CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL Planning & Development ONLY STAPLED | **DIVISION TO DOCUMENTS Planning & Zoning** COMMITTEE: 8/20/2024 DATE **PUBLIC SESSION:** 9/10/2024 DATE ITEM (CHECK ONE) X RESOLUTION X 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 7802 Fisher Steel Road, known as case number PD 2024-007 **CASE NUMBER:** PD 2024-007 **DEVELOPMENT:** North East Region High School Planned Development LOCATION: 7801 Fischer Steel Road District 2 and Super District 9 – Positions 1, 2, and 3 **COUNCIL DISTRICTS: OWNER/APPLICANT:** Memphis-Shelby County Schools **REPRESENTATIVE:** Cory Brady, Integrated Land Solutions New planned development to allow a new high school **REQUEST:** +/-46.42 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 Required Add to consent agenda requesting public hearing – August 20, 2024 Public hearing – September 10, 2024 **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED (1) 07/11/2024 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** PLANNER I DEPUTY ADMINISTRATOR **ADMINISTRATOR** DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR CITY ATTORNEY CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

PD 2024-007

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 7801 FISCHER STEEL ROAD, KNOWN AS CASE NUMBER PD 2024-007

- This item is a resolution with conditions to allow a new planned development to allow a new high school; 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, July 11, 2024*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: PD 2024-007

DEVELOPMENT: North East Region High School Planned Development

LOCATION: 7801 Fischer Steel Road

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

OWNER/APPLICANT: Memphis-Shelby County Schools

REPRESENTATIVE: Cory Brady, Integrated Land Solutions

REQUEST: New planned development to allow a new school

EXISTING ZONING: Heavy Industrial (IH), Fletcher Creek Overlay

AREA: +/- 46.42 acres

The following spoke in support of the application: Cory Brady, Chief Patrice Williamson-Thomas, Michael Winter, and Stephen McPhail

The following spoke in opposition the application: Rick Bennett, Ernie Norcross, Dan McCleary, and Chris Crabtree

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

The motion passed by a unanimous vote of 8-0 on the consent agenda.

Respectfully,

Chloe Christion

Planner I

Land Use and Development Services
Division of Planning and Development

hloe Christian

Cc: Committee Members

File

PD 2024-007

Outline/Final Plat Conditions

I. USES PERMITTED

Education Facility - School, Public or Private (K-12), Park/Open Area - Recreation Field with and without lights, and all Accessory Uses per Sub-Sections 2.9.3.C & E of the Unified Development Code shall be permitted.

II. USE STANDARDS

- A. The use standards outlined in Sub-Section 2.6.2.C of the Unified Development Code shall apply as modified herein.
 - 1. School, Public or Private, Seminary:
 - a. Class II, Type C buffer <u>shall not be</u> required between any recreation field/associated structure (ie bleacher, dugout, etc.) and any public right-of-way.
 - b. All off-street parking lots shall meet the requirements of Section 4.5.5 of the Unified Development Code as modified herein.
 - c. Vehicular Access shall be permitted along Fisher Steel Road, Moriarity Road, and Herbert Road as generally illustrated on the Outline Plan and Conceptual Master Plan.
 - d. Vehicular parking may be located between the principal school building and all adjacent public roadways.
 - e. In addition to the bicycle parking requirements outlined in Sub-section 4.5.3.C of the Unified Development Code, all schools shall provide secure bicycle parking at a ratio of 1:3 (bicycle to vehicle parking) within 200 feet of a functioning entrance to the principal building.
 - f. Lighted motor vehicle parking areas must meet the requirements of Chapter 4.7 of the Unified Development Code, as applicable.
 - g. This planned development is exempt from the designated frontage requirements of Section 3.10.3 of the Unified Development Code.
 - h. All public streets immediately adjacent to the school site shall comply with the dimensional standards outlined in Section 5.2.7 of the Unified Development Code for classification as a Connector street.

2. Recreation Field, with Lights:

a. Field lighting must meet the requirements of Chapter 4.7 of the Unified Development Code, Outdoor Site Lighting.

III. BULK REGULATIONS

A. The bulk regulations outlined in UDC Sub-section 3.10.2(b) for the IH District shall apply as modified herein.

1. Tract or Lot (min)

a. Area (sq. ft.): 20,000sfb. Width (ft.): 50ft

2. Building

a. Height (max ft.): 75ft

b. Setback (min ft.)

i. Front (Primary Street): 30ft*

*Recreation Fields and associated structures shall be setback a minimum 15ft from any perimeter public street.

ii. Side (Side Street): 20ft iii. Side/Rear: 5ft

3. Parking setback (min ft.) (Principal and Accessory)

a. On-street (public right-of-way): Not Permitted

b. Abutting Primary Street: 30ftc. Abutting Side Street: 20ftd. Abutting nonresidential: 10ft

- B. Accessory Building/Structures: The bulk regulations outlined in UDC Chapter 2.7 shall apply as modified herein.
 - 1. There shall be no limitation upon the cumulative square footage of accessory structures.

IV. ACCESS, PARKING AND CIRCULATION

- A. The primary street shall be defined as the public street upon which the principal building's primary façade or main entrance is oriented.
- B. The side street shall be defined as any street that is not defined as a primary street.
- C. The access standards outlined in UDC Chapter 4.4 directly pertaining to nonresidential uses shall apply as modified herein.
- D. The design and location of curb cuts illustrated upon the master plan are conceptual. The final location of all curb cuts shall be approved by the City Engineer.
- E. Roadway Right-Of-Way and Improvements:

- 1. Fischer Steel Road, Moriarity Road, and Herbert Road shall each be dedicated one-half of a 68' future right-of-way and improved to establish one-half of a 48' urban cross section as illustrated upon the enclosed street section.
- 2. Dedication and improvements shall be limited to the planned development's contiguous frontages.
- F. Off-street parking and loading shall be provided per UDC Chapter 4.5 as modified herein or as otherwise approved by the zoning administrator:
 - 1. Off-street parking shall be required at a ratio of 1 space per 300sf of the education facility's net floor area used for academic and administrative purposes.
 - 2. All principal and accessory uses shall share the off-street parking facilities required above.
 - 3. On-street parking along any public roadway shall be prohibited.
 - 4. Off-street loading shall be permitted to adequately serve the school and associated accessory uses.
 - 5. The size and frequency of interior islands shall be determined with the final site plan with the intent to maximize parking efficiency. Under no circumstances shall terminal islands be omitted.
- V. LANDSCAPING, SCREENING, AND FENCING REQUIREMENTS
 - A. The streetscape standards outlined in UDC Chapter 4.3 shall apply as modified herein:
 - 1. Streetscape Plate S-11 Modified, or an equivalent alternative, shall be installed along all public roadway frontages. Where off-street parking faces the public right-of-way, Evergreen Shrub Type A shall be installed to form a hedge along the curb line facing the public road. Tree Type "A, B, or C" shall be installed at a frequency equivalent to 40' o.c. No berm shall be required.
 - B. Perimeter Fencing shall be permitted within all front, side, and rear yards so long as the fencing does not impede the streetscape or buffer requirements specified herein. Street trees shall be located on the streetside of any perimeter fencing.
 - 1. A 6' 9' Chain link or picket-style fencing shall be permitted within the streetscape area. Chain link fencing must be galvanized, polyvinyl chloride (PVC) color coated in either black, dark green or dark brown color coatings. Uncoated chain link fencing shall be prohibited.
 - 2. The maximum length of a continuous, unbroken and uninterrupted fence or wall plane abutting a public right-of-way shall be 100 feet. Breaks shall be provided through the use of columns, and landscaped areas.
 - 3. The Zoning Administrator may permit additional fence material, alternate fence design, additional fence height, or reduced setback through the administrative deviation if it is

determined that such allowance is not contrary to the public interest and will not be injurious to the surrounding neighborhood. Factors to be considered by the Zoning Administrator when making such an administrative deviation shall include the material, height or setback of fencing in the immediate vicinity of the subject site, the classification of the roadway abutting the subject site, and the proposed use of the subject site.

- C. Private streets and drives are exempt from the streetscape standards provided in Chapter 4.3.
- D. This planned development shall comply with the landscape and screening requirements outlined in Chapter 4.6 of the Unified Development Code unless otherwise approved by the Zoning Administrator.
- E. No Perimeter landscape buffers shall be required where the planned development adjoins properties having established industrial land uses and/or zoning.

VI. LIGHTING REQUIREMENTS

- A. All parking and general site lighting shall comply with Chapter 4.7 of the Unified Development Code unless modified herein.
- B. All recreational sports field lighting shall comply with the TSSAA (Tennessee Secondary School Athletic Association standards.
- C. Equivalent alternatives shall be permitted by the Zoning Administrator.
- D. All pole-mounted site lighting fixtures shall be LED.
- E. All general area site lighting pole heights shall not exceed 30 feet.
- F. All sports lighting pole heights shall not exceed 80 feet.

VII. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines that service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VIII. SIGNS

- A. All proposed signage shall comply with Chapter 4.9 of the Unified Development Code as modified herein.
- B. One (1) Off-Premise Ground Sign shall be permitted in the general vicinity of Future Herbert Road and Future Trinity Road intersection.

IX. PERIOD OF VALIDITY

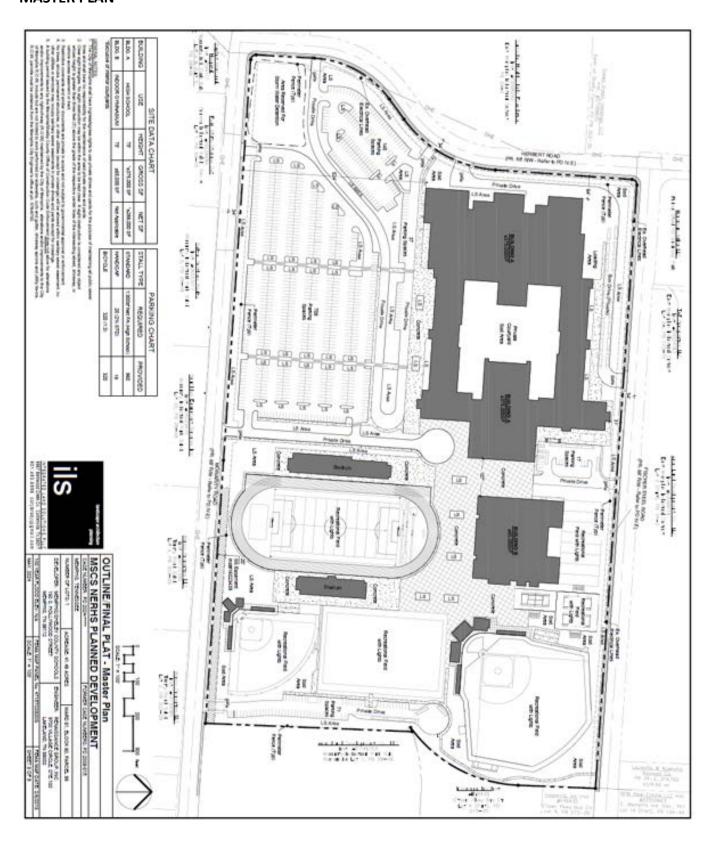
- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

- A. The approved outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions, and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring on-site stormwater detention facilities: The area denoted by "Reserve for Stormwater Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The stormwater 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' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
- G. A photometric lighting plan.
- H. The enclosed master plan, corresponding plans, and building elevations are conceptual. The Zoning Administrator shall have the authority to approve modifications to the final plan, associated plans, and building elevations without limitation, where the final plan complies with these conditions.

MASTER PLAN



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 7801 FISCHER STEEL ROAD, KNOWN AS CASE NUMBER PD 2024-007

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 Memphis-Shelby County Schools filed an application with the Memphis and Shelby County Division of Planning and Development to a new planned development to allow a new high school; 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 July 11, 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

I. USES PERMITTED

Education Facility - School, Public or Private (K-12), Park/Open Area - Recreation Field with and without lights, and all Accessory Uses per Sub-Sections 2.9.3.C & E of the Unified Development Code shall be permitted.

II. USE STANDARDS

- A. The use standards outlined in Sub-Section 2.6.2.C of the Unified Development Code shall apply as modified herein.
 - 1. School, Public or Private, Seminary:
 - a. Class II, Type C buffer shall not be required between any recreation field/associated structure (ie bleacher, dugout, etc.) and any public right-of-way.
 - b. All off-street parking lots shall meet the requirements of Section 4.5.5 of the Unified Development Code as modified herein.
 - c. Vehicular Access shall be permitted along Fisher Steel Road, Moriarity Road, and Herbert Road as generally illustrated on the Outline Plan and Conceptual Master Plan.
 - d. Vehicular parking may be located between the principal school building and all adjacent public roadways.
 - e. In addition to the bicycle parking requirements outlined in Sub-section 4.5.3.C of the Unified Development Code, all schools shall provide secure bicycle parking at a ratio of 1:3 (bicycle to vehicle parking) within 200 feet of a functioning entrance to the principal building.
 - f. Lighted motor vehicle parking areas must meet the requirements of Chapter 4.7 of the Unified Development Code, as applicable.
 - g. This planned development is exempt from the designated frontage requirements of Section 3.10.3 of the Unified Development Code.
 - h. All public streets immediately adjacent to the school site shall comply with the dimensional standards outlined in Section 5.2.7 of the Unified Development Code for classification as a Connector street.

2. Recreation Field, with Lights:

a. Field lighting must meet the requirements of Chapter 4.7 of the Unified Development Code, Outdoor Site Lighting.

III. BULK REGULATIONS

A. The bulk regulations outlined in UDC Sub-section 3.10.2(b) for the IH District shall apply as modified herein.

1. Tract or Lot (min)

a. Area (sq. ft.): 20,000sfb. Width (ft.): 50ft

2. Building

a. Height (max ft.): 75ft

b. Setback (min ft.)

i. Front (Primary Street): 30ft*

*Recreation Fields and associated structures shall be setback a minimum 15ft from any perimeter public street.

ii. Side (Side Street): 20ft iii. Side/Rear: 5ft

3. Parking setback (min ft.) (Principal and Accessory)

a. On-street (public right-of-way): Not Permitted

b. Abutting Primary Street: 30ft
c. Abutting Side Street: 20ft
d. Abutting nonresidential: 10ft

- B. Accessory Building/Structures: The bulk regulations outlined in UDC Chapter 2.7 shall apply as modified herein.
 - 1. There shall be no limitation upon the cumulative square footage of accessory structures.

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- C. The access standards outlined in UDC Chapter 4.4 directly pertaining to nonresidential uses shall apply as modified herein.
- D. The design and location of curb cuts illustrated upon the master plan are conceptual. The final location of all curb cuts shall be approved by the City Engineer.
- E. Roadway Right-Of-Way and Improvements:
 - 1. Fischer Steel Road, Moriarity Road, and Herbert Road shall each be dedicated one-half of a 68' future right-of-way and improved to establish one-half of a 48' urban cross section as illustrated upon the enclosed street section.
 - 2. Dedication and improvements shall be limited to the planned development's contiguous frontages.
- F. Off-street parking and loading shall be provided per UDC Chapter 4.5 as modified herein or as otherwise approved by the zoning administrator:

- 1. Off-street parking shall be required at a ratio of 1 space per 300 sf of the education facility's net floor area used for academic and administrative purposes.
- 2. All principal and accessory uses shall share the off-street parking facilities required above.
- 3. On-street parking along any public roadway shall be prohibited.
- 4. Off-street loading shall be permitted to adequately serve the school and associated accessory uses.
- 5. The size and frequency of interior islands shall be determined with the final site plan with the intent to maximize parking efficiency. Under no circumstances shall terminal islands be omitted.

V. LANDSCAPING, SCREENING, AND FENCING REQUIREMENTS

- A. The streetscape standards outlined in UDC Chapter 4.3 shall apply as modified herein:
 - 1. Streetscape Plate S-11 Modified, or an equivalent alternative, shall be installed along all public roadway frontages. Where off-street parking faces the public right-of-way, Evergreen Shrub Type A shall be installed to form a hedge along the curb line facing the public road. Tree Type "A, B, or C" shall be installed at a frequency equivalent to 40' o.c. No berm shall be required.
- B. Perimeter Fencing shall be permitted within all front, side, and rear yards so long as the fencing does not impede the streetscape or buffer requirements specified herein. Street trees shall be located on the streetside of any perimeter fencing.
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 - 2. The maximum length of a continuous, unbroken and uninterrupted fence or wall plane abutting a public right-of-way shall be 100 feet. Breaks shall be provided through the use of columns, and landscaped areas.
 - 3. The Zoning Administrator may permit additional fence material, alternate fence design, additional fence height, or reduced setback through the administrative deviation if it is determined that such allowance is not contrary to the public interest and will not be injurious to the surrounding neighborhood. Factors to be considered by the Zoning Administrator when making such an administrative deviation shall include the material, height or setback of fencing in the immediate vicinity of the subject site, the classification of the roadway abutting the subject site, and the proposed use of the subject site.
- C. Private streets and drives are exempt from the streetscape standards provided in Chapter 4.3.
- D. This planned development shall comply with the landscape and screening requirements outlined in Chapter 4.6 of the Unified Development Code unless otherwise approved by the Zoning Administrator.
- E. No Perimeter landscape buffers shall be required where the planned development adjoins

properties having established industrial land uses and/or zoning.

VI. LIGHTING REQUIREMENTS

- A. All parking and general site lighting shall comply with Chapter 4.7 of the Unified Development Code unless modified herein.
- B. All recreational sports field lighting shall comply with the TSSAA (Tennessee Secondary School Athletic Association standards.
- C. Equivalent alternatives shall be permitted by the Zoning Administrator.
- D. All pole-mounted site lighting fixtures shall be LED.
- E. All general area site lighting pole heights shall not exceed 30 feet.
- F. All sports lighting pole heights shall not exceed 80 feet.
- G. All sports lighting shall have a shut off time of no later than 10:00PM.

VII. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines that service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VIII. SIGNS

- A. All proposed signage shall comply with Chapter 4.9 of the Unified Development Code as modified herein.
- B. One (1) Off-Premise Ground Sign shall be permitted in the general vicinity of Future Herbert Road and Future Trinity Road intersection.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

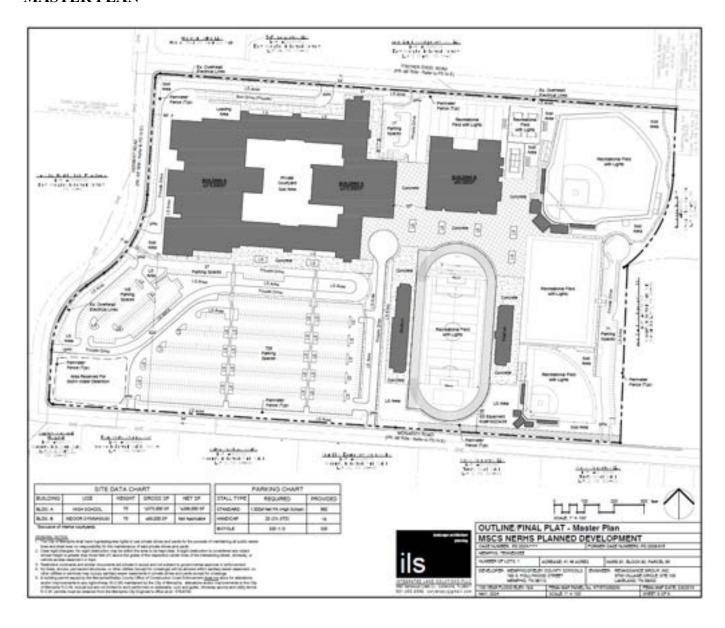
X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

A. The approved outline plan conditions.

- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions, and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring on-site stormwater detention facilities: The area denoted by "Reserve for Stormwater Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The stormwater 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' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
- H. A photometric lighting plan.
- I. The enclosed master plan, corresponding plans, and building elevations are conceptual. The Zoning Administrator shall have the authority to approve modifications to the final plan, associated plans, and building elevations without limitation, where the final plan complies with these conditions.

MASTER PLAN



ATTEST:

Division of Planning and Development

– Land Use and Development Services

– Office of Construction Enforcement CC:



AGENDA ITEM: 6 L.U.C.B. MEETING: July 11, 2024

CASE NUMBER: PD 2024-007

DEVELOPMENT: New East Region High School (NERHS) Planned Development

LOCATION: 7801 Fischer Steel Road

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

OWNER/APPLICANT: Memphis-Shelby County Schools

REPRESENTATIVE: Cory Brady, Integrated Land Solutions

REQUEST: New planned development to allow a new school

EXISTING ZONING: Heavy Industrial (IH), Flecther Creek Overlay

CONCLUSIONS

- 1. The request is a Planned Development to allow a new high school with lighted recreation fields, private access drives, stadiums, and other accessory facilities.
- 2. The project is served by all utility infrastructure and public street networks with planned improvements as necessary to facilitate the proposed high school and accessory uses, subject to City Engineer approval.
- 3. Contingent upon approval of this request, Memphis-Shelby County Schools intends to purchase the subject lots, and Herbert Road is planned to be extended south to Trinity Road.
- 4. The proposed school use offers a long-term, stable, community service land use to this site that is more desirable than industrial uses.

CONSISTENCY WITH MEMPHIS 3.0

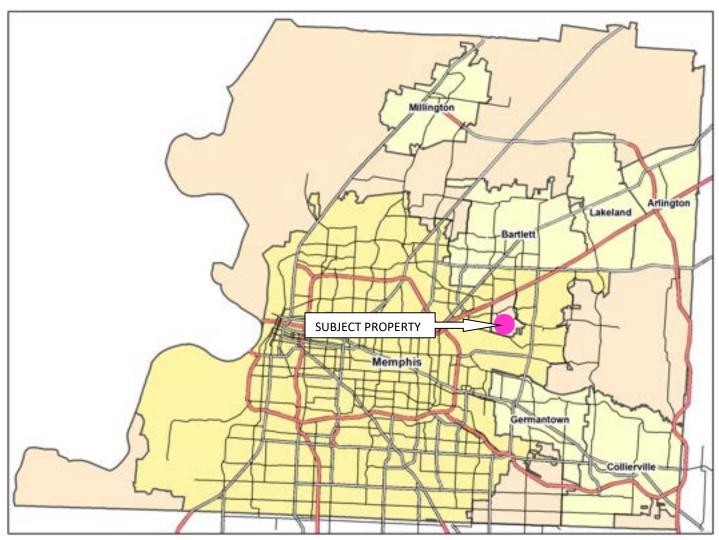
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 31-32 of this report.

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 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 42 notices were mailed on May 15, 2024, see pages 30-31 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 32 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

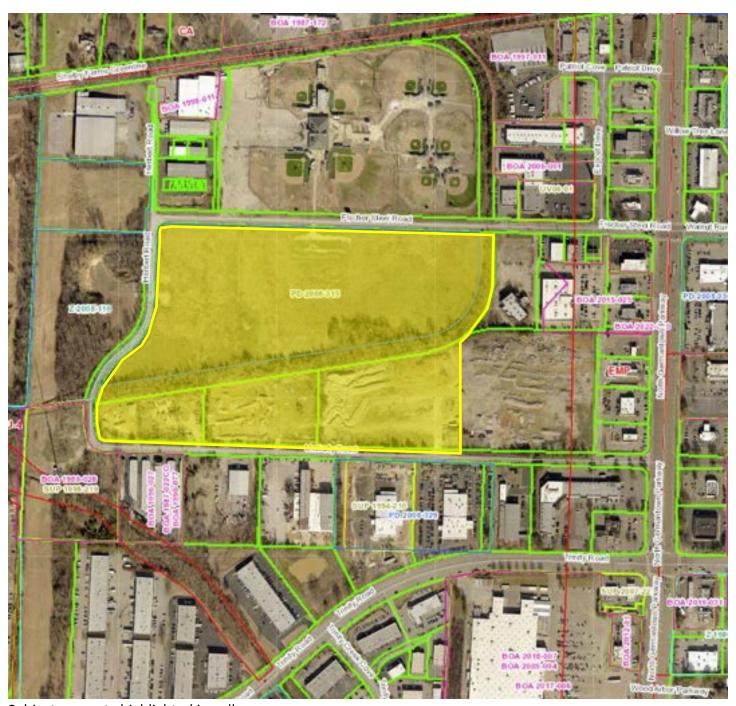
The meeting was held at 6:00 PM on May 30, 2024 at the Bert Ferguson Community Center at 8505 Trinity Road.

AERIAL



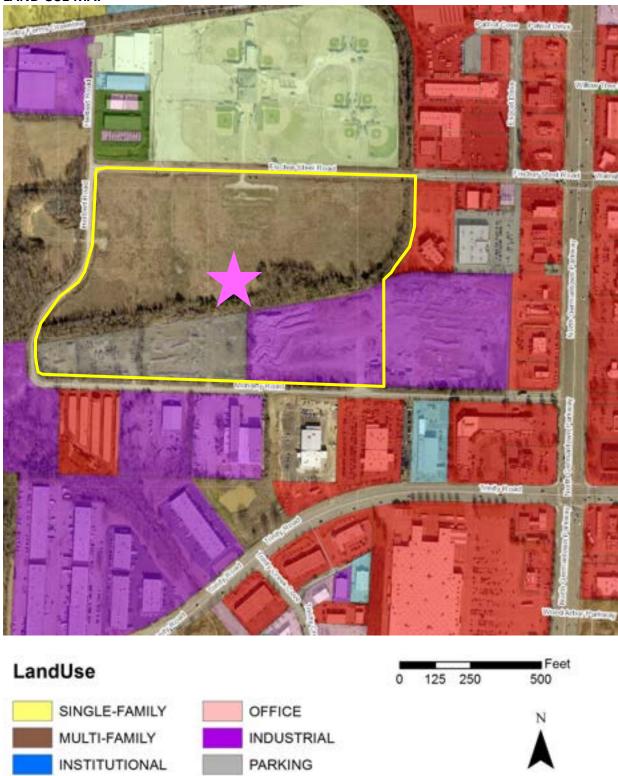
Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



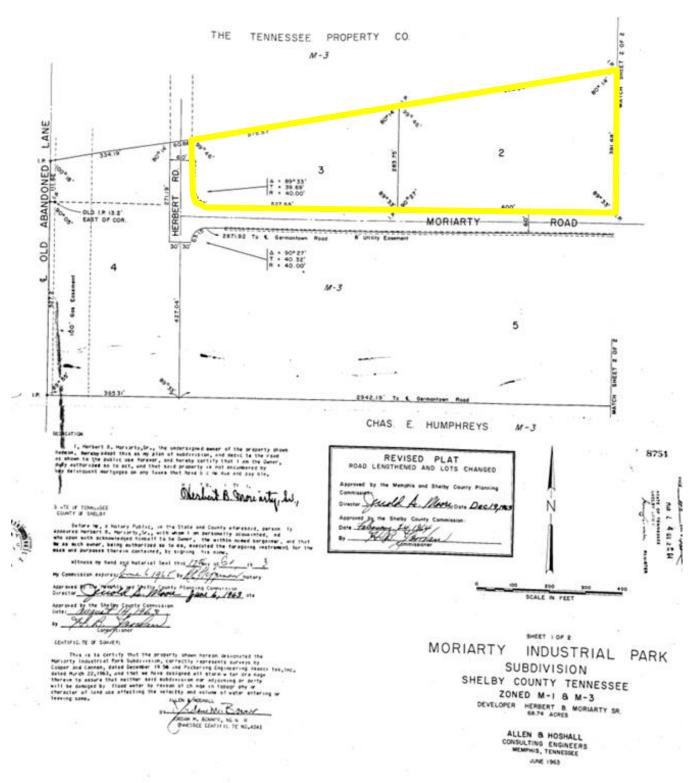
Subject property outlined in yellow and indicated by a pink star

RECREATIONAL / OPEN SPACE

VACANT

COMMERCIAL

MORIARTY INDUSTRIAL PARK SUBDIVISION (1963)



Portion of proposed subject property outlined in yellow, Lots 2 and 3 of Moriarity Industrial Park subdivision.

SITE PHOTOS



View of subject property from Fischer Steel Road facing south.



View of subject property from the corner of Fischer Steele and Herbert Road facing southeast.

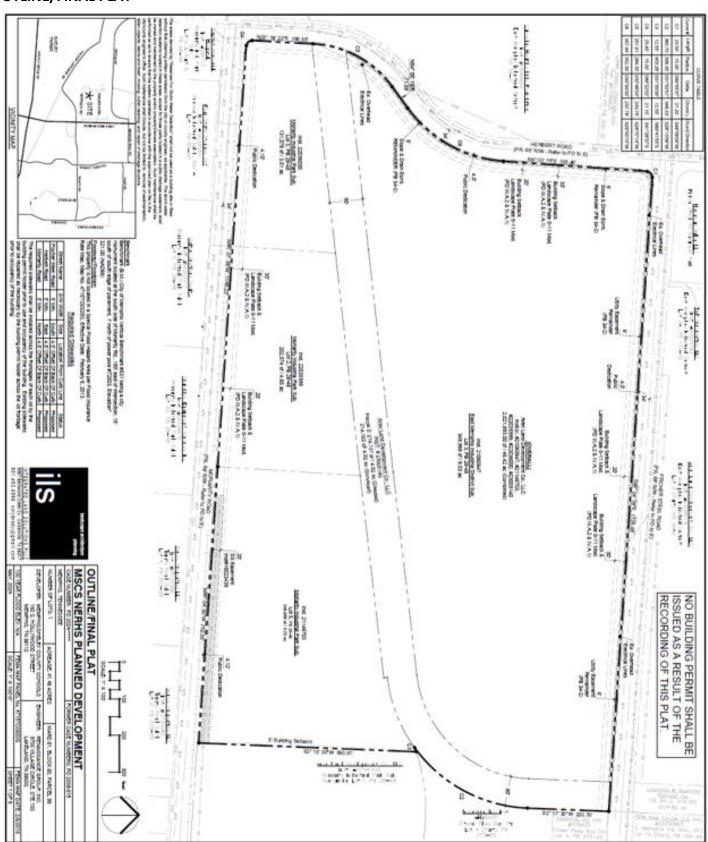


View of subject property from Moriarty Road facing north.

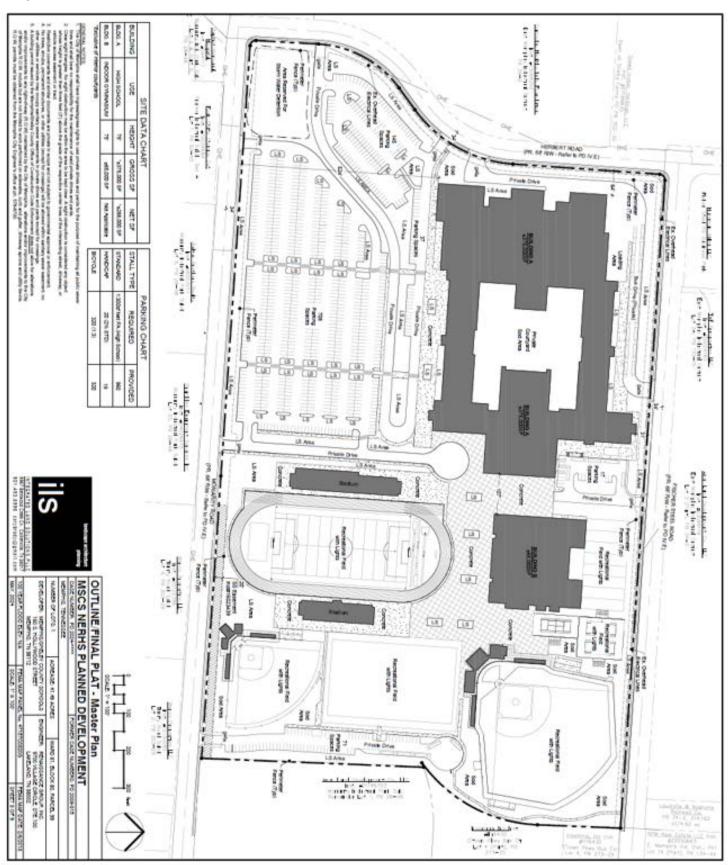


View of subject property from Moriarty Road facing north.

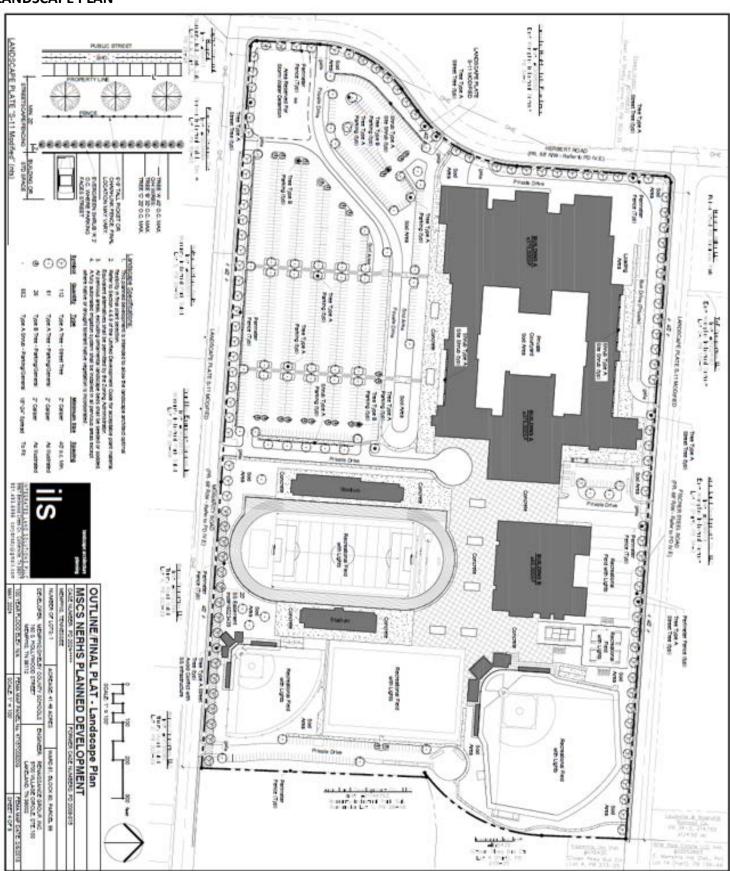
OUTLINE/FINAL PLAT



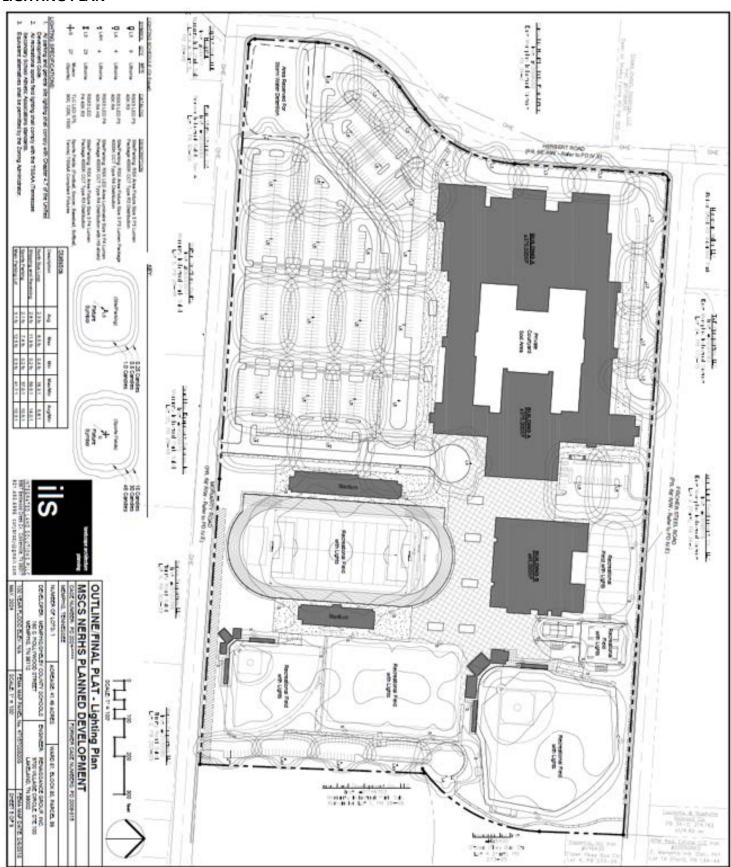
MASTER PLAN



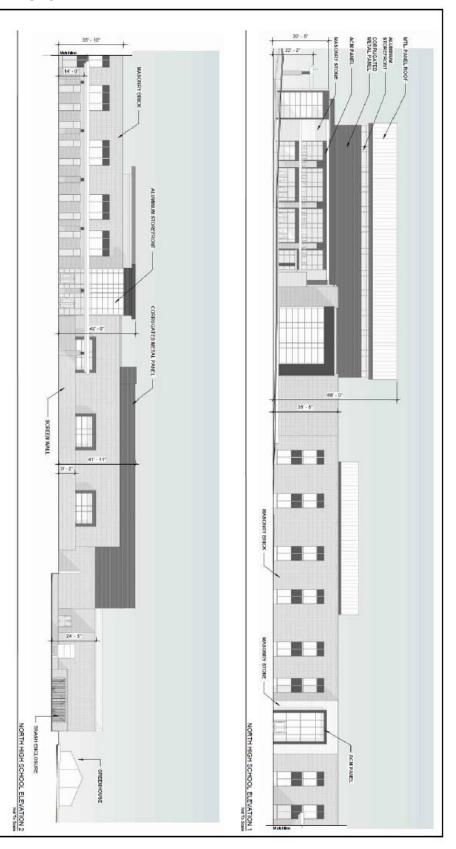
LANDSCAPE PLAN



LIGHTING PLAN



ELEVATIONS







CASE REVIEW

Request

The request is a new planned development to allow a new high school.

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

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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.

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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:

4801 Fischer Steele Road

Parcel ID:

091031 0001

Area:

+/-46.42acres

Description:

The subject property is zoned Heavy Industrial, and it is within the Fletcher Creek Overlay. The northernmost portion of the subject property is vacant, and the southern portion is used as a manufacturing facility. The three lots in the south portion of the proposed Planned Development are known as lots 2 and 3 of Moriarty Industrial Park Subdivision. Additionally, the subject property has three street frontages on Fischer Steel Road, Herbert Road, and Moriarty Road.

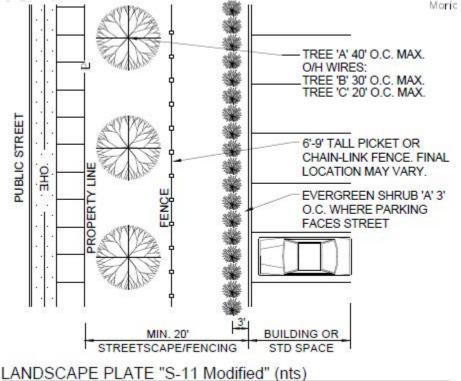
Concept Plan Review

The master plan indicates two primary structures, a High School Building A (+/- 375,000 sq. ft.) and an Indoor Gymnasium Building B (+/- 65,000 sq. ft), along with six accessory recreational fields with lights, and stadium seating.

The school campus is proposed to be gated and fenced with private drive access along all three street frontages.

In regard to parking, 960 regular parking spaces, 19 handicap spaces, and 320 bicycle parking spaces are proposed with landscape island terminals containing Type A and B trees. On-street parking along the public right of way is prohibited in the Outline Pan Conditions.

A modified Landscape Plate S-11 (see graphic below) is proposed along all street frontages and a storm water detention pond is proposed to be in the southwest corner of the tract.



The conceptual photometric plan indicates a 1.0 foot-candle parking light spill near proposed access point on Fischer Steel Road and a 1.0 foot candle parking light spill along both access points on Herbert Road. Lighting for athletic fields is proposed to have minimal light spill across property lines. Outline Plan Conditions require a maximum general area site lighting pole height of 30-feet and a maximum sports lighting pole height of 80-feet.

The proposed Outline Plan Conditions permit uses including an education facility, park/open area, recreation field with or without lights, and all school accessory uses per UDC Civic Use Categories Sub-Section 2.9.3C and E.

Analysis

The applicant is requesting a Planned Development to allow a new high school, a gymnasium, and six

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recreational fields on a subject property with an underlying zoning of Heavy Industrial (IH). Per the Permitted Use Table Key in UDC Section 2.5.2, public or private K-12 schools are allowed in the IH District with a Special Use Permit approval.

The proposed high school development is +/- 875 feet from North Germantown Parkway, +/- 1,200 feet from a Walmart and +/- 900 feet from single-family residences on Macon Road. A variety of uses surround the proposed site, including designated park/open space, manufacturing services, commercial office space, and restaurants.

It should be noted that with the existing Heavy Industrial Zoning currently governing the use of the site, a number of uses could locate on the property by right that perhaps are not the most suitable here in terms of compatibility, providing the highest and most sustainable use of the property, and contributing to the community needs of the area. For example, these uses could be developed at the site by right:

- Truck Trailer Storage
- Detention center, jail, prison
- Lumberyard
- Garbage or refuse collection service (office and truck fleet)

The proposed school use offers a long-term stable, community service land use to this site that is more desirable than industrial uses.

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.

RECOMMENDATION

Staff recommends approval subject to revisions to the outline plan conditions.

Outline Plan Conditions

I. USES PERMITTED

Education Facility - School, Public or Private (K-12), Park/Open Area - Recreation Field with and without lights, and all Accessory Uses per Sub-Sections 2.9.3.C & E of the Unified Development Code shall be permitted.

II. USE STANDARDS

- A. The use standards outlined in Sub-Section 2.6.2.C of the Unified Development Code shall apply as modified herein.
 - 1. School, Public or Private, Seminary:

a. Class II, Type C buffer shall not be required between any recreation field/associated structure (ie bleacher, dugout, etc.) and any public right-of-way.

- b. All off-street parking lots shall meet the requirements of Section 4.5.5 of the Unified Development Code as modified herein.
- c. Vehicular Access shall be permitted along Fisher Steel Road, Moriarity Road, and Herbert Road as generally illustrated on the Outline Plan and Conceptual Master Plan.
- d. Vehicular parking may be located between the principal school building and all adjacent public roadways.
- e. In addition to the bicycle parking requirements outlined in Sub-section 4.5.3.C of the Unified Development Code, all schools shall provide secure bicycle parking at a ratio of 1:3 (bicycle to vehicle parking) within 200 feet of a functioning entrance to the principal building.
- f. Lighted motor vehicle parking areas must meet the requirements of Chapter 4.7 of the Unified Development Code, as applicable.
- g. This planned development is exempt from the designated frontage requirements of Section 3.10.3 of the Unified Development Code.
- h. All public streets immediately adjacent to the school site shall comply with the dimensional standards outlined in Section 5.2.7 of the Unified Development Code for classification as a Connector street.
- 2. Recreation Field, with Lights:
 - a. Field lighting must meet the requirements of Chapter 4.7 of the Unified Development Code,
 Outdoor Site Lighting.

III. BULK REGULATIONS

A. The bulk regulations outlined in UDC Sub-section 3.10.2(b) for the IH District shall apply as modified herein.

1. Tract or Lot (min)

a. Area (sq. ft.): 20,000sfb. Width (ft.): 50ft

2. Building

a. Height (max ft.): 75ft

b. Setback (min ft.)

i. Front (Primary Street): 30ft*

*Recreation Fields and associated structures shall be setback a minimum 15ft from any perimeter public street.

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> ii. Side (Side Street): 20ft iii. Side/Rear: 5ft

3. Parking setback (min ft.) (Principal and Accessory)

a. On-street (public right-of-way): Not Permitted

b. Abutting Primary Street: 30ft 20ft c. Abutting Side Street: d. Abutting nonresidential: 10ft

- B. Accessory Building/Structures: The bulk regulations outlined in UDC Chapter 2.7 shall apply as modified herein.
 - 1. There shall be no limitation upon the cumulative square footage of accessory structures.

IV. ACCESS, PARKING AND CIRCULATION

- A. The primary street shall be defined as the public street upon which the principal building's primary façade or main entrance is oriented.
- B. The side street shall be defined as any street that is not defined as a primary street.
- C. The access standards outlined in UDC Chapter 4.4 directly pertaining to nonresidential uses shall apply as modified herein.
- D. The design and location of curb cuts illustrated upon the master plan are conceptual. The final location of all curb cuts shall be approved by the City Engineer.
- E. Roadway Right-Of-Way and Improvements:
 - 1. Fischer Steel Road, Moriarity Road, and Herbert Road shall each be dedicated one-half of a 68' future right-of-way and improved to establish one-half of a 48' urban cross section as illustrated upon the enclosed street section.
 - 2. Dedication and improvements shall be limited to the planned development's contiguous frontages.
- F. Off-street parking and loading shall be provided per UDC Chapter 4.5 as modified herein or as otherwise approved by the zoning administrator:
 - 1. Off-street parking shall be required at a ratio of 1 space per 300 sf of the education facility's net floor area used for academic and administrative purposes.
 - 2. All principal and accessory uses shall share the off-street parking facilities required above.
 - 3. On-street parking along any public roadway shall be prohibited.
 - 4. Off-street loading shall be permitted to adequately serve the school and associated accessory uses.

5. The size and frequency of interior islands shall be determined with the final site plan with the intent to maximize parking efficiency. Under no circumstances shall terminal islands be omitted.

V. LANDSCAPING, SCREENING, AND FENCING REQUIREMENTS

- A. The streetscape standards outlined in UDC Chapter 4.3 shall apply as modified herein:
 - 1. Streetscape Plate S-11 Modified, or an equivalent alternative, shall be installed along all public roadway frontages. Where off-street parking faces the public right-of-way, Evergreen Shrub Type A shall be installed to form a hedge along the curb line facing the public road. Tree Type "A, B, or C" shall be installed at a frequency equivalent to 40' o.c. No berm shall be required.
- B. Perimeter Fencing shall be permitted within all front, side, and rear yards so long as the fencing does not impede the streetscape or buffer requirements specified herein. Street trees shall be located on the streetside of any perimeter fencing.
 - 1. A 6'-9' Chain link or picket-style fencing shall be permitted within the streetscape area. Chain link fencing must be galvanized, polyvinyl chloride (PVC) color coated in either black, dark green or dark brown color coatings. Uncoated chain link fencing shall be prohibited.
 - 2. The maximum length of a continuous, unbroken and uninterrupted fence or wall plane abutting a public right-of-way shall be 100 feet. Breaks shall be provided through the use of columns, and landscaped areas.
 - 3. The Zoning Administrator may permit additional fence material, alternate fence design, additional fence height, or reduced setback through the administrative deviation if it is determined that such allowance is not contrary to the public interest and will not be injurious to the surrounding neighborhood. Factors to be considered by the Zoning Administrator when making such an administrative deviation shall include the material, height or setback of fencing in the immediate vicinity of the subject site, the classification of the roadway abutting the subject site, and the proposed use of the subject site.
- C. Private streets and drives are exempt from the streetscape standards provided in Chapter 4.3.
- D. This planned development shall comply with the landscape and screening requirements outlined in Chapter 4.6 of the Unified Development Code unless otherwise approved by the Zoning Administrator.
- E. No Perimeter landscape buffers shall be required where the planned development adjoins properties having established industrial land uses and/or zoning.

VI. LIGHTING REQUIREMENTS

A. All parking and general site lighting shall comply with Chapter 4.7 of the Unified Development Code unless modified herein.

- B. All recreational sports field lighting shall comply with the TSSAA (Tennessee Secondary School Athletic Association standards.
- C. Equivalent alternatives shall be permitted by the Zoning Administrator.
- D. All pole-mounted site lighting fixtures shall be LED.
- E. All general area site lighting pole heights shall not exceed 30 feet.
- F. All sports lighting pole heights shall not exceed 80 feet.
- G. All sports lighting shall have a shut off time of no later than 10:00PM.

VII. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines that service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VIII. SIGNS

- A. All proposed signage shall comply with Chapter 4.9 of the Unified Development Code as modified herein.
- B. One (1) Off-Premise Ground Sign shall be permitted in the general vicinity of Future Herbert Road and Future Trinity Road intersection.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

- A. The approved outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.

- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions, and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring on-site stormwater detention facilities: The area denoted by "Reserve for Stormwater Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The stormwater 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' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
- H. A photometric lighting plan.
- I. The enclosed master plan, corresponding plans, and building elevations are conceptual. The Zoning Administrator shall have the authority to approve modifications to the final plan, associated plans, and building elevations without limitation, where the final plan complies with these conditions.

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DEPARTMENTAL COMMENTS

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

City Engineer:

CASE 10: *PD-24-007

NAME: 7801 Fischer Steel Road

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 is unknown at this time and needs to be further assessed.

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 <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:

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. Any curb cut along the (street name) frontage beginning closer than 300 feet from the centerline of (cross street) will be limited to right in/right access only.
- 11. Will require engineering ASPR.
- 12. Dedicate and improve Fisher Steel Road, Herbert Road, and Moriarty Road with 68' ROW.
- 13. On street parking along any public roadway shall be prohibited.

Drainage:

- 14. 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.
- 15. 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.
- 16. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- 17. 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.
- 18. 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:

- 19. Development is greater than 1 acre and is located within a sensitive drainage basin.
- 20. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 21. All connections to the sewer shall be at manholes only.
- 22. 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.

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

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 2024-007 Date Reviewed: 7/5/24 Reviewed by: J. Stinson

Address or Site Reference: 7801 Fischer Steel

- 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.

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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:



Robin Richardson Planner II Office of Sustainability and Resilience 125 N. Main St., Memphis, TN 38103 Dorothy.Richardson1@memphistn.gov

MEMORANDUM

To: Chloe Christion, Planner I

From: Robin Richardson, Planner II

Date: June 3, 2024

Subject: OSR Comments on PD 2024-007: CORDOVA

General Comments & Analysis:

Located in Zone 1 of the Resilience Zone Framework:

Zone 1 areas have the lowest level of development risk and conflict. These areas avoid high risk disaster zones, such as floodplains, and they also do not conflict with sensitive ecological areas. These areas are the most straightforward for development, and development would have the lowest impact on regional resilience. Consider incorporating the protection of ecological assets while balancing the promotion of low-impact site design and compact development typologies in appropriate areas.

The applicant is requesting a planned development that would allow for the creation of a regional public high school. The plan for the site includes a school building and multiple kinds of sports facilities.

The entirety of the planned development is in the Fletcher Creek drainage basin.

Consistent with the Mid-South Regional Resilience Master Plan best practices: Yes

This application for a planned development is generally consistent with the Mid-South Regional Resilience Master Plan. Section 4.1 – Resilient Sites recommends development in Zone 1, as these areas pose the least risk in terms of both resilience and ecological sensitivity.

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

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Recommendations: Staff recommends adding a condition to the Outline Plan Conditions that would require development to be consistent with UDC Chapter 8.9, Fletcher Creek Overlay District. Additionally, there are other additions that could be made to the site to be forward-thinking and increase the site's sustainability and resilience:

- Some of the large amount of parking available could have electric vehicle (EV) charging infrastructure installed, as the growth in the EV market in recent years would indicate that there may be demand for EV charging in the near future. Another option is to have some of the spaces be "EV-ready," with electrical capacity installed at certain parking spaces to facilitate the installation of EV charging stations at a later date. Installing electrical capacity during construction can lower installation costs in the long term, as retrofit costs can be up to four times as much as it would have cost to install EV infrastructure in the first place.
- Metal roofs, like the ones shown in the elevations submitted in the application packet, can be more energy efficient than other options, as they reflect heat away from the building they are attached to. An additional consideration in roof design could be the color and/or coating used for the roof material, which could transform the roof into a "cool roof." Multiple elements of this project suggest that this would be an excellent candidate for a cool roof, as it will be new construction of a building with a large surface area. Further information about cool roofs can be found in the Mid-South Regional Resilience Master Plan, Chapter 3.4 Roof Design.
- Low-impact development (LID) practices could be incorporated into the common areas around the site. For example, rain gardens or linear bioretention could be incorporated in the landscaping areas around the parking lot and around some of the recreational fields, or permeable pavement could be used in lieu of concrete for the walking areas. More information about LID can be found in the Mid-South Regional Resilience Master Plan, Chapter 2.3 Low-Impact Development.

Office of Comprehensive Planning:

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: <u>PD 2024-007: Cordova</u>

Site Address/Location: 7801 Fischer Steel Rd

Overlay District/Historic District/Flood Zone: In the Overlay District but not in the Historic District or Flood Zone

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

Street Type: Avenue

The applicant is seeking approval for a new planned development to allow a new school. The following information about the land use designation can be found on pages 76 - 122:

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



"AN-M" Form & Location Characteristics

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

"AN-M" Zoning Notes

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

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, Industrial, IH

Adjacent Land Use and Zoning: Industrial, Commercial, Recreation, Common Area Land, Institutional, Single Family, CMU-2, EMP, IH, R-8, and RU-4

Overall Compatibility: This requested use is compatible with the future land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the request is for new planned development to allow a new school.

3. Degree of Change Map



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

4. Degree of Change Description

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

The proposed school will speed up development activity.

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

N/A

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

N/A

Consistency Analysis Summary

The applicant is seeking approval for a new planned development to allow a new school.

This requested use is compatible with the future land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the request is for new planned development to allow a new school.

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

The proposed school will speed up development activity.

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

42 Notices Mailed on 5/15/2024



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

NOTICE OF PUBLIC HEARING

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

CASE NUMBER: PD 2024-007

LOCATION: 7801 Fischer Steel Road

(SEE MASTER PLAN ON REVERSE SIDE)

APPLICANT: Memphis-Shelby County Schools

REQUEST: New planned development to allow a new school.

THE LAND USE CONTROL BOARD PUBLIC MEETING WILL BE HELD:

DATE: Thursday, June 13, 2024

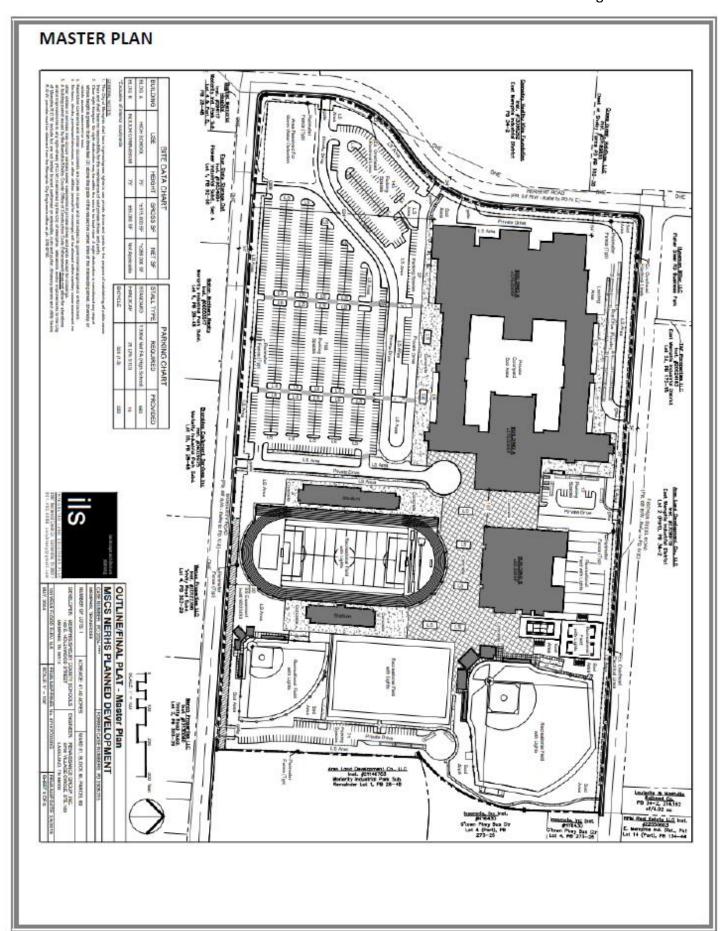
TIME: 9:00 AM

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

During the public hearing, the Board may 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 Chioe 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, June 5, 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 o	of Tennessee				
/, Cory	Brady	_, being duly s	worn, depose a	nd say that at _	11:30 <u>am</u> /pm
on the	30th day of May		20_24_, I post	ed 3 Public	Notice Sign(s)
	ning to Case No. PD 20				Moriarity Ro
providi	ing notice of a Public H	learing before	the (check one)):	
X	_Land Use Control Bo	ard			
	_Board of Adjustment				
×	_Memphis City Counc	îl			
	_Shelby County Board	of Commission	oners		
for cor	nsideration of a propo	osed land use	action, a phot	ograph of said	sign(s) being
heretø.	KIS		ригспаѕе тесец	5/3	040
Owner	, Applicant or Represe	entative		Date	
Notary	ribed and sworn to be Public mmission expires: N		_	May STAN STAN NOT SEND PUR	KINC.
				Conni C	OF SHE 13

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: May 10, 2024

Record Number: PD 2024-007 Expiration Date:

Record Name: MSCS NERHS PLANNED DEVELOPMENT

Description of Work: Planned Development Application in the facilitation of a proposed North East Region High School planned upon 46.42 acres generally located at the southeast corner of Fischer Steel Road

and Herbert Road.

Parent Record Number:

Address:

7801 FISCHER STEEL RD, CORDOVA 38018

Owner Information
Primary Owner Name

Y Aren Land Dev Co LLC

Owner Address Owner Phone

7707 Apache Plume Dr., Houston, TX 77071

Parcel Information 091031 00001

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Chip Saliba & Jeffrey Penzes

Date of Meeting 04/26/2024
Pre-application Meeting Type Virtual
GENERAL PROJECT INFORMATION

Planned Development Type New Planned Development (PD)

Previous Docket / Case Number PD 2008-315

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

Page 1 of 5 PD 2024-007

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

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

Page 2 of 5

No

-

The subject property is surrounded by commercial and industrial-zoned properties and is adequately served by all utility infrastructure and public street networks. Where inadequacies exist or improvements are necessary, those improvements are proposed concurrently with the project. The proposed school use will have no substantial or undue effect on any adjacent property. Conversely, the proposed school will improve the character of the property/neighborhood/district and offer improved public education facilities for the Memphis/Cordova community.

The planned development has been designed to adhere to the community standard and applicable zoning district regulations as modified to facilitate the proposed high school campus format in the industrial zoning district. The construction and operation of the proposed high school will not interfere with the development and use of any adjacent property.

The project is served by all utility infrastructure and public street networks with planned improvements as necessary to facilitate the proposed high school and accessory uses, subject to City Engineer approval.

No features of natural, scenic, or historic importance exist upon the subject property.

The planned development will comply with all standards and conditions upon approval by the

Memphis City Council.

39

The planned development is consistent with the recommendations of the Memphis 3.0. No further plans are to be considered and the use does not violate the character or standards for development of any surrounding property.

PD 2024-007

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 Historic District Land Use Municipality

Overlay/Special Purpose District

Zoning State Route

Lot

Subdivision
Planned Developmen

Planned Development District Wellhead Protection Overlay District

Data Tables

The proposed development will have no adverse effect upon the surrounding property nor will it hinder or prevent the development of surrounding properties in any way.

The project is adequately served by public water, sewer, and storm drainage services. Various improvements are proposed to be completed concurrently with the development, subject to engineering approval.

The arrangement of all structures, parking, loading, walks, lighting, landscaping, etc. is compatible with the surrounding land uses. No natural features of value exist.

The proposed planned development contains limited modifications to the district standards that are necessary to facilitate the high school campus format. The modifications have been drafted through collaboration with DPD staff and are warranted by the project's special considerations of the overall project design.

Upon approval, the project will be owned, operated, and maintained by Memphis/ Shelby County Schools.

Understood.

No -No --

Fletcher Creek Overlay

----No

Page 3 of 5 PD 2024-007

AREA INFORMATION

Name: Overall Site Size (Acres): 46.42

Existing Use of Property: Industrial/Vacant

Requested Use of

Public High School & Lighted Recreational Fields

Property:

Contact Information

Name
NAME NAME
APPLICANT

Address

Phone

Name SAL FERACI Contact Type

Address Address ARCHITECT / ENGINEER /

Phone (901)332-5533

Name Contact Type

IGAL ELFEZOUATY PROPERTY OWNER OF

Address

Phone (901)493-6996

Name CORY BRADY CONTACT Type REPRESENTATIVE

Address

Phone (901)493-6996

1563574

Fee Information

Invoice # Fee Item Quantity Fees Status Balance Date Assessed

1

39.00

Credit Card Use Fee (.026 x fee)

1563574 Planned Development - 5 1 1,500.00 INVOICED 0.00 05/10/2024

acres or less

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

INVOICED

0.00

05/10/2024

Payment Information

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

Page 4 of 5 PD 2024-007

OWNER AFFIDAVIT



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1. 1. AVIELEZOUATY "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 the Southeast Coener of Fischer Steel Road AND Heabert Road and further identified by Assessor's Parcel Number #'s 091030 00010 (Postton) 091030 00011, 09103000012, for which an application is being made to the Division of Planning and Development. AND 1031 00001

Signature of Notary Public

ANNA LAURA SERRATO
Notary Public, State of Texas
Comm. Expires 09-28-2025
Notary ID 125429213

Subscribed and sworn to (or affirmed) before me this ______ day of ______ in the year of ______ 2024

9 - 28 - Zozs

My Commission Expires

LETTER OF INTENT

INTEGRATED LAND SOLUTIONS, plic

planning • design • landscape architecture

May 10, 2024

Brett Ragsdale Zoning Administrator Land Use and Development Services 125 N. Main St., Ste. 477 Memphis, TN 38103

Re: Planned Development Application

Parcel #s 091030 00010 (Portion), 091030 00011, 091030 00012, and 091031 00001.

Mr. Ragsdale,

On behalf of the applicant, Memphis-Shelby County Schools (MSCS), I am requesting approval of a planned development application to facilitate the construction of the proposed New East Region High School (NERHS). The planned Cordova campus will serve as a replacement for students currently zoned to Germantown High School. The new school will provide a quality education and an engaging space to over 2,000 students; thereby, catalyzing sustained community revitalization efforts by providing long-term solutions to community challenges (ie. crime and unemployment). The subject property is located at the southeast corner of Fischer Steel Road and Herbert Road, approximately 830 feet west of North Germantown Parkway. The 46.42-acre tract is composed of multiple parcels under common ownership, presently zoned "IH" (Industrial-Heavy). The property is adequately served by all utility infrastructure.

Upon approval of this request, Memphis & Shelby County Schools intends to purchase the subject tract and construct a state-of-the-art public high school with lighted recreation fields and other accessory facilities as generally illustrated upon and regulated by the enclosed outline plan/final plat documents. Commensurate with the school's development, all adjacent public roadways will be improved following the city engineer's recommendations, and by a separate application, Herbert Road is planned to be extended south to Trinity Road. Sidewalks will be provided along all contiguous roadway frontages and along both sides of the Herbert Road extension south to Trinity. The planned development is intended to comply with the City's Unified Development Code provisions with limited modifications necessary to best accommodate the public high school in the IH zoning district.

Please find enclosed the documentation required to accompany the planned development application. If you should have any questions, please contact me at corybrady@gmail.com_or (901) 493-6996. It is always my pleasure to work with the City of Memphis's staff, the Land Use Control Board, and City Councilpersons. We look forward to working with you.

Respectfully,

Cory Brady, PLA, AICP

Cory Brady

Integrated Land Solutions, PLLC

LETTERS RECEIVED

Twenty-eight (28) letters of opposition and one (1) letter of support have been received at the time of completion of this report.

Memphis Pride Cheer - Forcing Athlete Parents to Send E-mails to You

Katie Graves <katiegraves3@gmail.com>

Wed 6/5/2024 4:38 PM

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.

Hi Chloe. I wanted to share that Memphis Pride Cheer is attempting to force athletes' parents to send you e-mails concerning the upcoming development near their facility. They sent everyone a pre-typed e-mail and told us we had to copy/paste and send it to you this afternoon before 3:30pm with their attorney also on copy. The owners of Pride are known to retaliate against those who do not follow their instructions. It made me uncomfortable receiving the email from them, and I wanted to bring it to your attention. I have no concerns with the upcoming establishment being built.

I am unsure how many e-mails you will receive as Memphis Pride Cheer spelled your e-mail address incorrectly when they sent out their communication, and I had to look you up to verify your e-mail address.

Thank you for listening!

RACHEL L. LAMBERT Email: RachelLambertEsq@gmail.com

7790 Fischer Steel Road, Suite 101 Cordova, Tennessee 38018 Tel: 901-382-0080 Fax: 901-386-2888

June 4, 2024

Ms. Chole Christion Land & Use Control Board

Re: Proposed North East Regional High School

Dear Ms. Christion:

I am writing this letter to state my formal objection to the proposed location of the North East Regional High School within the East Memphis Industrial District. While I understand the City and County is in need of another school, I am more concerned with the safety of children and the illogical decision to place a high school in a high industrial area.

The proposed location for this school is sandwiched in between all highly industrial businesses and warehouses. There are many 18 wheeler deliveries, many of which contain highly toxic chemicals, traveling the small roads all hours of the business day during the week. The roads are already failing and not up to code without a school, and now you are proposing having 16 year old drivers, their family members, and many buses added to the mix of traffic. Moreover, there are no residential areas immediately attached to this school. The residential areas are all across the most traveled street in the state, Germantown Parkway. These children will be running across Germantown Road, 7 lanes of highly congested traffic, which will inevitably lead to tragedy. There is only one main road with a traffic light, Fischer Steel Road, which runs directly into the industrial area where the 18 wheelers will be traveling, to allow traffic in and out of the school. This one main road is the only road with a traffic light, which does not even have a turn signal. Moriarity Road, which is the proposed alternative road to the school, has no traffic light, is unlined, and has no lighting. This road is likewise used by 18 wheelers for vehicle delivery, transportation of heavy industrial cranes and equipment, and various other industrial traffic that has no business being located across the street from the school.

The proposed plans only provide for 900 parking spots, yet gloats all the stadiums/fields/etc. to be used by the high school. Where are all the students, parents, fans, opposing team, opposing team fans, opposing team parents expected to park for all of these extra activities? Along side a road that has a drop off into ditches and gas lines? Encroach upon the current businesses already in place? The high school will require substantially more parking spaces than what is provided in the proposal, and without providing for adequate parking, visitors of the school will infringe upon the existing parking facilities that

are already in short supply. Visitors of the school will inevitably block entrance ways and impede patrons that are attempting to travel to the already established businesses in the area.

Moreover, the noise and disruption that accompanies high school activities will disrupt business activities and the peaceful environment for the businesses already in the area. The concern is not just for "Friday night football," but there will be band practice, which takes place outside, scrimmages, all types of sporting practices, whistles constantly blowing, yelling, etc.; not to mention the constant coming and going of students heading to/from practice, being picked up at various times, etc.

The combined effects of increased traffic, inability to operate normal business functions, longer commute times, and general congestion on a non-stop basis will discourage patrons from visiting the established businesses in the area. This area has currently survived the Pandemic, and been able to maintain business during this poor economy and recession; however, if the school is placed in the middle of this industrial/business area, it would inevitably force the closure of some businesses and harm the economic vitality of this business district. Although it may be the goal of the developer and seller of this land for your project to run many of the businesses out of business, I would think it would be the City's overall goal to support businesses to generate revenue for the City.

The infrastructure in this area is already subpar. This area suffers frequent power outages, sewage/drainage issues, and roads that are less than adequate. With increasing the demand on the already dilapidated roads, poor water drainage, sewage usage, drain on the electrical power grid, public transport, and general increased internet and utility usage, the businesses surrounding this proposed school with definitely suffer.

Not to mention, the land that is to be used by the City for this school is currently under restrictions in the deed due to toxic chemicals being present from the previous Railroad owner. The deed expressly restricts the ability for a school to be built on the land. There has been no evidence the land conditions have been changed and/or modified to remedy the current land conditions to make it suitable for a school. The reason the land has been vacant for the period that it has is due to the inhabitable conditions of the land from its many years of industrial use. It seems the City should be more concerned about the potential hazards located on the land, and if the City is not, then maybe the federal government and EPA can ensure the City takes these concerns seriously. Businesses have repeatedly asked for proof that the land is even suitable for a school; however, upon each request, the questions have been evaded and the responsibility has been passed to someone else and no disclosure made to date.

I would urge the decision-makers to consider alternative locations for the high school that are more suitable for residential areas and for the safety of the children, rather than placing a school in the middle of a highly industrial area, which has been industrial for over 60 years. Thank you for your time and attention to this matter.

June 4, 2024 Page 3

Sincerely,

Rachel L. Lambert Attorney at Law

RLL/ms

New Build

Jeana Burrell < jeana.burrell@gmail.com>

Tue 6/4/2024 6:00 PM

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.

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Jeana Burrell

Urgent!!!

Briana Lockner < b.lockner0117@gmail.com>

Tue 6/4/2024 5:49 PM

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.

4, June 2024

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road, are writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

I personally myself, drive 45 - 1 hour (depending on traffic) for my child to do the sport she loves with her whole heart!! This gym is our family and our second home. I have to stay in the area, if not in the building in the parking lot because it is more cost efficient than driving home due to gas prices and other costs.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Briana Lockner

Arms-Fair and/or Gun Transfer Portal 7845 Trinity Rd Ste 103 & Ste 101 Cordova, TN 38018

(901) 289-5681

To Whom It May Concern,

As the owner of Arms-Fair and Gun Transfer Portal at 7845 Trinity Rd Stes 103 and 101, I am writing to express my strong opposition to the proposed development of a new high school (North East Region High School) within my neighborhood.

My primary concerns include:

- 1.) Traffic congestion
- 2.) Parking Shortages
- 3.) Noise and Disruption
- 4.) Safety and Security Concerns
- 5.) Economic Impact
- 6.) Strain on the infrastructure
- 7.) Impact on Quality of Life

I urge the decision-makers to consider alternative locations for the high school that would not disrupt the delicate balance of our local economy and community.

Thank you for your attention to this matter.

Sincerely,

William C. Hill, Jr.

President

Adintellico, Inc. d/b/a Arms-Fair

Adintellico, Inc. d/b/a Gun Transfer Portal

Record #PD 2024-007 - Proposed New East Region High School Between Fischer Steel Rd and Trinity Rd

Lisa Kennedy < lisakenned@gmail.com>

Wed 6/5/2024 11:24 AM

To:jmckinnoncre@gmail.com <jmckinnoncre@gmail.com>;jenniferbethoconnell@gmail.com
<jenniferbethoconnell@gmail.com>;dkthomas@gotci.com <dkthomas@gotci.com>;lisa@ethridgeenterprises.com
lisa@ethridgeenterprises.com>;mwsharp@bellsouth.net <mwsharp@bellsouth.net>;sfleming@flemingarchitects.com
<sfleming@flemingarchitects.com>;brown@gillprop.com
brown@gillprop.com>;tolesassoc@aol.com <tolesassoc@aol.com>;develop901@memphistn.gov>;Dlyleswallace@comcast.net <Dlyleswallace@comcast.net>;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.

Record #PD 2024-007 - Proposed New East Region High School Between Fischer Steel Rd and Trinity Rd

To Whom It May Concern:

I am writing to express my concern about the proposed new development for a new east region high school north of Germantown Pkwy between Fischer Steel Rd and Trinity Rd and asking that you as decision makers consider alternate locations for this new school.

To me it appears that there has been little consideration given to the traffic congestion, parking shortages and safety concerns for the businesses in the area and the families that frequent those businesses/facilities.

My family has a child that has for years participated in competitive sports activities at a program located at 7790 Fischer Steel Rd. This program includes children ages 3 years old and up whose families commute from all over the city and surrounding counties as well as the states of Mississippi and Arkansas.

Regarding my concerns of <u>traffic congestion</u>, please realize that Fischer Steel Rd is a small 2 lane road and currently there is only 1 single streetlight at Fischer Steel Rd and Germantown Pkwy from which we exit the area. Building a new school in this area would increase the traffic immensely causing huge traffic backups and increase travel time for our athletes and their families traveling back and forth from their homes.

<u>Parking</u> is already in short supply, and my fear is this new school would create an even greater parking shortage and overflow parking issues for all businesses in the area.

Lastly, I am concerned about the <u>safety</u> of our athletes and their families from the added dangers of the increased traffic in this location and from the potential and very probable crime increase that occurs when you put significantly more people in a limited area.

I am urging you as citizens and decision makers not to locate this new school on the land between Fischer Steel Rd and Trinity Rd. Please look for alternative locations. Thank you for your consideration of this very urgent matter.

Sincerely,

Lisa Kennedy

Concerned Citizen and Family Member of Athlete at Memphis Pride Cheer

Cordova Neighborhood Business Association re: MSCS NERHS PLANNED DEVELOPMENT

Marty Kiser <marty@kisers.com>

Wed 6/5/2024 1:09 PM

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.

Good morning,

As a property owner of Kiser's Floor Fashions 7980 Fischer Steel Road Cordova, TN 38018, we Strongly oppose the addition of the proposed school in our industrial zoned property.

We have 40' tractor trailers picking up and delivering goods to us throughout the day and each and everyone of them has to pull on to Fischer Steel Road, block traffic and back end. We are one of numerous businesses that do the same thing all day long.

Traffic is already a nightmare on Germantown Parkway and placing the school here will exacerbate the problem. The proposed traffic flow is totally insufficient.

The fact that so many large trucks throughout the day are up and down Fischer Steel, Herbert, Moriarty, Trinity and Germantown Parkway is very frightening for the safety of the children.

The very thought of children that would walk to this Industrial area having to cross Germantown Parkway is terrifying.

We're asking you to oppose the proposed school location.

Sincerley,

Marty Kiser VP-Owner Kiser's Floor Fashions 7980 Fischer Steel Road Cordova, TN. 38018

Fwd: Fischer Steel development

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 12:49 PM

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.

Please see objection to Record No. PD 2024-007

----- Forwarded message ------

From: **Nikki Garces** < <u>ngarces@varsity.com</u>>

Date: Wed, Jun 5, 2024 at 12:33 PM Subject: Fischer Steel development

 $To: \underline{Chole.christion@memphistn.gov} < \underline{Chole.christion@memphistn.gov} >, \underline{develop901@memphistn.gov}$

 $<\!\underline{develop901@memphistn.gov}\!>,\,\underline{tolesassoc@aol.com}<\!\underline{tolesassoc@aol.com}\!>,\,\underline{brown@gillprop.com}$

<<u>brown@gillprop.com</u>>, <u>sfleming@flemingarchitects.com</u> <<u>sfleming@flemingarchitects.com</u>>,

<u>mwsharp@bellsouth.net</u> < <u>mwsharp@bellsouth.net</u>>, <u>lisa@ethridgeenterprises.com</u>

< lisa@ethridgeenterprises.com >, dkthomas@gotci.com < dkthomas@gotci.com >,

jmckinnoncre@gmail.com <jmckinnoncre@gmail.com>, jenniferbethoconnell@gmail.com

<jenniferbethoconnell@gmail.com>, dlyleswallace@comcast.net < dlyleswallace@comcast.net>

Cc: RachelLambertEsq@gmail.com < RachelLambertEsq@gmail.com >

3394 Ballard Cv

Bartlett TN 38133

5, June 2024

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road are writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a

definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Nikki Garces

Disclaimer: This e-mail message is strictly confidential to Varsity Brands Inc. and is intended only for the addressee. It may contain information that may be confidential, legal, privileged, or otherwise exempt from disclosure under applicable law. If you are not the intended addressee, or someone authorized by the intended addressee to receive transmission on behalf of the addressee, you must not retain, disclose in any form, copy, or take action in reliance on this transmission

__

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

****PLEASE NOTE OFFICE HOURS ARE 8:30AM-4:30PM, MONDAY THRU FRIDAY. EMAILS RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RETURNED THE NEXT BUSINESS DAY. VOICE MESSAGES RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RETURNED THE NEXT BUSINESS DAY.

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(No subject)

Tiffany Wallace <twboxet2000@yahoo.com>

Wed 6/5/2024 12:33 PM

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.

5 June 2024

To Whom it May Concern,

We as parents and participants of a highly competitive sports program at 7790 Fischer Steel Road are writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city as well as from the states of Mississippi and Arkansas, we are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

There is only one access road from the facility we use- along with many other businesses in the development- with only one stop light to the main road. We are already experiencing very long wait times and heavy traffic not only at our facility, but along Fischer Steel Road. The construction would exacerbate the existing congestion not only in the immediate area of our facility, but also for the proposed facility. Parking, which is already an issue for our families, will experience a definite shortage and overflow parking is very limited. The anticipated surge in heavy traffic on a daily basis also creates cause for concern for the safety of drivers and pedestrians in the area. Such conditions would place the significant number of children in the area at greater risk of harm. Furthermore, increasing the pedestrian traffic brings concerns over increasing rates of accidents as well as small crimes.

We strongly urge the decision makers to consider alternate locations for this school. Thank you for your attention to this matter.

Sincerely, Tiffany and Thomas Johnson **TO:** Chloe Christion, Memphis Land and Use Control Board

FROM: Dan McCleary, Tennessee Shakespeare Company

RE: Opposition to Board's Approval of Special Use Permit for Proposed North East

Regional High School in Cordova; Formal Request for Board's "Denial

Recommendation"

DATE: June 5, 2024; and re-sent on June 12, 2024 for the purpose of being included in

the packet for the postponed July meeting

I am the owner, founder, and Producing Artistic Director of Tennessee Shakespeare Company (TSC), located at 7950 Trinity Road in Cordova 38018-6297. TSC sits on Trinity Road to its north and sits on Moriarty Road to its south.

TSC is a 501c3 not-for-profit charitable organization founded in 2008 as the first and only professional classical theatre and education organization in Memphis and as the only such theatre with a permanent home in the state of Tennessee.

TSC is dedicated to live, diverse performances of William Shakespeare's plays, as well as works of social significance by classical, Southern, and modern writers; and to providing innovative educational and training programming year-round.

In 2017, we purchased our current home at 7950 Trinity Road, which was built for Ballet Memphis. We are in the process of renovating the working facility into the state's only permanent home for professional, year-round Shakespeare performance, education, and training. The company is in the midst of its Brave New World capital campaign with a goal of \$9.2 million, of which more than one-third has been raised.

TSC has engaged our community with 67 site-specific plays and events for 60,000 patrons. Our ground-breaking Education Program has reached 130 schools across nine states, totaling over 300,000 student interactions, including nearly every Memphis City and Memphis-Shelby County school. The Program has achieved a high regional and national profile, partners annually with most local school systems, and this year is a recipient of two National Endowment for the Arts/Arts Midwest's *Shakespeare in American Communities* grants: one for *The Macbeth Initiative* in underserved local schools, and the other for expanded residencies with local incarcerated youth titled *Juvenile Justice*. TSC is one of just a handful of U.S. theatres to be awarded this latter grant for the fifth consecutive year.

TSC's annual performance and education sponsors include FedEx, International Paper, Arts Midwest, ARTSmemphis, Tennessee Arts Commission, Independent Bank, Evans Petree PC, First Horizon Foundation, and AutoZone. Our season is funded under a Grant Contract with the State of Tennessee; and is being supported, in part, by federal award number SLFRP5534, awarded to the State of Tennessee by the U.S. Department of Treasury.

TSC's area outreach partners include Bartlett Performing Arts Center, Benjamin Hooks Public Library Friends, Cities of Bartlett and Collierville and Memphis, Davies Manor, Dixon Gallery & Gardens, Memphis Juvenile Justice System, Memphis V.A. Medical Center, Overton Park Shell, Overton Square, Shelby County Election Commission, Memphis-Shelby County Schools, St. George's Episcopal Church, University of Memphis' Department of Theatre & Dance, Wiseacre Brewery, WKNO Radio (91.1 FM Memphis), and Woodlawn.

On behalf of TSC's Board of Directors, I write in <u>OPPOSITION</u> to the proposals we have seen from City representatives for plans to construct the new North East Regional High School on the "Heavy Industrial" zone site located between Fischer Steele Road and Moriarty Road in Cordova.

