **PUBLIC SESSION:** 11/12/2024 DATE ITEM (CHECK ONE) X RESOLUTION REQUEST FOR PUBLIC HEARING ORDINANCE ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 2101 Central Avenue, known as case number PD 2024-012 **CASE NUMBER:** PD 2024-012 **DEVELOPMENT:** The Cooper Planned Development LOCATION: 2101 Central Avenue District 4 and Super District 9 – Positions 1, 2, and 3 **COUNCIL DISTRICTS: OWNER/APPLICANT: Cooper Holdings Properties REPRESENTATIVE:** Josh Whitehead Amendment to PD 2020-15 to include more land and changes in use **REQUEST:** +/-5.79 acres AREA: The Division of Planning and Development recommended Approval with outline plan conditions **RECOMMENDATION:** The Land Use Control Board recommended Approval with outline plan conditions RECOMMENDED COUNCIL ACTION: Public Hearing Not Required: Hearing – November 12, 2024 **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED 09/12/2024 DATE (1) Land Use Control Board ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE **FUNDING:** 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> **POSITION** Une Christian 10/7/2024 PLANNER I DEPUTY ADMINISTRATOR 10/7/2024 ADMINISTRATOR DIRECTOR (JOINT APPROVAL) **COMPTROLLER**

FINANCE DIRECTOR

COMMITTEE CHAIRMAN

CHIEF ADMINISTRATIVE OFFICER

CITY ATTORNEY



Memphis City Council Summary Sheet

PD 2024-012

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 2101 CENTRAL AVENUE, KNOWN AS CASE NUMBER PD 2024-012

- This item is a resolution with conditions to allow an amendment to PD 2020-15 to include more land and changes in use; and
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: PD 2024-012

DEVELOPMENT: The Cooper Planned Development

LOCATION: 2101 Central Avenue

COUNCIL DISTRICT(S): District 4 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Cooper Holdings Properties

REPRESENTATIVE: Josh Whitehead

REQUEST: Amendment to PD 2020-15 to include more land and changes in use

EXISTING ZONING: Employment (EMP), Residential Urban – 3 (RU-3), Midtown Overlay

(MD), and Cooper Young Historic District Overlay [H]

AREA: +/-5.79 acres

The following spoke in support of the application: Josh Whitehead, Victor Buchholz, David Lewis, Chance Carlisle, and Bo Graham

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 as amended.

The motion passed by a unanimous vote of 10-0.

Respectfully,

Chloe Christion

Planner I

Land Use and Development Services
Division of Planning and Development

Chloe Christian

Cc: Committee Members

File

PD 2024-012

OUTLINE PLAN CONDITIONS

(Changes from PD 20-15 are reflected in **bold, underline** for new language and strikethrough for deleted language.)

I. Uses Permitted

- A. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1)
 District in the Midtown District Overlay, apartments, and a parking garage for both public rental and private use including a hotel with a maximum number of one hundred twenty-five (125) rooms. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- B. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1)
 District, in the Midtown District Overlay apartments, and a parking garage for both public rental and private use including a maximum number of two hundred fifty (250)
 apartments and a parking garage. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- C. <u>Areas C and E: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay.</u>
- D. <u>Area D: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay, including a surface parking lot serving the uses within Areas A, B, C and E of this Planned Development.</u>
- E. <u>All Areas: Utilities; Overnight Lodging, including AirBnB, VRBO, etc., other than the permitted hotel in Area A; Self-Service Storage and Vehicle Sales uses as defined in the UDC shall not be permitted.</u>

II. Bulk Regulations

- A. A maximum number of three hundred forty-eight (348) apartments units shall be allowed.
- B. A maximum area of fifty seven thousand (57,000) square feet of flex space shall be allowed. Flex space will be used as office, retail, or amenity space.
- A. Maximum building height shall be limited to the number of stories on the **Cooper PD**Central Yards Concept Plan of stories as follows:
 - 1. Buildings AA and AE Area A four (4) seven (7) stories
 - 2. Buildings AC and AD Area B five (5) six (6) stories. A four (4) story multi-family building over a podium that has 2 parking levels. Lower level will also contain a leasing office and retail space.
 - 3. Buildings AB and AG Areas C and E six (6) three (3) stories
 - 4. Building AF seven (7) stories
- B. Building setbacks shall be as follows:
 - 1. Buildings shall be setback a minimum of zero (0) feet from Cooper Street, Central Avenue and York Avenue.
 - 2. Buildings shall be setback two (2) to fifteen (15) feet from Tanglewood Street.
 - 3. Buildings shall be setback a minimum of five (5) feet from all other property lines.
- E. No rooftop amenity shall be above the level of the fourth (4th) floor parking garage roof.

C. <u>The maximum number of overall units in the Planned Development shall be three</u> hundred and forty-eight (348).

- III. Access, Circulation and Parking:
 - A. Improve Tanglewood Street with curb, gutter, sidewalk and on-street parking.
 - B. Improve York Avenue with curb, gutter, sidewalk and on-street parking. Through traffic shall be allowed on York Street. Public parking shall be permitted on one side of York Street.
 - C. Provide a round-about at the intersection of York Avenue and Tanglewood Street.
 - D. Permit one (1) right turn only curb cut from the site onto on the west and east sides of Tanglewood Street for a service exit.
 - E. Permit one (1) three (3) curb cuts onto on the north side of York Avenue from each of Areas A and B and one (1) curb cut on the south side of York Avenue.
 - F. <u>Allow a drop-off area along Cooper Street and York Avenue to serve the hotel.</u>
 - G. The exact number, location and design of permitted curb cuts shall be subject to the approval of the City Engineer.
 - H. Provide a north-south private drive connecting Central Avenue to York Avenue. It shall be constructed to meet <a href="mailto:the sidewalk and landscaping requirements of the UDC and include native trees and plants. City Standards and provide a Curbs shall be vertical and the minimum pavement width shall be of 20 feet, exclusive of curb and gutter and onstreet parking. The design shall prohibit a left turn be full movement onto both Central Avenue <a href="mailto:ama
 - I. A one-way (east to west) service drive shall be allowed between Cooper Street and the north-south private drive. The minimum pavement width shall be fourteen (14) feet at Cooper Street and then narrow to eleven (11) feet as indicated on the site plan. Curbs shall be vertical.
 - J. All existing sidewalks shall be replaced if damaged during construction of this project, non-ADA compliant, or in disrepair.
 - K. Parking shall be provided in accordance with the UDC. A minimum of one hundred (100) extra spaces will be provided for additional public parking.
 - L. Bicycle parking shall be provided per the UDC, along with bicycle storage for the residents.
 - M. A signed and lit crosswalk shall be provided across Cooper Street at York Avenue. The private streets and plazas of this development shall not be permanently gated or fenced.

- IV. Building facades, Landscaping and Screening
 - A: Midtown District Overlay as articulated in Sub-Section 8.4.10B of the UDC. The buildings within Area E shall adhere to the design regulations of the Cooper-Young Historic Overlay District and shall be subject to the review of the Memphis Landmarks

 Commission. No exterior insulation and finishing systems (EIFS) shall be allowed on the street facing facades. Facade materials shall predominantly consist of masonry to contextually fit with the adjacent historic structures. Cementitious and/or fiber cement siding and/or panels, metal panels, glass, and exterior insulation and finishing systems (EIFS) may be used at appropriate locations subject to administrative review and approval.
 - B. All streets and private drives shall be landscaped in accordance with the Midtown District Overlay of the UDC.
 - C. A pedestrian plaza including greenspace shall be provided at the northwest corner of Cooper and York.
 - D. Refuse containers shall be completely screened from public roads.
 - E. All heating and air conditioning equipment located on the roof shall be screened using architectural features, including a parapet, mansard roof, or site-proof screening. Any ground mounted equipment shall be screened from view with site-proof screening or landscape materials.
 - F. All required landscaping and screening shall be provided exclusive of any areas encumbered by easements and shall not conflict with any easements, including overhead wires.
 - G. Equivalent landscaping may be substituted for that required above, subject to administrative approval.
 - H. There shall be a minimum of 25% active ground floor space, such as amenity space serving the multifamily units I Area B, on the ground-level parking garage along York Avenue and a minimum 25% of the same active ground floor space along Central Avenue. These percentages shall be measured linearly along the front building façade.
 - I. Lighting shall be directed so as not to glare onto any residential property.
 - J. Neither the planned development nor any private drives shall be gated. FParking lot fencing and gates will be allowed around the pool, dog park, parking in Area D and the rear and side perimeters of Area C. No fencing shall be permitted in the front yard of any building in any Area.
 - K. <u>All site improvements for Area E, such as but not limited to, walls, fences, gates, etc.</u> shall be subject to Memphis Landmarks Commission review and Certificate of Appropriateness approval.

V. Signs

- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
- B. Any sign elevations shall be included in the recording of this Final Plat.
- C. Any ground mounted sign shall have a minimum setback of five (5) feet from the public right-of-way.
- D. Attached signs shall be in accordance with the CMU-1 District.
- E. No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.

VI. Drainage

- A. All drainage plans shall be submitted to the City Engineer for review.
- B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; 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 Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plat shall include the following:
 - A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. 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 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, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.





190SPACES 375 SPACES

82 SPACES 11 SPACES 40 SPACES 133 SPACES



COOPER & CENTRAL

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MEZZANINE LEVEL 302'



PROJECT INFO

250 UNITS (815 AVG

50 UNITS (815 AVG SF) -4 LEVELS OVER PODIUM 7 TOWNHOUSES
--

LEASING & AMENITY

-4 LEVELS OVER PODIUM 27 TOWNHOUSES	250 UNITS (815 AVG SF)	
--	------------------------	--





TOTAL SPACES PROVIDED = 508 SPACES

MEZZANINE

185 SPACES 190SPACES 375 SPACES

M.F. PODIUM

LOT 2

PARKING PROVIDED

STREET 3

82 SPACES 11 SPACES 40 SPACES 133 SPACES

HOTEL (120)(.66/KEY) = 80 SPACES

426 SPACES REQUIRED

RETAIL 5/1000 (4.15) = 21 SPACES

MULTIFAMILY 250 @ 1.3 = 325 SPACES

PARKING REQUIRED:

HOTEL- 120 KEYS 7 LEVELS

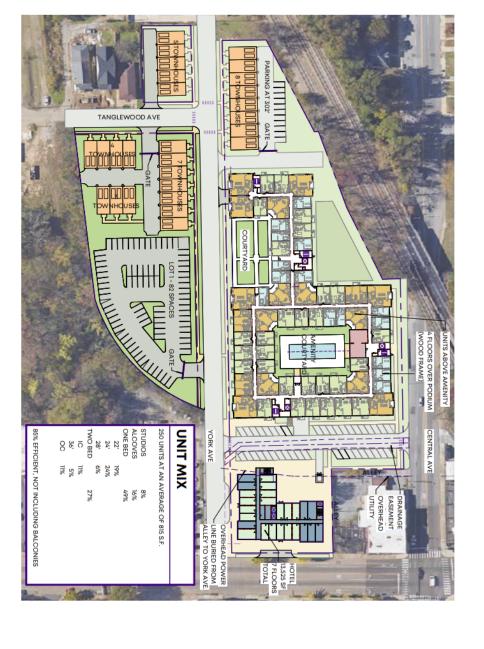
RETAIL/ RESTAURANT (4,150 SF)



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Memphis, TN | 08/21/24

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LOT 1 LOT 2 SIREEL 3

82 SPACES 11 SPACES 40 SPACES 133 SPACES

MEZZANINE

185 SPACES 190SPACES 375 SPACES M.F. PODIUN

PROJECT INFO 250 UNITS (815 AVG SF) -4 LEVELS OVER PODIUM 27 TOWNHOUSES LEASING & AMENITY RETAIL/ RESTAURANT (4,150 SF) HOTEL-120 KEYS 7 LEVELS PARKING REQUIRED: MULTIFAMILY 250 @ 1.3 = 325 SPACES RETAIL 5/1000 (4.15) = 21 SPACES RETAIL 1/201 (46/KEY) = 80 SPACES HOTEL 1/208 SPACES REQUIRED PARKING PROVIDED



TOTAL SPACES PROVIDED = 508 SPACES

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 2101 CENTRAL AVENUE, KNOWN AS CASE NUMBER PD 2024-012

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

WHEREAS, the Cooper Holdings Properties filed an application with the Memphis and Shelby County Division of Planning and Development to allow an amendment to PD 2020-15 to include more land and changes in use; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on September 12, 2024, and said Board has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Council of the City of Memphis; and

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

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

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a planned development is hereby granted in accordance with the attached outline plan conditions.

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

OUTLINE PLAN CONDITIONS

PD 2024-012

OUTLINE PLAN CONDITIONS

(Changes from PD 20-15 are reflected in <u>bold, underline</u> for new language and strikethrough for deleted language.)

Uses Permitted

- A. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1) District in the Midtown District Overlay, apartments, and a parking garage for both public rental and private use including a hotel with a maximum number of one hundred twenty-five (125) rooms. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- B. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1) District, in the Midtown District Overlay apartments, and a parking garage for both public rental and private use including a maximum number of two hundred fifty (250) apartments and a parking garage. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- C. <u>Areas C and E: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay.</u>
- D. Area D: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay, including a surface parking lot serving the uses within Areas A, B, C and E of this Planned Development.
- E. <u>All Areas: Utilities; Overnight Lodging, including AirBnB, VRBO, etc., other than the</u>
 permitted hotel in Area A; Self-Service Storage and Vehicle Sales uses as defined in the
 UDC shall not be permitted.

II. Bulk Regulations

- A. A maximum number of three hundred forty-eight (348) apartments units shall be allowed.
- B. A maximum area of fifty seven thousand (57,000) square feet of flex space shall be allowed. Flex space will be used as office, retail, or amenity space.
- A. Maximum building height shall be limited to the number of stories on the <u>Cooper PD</u> Central Yards Concept Plan of stories as follows:
 - 1. Buildings AA and AE Area A four (4) seven (7) stories
 - Buildings AC and AD Area B five (5) six (6) stories. A four (4) story multi-family building over a podium that has 2 parking levels. Lower level will also contain a leasing office and retail space.
 - Buildings AB and AG Areas C and E six (6) three (3) stories
 - Building AF seven (7) stories
- B. Building setbacks shall be as follows:
 - Buildings shall be setback a minimum of zero (0) feet from Cooper Street, Central Avenue and York Avenue.
 - Buildings shall be setback two (2) to fifteen (15) feet from Tanglewood Street.
 - Buildings shall be setback a minimum of five (5) feet from all other property lines.
- E. No rooftop amenity shall be above the level of the fourth (4th) floor parking garage roof-

- C. <u>The maximum number of overall units in the Planned Development shall be three hundred and forty-eight (348).</u>
- III. Access, Circulation and Parking:
 - Improve Tanglewood Street with curb, gutter, sidewalk and on-street parking.
 - B. Improve York Avenue with curb, gutter, sidewalk and on-street parking. <u>Through traffic shall be allowed on York Street</u>. <u>Public parking shall be permitted on one side of York Street</u>.
 - C. Provide a round about at the intersection of York Avenue and Tanglewood Street.
 - D. Permit one (1) right turn only curb cut from the site onto on the west and east sides of Tanglewood Street for a service exit.
 - E. Permit one (1) three (3) curb cuts onto on the north side of York Avenue from each of Areas A and B and one (1) curb cut on the south side of York Avenue.
 - F. Allow a drop-off area along Cooper Street and York Avenue to serve the hotel.
 - G. The exact number, location and design of permitted curb cuts shall be subject to the approval of the City Engineer.
 - H. Provide a north-south private drive connecting Central Avenue to York Avenue. It shall be constructed to meet the sidewalk and landscaping requirements of the UDC and include native trees and plants. City Standards and provide a Curbs shall be vertical and the minimum pavement width shall be of 20 feet, exclusive of curb and gutter and onstreet parking. The design shall prohibit a left turn be full movement onto both Central Avenue and York Avenues. The centerline of this drive shall be a minimum of 300 approximately 220 feet west from the centerline of Cooper Street.
 - I.—A one-way (east to west) service drive shall be allowed between Cooper Street and the north south private drive. The minimum pavement width shall be fourteen (14) feet at Cooper Street and then narrow to eleven (11) feet as indicated on the site plan. Curbs shall be vertical.
 - All existing sidewalks shall be replaced if damaged during construction of this project, non-ADA compliant, or in disrepair.
 - K. Parking shall be provided in accordance with the UDC. A minimum of one hundred (100) extra spaces will be provided for additional public parking.
 - Bicycle parking shall be provided per the UDC, along with bicycle storage for the residents.
 - M. A signed and lit crosswalk shall be provided across Cooper Street at York Avenue. The private streets and plazas of this development shall not be permanently gated or fenced.

- IV. Building facades, Landscaping and Screening
 - A. The buildings within Areas A, B, C and D shall adhere to the building standards of the Midtown District Overlay as articulated in Sub-Section 8.4.10B of the UDC. The buildings within Area E shall adhere to the design regulations of the Cooper-Young Historic Overlay District and shall be subject to the review of the Memphis Landmarks

 Commission. No exterior insulation and finishing systems (EIFS) shall be allowed on the street facing facades. Facade materials shall predominantly consist of masonry to contextually fit with the adjacent historic structures. Cementitious and/or fiber cement siding and/or panels, metal panels, glass, and exterior insulation and finishing systems (EIFS) may be used at appropriate locations subject to administrative review and approval.
 - B. All streets and private drives shall be landscaped in accordance with the Midtown District Overlay of the UDC.
 - C. A pedestrian plaza including greenspace shall be provided at the northwest corner of Cooper and York.
 - Refuse containers shall be completely screened from public roads.
 - E. All heating and air conditioning equipment located on the roof shall be screened using architectural features, including a parapet, mansard roof, or site-proof screening. Any ground mounted equipment shall be screened from view with site-proof screening or landscape materials.
 - F. All required landscaping and screening shall be provided exclusive of any areas encumbered by easements and shall not conflict with any easements, including overhead wires.
 - G. Equivalent landscaping may be substituted for that required above, subject to administrative approval.
 - H. There shall be a minimum of 25% active ground floor space, such as amenity space serving the multifamily units I Area B, on the ground-level parking garage along York Avenue and a minimum 25% of the same active ground floor space along Central Avenue. These percentages shall be measured linearly along the front building façade.
 - Lighting shall be directed so as not to glare onto any residential property.
 - J. Neither the planned development nor any private drives shall be gated. FParking lot fencing and gates will be allowed around the pool, dog park, parking in Area D and the rear and side perimeters of Area C. No fencing shall be permitted in the front yard of any building in any Area.
 - K. All site improvements for Area E, such as but not limited to, walls, fences, gates, etc. shall be subject to Memphis Landmarks Commission review and Certificate of Appropriateness approval.

V. Signs

- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
- B. Any sign elevations shall be included in the recording of this Final Plat.
- C. Any ground mounted sign shall have a minimum setback of five (5) feet from the public right-of-way.
- Attached signs shall be in accordance with the CMU-1 District.
- E. No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.

VI. Drainage

- A. All drainage plans shall be submitted to the City Engineer for review.
- B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; 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 Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plat shall include the following:
 - The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - The one-hundred (100) year flood elevation.
 - G. 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 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, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

CONCEPT PLAN



Memphis, TN | 08/23/24

COOPER & CENTRAL



TOTAL SPACES PROVIDED - 508 SPACES	ME-PODBUM LEVEL 1 185 SPA MEZZANINE 180 SPA 375 SPA	LOT 1 82 SPAC LOT 2 11 SPAC STREET 3 40 SPAC 133 SPAC	HOTEL (120 K 64/KEY) = 90 KEAS 426 SPA PARKING PROVIDED	250 @ L3 = 325 SPACES RETAIL 5/1000 (4.15) = 21 SPAC	PARKING REQUIRED:	HOTEL-120 KEYS 7 LEVELS	RETAIL/ HESTAURANT (4,150 SF)	LEASING & AMENITY	250 UNITS (815 AVG SF) -4 LEVELS OVER POOIUM 27 TOWNHOUSES	
IDED = 508 SPACE	185 SPACES 190SPACES 375 SPACES	11 SPACES 40 SPACES 133 SPACES	424 SPACES REQUIRE	SPACES 21 SPACES		S	URANT (4,150 SF)	ENITY	AVG SF) OVER POOIUM SES	

PROJECT INFO

GROUND LEVEL 292'











PROJECT INFO

- 250 UNITS (BIS AVG SF)
 -4 LEVELS OVER POOIUM
 27 TOWNHOUSES
- LEASING & AMENITY

- RETAIL/ RESTAURANT (4,150 SF)
- HOTEL-120 KEYS 7 LEVELS
- PARKING REQUIRED:
- MULTIFAMILY
 250 (0) 1.3 = 325 SPACES

 RETAIL
 5/1000 (4.15) = 21 SPACES
- PARKING PROVIDED

[120](.46/KEY) - 80 SPACES

426 SPACES REQUIRED

- LOT1 82 SPACES
 LOT 2 11 SPACES
 STREET 3 40 SPACES
 133 SPACES
- M.F. PODIUM
- MEZZANINE 190SPACES

 375 SPACES
- TOTAL SPACES PROVIDED 508 SPACES





TYPICAL UPPER LEVELS



ATTEST:

Division of Planning and Development

– Land Use and Development Services

– Office of Construction Enforcement CC:

dpd STAFF REPORT

AGENDA ITEM: 15 L.U.C.B. MEETING: September 12, 2024

CASE NUMBER: PD 2024-012

DEVELOPMENT: The Cooper Planned Development

LOCATION: 2101 Central Avenue

COUNCIL DISTRICT: District 4 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Cooper Holdings Properties

REPRESENTATIVE: Josh Whitehead, Christine Donhardt

REQUEST: Amendment to PD 2020-15 to include more land and changes in use

EXISTING ZONING: Employment (EMP), Residential Urban – 3 (RU-3), Midtown Overlay (MD), and

Cooper Young Historic District Overlay [H]

CONCLUSIONS

- 1. On January 5, 2021, the Council of the City of Memphis approved PD 2020-15 for the Central Yards Planned Development. See approved Council Resolution on pages 35-40 of this report. This application is an amendment to the previously approved planned development to include more land and changes in use including the addition of townhouses and a seven-story hotel following the success of the Memphian Hotel in Overton Square.
- 2. The continuation of this planned development and approval of this amendment request is a use compatible with the surrounding commercial and residential nature of the Cooper and Central intersection. The site is less than one mile away from the Memphian hotel, and directly adjacent to commercial, retail, and restaurant space. Urban Outfitters, Railgarten, Peabody Park, and Aldo's Pizza are within walking distance of the development site.
- 3. 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.

CONSISTENCY WITH MEMPHIS 3.0

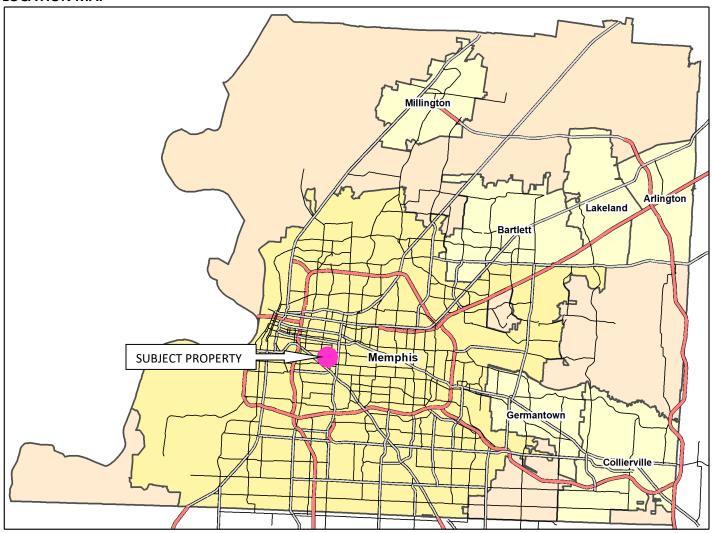
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 28-32 of this report.

RECOMMENDATION:

Approval with conditions

Staff Writer: Chloe Christion E-mail: chloe.christion@memphistn.gov

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 176 notices were mailed on August 19, 2024, see pages 33-34 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 35 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

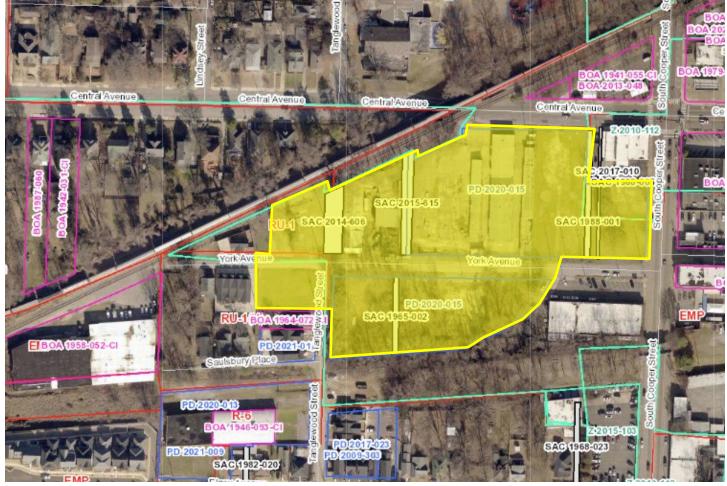
The meeting was held at 5:00PM on Monday, August 26 at the Cooper Young Community Association building at 2298 Young Avenue.

AERIAL



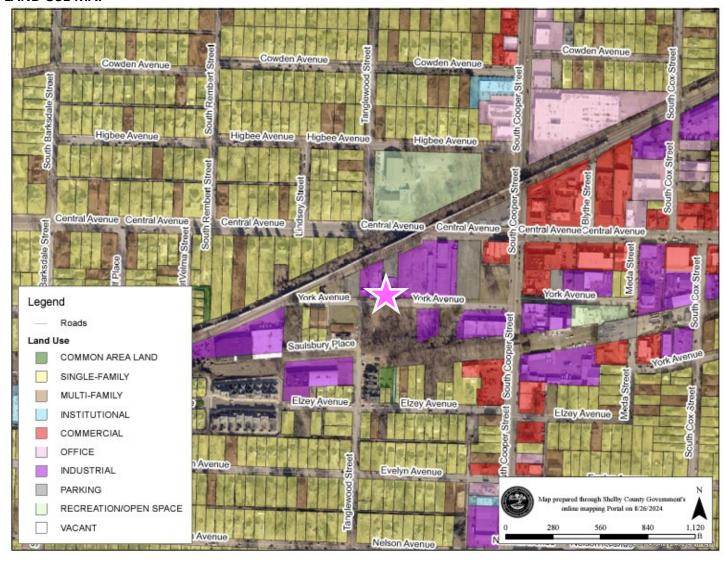
Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from Cooper Street and York Avenue



View of subject property from York Avenue

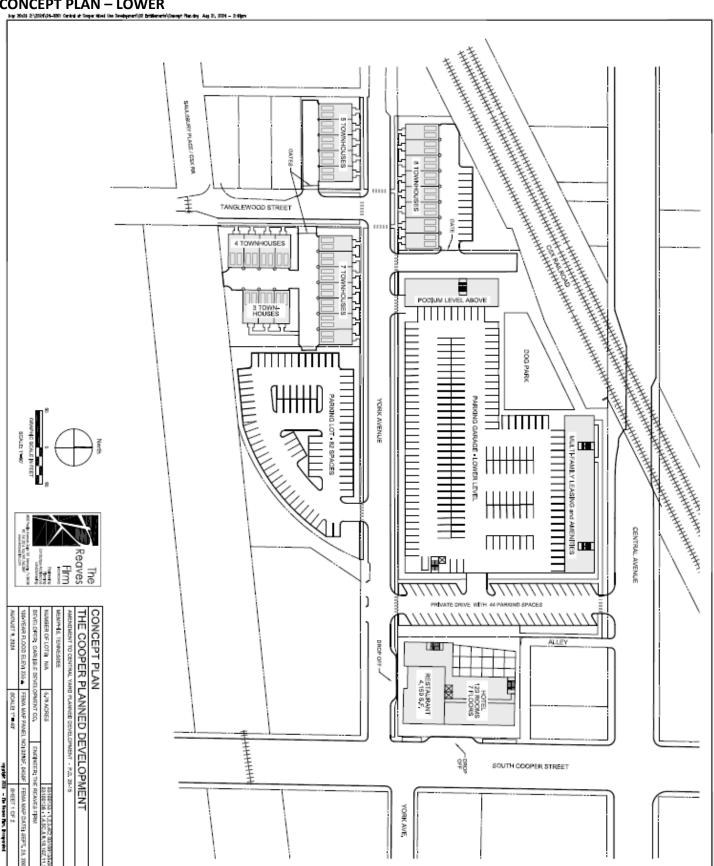


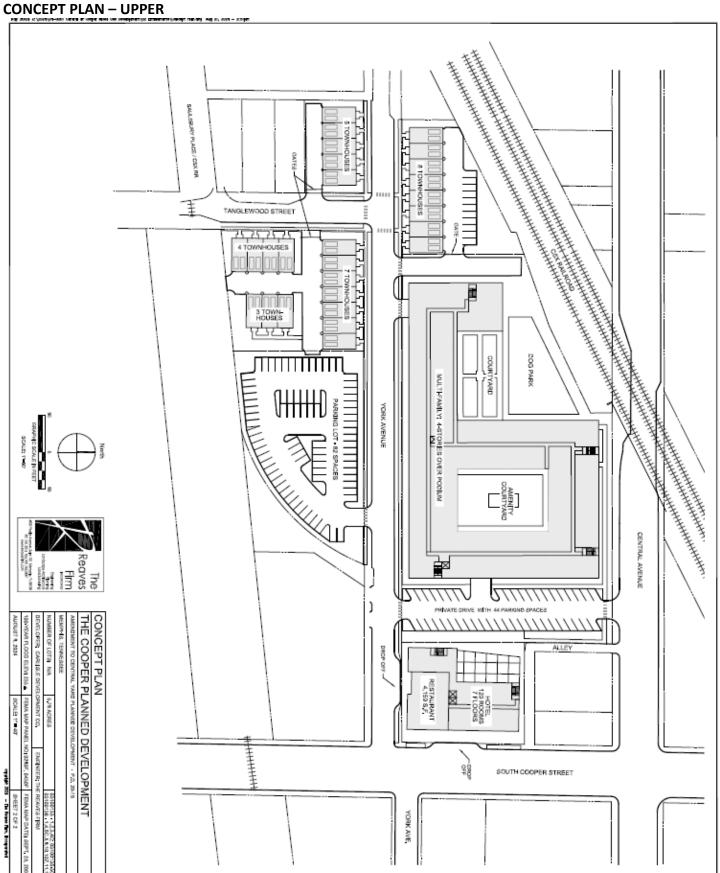
View of subject property from York Avenue and Tanglewood Street



View of subject property from Central Avenue

CONCEPT PLAN – LOWER





LANDSCAPE PLANS - GROUND LEVEL







GROUND LEVEL 292'

LANDSCAPE PLANS - MEZZANINE LEVEL

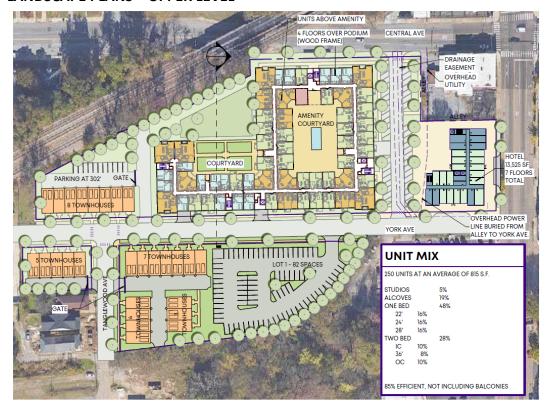






MEZZANINE LEVEL 302'

LANDSCAPE PLANS – UPPER LEVEL







TYPICAL UPPER LEVELS



CONCEPTUAL ELEVATIONS



NORTH ELEVATION- CENTRAL AVENUE. SCALE 1"= 50'-0"



EAST ELEVATION- MULTI-FAMILY. SCALE 1"= 50'-0"



EAST ELEVATION- COOPER STREET. SCALE 1"= 50'-0"



NORTH ELEVATION - YORK STREET. SCALE 1"= 50'-0"

WEST ELEVATION - TANGLEWOOD STREET SCALE 1"= 50'-0"



SOUTH ELEVATION - YORK STREET SCALE 1"= 50'-0"



CONCEPTUAL ELEVATIONS



CASE REVIEW

Request

The request is an amendment to PD 2020-15 to include more land and changes in use.

Applicability

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

4.10.2 Applicability

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

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

General Provisions

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

4.10.3 General Provisions

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

A. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the

current development policies and plans of the City and County.

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

Commercial or Industrial Criteria

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

4.10.5 Planned Commercial or Industrial Developments

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

A. Screening

When commercial or industrial structures or uses in a planned commercial or industrial development abut a residential district or permitted residential buildings in the same development, screening may be required by the governing bodies.

B. Display of Merchandise

All business, manufacturing and processing shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way, provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.

C. Accessibility

The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development.

D. Landscaping

Landscaping shall be required to provide screening of objectionable views of uses and the reduction of noise. High-rise buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining low-rise buildings.

Approval Criteria

Staff agrees the approval criteria as set out in Section 9.6.9 of the Unified Development Code are being met.