We request that the Land and Use Control Board make a <u>DENIAL RECOMMENDATION</u> to the City Council for a Special Use Permit to re-zone this property for this purpose, which will be formally requested of the Board at its next public meeting hearing on June 13, 2024, for at least the following reasons:

- Of 115 of your current public schools, fewer than 20 are sited on Non-Residential zoned properties. How many of those are zoned I-H (Heavy Industrial)? No one associated with the City has been able or willing to answer this question for us. There are multiple reasons why schools are not constructed in Heavy Industrial zones, and this proposed Cordova site is a textbook case for why that is fact;
- The CSX spur parcels of 6-7 acres on this property convey covenants that prohibit the construction of schools of any kind on it due to hazardous materials on and within the ground;
- This proposal creates a roadway loop of Moriarty/Herbert/Fischer Steele that will
 continue to serve at most hours of day/night, seven days per week, the necessary semitruck and heavy industrial equipment to multiple service providers located within the
 loop;
- This proposal makes the sole outlet of the above roadway loop the busiest road in Shelby County and, arguably, in the state of Tennessee: Germantown Parkway. With the recent narrowing of Germantown Road/Trinity Road's intersection, we have witnessed a rise in traffic accidents and traffic congestion that also has doubled our drivetime in round-trips to work. We witness first-hand children and adults as pedestrians attempting to cross six lanes of Germantown Parkway in the mornings and evenings. We note that no provision has been made in the proposed budget for a traffic light at Germantown Parkway and Moriarty Road. Instead, we were told it would be a right-turn-only intersection. This has not, nor is there any reason to imagine that it will stop, teenagers in cars from making dangerous left turns. There are retail stores and restaurants and bars adjacent to and within walking distance of this proposed school site. Adding school pedestrian traffic to an already-congested road network where vehicles are traveling fast and ignoring traffic

signals will present life-threatening scenarios between children and vehicles unable to stop;

- The traffic study provided by the City shows this proposed high school will generate 5,665 new trips per day in this area. This will more than double the area's current trips per day, which the study reports as 4,749. To the current two-lane roads bounding this property, the plan proposed adding one lane. There has been no plan offered for what dangerous traffic and pedestrian issues or flow issues this will present on Germantown Parkway. You will be presented with an independent traffic study, based on the City's report, that shows the current Level of Service at Trinity Road/Germantown Parkway during AM Peak and PM Peak receiving failing grades of "F" and "F." The intersection of Moriarty Road/Germantown Parkway at Midday Peak is graded "E". The intersections of Macon/Germantown AM Peak, Mullins Station/Whitten AM Peak and PM Peak, and Mullins Station/Appling are graded "E." Using the City's population growth figures, without a new high school built in this area in 2025, the study downgrades the intersection of Moriarty Road/Germantown Parkway at Midday Peak and PM Peak to grades of "F." In 2025 and 2035 with the new school, with the exception of only one daypart at two intersections, all seven adjacent and nearby intersections receive grades of "F" and "E." Those grades are unacceptable by the City's standards. The roadway network around the proposed high school site is graded by the City as already heavily congested, and the proposed site traffic will dramatically add to congestion that will result in operational and child/adult safety issues;
- A high school with overflow parking, waiting parents in cars, prevention of safe traffic flow, and child pedestrian activity across TSC's property certainly will negatively impact TSC's safe and responsible daily business. However, TSC will be put out of business with the new school's public address system for multiple athletic fields across the street. There are no acoustic remediations to prevent those sounds from encroaching and obstructing our live-voice performances in our theatre, located just off Moriarty Road. This is not just football, baseball, softball, soccer, lacrosse, track and field, band, flag corp; but also all TSSAA and other athletic organizations' events held there. We have experienced this before. No theatre performances can occur concurrently with a P.A. speaker system. This proposed school at this location will bankrupt TSC and prevent us from achieving our mission. The area will lose TSC's \$2.4 million economic impact, and we will seek restitution.

Please note:

I have made a documented, formal request for the city's Feasibility Study of all Cordova sites for this new school. To date, I have not received that.

At the time of this writing, the Phase I and Phase II environmental reports on this property, which I have been told were completed and have been requested, have not been provided for review – nor have dates of those studies been provided.

The discussed cut-through of a new road connecting Herbert Road to Trinity/Raleigh-LaGrange Road is not part of this proposal and would need to seek at least two approvals. However, City representatives have presented this future road as crucial as a second priority outlet to the school (along with Germantown Parkway). Who will pay for these installments? Who will pay for the surrounding traffic mitigation?

We have requested more detail regarding the bus-queing analysis. The plan does not appear to accommodate on its property the number of buses reported to be needed. Where will buses overflow?

We appreciate the legal requirement for a school to be constructed. City representatives reported last week that most of the current Germantown High School students come from homes in Cordova and that this new site was selected to accommodate those homes. Yesterday, those representatives stated that only one-half of the current GHS students are in Cordova. The other one-half travel from all over the county, we were told. This weakens the argument for this particular Heavy Industrial site in order to accommodate shorter bus trips for students. That impact is much less than was originally stated.

We have been made aware of the land-swap arrangement between the properties north and south of Fischer Steele Road and of the intent to build Section Eight housing on land on Fischer Steele.

Conclusion:

This proposal greatly endangers the lives, the safety, and the economy of the families and children we wish to serve in Cordova.

There is a reason that the City of Memphis and Shelby County have not built public schools on land zoned as Heavy Industrial. This proposed Cordova property is a text book example for why that is the case: the likely existence of hazardous materials/chemicals in the land, daily heavy construction and delivery equipment on the roads, only two outlet roads to the busiest roadway in the county, more than doubling vehicle trips on a roadway network that is already receiving LOS grades of "E" and "F," and the bankrupting of Tennessee Shakespeare Company – a charitable organization that has served over 100,000 public high school students, military Veterans, and adjudicated youth in Memphis. The areas will also lose TSC's substantial economic impact in the area.

Request:

The Board should make a "Denial Recommendation" to the City on this Special Permit Use request.

Contact:

My phone number is 759-0604, and my email is <u>danmccleary@tnshakespeare.org</u>. Thank you.

Fwd: Case number PD 2024-007

Rachel Lambert < rachellambertesq@gmail.com >

Wed 6/5/2024 12:19 PM

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

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Please see objection to Record No. PD 2024-007

----- Forwarded message -----

From: Ashley McCullough < mccullough7876@yahoo.com>

Date: Wed, Jun 5, 2024 at 12:07 PM Subject: Case number PD 2024-007

To: <<u>dlyleswallace@comcast.net</u>>, <<u>dkthomas@gotci.com</u>>, <<u>lisa@ethridgeenterprises.com</u>>, <<u>mwsharp@bellsouth.net</u>>, <<u>sfleming@flemingarchitects.com</u>>, <<u>brown@gillprop.com</u>>,

<tolerassoc@aol.com>, <develop901@memphistn.gov>

Cc: < RachelLambertEsq@gmail.com>

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Case number PD 2024-007

Sincerely,

Ashley McCullough

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

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Fwd: Fischer Steel traffic

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 11:39 AM

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

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Please see objection to Record No. PD 2024-007

----- Forwarded message -----

From: **Ronita Cole** < <u>hairbyronita@gmail.com</u>>

Date: Tue, Jun 4, 2024 at 7:43 PM Subject: Fwd: Fischer Steel traffic

To: Rachel Lambert < rachellambertesq@gmail.com>

Mrs. Ronita Cole

Begin forwarded message:

From: Ronita Cole < hairbyronita@gmail.com >

Date: June 4, 2024 at 5:59:36 PM CDT **To:** Chole.christion@memphistn.gov

Subject: Fischer Steel traffic

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely, Concerned parents of a new teen driver

Ronita1@msn.com
Mrs. Ronita Cole

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

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Fwd: The Proposed Development on Fischer Steel Road

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 11:39 AM

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

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Please see objection to Record No. PD 2024-007

----- Forwarded message -----

From: Wendy Belt < rn7622@icloud.com >

Date: Tue, Jun 4, 2024 at 9:03 PM

Subject: The Proposed Development on Fischer Steel Road

To: <jmckinnoncre@gmail.com>, <jenniferbethoconnell@gmail.com>

Cc: < RachelLambertEsq@gmail.com >

4, June 2024

To Whom it May Concern,

We, as participants of a highly competitive sports program located at 7790 Fischer Steel Road, are writing to address our strong opposition to the proposed development within our neighborhood. Our facility serves children ranging from 3 years old and up who travel from various parts of the city, including Mississippi and Arkansas. We are particularly concerned about potential issues such as traffic congestion, limited parking, and overall safety.

The presence of only one streetlight at the exit of our road could lead to significant traffic delays for athletes and families traveling to and from our facility. A lack of adequate parking could create challenges for our families and result in overflow. Additionally, there are safety concerns related to increased traffic, congregation of people in a smaller area, jaywalking, and potential petty crimes.

We urge decision makers to explore alternative locations for the proposed development. Thank you for your attention to this matter.

Sincerely, Wendy Belt

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888 Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

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Subject Proposed development

From SHERRY GORDIN

<sgordin@att.net>

To: <dkthomas@gotci.com>

Date Yesterday at 8:46 PM

4, June 2024

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Sherry Gordin

Sent from AT&T Yahoo Mail for iPhone

Fwd: Safety

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 11:36 AM

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

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----- Forwarded message -----

From: **Suzanne Creedon** < <u>suzannecreedon901@gmail.com</u>>

Date: Tue, Jun 4, 2024 at 9:05 PM

Subject: Safety

To: < "> (<a href="mailto:lisa@ethridgeenterprises

<develop901@memphistn.gov>, <sfleming@flemingarchitects.com>,
brown@gillprop.com>,

<<u>dkthomas@gotci.com</u>>, <<u>jenniferbethoconnell@gmail.com</u>>, <<u>dlyleswallace@comcast.net</u>>,

<jmckinnoncre@gmail.com>, <RachelLambertEsq@gmail.com>

4. June 2024

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes. We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely, Suzanne Creedon

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888 Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

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Fwd: MPC parking and traffic

Rachel Lambert < rachellambertesq@gmail.com>

Wed 6/5/2024 11:35 AM

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

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Please see objection to Record No. PD 2024-007

----- Forwarded message ------

From: **Payton Weathers** < <u>pweathers@epc.k12.ar.us</u>>

Date: Tue, Jun 4, 2024 at 8:02 PM Subject: MPC parking and traffic

To: < Chole.christion@memphistn.gov>, < RachelLambertEsq@gmail.com>,

<<u>develop901@memphistn.gov</u>>, <<u>dkthomas@gotci.com</u>>, <<u>dlyleswallace@comcast.net</u>>,

<jmckinnoncre@gmail.comjenniferbethoconnell>, <<u>sfleming@flemingarchitects.com</u>>

To Whom it May Concern,

As a participant of a highly competitive sports program at 7790 Fischer Steel Road, I am writing to express my strong opposition to the proposed development within our neighborhood. As a parent, traveling multiple times a week from Arkansas, I am strongly concerned about traffic congestion, parking shortages, and most importantly safety. Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes. I urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely, Payton Weathers

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

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Fwd: Cordova development plans

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 11:35 AM

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

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Please see objection to Record No. PD 2024-007

----- Forwarded message -----

From: Lauren Lunati < laurenlunati@gmail.com>

Date: Wed, Jun 5, 2024 at 8:02 AM Subject: Cordova development plans

To: <<u>dlyleswallace@comcast.net</u>>, <<u>dkthomas@gotci.com</u>>, <<u>lisa@ethridgeenterprises.com</u>>,

<mwsharp@bellsouth.net>, <sfleming@flemingarchitects.com>,
brown@gillprop.com>,

<<u>tolesassoc@aol.com</u>>, <<u>develop901@memphistn.gov</u>>, <<u>jmckinnoncre@gmail.com</u>>,

<jenniferbethoconnell@gmail.com>, <chole.christion@memphistn.gov>

Cc: < rachellambertesq@gmail.com >

To Whom it May Concern,

My daughter is a participant of a highly competitive sports program at 7790 Fischer Steel Road and I am writing to express opposition to the proposed development within the neighborhood. I am strongly concerned about traffic congestion and safety.

There is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. It is already a nightmare some days without the new development. If you carry through with your plans, something about the traffic in the area near Germantown parkway HAS to be done.

Safety regarding traffic is a huge concern especially since you're discussing a place there are already many kids and teens and potentially introducing a whole lot more.

With the addition, it also becomes less of a safe space due to more people gathered, jaywalking, and petty crime.

We urge the decision makers to consider alternate locations. If you do move forward, please remember the children and families who are already visiting this area daily. Thank you for your attention to this matter.

Sincerely,

Lauren Lunati

Sent from my iPhone

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

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Fwd: Opposition to Proposed High School Construction in Our Neighborhood

Rachel Lambert < rachellambertesq@gmail.com>

Wed 6/5/2024 11:34 AM

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

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Please see objection to Record No. PD 2024-007

----- Forwarded message -----

From: **Fridae Hammons** < <u>fahammons@yahoo.com</u>>

Date: Wed, Jun 5, 2024 at 6:49 AM

Subject: Opposition to Proposed High School Construction in Our Neighborhood

To: <<u>dlyleswallace@comcast.net</u>>, <<u>dkthomas@gotci.com</u>>, <<u>lisa@ethridgeenterprises.com</u>>,

<mwsharp@bellsouth.net>, <sfleming@flemingarchitects.com>, <brown@gillprop.com>,

<tolerassoc@aol.com>, <develop901@memphistn.gov>, <Jmckinnoncre@gmail.com>,

<Jenniferbethoconnell@gmail.com>

Cc: < RachelLambertEsq@gmail.com >

Dear Concerned Parties.

We, members of a highly competitive sports program located at 7790 Fischer Steel Road, are writing to voice our firm opposition to the planned construction of a new high school in our vicinity. Our sports facility caters to children aged 3 years and above, who travel from various parts of the city, including neighboring states like Mississippi and Arkansas. We have significant apprehensions regarding the potential issues of traffic congestion, inadequate parking facilities, and above all, safety concerns.

The current lack of sufficient infrastructure, such as a solitary streetlight at the exit of our road, raises concerns about potential traffic jams and delays for our athletes and their families commuting to and from our facility. The anticipated parking shortages would pose a significant challenge for our families, leading to overflow and inconvenience. Moreover, the influx of additional traffic and people in the area could heighten safety risks, including issues like jaywalking and minor crimes.

We implore the decision-makers to explore alternative locations for the proposed high school in light of these pressing concerns. Your attention to this matter is greatly appreciated.

Sincerely, Fridae Hammons 901-387-7253 7628 Tapestry Loop N Apt 208 Cordova, Tn 38018

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

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Fwd: 7790 Fischer Steel Road Memphis, TN

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 1:54 PM

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

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Please see objection to Record No. PD 2024-007

----- Forwarded message -----

From: **Amber Allison** amberdenise20@gmail.com>

Date: Wed, Jun 5, 2024 at 1:53 PM

Subject: 7790 Fischer Steel Road Memphis, TN

To: brown@gillprop.com, develop901@memphistn.gov, develop901@memphistn.gov)

dlyleswallace@comcast.net, jenniferbethoconnell@gmail.com < jenniferbethoconnell@gmail.com >,

<u>jmckinnoncre@gmail.com</u> <<u>jmckinnoncre@gmail.com</u>>, <<u>lisa@ethridgeenterprises.com</u>>, mwsharp@bellsouth.net <mwsharp@bellsouth.net>, sfleming@flemingarchitects.com

<sfleming@flemingarchitects.com>, tolesassoc@aol.com <tolesassoc@aol.com>

Cc: < RachelLambertEsq@gmail.com >

To Whom it May Concern,

We, as a participant of a highly competitive sports program at 7790 Fischer Steel Road, are writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city, including the states of Mississippi and Arkansas, are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic - there is one streetlight exiting for our road which would cause a huge backup and time concern for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic- more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Amber Allison

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

****PLEASE NOTE OFFICE HOURS ARE 8:30AM-4:30PM, MONDAY THRU FRIDAY. EMAILS RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RETURNED THE NEXT BUSINESS DAY. VOICE MESSAGES RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RETURNED THE NEXT BUSINESS DAY.

Fwd: Development Project- 7790 Fischer Steel Rd

Rachel Lambert < rachellambertesq@gmail.com >

Wed 6/5/2024 1:59 PM

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.

Please see objection to Record No. PD 2024-007

----- Forwarded message ------

From: **Gwen Castleton** <<u>gwencastleton@hotmail.com</u>>

Date: Wed, Jun 5, 2024 at 1:55 PM

Subject: Re: Development Project- 7790 Fischer Steel Rd

To: Rachellambertesq@gmail.com < Rachellambertesq@gmail.com >

5 June 2024

To Whom it May Concern,

We as parents and participants of a highly competitive sports program at 7790 Fischer Steel Road are writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city as well as from the states of Mississippi and Arkansas, we are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

There is only one access road from the facility we use- along with many other businesses in the development- with only one stop light to the main road. We are already experiencing long wait times and heavy traffic not only at our facility, but along Fischer Steel Road. The construction of this project would exacerbate the existing congestion not only in the immediate area of our facility, but also for the proposed facility. Parking, which is already an issue for our families, will experience a definite shortage and overflow parking is very limited. The anticipated surge in heavy traffic on a daily basis also creates cause for concern for the safety of drivers and pedestrians in the area. Such conditions would place the significant number of children in the area at greater risk of harm. Furthermore, increasing the pedestrian traffic brings concerns over increasing rates of accidents as well as small crimes.

We urge the decision makers to consider alternate locations for this school. Thank you for your attention to this matter.

Sincerely,

Gwen and Vernon Castleton

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

****PLEASE NOTE OFFICE HOURS ARE 8:30AM-4:30PM, MONDAY THRU FRIDAY. EMAILS RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RETURNED THE NEXT BUSINESS DAY. VOICE MESSAGES RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RETURNED THE NEXT BUSINESS DAY.

Safety concern

Amanda Rotenberry <arotenberry@gmail.com>

Wed 6/5/2024 2:01 PM

To:dlyleswallace@comcast.net <dlyleswallace@comcast.net>

Cc:jmckinnoncre@gmail.com <jmckinnoncre@gmail.com>;jenniferbethoconnell@gmail.com

- <jenniferbethoconnell@gmail.com>;dkthomas@gotci.com <dkthomas@gotci.com>;lisa@ethridgeenterprises.com
- </l></l></l></l></
- <sfleming@flemingarchitects.com>;brown@gillprop.com <brown@gillprop.com>;tolesassoc@aol.com <tolesassoc@aol.com>;
 develop901 <develop901@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.

June 5th 2024 Case #: PD2024-007

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Amanda Rotenberry

Gym parking

Elizabeth Russell <egr0917@gmail.com>

Wed 6/5/2024 2:02 PM

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.

Address Lakeland TN 38002

4, June 2024

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Elizabeth Russell

Sent from my iPhone

The Proposed New Development on Fischer Steel Road

Wendy Belt <rn7622@icloud.com>

Wed 6/5/2024 2:04 PM

To:Christion, Chloe <Chloe.Christion@memphistn.gov>
Cc:RachelLambertEsq@gmail.com <RachelLambertEsq@gmail.com>

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

5, June 2024

To Whom it May Concern,

We, as participants of a highly competitive sports program located at 7790 Fischer Steel Road, are writing to address our strong opposition to the proposed development within our neighborhood. Our facility serves children ranging from 3 years old and up who travel from various parts of the city, including Mississippi and Arkansas. We are particularly concerned about potential issues such as traffic congestion, limited parking, and overall safety.

The presence of only one streetlight at the exit of our road could lead to significant traffic delays for athletes and families traveling to and from our facility. A lack of adequate parking could create challenges for our families and result in overflow. Additionally, there are safety concerns related to increased traffic, congregation of people in a smaller area, jaywalking, and potential petty crimes.

We urge decision makers to explore alternative locations for the proposed development. Thank you for your attention to this matter.

Sincerely, Wendy Belt

Fwd: Concern

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 2:06 PM

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.

Please see objection to Record No. PD 2024-007

----- Forwarded message -----

From: Marcie Mulhern < marcietebben@hotmail.com >

Date: Wed, Jun 5, 2024 at 2:04 PM

Subject: Concern

 $\label{to:com} \mbox{To: } <\!\underline{dlyleswallace@comcast.net}\!\!>\!, <\!\underline{dkthomas@gotci.com}\!\!>\!, <\!\underline{lisa@ethridgeenterprises.com}\!\!>\!, <\!$

<mwsharp@bellsouth.net>, <sfleming@flemingarchitects.com>,
brown@gillprop.com>,

<<u>tolesassoc@aol.com</u>>, <<u>develop901@memphistn.gov</u>>

Cc: < RachelLambertEsq@gmail.com >

Lakeland TN 38002

5, June 2024

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Marcie Mulhern Sent from my iPhone --

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

****PLEASE NOTE OFFICE HOURS ARE 8:30AM-4:30PM, MONDAY THRU FRIDAY. EMAILS RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RETURNED THE NEXT BUSINESS DAY. VOICE MESSAGES RECEIVED OUTSIDE OF BUSINESS HOURS WILL BE RETURNED THE NEXT BUSINESS DAY.

Case# PD 2024-007

Jennifer Howse <jhowse42@yahoo.com>

Wed 6/5/2024 2:07 PM

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.

To Whom it May Concern,

We, as a participant of a highly competitive sports program at 7790 Fischer Steel Road, are writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas we are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and crime.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely, Brandon and Jennifer Badgett

12230 Snyderwood Dr. Arlington, TN 38002

Potential new build Fischer steel rd case # PD 2024-007

jenny thomas < jennythomas 0519@gmail.com>

Wed 6/5/2024 2:08 PM

To:Christion, Chloe <Chloe.Christion@memphistn.gov>
Cc:Chole.christion@memphistn.gov <Chole.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.

6, June 2024

To Whom it May Concern,

We as a participant of a highly competitive sports program at 7790 Fischer Steel Road is writing to express our strong opposition to the proposed development within our neighborhood. As a facility with children from ages 3 years old and up who commute from all over the city including the states of Mississippi and Arkansas are strongly concerned about traffic congestion, parking shortages, and most importantly safety.

Traffic there is one streetlight exiting our road which would cause a huge backup and time for our athletes and families traveling to and from. Parking would become an issue for our families with a definite shortage and overflow. Safety regarding traffic, more people gathered in a smaller area, jaywalking and small crimes.

We urge the decision makers to consider alternate locations. Thank you for your attention to this matter.

Sincerely,

Jenny Thomas

Fwd: Concerning case number PD 2024-007

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 2:10 PM

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.

Please see objection to Record No. PD 2024-007

----- Forwarded message -----

From: **Michele DeCremer** < <u>mrdecremer@yahoo.com</u>>

Date: Wed, Jun 5, 2024 at 2:08 PM

Subject: Concerning case number PD 2024-007

To: < <u>dlyleswallace@comcast.net</u>> Cc: < <u>RachelLambertEsq@gmail.com</u>>

To Whom It May Concern:

I am writing to you to express my strong opposition towards the proposed development plan on Fischer Steel Road. I am actively involved in the athletic programs housed at 7790 Fischer Steel Road. We have athletes as young as 3-years-old that commute from several nearby communities to participate in a variety of athletics in this building. I am strongly concerned about traffic congestion, parking shortages and most importantly the safety of our families and athletes in this area. There is currently one streetlight to enter and exit this road and the amount of traffic alone is gravely concerning. The area does not seem an appropriate choice for the proposed plans.

I am asking and urging you to consider alternate locations and I appreciate your attention to this matter.

Sincerely,

Michele R. DeCremer, LCSW

801-879-3390

--

Rachel L. Lambert, Attorney at Law Lambert Law Firm

P: (901) 382-0080 F: (901) 386-2888

Office Address: 7790 Fischer Steel Road, Cordova, TN 38018

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Cordova Neighborhood Business Association

June 4, 2024

Via Email: chloe.christion@memphistn.gov

Chloe Christion
Staff Planner
Memphis & Shelby County Division of Planning and Development
125 N. Main Street, Suite 468
Memphis, TN 38103

PROJECT INFORMATION

DPD Case #: PD 2024-007

Project Location: The southeast corner of Fischer Steel Road and Herbert Road, approximately 830 feet

west of North Germantown Parkway, Memphis-Shelby County Schools

Applicant: Memphis-Shelby County Schools

Land Area: 46.42

Existing Zoning: Industrial-Heavy (IH)

Request: A Planned Development application in the facilitation of a proposed New East

Regional High School (NERHS)

Dear Ms. Christion:

The Cordova Neighborhood Business Association (CNBA) is dedicated to fostering a thriving, inclusive, and sustainable business environment within the Cordova community. We support local businesses through advocacy, networking, and educational opportunities, promoting economic growth. By collaborating with community leaders and stakeholders, we strive to create a vibrant, welcoming neighborhood where businesses and families can flourish.

The Cordova Neighborhood Business Association (CNBA) is writing to express its strong opposition to the proposed development of a new high school (New East Regional High School) within our neighborhood. While we recognize the importance of education and the need for adequate facilities, we believe that the current plan for the New East Regional High School presents significant challenges and concerns for local businesses and the wider community.

Our primary concerns include:

- Traffic Congestion: The additional volume of vehicles from students, staff, and parents can
 exacerbate existing traffic issues, leading to gridlock and longer commute times. This congestion can
 deter customers from visiting local businesses, impacting their revenue.
- 2. Traffic Congestion on Nearby Roads: In addition to the additional volume of traffic directed onto Fischer Steel, Herbert and Moriarity, surrounding streets and intersections already overloaded will additionally burdened as shown in the attached traffic summary. The traffic study submitted by the applicant shows that level of service at the intersection at Trinity Road and Germantown Parkway is already failing in the morning, midday and afternoon. This project will only make the traffic congestion there worse. The intersections of Walnut Grove & Germantown Parkway; Moriarity and Germantown Parkway; Macon Road and Germantown Parkway; Mullins Station and Whitten; and Mullins Station and Appling are all currently failing as to the level of service and will only get worse due to the additional traffic this school will generate. The additional traffic generated by this school will cause a substantial degradation of the ability of residents and customers to traverse this area.

Chloe Christion Staff Planner

DPD Case #: PD 2024-0007

June 4, 2024 Page 2 of 3

- 3. Parking Shortages: The high school will require substantial parking space, which could infringe upon existing parking facilities used by local businesses. This will amplify the already limited parking situation, making it difficult for patrons to visit our establishments. The lack of parking can discourage patrons from frequenting the area.
- 4. Safety and Security Concerns: The influx of a large number of teenagers can lead to increased incidents of jaywalking, loitering, and petty crimes, raising safety concerns for both business owners and customers. This can create an environment that feels less secure and welcoming. Because of the school's location, students walking to school and leaving in the afternoon will attempt to cross two of the busiest and widest streets in the City (Germantown Parkway and Trinity Road) creating serious safety issues for these students and safety concerns for their parents.
- 5. **Noise and Disruption**: The construction phase, as well as the daily activities of a high school, will bring increased noise and disruption, negatively impacting the peaceful environment that is essential for businesses, especially those that rely on a quiet atmosphere.
- 6. Economic Impact: The combined effects of increased traffic, parking shortages, noise, and safety concerns can lead to a decrease in foot traffic to local businesses. This can result in reduced sales, lower customer retention, and potentially the closure of some businesses, ultimately harming the economic vitality of our neighborhood.
- 7. **Strain on Infrastructure**: The additional demand on local infrastructure, such as roads, water retention, sewage usage, public transport, and utilities, can strain existing resources and lead to further issues for businesses, county officials, and residents.
- 8. Impact on the Quality of Life: For business owners and employees, the overall quality of life can be negatively affected by increased noise, traffic, and security concerns. This can lead to higher stress levels and decreased job satisfaction, potentially affecting employee retention and productivity.
- 9. Inappropriate Location of a School in an Industrial Area: The location of the school at Fischer Steel and Herbert Road, near busy Germantown Road, is highly inappropriate location for a school. In addition to the traffic along Germantown Road and Trinity Road, there are large commercial trucks that move in and out multiple times a day in this industrial environment.

We urge the decision-makers to consider alternative locations for the high school that would not disrupt the delicate balance of our local economy and community.

Thank you for your attention to this matter. We look forward to engaging in a constructive dialogue to address our concerns and work toward a mutually beneficial alternative site resolution.

Sincerely,

Ernie Norcross
Member, Cordova Neighborhood Business Association
Owner Wenco Properties dba Volvo Cars Memphis & Norcross Mazda of Memphis
7910 Trinity Road
Cordova, Tennessee 38018
(901)734-0218
ErnieNorcross@Gmail.com

Cc: Richard D. Bennett, Esq.

Chloe Christion Staff Planner

DPD Case #: PD 2024-0007

June 4, 2024 Page 3 of 3

Summary of Traffic Study LOS SUMMARY

						MITIG	ATION
	Existing	2025	2035	2025	2035	2025	2035
		NO SITE	NO SITE	WITH SITE	WITH SITE	WITH SITE	WITH SITE
Walnut Grove & Germantown Parkway							
AM Peak			E	E	P	50	
PM Peak			E	Ē	F		
Trinity Road & Germantown Parkway				- 2)			
AM Peak	F	P	F	F	F	F	F
Midday Peak			E	ŧ	4		
PM Peak	F		F	F	F	- 33	Е
Moriarity & Germantown Parkway							
Midday Peak	E	P	F	E	F		
PM Peak			F	E	F		
Fischer Steel & Germantown Parkway							
PM Peak					E		
Macon Road & Germantown Parkway							
AM Peak	Е	Е	E	F	F	E	Е
PM Peak					E		
Mullins Station & Whitten	- 1						
AM Peak	E	E	F	F	T -		
PM Peak	Е	Е	F	F	Ε		
Mullins Station & Appling							
AM Peak				F	F		
PM Peak	E	Е	F	F	F		

*Levels of Service E and F are both identified as failing and outside the City of Memphis' standards



Memphis Planning Memphis City Schools Chloe Christion

Dear Chloe.

We are reaching out to you as the planner for the new Cordova School that will be located between Fischer Steel Rd. and Moriarity Rd bordered by Herbert Rd to the west. Our business is located at 835 Herbert Rd.

Upon doing some due diligence regarding the proposed location of the school we feel we must voice our concerns due to the interference that it will cause in our daily commerce amongst many other issues. On any given day during the week we can have as many as 40 18 wheelers traversing Fischer Steel at any given time between the hours of 8:00 am to roughly 4:30 pm. Many times these trucks need quick and accessible passage through Fischer Steel so they can make their interstate commerce runs in a timely manner. Introduction of a school proposes many concerns to that axis in a quick and accessible manner, especially during the school pick up and drop off hours. As we all know, school traffic is disastrous as it is and now let's introduce interstate trucking commerce through the middle of it. Some of our logistical personnel have suggested such nightmare conditions will definitely impede their ability to pick up and drop off goods and services if the plans for the school move forward.

Traffic alone should be enough to discourage the consideration for construction but let's introduce section 8 housing at the old ball fields that are on Fischer Steel. I, as a parent would totally reconsider my school choices once that element is introduced into the equation by itself. Now I have commercial trucking and section 8 housing bordering the school. As a school parent I would definitely think these 3 things through intensely before I sent my child to that school. On Fridays at 4pm the backups the normal traffic combined with school traffic on Germantown Rd will be blowback that the city will receive for years to come. Even if traffic is diverted out Herbert all the way to Trinity it will still be unbearable and unsafe for both students and parents. Please reconsider just on these elements alone.

Final thoughts are that the City of Memphis should take ALL things in to consideration before making a final decision. Once again just for quick reference and I will not take up any more time:

- Interstate Commerce trucking
- Section 8 housing
- Traffic concerns that are already in existence
- Housing of industrial liquids that have flammable and Hazardous labels.

There are more things that are probably worth mentioning but I will take that time up at the hearing. Thank you for your time and understanding. We look forward to the meeting on the 11th. Sincerely,

David Ford VP Sales and Marketing Stauf USA LLC



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: May 10, 2024

Record Number: PD 2024-007 Expiration Date:

Record Name: MSCS NERHS PLANNED DEVELOPMENT

Description of Work: Planned Development Application in the facilitation of a proposed North East Region High School planned upon 46.42 acres generally located at the southeast corner of Fischer Steel Road

and Herbert Road.

Parent Record Number:

Address:

7801 FISCHER STEEL RD, CORDOVA 38018

Owner Information

Primary Owner Name

Y Aren Land Dev Co LLC

Owner Address Owner Phone

7707 Apache Plume Dr., Houston, TX 77071

Parcel Information

091031 00001

Data Fields

PREAPPLICATION MEETING

GENERAL PROJECT INFORMATION

Name of DPD Planner Chip Saliba & Jeffrey Penzes

Date of Meeting 04/26/2024
Pre-application Meeting Type Virtual

Planned Development Type New Planned Development (PD)

Previous Docket / Case Number PD 2008-315

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

Page 1 of 5 PD 2024-007

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 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

No

-

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

The subject property is surrounded by commercial and industrial-zoned properties and is adequately served by all utility infrastructure and public street networks. Where inadequacies exist or improvements are necessary, those improvements are proposed concurrently with the project. The proposed school use will have no substantial or undue effect on any adjacent property. Conversely, the proposed school will improve the character of the property/neighborhood/district and offer improved public education facilities for the Memphis/Cordova community.

The planned development has been designed to adhere to the community standard and applicable zoning district regulations as modified to facilitate the proposed high school campus format in the industrial zoning district. The construction and operation of the proposed high school will not interfere with the development and use of any adjacent property.

The project is served by all utility infrastructure and public street networks with planned improvements as necessary to facilitate the proposed high school and accessory uses, subject to City Engineer approval.

No features of natural, scenic, or historic importance exist upon the subject property.

The planned development will comply with all standards and conditions upon approval by the Memphis City Council.

The planned development is consistent with the recommendations of the Memphis 3.0. No further plans are to be considered and the use does not violate the character or standards for development of any surrounding property.

GENERAL PROVISIONS

Page 2 of 5 PD 2024-007

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

Historic District Land Use Municipality

Overlay/Special Purpose District

Zoning State Route

Lot

Subdivision

Planned Development District

Wellhead Protection Overlay District

Data Tables

The proposed development will have no adverse effect upon the surrounding property nor will it hinder or prevent the development of surrounding properties in any way.

The project is adequately served by public water, sewer, and storm drainage services. Various improvements are proposed to be completed concurrently with the development, subject to engineering approval.

The arrangement of all structures, parking, loading, walks, lighting, landscaping, etc. is compatible with the surrounding land uses. No natural features of value exist.

The proposed planned development contains limited modifications to the district standards that are necessary to facilitate the high school campus format. The modifications have been drafted through collaboration with DPD staff and are warranted by the project's special considerations of the overall project design.

Upon approval, the project will be owned, operated, and maintained by Memphis/ Shelby County Schools.

Understood.

No

-No

-

-

Fletcher Creek Overlay

-

_

-

No

Page 3 of 5 PD 2024-007

AREA INFORMATION

Name: Overall Site

Size (Acres): 46.42

Existing Use of Property: Industrial/Vacant

Requested Use of Public High

Property:

Public High School & Lighted Recreational Fields

Contact Information

Name
NAME NAME

APPLICANT

REPRESENTATIVE

Address

Phone

Name
SAL FERACI

Contact Type

ARCHITECT / ENGINEER /

Address

Phone (901)332-5533

Name <u>Contact Type</u>

IGAL ELFEZOUATY

PROPERTY OWNER OF

Address

Phone (901)493-6996

Name
CORY BRADY

CORY BRADY

Address

Phone

(901)493-6996

Fee Information

Invoice # Fee Item Quantity Fees Status Balance **Date Assessed** 1563574 Credit Card Use Fee (.026 39.00 **INVOICED** 0.00 05/10/2024 1 x fee) 1563574 Planned Development - 5 1 1,500.00 **INVOICED** 0.00 05/10/2024

acres or less

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

Payment Information

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

Page 4 of 5 PD 2024-007

Page 5 of 5 PD 2024-007

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 12.1.1

OWNER: Includes the helder of legal title as well as hookes of any equitable interest, must as trust beneficiaries, contract purchases, option helders, leason under leases terving an autospired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelly County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Managhia and Shelly County Unified Development Code Section 12.3.1. L. E.
hereby state that (refert spplicable hox)
I The owner of record as shown as the energy was rolls of the county America of Property; the mortgage holder of record to shown in the mortgage records of the county Register of Deede purchaser under a land comment, a mortgages or worder in possession; or I have a feethold or issuer name in the premises.
If the charge, ours or control of the pressions as treater, agont, execution, administrator, omignee, receiver, guardian or issues (and have included documentation with this affiducit)
of the property located at
and flether identified by Assessor's Furnit Namber
for which an application is being made to the Division of Planning and Development.
Subsectived and sworm to (or affirmed) before me this 30th day of April in the year of 2024 Shakes Princes Shakes Shakes Shakes of Teach Corner, Expires 26-29-2024
W CAPAC Notary 10 124371128
Signature of Notary Public My Commission University

My Committee Tapires

INTEGRATED LAND SOLUTIONS, plic

planning - design - landscape architecture

May 10, 2024

Brett Ragsdale Zoning Administrator Land Use and Development Services 125 N. Main St., Ste. 477 Memphis, TN 38103

Re: Planned Development Application

Parcel #s 091030 00010 (Portion), 091030 00011, 091030 00012, and 091031 00001.

Mr. Ragsdale,

On behalf of the applicant, Memphis-Shelby County Schools (MSCS), I am requesting approval of a planned development application to facilitate the construction of the proposed New East Region High School (NERHS). The planned Cordova campus will serve as a replacement for students currently zoned to Germantown High School. The new school will provide a quality education and an engaging space to over 2,000 students; thereby, catalyzing sustained community revitalization efforts by providing long-term solutions to community challenges (ie. crime and unemployment). The subject property is located at the southeast corner of Fischer Steel Road and Herbert Road, approximately 830 feet west of North Germantown Parkway. The 46.42-acre tract is composed of multiple parcels under common ownership, presently zoned "IH" (Industrial-Heavy). The property is adequately served by all utility infrastructure.

Upon approval of this request, Memphis & Shelby County Schools intends to purchase the subject tract and construct a state-of-the-art public high school with lighted recreation fields and other accessory facilities as generally illustrated upon and regulated by the enclosed outline plan/final plat documents. Commensurate with the school's development, all adjacent public roadways will be improved following the city engineer's recommendations, and by a separate application, Herbert Road is planned to be extended south to Trinity Road. Sidewalks will be provided along all contiguous roadway frontages and along both sides of the Herbert Road extension south to Trinity. The planned development is intended to comply with the City's Unified Development Code provisions with limited modifications necessary to best accommodate the public high school in the IH zoning district.

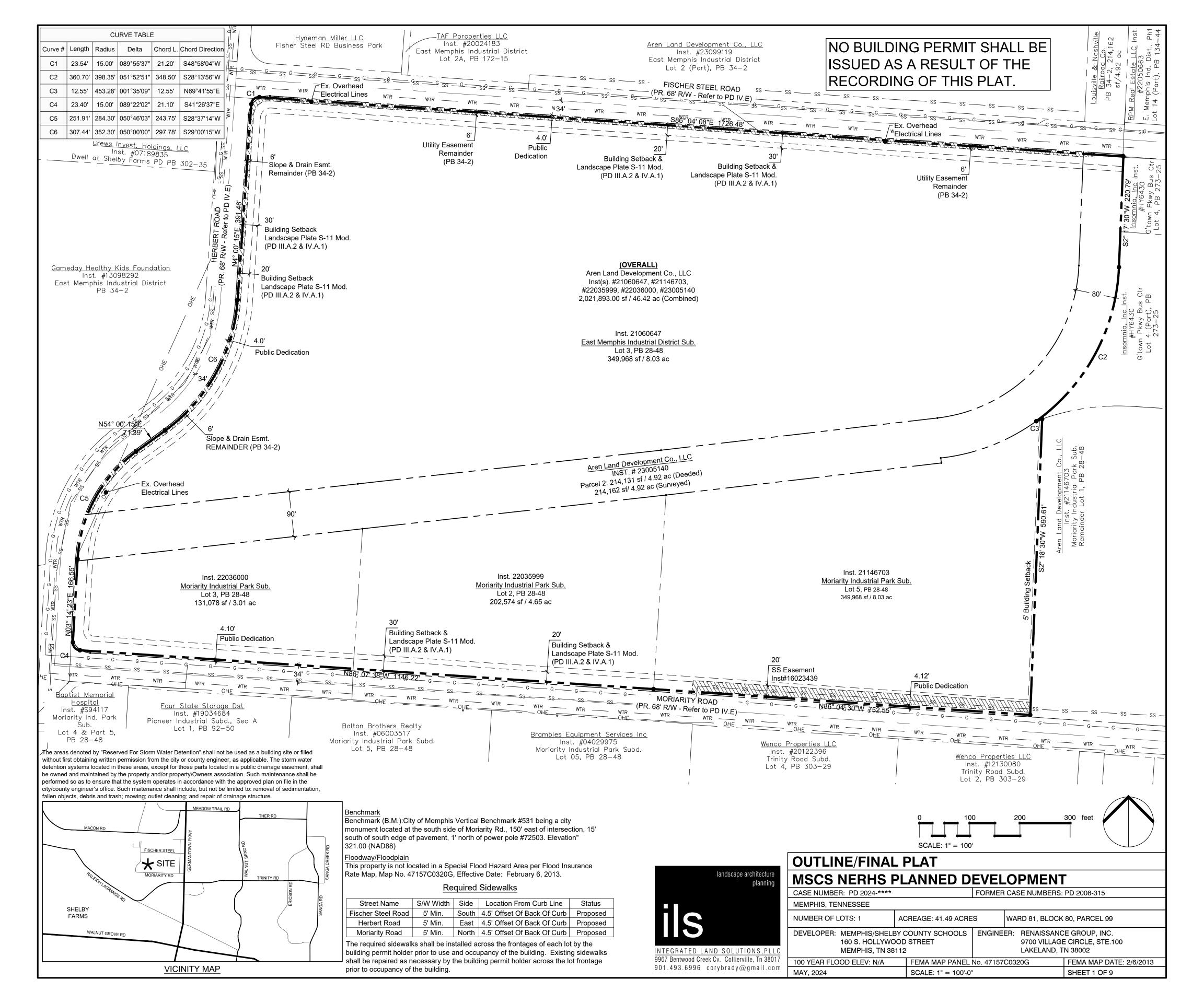
Please find enclosed the documentation required to accompany the planned development application. If you should have any questions, please contact me at corybrady@gmail.com_or (901) 493-6996. It is always my pleasure to work with the City of Memphis's staff, the Land Use Control Board, and City Councilpersons. We look forward to working with you.

Respectfully,

Cory Brady, PLA, AICP

Cory Brady

Integrated Land Solutions, PLLC



I. USES PERMITTED

Education Facility - School, Public or Private (K-12), Park/Open Area - Recreation Field with and without lights, and all Accessory Uses per Sub-Sections 2.9.3.C & E of the Unified Development Code shall be permitted.

II. USE STANDARDS

- A. The use standards outlined in Sub-Section 2.6.2.C of the Unified Development Code shall apply as modified herein.
 - 1. School, Public or Private, Seminary:
 - a. Class II, Type C buffer shall not be required between any recreation field/associated structure (ie bleacher, dugout, etc.) and any public right-of-way.
 - b. All off-street parking lots shall meet the requirements of Section 4.5.5 of the Unified Development Code as modified herein.
 - c. Vehicular Access shall be permitted along Fisher Steel Road, Moriarity Road, and Herbert Road as generally illustrated on the Outline Plan and Conceptual Master Plan.
 - d. Vehicular parking may be located between the principal school building and all adjacent public roadways.
 - e. In addition to the bicycle parking requirements outlined in Sub-section 4.5.3.C of the Unified Development Code, all schools shall provide secure bicycle parking at a ratio of 1:3 (bicycle to vehicle parking) within 200 feet of a functioning entrance to the principal building.
 - f. Lighted motor vehicle parking areas must meet the requirements of Chapter 4.7 of the Unified Development Code, as applicable.
 - g. This planned development is exempt from the designated frontage requirements of Section 3.10.3 of the Unified Development Code.
 - h. All public streets immediately adjacent to the school site shall comply with the dimensional standards outlined in Section 5.2.7 of the Unified Development Code for classification as a Connector street.
 - 2. Recreation Field, with Lights:

Field lighting must meet the requirements of Chapter 4.7 of the Unified Development Code, Outdoor Site Lighting.

III. BULK REGULATIONS

A. The bulk regulations outlined in UDC Sub-section 3.10.2(b) for the IH District shall apply as modified herein.

1. Tract or Lot (min)

a. Area (sq. ft.): 20,000sf b. Width (ft.): 50ft

2. Building

a. Height (max ft.):

b. Setback (min ft.)

i. Front (Primary Street): 30ft*

*Recreation Fields and associated structures shall be setback a minimum 15ft from any perimeter public street.

75ft

ii. Side (Side Street): 20ft iii. Side/Rear: 5ft

3. Parking setback (min ft.) (Principal and Accessory)

a. On-street (public right-of-way): Not Permittedb. Abutting Primary Street: 30ft

c. Abutting Side Street: 20ft d. Abutting nonresidential: 10ft

B. Accessory Building/Structures: The bulk regulations outlined in UDC Chapter 2.7 shall apply as modified herein.

There shall be no limitation upon the cumulative square footage of accessory structures.

IV. ACCESS, PARKING AND CIRCULATION

- A. The primary street shall be defined as the public street upon which the principal building's primary facade or main entrance is oriented.
- B. The side street shall be defined as any street that is not defined as a primary street.
- C. The access standards outlined in UDC Chapter 4.4 directly pertaining to nonresidential uses shall apply as modified herein.
- D. The design and location of curb cuts illustrated upon the master plan are conceptual. The final location of all curb cuts shall be approved by the City Engineer.
- E. Roadway Right-Of-Way and Improvements:
 - 1. Fischer Steel Road, Moriarity Road, and Herbert Road shall each be dedicated one-half of a 68' future right-of-way and improved to establish one-half of a 48' urban cross section as illustrated upon the enclosed street section.
 - 2. Dedication and improvements shall be limited to the planned development's contiguous frontages.
- F. Off-street parking and loading shall be provided per UDC Chapter 4.5 as modified herein or as otherwise approved by the zoning administrator:
 - 1. Off-street parking shall be required at a ratio of 1 space per 300sf of the education facility's net floor area used for academic and administrative purposes.
 - 2. All principal and accessory uses shall share the off-street parking facilities required above.
 - 2. On street parking along any public roadway shall be prohibited.
 - 3. Off-street loading shall be permitted to adequately serve the school and associated accessory uses.
 - 4. The size and frequency of interior islands shall be determined with the final site plan with the intent to maximize parking efficiency. Under no circumstances shall terminal islands be omitted.
- V. LANDSCAPING, SCREENING, AND FENCING REQUIREMENTS
- A. The streetscape standards outlined in UDC Chapter 4.3 shall apply as modified herein:
 - 1. Streetscape Plate S-11 Modified, or an equivalent alternative, shall be installed along all public roadway frontages. Where off-street parking faces the public right-of-way, Evergreen Shrub Type A shall be installed to form a hedge along the curb line facing the public road. Tree Type "A, B, or C" shall be installed at a frequency equivalent to 40' o.c. No berm shall be required.
- B. Perimeter Fencing shall be permitted within all front, side, and rear yards so long as the fencing does not impede the streetscape or buffer requirements specified herein. Street trees shall be located on the street side of any perimeter fencing.
 - 1. A 6' 9' Chain link or picket-style fencing shall be permitted within the streetscape area. Chain link fencing must be galvanized, polyvinyl chloride (PVC) color coated in either black, dark green or dark brown color coatings. Uncoated chain link fencing shall be prohibited.
 - 2. The maximum length of a continuous, unbroken and uninterrupted fence or wall plane abutting a public right-of-way shall be 100 feet. Breaks shall be provided through the use of columns, and landscaped areas.

- 3. The Zoning Administrator may permit additional fence material, alternate fence design, additional fence height, or reduced setback through the administrative deviation if it is determined that such allowance is not contrary to the public interest and will not be injurious to the surrounding neighborhood. Factors to be considered by the Zoning Administrator when making such an administrative deviation shall include the material, height or setback of fencing in the immediate vicinity of the subject site, the classification of the roadway abutting the subject site and the proposed use of the subject site.
- C. Private streets and drives are exempt from the streetscape standards provided in Chapter 4.3.
- D. This planned development shall comply with the landscape and screening requirements outlined in Chapter 4.6 of the Unified Development Code unless otherwise approved by the The Zoning Administrator.
- E. No Perimeter landscape buffers shall be required where the planned development adjoins properties having established industrial land uses and/or zoning.

VI. LIGHTING REQUIREMENTS

- A. All parking and general site lighting shall comply with Chapter 4.7 of the Unified Development Code unless modified herein.
- B. All recreational sports field lighting shall comply with the TSSAA (Tennessee Secondary School Athletic Association standards.
- C. Equivalent alternatives shall be permitted by the Zoning Administrator.
- D. All pole-mounted site lighting fixtures shall be LED.
- E. All general area site lighting pole heights shall not exceed 30FT.
- F. All sports lighting pole heights shall not exceed 80FT.

VII. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines that service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VIII. SIGNS

- A. All proposed signage shall comply with Chapter 4.9 of the Unified Development Code as modified herein.
- B. One (1) Off-Premise Ground Sign shall be permitted in the general vicinity of Future Herbert Road and Future Trinity Road intersection.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

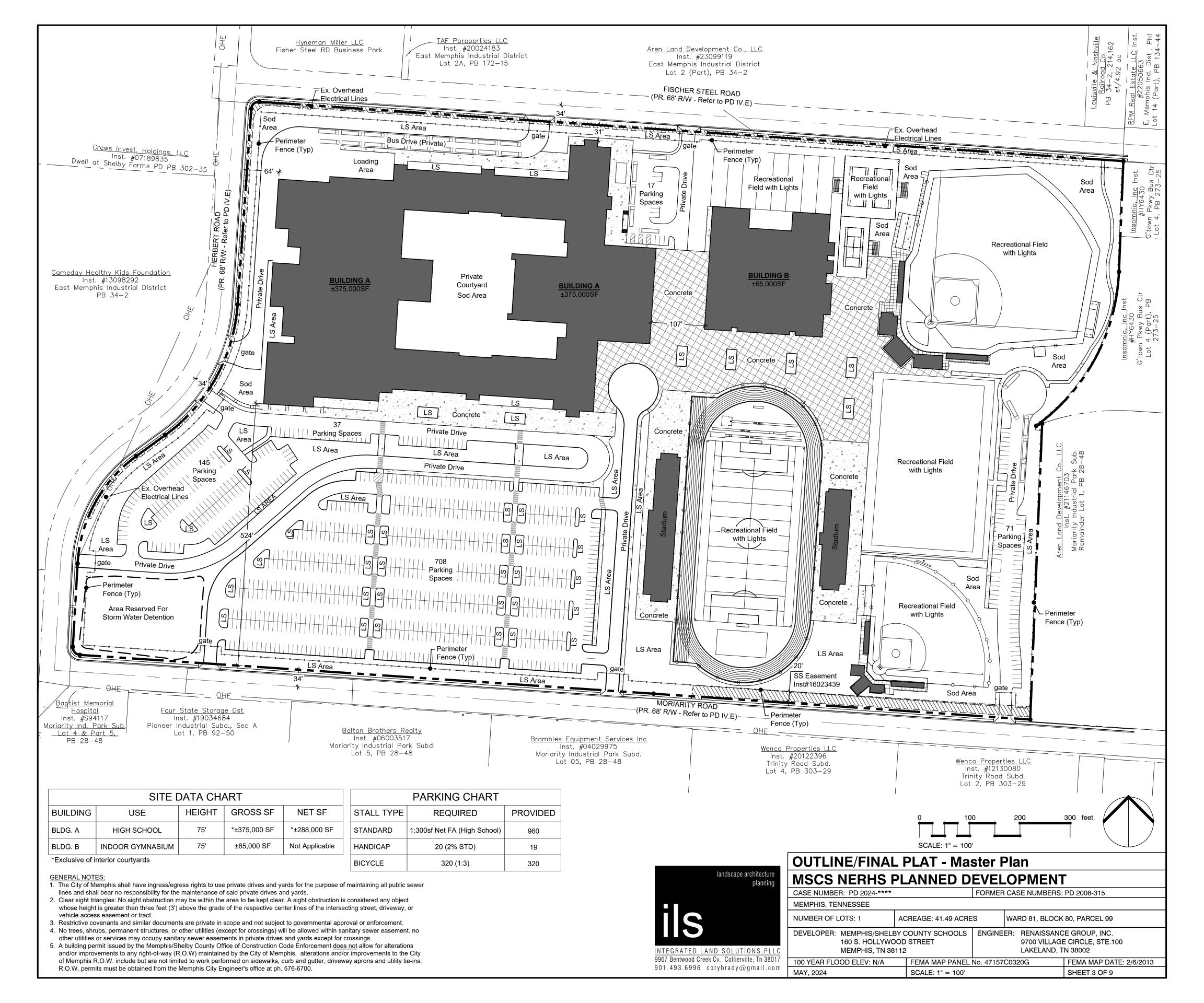
X. FINAL PLAN REQUIREMENTS

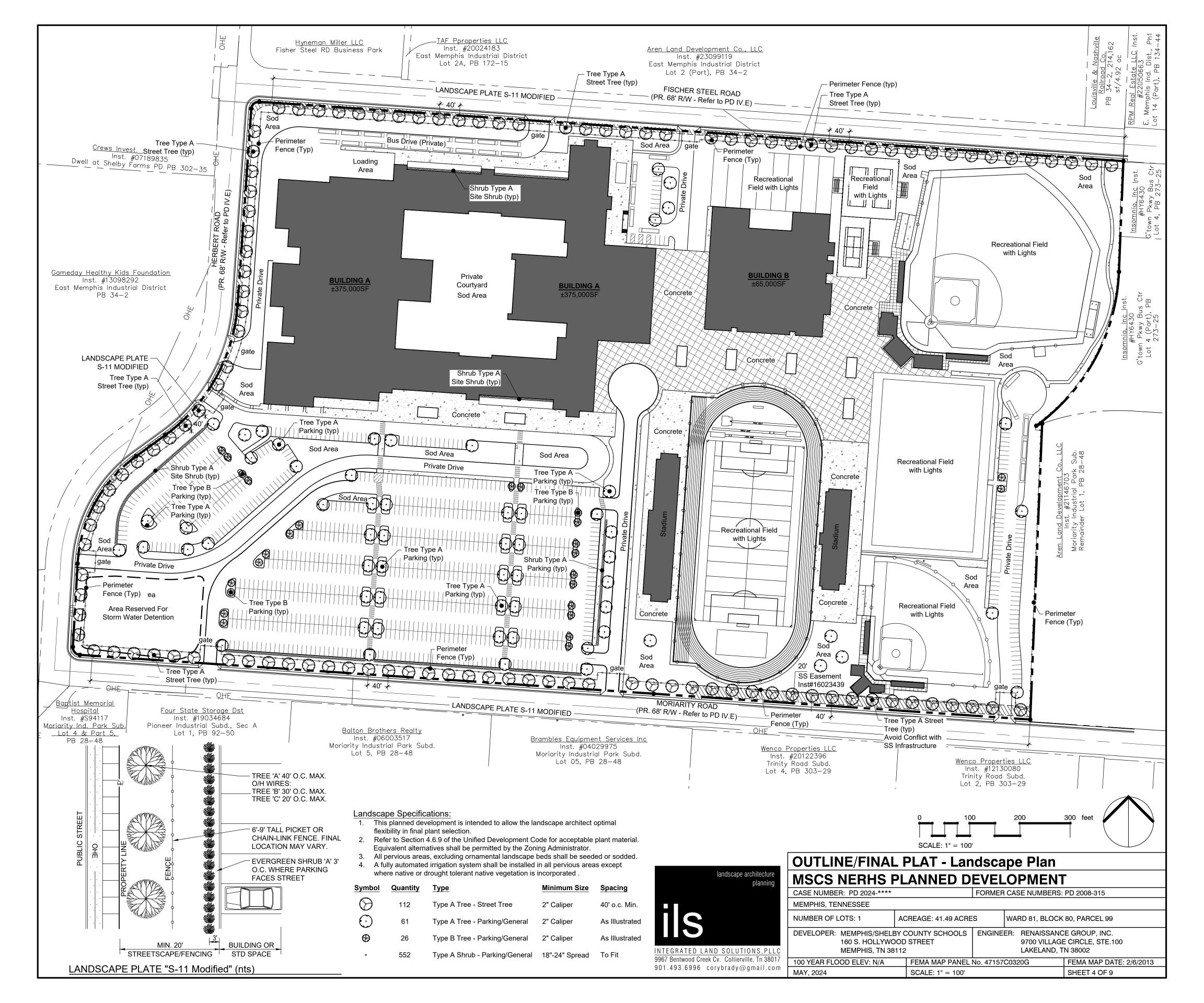
Any final plan shall include the following:

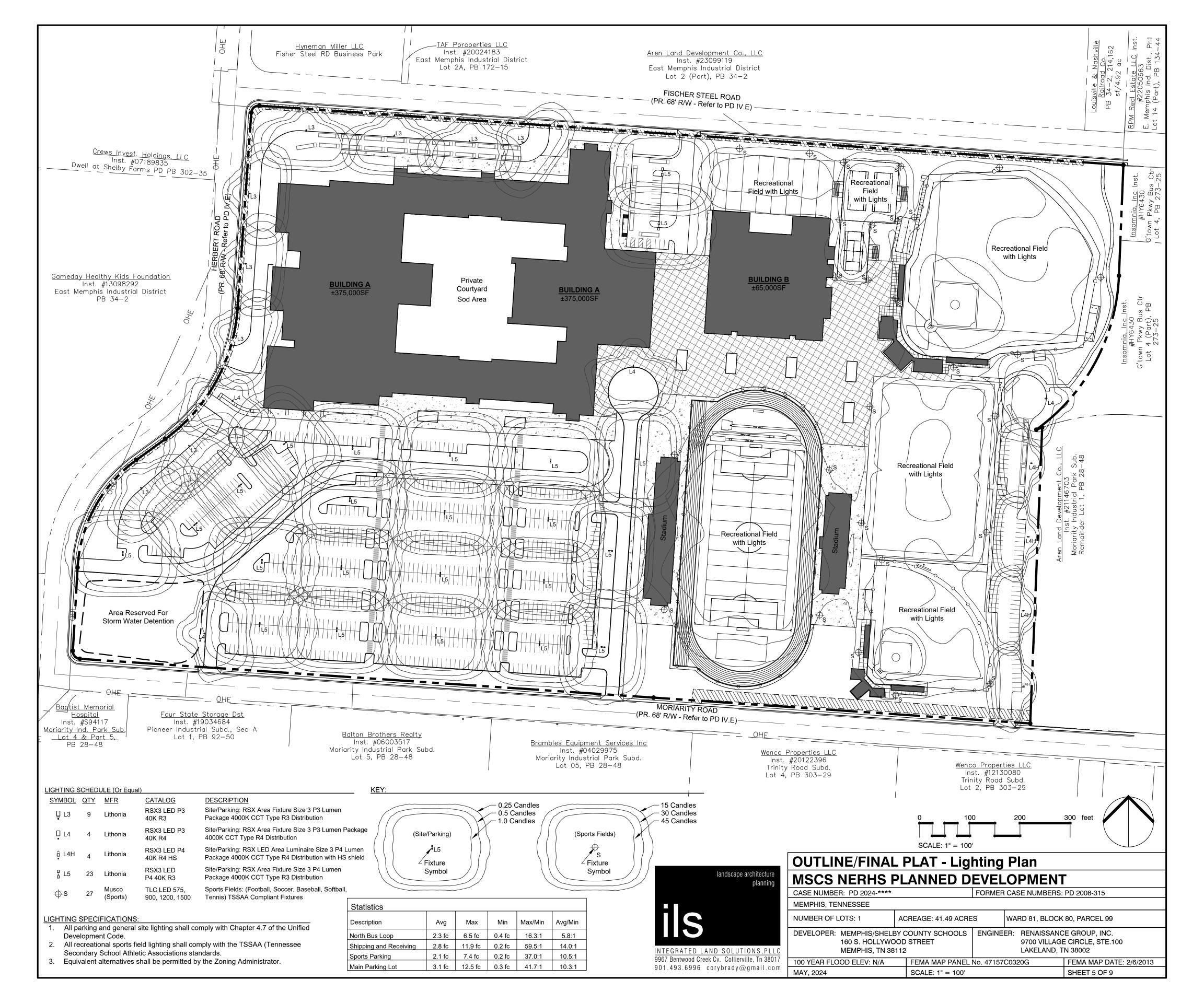
- A. The approved outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring on-site stormwater detention facilities: The area denoted by "Reserve for Stormwater Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The stormwater 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' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
- G. A photometric lighting plan.
- H. The enclosed master plan, associated plans, and building elevations are conceptual. The Zoning Administrator shall have the authority to approve modifications to the final site plan, associated plans, and building elevations without limitation, where the final site plan complies with these conditions.

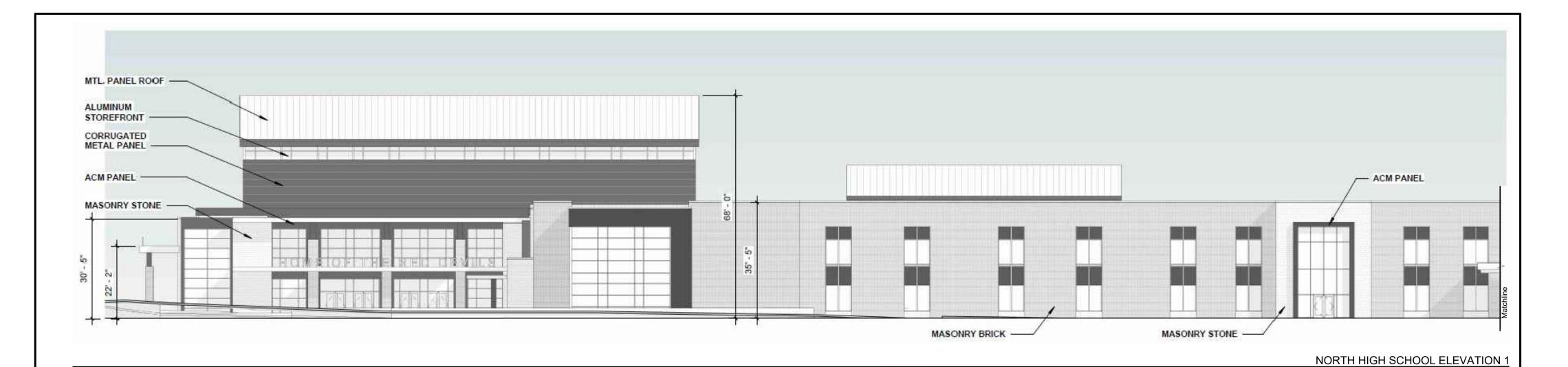


OUTLINE/FINAL PLAT - Conditions MSCS NERHS PLANNED DEVELOPMENT CASE NUMBER: PD 2024-**** FORMER CASE NUMBERS: PD 2008-315 MEMPHIS, TENNESSEE NUMBER OF LOTS: 1 ACREAGE: 41.49 ACRES WARD 81, BLOCK 80, PARCEL 99 DEVELOPER: MEMPHIS/SHELBY COUNTY SCHOOLS ENGINEER: RENAISSANCE GROUP, INC. 160 S. HOLLYWOOD STREET 9700 VILLAGE CIRCLE, STE.100 LAKELAND, TN 38002 MEMPHIS, TN 38112 FEMA MAP PANEL No. 47157C0320G 100 YEAR FLOOD ELEV: N/A FEMA MAP DATE: 2/6/2013 MAY, 2024 SCALE: 1" = NOT APPLICABLE SHEET 2 OF 9









ALUMINUM STOREFRONT CORRUGATED METAL PANEL

MASONRY BRICK

GREBHHOUSE

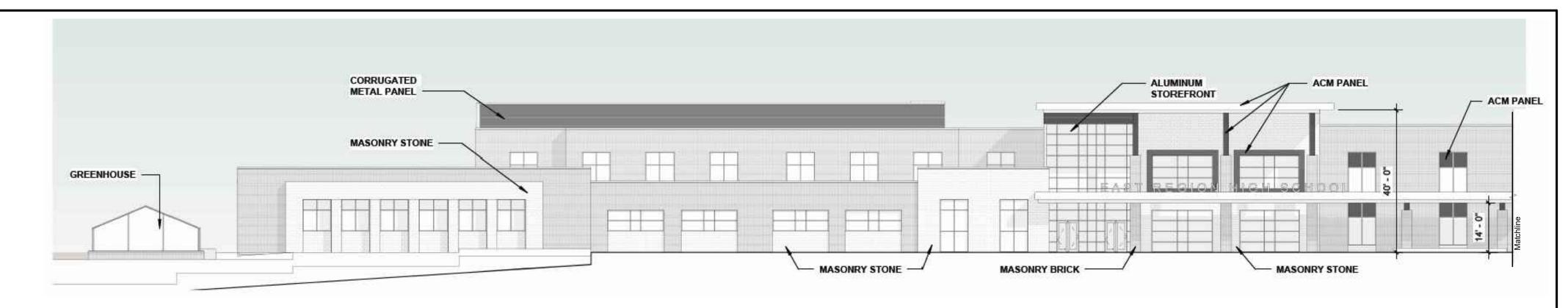
SCREEN WALL

TRASH ENCLOSURE

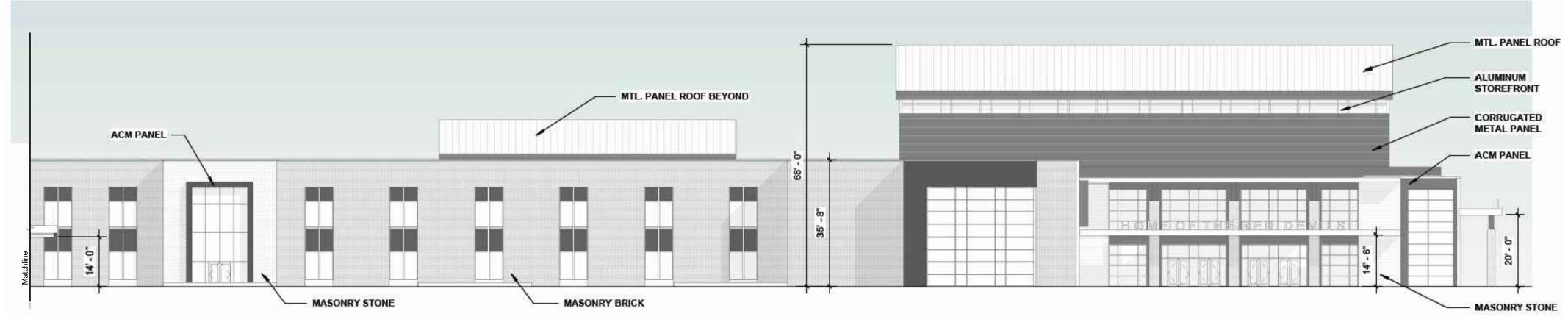
NORTH HIGH SCHOOL ELEVATION 2

INTEGRATED LAND SOLUTIONS, PLLC
9967 Bentwood Creek Cv. Collierville, Tn 38017
901.493.6996 corybrady@gmail.com

	OUTLINE/FINAL PLAT - Building Elevations				
	MSCS NERHS F	PLANNED D	EVEL	OPMENT	
	CASE NUMBER: PD 2024-***		FORMER	CASE NUMBERS:	PD 2008-315
	MEMPHIS, TENNESSEE				
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	160 S. HOLLYWOOD STREET				E CIRCLE, STE.100
<u>. C</u> 17	MEMPHIS, TN 38112			LAKELAND, T	N 38002
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m	MAY, 2024 SCALE: NTS				SHEET 6 OF 9

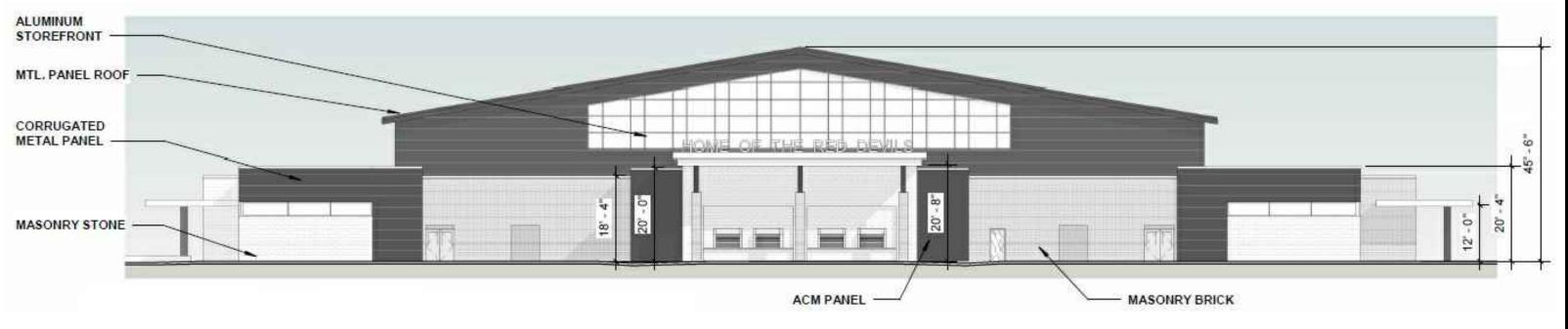


SOUTH HIGH SCHOOL ELEVATION 1



SOUTH HIGH SCHOOL ELEVATION 2

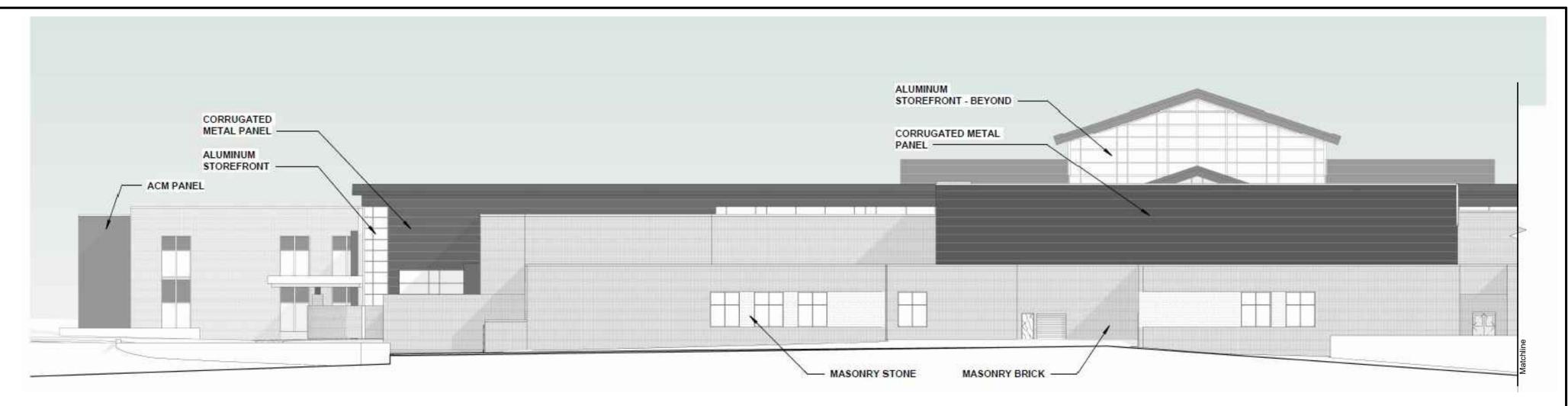
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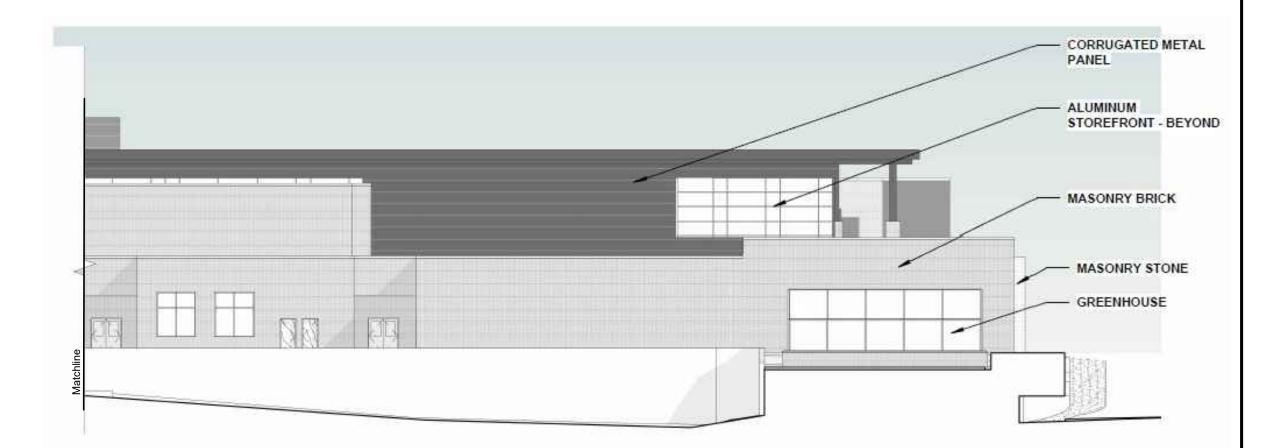
SOUTH FIELDHOUSE ELEVATION



OUTLINE/FINAL PLAT - Building Elevations					ns
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n	MAY, 2024	SCALE: NTS		·	SHEET 7 OF 9



WEST HIGH SCHOOL ELEVATION 1



ALUMINUM STOREFRONT
MTL, PANEL ROOF

CORRUGATED METAL PANEL

NORTH FIELDHOUSE ELEVATION

Not To Scale

MASONRY STONE

WEST HIGH SCHOOL ELEVATION 2

Not To Scale



MASONRY BRICK -

	OUTLINE/FINAL	PLAT - Bui	lding	Elevatio	ns
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m	MAY, 2024	SCALE: NTS			SHEET 8 OF 9

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OWNER	DATE	
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NOTARY PUBLIC)		
MY COMMISSION EXPIRES		
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LANDSCAPE ARCHITECT CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, IS IN CONFORMANCE WITH THE DESIGN
REQUIREMENTS OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, THE SPECIFIC CONDITIONS
IMPOSED ON THIS DEVELOPMENT, AND TAKES INTO ACCOUNT ALL APPLICABLE FEDERAL, STATE, AND LOCAL

BUILDING LAWS AND REGULATIONS.

BY:	Cory Brady, PLA, AICP
DA	TE:
TEN	NNESSEE CERTIFICATE NO. 795



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS A CATEGORY SURVEY AND THAT THE PRECISION OF THE UNADJUSTED
SURVEY IS 1: OR GREATER; THAT THIS PLAT HAS BEEN PREPARED BY ME OR UNDER MY INDIVIDUAL
SUPERVISION AND CONFORMS WITH APPLICABLE STATE LAWS, THE MEMPHIS AND SHELBY COUNTY UNIFIED
${\tt DEVELOPMENT\ CODE,\ AND\ SPECIFIC\ CONDITIONS\ IMPOSED\ ON\ THIS\ DEVELOPMENT\ RELATING\ TO\ THE\ PRACTICE}$
OF SURVEYING.

BY:
DATE:
TENNESSEE CERTIFICATE NO

LAND USE AND DEVELOPMENT SERVICES CERTIFICATE

THIS OUTLINE PLAN CONFORMS WITH THE PLANNED DEVELOPMENT ACTED ON BY THE LAND USE CONTROL

BOARD ON _____ AND APPROVED BY THE COUNCIL OF THE CITY OF MEMPHIS ON

BY_____ DATE ____
ZONING ADMINISTRATOR

LUDS ______DATE _____



	OUTLINE/FINAL PLAT - Certificates					
e g	MSCS NERHS PLANNED DEVELOPMENT					
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	100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL	No. 47157	C0320G	FEMA MAP DATE: 2/6/2013	
0 M	MAY, 2024	SCALE: 1" = NA			SHEET 9 OF 9	

MSCS – NERHS PD

Outline/Final Plat Conditions

I. USES PERMITTED

Education Facility - School, Public or Private (K-12), Park/Open Area - Recreation Field with and without lights, and all Accessory Uses per Sub-Sections 2.9.3.C & E of the Unified Development Code shall be permitted.

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2. Building

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b. Setback (min ft.)

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*Recreation Fields and associated structures shall be setback a minimum 15ft from any perimeter public street.

ii. Side (Side Street): 20ft iii. Side/Rear: 5ft

- 3. Parking setback (min ft.) (Principal and Accessory)
 - a. On-street (public right-of-way): Not Permitted

b. Abutting Primary Street: 30ftc. Abutting Side Street: 20ftd. Abutting nonresidential: 10ft

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- V. LANDSCAPING, SCREENING, AND FENCING REQUIREMENTS
 - A. The streetscape standards outlined in UDC Chapter 4.3 shall apply as modified herein:
 - 1. Streetscape Plate S-11 Modified, or an equivalent alternative, shall be installed along all public roadway frontages. Where off-street parking faces the public right-of-way, Evergreen Shrub Type A shall be installed to form a hedge along the curb line facing the public road. Tree Type "A, B, or C" shall be installed at a frequency equivalent to 40' o.c. No berm shall be required.
 - B. Perimeter Fencing shall be permitted within all front, side, and rear yards so long as the fencing does not impede the streetscape or buffer requirements specified herein. Street trees shall be located on the streetside of any perimeter fencing.

- 1. A 6' 9' Chain link or picket-style fencing shall be permitted within the streetscape area. Chain link fencing must be galvanized, polyvinyl chloride (PVC) color coated in either black, dark green or dark brown color coatings. Uncoated chain link fencing shall be prohibited.
- 2. The maximum length of a continuous, unbroken and uninterrupted fence or wall plane abutting a public right-of-way shall be 100 feet. Breaks shall be provided through the use of columns, and landscaped areas.
- 3. The Zoning Administrator may permit additional fence material, alternate fence design, additional fence height, or reduced setback through the administrative deviation if it is determined that such allowance is not contrary to the public interest and will not be injurious to the surrounding neighborhood. Factors to be considered by the Zoning Administrator when making such an administrative deviation shall include the material, height or setback of fencing in the immediate vicinity of the subject site, the classification of the roadway abutting the subject site, and the proposed use of the subject site.
- C. Private streets and drives are exempt from the streetscape standards provided in Chapter 4.3.
- D. This planned development shall comply with the landscape and screening requirements outlined in Chapter 4.6 of the Unified Development Code unless otherwise approved by the Zoning Administrator.
- E. No Perimeter landscape buffers shall be required where the planned development adjoins properties having established industrial land uses and/or zoning.

VI. LIGHTING REQUIREMENTS

- A. All parking and general site lighting shall comply with Chapter 4.7 of the Unified Development Code unless modified herein.
- B. All recreational sports field lighting shall comply with the TSSAA (Tennessee Secondary School Athletic Association standards.
- C. Equivalent alternatives shall be permitted by the Zoning Administrator.
- D. All pole-mounted site lighting fixtures shall be LED.
- E. All general area site lighting pole heights shall not exceed 30 feet.
- F. All sports lighting pole heights shall not exceed 80 feet.

VII. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines that service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VIII. SIGNS

- A. All proposed signage shall comply with Chapter 4.9 of the Unified Development Code as modified herein.
- B. One (1) Off-Premise Ground Sign shall be permitted in the general vicinity of Future Herbert Road and Future Trinity Road intersection.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

- A. The approved outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions, and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring onsite stormwater detention facilities: The area denoted by "Reserve for Stormwater

Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The stormwater 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' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.

- G. A photometric lighting plan.
- H. The enclosed master plan, corresponding plans, and building elevations are conceptual. The Zoning Administrator shall have the authority to approve modifications to the final plan, associated plans, and building elevations without limitation, where the final plan complies with these conditions.



ANNA NACHMAN LP	AREN LAND DEV CO LLC	AREN LAND DEV CO LLC
720 LYNN ST #	7810 MORIARTY RD #	11814 STALLION LN #
HERNDON VA 20170	MEMPHIS TN 38018	HOUSTON TX 77071
AREN LAND DEV CO LLC	ARLINGTON MEMPHIS LLC	BALTON BROTHERS REALTY
7707 APACHE PLUME DR #	2 20TH ST #	7801 MORIARTY RD #
HOUSTON TX 77071	BIRMINGHAM AL 35203	MEMPHIS TN 38018
BAPTIST MEMORIAL HOSPITAL	BRAMBLES EQUIPMENT SERVICES INC	CHOATE CHRISTOPHER K & CYNTHIA L
350 N HUMPHREYS BLVD #	8450 W BRYN MAWE AVE #	820 HERBERT RD #
MEMPHIS TN 38120	CHICAGO IL 60631	CORDOVA TN 38018
COLEMAN LARRY E MARITAL TRUST AND	CORDOVA PROPERTIES LLC	CREWS INVESTMENT HOLDINGS LLC
6711 WILD BERRY LN #	4701 GLACIER BAY #	555 GREAT CIRCLE RD #
MEMPHIS TN 38119	COLLIERVILLE TN 38017	NASHVILLE TN 37220
EAST MEMPHIS INDUSTRIAL DISTRICT	FOCHT JOHN & KAREN	FOUR STATE STORAGE DST
820 HERBERT RD #	1579 LACEWING TRCE #	PO BOX 3666 #
CORDOVA TN 38018	CORDOVA TN 38016	OAK BROOK IL 60523
GAMEDAY HEALTHY KIDS FOUNDATION	GAMEDAY HOLDINGS LLC	H & M DEVELOPMENT LLC
140 E MULBERRY ST #	140 E MULBERRY ST #	7895 PLAYERS FOREST DR #
COLLIERVILLE TN 38017	COLLIERVILLE TN 38017	MEMPHIS TN 38119
HYNEMAN MILLER LLC	IBB HOLDINGS GP	INSOMNIA INC
820 HERBERT RD #	PO BOX 40642 #	5050 POPLAR AVE #
CORDOVA TN 38018	MEMPHIS TN 38174	MEMPHIS TN 38157
JUSTICE JOHNNY AND CAROL TRUST	KASHMIR EL 331	KISER'S FLOOR FASHIONS INC
830 HERBERT RD #	7989 FISCHER STEEL RD #	3050 WALNUT GROVE RD #
CORDOVA TN 38018	CORDOVA TN 38018	MEMPHIS TN 38111
NATIONAL RETAIL PROPERTIES INC	PGP PATRIOT 1 LLC (43.991%) AND	PGP PATRIOT 1 LLC (43.991%) AND
450 S ORANGE AVE #	141 S PROVIDENCE RD #	141 S PROVIDENCE RD #
ORLANDO FL 32801	CHAPEL HILL NC 27514	CHAPEL HILL NC 27514
ROSE MORSE W & MONICA W	ROSE MORSE W & MONICA W	RPM REAL ESTATE LLC
7142 BLUE GRASS LN #	7142 BLUE GRASS LN #	9411 SHADOW RIDGE CV #

GERMANTOWN TN 38138

CORDOVA TN 38016

GERMANTOWN TN 38138

SEVEN INVESTMENTS LLC 9160 HIGHWAY 64 RD # ARLINGTON TN 38002 SEVEN INVESTMENTS LLC SERIES 11 9160 HIGHWAY 64 # LAKELAND TN 38002 SMITH JARED C & ANNA E 6000 UPPER BRANDON PL # NORFOLK VA 23508

STAUF REALESTATE LLC 835 HERBERT RD # CORDOVA TN 38018 TAF PROPERTIES LLC 7790 FISCHER STEEL RD # CORDOVA TN 38016 TENNESSEE SHAKESPEARE CO 7950 TRINITY RD # CORDOVA TN 38018

WENCO PROPERTIES LLC 7910 TRINITY RD # CORDOVA TN 38018



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.



05/19/2021 - 12:13:18 PM

3 PGS	 -
HERTHA 2229465 - 21060647	
VALUE	3000000.00
MORTGAGE TAX	0.00
TRANSFER TAX	11100.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	11118.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

Instrument Prepared by:
Apperson Crump, PLC
6000 Poplar Avenue – Suite 150
Memphis, TN 38119
File Number: AC21040300RB

After Recording Return To: Harris Shelton Hanover Walsh, PLLC 6060 Primacy Parkway Suite 100 Memphis, TN 38119 Property Address(es): 0 Herbert Road, Memphis, TN 38018

Tax Parcel ID #(s): 091031 00001

Warranty Deed

THIS INDENTURE made and entered into as of this 14th day of May, 2021, by and between Marvin E. Orr and Irma Jean Orr, husband and wife, (henceforth referred to as "Grantor"), and Aren Land Dev Co LLC, a Limited Liability Company, (henceforth referred to as "Grantee"),

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

Property 1:

Being LOT 3 EAST MEMPHIS INDUSTRIAL DISTRICT SUBDIVISION as recorded in Plat Book 34, Page 2 in the Shelby County Register's office, and being the property of MARVIN E. ORR and wife, IRMA JEAN ORR, as recorded in Quit Claim Deed Instrument Number 16098539 in said Register's office, and being more particularly described as follows:

Beginning at the intersection of the South line of Fischer Steel Road (60' Right of Way) and the westerly line of an 80' Industrial Lead Track Right of Way, said point being the northeasterly corner of said Lot 3; thence with the west line of said Industrial Lead Track S 02°38'50" W a distance of 228.35' (Call 241.10') to a point of curvature; thence with a curve to the right having an arc length of 449.63' (Call 450.77'), and a radius of 319.26' (chord bearing S 42°59'33" W, chord length 413.38'), to a point which is 90 feet north of the northerly line of Quality Concrete Products Company, Inc as recorded in Book 4746, Page 256; thence S 83°20'16" W, 90 feet north of and parallel to the northerly line of said Quality Concrete Products Company, Inc. a distance of 554.16' (Call 554.59') to a point; thence S 83°36'01" W 90 feet north of and parallel to the northerly lines of Patricia Ann Brown Trusts as recorded in Instrument Number 06006081 and Brown/French Properties of Tennessee, LLC as recorded in Instrument Number 14065613, a distance of 1154.65' (Call 1153.82') to a point in the East line of Herbert Road (60' R.O.W.); thence with the East Line of said Herbert Road, along a curve to the right having an arc length of 164.49' (Call 161.86'), and a radius of 288.30' (chord bearing N 37°40'41" E, chord length 162.27'), to a point; thence N 54°01'24" E a distance of

71.81'(Call 72.6') to a point; thence with a curve to the left having an arc length of 303.95', and a radius of 348.30' (chord bearing N 29°01'24" E, chord length 294.40'), to a point; thence N 04°01'24" E a distance of 367.97' (Call 367.84') to a point; thence with a curve to the right having an arc length of 62.70' (Call 62.77'), and a radius of 40.00' (chord bearing N 48°55'47" E, chord length 56.48'), to a point; thence S 86°09'50" E a distance of 1625.42' (Call 1626.00') to the Point of Beginning, and having an area of 1,120,635 square feet, or 25.726 acres more or less.

Being the same property conveyed to Marvin E. Orr and Irma Jean Orr, husband and wife by Quitclaim Deed dated August 30, 2016 from Mid-South Management of Collierville, Inc., recorded September 26, 2016, in Instrument Number 16098539, in the Official Records 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 Grantee, his, her, its, successors and assigns in fee simple forever.

And the Grantor does hereby covenant with the said Grantee that he, she, they, it is lawfully seized in fee of the aforedescribed real estate; that Grantor has a good right to sell and convey the same; that the same is unencumbered except for the following: The lien of the following general and special taxes for the year or years specified and subsequent years: 2021 City of Memphis and Shelby County taxes, being liens not yet due and payable. Subdivision Restrictions, Building Lines and Easements of record in Plat Book 34, Page 2, in the Register's Office of Shelby County, TN. Subject to the Easement, recorded as Instrument #E3 8531 in the official records of the Shelby County Register. Subject to the Declaration of Covenants, Conditions, and Restrictions, recorded as Instrument #HD 6113 in the official records of the Shelby County Register.

ADDITIONAL COVENANT AND RESTRICTION:

By acceptance of this Deed, the Grantee agrees that the following Restrictive Covenant shall be binding on the Grantee and its assigns, and successors in interest and shall be a permanent restriction running with the land: "The property shall never be used as a commercial business which allows for the sale of alcoholic beverages."

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

In Witness Whereof, the said, Grantor(s), has executed this instrument this 14th day of May, 2021.

Marvin E. Orr

Trong Jean Ord

STATE OF TENNESSEE COUNTY OF SHELBY

On this 14th day of May, 2021, before me personally appeared Marvin E Orr and Irma J Orr, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

Witness my hand, at office, the

Beay f May, 2021.

ENNESSEE

Notary Signature

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 or value of the property transferred, whichever is greater is \$3,000,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Caud Bate mas

Subscribed and sworn to before me this 4th day of May, 2021.

Notary Public

My Commission Expires Tune 19 2021

New Owner's Name & Address for Tax Bills to:

Aren Land Dev Co LLC

7707 Apache Plume Dr.

Houston TX77071

STATE OF TENNESSEE NOTARY PUBLIC AND COUNTY

WARRANTY DEED

File No.: AC21040300RB Page 3 of 3



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.



21146703

11/24/2021 - 10:55:54 AM

3 PGS	·
KRISTIN 2343083 - 21146703	
VALUE	1800000:00
MORTGAGE TAX	0.00
TRANSFER TAX	6660.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	6678.00

SHELANDRA Y FORD REGISTER OF DEEDS SHELBY COUNTY TENNESSEE Prepared By:

Matt McDonald, Esq. Realty Title 6525 N Quail Hollow Rd, Suite 115 Memphis, TN 38120 File No. 01-MEM21-07509

Owner Name and Address:

Aren Land Dev Co LLC 11814 Stallion Ln Houston, TX 77071-2627 Return To:

Andy Cobb, Esq. Harris Shelton 6060 Primacy Pkwy, Suite 100 Memphis, TN 38119

Send Tax Bills To:

Aren Land Dev Co LLC 11814 Stallion Ln Houston, TX 77071-2627

WARRANTY DEED

FOR AND IN CONSIDERATION OF Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and legal sufficiency of all of which are hereby acknowledged, QUALITY CONCRETE PRODUCTS CO., INC., a Tennessee corporation ("Grantor"), has this day bargained and sold and by these presents does bargain, sell, transfer and convey unto AREN LAND DEV CO LLC, a Tennessee limited liability company ("Grantee") the property being situated in Shelby County, Tennessee, and being described more particularly as follows:

(See attached Exhibit A for description, which is incorporated herein by reference)

Street Address: 725 N Germantown Pkwy, Cordova, TN 38018 (Improved Property)

Assessor Parcel No.: 091030 00010

Being part of the same property conveyed to Grantor by way of warranty deeds of record in Book 4746, Page 256 and at Instrument No. H4 8404 in the Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all appurtenances and hereditaments thereunto appertaining unto Grantee, its successors and assigns in fee simple forever. Grantor covenants that Grantor is lawfully seized and possessed of said real estate, has full power and lawful authority to sell and convey the same; that the title thereto is free, clear and unencumbered except for subdivision restrictions, building lines, and easements of record in Plat Book 28 Page 2, Plat Book 28 Page 48, Plat Book 34 Page 2, and Plat Book 267 Page 35; Easements of record in Book 4784 Page 197 and Instrument Nos. H6 0162, EG 3702, 15079488, and 16023439; Declaration of Easements with Covenants and Conditions of record at Instrument No. 15029323; Easement Agreement with Covenants, Conditions and Restrictions of record at Instrument Nos. 15038440 and 16079139; Deed restrictions of record at Instrument No. Z3 6465; State of Tennessee Dept of Transportation Planning Map of record at Instrument No. CU 5481, all of record in said Register's Office; and except for 2022 City of Memphis and Shelby County property taxes, and subsequent year taxes, which are not yet due and payable; and Grantor will forever warrant and defend the same against the claims of all persons whomsoever.

Grantor further covenants that the lease agreements of record in Book 73 Page 347 and Book 100 Page 105 in said Register's Office have been terminated and are of no further force or effect.

IN WITNESS WHEREOF, Grantor has executed this instrument to be effective the <u>aand</u> day of November, 2021.

Quality Concrete Products Co., Inc.

Chris Markwell, Vice President

STATE OF SOUTH CAROLINA COUNTY OF GREENVILLE

Before me, the undersigned Notary Public, of the State and County aforementioned, personally appeared CHRIS MARKWELL, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be the Vice President of QUALITY CONCRETE PRODUCTS CO., INC., the within named bargainor, a corporation, and that such person, as such Vice President, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by such person as Vice President.

Witness my hand, at office, this 17 day of November, 2021.

Notary Public

My Commission Expires: 3/14/26

My Comm. Expires March 14, 2026

PUBLIC PUBLIC

Affidavit of Value

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for the transfer or the value of the property transferred, whichever is greater, is \$1,800,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Afriant

Subscribed and sworn to before me this <u>ap</u> day of November, 2021.

Notary Public

My Commission Expires:

3.3

EXHIBIT A

DESCRIPTION OF THE PROPERTY DESCRIBED IN DEED BOOK 4746, PAGE 256 AND INSTRUMENT NO. H4 8404, LESS AND EXCEPT THE PROPERTY CONVEYED IN INSTRUMENT NO. 15038439, ALL BEING RECORDED IN THE SHELBY COUNTY REGISTER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a found iron pin in the north right-of-way of Moriarty Road (60.00 feet), approximately 358.3 feet west of the centerline of Germantown Parkway, and being the southeast corner of the herein described property; thence N 86° 23' 55" W along the north rightof-way of Moriarty Road (60 feet) a distance of 412.47 feet to a set iron pin; thence continuing N 86° 04' 21" W along said right-of-way a distance of 1002.39 feet to a set iron pin; thence leaving said right-of-way N 03° 38' 49" E a distance of 391.67 feet to a found iron pipe; thence N 83° 20' 30" E a distance of 552.59 feet to a set iron pin; thence N 06° 17' 40" W a distance of 10.01 feet to a found iron pipe; thence 207.91 feet along a curve to the left having a radius of 399.26 feet, a delta of 29° 50' 10", a chord bearing of N 68° 47' 15" E, and chord distance of 205.57 feet to a found iron pin; thence 195.00 feet along a curve to the right having a radius of 453.34 feet, a delta of 24° 38' 42", a chord bearing of N 81° 28' 36" E, and chord distance of 193.50 feet to a point 2.85' west of a found concrete monument; thence S 85° 59' 05" E a distance of 501.74 feet to a found iron pin in the west side of a private access drive; thence S 04° 03' 27" W along the east side of said private access drive, a distance of 628.97 feet to the Point of Beginning, and containing 17.718 acres (771,803 s.f.), more or less, together with access easements appurtenant to the property pursuant to Instruments of record at No. 15029323 as amended at No. 16079139, and at Instrument No. 15038440, all in the aforesaid Register's Office.

This description is derived from the ALTA/NSPS Land Title Survey performed by Matthew W. Bingham, RLS # 2052, W.H. Porter Consultants, PLLC, 6055 Primacy Pkwy, Suite 115, Memphis, TN 38119, on November 2, 2021.



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.



22035999

03/29/2022 - 01:19:18 PM

3 PGS	
ABRIA 2405017 - 22035999	
VALUE	540000.00
MORTGAGE TAX	0.00
TRANSFER TAX	1998.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	2016.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE



THIS INSTRUMENT PREPARED BY: Bryan K. Smith, Attorney Pietrangelo Smith PLC International Place - Tower II 6410 Poplar Avenue, Suite 710 Memphis, Tennessee 38119 File No. 22062

WARRANTY DEED

THIS INDENTURE, made and entered into as of the 23rd day of March, 2022, by and between Patricia Ann Brown, Trustee of the Patricia Ann Brown Trust dated November 14, 1996, party of the first part, and Aren Land Dev Co 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 County of Shelby, State of Tennessee:

Lot 2, Revised Plat, Moriarty Industrial Park Subdivision, as shown on plat of record at Plat Book 28, Page 48, of the Register's Office of Shelby, Tennessee to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the party of the first part by Warranty Deed of record at Instrument Number 06006081 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, 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 she is lawfully seized in fee of the aforedescribed real estate; she has a good right to sell and convey the same; that the same is unencumbered, EXCEPT 2022 City of **Memphis** and 2022 **Shelby** County real estate taxes, which the party of the second part hereby assumes and agrees to pay; Subdivision Restrictions, Building Lines and Easements of record at Plat Book 28, Page 2, and Plat Book 28, Page 48; Easements of record at Instrument Numbers S4 8338, Z3 1707 and Z3 1723, in the Register's Office of Shelby County, Tennessee; and that the title and quiet possession thereto 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 in 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 written.

The Patricia Ann Brown Trust dated November 14, 1996

BY Alicea and Brown, Trustee
Patricia Ann Brown, Trustee

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, a Notary Public in and for the aforesaid jurisdiction, personally appeared Patricia Ann Brown, Trustee of the Patricia Ann Brown Trust dated November 14, 1996 personally known to me or proven upon satisfactory evidence to be the persons described in the foregoing instrument, and who acknowledged herself to be the Trustee of the Patricia Ann Brown Trust dated November 14, 1996 and first being duly authorized, that she executed the foregoing instrument for the purpose therein contained by signing the name of Trust by herself as such Trustee.

WITNESS my hand and Notarial Seal at office this 22nd day of March, 2022.

Notary Public Bryan K. Smith

My Commission expires: March 2, 2024

(FOR RECORDING DATA ONLY)

Property Address: 7810 Moriarty Road Memphis, TN 38018

Property Owner: Aren Land Dev Co LLC 7810 Moriarty Road Memphis, TN 38018

Ward, Block & Parcel Number: 091030 00011

Mail tax bills to: Aren Land Dev Co LLC 7810 Moriarty Road Memphis, TN 38018

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 or value of the property transferred, whichever is greater is \$540,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Subscribed and sworn to before me this the 23 day of March, 2022.

My Commission Exp



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.



22036000

03/29/2022 - 01:19:18 PM

3 PGS	
ABRIA 2405017 - 22036000	
VALUE	296900.00
MORTGAGE TAX	0.00
TRANSFER TAX	1098.53
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	1116.53

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE



THIS INSTRUMENT PREPARED BY:
Bryan K. Smith, Attorney
Pietrangelo Smith PLC
International Place - Tower II
6410 Poplar Avenue, Suite 710
Memphis, Tennessee 38119
File No. 22061

WARRANTY DEED

THIS INDENTURE, made and entered into as of the 23rd day of March, 2022, by and between Brown/French Properties of Tennessee, LLC, a Tennessee limited liability company, party of the first part, and Aren Land Dev Co 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 County of Shelby, State of Tennessee:

Lot 3, Moriarty Industrial Park Subdivision, as shown on plat of record at Plat Book 28, Page 48, of the Register's Office of Shelby, Tennessee to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the party of the first part by Quit Claim Deed of record at Instrument Numbers 14065609 and 14065613 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, his 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 it is lawfully seized in fee of the aforedescribed real estate; it has a good right to sell and convey the same; that the same is unencumbered, EXCEPT 2022 City of Memphis and 2022 County of Shelby real estate taxes which the party of the second part hereby assumes and agrees to pay; Subdivision Restrictions, Building Lines and Easements of record at Plat Book 28, Page 2, and Plat Book 28, Page 48; Easements of record at Book 5415, Page 431 and Instrument No. H9 8458, all in the Register's Office of Shelby County, Tennessee; Any matter which would be disclosed by a current, accurate survey of the property described herein; and that the title and quiet possession thereto it 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 in their proper gender and number according to the context hereof.

IN WITNESS WHEREOF the undersigned has caused this instrument to be executed by and through its duly authorized officers the day and year first written above.

Brown/French Properties of Tennessee, LLC

a Tennessee limited liability company

BY:

Judy French, President

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, the undersigned Notary Public, of the State and County aforesaid personally appeared Judy French, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the President of Brown/French Properties of Tennessee, LLC, a Tennessee limited liability company, the within named bargainor, and who further acknowledged that, being duly authorized, she executed and delivered the fore instrument for the purposes therein contained, by signing the name of the company by herself as such President.

WITNESS my hand and seal at office this the 22nd day of March, 2022.

Notary Public Bryan K. Smith

My Commission expires: March 2, 2024

STATE OF STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNT Property Address: 7788 Moriarty Road Memphis, TN 38018

Property Owner: Aren Land Dev Co LLC 11814 Stallion Lane Houston, TX 77071

Ward, Block & Parcel Number: 091030 00012

Mail tax bills to: Aren Land Dev Co LLC & 11814 Stallion Lane Houston, TX 77071

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 or value of the property transferred, whichever is greater is \$296,900.00, 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 the 23 day of March, 2022.

Notary Public

My Commission Expires:



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.



23005140

01/18/2023 - 02:39:50 PM

9 PGS	
LINDA 2536532 - 23005140	
VALUE	1200000.00
MORTGAGE TAX	0.00
TRANSFER TAX	4440.00
RECORDING FEE	45.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	4488.00

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This instrument prepared by or under the direction of:

Kim R. Bongiovanni Assistant General Counsel Law Department 500 Water Street Jacksonville, Florida 32202

Send future tax bills to:
Aren Land Dev Co LLC
11814 Stallion Lane
Houston, TX 77071

Map/Parcel:

No Tax Parcel ID Assigned

Return to:

Harris Shelton Hanover Walsh, PLLC M. Anderson Cobb, Jr. 6060 Primacy Parkway, Suite 100 Memphis, TN 38119

QUIT CLAIM DEED

THIS QUITCLAIM DEED, made this 18th day of January 2023, between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, hereinafter called "Grantor", and AREN LAND DEV CO LLC, a Tennessee limited liability company, whose mailing address is 11814 Stallion Lane, Houston, Texas 77071, hereinafter called "Grantee", WITNESSETH:

(Wherever used herein, the terms "Grantor" and "Grantee" may be construed in the singular or plural as the context may require or admit, and for purposes of exceptions, reservations and/or covenants, shall include the heirs, legal representatives and assigns of individuals or the successors and assigns of corporations.)

THAT Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), to it in hand paid by Grantee, the receipt of which is hereby acknowledged, does hereby RELEASE, REMISE and forever QUITCLAIM unto Grantee, its successors and assigns, all right, title and interest of Grantor, if any, in and to that certain tract or parcel of land situate, lying and being at Memphis, County of Shelby, State of Tennessee, hereinafter designated "the Premises," more particularly described in Exhibit A, attached hereto and incorporated herein, and containing 6.91 acres, more or less.

EXCEPTING unto Grantor all mineral rights, if any, including but not limited to oil, gas and coal, and the constituents of each, underlying the Premises; and RESERVING the right for Grantor, its successors and assigns, to remove the same; HOWEVER, Grantor will not drill or

permit drilling on the surface of the Premises without the prior written consent of Grantee, which consent shall not be unreasonably withheld.

EXCEPTING unto Grantor the ownership in and to all railroad tracks and other track material (including switches, signals and ballast), hereinafter "the Track", within and on the Premises. Grantee shall remove the Track, at its sole cost and expense, within 210 days after Closing and stockpile same (other than the ballast) for later retrieval by Grantor.

FURTHER RESERVING unto Grantor, its successors and assigns, a perpetual exclusive easement, hereinafter "the Signboard Easement", in, over, under and along the entirety of the Premises for future construction, maintenance, operation, use, replacement, relocation, renewal and removal of signboards, including but not limited to, the necessary utilities to operate such equipment in, over, under and along the Premises, and the rights to attach the same to existing bridges or poles on the Premises, and such surface rights as are reasonably necessary to accomplish the same, TOGETHER WITH the further right to assign the Signboard Easement, and/or the rights reserved pursuant thereto, in whole or in part, and to lease, license or permit third parties to use the Signboard Easement and/or the rights reserved pursuant thereto; PROVIDED that the exercise of such rights does not materially and unreasonably interfere with the safe and efficient use of the Premises, or any improvements thereon, by Grantee.

FURTHER RESERVING unto Grantor, its successors and assigns, a perpetual exclusive easement, hereinafter "the Tower Easement", in, over, under and along the entirety of the Premises for future construction, maintenance, operation, use, replacement, relocation, renewal and removal of communication towers, including but not limited to, the necessary utilities to operate such equipment in, over, under and along the Premises, and the rights to attach the same to existing bridges or poles on the Premises, and such surface rights as are reasonably necessary to accomplish the same, TOGETHER WITH the further right to assign the Tower Easement, and/or the rights reserved pursuant thereto, in whole or in part, and to lease, license or permit third parties to use the Tower Easement and/or the rights reserved pursuant thereto; PROVIDED that the exercise of such rights does not materially and unreasonably interfere with the safe and efficient use of the Premises, or any improvements thereon, by Grantee.

TO HAVE AND TO HOLD the Premises, and all the estate, right, title, lien, interest and claim whatsoever of Grantor therein, either in law or equity, and all improvements thereon and appurtenances thereto, unto the proper use, benefit and enjoyment of Grantee, Grantee's heirs and assigns or successors and assigns, forever; SUBJECT to reservations, easements, covenants, restrictions and limitations of record or platted, all existing public utilities and roadways, all taxes and assessments, both general and special, which accrue after the date hereof and which Grantee assumes and agrees to pay, and all existing encroachments, ways and servitudes, howsoever created.

Grantee acknowledges that the Premises conveyed hereunder has been historically used for railroad industrial operations and is being conveyed for use only as industrial or commercial property. Grantee, by acceptance of this deed, hereby covenants that it, its successors, heirs, legal representatives or assigns shall not use the Premises for any purpose other than industrial or

commercial purposes and that the Premises will not be used for (a) any residential purpose of any kind or nature (residential use shall be defined broadly to include, without limitation, any use of the Premises by individuals or families for purposes of personal living, dwelling, or overnight accommodations, whether such uses are in single family residences, apartments, duplexes, or other multiple residential dwellings, trailers, trailer parks, camping sites, motels, hotels, or any other dwelling use of any kind), (b) any public or private school, day care, or any organized longterm or short term child care of any kind, (c) any recreational purpose (recreational use shall be defined broadly to include, without limitation, use as a public park, hiking or biking trail, athletic fields or courts, or public gathering place), (d) any agricultural purpose that results in, or could potentially result in, the human consumption of crops or livestock raised on the property (agricultural purpose shall be defined broadly to include, without limitation, activities such as food crop production, dairy farming, livestock breeding and keeping, and cultivation of grazing land that would ultimately produce, or lead to the production of, a product that could be consumed by a human) or (e) the establishment of a mitigation bank and/or the sale, lease, license, conveyance or in any way distribution of mitigation credits. By acceptance of this deed, Grantee further covenants that it, its successors, heirs, legal representatives or assigns shall not use the groundwater underneath the Premises for human consumption, irrigation, or other purposes.

Grantee, by acceptance of this deed, covenants and represents that Grantee owns property adjoining the Premises and has access to the Premises through Grantee's adjoining property or through other property not owned by Grantor. Grantee, on its behalf, its heirs, personal representatives, successors and assigns, releases Grantor, its successors and assigns, from any responsibility, obligation or liability to provide access to the Premises through land now owned or subsequently acquired by Grantor. Should Grantee ever convey the Premises, or any portion thereof, to a third party, Grantee will provide access to the Premises through Grantee's adjoining property or through other property not owned by Grantor.

Grantee acknowledges that this deed is made upon Grantee's solicitation and request, and was not in any way initiated by Grantor. Grantor does not represent or warrant to Grantee any ownership or estate in the Premises or any specific title or interest in the Premises, which constituted a strip of Grantor's former railroad operating property; and Grantee hereby releases Grantor, its officers and agents, from any claim or demand resulting from this deed, or from any failure of or defect in Grantee's title to the Premises.

Grantee hereby agrees, as additional consideration for the conveyance of the Premises, to defend, indemnify and hold Grantor harmless from and against any and all liability, loss, cost and/or expense, including reasonable attorney fees, arising out of or in connection with any and all suits or causes of actions instituted by third parties against Grantor or Grantee as a result of the conveyance of the Premises to Grantee or as a result of the failure of title to any portion of the Premises.

Grantee, its successors and assigns, by acceptance of this deed, hereby covenants and agrees with Grantor that Grantor shall not be required to erect or maintain any noise, light, fume or vibration abatement or reduction structure along any boundary lines between the Premises and

the adjacent land(s) of Grantor or any other company affiliated with Grantor; or be liable for or required to pay any part of the cost or expense of erecting or maintaining such abatement or reduction structures or any part hereof; or be liable for any damage, loss or injury that may result by reason of the non-existence or the condition of any noise, light, fume or vibration abatement or reduction structures. Grantee assumes all liability and responsibility respecting noise, light, fume or vibration abatement or reduction structures and covenants not to sue Grantor, its successors or assigns for existence of the noise, light, fumes and vibrations from Grantor's operations. Grantee acknowledges that the Grantor's adjacent railroad operation is a 24-hour a day, seven day a week continuous operation that may create noise, vibration, light, smoke and other inconveniences.

Grantee and Grantor agree and acknowledge the covenants and easements contained in this Deed shall be covenants "in gross" and easements "in gross" which shall remain binding on Grantee, its successors, heirs, legal representatives and assigns regardless of whether Grantor continues to own property adjacent to the Premises. Grantee acknowledges Grantor will continue to have a substantial interest in enforcement of the said covenants and easements whether or not Grantor retains title to property adjacent to the Premises.

Said covenant(s) shall run with title to the Premises conveyed, and bind upon Grantee, Grantee's heirs, legal representatives and assigns, or corporate successors and assigns, and anyone claiming title to or holding Premises through Grantee.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC., pursuant to due corporate authority, has caused its name to be signed hereto by its officers hereunto duly authorized and its corporate seal, duly attested, to be hereunto affixed.

Signed, sealed and delivered in the presence of:

CSX TRANSPORTATION, INC.:

Ву:___

Name: Christina W. Bottomley Title: Head of Real Estate

Luis Vozanez

Attest

Name: Michael S. Burns Title: Corporate Secretary (SEAL)

STATE OF FLORIDA) SS.
COUNTY OF DUVAL)

I, Sarah A. Watson, a Notary Public of the State of Florida and the County of Duval, do certify that, on the date below, before me in said County came Christina W. Bottomley to me known to be the person whose name is subscribed to the above instrument, who, being by me by means of physical presence first duly sworn, did make oath, acknowledge and say that: she is Head of Real Estate of CSX Transportation, Inc., the corporation described in and which executed said instrument; she is fully informed of the contents of the instrument; she knows the seal of said corporation; the seal affixed to said instrument is such seal; it was so affixed by authority of the Board of Directors of said corporation; she signed her name thereto for said corporation; and the conveyance herein is not part of a transaction, sale, lease, exchange or other transfer or conveyance of all or substantially all of the property and/or assets of the Grantor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this 13th day of January 2023.

My commission expires on: 02/02/2024

SARAH A WATSON
Notary Public - State of Florida
Commission # GG 945131
My Comm. Expires Feb 2, 2024
Bonded through National Notary Assn.

(SEAL)

Notary Public

Print Name: Sarah A. Watson

AFFIDAVIT

State of Tennessee County of Shelby

I hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is \$1,200,000.00.

Affiant

Agent of Grantee

Subscribed and sworn to before me this 18 day of January 2023.

My Commission Expires:

EXHIBIT A

Description of property at: Memphis, Shelby Co, TN

To: Aren Land Dev Co, LLC CSXT Deed File No.: 2022-7023

PARCEL 1 - DESCRIPTION OF A PORTION OF THE PROPERTY SHOWN IN PLAT BOOK 34, PAGE 2 AS RECORDED IN THE SHELBY COUNTY REGISTER'S OFFICE, ALSO BEING THE INDUSTRIAL LEAD TRACT R.O.W. (80.00' WIDE) BETWEEN THE OLD MAIN TRACK (NOW SHELBY FARMS GREENLINE TRAIL) AND FISCHER STEEL ROAD; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the intersection of the west line of the Industrial Lead Track right-of-way (80.00' ROW) and the north line of Fischer Steel Road (ROW Varies), 30.00' north of the centerline of said road and approximately 987.2 feet west of the centerline of Germantown Parkway and 0.9 feet north of a found iron pin; thence N 02° 21' 20" E a distance of 592.97 feet to a point of curvature; thence 548.71 feet along a curve to the left having a radius of 319.88 feet, a delta of 98° 16' 59", a 369.82 feet tangent, a chord bearing of N 46° 47' 09" W, and chord distance of 483.87 feet; thence N 05° 55' 39" W a distance of 7.74 feet to a found iron pin in the south line of the Main Track (100.00' R.O.W.); thence N 83° 31' 14" E along the said south line a distance of 226.14 feet to a found iron pipe; thence 445.59 feet along a curve to the right having a radius of 399.88 feet, a delta of 63° 50' 44", a 249.12 feet tangent, a chord bearing of S 29° 34' 02" E, and chord distance of 422.89 feet; thence S 02° 20' 51" W, passing found iron pins at 82.34 feet and 591.28 feet, a total distance of 595.13 feet to a point in the north line of Fischer Steel Road, also being 30.00 feet north of its centerline; thence N 86° 06' 19" W along said north line a distance of 80.11 feet to the Point of Beginning.

Containing 1.972 acres (85,923 s.f.).

PARCEL 2 - DESCRIPTION OF A PORTION OF THE PROPERTY SHOWN IN PLAT BOOK 34, PAGE 2 AS RECORDED IN THE SHELBY COUNTY REGISTER'S OFFICE, ALSO BEING THE INDUSTRIAL LEAD TRACT R.O.W. BETWEEN FISCHER STEEL ROAD AND HERBERT ROAD; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the intersection of the west line of the Industrial Lead Track right-of-way (80.00' ROW) and the south line of Fischer Steel Road (ROW Varies), 30.00' south of the centerline of said road and approximately 985.9 feet west of the centerline of Germantown Parkway; thence along said south line S 86° 06' 19" E a distance of 80.03 feet; thence S 02° 21' 20" W a distance of 224.55 feet; thence 566.88 feet along a curve to the right having a radius of 399.26 feet, a delta of 81° 21' 00", a 343.12 feet tangent a chord bearing of S 43° 01' 50" W, and chord distance of 520.45 feet; thence S 06° 17' 40" E a distance of 10.01 feet; thence S 83° 20' 30" W a distance of 552.59 feet; thence S 83° 39' 24" W a distance of 608.18 feet; thence S 83° 30' 25" W a

distance of 576.34 feet to a point in the east line of Herbert Road (60.00' R.O.W.); thence N 03° 13' 46" E along said east line a distance of 5.44 feet; thence 89.68 feet along a curve to the right having a radius of 288.30 feet, a delta of 17° 49' 23", a 45.21 feet tangent a chord bearing of N 12° 08' 27" E, and chord distance of 89.32 feet; thence N 83° 30' 25" E a distance of 547.00 feet; thence N 83° 39' 24" E a distance of 608.08 feet; thence N 83° 20' 30" E a distance of 554.92 feet; thence 451.27 feet along a curve to the left having a radius of 319.26 feet, a delta of 80° 59' 10", a 272.61 feet tangent a chord bearing of N 42° 50' 55" E, and chord distance of 414.63 feet; thence N 02° 21' 20" E a distance of 226.70 feet; to the Point of Beginning.

Containing 4.916 acres (214,131 s.f.).



Phelps Dunbar LLP 999 S. Shady Grove Road Suite 500 Memphis, TN 38120 901 259 7100

July 18, 2024

Brooke Hyman Chief Administrative Officer Memphis City Council 125 N. Main, Room 514 Memphis, TN 38103 Brooke.Hyman@memphistn.gov

Brett Ragsdale
Zoning Administrator
City of Memphis
Memphis & Shelby County Division of Planning and Development
125 N. Main Street, Suite 468
Memphis, TN 38103
Brett.ragsdale@memphistn.gov

Chloe Christion
Staff Planner
Memphis & Shelby County Division of Planning and Development
125 N. Main Street, Suite 468
Memphis, TN 38103
chloe.christion@memphistn.gov

PROJECT INFORMATION

DPD Case #:

PD 2024-007

Project Location:

The southeast corner of Fischer Steel Road and Herbert Road.

approximately 830 feet west of North Germantown Parkway, Memphis-

Shelby County Schools

Applicant:

Memphis-Shelby County Schools

Land Area:

46.42

Existing Zoning:

Industrial-Heavy (IH)

Request:

A Planned Development application in the facilitation of a proposed New

East Regional High School (NERHS)

LUCB Housing Recommendation Date: July 11, 2024

Dear Ms. Hyman, Mr. Ragsdale, and Ms. Christion:

I represent the Cordova Neighborhood Business Association ("CNBA"). Pursuant to the instructions of Ms. Christion and consistent with the UDC, this letter will serve as our notice of appeal and to formerly request the opportunity to speak in opposition of the above-case when it comes before the Memphis City Council. As was discussed with Ms. Christion, CNBA objects

to the Land Use Control Board's decision and wishes to appeal its recommendation. I have attached our letter of opposition that was submitted to the Land Use Control Board. I spoke against the matter and will be representing the CNBA before the City Council. Additionally, Mr. Norcross, who also spoke at the hearing before the LUCB, would like to speak against this case on behalf of his local businesses, Norcross Mazda of Memphis and Volvo Cars Memphis. Several representatives and owners of other local businesses submitted letters in opposition and/or attended the LUCB and were not allowed sufficient time to speak on this matter. I understand that they will provide their own letters to seek a speaking opportunity with the Memphis City Council.

Please confirm the receipt of this letter and that it will suffice to place our this matter on the agenda in opposition to this case. Please confirm when the matter will be heard by the Memphis City County (Committee and Full Council). If you have any questions, please let me know.

Sincerely.

Richard D. Bennett

Cc: Ernie Norcross

Member, Cordova Neighborhood Business Association
Owner WENCO Auto Group dba Volvo Cars Memphis & Norcross Mazda of Memphis
7910 Trinity Road
Cordova, Tennessee 38018
(901) 373-3000
enorcross@volvoofmemphis.com



Board of Directors

Ernest G. Kelly, Jr. President

Michael R. Marshall Vice President J. Walker Sims

Treasurer Rhea Clift Secretary

Douglas Baldwin E. Frank Bluestein Nancy Copp Kyle Tabor Furr Kathryn K. Gilliland J. Fraser Humphreys, III

Elise L. Jordan Anne Orgilli Keeney Pat Casserly Kelly Dorothy O. Kirsch

Dorothy O. Kirsch Dan McCleary founder

Melanie Stovall Murry Peter A. Pranica

Milton T. Schaeffer Deborah Dunkin Tipton HAND-DELIVERED

Brooke Hyman

Chief Administrative Officer Memphis City Council 125 N. Main Street, Room 514

Memphis, TN 38103

Brett Ragsdale Zoning Administrator City of Memphis

Memphis and Shelby County Division of Planning and Development

125 N. Main Street, Suite 468

Memphis, TN 38103

Chloe Christion Staff Planner

Memphis and Shelby County Division of Planning and Development

125 N. Main Street, Suite 468

Memphis, TN 38103

Emeritus Board

Barbara B. Apperson Louise Calandruccio Blanche Deaderick

Ruth Dunning John Paul (Jack) Jones (d.) Robert C. Lanier (d.)

Robert C. Lanier (d.) Hon. Sheri Lipman Past President W. Reid Sanders Margaret Wellford Tabor

Owen B. Tabor Past President Audrey Taylor (d.)

Audrey Taylor (d.) George Walters (d.) Founding President PROJECT INFORMATION

DPD Case #:

PD 2024-007

Project Location:

The southeast corner of Fischer Steele Road and Herbert Road,

approximately 830 feet west of North Germantown Parkway, Memphis-

Shelby County Schools

Applicant:

Memphis-Shelby County Schools

Land Area:

46.42

Existing Zoning:

Industrial-Heavy (IH)

Request:

Planned Development application in the facilitation of a proposed New

East Regional High School (NERHS)

LUCB Housing

Recommendation Date: July 11, 2024

Our State's First Permanent Home for Professional Classical Theatre, Education, and Outreach.

7950 Trinity Road Memphis, TN 38018-6297

Business Office: 901.759.0620

Box Office: 901.759.0604

To: Ms. Hyman, Mr. Ragsdale, Ms. Christion,

I am the Owner, Founder, and Producing Artistic Director of Tennessee Shakespeare Company (TSC) and its property and facility located at 7950 Trinity Road in Cordova, and I represent TSC's Board of Directors. TSC is a 501(c)(3) charitable organization with FEIN #26-2113887, established in 2008 as the city's first and only professional classical theatre and education organization.

Pursuant to the instructions of Ms. Christion and consistent with the UDC, this letter will serve as our notice of appeal and to formally request the opportunity to speak in opposition to the above-case when it comes before the Memphis City Council. As was discussed with Ms. Christion, TSC objects to the Land Use Control Board's decision and wishes to appeal its recommendation.

contact@tnshakespeare.org

www.tnshakespeare.org



July 24, 2024



Board of Directors

Ernest G. Kelly, Jr.
President
Michael R. Marshall
Vice President
J. Walker Sims
Treasurer
Rhea Clift
Secretary

Douglas Baldwin E. Frank Bluestein Nancy Copp Kyle Tabor Furr Kathryn K. Gilliland J. Fraser Humphreys, III Elise L. Jordan Anne Orgill Keeney Pat Casserly Kelly Dorothy O. Kirsch Dan McCleary founder Melanie Stovall Murry Peter A. Pranica Milton T Schaeffer Deborah Dunkin Tipton

Emeritus Board

Barbara B. Apperson
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Robert C. Lanier (d.)
Hon. Sheri Lipman
Past President
W. Reid Sanders
Margaret Wellford Tabor
Owen B. Tabor
Past President
Audrey Taylor (d.)

George Walters (d.)

Founding President

Our State's First Permanent Home for Professional Classical Theatre, Education, and Outreach.

7950 Trinity Road Memphis, TN 38018-6297

Business Office: 901.759.0620

Box Office: 901.759.0604

contact@tnshakespeare.org

www.tnshakespeare.org

attempted to speak at the LUCB hearing, but I was given 45 seconds to do so. Few others in opposition were given more than 45 seconds to speak.

I am attaching here our letter of opposition that was submitted to the Land Use Control Board.

After receiving no questions nor hearing zoning issues discussed by Board members at that time, we believe our position has not been examined responsibly regarding a decision that includes conveyance of a covenant in the property owner's deed that prohibits the property's use as a school, places a school and children in harm's way in an unprecedented decision regarding a heavy industrial site near heavy machinery/vehicles/failing roads, appears to have omitted due diligence in conducting a Property Feasibility Study of prospective Cordova properties (having formally requested this Study for weeks, we have yet to receive one), and will put TSC out of business with regard to our live theatre performances of Shakespeare plays across the street from the prospective high school's multiple outdoor Public Address systems for athletic fields.

I would like to speak against this case, and I hereby am seeking that opportunity with the Memphis City Council.

Please confirm the receipt of this letter and that it will suffice to place this matter on the agenda in opposition to this case. Please confirm when the matter will be heard by the Memphis City County (Committee and Full Council). If you have questions, please advise me.

Sincerely,

Dan McCleary

cc:

Mr. J. Walker Sims, Esq. Treasurer Tennessee Shakespeare Company 58 Grove Dale Street Memphis, TN 38120

chy

TO:

Chloe Christion, Memphis Land and Use Control Board

FROM:

Dan McCleary, Tennessee Shakespeare Company

RE:

Opposition to Board's Approval of Special Use Permit for Proposed North East

Regional High School in Cordova; Formal Request for Board's "Denial

Recommendation"

DATE:

June 5, 2024; and re-sent on June 12, 2024 for the purpose of being included in the packet for the postponed July meeting; and re-submitted on this date of July 24, 2024, to the Memphis City Council as an attachment to our formal appeal of

the decision

I am the owner, founder, and Producing Artistic Director of Tennessee Shakespeare Company (TSC), located at 7950 Trinity Road in Cordova 38018-6297. TSC sits on Trinity Road to its north and sits on Moriarty Road to its south.

TSC is a 501c3 not-for-profit charitable organization founded in 2008 as the first and only professional classical theatre and education organization in Memphis and as the only such theatre with a permanent home in the state of Tennessee.

TSC is dedicated to live, diverse performances of William Shakespeare's plays, as well as works of social significance by classical, Southern, and modern writers; and to providing innovative educational and training programming year-round.

In 2017, we purchased our current home at 7950 Trinity Road, which was built for Ballet Memphis. We are in the process of renovating the working facility into the state's only permanent home for professional, year-round Shakespeare performance, education, and training. The company is in the midst of its Brave New World capital campaign with a goal of \$9.2 million, of which more than one-third has been raised.

TSC has engaged our community with 67 site-specific plays and events for 60,000 patrons. Our ground-breaking Education Program has reached 130 schools across nine states, totaling over 300,000 student interactions, including nearly every Memphis City and Memphis-Shelby County school. The Program has achieved a high regional and national profile, partners annually with most local school systems, and this year is a recipient of two National Endowment for the Arts/Arts Midwest's Shakespeare in American Communities grants: one for The Macbeth Initiative in underserved local schools, and the other for expanded residencies with local incarcerated youth titled Juvenile Justice. TSC is one of just a handful of U.S. theatres to be awarded this latter grant for the fifth consecutive year.

TSC's annual performance and education sponsors include FedEx, International Paper, Arts Midwest, ARTSmemphis, Tennessee Arts Commission, Independent Bank, Evans Petree PC, First Horizon Foundation, and AutoZone. Our season is funded under a Grant Contract with the State of Tennessee; and is being supported, in part, by federal award number SLFRP5534, awarded to the State of Tennessee by the U.S. Department of Treasury.

TSC's area outreach partners include Bartlett Performing Arts Center, Benjamin Hooks Public Library Friends, Cities of Bartlett and Collierville and Memphis, Davies Manor, Dixon Gallery & Gardens, Memphis Juvenile Justice System, Memphis V.A. Medical Center, Overton Park Shell, Overton Square, Shelby County Election Commission, Memphis-Shelby County Schools, St. George's Episcopal Church, University of Memphis' Department of Theatre & Dance, Wiseacre Brewery, WKNO Radio (91.1 FM Memphis), and Woodlawn.

On behalf of TSC's Board of Directors, I write in <u>OPPOSITION</u> to the proposals we have seen from City representatives for plans to construct the new North East Regional High School on the "Heavy Industrial" zone site located between Fischer Steele Road and Moriarty Road in Cordova.

We request that the Land and Use Control Board make a <u>DENIAL RECOMMENDATION</u> to the City Council for a Special Use Permit to re-zone this property for this purpose, which will be formally requested of the Board at its next public meeting hearing on June 13, 2024, for at least the following reasons:

- Of 115 of your current public schools, fewer than 20 are sited on Non-Residential zoned properties. How many of those are zoned I-H (Heavy Industrial)? No one associated with the City has been able or willing to answer this question for us. There are multiple reasons why schools are not constructed in Heavy Industrial zones, and this proposed Cordova site is a textbook case for why that is fact;
- The CSX spur parcels of 6-7 acres on this property convey covenants that prohibit the construction of schools of any kind on it due to hazardous materials on and within the ground;
- This proposal creates a roadway loop of Moriarty/Herbert/Fischer Steele that will
 continue to serve at most hours of day/night, seven days per week, the necessary semitruck and heavy industrial equipment to multiple service providers located within the
 loop;
- This proposal makes the sole outlet of the above roadway loop the busiest road in Shelby County and, arguably, in the state of Tennessee: Germantown Parkway. With the recent narrowing of Germantown Road/Trinity Road's intersection, we have witnessed a rise in traffic accidents and traffic congestion that also has doubled our drivetime in round-trips to work. We witness first-hand children and adults as pedestrians attempting to cross six lanes of Germantown Parkway in the mornings and evenings. We note that no provision has been made in the proposed budget for a traffic light at Germantown Parkway and Moriarty Road. Instead, we were told it would be a right-turn-only intersection. This has not, nor is there any reason to imagine that it will stop, teenagers in cars from making dangerous left turns. There are retail stores and restaurants and bars adjacent to and within walking distance of this proposed school site. Adding school pedestrian traffic to an already-congested road network where vehicles are traveling fast and ignoring traffic signals will present life-threatening scenarios between children and vehicles unable to

stop;

- The traffic study provided by the City shows this proposed high school will generate 5,665 new trips per day in this area. This will more than double the area's current trips per day, which the study reports as 4,749. To the current two-lane roads bounding this property, the plan proposed adding one lane. There has been no plan offered for what dangerous traffic and pedestrian issues or flow issues this will present on Germantown Parkway. You will be presented with an independent traffic study, based on the City's report, that shows the current Level of Service at Trinity Road/Germantown Parkway during AM Peak and PM Peak receiving failing grades of "F" and "F." The intersection of Moriarty Road/Germantown Parkway at Midday Peak is graded "E". The intersections of Macon/Germantown AM Peak, Mullins Station/Whitten AM Peak and PM Peak, and Mullins Station/Appling are graded "E." Using the City's population growth figures, without a new high school built in this area in 2025, the study downgrades the intersection of Moriarty Road/Germantown Parkway at Midday Peak and PM Peak to grades of "F." In 2025 and 2035 with the new school, with the exception of only one daypart at two intersections, all seven adjacent and nearby intersections receive grades of "F" and "E." Those grades are unacceptable by the City's standards. The roadway network around the proposed high school site is graded by the City as already heavily congested, and the proposed site traffic will dramatically add to congestion that will result in operational and child/adult safety issues;
- A high school with overflow parking, waiting parents in cars, prevention of safe traffic flow, and child pedestrian activity across TSC's property certainly will negatively impact TSC's safe and responsible daily business. However, TSC will be put out of business with the new school's public address system for multiple athletic fields across the street. There are no acoustic remediations to prevent those sounds from encroaching and obstructing our live-voice performances in our theatre, located just off Moriarty Road. This is not just football, baseball, softball, soccer, lacrosse, track and field, band, flag corp; but also all TSSAA and other athletic organizations' events held there. We have experienced this before. No theatre performances can occur concurrently with a P.A. speaker system. This proposed school at this location will bankrupt TSC and prevent us from achieving our mission. The area will lose TSC's \$2.4 million economic impact, and we will seek restitution.

Please note:

I have made a documented, formal request for the city's Feasibility Study of all Cordova sites for this new school. To date, I have not received that.

At the time of this writing, the Phase I and Phase II environmental reports on this property, which I have been told were completed and have been requested, have not been provided for review – nor have dates of those studies been provided.

The discussed cut-through of a new road connecting Herbert Road to Trinity/Raleigh-LaGrange Road is not part of this proposal and would need to seek at least two approvals. However, City representatives have presented this future road as crucial as a second priority outlet to the school (along with Germantown Parkway). Who will pay for these installments? Who will pay for the surrounding traffic mitigation?

We have requested more detail regarding the bus-queing analysis. The plan does not appear to accommodate on its property the number of buses reported to be needed. Where will buses overflow?

We appreciate the legal requirement for a school to be constructed. City representatives reported last week that most of the current Germantown High School students come from homes in Cordova and that this new site was selected to accommodate those homes. Yesterday, those representatives stated that only one-half of the current GHS students are in Cordova. The other one-half travel from all over the county, we were told. This weakens the argument for this particular Heavy Industrial site in order to accommodate shorter bus trips for students. That impact is much less than was originally stated.

We have been made aware of the land-swap arrangement between the properties north and south of Fischer Steele Road and of the intent to build Section Eight housing on land on Fischer Steele.

Conclusion:

This proposal greatly endangers the lives, the safety, and the economy of the families and children we wish to serve in Cordova.

There is a reason that the City of Memphis and Shelby County have not built public schools on land zoned as Heavy Industrial. This proposed Cordova property is a text book example for why that is the case: the likely existence of hazardous materials/chemicals in the land, daily heavy construction and delivery equipment on the roads, only two outlet roads to the busiest roadway in the county, more than doubling vehicle trips on a roadway network that is already receiving LOS grades of "E" and "F," and the bankrupting of Tennessee Shakespeare Company – a charitable organization that has served over 100,000 public high school students, military Veterans, and adjudicated youth in Memphis. The areas will also lose TSC's substantial economic impact in the area.

Request:

The Board should make a "Denial Recommendation" to the City on this Special Permit Use request.

Contact:

My phone number is 759-0604, and my email is danmccleary@tnshakespeare.org. Thank you.

NOTICE TO INTERESTED OWNERS OF PROPERTY (PLANNED DEVELOPMENT)

meeting in session in the Co 38103, on Tuesday,	public hearing will be held by the City Council of the City of Memphis, Tennessee buncil Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee at 3:30 P.M., in the matter of granting an application for a planned icle 9.6 of the Memphis and Shelby County Unified Development Code, as follows:
CASE NUMBER:	PD 2024-007
LOCATION:	7801 Fischer Steel Road
COUNCIL DISTRICTS:	District 2 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Memphis-Shelby County Schools
REPRESENTATIVE:	Cory Brady, Integrated Land Solutions
EXISTING ZONING:	Heavy Industrial (IH)
REQUEST:	New planned development to allow a new school
AREA:	+/-46.42 acres
RECOMMENDATIONS:	
Memphis and Shelby County	Division of Planning and Development: Approval with outline plan conditions
Memphis and Shelby County	Land Use Control Board: Approval with outline plan conditions
P.M. the City Council of the North Main Street, Memph changes; such remonstrance	City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 is, Tennessee 38103 to hear remonstrance's or protests against the making of such is or protests must be by personal appearances, or by attorneys, or by petition, and there if you wish to remonstrate or protest against the same.
THIS THE	<u> </u>
ATTEST:	JB SMILEY, JR. CHAIRMAN OF COUNCIL
CRYSTAL GIVENS CITY COMPTROLLER	
TO BE PUBLISHED:	



ANNA NACHMAN LP	AREN LAND DEV CO LLC	AREN LAND DEV CO LLC
720 LYNN ST #	7810 MORIARTY RD #	11814 STALLION LN #
HERNDON VA 20170	MEMPHIS TN 38018	HOUSTON TX 77071
AREN LAND DEV CO LLC	ARLINGTON MEMPHIS LLC	BALTON BROTHERS REALTY
7707 APACHE PLUME DR #	2 20TH ST #	7801 MORIARTY RD #
HOUSTON TX 77071	BIRMINGHAM AL 35203	MEMPHIS TN 38018
BAPTIST MEMORIAL HOSPITAL	BRAMBLES EQUIPMENT SERVICES INC	CHOATE CHRISTOPHER K & CYNTHIA L
350 N HUMPHREYS BLVD #	8450 W BRYN MAWE AVE #	820 HERBERT RD #
MEMPHIS TN 38120	CHICAGO IL 60631	CORDOVA TN 38018
COLEMAN LARRY E MARITAL TRUST AND	CORDOVA PROPERTIES LLC	CREWS INVESTMENT HOLDINGS LLC
6711 WILD BERRY LN #	4701 GLACIER BAY #	555 GREAT CIRCLE RD #
MEMPHIS TN 38119	COLLIERVILLE TN 38017	NASHVILLE TN 37220
EAST MEMPHIS INDUSTRIAL DISTRICT	FOCHT JOHN & KAREN	FOUR STATE STORAGE DST
820 HERBERT RD #	1579 LACEWING TRCE #	PO BOX 3666 #
CORDOVA TN 38018	CORDOVA TN 38016	OAK BROOK IL 60523
GAMEDAY HEALTHY KIDS FOUNDATION	GAMEDAY HOLDINGS LLC	H & M DEVELOPMENT LLC
140 E MULBERRY ST #	140 E MULBERRY ST #	7895 PLAYERS FOREST DR #
COLLIERVILLE TN 38017	COLLIERVILLE TN 38017	MEMPHIS TN 38119
HYNEMAN MILLER LLC	IBB HOLDINGS GP	INSOMNIA INC
820 HERBERT RD #	PO BOX 40642 #	5050 POPLAR AVE #
CORDOVA TN 38018	MEMPHIS TN 38174	MEMPHIS TN 38157
JUSTICE JOHNNY AND CAROL TRUST	KASHMIR EL 331	KISER'S FLOOR FASHIONS INC
830 HERBERT RD #	7989 FISCHER STEEL RD #	3050 WALNUT GROVE RD #
CORDOVA TN 38018	CORDOVA TN 38018	MEMPHIS TN 38111
NATIONAL RETAIL PROPERTIES INC	PGP PATRIOT 1 LLC (43.991%) AND	PGP PATRIOT 1 LLC (43.991%) AND
450 S ORANGE AVE #	141 S PROVIDENCE RD #	141 S PROVIDENCE RD #
ORLANDO FL 32801	CHAPEL HILL NC 27514	CHAPEL HILL NC 27514
ROSE MORSE W & MONICA W	ROSE MORSE W & MONICA W	RPM REAL ESTATE LLC
7142 BLUE GRASS LN #	7142 BLUE GRASS LN #	9411 SHADOW RIDGE CV #

GERMANTOWN TN 38138

CORDOVA TN 38016

GERMANTOWN TN 38138

SEVEN INVESTMENTS LLC 9160 HIGHWAY 64 RD # ARLINGTON TN 38002 SEVEN INVESTMENTS LLC SERIES 11 9160 HIGHWAY 64 # LAKELAND TN 38002 SMITH JARED C & ANNA E 6000 UPPER BRANDON PL # NORFOLK VA 23508

STAUF REALESTATE LLC 835 HERBERT RD # CORDOVA TN 38018 TAF PROPERTIES LLC 7790 FISCHER STEEL RD # CORDOVA TN 38016 TENNESSEE SHAKESPEARE CO 7950 TRINITY RD # CORDOVA TN 38018

WENCO PROPERTIES LLC 7910 TRINITY RD # CORDOVA TN 38018

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL Planning & Development | ONLY STAPLED | **DIVISION TO DOCUMENTS Planning & Zoning COMMITTEE:** 12/5/2023 DATE **PUBLIC SESSION:** 12/19/2023 **DATE** ITEM (CHECK ONE) X RESOLUTION X REQUEST FOR PUBLIC HEARING ORDINANCE ITEM DESCRIPTION: Resolution approving the right-of-way vacation of Lafayette Place located between E. Goodwyn Street and Lafayette Street, known as case number SAC 2023-004 SAC 2023-004 **CASE NUMBER:** LOCATION: Lafayette Place located between E. Goodwyn Street and Lafayette Street District 7 and Super District 9 – Positions 1, 2, and 3 **COUNCIL DISTRICTS: OWNER/APPLICANT:** CHICKASAW HOA **REPRESENTATIVE:** Cindy Reaves, SR Consulting, LLC **REQUEST:** Right-of-way vacation of Lafayette Place located between E. Goodwyn Street and Lafayette Street AREA: +/-0.348 acres **RECOMMENDATION:** The Division of Planning and Development recommended Rejection The Land Use Control Board recommended Rejection RECOMMENDED COUNCIL ACTION: Public Hearing Required Add to consent agenda requesting public hearing – December 5, 2023 Public hearing – December 19, 2023 **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED 11/9/2023 **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** Kendra Cobbs _____ 11/27/2023 PRINCIPAL PLANNER DEPUTY ADMINISTRATOR 11/27/2023 **ADMINISTRATOR** DIRECTOR (JOINT APPROVAL) **COMPTROLLER** FINANCE DIRECTOR **CITY ATTORNEY** CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN

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Memphis City Council Summary Sheet

SAC 2023-004

RESOLUTION APPROVING THE RIGHT-OF-WAY VACATION OF LAFAYETTE PLACE LOCATED BETWEEN E. GOODWYN STREET AND LAFAYETTE STREET, KNOWN AS CASE NUMBER SAC 2023-004

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, November 9, 2023*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SAC 23-004

LOCATION: Lafayette Place between E. Goodwyn Street and Lafayette Street

COUNCIL DISTRICT(S): District 5, Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: Cindy Reaves, SR Consulting, LLC

REQUEST: Right-of-way vacation

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

AREA: 0.348 acres

The following spoke in support of the application: Cindy Reaves, Stuart Frisch, Barton Lynch, Chelsey Savage, Jennifer Williams, Jarod Wilder, Chavanne McDonald, and Jeff Savage

The following spoke in opposition of the application: Lew Wardlaw, Julie Green, Allison, Crone, and John Joyner

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

The motion failed by a vote of 4-3-1 on the regular agenda.

Respectfully, Kendra Cobbs

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

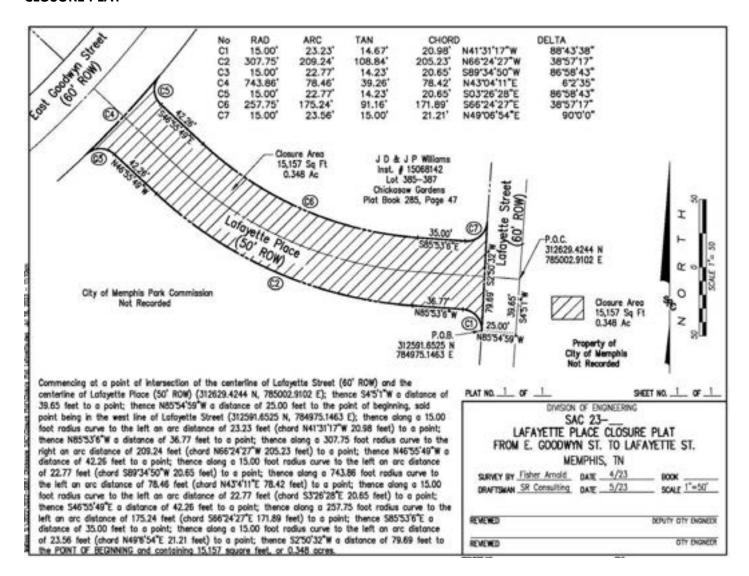
Cc: Committee Members

File

SAC 23-004 CONDITIONS

- 1. Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
- 2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
- 3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
- 4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
- 5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
- 6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
- 7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
- 8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
- 9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
- 10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
- 11. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
- 12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

CLOSURE PLAT



RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF LAFAYETTE PLACE LOCATED BETWEEN E. GOODWYN STREET AND LAFAYETTE STREET, KNOWN AS CASE NUMBER SAC 2023-004

WHEREAS, the City of Memphis is the owner of real property known as Lafayette Place right-of-way located between E. Goodwyn Street and Lafayette Street in Memphis, Tennessee and being more particularly described as follows:

Commencing at a point of intersection of the centerline of Lafayete Street (60' ROW) and the centerline of Lafavete Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°5'1"W a distance of 39.65 feet to a point; thence N85°54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayete Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the le □ an arc distance of 23.23 feet (chord N41°31'17"W 20.98 feet) to a point; thence N85°53'6"W a distance of 36.77 feet to a point; thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the le □ an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the le □ an arc distance of 78.46 feet (chord N43°4'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the le □ an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the le□ an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the le □ an arc distance of 23.56 feet (chord N49°6'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on November 9, 2023, and said Board has submitted its findings

and recommendation to the Council of the City of Memphis subject to the following conditions pertaining to SAC 2023-004:

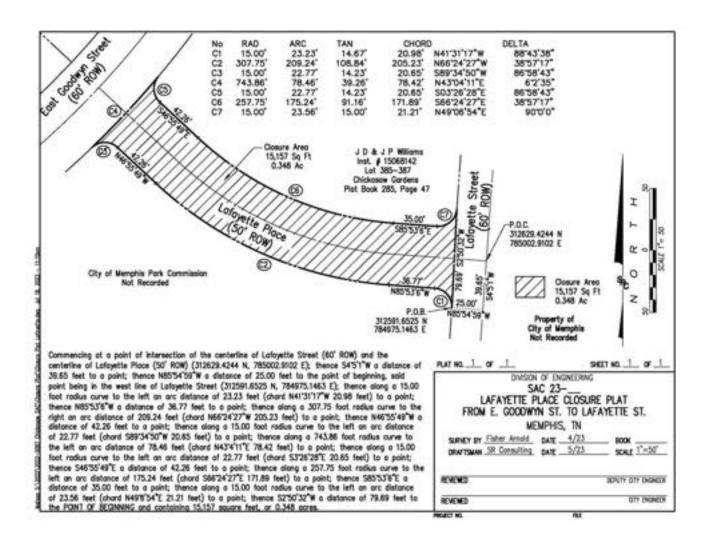
- 1. Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
- 2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
- 3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
- 4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
- 5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
- 6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
- 7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
- 8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
- 9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
- 10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
- 11. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
- 12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are

installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

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

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

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



ATTEST:

Cc: Division of Planning and Development – Land Use and Development Services
City Engineering – Land Development
City Real Estate

dpd STAFF REPORT

AGENDA ITEM: 15

CASE NUMBER: SAC 2023-004 L.U.C.B. MEETING: November 9, 2023

LOCATION: Lafayette Place between E. Goodwyn Street and Lafayette Street

COUNCIL DISTRICT: District 5 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: SR Consulting – Cindy Reaves

REQUEST: Right-of-way vacation of Lafayette Place located between E. Goodwyn Street and

Lafayette Street

AREA: +/-0.348 acres

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

CONCLUSIONS

1. The applicant is seeking to vacate the Lafayette Place public right-of-way located between E. Goodwyn Street and Lafayette Street.

- 2. A gate is proposed to be placed across Lafayette Place at the Lafayette Street intersection, while the opposite end of the right-of-way vacation would remain open.
- 3. The applicant's letter of intent states that the gate would be designed for emergency vehicle access only, or exit-only access if a clicker is purchased from the HOA. There would also be a bike and pedestrian gate that would stay open during daylight hours.
- 4. This request is companion to SAC 2023-005, which if granted along with the subject request, would limit neighborhood access to three points from Central Avenue.
- 5. While the stated reason in the application for the closure request is security of the neighborhood, staff disagrees that a SAC is the appropriate response. Closure on Lafayette Place, and Lombardy Road in the companion case, could negatively impact traffic flow for the over 300 residents and anyone else in the area visiting the public park or lake. Properties to the north exist almost a mile away from entrance to the neighborhood if Central Avenue were the only access.
- 6. The Public Works and Solid Waste Divisions have also expressed concerns that closure would impede service delivery.
- 7. Lastly, closure would inhibit access to a park and lake that when dedicated, intended access was achieved from multiple directions. Approved SAC applications in Chickasaw Gardens have further prohibited access to public amenities which is detrimental to the greater good.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 General Plan does not address right-of-way vacation requests.

RECOMMENDATION

Rejection

Staff Writer: Kendra Cobbs E-mail: Kendra.Cobbs@memphistn.gov

Staff Report November 9, 2023 SAC 2023-004 Page 2

GENERAL INFORMATION

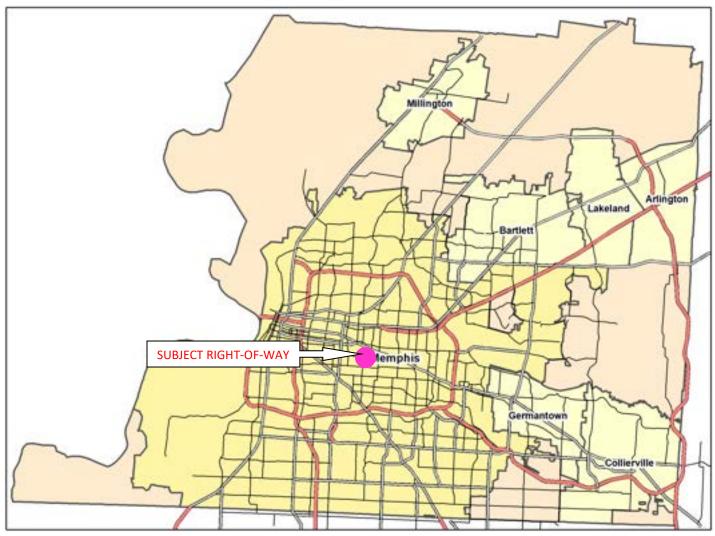
Zoning Atlas Page: 2035

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

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 71 notices were mailed on October 30, 2023, and a total of 2 signs posted on each end of the right-of-way to be closed and vacated. The sign affidavit has been added to this report.

LOCATION MAP

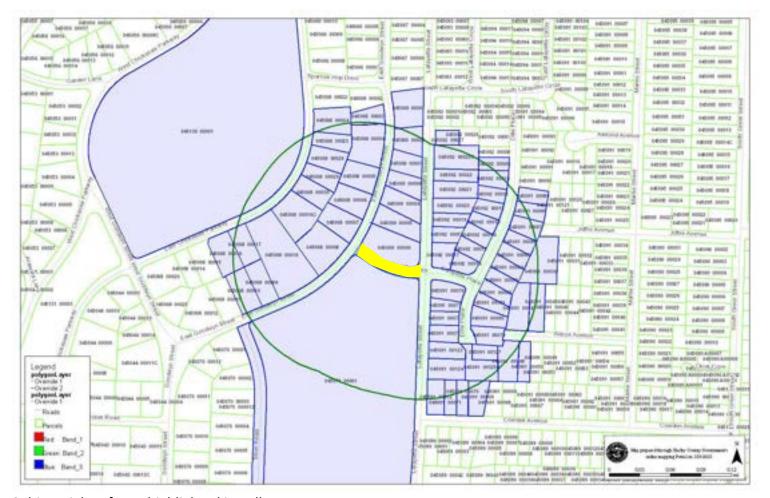


Subject right-of-way located within the pink circle, Chickasaw Gardens Neighborhood

CHICKASAW GARDENS (1926)



VICINITY MAP



Subject right-of-way highlighted in yellow

AERIAL



Subject right-of-way outlined in yellow

ZONING MAP



Subject right-of-way highlighted in yellow

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

Surrounding Zoning

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

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

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

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

LAND USE MAP



Subject right-of-way outlined in orange

SITE PHOTOS



View of access point where proposed gate would be placed from Lafayette Street looking west



View of access point opposite the proposed gate that would remain open from Lafayette Place looking northeast

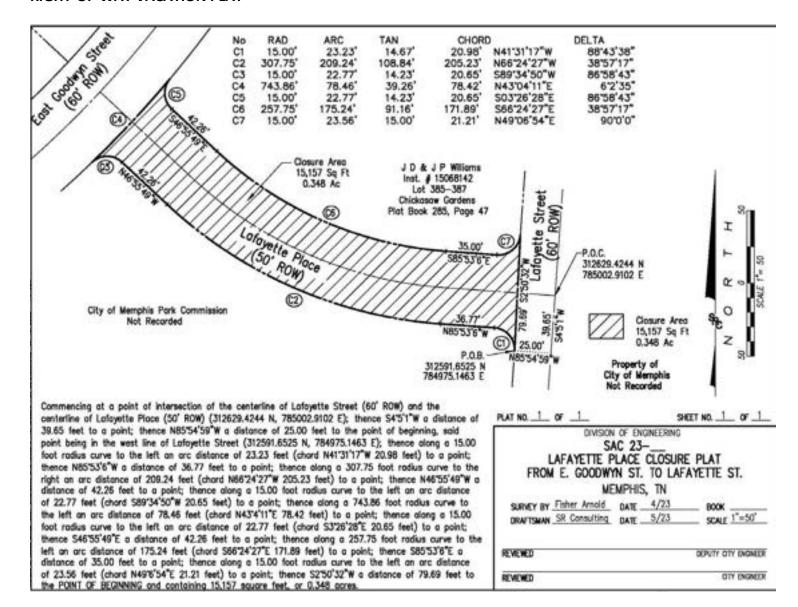


View of access point from E Goodwyn Street looking south



View of proposed right-of-way vacation on Lafayette Place looking east

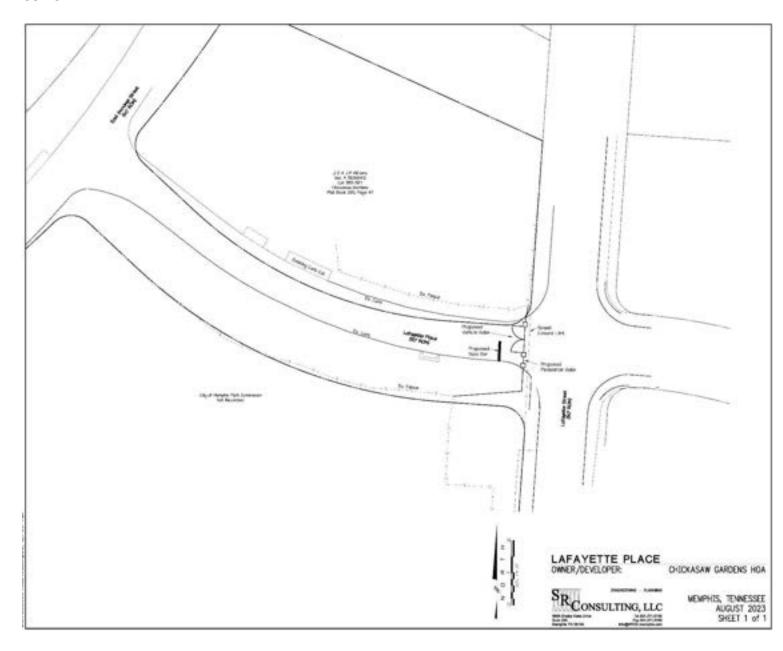
RIGHT-OF-WAY VACATION PLAT

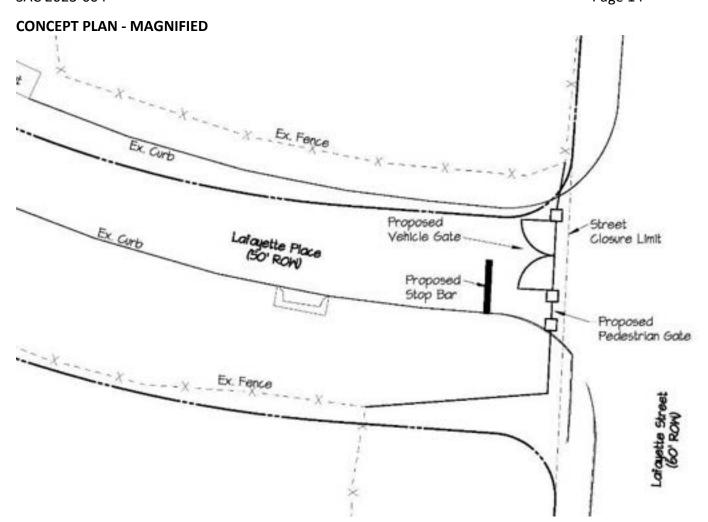


LEGAL DESCRIPTION

Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafayette Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°5'1"W a distance of 39.65 feet to a point; thence N85°54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the left an arc distance of 23.23 feet (chord N41"31"17"W 20.98 feet) to a point; thence N85"53'6"W a distance of 36.77 feet to a point; thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43*4'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85"53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°6'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

CONCEPT PLAN





SCHEMATIC GATE DESIGN



STAFF ANALYSIS

Request and Reason

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

The request is to vacate the Lafayette Place right-of-way located between E. Goodwyn Street and Lafayette Street. A wrought-iron and brick columned gate is proposed to be placed across Lafayette Place where Lafayette Street intersects (see pages 14-16); however, the opposite end of the proposed vacation where Lafayette Place intersects with E. Goodwyn Street is to remain open. The reason for the request according to the application is to allow the Chickasaw HOA to limit the access points in the neighborhood for more effective private security monitoring.

Site Description

The subject right-of-way is an east-west public street with a total area of +/-0.348 acres between E Goodwyn Street Street and Lafayette Street. It is platted within the Chickasaw Gardens Subdivision. A private single-family residential property abuts to the north, while Memphis Museum of Science and History/Pink Palace abuts to the south.

Conclusions

The applicant is seeking to vacate the Lafayette Place public right-of-way located between E. Goodwyn Street and Lafayette Street.

A gate is proposed to be placed across Lafayette Place at the Lafayette Street intersection, while the opposite end of the right-of-way vacation would remain open.

The applicant's letter of intent states that the gate would be designed for emergency vehicle access only, or exit-only access if a clicker is purchased from the HOA. There would also be a bike and pedestrian gate that would stay open during daylight hours.

This request is companion to SAC 2023-005, which if granted along with the subject request, would limit neighborhood access to three points from Central Avenue.

The Chickasaw Gardens neighborhood is a platted subdivision dating back to 1926. At the time of development, it was designed as a community of 462 lots and numerous access points existing throughout the development, including access from current major thoroughfares like Poplar Avenue and Central Avenue.

Overtime, the neighborhood has evolved into an eclectic mix of home and lot sizes. There have also been a number of street and alley closure (SAC) applications, the most notable ones being approved along Poplar Avenue in 1982.

One of the last SAC applications in Chickasaw Gardens was SAC 1990-023. It was for the same location as the current request. The Land Use Control Board recommended rejection, and it appears that the case was later withdrawn by the applicant.

A public park and lake are also located at the center of Chickasaw Gardens. These are public amenities that were dedicated when the neighborhood was developed and shown on the 1926 plat.

While the stated reason in the application for the closure request is security of the neighborhood, staff disagrees that a SAC is the appropriate response. Closure on Lafayette Place and Lombardy Road in the companion case could negatively impact traffic flow for the over 300 residents and anyone else in the area visiting the public park or lake. Properties to the north exist almost a mile away from entrance to the neighborhood if Central Avenue were the only access.

The Public Works and Solid Waste Divisions have also expressed concerns that closure would impede service delivery.

Furthermore, crime is an issue affecting all Memphians, but disconnecting from the public street network is not a sustainable remedy for crime prevention.

Lastly, closure would inhibit access to a park and lake that when dedicated, intended access was achieved from multiple directions. Approved SAC applications in Chickasaw Gardens have further prohibited access to public amenities which is detrimental to the greater good.

RECOMMENDATION

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

Conditions

- 1. Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
- 2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
- 3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
- 4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
- 5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
- The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
- 7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
- 8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.

- 9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
- 10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
- 11. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
- 12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

November 9, 2023 Page 19

DEPARTMENTAL COMMENTS

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

City Engineer: See comments as follows:

NAME: Lafayette Place closure Adjacent to 176 E. Goodwyn St; CHICKASAW GARDENS

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

Sewers:

2. No City sewer on Lafayette Place.

Street Closures:

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

City Fire Division: See comments as follows:

Date Reviewed: 11/4/23

Reviewed by: J. Stinson

Address or Site Reference: Lafayette Place

• 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).

 A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning: No comments received.

APPLICATION

Page 1 of 3



Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information Record Type: Street and Alley Closure (Right of Record Status: Assignment Way Vacation) Opened Date: August 4, 2023 Expiration Date: Record Number: SAC 2023-004 Record Name: Lafayette Place Closure Description of Work: Street closure of Lafayette Place between E. Goodwyn Street and Lafayette Street. Parent Record Number: Address: Owner Information Primary Owner Name Owner Phone Owner Address Data Fields PREAPPLICATION MEETING Name of DPD Planner N/A Date of Meeting Pre-application Meeting Type GENERAL INFORMATION E. Goodwyn Street Name of Street where closure will begin Name of Street where closure will end Lafayette Street Security of neighborhood What is the reason for the street closure?