9.6.9 Approval Criteria

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

- A. The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.
- B. The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.
- C. The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.
- D. The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.
- E. The project complies with all additional standards imposed on it by any particular provisions authorizing such use.
- F. The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.
- G. The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to ensure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.
- H. Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.

Site Details

Address:

2101 Central Avenue

Parcel ID:

031136 00004, 031136 00005C, 031136 00010, 031136 00008, 031136 00011, 031136 00012, 031136 00001, 031135 00003C, 031135 00006, 031134 00005, 031134 00006, 031134 00006, 031133 00002, 031133 00003, and 031133 00004C

Area:

+/-5.79 acres

Description:

The subject property is located generally along York Street south of Central Avenue, west of Cooper Street and east of Tanglewood Street. The site is zoned Employment (EMP), Residential Urban -3 (RU -3) and a small portion is within the Cooper Young Historic District [H]. The entirety of the subject property is within the Midtown Overlay District.

Site Zoning History

On January 5, 2021, the Council of the City of Memphis approved PD 2020-15 for the Central Yards Planned Development. See approved Council Resolution on pages 35-40 of this report. This application is an amendment to the previously approved planned development to include more land and changes in use.

Concept Plan Review

The proposed development offers a change in building types and land use compared to the previously approved Central Yards Planned Development. Most notably, a hotel with 7 floors and 120 rooms and restaurant space is proposed at the southeastern corner fronting Cooper and York Avenue. A private drive aisle with a 41 parking spaces will be utilized for hotel parking along with proposed drop off sections on both York and Cooper.

Additionally, the development would provide 27 single-family attached townhouses on the southwestern portion of the development with frontages on Tanglewood Street and York Avenue. A parking lot with 82 spaces accessible through the south of York Avenue is proposed along with a smaller gated parking lot accessible through the north of York Avenue.

A four-story multifamily apartment is proposed for the bulk of the development, including a lower-level parking garage, dog park, and two courtyards. The amount of parking spaces for the apartment garage has not been provided.

Analysis

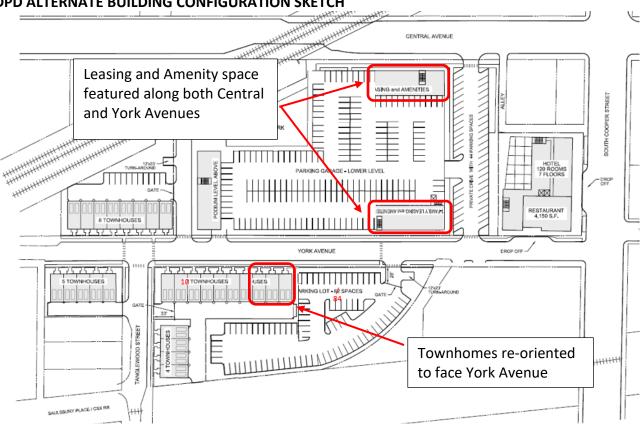
With regards to the general concept of the project, staff finds the requested amendment to be an appropriate use that is compatible with the surrounding area of the Cooper Young district. The proposed hotel would be established less than a mile away from the Memphian hotel in the Overton Square area, and is adjacent to entertainment uses like retail, dining, and bars. Staff recommends including additional windows along the north elevation of the hotel building.

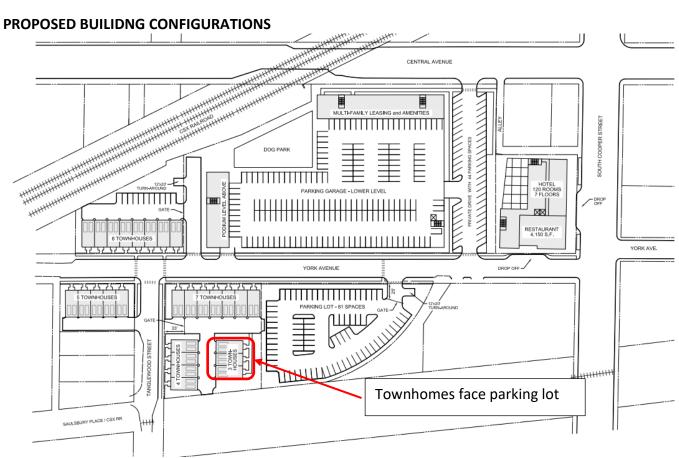
With regard to parking, the developer proposes to provide a street facing surface-level parking lot of 82 spaces along the southern side of York Avenue as well as a two-level parking garage with 327 spaces to serve apartment residents on the northern side of York. With 449 total spaces provided, the proposed development is 23 spaces over the minimum parking required. Staff finds this proposal should be modified to reduce the amount of street facing parking along York Avenue and increase the amount of active ground floor space.

Staff is conditioning a minimum requirement of 25% active ground floor space required in for the ground-floor parking lot facing York Avenue. This modification would enhance the pedestrian experience and provide an increasingly more walkable and safer development for residents and guests. See the proposed sketch prepared by Staff of alternate building configurations in Areas B, C and D (page 19). The sketch also proposes a reconfiguration of the orientation of townhomes in Area C, providing street frontage for each townhome rather than the proposed model which includes townhomes that face the parking lot.

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.

DPD ALTERNATE BUILDING CONFIGURATION SKETCH





Staff Report PD 2024-012 September 12, 2024 Page 20

RECOMMENDATION

Staff recommends approval with revisions to the outline plan conditions.

Outline Plan Conditions – Revisions

The applicant's changes from PD 20-15 are reflected in **bold, underline** for new language and strikethrough for deleted language. Changes recommended by Staff are reflected in **red bold, underline** for new language

Uses Permitted

- A. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1)
 District in the Midtown District Overlay, apartments, and a parking garage for both public rental and private use including a hotel with a maximum number of one hundred twenty-five (125) rooms. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- B. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1) District, in the Midtown District Overlay apartments, and a parking garage for both public rental and private use including a maximum number of two hundred fifty (250) apartments and a parking garage. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- C. <u>Areas C and E: All uses permitted by right in the Residential Urban 3 (RU-3) District in</u> the Midtown District Overlay.
- D. Area D: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay, including a surface parking lot serving the uses within Areas A, B, C and E of this Planned Development.
- E. All Areas: Utilities; Overnight Lodging, including AirBnB, VRBO, etc., other than the permitted hotel in Area A; Self-Service Storage and Vehicle Sales uses as defined in the UDC shall not be permitted.

II. Bulk Regulations

- A maximum number of three hundred forty eight (348) apartments units shall be allowed.
- B. A maximum area of fifty seven thousand (57,000) square feet of flex space shall be allowed. Flex space will be used as office, retail, or amenity space.
- A. Maximum building height shall be limited to the number of stories on the <u>Cooper PD</u> Central Yards Concept Plan of stories as follows:
 - Buildings AA and AE Area A four (4) seven (7) stories
 - Buildings AC and AD Area B five (5) six (6) stories. A four (4) story multi-family building over a podium that has 2 parking levels. Lower level will also contain a leasing office and retail space.
 - Buildings AB and AG Areas C and E six (6) three (3) stories
 - Building AF seven (7) stories
- B. Building setbacks shall be as follows:
 - Buildings shall be setback a minimum of zero (0) feet from Cooper Street, Central Avenue and York Avenue.
 - 2. Buildings shall be setback two (2) to fifteen (15) feet from Tanglewood Street.
 - Buildings shall be setback a minimum of five (5) feet from all other property lines.

- E. No rooftop amenity shall be above the level of the fourth (4th) floor parking garage roof.
- C. <u>The maximum number of overall units in the Planned Development shall be three</u> hundred and forty-eight (348).
- III. Access, Circulation and Parking:
 - Improve Tanglewood Street with curb, gutter, sidewalk and on-street parking.
 - B. Improve York Avenue with curb, gutter, sidewalk and on-street parking. Through traffic shall be allowed on York Street. Public parking shall be permitted on one side of York Street.
 - C. Provide a round about at the intersection of York Avenue and Tanglewood Street.
 - D. Permit one (1) right turn only curb cut from the site onto on the west and east sides of Tanglewood Street for a service exit.
 - E. Permit one (1) three (3) curb cuts onto on the north side of York Avenue from each of Areas A and B and one (1) curb cut on the south side of York Avenue.
 - F. Allow a drop-off area along Cooper Street and York Avenue to serve the hotel.
 - G. The exact number, location and design of permitted curb cuts shall be subject to the approval of the City Engineer.
 - H. Provide a north-south private drive connecting Central Avenue to York Avenue. It shall be constructed to meet the sidewalk and landscaping requirements of the UDC and include native trees and plants. City Standards and provide a Curbs shall be vertical and the minimum pavement width shall be of 20 feet, exclusive of curb and gutter and onstreet parking. The design shall prohibit a left turn be full movement onto both Central Avenue and York Avenues. The centerline of this drive shall be a minimum of 300 approximately 220 feet west from the centerline of Cooper Street.
 - I. A one way (east to west) service drive shall be allowed between Cooper Street and the north-south private drive. The minimum pavement width shall be fourteen (14) feet at Cooper Street and then narrow to eleven (11) feet as indicated on the site plan. Curbs shall be vertical.
 - J. All existing sidewalks shall be replaced if damaged during construction of this project, non-ADA compliant, or in disrepair.
 - K. Parking shall be provided in accordance with the UDC. A minimum of one hundred (100) extra spaces will be provided for additional public parking.
 - Bicycle parking shall be provided per the UDC, along with bicycle storage for the residents.
 - M. A signed and lit crosswalk shall be provided across Cooper Street at York Avenue.
 The private streets and plazas of this development shall not be permanently gated or fenced.

- IV. Building facades, Landscaping and Screening
 - A. The buildings within Areas A, B, C and D shall adhere to the building standards of the Midtown District Overlay as articulated in Sub-Section 8.4.10B of the UDC. The buildings within Area E shall adhere to the design regulations of the Cooper-Young Historic Overlay District and shall be subject to the review of the Memphis Landmarks Commission. No exterior insulation and finishing systems (EIFS) shall be allowed on the street facing facades. Facade materials shall predominantly consist of masonry to contextually fit with the adjacent historic structures. Cementitious and/or fiber cement siding and/or panels, metal panels, glass, and exterior insulation and finishing systems (EIFS) may be used at appropriate locations subject to administrative review and approval.
 - B. All streets and private drives shall be landscaped in accordance with the Midtown District Overlay of the UDC.
 - C. The north elevation of the hotel building shall have a minimum of 30% transparency.
 - D. A pedestrian plaza including greenspace shall be provided at the northwest corner of Cooper and York.
 - E. Refuse containers shall be completely screened from public roads.
 - F. All heating and air conditioning equipment located on the roof shall be screened using architectural features, including a parapet, mansard roof, or site-proof screening. Any ground mounted equipment shall be screened from view with site-proof screening or landscape materials.
 - G. All required landscaping and screening shall be provided exclusive of any areas encumbered by easements and shall not conflict with any easements, including overhead wires.
 - H. Equivalent landscaping may be substituted for that required above, subject to administrative approval.
 - I. There shall be a minimum of 25% active ground floor space on the ground-level parking garage along York Avenue.
 - J. Lighting shall be directed so as not to glare onto any residential property.
 - K. Neither the planned development nor any private drives shall be gated. FParking lot fencing and gates will be allowed around the pool, dog park, parking in Area D and other areas for security reasons.
 - L. All site improvements for Area E, such as but not limited to, walls, fences, gates, etc. shall be subject to Memphis Landmarks Commission review and Certificate of Appropriateness approval.

V. Signs

- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
- B. Any sign elevations shall be included in the recording of this Final Plat.
- C. Any ground mounted sign shall have a minimum setback of five (5) feet from the public right-of-way.
- Attached signs shall be in accordance with the CMU-1 District.
- E. No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.

VI. Drainage

- All drainage plans shall be submitted to the City Engineer for review.
- B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; 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 Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plat shall include the following:
 - The Outline Plan Conditions.
 - A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. 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 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, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

DEPARTMENTAL COMMENTS

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

City Engineer:

CASE 6: * PD-24-012 (amendment to PD-20-015)

NAME: 2101 Central Avenue - ADD'L land uses (Hotel & Townhouses)

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.
- 3. The developer's engineer needs to submit a sewer availability request to the Sewer Design Dept. for sewer system capacity.
- 4. 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.

Roads:

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

Traffic Control Provisions:

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

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

Curb Cuts/Access:

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

Drainage:

- 13. 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.
- 14. 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.
- 15. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- 16. 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.
- 17. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

General Notes:

- 18. Development is greater than 1 acre and is located within a sensitive drainage basin.
- 19. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 20. All connections to the sewer shall be at manholes only.
- 21. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect



September 12, 2024 Page 27

shall appear on the final plat.

22. Required landscaping shall not be placed on sewer or drainage easements.

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City Fire Division:



DIVISION OF FIRE SERVICES ***** FIRE PREVENTION BUREAU

2668 Avery Avenue · Memphis · Tennessee · 38112 (901) 636-5401 Fax (901) 320-5425

Case Number: PD 2024-012 Date Reviewed: 9/6/24 Reviewed by: J. Stinson

Address or Site Reference: 2102 Central

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

City Real Estate: No comments received.

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:

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: PD 24-012: Core City

Site Address/Location: 2101 CENTRAL AVE

Overlay District/Historic District/Flood Zone: Located in the Midtown Overlay, but not in any Historic District or Flood Zone

The applicant is seeking an amendment to an approved PD. The intention is to add approximately 0.22 acres to the development and including land uses in the form of a hotel, restaurants, apartments and townhouses.

Area A: Hotel & Restaurants

Parcel ID: 031136 00008, 031136 00009, 031136 00010

Future Land Use Designation: Anchor - Neighborhood Main Street (A-NMS)

Street Type: Avenue

2. Future Land Use Planning Map



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

3. Land Use Description/Intent

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



use attached, blocks.

"A-NMS" Form & Location Characteristics

SUSTAIN - Detached and attached single family, duplexes, triplexes, quadplexes, large homes and apartments, including those with active ground floor commercial uses (including live/work) along sidewalk, as well as commercial and institutional uses. Height: 1-5 stories. Scales: house-scale and block-scale.

"A-NMS" Zoning Notes

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

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, CMU-1 and EMP

Adjacent Land Use and Zoning: Single-Family, Industrial, Commercial, Recreation/Open Space and Vacant; RU-1, RU-1(H), R-6, R-6(H), CMU-1, EMP and MU

Overall Compatibility: This requested use is compatible with the future land use description/intent, zoning notes, and existing, adjacent land use and zoning, but not consistent with the form & location characteristics due to the proposed height. However, the proposed hotel and restaurant will have a positive impact on the neighborhood and the active ground floor commercial uses will improve the pedestrian level activity on the Cooper Street south of Central Avenue.

4. Degree of Change Map



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

5. Degree of Change Description

Sustain areas rely on limited public support and private resources to maintain the existing pattern of a place. The proposed hotel with restaurant is a private investment, which will allow increased density and building height, and a broader mix of uses.

- 6. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities: N/A
- 7. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations: N/A

Area B-Area E: Residential

Parcel ID: All proposed parcels except 031136 00008, 031136 00009, 031136 00010 Future Land Use Designation: Anchor Neighborhood-Primarily Single-Unit (AN-S) Street Type: Parkway

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



These Graphic

"AN-S" Form & Location Characteristics

SUSTAIN

Primarily detached, single-family residences. Attached single-family residences permitted on parcels within 100 feet of an anchor and along avenues, boulevards and parkways as identified in the Street Types Map. Height: 1-3 stories. Scale: house-scale.

"AN-S" Zoning Notes

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

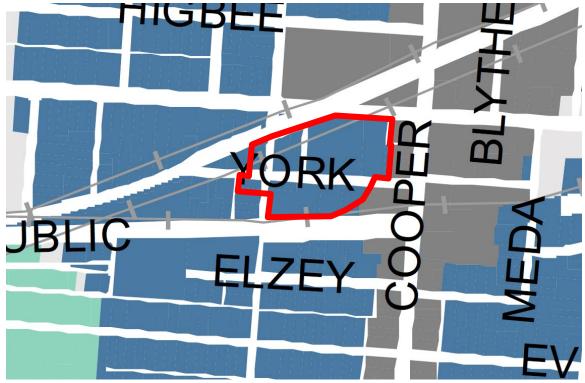
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant and Industrial; RU-1, RU-1(H) and EMP

Adjacent Land Use and Zoning: Single-Family, Industrial, Commercial, Recreation/Open Space and Vacant; RU-1, RU-1(H), R-6, R-6(H), CMU-1, EMP and MU

Overall Compatibility: This requested uses in Area B - Area E are not compatible with the land use description/intent, form & location characteristics, however they are consistent with zoning notes, and existing, adjacent land use and zoning as the proposed townhouses and multifamily developments will not negatively impact the primarily residential neighborhood.

3. Degree of Change Map



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

4. Degree of Change Description

Sustain areas rely on limited public support and private resources to maintain the existing pattern of a place. The proposed housings are private investments, promoting infill development contextually compatible with the anchor neighborhood and allowing increased density and building height.

- 5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities: N/A
- 6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations: N/A

Consistency Analysis Summary

The applicant is seeking an amendment to an approved PD. The intention is to add approximately 0.22 acres to the development and including land uses in the form of a hotel and multifamily housings.

This requested use of hotel in Area A is compatible with the future land use description/intent, zoning notes, and existing, adjacent land use and zoning, but not consistent with the form & location characteristics due to the proposed height. However, the proposed hotel and restaurant will have a positive impact on the neighborhood and the active ground floor commercial uses will improve the pedestrian level activity on the Cooper Street south of Central Avenue.

The proposed hotel with restaurant is a private investment, which will allow increased density and building height, and a broader mix of uses.

This proposed multifamily housings in Area B - Area E are not compatible with the land use description/intent, form & location characteristics, however they are consistent with zoning notes, and existing, adjacent land use and zoning as the proposed townhouses and multifamily developments will not negatively impact the primarily residential neighborhood.

The proposed housings are private investments, promoting infill development contextually compatible with the anchor neighborhood and allowing increased density and building height.

Overall, the proposed hotel and housings are compatible with the Memphis 3.0 future land use.

However, Comprehensive Planning staff recommends redesigning the proposed surface parking in Area D, as it is not consistent with the Core City Planning District priorities of ensuring quality architecture and design that promotes beautiful buildings, streets, and public realm.

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

176 Notices Mailed on 8/19/2024



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: PD 2024-012

LOCATION: 2101 Central Avenue

(SEE CONCEPT PLAN ON REVERSE SIDE)

APPLICANT: David Lewis, Carlisle Development Company

REQUEST: Amendment to PD 2020-015 to include more land and changes in uses

THE PUBLIC MEETING WILL BE HELD:

DATE: Thursday, September 12, 2024

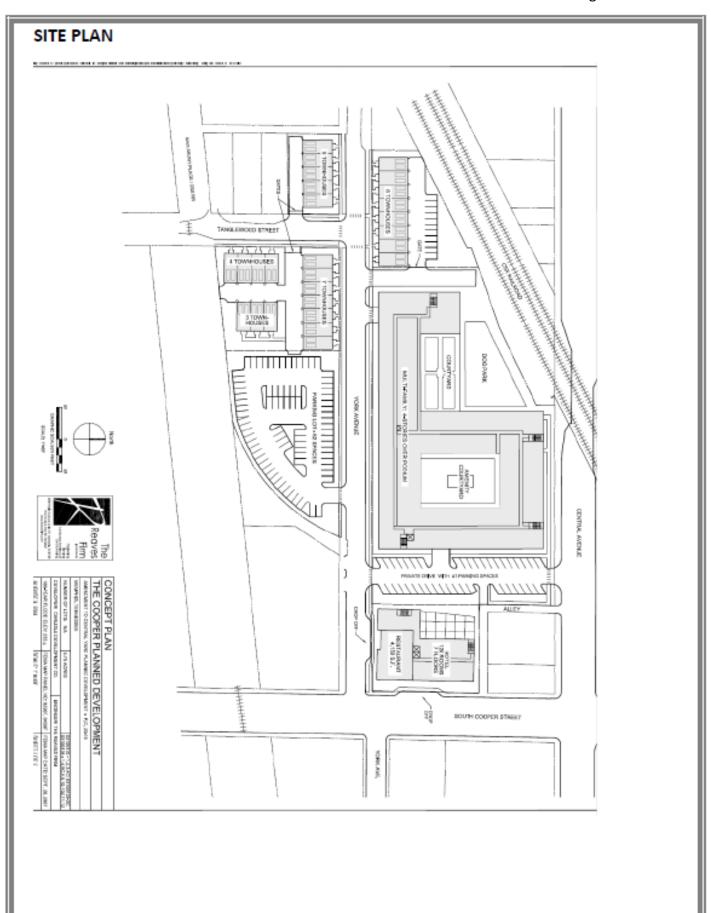
TIME: 9:00 AM

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 <u>Consent Agenda</u>, 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 Chloe Christion at chloe.christion@memphistn.gov or (901) 636-7494 to learn more about the proposal and/or to submit a letter of support or opposition no later than Wednesday, September 4 at 8 AM. Note, comments sent to anyone other than the staff planner will not be recognized or included in the staff report.



SIGN AFFIDAVIT

AFFIDAVIT

Shelby County	
State of Tennessee	
I, David Lewis, being duly swoi	m, depose and say that at 12 ampm
on the 16th day of August , 20	24 , I posted 4 Public Notice Sign(s)
on the 16th day of August , 20 pertaining to Case No. PD 2024-012 at 2101	Central, Cooper at York, and York Ave
providing notice of a Public Hearing before the	
X Land Use Control Board	,
Board of Adjustment	
Memphis City Council	
Shelby County Board of Commissioner	'S
for consideration of a proposed land use ac	
attached hereon and a copy of the sign pure	chase receipt or rental contract attached
hereto.	
	8/16/24
Owner, Applicant or Representative	Date
Owner, Applicant or Representative Subscribed and sworn to before me this	day of Allqust 2024.
Notary Public	- MBERLEY ON
My commission expires: 10-6-2025	TENNESSEE PUBLIC
	COPIRES 10-3

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 Planned Development

Record Detail Information

Record Type: Planned Development Record Status: Processing

Opened Date: August 9, 2024

Record Number: PD 2024-012 Expiration Date:

Record Name: The Cooper

Description of Work: The Cooper is a 5.5+ acre mixed-use development on the site of the former Albert Cook Plumbing Co, between Central and York and west of Cooper. This application is an amendment to

PD 20-15. See Letter of Intent for further description.

Parent Record Number:

Address:

2101 CENTRAL AVE, MEMPHIS 38104

Owner Information
Primary Owner Name

Y COOPER HOLDINGS PROPERTIES, LLC

 Owner Address
 Owner Phone

 1 Dr MLK Jr Ave Suite 130, Memphis, TN 38103
 9014947154

Parcel Information

031136 00004

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Brett Ragsdale
Date of Meeting 08/06/2024
Pre-application Meeting Type In Person
GENERAL PROJECT INFORMATION

Planned Development Type Amendment to Existing PD

Previous Docket / Case Number PD 20-15
Medical Overlay / Uptown No
If this development is located in unincorporated N/A

Page 1 of 4 PD 2024-012

GENERAL PROJECT INFORMATION

Downtown Fire District

Shelby County, is the tract at least three acres? (Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County) Is this application in response to a citation, stop No 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 APPROVAL CRITERIA UDC Sub-Section 9.6.9A Affirmed. UDC Sub-Section 9.6.9B Affirmed. UDC Sub-Section 9.6.9C Affirmed. UDC Sub-Section 9.6.9D Affirmed UDC Sub-Section 9.6.9E Affirmed. UDC Sub-Section 9.6.9F Affirmed. GENERAL PROVISIONS UDC Sub-Section 4.10.3A Affirmed B) An approved water supply, community waste Affirmed. water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development C) The location and arrangement of the Affirmed. structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation D) Any modification of the district standards that Affirmed. would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest E) Homeowners' associations or some other Affirmed responsible party shall be required to maintain any and all common open space and/or common elements Affirmed. F) Lots of record are created with the recording of a planned development final plan GIS INFORMATION SAC15-615 Case Layer Central Business Improvement District No Class

Page 2 of 4 PD 2024-012

No

GIS INFORMATION

Historic District

Land Use INDUSTRIAL
Municipality MEMPHIS
Overlay/Special Purpose District Midtown Overlay

 Zoning
 EMP

 State Route

 Lot
 0 25

 Subdivision
 COOPER

Planned Development District Wellhead Protection Overlay District No

Data Tables

AREA INFORMATION

Name: Area A
Size (Acres): 0.5
Existing Use of Property: Vacant

Requested Use of Hotel & Retail

Property:

Name: Area B
Size (Acres): 3
Existing Use of Property: Vacant

Requested Use of

Property:

Multifamily Residential

Name: Area C
Size (Acres): 1.2
Existing Use of Property: Vacant
Requested Use of Townhomes

Property:

Name: Area D
Size (Acres): 0.9
Existing Use of Property: Vacant
Requested Use of Parking

Property:

Name: Area E
Size (Acres): 0.2
Existing Use of Property: Vacant
Requested Use of Townhomes

Property:

. .

Contact Information

Page 3 of 4 PD 2024-012

September 12, 2024 Page 40

Name DAVID LEWIS

Contact Type APPLICANT

Address 1 DR MLK JR BLVD SUITE 130,

Phone (901)494-7154

Fee Information							
Invoice #	Fee Item	Quantity	Fee8	Status	Balance	Date Assessed	
1584849	Credit Card Use Fee (.026 x fee)	1	39.00	INVOICED	0.00	08/09/2024	
1584849	Planned Development - 5 acres or less	1	1,500.00	INVOICED	0.00	08/09/2024	

Total Fee Invoiced: \$1,539.00 Total Balance: \$0.00

Payment Information

Payment Amount Method of Payment Credit Card \$1,539.00

PD 2024-012 Page 4 of 4

40

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. Charellor Calick (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):
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 properties located at 0 York Ave, 0 Tanglewood, 2074 York Ave, 0 Tanglewood St, 2078 York Ave, 2101 Centra
Ave, 0 Central Ave, 0 York Ave, 0 S Cooper St, 0 S Cooper St, 0 S Cooper, 0 York Ave, 2093 York Ave, 0 York Ave, 0
York Ave, 0 Tanglewood St, and 765 Tanglewood St
and further identified by Assessor's Parcel Numbers 031135 00006, 031135 00003C, 031136 00001, 031136 00011,
031136 00012, 031136 00004, 031136 00005C, 031136 00010Z, 031136 00008, 031136 00009, 031136 00010,
031133 00004C, 031133 00003, 031133 00002, 031133 00001, 031134 00005, and 031134 00006,
for which an application is being made to the Division of Planning and Development.
Subscribed and swom to (or affirmed) of fore one this 25 th day of Hugus — in the year of 2024
Signature of Notary Public Public D2/23/25 My Commission Expires
Signature of Notary Public My Commission Expires

LETTER OF INTENT



Josh Whitehead
Managing Partmer

(901) 810-5789 josh@joshwhiteheadlaw.com

August 9, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development
Memphis City Hall
125 N. Main St. Ste. 468
Memphis, TN 38103

RE: Application for a Planned Development Amendment

Mr. Ragsdale,

On behalf of Carlisle Development Company, I am pleased to submit the attached application for the redevelopment of the former Albert Cook Plumbing site and those properties adjacent to it. This application represents an amendment to an earlier Planned Development ("PD") which was proposed by a previous owner and approved by the Memphis City Council on January 5, 2021, as Case No. PD 2020-15. The current application adds approximately 0.22 acres to the development and includes additional land uses in the form of a hotel and townhouses. Despite its increased acreage, this amendment decreases the total size of the project. The reduced square footage is largely reflected in the number of apartment units being changed from 348 to 250 and the amount of retail being changed from 57,000 square feet to approximately 4150.

Several factors necessitate the requested amendments to this development since its original approval in 2021. The Memphian in Overton Square is one of the most successful hotels in the Memphis market, reflecting a strong demand for overnight accommodations in Midtown. At the same time, construction costs have increased substantially, making the multiple tall buildings proposed in 2020 infeasible. Finally, the 0.22 acres at the southwest corner of York Avenue and Tanglewood Street was not available in 2020.

We believe this proposal is consistent with the Future Land Use and Planning Map of the Memphis 3.0 General Plan as the subject site is within or adjacent to a Neighborhood Main Street Anchor (see Exhibit "A," attached to this letter). In closing, we believe this PD, as amended, will be a positive addition to the Central/Cooper neighborhood of Midtown Memphis and will support its further growth.

Thank you for your time and consideration of this request.

Sincerely,

Josh Whitehead

Exhibit A

This excerpt from the Memphis and Shelby County Zoning Atlas reflects the subject site as within or adjacent to a Neighborhood Main Street Anchor (highlighted in purple).



PD 2020-15 ATTESTED RESOLUTION

RESOLUTION APPROVING THE CENTRAL YARDS PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED GENERALLY ALONG YORK STREET SOUTH OF CENTRAL AVENUE, WEST OF COOPER STERET, AND EAST OF TANGLEWOOD STREET, KNOWN AS CASE NUMBER PD 20-15.

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

WHEREAS, the RE&D Investments, LLC filed an application with the Memphis and Shelby County Office of Planning and Development to allow a mixed use (retail, office, multifamily, parking garage, etc.) planned development; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on December 10, 2020, and said Board has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Council of the City of Memphis; and

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

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

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a planned development is hereby granted in accordance with the attached outline plan conditions.

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



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-4	1	I H	N	

CC: Division of Planning and Development

- Land Use and Development Services
- Office of Construction Code Enforcement

I hereby certify that the foregoing is a true copy and document was adopted, approved by the Council of the City of Memphis in regular session on

Date _____JAN 0 5 2021

Deputy Comptroller-Council Records

OUTLINE PLAN CONDITIONS

I. Uses Permitted

A. Areas A and B: All uses permitted by right in the Commercial Mixed Use – 1 (CMU-1) District, apartments, and a parking garage for both public rental and private use. Indoor multi-story self-service storage as defined by the Unified Development Code (UDC) shall not be permitted.

II. Bulk Regulations

- A maximum number of three hundred forty-eight (348) apartments units shall be allowed.
- B. A maximum area of fifty-seven thousand (57,000) square feet of flex space shall be allowed. Flex space will be used as office, retail, or amenity space.
- C. Maximum building height shall be limited to the number of stories on the Central Yards Concept Plan as follows:
 - Buildings AA and AE four (4) stories
 - Buildings AC and AD five (5) stories
 - 3. Buildings AB and AG six (6) stories
 - 4. Building AF seven (7) stories
- D. Building setbacks shall be as follows:
 - Buildings shall be setback a minimum of zero (0) feet from Cooper Street, Central Avenue and York Avenue.
 - 2. Buildings shall be setback two (2) to fifteen (15) feet from Tanglewood Street.
 - 3. Buildings shall be setback a minimum of five (5) feet from all other property lines.
- E. No roof top amenity shall be above the level of the fourth (4th) floor parking garage roof.

III. Access, Circulation and Parking:

- Improve Tanglewood Street with curb, gutter, sidewalk, and on-street parking.
- Improve York Avenue with curb, gutter, sidewalk, and on-street parking.
- C. Provide a round-about at the intersection of York Avenue and Tanglewood Street.
- D. Permit one (1) right turn only curb cut from the site onto Tanglewood Street for a service exit.
- E. Permit one (1) curb cut onto York Avenue from each of Areas A and B.
- F. The exact number, location, and design of permitted curb cuts shall be subject to the approval of the City Engineer.
- G. Provide a north-south private drive connecting Central Avenue to York Avenue. It shall be constructed to meet City Standards and provide a minimum pavement width of twenty (20) feet, exclusive of curb and gutter and on-street parking. Curbs shall be vertical. The design shall prohibit a left turn movement onto Central Avenue. The centerline of this drive shall be a minimum of three hundred (300) feet from the centerline of Cooper Street.
- H. A one-way (east to west) service drive shall be allowed between Cooper Street and the north-south private drive. The minimum pavement width shall be fourteen (14) feet at Cooper Street and then narrow to eleven (11) feet as indicated on the site plan. Curbs shall be vertical.
- All existing sidewalks shall be replaced if damaged during construction of this project, non-ADA compliant, or in disrepair.
- J. Parking shall be provided in accordance with the UDC. A minimum of one hundred (100) extra spaces will be provided for additional public parking.
- K. Bicycle parking shall be provided per the UDC, along with bicycle storage for the residents.
- L. A signed and lit crosswalk shall be provided across Cooper Street at York Avenue.
- M. The private streets and plazas of this development shall not be permanently gated or fenced.

IV. Building facades, Landscaping and Screening

- A. Facade materials shall predominantly consist of masonry to contextually fit with the adjacent historic structures. Cementitious and/or fiber cement siding and/or panels, metal panels, glass, and exterior insulation and finishing systems (EIFS) may be used at appropriate locations subject to administrative review and approval.
- All streets and private drives shall be landscaped in accordance with the Midtown District Overlay of the UDC.
- A pedestrian plaza including greenspace shall be provided at the northwest corner of Cooper and York.
- Refuse containers shall be completely screened from public roads.
- E. All heating and air conditioning equipment located on the roof shall be screened using architectural features, including a parapet, mansard roof, or site-proof screening. Any groundmounted equipment shall be screened from view with site-proof screening or landscape materials.
- F. All required landscaping and screening shall be provided exclusive of any areas encumbered by easements and shall not conflict with any easements, including overhead wires.
- G. Equivalent landscaping may be substituted for that required above, subject to administrative approval.
- H. Lighting shall be directed so as not to glare onto any residential property.
- Neither the planned development nor any private drives shall be gated. Fencing and gates will be allowed around the pool, dog park and other areas for security reasons.

V. Signs

- Three monument style signs shall be permitted in accordance with the CMU-1 District.
- Any ground mounted sign shall have a minimum setback of five (5) feet from the public rightof-way.
- C. Attached signs shall be in accordance with the CMU-1 District.
- No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.

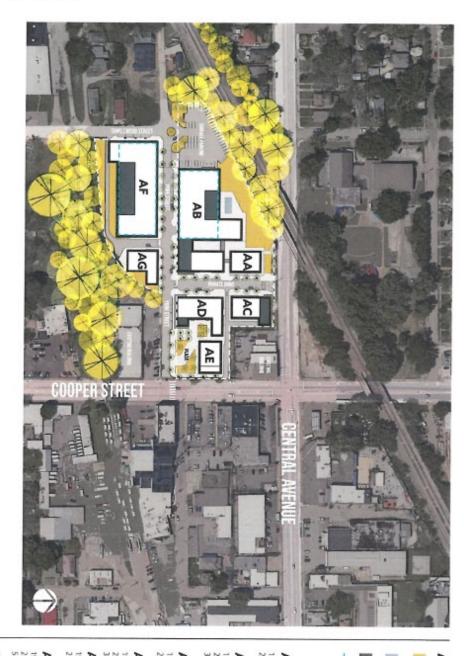
VI. Drainage

- All drainage plans shall be submitted to the City Engineer for review.
- B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; 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 Zoning Administrator of the Division of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plat shall include, but not limited to, the following:
 - The Outline Plan Conditions.
 - A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.

- C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, building elevations, and identification of plan materials in required landscaping.
- The number of parking spaces.
- The location and ownership, whether public or private, of any easement.
- F. The one-hundred (100) year flood elevation.
- G. 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 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, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

CONCEPT PLAN

CENTRAL YARDS CONCEPT SITE PLAN



FLEMING

1ST FLOOR - RETAIL/FLEX 2-6 FLOORS - UNITS AG - 6 FLOORS AF - 7 FLOORS

1ST FLOOR - PARKING + RETAIL/FLEX 2-4 FLOORS - PARKING 5-7 FLOORS - UNITS

AE - 4 FLOORS

1ST FLOOR - RETAIL/FLEX
2-4 FLOORS - UNITS 1ST FLOOR - RETAIL/FLEX 2ND FLOOR - RETAIL + UNITS 3-5 FLOORS - UNITS

1ST FLOOR - RETAIL/FLEX 2-5 FLOORS - UNITS AD - 5 FLOORS AC - 5 FLOORS AA - 4 FLOORS

AB - 6 FLOORS
1ST FLOOR - PARKING + UNITS
2ND FLOOR - PARKING + UNITS
3-6 FLOORS - UNITS 1ST FLOOR - RETAIL/FLEX 2-4 FLOORS - UNITS

POOL

PARKING GARAGE OUTLINE

ROOFTOP AMENITY

BUILDING NAME

GREEN SPACE

Staff Report PD 2024-012 September 12, 2024 Page 50

LETTERS RECEIVED

One (1) letter of support has been received at the time of completion of this report and has subsequently been attached.



Cooper-Young Community Association 2298 Young Ave Memphis, TN 38104 901-272-2922 info@cooperyoung.org

September 3, 2024

TO: M/SC Land Use Control Board

RE: Case Number PD 2024-012 – CORE CITY: amendment to PD 2020-015 to include more land and changes in uses located at 2101 Central Ave.

Land Use Control Board Members:

After consideration of the submitted application, the Cooper-Young Community Association Development Committee is overall supportive of the application. We also ask that conditions are set in place to ensure the Planned Development is realized as presented to the neighborhood. We are encouraged by the applicant's willingness to address traffic issues and existing drainage problems and to include native trees and plants. Further, we support the reduction in total housing unit numbers and commercial square footage and an addition of a hotel.

We respectfully request the following conditions be attached to the application in order to minimize adverse effects on the neighborhood:

- Any new streets within the planned development shall comply with the UDC and include sidewalks and landscaping, such as native trees and plants. Curbs shall be vertical.
- Utility, Overnight Lodging, including AirBnB, VRBO, etc., Self-Service Storage and Vehicle Sales uses as defined in the UDC shall not be permitted.
- The maximum number of residential units shall be 348
- Drainage improvements such as on-site detention shall be provided.
- Through traffic and on-site public parking shall be allowed on York Street.
- No exterior insulation and finishing systems (EIFS) shall be allowed on the street facing facades.

The applicant wants to build in Cooper-Young because of the community we have developed over 100+ years; adjustments to better fit within our community such as subjecting the project to the above conditions would allow the development to contribute to what we have built rather than detract from our sense of place and community. Further, we respectfully request as elevations and design decisions come to fruition that our historic neighborhood is considered and incorporated. We urge the architects to understand this is an entry point to Cooper-Young, and we expect the development to incorporate elements from our period of significance.

Respectfully,

Cooper-Young Community Association Development Committee

Olivia Wall, Development Committee Chair and CYCA President



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 Planned Development

Record Detail Information

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Record Number: PD 2024-012 Expiration Date:

Record Name: The Cooper

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PD 20-15. See Letter of Intent for further description.

Parent Record Number:

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2101 CENTRAL AVE, MEMPHIS 38104

Owner Information

Primary Owner Name

Y COOPER HOLDINGS PROPERTIES, LLC

Owner Address

1 Dr MLK Jr Ave Suite 130, Memphis, TN 38103

Owner Phone
9014947154

Parcel Information

031136 00004

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Date of Meeting

Pre-application Meeting Type
GENERAL PROJECT INFORMATION

Brett Ragsdale
08/06/2024

In Person

Planned Development Type Amendment to Existing PD

Previous Docket / Case Number PD 20-15

Medical Overlay / Uptown No
If this development is located in unincorporated N/A

Page 1 of 4 PD 2024-012

GENERAL PROJECT INFORMATION

Shelby County, is the tract at least three acres? (Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County)

Is this application in response to a citation, stop

Is this application in response to a citation, stop 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

APPROVAL CRITERIA

UDC Sub-Section 9.6.9A Affirmed.
UDC Sub-Section 9.6.9B Affirmed.
UDC Sub-Section 9.6.9C Affirmed.
UDC Sub-Section 9.6.9D Affirmed.
UDC Sub-Section 9.6.9E Affirmed.
UDC Sub-Section 9.6.9F Affirmed.

GENERAL PROVISIONS

UDC Sub-Section 4.10.3A

B) An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development

C) The location and arrangement of the structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation

D) Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest

E) Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements

F) Lots of record are created with the recording of a planned development final plan GIS INFORMATION

Case Layer
Central Business Improvement District
Class

Downtown Fire District

No

-

Affirmed.

Affirmed.

Affirmed.

Affirmed.

Affirmed.

Affirmed.

SAC15-615 No

l No

Page 2 of 4 PD 2024-012

GIS INFORMATION

Historic District

INDUSTRIAL Land Use **MEMPHIS** Municipality

Overlay/Special Purpose District Midtown Overlay

Zoning **EMP** State Route 0 25 Lot **COOPER** Subdivision

Planned Development District Wellhead Protection Overlay District No

Data Tables

AREA INFORMATION

Area A Name: Size (Acres): 0.5 Existing Use of Property: Vacant

Requested Use of

Hotel & Retail

Property:

Area B Name:

3 Size (Acres):

Vacant Existing Use of Property:

Requested Use of

Multifamily Residential

Property:

Area C Name: 1.2 Size (Acres): Vacant

Existing Use of Property:

Requested Use of

Townhomes

Property:

Area D Name: 0.9 Size (Acres): Existing Use of Property: Vacant

Requested Use of

Parking

Property:

Name: Area E 0.2 Size (Acres): Existing Use of Property: Vacant

Requested Use of

Townhomes

Property:

Contact Information

PD 2024-012 Page 3 of 4

Name DAVID LEWIS

Contact Type APPLICANT

Address 1 DR MLK JR BLVD SUITE 130,

Phone (901)494-7154

Fee Information

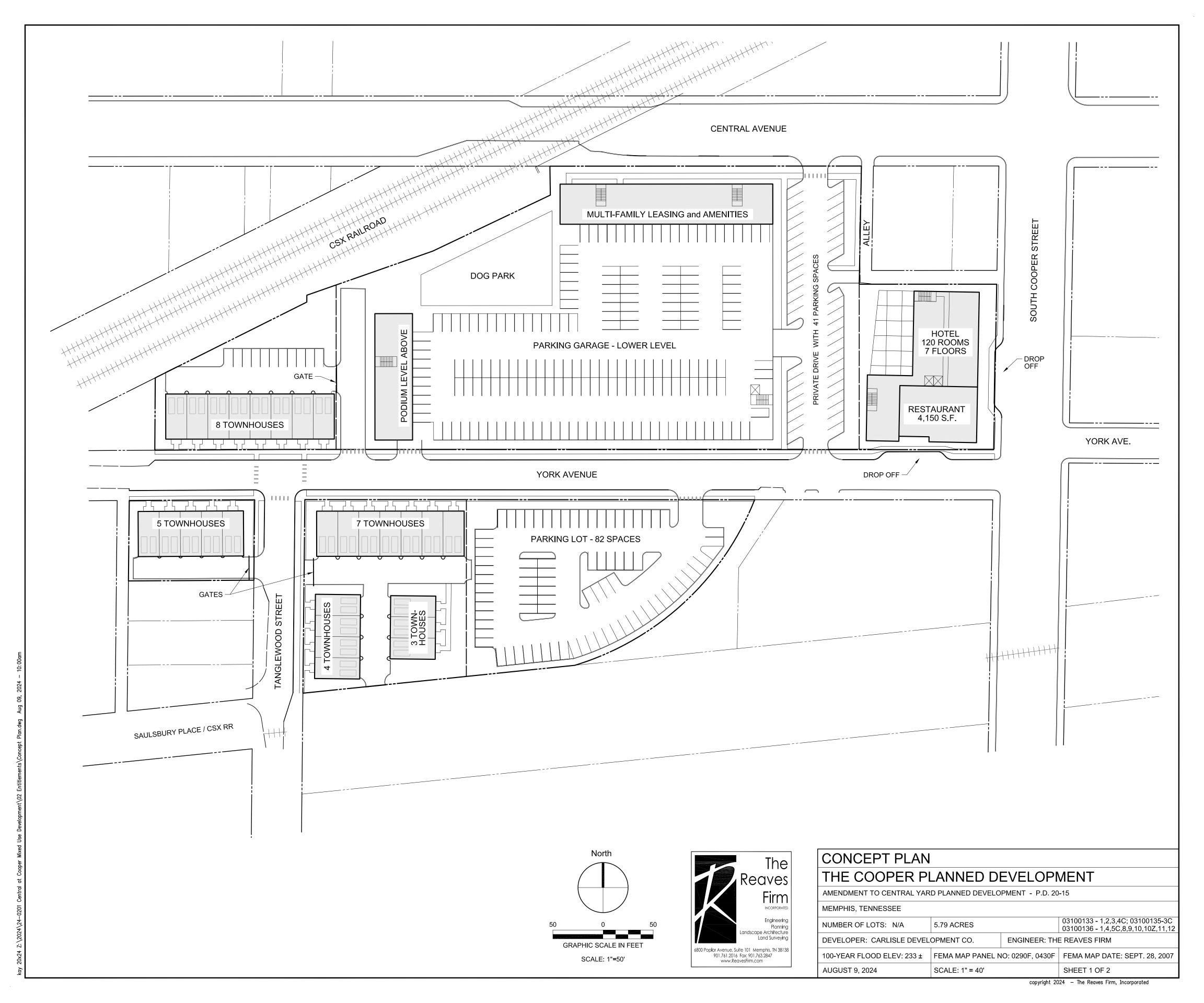
i ee iiiioiii	iation					
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1584849	Credit Card Use Fee (.026	1	39.00	INVOICED	0.00	08/09/2024
	x fee)					
1584849	Planned Development - 5	1	1,500.00	INVOICED	0.00	08/09/2024
	acres or less					

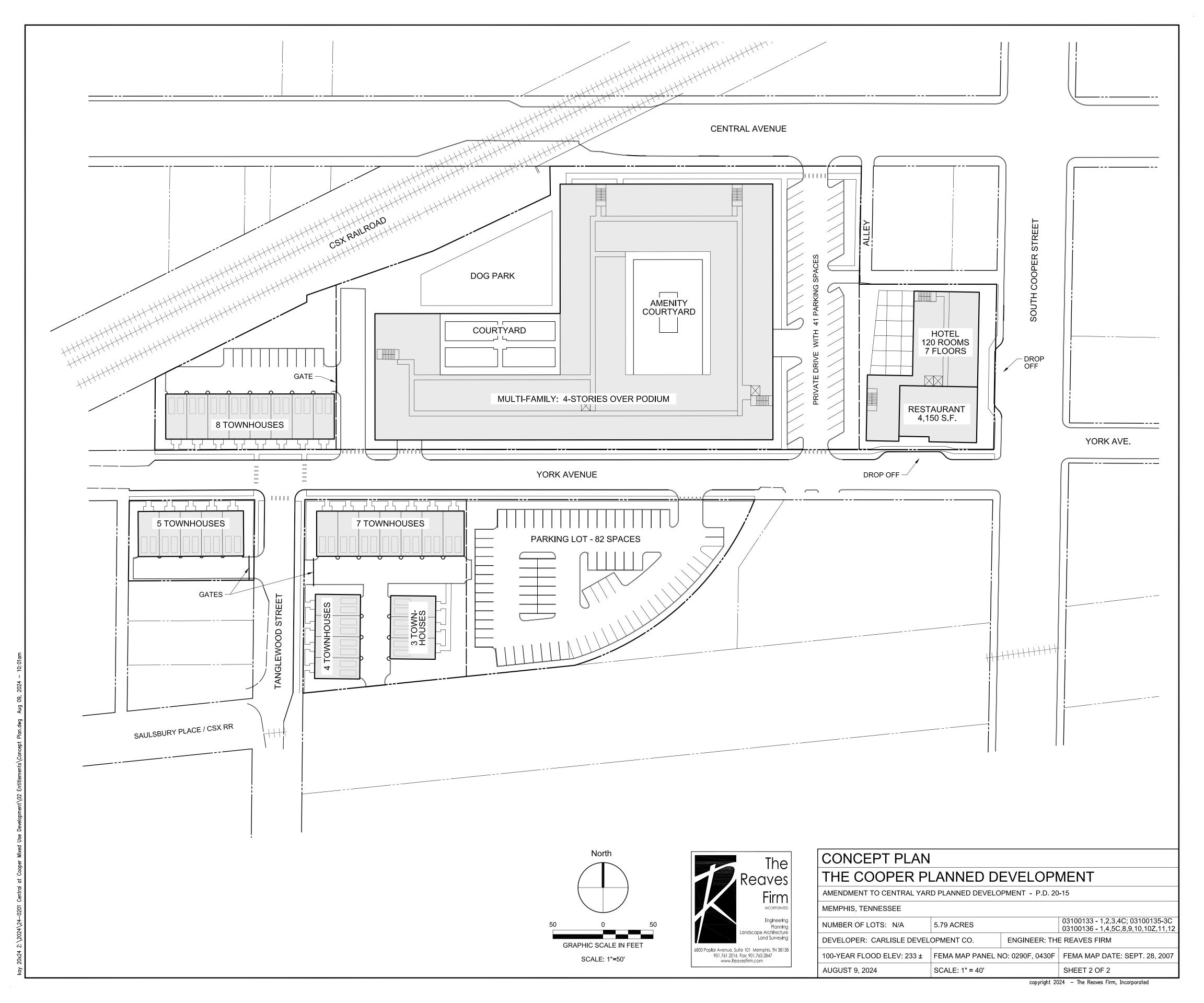
Total Fee Invoiced: \$1,539.00 Total Balance: \$0.00

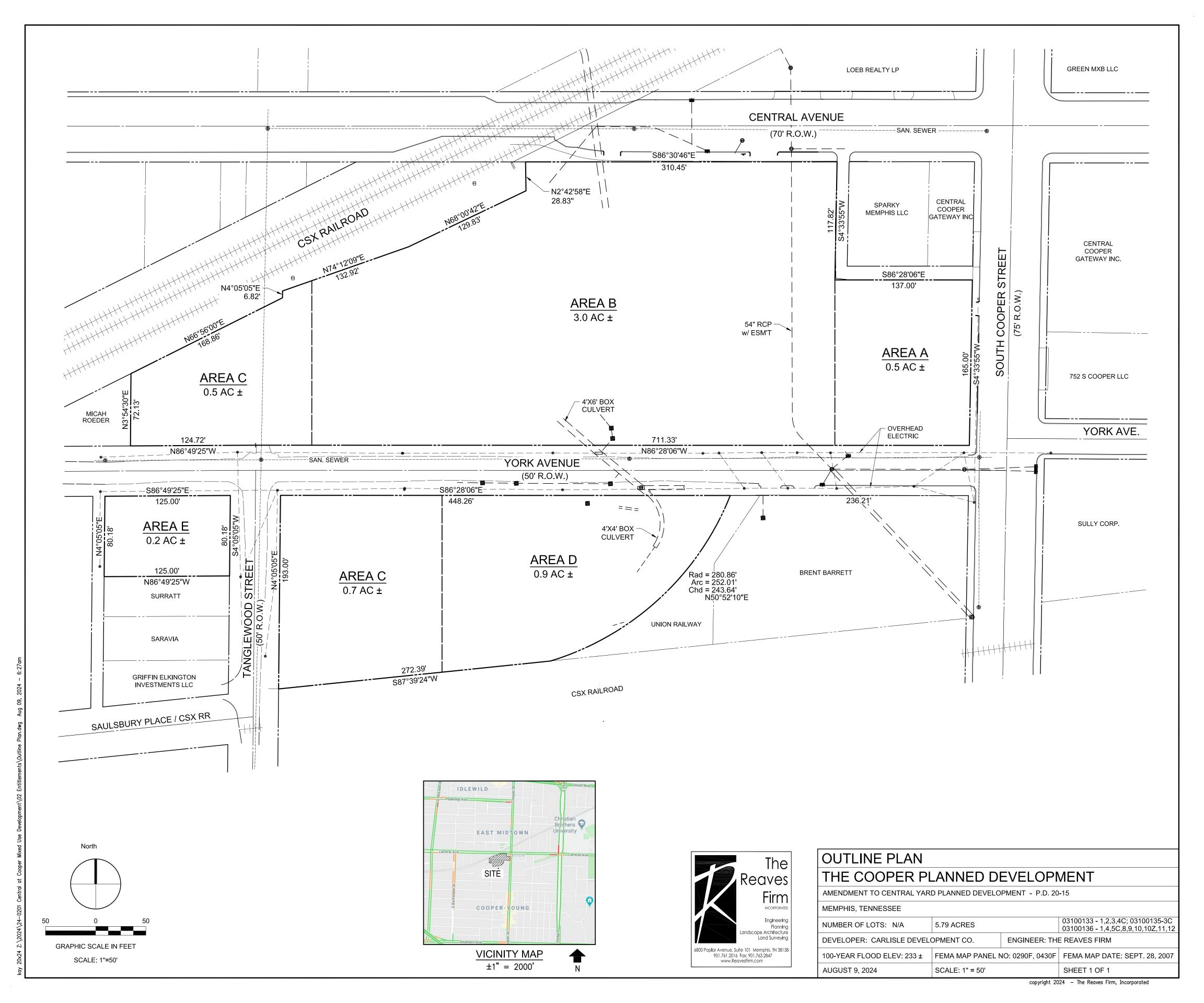
Payment Information

Payment Amount Method of Payment Credit Card \$1,539.00

PD 2024-012 Page 4 of 4









Josh Whitehead

Managing Partner (901) 810-5789 josh@joshwhiteheadlaw.com

August 9, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development
Memphis City Hall
125 N. Main St. Ste. 468
Memphis, TN 38103

RE: Application for a Planned Development Amendment

Mr. Ragsdale,

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Several factors necessitate the requested amendments to this development since its original approval in 2021. The Memphian in Overton Square is one of the most successful hotels in the Memphis market, reflecting a strong demand for overnight accommodations in Midtown. At the same time, construction costs have increased substantially, making the multiple tall buildings proposed in 2020 infeasible. Finally, the 0.22 acres at the southwest corner of York Avenue and Tanglewood Street was not available in 2020.

We believe this proposal is consistent with the Future Land Use and Planning Map of the Memphis 3.0 General Plan as the subject site is within or adjacent to a Neighborhood Main Street Anchor (see Exhibit "A," attached to this letter). In closing, we believe this PD, as amended, will be a positive addition to the Central/Cooper neighborhood of Midtown Memphis and will support its further growth.

Thank you for your time and consideration of this request.

Sincerely,

Josh Whitehead

Exhibit A

This excerpt from the Memphis and Shelby County Zoning Atlas reflects the subject site as within or adjacent to a Neighborhood Main Street Anchor (highlighted in purple).





PROJECT INFO

- 250 UNITS (815 AVG SF)
 -4 LEVELS OVER PODIUM
 27 TOWNHOUSES
 - LEASING & AMENITY
- RETAIL/ RESTAURANT (4,150 SF)
- HOTEL- 120 KEYS 7 LEVELS

PARKING REQUIRED:

MULTIFAMILY

250 @ 1.3 = 325 SPACES

RETA

5/1000 (4.15) = 21 SPACES

HOTEL

(120)(.66/KEY) = 80 SPACES

426 SPACES REQUIRED

PARKING PROVIDED

LOT 1 82 SPACES
LOT 2 11 SPACES
STREET 3 40 SPACES
133 SPACES

M.F. PODIUM

LEVEL 1 185 SPACES

MEZZANINE 190SPACES

375 SPACES

TOTAL SPACES PROVIDED = 508 SPACES











PROJECT INFO

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 375 SPACES

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THE COOPER P.D. OUTLINE PLAN CONDITIONS

I. Uses Permitted

- A. Area A: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1) District in the Midtown District Overlay, including a hotel with a maximum number of one hundred twenty (120) rooms. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- B. Area B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1) District, in the Midtown District Overlay including a maximum number of two hundred fifty (250) apartments and a parking garage. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- C. Areas C and E: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay.
- Area D: All uses permitted by right in the Residential Urban 3 (RU-3) District in the
 Midtown District Overlay, including a surface parking lot serving the uses within Areas A,
 B, C and E of this Planned Development.

II. Bulk Regulations

- A. Maximum building height shall be limited to the number of stories on the Cooper PD Concept Plan of stories as follows:
 - 1. Area A –seven (7) stories
 - 2. Area B six (6) stories. A four (4) story multi-family building over a podium that has 2 parking levels. Lower level will also contain a leasing office and retail space.
 - 3. Areas C and E –three (3) stories
- B. Building setbacks shall be as follows:
 - 1. Buildings shall be setback a minimum of zero (0) feet from Cooper Street, Central Avenue and York Avenue.
 - 2. Buildings shall be setback two (2) to fifteen (15) feet from Tanglewood Street.
 - 3. Buildings shall be setback a minimum of five (5) feet from all other property lines.

III. Access, Circulation and Parking:

- A. Improve Tanglewood Street with curb, gutter, sidewalk and on-street parking.
- B. Improve York Avenue with curb, gutter, sidewalk and on-street parking.
- C. Permit one (1) curb cut on the west and east sides of Tanglewood Street.
- D. Permit three (3) curb cuts on the north side of York Avenue and one (1) curb cut on the south side of York Avenue.
- E. Allow a drop-off area along Cooper Street and York Avenue to serve the hotel.
- F. The exact number, location and design of permitted curb cuts shall be subject to the approval of the City Engineer.

- G. Provide a north-south private drive connecting Central Avenue to York Avenue. It shall be constructed to meet City Standards and provide a minimum pavement width of 20 feet, exclusive of curb and gutter and on-street parking. The design shall be full movement onto both Central and York Avenues. The centerline of this drive shall be approximately 220 feet west from the centerline of Cooper Street.
- H. All existing sidewalks shall be replaced if damaged during construction of this project, non-ADA compliant, or in disrepair.
- I. Parking shall be provided in accordance with the UDC.
- J. Bicycle parking shall be provided per the UDC, along with bicycle storage for the residents.
- K. A signed and lit crosswalk shall be provided across Cooper Street at York Avenue.

IV. Building facades, Landscaping and Screening

- A. The buildings within Areas A, B, C and D shall adhere to the building standards of the Midtown District Overlay as articulated in Sub-Section 8.4.10B of the UDC. The buildings within Area E shall adhere to the design regulations of the Cooper-Young Historic Overlay District and shall be subject to the review of the Memphis Landmarks Commission.
- B. All streets and private drives shall be landscaped in accordance with the Midtown District Overlay of the UDC.
- C. Refuse containers shall be completely screened from public roads.
- D. All heating and air conditioning equipment located on the roof shall be screened using architectural features, including a parapet, mansard roof, or site-proof screening. Any ground-mounted equipment shall be screened from view with site-proof screening or landscape materials.
- E. All required landscaping and screening shall be provided exclusive of any areas encumbered by easements and shall not conflict with any easements, including overhead wires.
- F. Equivalent landscaping may be substituted for that required above, subject to administrative approval.
- G. Lighting shall be directed so as not to glare onto any residential property.
- H. Parking lot fencing and gates will be allowed around the pool, dog park, parking in Area D and other areas for security reasons.
- I. All site improvements for Area E, such as but not limited to, walls, fences, gates, etc. shall be subject to Memphis Landmarks Commission review and Certificate of Appropriateness approval.

V. Signs

- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
- B. Any ground mounted sign shall have a minimum setback of five (5) feet from the public right-of-way.
- C. Attached signs shall be in accordance with the CMU-1 District.
- D. No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.

- VI. Drainage
 - A. All drainage plans shall be submitted to the City Engineer for review.
 - B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; 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 Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plat shall include the following:
 - A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. 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 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, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

THE COOPER P.D.

OUTLINE PLAN CONDITIONS

(changes from PD 20-15 are reflected in **bold, underline** for new language and strikethrough for deleted language).

I. Uses Permitted

- A. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1)
 District in the Midtown District Overlay, apartments, and a parking garage for both
 public rental and private use including a hotel with a maximum number of one
 hundred twenty (120) rooms. Indoor multi-story self-storage as defined by the Unified
 Development Code (UDC) shall not be permitted.
- B. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1)
 District, in the Midtown District Overlay apartments, and a parking garage for both
 public rental and private use including a maximum number of two hundred fifty (250)
 apartments and a parking garage. Indoor multi-story self-storage as defined by the
 Unified Development Code (UDC) shall not be permitted.
- C. <u>Areas C and E: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay.</u>
- D. <u>Area D: All uses permitted by right in the Residential Urban 3 (RU-3) District in the</u>

 <u>Midtown District Overlay, including a surface parking lot serving the uses within Areas</u>

 <u>A, B, C and E of this Planned Development.</u>

II. Bulk Regulations

- A. A maximum number of three hundred forty-eight (348) apartments units shall be allowed.
- B. A maximum area of fifty-seven thousand (57,000) square feet of flex space shall be allowed. Flex space will be used as office, retail, or amenity space.
- A. Maximum building height shall be limited to the number of stories on the **Cooper PD**Central Yards Concept Plan of stories as follows:
 - 1. Buildings AA and AE Area A four (4) seven (7) stories
 - 2. Buildings AC and AD Area B five (5) six (6) stories. A four (4) story multi-family building over a podium that has 2 parking levels. Lower level will also contain a leasing office and retail space.
 - 3. Buildings AB and AG Areas C and E six (6) three (3) stories
 - 4. Building AF—seven (7) stories
- B. Building setbacks shall be as follows:
 - 1. Buildings shall be setback a minimum of zero (0) feet from Cooper Street, Central Avenue and York Avenue.
 - 2. Buildings shall be setback two (2) to fifteen (15) feet from Tanglewood Street.
 - 3. Buildings shall be setback a minimum of five (5) feet from all other property lines.
- E. No rooftop amenity shall be above the level of the fourth (4th) floor parking garage roof.

- III. Access, Circulation and Parking:
 - A. Improve Tanglewood Street with curb, gutter, sidewalk and on-street parking.
 - B. Improve York Avenue with curb, gutter, sidewalk and on-street parking.
 - C. Provide a round about at the intersection of York Avenue and Tanglewood Street.
 - D. Permit one (1) right turn only curb cut from the site onto on the west and east sides of Tanglewood Street for a service exit.
 - E. Permit one (1) three (3) curb cuts onto on the north side of York Avenue from each of Areas A and B and one (1) curb cut on the south side of York Avenue.
 - F. Allow a drop-off area along Cooper Street and York Avenue to serve the hotel.
 - G. The exact number, location and design of permitted curb cuts shall be subject to the approval of the City Engineer.
 - H. Provide a north-south private drive connecting Central Avenue to York Avenue. It shall be constructed to meet City Standards and provide a minimum pavement width of 20 feet, exclusive of curb and gutter and on-street parking. The design shall prohibit a left turn be full movement onto both Central Avenue and York Avenues. The centerline of this drive shall be a minimum of 300 approximately 220 feet west from the centerline of Cooper Street.
 - I. A one-way (east to west) service drive shall be allowed between Cooper Street and the north-south private drive. The minimum pavement width shall be fourteen (14) feet at Cooper Street and then narrow to eleven (11) feet as indicated on the site plan. Curbs shall be vertical.
 - J. All existing sidewalks shall be replaced if damaged during construction of this project, non-ADA compliant, or in disrepair.
 - K. Parking shall be provided in accordance with the UDC. A minimum of one hundred (100) extra spaces will be provided for additional public parking.
 - L. Bicycle parking shall be provided per the UDC, along with bicycle storage for the residents.
 - M. A signed and lit crosswalk shall be provided across Cooper Street at York Avenue. The private streets and plazas of this development shall not be permanently gated or fenced.

IV. Building facades, Landscaping and Screening

- A. The buildings within Areas A, B, C and D shall adhere to the building standards of the Midtown District Overlay as articulated in Sub-Section 8.4.10B of the UDC. The buildings within Area E shall adhere to the design regulations of the Cooper-Young Historic Overlay District and shall be subject to the review of the Memphis Landmarks Commission. Facade materials shall predominantly consist of masonry to contextually fit with the adjacent historic structures. Cementitious and/or fiber cement siding and/or panels, metal panels, glass, and exterior insulation and finishing systems (EIFS) may be used at appropriate locations subject to administrative review and approval.
- B. All streets and private drives shall be landscaped in accordance with the Midtown District Overlay of the UDC.
- C. A pedestrian plaza including greenspace shall be provided at the northwest corner of Cooper and York.

- D. Refuse containers shall be completely screened from public roads.
- E. All heating and air conditioning equipment located on the roof shall be screened using architectural features, including a parapet, mansard roof, or site-proof screening. Any ground-mounted equipment shall be screened from view with site-proof screening or landscape materials.
- F. All required landscaping and screening shall be provided exclusive of any areas encumbered by easements and shall not conflict with any easements, including overhead wires.
- G. Equivalent landscaping may be substituted for that required above, subject to administrative approval.
- H. Lighting shall be directed so as not to glare onto any residential property.
- I. Neither the planned development nor any private drives shall be gated. FParking lot fencing and gates will be allowed around the pool, dog park, parking in Area D and other areas for security reasons.
- J. All site improvements for Area E, such as but not limited to, walls, fences, gates, etc. shall be subject to Memphis Landmarks Commission review and Certificate of Appropriateness approval.

V. Signs

- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
- B. Any ground mounted sign shall have a minimum setback of five (5) feet from the public right-of-way.
- C. Attached signs shall be in accordance with the CMU-1 District.
- D. No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.

VI. Drainage

- A. All drainage plans shall be submitted to the City Engineer for review.
- B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; 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 Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.