SAC 2023-004

GENERAL INFORMATION

x fee)

Payment Information Payment Amount

\$410.40

WEWELVA?	INFORMATION						
What is closed?	What is the total area of the right-of-way being closed? What is the overall length of the street closure? Name of Street/Alley/ROW Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?			15157			
What is							
				Lafayette Place			
Constru				No -			
If yes, pl	If yes, please provide additional information						
	Is this application a time extension? RELATED CASE INFORMATION		No				
5 - 5 - 5 - 5 - 5 - 5 - 5 - 5	Previous Case Numbers gis information			•			
Central	Central Business Improvement District			No			
Case La	Case Layer			•			
Class	Downtown Fire District Historic District Land Use Municipality Overlay/Special Purpose District Zoning State Route			No -			
Downton							
Historic							
Land Us							
Municipa							
Lot							
Subdivision Planned Development District Wellhead Protection Overlay District			- - No				
Commet	mornia con						
Name					Contact	Type	
CHICKASAW HOA					APPL	ICANT	
Address							
Phone							
-							
Fee Inforr	mation						
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	
1491774	Right of Way	1	400.00	INVOICED	0.00	08/04/2023	
	Vacation/Closure Fee			The same of the sa			
1491774	Credit Card Use Fee (.026	1	10.40	INVOICED	0.00	08/04/2023	

Page 2 of 3 SAC 2023-004

Total Fee Invoiced: \$410.40

Method of Payment

Credit Card

Total Balance: \$0.00

LETTER OF INTENT



Date: August 2, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Lafayette Place Closure

Lombardy Road Closure

LETTER OF INTENT

Dedrick Brittenum and I are submitting two street closure applications for the Chickasaw Gardens Homeowners Association at Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive. The Chickasaw Gardens Neighborhood currently has five points of access. It has come to our attention from the security consultants and neighborhood that something must be done. The security company cannot control such a large neighborhood with this many access points. If we could limit the access to the three streets on Central Avenue, it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood. The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.

We have submitted schematic drawings of the proposed gates prepared by Blair Parker Design that should give a good feeling of the look we are proposing. The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access. The Lafayette Place gate will swing into Lafayette Place with a stop bar and sign to notify the car to stop for the gate to open and the Lombardy Road gate will slide to the north. These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue.

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

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County State of Tennessee

I. Kristin Reaves, being duly sworn, depose and say that at 10:06 am on the 20th day of October, 2023 I posted two Public Notice Signs pertaining to Case No. SAC 23-004 one at Lafayette St and Lafayette Place and one at Lafayette Place and East Goodwyn St. providing notice of a Public Hearing before the November 09, 2023 Land Use Control Board for consideration of a proposed Land Use Action (Street and Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or frental contract attached hereto.

TENNESSEE

Owner, Applicant or Representative STATE

Date

Subscribed and sworn to before the this

_, 20,23

Notary Public

My commission expires:

Staff Report SAC 2023-004 November 9, 2023 Page 25

LETTERS RECEIVED

57 letters of support and 65 letters of opposition were received at the time of completion of this report and have subsequently been attached.

From: <u>Stringfellow, Alex</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens - Proposed Gates

Date: Wednesday, November 1, 2023 9:39:51 AM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png image005.png image006.png



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

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

Kendra,

I hope you are doing well! I am reaching out this morning in support of the proposed gates in Chickasaw Gardens. My wife and I have lived in CG for 5 years and have a 7-year-old daughter and 5-year-old son. My family loves our neighborhood. The beautiful trees, historic homes and close community have made it a wonderful place to live and raise children the last few years. We also love Memphis! My wife is a residential real estate agent and I work in commercial real estate. We work to sell Memphis to people and companies daily, and it's one of the most rewarding parts of our jobs. Outside of work, I have been involved with the Urban Land Institute, Grizzlies Preparatory Charter School, MAAR, New Memphis Institute, & Mayor Luttrell's Young Professional Council.

Unfortunately, like many communities, we know there has been a struggle with crime in our area the last few years and we've had some incidents hit particularly close to home. Liza Fletcher is my son's godmother, and my wife is Liza's oldest son's godmother. Liza's tragic death not only rocked our family and friends, but it erased any illusion of safety we may have had when it comes to walking early in the morning or late at night. It pains me to say that because I love walking my dog early in the day and initially fell in love with CG 10 years ago when I was training for a half-marathon and my route used to go around the lake.

I am also a realist and understand installing gates won't fix crime. Any real fix is going to take time and collaboration among many within our community. But, gates will give my wife and many others a sense of security that they have not had felt in a year+. I also think the gates will be a major help in reducing the risk of vehicular issues. Chickasaw Gardens does not have sidewalks and there are a lot of windy roads that create blind spots for drivers and pedestrians. Whether it's someone running the lake or my kids riding their bikes together, I just want to keep the street safe and slow down traffic whenever possible. A prime example of this was on display last night for Halloween. We have a lot of neighbors with little kids, and we receive a lot of visitors on Halloween. There were probably 250+

kids running thru the neighborhood last night with no sidewalks and cars driving around bendy and confusing roads. Thankfully, there were no issues, but it is scary nonetheless knowing an accident can happen in an instant.

I understand there has been some criticism of these gates and I want to be clear my support has nothing to do with trying to restrict access to neighbors or the community at large. I want everyone to feel welcome and enjoy the park, lake, and tree lined streets. I just think we have an opportunity to continue providing access to the park, while improving pedestrian safety and hopefully lowering the risk of crime for homeowners.

I appreciate your consideration and time on this matter. If you have any questions for me, please let me know.

Thank you!

Alex

Alex Stringfellow

Vice President | Memphis alex.stringfellow@colliers.com

Direct: +1 901 312 4920 | Mobile: +1 901 489 3363

6363 Poplar Avenue, Suite 220 | Memphis, TN 38119 | USA







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From: Kenny Jabbour
To: Cobbs, Kendra

Subject: Chickasaw Gardens - Street Closures

Date: Thursday, November 2, 2023 7:47:28 AM



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attachments unless you recognize the sender and know the conten						
Kendra,						
I hope you are well.						
I am writing you today in support of closing off						
Lafayette St and Fenwick Rd.						
I walk daily in Chickasaw Gardens as well						
as jog 3-4 times a week.						
As you may know there are no sidewalks in Chickasaw						
Gardens which makes it a challenge navigating the						
traffic while walking/jogging.						
The closing off of the two streets would encourage other						
walkers/joggers/cyclist from surrounding neighborhoods						
to enjoy our historical neighborhood.						
Thank you						
Regards,						
Kenny Jabbour						

Kenny Jabbour

Jabbour Cotton Company, LLC

65 Union Avenue

Mezzanine Floor

Memphis, TN 38103

901-340-7530 tel

kenny@jabbourcotton.com



From: <u>Kate Trammell</u>
To: <u>Cobbs, Kendra</u>

Cc: worthmorgan@gmail.com; Carlisle, Chase; Canale, JFord

Subject: Chickasaw Gardens

Date: Wednesday, November 1, 2023 5:17:15 PM



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

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Dear Ms Cobbs,

My husband and I are longtime residents of Chickasaw Gardens and we support the proposal to gate Fenwick and Lafayette.

The neighborhood's interior traffic has increased in recent years. I believe this is due to Uber/Lyft drivers and also because of the abundance of deliverymen delivering packages in this day and age. Some are coming to Chickasaw Gardens but many are simply cutting through. Most of the deliverymen and ride share drivers are unfamiliar with our streets, and, in addition, are under time constraints. That makes their presence inherently dangerous. Not to mention that they are likely looking at screens to locate delivery/pickup addresses. Since we do not have sidewalks, this makes it hazardous for those walking and biking within the neighborhood. We have many children who play in their front yards or are riding their tricycles around the block and I am concerned for them also.

The point is, in order for the guards to effectively monitor the neighborhood, we need to reduce the number of entrances/exits. The 3 Central entrances would still provide several options for people that want to enjoy the lake, walk the streets or work in the neighborhood. Due to the lack of sidewalks, speeding and erratic driving are a problem for the children playing or adults walking in our neighborhood. Shootings and attempted robberies are a problem. We are not trying to keep everyday people out as much as we are trying to better monitor those who are unmindful of our pedestrians or those with criminal intent. We are trying to make our neighborhood safer.

I hope that we can count on your support of this proposal.

Kate

Kate Trammell

katetram@me.com

h 901.458.9311

c 901.550.1065

2870 Catawba Lane

Memphis, TN 38111

From: julie meeks
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Tuesday, October 31, 2023 5:08:54 PM



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

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Ms Cobbs,

I live at 211 Cherokee Drive Memphis, Tennessee and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Thank you, Julie Meeks

Julie Meeks 901.335.5853 Sent from my iPhone From: Jim Raines
To: Cobbs, Kendra
Subject: Chickasaw gardens

Date: Tuesday, October 31, 2023 2:45:29 PM



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I have lived in the neighborhood for 45 years and totally support the street closings to vehicle closings to assist in crime solutions and traffic safety. People from outside the neighborhood fail to honor speed limits and recognize the limits of sight due to the curves in every street. There is no need for entrance or exit from streets to be closed. Crime in and around the neighborhood is increasing.

Thank you and please accept the applications for the street closings Jim Raines 211 East Goodwyn Street 901.359.2110

Sent from my iPhone

From: Natalie B. Shy
To: Cobbs, Kendra

Cc: Colvett, Frank; Morgan, Worth; Canale, JFord; Carlisle, Chase; Warren, Dr., Jeff

Subject: Chickasaw Gardens Closure

Date: Wednesday, November 1, 2023 11:23:26 AM



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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.

Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette Pl @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo. The Memphis citizens that live outside of Chickasaw Gardens will still have access to walk animals or stroll through our neighborhood.

Thank you for considering my letter supporting the street closures in this matter.

Sincerely,

Natalie Bell Shy

From: Natalie B. Shy
To: Cobbs, Kendra

Cc: Colvett, Frank; Morgan, Worth; Canale, JFord; Carlisle, Chase; Warren, Dr., Jeff

Subject: Chickasaw Gardens Closure

Date: Wednesday, November 1, 2023 11:23:26 AM



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette Pl @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo. The Memphis citizens that live outside of Chickasaw Gardens will still have access to walk animals or stroll through our neighborhood.

Thank you for considering my letter supporting the street closures in this matter.

Sincerely,

Natalie Bell Shy

From: <u>Harris Jordan</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gate Advocate

Date: Tuesday, October 31, 2023 2:26:39 PM



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

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Kendra,

My name is Harris Jordan and I am writing to you today to express my support for the Chickasaw Gardens gates proposal and the LUCB's recommendation to pass this initiative.

I am a lifelong Memphian (5th generation), was raised in Midtown, and have lived in Chickasaw Gardens since 2015. My wife and I have two children ages 8 and 6, along with a baby due in March.

My wife and I love both the city and our neighborhood. With young children, we go on walks quite frequently. Without sidewalks in our neighborhood, watching for traffic while walking is a constant challenge, and dangerous at times. It's not just residents of the neighborhood who experience this, but a multitude of walkers who come from outside the neighborhood to enjoy the city park and streets.

It is my belief that the addition of gates should help curb some of the non-pedestrian traffic and make the roads and the city park safer for all to enjoy. I can't tell you how many times I have personally seen cars from outside the neighborhood going well over the speed limit, endangering pedestrians who are walking in the road.

As an added benefit, it should also help the neighborhood security guards patrol the neighborhood more effectively (by limiting the number of access points to monitor) which should increase the safety of the park from a criminal perspective. We have had numerous instances of very dangerous criminal activity in our neighborhood over the past year and want to do everything we can to keep our neighborhood as safe as possible for us and our children. Two different friends of ours had traumatic experiences with a home invasion and an attempted robbery that turned into attempted murder. Fortunately they are all ok but we have to do all we can to deter this type of activity.

The purpose of the gates is not to limit access to all the law-abiding citizens enjoying our neighborhood and the city park, but to keep everyone safer.

Thank you for the consideration and have a great day.

Sincerely, Harris Jordan 2941 Iroquois Rd. Memphis, TN 38111
 From:
 Neely Mallory

 To:
 Cobbs, Kendra

 Cc:
 Kate Mallory

Subject: Chickasaw Gardens Gate Review

Date: Tuesday, October 31, 2023 3:14:00 PM



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

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Ms. Cobbs -

My name is Neely Mallory, and my wife (Kate) and I are residents of Chickasaw Gardens. I write to you today in order to express our family's support of the efforts to gate portions of the neighborhood. We live on East Goodwyn Street only ~100 yards from the proposed gate at Lafayette Street. Despite the gate adding time to our commutes to and from home, our family supports the installation of this gate with all of our hearts.

Kate and I have 3 small children (ages 5, 3, and 1). These gates will make walking our streets and accessing our beautiful park and lake a much safer experience for not only our family but the many families both in and around our neighborhood. Limiting car traffic in certain areas will result in fewer incidents or close calls with pedestrians and encourage more outdoor activity. Without a doubt, you will see more people on the streets and kids playing in front yards with the reduced dangers that come with less vehicle traffic.

The best part - the gates accomplish this while not limiting access for walkers/joggers and/or those looking to visit the park and lake from outside the neighborhood in any way. Pedestrians will be able to enter at the gates without issue in the well-designed pedestrian access entrances. And those travelling to the park and lake by car will be able to enter at one of the three Central Avenue vehicle entrances which are well marked and better suited for vehicle access.

Please feel free to contact me with any questions whatsoever. Thank you for your consideration.

Neely Mallory 106 East Goodwyn Street Memphis, TN 38111 (901) 412-6082 From: **WILLIAM FRAZIER III** To: Cobbs, Kendra Subject:

Chickasaw Gardens Gate

Date: Wednesday, November 1, 2023 3:05:57 PM



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> Ms. Cobb,

>>

>> I wanted to contact you reguarding the gates for Chickasaw Gardens. I am for the gates as if people want to make our city better during these trying times I am all for it. Citizens of Memphis are trying to spend their money to make it a better place. That in and of itself says to me they are proud of Memphis and want to make it better one step at a time. Per the news reports I have seen the pedestrian gates are open for use from dusk til dawn which is the hours of the park being open as well. I feel like some people don't like change & unfortunately in this day and time people try to be the louder voice when in fact their facts are not always right. In this case they are trying to convey a message that this neighborhood is trying to keep other citizens out and from using a city park when in fact it is not true. This neighborhood is putting out resources to keep the park and streets they enjoy safe during a difficult and trying time for our city with crime.

- >> In summary, if Memphians want to make Memphis better, let's let them and maybe at some point the criminals will understand they are not welcomed any longer here.
- >> Thank you for your service and time,
- >> Will Frazier
- >> Proud Memphian

>>

>> Sent from my iPhone

From: <u>Jay McDonald</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gate

Date: Tuesday, October 31, 2023 9:01:54 PM



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Hello Ms. Cobbs,

My name Jay McDonald, and I am a resident of Chickasaw Gardens. I grew up in the neighborhood, moved away from Memphis to pursue my education, and moved home to raise my family here. Interestingly, I now live only a few doors down from my childhood home. I mention my history with the neighborhood in order to illustrate how I am in a unique position to see how we currently are in need of your and the city's help. Over the past few years, we have seen a large increase in crime in our neighborhood. We have tried to combat it by hiring an additional security guard and added additional security cameras. Unfortunately, the size, number of streets, and number of entrances into and out of the neighborhood make it difficult to adequately patrol and watch. We are trying to close off two of the five entrances in order to cut down on crimes of opportunity.

Our neighborhood is unique in that we have a park in the middle that is enjoyed by people from all over the city. As residents, we welcome its use and enjoyment by all. Unfortunately, the increase in crime has brought a population of cars that are not here to enjoy the park. I have watched people speed through the neighborhood and almost hit kids on bikes and people walking their dogs on several occasions. Once a car almost hit my kids after speeding away from stealing equipment from a lawn service. We believe that if we reduce the ingress and egress it would reduce this type of traffic. To be clear, we want everyone who comes into the neighborhood to enjoy the park to be safe.

This brings up another point. Some negative comments have been made that we are trying to close off or exclude people from the neighborhood. This is completely false. Our plans maintain pedestrian entrances for both gates, allowing for anyone in the surrounding neighborhoods to continue to walk into ours. We are also leaving three of the five entrances open and un-gated. Again, we simply wish to reduce the number of openings, not close off the neighborhood.

Our mission is to improve safety for residents and non residents alike. I hope you can help us with this plan so that this neighborhood and park can continue to be enjoyed by Memphians for generations to come. Thank you so much for your time and consideration.

Sincerely, Dr. Jay McDonald

From: Chip Luter
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gated Streets Proposal Date: Tuesday, October 31, 2023 2:31:04 PM



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Ms Cobbs, good afternoon, I hope you are having a good start to this chilly week. I live at 275 W Goodwyn St in Chickasaw Gardens and I am STRONGLY IN FAVOR of Gating Lafayette and Fenwick street entrances. There has been one homicide, multiple car break ins, home invasions, reckless driving, attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security, therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points which are convenient to contiguous neighborhoods. Every bit of extra safety helps not only our neighborhood, but those using the lake. Neighbors just outside CG will still be able to access the Lake by foot or by car. Please let me know if you have questions or would like to discuss. Thank you for your time.

Chip Luter 275 W Goodwyn St Memphis, TN 38111 214-909-9200 Cell From: Donnie Malmo
To: Cobbs, Kendra

Cc: Morgan, Worth; Canale, JFord; chase.carlisle@memphsitn.gov

Subject: Chickasaw Gardens Gates

Date: Tuesday, October 31, 2023 3:30:56 PM



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Good afternoon Ms. Cobbs,

I am writing to ask that you please give serious consideration to the gates that the Chickasaw Gardens Home Owners Association has proposed on Lombardy/Fenwick and Lafayette Pl/Lafayette St. I walk nearly every day in and out of Chickasaw Garden and most of the time with my three kids (8, 7, and 4 years old). The amount of cut-through traffic and joy riding in and around Chickasaw Gardens has to be at an all time high. Due to the neighborhood not having side walks, I have to continuously warn my kids and watch over them as they ride bikes due to the joy riders. These gates would greatly reduce the amount of cars that are just joy riding, and therefore, would make our streets a much safer place for my kids to be able to enjoy.

On a different note, speaking about safety, just this year I was out of town when I received frantic calls from my wife about shots fired directly outside of our house. I am sure you have heard plenty of the story about Alex Canale, so I don't need to go into detail about that. I returned home the next day to find four 9mm cartridges in my yard directly in front of where my car usually sits. After reviewing video footage from many of our neighbors, we were able to put a timeline of events together and verified that the car used in this crime entered the neighborhood off of Lafayette and left through Fenwick. This was not the first time criminals have used these two entrances. With video evidence, neighbors are beginning to realize that most of the criminals coming into Chickasaw Gardens are using these two entrances due to the ease of escape and ability to get back onto Poplar before most even know what has happened. If we were to gate these two entrances, we could then allow the security guards to efficiently watch who is coming in and out of the neighborhood during the early morning hours.

Our kids deserve to live in a neighborhood where they are safe whether it be from automobiles or criminals and the way to do that is to limit the number of street entrances. Please help us accomplish that for them.

Donnie Malmo

From: John Barton
To: Cobbs, Kendra

Subject: Chickasaw Gardens gates

Date: Thursday, November 2, 2023 10:42:50 AM



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Dear Kendra,

My name is John Barton and I am a resident of Chickasaw Gardens. I am writing to you today to express support for the road closures at the LaFayette and ace wick entrances to the neighborhood. I believe that these gates will help deter crime as well as improve pedestrian safety as we do not have sidewalks in the neighborhood. These gates will minimize automobile traffic and improve conditions for pedestrians.

Thank you, John Barton

From: <u>Stacey Hussey</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gates

Date: Wednesday, November 1, 2023 5:23:39 PM



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Ms Cobbs,

I live at 79 Lombardy Road in Chickasaw Gardens and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months. It has gotten so dangerous and we are currently looking to leave Memphis if we can't get crime under control. Sadly, we don't want to leave but might be forced too.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake.

Thank you for your time, Stacey Hussey 79 Lombardy Rd 38111 From: Adams, Scott
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gates

Date: Monday, October 30, 2023 12:40:02 PM

Attachments: <u>image001.png</u>



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Hi Kendra- hope this finds you well on this Monday. It is my understanding that the Land Use Control Board will be reviewing the gate proposal for Lafayette and Fenwick for Chickasaw Gardens next week. We live on East Goodwyn near the Lafayette entrance, and I wanted to send a note showing my support for the gates.

Thank you

Scott

Scott Adams, CFA

Senior Vice President

1000 Ridgeway Loop Road, Suite 200, Memphis, TN 38120

901.435.7943 (o) | 901.219.9161 (c)

scott.adams@fhnfinancial.com



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From: Tommy Farnsworth III

To: Cobbs, Kendra

Subject: Chickasaw Gardens gates

Date: Wednesday, November 1, 2023 7:35:55 AM

Attachments: pastedGraphic.tiff



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City of Memphis:

I reside at 146 E. Chickasaw Parkway in Chickasaw Gardens.

I encourage the City Council to approve the proposed street closures into and out of Chickasaw Gardens at Fenwick and Lafayette. As a neighborhood first developed 90 years ago or so, it was done so without sidewalks or particularly wide internal streets. Any structural change we can make that will limit the automobile traffic into and out of the neighborhood should be encouraged and implemented as to make it far safer for owners and their guests both in cars and on foot or bike. Further, it is undeniable that given the sharp rise in crime in our city, our privately funded guards will far better be able to monitor the ingress / egress of neighbors and visitors with fewer non-gated entrances.

Many thanks for getting this email into the right hands.

Tommy

Thomas C. Farnsworth III (901) 409-8300 Mobile t3@farnsworthco.com



From: Allison Luter
To: Cobbs, Kendra

Subject: Chickasaw Gardens security

Date: Tuesday, October 31, 2023 2:20:57 PM



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Ms Cobbs

I live at 275 W Goodwyn Street and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Allison Luter

From: Allison Luter
To: Cobbs, Kendra

Subject: Chickasaw Gardens security

Date: Tuesday, October 31, 2023 2:20:57 PM



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Ms Cobbs

I live at 275 W Goodwyn Street and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Allison Luter

From: Scott Warren
To: Cobbs, Kendra

Subject: Chickasaw Gardens Street Closures

Date: Wednesday, November 1, 2023 9:07:45 PM



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Hi Kendra,

My name is Scott Warren, and I live at 2915 Iroquois rd in the Chickasaw Gardens neighborhood. I wanted to voice my support for the gates and the resulting safety they would bring to all who utilize the neighborhood and park.

The neighborhood is a popular pedestrian destination for those who live in and around the area. I have increasingly noticed a pickup in cars trying to use the neighborhood as a cut through only to find that there are no outlets to their intended route. As a result, these cars typically end up driving at high rates of speed trying to get back out. There are no sidewalks in the neighborhood making these car encounters with speeding drivers very dangerous, especially for people like myself with young kids walking and riding bikes.

Overall, I believe these gates would limit the unnecessary cut-through traffic and provide all users of the neighborhood and park with a safer and more enjoyable experience while still providing adequate access. Thank you for your consideration.

Sincerely, Scott Warren From: Lee Powell
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Tuesday, October 31, 2023 3:35:48 PM



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Hello -

I do not live in Chickasaw Gardens but am supportive (VERY) of them being able to get the entrances they are proposing.

Thanks, Lee

Lee J. Powell, Jr.

Managing Director

Raymond James & Associates, Inc.

1100 Ridgeway Loop

Suite 500

Memphis, TN 38120

(901) 529-3774

(800) 774-7012

Lee.Powell@RaymondJames.com

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From: Collie Krausnick
To: Cobbs, Kendra

Cc: Worth Morgan (worthmorgan@gmail.com); Carlisle, Chase; Canale, JFord; veazey krausnick

(vk2875@gmail.com)

Subject: Chickasaw Gardens

Date: Wednesday, November 1, 2023 9:35:57 AM

Attachments: <u>image001.png</u>



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Ms. Cobbs,

I wanted to reach out in support of the two gates proposed in Chickasaw Gardens. I first want to say this in no way is to "keep people out" as there will be three open entrances off Central Ave.

I live at 152 Lombardy Rd., a street running through the neighborhood from Fenwick to Tishomingo. Being one of the longest straight stretches cars tend to speed, often times with people walking and children playing. Being an older neighborhood we do not have sidewalks for pedestrians.

Given the recent increase in crime our hopes are to create a deterrent making it harder for the criminal to get in and out of the neighborhood. Central is a busy street but Fenwick and Lafayette not so much. My understanding is one of the recent shootings on both Iroquois and Garden Lane were committed by a group of kids who entered off Lafayette and exited on Fenwick.

My wife and I have children and grandchildren who live in the neighborhood who are scared of speeding cars, crime, and disruption this all causes. We feel strongly that gating the two less frequently used entrances will make it easier for our security guards to monitor traffic hoping to alleviate crime and make safer for all.

Thanks for your leadership and consideration. Feel free to reach out to me if I can help in anyway.

Collie Krausnick

Collie Krausnick

Senior Managing Director

Raymond James & Associates, Inc. T 901.529.5321 // 800.774.1872 1100 Ridgeway Loop Rd., 5th Floor

Memphis, TN 38120

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From: Boyd Wade
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Wednesday, November 1, 2023 5:17:45 PM



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Ms. Cobbs:

My name is Boyd Wade, my wife, Lucy, and I live at 2896 Natchez Lane in Chickasaw Gardens. We live in my grandparents' home built around the 1930s. I am the 3rd ever owner of this home. I am also head of the security on the board of trustees in Chickasaw Gardens. I grew up in Central Gardens and am a lifelong Memphian. I am currently 60 years old. I share my information with you and the city council so that you understand my perspective.

Our goal at Chickasaw Gardens is to make the neighborhood safer for everyone, residents and nonresidents. Since we do not have any sidewalks, cars are dangerous to our walkers, joggers, and bikers. By limiting access of cars to our streets we believe that we will make it safer.

I remember when my daughter, Larson was 9 years old, out playing in the neighborhood with her friends. She came home that night a described to me how she was almost run over by a car that did not see her. I am sure there have been many close calls. Not too many years ago we had a lady on a bike hit by a car on Tishomingo. She survived but we injured.

We do not want to limit our neighbors that live outside the neighborhood. They can come in via the Central access points and continue to enjoy the streets and the park. The only difference is that they to will be safer.

Thank you for your consideration for this effort to close Lafayette and Lombardy at Fenwick.

A. Boyd Wade, III, CPA

Financial Consulting Group, LLC

Life Insurance Specialist/Director of Bank Relations

9040 Garden Arbor Drive, Suite 206

Germantown, TN 38138

Cell: 901-619-4876

Office-Direct: 901-259-3066

www.fcgtn.com

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From: Lane Whitehead
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Thursday, November 2, 2023 9:34:46 AM



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Ms Cobb,

Good morning! I am a long time Chickasaw Gardens resident and strong Memphis cheerleader. I believe we have a great city with an incredible community of doers and givers and just good people.

One of my favorite activities is my daily walk. I love the fresh air and the smiles or nods from the people I encounter. One of my not favorite activities is dodging the cars that zoom through. Our neighborhood does not have sidewalks and the streets are often curved so it does make the walking somewhat treacherous. The park in the center of the neighborhood is a draw and a welcome relief for our neighborhood but also for many of the surrounding neighborhoods. We currently have six egress points and are proposing to close two of those to vehicular traffic.

It is my belief that the proposed street closures would help reduce pass through traffic and casual drivers who are unfamiliar with the warren of streets and looking for a quick way to Central Avenue or Poplar Avenue. Daily I have encountered drivers who are frustrated and speeding through the neighborhood. In addition to the exercise walkers, we have younger kids, older residents, strollers, bikers, dog walkers and other people enjoying the area. These frustrated speeding drivers are a threat to all. Closing the peripheral entrances would help direct the vehicle traffic to the main streets, making the pathways more clear and direct. Closure would also help decrease the overall vehicle traffic which will increase safety for all users.

As proposed, the method of closing the two entrances would allow for well lit, pedestrian access to the lake, park and safer streets for recreation. Residents from neighboring areas may continue to access the park and lake as they do now, by bicycle, walking, strolling or running. Vehicular traffic will have access from three entrances on Central Avenue, which will make the pathway to the lake and park much more direct.

It is my hope that the street closure proposal is approved as presented. I believe our neighborhood and all surrounding neighborhoods would benefit.

Sincerely,

Lane Whitehead

Lane Southern Whitehead 901.634.0391

From: L. Madison Michael II
To: Cobbs. Kendra
Subject: Chickasaw Gardens

Date: Tuesday, October 31, 2023 2:13:47 PM



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Dear Ms. Cobbs,

I am writing you in support closing the Lafayette and Fenwick entrances in Chickasaw Gardens in midtown Memphis.

I have three teenage boys and a wife. The amount of traffic that comes through the neighborhood has increased exponentially over the last several years. The automobiles seem to be just wandering through without visiting a home or a person. They typically drive over the speed limit and seem reckless. This worries me when it comes to the foot traffic and the children in our neighborhood. It is only a matter of time until someone gets hurt. Closing the 'extra' entrances will address this issue and make the neighborhood a much safer one. In addition, it should also address crime issues which all neighborhoods have seen an uptick.

Please help our neighborhood become a safer one. Thank you for your attention to this matter.

Best regards,

Madison Michael 2921 Iroquois Rd Memphis, TN 38111 From: <u>Stephanie Allbritten</u>
To: <u>Cobbs, Kendra</u>

Subject: Fwd: Chickasaw Gardens gates

Date: Wednesday, November 1, 2023 12:21:18 PM

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Hi Kendra,

Just wanted to send my e mail again, to remind you of my concerns and hopefully see how 2 additional gates would help with safety issues in our neighbors (Chickasaw Gardens).

I greatly appreciate your help in this matter.

Hoping it will pass and we can all move on and feel safer in the place we call home.

Sincerely, Stephanie Allbritten

Sent from my iPhone

Begin forwarded message:

From: Stephanie Allbritten <stephallb@yahoo.com>

Date: August 17, 2023 at 9:54:15 PM CDT

To: Kendra.Cobbs@memphis.gov Subject: Chickasaw Gardens gates

Hi Kendra.

I am a resident of Chickasaw Gardens for 23 year. I moved in my home on Cherokee Drive after my husband passed. I felt safe living alone for many years, but for the past few years and especially after the break ins, car jacking and my neighbor being followed in by a suspicious car tailgate her all the way home and the man that was shot at and attempted robbery in his own driveway one street over from me, I do not feel safe any longer, but refuse to move from my home that I love.

I never walk alone in my neighborhood any longer which is frustrating to think I can't, in fear of being attacked.

I still think of sweet Liza Fletcher and what her last few minutes of her life must have been. It haunts me.

Her parents lived a few blocks over form me. They have moved.

The people that have opposed our gates , use the excuse that the Lake is public and they would have to enter on Central, that is such a lame excuse to not have our gates . So come in on Central.

We are only asking to close 2 entries so the guard can monitor the cars that come in , more closely.

Please help us get our 2 gates so I/we especially women, can feel somewhat safer knowing we can walk alone in our neighborhood and get back to our homes safely.

Thank you for taking the time to read my email.

Sincerely, Stephanie Allbritten

Sent from my iPhone

From: <u>dee dee pera</u>
To: <u>Cobbs, Kendra</u>

Subject: Fwd: Closing of Fenwick And Lombardy 38111

Date: Thursday, November 2, 2023 4:09:30 PM



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Begin forwarded message:

From: dee dee pera < dd.pera@gmail.com >

Subject: Closing of Fenwick And Lombardy 38111

Date: November 2, 2023 at 3:48:56 PM CDT

To: Kendra .cobbs@memphistn.gov

Ms Cobbs,

I am Dee Dee Bryan, my husband, Larry and I live at 191 Cherokee Drive in Chickasaw Gardens. We are strongly in favor of closing Layfayette and Fenwick Street entrances. Our neighborhood has had one homicide, shootings, attempted murder and several home invasions in the last 13 months. We have even found bullet casings in our driveway!

It is imperative for our neighborhood to have added security. Therefore we strongly support having gates added to Lombardy and Fenwick entrances. This leaves 3 remaining PUBLIC access points to our lake area and neighborhood. It does however cut down on the easy exit onto Lombardy and Fenwick. I have personally witnessed a car driving in our neighborhood looking into cars parked on the street. When I alerted security they quickly exited onto Fenwick. Having these side exits closed will cut down on this type of crime.

Thank you for your time.

Dee Dee and Larry Bryan 191 Cherokee Dr From: Pam hill
To: Cobbs, Kendra
Subject: Gates needed!

Date: Tuesday, October 31, 2023 6:21:42 PM



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Every week my lawn guy has to back his truck into our driveway because guys drive around the neighborhood looking for their equipment to steal. They are armed and will shoot. My lawn guy has witnessed this in our neighborhood. There are so many examples of girls jogging and walking in the neighborhood and guys in cars stopping them. I've totally stopped walking except close by. We live on the corner of East Chickasaw pkwy and Goodwyn. Countless cars speed thru the stop sign. Just pulling into my driveway after dark is risky unless your garage door and gate close quickly.

Pam Hill 901.834.1545 From: Shibahn Singh
To: Cobbs, Kendra

Subject: In favor of Chickasaw gardens gates!

Date: Wednesday, November 1, 2023 2:48:53 PM



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Ms Cobbs,

Good afternoon!

I live at 270 W Goodwyn St, Memphis TN 38111. and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

We have two young children and am terrified to live here right now. We have had speeding cars come close to hitting them when they play outside multiple times. We don't have sidewalks in our neighborhood.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. We will have pedestrian access at those points, just closing access at these 2 points to cars.

This leaves 3 remaining public access points.

Every bit of extra safety helps not only our neighborhood but those using the lake.

Those who oppose the gates have trivial reasons (compared to the safety of our lives) for their opposition.

Thank you for your time.

Shibahn Rodda (901) 484-7563

From: Emily Lowrance
To: Cobbs, Kendra

Subject: In Favor of gates in Chickasaw Gardens

Date: Wednesday, November 1, 2023 5:32:10 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender elowrance5@gmail.com

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Dear Ms. Cobbs,

My husband and I live on Arawata Lane in Chickasaw Gardens. I write to you to express our support for the gates proposed at the entrances of Fenwick and Lafayette.

This neighborhood was designed with no sidewalks and when for example we are strolling our two year old grandson, we are often surprised and scared of speeding cars and trucks.

We feel that closing the two side street entrances will reduce pass-through traffic that will help protect walkers, joggers, children skating as well as bikers of all ages.

We appreciate your consideration.

Sincerely, Emily and Charlie Lowrance

Sent from my iPhone

From: lmagness@me.com
To: Cobbs, Kendra

Cc: Swearengen Washington, Jana; Colvett, Frank; Johnson, Cheyenne; Morgan, Worth; Ford Sr., Edmund; Warren,

Dr., Jeff; Canale, JFord; Robinson, Patrice; chase.carlilse@memphistn.gov

Subject: In support of Chickasaw Gardens street closures

Date: Tuesday, October 31, 2023 3:54:26 PM



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I write in support of the request by the Chickasaw Gardens Homes Association to close two of its six entrances to vehicular traffic. As a lifelong resident of the neighborhood, I believe that the proposed closures are important to preserve the safety and security of a historic neighborhood that remains a tremendous asset in the core of the city. Chickasaw Gardens is uniquely positioned in Memphis as a residential neighborhood that completely surrounds a public park. The neighborhood was developed with no sidewalks, where pedestrian and vehicle traffic must share the streets of the neighborhood. Reducing vehicular traffic is important for the ongoing safety of all users of the neighborhood, whether they are homeowners, residents of the area, or visitors to the park.

I believe that the proposed closure of the entrances at Fenwick and Lafayette is a pro-active measure that will reduce pass-through traffic in the neighborhood, which has noticeably increased in recent years with the growing popularity of ride sharing and the home delivery of packages, groceries, and meals. For unfamiliar drivers, closure of the secondary entrances will make ingress and egress to the neighborhood more clear and direct from Central Avenue, from which drivers would have to traverse anyway. Many of these drivers are hurried or under time constraints, and are often not observant of the children and families with whom they share the neighborhood streets. Reducing the vehicular traffic will benefit and protect the residents of the neighborhood, and will also increase the safety of all who use the area for walking, running, recreation, and access to the park.

Contrary to the criticisms of some residents of adjacent neighborhoods, these closures WILL NOT restrict the ability of anyone to access the neighborhood in any way that they are legitimately using the streets of the neighborhood today, other than to reduce pass through vehicular traffic. Clearly available and well-lit pedestrian/bicycle gates have been incorporated in the designs to allow for continued access to the neighborhood for those in adjacent neighborhoods, and any vehicle traffic will continue to have easy and unimpeded access to the neighborhood from multiple streets directly from Central.

As affirmation of the support for these proposed closings, a documented vote of the homeowners has verified that over 90% of the residents – those most affected by their implementation – are in

favor of the proposals. Emergency services has also reviewed and approved the plans. Approval should not be controversial in any way.

Closing of the proposed entrances is important to safety and viability of multiple city assets, and it is my sincere hope that you will support these proposals.

Lon Magness

10 Tishomingo Cove

Memphis, TN 38111

From: Richard L Morrow
To: Cobbs, Kendra

Subject: IN support of closing the Lafayette and Fenwick entrances ...

Date: Tuesday, October 31, 2023 1:51:45 PM



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Ms Cobbs

I live at 155 E Goodwyn, Memphis TN 38111 and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. I have had one homicide on my street and one attempted homicide a few streets over. All in the last 15 months. Liza Fletcher was my cousin who grew up two doors down. I won't even go there.

IMO we need more safety in our neighborhood and in Memphis in general. Every bit of extra safety helps.

Regards

RLM

Richard L Morrow 901-489-1842 richardlmorrow@gmail.com
 From:
 Jeff Savage

 To:
 Cobbs, Kendra

 Cc:
 Chelsey Savage

Subject: LUCB November Meeting - Chickasaw Gardens Vehicle Gates

Date: Wednesday, November 1, 2023 1:13:46 PM



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Kendra,

I am writing you today in support of the request to gate the LaFayette and Lombardi entrances to Chickasaw Gardens that is on the docket for the November Land Use Control Board meeting on November 9th.

Vehicular traffic, speeding and crime has made our neighborhood (without sidewalks) very dangerous and it is a traditionally pedestrian-friendly neighborhood. Given the high number of pedestrian deaths in Memphis in recent years (and this year), we respectfully request the Land Use Control Board give a recommendation to City Council in favor of this safety measure.

As you have seen from our detailed report and the findings of Memphis Fire as well as the Office of Planning and Development Public Right of Way research, we will have pedestrian gates at LaFayetee and Lombardi and keep all entrances to the neighborhood for traffic public at the Central Avenue entrances.

This is a pedestrian safety measure that will reduce cut-throughs of vehicles and increase safety and hopeful reduce the chances of a pedestrian incident involving a vehicle.

As I live on Robin Road, this has a high potential of increasing traffic on my street given that we back up to Central Avenue (cars that are lost, vendors that need to turn around and get out, etc), but my family and I recognize it is for the greater good of our community and the City and that is why we are in favor of this.

Please confirm receipt of this email and I appreciate your support.

Sincerely,

Jeff & Chelsey Savage

Jeffrey C. Savage

Vice President, Partner

Metro Construction

Celebrating 40 Years of Quality Construction, Exceptional Service

jeff.savage@metro-gc.com

(901) 215-6567 (cell)

From: Walter Edge
To: Cobbs, Kendra

Date: Thursday, November 2, 2023 8:41:30 AM



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2948 iroquios rd

WE VOTE TO CLOSE

From: Christopher M. Malone
To: Cobbs, Kendra

Subject: Memphians Writing in Support of Gating Side Streets into Chicakasaw Gardens

Date: Tuesday, October 31, 2023 2:46:15 PM



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October 31, 2023

The Honorable Kendra Cobbs kendra.cobbs@memphistn.gov 125 N. Main Street Memphis, TN 38103

Dear Kendra Cobbs,

We are writing to express our we are in <u>full support of gating the entrances to Chickasaw</u> <u>Gardens at Fenwick and Lafayette</u>.

We are proud Memphians. We love our city and our neighborhood. Unfortunately, despite our HOA's and city's best efforts to provide safety, we no longer feel safe in our neighborhood. In the last year, we've experienced 2 home invasions (both while we were sleeping), multiple instances of people entering our property late at night while masked and dressed head-to-toe in black, we've watched crimes happen in front of our house and cars flee out the side entrance at Lafayette, and recently one of our close friends was car-jacked and almost murdered in our neighborhood. These experiences are clearly not unique to us, it is pervasive. Any encounter with a Memphian these days results in a conversation about crime and how people do not feel safe.

While the city and county do their part to fix these issues, our neighborhood is looking at what we can do to improve a sense of safety and keep residents from fleeing. Our HOA has taken this seriously and hired a security consultant and created a security council. They are acting on the recomendations of this group and have started taking action implenting several changes. One recomendation in particular is to limit entrances (for cars) to the neighborhood to the 3 main entrances on Central Avenue. The HOA pays for security that benefits both our residents and the many people who walk our neighborhood and park. Unfortunately, the security guards are inhibited in their ability to do their job due to cars entering/exiting from side streets. Given the unique contours of our neighborhood's streets all being extrely curvey, it is impossible for our security guards to manage this. As such, the HOA has smartly decided to put gates at two side entrances (at our own expense), as has been done at 4 other entrances in the past. These gates will have open pedestrian entrances, so our neighboring neighborhoods can still walk to Chickasaw Gardens -- we want them to come and walk here! Car traffic will still have the three entrances on Central, which are very close to the two entrances HOA proposes to gate (less than .4 mi).

This will allow our security guards to create a safer environment for anyone who visits Chickasaw Gardens, including the many non-residents who walk our street and visit the park. With so many people nervous to be outside in Memphis these days, this will be an especially great benefit for all of us. Our friends in nearby neighborhoods (who regularly come here to run for that reason) also

support this.

We previously lived in New York City, which is unfortunately a place where government makes life difficult for all its citizens. It has been refreshing to come back to Memphis, TN where this is not the case and where government still believes in serving the public. We're grateful to live in a place with a city government willing to help our neighborhood improve and enable public safety without creating unnecessary bureaucracy and red tape. This is why we believe in TN and believe this city will rise from its current challenges and get back on the path of growth and prosperity.

Sincerely, Christopher and Lauren Malone

181 East Goodwyn Street Memphis, TN 3811 From: Ashley Adams
To: Cobbs, Kendra

Subject: PRO GATE- CHICKASAW GARDENS

Date: Thursday, November 2, 2023 11:29:44 AM

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Hi Kendra,

I am writing again in support of the gate at LaFayette and East Goodwyn (where I am a resident) and at Fenwick and Lombardy.

We had had an incident two weeks ago when one of the guys running from the police came and rang our door bell multiple times at 2am. My husband and I and our 3 year old were all unnerved. There is video footage of someone on foot hiding from the police in neighbors yards and running through the streets once they had passed (he entered on Layfayette). I believe the gates would help restrict access and make it easier for law enforcement if something like this happens again.

Not only will it make our neighborhood safer from crime for BOTH residents and non-residents, it will also make those enjoying the neighborhood and park safter from car traffic. People ZOOM in and out of our neighborhood from LaFayette and Fenwick making it dangerous for those walking, running, biking, and walking dogs. Many bring their dogs and small children to stroll through our neighborhood park since we provide security guards, so I think it would benefit ALL neighbors to also have less car traffic. The car traffic can be more easily monitored if there are less driving entrances.

I have talked to many residents that live outside of the neighborhood (mostly in the Joffre area) who have been in support of the gate, especially since there will be pedestrian access. It makes them feel more secure coming to enjoy the streets of Chickasaw Garden. It will bring more value to the park.

Most of the opposition to the gates are those that are uninformed or misinformed and think there is no access for pedestrians. Once that is addressed, most change their minds. I believe that is important to note as well.

Thank you for your consideration.

Ashley Adams 98 East Goodwyn Street From: <u>Ellen Morrow</u>
To: <u>Cobbs, Kendra</u>

Subject: Pro Gates on Fenwick & Lafayette

Date: Tuesday, October 31, 2023 2:24:52 PM



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Ms Cobbs

I live at 155 East Goodwyn, Memphis TN, and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security. Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Sincerely, Ellen Morrow

Sent from my iPhone Ellen Morrow From: Neely Mallory III

To: Cobbs, Kendra

Subject: Proposed Chickasaw Gardens gates on Fenwick and Lafayette

Date: Thursday, November 2, 2023 11:01:00 AM



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Ms. Cobb,

Chickasaw Gardens has been my home for nearly 40 years. I write in support of the request by the Chickasaw Gardens Homes Association to close two of its six entrances to vehicular traffic. I believe that the proposed closures are important to preserve the safety and security of a historic neighborhood that remains a tremendous asset in the core of the city. Chickasaw Gardens is uniquely positioned in Memphis as a residential neighborhood that completely surrounds a public park. The neighborhood was developed with no sidewalks, where pedestrian and vehicle traffic must share the streets of the neighborhood. Reducing vehicular traffic is important for the ongoing safety of all users of the neighborhood, whether they are homeowners, residents of the area, or visitors to the park.

I believe that the proposed closure of the entrances at Fenwick and Lafayette is a pro-active measure that will reduce pass-through traffic in the neighborhood, which has noticeably increased in recent years with the growing popularity of ride sharing and the home delivery of packages, groceries, and meals. For unfamiliar drivers, closure of the secondary entrances will make ingress and egress to the neighborhood more clear and direct from Central Avenue, from which drivers would have to traverse anyway. Many of these drivers are hurried or under time constraints, and are often not observant of the children and families with whom they share the neighborhood streets. Reducing the vehicular traffic will benefit and protect the residents of the neighborhood, and will also increase the

safety of all who use the area for walking, running, recreation, and access to the park.

Contrary to the criticisms of some residents of adjacent neighborhoods, these closures WILL NOT restrict the ability of anyone to access the neighborhood in any way that they are legitimately using the streets of the neighborhood today, other than to reduce pass through vehicular traffic. Clearly available and well-lit pedestrian/bicycle gates have been incorporated in the designs to allow for continued access to the neighborhood for those in adjacent neighborhoods, and any vehicle traffic will continue to have easy and unimpeded access to the neighborhood from multiple streets directly from Central.

As affirmation of the support for these proposed closings, a documented vote of the homeowners has verified that over 90% of the residents – those most affected by their implementation – are in favor of the proposals. Emergency services has also reviewed and approved the plans. Approval should not be controversial in any way.

Closing of the proposed entrances is important to safety and viability of multiple city assets, and it is my sincere hope that you will support these proposals.

Regards,

Neely Mallory

From:Ragsdale, BrettTo:Courtney MurrahCc:Cobbs, Kendra

Subject: RE: Chickasaw Gardens Proposed Gates
Date: Tuesday, August 22, 2023 9:24:34 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,

?

Brett Ragsdale, AIA

Zoning Administrator Division of Planning and Development 125 N. Main, Ste. 468 Memphis, TN 38103 Phone: 901-636-6619

Email: brett.ragsdale@memphistn.gov



Visit our website

From: Courtney Murrah <cwmurrah@yahoo.com>

Sent: Tuesday, August 22, 2023 7:09 PM

To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>

Subject: Chickasaw Gardens Proposed Gates

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To Whom it May Concern,

I'm writing in support of the proposal to add gates at Lombardy/Fenwick Street and at Lafayette Place/Lafayette Street.

There are currently 5 streets open to vehicular traffic into and out of the Chickasaw Gardens neighborhood. This many points of egress for car traffic makes the neighborhood vulnerable to crime as it is easy for criminals to zip out of the neighborhood undetected after committing an offense. The security guards hired by residents cannot effectively cover five exits, but closing the 2 side exits and directing all vehicular traffic to the 3 Central Avenue access points would allow the security guards to more effectively patrol the neighborhood and limit options for those hoping to commit crime and exit hastily. Not only would limiting car traffic to 3 main streets deter criminals and help provide security for those who live and

exercise in the neighborhood, but it would also lessen some of the cut-through traffic on the streets, which have no sidewalks and can be dangerous for walkers and bikers.

The closure of these two side streets would leave as-is the 3 primary streets off of Central Avenue completely open for the public to access the neighborhood, the park and the lake. These three main arteries into and out of the neighborhood from Central onto Goodwyn, East Parkway and West Parkway provide the most direct routes to the public park and lake. At the two side access points where gates are proposed, pedestrian gates would be added so that neighbors to the east and west can continue to walk and bike in the neighborhood and enjoy visiting the park and lake as they always have. These pedestrian gates would be open during park hours, posted by the city as "dawn to dusk."

There has been vocal public opposition to the proposal, most of which seems to be based on incorrect information being disseminated to the public. News stories and social media posts have created sensationalistic headlines with the false statements that the neighborhood is closing its main entrances, gating itself completely, or keeping the public from accessing the public park, lake and streets. A flyer featuring false information has been distributed to those in surrounding neighborhoods urging them to protest. That incorrect information is intended to generate an emotional response from members of the public, who have been misled to believe that the residents of Chickasaw Gardens want to keep the public out of the neighborhood. In fact, the three main streets that would remain open for cars would provide as many access points to Chickasaw Gardens Lake as are available to access Overton Park Lake, Audubon Park Lake and Shelby Farms Lake, if not more.

In reality, Chickasaw Gardens has proposed a plan to allow complete public access to the neighborhood by creating 3 main entrances for auto traffic and two side pedestrian entrances for foot and bike traffic, while making the streets and neighborhood safer for all residents and members of the public to enjoy. I hope the Land Use and Control Board will consider that much of the opposition to the proposal is based on incorrect information about what is being proposed. There are many others who have expressed support for the plan, as well, but may not take steps to do so formally. If the proposal is passed, the issue will long be forgotten as all citizens of Memphis continue to enjoy the neighborhood as they always have, hopefully in a safer environment.

Thank you for your consideration.

Sincerely,

Courtney Murrah 2887 Catawba Lane Memphis, TN 38111 From: Ragsdale, Brett

To: <u>Jennifer James</u>; <u>Cindy Reaves</u>

Cc: Cobbs, Kendra

 Subject:
 RE: Chickasaw SAC 2023-004 and 005

 Date:
 Wednesday, August 23, 2023 5:31:46 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png image005.png

Ms. James, I have copied Kendra Cobbs who is the planner for these cases so she is in the loop. You can send all correspondence to her and copy me.

Thanks,

Brett Ragsdale, AIA

Div 12! Ph Em

Zoning Administrator Division of Planning and Development 125 N. Main, Ste. 468 Memphis, TN 38103

Phone: 901-636-6619

Email: <u>brett.ragsdale@memphistn.gov</u>



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From: Jennifer James < jdandjpwilliams@aol.com>

Sent: Wednesday, August 23, 2023 4:31 PM

To: Cindy Reaves <cindy.reaves@srce-memphis.com>; Ragsdale, Brett

<Brett.Ragsdale@memphistn.gov>

Subject: RE: Chickasaw SAC 2023-004 and 005

Importance: High



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Brett.

This is Jennifer Williams. Jason and I are in agreement with the proposed gate and street closure at Goodwyn and Lafayette. We are the only abutting property on this side.

Please let me know if you need me to email you the Property Owners Affidavit and I will scan in and send. I am on the way to the other side of the community to get the other signatures needed as it is so important for us to stay on schedule for tomorrow. Thanks Brett.

Jen

From: dan springfield
To: Cobbs, Kendra
Subject: Request for closure

Date: Thursday, November 2, 2023 4:09:51 PM



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I wanted to let you know that I am in total support of closing Fenwick and Lafayette Street entrances in Chickasaw Gardens. I have lived in this neighborhood, at 54 Lombardy Rd, for over 34 years and have always felt safe, until this past year. As you maybe aware the crime here, as well as in Memphis, has gotten out of hand and anything we can do to help improve/increase the safety in the neighborhood should be done. If these two entrances are closed to car traffic they will still be open to pedestrians during the time the city park is open. This will still leave 3 other entrances to gain access to the neighborhood. Again, I can't convey how much I think we should be proactive to help keep our neighbors, family and kids safe. Thanks you for your consideration of this request.

Dan Springfield cell:: 901.487.1440

e mail:: dan.Springfield@gmail.com

From: Ann Roane
To: Cobbs, Kendra

Subject:Street Closing @ Lafayette/FenwickDate:Tuesday, October 31, 2023 3:06:59 PM



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I live at 162 E Goodwyn and have been here for 50 years. We have a a great neighborhood and enjoy a wonderful public park....many memories have been created here.

I have experienced the changes which seem almost unimaginable ...recently, one homicide and one home invasion on my block alone not to mention multiple car breakins, drag racing, attempted car jackings, and one attempted murder in the past 13 months alone. This must stop for the good of our own residents and those who walk, ride, bike and play in the park as visitors.

We must have added security NOW. Residents have long paid for security for ourselves and our visitors and have just significantly increased this security. We have done all we can do. It is imperative that we reduce the number of openings to our neighborhood by closing entrances at Lafayette and Fenwick to improve the safety of all.

I strongly support this effort. Thank you for your time.

Ann Wingate Roane

From: Judy Douglass
To: Cobbs, Kendra
Subject: street closings

Date: Tuesday, October 31, 2023 3:36:17 PM



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Ms. Cobbs,

I am writing regarding the street closings pertaining to Chickasaw Gardens neighborhood. I live at 156 Goodwyn Street and am very much in favor of closing Lafayette and Fenwick entrances. We have so much traffic and the closings would help slow down this traffic. With crime on the upswing we all need to do what we can to curtail some of this criminal activity. Thank you for your help!

Sincerely,

Judy Douglass

From: Robert Shy
To: Cobbs, Kendra

Cc: Colvett, Frank; Canale, JFord; Morgan, Worth

Subject: Street closures

Date: Wednesday, November 1, 2023 5:11:39 PM



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Kendra,

I hope this email finds you well.

I am writing you today in support of closing off Lafayette Street and Fenwick Road as they enter Chickasaw gardens. Walking & biking in Chickasaw gardens is very challenging to navigate with there being no sidewalks because of the historic nature of the neighborhood. The closing off of the two streets would encourage more walkers, joggers and bikers from surrounding neighborhoods. And they could do so without the threat of high traffic.

However there will still be three major entrances to Chickasaw Gardens, just like Overton Park and Audubon Park.

All the best, Robert Shy

ROBERT SHY 2880 Garden Lane Memphis TN 38111

615-403-2146

From: <u>laurie hughes</u>
To: <u>Cobbs, Kendra</u>

Subject:Street closures Chickasaw GardensDate:Tuesday, October 31, 2023 5:13:08 PM



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Ms Cobbs,

I live at 175 W Chickasaw Pkwy, Memphis TN 38111 and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings, and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time. Laurie Hughes

Sent from my iPhone

From: Robert Shy
To: Cobbs, Kendra

Cc: <u>Colvett, Frank; Morgan, Worth; Canale, JFord; Carlisle, Chase; Warren, Dr., Jeff</u>

Subject: Street Closures

Date: Wednesday, November 1, 2023 11:19:13 AM

Attachments: image002.png

image003.png image006.png



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette PI @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo.

Thank you for considering my letter supporting the street closures in this matter.

Robert

If you would like to schedule a time with me, please click on the blue calendar.





ROBERT A. SHY, AWMA®, CPFA

VICE PRESIDENT, WEALTH MANAGEMENT

From: camille mueller
To: Cobbs, Kendra

Cc: Morgan, Worth; Carlisle, Chase

Subject: SUPPORT chickasaw gardens street closures

Date: Wednesday, November 1, 2023 7:36:12 AM



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Dear Ms Cobbs,

I am writing in support of closing 2 of the entrances to Chickasaw Gardens.

I have lived in the same house in front of the lake on East Chickasaw Parkway for 49 years (since I was 16). I realize that the lake and its park are a treasure for all Memphians to enjoy and I am not wishing to limit the number of people who visit. In fact, we all welcome them. However, I am witness on a daily basis to the safety issues created for all by the dramatic increase in the number of cars and the speed with which they travel. I believe that this is truly a safety issue for both the residents and visitors.

It is very easy to get lost within our neighborhood and therefore, I believe that reducing the number of entrances would also make it easier for the guards to assist visitors who are trying to get back to Central or find their way within the neighborhood.

I appreciate your consideration and thank you for any help you can provide Sincerely
Camille Mueller
96 East Chickasaw Parkway
Memphis 38111
Sent from my iPad

From: MAURY, TAYLOR
To: Cobbs, Kendra

Subject: Support for Closing Lafayette & Fenwick

Date: Wednesday, November 1, 2023 1:24:54 PM



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Good afternoon Kendra,

I am in full support of closing Lafayette and Fenwick entrances to the Chickasaw Gardens neighborhood.

I have two small children, ages 2 and 5, and have overwhelming concerns as it relates to traffic and safety. We have had numerous reports of criminals attacking residents of Chickasaw Gardens and cross through traffic driving erratically on a daily basis. This neighborhood is family friendly, and the traffic & crime pose an immediate threat to the safety of children and residents – closing Lafayette and Fenwick would help mitigate these issues.

Contrary to media and grassroots efforts to block the approval of these gates – the closing of these streets to vehicular traffic **WILL NOT** affect pedestrian access and will remain open for those wishing to access the lovely park by foot. There will also still be multiple open streets to provide access into the neighborhood if needed.

Please strongly consider approval to close these streets – the safety of our children and residents depends upon it.

Thank you,

Taylor Maury

W. Taylor Maury

From: <u>forblueskies04@aol.com</u>

To: Cobbs, Kendra

Subject: * SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

Staff Planner: Kendra.Cobbs@memphistn.gov * * SAC 23-05: CHICKASAW GARDENS: close and vacate

Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr. Staff...

Date: Wednesday, August 23, 2023 8:27:19 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender forblueskies04@aol.com

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I strenuously opposed both of the above street closings. I live at 127 S. Humes and have for 42 years had access to the public park and lake in Chickasaw Gardens by walking down Lombardy and crossing Fenwick into Chickasaw Gardens. My daily dog walks and taking my children and now grandchildren to see the beautiful lake has added great joy to my life.

Having to walk down to Central with its very fast-moving traffic and enter the Gardens via the Central entrance is quite inconvenient and frightening with little children and a dog.

There are many reasons to keep the two entrances open, but this is my personal experience.

Cary Schwartz 127 S. Humes Street Memphis, Tn. 38111 From: Lowell Yarbrough
To: Cobbs, Kendra

Subject: Access to Chickasaw Gardens

Date: Wednesday, August 16, 2023 11:28:16 PM



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I am writing to you today to express my concern about the closing of two of the accesses into Chickasaw Gardens neighborhood. Gates would have a detrimental effect on Fenwick, Lafayette St, and surrounding neighborhoods. I am asking you not to approve this change of access to a public city park.

Thank you,

--

Dr. Lowell Yarbrough, D.C. drlowell@gmail.com

 From:
 Lyn Joyner

 To:
 Cobbs, Kendra

 Cc:
 Ragsdale, Brett

Subject: Additional concern - SAC 23-04, 23-05 -public roads closings

Date: Friday, August 18, 2023 11:23:07 AM

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Ms. Cobbs, thank you for responding to my message on the lack of crime, as shown in stats, to back CGHOA's claim of a need to decrease crime as their reason for closing two public roads.

ADDITIONAL CONCERN -

How would the City enforce the gate being open dawn-to-dusk on these public roads?

A promise or guarantee from CGHOA to take responsibility for monitoring public road access is Not Acceptable.

There's little reason to trust CG will want to take long-term responsibility for keeping their gate open to the community, and good reason to believe they won't. For instance, Cherokee residences have consistently not maintained their Fenwick-side reverse frontages. CGHOA made an unkept promise to landscape/maintain their side when they needed our NA's approval to close the Tillman entrance, years ago. Over many years, Fenwick Rd. NA has spent untold hours getting CG property owners to comply with Code--including going to Environmental Court--to get them to trim back weeds, etc., to improve driver safety on our street, and to reduce blight.

Would taxpayers need to pay for City enforcement of open gate hours?

I hope this concern about <u>enforcement</u> will be raised in Monday's report.

Thank you, Lyn Joyner Fenwick Rd. NA, Community Liaison From: Juliet Wischmeyer
To: Cobbs, Kendra
Subject: Against Lombardy Gate

Date: Tuesday, August 29, 2023 7:08:47 PM



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

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Dear Ms. Cobbs, I am a resident of Memphis at 27 in Ashlawn Cove. I am against the obstruction of a city street, Lombardy Avenue, with a gate that will not benefit all or any Memphians but only the homeowners in a certain neighborhood. Furthermore, my 86 year old mother lives at 2724 Lombardy. I often pick her up to drive to the lake to walk. It is unnecessarily inconvenient and obstructive to have to drive all the way around to access to the neighborhood to which she belongs, a Chickasaw Gardens, but would be shut out of. Thank you, Juliet Wischmeyer 901–2 70–4260 Sent from my iPhone

From: <u>Katie Tamboli</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw / Lombardy closure

Date: Tuesday, August 22, 2023 10:24:57 PM

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I'm writing to oppose gating the entrance to Chickasaw Gardens at Lombardy. Cited from the Memphis Daily News, the number of crimes reported in Central Gardens since 1/1/23 are TWO. One for forgery & the other vandalism. Using the uptick in crime (fed by poverty) to justify building another wall won't solve their catastrophic forgery/vandalism trauma. Instead, it'll fuel the status quo Memphis has followed for decades, separating the elite (white) from impoverished black people. Building another wall will add to the suppression black children already experience as less important, less worthy than others by learning to navigate & survive at nearly a 40% childhood poverty rate. Memphis leads the country as the most impoverished city with over 500k people. Crime & poverty go hand in hand. No wall will fix that.

A few years ago, Central Gardens residents posted on Nextdoor their concern that a black kid was riding his bike through the neighborhood. It turns out that the child lived on Lombardy just around the corner & his mother was a high ranking, elevated administrative faculty member at CBU. This is point blank profiling by Central Gardens residents. Imagine the trauma poverty stricken children feel being profiled just for riding their bicycle down the street. If it happens to 'well to do' black child, imagine how most of our children in Memphis must feel. Put yourself in their rugged shoes.

Since Central Gardens has a history of not upholding their 'promises,' I object they will uphold this promise of keeping a pedestrian gate accessible. One entrance at a time, they are building walls, It began on Poplar years ago, promising to keep pedestrian/biking access yet the gate remains locked. They've provided only empty promises over the years.

Chickasaw Gardens houses PUBLIC streets & a PUBLIC park. Barricading these commons for all will continue to destroy our city, more than it already is.

Let's bridge Memphis together, not add more walls.

Thank you for considering the opposition to further inequality.

Katie Tamboli 2791 Iroquois Rd Memphis, TN 38111

Humes Heights

From: ginger.gapr@gmail.com

To: Cobbs, Kendra

Subject: Chickasaw garden gate proposal

Date: Thursday, August 17, 2023 12:21:39 PM

Attachments: <u>image.png</u>

image.png image.png image.png image.png image.png



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Chickasaw garden gate proposal

My name is Ginger Areas. I am a resident of Humes Heights. I have lived in the neighborhood for over 30 years. I've spent much time enjoying brisk walks to Chickasaw Garden Park. My husband and I were married in the park on May 11, 1996, with approval from The Memphis Park Commission. My children and grandchildren have been fortunate enough to enjoyed quiet time at this park for relaxation, exercise and learning activities.

I am asking that you DO NOT ALLOW GATES, which would block off the public streets and city park from our community. Division is not the answer!!

Thank you for your time. I hope we have your support.

Sincerely,

Ginger Areas













From: Adam Hohenberg
To: Cobbs, Kendra

Subject: Chickasaw Gardens access

Date: Tuesday, August 29, 2023 4:35:17 PM



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Dear Ms. Cobbs,

I am writing to voice my objection to closing off access to Chickasaw Gardens.
I have walked there in the neighborhood for many years and making it a "gated community" would deny my ability to exercise there, Also, I think would not be a good precedent for the city.

Sincerely,

Adam Hohenberg

From: <u>Kim Harden</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gate Proposal

Date: Thursday, August 24, 2023 3:35:16 PM

Attachments: image001.png

image002.png image003.png image004.png



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Good afternoon Ms. Cobbs,

My daughter and I moved to 260 S. Fenwick Road earlier this month, making us new residents of Chickasaw Gardens. I was quite surprised to learn about the gates the Chickasaw Gardens HOA has suggested closing off the flow throughout the neighborhood and am not in favor of this being approved. I know how difficult it is to turn left onto Central each morning and don't want the cutthru closed off. One of the things that attracted us to the neighborhood was the walkability and riding our bikes. If it is gated, riding our bikes becomes a hassle to get through the man gates or you end up going up on Central, which is not safe with the traffic.

Again, absolutely not in favor of the gates getting approved.

Thank you for your time.

Kim Harden



Kim Harden

Administration Manager

Personal Lines Manager

901.529.2900

866.600.COLL

www.collier.com



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From: Alaina Clifton
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gate Proposal

Date: Monday, August 21, 2023 3:03:58 PM



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Dear Ms. Cobbs:

I live at 3142 Cowden Ave, Memphis, TN 38111 and I am writing to express my disagreement with Chickasaw Garden's petition to close access at Lafayette and Lombardy.

First of all, the neighborhood has a City of Memphis Park inside of it with a lake and a well used walking trail. I'm not sure how you can prevent access to a city park.

Additionally, the neighborhood is the best place to walk within miles, especially since it has good shade. If you have ever been to Joffre area you will see so many people walking with their dogs, children, riding bikes, etc. It is part of why a lot of us moved to this area.. If the Lafayette and Lombardy entrances are gated people from several streets will not be able to walk there and the Central Avenue entrance is too far away for many to access. Additionally, the traffic on Central is crazy sometimes and I don't even feel safe walking my dogs on the sidewalk on Central for fear that some speeding car might lose control and run up on the sidewalk.

Please consider the other people who live around Chickasaw Gardens, love their beautiful neighborhood for evening and morning walks, and are respectful to the residents.

Sincerely,

Alaina Clifton Vandeventer

From: Alex Nowlin
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gate

Date: Thursday, August 17, 2023 11:16:13 AM



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Dear Ms. Cobb

I am writing to voice my object to Chickasaw Gardens putting up additional gates, thereby limiting access to a public park. I am a nearby resident in Humes Heights and use that park for exercise. My kids use the Lombardy entrance to bike to the park. Otherwise they would have to go on a busy street like Central to get to the park. That would not happen.

The neighborhood does not own the park. It is enjoyed by all surrounding areas, and paid for with tax dollars. Crime in this area is not a problem. I live in the area.

Please make note of my objection. The public interest is not served by gating off this neighborhood, preventing Memphis residents from using their own public park. The public is served by open access to public greenspaces.

Alexandra Nowlin

Sent from my iPhone

From: <u>Dan Hope</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens gate

Date: Wednesday, August 23, 2023 3:29:50 PM



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Hello, Ms. Cobbs.

I apologize for being a day late to send you and email on the subject of the gates for Chickasaw Gardens. I did feel like I needed to speak up, but I can't attend Thursday's meeting. I will be at work.

I am fond of the access to the Chickasaw Gardens Lake and fully believe it is city property belonging to the citizens of Memphis. When I was recovering from throat cancer last fall, I took many walks by that lake and it was very therapeutic. I live in the Joffre neighborhood, and often walk down Cowden to Lafayette then up Lafayette Circle and across to reach the lake. That whole area is beautiful.

Chickasaw Lake is public property, is it not? And the residents of Chickasaw Gardens don't own it or the streets and park that lead to it, correct?

The folks who live in Chickasaw Gardens are well off, I can tell. I'm just a middle class taxpayer. If this is about cutting down on crime, those residents can surely afford more security rather that cutting off access to a public park and lake for the rest of us Memphis citizens I would think. It belongs to all of us!

Please do not allow the residents of Chickasaw Gardens to punish the good citizens of Memphis who live around that area and wish to take walks to the lake, feed the ducks and geese, or enjoy the fresh air.

Thanks for listening.

Dan Hope 276 S. Greer St. Memphis, TN 38111 901-326-2000

Your water heater is the third largest energy user in your home, operating 24/7. Adjust the thermostat on your hotwater heater to 120 degrees or medium. To save on your MLGW bill, buy an EnergyStar model which will use less energy.

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Feedback

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From: <u>Jan Bergk</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gates - Land Use Control Board Meeting

Date: Tuesday, August 22, 2023 8:20:19 PM

Attachments: logobar 96db38d5-20e4-4fd7-b849-318e56842004.png

email header ca3ce62a-2387-4eb6-b961-816314b1b342.png email linkedin 2dc62973-36cb-40de-b9bc-d86574c1166e.png email twittter 19c333c9-02c1-4170-b98e-41a20c4c56aa.png email facebook f354d3a3-69f1-4822-a353-03a80c3af28e.png email instagram efd737fa-1911-4e6b-bfab-2ee7dce2f01e.png email web 4a819531-20b8-4df2-9211-67990b1c3efb.png

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Ms. Cobbs,

I hope you had a great and successful week so far. I am writing in regards to the proposed closure of the Chickasaw Gardens neighborhood due to the installation of gates along Lafayette/Goodwyn and Lombardy/Fenwick.

My wife and I walk our dogs around the Chickasaw Gardens pond multiple times a week, and are expecting an addition to our family next week as well that we can't wait to walk around the pond. We own our house on Dille Place, and pay real estate taxes to the City of Memphis for, but not limited to, public parks, public amenities, and the maintenance of public roads.

To the best of my knowledge, Chickasaw Gardens is a public neighborhood/subdivision and its streets, sidewalks, and the pond are maintained using tax dollars, and should therefore be available to every Memphian. They do not belong to private people living in this neighborhood.

I am still in shock that a gate exists along Poplar Avenue, however, I would not be surprised if someone back in the 2000s somehow got by with getting that passed.

The neighbors of the Chickasaw neighborhood are trying to increase their property values with this petition, as properties in a gated neighborhood sell for a premium typically. However, not having access to the pond and public areas of the Chickasaw Gardens neighborhood, which is a public amenity and financed by tax dollars, would lower property values as this amenity is lost in adjoining neighborhoods, just like ours.

I highly encourage city officials to not give in to "the wealthy few" trying to turn something public private for their own good, disregarding the many others that are directly impacted.

Kind regards and thank you for the time to consider my concerns,

Jan Bergk



Jan Bergk Director Valuation

1661 International Drive, Suite 330, Memphis, TN 38120

P 901-902-4481 C 601-951-9964

E jbergk@bbgres.com



From: Peter Longoria
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gates

Date: Sunday, August 20, 2023 10:06:23 AM



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Hi Kendra,

I am emailing to let you know I disagree with the proposal at Chickasaw Gardens to put gates up at Lafayette St. The park is owned by the city and that gate would severely limit my families ability to enjoy the public park there. I have a toddler and live in the neighborhood across from the Lafayette entrance. Having to walk to the only proposed opening on Central would not only increase how far we have to walk to get to the park, but is also dangerous for my toddler, as Central Ave is such a busy street. The reality is that everyone is dealing with an increase in crime and car burglaries, but they already have 24 hour security roaming through the neighborhood. Making the neighborhood a fortress with only one entrance or exit, at the detriment of everyone else who lives nearby and uses the public park for family enjoyment, seems ridiculous to me. It is wild that such an affluent neighborhood could even have the option of barring roads to a public park just because they experiences a few car break ins this past year, of which many in the city have.

Sincerely,

Peter Longoria

From: <u>Dana Johnson</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens land use petition Date: Sunday, August 20, 2023 7:58:16 PM



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Hi Kendra,

I live on S. Lafayette Circle and was dismayed to hear about the petition to close entry to Chickasaw Gardens at Goodwyn/Lafayette and Lombardy/Fenwick. As a neighboring resident, I regularly walk in the Chickasaw Gardens park and around the lake. Limiting entry to only one point off of Central Avenue would create a significant barrier to mine and my neighbors' ability to access this space.

It is bewildering to think that a Memphis Park would be nearly inaccessible to anyone not living directly around it. Drastically reducing access to this green space would be to the detriment of those of us who live in the surrounding area and doing so would be in direct opposition to the Memphis Parks' mission to "create positive and safe places to provide community-centered experiences that connect all Memphians."

Thank you in advance for helping ensure Chickasaw Gardens park remains a place that everyone in the community can enjoy.

Dana Johnson 513-461-3107

Sent from my iPhone

From: Brenda Landman
To: Cobbs, Kendra

Subject: Chickasaw Gardens Park

Date: Thursday, August 17, 2023 8:26:32 AM



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I'm opposed to gating access to Chickasaw Gardens Park. Denying or limiting access to city owned parks to deter crime further divides our community. Deal with the causes of increased crime especially among juveniles instead of band-aiding wealthy neighborhoods. Consider that this may not be the message you want to broadcast.

Brenda Landman Sent from my iPhone From: Carye Jackman
To: Cobbs, Kendra
Cc: Ragsdale, Brett

Subject: Chickasaw Gardens Petition

Date: Tuesday, August 22, 2023 10:25:42 PM

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Good evening,

I am emailing you in regards to Chickasaw Gardens' request to close off street entrances. I and many other in my neighborhood, Humes heights, are completely against this because we as tax payers pay for the city streets that are in Chickasaw Gardens as well as the city park inside of there. By shutting off access to the two entrances is shutting out neighboring neighborhoods that have always been accessible. Also, by closing these entrances and basically making it a private community, it will negatively affect the property value of all of our homes. Closing off these entrances will not be good because central Ave will be contested. This will also limit emergency vehicles to enter Chickasaw Gardens one way. As far as their proposal for the pedestrian gates, this has been done in the past and we were never able to access them because they were always locked. I vote that this shouldn't happen.

Thanks, Carye Jackman From: Allison Swan
To: Cobbs, Kendra

Subject: Chickasaw Gardens Proposal

Date: Saturday, August 19, 2023 2:56:23 PM



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Ms. Cobb,

I received the flyer on my front door today regarding the Chickasaw Gardens petition to close Lafayette Place at Goodwyn St. and Lombardy Rd. and Fenwick St.

Thank you for asking for other citizens' input. I strongly disagree with the closure of these streets with gates that block both car and foot traffic.

Chickasaw Gardens Park is a City Park. As a neighbor, my family- me, my husband, my 6-year old son, and 3-year old daughter -often walk or bike over to the Park to enjoy a walk or picnic around the lake. These closures would make this City Park pretty much impossible for us to access other than by car. I wonder too, if the residents of Chickasaw Gardens are prepared for the influx of car traffic around the Park that will occur by blocking foot/bike access.

Blocking these roads and making it so difficult to access will in essence make this City Park, meant to be enjoyed by <u>all</u> residents of Memphis, now a private park for a select few residents in the Chickasaw Gardens neighborhood.

A select few privileged residents, you might say—we're all concerned about the horrible crime in this city, so much so that I wrote a letter to Mayor Strickland just recently about it. If this passes, does that mean that every neighborhood can petition to gate our streets off to prevent crime as well? If so, sign us up in the Joffre neighborhood!

Thank you again for asking for city residents' input on this petition. I sincerely hope it is turned down.

Thank you, Allison Williams 3213 Cowden Ave. Memphis, TN 38111

Sent from my iPhone

From: Mark Pomerantz
To: Cobbs, Kendra

Subject: Chickasaw Gardens road closures

Date: Thursday, August 17, 2023 10:16:57 AM



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Hello, Kendra.

My name is Mark Pomerantz. I am a Midtown Memphis resident and currently reside in Evergreen. I came across this news article which links to plans to put gates up around Chickasaw Gardens ostensibly to reduce "criminals" from driving through the neighborhood: https://www.actionnews5.com/app/2023/08/16/gate-debate-affluent-midtown-neighborhood-considers-limiting-public-access-combat-crime/

This would impede access to a public park - a park I frequently like to use because of the lake and the quiet surroundings. If this access is blocked off, they may try to further limit access from Central Ave to the neighborhood which would cut off this park completely. If this measure passes, I think it sets a bad precedent not just for Chickasaw but all of Memphis and could lead to further road closures and people from being cut off from public resources.

Please consider voting against the gates. Please keep public parks open to the public.

Thank you, Mark Pomerantz 208 Angelus St. 38112 From: <u>Stewart Dismuke</u>
To: <u>Cobbs, Kendra</u>

Cc: <u>stewartdismuke@gmail.com</u>

Subject: Chickasaw Gardens street closings proposal Date: Monday, August 21, 2023 5:25:27 PM



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Ms Cobbs, my name is Ed Dismuke and I live on Greer St near Chickasaw Gardens. My wife and I enjoy walking and riding our bicycles in Chickasaw Gardens and we use the Lafayette Place and Lombardy Rd entry ways. We enjoy walking on the streets, the common places and around the lake. I always thought that the Streets, common places and lake were owned by the City. If they are all owned by residents then the owners have the right to shut those entrances. If those areas are owned by the City I strongly oppose the closings. Thank you. Ed Dismuke, 264 S Greer Street.

PS. It might be ok to block car traffic but not walkers or bicycles.

Sent from my iPhone

From: Carolyn Wills
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Wednesday, August 23, 2023 9:03:02 PM



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Ms. Cobbs: This email serves as my statement of opposition to the proposed gates into Chickasaw Gardens at Fenwick and Lafayette. My opposition is based on the following:

- 1. We currently live on the corner of Lombardy and Buntyn. To access the Greenline, my husband and I ride our bikes through Chickasaw and up Lafayette to cross Poplar at the light. It's the safest way to get to the Greenline. We regularly walk our dog across Fenwick. He doesn't like the traffic on Central and enjoys the quiet streets of Chickasaw Gardens. Closing Lombardy at Fenwick would have a huge negative impact on our daily routine and enjoyment of our neighborhood.
- 2. Closing Lombardy would have a negative impact on our property values, while increasing those of the Chickasaw Gardens' residents. Is the role of the government to support neighborhood exclusivity? I do not believe it is.
- 3. There is no clear evidence that closing streets will reduce crime in this area. If the residents of Chickasaw Gardens believe they would be safer in a gated community, they should be welcome to relocate.
- 4. All taxpayers should be treated equally, even those who live south of Central and cut through Chickasaw Gardens, just as I do.
- 5. Our dog loves the lake in Chickasaw Gardens which is a public park. The public, and our dog, should not be impeded from using public resources.

The betterment of a few should not outweigh the good of the many. Thank you for your consideration.

Carolyn Wills, AIA

Bottletree Design Group, LLC

C: 901-481-4743

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From: KAREN J. ZISSOFF

To: Cobbs, Kendra; Burkey, Ted
Subject: Chickasaw Gardens

Date: Thursday, August 17, 2023 9:32:30 AM



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To: Kendra Cobbs

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Chickasaw Gardens does NOT have a crime problem that calls for two road closings. There is NO VALID REASON for HA's proposed two road closings.

CGHA's Letter of Intent says

"It (less public road access) should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood."

CGHA provides no stats to support their reason for closing two public roads.

Concerned, I checked The Daily News Crime Report Map to count crimes: Chickasaw Garden's CRIME STATS from 1/16/2023 - 8/16/2023: TOTAL OF 7 CRIMES reported for the past seven months, of which 3 were for counterfeiting/forgery.

For 3 months in this past 7-month period, **zero reported crimes in CG.** Hard to decrease from that.

In comparison:

Fenwick to Plainview, neighborhoods west of CG, crime stats from 1/16/2023 - 8/16/2023:

TOTAL OF 24 CRIMES reported for the past seven months (zero were for counterfeiting/forgery).

NOTE: In January 2023, just 8 months ago, surrounding neighborhoods overwhelmingly rejected via petition CG's proposal to close off Lombardy, one of the roads in the current filing.

Why is this coming up again, so soon?

HOW DID THIS GET FAST-TRACKED????? Why is there no LUCB hearing.CG has already, over the years, closed 4 of 9 their entrances. Enough!!!<u>I would like not to have to address their uncivic road closing proposals again.</u>

Thank you
Karen Zissoff & Ted Burkey
Across from Lafayette.

From: Wendy Young
To: Cobbs, Kendra
Subject: Chickasaw Gates

Date: Sunday, August 20, 2023 9:32:37 AM



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

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

Kendra,

I appreciate you taking the time to read this email.

I oppose the placement of gates to close off Chickasaw Gardens in any capacity. This is a classist move on the part of the Chickasaw HOA. Building walls and gates only keeps YOU safer and therefore you have no incentive to help the greater Memphis community.

If they have the means to build and maintain gates, then they have the means to fund other community based projects that could provide peace of mind for more than just their elite neighborhood.

I live in the adjacent neighborhood of Joffre and work a the "Pink Place" (MoSH). I am deeply invested in this area and the greater Memphis Community. Everyone deserves to feel safe and enjoy the PUBLIC Park within the Chickasaw walls. Gates do not stop crime. They send it elsewhere.

I wish that people of Chickasaw Gardens would consider an unselfish approach to crime prevention moving forward. I find the literal gatekeeping to be a disgusting abuse of affluence. It is a slap in the face to the greater Memphis community.

Thank you again for your time.

Wendy Young

From: Joyce Woodley
To: Cobbs, Kendra
Subject: Chickasaw Gates

Date: Thursday, November 2, 2023 9:51:54 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jwoodley1s@att.net

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We oppose strongly!!. I'm a resident of S.Fenwick. Thank you. Joyce Woodley Sent from my iPhone

 From:
 Rob B

 To:
 Cobbs, Kendra

 Subject:
 Chickasaw Private Park

Date: Wednesday, August 16, 2023 1:00:14 PM



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

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

Hello - I am emailing about the possibly of the rich getting richer and the Memphis tax payers paying for a park that is becoming increasingly hard to access to the public. I live right outside of Chickasaw and routinely use the park to walk my dogs or run. The closures proposed will greatly limit my access to this park.

There is an up-swelling that I'm not sure the city quite yet understands in regards to awarding this city park to an affluent neighborhood and limiting it to its less affluent neighbors.

If this is approved we already have back up/contingency plans in place to continue to protest what would be a very clear showcase that Memphis government is a plutocracy.

We will fight this.

Thank you and the board for your consideration.

From: <u>Drew Cadenas</u>
To: <u>Cobbs, Kendra</u>

Subject: Closing of lombardy at Fenwick

Date: Friday, August 11, 2023 9:12:23 AM



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

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

Dear Mrs Cobbs,

I am writing to you to express my displeasure at the proposed closing of Lombardy where it intersects with Fenwick Rd. I understand this closure is at the request of residents of Chickasaw gardens, to keep us 'riff-raff' away from their gated island. The city of Memphis operates a public park in Chickasaw gardens. Closing the road will negatively impact any and all users of that park, and will allow Chickasaw gardens to have their own private park maintained by city tax dollars. Additionally, Lombardy is a public road. If Chickasaw gardens wishes to close it I presume the city will no longer pay for maintaining the road? Or will we be on the hook for that as well? What happens when, and I do mean when, someone decides they don't like the gate and runs through it? Will my tax dollars be used to replace it? This entire incident is a gross display of the wealthy using their power to screw over everyone else for a slight gain to themselves. I urge you not to allow this proposed road closure to go through.

Many thanks,

From: Dale Engelberg
To: Cobbs, Kendra
Subject: Fw: Failure Notice

Date: Wednesday, August 23, 2023 5:49:15 PM



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

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i hope this gets to you DEE

---- Forwarded Message -----

From: MAILER-DAEMON@yahoo.com <mailer-daemon@yahoo.com>

To: "deengelberg@yahoo.com" <deengelberg@yahoo.com> **Sent:** Wednesday, August 23, 2023 at 05:28:59 PM CDT

Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

< Kendra.Cobbs@memphis.gov>:

No mx record found for domain=memphis.gov

----- Forwarded message ------

i just received information to share information to you by today about the proposed street closures around Chickasaw Gardens. i have lived just south of Chicasaw Gardens for the past 49 years. i have thoroughly enjoyed walking almost daily at the lake with from one to three dogs and occasionally friends. i have many lovely photographs of the lake and trees with a special project of photographing the park during each season.

The first 'surprise' was losing access to the city park within Chickasaw Gardens from Poplar as two gates kept me from driving to the lake on the way home from work. That used to be an immediate stress reducer. that happened as a 'housing development' was built next to Poplar within Chickasaw Gardens and claimed the street entrance as their own. I never saw any announcement or publicity about this closure. another street closure came when another 'housing development' was built next to Lafayette at the northeastern end of CG.

I have used all the city streets with now only Fenwick and Lafayette to gain access to the light at Goodwyn and Central to cross at busy times of day.

I have always driven accross Central to one of the city street entrances for my safety and the safety and calmness of my dogs to get to the park. I live a block south of Chickasaw Gardens. the streets have no sidewalks and are uneven for drainage, making it unsafe and painful to walk. after four ruptured disks and two back surgeries, the flat walk around the lake is the most comfortable and very beautiful. going slowly around the lake for my puppy sniffing, exploring, and visiting helps me as well.

The streets need to remain open for all Memphis residents to access a public park. The wealthy residents of Goodwyn and Chickasaw Gardens repeatedly try to limit access on city streets where they live. Goodwyn got large speed bumps when a wall at one end of the street was not approved. i would like to see the children who supposedly play in the front yards and need protection from the two lane street as the reason for slowing traffic! once i saw a father play football with his two small children, and most of the yards have fences. after walking at the lake in Chickasaw Gardens most days, i often see the security guard patrolling and we wave as he passes. in 49 years, i once saw a suspicious looking male wandering through yards and the guard agreed to investigate the situation - and with no

additional gates!

Dale Engelberg

From: Wright, Britney
To: Cobbs, Kendra
Cc: Crichton, Liza

Subject: FW: PROPOSED CHICKASAW GARDENS ROAD CLOSURES

Date: Thursday, August 24, 2023 10:08:13 AM

Kendra,

A constituent emailed the Council members opposing the proposed Chickasaw Gardens Road closures project. I noticed that Richard Parks had your email incorrect, so I am forwarding you the correspondence.

Have a good day! Thank you!

Britney Wright
Executive Assistant
Memphis City Council

125 N. Main St., Suite 514 Memphis, TN 38103-2017

(901) 636-6795

Email: britney.wright@memphistn.gov

Visit: <u>website</u> View: <u>meetings</u>

From: rich parks <freeparksgm@gmail.com> Sent: Wednesday, August 23, 2023 1:03 PM

To: Kendra.cobbs@memphis.gov; Jones, Martavius <martavius.jones@memphistn.gov>; Logan, Rhonda <Rhonda.Logan@memphistn.gov>; Colvett, Frank <frank.colvettjr@memphistn.gov>; Robinson, Patrice <patrice.robinson@memphistn.gov>; Swearengen Washington, Jana <Jana.Swearengen-Wash@memphistn.gov>; Morgan, Worth <worth.morgan@memphistn.gov>; Ford Sr., Edmund <Edmund.FordSr@memphistn.gov>; Easter-Thomas, Michalyn <Michalyn.Easter-Thomas@memphistn.gov>; Smiley, Jr., JB <JB.SmileyJr@memphistn.gov>; Johnson, Cheyenne <Cheyenne.Johnson@memphistn.gov>; Carlisle, Chase <Chase.Carlisle@memphistn.gov>; Canale, JFord <JFord.Canale@memphistn.gov>; Warren, Dr., Jeff <Jeff.Warren@memphistn.gov>

Cc: Richard Lawparks com>

Subject: PROPOSED CHICKASAW GARDENS ROAD CLOSURES



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

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

Greeting to you all:

I am a life-long 70 year old Memphian and a nearby neighbor who will definitely be adversely

affected by the referenced road closures. I am therefore opposed to it and urge all council members to reject the proposal which will cause more harm to others than it will create a solution for all. I and many, many voting citizens are watching and hoping to witness your effective and equal application of the law. This is a slippery slope proposal and we don't need the camel's nose in our tent. There are other, better solutions to this special parochial proposal to a problem that plagues others even more than that seemingly privileged neighborhood. Be a courageous champions/examples for the lesser among us and you and the majority of the citizens of Memphis will no doubt benefit more in the long run.

Richard Parks 901-324-8356 From: rich parks
To: Cobbs, Kendra

Subject: Fwd: PROPOSED CHICKASAW GARDENS ROAD CLOSURES

Date: Friday, August 25, 2023 7:38:18 PM

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.

----- Forwarded message -----

From: rich parks < freeparksgm@gmail.com >

Date: Wed, Aug 23, 2023, 1:02 PM

Subject: PROPOSED CHICKASAW GARDENS ROAD CLOSURES To: <<u>Kendra.cobbs@memphis.gov</u>>, <<u>Martavius.Jones@memphistn.gov</u>>,

<<u>Rhonda.Logan@memphistn.gov</u>>, <<u>frank.colvettjr@memphistn.gov</u>>,

<<u>Patrice.Robinson@memphistn.gov</u>>, <<u>Jana.Swearengen-Wash@memphistn.gov</u>>,

< <u>Worth.Morgan@memphistn.gov</u>>, < <u>Edmund.FordSr@memphistn.gov</u>>, < <u>Michalyn.Easter-</u>

<u>Thomas@memphistn.gov</u>>, <<u>JB.Smileyjr@memphistn.gov</u>>,

<<u>Chevenne.iohnson@memphistn.gov</u>>, <<u>Chase.Carlisle@memphistn.gov</u>>,

<Jford.canale@memphistn.gov>, <Jeff.Warren@memphistn.gov>

Cc: Richard Lawparks < lawparks@aol.com >

Greeting to you all:

I am a life-long 70 year old Memphian and a nearby neighbor who will definitely be adversely affected by the referenced road closures. I am therefore opposed to it and urge all council members to reject the proposal which will cause more harm to others than it will create a solution for all. I and many, many voting citizens are watching and hoping to witness your effective and equal application of the law. This is a slippery slope proposal and we don't need the camel's nose in our tent. There are other, better solutions to this special parochial proposal to a problem that plagues others even more than that seemingly privileged neighborhood. Be a courageous champions/examples for the lesser among us and you and the majority of the citizens of Memphis will no doubt benefit more in the long run.

Richard Parks 901-324-8356

From: Paula Payton
To: Cobbs, Kendra
Subject: Gate at Fenwick

Date: Tuesday, August 22, 2023 8:57:06 PM



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

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

Hello Kendra,

I am a homeowner on 205 South Fenwick at Lombardy. I am against the gate for several reasons.

Using Crime is an excuse...Chickasaw does not have any more crime than anywhere else in the city...instead of closing it off why don't we address the real issues of Memphis.

How is closing at Lombardy going to do any different if you have East and West Chickasaw still open.

Even though I am right outside of this proposed gate my neighbors as well as myself enjoy our walks through the area and am relax at the park when we can.

Now, what I can complain about is the constant speeding traffic that flows as a cut through from Poplar to Central!

Also, I feel like the west side Lombardy is getting the short end of the stick with this as well!!

This city is divided already. The beauty of this area is that I enjoy my neighborhood and my neighbors that I know....even those that I don't know have always been very neighborly.

Again,

I am against this gate!

Sincerely,

Paula Rush Payton

From: <u>David Henderson</u>
To: <u>Cobbs, Kendra</u>

Subject: In opposition to new gating for Chickasaw Gardens

Date: Saturday, August 19, 2023 8:14:34 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender dhenderson2@unl.edu

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.

I want to express my concerns about the proposal for further closures of access to Chickasaw Gardens. For a number of years I lived on Lafayette Circle and enjoyed he access provided by the one remaining gate on Lafayette. My wife and I enjoyed regularly walking the area and park. I now live downtown, but my daughter and family lives in the area and take advantage of such walks. (I now live in downtown Memphis.) Certainly for those many living near the park, it affords a very pleasant walk, and one that would be a little less accessible were they to need to walk to and along Central for some significant additional distance. I think that such access to a public park should be maintained—the residents of the area have such, and those in associated neighborhoods should not be disadvantaged. Please, no more gating and closures. It is worth noting that the one gate that was previously installed off Lafayette was originally to afford pedestrian access--but somehow that gates have come to be long locked.

David Henderson

66 S Front St

Memphis, TN 38103

Robert R. Chambers Professor of Philosophy

Department of Philosophy

University of Nebraska, Lincoln

315m Louise Pound Hall

PO. Box 880321

From: <u>Jan Bergk</u>

To: Cobbs@memphistn.gov; Cobbs, Kendra

Date: Tuesday, October 31, 2023 8:55:55 AM



The CoM Email Security System finds this email suspicious! We know Jan Bergk by name, but the email was sent from an unfamiliar address janbergk7@googlemail.com | Know this sender?

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.

Ms. Cobbs,

I am writing in regards to the proposed closure of the Chickasaw Gardens neighborhood due to the installation of gates along Lafayette/Goodwyn and Lombardy/Fenwick.

My wife and I walk our dogs around the Chickasaw Gardens pond multiple times a week, and are expecting an addition to our family next week as well that we can't wait to walk around the pond. We own our house on Dille Place, and pay real estate taxes to the City of Memphis for, but not limited to, public parks, public amenities, and the maintenance of public roads.

To the best of my knowledge, Chickasaw Gardens is a public neighborhood/subdivision and its streets, sidewalks, and the pond are maintained using tax dollars, and should therefore be available to every Memphian. They do not belong to private people living in this neighborhood.

I am still in shock that a gate exists along Poplar Avenue, however, I would not be surprised if someone back in the 2000s somehow got by with getting that passed.

The neighbors of the Chickasaw neighborhood are trying to increase their property values with this petition, as properties in a gated neighborhood sell for a premium typically. However, not having access to the pond and public areas of the Chickasaw Gardens neighborhood, which is a public amenity and financed by tax dollars, would lower property values as this amenity is lost in adjoining neighborhoods, just like ours.

I highly encourage city officials to not give in to "the wealthy few" trying to turn something public private for their own good, disregarding the many others that are directly impacted.

Kind regards and thank you for the time to consider my concerns,

Jan Bergk

Find text or tools Q



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From: webapps.test@shelbycountytn.gov <webapps.test@shelbycountytn.gov> on behalf of DEVELOP 901 <webapps.test@shelbycountytn.gov> Sent: Thursday, November 2, 2023 9:41 AM

To: nidia logam@memphistn.gov <nidia logam@memphistn.gov>; Miller, Breana <Breana Miller@memphistn.gov>

Subject: [Contact Us] Road Closures in Chickasaw Gardens

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

Marjorie Champion (not verified) (marde_champion@yahoo.com) sent a message using the contact form at https://gcc02.safelinks.protection.outlook.com/2
usl=http%3A%2F%2Fwww.develop901.com%2Fcontact%2Ffeedback&data=05%7C01%7CBreana Miller%40memphistn.gov%7C20c2ba853abb416ab4236

Message

Please do not approve the road closures in Chickasaw Gardens, the park is for everyone. I live on Central & walk this park frequently along with others. The ducks, trees, ability to exercise in a lovely environment for everyone in the area. This will set a presedent for other neighborhoods. We love this park and walking around the Pink Palace. Please I am asking for all in the neighborhood to disallow the HOA's request to gate all entries to Chickasaw Gardens. We (I) need a beautiful, serene place to walk and experience nature and this park is for everyone to enjoy not just the wealthy land owners around this park. Thank you for your time in this matter. Please contact me with any questions you may have or wish to discuss. Marjorse Champion

From: <u>Dana Price</u>
To: <u>Cobbs, Kendra</u>
Subject: No more gates!

Date: Wednesday, August 16, 2023 10:12:29 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender maven901@gmail.com

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

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Dana Mansolillo

From: <u>Elaine Elsas</u>
To: <u>Cobbs, Kendra</u>

Subject: OBJECT No gates at Lombardy or Lafayette

Date: Thursday, November 2, 2023 9:32:18 PM



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

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

Hi,

I am a homeowner on Picardy near the Chickasaw Garden Park. I walk there to use the city park to enjoy the outdoors in a safe space with my daughter. I teach her about nature while we observe animals at Chickasaw Lake.

Please object to adding gates that would limit our access to the public park maintained by the city. It should be accessible to as many citizens as possible to use for its intended purpose during posted open hours. Gates would negatively impact the quality of life for residents in our neighborhood. This decision impacts so many people and what they're able to do on a daily basis. Please vote NO and help keep the park a positive, accessible space for Memphians.

Sincerely, Elaine Elsas From: ALAN CRONE
To: Cobbs, Kendra

Subject: Objection to SAC 23-04 and SAC 23-05

Date: Wednesday, August 16, 2023 11:54:39 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender acrone1@comcast.net

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.

Dear Ms. Cobb:

I object to * SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette, and SAC 23-05: CHICKASAW GARDENS: close and vacate Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr. for the following reasons:

- 1. I have lived at the corner of Fenwick Rd. and Lombardy Rd. for almost twenty years, and the closure of Lombardy into Chickasaw Gardens will negatively impact my property values
- 2. I regularly walk in Chickasaw Gardens and around the lake in the early morning before work or in the evenings after dinner. Forcing neighbors to cross Fenwick at Central Avenue (since there is no sidewalk on the east side of Fenwick), where there is no traffic light, higher traffic volume, and higher risk of crime generally on Central Avenue, creates a greater risk of harm to the neighbors seeking access to public property
- 3. I also often walk through Chickasaw Gardens, exit the neighborhood on Lafayette, and walk through the neighborhoods on the east side of Chickasaw Gardens, avoiding walking directly along Central Avenue
- 4. Lombardy Road and Lafayette are public streets accessing a public neighborhood containing a public park owned and maintained by the City of Memphis
- 5. To my knowledge, Chickasaw Gardens has produced no data suggesting the actual crime rates in the neighborhood could reasonably justify the proposed gates or that the proposed gates will actually deter crime in the neighborhood. Crime statistics from the Memphis Daily News Crime Report Map for the period 1/1/2023-8/16/2023 list three reported crimes during the period; two vehicle vandalizations, and one counterfeiting/forgery crime. This is lower than the five reported crimes for the same

time period in 2022, and the five crimes reported for the same period in 2020. (There were no reported crimes listed for 2021). While any crime is unacceptable, these numbers do not appear to justify the financial and psychological harm inflicted on the surrounding neighbors that these gates would cause

Allison S. Crone

From: <u>Lyn Joyner</u>

To: <u>Cobbs, Kendra; Ragsdale, Brett</u>

Cc: <u>Dana Mansolillo</u>; <u>John Joyner</u>; <u>Linda Sowell</u>

Subject: Oppose gating CGHOA

Date: Thursday, November 2, 2023 10:10:59 PM

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.

Ms. Cobbs and Mr. Ragsdale:

Again, I'm opposing CGHOA's anti-neighborhood, anti-Memphis proposal to privatize two roads in mid-City and limit access to a City park.

- --Gating neighborhoods set a <u>bad precedent for creating walled-off enclaves</u> within the City, does nothing to enhance overall quality of life, or to reduce crime for Memphians.
- --CG does not have any significant crime issue. Often CGs <u>one</u>, on average, "crime-of-themonth" for 2023 through Oct. 31, is forgery/embezzlement. Gating two public roads will not improve that.
- --Based on my nearly 40 years of living across the street from CG, I can report that a number of CG residents contribute to city blight by refusing to maintain their reverse frontages on Fenwick. We have had to take several to Environmental court to reduce the hazards and eyesores presented by unmaintained property. For our Neighborhood Association, Code violation reporting of CG property bordering our neighborhood is an annoying, time-consuming routine.
- --I have seen no <u>enforcement</u> plan for "Dawn to dusk" for unlocking the gate for neighborhood pedestrians/bicyclists/runners/etc. access to the public City park.

I believe it's most likely that the gates, after a few months, perhaps a few years, will remain permanently locked to neighbors, reducing accessibility to the City park.

("Who you gonna call?")

--Of course CG's claim is that the public can enter via Central--a very long detour and far less safe with hazardous street crossing for pedestrians/bicyclists/runners.

I'm requesting that you NOT APPROVE CGHOA's proposal.

Sincerely,

Lyn Joyner

Fenwick Road Neighborhood Assoc.

Community Liaison/Treasurer

From: <u>Lauren Goller</u>
To: <u>Cobbs, Kendra</u>

Subject: Opposed to Chickasaw Gardens gating
Date: Thursday, August 17, 2023 11:45:58 AM



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

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

Hello Kendra,

As a concerned citizen of Memphis and homeowner in Joffre, I highly oppose the community of Chickasaw Gardens closing their entrances by gate. I often walk over in that area and visit the public park because it's nice and quiet and scenic, and I live a block away. By gating access, they would be excluding nearby tax payers from visiting a park they pay for. I do not believe their privilege should dictate such measures. If you want to gate off access to their community, then we should gate off access to other communities as well. They shouldn't be able to drive through or visit other neighborhoods either. It's unfair and as someone who pays taxes who lives nearby, I'm infuriated this is even on the table for discussion.

Thanks, Lauren Goller Resident of Joffre

Sent from my iPhone

From: Cathy McDonald
To: Cobbs, Kendra

Subject: Opposition Letter to Chickasaw Gardens Street Closures scheduled TRA 8/24/2023

Date: Sunday, August 20, 2023 4:53:45 PM

Attachments: Chickasaw Gardens Proposed Street Closures Opposition Letter.pdf



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

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

Ms. Cobb,

Attached please find my letter of opposition to items 12 and 11 on the agenda for LUCB review on August 24, 2023.

I am unable to attend this meeting in person, and will not be able to attend the meeting in September either due to work obligations. I do wish for my opposition to these matters to be on record.

Kindest regards, Cathy McDonald From: Robert Hollingsworth

To: Cobbs, Kendra; Ragsdale, Brett

Subject: Opposition to Closing Entrances to Chickasaw Gardens

Date: Thursday, November 2, 2023 9:19:51 PM

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,

My name is Robert Hollingsworht and my husband and I live at 192 Dille Place. I am writing this in opposition to closing access to Chickasaw Gardens via Lombardy/Fenwick and E. Goodwyn St/Lafayette Place.

We have lived in this neighborhood for over 23 years because of its close proximity to everything in the city of Memphis and the ease of being able to walk across the street and access Chickasaw Lake and Park. It is a city owned park and we nor any of our neighbors should be gated out and forced to walk around on Central to access the lake and park due to overly nervous neighbors.

There is already controlled access to Chickasaw Gardens on Poplar Avenue and another completely closed and gated access at N Lafayette Circle/Goodwyn Circle. So adding more gates to a neighborhood that is already gated and heavily patrolled sends the wrong message to not only the residents of the surrounding neighborhood but the entire city. This would set an ugly precedent.

Therefore I urge you both to share this letter with all concerned and especially those that have a vote. Encourage them on our behalf and behalf of all of the residents of this area who enjoy the park and lake and walking our beautiful neighborhoods to vote NO on this issue and keep the roads open.

Best Regards,

Robert Hollingworth 192 Dille Place Memphis, TN 38111 901-283-8700

p.s. I can see Lafayette Place as it moves into Chickasaw Gardens from my front porch and it is a lovely view, with all the neighbors and their pets and children enjoying their walks. So much better than a gate.

From: <u>Steve Wills</u>
To: <u>Cobbs, Kendra</u>

Subject: Opposition to Requested Road Closures, SAC 2023-004 and SAC 2023-005

Date: Sunday, September 17, 2023 2:49:46 PM



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

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Ms Cobb:

I would like to speak against the proposals to vacate the rights-of-way at both Fenwick & Lombardy as well as Lafayette Place & East Goodwyn. Applications for these actions, SAC 2023-004 and SAC 2023-005, respectively, were submitted by the Chickasaw Home Owners Association (CGHOA). My wife and I live on Lombardy, just west of Chickasaw Gardens, per se, and 100 yards or so beyond the distance mandating required notification. We found out about it from neighbors and later observed the required signage at each of the intersections.

I object to approval of these closures for the following reasons:

Potential negative impact on our own property value ...

Despite the innocuous rendering of the proposed gates, I believe that they will be no more aesthetically pleasing than the brick wall(s) running along the east (Chickasaw Gardens) side of Fenwick as well as the west side of Lafayette. Beyond the question of "how does it look", would be the implication that "our" section of Lombardy is unsafe, otherwise why would the gate be needed? Of course, that could certainly have a depressive impact on our residences and future resale value.

Convenience ...

Although this is certainly a personal item, my wife and regularly transit the Chickasaw Gardens, using one or both proposed points of closure. We do this by automobile, bicycle, as well as foot, when we walk our dog.

Privatization of Public Assets ...

That roadways are paid for by taxpayer dollars and are, therefore, public resources, utilized and shared by all citizens and residents of the community, how is it that these roadways can now be placed into the hands of a small private entity, i.e. the (CGHOA), simply as a result of an application submission and its approval? It does not seem appropriate to use the taxpayer dollars of all citizens, regardless of any pro-rata basis, to facilitate the creation of a de facto private, gated community.

History of Reduced Access to Chickasaw Gardens Subdivision ...

Based on the original subdivision platte(s)/maps from 1926, there were 13 separate points, intersections or roadways, providing direct access to Chickasaw Gardens. I cannot say with certainty that the reality of the implementation exactly matched the plan, but today there are 5 points of access. Assuming that the construction matched the plan, 8 points of access have been blocked or built over. I cannot say when they became "missing" from the street maps,

except that Tilton was closed in relatively recent years. Nevertheless, the trend of reduced access since initial design and implementation is obvious.

Currently, approximately 1.8 miles of the subdivision's roughly 2.2-mile circumference is already walled or fenced; that is 82% of the neighborhood. If both of these closures are approved, there will be only 3 points whereby the public will find ingress to or egress from the Chickasaw Gardens subdivision and the walled-off portion of the neighborhood will climb at 86% of the distance around the area. Given this trend, one could forecast that within the next 20 years, all points of access will be closed or gated, despite the presence of a public park within the subdivision.

Reason: "Neighborhood Security" ...

Additionally, although the stated reason for the application is "Neighborhood Security", I do not find any objective data or research regarding criminal activity or even the anticipated reduction of pass-thru traffic. For example, was there a reduction in property crimes after Tilton was closed? Or what is the relationship between crime in an area as a function of the length of a contiguous perimeter? Without such evidence, I must consider the possibility that it is really neighborhood "comfort", rather than actual security. I suspect that the installation and utilization of Flock security cameras might be an equally effective and more efficient/costly resource for bolstering neighborhood security. I also believe that there is good data supporting that.

Unfortunately, from my perspective, I do not believe I can offer a totally rock-solid, inarguable point against this proposal, i.e. no reason you and your office can use to defend a denial of the application, even if such a denial were argued against, all the way to the US Supreme Court, as was the case in City of Memphis v. Greene, 451 U.S. 100 (1981). However, to me, it doesn't feel right to further restrict access to this neighborhood, seemingly another white-washed reason for the exercise of exclusivity, partly funded by the public and, in my opinion, possibly based on hysteria, bias, or other unspoken reason.

I certainly understand the desire to, at worst, wall out "the others" and, at best, to reduce extraneous traffic transiting a neighborhood; I believe that our 400+ yards of Lombardy, between Buntyn and Fenwick, immediately west of Chickasaw Gardens appears to experience far more such traffic than any part of Chickasaw Gardens. So, I definitely understand the sentiment, but I do not understand how my neighbors believe that I, or any other citizen, should be denied access to the area nor how that denial will truly improve their neighborhood security.

Thank You, Steve Wills From: John Garza

To: Cobbs, Kendra

Cc: Ragsdale, Brett

Subject: Opposition to SAC 23-04 and SAC 23-05

Date: Thursday, August 17, 2023 4:25:06 PM



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Technical Review Committee and Land Use Control Board,

I'm a resident in Humes heights at 2754 Lombardy Ave. I'm writing to you to express my opposition to SAC 23-04 and SAC 23-05; Chickasaw Gardens' applications to close the streets at Fenwick and Lombardy and at Goodwyn and Lafayette Pl. I like many of my neighbors exit onto Central from the stop light at Goodwyn, and we encourage our children to do so for safety reasons. The intersection of Fenwick and Central Ave as well as the intersection of Buntyn and Central Ave. are both dangerous due to limited sight lines and the speed of traffic, especially during evening hours. The proposed gate at Fenwick would force even more traffic into an already dangerous intersection. There are numerous police reports of cars traveling at excessive speed down Central, and adding cars entering unprotected will undoubtedly increase accidents.

Further, the closing off or limiting access to a public street in a residential neighborhood that restricts access to publicly maintained streets, a city park and lake is outrageous. The desire to control crime is one we all share. But there is no evidence that the crime rate will be reduced by the proposed closures.

This proposed change is in direct contrast to the Land Use and Control Boards, Memphis 3.0 initiative. The City of Memphis supports the 10-Minute Walk campaign sponsored by the Trust for Public Land, National Recreation and Park Association, and Urban Land Institute. (Taken from the City of Memphis Park Services Master Plan, 2020 Executive Summary (https://www.memphis3point0.com/files/ugd/100a0d_2e205537bc844e98b44c69182f3a2ca0.pdf)

, Noted on page 24 of only 45.8% of Memphians are within a 10-minute walk of a park. These proposed closures would limit access and increase the distance that our elderly or otherwise mobility challenged neighbors would need to traverse to access the Chickasaw public park. The brochure states that "In order to close this gap by 2050 (the target date of the 10-Minute Walk movement), partnerships to

create and facilitate increased public access will be necessary." Further, on page 28 the Master Plan will "Establish partnership policies that demonstrate equity and fairness". Clearly this is NOT

demonstrating equity.

Chickasaw Gardens said the pedestrian access and gates will be open during the day but offer no assurances or recourse for the public if these gates are not accessible each day. This language is not what demonstrates responsibility, nor does it meet the level of trust a city can place on a neighborhood association to ensure access for the citizens who pay for the streets and public spaces within the proposed closure.

For these reasons I remain opposed and ask for your assistance to stand against this proposed closure.

Regards,

John Garza

From: <u>Julie Green</u>

Subject:

Date:

To: Cobbs, Kendra; Ragsdale, Brett; Linda Sowell; Alex McCormick

Friday, September 1, 2023 11:24:09 AM

Cc: mwsharp@bellsouth.net; Scott Fleming; brown@gillprop.com; Tolesassoc@aol.com; dlyleswallace@comcast.net;

jmckinnoncre@gmail.com; jenniferbethoconnell@gmail.com; dkthomas@gotci.com;

<u>lisa@ethridgeenterprises.com</u>; <u>Morgan, Worth</u> OPPOSITION to SAC-23-05 (and SAC-23-04)

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Ms. Dobbs & Mr. Ragsdale, and members of the Land Use Control Board:

I am writing to express my extreme opposition against allowing the Chickasaw Gardens Homeowners Association to gate off Lombardy Road at Fenwick.

Complicating vehicle access and exercise/recreation access to all who enjoy the PUBLIC roads and PUBLIC park within Chickasaw Gardens is concerning to say the least, and elitism at worst.

This attempt is a direct violation of the Memphis 3.0 plan, which the Land Use Control Board adopted in 2019, which clearly states that the goal is to make Memphis "a city of GREATER connectivity and access."

My family has accessed Chickasaw Gardens via Lombardy at Fenwick day & night to exercise, walk, and pick up/drop off my child's friends who live in the neighborhood. I can currently drive through Chickasaw Gardens to access the light at Central & Goodwyn, which has a clear, unobstructed view to turn, unlike the light at Central and Buntyn, which has a sharp curve.

If Eliza Fletcher's death taught us anything, it's that people exercise at times that don't meet the "dusk to dawn" timeframe. Regardless of CGHA's supposed plan to have a pedestrian gate installed, we all know people who often have to exercise at hours that don't fit into this "dusk to dawn" schedule. Pushing local neighborhood residents to Central is NOT an answer.

There is no way to ensure that CGHA will follow through with making sure any pedestrian gates are actually installed, and certainly no way to guarantee that they would be unlocked in perpetuity, providing even less access to the area neighborhoods.

My home's value in Humes Heights is absolutely tied to easy access to the park and lake in that neighborhood without having to get on major roadways like Poplar or Central.

CGHA says "security of the neighborhood" is their reasoning for this request. Crime data from MPD in Chickasaw Gardens shows exactly SIX crimes happening in the entire year of 2023 to date, two of which are "counterfeit/forgery" charges. Six reported crimes over nine months does not equate to a crime wave:

https://www.memphisdailvnews.com/CrimeReport.aspx

(Attached: screen shot of crimes reported in the entirety of Chickasaw Gardens)

Chickasaw Gardens is using the uptick in crime in the overall Memphis metro to try to create an exclusionary gated neighborhood bit by bit.

Several years ago they were allowed to close off access to Poplar. Brick walls were built along Lafayette and Fenwick, and CG homeowners have failed to keep overgrown areas from encroaching onto Fenwick in particular, making it difficult for automobile traffic.

Now they are trying to close access at Fenwick and Lafayette. The eventual next move will be to close access at Central, citing that all previous attempts "didn't stop crime" yet again.

Chickasaw Gardens currently has MPD camera systems for surveillance, as well as a 24/7 security patrol. They also have the ability to reach out to MPD to request additional patrols, as all of our neighborhoods do.

While I certainly empathize and agree with citizens concerned about crime, that concern doesn't enable neighborhoods to wall themselves off from the city in which they are choosing to reside. I feel confident that attempts of more "middle class" areas like Humes Heights, Fenwick, Joffre, Central Gardens or High Point to gate off their neighborhood from their surrounding communities would be met with rejection.

Perhaps the residents of Chickasaw Gardens who feel gates are needed should consider moving to an existing gated community that pays for their own roads and parks...outside the heart of the city they want to close themselves off from. They should not be allowed to turn public streets & parks into their own private gated community, and reduce home values all around them by doing so.

Please reject both requests SAC-23-05 and SAC-23-04.

Thank you in advance for your attention to this matter,

Julie Green 2770 Iroquois Road Memphis, TN 38111 901.240.3863 From: wynne duong
To: Cobbs, Kendra

Subject: Opposition to the Chickasaw Gardens Gates

Date: Sunday, August 20, 2023 8:20:25 PM



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To whom it may concern,

I am writing to voice my concerns about the Chickasaw Gardens gates. I live in the Humes Heights neighborhood. I think these gates would hurt all of the surrounding neighborhoods. There is a public park in that area thus it should not be gated from the general public. I oppose the placements of gates at the Fenwick entrance and all other entrances.

Sincerely, Wynne Duong Memphis and Shelby County Land Use Control Board 125 N Main St #477 Memphis, Tennessee 38103

September 05, 2023 (original submittal)
Updated October 31, 2023 (updates in *blue italics*)

RE: Public Comment on Case Number SAC 2023-004, "Lafayette Place Closure", and Case Number SAC 2023-005, "Lombardy Rd. Closure"

Dear Chair Sharp and Board Members,

I am writing to express my significant concerns regarding the two referenced cases which would close public streets, limit access to park space, and significantly restrict connectivity between neighborhoods.

I write as both a resident of Joffre, the neighborhood immediately east of Chickasaw Gardens, and as a transportation engineer and planner who is concerned about the broader impacts on regional connectivity and the precedent this action would set for other communities in the region.

My concerns are as follows:

1. Public Streets Should Remain Public

Closing Lafayette Place and Lombardy Road would represent a privatization of a valuable public resource, our transportation network. In our modern era of cul-de-sacs, the development pattern of inner-loop Memphis is a refreshing throwback to a more connected, more walkable time. However, Chickasaw Gardens is already an exception to this rule, with multiple street access points blocked off by walls or gates, and now this pair of applications proposes to close access further such that there remain zero public access points from the east or west.

This proposal would very much disrupt the current neighborhood fabric, all for the sake of perceived security in a neighborhood that can already afford security patrols and a growing system of video cameras. I worry that this will set a dangerous precedent for other affluent, quasi-gated communities in the region.

In their applications, the Chickasaw Gardens Homeowners Association has indicated a willingness to include "bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy," which I assume is meant to read "dawn to dusk". While I appreciate their acknowledgment of visitors from adjacent neighborhoods, if the right-of-way vacation is approved I worry that it will not be hard for a future HOA board to renege on this promise. How will this commitment be enforced in perpetuity? What recourse will the surrounding neighborhoods have to challenge a future closure, which I see as all but inevitable?

I would additionally suggest that the Board should question the applicant further about the confusing "open from dusk to dawn" language in the applications that was noted above. The HOA's stated proposal of including bicycle/pedestrian gates in the design that are only open during daylight hours (as described during media interviews) is already a concerningly strict restriction of access that nearby residents and students are legally entitled to have during overnight hours, as discussed in Section 3. But if the applications' language is indeed accurate and the gates would only be open at night then this would be an egregious limitation of park access and of connectivity on the local low-stress bicycle network, as discussed in Sections 2 and 3. Access to Lafayette Place and Lombardy Road should be open to all at all times of day.

2. The Closures would Limit Access to Our Local City Park

Gating off Lafayette Place and Lombardy Road would significantly restrict access to Chickasaw Gardens Park. Chickasaw Gardens Park may have the feel of a secluded neighborhood amenity due to its small size and landlocked location within the Chickasaw Gardens Neighborhood, but make no mistake that it is a public park, owned by the City of Memphis and a valued element in our City's network of parks.

Moreover, Chickasaw Gardens Park is the de-facto local park for several surrounding neighborhoods due to its walkable location. In addition to the Chickasaw Gardens neighborhood, Chickasaw Gardens Park also

serves Humes to the west, Midland-Goodwyn and East Buntyn to the south, and my neighborhood of Joffre to the east. My family loves having a tranquil, tree-filled park within walking/biking distance, and I fear that this proposal would make it so we can no longer make the trip on foot or by bike.

Even if the proposed gates do indeed remain unlocked during daylight hours, what chilling effect will the gates themselves have on the perception of Chickasaw Gardens Park being available for public use? I know I would certainly feel less welcome as a visitor approaching from Lafayette Place or Lombardy Road, and there are significant safety risks from the likely diversion of ped/bike access routes from the relative calm of neighborhood streets onto high-speed Central Avenue.

3. The Closures would Restrict a Key Link in the Local Bicycle Network

A major reason I am compelled to write today is that I feel that the neighborhood streets of Chickasaw Gardens are an underappreciated element in the City of Memphis' bicycle network, and adding impediments to east-west travel through the neighborhood would create a significant gap in the network.

Cyclists in the area know that the low-speed neighborhood streets of Humes, Chickasaw Gardens, Joffre, and East Buntyn provide a continuous, low-stress bike route to access regional destinations. Some representative routes are noted on the attached **Figure 1**.

The dark blue "wiggle" route through Chickasaw Gardens seen on **Figure 1** provides the connection my family in Joffre needs to access major destinations to the west while avoiding high-speed traffic on Central or Poplar. This access is not limited to nearby bike-friendly locales like Cooper-Young and Overton Park/ Overton Square; the connection through Chickasaw Gardens also opens up access all the way to Downtown and over the Big River Crossing to Arkansas via the City's relatively new bike lanes on Peabody and MLK.

Again, I recognize that the HOA has indicated a willingness to include gates at the two access points and leave them "open," which I have seen alternatively quoted in media stories as "unlocked." Unlocked but closed gates would still represent a significant impediment to bike travel, as users would need to dismount to open and traverse each gate before remounting and setting off, up a hill in the case of Lafayette Road!

Furthermore, the nighttime closure that the HOA envisions ("open from dusk to dawn" per the application) would divert cyclists onto Central Avenue at a time when they are most vulnerable to being struck by drivers, and it should be noted that the portion of Central Avenue adjacent to Chickasaw Gardens does not have bike lanes and would therefore force riders to interact with high-speed traffic on a posted 40 mph road, where drivers often travel faster particularly during cruising times on evenings and weekends. Cycling during overnight hours is surprisingly common in our neighborhood, which I attribute in large part to the high student population from U of M and CBU, and the significant impact this closure would have on these populations who may not be able to afford a car should not be discounted.

I hope you will consider my concerns and vote to deny both Street and Alley Closures noted above. Lafayette Place and Lombardy Road are valuable connections to the adjacent neighborhoods, and to the region as a whole, and should remain open to all at all times.

Thank you for your attention to this matter. Please do not hesitate to contact me if you would like to discuss these concerns further.

Sincerely,

Peter Kauffmann, PE, PTOE, AICP

242 Alexander Street Memphis, Tennessee 38111 pdkauffmann@gmail.com

804.855.9429

AEWED! TALEADE Existing Chickasaw Fences CHARLES HALE APE JOHNY Bike Lanes To/From Northwest SYNTAL AVE **Greenways** AURCRA CIK Hampline, Greenline, Broad Ave, Route through Chickasaw Local Neighborhoods Overpass MINORA AVE (no Greenline Low-Stress Bike Routes (Binghampton, etc) connection) WAYTED ON AVE Access Points with **Proposed Restrictions** To/From Northeast Poplar Plaza, alternate Greenline connection, To/From West Local Neighborhoods CBU, Flicker Street, Overton Square, (Joffre, Poplar-Holmes, etc) Downtown (via Peabody), Local Neighborhoods (Humes, East Midtown) POPLAR-HUMES HOLMES Monuos Rg. DITTE CHICKASAW GARDENS CHRISTIAN BROTHERS EAST UNIVERSITY MIDTOWN To/From Southwest ROSHED Cooper-Young, Soulsville, To/From Southeast Local Neighborhoods U of M, (Midland-Goodwyn, Local Neighborhoods Cooper-Young) (East Buntyn, Normal Station, etc) EAST BUNTYN MIDLAND-GOODWYN 0.25 0.5 Miles

Figure 1: Lombardy Road and Lafayette Place (dark blue) are Critical Elements of the Bicycle Network Serving the Surrounding Neighborhoods

From: <u>David Norton</u>
To: <u>Cobbs, Kendra</u>

Subject: Proposed Closure / Access to Chickasaw Gardens

Date: Sunday, August 20, 2023 5:00:03 PM



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Ms. Cobbs,

I am writing to express my concern regarding the current petition to the Land Use Control Board to allow the closure of Chickasaw Gardens. Whereas, there would still be access from Central Avenue, the closures on Lafayette Place and Lombardy Road would greatly diminish any surrounding homeowners' ability to enjoy an early morning stroll or late afternoon walk. Furthermore, the closures completely eliminate any pedestrian access to Memphis Lake, which is one of the nicest pedestrian walkways in the city. Memphis Lake is owned by the City of Memphis and the land surrounding the lake and all non-fishing related activities are owned and managed by the City of Memphis. I would think eliminating access to tax paying residents of the City of Memphis would be a conflict of interest as well.

If the goal of the Chickasaw Homeowner's Association is to protect their neighborhood or limit drive-thru traffic, I would think there would be more well suited alternatives to explore. Perhaps the addition of gates that limit vehicle access, but still have pedestrian access points for foot traffic would be a reasonable alternative. I would think that surrounding residents (such as myself) would even be willing to pay a small stipend to the Homeowner's Association to continue to use the neighborhood for family walks, etc.

I do sympathize and understand the HOA wanting to protect their homeowner's and deter the already increasing crime in our areas, but there has to be a more thoughtful compromise, given the city owned land that is so frequently used.

A more pressing issue in my opinion is the continued dangerous speeds for which vehicles travel on Lafayette Street, between Poplar and Central. Despite the speed bumps, the street is a cut through and cars fly down the street with no regard to children or adults walking the areas. Sorry, that is off topic, but nonetheless needs addressed. I have contacted the Police Patrol Units, but not much success has been made to thwart the speeding.

I appreciate your efforts and more importantly your leadership in making Memphis a better community. Please do not hesitate to reach out to me if I can do anything for you.

Sincerely,

David S. Norton

138 Lafayette Street Memphis, TN 38111 423-584-0807 David.s.norton10@gmail.com From: <u>Harry Kemp</u>
To: <u>Cobbs, Kendra</u>

Subject: Proposed closure of 2 entrances to Chickasaw Gardens Neighborhood

Date: Thursday, August 24, 2023 12:14:54 PM



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Dear Ms. Cobbs,

Sorry this is late, I kept getting your email address wrong.

My wife Virginia and I live in a neighborhood associated with the Chickasaw Gardens neighborhood. We have looked at a map of Chickasaw Gardens and do not really understand how closing off the Lombardy at Fenwick and Lafayette Place at Lafayette entrances is an improvement. If people are concerned about fast moving cars just passing through, as all neighborhoods are, I do not understand where cars would be passing through to. If the home owners are concerned about crime then maybe having 3 not five ways to get into and out of Chickasaw Gardens would incrementally improve the chances of catching a criminal discovered in the act, but there are still 3 entrance/exits on Central.

I must say that I am opposed to this proposal without clear justification on how the neighborhood would be improved.

Cheers,

Harry S. Kemp

2979 Gardens Way

Memphis, TN 38111

From: William Maroon

To: Ragsdale, Brett; Cobbs, Kendra

Subject: Proposed gate closures of public streets at Lombard & Fenwick and Goodwyn & Lafayette

Date: Thursday, August 17, 2023 5:21:45 PM



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To: City of Memphis: Land Use and Control Board

Attn: Brett Ragsdale and Kendra Cobbs

RE: SAC 23-04 and SAC 23-05

As a resident in close proximity to the proposed gate closure at Lombardy and Fenwick, I am very concerned about the proposed closures for several reasons:

- 1. The <u>City of Memphis and Shelby County Urban Design Guidelines Final Draft</u> dated December 2022 states that the proposed "Infrastructure should support and enhance **bicycle connectivity, pedestrian safety, and accessibility** to create a safer, more comfortable environment for people to walk and bike". The proposed gates would be in direct conflict as it pushes access to a city park from entrances off a quiet street onto a heavily traveled busy four-lane street.
- 2. The Land Use Control Board mission statement (https://www.shelbycountytn.gov/140/Land-Use-Control-Board suggests that the Land Use Control Board will "Encourage the development of great, vibrant, healthy urban streets, open spaces, public places, and neighborhood". Not limit access to open, public spaces. The closure, if approved would restrict public access to a city park in direct contrast to the mission statement and discourage the use of a public place... a city-funded park no less. And the mission statement suggests "encouraging vibrant neighborhoods". This proposal has already created strife among neighbors which I pray will dissipate in time.
- 3. The **Memphis 3.0 plan** adopted by this very body in 2019 states that "Memphis will be a city that anchors growth on strengths of the core and neighborhoods; a city of greater connectivity and access; a city of opportunity for all. (https://www.memphis3point0.com/plans-and-maps). I challenge anyone to provide a reasonable argument that suggests this proposed street closure would in any way promote greater connectivity or opportunity for all.
- 4. The City of Memphis Park Services Master Plan, 2020 Executive Summary includes its support of the 10-Minute Walk campaign sponsored by the Trust for Public Land, National Recreation and Park Association, and Urban Land Institute.

(https://www.memphis3point0.com/_files/ugd/100a0d_2e205537bc844e98b44c69182f3a2ca0.pdf). Noted on page 24 only 45.8% of Memphians are within a 10-minute walk of a park. These proposed closures would limit access and increase the distance that our elderly or otherwise mobility-challenged neighbors would need to traverse to access the Chickasaw Public Park. The brochure states that "In order to close this gap by 2050 (the target date of the 10-Minute Walk movement), partnerships to **create and facilitate increased public access** will be necessary." Again, closing access on two of the three accessible sides of this park is in direct conflict with the City Park Services master plan.

5. The proposed closures will force all entry through the Poplar and Central Avenue entrances. This increased traffic will cause an increase of cars in the turn lanes waiting to enter and cause a

build-up of those waiting to exit and create an unnecessary hazard and inconvenience. This should be studied by the city prior to consideration of such a closure.

- 6. For those of us on the Lombardy side, we will be forced to exit through the Fenwick and Buntyn intersections with Central Avenue which are dangerous already. The Fenwick / Central Avenue intersection has limited sight lines and is not protected by a traffic signal. With numerous reports of vehicles traveling and high rates of speed, we see frequent wrecks and near misses and try to avoid this intersection by crossing and exiting onto Central at Goodwyn. We encourage our young and elderly drivers to do the same. And the intersection at Buntyn and Central is in a curve and even though it has a signal, provides little comfort. Everyone in our community well understands the dangers posed by the flagrant disregard for safety and these intersections are especially dangerous.
- 7. We believe that this action will have a direct impact on the property values of homes just outside the gate.
- 8. **It's a CITY PARK**. I didn't see in the proposal that the neighborhood association had increased funding to take over the taxpayer expense of upkeep and maintaining the public park. By limiting access, the homeowner's association should be responsible for the cost. By limiting the access to two of five entrances (40%), any consideration of these proposed closures should be accompanied by the discussion of escrow accounts with required balances to cover three-fifths (60%) of the costs to upkeep the park and lake.

I get it. We are all frustrated by crime in our city. But closing streets isn't the answer. It's wrong to remove access for citizens to a public space and that's exactly what is proposed. Do the right thing for the city and for the neighborhood and join me in opposition to these absurd requests.

For these reasons, I remain opposed and ask for your assistance to protect my rights to access public streets and public parks.

Regards,

William Maroon 2754 Lombardy Ave From: <u>Johanna Condon</u>
To: <u>Cobbs, Kendra</u>

Subject: proposed road closures of Lafayette Place and Lombardy Rd.

Date: Saturday, August 19, 2023 2:58:56 PM



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Good day,

I was made aware of the proposal to close these two roads, essentially cutting off access to the neighborhood and park except by Central Ave. I understand the desire for safety and security, we all have that, but cutting adjacent neighbors from walking and enjoying the beautiful park at the center of that neighborhood is not the way to do it. It is a lovely park and area that I have walked frequently since I moved over on Cowden Ave. a year ago. The ability to easily walk to a public park was one of the benefits of the area. Those are public roads and a public park. To gate those roads, cutting off access, creates an enclave enclosing public space that all citizens should have a right to enjoy. This should not be allowed to become a gated community. Thank you for your consideration.

Best regards, Johanna Pranica From: Theodore J Burkey (tburkey)

To: Cobbs, Kendra

Subject: Public Access to Chickasaw Gardens Park....tjb.

Date: Sunday, August 20, 2023 10:48:02 AM

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.

Greetings Kendra Cobb,

Like many of our neighbors, we live walking distance from Chickasaw Gardens Park and almost daily visit the park. We understand the Chickasaw Gardens residents concern for their safety. However, they decided to move into their homes knowing they were near a public park: they bought into the benefits and risks of living near a public park. Stopping pedestrian and vehicle traffic effectively removes the park from public use, and the park effectively becomes a private park. Logically and legally the Chicksaw Gardens residence should "replace" the park with an equivalent developed space for public use nearby. This could be an expensive proposition requiring the purchase and development of nearby property.

Visitors from the adjoining neighborhoods do not need automobile access and should have, at the tre very least, access with multiple unlocked pedestrian/bicycle gates. Vehicle parking should be made available for citizen from the rest of the city. Perhaps this might be made available from the nearby MoSH or City library parking lots (a pedestrian bridge across Poplar Ave might be needed for the latter).

Ted Burkey Karen Zissoff
 From:
 Ragsdale, Brett

 To:
 Kevin Jones

 Cc:
 Cobbs, Kendra

Subject: RE: Concerning Chickasaw Gardens Proposal Date: Tuesday, August 22, 2023 9:24:58 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,



Brett Ragsdale, AIA

Zoning Administrator Division of Planning and Development 125 N. Main, Ste. 468 Memphis, TN 38103 Phone: 901-636-6619

Email: brett.ragsdale@memphistn.gov



Visit our website

From: Kevin Jones <kjones0415@gmail.com> **Sent:** Tuesday, August 22, 2023 6:03 PM

To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov> **Subject:** Concerning Chickasaw Gardens Proposal



The CoM Email Security System finds this email suspicious! The sender of this email Kevin Jones is similar by name to your contact Jones, Kevin, this might be an impersonation attempt. | Know this sender?

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To whom it may concern,

Thank you for taking the time to read my thoughts regarding the proposed gate closures in Chickasaw Gardens.

The representatives of Chickasaw Gardens cite crime as their pretext for (severely) limiting access to their neighborhood. If Chickasaw Gardens can use the fear of crime as an excuse to shut out their fellow Memphians, partially or entirely, then almost every other neighborhood in the city would have an even stronger argument to do the same (because most neighborhoods have more crime

than Chickasaw Gardens.) If the city government allows Chickasaw Gardens to close off public streets, it will set a **very bad precedent** for the city. The future will look much more ominous.

I predict that a series of further fragmentations (in wealthy neighborhoods most of all, and maybe middle-class as well) would follow in the coming years (in fact, just today I heard that residents of Hedgmoor are currently attempting a very similar action.) This would devastate the character of the city, turning Memphis into a series of splintered, walled-off compounds. Not only will this make Memphis feel more like a warzone than a real city, it will aggravate the various forms of segregation that already plague the city. Excluding others is fundamentally anti-city.

If residents of any neighborhood become so paranoid about crime, or any other urban problem, that they want to commandeer public spaces and effectively, if not literally, turn them into their private domains, they are better off moving to Fayette County or any other rural setting. Or they could move to an actual private, gated subdivision here in the city, which sadly abound. But to allow an antisocial, anti-urban mentality to go so amok that they are permitted to steal an integral part of the cityscape (via choking public access to the neighborhood) would be a terrible step for this city. Just because someone is tired of urban problems (which we can all understand) does not mean he or she has the right to deprive fellow citizens of use of their city.

In no way am I singling out Chickasaw Gardens...no neighborhood, rich or poor, should be allowed to do this because of the destructive precedent it would set.

However, I think it is worth adding that I can personally attest that Chickasaw Gardens has a long history of intolerance toward even the most innocent visitors to "their" neighborhood. It begins with the multiple, very hostile signs at the entrances to the neighborhood, stating the various warnings and prohibitions that they unilaterally impose.

Even though there is a city park there, I am unaware of even a single designated parking space for it, and I have been scowled at by residents there for doing nothing more than parking on the (public) street to visit the park.

Again, this is a public neighborhood, not a private subdivision. City residents should not be allowed to opt out of city life, at the expense of the city as a whole.

Again, this is a public neighborhood, not a private subdivision. City residents should not be allowed to opt out of city life, at the expense of the city as a whole.

My wife and I appreciate architecture, and from time to time we go to a neighborhood for a drive or a walk to admire the homes. In Chickasaw Gardens, we almost always get tailed by one of their security trucks within a few minutes of arriving, and they stay on us until we leave...of course we cannot enjoy the experience and have to leave even though we do nothing wrong or illegal. We even tried taking my wife's sister (visiting from a foreign country) to see the Christmas decorations in people's yards one night, but we got the same treatment (very embarrassing for a foreign visitor to witness how things are here.) In **no other neighborhood** in Memphis have we received such treatment.

I say all this to emphasize that, although I believe all neighborhoods should be treated equally, the city should keep in mind that Chickasaw Gardens has a track record of behaving as if they were above the law or somehow entitled to enjoy only the benefits but not the burdens of urban living (i.e. the "burden" of having their fellow Memphians dare to enter "their" neighborhood.)

I have seen some Memphians argue against the closings solely because there is a municipal park there. I think that argument fails to address the central issue. Even if there were no park, this is still a neighborhood like any other, made up of land that is part of our city. The streets are no less public than any park, and the residents have no right to exclude the rest of us from any of them. There are plenty of reasons apart from committing crime that Memphians choose to use those or any other streets. For many people, the reason is to visit the park, but also there are people like me who may just like to visit and appreciate a particularly impressive and charming neighborhood in our city. For others, it can be a scenic detour from time to time, a relaxing escape from the main thoroughfares like Central Avenue.

I have heard it argued in defense of the closures that the streets would remain open during park hours. For one, we should all be highly skeptical of this, as the same entitled mindset that pushes for partial closure will inevitably push for total closure. But more importantly, I reiterate that these are public streets, and it is no crime to drive or walk down these streets at any hour of the day (I, for one, enjoy night time drives through pretty areas such as Chickasaw Gardens.) Partial closure is just as wrong as full closure.

It is wrong for public space to be controlled by a small group, and it is contrary to the future of our city as a whole.

Thank you for your time and consideration.

From: Evan Hurst

To: <u>Cobbs, Kendra</u>; <u>Ragsdale, Brett</u>

Subject: Re: More opposition to Chickasaw Gardens gate closures

Date: Wednesday, August 23, 2023 8:02:01 AM



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Don't know how it got cut off but that sentence missing words was supposed to say "felt too close for comfort for everyone."

On Wed, Aug 23, 2023 at 8:00 AM Evan Hurst < evanjosephhurst@gmail.com> wrote: To whom it may concern:

Add my name to the list as a homeowner in Humes Heights who is strongly opposed to Chickasaw Gardens gating itself off from the city and making life more difficult for surrounding neighborhoods under the guise of protecting itself from crime.

When I bought my home, which features a rental unit, a selling point was that from my front door to the Chickasaw Gardens park -- a city park, obviously -- was exactly a one-mile walk. Many people who live in Humes Heights have young children and dogs or are cyclists (much like their neighbors in Chickasaw Gardens!) and to have this kind of accessibility to such a gorgeous city park without having to hit a four-lane street is magical. It's the kind of walkability Memphis claims it's aspiring to create throughout the city, the kind of walkability that all real world-class cities are striving to create in the 21st century.

Indeed, as things now stand, one can take huge long walks through Humes Heights, Chickasaw and the Joffre neighborhoods without ever touching a four-lane. Many of us learned all about this during the pandemic.

To once again underline my point, it's on my ad for the unit I lease out, so I am not speaking only a homeowner and resident, but also as a landlord in the area. It's one of the amenities. It's what I signed up for.

And about those four-lanes. It may be hard to see on a map, but there is no scenario under which proposed closures at Fenwick and Lafayette would be anything but a grave inconvenience and nuisance to the neighbors. As a Humes Heights homeowner, I'll speak for Fenwick. (I could speak on Lafayette too, as again these neighborhoods are really all one neighborhood made up of smaller subdivisions, which really kind of strikes at the heart of the point, I think. But Joffre and Lafayette and Cowden and Dille Place homeowners can speak on it even better.)

When we bought our houses, we did so knowing we could walk/bike/run down Humes, hang a left on Lombardy, look both ways (CAREFULLY) and enter Chickasaw Gardens.

We did not do so with the expectation that in order to continue our walks/bike rides/runs through the neighborhood, we'd have to take the scenic route through one of the darkest

sections of Fenwick, with the least visibility from neighbors. Drive down there, you'll see what we mean. There is no visibility from ANY house. It absolutely screams out "Look, a jogger by themselves!" (We'll get back to that.)

Then you get to Central and Fenwick, which is just as dangerous for cars as it is for pedestrians. So is Central and Buntyn, the neighborhood's other southern ingress/egress, despite how it has a light. You've heard a hundred times already that many in this neighborhood like to exit onto Central via Goodwyn for the sake of safe driving.

None of this benefits anyone, and it certainly doesn't prevent crime.

As far as we can see, Chickasaw Gardens has been seeking ways to wall itself off pretty much since its inception. At this point, the status quo works. CG residents can use the Poplar entrance. None of the surrounding neighborhoods are demanding to use that one. Nobody cares about Tilton Street being a private drive, just like nobody is complaining about nearby Tara Lane or Goodwyn Green Circle being private drives.

Closing off Fenwick and Lafayette does nothing but inconvenience neighbors, while doing scant little to deter criminals, who we have heard these days also have access to Google Maps.

The neighborhood assures us there will be a pedestrian gate that's unlocked during daylight hours, so get those walks in before 4:30 p.m. during the winter, kids! You know, unless you want to walk through the creepy stretch of Fenwick next to the house that's always vacant.

But this brings me to my final point, as I know others have addressed many other aspects of this more than adequately. This is almost certainly not about a true and specific spike in crime. We all can access the actual record, and the instances of crime in Chickasaw Gardens lately have been petty and infrequent. Not to discount them, obviously, but it's a manageable issue that neighbors of good will -- across neighborhoods! -- can be concerned about together.

Some really scary things have happened in Memphis lately, crime-wise, things that have been absolutely horrifying for people in town who probably aren't used to dealing with violent crime every single day like many of our neighbors. (Neighbors. Not "people who live somewhere over there." Neighbors.) Obviously the devastating murder of Eliza Fletcher comes to mind, which didn't happen in Chickasaw Gardens, but happened just down the road from all of us and fe

But if that gut-wrenching event taught us anything, it's that we're safer when there are more of us out and about, more of us visible, at all times of the day and night. In the real world we live in, in Humes Heights, Chickasaw Gardens and Joffre, we all have different schedules. We are healthcare workers and teachers and parents and caregivers and quite frankly, we all deserve to feel safe grabbing an hour to go for a run, whenever that works in our schedule. For some people it's 4:30 in the morning.

A locked pedestrian gate and a "keep out" sign from your neighbors sure doesn't make that any easier.

Thank you for your time.

Evan Hurst 72 South Larchmont Drive From: <u>Katie B</u>
To: <u>Cobbs, Kendra</u>

Subject: Re: SAC 23-04: CHICKASAW GARDENS

Date: Wednesday, August 23, 2023 7:47:58 AM

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Kendra - In addition to the below concerns and reasons for disagreeing with SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St., please see additional safety concern:

• The turn from eastbound Central Ave to northbound Lafayette St is not a protected turn lane. The increased traffic coming from Chickasaw Gardens and Chickasaw Park exiting to the only available exits along Central Ave would create queues along eastbound Central Ave at Lafayette St and Central Ave currently does not have the space to add a new turn lane given the utility constraints at the intersection. Not only are there pedestrian and cyclist concerns as stated in my previous email but we would also be creating an increased risk of vehicular collisions.

We believe that first and foremost there is not enough data presented by Chickasaw Gardens in the application to justify the application let alone approval of SAC 23-04. We also believe that there is no justification to negatively impact property values, pedestrian and cyclist safety, access to City of Memphis property, emergency service response time, or accident rates based on the flippant request presented in SAC 23-04.

Thank you,

Katie Burns

On Tue, Aug 22, 2023 at 8:41 PM Katie B < <u>burnskatieanne@gmail.com</u>> wrote: Hello! I live in the Joffre neighborhood and we have concerns regarding SAC 23-04: CHICKASAW

GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

- In the letter from SRC Consulting, LLC, a street closure is proposed as it is referenced in the SAC. Based on the description of the letter for vehicular access westbound on Lafayette Pl is to remain for those who choose to purchase a clicker, meaning that access is not closed it is simply privileged. Based on the drawing set included, it appears that the driveway on Lafayette Pl is to remain, reiterating that the street is neither closed or vacated. Please confirm that the intent is a Public-to-Private Street Conversion and clarify the impacts to adjacent landowners including the City of Memphis Parks Commission land used for the MoSH.
- Please clarify the pedestrian gate access given the conflicting statements in the letter from SRC Consulting, LLC stating "The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.", "The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access.", "These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue."

- Stated in the letter from SRC Consulting, LLC if the bike and pedestrian gates are stated to remain open from dusk til dawn. For those who recreate through walking, running, or biking, in the neighborhoods in the area many will be outside before dawn and after dusk due to the heat index during the daylight hours in the summer months. Restricting current access could have those folks crossing Lafayette St along Central Avenue after dusk and before dawn which is a blind corner for westbound Central Ave traffic turning onto Lafayette St. This would create a higher risk for accidents than what is currently encountered at Lafayette Pl which has a much better line of sight for all vehicular traffic. Please clarify what will be done to protect pedestrians and cyclists that would have to be redirected along Central?
- Please provide the justification for negatively impacting home values in the neighborhoods within walking distance to Chickasaw Park. Convenient access to Chickasaw Park is a selling feature to many of the homes in the Joffre neighborhood. Research published by NIH concluded that parklands can have a 0.5–14.1% value-added effect on property prices in the 850–160-m range in their vicinity which would include the Joffre neighborhood.
- It should be noted that the typical access from the Joffre neighborhood to Chickasaw Park, property of the City of Memphis, would be extended by an additional 10 minutes and .5 miles if current access to the park is not maintained.
- For safety reasons, please define how someone would be able to utilize the pedestrian or vehicular gate for emergencies?
- Please clarify if emergency services would have access to bi-direction use of the gate and
 what system would be in place to allow for this. Limiting access to Chickasaw Park and
 Chickasaw Gardens can have a negative impact on emergency services response time if
 there was a safety concern at the park or within the HOA members. Even with common
 solutions such as Knox boxes, the implementation and use of such devices takes valuable
 time away from emergency responses in time critical events like a home break in, heart
 attack, etc.
- Please clarify the statistics for crime frequency in the neighborhood that would require the City of Memphis to limit access to public spaces such as Chickasaw Park and where else in the City of Memphis this has been successfully implemented? I would like to request the data associated with regards to vehicular and pedestrian statistics to better understand why vehicular, cyclist, and pedestrian access is all being restricted. No reference to data or statistics were given in the provided documents.
- Please clarify the legend used for the map prepared through Shelby County Government's online mapping Portal on 5/19/2023.

We appreciate the review that the TRC is progressing for SAC 23-04: CHICKASAW GARDENS ar	١d
we want to ensure that decisions are being made with a City wide perspective of impact.	

Τl	nan	k y	ou,

Katie Burns

From: Katie B
To: Cobbs, Kendra

Subject: Re: SAC 23-04: CHICKASAW GARDENS
Date: Thursday, August 24, 2023 12:18:58 PM

Attachments: image001.png

image002.png image003.png image004.png

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Kendra - Thanks for following up, I really appreciate it given the volume you must be receiving on this one! I appreciate you sending the link as well!

Thanks!

Katie Burns

On Thu, Aug 24, 2023 at 10:44 AM Cobbs, Kendra < Kendra. Cobbs@memphistn.gov > wrote:

Hello Ms. Burns,

Thank you for introducing yourself earlier. The messages and phone calls on this item have been continuous to say the least. I checked and noticed that I did send a reply to numerous people yesterday morning that may have gone to your spam. It has the subject heading Chickasaw Gardens Cases, but I will include your comments in the file and staff report.

Please note agenda items for our Land Use Control Board are posted by the Monday prior to the Board meeting. The agenda and associated staff reports may be viewed here through the 'Most Recent Agenda' link: https://www.develop901.com/landuse-developmentservices/zoningSubdivisionAdministration/lucBoard. I'm not sure if this will be on the September 14th agenda, but you can verify the status at the link.

Sincerely,

Kendra Cobbs, AICP, CNU-A

Planner III

Division of Planning and Development



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

Phone: 901-636-6619

Email:

Kendra.Cobbs@memphistn.gov



Visit our website

From: Katie B < burnskatieanne@gmail.com > Sent: Tuesday, August 22, 2023 8:42 PM

To: Cobbs, Kendra < <u>Kendra.Cobbs@memphistn.gov</u>> **Subject:** SAC 23-04: CHICKASAW GARDENS

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Hello! I live in the Joffre neighborhood and we have concerns regarding SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

- In the letter from SRC Consulting, LLC, a street closure is proposed as it is referenced in the SAC. Based on the description of the letter for vehicular access westbound on Lafayette Pl is to remain for those who choose to purchase a clicker, meaning that access is not closed it is simply privileged. Based on the drawing set included, it appears that the driveway on Lafayette Pl is to remain, reiterating that the street is neither closed or vacated. Please confirm that the intent is a Public-to-Private Street Conversion and clarify the impacts to adjacent landowners including the City of Memphis Parks Commission land used for the MoSH.
- Please clarify the pedestrian gate access given the conflicting statements in the letter from SRC Consulting, LLC stating "The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.", "The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access.", "These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue."

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 like a home break in, heart attack, etc.
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- Please clarify the legend used for the map prepared through Shelby County Government's online mapping Portal on 5/19/2023.

We appreciate the review that the TRC is progressing for SAC 23-04: CHICKASA	W
GARDENS and we want to ensure that decisions are being made with a City wide	
perspective of impact.	

Thank you,

Katie Burns

From: <u>Katie Tamboli</u>
To: <u>Cobbs, Kendra</u>

Subject: REVISED Chickasaw / Lombardy closure Date: Tuesday, August 22, 2023 10:41:05 PM

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.

I'm writing to oppose gating the entrance to Chickasaw Gardens at Lombardy. Cited from the Memphis Daily News, the number of crimes reported in Chickasaw Gardens since 1/1/23 are TWO. One for forgery & the other vandalism. Using the uptick in crime (fed by poverty) to justify building another wall won't solve their catastrophic forgery/vandalism trauma. Instead, it'll fuel the status quo Memphis has followed for decades, separating the elite (white) from impoverished black people. Building another wall will add to the suppression black children already experience as less important, less worthy than others by learning to navigate & survive at nearly a 40% childhood poverty rate. Memphis leads the country as the most impoverished city with over 500k people. Crime & poverty go hand in hand. No wall will fix that.

A few years ago, Chickasaw Gardens residents posted on Nextdoor their concern that a black kid was riding his bike through the neighborhood. It turns out that the child lived on Lombardy just around the corner & his mother was a high ranking, elevated administrative faculty member at CBU. This is point blank profiling by Chickasaw Gardens residents. Imagine the trauma poverty stricken children feel being profiled just for riding their bicycle down the street. If it happens to 'well to do' black child, imagine how most of our children in Memphis must feel. Put yourself in their rugged shoes.

Since Chickasaw Gardens has a history of not upholding their 'promises,' I object they will uphold this promise of keeping a pedestrian gate accessible. One entrance at a time, they are building walls, It began on Poplar years ago, promising to keep pedestrian/biking access yet the gate remains locked. They've provided only empty promises over the years.

Chickasaw Gardens houses PUBLIC streets & a PUBLIC park. Barricading these commons for all will continue to destroy our city, more than it already is.

Let's bridge Memphis together, not add more walls.

Thank you for considering the opposition to further inequality.

Katie Tamboli 2791 Iroquois Rd Memphis, TN 38111 From: <u>Catherine Carroll</u>
To: <u>Cobbs, Kendra</u>

Subject: Road blockings to affluent neighborhoods

Date: Monday, August 21, 2023 12:28:32 PM



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Dear Kendra,

I first heard about this after reading about it and the Chickasaw neighborhood was the first news; then the Hedgewood neighborhood area was the next. What is going on? I frequent the public park in Chickasaw Gardens. It belongs to all of us and I enter at Lafayette to walk and sometimes bike. I live in a busy street and I have no right to stop the flow of traffic and yes, the Joffre neighborhood where has crime as well! Then the Hedgewood neighborhood area provides through streets for east Memphis streets and locations. Are we becoming a city of catering to elites who want a gated community while enjoying a public maintained park? This is a nonissue and shouldn't even be considered regardless of who proposed it. I love in Greer. It's a busy street and we have crime in our neighborhood. I do not have the right or nerve to request a closure at Poplar or Central to make my neighborhood more peaceful or less crime friendly. It's a public street! And I don't even have a public park in my neighborhood, so this shouldn't even considered. Just stop it!

Thank you, Catherine Carroll (I vote) From: Kim Harwood
To: Cobbs, Kendra

Subject: Road Closure: Lombardy at Fenwich

Date: Friday, August 11, 2023 8:43:24 AM



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Hello,

I am very opposed to the road closure at Lombardy and Fenwick proposed by the residents of Chickasaw Gardens. This is a public road paid for by tax payers, as is the park and lake in the center. This is a walking path for many in my neighborhood. With this closure we would not have access to this public park or streets located in Chickasaw Gardens. This neighborhood was not set up as a gated community.

Please pass along my concerns.

Best,

Kim Harwood 2700 Lombardy Memphis, TN 38111 901-229-3665
 From:
 Mark Morrison

 To:
 Cobbs, Kendra

 Subject:
 SAC 23-04 and 23-05

Date: Wednesday, August 16, 2023 12:11:57 PM



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Ms. Cobbs and Land Use Control Board Members:

I am writing to express my strong objections to the proposed street closures in Chickasaw Gardens (SAC 23-04 and 23-05). These are public streets paid for by taxpayers and should not be converted to private use. Public streets are useless to the general public without an associated network of streets to facilitate transportation and mobility. The proposed closure of these streets degrades transportation and mobility for all citizens.

In addition, a public park maintained by tax money serves as the green heart of Chickasaw Gardens. The closure of these streets will only serve to further "privatize" this public park and keep citizens from accessing their public spaces.

Finally, every street closure like this sets a terrible precedent for the next application. Should my community, Cooper-Young, be able to close off many of the streets that connect it to the rest of the city street network? We, of course, want safety and quiet streets, too. The answer for Cooper-Young, Chickasaw Gardens and other cases should clearly be "no." Taxpayers paid for these streets to provide mobility to our citizens. They should not be closed to appease and favor a few local residents and, at the same time, harm the greater public by degrading our transportation and mobility options.

IF these street closures are approved, Chickasaw Gardens should be required to privatize these streets and buy the park from the city. They should not be able to slowly privatize the use of their streets while putting the costs and burdens of the streets and parks on city taxpayers.

Thank you, Mark Morrison 1988 Young Ave 901-834-7777 From: Robert Hollingsworth

To: Cobbs, Kendra

Subject: SAC 23-04 Chickasaws Gardens and SAC23-05 Chickasaw Gardens

Date: Thursday, August 17, 2023 10:24:04 AM



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Good morning Kendra,

My name is Robert Hollingsworth and I am writing to voice my opposition to the closing and vacating of Lafayette Place between Goodwyn St and Lafayette St as well as the closing and vacating of Lombardy Road between S. Fenwick Rd. and Chickasaw Dr.

My husband and I have lived on Dille Place (which runs parallel to Lafayette St.) for over twenty-three years. Part of the reason (in addition to being close to every part of the city of Memphis) is the easy access to Chickasaw Gardens Park. We have long enjoyed walking around the lake with our dogs, friends and family. Putting up a gate to block access to the joys of a city-owned part that should be enjoyed by all citizens of the city of Memphis, in the name of safety is wrong and unnecessary. There are lots of people in this area that enjoy the natural beauty and ease of access to Chickasaw Gardens Park on a daily basis. Young and old, pet owners and non pet owners alike, we all enjoy the benefits of having such a park within walking distance.

Therefore I urge you and the other staff planners to reject these proposals at the August 24, 2023 Technical Review Meeting and ultimately at the Land Use Control Board on Thursday, September 14, 2023. Chickasaw Gardens already has one entrance that is permanently blocked on North Lafayette and another on Poplar that is access only for residents in Chickasaw Gardens, they don't need two more.

Thank you for your time,

Robert Hollingsworth

From: Katie B
To: Cobbs, Kendra

Subject: SAC 23-04: CHICKASAW GARDENS

Date: Tuesday, August 22, 2023 8:42:00 PM



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Hello! I live in the Joffre neighborhood and we have concerns regarding SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

- In the letter from SRC Consulting, LLC, a street closure is proposed as it is referenced in the SAC. Based on the description of the letter for vehicular access westbound on Lafayette Pl is to remain for those who choose to purchase a clicker, meaning that access is not closed it is simply privileged. Based on the drawing set included, it appears that the driveway on Lafayette Pl is to remain, reiterating that the street is neither closed or vacated. Please confirm that the intent is a Public-to-Private Street Conversion and clarify the impacts to adjacent landowners including the City of Memphis Parks Commission land used for the MoSH.
- Please clarify the pedestrian gate access given the conflicting statements in the letter from SRC Consulting, LLC stating "The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.", "The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access.", "These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue."
- Stated in the letter from SRC Consulting, LLC if the bike and pedestrian gates are stated to remain open from dusk til dawn. For those who recreate through walking, running, or biking, in the neighborhoods in the area many will be outside before dawn and after dusk due to the heat index during the daylight hours in the summer months. Restricting current access could have those folks crossing Lafayette St along Central Avenue after dusk and before dawn which is a blind corner for westbound Central Ave traffic turning onto Lafayette St. This would create a higher risk for accidents than what is currently encountered at Lafayette Pl which has a much better line of sight for all vehicular traffic. Please clarify what will be done to protect pedestrians and cyclists that would have to be redirected along Central?
- Please provide the justification for negatively impacting home values in the neighborhoods within walking distance to Chickasaw Park. Convenient access to Chickasaw Park is a selling feature to many of the homes in the Joffre neighborhood. Research published by NIH concluded that parklands can have a 0.5–14.1% value-added effect on property prices in the 850–160-m range in their vicinity which would include the Joffre neighborhood.
- It should be noted that the typical access from the Joffre neighborhood to Chickasaw Park, property of the City of Memphis, would be extended by an additional 10 minutes and .5 miles if current access to the park is not maintained.
- For safety reasons, please define how someone would be able to utilize the pedestrian or

- vehicular gate for emergencies?
- Please clarify if emergency services would have access to bi-direction use of the gate and what system would be in place to allow for this. Limiting access to Chickasaw Park and Chickasaw Gardens can have a negative impact on emergency services response time if there was a safety concern at the park or within the HOA members. Even with common solutions such as Knox boxes, the implementation and use of such devices takes valuable time away from emergency responses in time critical events like a home break in, heart attack, etc.
- Please clarify the statistics for crime frequency in the neighborhood that would require the City of Memphis to limit access to public spaces such as Chickasaw Park and where else in the City of Memphis this has been successfully implemented? I would like to request the data associated with regards to vehicular and pedestrian statistics to better understand why vehicular, cyclist, and pedestrian access is all being restricted. No reference to data or statistics were given in the provided documents.
- Please clarify the legend used for the map prepared through Shelby County Government's online mapping Portal on 5/19/2023.

We appreciate the review that the TRC is progressing for SAC 23-04: CHICKASAW GARDENS and w
want to ensure that decisions are being made with a City wide perspective of impact.

Thank you,

Katie Burns

From: Adam Smith
To: Cobbs, Kendra

Subject: SAC 23-4, and SAC 23-5

Date: Friday, August 11, 2023 8:02:41 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender gmac5ags@yahoo.com

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I oppose the above motions to close Lombardy Ave at Fenwick and Lafayette at Chickasaw gardens. This will prevent easy access to the Chickasaw gardens park, a publicly funded park. Also the residents on the Buntyn side of Lombardy have expressed strong opposition to the closing. This will limit easy access to the park for residents in Buntyn and Joffre neighborhoods. This should not be addressed as an administrative level decision.

Adam Smith.

Sent from Yahoo Mail on Android

From: Alex McCormick
To: Cobbs, Kendra

 Subject:
 SAC 2023-004 and SAC 2023-005 Comments

 Date:
 Thursday, November 2, 2023 11:21:34 PM

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.

Kendra,

I am writing to submit my comments on the Lombardy and Lafayette street closures currently being considered by the Land Use Control Board.

My position on these proposals is simple: I believe these closures are antithesis to the betterment of the City of Memphis. These closures are an attempt by the residents of Chickasaw Gardens to combat crime in their neighborhood. We all deal with the issue of crime within the city, and I do understand their desire to take action. However, building exclusionary infrastructure to isolate and separate well-off parts of the city from the rest of the population is not a viable solution.

At the literal heart of this issue is the publicly-funded, city-owned park that lies in the center of Chickasaw Gardens. The residents there are able to enjoy the benefits of a beautiful park inside their neighborhood - a luxury that most within the city do not have. Although the neighborhood is not private, and the park is publicly owned, there has been a history of harassment and questioning by the residents and their private security of people they have determined to not "look like they belong." Unsurprisingly, the stories and reports I've heard of people being stopped and questioned are predominantly people of color. It is plainly obvious to me that one of the goals of this gate closure is to aide in the ability of the neighborhood to racially profile citizens who are trying to take advantage of the amenities that they have a right to. The home page of the Memphis 3.0 development plan states, "Memphis will be a city that anchors growth on strengths of the core and neighborhoods; a city of greater connectivity and access; a city of opportunity for all." It does not seem to me that allowing street closures into neighborhoods that contain public parks aligns with the central tenants of this mission statement.

It is also a concern that the logistics of the gated closure could create traffic risks on Fenwick at Lombardy. I have heard varying proposals on the gate's operation, including providing the residents of the neighborhood with remote access to open the gate from their vehicles. With the proposal to construct the fence directly along Fenwick, without providing room for cars to wait while entering, there cannot be any entry into the neighborhood allowed through the gate. It can also create a hazard for people attempting to leave the neighborhood, if it is only accessible via remote access, that they could become stuck in the dead end and be forced to turn around and find an alternate exit. These issues, though seemingly minor, could increase traffic hazards to pedestrians, other motorists, or even the driver themselves in an emergency.

My hope is that the Land Use Control Board will see that this proposal does not align with the City's values, its long-term plans, or its citizens' wishes. I urge the board to deny this application so that the residents of the neighborhoods around Chickasaw Gardens will still have the access they are owed to the public amenities they help pay for.

Alex McCormick

From: Almond Daniel
To: Cobbs, Kendra

Subject: SAC23-04 and SAC23-05 Street closures

Date: Friday, August 18, 2023 4:36:36 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender adaniel2764@gmail.com

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Good afternoon,

I am contacting you to express my opposition regarding the two proposals for street closures and gating of public access to Chickasaw Gardens and the city park within this neighborhood.