- IX. Any final plat shall include the following:
 - A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. 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 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, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

GOLDEN JOHN F & JEAN SEAGLE	KING REVOCABLE LIVING TRUST	WEINSTEIN ANDY
2100 ELZEY AVE #	1997 CENTRAL AVE #	5119 GREENWAY CV #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38117
LENTI VIRGINIA D	FRYAR THOMAS C & BRENDA S	SULLY CORPORATION
2100 ELZEY AVE #	2011 CENTRAL AVE #	792 S COOPER ST #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
	JDP HOLDCO LLC 2172 N FOX HOLLOW DR #1 NIXA MO 65714	
WRIGHT-MOORE FRANCES	COOPER YORK DEVELOPMENT COMPANY INC	SURRATT TERRY D & SARAH B
495 WOLF VIEW CV #	232 SOUTHMILL DR #	7978 WINDING CREEK DR #
CORDOVA TN 38018	EADS TN 38028	GERMANTOWN TN 38138
FILAMENT LLC	SPARKY MEMPHIS LLC	MEDLIN CANDACE L
663 S COOPER ST #	2724 CENTRAL AVE #	701 CHARINGWORTH CT #
MEMPHIS TN 38104	MEMPHIS TN 38111	WESTMINSTER MD 21158
YORK MOSES M AND RAINEY D WEBBER (RS)	ROBERTS G FRANK & MINDY C	UNION RAILWAY CO
2078 HIGBEE AVE #	2215 CENTRAL AVE #	1400 DOUGLAS ST #1640
MEMPHIS TN 38104	MEMPHIS TN 38104	OMAHA NE 68179
CARLISLE MATTHEW AND MELODY DERNOCOEUR	N C & ST L R R CO	WALKER WILLIE JR
2090 HIGBEE AVE #	GENERAL DELIVERY #	3299 LUCIBILL RD #
MEMPHIS TN 38104	MEMPHIS TN 38101	MEMPHIS TN 38116
THRASHER RONALD C AND BART G JONES	COOPER YORK DEVELOPMENT COMPANY INC	RS CAPITAL LLC
2047 HIGBEE AVE #	232 SOUTHMILL DR #	792 S COOPER ST #
MEMPHIS TN 38104	EADS TN 38028	MEMPHIS TN 38104
CSX TRANSPORTATION INC	APPLE PARTNERS LLC	WILBER LLC
500 WATER ST #	99 CHEROKEE DR #	794 S COOPER ST #
JACKSONVILLE FL 32202	MEMPHIS TN 38111	MEMPHIS TN 38104
STONEHOLLOW HOLDINGS I LLC	COOPER YORK DEVELOPMENT COMPANY INC	WEINSTEIN ANDY
4111 GWYNNE RD #	232 SOUTHMILL DR #	5119 GREENWAY CV #
MEMPHIS TN 38117	EADS TN 38028	MEMPHIS TN 38117

WEINSTEIN ANDY RICHARDSON JORDAN HOMES LLC 2178 CENTRAL AVENUE LLC 5119 GREENWAY CV # 7 MORNINGSIDE DR # 1437 CENTRAL AVE #1200 MEMPHIS TN 38117 MEMPHIS TN 38104 MEMPHIS TN 38104 HOFFMAN CHRISTOPHER K KORNELIUSSEN JON & KRISTIN M GARY ELIZABETH B 3639 NORTHWOOD DR # 2094 HIGBEE AVE # 137 N LARCHMONT BLVD #466 MEMPHIS TN 38111 MEMPHIS TN 38104 LOS ANGELES CA 90004 GODSEY WILLIAM RICHARDSON/JORDAN HOMES LLC SCHWARTZ SUSAN K LIVING TRUST 7 MORNINGSIDE PL # 2107 ELZEY AVE # 682 S COX ST # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 WHITTINGTON SANDRA P IRVIN ELIN L DEACON LYNDA G 2100 HIGBEE AVE # 2097 FIREFLY CV # 695 TANGLEWOOD ST # MEMPHIS TN 38119 MEMPHIS TN 38104 MEMPHIS TN 38104 FAY BRIAN J & SAVANNAH K 2044 EVELYN AVE # GRAY ALEX O I FWIS JOHN 2106 HIGBEE AVE # MEMPHIS TN 38104 700 LINDSEY ST # MEMPHIS TN 38104 MEMPHIS TN 38104 FISHER KATHERINE K REVOCABLE LIVING KMET DAVID J & JENNIFER M HAYDEN LAYNE C AND BRENT A SMOYER 2058 EVELYN AVE # 2110 HIGBEE AVE # 2006 CENTRAL AVE # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 BAKER MARY L CHUNG RON & TRUNG L TONAHILL RACHEL E 2104 EVELYN AVE # 2037 HIGBEE AVE # 703 TANGLEWOOD ST # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 MOORING BOBBY R 6722 RIVER OAK VIEW DR # MACGILLIVRAY LAURIE REYNA SUE J AND YOUNG CHOI 2043 HIGBEE AVE # 2012 CENTRAL AVE # MEMPHIS TN 38120 MEMPHIS TN 38104 MEMPHIS TN 38104 MOORING BOBBY R HANNA CAROLE R TYLER ROY W 6722 RIVER OAK VIEW DR # 689 TANGLEWOOD ST # 2020 CENTRAL AVE # MEMPHIS TN 38120 MEMPHIS TN 38104 MEMPHIS TN 38104

MEMPHIS GAS & LIGHT

712 S COOPER ST #

MEMPHIS TN 38104

HALL ANN M

2022 CENTRAL AVE #

MEMPHIS TN 38104

ROBERTS FAMILY PROPERTIES LLC

PO BOX 771385 #

MEMPHIS TN 38177

ROBINSON SHANNON M	SCRUGGS JAMES A	CITY OF MEMPHIS
2026 CENTRAL AVE #	2041 CENTRAL AVE #	GENERAL DELIVERY #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38101
MCDANIEL W C & CORNELIA F	FOURNIER JULIE A	UNION RR CO
2038 CENTRAL AVE #	1515 AUBURN WOODS DR #	GENERAL DELIVERY #
MEMPHIS TN 38104	COLLIERVILLE TN 38017	MEMPHIS TN 38101
STEWART DAVID X & DEBORAH J	EUBANKS JAMES F & DEBRA	SCOTT INDUSTRIES OF TN INC
2042 CENTRAL AVE #	1965 EDWARDS MILL RD #	232 SOUTHMILL DR #
MEMPHIS TN 38104	GERMANTOWN TN 38139	EADS TN 38028
SIMMONS-CARROLL KATHRYN B & 2048 CENTRAL AVE # MEMPHIS TN 38104	EUBANKS JAMES F & DEBRA 1965 EDWARDS MILL RD # GERMANTOWN TN 38139	COOPER YORK DEVELOPMENT COMPANY INC 232 SOUTHMILL DR # EADS TN 38028
CURRAN PATRICK B AND ANDREA D GRAVES	CSX TRANSPORTATION INC	COOPER YORK DEVELOPMENT COMPANY INC
2052 N CENTRAL AVE #	500 WATER ST #	232 SOUTHMILL DR #
MEMPHIS TN 38104	JACKSONVILLE FL 32202	EADS TN 38028
MAPCO PETROLEUM INC	UNION RAILWAY CO	UNION RAILWAY
2424 RIDGE RD #	1400 DOUGLAS ST #1640	GENERAL DELIVERY #
ROCKWALL TX 75087	OMAHA NE 68179	MEMPHIS TN 38101
KTFG INVESTMENTS LLC	COOPER YORK DEVELOPMENT COMPANY INC	UNION RAILWAY
3550 WELFORD DR #	232 SOUTHMILL DR #	GENERAL DELIVERY #
BARTLETT TN 38133	EADS TN 38028	MEMPHIS TN 38101
TROUY ROBERT L JR & SARAH S	CENTRAL COOPER GATEWAY INC	GARDEN DISTRICT LLC (THE)
2007 CENTRAL AVE #	4257 WALNUT GROVE RD #	5040 SANDERLIN AVE #109
MEMPHIS TN 38104	MEMPHIS TN 38117	MEMPHIS TN 38117
MOHUNDRO JAKE R & JEANINE H	NC & ST LOUIS RR CO	ROEDER MICAH
2025 CENTRAL AVE #	GENERAL DELIVERY #	768 ROLAND ST #
MEMPHIS TN 38104	MEMPHIS TN 38101	MEMPHIS TN 38104
CHOW MARTIN H	SCOTT INDUSTRIES INC	GARDEN DISTRICT LLC (THE)
1242 PEABODY AVE #	2078 YORK AVE #	5040 SANDERLIN AVE #109
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38117

	RYAN CHARLES S LIVING TRUST 4257 WALNUT GROVE RD # MEMPHIS TN 38117	2045 ELZEY AVE #
GRAHAM JAMES M III AND CATHERINE C	MCKINNEY SHIRLEY W & DORIS WEBB & JOSEPH	VASSAR JO ANN
550 S COOPER #	4091 CECIL DR #	811 TANGLEWOOD ST #
MEMPHIS TN 38104	MEMPHIS TN 38116	MEMPHIS TN 38104
GOODWIN VERNEDA AND KEVIN R HUTTON AND 2037 YORK AVE # MEMPHIS TN 38104	SARAVIA TRISTIN N & JORDY 771 TANGLEWOOD ST # MEMPHIS TN 38104	
APPLE PARTNERS LLC	SULLY CORPORATION	LE ANHKHA
99 CHEROKEE DR #	792 S COOPER ST #	2081 ELZEY AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
	GRIFFIN ELKINGTON INVESTMENTS LLC 4934 WILLIAM ARNOLD RD # MEMPHIS TN 38119	
RE AND D INVESTMENTS LLC	MCGHEE MICHAEL E & PATRICIA K	LAWRENCE GREGORY
232 SOUTHMILL DR #	781 MEDA ST #	7630 FAIRWAY FOREST DR #
EADS TN 38028	MEMPHIS TN 38104	CORDOVA TN 38016
RE AND D INVESTMENTS LLC	SULLYS AUTO SALES INC	SCHAFTLEIN AMY L & BENJAMIN W REDNOUR
232 SOUTHMILL DR #	792 S COOPER ST #	2099 ELZEY AVE #
EADS TN 38028	MEMPHIS TN 38104	MEMPHIS TN 38104
RE AND D INVESTMENTS LLC	ADDINGTON MILTON & AMANDA	RIGGS MOLLIE J
232 SOUTHMILL DR #	2152 ELZEY AVE #	2103 ELZEY AVE #
EADS TN 38028	MEMPHIS TN 38104	MEMPHIS TN 38104
SULLY CORPORATION	BRECKENRIDGE DAN B & KATHY D	HARMON TOM
792 S COOPER ST #	2160 ELZEY AVE #	8179 CLINTON WAY #
MEMPHIS TN 38104	MEMPHIS TN 38104	CORDOVA TN 38018
RE AND D INVESTMENTS LLC	HARDIN PAMELA A	BRYANT COWLES PARTNERSHIP
232 SOUTHMILL DR #	2150 ELZEY AVE #	243 N MCLEAN BLVD #
EADS TN 38028	MEMPHIS TN 38104	MEMPHIS TN 38112

COWLES BERNARD C FENNEL LLC MOORING BOBBY R 6250 GREEN MEADOW RD # 6722 RIVER OAK VIEW DR # 243 MCLEAN # MEMPHIS TN 38112 MEMPHIS TN 38120 MEMPHIS TN 38120 DRAGO JAMES COLEY ANTHONY W JR MOORING BOBBY AND MARTHA K MOORING 4447 WESTBROOK # 2100 EVELYN AVE # 1779 KIRBY PKWY #1 BARTLETT TN 38135 MEMPHIS TN 38104 **GERMANTOWN TN 38138** SCOTT INDUSTRIES INC COWLES BERNARD C ROBINSON JOZMEN & FELICIA PO BOX 42001 # 2078 YORK AVE # 2080 ELZEY AVE # MEMPHIS TN 38174 MEMPHIS TN 38104 MEMPHIS TN 38104 OLSEN SOPHORN K SCOTT INDUSTRIES OF TN INC LOEB REALTY LP 2050 EVELYN AVE # 232 SOUTHMILL DR # P O BOX 171247 # MEMPHIS TN 38104 EADS TN 38028 MEMPHIS TN 38187 CENTRAL SALES CO INC FISHER KATHERINE K REVOCABLE LIVING MEDLIN CANDACE L AND 2058 EVELYN AVE # 2170 YORK AVE # 701 CHARINGWORTH CT # MEMPHIS TN 38104 MEMPHIS TN 38104 WESTMINSTER MD 21158 MASTERSON BRANDEE L NEW BALLET ENSEMBLE INC APPLE PARTNERS LLC 99 CHEROKEE DR # 2068 EVERLYN AVE # 2157 YORK AVE # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 DYKES LILLIAN E MCGHEE MICHAEL E & PATRICIA K RHODES IT SOLUTIONS LLC 2076 EVELYN AVE # 781 MEDA ST # 1423 VILLAGE CREEK CIR # MEMPHIS TN 38104 MEMPHIS TN 38104 ATLANTA GA 30316 SEAGLE JEANNE SHELTON MATTHEW C RUDOLPH RUDOLPH K AND MICHAEL MCQUEEN 2080 EVELYN AVE # 2098 ELZEY AVE # 8566 MACON RD # MEMPHIS TN 38104 MEMPHIS TN 38104 CORDOVA TN 38018 KOLASSA EUGENE M JR WRIGHT-MOORE FRANCES ELLIOTT GEORGE S 2086 EVELYN AVE # 2104 ELZEY AVE # 40 BURTON HILLS BLVD #300 MEMPHIS TN 38104 MEMPHIS TN 38104 NASHVILLE TN 37215 JOHNSON JOSEPH B AND ELLEN R BURSI GLOTFELTER NONA L DIEP HUNG

2100 ELZEY AVE #

MEMPHIS TN 38104

2046 ELZEY AVE #

MEMPHIS TN 38104

2090 EVELYN AVE #

MEMPHIS TN 38104

ELLIOTT GEORGE S TRUST 40 BURTON HILLS BLVD #300 NASHVILLE TN 37215

LEOW SAM C & VIVIAN Y AND ANDREANNA LEOW MIESSE MARK & ABBEY D G 312 PERKINS EXT # MEMPHIS TN 38117

2024 ELZEY AVE # MEMPHIS TN 38104

MANESS TERRY 2044 ELZEY AVE # MEMPHIS TN 38104

CITY BUILDERS LLC 3025 GARDENS WAY # MEMPHIS TN 38111

SULLIVAN REVOCABLE TRUST 2026 ELZEY AVE # MEMPHIS TN 38104

795 TANGLEWOOD LLC 6000 POPLAR AVE #250 MEMPHIS TN 38119

KAISER JOHN G LIVING TRUST

792 TANGLEWOOD ST #

MEMPHIS TN 38104

HOLLIDAY JEREMY & TOMMY BALJET

2028 ELZEY AVE #

MEMPHIS TN 38104

NASHVILLE TN 37215

ELLIOTT GEORGE S TRUST APPLE PARTNERS LLC
40 BURTON HILLS BLVD #300 4928 WILLIAM ARNOLD RD # MEMPHIS TN 38117

BIGAM CAROL R & ANNETTE DIVIRGILIO 2030 ELZEY AVE # MEMPHIS TN 38104

NICHOLS ELAINE AND JORDAN NICHOLS (RS) 2086 ELZEY AVE # MEMPHIS TN 38104

752 S COOPER LLC 752 S COOPER ST # MEMPHIS TN 38104

COOPER STATION HOMEOWNERS ASSOCIATION 5050 POPLAR AVE #600 MEMPHIS TN 38157

CITY OF MEMPHIS GENERAL DELIVERY # MEMPHIS TN 38101

SULLY CORPORATION 792 S COOPER ST # MEMPHIS TN 38104

GREGORY REALTY GP 310 GERMANTOWN BEND CV # CORDOVA TN 38018

FKH SFR PROPCO I LP 1850 PARKWAY PL #900 MARIETTA GA 30067

STREET WILLIAM A III AND CAROL E STREET 7938 US HIGHWAY 70 # MEMPHIS TN 38133

FKH SFR PROPCO J LP 1850 PARKWAY PL #900 MARIETTA GA 30064

ELLA RESIDENTIAL LLC AND WO SFR LLC 6000 POPLAR AVE #250 MEMPHIS TN 38119

FKH SFR PROPCO J LP 1850 PARKWAY PL #900 MARIETTA GA 30067

SATTERFIELD ASHLEY 2029 ELZEY AVE # MEMPHIS TN 38104

HUNT WILLIAM & PAOLA L P GUZMAN 2064 ELZEY AVE # MEMPHIS TN 38104

GOUGH HUNTER C & LACY L 2022 ELZEY AVE # MEMPHIS TN 38104

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, Changler Calisk (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 properties located at 0 York Ave, 0 Tanglewood, 2074 York Ave, 0 Tanglewood St, 2078 York Ave, 2101 Central
Ave, 0 Central Ave, 0 York Ave, 0 S Cooper St, 0 S Cooper St, 0 S Cooper, 0 York Ave, 2093 York Ave, 0 York Ave, 0
York Ave, 0 Tanglewood St, and 765 Tanglewood St
and further identified by Assessor's Parcel Numbers 031135 00006, 031135 00003C, 031136 00001, 031136 00011,
031136 00012, 031136 00004, 031136 00005C, 031136 00010Z, 031136 00008, 031136 00009, 031136 00010,
031133 00004C, 031133 00003, 031133 00002, 031133 00001, 031134 00005, and 031134 00006,
for which an application is being made to the Division of Planning and Development.
Subscribed and sworn to (or affirmes) before one this 22th day of Hugust in the year of 2024.
Barlas / legs been 32/23/25
Signature of Notary Public My Commission Expires My Commission Expires





Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

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

21024220

03/02/2021 - 11:22:30 AM	
6 PGS	
LACI 2181273-21024220	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	30.00
DP FEE	2.00
REGISTER'S FEE	0.00
EFILE FEE	2.00
TOTAL AMOUNT	34.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

THIS INSTRUMENT PREPARED BY AND RETURN TO: WILLIAMS McDANIEL, PLLC
A. STEPHEN McDANIEL, ESQ.
717 South White Station Road, Suite 1
Memphis, TN 38117
(901) 766-0887
smcdaniel@williamsmcdaniel.com

This deed is prepared without benefit of title examination at the request of Grantor and Grantee.

QUITCLAIM DEED

Know all men by these presents, that CHARLES S. RYAN (a/k/a CHARLES SANDERS RYAN, CHARLES RYAN a/k/a CHARLIE RYAN), (the "Grantor") for and in consideration of Ten and no/100 Dollars (\$10.00), does hereby bargain, convey, remise, release, and quitclaim unto CHARLES SANDERS RYAN and KRISTINA CATHERINE RYAN, Co-Trustees of the Charles Sanders Ryan Living Trust dated the 22nd day of February, 2006, as amended and restated, (the "Grantee") all of Grantor's right, title and interest in and to the following described real estate located in Shelby County, Tennessee, to-wit:

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

WITNESS my hand in Memphis, Tennessee on this day of 2021.

GRANTOR:

CHARLES S. RYAN (a/k/a CHARLES SANDERS RYAN a/k/a CHARLES RYAN a/k/a CHARLIE

RYAN

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared CHARLES S. RYAN, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this

MARIE WILSO

2021.

(Seal)

NOTARY PUBLIC

Page 1

New Owner Name and Address:

Charles Sanders Ryan Living Trust 4257 Walnut Grove Road Memphis, Tennessee 38117

Property Address:

Tract One: 2153 and 2155 Young Memphis, Tennessee

Tract Two: 2193 Young Memphis, Tennessee

Tract Three: 968 South Cooper Street Memphis, Tennessee 38104

Tract Four: 4257 Walnut Grove Road Memphis, Tennessee 38117

Tract Five: 0 Tanglewood Street Memphis, Tennessee 38104

Tract Six: 765 Tanglewood Street Memphis, Tennessee 38104

Mail Tax Notice to:

Charles Sanders Ryan Living Trust 4257 Walnut Grove Road Memphis, Tennessee 38117

Parcel Id Number:

Tract One: 029-012-00017 Tract Two: 029-028-00004 Tract Three: 29-29-16 Tract Four: 05700100065 Tract Five: 031134 00005 Tract Six: 031134 00006 I, or we, hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer is \$10.00.

AFFIANT

Subscriber and sworn to before me this

MARIE W

NOTARY PUBLIC

Commission expires:

Exhibit "A"

Tract One:

2153 and 2155 Young, Memphis, Tennessee

Parcel: 029-012-00017

The West 35 feet of Lots 1,2 and 3 of Block M of Mt. Arlington Subdivision, as shown on plat of record in Plat Book 2, Page 116, in the Register's Office of Shelby County, Tennessee, more particularly described as follows:

BEGINNING at a point on the south side of Young Avenue 122 feet west of the west line of Blythe Street; thence running west with the south side of Young Avenue 35 feet to the northwest corner of Lot 1 of said subdivision; running thence south 75 feet to the southwest corner of Lot 3 of said subdivision; running thence east 35 feet to a point; thence north 75 feet to the point of beginning, LESS AND EXCEPTING, however, any portion off the north part of said lot conveyed to the City of Memphis, for widening Young Avenue.

Being all of the real property conveyed to Grantor by Quit Claim Deed of record as Instrument GU 5968 in the Register's Office of Shelby County, Tennessee, and being the property known municipally as 2153 and 2155 Young, Memphis, Tennessee.

Tract Two:

2193 Young, Memphis, Tennessee Parcel No. 029-028-00004

The south 112.5 feet of the east 70 feet of Lots 1, 2, 3, 4, and 5, Block "K" Mount Arlington Subdivision, as shown on plat of record in Plat Book 2, page 116, in the Register's Office of Shelby County, Tennessee, more particularly described as follows:

BEGINNING at a point of intersection of the present south line of Young Avenue with the west line of Meda Street; thence westwardly with the present south line of Young Avenue 70 feet to a point; thence southwardly parallel with Meda Street 112.5 feet to a point in the north line of Lot 6; thence eastwardly with said north line and parallel with Young Avenue 70 feet to a point in the west line of Meda Street; thence northwardly with said west line of Meda Street 112.5 feet to the point of beginning.

Being all of the real property conveyed to Grantor by Quit Claim Deed of record as Instrument GU 5968 in the Register's Office of Shelby County, Tennessee, and being the property known municipally as 2193 Young, Memphis, Tennessee.

Tract Three:

968 South Cooper Street, Memphis, Tennessee Parcel No. 29-29-16

Part of Lots 42, 43, & 44, Block M. Mount Arlington Subdivision, as shown on plat of record in Plat Book 2, Page 116, in the Register's Office of Shelby County, Tennessee, and being more particularly described as follows:

Beginning at a point in the east line of Cooper Street, said point being 87.5 feet southwardly from the south line of Young Avenue; thence southwardly along said east line a distance of 60.0 feet to a point; thence eastwardly parallel with the line dividing Lots 42 and 43 a distance of 137.0 feet to a point; thence northwardly along the west line of Lots 7, 6 and 5 a distance of 60.0 feet to the southeast corner of Lot 45; thence westwardly along the line dividing Lots 44 and 45 a distance of 137.0 feet to the point of beginning.

Being all of the real property conveyed to Grantor by Warranty Deed of record as Instrument LN 0297 in the Register's Office of Shelby County, Tennessee, and being the property known municipally as 968 South Cooper Street, Memphis, Tennessee.

Tract Four:

4257 Walnut Grove Road, Memphis, Tennessee 38117 Parcel No. 05700100065

Lot 2, Hank Hill Subdivision as shown on plat of record in Plat Book 110, Page 44, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being all of the real property conveyed to Grantor by Warranty Deed of record as Instrument 16008741 in the Register's Office of Shelby County, Tennessee, and being the property known municipally as 4257 Walnut Grove Road, Memphis, Tennessee.

Tract Five:

O Tanglewood Street, Memphis, Tennessee 38104 Parcel No. 031134 00005

Lot 50 of E. E. Meacham's Cooper and Central Avenue Place Subdivision, as shown on plat of record in Plat Book 4, Pages 99 and 100, in the Register's Office of Shelby County, Tennessee, to which reference is hereby made for a more particular description of said lot.

Being all of the real property conveyed to Charlie Ryan by Quitclaim Deed of record at Instrument No. 18029416 in the Register's Office of Shelby County, Tennessee, and being the property known municipally as 0 Tanglewood Street, Memphis, Tennessee.

Tract Six:

765 Tanglewood Street, Memphis, Tennessee 38104 Parcel No. 031134 00006

Lot 51, Meacham's Cooper and Central Avenue Place Subdivision, as shown on plat of record in Plat Book 4, Page 99, in the Register's Office of Shelby County, Tennessee to which plat reference is made for a more particular description of said lot.

Being all of the real property conveyed to Charlie Ryan by Quitclaim Deed of record at Instrument No. 15013285 in the Register's Office of Shelby County, Tennessee, and being the property known municipally as 765 Tanglewood Street, Memphis, Tennessee.

129340

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

A. STEPHEN McDANIEL

STATE OF TENNESSEE COUNTY OF SHELBY

Personally appeared before me, MARIE WILSON, a notary public for this county and state, A. STEPHEN McDANIEL, who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.

WITNESS my hand and Notarial Seal at office this

Notary's Signature

59240

(Seal)



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.



20128814

11/19/2020 - 10:03:04 AM

2 PGS	
ALONZO 2125932 - 20128814	
VALUE	8000.00
MORTGAGE TAX	0.00
TRANSFER TAX	29.60
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	42.60

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

SPECIAL WARRANTY DEED

This Instrument was prepared by Tracey P. Malone, Attorney 2850 Bartlett Rd. Bartlett, TN 38134

THIS INDENTURE, made and entered into as of the day of Mov, 2020, by and between Ron Fitzgerald, a married man, hereinafter referred to as Grantor, and Andy Weinstein, whereinafter referred to as Grantee.

WITNESS: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto the said Grantee the following described real estate, situated and being in the County of Shelby, State of Tennessee.

Part of the south 60 feet of the east 100 feet of Lots 11 and 12, Cooper Central Avenue Place Subdivision, as per plat of record in Plat Book 99 and 100, of the Register's Office of Shelby County, Tennessee, and being more particularly described as follows:

Beginning at a stake in the intersection of the north line of York Avenue with the west line of Tanglewood Street; run thence westwardly with said north line of York Avenue 50 feet for a point of beginning; thence westwardly with said north line of York Avenue 50 feet to a stake; thence northwardly parallel with Tanglewood Street 30 feet; thence eastwardly parallel with York Avenue 50 feet; thence southwardly parallel with the west line of Tanglewood Street 30 feet to the point of beginning.

Being the same property conveyed to Ron Fitzgerald by Decree Confirming Sale, Divesting and Vesting Title, Tax Sale 1501, in Docket No. TX-2017-1 in the Chancery Court of Shelby County, Tennessee and recorded at Instrument Number 18112427, in the Register's Office of Shelby County, Tennessee. That Malinda E. Fitzgerald, wife of Ron Fitzgerald, did not occupy this property as a marital residence.

Grantor warrants the title to said property against the claims of all persons claiming, or to claim the same or any part thereof, by, through or under the said Grantor, but not otherwise.

The said Grantor does hereby covenant with the Grantee that the Grantor is lawfully seized in fee of the aforedescribed real estate; that the Grantor has a good right to sell and convey the same; that the same is unencumbered except, any taxes not yet due, but constituting a lien which are assumed by Grantee; subdivision restrictions, building lines and easements of record at Plat Book 4, Pages 99 & 100, in the Register's Office of Shelby County, Tennessee, and that the title and quiet possession thereto Grantor will warrant and forever defend against the lawful claims of all person.

Whenever 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 signature of the Grantor (or caused its corporate name to be signed hereto by and through its proper officers duly authorized so to do) the day and year first above written.

STATE OF TENNESSEE COUNTY OF SHELBY

On this 12^{+n} day of Nov2020, before me a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Ron Fitzgerald, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

Notary Public

Commission Expiration: (0.5-0.1-2)

VALUATION 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 value of the property transferred, whichever is greater is \$8,000.00 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 2th day of

Vo~ ,2020.

Notary Public

Commission Expiration:

Return to:

Tracey P. Malone 2850 Bartlett Road Bartlett, TN 38134 Send Tax Bills To:

Andy Weinstein

SIA Greenway Cove

MenghisTN 38117

Property Address & Owner:

Andy Weinstein

0 York

Memphis, TN 38104

Parcel # 031135 00006



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.



23006118

01/23/2023 - 11:02:52 AM

5 PGS	
BRANDON 2537109 - 23006118	
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	27.00

WILLIE F. BROOKS JR REGISTER OF DEEDS SHELBY COUNTY TENNESSEE THIS INSTRUMENT PREPARED BY AND RETURN TO: J. Michael Murphy, Attorney Murphy, DeZonia & Webb 6389 N. Quail Hollow Road, Ste. 102 Memphis, TN 38120

QUIT CLAIM DEED

THIS INDENTURE, made and entered into as of this 22 nd day of December, 2020, by and between CHARLOTTE KATHERINE FOLEY, ROBERT HAYNE BLACK and THEODORE BRUCE BLACK, party of the first part, and SCOTT INDUSTRIES OF TN, INC., a Tennessee corporation (formerly known as Scott Industries, Inc.), party of the second part.

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, quitclaim, convey and confirm unto the said party of the second part the following described real estate, situated and being in the City of Memphis County of Shelby, State of Tennessee, to wit:

Part of Lot 11, Cooper and Central Subdivision, measuring approximately 20 x 89, as shown by plat of record in Plat Book 4, Pages 99 and 100, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

The aforedescribed real property is the same real property as conveyed to T. H. Black, also known as Theodore H. Black, by Quit Claim Deed of record under Register's No. CJ 9762 in said Register's Office. Charlotte Katherine Foley, Robert Hayne Black and Theodore Bruce Black execute this deed as the devisees under the Last Will and Testament of Mary Katherine Pipsaire Black in Shelby County Probate Court Docket No. PR-4526, Mary Katherine Pipsaire Black being the sole devisee under the Last Will and Testament of Theodore H. Black of record in Shelby County Probate County Docket No. C-9463.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, the pronouns shall be construed according to their proper gender and number according to the context hereof.

(SEE THE FOLLOWING PAGES FOR SIGNATURES)

(REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY)

CHARLOTTE KATHERINE FOLEY

STATE OF MSSOUR :
COUNTY OF ST STO US :

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared CHARLOTTE KATHERINE FOLEY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and notarial seal at office this day of December, 2020.

My Commission Expires:

NOTARY PUBLIC

MIRELA JAKUBOVIC Notary Public, Notary Seal State of Missouri St. Louis County Commission # 16332347 My Commission Expires 08-03-2024

ROBERT HAVNE BLACK

STATE OF Texas :
COUNTY OF Washington :

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared ROBERT HAYNE BLACK, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and notarial seal at office this 20 day of December, 2020.

NOTARY PUBLIC

My Commission Expires:

RITA ALCANTARA

RITA SENOTARA

SENOTARY Public, State of Texas

Comm. Expires 07-07-2022 Notary ID 129876339

THEODORE BRUCE BLACK

STATE OF ::
COUNTY OF ::
Shelby::

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **THEODORE BRUCE BLACK**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and notariat seal at office this 23 day of December, 2020.

STATE OF TENNESSEE

PUBLIENO TARY PUBLIC

My Commission Expires:

My Commission Expires July 1, 2023

TAX PARCEL NUMBER: Part of 031135 00003C

NAME AND ADDRESS OF PROPERTY OWNER: Scott Industries of TN, Inc. c/o Clayton Kemker 232 Southmill Drive Eads, TN 38028-6970

PROPERTY ADDRESS: 2074 York Ave., Memphis, TN 38104

MAIL TAX BILLS TO: Scott Industries of TN, Inc. c/o Clayton Kemker 232 Southmill Drive Eads, TN 38028-6970

TG FILE # 8907880 MDW FILE # 200921

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

Affiant

Subscribed and sworn to before me this 22 day of December,

Notary Public

My Commission Expires: 07/07/2003

RITA ALCANTARA
Notary Public, State of Texas
Comm. Expires 07-07-2022
Notary ID 129876339



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.



23006117

01/23/2023 - 11:02:52 AM

3 PGS	
BRANDON 2537109 - 23006117	
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

WILLIE F. BROOKS JR REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

THIS INSTRUMENT PREPARED BY AND RETURN TO: J. Michael Murphy, Attorney Murphy, DeZonia & Webb 6389 N. Quail Hollow Road, Ste. 102 Memphis, TN 38120

QUIT CLAIM DEED

THIS INDENTURE, made and entered into as of the 29th day of December, 2020, by and between SCOTT INDUSTRIES, INC. (now known as Scott Industries of TN, Inc.), a Tennessee corporation, party of the first part, and SCOTT INDUSTRIES OF TN, INC., a Tennessee corporation (formerly known as Scott Industries, Inc.), party of the second part.

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, quitclaim, convey and confirm unto the said party of the second part the following described real estate, situated and being in the City of Memphis County of Shelby, State of Tennessee, to wit:

Survey of 0.92 acres being part of Lots 10-17, E.E. Meacham's Cooper & Central Avenue Subdivision, as recorded in Plat Book 4, Pages 99 and 100; and the west half of a 12' alley conveyed to Scott Industries, Inc. in Instrument Number 19082185; and part of Tanglewood Avenue conveyed to Scott Industries, Inc. in Instrument Number 19082186 in Shelby County Register's Office and being more particularly described as follows:

Beginning at a point in the North line of York Avenue (50' R.O.W.), said point being 534.5' West of the West line of Cooper Street; thence along said North line S 89'26'54" W a distance of 231.05; thence N 00'38'16" E a distance of 30.03' to a point; thence S 89'32'25" W a distance of 50.09' to a point; thence N 00'38'16" E a distance of 46.78' to a point; thence N 62'55'54" E a distance of 317.48' to a point; thence S 00'38'16" W a distance of 218.67' to the point of beginning, containing 0.92 acres more or less.

The aforedescribed real property is all or part of the following recorded deeds of record in the Register's office of Shelby County, Tennessee: GU 6198, F6 6369, J4 5204, 19082185 abd 19082186.

The foregoing legal description is from a survey of the property by Timothy E. McCaskill, dated December 2, 2020. This deed is executed to reflect the assumed name of the grantor and the survey description above.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, the pronouns shall be construed according to their proper gender and number according to the context hereof.

(SEE THE FOLLOWING PAGES FOR SIGNATURE)

(REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY)

SCOTT INDUSTRIES OF TN, INC.

By: ROBERT H RIACK Preside

STATE OF LEXAS :
COUNTY OF Washington :

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared ROBERT HAYNE BLACK, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he is the President of SCOTT INDUSTRIES OF TN, INC., a corporation, and that he, as such President, executed the foregoing instrument on behalf of said corporation for the purposes therein contained.

WITNESS my hand and notarial seal at office this 22 day of December, 2020.

NOTARY PUBLIC

My Commission Expires:

RITA ALCANTARA

Notary Public, State of Texas

Comm. Expires 07-07-2022

'Notary ID 129876339

NAME AND ADDRESS OF PROPERTY OWNER: Scott Industries of TN, Inc. c/o Clayton Kemker 232 Southmill Drive Eads, TN 38028-6970

PROPERTY ADDRESS: 2074 York Ave., Memphis, TN 38104

MAIL TAX BILLS TO: Scott Industries of TN, Inc. c/o Clayton Kemker 232 Southmill Drive Eads, TN 38028-6970

TG FILE # 8907880 MDW FILE # 200921

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, belief, the actual considerations transfer is \$10.00.

Affiant

Subscribed and sworn to before me this 22 day of December, 2020.

Notary Public

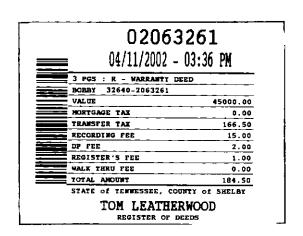
My Commission Expires: 67/07/2022

RITA ALCANTARA
Notary Public, State of Texas
Comm. Expires 07-07-2022
Notary ID 129876339



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.



Tom Leatherwood, Shelby County Register of Deeds: Instr. # 02063261

PREPARED BY:

Johnson, Grusin, Kee & Surprise, P.C. 780 Ridge Lake Boulevard, Suite 202 Memphis, Tennessee 38120

Our File No.: 183959

WARRANTY DEED

THIS INDENTURE, made and entered into this the 15th day of March, 2002, between T. Bruce Black and wife, Cynthia Guckert Black, party of the first part, and Scott Industries, Inc., a Tennessee corporation, party of the second part.

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the said PARTY OF THE FIRST PART has bargained and sold and does hereby bargain, sell, convey and confirm unto the said PARTY OF THE SECOND PART, all of party of the first part's right, title and interest in the following described real estate lying in the City of **Memphis**, County of **Shelby**, State of **Tennessee**, more particularly described as follows:

See Exhibit "A" attached hereto for Legal Description.

This being the same property conveyed to party of the first part by Warranty Deed of record as Instrument Number S4 7362 in the Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, and the party of the second part's heirs, successors and assigns in fee simple forever. The said party of the first part does hereby covenant with the said party of the second part that party of the first part is lawfully seized in fee of the aforedescribed real estate and that party of the first part has a good and lawful right to sell and convey the same. The party of the first part further covenants that the same is unencumbered except for 2002 City of Memphis and Shelby County taxes, not yet due and payable, which party of the second part assumes and agrees to pay; and subject to Deed Restrictions of record at Instrument Number S4 7362; all in the Register's Office of Shelby County, Tennessee; and that the title and quiet possession thereto party of the first part will warrant and forever defend against the lawful claims of all persons.

WITNESS my hand on the day and year first above written.

T. Bruce Black

white Guckert Black

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, personally appeared **T. Bruce Black and wife, Cynthia Guckert Black**, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged that they executed the foregoing instrument as and for their free act and deed.

Witness my hand, at office, this 15th day of March, 2002.

My Commission Expires

Notary Public

Tom Leatherwood, Shelby County Register of Deeds: Instr. # 02063261

Name and Address of Property Owner: Scott Industries, Inc. 5372 Hayne Circle Memphis, Tennessee 38119

Property Address: 2078 York Avenue Memphis, Tennessee 38104

Person Responsible for Taxes: Scott Industries, Inc. 5372 Hayne Circle Memphis, Tennessee 38119

Parcel #: 031-136-012

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 \$45,000.00 which amount is equal to, or greater than, the amount which he property, or interest in property transferred, would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, a Notary Public, this 15th day of March, 2002.

Notary Public

My Commission Expires:

RETURN TO:

JOHNSON, GRUSIN, KEE & SURPRISE, P.C.

780 RIDGE LAKE BLVD., SUITE, 202

MEMPHIS, TENNESSEE 38120

Tom Leatherwood, Shelby County Register of Deeds: Instr. # 02063261

EXHIBIT "A"

The East 62.5 feet of Lots 13 and 14 and the East 62.5 feet of the South 20 feet of Lot 15 of E.E. Meachem's Cooper & Central Avenue Place Subdivision, as per plat of record in Plat Book 4, Pages 99 and 100, in the Register's Office of Shelby County, Tennessee, and being more particularly described as follows: BEGINNING at a point in the north line of York Avenue 62.5 feet east of the intersection of the north line of York Avenue and the east line of Tanglewood Street; thence eastwardly along the north line of York Avenue 62.5 feet to a point in the west line of a 12 foot alley; thence northwardly along the west line of said alley making an angle in the northeast quadrant of 88 degrees 47 minutes 48 seconds 100.0 feet to a point; thence westwardly parallel to York Avenue 62.5 feet to a point; thence southwardly 100.0 feet to the point of beginning; being the same property described in Warranty Deed of record as Instrument 54 7362, said Register's Office.

WARRANTY DEED

J4 5204 2

1st of March THIS INDENTURE, made and entered into this TRI-STATE PLUMBING CO., a partnership consisting of JOSEPH A. VALENTINE and WILLIAM LYNN TUBBS,

SCOTT INDUSTRIES, INC., a Tennessee corporation,

loo in the Register's Office of Shelby County, Tennessee, more particularly described as follows:

BEGINNING at a point in the north line of York Avenue (50 feet wide) a distance of 62.50 feet eastwardly as measured along the north line of York Avenue from its intersection with the east line of Tanglewood Street; thence northwardly along a line parallel with the east line of Tanglewood Street, a distance of 179.00 feet to an iron pin in the southeast line of the N.C.&St.L. Railroad right-of-way; thence northeastwardly along the southeast line of said right-of-way a distance of 66.22 feet to a point in the west line of an alley (12 feet wide); thence southwardly along the west line of said alley a distance of 200.37 feet to a point in the north line of York Avenue, same being distance of 552.70 feet from the west line of Cooper Street; thence westwardly along the Institute of York Avenue 62.50 feet to the point of beginning.

AND TO HOLD The Hold the Hold Health Parks Successors and assigns in fee simple forever.

And the said party of the first part does hereby covenant with the said party of the second part that he is lawfully seized in fee of the aforedescribed real estate; that he has a good right to sell and convey the same; that the same is unencumbered, except for the unpaid part of the debt secured by trust deed of record in Book H6 Page 7576, said Register's Office, which unpaid balance the grantee hereby assumes and agrees to

pay. and that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the said party of the first part the day and year first above writer

STATE OF TENNESSEE, COUNTY OF SHELBY:

Before me, the undersigned, a Notary Public within and for said county and state at Memphis, duly commissioned and qualified, personally appeared JOSEPH A. VALENTINI and WILLIAM LYNN TUBBS, with whom I am personally acquainted, and who, upon their several oaths, acknowledge themselves to be all of the partners of the TRI-STATE PLUMBING CO., a partnership, and that they, as such partners, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the partnership by themselves as such partners. withess my hand and Notarial Seal at office this / day of ______, 1974.

My domaision expires:

NOTARY PUBLIC



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		J4 5204
STATE OF TENNESSEE, COUNTY OF SHELBY		'مد
Before me, a Notary Public in and for said Scare and C	ounty, duly commissioned a	and qualified, personally appeared
be the person described in and who executed the foregoing contained.	instrument, and acknowled	ed that he specified the same for the purposes therein
WITNESS my hand and Notarial Seal at office this_	day of	
My commission expires		2 68 26
		in de
		E Oid O Notary Public
` kec	CORDING DATÁ ONLY	
Property address 2087 York Avenue		
		I, or we, hereby swear or affirm that to the
Scott Industries, Inc. 2074 York Ave., Memphis, Tenn.	अर्थे •	hest of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever
his instrument prepared By: + MAiL +0;	2	is meater is \$37 000 no.s.s
Blanchard S. Tual, Attv.	JAL 3	is equal to or greater than the amount which the property transferred would command at a fair and voluntary tale.
1041 Sterick Bldg.	,	13 11 1/2 1 1 11
ate ax \$\$ 96.20		Affiant
egister's fee50e .50		Subscribed and sworn to before me this
ecording fee 4.00	· 	1st day of March 19 74
100.70		7.4
G.#	11/1/2/3	Conference ()
,	**- * .	. O'

My Commission Explies December 14, 1875

BOOK 5236 PAGE	
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THIS INDENTURE, made and encered into this. 275 day

by and between MANEY CITY LUMBER COMPANY, LHC., a Tennessee Corporation of the first part, and ALBERT COOK DEVELOPMENT COMPANY, INC., a Tennessee Corporation

, of the second part

RECIENTING at morthwest corner Lot 25, Cooper Tract, thence eastwardly with Contral Avenue 289 feet; thence southwardly with an alley 302 feet more or less to York Avenue; thence westwardly with York Avenue 289 feet to an alley; thence northwardly with said alley 302 feet more or less to the beginning, being the same property described in Book 214, Page 561 and Book 267, Page 408 in said Register's Office, but excluding that part of the above described property which was conveyed to the City of Memphis for the purposes of widening Central Avenue by warranty deed of record in Book 1675, Page 147 in the Register's Office of Shelby County, Tennessee, and also that part of the property described above which was conveyed to the Union Railroad Co. for a right-of-way by special warranty deed of record in Book 2998, Page 592 in said Register's Office. Reference is here made to said deeds for a more particular description of that part of the property described shove which is excluded.



TO HAVE AND TO HOLD The aforesaid real cases, asgetter with all the apparameness and heredinof the second part,



And the said part y of the first part dolls never y constant that it is levelally seized in fee of the aforedescribed real enter; that a good right to sell and copyray the same; that the same is unencombered, except State and County Taxes for the year 1963

and that the title and quies possession theres.

It will warrant and forever defend against the levisl chains of all persons. There is expressly reserved from this conveyance any and all claims of the E. C. & St. L. R. R. for right-of-way, trackage or other uses. it THE CONSIDERATION for this conveyance is as follows: TEM DOLLARS (\$10.00) Cash in hand paid and other good and valuable consideration,s the receipt of all of which is hereby acknowledged



1 7 1 1 1 1 1

WITNESS de signoure.....

JOE DELIS, President

STATE OF TENNI County of Shell			500x 5 23	16 page 3
On this	day of	, 19	, before me, a notary Public in and	for said State and
County, duly commis	sioned and qualified,	personally appeared		
to me known to be	the person	described in and who execu	ted the foregoing instrument, and a	Kknowledged that
·		free act and deed.		
WITNESS my b	hand and Noterial Ser	al at office the day and year above w	rritten.	
			N	otary Public
My commission expir	resday (of		May rues.
Memphis Gitle Co.	, the unders	Sant Tax Clark: Fee TOTAL TOTAL Day Clark: Fee Santa OF TRANSESSER Santa OF TRANSESSER Santa OF TRANSESSER Santa OF TRANSESSER Santa OF TRANSESSER	Desired JOE BRIES, with	Meturn to: Main Main Marangon, Altra Main Main
am personally ac of HAFF CITY Li being authorized therein contains PLES/AFAF	equainted and phase company I to so do, a od, by signia by hand and O	who, upon oath, ackr (, INC., a Corporation mecuted the foregoing ing the name of the Cor official Seal at office	nowledged himself to a, and that he as such instrument for the proporation by himself its in Memphis, this way.	be PRESIDENT h. PRESIDENT purposes as
	pires:		MORT. L. CRIEN MOTARY PUBLIC	M2



E5 1046 3 Page

WARRANTY DEED

THIS INDENTURE made and entered into this 25th day of September, 1968, by and between CARMELA MONTESI, a widow, party of the first part, and ALBERT COOK DEVELOPMENT COMPANY, INC., party of the second part;

WITNESSETH:

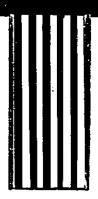
That for and in consideration of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and doeshereby bargain, sell, convey and confirm unto the said party of the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

Parcel 1: Lots Nos. 19, 20 and 21 of the Cooper and Central Avenue Place Subdivision, as shown and designated on plat of said subdivision of record in Plat Book 4, Page 49, in the Register's Office of said Shelby County, said lots together being particularly described as follows:

Beginning at a point in the south line of Central Avenue 137 feet west of the west line of Cooper Street, said point of beginning being the northeast corner of said Lot 21; thence westwardly along the south line of Central Avenue 108.5 feet to the east line of a 6-foot alley; thence southwardly with the east line of said alley and along the west line of said Lot 19, 105 feet to the north line of a 12 foot alley running east and west as shown on said subdivision plat which has never been opened or used as a public alley; thence eastwardly along the north line of said alley 108.5 feet to the westline of an alley running north and south; thence northwardly with the west line of said alley and along the east line of said Lot 21, 105 feet to the point of beginning.

Parcel 2: Lots 25, 26 and 27, of said Cooper & Central Avenue Place Subdivision, particularly described as follows:

Beginning at a point in the north line of York Avenue 137 feet westwardly from the west line of Cooper Street, said point of beginning being the southeast corner of said Lot 27; thence northwardly with the east line of said Lot 27, being also the west line of a 12-foot alley running north and south 165 feet to the south line of a 12-foot alley running east and west as shown on said subdivision plat, but which has never been opened or used as a public alley; thence westwardly along the south line of the last mentioned alley 108. 5 feet to the east line of a 6-foot alley running north and south, said point being also the northwest corner



of said Lot 25; thence southwardly with the west line of said Lot 25 and also the east line of said 6-foot alley, 165 feet to the north line of York Avenue; thence eastwardly along the north line of York Avenue, 108.5 feet to the point of beginning. E5 1046

All of the above described lots are the same as those described in and conveyed by warranty deed from Liberty Cash Grocers, Inc. to Carmela Montesi of record in Book 3743, Page 370, Register's Office of Shelby County, Tennessee.

The party of the first part does hereby also remise, release, quitclaim, and convey unto the said party of the second part, all of their interest in the alley west of Lots 19 and 25 and the alley between Lots 19, 20, and 21 to the North and Lots 25, 26 and 27 to the South, and to the strip formerly known as Crescent Place Alley.

To Have and To Hold the aforesaid real estate, together with all of the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his heirs, successors and assigns infee simple And the said party of the first part does hereby covenant with the said party of the second part that he is lawfully seized in fee of the aforedescribed real estate; that he has a good right to sell and convey the same; that the same i s unencumbered, except for 1968 county real estate taxes, which are hereby assumed by party of the second part and a drainage easement conveyed to the City of Memphis of record in Book 4526, Page 99, said Register's Office and that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

I hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of property transferred, whichever is greater is \$42,500.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Granala Man Ton

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

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared CARMELA MONTESI, to me known to be the person described in and who executed the foregoing instrument; and acknowledged that she executed the same for the purposes therein contained WITNESS my hand and Nota rial Seal at office this the day of,

September, 1968.

My Commission Expires:



-3-

Property Address: Mail tax bills to:

vacant lots Albert Cook 2101 Central Avenue Memphis, Tennessee Shainberg and Kriger 81 Madison Building Memphis, Tennessee

E5 1046

State Tax Register's fee Recording fee Total

Return to:

\$110.50 .50 4.50 \$115.50



QUITCLAIM DEED

THIS INDENTURE, made and entered into this 18h day of Mag1988 by and between the CITY OF MEMPHIS, Municipal Corporation of the State of Tennessee, party of the first part; and ALBERT COOK DEVELOPMENT COMPANY, INC., a Tennessee Corporation, party of the second part;

WITNESSETH:

That said City of Memphis, pursuant to Resolution adopted by the Council of said City on the April 26, 1988 for and in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLAR and other good and valuable considerations to it in hand paid by the party of the second part, receipt of which is hereby acknowledged, conveys and quitclaims unto the party of the second part all of its right, title and interest in and to a parcel of real estate located in the City of Memphis, Shelby County, Tennessee, to-wit:

Beginning at a point in the north line of York Avenue 125 feet west of Cooper Street; thence north along the rear line of Lots 28-31, E.E. Meacham's Cooper & Central Avenue Place Subdivision as recorded in Plat Book 4, Pages 99 & 100, 165 feet; thence west 12 feet; thence south along the east line of Lot 27, said subdivision, 165 feet; thence east along the north line of York Avenue 12 feet to the point of Beginning. Containing 1,980 square feet.

The City of Memphis hereby also retains permanent easements for existing utilities, sanitary sewers and drainage facilities located in the above described parcel of real property.

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

CITY OF MEMPHIS

By: Maybe hand Go Backett

ATTEST:

APPROPED:

Estate

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 RICHARD C. HACKETT, 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 Eighteenth day of May My Commission Expires: My Commission Expires May 27, 1990 I, or we, hereby swear or affirm that to the best affiants knowledge, information, and belief, the actual consideration for this transfer is munspule Subscribed and sworn to before me this the 184 day of May, 1988 My Commission Expires May 27, 1990 Property Address: VACANT Mail tax bills to: Albert Cook Development Company Address: P.O. Box 40617, Memphi TN 38104 This instrument prepared By: City of Memphis Real Estate Department Name: 125 N. Mid-America Mall, Room 558 38103 Memphis, Tennessee Address: Return to the City of Memphis Real Estate Department Room 517 City Hall

> Return to the City of Memphis Real Estate Department Room 517 City Hall

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TOTAL	
STATE OF	T. T. DOSTE
GUY n	

This Instrument prepared by
The City of Memphis Real Estate Department
125 N. Mid-America Mill Room 517
Memphis, Tennessee 38103

Return to the City of Memphis
Real Estate Department Room 517 City Hall

Prepared by and return to: 7000 Griffin, Clift, Everton & Thornton 965 Ridge Lake Blvd., Suite 100 Memphis, Tennessee 38120

FF 0402

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that ANN BUGBEE, TRUSTEE, "Grantor", for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby bargain, sell, remise, release, quit claim and convey unto ALBERT COOK DEVELOPMENT COMPANY, INC. "Grantee", all right, title and interest in and to that certain real estate located in the City of Memphis, County of Shelby, State of Tennessee, which is more particularly described as follows, to-wit:

- (in and to that certain real estate located in the City of Memphis, County of Shelby, State of Tennessee, which is more particularly described as follows, to-wit:
	Lots 28 and 29, E. E. Meacham's Cooper and Central Avenue Place Subdivision, as shown on revised plat of record in Plat Book 4, Pages 99 and 100, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.
	This being the same property conveyed to Ann Bugbee, Trustee, by Warranty Deed of record at Instrument No. H8 1666 in said Register's Office of Shelby County, Tennessee.
	THIS DEED PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.
-	IN TESTIMONY WHEREOF, I have executed this instrument this the 17 day of, 1995.
	STATE OF TENNESSEE) COUNTY OF SHELBY)
	On this, 1995, before me the undersigned Notary Public of the aforementioned County and State personally appeared Ann Bugbee, Trustee, with whom I am personally acquainted and who, upon oath acknowledged that she executed the foregoing instrument for the purposes therein contained, as her free act and deed.
	WITNESS my hand and Notarial Seal at office the day and wear above written. Notary Public
,	MY COMMMISSION EXPRESIDED 8, 1867 MY COMMMISSION EXPRESIDED 8, 1867
	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 is \$ -0
	AFFIANT Bugher
	SWORN TO AND SUBSCRIBED before me this the day of 1995. MY COMMISSION EXPRES DEC. 8, 1997 NOTARY PUBLIC PRESIDENT
	My Commission Expires:
1	Property Address: 739 South Cooper, Memphis, TN 38104 Tax Parcel No.: 031 136 00009 Mail May Bills Mot Calbort Cook Development Company
	Mail Tax Bills To: Albert Cook Development Company What was a cooper 739 South Cooper

A proposts owner: 739 South Cooper Adjoss; Memphis, Tennessee 38104

FF 0402

SHELBY COUNTY REGISTER OF DEEDS

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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.



19098911

09/24/2019 - 10:00:17 AM

1 PGS	<u></u> -
ALONZO 1923038 - 19098911	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	5.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	7.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE





APPLICATION FOR REGISTRATION **OF ASSUMED NAME**



Tre Hargett Secretary of State **Division of Business Services** Department of State

State of Tennessee 312 Rosa L. Parks AVE, 6th FL Nashville, TN 37243-1102 (615) 741-2286

Filing Fee: \$20.00

For Office Use Only

-FILED-

Amendment # 005193352

Pursuant to the Tennessee Business Corporation Act, Tennessee Nonprofit Corporation Act, Tennessee Limited Liability Company Act, Tennessee Revised Limited Liability Company Act, or the Tennessee Revised Uniform Partnership Act, this application for registration of an assumed name is submitted to the Tennessee Secretary of State.

1. The Secretary of State Control Number is: 000007516 and the true name of the business entity is:

ALBERT COOK DEVELOPMENT COMPANY, INCORPORATED

2. The state or country of organization is:

TENNESSEE

- 3. The business entity intends to transact business under an assumed name.
- 4. The assumed name the business entity proposes to use is:

COOPER YORK DEVELOPMENT COMPANY, INC.

The assumed name must satisfy the statutory requirements for that type of entity.

09/09/2019

Electronic

Signature Date

Signature

ATTORNEY Signer's Capacity J. MICHAEL MURPHY

Name (typed or printed)

Note: Pursuant to T.C.A. § 10-7-503 all information on this form is public record.

RETURN TO:

Murphy, DeZonia & Webb 6389 Quail Hollow Rd. Memphis, TN 38120

Prepared by and return to: 7000 Griffin, Clift, Everton & Thornton 965 Ridge Lake Blvd., Suite 100 Memphis, Tennessee 38120

FF 0402

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that ANN BUGBEE, TRUSTEE, "Grantor", for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby bargain, sell, remise, release, quit claim and convey unto ALBERT COOK DEVELOPMENT COMPANY, INC. "Grantee", all right, title and interest in and to that certain real estate located in the City of Memphis, County of Shelby, State of Tennessee, which is more particularly described as follows, to-wit:

	in and to that certain real estate located in the City of Memphis, County of Shelby, State of Tennessee, which is more particularly described as follows, to-wit:
	Lots 28 and 29, E. E. Meacham's Cooper and Central Avenue Place Subdivision, as shown on revised plat of record in Plat Book 4, Pages 99 and 100, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.
	This being the same property conveyed to Ann Bugbee, Trustee, by Warranty Deed of record at Instrument No. H8 1666 in said Register's Office of Shelby County, Tennessee.
	THIS DEED PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.
•	IN TESTIMONY WHEREOF, I have executed this instrument this the 17 day of, 1995. ANN BUGBEE, TRUSTEE
	STATE OF TENNESSEE) COUNTY OF SHELBY)
	On this day of , 1995, before me the undersigned Notary Public of the aforementioned County and State personally appeared Ann Bugbee, Trustee, with whom I am personally acquainted and who, upon oath acknowledged that she executed the foregoing instrument for the purposes therein contained, as her free act and deed.
	WITNESS my hand and Notarial Seal at office the day and year above written. Notary Public
	MY Commission expires:
	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 is \$ -0
	AFFIANT Bugles
<	SWORN TO AND SUBSCRIBED before me this the day of 1995. MY COMMISSION EXPRES DEC. 8, 1997 NOTARY PUBLIC NOTARY PUBLIC PUBLIC
	My Commission Expires:
	Property Address: 739 South Cooper, Memphis, TN 38104 Tax Parcel No.: 031 136 00009 Mail May Bills Mot Calbort Cook Development Company
ı	Mail Tax Bills To: Albert Cook Development Company 739 South Cooper

A proposts owner: 739 South Cooper Adjoss; Memphis, Tennessee 38104

FF 0402

SHELBY COUNTY REGISTER OF DEEDS

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STATE OF TEMPESSEE SHILEY OUNLY
GTT 1. B TES

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

September 17, 2024

Whitehead Law 275 Jefferson Avenue Memphis, Tennessee 38103

Sent via electronic mail to: josh@joshwhiteheadlaw.com

The Cooper Planned Development

Case Number: PD 2024-012

LUCB Recommendation: Approval with conditions as amended

Dear applicant,

On Thursday, September 12, 2024, the Memphis and Shelby County Land Use Control Board recommended *approval* of your planned development amendment application for the Cooper Planned Development subject to the attached conditions.

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

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

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

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at chloe.christion@memphistn.gov.

Respectfully,

Chloe Christion

Chlor Christian

Planner I

Letter to Applicant PD 2024-012

Land Use and Development Services Division of Planning and Development

Cc:

File

Letter to Applicant PD 2024-012

Outline Plan Conditions – Revisions

Changes from PD 20-15 are reflected in **bold, underline** for new language and strikethrough for deleted language.

I. Uses Permitted

- A. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1) District in the Midtown District Overlay, apartments, and a parking garage for both public rental and private use including a hotel with a maximum number of one hundred twenty-five (125) rooms. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- B. Areas A and B: All uses permitted by right in the Commercial Mixed Use 1 (CMU-1) District, in the Midtown District Overlay apartments, and a parking garage for both public rental and private use including a maximum number of two hundred fifty (250) apartments and a parking garage. Indoor multi-story self-storage as defined by the Unified Development Code (UDC) shall not be permitted.
- C. <u>Areas C and E: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay.</u>
- D. Area D: All uses permitted by right in the Residential Urban 3 (RU-3) District in the Midtown District Overlay, including a surface parking lot serving the uses within Areas A, B, C and E of this Planned Development.
- E. All Areas: Utilities; Overnight Lodging, including AirBnB, VRBO, etc., other than the permitted hotel in Area A; Self-Service Storage and Vehicle Sales uses as defined in the UDC shall not be permitted.

II. Bulk Regulations

- A. A maximum number of three hundred forty-eight (348) apartments units shall be allowed.
- B. A maximum area of fifty seven thousand (57,000) square feet of flex space shall be allowed. Flex space will be used as office, retail, or amenity space.
- A. Maximum building height shall be limited to the number of stories on the <u>Cooper PD</u> Central Yards Concept Plan of stories as follows:
 - Buildings AA and AE Area A four (4) seven (7) stories
 - Buildings AC and AD Area B five (5) six (6) stories. A four (4) story multi-family building over a podium that has 2 parking levels. Lower level will also contain a leasing office and retail space.
 - Buildings AB and AG Areas C and E six (6) three (3) stories
 - Building AF seven (7) stories
- B. Building setbacks shall be as follows:
 - Buildings shall be setback a minimum of zero (0) feet from Cooper Street, Central
 Avenue and York Avenue.
 - 2. Buildings shall be setback two (2) to fifteen (15) feet from Tanglewood Street.
 - Buildings shall be setback a minimum of five (5) feet from all other property lines.
- E. No rooftop amenity shall be above the level of the fourth (4th) floor parking garage roof-

- C. <u>The maximum number of overall units in the Planned Development shall be three hundred and forty-eight (348).</u>
- III. Access, Circulation and Parking:
 - A. Improve Tanglewood Street with curb, gutter, sidewalk and on-street parking.
 - B. Improve York Avenue with curb, gutter, sidewalk and on-street parking. <u>Through traffic shall be allowed on York Street</u>. <u>Public parking shall be permitted on one side of York Street</u>.
 - C. Provide a round about at the intersection of York Avenue and Tanglewood Street.
 - D. Permit one (1) right turn only curb cut from the site onto on the west and east sides of Tanglewood Street for a service exit.
 - E. Permit one (1) three (3) curb cuts onto on the north side of York Avenue from each of Areas A and B and one (1) curb cut on the south side of York Avenue.
 - F. Allow a drop-off area along Cooper Street and York Avenue to serve the hotel.
 - G. The exact number, location and design of permitted curb cuts shall be subject to the approval of the City Engineer.
 - H. Provide a north-south private drive connecting Central Avenue to York Avenue. It shall be constructed to meet the sidewalk and landscaping requirements of the UDC and include native trees and plants. City Standards and provide a Curbs shall be vertical and the minimum pavement width shall be of 20 feet, exclusive of curb and gutter and onstreet parking. The design shall prohibit a left turn be full movement onto both Central Avenue and York Avenues. The centerline of this drive shall be a minimum of 300 approximately 220 feet west from the centerline of Cooper Street.
 - I.— A one-way (east to west) service drive shall be allowed between Cooper Street and the north south private drive. The minimum pavement width shall be fourteen (14) feet at Cooper Street and then narrow to eleven (11) feet as indicated on the site plan. Curbs shall be vertical.
 - J. All existing sidewalks shall be replaced if damaged during construction of this project, non-ADA compliant, or in disrepair.
 - K. Parking shall be provided in accordance with the UDC. A minimum of one hundred (100) extra spaces will be provided for additional public parking.
 - Bicycle parking shall be provided per the UDC, along with bicycle storage for the residents.
 - M. A signed and lit crosswalk shall be provided across Cooper Street at York Avenue.

 The private streets and plazas of this development shall not be permanently gated or fenced.

- IV. Building facades, Landscaping and Screening
 - A. The buildings within Areas A, B, C and D shall adhere to the building standards of the Midtown District Overlay as articulated in Sub-Section 8.4.10B of the UDC. The buildings within Area E shall adhere to the design regulations of the Cooper-Young Historic Overlay District and shall be subject to the review of the Memphis Landmarks

 Commission. No exterior insulation and finishing systems (EIFS) shall be allowed on the street facing facades. Facade materials shall predominantly consist of masonry to contextually fit with the adjacent historic structures. Cementitious and/or fiber cement siding and/or panels, metal panels, glass, and exterior insulation and finishing systems (EIFS) may be used at appropriate locations subject to administrative review and approval.
 - B. All streets and private drives shall be landscaped in accordance with the Midtown District Overlay of the UDC.
 - C. A pedestrian plaza including greenspace shall be provided at the northwest corner of Cooper and York.
 - Refuse containers shall be completely screened from public roads.
 - E. All heating and air conditioning equipment located on the roof shall be screened using architectural features, including a parapet, mansard roof, or site-proof screening. Any ground mounted equipment shall be screened from view with site-proof screening or landscape materials.
 - F. All required landscaping and screening shall be provided exclusive of any areas encumbered by easements and shall not conflict with any easements, including overhead wires.
 - G. Equivalent landscaping may be substituted for that required above, subject to administrative approval.
 - H. There shall be a minimum of 25% active ground floor space, such as amenity space serving the multifamily units I Area B, on the ground-level parking garage along York Avenue and a minimum 25% of the same active ground floor space along Central Avenue. These percentages shall be measured linearly along the front building façade.
 - Lighting shall be directed so as not to glare onto any residential property.
 - J. Neither the planned development nor any private drives shall be gated. FParking lot fencing and gates will be allowed around the pool, dog park, parking in Area D and the rear and side perimeters of Area C. No fencing shall be permitted in the front yard of any building in any Area.
 - K. All site improvements for Area E, such as but not limited to, walls, fences, gates, etc. shall be subject to Memphis Landmarks Commission review and Certificate of Appropriateness approval.

Letter to Applicant PD 2024-012

V. Signs

- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
- B. Any sign elevations shall be included in the recording of this Final Plat.
- C. Any ground mounted sign shall have a minimum setback of five (5) feet from the public right-of-way.
- D. Attached signs shall be in accordance with the CMU-1 District.
- No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.

VI. Drainage

- All drainage plans shall be submitted to the City Engineer for review.
- B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; 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 Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plat shall include the following:
 - A. The Outline Plan Conditions.
 - A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - The number of parking spaces.
 - The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. 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 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, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL Planning & Development ONLY STAPLED | **DIVISION TO DOCUMENTS Planning & Zoning COMMITTEE:** 10/15/2024 DATE **PUBLIC SESSION:** 11/12/2024 DATE ITEM (CHECK ONE) X RESOLUTION REQUEST FOR PUBLIC HEARING ORDINANCE ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject properties located at various properties along Philadelphia Street and New York Street, known as case number SUP 2024-032 **CASE NUMBER:** SUP 2024-032 LOCATION: 681, 685 & 659 Philadelphia Street and 680, 688, 693 & 687 New York Street District 6 and Super District 8 – Positions 1, 2, and 3 **COUNCIL DISTRICTS: OWNER/APPLICANT:** Karen Pease REPRESENTATIVE: Milos Mikic **REQUEST:** Special use permit to allow administrative offices and a resource center for medical services AREA: +/-0.87 acres **RECOMMENDATION:** The Division of Planning and Development recommended Approval with conditions The Land Use Control Board recommended Approval with conditions RECOMMENDED COUNCIL ACTION: Public Hearing Not Required Hearing – November 12, 2024 **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED 09/12/2024 **DATE** (1) Land Use Control Board ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE **FUNDING:** REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED **SOURCE AND AMOUNT OF FUNDS OPERATING BUDGET** CIP PROJECT # FEDERAL/STATE/OTHER ADMINISTRATIVE APPROVAL: **DATE POSITION** 10/7/2024 PLANNER I **DEPUTY ADMINISTRATOR** 10/7/2024 ADMINISTRATOR DIRECTOR (JOINT APPROVAL) **COMPTROLLER** FINANCE DIRECTOR CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2024-032

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 681, 685 & 659 PHILADELPHIA STREET AND 680, 688, 693 & 687 NEW YORK STREET, KNOWN AS CASE NUMBER SUP 2024-032

- This item is a resolution with conditions for a special use permit to allow administrative offices and a resource center for medical services; and
- The 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 2024-032

LOCATION: 681, 685 & 659 Philadelphia Street and 680, 688, 693 & 687 New

York Street

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

OWNER/APPLICANT: Karen Pease

REPRESENTATIVE: Milos Mikic

REQUEST: Special use permit to allow administrative offices and a resource

center for medical services

EXISTING ZONING: Residential Urban – 3 (RU-3)

AREA: +/-1.28 acres

The following spoke in support of the application: Milos Mikic, Karen Pease

The following spoke in opposition the application: Brona Pinnolis

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 6-4.