I am opposed to this as I believe if this is approved it will send the wrong message to many Memphians. The wording in this proposal is troubling as it suggests that security will profile anyone entering this public park. The wording is as follows: "it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood".

I understand that the security guards will be stationed at the remaining entrances to the park to conduct this "monitoring". This will intimidate those citizens that do not belong in this neighborhood. Chickasaw Gardens has a stained history of limiting access to this neighborhood. The original charter for this neighborhood prevented anyone of color from buying property in Chickasaw Gardens.

I ask that you and the other board members deny these two proposals.

Respectfully,

A. Daniel

From: <u>Lyn Joyner</u>

To: Cobbs, Kendra; Morgan, Worth; Strickland, Jim; Jackson Baker; kbomani@dailymemphian.com

Subject: STRONG OBJECTION to SAC 23-04, 23-05 -public roads closings

Date: Wednesday, August 16, 2023 4:52:56 PM



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

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To: Kendra Cobbs

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Chickasaw Gardens does NOT have a crime problem that calls for two road closings. There is NO VALID REASON for HA's proposed two road closings.

CGHA's Letter of Intent says

"It (less public road access) should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood."

CGHA provides no stats to support their reason for closing two public roads.

Concerned, I checked The Daily News Crime Report Map to count crimes: Chickasaw Garden's CRIME STATS from 1/16/2023 - 8/16/2023: TOTAL OF <u>7 CRIMES</u> reported for the past seven months, of which 3 were for counterfeiting/forgery.

For 3 months in this past 7-month period, **zero reported crimes in CG.** Hard to decrease from that.

In comparison:

Fenwick to Plainview, neighborhoods west of CG, crime stats from 1/16/2023 - 8/16/2023: <u>TOTAL OF 24 CRIMES</u> reported for the past seven months (zero were for counterfeiting/forgery).

NOTE: In January 2023, just 8 months ago, surrounding neighborhoods overwhelmingly rejected via petition CG's proposal to close off Lombardy, one of the roads in the current filing.

Why is this coming up again, so soon?

HOW DID THIS GET FAST-TRACKED????? Why is there no LUCB hearing.

CG has already, over the years, closed 4 of 9 their entrances.

Enough!!!

I would like not to have to address their uncivic road closing proposals again.

Sincerely, Lyn Joyner and John Joyner Fenwick Rd. Neighborhood Association Community Liaisons

Suggestions for HOA:

- pay for more 24-hr surveillance, more cameras
- reach out to MPD for additional patrols
- confer with other neighborhoods, i.e. Central Gardens, for crime-reduction tips
- Neighborhood Watch
- (for those who want to live in a gated community), move to a gated community

From: <u>Linda Andrews</u>
To: <u>Cobbs, Kendra</u>

Cc: Morgan, Worth; Mayor Jim Strickland

Subject: STRONG OBJECTION to SAC 23-0423-05-public roads closings

Date: Sunday, August 20, 2023 2:22:22 PM



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

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

I request that on August 24 you NOT APPROVE Chickasaw Gardens Homeowner's Association's

request for two road closings. This proposal would adversely affect surrounding neighborhoods, and

City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers, including emergency vehicles.

Thank you. Linda Andrews 175 S Fenwick 38111 From: Becky Childress
To: Cobbs, Kendra

Subject:Vote No to Chickasaw Gardens GateDate:Tuesday, August 22, 2023 8:52:53 PM



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

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

Hi,

My name is Becky Childress. I live in Humes Heights, the neighborhood adjacent to Chickasaw Gardens.

I live about a 1/2 from the lake and take daily walks there with my dog. I also run there early in the mornings. It is a public lake and a beautiful addition to our community. It is one reason I choose to live in the neighborhood. I do not believe that blocking the entrance to Chickasaw Gardens on 2 sides will prevent crime in a neighborhhod that already has 24 hour security. It will only make it harder for others in the community to access the Public park. Please vote No to adding a gate and making the Public park more challenging to access.

As a community, we need to address crime amd work on finding a solution. Not build gates or walls and try to cut off from the community.

Thanks, Becky Childress

--

Becky Childress



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

November 16, 2023

Chickasaw HOA

Sent via electronic mail to: cindy.reaves@srce-memphis.com

Case Number: SAC 2023-004 and SAC 2023-005

LUCB Recommendation: Rejection

Dear Applicant,

On Thursday, November 9, 2023, the Memphis and Shelby County Land Use Control Board recommended *rejection* of your right-of-way vacation application to vacate portions of Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive.

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

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

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

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

Respectfully, Kendra Cobbs

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



Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of

Way Vacation)

Record Status: Assignment

Opened Date: August 4, 2023

Record Number: SAC 2023-004 Expiration Date:

Record Name: Lafayette Place Closure

Description of Work: Street closure of Lafayette Place between E. Goodwyn Street and Lafayette Street.

Parent Record Number:

Address:

Owner Information

Primary

Owner Name

Ν

Owner Address Owner Phone

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Date of Meeting

Pre-application Meeting Type

GENERAL INFORMATION

Name of Street where closure will begin Name of Street where closure will end

What is the reason for the street closure?

N/A

-

E. Goodwyn Street Lafayette Street

Security of neighborhood

Page 1 of 3 SAC 2023-004

GENERAL INFORMATION

What is the total area of the right-of-way being 15157

closed?

What is the overall length of the street closure? 240

Name of Street/Alley/ROW Lafayette Place

Is this application in response to a citation from No

Construction Code Enforcement or Zoning

Letter?

If yes, please provide additional information - Is this application a time extension? No

RELATED CASE INFORMATION

Previous Case Numbers -

GIS INFORMATION

Central Business Improvement District

Case Layer

Class

Downtown Fire District

No

Historic District

Land Use

No

Municipality Overlay/Special Purpose District -

Zoning State Route -

Lot Subdivision Planned Development District Wellhead Protection Overlay District No

Contact Information

Name Contact Type
CHICKASAW HOA APPLICANT

Address

Phone

Fee Information Invoice # Fee Item Quantity Fees Status Balance Date Assessed 1491774 Right of Way 1 400.00 **INVOICED** 0.00 08/04/2023 Vacation/Closure Fee Credit Card Use Fee (.026 10.40 **INVOICED** 0.00 08/04/2023 1491774 1 x fee)

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

Payment Information

Payment Amount Method of Payment \$410.40 Credit Card

Page 2 of 3 SAC 2023-004

Page 3 of 3 SAC 2023-004



Date: August 2, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Lafayette Place Closure

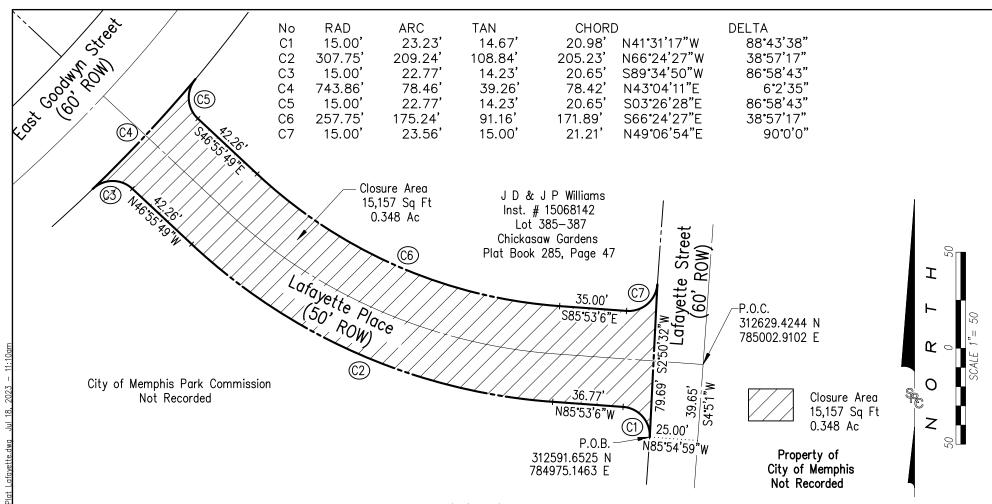
Lombardy Road Closure

LETTER OF INTENT

Dedrick Brittenum and I are submitting two street closure applications for the Chickasaw Gardens Homeowners Association at Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive. The Chickasaw Gardens Neighborhood currently has five points of access. It has come to our attention from the security consultants and neighborhood that something must be done. The security company cannot control such a large neighborhood with this many access points. If we could limit the access to the three streets on Central Avenue, it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood. The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.

We have submitted schematic drawings of the proposed gates prepared by Blair Parker Design that should give a good feeling of the look we are proposing. The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access. The Lafayette Place gate will swing into Lafayette Place with a stop bar and sign to notify the car to stop for the gate to open and the Lombardy Road gate will slide to the north. These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue.

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



Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafavette Place (50' ROW) (312629.4244 N. 785002.9102 E); thence S4'5'1"W a distance of 39.65 feet to a point; thence N85'54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the left an arc distance of 23.23 feet (chord N41'31'17"W 20.98 feet) to a point; thence N85°53'6"W a distance of 36.77 feet to a point: thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89*34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43°4'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord \$3.26.28. E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°6'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

DIVISION OF ENGINEERING

SAC 23—__

LAFAYETTE PLACE CLOSURE PLAT
FROM E. GOODWYN ST. TO LAFAYETTE ST.

MEMPHIS, TN

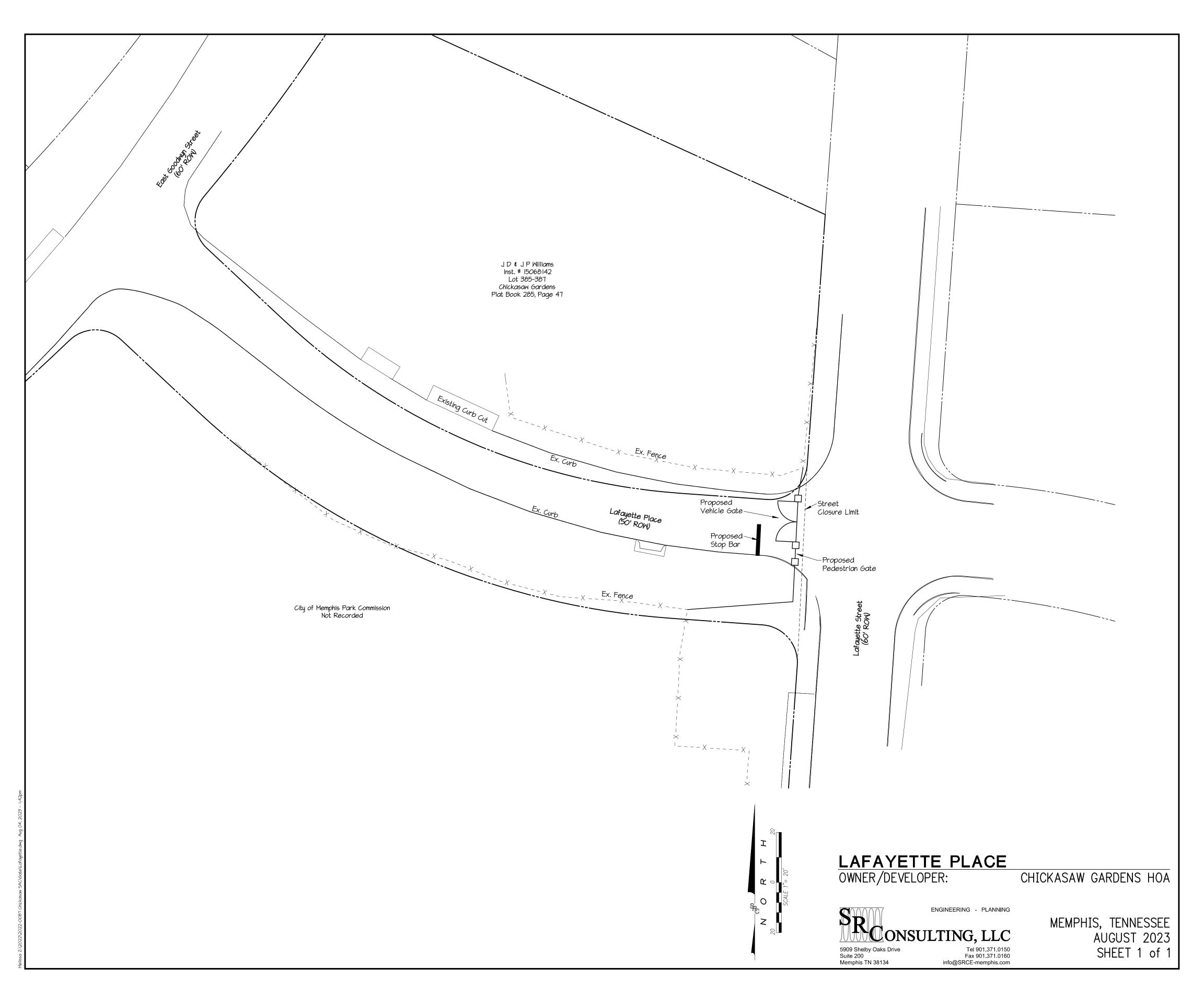
SURVEY BY Fisher Arnold DATE 4/23 BOOK
DRAFTSMAN SR Consulting DATE 5/23 SCALE 1"=50"

REVIEWED DEPUTY CITY ENGINEER

REVIEWED CITY ENGINEER

SHEET NO. $\frac{1}{}$ OF $\frac{1}{}$

PLAT NO. $\frac{1}{}$ OF $\frac{1}{}$





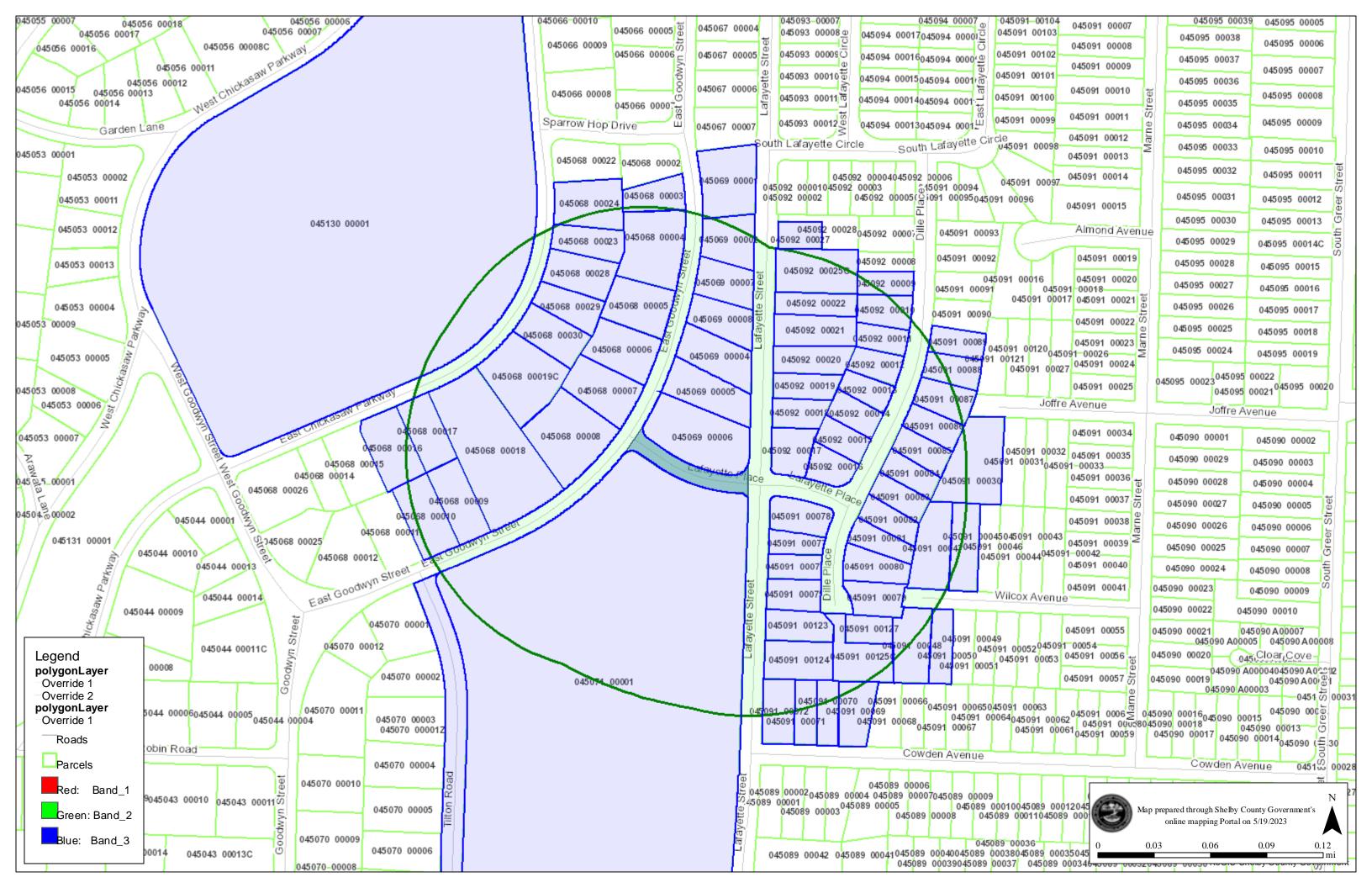
Prepared for Chickasaw Gardens Homeowners Association





Prepared for Chickasaw Gardens Homeowners Association





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. J.	Edward Beasley, Jr. (Print Name) (Sign Name) (Sign Name) (Sign Name)
	(Print Name) (Sign Name)
"Own	ner" 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
V	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	e property located at Lafayette Pl. at Lafayette St. and Lombardy Rd. at S. Fenwick Rd.
and f	further identified by Assessor's Parcel Number
for w	hich an application is being made to the Division of Planning and Development.
Subs	scribed and sworn to (or affirmed) before rocked NEWS day of August in the year of 2003
X	atherine m Russ = PUBLIC 10-29-2024
Sign	ature of Notary Public My Commission Expires

Chickasaw Gardens Homes Association 3009 Gardens Way Memphis, TN 38111

August 3, 2023

Ms Cindy Reaves
SR Consulting, LLC
5909 Shelby Oaks Drive
Suite 200
Memphis, TN 38134

Dear Ms Reaves,

Please be advised that at the regularly-scheduled meeting of the Trustees of Chickasaw Gardens, February 8, 2023, the following motion was made by Patick Sala and seconded by Boyd Wade:

"The Trustees of Chickasaw Gardens are in favor of closing the Fenwick entrance to Chickasaw Gardens and the Lafayette entrance to Chickasaw Gardens."

The above motion passed unanimously by the Trustees and the Trustees continue to support closure.

Respectfully submitted,

J. Edward Beasley, Jr.

Chairman, Trustees of Chickasaw Gardens

A- Edward Beasley, &



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.



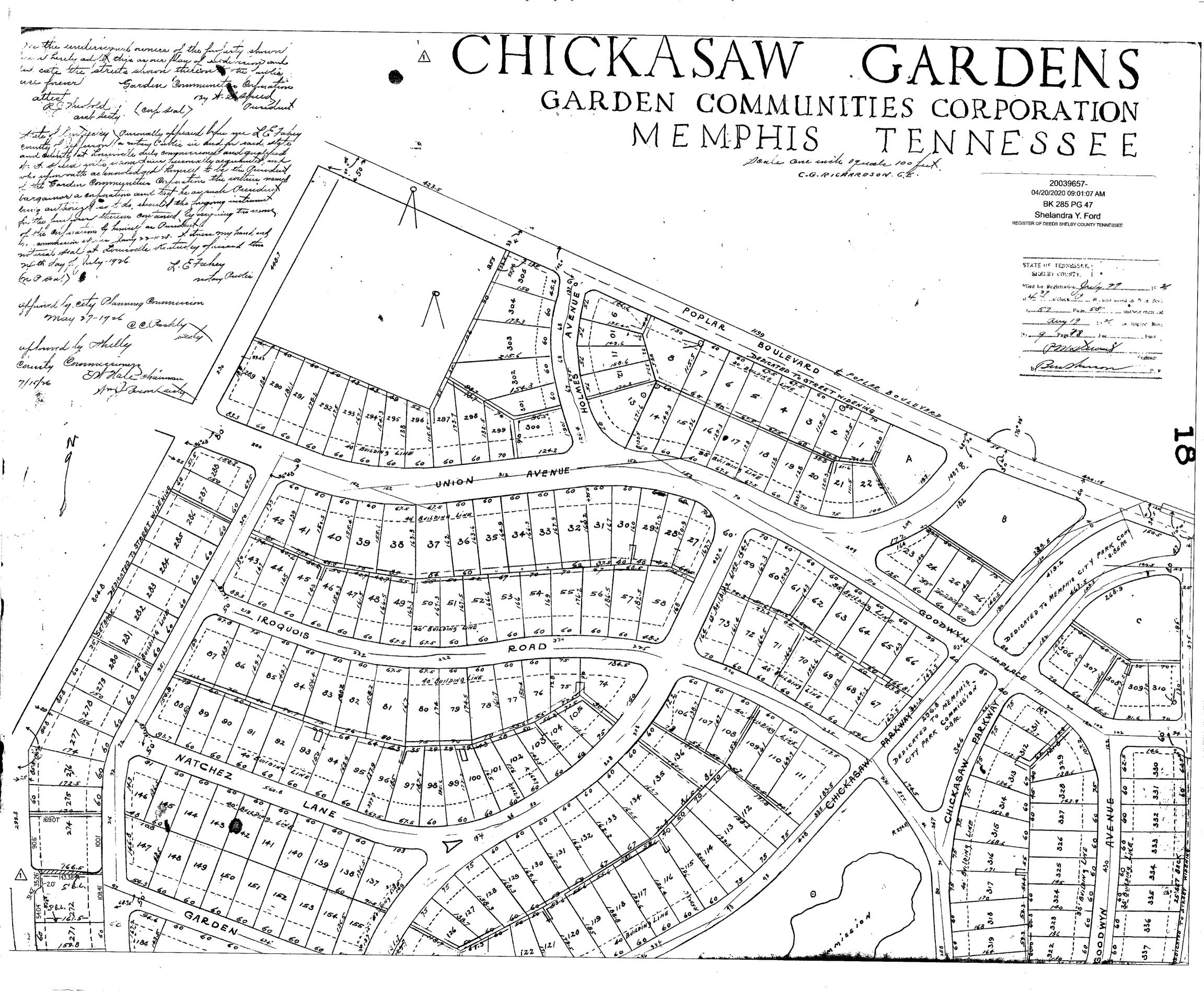
20039657

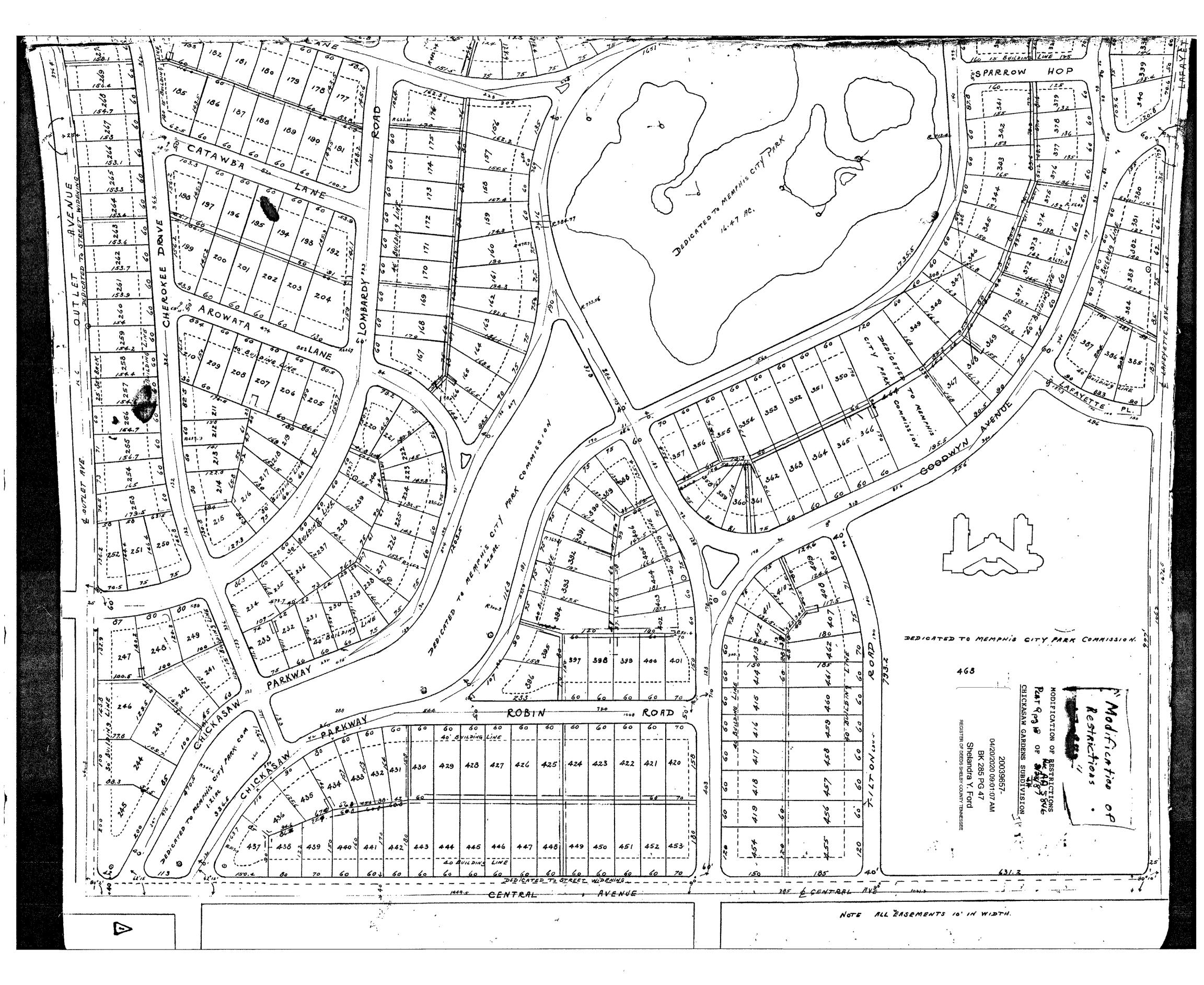
04/20/2020 - 09:01:07 AM

3 PGS	
CHRISTINAM 2009061 - 20039657	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE





A CHICKASAW GARDENS

GARDEN COMMUNITIES CORPORATION MEMPHIS TENNESSEE Soule and with opening 100 fex. 20039657-

04/20/2020 09:01:07 AM BK 285 PG 47 Shelandra Y. Ford REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

STATE OF PERNSONAL

Λ	NOTARY'S	CERTIFICATI	Ξ

TENNESSEE AND SHELBY, COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED JEWIFER CUSTEMWITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HIS OATH ACKNOWLEDGED HIMSELF TO BE THE WITHIN NAMED BARGAINER, AND THAT THEY 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 DAY OF AFRICA 2020.

4-30-2020 MY COMMISSION EXPIRES





ENCUMBERED BY ANY TAXES (OR MORTGAGE) WHICH HAVE SAID PROPERTY BECOME DUE AND PAYABLE.

DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER

OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT IS NOT

// NOTARY'S CERTIFICATE

OWNER'S CERTIFICATION

SECRETARY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TENNESSEE AND SHELBY COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED ED APPLE, WITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HIS OATH ACKNOWLEDGED HIMSELF TO BE THE WITHIN NAMED BARGAINER, AND THAT THEY 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 BOAY OF APPLIC 2020.

HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND

MY COMMISSION EXPIRES 9-30-2020



HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT IS NOT ENCUMBERED BY ANY TAXES (OR MORTGAGE) WHICH HAVE SAID PROPERTY BECOME DUE AND PAYABLE.

SECRETARY

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 TAKES INTO ACCOUNT ALL APPLICABLE FEDERAL, STATE AND LOCAL BUILDING LAWS AND



1\ OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE

- 1. THIS PLAN OF DEVELOPMENT IS BEING RE-RECORDED TO
- 273. HATCHED AREA ON SHEET 1 OF 3 IS AREA OF QUIT LE NOW COLLECTIVECT SHOWN AS LOT 274.

 CLAIM TO LOT 274. LOT 273 AND THE HATCHED SHEET HOW COLLECTIVECT SHOWN AS LOT 274.

 CLOSURE OF GARDEN LANE WAS APPROVED BY THE MEMPHIS

 CITY COUNCIL ON DECEMBER 1. 1987 AND BECOME MEMPHIS

 INSTRIMENT AT THE MEMPHIS 2. REFLECT THE CLOSURE OF GARDEN LANE AND THE

AFT TO CITY COUNCIL ON DECEMBER 1, 1987 AND RECORDED UNDER INSTRUMENTS, AS A FCONDED WITH THE SHELBY COUNTY AGAINN THIS AVEA.

AND OFFICE ANY CASHLATS IN THE SHELBY COUNTY REGISTERS. ANSICULATED BY THESE INSTRUMENT AS THINK IS NO CITY INFOLASTANCTURE MITHIN THIS AVEA.

BY MINOLE SALL 1 / DATE ON 1 AND OFFICE OF WAI ANSICULATED BY THESE INSTRUMENTS AS THINK IS NO CITY INFOLASTANCTURE MITHIN THIS AVEA.



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.

15068142

07/14/2015 -	· 09:19 AM
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	01/14/2013	VJ. 13 M1	
3 PGS			
HERTHA		1348562	- 15068142
VALUE			441000.00
MORTGAGE	TAX		0.00
TRANSFER	TAX		1631.70
RECORDING	FEE		15.00
DP FEE			2.00
REGISTER	'S FEE		1.00
WALK THRU	J FEE		0.00
TOTAL AMO	TNUC		1649.70

TOM LEATHERWOOD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

Tom Leatherwood Shelby County Register of Deeds: Instr. # 15068142

WARRANTY DEED

THIS INDENTURE, made and entered into this

8th day of July, 2015

, by and between

DARRELLE B. MILLER, an unmarried woman

, party of the first part, and

J. D. WILLIAMS and J.P. WILLIAMS, husband and wrfe

, party of the second part

168

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, to wit:

South part of Lots 385, 386 and 387, CHICKASAW GARDENS Subdivision, as shown on plat of record in Plat Book 9, Page 18, in the Register's Office of Shelby County, Tennessee being more particularly described as follows:

Beginning at an iron stake in the east line of Goodwyn Street at a point 90 feet southwardly from the northwest corner of said Lot 387, as measured along the east line of Goodwyn Street, running thence southeastwardly 208.5 feet in a straight line to an iron stake in the west line of Lafayette Street, at a point which is 82 feet south of the northeast corner of said Lot 385, as measured along the west line of Lafayette Street thence, southwardly along the west line of Lafayette Street 100 feet to the point of intersection of said west line with the north line of Lafayette Place, running thence northwestwardly along the north line of Lafayette Place 260.7 feet to the point of intersection of said north line. of Lafayette Place with the east line of Goodwyn Street, thence northwardly along the east line of Goodwyn Street 100 feet to the point of beginning.

Being the same property as conveyed to the party of the first part by Quit Claim Deed of record under Register's No. JR 8559, in said Register's Office.

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 party of the second part, his 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 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

2016 City of Memphis taxes and 2015 Shelby County taxes real estate taxes, both not yet due and payable, and except for any and all subdivision restrictions, covenants, building lines and easements of record, if any, including, but not limited to subdivision restrictions, building lines and easements of record in Plat Book 9, Page 18 and 19, amended in Book 3151, Pages 391,401 and 415 and under Register's Nos. L7 8130, R7 3249, T2 5143, T2 5144, AA 5846, AK 3462, AN 5392, AU 5964 and BZ 0630; Deed Restrictions of record under Register's No. Book 1093, Page 54, Book 1093, Page 168 and Book 1093, Page 56; Easements of record in Book No. 4140, Page No. 130; Easements of record under Register's No. U8 4035; all references to recording being made to the Register's Office of Shelby County, Tennessee;

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

DADERTER MILLER

State of Tennessee

County of Shelby Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared DARRELLE B. MILLER, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged that she executed the same for the purposes therein contained. STATE WITNESS my hand and notarial seal at office this 8th may of July, 2015. OF TENNESSEE NOTARY PUBLIC Notary Public My Commission Expires: 01/11/2016 THIS INSTRUMENT PREPARED BY: TAX PARCEL NUMBER: 045069-00006 PROPERTY ADDRESS: J. Michael Murphy, Attorney Murphy, DeZonia & Webb 176 E. Goodwyn St. 6389 Quail Hollow Rd., Suite 102 Memphis, TN 38111 Memphis, TN 38120 TG File #: 5283547 RETURN TO: 150413 MD&W File #: Tim Rainey Stanley & Rainey, P.C. 7515 Corporate Centre Drive OWNER'S NAME AND MAILING ADDRESS: Germantown, TN 38138 J. D. WILLIAMS and J.P. WILLIAMS 20150434A 176t. Gocca 5283547 MAIL TAX BILLS TO: 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 ****\$441,000.00*****, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

1341

Subscribed and sworn to before me this 8th day of July, 2015

My Commission Expires:

Tom Leatherwood Shelby County Register of Deeds: Instr. # 15068142

CERTIFICATION OF AN ELECTRONIC DOCUMENT

I, Timothy D. Rainey, do hereby make oath that I am a licensed attorney and/or 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 documented executed and authenticated according to law.

Timothy D. Rainey, Attorney

STATE OF TENNESSEE COUNTY OF SHELBY

Personally appeared before me on the BY day of July, 2015, the undersigned notary public for this county and state, Timothy D. Rainey, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary Public

My Commission Expires:



RAGGHIANTI MARY R & JAMES F BERGK JAN D & MOLLY C AMBROSE FOLK ALEXANDER A 212 DILLE PL # 161 DILLE PL # 150 LAFAYETTE ST # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 HETTINGER EDWARD & HEATHER GOTERA JOHN T AND LEE M GOTERA (RS) HUGHES RACHEL & SEAN 218 DILLEPL # 168 LAFAYETTE ST # 149 DILLEPL # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 CASSIDY JOHN M JR MJR HOLDINGS LLC BILLINGS KACI 158 LAFAYETTE ST # 3139 WILCOX AVE # 57 E GOODWYN ST MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 SLATERY CHARLES K JR JOHNSON JOSEPH R TRIMBLE THOMAS J 155 DILLE PL # 232 LAFAYETTE ST # 175 DILLE PL # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 ROBERT JANE E MARGOLIN PETER H & JILL J ARVM 5 LLC 226 DILLE PL # 162 DILLE PL # 5001 PLAZA ON THE LAKE MEMPHIS TN 38111 MEMPHIS TN 38111 AUSTIN TX 78746 BURKEY THEODORE J & KAREN J Z MEMPHIS CITY OF CHILDS RYAN K & CATHERINE GENERAL DELIVERY # 169 DILLE PL # 2111 WOODSIDE DR # MEMPHIS TN 38111 **GERMANTOWN TN 38138** MEMPHIS TN 38101 FARRAR SCOTT A NORTON DAVID S & TRACY C MCGHEE RENEE & JEWELL 181 DILLE PL # 138 LAFAYETTE ST # 3155 JOFFRE AVE # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 KUO ANGELA T AND KENNETH A MOORE (RS) LUYENDYK ASHELY & JOHN GARLAND JR PHILLIPS ELLEN P AND OWEN PHILLIPS 182 LAFAYETTE ST # 145 DILLE PL # 187 DILLE PL # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 ROONEY PETER A TEDFORD BRAD W SCHEXNAYDER GERARD 180 DILLE PL # 156 DILLE PL # 184 DILLE PL # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111

CITY OF MEMPHIS PARK COMISSION GENERAL DELIVERY # MEMPHIS TN 38101 SIDES MARGARET K SHUTE 162 LAFAYETTE ST # MEMPHIS TN 38111 GOLLINGSWORTH ROBERT J AND RONALD 192 DILLE PL # MEMPHIS TN 38111

JOHNS ROGER F & LISA S TAYLOR SAMUEL J & TARA MORROW RICHARD L & ELLEN T 198 DILLEPL # 3145 WILOCX AVE # 155 E GOODWYN ST # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 FISHER JEREMY A & KRISTEN L WAMBLE BRIAN A CANALE ROBERT A & LYNDAL H 222 DILLE PL # 199 DILLEPL # 150 E CHICKASAW PKWY # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 HEARN TICHINA D MALONE CHRISTOPHER M & LAUREN K YOUNGER JEREMY D 3144 WILCOX AVE # 3100 COWDEN AVE # 181 E GOODWYN ST # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 FIANDT EMMALY AND MICHAEL A FIANDT AND SYKORA ROBERT C TRUST AGREEMENT AND DAVIS REVOCABLE LIVING TRUST (TR) 4590 HOPEWELL RD 5441 ELLSWORTH DR # 122 GOODWYN ST # CUMMING GA 30028 PLAINFIELD IN 46168 MEMPHIS TN 38111 GIORGIO JOHN D HAND REBECCA C GEARY WILLIAM & JOSEPHINE 125 E GOODWYN ST # 204 DILLE PL # 3112 COWDEN AVE MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 HOLBROOK VICKIE L GREER DANIEL L III & SIDNEY L R EDGE WALTER CALVIN JR & TINA HUDSPETH 205 DILLE PL # 3118 COWDEN AVE # PO BOX 11989 # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 COLE MARK EUBANKS JAMES F AND DEBRA B EUBANKS FARNSWORTH THOMAS C III & MARY L B 211 DILLE PL # 1965 EDWARDS MILL RD # 146 E CHICKASAW PKWY # MEMPHIS TN 38111 GERMANTOWN TN 38139 MEMPHIS TN 38111 HUTTON MARITAL TRUST CHICKSAW GARDENS HOME ASSOC DOUGLASS JUDITH L FAMILY TRUST 1715 UNION AVE # 2471 MT MORIAH RD # 156 E GOODWYN ST # MEMPHIS TN 38104 MEMPHIS TN 38115 MEMPHIS TN 38111

FRIZZELL KIRBY 224 LAFAYETTE ST # MEMPHIS TN 38111

MEMPHIS TN 38111

M & L PROPERTIES L P

2950 TISHOMINGO LN #

MITCHELL KELLI 150 E GOODWYN ST # MEMPHIS TN 38111

134 E GOODWYN ST #

MEMPHIS TN 38111

WEBB ABIGAL J & PATRICK A SALA

ROANE ANN W TRUST

169 E GOODWYN ST #

162 E GOODWYN ST #

MEMPHIS TN 38111

MEMPHIS TN 38111

AUSTIN DONALD G JR & CLAIRE B

SMITH FRED S JR & IRENE O 164 E CHICKASAW PKWY # MEMPHIS TN 38111 HUTTON MARITAL TRUST 2471 MT MORIAH RD # MEMPHIS TN 38115

WIECK STEPHEN G & WHITNEY P BARTON 168 E GOODWYN ST # MEMPHIS TN 38111

CITY OF MEMPHIS P C GENERAL DELIVERY # MEMPHIS TN 38101

HALL CHRISTOPHER J 2926 TISHOMINGO LN MEMPHIS TN 38111

SICHVELAND PEGGY JO RAY REVOCABLE TRUST 176 E CHICKASAW PKWY # MEMPHIS TN 38111

WILLIAMS J D & J P 176 E GOODWYN ST # MEMPHIS TN 38111

DABOV GREGORY D & DONNA M 180 E CHICKASAW PKWY # MEMPHIS TN 38111

RAINES J N & JULIA W 211 GOODWYN # MEMPHIS TN 38111

BARTON CAROLYN P 215 E GOODWYN ST # MEMPHIS TN 38111

SOLBERG RONALD T AND RHONDA K SOLBERG 130 E CHICKASAW PKWY # MEMPHIS TN 38111 SR Consulting Engineering 5909 Shelby Oaks Drive, Suite 200 Memphis TN 38134 SR Consulting Engineering 5909 Shelby Oaks Drive, Suite 200 Memphis TN 38134 SR Consulting Engineering 5909 Shelby Oaks Drive, Suite 200 Memphis TN 38134

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Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138 Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138 Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138

Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138 Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138

- 045092 00022 RAGGHIANTI MARY R & JAMES F
- 045092 00010 HETTINGER EDWARD & HEATHER
- 045092 00021 BILLINGS KACI
- 045092 00011 SLATERY CHARLES K JR
- 045091 00088 ROBERT JANE E
- 045092 00013 BURKEY THEODORE J & KAREN J Z
- 045092 00015 FARRAR SCOTT A
- 045092 00017 LUYENDYK ASHELY & JOHN GARLAND JR
- 045091 00085 ROONEY PETER A
- 045071 00001 CITY OF MEMPHIS PARK COMISSION
- 045091 00080 BERGK JAN D & MOLLY C AMBROSE
- 045091 00079 GOTERA JOHN T AND LEE M GOTERA (RS)
- 045091 00048 CASSIDY JOHN M JR
- 045091 00124 JOHNSON JOSEPH R
- 045091 00125C MARGOLIN PETER H & JILL J
- 045130 00001 MEMPHIS CITY OF
- 045092 00027 NORTON DAVID S & TRACY C
- 045092 00009 PHILLIPS ELLEN P AND OWEN PHILLIPS
- 045091 00089 TEDFORD BRAD W
- 045092 00020 SIDES MARGARET K SHUTE
- 045092 00012 FOLK ALEXANDER A
- 045092 00019 HUGHES RACHEL & SEAN
- 045091 00087 MJR HOLDINGS LLC
- 045092 00014 TRIMBLE THOMAS J
- 045092 00018 ARVM 5 LLC

- 045091 00086 CHILDS RYAN K & CATHERINE 045091 00030 - MCGHEE RENEE & JEWELL 045092 00016 - KUO ANGELA T AND KENNETH A MOORE (RS) 045091 00084 - SCHEXNAYDER GERARD 045091 00083 - GOLLINGSWORTH ROBERT J AND RONALD 045091 00082 - JOHNS ROGER F & LISA S 045091 00078 - FISHER JEREMY A & KRISTEN L 045091 00047 - YOUNGER JEREMY D 045091 00046 - FIANDT EMMALY AND MICHAEL A FIANDT AND 045091 00081 - GIORGIO JOHN D 045091 00077 - HOLBROOK VICKIE L 045091 00076 - COLE MARK 045070 00001Z - CHICKSAW GARDENS HOME ASSOC 045091 00075 - M & L PROPERTIES L P 045091 00123 - FRIZZELL KIRBY 045091 00049 - TAYLOR SAMUEL J & TARA 045091 00127 - WAMBLE BRIAN A 045091 00071 - SYKORA ROBERT C TRUST AGREEMENT AND
- 045091 00072 HEARN TICHINA D
- 045091 00070 HAND REBECCA C
- 045091 00069 GREER DANIEL L III & SIDNEY L R
- 045092 00025C EUBANKS JAMES F AND DEBRA B EUBANKS
- 045068 00004 HUTTON MARITAL TRUST
- 045069 00002 WEBB ABIGAL J & PATRICK A SALA
- 045069 00007 MITCHELL KELLI

- 045068 00005 MORROW RICHARD L & ELLEN T
- 045068 00030 CANALE ROBERT A & LYNDAL H
- 045068 00007 MALONE CHRISTOPHER M & LAUREN K
- 045069 00001 DAVIS REVOCABLE LIVING TRUST (TR)
- 045068 00003 GEARY WILLIAM & JOSEPHINE
- 045068 00028 EDGE WALTER CALVIN JR & TINA HUDSPETH
- 045068 00029 FARNSWORTH THOMAS C III & MARY L B
- 045069 00008 DOUGLASS JUDITH L FAMILY TRUST
- 045068 00006 AUSTIN DONALD G JR & CLAIRE B
- 045069 00004 ROANE ANN W TRUST
- 045068 00019C SMITH FRED S JR & IRENE O
- 045069 00005 WIECK STEPHEN G & WHITNEY P BARTON
- 045068 00018 CITY OF MEMPHIS P C
- 045068 00008 HALL CHRISTOPHER J
- 045068 00017 SICHVELAND PEGGY JO RAY REVOCABLE TRUST
- 045069 00006 WILLIAMS J D & J P
- 045068 00016 DABOV GREGORY D & DONNA M
- 045068 00009 RAINES J N & JULIA W
- 045068 00010 BARTON CAROLYN P
- 045068 00024 SOLBERG RONALD T AND RHONDA K SOLBERG
- 045068 00023 HUTTON MARITAL TRUST

Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafayette Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°5'1"W a distance of 39.65 feet to a point; thence N85°54′59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the left an arc distance of 23.23 feet (chord N41°31'17"W 20.98 feet) to a point; thence N85°53'6"W a distance of 36.77 feet to a point; thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43°4'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°6'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEFT

COUNCIL AGENDA CHECK OFF SHEET ONE ORIGINAL Planning & Development | ONLY STAPLED | **DIVISION TO DOCUMENTS Planning & Zoning COMMITTEE:** 12/5/2023 DATE **PUBLIC SESSION:** 12/19/2023 **DATE** ITEM (CHECK ONE) X RESOLUTION X REQUEST FOR PUBLIC HEARING ORDINANCE ITEM DESCRIPTION: Resolution approving the right-of-way vacation of Lombardy Road between S. Fenwick Road and Cherokee Drive, known as case number SAC 2023-005 SAC 2023-005 **CASE NUMBER:** LOCATION: Lombardy Road located between S. Fenwick Road and Cherokee Drive **COUNCIL DISTRICTS:** District 7 and Super District 9 – Positions 1, 2, and 3 **OWNER/APPLICANT:** CHICKASAW HOA Cindy Reaves, SR Consulting, LLC **REPRESENTATIVE: REQUEST:** Right-of-way vacation of Lombardy Road located between S. Fenwick Road and Cherokee Drive AREA: +/-0.337 acres **RECOMMENDATION:** The Division of Planning and Development recommended Rejection The Land Use Control Board recommended Rejection RECOMMENDED COUNCIL ACTION: Public Hearing Required Add to consent agenda requesting public hearing – December 5, 2023 Public hearing – December 19, 2023 **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED 11/9/2023 **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** Kendra Cobbs 11/27/2023 PRINCIPAL PLANNER DEPUTY ADMINISTRATOR 11/27/2023 **ADMINISTRATOR** DIRECTOR (JOINT APPROVAL) **COMPTROLLER** FINANCE DIRECTOR **CITY ATTORNEY** CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN

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Memphis City Council Summary Sheet

SAC 2023-005

RESOLUTION APPROVING THE RIGHT-OF-WAY VACATION OF LOMBARDY ROAD LOCATED BETWEEN S. FENWICK ROAD AND CHEROKEE DRIVE, KNOWN AS CASE NUMBER SAC 2023-005

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, November 9, 2023*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SAC 23-005

LOCATION: Lombardy Road between S. Fenwick Road and Cherokee Drive

COUNCIL DISTRICT(S): District 5, Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: Cindy Reaves, SR Consulting, LLC

REQUEST: Right-of-way vacation

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

AREA: 0.337 acres

The following spoke in support of the application: Cindy Reaves, Stuart Frisch, Barton Lynch, Chelsey Savage, Jennifer Williams, Jarod Wilder, Chavanne McDonald, and Jeff Savage

The following spoke in opposition of the application: Lew Wardlaw, Julie Green, Allison, Crone, and John Joyner

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

The motion failed by a vote of 4-3-1 on the regular agenda.

Respectfully, Kendra Cobbs

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

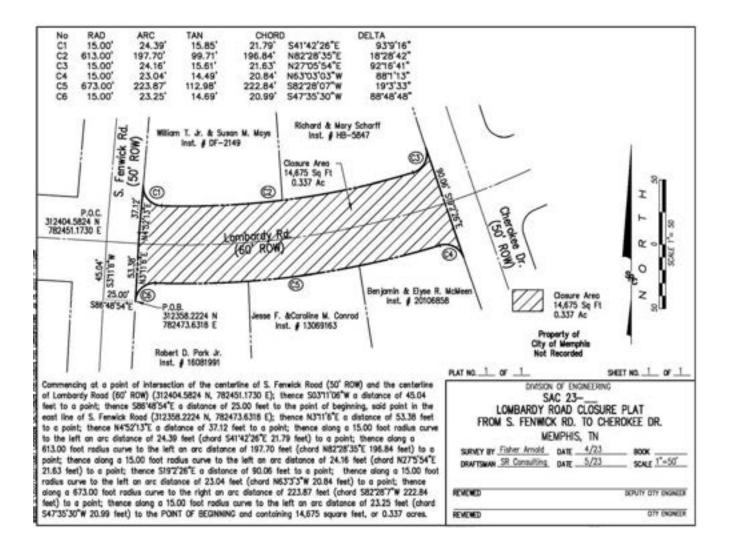
Cc: Committee Members

File

SAC 23-005 CONDITIONS

- 1. Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
- 2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
- 3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
- 4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
- 5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
- 6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
- 7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
- 8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
- 9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
- 10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
- 11. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
- 12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

CLOSURE PLAT



RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF LOMBARDY ROAD BETWEEN S. FENWICK ROAD AND CHEROKEE DRIVE, KNOWN AS CASE NUMBER SAC 2023-005

WHEREAS, the City of Memphis is the owner of real property known as the Lombardy Road right-of-way between S. Fenwick Road and Cherokee Drive in Memphis, Tennessee and being more particularly described as follows:

Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the le□ an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the le□ an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the le□ an arc distance of 24.16 feet (chord N27°5'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the le□ an arc distance of 23.04 feet (chord N63°3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the le□ an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on November 9, 2023, and said Board has submitted its findings

and recommendation to the Council of the City of Memphis subject to the following conditions pertaining to SAC 2023-005:

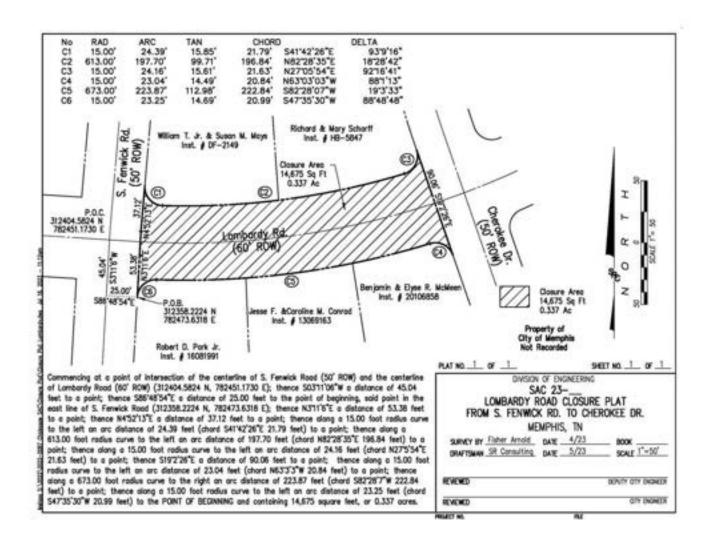
- 1. Provide Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
- 2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
- 3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
- 4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
- 5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
- 6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
- 7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
- 8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
- 9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
- 10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
- 11. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
- 12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire

apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

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

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

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



ATTEST:

Cc: Division of Planning and Development – Land Use and Development Services
City Engineering – Land Development
City Real Estate

dpd STAFF REPORT

AGENDA ITEM: 16

CASE NUMBER: SAC 2023-005 L.U.C.B. MEETING: November 9, 2023

LOCATION: Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr.

COUNCIL DISTRICT: District 5 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: SR Consulting – Cindy Reaves

REQUEST: Right-of-way vacation of Lombardy Rd. between S. Fenwick Road and Cherokee

Drive

AREA: +/-0.337 acres

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

CONCLUSIONS

- 1. The applicant is seeking to vacate the Lombardy Road public right-of-way located between S. Fenwick Road and Cherokee Drive.
- 2. A gate is proposed to be placed across Lombardy Road at the S. Fenwick Road intersection, while the opposite end of the right-of-way vacation would remain open.
- 3. The applicant's letter of intent states that the gate would be designed for emergency vehicle access only, or exit-only access if a clicker is purchased from the HOA. There would also be a bike and pedestrian gate that would stay open during daylight hours.
- 4. This request is a companion case to SAC 2023-004, which if granted along with the subject request, would limit neighborhood access to three points from Central Avenue.
- 5. Disconnecting from the public street network is not a sustainable remedy for crime prevention.
- 6. Lastly, closure would inhibit access to a park and lake that when dedicated, intended access was achieved from multiple directions. Approved SAC applications in Chickasaw Gardens have further prohibited access to public amenities which is detrimental to the greater good.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 General Plan does not address right-of-way vacation requests.

RECOMMENDATION

Rejection

Staff Writer: Kendra Cobbs E-mail: Kendra.Cobbs@memphistn.gov

Staff Report November 9, 2023 SAC 2023-004 Page 2

GENERAL INFORMATION

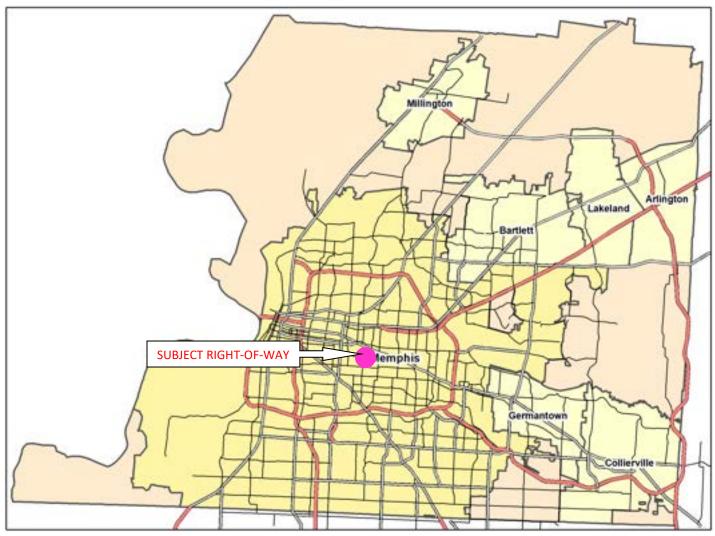
Zoning Atlas Page: 2035

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

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 67 notices were mailed on October 30, 2023, and a total of 2 signs posted on each end of the right-of-way to be closed and vacated. The sign affidavit has been added to this report.

LOCATION MAP

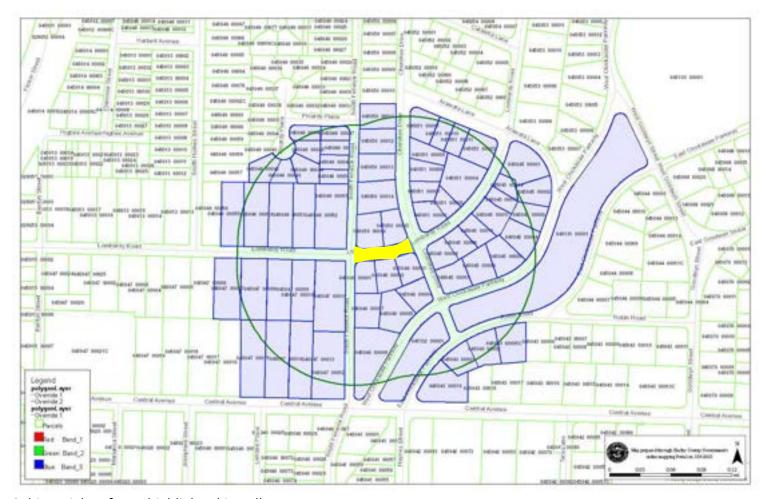


Subject right-of-way located within the pink circle, Chickasaw Gardens Neighborhood

CHICKASAW GARDENS (1926)



VICINITY MAP



Subject right-of-way highlighted in yellow

AERIAL



Subject right-of-way outlined in yellow

ZONING MAP



Subject right-of-way highlighted in yellow

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

Surrounding Zoning

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

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

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

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

LAND USE MAP



Subject right-of-way outlined in orange

SITE PHOTOS

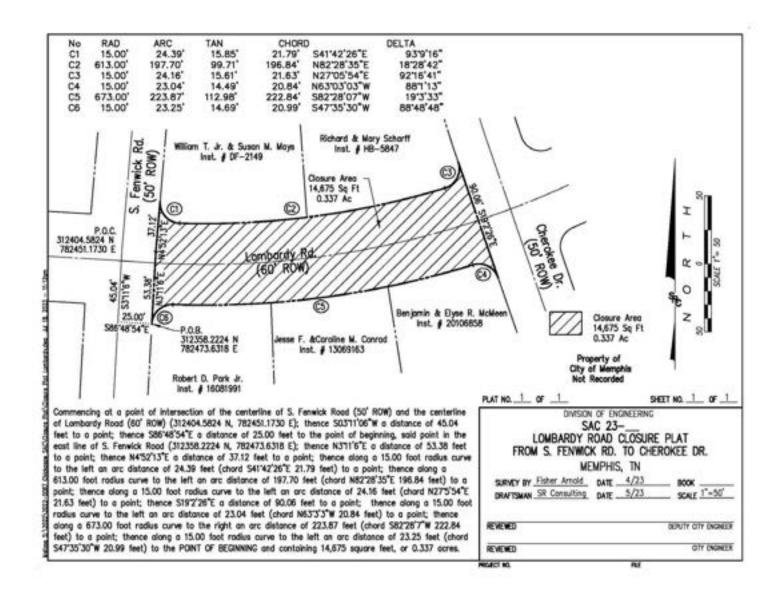


View of access point to the subject right-of-way from Cherokee Drive looking west



View of access point to the subject right-of-way from Cherokee Drive looking east

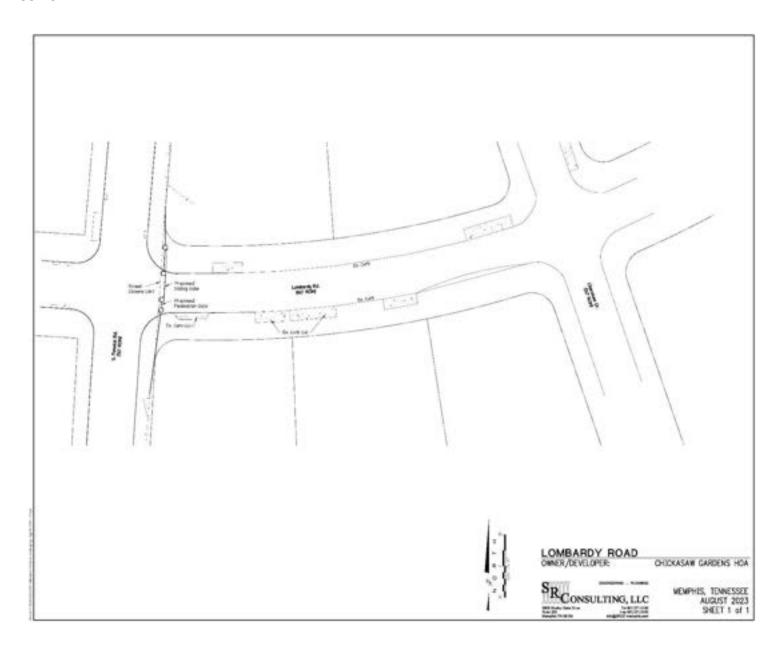
RIGHT-OF-WAY VACATION PLAT



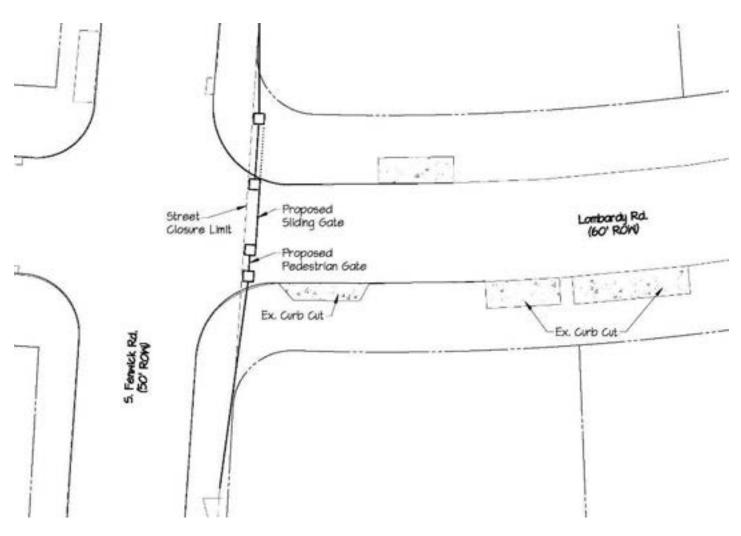
LEGAL DESCRIPTION

Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27°5'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63°3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

CONCEPT PLAN



CONCEPT PLAN - MAGNIFIED



SCHEMATIC GATE DESIGN



STAFF ANALYSIS

Request and Reason

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

The request is to vacate Lombardy Road right-of-way located between S. Fenwick Road and Cherokee Drive. A wrought-iron and brick columned gate is proposed across the Lombardy Road right-of-way where S. Fenwick Road intersects (see pages 14-16); however, the intersection of Lombardy Road and Cherokee Drive is proposed to remain open. The reason for the request is that the Chickasaw HOA would like to limit access points into the neighborhood for private security monitoring.

Site Description

The subject right-of-way is an east-west public street with a total area of +/-0.337 acres between S. Fenwick Road and Cherokee Drive. It is platted within the Chickasaw Gardens Subdivision. Five single-family properties constructed from 1929 to the 1950s border the subject right-of-way.

Conclusions

The applicant is seeking to vacate the Lombardy Road public right-of-way located between S. Fenwick Road and Cherokee Drive.

A gate is proposed to be placed across Lombardy Road at the S. Fenwick Road intersection, while the opposite end of the right-of-way vacation would remain open.

The applicant's letter of intent states that the gate would be designed for emergency vehicle access only, or exit-only access if a clicker is purchased from the HOA. There would also be a bike and pedestrian gate that would stay open during daylight hours.

This request is a companion case to SAC 2023-004, which if granted along with the subject request, would limit neighborhood access to three points from Central Avenue.

The Chickasaw Gardens neighborhood is a platted subdivision dating back to 1926. At the time of development, it was designed as a community of 462 lots and numerous access points existing throughout the development, including access from current major thoroughfares like Poplar Avenue and Central Avenue.

Overtime, the neighborhood has evolved into an eclectic mix of home and lot sizes. There have also been a number of street and alley closure (SAC) applications, the most notable ones being approved along Poplar Avenue in 1982.

A public park and lake are also located at the center of Chickasaw Gardens. These are public amenities that were dedicated when the neighborhood was developed and shown on the 1926 plat.

While the stated reason in the application for the closure request is security of the neighborhood, staff disagrees that a SAC is the appropriate response. Closure on Lafayette Place and Lombardy Road in the companion case could negatively impact traffic flow for the over 300 residents and anyone else in the area visiting the public park or lake. Properties to the north exist almost a mile away from entrance to the neighborhood if Central Avenue were the only access.

The Public Works and Solid Waste Divisions have also expressed concerns that closure would impede service delivery.

Furthermore, crime is an issue affecting all Memphians, but disconnecting from the public street network is not a sustainable remedy for crime prevention.

Lastly, closure would inhibit access to a park and lake that when dedicated, intended access was achieved from multiple directions. Approved SAC applications in Chickasaw Gardens have further prohibited access to public amenities which is detrimental to the greater good.

RECOMMENDATION

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

Conditions

- 1. Provide Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
- 2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
- 3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
- 4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
- 5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
- 6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
- 7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
- 8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
- 9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.

Staff Report SAC 2023-004 November 9, 2023 Page 17

- 10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
- 11. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
- 12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

November 9, 2023 Page 18

DEPARTMENTAL COMMENTS

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

City Engineer: See comments as follows:

NAME: Lombardy Rd closure adjacent to 219 Cherokee Dr; CHICKASAW GDN

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

Sewers:

2. No City Sewer on Lombardy Road.

Street Closures:

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

City Fire Division: See comments as follows:

Date Reviewed: 11/4/23

Reviewed by: J. Stinson

Address or Site Reference: Lombardy Rd.

• 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).

 A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning: No comments received.

APPLICATION



Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of

Way Vacation)

Record Status: Assignment

Opened Date: August 4, 2023

Record Number: SAC 2023-005

Expiration Date:

Record Name: Lombardy Rd. Closure

Description of Work: Street closure between S. Fenwick Rd. and Cherokee Dr.

Parent Record Number:

Address:

Owner Information

Primary

Owner Name

N

Overer Address

Owner Phone

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Date of Meeting

Pre-application Meeting Type

GENERAL INFORMATION

Name of Street where closure will begin Name of Street where closure will end

What is the reason for the street closure?

N/A

S. Ferwick Rd. Cherokee Dr.

Security of neighborhood

SAC 2023-005 Page 1 of 3

\$410.40

Page 2 of 3

Credit Card

Payment Am	ount Method of P	uyment				
Payment I	Information					
	Total Fee Inv		oiced: \$410.40 Total B		lalance: \$0.00	
	x fee)					
1491775		1	10.40	INVOICED	0.00	08/04/2023
	Vacation/Closure Fee	10			5.55	
1491775	Right of Way	1	400.00	INVOICED	0.00	08/04/2023
ree inform Invoice#	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
Fee Inforr	nation					
r-store.						
Phone						
Address						
CHICKASAW HOA				APPLICANT		
Name					Contact Type	
	mormation					
	nformation					
Planned Development District Wellhead Protection Overlay District			No			
Subdivision						
Lot						
State Route						
Zoning						
Municipality Overlay/Special Purpose District						
Downtown Fire District			No			
Class			7.			
Case Layer			•			
Central Business Improvement District			No			
Previous Case Numbers gis information						
Is this application a time extension? RELATED CASE INFORMATION			No			
Letter?	ease provide additional inform					
Is this application in response to a citation from Construction Code Enforcement or Zoning			140			
Name of Street/Alley/ROW			Lombardy Road No			
What is the overall length of the street closure?			250			
closed?			20.14.14			
	the total area of the right-of-w	av being	14675			
GENERAL	INFORMATION					

SAC 2023-005

LETTER OF INTENT



Date: August 2, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Lafayette Place Closure

Lombardy Road Closure

LETTER OF INTENT

Dedrick Brittenum and I are submitting two street closure applications for the Chickasaw Gardens Homeowners Association at Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive. The Chickasaw Gardens Neighborhood currently has five points of access. It has come to our attention from the security consultants and neighborhood that something must be done. The security company cannot control such a large neighborhood with this many access points. If we could limit the access to the three streets on Central Avenue, it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood. The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.

We have submitted schematic drawings of the proposed gates prepared by Blair Parker Design that should give a good feeling of the look we are proposing. The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access. The Lafayette Place gate will swing into Lafayette Place with a stop bar and sign to notify the car to stop for the gate to open and the Lombardy Road gate will slide to the north. These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue.

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

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County State of Tennessee

I, <u>Kristin Reaves</u>, being duly sworn, depose and say that at <u>9:55 am</u> on the 20th day of October, 2023 I posted two Public Notice Signs pertaining to Case No. SAC 23-005 one at Lombardy Rd and Cherokee Dr. and one at Lombardy Rd and South Fenwick Rd providing notice of a Public Hearing before the <u>November 9, 2023</u> Land Use Control Board for consideration of a proposed Land Use Action (Street and Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt of rental control attached hereto.

Owner, Applicant of Representative

.

Subscribed and sworn to before me faise

PUBLIC

Notary Public

My commission expires:

LETTERS RECEIVED

58 letters of support and 72 letters of opposition were received at the time of completion of this report and have subsequently been attached.

From: Huxley Maury
To: Cobbs, Kendra
Subject: CG Gate Proposal

Date: Friday, August 18, 2023 1:23:02 PM

Attachments: <u>image001.png</u>



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

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Hi Ms Cobbs,

I have seen the one-sided news stories on the proposed gates in Chickasaw Gardens, and I just wanted to send a quick word from a Chickasaw Gardens resident. The proposed gates are in no way intended to restrict access to anyone enjoying the beautiful, city park. We love neighbors walking our streets, enjoying the lake, playing with their kids in the open grassy areas, etc. These proposed gates would be a means to make it safer for everyone to utilize these great amenities. We do not have sidewalks in the neighborhood, and cars are constantly flying down the streets. Limiting the neighborhood to three entrances would help cut down on car traffic. The proposed gates have pedestrian entrances that would remain open during normal park hours, allowing anyone to enjoy the park when it's open.

Thank you in advance for your consideration of the proposed gates.

Huxley

Huxley Maury | Firm Administrator



6060 Primacy Parkway

Suite 100

Memphis, TN 38119 Direct 901.672.6858 | Cell 901.828.7691

hmaury@harrisshelton.com

WARNING – WIRE FRAUD ADVISORY If you have a Real Estate Closing Transaction with our Office, please be aware that Wire Fraud and Email Hacking/Phishing attacks are on the increase! To help guard against Wire Fraud

and other Financial Scams, please verify the authenticity of any Wire Transfer Instructions by calling our Office using a known telephone number or an independently confirmed number. DO NOT USE THE TELEPHONE NUMBER THAT IS INCLUDED IN AN EMAIL YOU ARE TRYING TO CONFIRM OR QUESTION AND DO NOT RESPOND TO THE EMAIL OR ANY LINKS IN THE EMAIL! OUR WIRE TRANSFER INSTRUCTIONS WILL NEVER CHANGE DURING THE TRANSACTION. WE WILL NEVER SEND COMPLETE ACCOUNT INFORMATION ON OUR WIRING INSTRUCTIONS. IF IT LOOKS STRANGE, CHANCES ARE IT IS FRAUDULENT.

From: <u>Stringfellow, Alex</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens - Proposed Gates

Date: Wednesday, November 1, 2023 9:39:51 AM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png image005.png image006.png



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Kendra,

I hope you are doing well! I am reaching out this morning in support of the proposed gates in Chickasaw Gardens. My wife and I have lived in CG for 5 years and have a 7-year-old daughter and 5-year-old son. My family loves our neighborhood. The beautiful trees, historic homes and close community have made it a wonderful place to live and raise children the last few years. We also love Memphis! My wife is a residential real estate agent and I work in commercial real estate. We work to sell Memphis to people and companies daily, and it's one of the most rewarding parts of our jobs. Outside of work, I have been involved with the Urban Land Institute, Grizzlies Preparatory Charter School, MAAR, New Memphis Institute, & Mayor Luttrell's Young Professional Council.

Unfortunately, like many communities, we know there has been a struggle with crime in our area the last few years and we've had some incidents hit particularly close to home. Liza Fletcher is my son's godmother, and my wife is Liza's oldest son's godmother. Liza's tragic death not only rocked our family and friends, but it erased any illusion of safety we may have had when it comes to walking early in the morning or late at night. It pains me to say that because I love walking my dog early in the day and initially fell in love with CG 10 years ago when I was training for a half-marathon and my route used to go around the lake.

I am also a realist and understand installing gates won't fix crime. Any real fix is going to take time and collaboration among many within our community. But, gates will give my wife and many others a sense of security that they have not had felt in a year+. I also think the gates will be a major help in reducing the risk of vehicular issues. Chickasaw Gardens does not have sidewalks and there are a lot of windy roads that create blind spots for drivers and pedestrians. Whether it's someone running the lake or my kids riding their bikes together, I just want to keep the street safe and slow down traffic whenever possible. A prime example of this was on display last night for Halloween. We have a lot of neighbors with little kids, and we receive a lot of visitors on Halloween. There were probably 250+

kids running thru the neighborhood last night with no sidewalks and cars driving around bendy and confusing roads. Thankfully, there were no issues, but it is scary nonetheless knowing an accident can happen in an instant.

I understand there has been some criticism of these gates and I want to be clear my support has nothing to do with trying to restrict access to neighbors or the community at large. I want everyone to feel welcome and enjoy the park, lake, and tree lined streets. I just think we have an opportunity to continue providing access to the park, while improving pedestrian safety and hopefully lowering the risk of crime for homeowners.

I appreciate your consideration and time on this matter. If you have any questions for me, please let me know.

Thank you!

Alex

Alex Stringfellow

Vice President | Memphis alex.stringfellow@colliers.com

Direct: +1 901 312 4920 | Mobile: +1 901 489 3363

6363 Poplar Avenue, Suite 220 | Memphis, TN 38119 | USA







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From: Kenny Jabbour
To: Cobbs, Kendra

Subject: Chickasaw Gardens - Street Closures

Date: Thursday, November 2, 2023 7:47:28 AM



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attachments unless you recognize the sender and know the conten					
Kendra,					
I hope you are well.					
I am writing you today in support of closing off					
Lafayette St and Fenwick Rd.					
I walk daily in Chickasaw Gardens as well					
as jog 3-4 times a week.					
As you may know there are no sidewalks in Chickasaw					
Gardens which makes it a challenge navigating the					
traffic while walking/jogging.					
The closing off of the two streets would encourage other					
walkers/joggers/cyclist from surrounding neighborhoods					
to enjoy our historical neighborhood.					
Thank you					
Regards,					
Kenny Jabbour					

Kenny Jabbour

Jabbour Cotton Company, LLC

65 Union Avenue

Mezzanine Floor

Memphis, TN 38103

901-340-7530 tel

kenny@jabbourcotton.com



From: <u>Kate Trammell</u>
To: <u>Cobbs, Kendra</u>

Cc: worthmorgan@gmail.com; Carlisle, Chase; Canale, JFord

Subject: Chickasaw Gardens

Date: Wednesday, November 1, 2023 5:17:15 PM



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

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Dear Ms Cobbs,

My husband and I are longtime residents of Chickasaw Gardens and we support the proposal to gate Fenwick and Lafayette.

The neighborhood's interior traffic has increased in recent years. I believe this is due to Uber/Lyft drivers and also because of the abundance of deliverymen delivering packages in this day and age. Some are coming to Chickasaw Gardens but many are simply cutting through. Most of the deliverymen and ride share drivers are unfamiliar with our streets, and, in addition, are under time constraints. That makes their presence inherently dangerous. Not to mention that they are likely looking at screens to locate delivery/pickup addresses. Since we do not have sidewalks, this makes it hazardous for those walking and biking within the neighborhood. We have many children who play in their front yards or are riding their tricycles around the block and I am concerned for them also.

The point is, in order for the guards to effectively monitor the neighborhood, we need to reduce the number of entrances/exits. The 3 Central entrances would still provide several options for people that want to enjoy the lake, walk the streets or work in the neighborhood. Due to the lack of sidewalks, speeding and erratic driving are a problem for the children playing or adults walking in our neighborhood. Shootings and attempted robberies are a problem. We are not trying to keep everyday people out as much as we are trying to better monitor those who are unmindful of our pedestrians or those with criminal intent. We are trying to make our neighborhood safer.

I hope that we can count on your support of this proposal.

Kate

Kate Trammell

katetram@me.com

h 901.458.9311

c 901.550.1065

2870 Catawba Lane

Memphis, TN 38111

From: Jim Raines
To: Cobbs, Kendra
Subject: Chickasaw gardens

Date: Tuesday, October 31, 2023 2:45:29 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jnraines43@gmail.com

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

I have lived in the neighborhood for 45 years and totally support the street closings to vehicle closings to assist in crime solutions and traffic safety. People from outside the neighborhood fail to honor speed limits and recognize the limits of sight due to the curves in every street. There is no need for entrance or exit from streets to be closed. Crime in and around the neighborhood is increasing.

Thank you and please accept the applications for the street closings Jim Raines 211 East Goodwyn Street 901.359.2110

Sent from my iPhone

From: julie meeks
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Tuesday, October 31, 2023 5:08:54 PM



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Ms Cobbs,

I live at 211 Cherokee Drive Memphis, Tennessee and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Thank you, Julie Meeks

Julie Meeks 901.335.5853 Sent from my iPhone From: Natalie B. Shy
To: Cobbs, Kendra

Cc: Colvett, Frank; Morgan, Worth; Canale, JFord; Carlisle, Chase; Warren, Dr., Jeff

Subject: Chickasaw Gardens Closure

Date: Wednesday, November 1, 2023 11:23:26 AM



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette Pl @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo. The Memphis citizens that live outside of Chickasaw Gardens will still have access to walk animals or stroll through our neighborhood.

Thank you for considering my letter supporting the street closures in this matter.

Sincerely,

Natalie Bell Shy

From: <u>Harris Jordan</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gate Advocate

Date: Tuesday, October 31, 2023 2:26:39 PM



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Kendra,

My name is Harris Jordan and I am writing to you today to express my support for the Chickasaw Gardens gates proposal and the LUCB's recommendation to pass this initiative.

I am a lifelong Memphian (5th generation), was raised in Midtown, and have lived in Chickasaw Gardens since 2015. My wife and I have two children ages 8 and 6, along with a baby due in March.

My wife and I love both the city and our neighborhood. With young children, we go on walks quite frequently. Without sidewalks in our neighborhood, watching for traffic while walking is a constant challenge, and dangerous at times. It's not just residents of the neighborhood who experience this, but a multitude of walkers who come from outside the neighborhood to enjoy the city park and streets.

It is my belief that the addition of gates should help curb some of the non-pedestrian traffic and make the roads and the city park safer for all to enjoy. I can't tell you how many times I have personally seen cars from outside the neighborhood going well over the speed limit, endangering pedestrians who are walking in the road.

As an added benefit, it should also help the neighborhood security guards patrol the neighborhood more effectively (by limiting the number of access points to monitor) which should increase the safety of the park from a criminal perspective. We have had numerous instances of very dangerous criminal activity in our neighborhood over the past year and want to do everything we can to keep our neighborhood as safe as possible for us and our children. Two different friends of ours had traumatic experiences with a home invasion and an attempted robbery that turned into attempted murder. Fortunately they are all ok but we have to do all we can to deter this type of activity.

The purpose of the gates is not to limit access to all the law-abiding citizens enjoying our neighborhood and the city park, but to keep everyone safer.

Thank you for the consideration and have a great day.

Sincerely, Harris Jordan 2941 Iroquois Rd. Memphis, TN 38111 From: Anna Lane
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gate Closure

Date: Friday, September 15, 2023 6:07:47 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender anna.c.lane52@gmail.com

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Good evening,

My name is Anna Lane and am a resident on 195 Palisade. I often walk and drive to Chickasaw Gardens to take my dog and enjoy the park. I am writing to let you know that I am absolutely IN FAVOR of their gate closure application. I believe it would make the park safer for everyone, whether they are residents of the neighborhood or visiting neighbors. There have been many occasions where I have been walking in the street (since there are no sidewalks) and have almost been run over by delivery drivers or people cutting through the neighborhood. After hearing the neighbors speak at an informational meeting to let surrounding neighborhoods know about the gates, I felt like the proposed gates would cut down on the flow of cut-through traffic and also allow their current security to patrol more effectively and keep us safe. I realize that some may oppose their efforts but I am strongly in favor of the proposal and wanted to voice my approval to you.

Thanks in advance for your time, Anna Lane

Anna Lane c. 901.486.8457
 From:
 Neely Mallory

 To:
 Cobbs, Kendra

 Cc:
 Kate Mallory

Subject: Chickasaw Gardens Gate Review

Date: Tuesday, October 31, 2023 3:14:00 PM



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Ms. Cobbs -

My name is Neely Mallory, and my wife (Kate) and I are residents of Chickasaw Gardens. I write to you today in order to express our family's support of the efforts to gate portions of the neighborhood. We live on East Goodwyn Street only ~100 yards from the proposed gate at Lafayette Street. Despite the gate adding time to our commutes to and from home, our family supports the installation of this gate with all of our hearts.

Kate and I have 3 small children (ages 5, 3, and 1). These gates will make walking our streets and accessing our beautiful park and lake a much safer experience for not only our family but the many families both in and around our neighborhood. Limiting car traffic in certain areas will result in fewer incidents or close calls with pedestrians and encourage more outdoor activity. Without a doubt, you will see more people on the streets and kids playing in front yards with the reduced dangers that come with less vehicle traffic.

The best part - the gates accomplish this while not limiting access for walkers/joggers and/or those looking to visit the park and lake from outside the neighborhood in any way. Pedestrians will be able to enter at the gates without issue in the well-designed pedestrian access entrances. And those travelling to the park and lake by car will be able to enter at one of the three Central Avenue vehicle entrances which are well marked and better suited for vehicle access.