Chlor Christian

Respectfully,

Chloe Christion

Planner I

Land Use and Development Services
Division of Planning and Development

Cc: Committee Members

File

SUP 2024-032 CONDITIONS

- 1. The existing structures including front yard spaces shall not be altered on the exterior and shall maintain the residential style, scale and form.
- 2. The lot located at 688 New York Street shall be permitted for a neighborhood resource center of residential-style construction, scale and form. The new building construction shall adhere to Midtown District Overlay (MD) regulations.
- 3. The access and parking for existing structures shall remain and any required parking for offices shall be located behind the front of the building.
- 4. Parking on 681 Philadelphia Street shall be located behind the front building line of the adjacent parcels and screened from view.
- 5. Any new construction on 681 Philadelphia Street shall be residential in style, size and form and adhere to the Contextual Infill Standards of the UDC.
- 6. The disposal of trash for offices shall be of residential style containers and trash disposal for the neighborhood resource center shall be subject to site plan review, including required access, parking, circulation, landscaping, and gates.
- 7. Any signs for the office structures, including the neighborhood resource center shall be in accordance with the RU-3 District regulations.

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 681, 685 & 659 PHILADELPHIA STREET AND 680, 688, 693 & 687 NEW YORK STREET, KNOWN AS CASE NUMBER SUP 2024-032

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, Karen Pease filed an application with the Memphis and Shelby County Division of Planning and Development to allow administrative offices and a resource center for medical services; 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. The existing structures including front yard spaces shall not be altered on the exterior and shall maintain the residential style, scale and form.
- 2. The lot located at 688 New York Street shall be permitted for a neighborhood resource center of residential-style construction, scale and form. The new building construction shall adhere to Midtown District Overlay (MD) regulations.
- 3. The access and parking for existing structures shall remain and any required parking for offices shall be located behind the front of the building.
- 4. Parking on 681 Philadelphia Street shall be located behind the front building line of the adjacent parcels and screened from view.
- 5. Any new construction on 681 Philadelphia Street shall be residential in style, size and form and adhere to the Contextual Infill Standards of the UDC.
- 6. The disposal of trash for offices shall be of residential style containers and trash disposal for the neighborhood resource center shall be subject to site plan review, including required access, parking, circulation, landscaping, and gates.
- 7. Any signs for the office structures, including the neighborhood resource center shall be in accordance with the RU-3 District regulations.

ATTEST:

Division of Planning and Development – Land Use and Development Services CC:

- Office of Construction Enforcement

dpd STAFF REPORT

AGENDA ITEM: 23 L.U.C.B. MEETING: September 12, 2024

CASE NUMBER: SUP 2024-032

LOCATION: 681, 685 & 659 Philadelphia Street and 680, 688, 693 & 687 New York Street

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

OWNER/APPLICANT: Karen Pease

REPRESENTATIVE: Josh Whitehead

REQUEST: Special use permit to allow administrative offices and a resource center for medical

services

EXISTING ZONING: Residential Urban – 3 (RU-3)

CONCLUSIONS

- 1. The request is a special use permit to allow administrative offices and a resource center for medical services in seven (7) separate residential-style buildings in single ownership and one (1) vacant parcel used as a neighborhood garden.
- 2. A similar Special Use Permit (SUP 2020-017) was approved by Memphis City Council on April 6, 2021 which allowed administrative offices and a resource center for medical services at 657 & 659 Philadelphia Street and 680, 687 & 688 New York Street, see pages 24-26 of this report for said resolution. This Special Use Permit has since expired as there have been over twenty-four months of inactivity on said permit according to records on Accela and the Assessor's website. Additional properties have been added and address changes have been implemented since the approval of the Special Use Permit.
- 3. The granting of this special use permit 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.

CONSISTENCY WITH MEMPHIS 3.0

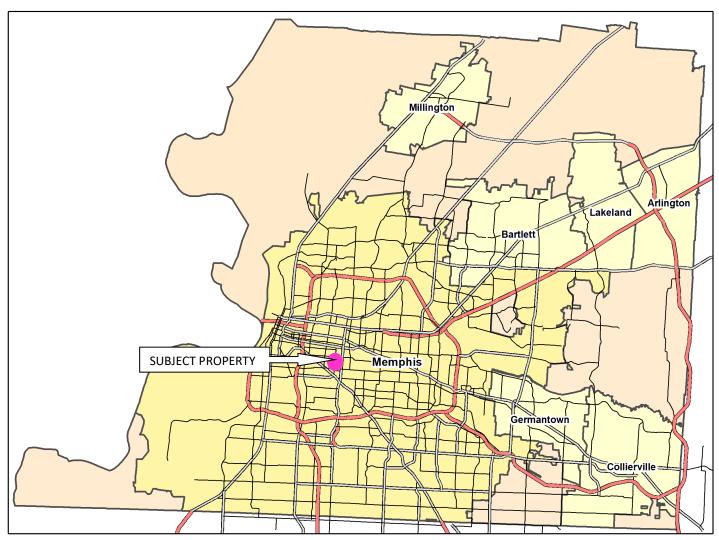
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 19-21 of this report.

RECOMMENDATION:

Approval with conditions

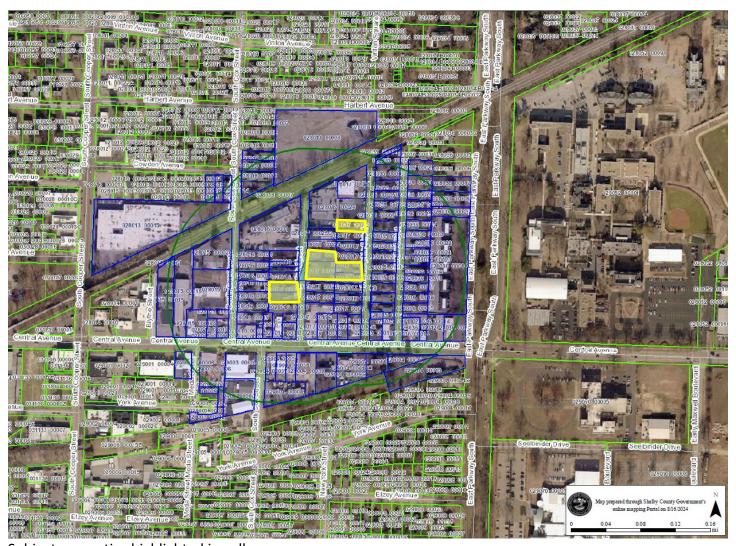
Staff Writer: Chloe Christion E-mail: chloe.christion@memphistn.gov

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject properties highlighted in yellow

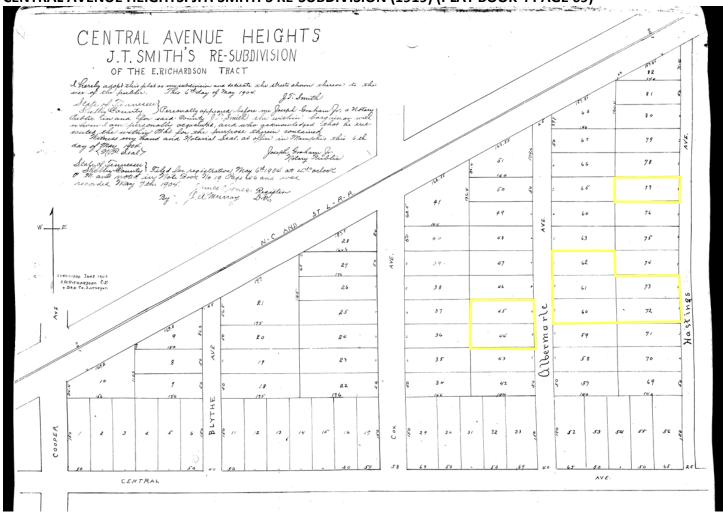
PUBLIC NOTICE DETAILS

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 102 notices were mailed on August 16, 2024, see page 22 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 23 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

The meeting was held at 4:30PM on Wednesday, August 28 at 649 Philadelphia Street.

CENTRAL AVENUE HEIGHTS. J.T. SMITH'S RE-SUBDIVISION (1919) (PLAT BOOK 4 PAGE 69)



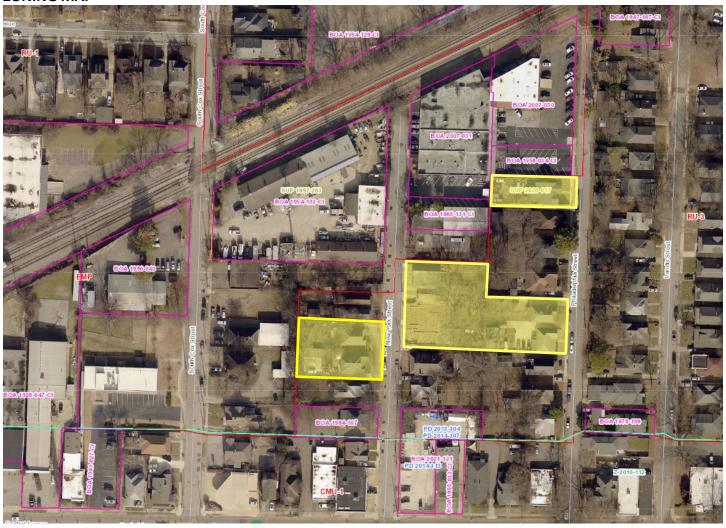
Subject properties highlighted in yellow, Lots 44, 45, 60, 61, 62, 72,73 and 77

AERIAL



Subject properties outlined in yellow, imagery from 2023

ZONING MAP



Subject properties highlighted in yellow

LAND USE MAP



Subject properties indicated by pink stars

SITE PHOTOS



View of 685 Philadelphia Street



View of 659 Philadelphia Street



View of 680 New York Street



View of 688 New York Street

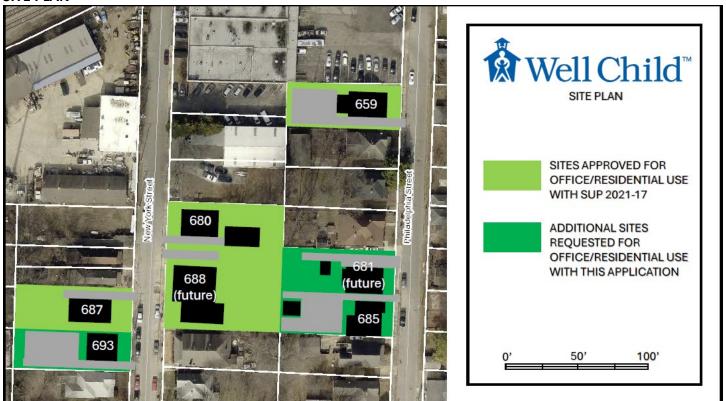


View of 693 New York Street



View of 687 New York Street

SITE PLAN



CASE REVIEW

Request

The request is a special use permit to allow administrative offices and a resource center for medical services.

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:

681 Philadelphia St, 685 Philadelphia St, 659 Philadelphia St, 680 New York St, 688 New York St, 693 New York St & 687 New York St

Parcel ID:

028017 00007, 028017 00008, 028017 00003, 028017 00023, 028017 00021C, 028016 00006, 028016 00005

Area:

+/- 1.28 acres

Staff Report SUP 2024-032 September 12, 2024 Page 13

Description:

The subject properties are known as Lots 44, 45, 60, 61, 62, 72, 73 and 77 of the Central Avenue Heights Subdivision (Plat Book 4, Page 6) and are zoned Urban Residential -- 3 (RU-3). The lots have street frontages on either Philadelphia Street or New York Avenue, and all contain cottage-style single family homes with the exception of 688 New York Street which contains a neighborhood garden.

Site Zoning History

On April 6, 2021, the Council of the City of Memphis approved SUP 2020-017 which allowed administrative offices and a resource center for medical services at 657 & 659 Philadelphia Street and 680, 687 & 688 New York Street, see pages 24-26 of this report for said resolution. This Special Use Permit has since expired as there have been over twenty-four months of inactivity on said permit according to records on Accela and the Assessor's website.

Analysis

This request is a new Special Use Permit to include the properties approved for Well Child administrative offices and a neighborhood resource center in April 2021 as well as three additional properties under the same ownership.

Over the past years, the property at 681 Philadelphia Street has burned down and the lot is currently vacant and used for parking. It is unclear if the owner intends to rebuild the home on the lot, however all parking should be screened from public view and be contained behind the front of any buildings to maintain the residential nature of the area.

The granting of this special use permit 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.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

- 1. The existing structures including front yard spaces shall not be altered on the exterior and shall maintain the residential style, scale and form.
- 2. The lot located at 688 New York street shall be permitted for a neighborhood resource center of residential-style construction, scale and form. The new building construction shall adhere to Midtown District Overlay (MD) regulations.
- 3. The access and parking for existing structures shall remain and any required parking for offices shall be located behind the front of the building.
- 4. Parking on 681 Philadelphia Street shall be located behind the front building line of the adjacent parcels and screened from view.
- 5. Any new construction on 681 Philadelphia Street shall be residential in style, size, and form and adhere to the Contextual Infill Standards of the UDC.

- 6. The disposal of trash for offices shall be of residential style containers and trash disposal for the neighborhood resource center shall be subject to site plan review, including required access, parking, circulation, landscaping, and gates.
- 7. Any signs for the office structures, including the neighborhood resource center shall be in accordance with the RU-3 District regulations.

DEPARTMENTAL COMMENTS

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

City Engineer:

CASE 14: SUP-24-032 NAME: 681 Philadelphia St.

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

Sewers:

- 2. Sewer capacity is available to serve this development.
- 3. A sewer development fee may be required per the city sewer ordinance for redevelopment or expansion of the existing houses.

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 <u>Trip Generation Report</u> 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.

General Notes:

11. Development is located within a sensitive drainage basin.

September 12, 2024 Page 17

City Fire Division:



DIVISION OF FIRE SERVICES ❖ FIRE PREVENTION BUREAU

2668 Avery Avenue · Memphis · Tennessee · 38112 (901) 636-5401 Fax (901) 320-5425

Case Number: SUP 2024-032 Date Reviewed: 9/5/24 Reviewed by: J. Stinson

Address or Site Reference: 681 Philadelphia

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

City Real Estate: No comments received.

County Health Department: No comments received.

Staff Report SUP 2024-032 September 12, 2024 Page 18

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:

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 2024-032 – Core City

Site Address/Location: 681 Philadelphia St.

Overlay District/Historic District/Flood Zone: Located in the Midtown Overlay Future Land Use Designation: Anchor Neighborhood-Primarily Single-Unit (AN-S)

Street Type: N/A

The applicant is requesting a special use permit to incorporate additional parcels into previously approved SUP 2020-017 to allow for additional office and dwelling space uses.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



"AN-S" Form & Location Characteristics SUSTAIN

Primarily detached, single-family residences. Attached single-family residences permitted on parcels within 100 feet of an anchor and along avenues, boulevards and parkways as identified in the Street Types Map. Height: 1-3 stories. Scale: house-scale.

"AN-S" Zoning Notes

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

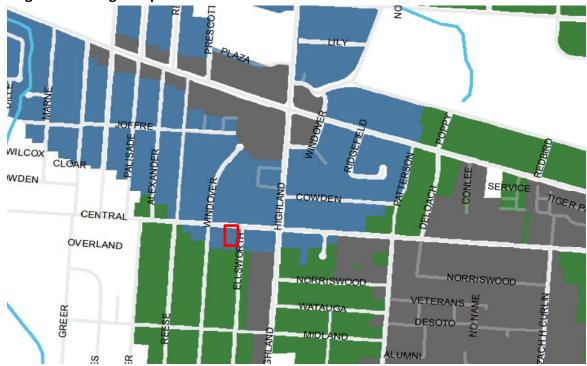
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Single-Family, RU-3

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

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

3. Degree of Change Map



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

4. Degree of Change Description

Sustain areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place. The proposed uses are of philanthropic origin and will be a benefit to the community at large.

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

The requested use is consistent with Objective 1.5 – Strengthen neighborhood commercial districts, Action 1.5.7: Support and encourage the adaptive reuse of existing underutilized structures and properties in Citywide and Community Anchors for business development.

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

The parcel is located in the Core City Planning District and the requested use is consistent with Core City Planning District Priority – Encourage civic space investments that affect economic competitiveness and quality of life.

Consistency Analysis Summary

The applicant is requesting a special use permit to incorporate additional parcels into previously approved SUP 2020-017 to allow for additional office and dwelling space uses.

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

The proposed uses are of philanthropic origin and will be a benefit to the community at large.

The requested use is consistent with Objective 1.5 – Strengthen neighborhood commercial districts, Action 1.5.7: Support and encourage the adaptive reuse of existing underutilized structures and properties in Citywide and Community Anchors for business development.

The parcel is located in the Core City Planning District and the requested use is consistent with Core City Planning District Priority – Encourage civic space investments that affect economic competitiveness and quality of life.

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 2024-032

ADDRESS: 680, 688, 687, and 693 New York St; 685, 659, and

681 Philadelphia St

REQUEST: Special Use Permit to allow administrative offices and a

resource center for medical services

APPLICANT: Karen Pease

Meeting Details

Location: Council Chambers

City Hall 1st Floor

125 N Main St.

Time: 9:00 AM

Date: Thursday, Sept. 12

Staff Planner Contact:

Chloe Christion

☐ chloe.christion@memphistn.gov

(901) 636-7494

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

SITE PLAN



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



102 Notices Maile d 8 /16/2024

SIGN AFFIDAVIT

Shelby County

AFFIDAVIT

State of Tennessee
I, Josh Whitehead , being duly sworn, depose and say that at 12:00 am/pm on the 13th day of August , 2024 , I posted 2 Public Notice Sign(s) pertaining to Case No. SUP 24-32 at 685 Philadelphia St. and 693 New York St.
providing notice of a Public Hearing before the (check one): X 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
8/13/24
Owner, Applicant or Representative Date Subscribed and sworn to before me this
My commission expires: TENNESSEE NOTARY PUBLIC My Comme En

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 Special Use Permit

Record Detail Information

Record Type: Special Use Permit Record Status: Processing
Opened Date: August 7, 2024

Record Number: SUP 2024-032 Expiration Date:

Record Name: Special Use Permit Amendment - Well Child, Inc.

Description of Work: Well Child, Inc. is applying for a Special Use Permit Amendment to expand its office space and accommodate employee dwelling units. Founded in 1998, Well Child serves the health needs of children aged 3-21 in Memphis and Shelby County, with services including nursing, health clinics, and optometry, largely contracted through Memphis Shelby County Schools.

The expansion involves incorporating additional properties into a previously approved Special Use Permit (Case No. SUP 2020-17), which allowed the relocation of operations to former single-family residences in Midtown's RU-3 zoning district. The new request includes three additional properties (693 New York Street and 681 and 685 Philadelphia Street) alongside the four already approved properties.

This project aims to enhance Well Child's operations and provide housing for its employees, contributing positively to the neighborhood and aligning with the Memphis 3.0 General Plan.

Parent Record Number:

Address:

681 PHILADELPHIA ST, MEMPHIS 38104

Owner Information

Primary Owner Name

Y PEASE KAREN J

Owner Address Owner Phone

650 NEW YORK ST, MEMPHIS, TN 38104

Parcel Information

028017 00007

Data Fields

PREAPPLICATION MEETING

Page 1 of 3 SUP 2024-032

Name of DPD Planner Chloe Christion 06/26/2024 Date of Meeting Email Pre-application Meeting Type GENERAL PROJECT INFORMATION

Amendment to Existing SUP Application Type SUP 20-017 List any relevant former Docket / Case

No

Correct

Correct

Number(s) related to previous applications on

Is this application in response to a citation, stop

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

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

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

Correct UDC Sub-Section 9.6.9C Correct UDC Sub-Section 9.6.9D UDC Sub-Section 9.6.9E Correct UDC Sub-Section 9.6.9F Correct GIS INFORMATION

Case Layer Central Business Improvement District No R Class Downtown Fire District Nο

Historic District SINGLE-FAMILY Land Use Municipality MEMPHIS

RU-3 Zoning State Route Lot 73

Overlay/Special Purpose District

CENTRAL AVE HGTS Subdivision

Planned Development District Wellhead Protection Overlay District No

SUP 2024-032 Page 2 of 3

Midtown Overlay

25

Contact Information

Name
JOSH WHITEHEAD

Contact Type
APPLICANT

Address

Phone (901)810-5789

Fee Information Invoice # Quantity Balance Date Assessed Status 1584712 Credit Card Use Fee (.026 13.00 INVOICED 0.00 08/09/2024 1 x fee) 1584712 Special Use Permit Fee -1 500.00 INVOICED 0.00 08/09/2024 5 acres or less (Base Fee)

Total Fee Invoiced: \$513.00 Total Balance: \$0.00

Payment Information

Payment Amount Method of Payment \$513.00 Credit Card

Page 3 of 3 SUP 2024-032

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, <u>Karen Pease</u> , 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, caro 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 685 Philadelphia Street, 681 Philadelphia Street and 693 New York Street and further
identified by Assessor's Parcel Number 028017 00008, 028017 00007 and 028016 00006, 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 314 In the year of 2024. **State of Owner** Signature of Owner** Signature of Notary Public.
Signature of Owner State OF Signature of Notary Public Signature of Notary Public 10 - 04 - 2-025
On behalf of (if owned by a composition)

My Commission Expires

LETTER OF INTENT



Josh Whitehead

Managing Partner (901) 810-5789 josh@joshwhiteheadlaw.com

August 8, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development
Memphis City Hall
125 N. Main St. Ste. 468
Memphis, TN 38103

RE: Application for a Special Use Permit Amendment for Well Child, Inc.

Mr. Ragsdale,

On behalf of Well Child, Inc., I am pleased to submit this application for a Special Use Permit Amendment to allow for the expansion of the office space associated with this important business enterprise. Well Child was founded in 1998 to improve the health of children aged 3-21 in Memphis and Shelby County. It has multiple contracts with the Memphis Shelby County Schools, providing services such as nursing, health clinics and optometry services. It has operated from New York and Philadelphia Streets in Midtown since 2004, largely from an industrially zoned property at 650 Philadelphia Street, which it has since vacated.

This Special Use Permit Amendment request represents an expansion of a previously approved Special Use Permit, Case No. SUP 2020-17. That request allowed Well Child to relocate from 650 Philadelphia Street into several former single-family residences along New York and Philadelphia Streets within the RU-3, Residential Urban, zoning district (see Exhibit "A", attached to this letter; photos of the interior of 659 Philadelphia St.). Since that time, its owner Karen Pease has purchased additional property that she would like incorporated into the project. The map on the next page reflects the four properties that were part of the approved Special Use Permit, Case No. SUP 2020-17 (680, 687 and 688 New York Street and 659 Philadelphia Street), highlighted in red and the three additional properties that are part of this request (693 New York Street and 681 and 685 Philadelphia Street), highlighted in orange.



This map shows the four properties that were part of the approved Special Use Permit, Case No. SUP 2020-17 in **red** and the three additional properties that are part of the current request in **orange**. Note that 659 Philadelphia Street is a former duplex that was addressed as 657/659 Philadelphia when SUP 2020-17 was filed.

This application would not only allow for the expansion of the office operations of Well Child, but also accommodate dwelling units for its employees. As such, we respectfully request that each of the properties subject to this request may remain open to whatever residential uses they are entitled to under the underlying zoning district.

We believe this expansion will have a positive impact on the neighborhood, easily meeting the test for Special Use Permits under Sec. 9.6.9 of the Memphis and Shelby County Unified Development Code. This is demonstrated by the adjacent properties that are currently being operated by Well Child that were approved with SUP 2020-17.

Finally, given the non-residential (industrial and commercial) land uses of those parcels adjacent to and abutting the properties that are part of this application, we feel that this proposal is consistent with the Memphis 3.0 General Plan.

Thank you for your time and consideration of this request.

Sincerely,

Josh Whitehead

SUP 2020-017 COUNCIL RESOLUTION

RESOLUTION APPROVING SPECIAL USE PERMITS FOR THE SUBJECT PROPERTIES LOCATED 657 & 659 PHILADELPHIA STREET AND 680, 687 AND 688 NEW YORK STREET, KNOWN AS CASE NUMBER SUP 20-017

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 a grant special use permit for certain stated purposes in various zoning districts; and

WHEREAS, the Well Child, Inc. filed a special use permit application with the Memphis and Shelby County Office of Planning and Development to allow administrative offices and a resource center for medical services at 657 & 659 Philadelphia Street and 680, 687 & 688 New York Street; and

WHEREAS, the Office of Planning and Development has received and reviewed the special use permit 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 *Thursday, March* 11th, 2021, 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 special use permit 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 Office 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 to allow administrative offices and a resource center for medical services in accordance with the attached site plan conditions.

BE IT FURTHER RESOLVED, that this special use 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 site plan 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.



2

Site Plan Conditions:

- The duplex building located 657 & 659 Philadelphia Street; and the single buildings located 680 and 687 New York Street shall be permitted for administrative offices for medical services.
- The existing structures stated above and facing the public street, including front yard spaces shall not be altered on the exterior and shall maintain the residential style, scale and form.
- The vacant lot located 688 New York Street shall be permitted for a neighborhood resource center of residential-style construction, scale and form. The new building construction shall adhere to Sub-Section 8.4.4-Site Plan Review of Midtown District (MD) Overlay regulations.
- Any new construction shall comply with development standards of the RU-3 District, except the front yard setback shall align with existing front yard setbacks for structures north and south.
- The access and parking for existing structures above shall remain and any required parking for offices shall be located behind the front of the building.
- Any required parking for the neighborhood resource center shall be located behind the front of the building and the required front yard building setback line.
- The disposable of trash for offices shall be of residential style containers and trash disposable for the neighborhood resource center shall be subject to site plan review above, including required access, parking, circulation, landscaping and signs.
- The signs for the office structures above, including the neighborhood resource center shall be in accordance with the RU-3 District regulations.
- No interior walls shall be demolished within the residential structures of this Special Use Permit.

Well Child, Inc. (S.U. P. 20-017) 657 & 659 Philadelphia Street 680, 687 & 688 New York Street

ATTEST:

cc: Division of Planning and Development Land Use and Development Services Office of Construction Code Enforcement

> I hereby certify that the foregoing is a true copy and document was adopted, approved by the Council of the City of Memphis in regular session on

Date __

APR 0 6 2021

Deputy Comptroller-Council Records

Staff Report SUP 2024-032 September 12, 2024 Page 33

LETTERS RECEIVED

One (1) letter of opposition and one (1) neutral letter have been received at the time of completion of this report and have subsequently been attached.

Request for Special Use Permit Case SUP 2024-032 New York Street

Brona Pinnolis

 bronaarts@gmail.com>

Sun 9/1/2024 11:01 AM

To:Christion, Chloe <Chloe.Christion@memphistn.gov>

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

Hello, I am the current owner of 683 New York St and want to register my current objection to the requested special use.

I purchased this property in 2022 as a long term personal plan. Currently, my son occupies it primarily but we do have occasional short term rentals for traveling nurses. My plan with this small one level home is to eventually occupy it myself or with my partner if we are both still in good health when I need to downsize and have one level living. I am a senior citizen and bought this to secure a nice place, helping my son now and myself later.

I am extremely concerned that these plans for expansion of both administrative offices and some sort of as yet unknown "medical services" will render this street no longer at all residential and extremely unsafe at night. As it is, it's a dead end street with approximately 10 homes. The proposed plan for now and future would leave the 2 houses at the end almost the only 2 places that would be occupied at night. That is not safe, especially in Memphis.

Further, the daytime neighborhood would also be ruined with constant traffic, where there is limited parking, and only one way in and out. The current businesses at the end of the street do not generate much traffic at all, but medical administrative and clinical offices surely will be much more volume. Our own guests would have a very tough time finding street parking as there is only so much available. This is not the neighborhood I spent money to enter.

Finally, without knowing what kind of medical services are being rendered, there is no way to gauge if clientele coming and going might pose additional risk to life and/or property. The increase of people, regardless of type of service being rendered, who don't live here and come and go frequently does put the residential homes at greater risk.

I therefore strenuously object to this proposed use and intend to appear at the hearing. I think my safety as a homeowner in what still is a residential area, albeit small, is more important than the growth of this applicant's business. There are plenty of areas in Memphis, including nearby, which are fully business and better suited to this endeavor if it requires the use of so many different houses in its plan. Thank you.

Brona Pinnolis 901-569-0972

SUP 2024-032 - Philadelphia and New York Streets Special Use Permit Application

David Rhea <david@rheapm.com>

Tue 9/3/2024 9:09 PM

To:Christion, Chloe <Chloe.Christion@memphistn.gov>
Cc:Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>;Beverly Rhea
brhea85@gmail.com>

3 attachments (14 MB)

IMG_2832.JPEG; IMG_2831.JPEG; IMG_2833.JPEG;

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.

To: Chloe Christion

We own the home located at 671 Philadelphia Street which adjoins parcels included in this application to our south (681 Philadelphia) and west (680 New York).

We have know the applicant and consider her an asset to the neighborhood and support the mission of Well Child, but that said, we oppose any zoning change that will allow:

- 1. 681 Philadelphia or any other of the included parcels to become parking lots.
- 2. Any improvements including new structures which are inconsistent with the residential midtown nature of the existing homes surrounding the subject parcels.

See attached photos of 681 Philadelphia. You will see our home 671 Philadelphia immediately to the right (north). There was a beautiful home on this lot that burned and was razed within the last year. Part of the now vacant lot is currently being used for parking.

In summary - we are opposed to approval of any use that will allow any or all of these parcels to be a parking lot, or for anything other than residential themed improvements to existing homes or new dwellings built on vacant lots which will blend in with the rhythm and harmony of the existing Philadelphia and New York residential streetscapes. Such uses will diminish the value of other homes in the neighborhood and degrade the community.

We respectfully request that the Division of Planning and Development accommodate these requests in the decision.

Beverly and David Rhea david@rheapm.com 901-647-6302







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 7, 2024

Record Number: SUP 2024-032 Expiration Date:

Record Name: Special Use Permit Amendment - Well Child, Inc.

Description of Work: Well Child, Inc. is applying for a Special Use Permit Amendment to expand its office space and accommodate employee dwelling units. Founded in 1998, Well Child serves the health needs of children aged 3-21 in Memphis and Shelby County, with services including nursing, health clinics, and optometry, largely contracted through Memphis Shelby County Schools.

The expansion involves incorporating additional properties into a previously approved Special Use Permit (Case No. SUP 2020-17), which allowed the relocation of operations to former single-family residences in Midtown's RU-3 zoning district. The new request includes three additional properties (693 New York Street and 681 and 685 Philadelphia Street) alongside the four already approved properties.

This project aims to enhance Well Child's operations and provide housing for its employees, contributing positively to the neighborhood and aligning with the Memphis 3.0 General Plan.

Parent Record Number:

Address:

681 PHILADELPHIA ST, MEMPHIS 38104

Owner Information

Primary Owner Name

Y PEASE KAREN J

Owner Address Owner Phone

650 NEW YORK ST, MEMPHIS, TN 38104

Parcel Information

028017 00007

Data Fields

PREAPPLICATION MEETING

Page 1 of 3 SUP 2024-032

Name of DPD Planner Chloe Christion
Date of Meeting 06/26/2024
Pre-application Meeting Type Email

GENERAL PROJECT INFORMATION

Application Type Amendment to Existing SUP List any relevant former Docket / Case SUP 20-017

No

Correct

Correct

Number(s) related to previous applications on

Is this application in response to a citation, stop 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

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

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

UDC Sub-Section 9.6.9CCorrectUDC Sub-Section 9.6.9DCorrectUDC Sub-Section 9.6.9ECorrectUDC Sub-Section 9.6.9FCorrect

GIS INFORMATION

Case Layer Central Business Improvement District No
Class R
Downtown Fire District No

Historic District Land Use SINGLE-FAMILY
Municipality MEMPHIS

Overlay/Special Purpose District Midtown Overlay

Zoning RU-3
State Route Lot 73

Subdivision CENTRAL AVE HGTS

Planned Development District - Wellhead Protection Overlay District No

Page 2 of 3 SUP 2024-032

Contact Information

Contact Type Name JOSH WHITEHEAD APPLICANT

Address

Phone (901)810-5789

Fee Information						
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1584712	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	08/09/2024
1584712	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	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

SUP 2024-032 Page 3 of 3

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, Karen Pease, 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 685 Philadelphia Street, 681 Philadelphia Street and 693 New York Street and further identified by Assessor's Parcel Number 028017 00008, 028017 00007 and 028016 00006, for which an application is being made to the Division of Planning and Development. Subscribed and sworn to (or affirmed) before me this in the year of 2024. Signature of Notary Public KJ Pease, LLC On behalf of (if owned by a corporation)

My Commission Expires



Josh Whitehead

Managing Partner (901) 810-5789 josh@joshwhiteheadlaw.com

August 8, 2024

Brett Ragsdale, AIA
Zoning Administrator
Memphis and Shelby County
Division of Planning and Development
Memphis City Hall
125 N. Main St. Ste. 468
Memphis, TN 38103

RE: Application for a Special Use Permit Amendment for Well Child, Inc.

Mr. Ragsdale,

On behalf of Well Child, Inc., I am pleased to submit this application for a Special Use Permit Amendment to allow for the expansion of the office space associated with this important business enterprise. Well Child was founded in 1998 to improve the health of children aged 3-21 in Memphis and Shelby County. It has multiple contracts with the Memphis Shelby County Schools, providing services such as nursing, health clinics and optometry services. It has operated from New York and Philadelphia Streets in Midtown since 2004, largely from an industrially zoned property at 650 Philadelphia Street, which it has since vacated.

This Special Use Permit Amendment request represents an expansion of a previously approved Special Use Permit, Case No. SUP 2020-17. That request allowed Well Child to relocate from 650 Philadelphia Street into several former single-family residences along New York and Philadelphia Streets within the RU-3, Residential Urban, zoning district (see Exhibit "A", attached to this letter; photos of the interior of 659 Philadelphia St.). Since that time, its owner Karen Pease has purchased additional property that she would like incorporated into the project. The map on the next page reflects the four properties that were part of the approved Special Use Permit, Case No. SUP 2020-17 (680, 687 and 688 New York Street and 659 Philadelphia Street), highlighted in red and the three additional properties that are part of this request (693 New York Street and 681 and 685 Philadelphia Street), highlighted in orange.



This map shows the four properties that were part of the approved Special Use Permit, Case No. SUP 2020-17 in **red** and the three additional properties that are part of the current request in **orange**. Note that 659 Philadelphia Street is a former duplex that was addressed as 657/659 Philadelphia when SUP 2020-17 was filed.

This application would not only allow for the expansion of the office operations of Well Child, but also accommodate dwelling units for its employees. As such, we respectfully request that each of the properties subject to this request may remain open to whatever residential uses they are entitled to under the underlying zoning district.

We believe this expansion will have a positive impact on the neighborhood, easily meeting the test for Special Use Permits under Sec. 9.6.9 of the Memphis and Shelby County Unified Development Code. This is demonstrated by the adjacent properties that are currently being operated by Well Child that were approved with SUP 2020-17.

Finally, given the non-residential (industrial and commercial) land uses of those parcels adjacent to and abutting the properties that are part of this application, we feel that this proposal is consistent with the Memphis 3.0 General Plan.

Thank you for your time and consideration of this request.

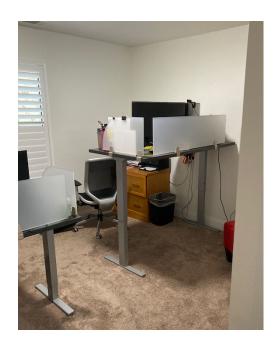
Sincerely,

Josh Whitehead

Exhibit "A"













SITES APPROVED FOR OFFICE/RESIDENTIAL USE WITH SUP 2021-17

ADDITIONAL SITES
REQUESTED FOR
OFFICE/RESIDENTIAL USE
WITH THIS APPLICATION

0' 50' 100'

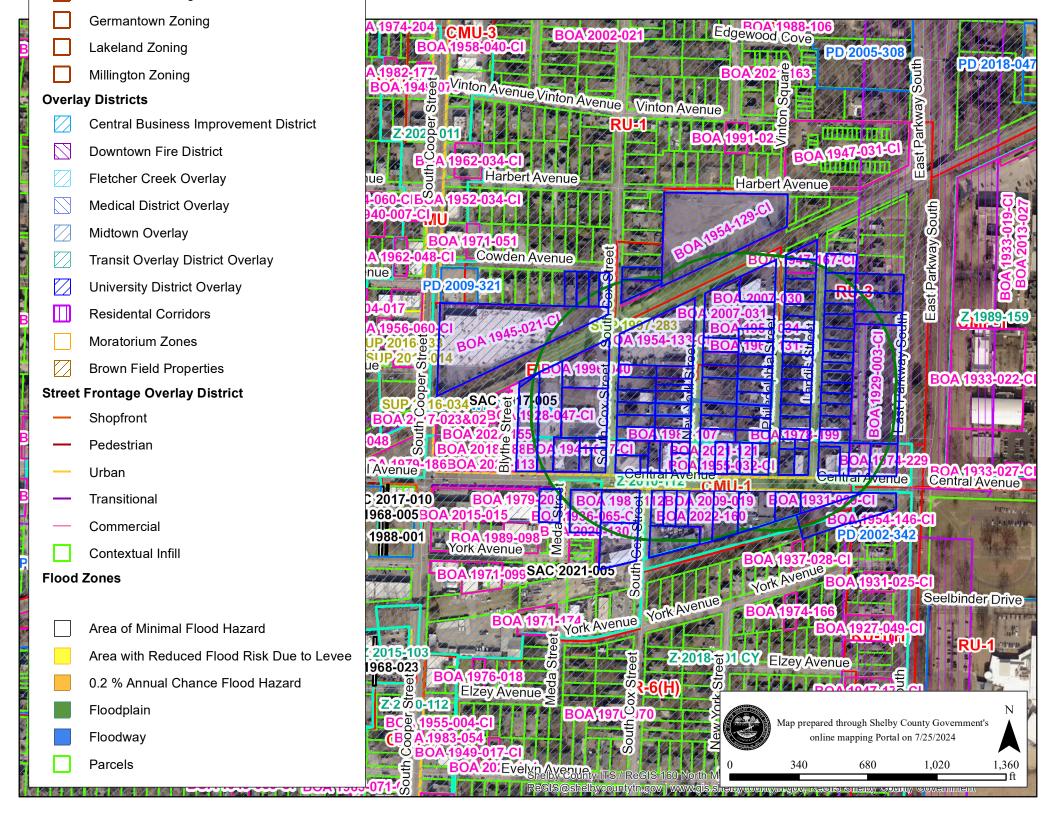




SITES APPROVED FOR OFFICE/RESIDENTIAL USE WITH SUP 2021-17

ADDITIONAL SITES
REQUESTED FOR
OFFICE/RESIDENTIAL USE
WITH THIS APPLICATION

0' 50' 100'



MIDTOWN ANIMAL LAND LLC	KJ PEASE LLC	CENTRAL AVENUE LLC
2192 CENTRAL AVE #	693 NEW YORK ST #	1300 GRAYSTONE CT #
MEMPHIS TN 38104	MEMPHIS TN 38104	CORDOVA TN 38016
MONCILOVICH THOMAS A & RUTH D	KJ PEASE LLC	SIMMONS CATHERINE G (1/3%) AND A WILSON
2041 NE 53RD ST #	650 NEW YORK ST #	2300 CENTRAL AVE #
FORT LAUDERDALE FL 33308	MEMPHIS TN 38104	MEMPHIS TN 38104
GRACE-ST LUKES EPISCOPAL SCHOOL	COMMERCIAL ROOFING LLC	MID SOUTH HOMEBUYERS INC
246 S BELVEDERE BLVD #	692 S COX ST #	2238 CENTRAL AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
SCHWARZ ROBERT G III & LAURA C	GINN NICHOLAS W	TRANSFORMAMA HOLDINGS LLC
641 E PARKWAY #	699 NEW YORK ST #	1895 COURT AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
BORDEN ANNE L 673 N BELVEDERE BLVD # MEMPHIS TN 38107		L & W INVESTMENT COMPANY P O BOX 40467 # MEMPHIS TN 38174
SCHWARTZ SUSAN K LIVING TRUST AND 682 S COX ST # MEMPHIS TN 38104		CITY OF MEMPHIS GENERAL DELIVERY # MEMPHIS TN 38101
MEZA REI LLC	710-712 SOUTH COX LLC	PRUITT PROPERTIES L L C
PO BOX 3383 #	3181 POPLAR AVE #328	2259 CENTRAL AVE #
MEMPHIS TN 38173	MEMPHIS TN 38111	MEMPHIS TN 38104
ABESI MEHDI	LOWE JOHN & BEVERLY	BLACK ANCHOR LLC
2186 CENTRAL AVE #	1042 N BARKSDALE ST #	4886 COLE RD #
MEMPHIS TN 38104	MEMPHIS TN 38107	MEMPHIS TN 38117
KJ PEASE LLC	GALLOWAY CHARLES	ROBERTS G FRANK & MINDY C
693 NEW YORK ST #	711 N EVERGREEN ST #	2215 CENTRAL AVE #
MEMPHIS TN 38104	MEMPHIS TN 38107	MEMPHIS TN 38104
SCHWARTZ DAURIE A	FDM INVESTORS LLC	EVERITT PATRICIA L

226 JAMERSON FARM RD #

COLLIERVILLE TN 38017

4886 COLE RD #

MEMPHIS TN 38117

682 S COX ST #

MEMPHIS TN 38104

WILKERSON WILLIAM H	DELMORE WILLIAM T	SCHWARTZ SUSAN K AND DAURIE A SCHWARTZ
632 LANDIS ST #	650 LANDIS ST #	682 S COX ST #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
NANDRAJOG LAKSH	SCHWARZ ROBERT G & SILVIA AND MICHAEL A	SCHWARTZ SUSAN K LIVING TRUST
PO BOX 17005 #	647 E PARKWAY #	682 S COX ST #
MEMPHIS TN 38187	MEMPHIS TN 38104	MEMPHIS TN 38104
ANNABLE HALEY C & PAULA B	GREGORY CYNTHIA L	N-C & ST LOUIS RWY
2191 COWDEN AVE #	20635 ELKWOOD PL #	GENERAL DELIVERY #
MEMPHIS TN 38104	LAKE MATHEWS CA 92570	MEMPHIS TN 38101
GRAVES THOMAS A	HOLMES STEFANIE L	2178 CENTRAL AVENUE LLC
2197 COWDEN AVE #	652 LANDIS TER #	1437 CENTRAL AVE #1200
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
KING MARC	SMITH DENNIS W	CDM PROPERTIES LLC
2201 COWDEN AVE #	663 LANDIS ST #	5345 WILDBROOK CV #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38120
DAVIS JAMES T & KATHRYN F C	LOST LAKE LLC	RHEA DAVID O & BEVERLY
2203 COWDEN AVE #	666 LANDIS ST #	207 STONEWALL ST #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38112
CASSIN MARTHA R	BAKER CHADWICK M LIVING TRUST	SILVER MOUNTAIN VENTURES LLC SERIES A
640 LANDIS ST #	669 LANDIS ST #	1446 N REID HOOKER #
MEMPHIS TN 38114	MEMPHIS TN 38104	EADS TN 38028
GARDNER JASON E & NINA K H	GODMAN STEPHEN A	CITY PRIDE PROPERTIES LLC
642 S COX ST #	4845 SHIRA DR #	1446 N REID HOOKER #
MEMPHIS TN 38104	ARLINGTON TN 38002	EADS TN 38028
MELLINGER KELSEY L AND KEVIN L MELLINGER	CARPENTER HAROLD W JR & ERICA	PINNOLIS BRONA LIVING TRUST
645 LANDIS ST #	674 LANDIS ST #	683 NEW YORK ST #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
ROBERTS FAMILY PROPERTIES LLC	MACYAUSKI WILLIAM J	PEASE KAREN J
PO BOX 771385 #	673 LANDIS ST #	650 NEW YORK ST #
MEMPHIS TN 38177	MEMPHIS TN 38104	MEMPHIS TN 38104

REPP LINDSAY AND JUDY REPP 1278 AGNES # MEMPHIS TN 38104		
	COMMERCIAL ROOFING LLC 692 S COX ST # MEMPHIS TN 38104	TAYLOR ROBERT F 1904 COWDEN AVE # MEMPHIS TN 38104
CITY PRIDE PROPERTIES LLC	EVERETT JOHN S III REVOCABLE LIVING	BENSON LEO IV
1446 N REID HOOKER #	1511 HARBERT AVE #	2232 CENTRAL AVE #
EADS TN 38028	MEMPHIS TN 38104	MEMPHIS TN 38104
PEASE KEVIN J INVESTMENT SERVICES	GRAY AMY	ABBOTT HAROLD D AND SUZANNE G ABBOTT
685 PHILADELPHIA ST #	699 PHILADELPHIA ST #	5051 NEW CASTLE RD #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38117
COLLINS ABE	SIMMONS A WILSON III	CENTRAL AVENUE LLC
320 FAIRWAY DR #	79 MORNING SIDE PL #	2186 CENTRAL AVE #
ACWORTH GA 30101	MEMPHIS TN 38104	MEMPHIS TN 38104
1873 MILLER FARMS RD #	LISLE BETTY C 6443 CALLAWAY ACRES RD # GULF SHORES AL 36542	226 JAMERSON FARM RD #
KJ PEASE LLC	KICKHAM VIRGINIA F	CENTRAL AVENUE LLC
693 NEW YORK ST #	3163 BIRCHTON GLADE CV #	2186 CENTRAL AVE #
MEMPHIS TN 38104	LAKELAND TN 38002	MEMPHIS TN 38104
FERGUSON WILLIAM E & MARY S	MIDTOWN ANIMAL LAND LLC	MOHUNDRO JAKE R & JEANINE H
694 NEW YORK ST #	2192 CENTRAL AVE #	2208 CENTRAL AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
HIGGINS PROPERTIES LLC	SIMMONS A WILSON III	VANCE MARGARET E
1976 VAL VERDE DR #	79 MORNING SIDE PL #	2304 CENTRAL AVE #
GERMANTOWN TN 38138	MEMPHIS TN 38104	MEMPHIS TN 38104
SIMMONS A WILSON & CATHERINE C	MOHUNDRO JAKE R & JEANINE H	FLASHBACK INC
79 MORNING SIDE PL #	711 S COX ST #	2304 CENTRAL AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104

LOEB REALTY L P P O BOX 171247 # MEMPHIS TN 38187

ANDREINI SHARON A LIVING TRUST SULLIVAN GARLAND & CHERYL O 8384 BERGEN DR # CORDOVA TN 38018

682 S COX ST # MEMPHIS TN 38104

COUCH DAVID V 9950 CENTER HILL RD # COLLIERVILLE TN 38017 CITY OF MEMPHIS GENERAL DELIVERY # MEMPHIS TN 38101

PARKWAY ARMS LLC 5345 WILDBROOK CV # MEMPHIS TN 38120

WALKER LARRY & EMILY 1654 STONEHEDGE DR # SOUTHAVEN MS 38671

BOOCATCHICKEN LLC 6068 DOKOTA TRAIL # PARK CITY UT 84098

PARKWAY ARMS LLC 5345 WILDBROOK CV # MEMPHIS TN 38120

CRUM JOHN H & KONG W PANG 2224 CENTRAL AVE # MEMPHIS TN 38104

BISHOP ROGER W AND JUDY R BISHOP LIVING ROBERTS G FRANK & MINDY C 795 PORT NATCHEZ DR # COLLIERVILLE TN 38017

2215 CENTRAL AVE # MEMPHIS TN 38104

HTR & PROPERTY LLC 1710 CYPRESS SPRINGS LN # COLLIERVILLE TN 38017

BAUWENS GINO & DIANE F 670 NEW YORK ST # MEMPHIS TN 38104

SOUTHBAY PROPERTIES LLC 5851 RIDGE BEND RD # MEMPHIS TN 38120

CHARNG LLC 1979 FELIX AVE # MEMPHIS TN 38104

BAUWENS GINO & DIANE FULTON 245 RIDGEFIELD # MEMPHIS TN 38111

ROBERTS G FRANK & MINDY C 2215 CENTRAL AVE # MEMPHIS TN 38104

CBBQ PROPERTIES LLC 4840 GWYNNE # MEMPHIS TN 38117

SAPP CHARLES G 665 PHILADELPHIA ST # MEMPHIS TN 38104

CBBQ PROPERTIES LLC 4840 GWYNNE # MEMPHIS TN 38117

LANZA PAUL K & MARJEAN E 7192 BAKER ST # MILLINGTON TN 38083

CBBQ PROPERTIES LLC 4840 GWYNNE # MEMPHIS TN 38117

KJ PEASE LLC 650 NEW YORK ST # MEMPHIS TN 38104

HUGHES KATHERINE A 2265 CENTRAL AVE # MEMPHIS TN 38104

FOOZIZZA LLC 2272 CENTRAL AVE # MEMPHIS TN 38104

028015 00005C - MIDTOWN ANIMAL LAND LLC 028035 00012 - MONCILOVICH THOMAS A & RUTH D 028018 00003 - GRACE-ST LUKES EPISCOPAL SCHOOL 028036 00007 - SCHWARZ ROBERT G III & LAURA C 028035 00005 - BORDEN ANNE L 028016 00001 - SCHWARTZ SUSAN K LIVING TRUST AND 028035 00007 - MEZA REI LLC 028015 00016 - ABESI MEHDI 028017 00023 - KJ PEASE LLC 028016 00020 - SCHWARTZ DAURIE A 028016 00005 - KJ PEASE LLC 028017 00021C - KJ PEASE LLC 028016 00018 - COMMERCIAL ROOFING LLC 028016 00007 - GINN NICHOLAS W 028016 00016 - ANIMAL CAPITAL LLC 028016 00008 - TAYLOR ROBERT F 028016 00015 - 710-712 SOUTH COX LLC 028015 00011 - LOWE JOHN & BEVERLY 028017 00015 - GALLOWAY CHARLES 028035 00017 - FDM INVESTORS LLC 028017 00014 - CENTRAL AVENUE LLC 028036 00013 - SIMMONS CATHERINE G (1/3%) AND A WILSON

028016 00010 - MID SOUTH HOMEBUYERS INC

029004 00011 - L & W INVESTMENT COMPANY

028035 00018 - TRANSFORMAMA HOLDINGS LLC

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029004 00012 - CITY OF MEMPHIS
029004 00006C - PRUITT PROPERTIES L L C
028035 00003C - BLACK ANCHOR LLC
028015 00002C - ROBERTS G FRANK & MINDY C
028035 00022 - EVERITT PATRICIA L
028036 00029 - WILKERSON WILLIAM H
028018 00008 - NANDRAJOG LAKSH
028013 00011 - ANNABLE HALEY C & PAULA B
028013 00012 - GRAVES THOMAS A
028013 00013 - KING MARC
028013 00014 - DAVIS JAMES T & KATHRYN F C
028036 00028 - CASSIN MARTHA R
028018 00007 - GARDNER JASON E & NINA K H
028035 00004 - MELLINGER KELSEY L AND KEVIN L MELLINGER
028013 00015 - ROBERTS FAMILY PROPERTIES LLC
028036 00027 - DELMORE WILLIAM T
028036 00008 - SCHWARZ ROBERT G & SILVIA AND MICHAEL A
028035 00006 - GREGORY CYNTHIA L
028036 00026 - HOLMES STEFANIE L
028035 00008 - SMITH DENNIS W
028036 00024 - LOST LAKE LLC
028035 00009 - BAKER CHADWICK M LIVING TRUST
028036 00023 - GODMAN STEPHEN A
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028036 00022 - CARPENTER HAROLD W JR & ERICA

028035 00010 - MACYAUSKI WILLIAM J

- 028016 00021 SCHWARTZ SUSAN K AND DAURIE A SCHWARTZ 028016 00002 - SCHWARTZ SUSAN K LIVING TRUST 028015 00001 - N-C & ST LOUIS RWY 028015 00015 - 2178 CENTRAL AVENUE LLC 028036 00021 - CDM PROPERTIES LLC 028017 00006 - RHEA DAVID O & BEVERLY 028035 00011 - SILVER MOUNTAIN VENTURES LLC SERIES A 028036 00020 - CITY PRIDE PROPERTIES LLC 028016 00003 - PINNOLIS BRONA LIVING TRUST 028017 00007 - PEASE KAREN J 028016 00004 - REPP LINDSAY AND JUDY REPP 028016 00019 - SCHWARTZ SUSAN K LIVING TRUST AND 028036 00019 - CITY PRIDE PROPERTIES LLC 028017 00008 - PEASE KEVIN J INVESTMENT SERVICES 028035 00013 - COLLINS ABE 028036 00018 - ROUNDOAK PROPERTIES LLC 028016 00006 - KJ PEASE LLC 028017 00020 - FERGUSON WILLIAM E & MARY S 028017 00009 - HIGGINS PROPERTIES LLC
- 028035 00014 SIMMONS A WILSON & CATHERINE C
- 028036 00017 BLAND ADAM B AND CRYSTAL C CASON (RS)
- 028016 00017 COMMERCIAL ROOFING LLC
- 028017 00019 EVERETT JOHN S III REVOCABLE LIVING
- 028017 00010 GRAY AMY
- 028035 00015 SIMMONS A WILSON III

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028036 00016 - LISLE BETTY C
028017 00011 - KICKHAM VIRGINIA F
028015 00012C - MIDTOWN ANIMAL LAND LLC
028035 00016 - SIMMONS A WILSON III
028015 00009 - MOHUNDRO JAKE R & JEANINE H
028036 00015 - CHATMAN ERIC G
028016 00012 - TAYLOR ROBERT F
028016 00011 - BENSON LEO IV
028016 00009 - ABBOTT HAROLD D AND SUZANNE G ABBOTT
028017 00017C - CENTRAL AVENUE LLC
028035 00020 - FDM INVESTORS LLC
028017 00016 - CENTRAL AVENUE LLC
028015 00010 - MOHUNDRO JAKE R & JEANINE H
028036 00014 - VANCE MARGARET E
028036 00012 - FLASHBACK INC
028036 00011 - LOEB REALTY L P
028016 00014 - COUCH DAVID V
028035 00019 - WALKER LARRY & EMILY
028016 00013 - CRUM JOHN H & KONG W PANG
029001 00008 - HTR & PROPERTY LLC
029004 00036 - CHARNG LLC
029004 00037 - CBBQ PROPERTIES LLC
029004 00038 - CBBQ PROPERTIES LLC
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029004 00039 - CBBQ PROPERTIES LLC

029004 00010C - HUGHES KATHERINE A

- 029004 00004 ANDREINI SHARON A LIVING TRUST 029004 00013 - CITY OF MEMPHIS 028017 00029 - BOOCATCHICKEN LLC 028017 00028 - BISHOP ROGER W AND JUDY R BISHOP LIVING 028017 00025C - BAUWENS GINO & DIANE F 028017 00024 - BAUWENS GINO & DIANE FULTON
- 028017 00005 SAPP CHARLES G
- 028017 00004 LANZA PAUL K & MARJEAN E
- 028017 00003 KJ PEASE LLC
- 028017 00012C FOOZIZZA LLC
- 028036 00025 SULLIVAN GARLAND & CHERYL O
- 028036 00010 PARKWAY ARMS LLC
- 028036 00009 PARKWAY ARMS LLC
- 029003 00005C ROBERTS G FRANK & MINDY C
- 029003 00006 SOUTHBAY PROPERTIES LLC
- 029003 00004 ROBERTS G FRANK & MINDY C



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.

17096636 09/20/2017 - 09:12 AM

2 PGS	
TANYA 1649925-17096636	
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	12.00

TOM LEATHERWOOD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared by and When Recorded Return to: Wardlow & Wardlow, PLLC 7500 Capital Drive Germantown, TN 38138

QUIT CLAIM DEED

Tax Parcel: 028017 00007

tean

KNOW ALL MEN BY THESE PRESENTS, that **Karen J. Pease**, a single woman, for and in consideration of **TEN** (10.00) **DOLLARS**, do hereby bargain, sell, remise, release, quit claim and convey unto **KJ Pease**, **LLC**, **Tennessee Limited Liability Company**, all of my rights, title, and interest that I now have or may hereafter acquire in the following described real estate located in **Shelby** County, Tennessee, to-wit:

Lot 73, Central Avenue Heights J. T. Smith's re-subdivision, as shown on plat of record in Plat Book 4, Page 69, in the Register's Office, Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the Grantor herein by Deed of record at Instrument Number 17032304 in said Register's Office.

This Deed was prepared without the benefit of a title search.

IN TESTIMONY WHEREOF (I / we) have hereunto set (my / our) hand(s) and seal(s) this 15th day of September, 2017.

Karen J. Pease

STATE OF TENNESSEE, COUNTY OF SHELBY.

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Karen J. Pease** to me known to be the person s described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

Witness my hand, at office, this 15th day of September, 2017.

G. WARD

Comm. Exp. 07

My Commission expires:

Property Owner:

Karen J. Pease

STATE OF TENNESSEE, COUNTY OF SHELBY

I hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transaction is \$ 10.00.

Addison The Affiant

Witness my hand this 15th day of September, 2017.

Nicory Bublio

Property Known As: 681 Philadelphia Street Memphis, TN 38104

681 Philadelphia Street

Memphis, TN 38104

Mail Tax Bills To: KJ Pease, LLC 650 New York Street Memphis, TN 38104



I, Charles G. Wardlow, II, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Charles G. Wardlow, II

State of TENNESSEE County of SHELBY

Personally appeared before me, a notary public for this county and state, Charles G. Wardlow, II, who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.

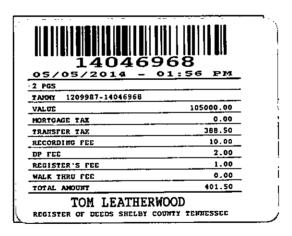
Notary's Signature

MY COMMISSION EXPIRES:

My Comm. Exp. 02-19-18



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.



Tom Leatherwood, Shelby County Register of Deeds: Instr. # 14046968

WARRANTY DEED

Property address: Mail tax bills to: I, or we, hereby swear and affirm that, to the best of the affiant's knowledge. 693 New York Street formation, and belief, the actual consideration for thi sfer is \$1,05,000.00. Memphis, TN 38104 Owner's name: KJ Pease, LLC Affiant KJ Pease, LLC 693 New York Street Memphis, TN 38104 In to before meths 2nd day of May, 2014. Subser 693 New York Street Memphis, TN 38104 nission Expir COUN

THIS INDENTURE, made and entered into this 2nd day of May, 2014, by and between 1919

Mary Anna Allison Sewell Wolf, a married person, party of the first part and

KJ Pease, LLC, a Tennessee limited liability company, party of the second part,

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

Lot 44, Central Avenue Heights Subdivision, as recorded in plat of record in Plat Book 4, Page 69, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

This property being the same property conveyed to the Grantor(s) by Warranty Deed at Instrument No. BH 8438 and Quit Claim Deed of record in Instrument No. DA 2625 in said Register's Office.

Parcel Number: 028016 00006

Mary Anna Allison Sewell Wolf is also known as Mary Wolf.

Mary Anna Allison Sewell Wolf hereby certifies that her husband, Renee Wolf, has never lived in the above described property as his homestead.

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

The said party of the first part does hereby covenant with the said party of the second part that he/she is/are lawfully seized in fee of the aforedescribed real estate; that he/she has good right to sell and convey the same; that the same is unencumbered, EXCEPT for:

Subdivision restrictions, building lines and easements of record, and any subsequent years taxes not yet due and payable,

and that the title and quiet possession thereto he/she will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

Tom Leatherwood, Shelby County Register of Deeds: Instr. # 14046968

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

Mary Anna Allison Sewell Wolf

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Mary Anna Allison Sewell Wolf to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal this 2nd day of May, 2014.

Nota

My commission expires:

This instrument prepared by: Southern Trust Title Company 6465 Quail Hollow, Suite #401 Memphis, TN 38120

File No.: 3159276

(FOR RECORDING DATA ONLY)



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.

24039896 05/16/2024 - 10:34:30 AM

	03/10/2024	10.34.30 AM	
3 PGS			
LACY	2703650-240398	396	
VALUE			10.00
MORTGA	GE TAX		0.00
TRANSF	ER TAX		0.00
RECORDING FEE		15.00	
DP FEE			2.00
REGISTER'S FEE		0.00	
EFILE	FEE		2.00
TOTAL	AMOUNT		19.00

WILLIE F. BROOKS JR

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared By: Southern Trust Title Company 7500 Capital Drive Germantown, TN 38138

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that KAREN J. PEASE, Trustee of the KEVIN JOSEPH PEASE INVESTMENT SERVICES TRUST, dated December 19, 2022, for and in consideration of TEN (10.00) DOLLARS, do hereby bargain, sell, remise, release, quit claim and convey unto KJ Pease LLC a Tennessee limited liability company, all of my rights, title, and interest that I now have or may hereafter acquire in the following described real estate located in Shelby County, Tennessee, to-wit:

Lot 72, Central Avenue Heights J.T. Smith's re-subdivision~ as shown on plat of record in Plat Book 4, Page 69, in the Register's Office, Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the Grantor by Quit Claim Deed of record at Instrument Number 22136506 in the Register's Office of Shelby County, Tennessee.

No abstract or survey was furnished for preparation of this instrument.

The preparer of this deed makes no representation as to the status of title to the property described hereto. This deed has been prepared solely from information furnished to the preparer, who makes no representation whatsoever other than it has been accurately transcribed from the information provided.

Tax Parcel Number 0280170008

IN TESTIMONY WHEREOF (I / we) have hereunto set (my / our) hand(s) and seal(s) this 10^{th} the day of May, 2024.

KAREN J. PEASE, Trustee of the KEVIN JOSEPH PEASE INVESTMENT SERVICES TRUST, dated December 19, 2022

Kevin J. Pease, Beneficiary

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared KAREN J. PEASE, Trustee of the KEVIN JOSEPH PEASE INVESTMENT SERVICES TRUST, dated December 19, 2022 to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal this 10th day of May, 2024.

Notary Public Public Comm. Exp. 06 ST.

My commission expires:

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared KEVIN J. PEASE, beneficiary of the KEVIN JOSEPH PEASE INVESTMENT SERVICES TRUST, dated December 19, 2022, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal this 10th day of May, 2024.

Notary Public

My commission expires:

Property Owner: KJ Pease, LLC 650 New York Street Memphis, TN. 38104

Property Known As: 650 New York Street Memphis, TN. 38104

Mail Tax Bills To: 650 New York Street Memphis, TN. 38104





STATE OF TENNESSEE, COUNTY OF SHELBY

I hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transaction is \$ 10.00.

Affiant

Witness my hand, at office, this 10th day of May, 2024.

Notary Public

MY Commission Expires:

Certification of Electronic Document

I, Charles G. Wardlow, II, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Charles G. Wardlow, II

State of TENNESSEE County of SHELBY

Sworn to and subscribed before me, Gaylon Muhammad, a notary public for this county and state, Charles G. Wardlow, II, who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.

Notary's Signature

MY COMMISSION EXPIRES:



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

September 26, 2024

Milos Mikic, Whitehead Law 275 Jefferson Avenue Memphis, TN 38103

Sent via electronic mail to: milos@whiteheadlaw.com

Case Number: SUP 2024-032

LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, September 12, 2024, the Memphis and Shelby County Land Use Control Board recommended *approval* of your special use permit application to allow administrative offices and a resource center for medical services located at 681, 685 & 659 Philadelphia Street and 680, 688, 693 & 687 New York Street subject to the following conditions:

- 1. The existing structures including front yard spaces shall not be altered on the exterior and shall maintain the residential style, scale and form.
- 2. The lot located at 688 New York street shall be permitted for a neighborhood resource center of residential-style construction, scale and form. The new building construction shall adhere to Midtown District Overlay (MD) regulations.
- 3. The access and parking for existing structures shall remain and any required parking for offices shall be located behind the front of the building.
- 4. Parking on 681 Philadelphia Street shall be located behind the front building line of the adjacent parcels and screened from view.
- 5. Any new construction on 681 Philadelphia Street shall be residential in style, size, and form and adhere to the Contextual Infill Standards of the UDC.
- 6. The disposal of trash for offices shall be of residential style containers and trash disposal for the neighborhood resource center shall be subject to site plan review, including required access, parking, circulation, landscaping, and gates.
- 7. Any signs for the office structures, including the neighborhood resource center shall be in accordance with the RU-3 District regulations.

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

It is the applicant's responsibility to contact the City Council Records Office to determine when the

Letter to Applicant SUP 2024-032

application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

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

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at chloe.christion@memphistn.gov.

Respectfully,

Chloe Christion

Planner I

Land Use and Development Services
Division of Planning and Development

Chlor Christian

Cc: Josh Whitehead, Whitehead Law File

CITY OF MEMPHIS

COUNCIL AGENDA CHECK OFF SHEET ONE ORIGINAL | **Planning & Development** ONLY STAPLED | **DIVISION TO DOCUMENTS Planning & Zoning COMMITTEE:** 10/15/2024 **DATE PUBLIC SESSION:** 11/12/2024 **DATE** ITEM (CHECK ONE) REQUEST FOR PUBLIC HEARING X RESOLUTION ORDINANCE ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 4744 Dodd Road, known as case number SUP 2024-033 **CASE NUMBER:** SUP 2024-033 LOCATION: 4744 Dodd Road **COUNCIL DISTRICTS:** District 6 and Super District 8 – Positions 1, 2, and 3 **OWNER/APPLICANT:** Corretta Jones **REPRESENTATIVE:** N/A **REQUEST:** Special use permit to allow an adult day care AREA: +/-0.87 acres **RECOMMENDATION:** The Division of Planning and Development recommended Approval with conditions The Land Use Control Board recommended Approval with conditions RECOMMENDED COUNCIL ACTION: Public Hearing Not Required Hearing – November 12, 2024 **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED 09/12/2024 DATE (1) Land Use Control Board ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE **FUNDING:** REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED SOURCE AND AMOUNT OF FUNDS **OPERATING BUDGET** CIP PROJECT # FEDERAL/STATE/OTHER ADMINISTRATIVE APPROVAL: **DATE POSITION** Christian PLANNER I DEPUTY ADMINISTRATOR **ADMINISTRATOR** DIRECTOR (JOINT APPROVAL) COMPTROLLER

FINANCE DIRECTOR

COMMITTEE CHAIRMAN

CHIEF ADMINISTRATIVE OFFICER

CITY ATTORNEY



Memphis City Council Summary Sheet

SUP 2024-033

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 4744 DODD ROAD, KNOWN AS CASE NUMBER SUP 2024-033

- This item is a resolution with conditions for a special use permit to allow an adult day care; and
- The 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 2024-033

LOCATION: 4744 Dodd Road

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

OWNER/APPLICANT: Corretta Jones

REPRESENTATIVE: N/A

REQUEST: Special use permit to allow an adult daycare

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

AREA: +/-0.87 acres

The following spoke in support of the application: None

The following spoke in opposition the application: None

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

The motion passed by a vote of 8-0 on the consent agenda.