Please feel free to contact me with any questions whatsoever. Thank you for your consideration.

Neely Mallory 106 East Goodwyn Street Memphis, TN 38111 (901) 412-6082 From: **WILLIAM FRAZIER III** To: Cobbs, Kendra Subject:

Chickasaw Gardens Gate

Date: Wednesday, November 1, 2023 3:05:57 PM



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> Ms. Cobb,

>>

>> I wanted to contact you reguarding the gates for Chickasaw Gardens. I am for the gates as if people want to make our city better during these trying times I am all for it. Citizens of Memphis are trying to spend their money to make it a better place. That in and of itself says to me they are proud of Memphis and want to make it better one step at a time. Per the news reports I have seen the pedestrian gates are open for use from dusk til dawn which is the hours of the park being open as well. I feel like some people don't like change & unfortunately in this day and time people try to be the louder voice when in fact their facts are not always right. In this case they are trying to convey a message that this neighborhood is trying to keep other citizens out and from using a city park when in fact it is not true. This neighborhood is putting out resources to keep the park and streets they enjoy safe during a difficult and trying time for our city with crime.

- >> In summary, if Memphians want to make Memphis better, let's let them and maybe at some point the criminals will understand they are not welcomed any longer here.
- >> Thank you for your service and time,
- >> Will Frazier
- >> Proud Memphian

>>

>> Sent from my iPhone

From: <u>Jay McDonald</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gate

Date: Tuesday, October 31, 2023 9:01:54 PM



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Hello Ms. Cobbs,

My name Jay McDonald, and I am a resident of Chickasaw Gardens. I grew up in the neighborhood, moved away from Memphis to pursue my education, and moved home to raise my family here. Interestingly, I now live only a few doors down from my childhood home. I mention my history with the neighborhood in order to illustrate how I am in a unique position to see how we currently are in need of your and the city's help. Over the past few years, we have seen a large increase in crime in our neighborhood. We have tried to combat it by hiring an additional security guard and added additional security cameras. Unfortunately, the size, number of streets, and number of entrances into and out of the neighborhood make it difficult to adequately patrol and watch. We are trying to close off two of the five entrances in order to cut down on crimes of opportunity.

Our neighborhood is unique in that we have a park in the middle that is enjoyed by people from all over the city. As residents, we welcome its use and enjoyment by all. Unfortunately, the increase in crime has brought a population of cars that are not here to enjoy the park. I have watched people speed through the neighborhood and almost hit kids on bikes and people walking their dogs on several occasions. Once a car almost hit my kids after speeding away from stealing equipment from a lawn service. We believe that if we reduce the ingress and egress it would reduce this type of traffic. To be clear, we want everyone who comes into the neighborhood to enjoy the park to be safe.

This brings up another point. Some negative comments have been made that we are trying to close off or exclude people from the neighborhood. This is completely false. Our plans maintain pedestrian entrances for both gates, allowing for anyone in the surrounding neighborhoods to continue to walk into ours. We are also leaving three of the five entrances open and un-gated. Again, we simply wish to reduce the number of openings, not close off the neighborhood.

Our mission is to improve safety for residents and non residents alike. I hope you can help us with this plan so that this neighborhood and park can continue to be enjoyed by Memphians for generations to come. Thank you so much for your time and consideration.

Sincerely, Dr. Jay McDonald

From: Chip Luter
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gated Streets Proposal Date: Tuesday, October 31, 2023 2:31:04 PM



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Ms Cobbs, good afternoon, I hope you are having a good start to this chilly week. I live at 275 W Goodwyn St in Chickasaw Gardens and I am STRONGLY IN FAVOR of Gating Lafayette and Fenwick street entrances. There has been one homicide, multiple car break ins, home invasions, reckless driving, attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security, therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points which are convenient to contiguous neighborhoods. Every bit of extra safety helps not only our neighborhood, but those using the lake. Neighbors just outside CG will still be able to access the Lake by foot or by car. Please let me know if you have questions or would like to discuss. Thank you for your time.

Chip Luter 275 W Goodwyn St Memphis, TN 38111 214-909-9200 Cell From: Donnie Malmo
To: Cobbs, Kendra

Cc: Morgan, Worth; Canale, JFord; chase.carlisle@memphsitn.gov

Subject: Chickasaw Gardens Gates

Date: Tuesday, October 31, 2023 3:30:56 PM



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Good afternoon Ms. Cobbs,

I am writing to ask that you please give serious consideration to the gates that the Chickasaw Gardens Home Owners Association has proposed on Lombardy/Fenwick and Lafayette Pl/Lafayette St. I walk nearly every day in and out of Chickasaw Garden and most of the time with my three kids (8, 7, and 4 years old). The amount of cut-through traffic and joy riding in and around Chickasaw Gardens has to be at an all time high. Due to the neighborhood not having side walks, I have to continuously warn my kids and watch over them as they ride bikes due to the joy riders. These gates would greatly reduce the amount of cars that are just joy riding, and therefore, would make our streets a much safer place for my kids to be able to enjoy.

On a different note, speaking about safety, just this year I was out of town when I received frantic calls from my wife about shots fired directly outside of our house. I am sure you have heard plenty of the story about Alex Canale, so I don't need to go into detail about that. I returned home the next day to find four 9mm cartridges in my yard directly in front of where my car usually sits. After reviewing video footage from many of our neighbors, we were able to put a timeline of events together and verified that the car used in this crime entered the neighborhood off of Lafayette and left through Fenwick. This was not the first time criminals have used these two entrances. With video evidence, neighbors are beginning to realize that most of the criminals coming into Chickasaw Gardens are using these two entrances due to the ease of escape and ability to get back onto Poplar before most even know what has happened. If we were to gate these two entrances, we could then allow the security guards to efficiently watch who is coming in and out of the neighborhood during the early morning hours.

Our kids deserve to live in a neighborhood where they are safe whether it be from automobiles or criminals and the way to do that is to limit the number of street entrances. Please help us accomplish that for them.

Donnie Malmo

From: John Barton
To: Cobbs, Kendra

Subject: Chickasaw Gardens gates

Date: Thursday, November 2, 2023 10:42:50 AM



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Dear Kendra,

My name is John Barton and I am a resident of Chickasaw Gardens. I am writing to you today to express support for the road closures at the LaFayette and ace wick entrances to the neighborhood. I believe that these gates will help deter crime as well as improve pedestrian safety as we do not have sidewalks in the neighborhood. These gates will minimize automobile traffic and improve conditions for pedestrians.

Thank you, John Barton

From: <u>Stacey Hussey</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gates

Date: Wednesday, November 1, 2023 5:23:39 PM



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Ms Cobbs,

I live at 79 Lombardy Road in Chickasaw Gardens and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months. It has gotten so dangerous and we are currently looking to leave Memphis if we can't get crime under control. Sadly, we don't want to leave but might be forced too.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake.

Thank you for your time, Stacey Hussey 79 Lombardy Rd 38111 From: george bryant
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gates

Date: Saturday, August 19, 2023 7:01:12 AM



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Dear Ms Cobbs-

I wanted to share with you my support for the proposed gates on the 2 side streets leading into my neighborhood- Chickasaw Gardens.

I have been a resident here for 12 years and remember when I felt safe here and felt my wife was safe to take her daily walks- I no longer allow her to do that without me going with her. I believe that since our neighborhood has been promoted in media as the "wealthiest neighborhood "in Memphis, we have been targeted. We face nightly car break- ins, car jacking, a neighbor being followed into the neighborhood and chased as she tried to get away. Recently a man was shot at with automatic weapons as he fled from an attempted robbery in his mother's driveway. Plus we have daily theft of packages on our porches and equipment from yard crews and contractors parked in front of our homes.

Our neighborhood has tried several things to stop this such as doubling the guards we have patrolling and adding more and more cameras and asking the police to check on us more. It's really bad and we refuse to give into this Crime Era we are all living in.

In closing, I heard on the news the other day from a few surrounding neighborhoods that oppose the idea that we want to put gates on our 2 side streets. They framed their reasoning as "we are wanting to build walls" etc. They seem to not want to mention that we are only talking about 2 entrances- we will be leaving 3 roads open as they are now plus we will have pedestrian gates at the new proposed gates for any of our neighbors to come through. Our leaders seem to agree with our approach, dealing with what is going on downtown on Beale street they have come up with "pedestrian friendly traffic control plan" which includes blocking certain streets and creating barriers to create a safer environment.

Please help us create a safer place to live in peace and safety for our families and visitors. Thank you very much for your support.

George Bryant- Chickasaw Gardens Resident

Sent from my iPhone

From: Adams, Scott
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gates

Date: Monday, October 30, 2023 12:40:02 PM

Attachments: <u>image001.png</u>



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Hi Kendra- hope this finds you well on this Monday. It is my understanding that the Land Use Control Board will be reviewing the gate proposal for Lafayette and Fenwick for Chickasaw Gardens next week. We live on East Goodwyn near the Lafayette entrance, and I wanted to send a note showing my support for the gates.

Thank you

Scott

Scott Adams, CFA

Senior Vice President

1000 Ridgeway Loop Road, Suite 200, Memphis, TN 38120

901.435.7943 (o) | 901.219.9161 (c)

scott.adams@fhnfinancial.com



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From: Tommy Farnsworth III

To: Cobbs, Kendra

Subject: Chickasaw Gardens gates

Date: Wednesday, November 1, 2023 7:35:55 AM

Attachments: pastedGraphic.tiff



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City of Memphis:

I reside at 146 E. Chickasaw Parkway in Chickasaw Gardens.

I encourage the City Council to approve the proposed street closures into and out of Chickasaw Gardens at Fenwick and Lafayette. As a neighborhood first developed 90 years ago or so, it was done so without sidewalks or particularly wide internal streets. Any structural change we can make that will limit the automobile traffic into and out of the neighborhood should be encouraged and implemented as to make it far safer for owners and their guests both in cars and on foot or bike. Further, it is undeniable that given the sharp rise in crime in our city, our privately funded guards will far better be able to monitor the ingress / egress of neighbors and visitors with fewer non-gated entrances.

Many thanks for getting this email into the right hands.

Tommy

Thomas C. Farnsworth III (901) 409-8300 Mobile t3@farnsworthco.com



From: Stephanie Allbritten
To: Cobbs, Kendra

Subject: Chickasaw Gardens Pedestrian Gates

Date: Friday, August 18, 2023 9:13:11 AM

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Hi Kendra,

I sent you an email yesterday, but wanted to add , that I found out the 2 gates that would help our guard monitor , will be pedestrian.

So, the people living in other neighborhoods will be able to walk through. And drive through or walk on Central. Not sure why they would be opposed to our neighborhood being safer. Does not make sense to me. Other neighborhoods have taken measures to b safe, even putting speed bumps in neighborhoods streets to slow traffic.

I have no problem with that, even though my house backs up to Fenwick and I hear sounds of mufflers hitting speed bumps flying over them.

Please help and support with this matter so we can feel safe in our own neighborhood.

Thank you again, Stephanie Allbritten

Sent from my iPhone

From: Allison Luter
To: Cobbs, Kendra

Subject: Chickasaw Gardens security

Date: Tuesday, October 31, 2023 2:20:57 PM



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Ms Cobbs

I live at 275 W Goodwyn Street and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Allison Luter

From: Allison Luter
To: Cobbs, Kendra

Subject: Chickasaw Gardens security

Date: Tuesday, October 31, 2023 2:20:57 PM



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Ms Cobbs

I live at 275 W Goodwyn Street and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Allison Luter

From: Scott Warren
To: Cobbs, Kendra

Subject: Chickasaw Gardens Street Closures

Date: Wednesday, November 1, 2023 9:07:45 PM



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Hi Kendra,

My name is Scott Warren, and I live at 2915 Iroquois rd in the Chickasaw Gardens neighborhood. I wanted to voice my support for the gates and the resulting safety they would bring to all who utilize the neighborhood and park.

The neighborhood is a popular pedestrian destination for those who live in and around the area. I have increasingly noticed a pickup in cars trying to use the neighborhood as a cut through only to find that there are no outlets to their intended route. As a result, these cars typically end up driving at high rates of speed trying to get back out. There are no sidewalks in the neighborhood making these car encounters with speeding drivers very dangerous, especially for people like myself with young kids walking and riding bikes.

Overall, I believe these gates would limit the unnecessary cut-through traffic and provide all users of the neighborhood and park with a safer and more enjoyable experience while still providing adequate access. Thank you for your consideration.

Sincerely, Scott Warren From: Lee Powell
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Tuesday, October 31, 2023 3:35:48 PM



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Hello -

I do not live in Chickasaw Gardens but am supportive (VERY) of them being able to get the entrances they are proposing.

Thanks, Lee

Lee J. Powell, Jr.

Managing Director

Raymond James & Associates, Inc.

1100 Ridgeway Loop

Suite 500

Memphis, TN 38120

(901) 529-3774

(800) 774-7012

Lee.Powell@RaymondJames.com

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From: Collie Krausnick
To: Cobbs, Kendra

Cc: Worth Morgan (worthmorgan@gmail.com); Carlisle, Chase; Canale, JFord; veazey krausnick

(vk2875@gmail.com)

Subject: Chickasaw Gardens

Date: Wednesday, November 1, 2023 9:35:57 AM

Attachments: <u>image001.png</u>



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Ms. Cobbs,

I wanted to reach out in support of the two gates proposed in Chickasaw Gardens. I first want to say this in no way is to "keep people out" as there will be three open entrances off Central Ave.

I live at 152 Lombardy Rd., a street running through the neighborhood from Fenwick to Tishomingo. Being one of the longest straight stretches cars tend to speed, often times with people walking and children playing. Being an older neighborhood we do not have sidewalks for pedestrians.

Given the recent increase in crime our hopes are to create a deterrent making it harder for the criminal to get in and out of the neighborhood. Central is a busy street but Fenwick and Lafayette not so much. My understanding is one of the recent shootings on both Iroquois and Garden Lane were committed by a group of kids who entered off Lafayette and exited on Fenwick.

My wife and I have children and grandchildren who live in the neighborhood who are scared of speeding cars, crime, and disruption this all causes. We feel strongly that gating the two less frequently used entrances will make it easier for our security guards to monitor traffic hoping to alleviate crime and make safer for all.

Thanks for your leadership and consideration. Feel free to reach out to me if I can help in anyway.

Collie Krausnick

Collie Krausnick

Senior Managing Director

Raymond James & Associates, Inc. T 901.529.5321 // 800.774.1872 1100 Ridgeway Loop Rd., 5th Floor

Memphis, TN 38120

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From: Boyd Wade
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Wednesday, November 1, 2023 5:17:45 PM



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Ms. Cobbs:

My name is Boyd Wade, my wife, Lucy, and I live at 2896 Natchez Lane in Chickasaw Gardens. We live in my grandparents' home built around the 1930s. I am the 3rd ever owner of this home. I am also head of the security on the board of trustees in Chickasaw Gardens. I grew up in Central Gardens and am a lifelong Memphian. I am currently 60 years old. I share my information with you and the city council so that you understand my perspective.

Our goal at Chickasaw Gardens is to make the neighborhood safer for everyone, residents and nonresidents. Since we do not have any sidewalks, cars are dangerous to our walkers, joggers, and bikers. By limiting access of cars to our streets we believe that we will make it safer.

I remember when my daughter, Larson was 9 years old, out playing in the neighborhood with her friends. She came home that night a described to me how she was almost run over by a car that did not see her. I am sure there have been many close calls. Not too many years ago we had a lady on a bike hit by a car on Tishomingo. She survived but we injured.

We do not want to limit our neighbors that live outside the neighborhood. They can come in via the Central access points and continue to enjoy the streets and the park. The only difference is that they to will be safer.

Thank you for your consideration for this effort to close Lafayette and Lombardy at Fenwick.

A. Boyd Wade, III, CPA

Financial Consulting Group, LLC

Life Insurance Specialist/Director of Bank Relations

9040 Garden Arbor Drive, Suite 206

Germantown, TN 38138

Cell: 901-619-4876

Office-Direct: 901-259-3066

www.fcgtn.com

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From: Lane Whitehead
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Thursday, November 2, 2023 9:34:46 AM



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Ms Cobb,

Good morning! I am a long time Chickasaw Gardens resident and strong Memphis cheerleader. I believe we have a great city with an incredible community of doers and givers and just good people.

One of my favorite activities is my daily walk. I love the fresh air and the smiles or nods from the people I encounter. One of my not favorite activities is dodging the cars that zoom through. Our neighborhood does not have sidewalks and the streets are often curved so it does make the walking somewhat treacherous. The park in the center of the neighborhood is a draw and a welcome relief for our neighborhood but also for many of the surrounding neighborhoods. We currently have six egress points and are proposing to close two of those to vehicular traffic.

It is my belief that the proposed street closures would help reduce pass through traffic and casual drivers who are unfamiliar with the warren of streets and looking for a quick way to Central Avenue or Poplar Avenue. Daily I have encountered drivers who are frustrated and speeding through the neighborhood. In addition to the exercise walkers, we have younger kids, older residents, strollers, bikers, dog walkers and other people enjoying the area. These frustrated speeding drivers are a threat to all. Closing the peripheral entrances would help direct the vehicle traffic to the main streets, making the pathways more clear and direct. Closure would also help decrease the overall vehicle traffic which will increase safety for all users.

As proposed, the method of closing the two entrances would allow for well lit, pedestrian access to the lake, park and safer streets for recreation. Residents from neighboring areas may continue to access the park and lake as they do now, by bicycle, walking, strolling or running. Vehicular traffic will have access from three entrances on Central Avenue, which will make the pathway to the lake and park much more direct.

It is my hope that the street closure proposal is approved as presented. I believe our neighborhood and all surrounding neighborhoods would benefit.

Sincerely,

Lane Whitehead

Lane Southern Whitehead 901.634.0391

From: L. Madison Michael II
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Tuesday, October 31, 2023 2:13:47 PM



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Dear Ms. Cobbs,

I am writing you in support closing the Lafayette and Fenwick entrances in Chickasaw Gardens in midtown Memphis.

I have three teenage boys and a wife. The amount of traffic that comes through the neighborhood has increased exponentially over the last several years. The automobiles seem to be just wandering through without visiting a home or a person. They typically drive over the speed limit and seem reckless. This worries me when it comes to the foot traffic and the children in our neighborhood. It is only a matter of time until someone gets hurt. Closing the 'extra' entrances will address this issue and make the neighborhood a much safer one. In addition, it should also address crime issues which all neighborhoods have seen an uptick.

Please help our neighborhood become a safer one. Thank you for your attention to this matter.

Best regards,

Madison Michael 2921 Iroquois Rd Memphis, TN 38111 From: Chavanne McDonald

To: Cobbs, Kendra

Subject: Fwd: Chickasaw Gardens gate proposals

Date: Thursday, August 17, 2023 10:01:36 PM

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> Good Evening,

- > I am writing you today as a resident of Chickasaw Gardens obviously in favor of the gate proposal coming before the land use control board. I realize there are a lot of feelings swirling around regarding this proposal and what has been reported in the media, but I'm afraid the reports have been rather one sided. I am a member of the HOA trustees and helped with the research and drafting of this proposal. We went to GREAT effort to achieve the following:
- > 1. Meet with surrounding neighborhoods around us to Answer questions, gauge their feedback and make necessary changes to
- > Our initial proposal.
- > 2. Allow for pedestrian, bicycle and stroller access during the day to the neighborhood and park that so many enjoy and that good portion of our HOA dues go toward maintaining and upgrading.
- > 3. The point of the proposal is NOT to restrict but rather make the city park and streets of
- > Our neighborhood safer for all who want to
- > Use them.

>

- > We have invested a great amount of time and energy in figuring out the best ways to
- > Keep the neighborhood safe from
- > Criminals and reckless drivers. Based on meetings with safety experts, security companies and public safety officials, this was the best way to help restrict
- > Entrances and exits to cars and funnel
- > Traffic to three distinct points of entry and exit for monitoring.

>

- > Respectfully, we would appreciate your consideration of this proposal. I know a lot of
- > Other neighborhoods are submitting proposals as well and we all just want to
- > Do all that we can to keep our families safe and
- > Remain in Memphis. I fear people
- > Will begin to leave in mass numbers
- > If we are not able to do the things that are necessary to protect ourselves and our neighborhoods.
- > Thanks again for your consideration,
- > Chavanne McDonald

>

> Sent from my iPhone

From: <u>Stephanie Allbritten</u>
To: <u>Cobbs, Kendra</u>

Subject: Fwd: Chickasaw Gardens gates

Date: Wednesday, November 1, 2023 12:21:18 PM

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Hi Kendra,

Just wanted to send my e mail again, to remind you of my concerns and hopefully see how 2 additional gates would help with safety issues in our neighbors (Chickasaw Gardens).

I greatly appreciate your help in this matter.

Hoping it will pass and we can all move on and feel safer in the place we call home.

Sincerely, Stephanie Allbritten

Sent from my iPhone

Begin forwarded message:

From: Stephanie Allbritten <stephallb@yahoo.com>

Date: August 17, 2023 at 9:54:15 PM CDT

To: Kendra.Cobbs@memphis.gov Subject: Chickasaw Gardens gates

Hi Kendra.

I am a resident of Chickasaw Gardens for 23 year. I moved in my home on Cherokee Drive after my husband passed. I felt safe living alone for many years, but for the past few years and especially after the break ins, car jacking and my neighbor being followed in by a suspicious car tailgate her all the way home and the man that was shot at and attempted robbery in his own driveway one street over from me, I do not feel safe any longer, but refuse to move from my home that I love.

I never walk alone in my neighborhood any longer which is frustrating to think I can't, in fear of being attacked.

I still think of sweet Liza Fletcher and what her last few minutes of her life must have been. It haunts me.

Her parents lived a few blocks over form me. They have moved.

The people that have opposed our gates , use the excuse that the Lake is public and they would have to enter on Central, that is such a lame excuse to not have our gates . So come in on Central.

We are only asking to close 2 entries so the guard can monitor the cars that come in , more closely.

Please help us get our 2 gates so I/we especially women, can feel somewhat safer knowing we can walk alone in our neighborhood and get back to our homes safely.

Thank you for taking the time to read my email.

Sincerely, Stephanie Allbritten

Sent from my iPhone

From: <u>Stephanie Allbritten</u>
To: <u>Cobbs, Kendra</u>

Subject: Fwd: Chickasaw Gardens gates

Date: Thursday, August 17, 2023 10:44:46 PM



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Sent from my iPhone

Begin forwarded message:

From: Stephanie Allbritten <stephallb@yahoo.com>

Date: August 17, 2023 at 9:54:15 PM CDT

To: Kendra.Cobbs@memphis.gov Subject: Chickasaw Gardens gates

Hi Kendra,

I am a resident of Chickasaw Gardens for 23 year. I moved in my home on Cherokee Drive after my husband passed. I felt safe living alone for many years, but for the past few years and especially after the break ins, car jacking and my neighbor being followed in by a suspicious car tailgate her all the way home and the man that was shot at and attempted robbery in his own driveway one street over from me, I do not feel safe any longer, but refuse to move from my home that I love.

I never walk alone in my neighborhood any longer which is frustrating to think I can't, in fear of being attacked.

I still think of sweet Liza Fletcher and what her last few minutes of her life must have been. It haunts me.

Her parents lived a few blocks over form me. They have moved.

The people that have opposed our gates, use the excuse that the Lake is public and they would have to enter on Central, that is such a lame excuse to not have our gates. So come in on Central.

We are only asking to close 2 entries so the guard can monitor the cars that come in , more closely.

Please help us get our 2 gates so I/we especially women, can feel somewhat safer knowing we can walk alone in our neighborhood and get back to our homes safely.

Thank you for taking the time to read my email.

Sincerely, Stephanie Allbritten

Sent from my iPhone

From: <u>dee dee pera</u>
To: <u>Cobbs, Kendra</u>

Subject: Fwd: Closing of Fenwick And Lombardy 38111

Date: Thursday, November 2, 2023 4:09:30 PM



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Begin forwarded message:

From: dee dee pera < dd.pera@gmail.com >

Subject: Closing of Fenwick And Lombardy 38111

Date: November 2, 2023 at 3:48:56 PM CDT

To: Kendra .cobbs@memphistn.gov

Ms Cobbs,

I am Dee Dee Bryan, my husband, Larry and I live at 191 Cherokee Drive in Chickasaw Gardens. We are strongly in favor of closing Layfayette and Fenwick Street entrances. Our neighborhood has had one homicide, shootings, attempted murder and several home invasions in the last 13 months. We have even found bullet casings in our driveway!

It is imperative for our neighborhood to have added security. Therefore we strongly support having gates added to Lombardy and Fenwick entrances. This leaves 3 remaining PUBLIC access points to our lake area and neighborhood. It does however cut down on the easy exit onto Lombardy and Fenwick. I have personally witnessed a car driving in our neighborhood looking into cars parked on the street. When I alerted security they quickly exited onto Fenwick. Having these side exits closed will cut down on this type of crime.

Thank you for your time.

Dee Dee and Larry Bryan 191 Cherokee Dr From: Pam hill
To: Cobbs, Kendra
Subject: Gates needed!

Date: Tuesday, October 31, 2023 6:21:42 PM



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Every week my lawn guy has to back his truck into our driveway because guys drive around the neighborhood looking for their equipment to steal. They are armed and will shoot. My lawn guy has witnessed this in our neighborhood. There are so many examples of girls jogging and walking in the neighborhood and guys in cars stopping them. I've totally stopped walking except close by. We live on the corner of East Chickasaw pkwy and Goodwyn. Countless cars speed thru the stop sign. Just pulling into my

driveway after dark is risky unless your garage door and gate close quickly.

Pam Hill 901.834.1545

From: Shibahn Singh
To: Cobbs, Kendra

Subject: In favor of Chickasaw gardens gates!

Date: Wednesday, November 1, 2023 2:48:53 PM



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Ms Cobbs,

Good afternoon!

I live at 270 W Goodwyn St, Memphis TN 38111. and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

We have two young children and am terrified to live here right now. We have had speeding cars come close to hitting them when they play outside multiple times. We don't have sidewalks in our neighborhood.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. We will have pedestrian access at those points, just closing access at these 2 points to cars.

This leaves 3 remaining public access points.

Every bit of extra safety helps not only our neighborhood but those using the lake.

Those who oppose the gates have trivial reasons (compared to the safety of our lives) for their opposition.

Thank you for your time.

Shibahn Rodda (901) 484-7563

From: Emily Lowrance
To: Cobbs, Kendra

Subject: In Favor of gates in Chickasaw Gardens

Date: Wednesday, November 1, 2023 5:32:10 PM



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Dear Ms. Cobbs,

My husband and I live on Arawata Lane in Chickasaw Gardens. I write to you to express our support for the gates proposed at the entrances of Fenwick and Lafayette.

This neighborhood was designed with no sidewalks and when for example we are strolling our two year old grandson, we are often surprised and scared of speeding cars and trucks.

We feel that closing the two side street entrances will reduce pass-through traffic that will help protect walkers, joggers, children skating as well as bikers of all ages.

We appreciate your consideration.

Sincerely, Emily and Charlie Lowrance

Sent from my iPhone

From: lmagness@me.com
To: Cobbs, Kendra

Cc: Swearengen Washington, Jana; Colvett, Frank; Johnson, Cheyenne; Morgan, Worth; Ford Sr., Edmund; Warren,

Dr., Jeff; Canale, JFord; Robinson, Patrice; chase.carlilse@memphistn.gov

Subject: In support of Chickasaw Gardens street closures

Date: Tuesday, October 31, 2023 3:54:26 PM



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I write in support of the request by the Chickasaw Gardens Homes Association to close two of its six entrances to vehicular traffic. As a lifelong resident of the neighborhood, I believe that the proposed closures are important to preserve the safety and security of a historic neighborhood that remains a tremendous asset in the core of the city. Chickasaw Gardens is uniquely positioned in Memphis as a residential neighborhood that completely surrounds a public park. The neighborhood was developed with no sidewalks, where pedestrian and vehicle traffic must share the streets of the neighborhood. Reducing vehicular traffic is important for the ongoing safety of all users of the neighborhood, whether they are homeowners, residents of the area, or visitors to the park.

I believe that the proposed closure of the entrances at Fenwick and Lafayette is a pro-active measure that will reduce pass-through traffic in the neighborhood, which has noticeably increased in recent years with the growing popularity of ride sharing and the home delivery of packages, groceries, and meals. For unfamiliar drivers, closure of the secondary entrances will make ingress and egress to the neighborhood more clear and direct from Central Avenue, from which drivers would have to traverse anyway. Many of these drivers are hurried or under time constraints, and are often not observant of the children and families with whom they share the neighborhood streets. Reducing the vehicular traffic will benefit and protect the residents of the neighborhood, and will also increase the safety of all who use the area for walking, running, recreation, and access to the park.

Contrary to the criticisms of some residents of adjacent neighborhoods, these closures WILL NOT restrict the ability of anyone to access the neighborhood in any way that they are legitimately using the streets of the neighborhood today, other than to reduce pass through vehicular traffic. Clearly available and well-lit pedestrian/bicycle gates have been incorporated in the designs to allow for continued access to the neighborhood for those in adjacent neighborhoods, and any vehicle traffic will continue to have easy and unimpeded access to the neighborhood from multiple streets directly from Central.

As affirmation of the support for these proposed closings, a documented vote of the homeowners has verified that over 90% of the residents – those most affected by their implementation – are in

favor of the proposals. Emergency services has also reviewed and approved the plans. Approval should not be controversial in any way.

Closing of the proposed entrances is important to safety and viability of multiple city assets, and it is my sincere hope that you will support these proposals.

Lon Magness

10 Tishomingo Cove

Memphis, TN 38111

From: <u>Kate Mallory</u>
To: <u>Cobbs, Kendra</u>

Subject: In Support of Chickasaw Gardens Street Closures

Date: Friday, August 18, 2023 2:04:09 PM



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Hi Kendra,

I hope this email finds you well. I am a Chickasaw Gardens resident and concerned citizen. Having grown up in Chickasaw Gardens and now a homeowner myself, I have enjoyed the lake and the surrounding walking path for decades. It is a place where people can relax, enjoy the outdoors, have a family picnic, and bike ride with their children. I fully support continuing to welcome all Memphians to enjoy the park by leaving pedestrian access open but closing the 2 entrances to vehicles at Fenwick and Lafayette.

As someone who helps to plan neighborhood family activities, we will continue to welcome families from all over to participate in our events like Halloween trick-or-treating which we advertise on Central to invite families in. I believe that the street closures will help to keep the park safe for all using it and allow for our security to deter criminals by allowing for better monitoring of the entrances and exits.

Happy Friday!

Thank you for your consideration, Kate Mallory (901) 490-5471 106 E. Goodwyn St., 38111 From: Richard L Morrow
To: Cobbs, Kendra

Subject: IN support of closing the Lafayette and Fenwick entrances ...

Date: Tuesday, October 31, 2023 1:51:45 PM



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Ms Cobbs

I live at 155 E Goodwyn, Memphis TN 38111 and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. I have had one homicide on my street and one attempted homicide a few streets over. All in the last 15 months. Liza Fletcher was my cousin who grew up two doors down. I won't even go there.

IMO we need more safety in our neighborhood and in Memphis in general. Every bit of extra safety helps.

Regards

RLM

Richard L Morrow 901-489-1842 richardlmorrow@gmail.com
 From:
 Jeff Savage

 To:
 Cobbs, Kendra

 Cc:
 Chelsey Savage

Subject: LUCB November Meeting - Chickasaw Gardens Vehicle Gates

Date: Wednesday, November 1, 2023 1:13:46 PM



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Kendra,

I am writing you today in support of the request to gate the LaFayette and Lombardi entrances to Chickasaw Gardens that is on the docket for the November Land Use Control Board meeting on November 9th.

Vehicular traffic, speeding and crime has made our neighborhood (without sidewalks) very dangerous and it is a traditionally pedestrian-friendly neighborhood. Given the high number of pedestrian deaths in Memphis in recent years (and this year), we respectfully request the Land Use Control Board give a recommendation to City Council in favor of this safety measure.

As you have seen from our detailed report and the findings of Memphis Fire as well as the Office of Planning and Development Public Right of Way research, we will have pedestrian gates at LaFayetee and Lombardi and keep all entrances to the neighborhood for traffic public at the Central Avenue entrances.

This is a pedestrian safety measure that will reduce cut-throughs of vehicles and increase safety and hopeful reduce the chances of a pedestrian incident involving a vehicle.

As I live on Robin Road, this has a high potential of increasing traffic on my street given that we back up to Central Avenue (cars that are lost, vendors that need to turn around and get out, etc), but my family and I recognize it is for the greater good of our community and the City and that is why we are in favor of this.

Please confirm receipt of this email and I appreciate your support.

Sincerely,

Jeff & Chelsey Savage

Jeffrey C. Savage

Vice President, Partner

Metro Construction

Celebrating 40 Years of Quality Construction, Exceptional Service

jeff.savage@metro-gc.com

(901) 215-6567 (cell)

From: Walter Edge
To: Cobbs, Kendra

Date: Thursday, November 2, 2023 8:41:30 AM



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2948 iroquios rd

WE VOTE TO CLOSE

From: Christopher M. Malone
To: Cobbs, Kendra

Subject: Memphians Writing in Support of Gating Side Streets into Chicakasaw Gardens

Date: Tuesday, October 31, 2023 2:46:15 PM



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October 31, 2023

The Honorable Kendra Cobbs kendra.cobbs@memphistn.gov 125 N. Main Street Memphis, TN 38103

Dear Kendra Cobbs,

We are writing to express our we are in <u>full support of gating the entrances to Chickasaw</u> <u>Gardens at Fenwick and Lafayette</u>.

We are proud Memphians. We love our city and our neighborhood. Unfortunately, despite our HOA's and city's best efforts to provide safety, we no longer feel safe in our neighborhood. In the last year, we've experienced 2 home invasions (both while we were sleeping), multiple instances of people entering our property late at night while masked and dressed head-to-toe in black, we've watched crimes happen in front of our house and cars flee out the side entrance at Lafayette, and recently one of our close friends was car-jacked and almost murdered in our neighborhood. These experiences are clearly not unique to us, it is pervasive. Any encounter with a Memphian these days results in a conversation about crime and how people do not feel safe.

While the city and county do their part to fix these issues, our neighborhood is looking at what we can do to improve a sense of safety and keep residents from fleeing. Our HOA has taken this seriously and hired a security consultant and created a security council. They are acting on the recomendations of this group and have started taking action implenting several changes. One recomendation in particular is to limit entrances (for cars) to the neighborhood to the 3 main entrances on Central Avenue. The HOA pays for security that benefits both our residents and the many people who walk our neighborhood and park. Unfortunately, the security guards are inhibited in their ability to do their job due to cars entering/exiting from side streets. Given the unique contours of our neighborhood's streets all being extrely curvey, it is impossible for our security guards to manage this. As such, the HOA has smartly decided to put gates at two side entrances (at our own expense), as has been done at 4 other entrances in the past. These gates will have open pedestrian entrances, so our neighboring neighborhoods can still walk to Chickasaw Gardens -- we want them to come and walk here! Car traffic will still have the three entrances on Central, which are very close to the two entrances HOA proposes to gate (less than .4 mi).

This will allow our security guards to create a safer environment for anyone who visits Chickasaw Gardens, including the many non-residents who walk our street and visit the park. With so many people nervous to be outside in Memphis these days, this will be an especially great benefit for all of us. Our friends in nearby neighborhoods (who regularly come here to run for that reason) also

support this.

We previously lived in New York City, which is unfortunately a place where government makes life difficult for all its citizens. It has been refreshing to come back to Memphis, TN where this is not the case and where government still believes in serving the public. We're grateful to live in a place with a city government willing to help our neighborhood improve and enable public safety without creating unnecessary bureaucracy and red tape. This is why we believe in TN and believe this city will rise from its current challenges and get back on the path of growth and prosperity.

Sincerely, Christopher and Lauren Malone

181 East Goodwyn Street Memphis, TN 3811 From: Ashley Adams
To: Cobbs, Kendra

Subject: PRO GATE- CHICKASAW GARDENS

Date: Thursday, November 2, 2023 11:29:44 AM

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Hi Kendra,

I am writing again in support of the gate at LaFayette and East Goodwyn (where I am a resident) and at Fenwick and Lombardy.

We had had an incident two weeks ago when one of the guys running from the police came and rang our door bell multiple times at 2am. My husband and I and our 3 year old were all unnerved. There is video footage of someone on foot hiding from the police in neighbors yards and running through the streets once they had passed (he entered on Layfayette). I believe the gates would help restrict access and make it easier for law enforcement if something like this happens again.

Not only will it make our neighborhood safer from crime for BOTH residents and non-residents, it will also make those enjoying the neighborhood and park safter from car traffic. People ZOOM in and out of our neighborhood from LaFayette and Fenwick making it dangerous for those walking, running, biking, and walking dogs. Many bring their dogs and small children to stroll through our neighborhood park since we provide security guards, so I think it would benefit ALL neighbors to also have less car traffic. The car traffic can be more easily monitored if there are less driving entrances.

I have talked to many residents that live outside of the neighborhood (mostly in the Joffre area) who have been in support of the gate, especially since there will be pedestrian access. It makes them feel more secure coming to enjoy the streets of Chickasaw Garden. It will bring more value to the park.

Most of the opposition to the gates are those that are uninformed or misinformed and think there is no access for pedestrians. Once that is addressed, most change their minds. I believe that is important to note as well.

Thank you for your consideration.

Ashley Adams 98 East Goodwyn Street From: <u>Ellen Morrow</u>
To: <u>Cobbs, Kendra</u>

Subject: Pro Gates on Fenwick & Lafayette

Date: Tuesday, October 31, 2023 2:24:52 PM



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Ms Cobbs

I live at 155 East Goodwyn, Memphis TN, and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security. Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Sincerely, Ellen Morrow

Sent from my iPhone Ellen Morrow From: Neely Mallory III

To: Cobbs, Kendra

Subject: Proposed Chickasaw Gardens gates on Fenwick and Lafayette

Date: Thursday, November 2, 2023 11:01:00 AM



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Ms. Cobb,

Chickasaw Gardens has been my home for nearly 40 years. I write in support of the request by the Chickasaw Gardens Homes Association to close two of its six entrances to vehicular traffic. I believe that the proposed closures are important to preserve the safety and security of a historic neighborhood that remains a tremendous asset in the core of the city. Chickasaw Gardens is uniquely positioned in Memphis as a residential neighborhood that completely surrounds a public park. The neighborhood was developed with no sidewalks, where pedestrian and vehicle traffic must share the streets of the neighborhood. Reducing vehicular traffic is important for the ongoing safety of all users of the neighborhood, whether they are homeowners, residents of the area, or visitors to the park.

I believe that the proposed closure of the entrances at Fenwick and Lafayette is a pro-active measure that will reduce pass-through traffic in the neighborhood, which has noticeably increased in recent years with the growing popularity of ride sharing and the home delivery of packages, groceries, and meals. For unfamiliar drivers, closure of the secondary entrances will make ingress and egress to the neighborhood more clear and direct from Central Avenue, from which drivers would have to traverse anyway. Many of these drivers are hurried or under time constraints, and are often not observant of the children and families with whom they share the neighborhood streets. Reducing the vehicular traffic will benefit and protect the residents of the neighborhood, and will also increase the

safety of all who use the area for walking, running, recreation, and access to the park.

Contrary to the criticisms of some residents of adjacent neighborhoods, these closures WILL NOT restrict the ability of anyone to access the neighborhood in any way that they are legitimately using the streets of the neighborhood today, other than to reduce pass through vehicular traffic. Clearly available and well-lit pedestrian/bicycle gates have been incorporated in the designs to allow for continued access to the neighborhood for those in adjacent neighborhoods, and any vehicle traffic will continue to have easy and unimpeded access to the neighborhood from multiple streets directly from Central.

As affirmation of the support for these proposed closings, a documented vote of the homeowners has verified that over 90% of the residents – those most affected by their implementation – are in favor of the proposals. Emergency services has also reviewed and approved the plans. Approval should not be controversial in any way.

Closing of the proposed entrances is important to safety and viability of multiple city assets, and it is my sincere hope that you will support these proposals.

Regards,

Neely Mallory

 From:
 Ragsdale, Brett

 To:
 Courtney Murrah

 Cc:
 Cobbs, Kendra

Subject: RE: Chickasaw Gardens Proposed Gates
Date: Tuesday, August 22, 2023 9:24:34 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,

?

Brett Ragsdale, AIA

Zoning Administrator Division of Planning and Development 125 N. Main, Ste. 468 Memphis, TN 38103 Phone: 901-636-6619

Email: brett.ragsdale@memphistn.gov



Visit our website

From: Courtney Murrah <cwmurrah@yahoo.com>

Sent: Tuesday, August 22, 2023 7:09 PM

To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>

Subject: Chickasaw Gardens Proposed Gates

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

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To Whom it May Concern,

I'm writing in support of the proposal to add gates at Lombardy/Fenwick Street and at Lafayette Place/Lafayette Street.

There are currently 5 streets open to vehicular traffic into and out of the Chickasaw Gardens neighborhood. This many points of egress for car traffic makes the neighborhood vulnerable to crime as it is easy for criminals to zip out of the neighborhood undetected after committing an offense. The security guards hired by residents cannot effectively cover five exits, but closing the 2 side exits and directing all vehicular traffic to the 3 Central Avenue access points would allow the security guards to more effectively patrol the neighborhood and limit options for those hoping to commit crime and exit hastily. Not only would limiting car traffic to 3 main streets deter criminals and help provide security for those who live and

exercise in the neighborhood, but it would also lessen some of the cut-through traffic on the streets, which have no sidewalks and can be dangerous for walkers and bikers.

The closure of these two side streets would leave as-is the 3 primary streets off of Central Avenue completely open for the public to access the neighborhood, the park and the lake. These three main arteries into and out of the neighborhood from Central onto Goodwyn, East Parkway and West Parkway provide the most direct routes to the public park and lake. At the two side access points where gates are proposed, pedestrian gates would be added so that neighbors to the east and west can continue to walk and bike in the neighborhood and enjoy visiting the park and lake as they always have. These pedestrian gates would be open during park hours, posted by the city as "dawn to dusk."

There has been vocal public opposition to the proposal, most of which seems to be based on incorrect information being disseminated to the public. News stories and social media posts have created sensationalistic headlines with the false statements that the neighborhood is closing its main entrances, gating itself completely, or keeping the public from accessing the public park, lake and streets. A flyer featuring false information has been distributed to those in surrounding neighborhoods urging them to protest. That incorrect information is intended to generate an emotional response from members of the public, who have been misled to believe that the residents of Chickasaw Gardens want to keep the public out of the neighborhood. In fact, the three main streets that would remain open for cars would provide as many access points to Chickasaw Gardens Lake as are available to access Overton Park Lake, Audubon Park Lake and Shelby Farms Lake, if not more.

In reality, Chickasaw Gardens has proposed a plan to allow complete public access to the neighborhood by creating 3 main entrances for auto traffic and two side pedestrian entrances for foot and bike traffic, while making the streets and neighborhood safer for all residents and members of the public to enjoy. I hope the Land Use and Control Board will consider that much of the opposition to the proposal is based on incorrect information about what is being proposed. There are many others who have expressed support for the plan, as well, but may not take steps to do so formally. If the proposal is passed, the issue will long be forgotten as all citizens of Memphis continue to enjoy the neighborhood as they always have, hopefully in a safer environment.

Thank you for your consideration.

Sincerely,

Courtney Murrah 2887 Catawba Lane Memphis, TN 38111 From:Ragsdale, BrettTo:Courtney MurrahCc:Cobbs, Kendra

Subject: RE: Chickasaw Gardens Proposed Gates
Date: Tuesday, August 22, 2023 9:24:34 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,



Brett Ragsdale, AIA

Zoning Administrator Division of Planning and Development 125 N. Main, Ste. 468 Memphis, TN 38103 Phone: 901-636-6619

Email: brett.ragsdale@memphistn.gov



Visit our website

From: Courtney Murrah <cwmurrah@yahoo.com>

Sent: Tuesday, August 22, 2023 7:09 PM

To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>

Subject: Chickasaw Gardens Proposed Gates



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To Whom it May Concern,

I'm writing in support of the proposal to add gates at Lombardy/Fenwick Street and at Lafayette Place/Lafayette Street.

There are currently 5 streets open to we hicular traffic into and out of the Chickasaw Gardens neighborhood. This many points of egress for car traffic makes the neighborhood we Inerable to crime as it is easy for criminals to zip out of the neighborhood undetected after committing an offense. The security guards hired by residents cannot effective by cover five exits, but closing the 2 side exits and directing all we hicular traffic to the 3 Central Avenue access points would allow the security guards to more effective by patrol the neighborhood and limit options for those hoping to commit crime and exit hastily. Not only would limiting car traffic to 3 main streets deter criminals and help provide security for those who live and

exercise in the neighborhood, but it would also lessen some of the cut-through traffic on the streets, which have no sidewalks and can be dangerous for walkers and bikers.

The closure of these two side streets would leave as-is the 3 primary streets off of Central Avenue completely open for the public to access the neighborhood, the park and the lake. These three main arteries into and out of the neighborhood from Central onto Goodwyn, East Parkway and West Parkway provide the most direct routes to the public park and lake. At the two side access points where gates are proposed, pedestrian gates would be added so that neighbors to the east and west can continue to walk and bike in the neighborhood and enjoy visiting the park and lake as they always have. These pedestrian gates would be open during park hours, posted by the city as "dawn to dusk."

There has been vocal public opposition to the proposal, most of which seems to be based on incorrect information being disseminated to the public. News stories and social media posts have created sensationalistic headlines with the false statements that the neighborhood is closing its main entrances, gating itself completely, or keeping the public from accessing the public park, lake and streets. A flyer featuring false information has been distributed to those in surrounding neighborhoods urging them to protest. That incorrect information is intended to generate an emotional response from members of the public, who have been misled to believe that the residents of Chickasaw Gardens want to keep the public out of the neighborhood. In fact, the three main streets that would remain open for cars would provide as many access points to Chickasaw Gardens Lake as are available to access Overton Park Lake, Audubon Park Lake and Shelby Farms Lake, if not more.

In reality, Chickasaw Gardens has proposed a plan to allow complete public access to the neighborhood by creating 3 main entrances for auto traffic and two side pedestrian entrances for foot and bike traffic, while making the streets and neighborhood safer for all residents and members of the public to enjoy. I hope the Land Use and Control Board will consider that much of the opposition to the proposal is based on incorrect information about what is being proposed. There are many others who have expressed support for the plan, as well, but may not take steps to do so formally. If the proposal is passed, the issue will long be forgotten as all citizens of Memphis continue to enjoy the neighborhood as they always have, hopefully in a safer environment.

Thank you for your consideration.

Sincerely,

Courtney Murrah 2887 Catawba Lane Memphis, TN 38111 From: Ragsdale, Brett

To: <u>Jennifer James</u>; <u>Cindy Reaves</u>

Cc: Cobbs, Kendra

 Subject:
 RE: Chickasaw SAC 2023-004 and 005

 Date:
 Wednesday, August 23, 2023 5:31:46 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png image005.png

Ms. James, I have copied Kendra Cobbs who is the planner for these cases so she is in the loop. You can send all correspondence to her and copy me.

Thanks,

Brett Ragsdale, AIA

Div 12! Ph Em

Zoning Administrator Division of Planning and Development 125 N. Main, Ste. 468 Memphis, TN 38103

Phone: 901-636-6619

Email: <u>brett.ragsdale@memphistn.gov</u>



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From: Jennifer James < jdandjpwilliams@aol.com>

Sent: Wednesday, August 23, 2023 4:31 PM

To: Cindy Reaves <cindy.reaves@srce-memphis.com>; Ragsdale, Brett

<Brett.Ragsdale@memphistn.gov>

Subject: RE: Chickasaw SAC 2023-004 and 005

Importance: High



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Brett.

This is Jennifer Williams. Jason and I are in agreement with the proposed gate and street closure at Goodwyn and Lafayette. We are the only abutting property on this side.

Please let me know if you need me to email you the Property Owners Affidavit and I will scan in and send. I am on the way to the other side of the community to get the other signatures needed as it is so important for us to stay on schedule for tomorrow. Thanks Brett.

Jen

From: dan springfield
To: Cobbs, Kendra
Subject: Request for closure

Date: Thursday, November 2, 2023 4:09:51 PM



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I wanted to let you know that I am in total support of closing Fenwick and Lafayette Street entrances in Chickasaw Gardens. I have lived in this neighborhood, at 54 Lombardy Rd, for over 34 years and have always felt safe, until this past year. As you maybe aware the crime here, as well as in Memphis, has gotten out of hand and anything we can do to help improve/increase the safety in the neighborhood should be done. If these two entrances are closed to car traffic they will still be open to pedestrians during the time the city park is open. This will still leave 3 other entrances to gain access to the neighborhood. Again, I can't convey how much I think we should be proactive to help keep our neighbors, family and kids safe. Thanks you for your consideration of this request.

Dan Springfield cell:: 901.487.1440

e mail:: dan.Springfield@gmail.com

From: Ann Roane
To: Cobbs, Kendra

Subject:Street Closing @ Lafayette/FenwickDate:Tuesday, October 31, 2023 3:06:59 PM



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I live at 162 E Goodwyn and have been here for 50 years. We have a a great neighborhood and enjoy a wonderful public park....many memories have been created here.

I have experienced the changes which seem almost unimaginable ...recently, one homicide and one home invasion on my block alone not to mention multiple car breakins, drag racing, attempted car jackings, and one attempted murder in the past 13 months alone. This must stop for the good of our own residents and those who walk, ride, bike and play in the park as visitors.

We must have added security NOW. Residents have long paid for security for ourselves and our visitors and have just significantly increased this security. We have done all we can do. It is imperative that we reduce the number of openings to our neighborhood by closing entrances at Lafayette and Fenwick to improve the safety of all.

I strongly support this effort. Thank you for your time.

Ann Wingate Roane

From: Judy Douglass
To: Cobbs, Kendra
Subject: street closings

Date: Tuesday, October 31, 2023 3:36:17 PM



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Ms. Cobbs,

I am writing regarding the street closings pertaining to Chickasaw Gardens neighborhood. I live at 156 Goodwyn Street and am very much in favor of closing Lafayette and Fenwick entrances. We have so much traffic and the closings would help slow down this traffic. With crime on the upswing we all need to do what we can to curtail some of this criminal activity. Thank you for your help!

Sincerely,

Judy Douglass

From: Robert Shy
To: Cobbs, Kendra

Cc: Colvett, Frank; Canale, JFord; Morgan, Worth

Subject: Street closures

Date: Wednesday, November 1, 2023 5:11:39 PM



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Kendra,

I hope this email finds you well.

I am writing you today in support of closing off Lafayette Street and Fenwick Road as they enter Chickasaw gardens. Walking & biking in Chickasaw gardens is very challenging to navigate with there being no sidewalks because of the historic nature of the neighborhood. The closing off of the two streets would encourage more walkers, joggers and bikers from surrounding neighborhoods. And they could do so without the threat of high traffic.

However there will still be three major entrances to Chickasaw Gardens, just like Overton Park and Audubon Park.

All the best, Robert Shy

ROBERT SHY 2880 Garden Lane Memphis TN 38111

615-403-2146

From: <u>laurie hughes</u>
To: <u>Cobbs, Kendra</u>

Subject:Street closures Chickasaw GardensDate:Tuesday, October 31, 2023 5:13:08 PM



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Ms Cobbs,

I live at 175 W Chickasaw Pkwy, Memphis TN 38111 and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings, and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time. Laurie Hughes

Sent from my iPhone

From: Robert Shy
To: Cobbs, Kendra

Cc: <u>Colvett, Frank; Morgan, Worth; Canale, JFord; Carlisle, Chase; Warren, Dr., Jeff</u>

Subject: Street Closures

Date: Wednesday, November 1, 2023 11:19:13 AM

Attachments: image002.png

image003.png image006.png



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette PI @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo.

Thank you for considering my letter supporting the street closures in this matter.

Robert

If you would like to schedule a time with me, please click on the blue calendar.





ROBERT A. SHY, AWMA®, CPFA

VICE PRESIDENT, WEALTH MANAGEMENT

1100 RIDGEWAY LOOP RD., STE. 600 **Memphis TN 38120**

901-818-6550 OFFICE 800-764-3580 TOLL-FREE

JEANICE.SAWYER@RAYMONDJAMES.COM REGISTERED CLIENT SERVICE ASSOCIATE

901-818-6546

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This may constitute a commercial email message under the CAN-SPAM Act of 2003. If you do not wish to receive marketing or advertising related email messages from us, please reply to this message with "unsubscribe" in your response. You will continue to receive emails from From: Amy Yauger
To: Cobbs, Kendra

Subject: support for additional gates in chickasaw gardens

Date: Friday, August 18, 2023 11:17:03 AM



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Hi Kendra,

I hope this email finds you well. I am a resident in Chickasaw Gardens neighborhood and I am in support of gating 2 of our entrances to help cut down on cut-through traffic. It was a big summer for our family. We added a third child and my 5 year old learned to ride a bike. I didn't realize how much cut through traffic was in our neighborhood until I was going on walks with my oldest riding a bike. Without sidewalks, the traffic can make it hard for walking and bike riding. My hope is that by gating two of our entrances it will reduce traffic in areas of the neighborhood and make walking around the lake safer for all memphians who want to come enjoy the park.

Thank you so much for your service, Amy Threadgill From: MAURY, TAYLOR
To: Cobbs, Kendra

Subject: Support for Closing Lafayette & Fenwick

Date: Wednesday, November 1, 2023 1:24:54 PM



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Good afternoon Kendra,

I am in full support of closing Lafayette and Fenwick entrances to the Chickasaw Gardens neighborhood.

I have two small children, ages 2 and 5, and have overwhelming concerns as it relates to traffic and safety. We have had numerous reports of criminals attacking residents of Chickasaw Gardens and cross through traffic driving erratically on a daily basis. This neighborhood is family friendly, and the traffic & crime pose an immediate threat to the safety of children and residents – closing Lafayette and Fenwick would help mitigate these issues.

Contrary to media and grassroots efforts to block the approval of these gates – the closing of these streets to vehicular traffic **WILL NOT** affect pedestrian access and will remain open for those wishing to access the lovely park by foot. There will also still be multiple open streets to provide access into the neighborhood if needed.

Please strongly consider approval to close these streets – the safety of our children and residents depends upon it.

Thank you,

Taylor Maury

W. Taylor Maury

From: Anne Wilson
To: Cobbs, Kendra

Subject:Support for closure of Lombardy and FenwickDate:Tuesday, October 31, 2023 3:16:55 PM



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Hi Kendra,

I am writing you to emphasize my support for closing the street entrance at Lombardy and Fenwick. We are residents of Lombardy and the street traffic along Lombardy has increased quite a bit over the last few years. I am in support of closing the street to reduce the traffic and make a safer street. The flow of traffic would be less and the speeding down Lombardy would hopefully be reduced. We would be happy to help answer any questions.

Thank you, Anne Wilson

76 Lombardy Road

Sent from my iPhone

From: Will Threadgill
To: Cobbs, Kendra

Subject: Support for Lombardy/Lafayette Street Closures

Date: Friday, August 18, 2023 8:24:35 AM



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Hi Ms. Cobbs,

I wanted to write you today in support of the two street closures, Lombardy and Lafayette Place, proposed by Chickasaw Gardens. There seems to be a lot of misconceived information about the street closures first reported by Action News 5.

The proposed gates are in no way to restrict access to the city park. The gates actually would make the park safer for visitors as it would limit thru traffic to the neighborhood. The neighborhood does not have sidewalks, so limiting thru traffic in the neighborhood would make it safer for visitors and residents alike. Additionally, the gates would be open for bikers and pedestrians during park hours, and there would be three open entrances for those who drive to the park.

Action News 5 reported a resident on Lombardy west of Fenwick stating they cut through the neighborhood to use the light at Goodwyn to turn onto Central Ave. There is a light just off their street on Buntyn and Central that is actually much closer to this resident's home.

There have been multiple violent incidents over the last 12 months in the neighborhood that have gone unreported by Action News 5. One where a resident shot and killed an intruder, and another where an attempted car-jacking led to a shoot-out on several streets throughout the neighborhood. While still allowing ample access to the park and the neighborhood, we have been advised that reducing the access points to three from five, will dramatically help our security teams keep both residents and visitors safe in the neighborhood.

With all the negative information put out by Action News 5, I felt the need to write you to show my utmost support.

Kindly,

Will Threadgill

(662) 401-3253

From: <u>forblueskies04@aol.com</u>

To: Cobbs, Kendra

Subject: * SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

Staff Planner: Kendra.Cobbs@memphistn.gov * * SAC 23-05: CHICKASAW GARDENS: close and vacate

Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr. Staff...

Date: Wednesday, August 23, 2023 8:27:19 AM



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I strenuously opposed both of the above street closings. I live at 127 S. Humes and have for 42 years had access to the public park and lake in Chickasaw Gardens by walking down Lombardy and crossing Fenwick into Chickasaw Gardens. My daily dog walks and taking my children and now grandchildren to see the beautiful lake has added great joy to my life.

Having to walk down to Central with its very fast-moving traffic and enter the Gardens via the Central entrance is quite inconvenient and frightening with little children and a dog.

There are many reasons to keep the two entrances open, but this is my personal experience.

Cary Schwartz 127 S. Humes Street Memphis, Tn. 38111

MARTIN, TATE, MORROW & MARSTON, P.C.

ATTORNEYS AND COUNSELORS

INTERNATIONAL PLACE, TOWER II 6410 POPLAR AVENUE SUITE 1000 MEMPHIS, TENNESSEE 38119-4839

DAVID WADE

DWADE@MARTINTATE.COM

TELEPHONE (901) 522-9000 FAX (901) 527-3746

NASHVILLE OFFICE

315 DEADERICK STREET, SUITE 1550 NASHVILLE, TN 37238

> TELEPHONE (615) 627-0668 Fax (615) 627-0669

November 3, 2023

Via U.S. Mail and Electronic Mail

Brett Ragsdale
Zoning Administrator
Memphis and Shelby County Division of Planning and Development
125 N. Main St., Suite 468
Memphis, TN 38103
Brett.ragsdale@memphistn.gov

Re: SAC 2023-05

Dear Mr. Ragsdale:

I appreciate the time you and Kendra Cobbs allowed to meet with me to discuss the pending Lombardy Street Closure application. I have been asked to represent the Fenwick Road Neighborhood Association, Humes Heights Neighborhood Association, the Lombardy Road neighbors and in excess of 50 neighbors to the west of the closure area. As I explained in our meeting, my clients oppose the street closure and have submitted many letters and emails in opposition.

There are many reasons to oppose the application, but primarily because closure of public streets and access to public thoroughfares and public amenities is bad city planning. This is especially the case when the closure will limit access to a very popular public park.

Article 5.2.4 of the UDC requires that developments shall provide roadways that are permanently open to the public and that existing streets in adjacent or adjoining areas are to be continued into developed areas. This solid rule of development is binding on the LUCB and can only be waived in "Extreme Cases."

There is no extreme situation that is significant only to Chickasaw Gardens any more than to all Memphis citizens.

My clients are historically an essential part of the neighborhood that includes Chickasaw Gardens. The boundaries of the neighborhood and its public streets are not defined by the boundaries of the Chickasaw Gardens HOA. Nor can Chickasaw Gardens claim ownership of the public park within its boundaries. They must be open to the public and not restricted.

MARTIN, TATE, MORROW & MARSTON, P.C.

November 3, 2023 Page 2

My clients understand and are sympathetic to the worries about protection from crime. However, crime is not a Chickasaw Gardens issue – it is a City of Memphis issue that cannot be solved by encapsulating select neighborhoods with specific protections. The existence of crime and safety issues that develop from it affect every citizen throughout the entire city. Governmental protection of pockets of communities from city wide problems by limiting access to and gating off public roads is not good policy and not permitted by the UDC.

On behalf of the many persons who are also very much a part of the neighborhood, I request the staff to not recommend the application and the LUCB to deny the closure of streets into and around Chickasaw Gardens.

Very truly your

David Wade

DW/kgh

C: Kendra Cobbs, Planner III

From: Lowell Yarbrough
To: Cobbs, Kendra

Subject: Access to Chickasaw Gardens

Date: Wednesday, August 16, 2023 11:28:16 PM



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

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I am writing to you today to express my concern about the closing of two of the accesses into Chickasaw Gardens neighborhood. Gates would have a detrimental effect on Fenwick, Lafayette St, and surrounding neighborhoods. I am asking you not to approve this change of access to a public city park.

Thank you,

--

Dr. Lowell Yarbrough, D.C. drlowell@gmail.com

 From:
 Lyn Joyner

 To:
 Cobbs, Kendra

 Cc:
 Ragsdale, Brett

Subject: Additional concern - SAC 23-04, 23-05 -public roads closings

Date: Friday, August 18, 2023 11:23:07 AM

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Ms. Cobbs, thank you for responding to my message on the lack of crime, as shown in stats, to back CGHOA's claim of a need to decrease crime as their reason for closing two public roads.

ADDITIONAL CONCERN -

How would the City enforce the gate being open dawn-to-dusk on these public roads?

A promise or guarantee from CGHOA to take responsibility for monitoring public road access is Not Acceptable.

There's little reason to trust CG will want to take long-term responsibility for keeping their gate open to the community, and good reason to believe they won't. For instance, Cherokee residences have consistently not maintained their Fenwick-side reverse frontages. CGHOA made an unkept promise to landscape/maintain their side when they needed our NA's approval to close the Tillman entrance, years ago. Over many years, Fenwick Rd. NA has spent untold hours getting CG property owners to comply with Code--including going to Environmental Court--to get them to trim back weeds, etc., to improve driver safety on our street, and to reduce blight.

Would taxpayers need to pay for City enforcement of open gate hours?

I hope this concern about <u>enforcement</u> will be raised in Monday's report.

Thank you, Lyn Joyner Fenwick Rd. NA, Community Liaison From: <u>Joshua Cooper</u>

To: Cobbs, Kendra; Ragsdale, Brett

Subject: Attempted Closure of Lombardy Rd @ Fenwick Rd

Date: Friday, August 11, 2023 1:33:42 PM



The CoM Email Security System finds this email suspicious! The sender of this email Joshua Cooper is similar by name to your contact Cooper, Joshua, this might be an impersonation attempt. | Know this sender?

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Good afternoon,

I live at 197 Picardy St, Memphis, TN 38111. I am a block away from this intersection, and it has been brought to my attention that Chickasaw Gardens is attempting to close this public road and restrict access to the neighborhood.

There have been multiple petitions to this action, yet it seems Chickasaw Gardens is attempting to circumvent the public's opinion on the closure. I believe the closure should be prohibited, based on the fact that many of the people living on the west side of Fenwick purchased their homes because of their proximity to the public Chickasaw Park in the nearby neighborhood.

Most of all, I hope that the public has a chance to have their voices heard on the matter.

Thank you,

Joshua Cooper

jcooper@sowellrealtors.com

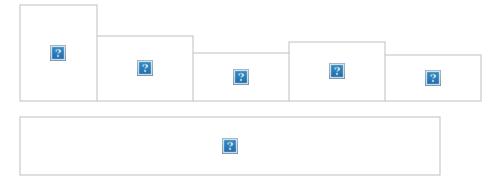
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From: <u>Katie Tamboli</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw / Lombardy closure

Date: Tuesday, August 22, 2023 10:24:57 PM

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I'm writing to oppose gating the entrance to Chickasaw Gardens at Lombardy. Cited from the Memphis Daily News, the number of crimes reported in Central Gardens since 1/1/23 are TWO. One for forgery & the other vandalism. Using the uptick in crime (fed by poverty) to justify building another wall won't solve their catastrophic forgery/vandalism trauma. Instead, it'll fuel the status quo Memphis has followed for decades, separating the elite (white) from impoverished black people. Building another wall will add to the suppression black children already experience as less important, less worthy than others by learning to navigate & survive at nearly a 40% childhood poverty rate. Memphis leads the country as the most impoverished city with over 500k people. Crime & poverty go hand in hand. No wall will fix that.

A few years ago, Central Gardens residents posted on Nextdoor their concern that a black kid was riding his bike through the neighborhood. It turns out that the child lived on Lombardy just around the corner & his mother was a high ranking, elevated administrative faculty member at CBU. This is point blank profiling by Central Gardens residents. Imagine the trauma poverty stricken children feel being profiled just for riding their bicycle down the street. If it happens to 'well to do' black child, imagine how most of our children in Memphis must feel. Put yourself in their rugged shoes.

Since Central Gardens has a history of not upholding their 'promises,' I object they will uphold this promise of keeping a pedestrian gate accessible. One entrance at a time, they are building walls, It began on Poplar years ago, promising to keep pedestrian/biking access yet the gate remains locked. They've provided only empty promises over the years.

Chickasaw Gardens houses PUBLIC streets & a PUBLIC park. Barricading these commons for all will continue to destroy our city, more than it already is.

Let's bridge Memphis together, not add more walls.

Thank you for considering the opposition to further inequality.

Katie Tamboli 2791 Iroquois Rd Memphis, TN 38111

Humes Heights

From: ginger.gapr@gmail.com

To: Cobbs, Kendra

Subject: Chickasaw garden gate proposal

Date: Thursday, August 17, 2023 12:21:39 PM

Attachments: <u>image.png</u>

image.png image.png image.png image.png image.png



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Chickasaw garden gate proposal

My name is Ginger Areas. I am a resident of Humes Heights. I have lived in the neighborhood for over 30 years. I've spent much time enjoying brisk walks to Chickasaw Garden Park. My husband and I were married in the park on May 11, 1996, with approval from The Memphis Park Commission. My children and grandchildren have been fortunate enough to enjoyed quiet time at this park for relaxation, exercise and learning activities.

I am asking that you DO NOT ALLOW GATES, which would block off the public streets and city park from our community. Division is not the answer!!

Thank you for your time. I hope we have your support.

Sincerely,

Ginger Areas













From: Adam Hohenberg
To: Cobbs, Kendra

Subject: Chickasaw Gardens access

Date: Tuesday, August 29, 2023 4:35:17 PM



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Dear Ms. Cobbs,

I am writing to voice my objection to closing off access to Chickasaw Gardens.
I have walked there in the neighborhood for many years and making it a "gated community" would deny my ability to exercise there, Also, I think would not be a good precedent for the city.

Sincerely,

Adam Hohenberg

From: <u>Kim Harden</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens Gate Proposal

Date: Thursday, August 24, 2023 3:35:16 PM

Attachments: image001.png

image002.png image003.png image004.png



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Good afternoon Ms. Cobbs,

My daughter and I moved to 260 S. Fenwick Road earlier this month, making us new residents of Chickasaw Gardens. I was quite surprised to learn about the gates the Chickasaw Gardens HOA has suggested closing off the flow throughout the neighborhood and am not in favor of this being approved. I know how difficult it is to turn left onto Central each morning and don't want the cutthru closed off. One of the things that attracted us to the neighborhood was the walkability and riding our bikes. If it is gated, riding our bikes becomes a hassle to get through the man gates or you end up going up on Central, which is not safe with the traffic.

Again, absolutely not in favor of the gates getting approved.

Thank you for your time.

Kim Harden



Kim Harden

Administration Manager

Personal Lines Manager

901.529.2900

866.600.COLL

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From: Alaina Clifton
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gate Proposal

Date: Monday, August 21, 2023 3:03:58 PM



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Dear Ms. Cobbs:

I live at 3142 Cowden Ave, Memphis, TN 38111 and I am writing to express my disagreement with Chickasaw Garden's petition to close access at Lafayette and Lombardy.

First of all, the neighborhood has a City of Memphis Park inside of it with a lake and a well used walking trail. I'm not sure how you can prevent access to a city park.

Additionally, the neighborhood is the best place to walk within miles, especially since it has good shade. If you have ever been to Joffre area you will see so many people walking with their dogs, children, riding bikes, etc. It is part of why a lot of us moved to this area.. If the Lafayette and Lombardy entrances are gated people from several streets will not be able to walk there and the Central Avenue entrance is too far away for many to access. Additionally, the traffic on Central is crazy sometimes and I don't even feel safe walking my dogs on the sidewalk on Central for fear that some speeding car might lose control and run up on the sidewalk.

Please consider the other people who live around Chickasaw Gardens, love their beautiful neighborhood for evening and morning walks, and are respectful to the residents.

Sincerely,

Alaina Clifton Vandeventer

From: Alex Nowlin
To: Cobbs, Kendra

Subject: Chickasaw Gardens Gate

Date: Thursday, August 17, 2023 11:16:13 AM



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Dear Ms. Cobb

I am writing to voice my object to Chickasaw Gardens putting up additional gates, thereby limiting access to a public park. I am a nearby resident in Humes Heights and use that park for exercise. My kids use the Lombardy entrance to bike to the park. Otherwise they would have to go on a busy street like Central to get to the park. That would not happen.

The neighborhood does not own the park. It is enjoyed by all surrounding areas, and paid for with tax dollars. Crime in this area is not a problem. I live in the area.

Please make note of my objection. The public interest is not served by gating off this neighborhood, preventing Memphis residents from using their own public park. The public is served by open access to public greenspaces.

Alexandra Nowlin

Sent from my iPhone

From: <u>Dan Hope</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens gate

Date: Wednesday, August 23, 2023 3:29:50 PM



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Hello, Ms. Cobbs.

I apologize for being a day late to send you and email on the subject of the gates for Chickasaw Gardens. I did feel like I needed to speak up, but I can't attend Thursday's meeting. I will be at work.

I am fond of the access to the Chickasaw Gardens Lake and fully believe it is city property belonging to the citizens of Memphis. When I was recovering from throat cancer last fall, I took many walks by that lake and it was very therapeutic. I live in the Joffre neighborhood, and often walk down Cowden to Lafayette then up Lafayette Circle and across to reach the lake. That whole area is beautiful.

Chickasaw Lake is public property, is it not? And the residents of Chickasaw Gardens don't own it or the streets and park that lead to it, correct?

The folks who live in Chickasaw Gardens are well off, I can tell. I'm just a middle class taxpayer. If this is about cutting down on crime, those residents can surely afford more security rather that cutting off access to a public park and lake for the rest of us Memphis citizens I would think. It belongs to all of us!

Please do not allow the residents of Chickasaw Gardens to punish the good citizens of Memphis who live around that area and wish to take walks to the lake, feed the ducks and geese, or enjoy the fresh air.

Thanks for listening.

Dan Hope 276 S. Greer St. Memphis, TN 38111 901-326-2000

Your water heater is the third largest energy user in your home, operating 24/7. Adjust the thermostat on your hotwater heater to 120 degrees or medium. To save on your MLGW bill, buy an EnergyStar model which will use less energy.

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Feedback

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From: <u>Dana Johnson</u>
To: <u>Cobbs, Kendra</u>

Subject: Chickasaw Gardens land use petition
Date: Sunday, August 20, 2023 7:58:16 PM



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Hi Kendra,

I live on S. Lafayette Circle and was dismayed to hear about the petition to close entry to Chickasaw Gardens at Goodwyn/Lafayette and Lombardy/Fenwick. As a neighboring resident, I regularly walk in the Chickasaw Gardens park and around the lake. Limiting entry to only one point off of Central Avenue would create a significant barrier to mine and my neighbors' ability to access this space.

It is bewildering to think that a Memphis Park would be nearly inaccessible to anyone not living directly around it. Drastically reducing access to this green space would be to the detriment of those of us who live in the surrounding area and doing so would be in direct opposition to the Memphis Parks' mission to "create positive and safe places to provide community-centered experiences that connect all Memphians."

Thank you in advance for helping ensure Chickasaw Gardens park remains a place that everyone in the community can enjoy.

Dana Johnson 513-461-3107

Sent from my iPhone

From: Brenda Landman
To: Cobbs, Kendra

Subject: Chickasaw Gardens Park

Date: Thursday, August 17, 2023 8:26:32 AM



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I'm opposed to gating access to Chickasaw Gardens Park. Denying or limiting access to city owned parks to deter crime further divides our community. Deal with the causes of increased crime especially among juveniles instead of band-aiding wealthy neighborhoods. Consider that this may not be the message you want to broadcast.

Brenda Landman Sent from my iPhone From: Carye Jackman
To: Cobbs, Kendra
Cc: Ragsdale, Brett

Subject: Chickasaw Gardens Petition

Date: Tuesday, August 22, 2023 10:25:42 PM

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.

Good evening,

I am emailing you in regards to Chickasaw Gardens' request to close off street entrances. I and many other in my neighborhood, Humes heights, are completely against this because we as tax payers pay for the city streets that are in Chickasaw Gardens as well as the city park inside of there. By shutting off access to the two entrances is shutting out neighboring neighborhoods that have always been accessible. Also, by closing these entrances and basically making it a private community, it will negatively affect the property value of all of our homes. Closing off these entrances will not be good because central Ave will be contested. This will also limit emergency vehicles to enter Chickasaw Gardens one way. As far as their proposal for the pedestrian gates, this has been done in the past and we were never able to access them because they were always locked. I vote that this shouldn't happen.

Thanks, Carye Jackman From: Allison Swan
To: Cobbs, Kendra

Subject: Chickasaw Gardens Proposal

Date: Saturday, August 19, 2023 2:56:23 PM



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Ms. Cobb,

I received the flyer on my front door today regarding the Chickasaw Gardens petition to close Lafayette Place at Goodwyn St. and Lombardy Rd. and Fenwick St.

Thank you for asking for other citizens' input. I strongly disagree with the closure of these streets with gates that block both car and foot traffic.

Chickasaw Gardens Park is a City Park. As a neighbor, my family- me, my husband, my 6-year old son, and 3-year old daughter -often walk or bike over to the Park to enjoy a walk or picnic around the lake. These closures would make this City Park pretty much impossible for us to access other than by car. I wonder too, if the residents of Chickasaw Gardens are prepared for the influx of car traffic around the Park that will occur by blocking foot/bike access.

Blocking these roads and making it so difficult to access will in essence make this City Park, meant to be enjoyed by <u>all</u> residents of Memphis, now a private park for a select few residents in the Chickasaw Gardens neighborhood.

A select few privileged residents, you might say—we're all concerned about the horrible crime in this city, so much so that I wrote a letter to Mayor Strickland just recently about it. If this passes, does that mean that every neighborhood can petition to gate our streets off to prevent crime as well? If so, sign us up in the Joffre neighborhood!

Thank you again for asking for city residents' input on this petition. I sincerely hope it is turned down.

Thank you, Allison Williams 3213 Cowden Ave. Memphis, TN 38111

Sent from my iPhone

From: <u>sarahderm@yahoo.com</u>

To: <u>Cobbs, Kendra</u>
Cc: <u>Ragsdale, Brett</u>

Subject: Chickasaw Gardens Proposed closure

Date: Monday, August 14, 2023 10:55:15 AM



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Dear Ms. Cobbs and Mr. Ragsdale,

I am writing to you to express my strong opposition to the proposed closure and gating of Chickasaw Gardens. I have lived on Lombardy Avenue, in the block between Fenwick and Humes for 6 years, so just outside where the proposed gate would be.

I object to the proposed gates for several reasons, and my husband and I attended a meeting with our neighbors on Lombardy and representatives of Chickasaw Neighborhood association earlier this year, so I believe I am well-versed on what their proposal is, and what their reasoning purports to be.

I realize they have had an uptick in crime recently, as has all of Memphis. Interestingly, our block, just outside where the gate would go, has had NO similar uptick. I have trouble understanding how if we are not a high crime area outside the proposed gated section, putting a gate at Lombardy will make a difference? Additionally, they are not proposing closing ALL of the entrances. If crime is a problem, and you need gates, why would only closing some of the entrances make a difference? That is not logical. I asked at our meeting with the CGNA representative this EXACT question. I was told that by having fewer entrances, their private security could better monitor for "people who look like they don't belong." This sounds like either racial profiling, economic profiling, or both. I ride or walk in CG several times a week. I have never been asked if I am supposed to be there (I am white), but I have seen security pull over a Latino gentleman and question his reasons for being in the neighborhood, even though there is a public park. So the park remains accessible but security is monitoring for people who "look like they don't belong"? Does that mean people of color or people that appear to be less affluent will be asked why they are in the park? Additionally, studies have shown that gated communities have MORE crime. This is a fear-motivated proposal that is not rooted in logic. I fear it will not fix the problem they are concerned with, but it WILL have negative effects on the neighborhood and the city.

Generally, I have a philosophical objection to gates. We live in an urban community. That has plusses and minuses. If you want a homogenous, closed off neighborhood, you should probably not live in a city. You should move to a suburb. It changes the character of our neighborhood to have

this gate. Being outside the gate makes me feel like I am an undesirable. I now feel unwelcome walking over to the park, and I pay taxes to support their streets and the upkeep of the park. As a larger issue, is this how we want Memphis to be? All the affluent white people gate off the tree-lined streets and limit park access for just themselves and people like them? I would vehemently state no. Let's fix the crime in Memphis, not just cordon ourselves off.

I also do not like how this has been handled. CGNA tried to sneak this through without notifying anyone because they knew there would be strong objection from their neighbors "outside the gate". Upon finding out, we have written letters to city council members and sent in a petition. CGNA responded by having a representative meet with us. We were offered all sorts of side deals to try to win us over so we would not object, including giving us all a gate clicker. So their affluent neighbors are ok to come in, but not anyone else?

I know that, for now, pedestrians and bikes will be allowed through the gate during daylight hours, but that isn't acceptable. Even if Chickasaw park closes at twilight, I am currently free to walk or bike on the streets around the park at anytime and I still enjoy the view of the park. In the winter, it is difficult to walk before dark if you work or go to school. I also think CGNA is only guaranteeing entrance to pedestrians and bikes FOR NOW, in order to get this gate approved. I do think the CGNA's ultimate intention is to completely close their neighborhood. They have already closed all of the exits that go out to Poplar Ave. CGNA did not make public their intention to close these streets. We found out through the grapevine. Who is to say that they won't attempt another administrative closure to all outside traffic in another year or so?

CGNA has also complained about people driving through their neighborhood. My impression is that very few people cut through their neighborhood because there are no direct routes. It isn't faster to go through there. The exception to this is people who want to go east on Central Ave. There is no light at Fenwick and Central, so it is unsafe to turn left there because of bad visibility. I do have neighbors who drive through Chickasaw to be able to turn left onto Central at the light at Goodwyn. In terms of cutting through, our two blocks of Lombardy has much more cutting through, often at a high rate of speed, from people inside Chickasaw Gardens. They blaze down Lombardy to turn at Buntyn, and return that way as well. This unfortunately will continue for our neighborhood. As a frequent biker and pedestrian in CG, the problematic drivers I see are the teenage children of CG homeowners.

Thank you for reading this lengthy email. I feel strongly about this subject, and as you can see, have objections on multiple levels. Please do not approve this change.

2775 Lombardy Ave.

From: Mark Pomerantz
To: Cobbs, Kendra

Subject: Chickasaw Gardens road closures

Date: Thursday, August 17, 2023 10:16:57 AM



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Hello, Kendra.

My name is Mark Pomerantz. I am a Midtown Memphis resident and currently reside in Evergreen. I came across this news article which links to plans to put gates up around Chickasaw Gardens ostensibly to reduce "criminals" from driving through the neighborhood: https://www.actionnews5.com/app/2023/08/16/gate-debate-affluent-midtown-neighborhood-considers-limiting-public-access-combat-crime/

This would impede access to a public park - a park I frequently like to use because of the lake and the quiet surroundings. If this access is blocked off, they may try to further limit access from Central Ave to the neighborhood which would cut off this park completely. If this measure passes, I think it sets a bad precedent not just for Chickasaw but all of Memphis and could lead to further road closures and people from being cut off from public resources.