Respectfully,

Chloe Christion

Planner I

Land Use and Development Services
Division of Planning and Development

Chlor Christian

Cc: Committee Members

File

SUP 2024-033

CONDITIONS

- 1. A Class III Buffer shall be provided along property lines abutting residential uses.
- 2. Any driveway improvements shall be subject to the review and approval of City Engineering and the Division of Planning and Development.

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 4744 DODD ROAD, KNOWN AS CASE NUMBER SUP 2024-033

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, Corretta Jones filed an application with the Memphis and Shelby County Division of Planning and Development to allow an adult daycare; 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. A Class III Buffer shall be provided along property lines abutting residential uses.
- 2. Any driveway improvements shall be subject to the review and approval of City Engineering and the Division of Planning and Development.

ATTEST:

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

dpd STAFF REPORT

AGENDA ITEM: 24 L.U.C.B. MEETING: September 12, 2024

CASE NUMBER: SUP 2024-033

LOCATION: 4744 Dodd Road

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

OWNER/APPLICANT: Corretta Jones

REPRESENTATIVE: N/A

REQUEST: Special use permit to allow an adult day care

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

CONCLUSIONS

- 1. The request is a special use permit to allow an adult day care in a residential area.
- 2. The proposed site plan indicates a Class II Buffer along property lines adjacent to residential uses as well as access to the site through a shared drive on Ellen Lane, however staff will require a Class III Buffer as stipulated in UDC Item 2.6.2B(b).
- 3. The granting of this special use permit 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.

CONSISTENCY WITH MEMPHIS 3.0

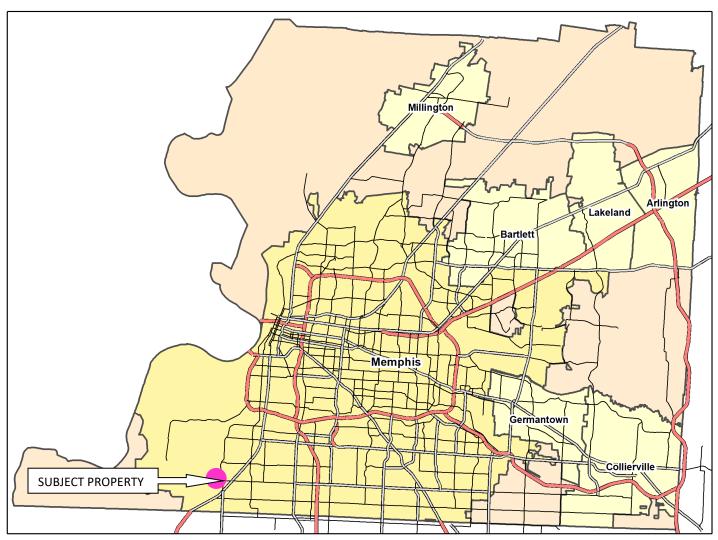
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 18-20 of this report.

RECOMMENDATION:

Approval with conditions

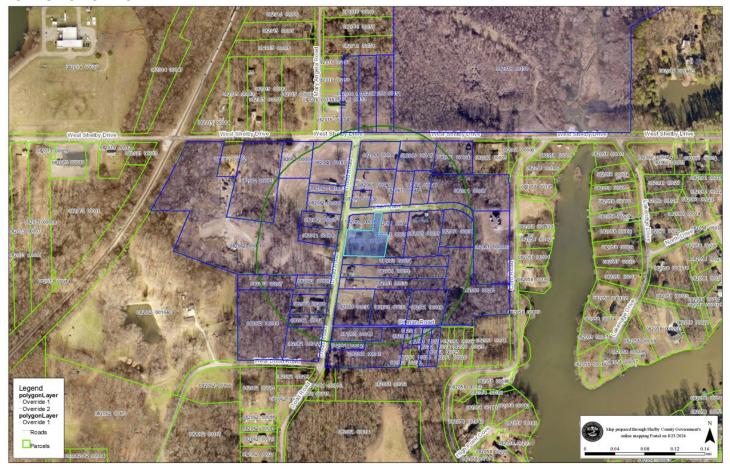
Staff Writer: Chloe Christion E-mail: chloe.christion@memphistn.gov

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in electric blue.

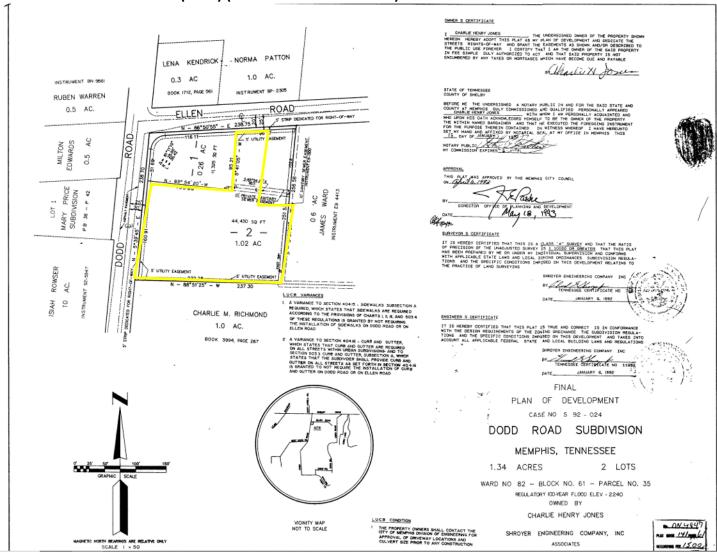
PUBLIC NOTICE DETAILS

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 47 notices were mailed on August 19, 2024, see page 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 6:30 PM on August 28, 2024, at 4744 Dodd Road.

DODD ROAD SUBDIVISION (1992) (PLAT BOOK 141 PAGE 61)



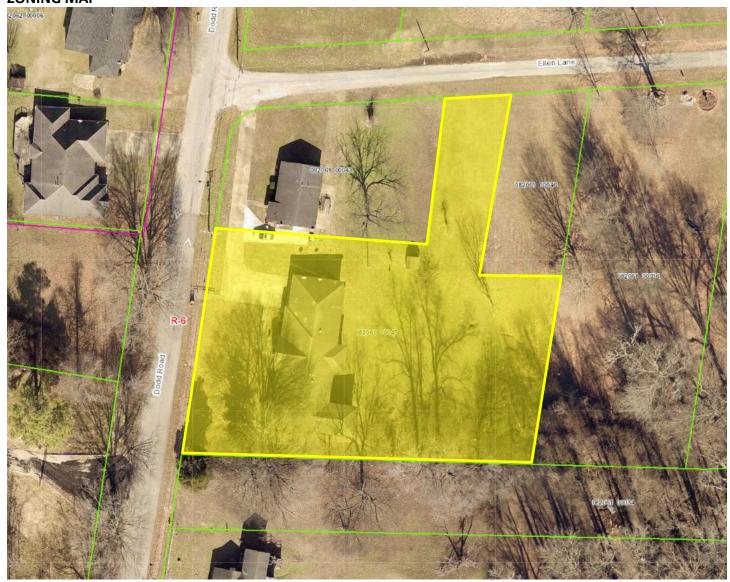
Subject property highlighted in yellow, portion of Lot 2

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 Dodd Road.



View of shared access drive from the corner of Dodd and Ellen Road.

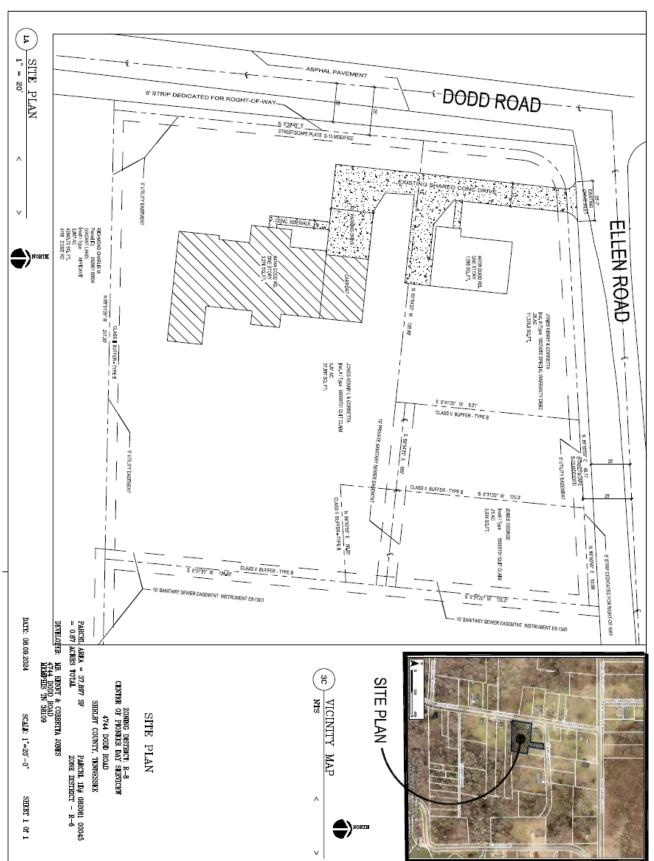


Rear view of subject property from Ellen Lane looking south.



Secondary view of subject property from Ellen Lane.

SITE PLAN



CASE REVIEW

Request

The request is a special use permit to allow an adult day care.

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:

comecining time	
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:

4744 Dodd Road

Parcel ID: 082061 00045

Area:

+/- 0.87 acres

Staff Report SUP 2024-033 September 12, 2024 Page 12

Description:

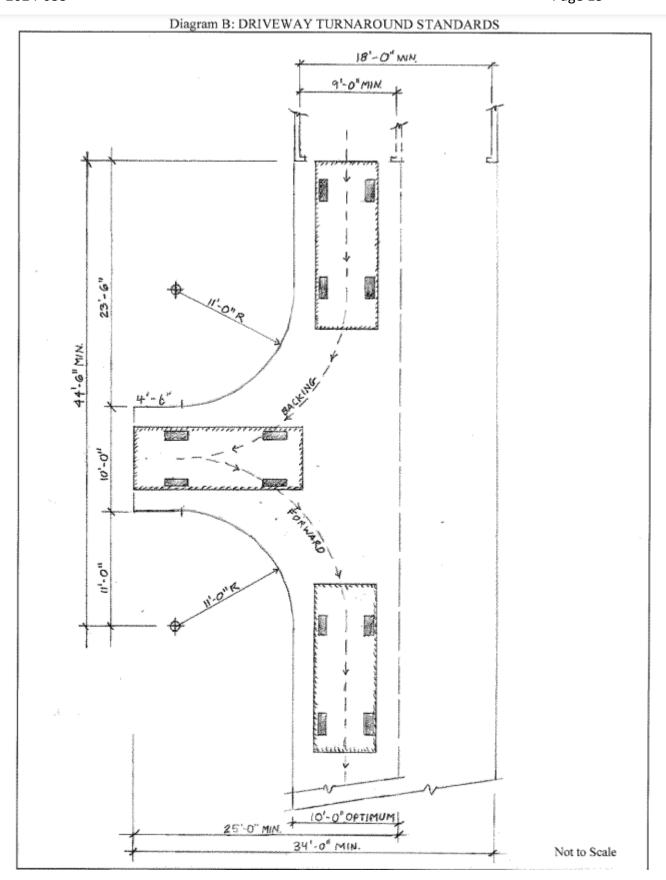
The subject property is known as Lot 2 of Dodd Road Subdivision and zoned Residential Single-family -6 (R-6). Per the Assessor's website, the principal structure on the site was built in 1992 and is a one-story single-family home with a ground floor area of 3,276 square feet. The surrounding land uses are also single-family. Additionally, the lot has one street frontage on Dodd Road and one street frontage on Ellen Lane.

Site Plan Review and Analysis

The site plan indicates two parcels, both of which are owned by the applicant. A Class II Type B Buffer is indicated across all property lines adjacent to residential uses, however the Unified Development Code requires that a Class III Buffer is provided. Regarding other landscaping, a modified S-13 streetscape plate is proposed for the road frontage along Dodd Road.

There is a shared concrete drive accessible through Ellen Road which grants vehicular access to the subject property via a 22-foot parking drive. Although this arrangement as-is may provide decent access to the site, staff would suggest providing a turn-around drive on the subject property to enable cars to exit head-first as seen in the diagram on page 13.

The granting of this special use permit 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.



Staff Report SUP 2024-033 September 12, 2024 Page 14

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

- 1. A Class III Buffer shall be provided along property lines abutting residential uses.
- 2. Any driveway improvements shall be subject to the review and approval of City Engineering and the Division of Planning and Development.

DEPARTMENTAL COMMENTS

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

City Engineer:

CASE 15: SUP-24-033

NAME: 4744 Dodd Rd.

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.
- 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 <u>Trip Generation Report</u> 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.

General Notes:

- 11. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 12. All connections to the sewer shall be at manholes only.
- 13. 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.
- 14. Required landscaping shall not be placed on sewer or drainage easements.

Staff Report SUP 2024-033 September 12, 2024 Page 17

City Fire Division:



DIVISION OF FIRE SERVICES ❖ FIRE PREVENTION BUREAU

2668 Avery Avenue · Memphis · Tennessee · 38112 (901) 636-5401 Fax (901) 320-5425

Case Number: SUP 2024-033 Date Reviewed: 9/5/24 Reviewed by: J. Stinson

Address or Site Reference: 4744 Dodd

- A sprinkler system may be required For I-4 occupancy per IFC 903.2.6
- Approval subject to detailed plans review and field inspection conducted by the Memphis Fire Prevention
 Bureau. Plans shall be submitted to the Shelby County Office of Code Enforcement.

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: Consistency

Comprehensive Planning Review of Memphis 3.0

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: SUP 2024-033: WESTWOOD

Site Address/Location: 4744 Dodd Rd.

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

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

Street Type: N/A

The applicant is requesting a special use permit to allow an adult day care program. The following information about the land use designation can be found on pages 76 - 122:

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



"NS" Form & Location Characteristics

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

"NS" Zoning Notes

Generally compatible with the following zone districts: R-E, R-15, R-10, R-8, R-6 in accordance with Form and characteristics listed above.

Existing, Adjacent Land Use and Zoning

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

Adjacent Land Use and Zoning: Single-Family, Vacant, R-6, CMU-1

Overall Compatibility: This requested use is compatible with the future land use 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

September 12, 2024 Page 20

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 requesting a special use permit to allow an adult day care program.

This requested use is compatible with the future land use 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: Negin Hamidi, 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 2024-033
ADDRESS: 4744 Dodd Road

REQUEST: Special use permit to allow an adult daycare program

APPLICANT: Corretta Jones

Meeting Details

Location: Council Chambers Time: 9:00 AM

City Hall 1st Floor 125 N Main St.

Date: Thursday, Sept. 12

Staff Planner Contact:

Chloe Christion

☐ chloe.christion@memphistn.gov

(901) 636-7494

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

VICINITY MAP



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



47 Notices Mailed 8/19/2024

SIGN AFFIDAVIT

AFFIDAVIT
Shelby County State of Tennessee
on the 27 day of August , 20 24, I posted I Public Notice Sign(s) pertaining to Case No. SUP 2024 - 03 at 4744 Dodd Road Mphs. TN, 38109 providing notice of a Public Hearing before the (check one):
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.
Concept Regione 8/27/24
Owner, Applicant of Representative Date Subscribed and sworn to before me this 27th day of Abut . 2014.
Athles dide
Notary Public STATE OF
My commission expires: 1-03-28
Call of County and Cou

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 Special Use Permit

Record Detail Information

Record Type: Special Use Permit Record Status: Processing

Opened Date: August 9, 2024

Record Number: SUP 2024-033 Expiration Date:

Record Name: Centre of Pioneer Day Services

Description of Work: This project is to provide adult day services to those that are unable to be left alone and to give them an opportunity to get out of the house and receive both mental and social stimulation and continued care. This gives the family an opportunity to rest and focus on selfcare. This will provide socialization in a group setting while receiving health care. It also reassures the family that their loved ones are ok while they continue to work, shop, take care of bills etc...

Parent Record Number:

Address:

4744 DODD RD, MEMPHIS 38109

Owner Information

Primary Owner Name

Y JONES KENNY L & CORRETTA

 Owner Address
 Owner Phone

 5188 SUNNY AUTUMN LN, MEMPHIS, TN 38125
 9012196914

Parcel Information

Application Type

082061 00045

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner
Date of Meeting
Pre-application Meeting Type
GENERAL PROJECT INFORMATION

Cloe Christian 07/15/2024 Phone

New Special Use Permit (SUP)

List any relevant former Docket / Case

Page 1 of 3 SUP 2024-033

GENERAL PROJECT INFORMATION

Number(s) related to previous applications on this site

Is this application in response to a citation, stop

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

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

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

UDC Sub-Section 9.6.9C UDC Sub-Section 9.6.9D UDC Sub-Section 9.6.9E UDC Sub-Section 9.6.9F

GIS INFORMATION

Case Layer Central Business Improvement District No
Class R
Downtown Fire District No
Historic District -

Land Use SINGLE-FAMILY Municipality MEMPHIS

 Overlay/Special Purpose District

 Zoning
 R-6

 State Route

 Lot
 2

Subdivision DODD RD

Planned Development District Wellhead Protection Overlay District Yes

Contact Information

Page 2 of 3 SUP 2024-033

No

No, it will not.

Yes, it will.

Yes, it will.

No, it will not

Yes, it does. NO, it will not. Name CORRETTA JONES Contact Type APPLICANT

Address

Phone (901)219-6914

Name CORRETTA JONES Contact Type

PROPERTY OWNER OF RECORD Address

Phone

(901)219-6914

Fee Information Invoice # Quantity Fees Status Balance Date Assessed 1584841 Child Care Center (8-12 100.00 INVOICED 1 0.00 08/09/2024 Children) Credit Card Use Fee (.026 1584799 1 0.00 INVOICED 0.00 08/09/2024

x fee)

Total Fee Invoiced: \$100.00 Total Balance: \$0.00

Payment Information

Method of Payment Payment Amount

\$100.00 Check

SUP 2024-033 Page 3 of 3

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, Corretta Jores (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 474 Dodd Road Memphis, TN. 38109
and further identified by Assessor's Parcel Number 08204 100000 450
for which an application is being made to the Division of Planning and Development.
Subscribed and swom to (or affirmed) before THE FINESSEE MINDENSEE MINDESSEE MINDESSE MINDESSEE MINDESSE MINDESSEE MINDESSE MINDESSEE MINDESSEE MINDESSEE MINDESSEE MINDESSEE MINDESSE MINDESS

LETTER OF INTENT

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Corretta Jones 4744 Dodd Road Memphis, TN. 38109

To whom it may concern,

Kenny & Corretta Jones, want to open an adult day service for those in the community and surrounding area. Our family grew up in this area. It was the pioneers that helped shape the lives of those near and far.

This service will provide a place for working caregivers who have loved ones that need additional assistance. This will also give those that feel isolated or lonely an opportunity to get out of the house as they receive mental and social stimulation and continued care. It is imperative that the caregiver rest and care for themselves. This service allows the caregiver to have balance as they care for their loved one and themselves.

We embrace this opportunity to give back to the community by providing this service. We are willing to go above and beyond to ensure that our Pioneers are remembered and appreciated for their labor in training us and being productive citizens.

I WAS STATE

Kind Regards,

Staff Report SUP 2024-033 September 12, 2024 Page 28

LETTERS RECEIVED

No letters 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 Special Use Permit

Record Detail Information

Record Type: Special Use Permit Record Status: Processing

Opened Date: August 9, 2024

Record Number: SUP 2024-033 Expiration Date:

Record Name: Centre of Pioneer Day Services

Description of Work: This project is to provide adult day services to those that are unable to be left alone and to give them an opportunity to get out of the house and receive both mental and social stimulation and continued care. This gives the family an opportunity to rest and focus on selfcare. This will provide socialization in a group setting while receiving health care. It also reassures the family that their loved ones are ok while they continue to work, shop, take care of bills etc...

Parent Record Number:

Address:

4744 DODD RD, MEMPHIS 38109

Owner Information

Primary Owner Name

Y JONES KENNY L & CORRETTA

Owner Address Owner Phone

5188 SUNNY AUTUMN LN, MEMPHIS, TN 38125 9012196914

Parcel Information

082061 00045

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner
Date of Meeting
Pre-application Meeting Type
GENERAL PROJECT INFORMATION

Application Type

List any relevant former Docket / Case

Cloe Christian 07/15/2024 Phone

New Special Use Permit (SUP)

-

Page 1 of 3 SUP 2024-033

GENERAL PROJECT INFORMATION

Number(s) related to previous applications on this site

Is this application in response to a citation, stop

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

APPROVAL CRITERIA

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

No, it will not.

Yes, it will.

No

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

UDC Sub-Section 9.6.9C

UDC Sub-Section 9.6.9D

Ves, it will.

No, it will not

Yes, it does.

UDC Sub-Section 9.6.9E

Ves, it does.

NO, it will not.

GIS INFORMATION

Land Use

Case Layer
Central Business Improvement District
Class

Class R
Downtown Fire District No
Historic District -

Municipality
Overlay/Special Purpose District

Zoning R-6
State Route Lot 2

Subdivision DODD RD

Planned Development District
Wellhead Protection Overlay District

-Yes

No

SINGLE-FAMILY

MEMPHIS

Contact Information

Page 2 of 3 SUP 2024-033

Name **CORRETTA JONES** **Contact Type APPLICANT**

Address

Phone

(901)219-6914

Name

Contact Type CORRETTA JONES

PROPERTY OWNER OF **RECORD**

Address

Phone

(901)219-6914

Fee Information Invoice # Fee Item Quantity Fees Status Balance Date Assessed 1584841 Child Care Center (8-12 1 100.00 **INVOICED** 0.00 08/09/2024 Children) Credit Card Use Fee (.026 **INVOICED** 1584799 1 0.00 0.00 08/09/2024 x fee)

> Total Fee Invoiced: \$100.00 Total Balance: \$0.00

Payment Information

Payment Amount Method of Payment

\$100.00 Check

SUP 2024-033 Page 3 of 3



LETTER OF INTENT

Corretta Jones 4744 Dodd Road Memphis, TN. 38109

To whom it may concern,

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Kind Regards,

Kenny & Corretta Jones

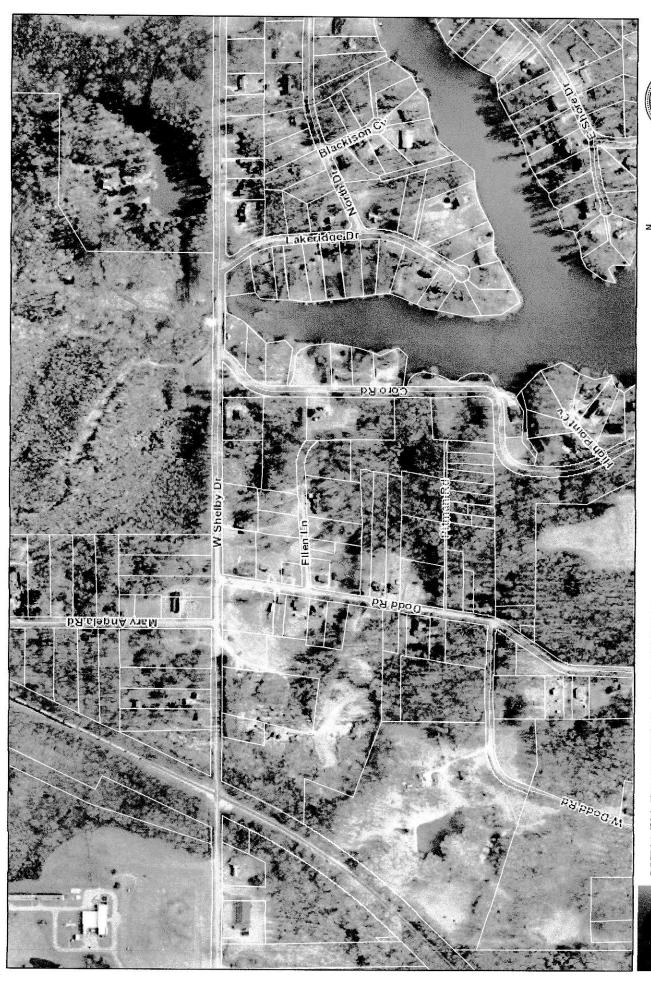
Centre of Pioneer Day Services Corretta Jones 4744 Dodd Road Memphis, TN.38109

To Whom It May Concern,

I am requesting a wavier for the survey at 4744 Dodd Road. This is an existing home that does not need any renovations.

Sincerely,

Corretta Jon



MELVIN BURGESS, ASSESSOR SHELBY COUNTY, TENNESSEE

DISCLAIMER TH'S MAP IS FOR PROPERTY ASSESSMENT PURPOSES ONLY. IT IS NOT CONQLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP AND THEREFORE, SHOULD NOT BE RELIED UPON AS A REPRESENTATION OF ANY PROPERTY FOR ANY PURPOSE.

1,200

900

MAP DATE: July 25, 2024

DIVINE TRINITY CHRISTIAN CHURCH AND MOORE LUGENE & JAMIKA DOWNER MERRY 4793 DODD RD # 1805 WINDYCREST # 4670 MARY ANGELA RD # MEMPHIS TN 38109 MEMPHIS TN 38109 SPRINGFIELD IL 62704 SHELBY COUNTY TAX SALE 0405 EXH #14467 WALKER DORA L AND DEBORAH A JONES AND PAYNE KITA R AND WARNER GOOLSBY (RS) 4715 DODD RD # PO BOX 2751 # 1555 ELLEN LN # MEMPHIS TN 38109 MEMPHIS TN 38101 MEMPHIS TN 38109 PAYNE STACIE WALKER DORA L AND BROOKE M JONES JONES JOHNNY E SR 7533 WILSFORD CV # 11608 SPINNING AVE # 1555 ELLEN LN # MEMPHIS TN 38109 MEMPHIS TN 38125 HAWTHORNE CA 90250 DOWNEY HOLDINGS LLC HARRIS SHIRLEY A AND DELMON K CARGO JONES GEORGE 463 HARRISON CT # 12223 MARBEL AVE # 66 CLUB GROUNDS NORTH DR # DOWNEY CA 90242 FLORISSANT MO 63033 VERNON HILLS IL 60061 JONES KENNY L & CORRETTA JONES KENNY & CORRETTA GOOLSBY WARNER AND KITA R PAYNE (RS) 5188 SUNNY AUTUMN LN # 5188 SUNNY AUTUMN LN # 4715 DODD RD # MEMPHIS TN 38125 MEMPHIS TN 38125 MEMPHIS TN 38109 ARNOLD WILLIE J AND EDDIE V DURHAM JACKSON ED JR AND LESSIE M FLEMING AND RICE TIFFANY AND CLIFFORD RICE JR 1833 BEACON RD # 1849 MEADOWHILL ST # PO BOX 333 # MEMPHIS TN 38109 MILLINGTON TN 38083 MEMPHIS TN 38106 ARNOLD WILLIE J AND EDDIE V DURHAM MOORE LUGENE & JAMIKA RICHMOND CHARLIE M 4766 DODD RD # 1849 MEADOWHILL # 4793 DODD RD # MEMPHIS TN 38109 MEMPHIS TN 38106 MEMPHIS TN 38109 DODSON ALBERTA AND MARY F BOYLAND AND DANDRIDGE LARRY WATKIN ABRAHAM 4700 DODD RD # 38 E FAIRMOUNT AVE # 5287 AIRVIEW RD # MEMPHIS TN 38109 PONTIAC MI 48340 MEMPHIS TN 38109 JACKSON CHARLIE & CORA L DUDCZAK KARLY L WARREN RUBEN 3878 155TH AVE # 4727 DODD RD # 3797 SEWANEE RD # PARRISH FL 34219 MEMPHIS TN 38109 MEMPHIS TN 38109 ROBERTSON ODELL (1/3) INT AND SAMELLA JACKSON ED L AND LESSIE M FLEMING AND SILVER DISCOUNT PROPERTIES LLC

1833 BEACON #

MEMPHIS TN 38109

PO BOX 48708 #

LOS ANGELES CA 90048

8224 S YATES BLVD #

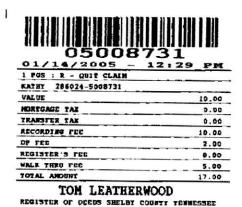
CHICAGO IL 60617



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.



" QUIT CLAIM DEED

this the 14 day of Januar sell, release, remise, quil claim Corretta Jones described real estate, to with east line of Dodo Road (40.0 feet volume located in the color and 30 minutes were a distance of 250 minutes west and feet to a point by a two-inch incompart 109 degrees Dodd Road, a distance of 25%, 355.41 square in	Beginning at an id Road (40.0 feet wide); thence, a denterline of a 10-est and running with 1.15 feet to an irrunning with a mean the east line of an 10-est and 10-est line of an 2.15 feet or 1.34 acres	on of the sum of One and no. L. Jones and spo all the right, the and increase of 239.5 foot easement; the the centerling on pipe; thence, andering fence 1 f Dodd Road, sai 2 feet off the 1 st and running wet to the point. Lest Deed affecting	/100 Dollars, do(es) hereby bargain, ouse, least in and to the following if at the point where the list the north line of El- list feet to an iron pipe thence, south 90 degrees the of a 10-foot easement north 87 degrees and line, a distance of 237 d point being monumented tine to the east; thence with the east line of of beginning, containing
31	85	Othie	Lee Jones
STATE OF TENNESSEE	1925		1.1. 1.2.1.
COUNTY OF SHEZB)		on American of Alfric	unnununu
Before me, the undersigned No OTHIE LRE JONE	olary Public in and for the Coun	ily and State aforesaid, personal	mally appeared with on the state of the stat
the basis of satisfactory eviden	ice), and who acknowledged to	be person(s) within named a	and that she executed the languaging
instrument for the purpose the Witness my hand an	rein contained. d seal this _ / 4 day of Jawa	UARY. 20105 1	AND DETORNAL
	0 0001 0110	N/e	lones toes when
2	*		Andaty Public
My commission expires:		My Commission	Brp. Oct. 10, 2008
		d's knowledge, information,	and belief, the actual consideration
for this transfer is \$ 10.00		- How	Au
			Affiaul
STATE OF TENNESSEE	50	Cax	Total 2016
COUNTY OF Shelby	<u>. </u>	- (. milita
Subrecibed and sworn he	fore me this the 14 day of	TANHARY 2005	V
amstrice are sign of	tore me ans me 1 on,	de	elous Tay John
to the same and age.		79-2	Notati Public
My commission expires:	2 070 <u></u>	My Commission Exp.	Oct. 10, 2006
The following information is	not a part of this Deed:		SAME TON WA
l'roperty Address:	4744 Dodd Road		The Same
Owner's Name and Address	Memphis, TN 38 Kenny L. and C	orretta Jones	The state of the s
	4744 Dodd Road	<u>i </u>	250
	Memphis, TN 38	<u>310</u> 9	* 42
Parcel Number	_08206100000450)	
Mail Tax Bills to:	Kenny L. and C		
	Memphis, TN 38	3109	12

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

Property Owner's Affidavit

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries,

Memphis and Shelby County Unified Development Code Section 12.3.1

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. 1, Corresta Jones (Print 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, quardian or lessee (and have included documentation with this affidavit) of the property located at 4744 Dodd Road Memphis, TN. 38109 and further identified by Assessor's Parcel Number 08204 100000 450 for which an application is being made to the Division of Planning and Development. Subscribed and sworn to (or affirmed)/before day of NOTARY PUBLIC ELBY COUN

My Commission Expires Aug. 16, 2026



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

September 12, 2024

Corretta Jones 4744 Dodd Road Memphis, TN 38109

Sent via electronic mail to: correttajones2004@yahoo.com

Case Number: SUP 2024-033

LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, September 12, 2024, the Memphis and Shelby County Land Use Control Board recommended *approval* of your special use permit application to allow an adult daycare at 4744 Dodd Road subject to the following conditions:

- 1. A Class III Buffer shall be provided along property lines abutting residential uses.
- 2. Any driveway improvements shall be subject to the review and approval of City Engineering and the Division of Planning and Development.

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

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

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

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at chloe.christion@memphistn.gov.

Respectfully,

Letter to Applicant SUP 2024-033

Chloe Christion

Planner I

Land Use and Development Services
Division of Planning and Development

Chloe Christian

Cc:

File