Please consider voting against the gates. Please keep public parks open to the public.

Thank you, Mark Pomerantz 208 Angelus St. 38112 From: <u>Stewart Dismuke</u>
To: <u>Cobbs, Kendra</u>

Cc: <u>stewartdismuke@gmail.com</u>

Subject: Chickasaw Gardens street closings proposal Date: Monday, August 21, 2023 5:25:27 PM



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Ms Cobbs, my name is Ed Dismuke and I live on Greer St near Chickasaw Gardens. My wife and I enjoy walking and riding our bicycles in Chickasaw Gardens and we use the Lafayette Place and Lombardy Rd entry ways. We enjoy walking on the streets, the common places and around the lake. I always thought that the Streets, common places and lake were owned by the City. If they are all owned by residents then the owners have the right to shut those entrances. If those areas are owned by the City I strongly oppose the closings. Thank you. Ed Dismuke, 264 S Greer Street.

PS. It might be ok to block car traffic but not walkers or bicycles.

Sent from my iPhone

From: Carolyn Wills
To: Cobbs, Kendra
Subject: Chickasaw Gardens

Date: Wednesday, August 23, 2023 9:03:02 PM



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Ms. Cobbs: This email serves as my statement of opposition to the proposed gates into Chickasaw Gardens at Fenwick and Lafayette. My opposition is based on the following:

- 1. We currently live on the corner of Lombardy and Buntyn. To access the Greenline, my husband and I ride our bikes through Chickasaw and up Lafayette to cross Poplar at the light. It's the safest way to get to the Greenline. We regularly walk our dog across Fenwick. He doesn't like the traffic on Central and enjoys the quiet streets of Chickasaw Gardens. Closing Lombardy at Fenwick would have a huge negative impact on our daily routine and enjoyment of our neighborhood.
- 2. Closing Lombardy would have a negative impact on our property values, while increasing those of the Chickasaw Gardens' residents. Is the role of the government to support neighborhood exclusivity? I do not believe it is.
- 3. There is no clear evidence that closing streets will reduce crime in this area. If the residents of Chickasaw Gardens believe they would be safer in a gated community, they should be welcome to relocate.
- 4. All taxpayers should be treated equally, even those who live south of Central and cut through Chickasaw Gardens, just as I do.
- 5. Our dog loves the lake in Chickasaw Gardens which is a public park. The public, and our dog, should not be impeded from using public resources.

The betterment of a few should not outweigh the good of the many. Thank you for your consideration.

Carolyn Wills, AIA

Bottletree Design Group, LLC

C: 901-481-4743

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message is strictly prohibited.

From: KAREN J. ZISSOFF

To: Cobbs, Kendra; Burkey, Ted
Subject: Chickasaw Gardens

Date: Thursday, August 17, 2023 9:32:30 AM



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To: Kendra Cobbs

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Chickasaw Gardens does NOT have a crime problem that calls for two road closings. There is NO VALID REASON for HA's proposed two road closings.

CGHA's Letter of Intent says

"It (less public road access) should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood."

CGHA provides no stats to support their reason for closing two public roads.

Concerned, I checked The Daily News Crime Report Map to count crimes: Chickasaw Garden's CRIME STATS from 1/16/2023 - 8/16/2023: TOTAL OF 7 CRIMES reported for the past seven months, of which 3 were for counterfeiting/forgery.

For 3 months in this past 7-month period, **zero reported crimes in CG.** Hard to decrease from that.

In comparison:

Fenwick to Plainview, neighborhoods west of CG, crime stats from 1/16/2023 - 8/16/2023:

TOTAL OF 24 CRIMES reported for the past seven months (zero were for counterfeiting/forgery).

NOTE: In January 2023, just 8 months ago, surrounding neighborhoods overwhelmingly rejected via petition CG's proposal to close off Lombardy, one of the roads in the current filing.

Why is this coming up again, so soon?

HOW DID THIS GET FAST-TRACKED????? Why is there no LUCB hearing.CG has already, over the years, closed 4 of 9 their entrances. Enough!!!<u>I would like not to have to address their uncivic road closing proposals again.</u>

Thank you
Karen Zissoff & Ted Burkey
Across from Lafayette.

From: Wendy Young
To: Cobbs, Kendra
Subject: Chickasaw Gates

Date: Sunday, August 20, 2023 9:32:37 AM



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

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Kendra,

I appreciate you taking the time to read this email.

I oppose the placement of gates to close off Chickasaw Gardens in any capacity. This is a classist move on the part of the Chickasaw HOA. Building walls and gates only keeps YOU safer and therefore you have no incentive to help the greater Memphis community.

If they have the means to build and maintain gates, then they have the means to fund other community based projects that could provide peace of mind for more than just their elite neighborhood.

I live in the adjacent neighborhood of Joffre and work a the "Pink Place" (MoSH). I am deeply invested in this area and the greater Memphis Community. Everyone deserves to feel safe and enjoy the PUBLIC Park within the Chickasaw walls. Gates do not stop crime. They send it elsewhere.

I wish that people of Chickasaw Gardens would consider an unselfish approach to crime prevention moving forward. I find the literal gatekeeping to be a disgusting abuse of affluence. It is a slap in the face to the greater Memphis community.

Thank you again for your time.

Wendy Young

 From:
 Rob B

 To:
 Cobbs, Kendra

 Subject:
 Chickasaw Private Park

Date: Wednesday, August 16, 2023 1:00:14 PM



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

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Hello - I am emailing about the possibly of the rich getting richer and the Memphis tax payers paying for a park that is becoming increasingly hard to access to the public. I live right outside of Chickasaw and routinely use the park to walk my dogs or run. The closures proposed will greatly limit my access to this park.

There is an up-swelling that I'm not sure the city quite yet understands in regards to awarding this city park to an affluent neighborhood and limiting it to its less affluent neighbors.

If this is approved we already have back up/contingency plans in place to continue to protest what would be a very clear showcase that Memphis government is a plutocracy.

We will fight this.

Thank you and the board for your consideration.

From: Jo CRONER
To: Cobbs, Kendra

Subject: Closing Lombardy at Fenwick

Date: Saturday, August 12, 2023 6:18:39 PM



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Hello Kendra,

Am not sure whether to address this to you, or possibly Linda Sowell, but I am definitely opposed to closing Lombardy at Fenwick. Will be happy to let my opinion be known to anyone that is interested in closing the street. As I remember, this is not the first time they have tried to close it, hope we can stop it again. Please let me know if I can voice my opinion where it might count!! Thanks so much,

Jo Croner 2763 Lombardy Road

901-458-9000

Sent from Mail for Windows

From: Ann Leatherman
To: Cobbs, Kendra

Subject: Closing Lombardy at Fenwick

Date: Thursday, August 10, 2023 3:56:22 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender ahl31560@aol.com

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

Dear Kendra,

I would like to voice my opposition to the closing of Lombardy at Fenwick in Chickasaw Gardens. I live at 2816 Lombardy and fear that closing that entrance to Chickasaw Gardens will greatly inhibit our access to the neighborhood. I also fear that it will cause excessive traffic on the portion of Lombardy that is West of Fenwick.

I have many other concerns about this issue too.

Please consider the concerns of those of us who live on Lombardy West of Fenwick.

Thank you very much, Ann Leatherman Lombardy resident. From: <u>Drew Cadenas</u>
To: <u>Cobbs, Kendra</u>

Subject: Closing of lombardy at Fenwick

Date: Friday, August 11, 2023 9:12:23 AM



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

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

Dear Mrs Cobbs,

I am writing to you to express my displeasure at the proposed closing of Lombardy where it intersects with Fenwick Rd. I understand this closure is at the request of residents of Chickasaw gardens, to keep us 'riff-raff' away from their gated island. The city of Memphis operates a public park in Chickasaw gardens. Closing the road will negatively impact any and all users of that park, and will allow Chickasaw gardens to have their own private park maintained by city tax dollars. Additionally, Lombardy is a public road. If Chickasaw gardens wishes to close it I presume the city will no longer pay for maintaining the road? Or will we be on the hook for that as well? What happens when, and I do mean when, someone decides they don't like the gate and runs through it? Will my tax dollars be used to replace it? This entire incident is a gross display of the wealthy using their power to screw over everyone else for a slight gain to themselves. I urge you not to allow this proposed road closure to go through.

Many thanks,

From: MARY WALKER
To: Cobbs, Kendra

Subject: closing off Lombardy at Fenwick

Date: Thursday, August 10, 2023 3:09:57 PM

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Ms Cobbs, I would also point out that Lombardy is a public street leading to a public lake and it should be illegal for a private interest group to fence it off. thank you again, sincerely, Mary Walker (2724 LOMBARDY)

From: Renee Williford
To: Cobbs, Kendra

Subject: Closure of Lombardy Ave. at Fenwick

Date: Monday, August 14, 2023 8:55:07 PM



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

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Ms. Cobbs,

Please note that we oppose the closure of Lombardy Avenue at Fenwick. We don't appreciate that Chickasaw Gardens was trying to get administrative approval for the closure without properly notifying those affected by the closure. What a sneaky thing to do!

We hope the Planning Board will carefully consider this case. Thank you!

Regards,

John and Renee Williford 2806 Lombardy Avenue Memphis, TN. 38111

Sent from my iPhone

From: MARY WALKER
To: Cobbs, Kendra
Subject: Fenwick

Date: Thursday, August 10, 2023 2:48:44 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender mmhoon@bellsouth.net

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.

I am very opposed to this plan to close off Lombardy at Fenwick. I live on Lombardy (2724 Lombardy) and I think this is a racially motivated plan that will benefit nobody. Please

DON'T ALLOW IT! Thank you very much, Mary Walker

From: Dale Engelberg
To: Cobbs, Kendra
Subject: Fw: Failure Notice

Date: Wednesday, August 23, 2023 5:49:15 PM



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

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i hope this gets to you DEE

---- Forwarded Message -----

From: MAILER-DAEMON@yahoo.com <mailer-daemon@yahoo.com>

To: "deengelberg@yahoo.com" <deengelberg@yahoo.com> **Sent:** Wednesday, August 23, 2023 at 05:28:59 PM CDT

Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

< Kendra.Cobbs@memphis.gov>:

No mx record found for domain=memphis.gov

----- Forwarded message ------

i just received information to share information to you by today about the proposed street closures around Chickasaw Gardens. i have lived just south of Chicasaw Gardens for the past 49 years. i have thoroughly enjoyed walking almost daily at the lake with from one to three dogs and occasionally friends. i have many lovely photographs of the lake and trees with a special project of photographing the park during each season.

The first 'surprise' was losing access to the city park within Chickasaw Gardens from Poplar as two gates kept me from driving to the lake on the way home from work. That used to be an immediate stress reducer. that happened as a 'housing development' was built next to Poplar within Chickasaw Gardens and claimed the street entrance as their own. I never saw any announcement or publicity about this closure. another street closure came when another 'housing development' was built next to Lafayette at the northeastern end of CG.

I have used all the city streets with now only Fenwick and Lafayette to gain access to the light at Goodwyn and Central to cross at busy times of day.

I have always driven accross Central to one of the city street entrances for my safety and the safety and calmness of my dogs to get to the park. I live a block south of Chickasaw Gardens. the streets have no sidewalks and are uneven for drainage, making it unsafe and painful to walk. after four ruptured disks and two back surgeries, the flat walk around the lake is the most comfortable and very beautiful. going slowly around the lake for my puppy sniffing, exploring, and visiting helps me as well.

The streets need to remain open for all Memphis residents to access a public park. The wealthy residents of Goodwyn and Chickasaw Gardens repeatedly try to limit access on city streets where they live. Goodwyn got large speed bumps when a wall at one end of the street was not approved. i would like to see the children who supposedly play in the front yards and need protection from the two lane street as the reason for slowing traffic! once i saw a father play football with his two small children, and most of the yards have fences. after walking at the lake in Chickasaw Gardens most days, i often see the security guard patrolling and we wave as he passes. in 49 years, i once saw a suspicious looking male wandering through yards and the guard agreed to investigate the situation - and with no

additional gates!

Dale Engelberg

From: Wright, Britney
To: Cobbs, Kendra
Cc: Crichton, Liza

Subject: FW: PROPOSED CHICKASAW GARDENS ROAD CLOSURES

Date: Thursday, August 24, 2023 10:08:13 AM

Kendra,

A constituent emailed the Council members opposing the proposed Chickasaw Gardens Road closures project. I noticed that Richard Parks had your email incorrect, so I am forwarding you the correspondence.

Have a good day! Thank you!

Britney Wright
Executive Assistant
Memphis City Council

125 N. Main St., Suite 514 Memphis, TN 38103-2017

(901) 636-6795

Email: britney.wright@memphistn.gov

Visit: <u>website</u> View: <u>meetings</u>

From: rich parks <freeparksgm@gmail.com> Sent: Wednesday, August 23, 2023 1:03 PM

To: Kendra.cobbs@memphis.gov; Jones, Martavius <martavius.jones@memphistn.gov>; Logan, Rhonda <Rhonda.Logan@memphistn.gov>; Colvett, Frank <frank.colvettjr@memphistn.gov>; Robinson, Patrice <patrice.robinson@memphistn.gov>; Swearengen Washington, Jana <Jana.Swearengen-Wash@memphistn.gov>; Morgan, Worth <worth.morgan@memphistn.gov>; Ford Sr., Edmund <Edmund.FordSr@memphistn.gov>; Easter-Thomas, Michalyn <Michalyn.Easter-Thomas@memphistn.gov>; Smiley, Jr., JB <JB.SmileyJr@memphistn.gov>; Johnson, Cheyenne <Cheyenne.Johnson@memphistn.gov>; Carlisle, Chase <Chase.Carlisle@memphistn.gov>; Canale, JFord <JFord.Canale@memphistn.gov>; Warren, Dr., Jeff <Jeff.Warren@memphistn.gov>

Cc: Richard Lawparks lawparks@aol.com

Subject: PROPOSED CHICKASAW GARDENS ROAD CLOSURES



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

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

Greeting to you all:

I am a life-long 70 year old Memphian and a nearby neighbor who will definitely be adversely

affected by the referenced road closures. I am therefore opposed to it and urge all council members to reject the proposal which will cause more harm to others than it will create a solution for all. I and many, many voting citizens are watching and hoping to witness your effective and equal application of the law. This is a slippery slope proposal and we don't need the camel's nose in our tent. There are other, better solutions to this special parochial proposal to a problem that plagues others even more than that seemingly privileged neighborhood. Be a courageous champions/examples for the lesser among us and you and the majority of the citizens of Memphis will no doubt benefit more in the long run.

Richard Parks 901-324-8356 From: <u>Julie Green</u>

To: Ragsdale, Brett; Cobbs, Kendra

Subject: Fwd: OPPOSITION to SAC - 23-05: closure of Lombardy at Fenwick

Date: Thursday, August 10, 2023 3:44:55 PM



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My apologies as I had Ms. Cobbs email incorrect on the previous email. Please see below.

Ms. Cobbs & Mr. Ragsdale,

I am writing to express my extreme opposition against allowing the Chickasaw Gardens Homeowners Association to gate off Lombardy Road at Fenwick.

Complicating emergency vehicle access and exercise/recreation access to all who enjoy the PUBLIC roads and PUBLIC park within Chickasaw Gardens is concerning to say the least, and elitism at worst.

As someone whose family has accessed Chickasaw Gardens via all available streets day & night to exercise, walk, and pick up/drop off my child's friends who live in the neighborhood, there aren't any reasons to justify this.

My home's value in Humes Heights is certainly tied to walking/biking access to the park and lake in that neighborhood without having to get on major roadways like Poplar or Central. Allowing my son to bike over there to meet friends is much more tenable when I know he doesn't have to get on Central to do it.

Regardless of a pedestrian gate, we all know people who often have to exercise at hours that don't fit into this "dusk to dawn" schedule. A quick check of the Poplar pedestrian gate at Chickasaw Gardens' northern boundary (Lafayette & Poplar) shows that it's always locked, no matter the time of day. I feel confident CGHA won't follow through with making sure additional gates are unlocked, either, providing even less access to the area neighborhoods.

CGHA says "security of the neighborhood" is their reasoning for this request. A quick search of crimes in Chickasaw Gardens shows exactly TWO crimes happening in the entire year of 2023 to date: one case of misdemeanor vandalism, and another case of counterfeit/forgery - not exactly the huge numbers or types of crime to warrant closing off public streets & parks.

They are clearly using the uptick in crime in the overall Memphis metro to try to create an exclusionary gated neighborhood - bit by bit they're trying to wall themselves off - years ago they were allowed to close off access to Poplar with the promise of a pedestrian gate that would remain open (but yet is always locked).

Chickasaw Gardens currently has the MPD camera systems for surveillance, as well as a 24/7 security patrol. They also have the ability to reach out to MPD to request additional patrols, as all of our neighborhoods do.

While I certainly empathize and agree with citizens concerned about crime, that concern doesn't enable neighborhoods to wall themselves off from the city in which they are choosing to reside. I feel confident that any attempts of more "middle class" areas like Humes Heights, Fenwick, Joffre, Red Oaks, Central Gardens or High Point to gate off their neighborhood from their surrounding communities would be met with rejection. In fact, in the case of Central Gardens, it's already been rejected, to my understanding. This request from Chickasaw Gardens should be rejected as well.

Perhaps the residents of Chickasaw Gardens who feel gates are needed should consider moving to an existing gated community that pays for their own roads and parks...outside the heart of the city they want to close themselves off from. They should not be allowed to turn public streets & parks into their own private gated community, and reduce home values all around them by doing so.

Please reject both requests SAC-23-05 and SAC-23-04.

Thank you in advance for your attention to this matter,

Julie Green 2770 Iroquois Road Memphis, TN 38111 901.240.3863 From: rich parks
To: Cobbs, Kendra

Subject: Fwd: PROPOSED CHICKASAW GARDENS ROAD CLOSURES

Date: Friday, August 25, 2023 7:38:18 PM

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----- Forwarded message -----

From: rich parks < freeparksgm@gmail.com >

Date: Wed, Aug 23, 2023, 1:02 PM

Subject: PROPOSED CHICKASAW GARDENS ROAD CLOSURES To: <<u>Kendra.cobbs@memphis.gov</u>>, <<u>Martavius.Jones@memphistn.gov</u>>,

<<u>Rhonda.Logan@memphistn.gov</u>>, <<u>frank.colvettjr@memphistn.gov</u>>,

<<u>Patrice.Robinson@memphistn.gov</u>>, <<u>Jana.Swearengen-Wash@memphistn.gov</u>>,

< <u>Worth.Morgan@memphistn.gov</u>>, < <u>Edmund.FordSr@memphistn.gov</u>>, < <u>Michalyn.Easter-</u>

<u>Thomas@memphistn.gov</u>>, <<u>JB.Smileyjr@memphistn.gov</u>>,

<<u>Chevenne.iohnson@memphistn.gov</u>>, <<u>Chase.Carlisle@memphistn.gov</u>>,

<Jford.canale@memphistn.gov>, <Jeff.Warren@memphistn.gov>

Cc: Richard Lawparks < lawparks@aol.com >

Greeting to you all:

I am a life-long 70 year old Memphian and a nearby neighbor who will definitely be adversely affected by the referenced road closures. I am therefore opposed to it and urge all council members to reject the proposal which will cause more harm to others than it will create a solution for all. I and many, many voting citizens are watching and hoping to witness your effective and equal application of the law. This is a slippery slope proposal and we don't need the camel's nose in our tent. There are other, better solutions to this special parochial proposal to a problem that plagues others even more than that seemingly privileged neighborhood. Be a courageous champions/examples for the lesser among us and you and the majority of the citizens of Memphis will no doubt benefit more in the long run.

Richard Parks 901-324-8356

From: Paula Payton
To: Cobbs, Kendra
Subject: Gate at Fenwick

Date: Tuesday, August 22, 2023 8:57:06 PM



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

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

Hello Kendra,

I am a homeowner on 205 South Fenwick at Lombardy. I am against the gate for several reasons.

Using Crime is an excuse...Chickasaw does not have any more crime than anywhere else in the city...instead of closing it off why don't we address the real issues of Memphis.

How is closing at Lombardy going to do any different if you have East and West Chickasaw still open.

Even though I am right outside of this proposed gate my neighbors as well as myself enjoy our walks through the area and am relax at the park when we can.

Now, what I can complain about is the constant speeding traffic that flows as a cut through from Poplar to Central!

Also, I feel like the west side Lombardy is getting the short end of the stick with this as well!!

This city is divided already. The beauty of this area is that I enjoy my neighborhood and my neighbors that I know....even those that I don't know have always been very neighborly.

Again,

I am against this gate!

Sincerely,

Paula Rush Payton

From: <u>David Henderson</u>
To: <u>Cobbs, Kendra</u>

Subject: In opposition to new gating for Chickasaw Gardens

Date: Saturday, August 19, 2023 8:14:34 AM



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I want to express my concerns about the proposal for further closures of access to Chickasaw Gardens. For a number of years I lived on Lafayette Circle and enjoyed he access provided by the one remaining gate on Lafayette. My wife and I enjoyed regularly walking the area and park. I now live downtown, but my daughter and family lives in the area and take advantage of such walks. (I now live in downtown Memphis.) Certainly for those many living near the park, it affords a very pleasant walk, and one that would be a little less accessible were they to need to walk to and along Central for some significant additional distance. I think that such access to a public park should be maintained—the residents of the area have such, and those in associated neighborhoods should not be disadvantaged. Please, no more gating and closures. It is worth noting that the one gate that was previously installed off Lafayette was originally to afford pedestrian access--but somehow that gates have come to be long locked.

David Henderson

66 S Front St

Memphis, TN 38103

Robert R. Chambers Professor of Philosophy

Department of Philosophy

University of Nebraska, Lincoln

315m Louise Pound Hall

PO. Box 880321

 From:
 901 Games

 To:
 Cobbs, Kendra

Subject: Lombardy/fenwick closure

Date: Monday, August 14, 2023 1:22:49 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender 901gamesmemphis@gmail.com

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

I'm writing to you to express my concerns against the closure of the Lombardy entrance from Fenwick to through traffic. We are all citizens of the same city and we share the same rights to access all our city parks and streets. We all pay out taxes. It seems to me that certain citizens of certain income brackets seem to not only want to control though access to their neighborhood but also easy access to a city park in their area. I'm not sure how they think the closure of this entrance will enhance the city in general. It seems to my that it is self serving and adds no benefits but to themselves. As a resident of Humes Heights I oppose this closure. Thank you for your time.

Shannon Merritt

35 N Humes

From: Susan Daniel
To: Cobbs, Kendra

Date: Saturday, August 19, 2023 11:38:26 AM



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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.

Dear Ms. Cobbs,

I am writing you concerning the proposal to put a gate on the corner of Fenwick and Lombardy Avenue (SAC 23-05). I am opposed to this gate for multiple reasons. The stated purpose of the gate is to cut down on crime, and yet, there will still be multiple entrances to Chickasaw Gardens from Central. I cannot imagine that a partially gated community is any safer than a non-gated community. The proposal states that the 3 remaining entrances will be easier for the security guards to monitor who enters the neighborhood. What are the criteria for who needs to be monitored, and what does monitoring consist of?

Chickasaw Gardens also has a city park that sits right in the middle of the neighborhood. This park is enjoyed by people from the surrounding neighborhoods, as well as the residents of the Gardens. Out tax dollars help maintain that park, and making it more difficult to access the park seems to defeat the purpose of what a city park is designed for.

I also oppose gating of entire neighborhoods. PUDS are designed to be gated, a neighborhood of over 300 homes is not. If this neighborhood is allowed to gate entrances, then a precedent will be set for any other affluent neighborhood to gate their entrances. Memphis will become a city of gated enclaves, rather than a community of neighbors. I believe when Memphis is trying to attract businesses or employees from other cities, that large gates and fences closing off nice neighborhoods is a horrible image to project.

For these reasons, I hope you will turn down the proposal to gate off Chickasaw Gardens. Thank you for your consideration.

Sincerely, Susan Daniel

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From: webapps.test@shelbycountytn.gov <webapps.test@shelbycountytn.gov> on behalf of DEVELOP 901 <webapps.test@shelbycountytn.gov> Sent: Thursday, November 2, 2023 9:41 AM

To: nidia logam@memphistn.gov <nidia logam@memphistn.gov>; Miller, Breana <Breana Miller@memphistn.gov>

Subject: [Contact Us] Road Closures in Chickasaw Gardens

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

Marjorie Champion (not verified) (marde_champion@yahoo.com) sent a message using the contact form at https://gcc02.safelinks.protection.outlook.com/2
usl=http%3A%2F%2Fwww.develop901.com%2Fcontact%2Ffeedback&data=05%7C01%7CBreana Miller%40memphistn.gov%7C20c2ba853abb416ab4236

Message

Please do not approve the road closures in Chickasaw Gardens, the park is for everyone. I live on Central & walk this park frequently along with others. The ducks, trees, ability to exercise in a lovely environment for everyone in the area. This will set a presedent for other neighborhoods. We love this park and walking around the Pink Palace. Please I am asking for all in the neighborhood to disallow the HOA's request to gate all entries to Chickasaw Gardens. We (I) need a beautiful, serene place to walk and experience nature and this park is for everyone to enjoy not just the wealthy land owners around this park. Thank you for your time in this matter. Please contact me with any questions you may have or wish to discuss. Marjorse Champion

From: <u>Dana Price</u>
To: <u>Cobbs, Kendra</u>
Subject: No more gates!

Date: Wednesday, August 16, 2023 10:12:29 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender maven901@gmail.com

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

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Dana Mansolillo

From: ALAN CRONE
To: Cobbs, Kendra

Subject: Objection to SAC 23-04 and SAC 23-05

Date: Wednesday, August 16, 2023 11:54:39 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender acrone1@comcast.net

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.

Dear Ms. Cobb:

I object to * SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette, and SAC 23-05: CHICKASAW GARDENS: close and vacate Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr. for the following reasons:

- 1. I have lived at the corner of Fenwick Rd. and Lombardy Rd. for almost twenty years, and the closure of Lombardy into Chickasaw Gardens will negatively impact my property values
- 2. I regularly walk in Chickasaw Gardens and around the lake in the early morning before work or in the evenings after dinner. Forcing neighbors to cross Fenwick at Central Avenue (since there is no sidewalk on the east side of Fenwick), where there is no traffic light, higher traffic volume, and higher risk of crime generally on Central Avenue, creates a greater risk of harm to the neighbors seeking access to public property
- 3. I also often walk through Chickasaw Gardens, exit the neighborhood on Lafayette, and walk through the neighborhoods on the east side of Chickasaw Gardens, avoiding walking directly along Central Avenue
- 4. Lombardy Road and Lafayette are public streets accessing a public neighborhood containing a public park owned and maintained by the City of Memphis
- 5. To my knowledge, Chickasaw Gardens has produced no data suggesting the actual crime rates in the neighborhood could reasonably justify the proposed gates or that the proposed gates will actually deter crime in the neighborhood. Crime statistics from the Memphis Daily News Crime Report Map for the period 1/1/2023-8/16/2023 list three reported crimes during the period; two vehicle vandalizations, and one counterfeiting/forgery crime. This is lower than the five reported crimes for the same

time period in 2022, and the five crimes reported for the same period in 2020. (There were no reported crimes listed for 2021). While any crime is unacceptable, these numbers do not appear to justify the financial and psychological harm inflicted on the surrounding neighbors that these gates would cause

Allison S. Crone

From: Nicholas Gullic
To: Cobbs, Kendra

Subject: OPPOSE SAC 2023-05 Lombardy Road Closure Date: Thursday, November 2, 2023 3:36:32 PM

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.

Planner Kendra Cobbs & the Memphis and Shelby County Land Use Control Board-

I have previously submitted this letter of opposition when this case was on past agendas, but am resending my opposition now as this application has been resubmitted, with little notice, for the November 9th meeting.

I am writing to you today on behalf of myself and my wife, Lucienne Auz. We live at 199 S Humes St in Memphis. Our home is 1 & 1/2 blocks, or approximately 1030 feet from the proposed street closure at Lombardy and Fenwick.

I would like you to know that we <u>OPPOSE</u> this request to close Lombardy Road and create a private gated entrance. Our opposition applies both to the closure of the street at Lombardy as well as on the east side of Chickasaw Gardens at Lafayette Place.

We oppose this request because it would limit access for all citizens to a public park space at Chickasaw Gardens Lake, in a city which overall lacks in adequate access to quality public park spaces. Both I and my wife like to regularly walk to this park from our home and we believe that our access would be limited by the proposed gate. In addition to pedestrian access, we also sometimes find it necessary to drive east on Lombardy past Fenwick due to traffic constraints at Fenwick and Central Ave when traveling east. The intersection at Fenwick and Central Ave does not have a traffic light and sometimes it becomes difficult to make a left turn.

An additional vehicle traffic concern is that by installing a private, electronically controlled gate at Fenwick and Lombardy it would create a traffic hazard as vehicles would need to stop in the middle of Fenwick and wait for the gate to open, on a street that has hills and limited visibility. I believe this would created a heightened possibility for accidents at this intersection both for cars entering into and turning out from the Chickasaw Gardens neighborhood.

I also believe that the applicants and their representatives at SR Consulting have not acted in good faith in approaching the surrounding neighbors to build consensus in supporting these measures. This group has not sought input from myself or any of my other neighbors that I am aware of. No public meetings or requests for input have been made. Instead they wish to get their application passed with as little input and possibility for discussion as possible.

While I understand the safety concerns of the citizens who have requested this street closure, I do not believe the solution is to wall ourselves off from our neighbors and create further divisions.

Thank you for taking the time to read my concerns.

Nicholas Gullic and Lucienne Auz 199 S Humes St. Memphis, TN 38111 From: Nicholas Gullic
To: Cobbs, Kendra
Cc: Lulu: Ragsdale, Brett

Subject: OPPOSE SAC 2023-05 Lombardy Road Closure Date: Monday, August 14, 2023 8:42:25 AM



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

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Planner Kendra Cobbs & the Memphis and Shelby County Land Use Control Board-

I am writing you today on behalf of myself and my wife, Lucienne Auz. We live at 199 S Humes St in Memphis. Our home is 1 & 1/2 blocks, or approximately 1030 feet from the proposed street closure at Lombardy and Fenwick.

I would like you to know that we <u>OPPOSE</u> this request to close Lombardy Road and create a private gated entrance. Our opposition applies both to the closure of the street at Lombardy as well as on the east side of Chickasaw Gardens at Lafayette Place.

We oppose this request because it would limit access for all citizens to a public park space at Chickasaw Gardens Lake, in a city which overall lacks in adequate access to quality public park spaces. Both I and my wife like to regularly walk to this park from our home and we believe that our access would be limited by the proposed gate. In addition to pedestrian access, we also sometimes find it necessary to drive east on Lombardy past Fenwick due to traffic constraints at Fenwick and Central Ave when traveling east. The intersection at Fenwick and Central Ave does not have a traffic light and sometimes it becomes difficult to make a left turn.

An additional vehicle traffic concern is that by installing a private, electronically controlled gate at Fenwick and Lombardy it would create a traffic hazard as vehicles would need to stop in the middle of Fenwick and wait for the gate to open, on a street that has hills and limited visibility. I believe this would created a heightened possibility for accidents at this intersection both for cars entering into and turning out from the Chickasaw Gardens neighborhood.

I also believe that the applicants and their representatives at SR Consulting have not acted in good faith in approaching the surrounding neighbors to build consensus in supporting these measures. This group has not sought input from myself or any of my other neighbors that I am aware of. No public meetings or requests for input have been made. Instead they wish to get their application passed with as little input and possibility for discussion as possible.

While I understand the safety concerns of the citizens who have requested this street closure, I do not believe the solution is to wall ourselves off from our neighbors and create further divisions.

Thank you for taking the time to read my concerns.

Nicholas Gullic and Lucienne Auz 199 S Humes St. Memphis, TN 38111 From: <u>Lauren Goller</u>
To: <u>Cobbs, Kendra</u>

Subject: Opposed to Chickasaw Gardens gating
Date: Thursday, August 17, 2023 11:45:58 AM



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Hello Kendra,

As a concerned citizen of Memphis and homeowner in Joffre, I highly oppose the community of Chickasaw Gardens closing their entrances by gate. I often walk over in that area and visit the public park because it's nice and quiet and scenic, and I live a block away. By gating access, they would be excluding nearby tax payers from visiting a park they pay for. I do not believe their privilege should dictate such measures. If you want to gate off access to their community, then we should gate off access to other communities as well. They shouldn't be able to drive through or visit other neighborhoods either. It's unfair and as someone who pays taxes who lives nearby, I'm infuriated this is even on the table for discussion.

Thanks, Lauren Goller Resident of Joffre

Sent from my iPhone

From: Cathy McDonald
To: Cobbs, Kendra

Subject: Opposition Letter to Chickasaw Gardens Street Closures scheduled TRA 8/24/2023

Date: Sunday, August 20, 2023 4:53:45 PM

Attachments: Chickasaw Gardens Proposed Street Closures Opposition Letter.pdf



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

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Ms. Cobb,

Attached please find my letter of opposition to items 12 and 11 on the agenda for LUCB review on August 24, 2023.

I am unable to attend this meeting in person, and will not be able to attend the meeting in September either due to work obligations. I do wish for my opposition to these matters to be on record.

Kindest regards, Cathy McDonald From: <u>Steve Wills</u>
To: <u>Cobbs, Kendra</u>

Subject: Opposition to Requested Road Closures, SAC 2023-004 and SAC 2023-005

Date: Sunday, September 17, 2023 2:49:46 PM



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

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Ms Cobb:

I would like to speak against the proposals to vacate the rights-of-way at both Fenwick & Lombardy as well as Lafayette Place & East Goodwyn. Applications for these actions, SAC 2023-004 and SAC 2023-005, respectively, were submitted by the Chickasaw Home Owners Association (CGHOA). My wife and I live on Lombardy, just west of Chickasaw Gardens, per se, and 100 yards or so beyond the distance mandating required notification. We found out about it from neighbors and later observed the required signage at each of the intersections.

I object to approval of these closures for the following reasons:

Potential negative impact on our own property value ...

Despite the innocuous rendering of the proposed gates, I believe that they will be no more aesthetically pleasing than the brick wall(s) running along the east (Chickasaw Gardens) side of Fenwick as well as the west side of Lafayette. Beyond the question of "how does it look", would be the implication that "our" section of Lombardy is unsafe, otherwise why would the gate be needed? Of course, that could certainly have a depressive impact on our residences and future resale value.

Convenience ...

Although this is certainly a personal item, my wife and regularly transit the Chickasaw Gardens, using one or both proposed points of closure. We do this by automobile, bicycle, as well as foot, when we walk our dog.

Privatization of Public Assets ...

That roadways are paid for by taxpayer dollars and are, therefore, public resources, utilized and shared by all citizens and residents of the community, how is it that these roadways can now be placed into the hands of a small private entity, i.e. the (CGHOA), simply as a result of an application submission and its approval? It does not seem appropriate to use the taxpayer dollars of all citizens, regardless of any pro-rata basis, to facilitate the creation of a de facto private, gated community.

History of Reduced Access to Chickasaw Gardens Subdivision ...

Based on the original subdivision platte(s)/maps from 1926, there were 13 separate points, intersections or roadways, providing direct access to Chickasaw Gardens. I cannot say with certainty that the reality of the implementation exactly matched the plan, but today there are 5 points of access. Assuming that the construction matched the plan, 8 points of access have been blocked or built over. I cannot say when they became "missing" from the street maps,

except that Tilton was closed in relatively recent years. Nevertheless, the trend of reduced access since initial design and implementation is obvious.

Currently, approximately 1.8 miles of the subdivision's roughly 2.2-mile circumference is already walled or fenced; that is 82% of the neighborhood. If both of these closures are approved, there will be only 3 points whereby the public will find ingress to or egress from the Chickasaw Gardens subdivision and the walled-off portion of the neighborhood will climb at 86% of the distance around the area. Given this trend, one could forecast that within the next 20 years, all points of access will be closed or gated, despite the presence of a public park within the subdivision.

Reason: "Neighborhood Security" ...

Additionally, although the stated reason for the application is "Neighborhood Security", I do not find any objective data or research regarding criminal activity or even the anticipated reduction of pass-thru traffic. For example, was there a reduction in property crimes after Tilton was closed? Or what is the relationship between crime in an area as a function of the length of a contiguous perimeter? Without such evidence, I must consider the possibility that it is really neighborhood "comfort", rather than actual security. I suspect that the installation and utilization of Flock security cameras might be an equally effective and more efficient/costly resource for bolstering neighborhood security. I also believe that there is good data supporting that.

Unfortunately, from my perspective, I do not believe I can offer a totally rock-solid, inarguable point against this proposal, i.e. no reason you and your office can use to defend a denial of the application, even if such a denial were argued against, all the way to the US Supreme Court, as was the case in City of Memphis v. Greene, 451 U.S. 100 (1981). However, to me, it doesn't feel right to further restrict access to this neighborhood, seemingly another white-washed reason for the exercise of exclusivity, partly funded by the public and, in my opinion, possibly based on hysteria, bias, or other unspoken reason.

I certainly understand the desire to, at worst, wall out "the others" and, at best, to reduce extraneous traffic transiting a neighborhood; I believe that our 400+ yards of Lombardy, between Buntyn and Fenwick, immediately west of Chickasaw Gardens appears to experience far more such traffic than any part of Chickasaw Gardens. So, I definitely understand the sentiment, but I do not understand how my neighbors believe that I, or any other citizen, should be denied access to the area nor how that denial will truly improve their neighborhood security.

Thank You, Steve Wills From: John Garza

To: Cobbs, Kendra

Cc: Ragsdale, Brett

Subject: Opposition to SAC 23-04 and SAC 23-05

Date: Thursday, August 17, 2023 4:25:06 PM



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Technical Review Committee and Land Use Control Board,

I'm a resident in Humes heights at 2754 Lombardy Ave. I'm writing to you to express my opposition to SAC 23-04 and SAC 23-05; Chickasaw Gardens' applications to close the streets at Fenwick and Lombardy and at Goodwyn and Lafayette Pl. I like many of my neighbors exit onto Central from the stop light at Goodwyn, and we encourage our children to do so for safety reasons. The intersection of Fenwick and Central Ave as well as the intersection of Buntyn and Central Ave. are both dangerous due to limited sight lines and the speed of traffic, especially during evening hours. The proposed gate at Fenwick would force even more traffic into an already dangerous intersection. There are numerous police reports of cars traveling at excessive speed down Central, and adding cars entering unprotected will undoubtedly increase accidents.

Further, the closing off or limiting access to a public street in a residential neighborhood that restricts access to publicly maintained streets, a city park and lake is outrageous. The desire to control crime is one we all share. But there is no evidence that the crime rate will be reduced by the proposed closures.

This proposed change is in direct contrast to the Land Use and Control Boards, Memphis 3.0 initiative. The City of Memphis supports the 10-Minute Walk campaign sponsored by the Trust for Public Land, National Recreation and Park Association, and Urban Land Institute. (Taken from the City of Memphis Park Services Master Plan, 2020 Executive Summary (https://www.memphis3point0.com/files/ugd/100a0d_2e205537bc844e98b44c69182f3a2ca0.pdf)

, Noted on page 24 of only 45.8% of Memphians are within a 10-minute walk of a park. These proposed closures would limit access and increase the distance that our elderly or otherwise mobility challenged neighbors would need to traverse to access the Chickasaw public park. The brochure states that "In order to close this gap by 2050 (the target date of the 10-Minute Walk movement), partnerships to

create and facilitate increased public access will be necessary." Further, on page 28 the Master Plan will "Establish partnership policies that demonstrate equity and fairness". Clearly this is NOT

demonstrating equity.

Chickasaw Gardens said the pedestrian access and gates will be open during the day but offer no assurances or recourse for the public if these gates are not accessible each day. This language is not what demonstrates responsibility, nor does it meet the level of trust a city can place on a neighborhood association to ensure access for the citizens who pay for the streets and public spaces within the proposed closure.

For these reasons I remain opposed and ask for your assistance to stand against this proposed closure.

Regards,

John Garza

From: <u>Lynn Paczkowski</u>

To: <u>Cobbs, Kendra; Ragsdale, Brett</u>
Cc: <u>Morgan, Worth; Carlisle, Chase</u>

Subject: Opposition to SAC 2023-05 S. Fenwick Cherokee Dr Binder 1

Date: Thursday, August 10, 2023 8:25:36 PM



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SAC 2023-05

Dear Ms Kendra Cobbs,

It's been brought to my attention that the Chickasaw Garden's homeowners association is now officially pursuing the closure of Lombardy Road at Fenwick Road to non-Chickasaw Garden residents by closing the road and installation of an automatic emergency and egress gate via SAC 23-05. I previously voiced opposition via email on 1/12/23 to Brett Ragsdale when we first heard of Chickasaw Garden's intent. Although there have been previous letters against this closure, this case is being considered as a minor modification to be reviewed on August 24, 2023.

As a resident of the Humes Heights neighborhood that sits directly west of that intersection and a representative of the Humes Heights Neighborhood, I am deeply concerned. Lombardy Road is a public street that allows direct access from our neighborhood to the Chickasaw Garden Park. Like many of my neighbors, the ease of access to that quiet area via walking or automobile was a factor when I purchased my home. If ingress and egress is limited to Central Avenue for non Chickasaw Garden residents, it will increase traffic and risk by unnecessarily forcing neighbors who walk, ride bikes, or drive onto a busy street to access the Chickasaw Garden area and public park. Leaving a pedestrian gate open from dusk to dawn on Lombardy that might now be considered private property is not sufficient.

The application states that security of the neighborhood is their rationale. That is a concern of most residents of Memphis. We need to think of the ongoing impact of allowing each neighborhood to cite crime as the reason to close public streets and making access to city parks more difficult. Rather than closing a road (two if you take into consideration SAC 23-04) I would suggest Chickasaw Garden's look at other alternatives such as neighborhood watch, working as mentors to city's youth, support the police department or hiring a larger security team just to name a few.

"Memphis will be a city that anchors growth on strengths of the core and neighborhoods; a city of greater connectivity and access; a city of opportunity for all."

Turning one block of Lombardy Road from a public road into a private drive, only accessible to Chickasaw Garden residents, does not feel in alignment with this quotation from the Memphis3point0.comwebsite. An automatic gate limits access, disconnects

neighborhoods, and make access to a city park intentionally more difficult by way of exclusion.

For the reasons above, I am in opposition and ask that you reject SAC 23-05 to close and vacate Lombardy Road between S. Fenwick Road and Cherokee Drive reducing connectivity and access.

Thank you for taking my concerns and those of my neighbors into consideration.

Respectfully, Lynn Paczkowski Humes Heights Neighborhood 14 N Humes Street Memphis, TN 38111 901-212-9439 From: <u>Julie Green</u>

Subject:

Date:

To: Cobbs, Kendra; Ragsdale, Brett; Linda Sowell; Alex McCormick

Friday, September 1, 2023 11:24:09 AM

Cc: mwsharp@bellsouth.net; Scott Fleming; brown@gillprop.com; Tolesassoc@aol.com; dlyleswallace@comcast.net;

jmckinnoncre@gmail.com; jenniferbethoconnell@gmail.com; dkthomas@gotci.com;

<u>lisa@ethridgeenterprises.com</u>; <u>Morgan, Worth</u> OPPOSITION to SAC-23-05 (and SAC-23-04)

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Ms. Dobbs & Mr. Ragsdale, and members of the Land Use Control Board:

I am writing to express my extreme opposition against allowing the Chickasaw Gardens Homeowners Association to gate off Lombardy Road at Fenwick.

Complicating vehicle access and exercise/recreation access to all who enjoy the PUBLIC roads and PUBLIC park within Chickasaw Gardens is concerning to say the least, and elitism at worst.

This attempt is a direct violation of the Memphis 3.0 plan, which the Land Use Control Board adopted in 2019, which clearly states that the goal is to make Memphis "a city of GREATER connectivity and access."

My family has accessed Chickasaw Gardens via Lombardy at Fenwick day & night to exercise, walk, and pick up/drop off my child's friends who live in the neighborhood. I can currently drive through Chickasaw Gardens to access the light at Central & Goodwyn, which has a clear, unobstructed view to turn, unlike the light at Central and Buntyn, which has a sharp curve.

If Eliza Fletcher's death taught us anything, it's that people exercise at times that don't meet the "dusk to dawn" timeframe. Regardless of CGHA's supposed plan to have a pedestrian gate installed, we all know people who often have to exercise at hours that don't fit into this "dusk to dawn" schedule. Pushing local neighborhood residents to Central is NOT an answer.

There is no way to ensure that CGHA will follow through with making sure any pedestrian gates are actually installed, and certainly no way to guarantee that they would be unlocked in perpetuity, providing even less access to the area neighborhoods.

My home's value in Humes Heights is absolutely tied to easy access to the park and lake in that neighborhood without having to get on major roadways like Poplar or Central.

CGHA says "security of the neighborhood" is their reasoning for this request. Crime data from MPD in Chickasaw Gardens shows exactly SIX crimes happening in the entire year of 2023 to date, two of which are "counterfeit/forgery" charges. Six reported crimes over nine months does not equate to a crime wave:

https://www.memphisdailvnews.com/CrimeReport.aspx

(Attached: screen shot of crimes reported in the entirety of Chickasaw Gardens)

Chickasaw Gardens is using the uptick in crime in the overall Memphis metro to try to create an exclusionary gated neighborhood bit by bit.

Several years ago they were allowed to close off access to Poplar. Brick walls were built along Lafayette and Fenwick, and CG homeowners have failed to keep overgrown areas from encroaching onto Fenwick in particular, making it difficult for automobile traffic.

Now they are trying to close access at Fenwick and Lafayette. The eventual next move will be to close access at Central, citing that all previous attempts "didn't stop crime" yet again.

Chickasaw Gardens currently has MPD camera systems for surveillance, as well as a 24/7 security patrol. They also have the ability to reach out to MPD to request additional patrols, as all of our neighborhoods do.

While I certainly empathize and agree with citizens concerned about crime, that concern doesn't enable neighborhoods to wall themselves off from the city in which they are choosing to reside. I feel confident that attempts of more "middle class" areas like Humes Heights, Fenwick, Joffre, Central Gardens or High Point to gate off their neighborhood from their surrounding communities would be met with rejection.

Perhaps the residents of Chickasaw Gardens who feel gates are needed should consider moving to an existing gated community that pays for their own roads and parks...outside the heart of the city they want to close themselves off from. They should not be allowed to turn public streets & parks into their own private gated community, and reduce home values all around them by doing so.

Please reject both requests SAC-23-05 and SAC-23-04.

Thank you in advance for your attention to this matter,

Julie Green 2770 Iroquois Road Memphis, TN 38111 901.240.3863 From: <u>Julie Green</u>

To: <u>Cobbs, Kendra</u>; <u>Ragsdale, Brett</u>

Cc: Carlisle, Chase; Warren, Dr., Jeff; Canale, JFord; mwsharp@bellsouth.net; Scott Fleming; brown@gillprop.com;

Tolesassoc@aol.com; dlyleswallace@comcast.net; jmckinnoncre@gmail.com; jenniferbethoconnell@gmail.com;

dkthomas@gotci.com; lisa@ethridgeenterprises.com

Subject: OPPOSITION to SAC-23-05

Date: Tuesday, October 31, 2023 12:30:15 PM

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.

Ms. Dobbs & Mr. Ragsdale, representatives of the Memphis City Council and members of the Land Use Control Board:

Given the updated LUCB agenda with these cases back on the books, I am writing to express my extreme opposition against allowing the Chickasaw Gardens Homeowners Association to gate off Lombardy Road at Fenwick.

Complicating emergency vehicle access and exercise/recreation access to all who enjoy the PUBLIC roads and PUBLIC park within Chickasaw Gardens is concerning to say the least, and elitism at worst.

It is also a blatant violation of the Memphis 3.0 plan that has been approved by the Land Use Control Board, stating "Memphis communities desire greater connectivity and access. For Memphis to thrive, it must expand residents' ability to connect to mobility options, opportunity, and one another."

As someone whose family has accessed Chickasaw Gardens via all available streets day & night to exercise, walk, and pick up/drop off my child's friends who live in the neighborhood, there aren't any reasons to justify the necessity of gates.

My home's value in Humes Heights is certainly tied to walking/biking access to the park and lake in that neighborhood without having to get on major roadways like Poplar or Central. Allowing my son to bike over there to meet friends is much more tenable when I know he doesn't have to get on Central to do it.

Regardless of the offer of a pedestrian gate, we all know people who have to exercise at hours that don't fit into this "dusk to dawn" schedule. There is also no reason to believe that CGHA will ever follow through with checking to make sure any gates are unlocked every single day, providing even less access to the area neighborhoods.

CGHA says "security of the neighborhood" is their reasoning for this request. A quick search of crimes in Chickasaw Gardens shows exactly THREE crimes happening in the entire year of 2023 to date:

- one case of misdemeanor vandalism,
- one car break-in.
- one case of counterfeit/forgery

...not exactly the huge numbers or types of crime to warrant closing off public streets

& parks.

They are using the rise in crime in the overall Memphis metro to try to create an exclusionary gated neighborhood - bit by bit they're trying to wall themselves off - years ago they were allowed to close off access to Poplar, and have built walls all along Fenwick and Lafayette.

A quick drive down Fenwick shows that CG residents haven't even kept those areas clear - they have allowed overgrowth along their own walls on the western boundary of their neighborhood, to the point that cars have to drive in the opposing lane of Fenwick sometimes to get around the overgrowth.

Chickasaw Gardens currently has the MPD camera systems for surveillance, as well as a 24/7 security patrol. They also have the ability to reach out to MPD to request additional patrols, as all of our neighborhoods do.

While I certainly empathize and agree with citizens concerned about crime, that concern doesn't qualify neighborhoods to wall themselves off from the city in which they are choosing to reside.

I feel confident that any attempts of more "middle class" areas like Humes Heights, Fenwick, Joffre, Red Oaks, Central Gardens or High Point to gate off their neighborhood from their surrounding communities would be met with rejection. In fact, in the case of Central Gardens, it's already been rejected, to my understanding. This request from Chickasaw Gardens should be rejected as well.

Perhaps the residents who feel gates are needed should consider moving to an existing gated community that pays for their own roads and parks...outside the heart of the city they want to close themselves off from. They should not be allowed to turn public streets & parks into their own private gated community, and reduce home values all around them by doing so.

Please reject both requests SAC-23-05 and SAC-23-04.

Thank you in advance for your attention to this matter,

Julie Green 2770 Iroquois Road Memphis, TN 38111 901.240.3863 From: wynne duong
To: Cobbs, Kendra

Subject: Opposition to the Chickasaw Gardens Gates

Date: Sunday, August 20, 2023 8:20:25 PM



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To whom it may concern,

I am writing to voice my concerns about the Chickasaw Gardens gates. I live in the Humes Heights neighborhood. I think these gates would hurt all of the surrounding neighborhoods. There is a public park in that area thus it should not be gated from the general public. I oppose the placements of gates at the Fenwick entrance and all other entrances.

Sincerely, Wynne Duong Memphis and Shelby County Land Use Control Board 125 N Main St #477 Memphis, Tennessee 38103

September 05, 2023 (original submittal)
Updated October 31, 2023 (updates in *blue italics*)

RE: Public Comment on Case Number SAC 2023-004, "Lafayette Place Closure", and Case Number SAC 2023-005, "Lombardy Rd. Closure"

Dear Chair Sharp and Board Members,

I am writing to express my significant concerns regarding the two referenced cases which would close public streets, limit access to park space, and significantly restrict connectivity between neighborhoods.

I write as both a resident of Joffre, the neighborhood immediately east of Chickasaw Gardens, and as a transportation engineer and planner who is concerned about the broader impacts on regional connectivity and the precedent this action would set for other communities in the region.

My concerns are as follows:

1. Public Streets Should Remain Public

Closing Lafayette Place and Lombardy Road would represent a privatization of a valuable public resource, our transportation network. In our modern era of cul-de-sacs, the development pattern of inner-loop Memphis is a refreshing throwback to a more connected, more walkable time. However, Chickasaw Gardens is already an exception to this rule, with multiple street access points blocked off by walls or gates, and now this pair of applications proposes to close access further such that there remain zero public access points from the east or west.

This proposal would very much disrupt the current neighborhood fabric, all for the sake of perceived security in a neighborhood that can already afford security patrols and a growing system of video cameras. I worry that this will set a dangerous precedent for other affluent, quasi-gated communities in the region.

In their applications, the Chickasaw Gardens Homeowners Association has indicated a willingness to include "bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy," which I assume is meant to read "dawn to dusk". While I appreciate their acknowledgment of visitors from adjacent neighborhoods, if the right-of-way vacation is approved I worry that it will not be hard for a future HOA board to renege on this promise. How will this commitment be enforced in perpetuity? What recourse will the surrounding neighborhoods have to challenge a future closure, which I see as all but inevitable?

I would additionally suggest that the Board should question the applicant further about the confusing "open from dusk to dawn" language in the applications that was noted above. The HOA's stated proposal of including bicycle/pedestrian gates in the design that are only open during daylight hours (as described during media interviews) is already a concerningly strict restriction of access that nearby residents and students are legally entitled to have during overnight hours, as discussed in Section 3. But if the applications' language is indeed accurate and the gates would only be open at night then this would be an egregious limitation of park access and of connectivity on the local low-stress bicycle network, as discussed in Sections 2 and 3. Access to Lafayette Place and Lombardy Road should be open to all at all times of day.

2. The Closures would Limit Access to Our Local City Park

Gating off Lafayette Place and Lombardy Road would significantly restrict access to Chickasaw Gardens Park. Chickasaw Gardens Park may have the feel of a secluded neighborhood amenity due to its small size and landlocked location within the Chickasaw Gardens Neighborhood, but make no mistake that it is a public park, owned by the City of Memphis and a valued element in our City's network of parks.

Moreover, Chickasaw Gardens Park is the de-facto local park for several surrounding neighborhoods due to its walkable location. In addition to the Chickasaw Gardens neighborhood, Chickasaw Gardens Park also

serves Humes to the west, Midland-Goodwyn and East Buntyn to the south, and my neighborhood of Joffre to the east. My family loves having a tranquil, tree-filled park within walking/biking distance, and I fear that this proposal would make it so we can no longer make the trip on foot or by bike.

Even if the proposed gates do indeed remain unlocked during daylight hours, what chilling effect will the gates themselves have on the perception of Chickasaw Gardens Park being available for public use? I know I would certainly feel less welcome as a visitor approaching from Lafayette Place or Lombardy Road, and there are significant safety risks from the likely diversion of ped/bike access routes from the relative calm of neighborhood streets onto high-speed Central Avenue.

3. The Closures would Restrict a Key Link in the Local Bicycle Network

A major reason I am compelled to write today is that I feel that the neighborhood streets of Chickasaw Gardens are an underappreciated element in the City of Memphis' bicycle network, and adding impediments to east-west travel through the neighborhood would create a significant gap in the network.

Cyclists in the area know that the low-speed neighborhood streets of Humes, Chickasaw Gardens, Joffre, and East Buntyn provide a continuous, low-stress bike route to access regional destinations. Some representative routes are noted on the attached **Figure 1**.

The dark blue "wiggle" route through Chickasaw Gardens seen on **Figure 1** provides the connection my family in Joffre needs to access major destinations to the west while avoiding high-speed traffic on Central or Poplar. This access is not limited to nearby bike-friendly locales like Cooper-Young and Overton Park/ Overton Square; the connection through Chickasaw Gardens also opens up access all the way to Downtown and over the Big River Crossing to Arkansas via the City's relatively new bike lanes on Peabody and MLK.

Again, I recognize that the HOA has indicated a willingness to include gates at the two access points and leave them "open," which I have seen alternatively quoted in media stories as "unlocked." Unlocked but closed gates would still represent a significant impediment to bike travel, as users would need to dismount to open and traverse each gate before remounting and setting off, up a hill in the case of Lafayette Road!

Furthermore, the nighttime closure that the HOA envisions ("open from dusk to dawn" per the application) would divert cyclists onto Central Avenue at a time when they are most vulnerable to being struck by drivers, and it should be noted that the portion of Central Avenue adjacent to Chickasaw Gardens does not have bike lanes and would therefore force riders to interact with high-speed traffic on a posted 40 mph road, where drivers often travel faster particularly during cruising times on evenings and weekends. Cycling during overnight hours is surprisingly common in our neighborhood, which I attribute in large part to the high student population from U of M and CBU, and the significant impact this closure would have on these populations who may not be able to afford a car should not be discounted.

I hope you will consider my concerns and vote to deny both Street and Alley Closures noted above. Lafayette Place and Lombardy Road are valuable connections to the adjacent neighborhoods, and to the region as a whole, and should remain open to all at all times.

Thank you for your attention to this matter. Please do not hesitate to contact me if you would like to discuss these concerns further.

Sincerely,

Peter Kauffmann, PE, PTOE, AICP

242 Alexander Street Memphis, Tennessee 38111 pdkauffmann@gmail.com

804.855.9429

AEWED! TALEADE Existing Chickasaw Fences CHARLES HALE APE JOHNY Bike Lanes To/From Northwest SYNTAL AVE **Greenways** AURCRA CIK Hampline, Greenline, Broad Ave, Route through Chickasaw Local Neighborhoods Overpass WHOTA AVE (no Greenline Low-Stress Bike Routes (Binghampton, etc) connection) WAYTED ON AVE Access Points with **Proposed Restrictions** To/From Northeast Poplar Plaza, alternate Greenline connection, To/From West Local Neighborhoods CBU, Flicker Street, Overton Square, (Joffre, Poplar-Holmes, etc) Downtown (via Peabody), Local Neighborhoods (Humes, East Midtown) POPLAR-HUMES HOLMES Monuos Rg. DITTE CHICKASAW GARDENS CHRISTIAN BROTHERS EAST UNIVERSITY MIDTOWN To/From Southwest ROSHED Cooper-Young, Soulsville, To/From Southeast Local Neighborhoods U of M, (Midland-Goodwyn, Local Neighborhoods Cooper-Young) (East Buntyn, Normal Station, etc) EAST BUNTYN MIDLAND-GOODWYN 0.25 0.5 Miles

Figure 1: Lombardy Road and Lafayette Place (dark blue) are Critical Elements of the Bicycle Network Serving the Surrounding Neighborhoods

 From:
 J. Kevin Stamps, Md

 To:
 Cobbs, Kendra

 Cc:
 Ragsdale, Brett

Subject: Proposed closing of Lombardy at Fenwick
Date: Wednesday, August 16, 2023 1:11:51 PM



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Hi Kendra,

I know you have probably already received numerous emails (one from my wife) regarding the issue of closing Lombardy Ave. at Fenwick and putting a gate there. I just wanted to send you one myself to help reflect the scope of opposition. I am very much in opposition to this proposed closure. Lombardy has long been a continuous road that connects the surrounding neighborhoods to Chickasaw Gardens. It is used frequently by citizens going to and from Chickasaw Gardens. We use this connection frequently, many time to gain access to the stoplight at Goodwyn and Central to turn left on Central Avenue. We prefer this way when we have our kids in the car due to it being much safer than all the other options.

We understand that the residents of CG feel as though their safety will be improved by closing Lombardy Ave. at Fenwick. I'm not sure that is the case, given that there will still be multiple entrances and exits left open. I would speculate that they feel they need to take some action against the increase in crime that has occurred all over the city. We all want the crime to decrease, but I don't think there is any evidence that would support that this will be solved by a gate at this location. On the contrary, putting a gate here will cause harm to many others by making it difficult for other well-intentioned Memphians to access the only real park we have in this area of the city. The bottom line is that while Chickasaw Gardens is a neighborhood, it is not a private neighborhood and has a public park right in the middle of it. All Memphians deserve to have easy access to the park and this part of the city.

I appreciate your time, Kendra. Please take into account the opposition that you have received regarding this proposed closure. As a physician, we always follow the rule to "first, do no harm". This closure would do more harm than good (and maybe no good at all).

Regards, Kevin 2795 Lombardy Ave.

--

J. Kevin Stamps, MD Memphis Pediatric Heart, PLLC 901-259-2440 901-568-6655 (cell)

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From: <u>David Norton</u>
To: <u>Cobbs, Kendra</u>

Subject: Proposed Closure / Access to Chickasaw Gardens

Date: Sunday, August 20, 2023 5:00:03 PM



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Ms. Cobbs,

I am writing to express my concern regarding the current petition to the Land Use Control Board to allow the closure of Chickasaw Gardens. Whereas, there would still be access from Central Avenue, the closures on Lafayette Place and Lombardy Road would greatly diminish any surrounding homeowners' ability to enjoy an early morning stroll or late afternoon walk. Furthermore, the closures completely eliminate any pedestrian access to Memphis Lake, which is one of the nicest pedestrian walkways in the city. Memphis Lake is owned by the City of Memphis and the land surrounding the lake and all non-fishing related activities are owned and managed by the City of Memphis. I would think eliminating access to tax paying residents of the City of Memphis would be a conflict of interest as well.

If the goal of the Chickasaw Homeowner's Association is to protect their neighborhood or limit drive-thru traffic, I would think there would be more well suited alternatives to explore. Perhaps the addition of gates that limit vehicle access, but still have pedestrian access points for foot traffic would be a reasonable alternative. I would think that surrounding residents (such as myself) would even be willing to pay a small stipend to the Homeowner's Association to continue to use the neighborhood for family walks, etc.

I do sympathize and understand the HOA wanting to protect their homeowner's and deter the already increasing crime in our areas, but there has to be a more thoughtful compromise, given the city owned land that is so frequently used.

A more pressing issue in my opinion is the continued dangerous speeds for which vehicles travel on Lafayette Street, between Poplar and Central. Despite the speed bumps, the street is a cut through and cars fly down the street with no regard to children or adults walking the areas. Sorry, that is off topic, but nonetheless needs addressed. I have contacted the Police Patrol Units, but not much success has been made to thwart the speeding.

I appreciate your efforts and more importantly your leadership in making Memphis a better community. Please do not hesitate to reach out to me if I can do anything for you.

Sincerely,

David S. Norton

138 Lafayette Street Memphis, TN 38111 423-584-0807 David.s.norton10@gmail.com From: <u>Harry Kemp</u>
To: <u>Cobbs, Kendra</u>

Subject: Proposed closure of 2 entrances to Chickasaw Gardens Neighborhood

Date: Thursday, August 24, 2023 12:14:54 PM



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Dear Ms. Cobbs,

Sorry this is late, I kept getting your email address wrong.

My wife Virginia and I live in a neighborhood associated with the Chickasaw Gardens neighborhood. We have looked at a map of Chickasaw Gardens and do not really understand how closing off the Lombardy at Fenwick and Lafayette Place at Lafayette entrances is an improvement. If people are concerned about fast moving cars just passing through, as all neighborhoods are, I do not understand where cars would be passing through to. If the home owners are concerned about crime then maybe having 3 not five ways to get into and out of Chickasaw Gardens would incrementally improve the chances of catching a criminal discovered in the act, but there are still 3 entrance/exits on Central.

I must say that I am opposed to this proposal without clear justification on how the neighborhood would be improved.

Cheers,

Harry S. Kemp

2979 Gardens Way

Memphis, TN 38111

From: William Maroon

To: Ragsdale, Brett; Cobbs, Kendra

Subject: Proposed gate closures of public streets at Lombard & Fenwick and Goodwyn & Lafayette

Date: Thursday, August 17, 2023 5:21:45 PM



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To: City of Memphis: Land Use and Control Board

Attn: Brett Ragsdale and Kendra Cobbs

RE: SAC 23-04 and SAC 23-05

As a resident in close proximity to the proposed gate closure at Lombardy and Fenwick, I am very concerned about the proposed closures for several reasons:

- 1. The <u>City of Memphis and Shelby County Urban Design Guidelines Final Draft</u> dated December 2022 states that the proposed "Infrastructure should support and enhance **bicycle connectivity, pedestrian safety, and accessibility** to create a safer, more comfortable environment for people to walk and bike". The proposed gates would be in direct conflict as it pushes access to a city park from entrances off a quiet street onto a heavily traveled busy four-lane street.
- 2. The Land Use Control Board mission statement (https://www.shelbycountytn.gov/140/Land-Use-Control-Board suggests that the Land Use Control Board will "Encourage the development of great, vibrant, healthy urban streets, open spaces, public places, and neighborhood". Not limit access to open, public spaces. The closure, if approved would restrict public access to a city park in direct contrast to the mission statement and discourage the use of a public place... a city-funded park no less. And the mission statement suggests "encouraging vibrant neighborhoods". This proposal has already created strife among neighbors which I pray will dissipate in time.
- 3. The **Memphis 3.0 plan** adopted by this very body in 2019 states that "Memphis will be a city that anchors growth on strengths of the core and neighborhoods; a city of greater connectivity and access; a city of opportunity for all. (https://www.memphis3point0.com/plans-and-maps). I challenge anyone to provide a reasonable argument that suggests this proposed street closure would in any way promote greater connectivity or opportunity for all.
- 4. The City of Memphis Park Services Master Plan, 2020 Executive Summary includes its support of the 10-Minute Walk campaign sponsored by the Trust for Public Land, National Recreation and Park Association, and Urban Land Institute.

(https://www.memphis3point0.com/_files/ugd/100a0d_2e205537bc844e98b44c69182f3a2ca0.pdf). Noted on page 24 only 45.8% of Memphians are within a 10-minute walk of a park. These proposed closures would limit access and increase the distance that our elderly or otherwise mobility-challenged neighbors would need to traverse to access the Chickasaw Public Park. The brochure states that "In order to close this gap by 2050 (the target date of the 10-Minute Walk movement), partnerships to **create and facilitate increased public access** will be necessary." Again, closing access on two of the three accessible sides of this park is in direct conflict with the City Park Services master plan.

5. The proposed closures will force all entry through the Poplar and Central Avenue entrances. This increased traffic will cause an increase of cars in the turn lanes waiting to enter and cause a

build-up of those waiting to exit and create an unnecessary hazard and inconvenience. This should be studied by the city prior to consideration of such a closure.

- 6. For those of us on the Lombardy side, we will be forced to exit through the Fenwick and Buntyn intersections with Central Avenue which are dangerous already. The Fenwick / Central Avenue intersection has limited sight lines and is not protected by a traffic signal. With numerous reports of vehicles traveling and high rates of speed, we see frequent wrecks and near misses and try to avoid this intersection by crossing and exiting onto Central at Goodwyn. We encourage our young and elderly drivers to do the same. And the intersection at Buntyn and Central is in a curve and even though it has a signal, provides little comfort. Everyone in our community well understands the dangers posed by the flagrant disregard for safety and these intersections are especially dangerous.
- 7. We believe that this action will have a direct impact on the property values of homes just outside the gate.
- 8. **It's a CITY PARK**. I didn't see in the proposal that the neighborhood association had increased funding to take over the taxpayer expense of upkeep and maintaining the public park. By limiting access, the homeowner's association should be responsible for the cost. By limiting the access to two of five entrances (40%), any consideration of these proposed closures should be accompanied by the discussion of escrow accounts with required balances to cover three-fifths (60%) of the costs to upkeep the park and lake.

I get it. We are all frustrated by crime in our city. But closing streets isn't the answer. It's wrong to remove access for citizens to a public space and that's exactly what is proposed. Do the right thing for the city and for the neighborhood and join me in opposition to these absurd requests.

For these reasons, I remain opposed and ask for your assistance to protect my rights to access public streets and public parks.

Regards,

William Maroon 2754 Lombardy Ave From: <u>Johanna Condon</u>
To: <u>Cobbs, Kendra</u>

Subject: proposed road closures of Lafayette Place and Lombardy Rd.

Date: Saturday, August 19, 2023 2:58:56 PM



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Good day,

I was made aware of the proposal to close these two roads, essentially cutting off access to the neighborhood and park except by Central Ave. I understand the desire for safety and security, we all have that, but cutting adjacent neighbors from walking and enjoying the beautiful park at the center of that neighborhood is not the way to do it. It is a lovely park and area that I have walked frequently since I moved over on Cowden Ave. a year ago. The ability to easily walk to a public park was one of the benefits of the area. Those are public roads and a public park. To gate those roads, cutting off access, creates an enclave enclosing public space that all citizens should have a right to enjoy. This should not be allowed to become a gated community. Thank you for your consideration.

Best regards, Johanna Pranica From: <u>John Joyner</u>
To: <u>Cobbs, Kendra</u>

Subject: Proposed Street Closure

Date: Friday, November 3, 2023 6:50:04 AM



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I hereby register my opposition to the proposed gate closing of Lombardy at Fenwick Rd. That would be the sixth street access to the public park closed in my lifetime.

John Joyner 127 S. Fenwick Rd. 901-486-3206
 From:
 Ragsdale, Brett

 To:
 Kevin Jones

 Cc:
 Cobbs, Kendra

Subject: RE: Concerning Chickasaw Gardens Proposal Date: Tuesday, August 22, 2023 9:24:58 PM

Attachments: <u>image001.png</u>

image002.png image003.png image004.png

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,



Brett Ragsdale, AIA

Zoning Administrator Division of Planning and Development 125 N. Main, Ste. 468 Memphis, TN 38103 Phone: 901-636-6619

Email: brett.ragsdale@memphistn.gov



Visit our website

From: Kevin Jones <kjones0415@gmail.com> Sent: Tuesday, August 22, 2023 6:03 PM

To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov> **Subject:** Concerning Chickasaw Gardens Proposal



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To whom it may concern,

Thank you for taking the time to read my thoughts regarding the proposed gate closures in Chickasaw Gardens.

The representatives of Chickasaw Gardens cite crime as their pretext for (severely) limiting access to their neighborhood. If Chickasaw Gardens can use the fear of crime as an excuse to shut out their fellow Memphians, partially or entirely, then almost every other neighborhood in the city would have an even stronger argument to do the same (because most neighborhoods have more crime

than Chickasaw Gardens.) If the city government allows Chickasaw Gardens to close off public streets, it will set a **very bad precedent** for the city. The future will look much more ominous.

I predict that a series of further fragmentations (in wealthy neighborhoods most of all, and maybe middle-class as well) would follow in the coming years (in fact, just today I heard that residents of Hedgmoor are currently attempting a very similar action.) This would devastate the character of the city, turning Memphis into a series of splintered, walled-off compounds. Not only will this make Memphis feel more like a warzone than a real city, it will aggravate the various forms of segregation that already plague the city. Excluding others is fundamentally anti-city.

If residents of any neighborhood become so paranoid about crime, or any other urban problem, that they want to commandeer public spaces and effectively, if not literally, turn them into their private domains, they are better off moving to Fayette County or any other rural setting. Or they could move to an actual private, gated subdivision here in the city, which sadly abound. But to allow an antisocial, anti-urban mentality to go so amok that they are permitted to steal an integral part of the cityscape (via choking public access to the neighborhood) would be a terrible step for this city. Just because someone is tired of urban problems (which we can all understand) does not mean he or she has the right to deprive fellow citizens of use of their city.

In no way am I singling out Chickasaw Gardens...no neighborhood, rich or poor, should be allowed to do this because of the destructive precedent it would set.

However, I think it is worth adding that I can personally attest that Chickasaw Gardens has a long history of intolerance toward even the most innocent visitors to "their" neighborhood. It begins with the multiple, very hostile signs at the entrances to the neighborhood, stating the various warnings and prohibitions that they unilaterally impose.

Even though there is a city park there, I am unaware of even a single designated parking space for it, and I have been scowled at by residents there for doing nothing more than parking on the (public) street to visit the park.

Again, this is a public neighborhood, not a private subdivision. City residents should not be allowed to opt out of city life, at the expense of the city as a whole.

Again, this is a public neighborhood, not a private subdivision. City residents should not be allowed to opt out of city life, at the expense of the city as a whole.

My wife and I appreciate architecture, and from time to time we go to a neighborhood for a drive or a walk to admire the homes. In Chickasaw Gardens, we almost always get tailed by one of their security trucks within a few minutes of arriving, and they stay on us until we leave...of course we cannot enjoy the experience and have to leave even though we do nothing wrong or illegal. We even tried taking my wife's sister (visiting from a foreign country) to see the Christmas decorations in people's yards one night, but we got the same treatment (very embarrassing for a foreign visitor to witness how things are here.) In **no other neighborhood** in Memphis have we received such treatment.

I say all this to emphasize that, although I believe all neighborhoods should be treated equally, the city should keep in mind that Chickasaw Gardens has a track record of behaving as if they were above the law or somehow entitled to enjoy only the benefits but not the burdens of urban living (i.e. the "burden" of having their fellow Memphians dare to enter "their" neighborhood.)

I have seen some Memphians argue against the closings solely because there is a municipal park there. I think that argument fails to address the central issue. Even if there were no park, this is still a neighborhood like any other, made up of land that is part of our city. The streets are no less public than any park, and the residents have no right to exclude the rest of us from any of them. There are plenty of reasons apart from committing crime that Memphians choose to use those or any other streets. For many people, the reason is to visit the park, but also there are people like me who may just like to visit and appreciate a particularly impressive and charming neighborhood in our city. For others, it can be a scenic detour from time to time, a relaxing escape from the main thoroughfares like Central Avenue.

I have heard it argued in defense of the closures that the streets would remain open during park hours. For one, we should all be highly skeptical of this, as the same entitled mindset that pushes for partial closure will inevitably push for total closure. But more importantly, I reiterate that these are public streets, and it is no crime to drive or walk down these streets at any hour of the day (I, for one, enjoy night time drives through pretty areas such as Chickasaw Gardens.) Partial closure is just as wrong as full closure.

It is wrong for public space to be controlled by a small group, and it is contrary to the future of our city as a whole.

Thank you for your time and consideration.

From: Evan Hurst

To: <u>Cobbs, Kendra</u>; <u>Ragsdale, Brett</u>

Subject: Re: More opposition to Chickasaw Gardens gate closures

Date: Wednesday, August 23, 2023 8:02:01 AM



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Don't know how it got cut off but that sentence missing words was supposed to say "felt too close for comfort for everyone."

On Wed, Aug 23, 2023 at 8:00 AM Evan Hurst < evanjosephhurst@gmail.com> wrote: To whom it may concern:

Add my name to the list as a homeowner in Humes Heights who is strongly opposed to Chickasaw Gardens gating itself off from the city and making life more difficult for surrounding neighborhoods under the guise of protecting itself from crime.

When I bought my home, which features a rental unit, a selling point was that from my front door to the Chickasaw Gardens park -- a city park, obviously -- was exactly a one-mile walk. Many people who live in Humes Heights have young children and dogs or are cyclists (much like their neighbors in Chickasaw Gardens!) and to have this kind of accessibility to such a gorgeous city park without having to hit a four-lane street is magical. It's the kind of walkability Memphis claims it's aspiring to create throughout the city, the kind of walkability that all real world-class cities are striving to create in the 21st century.

Indeed, as things now stand, one can take huge long walks through Humes Heights, Chickasaw and the Joffre neighborhoods without ever touching a four-lane. Many of us learned all about this during the pandemic.

To once again underline my point, it's on my ad for the unit I lease out, so I am not speaking only a homeowner and resident, but also as a landlord in the area. It's one of the amenities. It's what I signed up for.

And about those four-lanes. It may be hard to see on a map, but there is no scenario under which proposed closures at Fenwick and Lafayette would be anything but a grave inconvenience and nuisance to the neighbors. As a Humes Heights homeowner, I'll speak for Fenwick. (I could speak on Lafayette too, as again these neighborhoods are really all one neighborhood made up of smaller subdivisions, which really kind of strikes at the heart of the point, I think. But Joffre and Lafayette and Cowden and Dille Place homeowners can speak on it even better.)

When we bought our houses, we did so knowing we could walk/bike/run down Humes, hang a left on Lombardy, look both ways (CAREFULLY) and enter Chickasaw Gardens.

We did not do so with the expectation that in order to continue our walks/bike rides/runs through the neighborhood, we'd have to take the scenic route through one of the darkest

sections of Fenwick, with the least visibility from neighbors. Drive down there, you'll see what we mean. There is no visibility from ANY house. It absolutely screams out "Look, a jogger by themselves!" (We'll get back to that.)

Then you get to Central and Fenwick, which is just as dangerous for cars as it is for pedestrians. So is Central and Buntyn, the neighborhood's other southern ingress/egress, despite how it has a light. You've heard a hundred times already that many in this neighborhood like to exit onto Central via Goodwyn for the sake of safe driving.

None of this benefits anyone, and it certainly doesn't prevent crime.

As far as we can see, Chickasaw Gardens has been seeking ways to wall itself off pretty much since its inception. At this point, the status quo works. CG residents can use the Poplar entrance. None of the surrounding neighborhoods are demanding to use that one. Nobody cares about Tilton Street being a private drive, just like nobody is complaining about nearby Tara Lane or Goodwyn Green Circle being private drives.

Closing off Fenwick and Lafayette does nothing but inconvenience neighbors, while doing scant little to deter criminals, who we have heard these days also have access to Google Maps.

The neighborhood assures us there will be a pedestrian gate that's unlocked during daylight hours, so get those walks in before 4:30 p.m. during the winter, kids! You know, unless you want to walk through the creepy stretch of Fenwick next to the house that's always vacant.

But this brings me to my final point, as I know others have addressed many other aspects of this more than adequately. This is almost certainly not about a true and specific spike in crime. We all can access the actual record, and the instances of crime in Chickasaw Gardens lately have been petty and infrequent. Not to discount them, obviously, but it's a manageable issue that neighbors of good will -- across neighborhoods! -- can be concerned about together.

Some really scary things have happened in Memphis lately, crime-wise, things that have been absolutely horrifying for people in town who probably aren't used to dealing with violent crime every single day like many of our neighbors. (Neighbors. Not "people who live somewhere over there." Neighbors.) Obviously the devastating murder of Eliza Fletcher comes to mind, which didn't happen in Chickasaw Gardens, but happened just down the road from all of us and fe

But if that gut-wrenching event taught us anything, it's that we're safer when there are more of us out and about, more of us visible, at all times of the day and night. In the real world we live in, in Humes Heights, Chickasaw Gardens and Joffre, we all have different schedules. We are healthcare workers and teachers and parents and caregivers and quite frankly, we all deserve to feel safe grabbing an hour to go for a run, whenever that works in our schedule. For some people it's 4:30 in the morning.

A locked pedestrian gate and a "keep out" sign from your neighbors sure doesn't make that any easier.

Thank you for your time.

Evan Hurst 72 South Larchmont Drive From: <u>Katie B</u>
To: <u>Cobbs, Kendra</u>

Subject: Re: SAC 23-04: CHICKASAW GARDENS

Date: Wednesday, August 23, 2023 7:47:58 AM

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Kendra - In addition to the below concerns and reasons for disagreeing with SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St., please see additional safety concern:

• The turn from eastbound Central Ave to northbound Lafayette St is not a protected turn lane. The increased traffic coming from Chickasaw Gardens and Chickasaw Park exiting to the only available exits along Central Ave would create queues along eastbound Central Ave at Lafayette St and Central Ave currently does not have the space to add a new turn lane given the utility constraints at the intersection. Not only are there pedestrian and cyclist concerns as stated in my previous email but we would also be creating an increased risk of vehicular collisions.

We believe that first and foremost there is not enough data presented by Chickasaw Gardens in the application to justify the application let alone approval of SAC 23-04. We also believe that there is no justification to negatively impact property values, pedestrian and cyclist safety, access to City of Memphis property, emergency service response time, or accident rates based on the flippant request presented in SAC 23-04.

Thank you,

Katie Burns

On Tue, Aug 22, 2023 at 8:41 PM Katie B < <u>burnskatieanne@gmail.com</u>> wrote: Hello! I live in the Joffre neighborhood and we have concerns regarding SAC 23-04: CHICKASAW

GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

- In the letter from SRC Consulting, LLC, a street closure is proposed as it is referenced in the SAC. Based on the description of the letter for vehicular access westbound on Lafayette Pl is to remain for those who choose to purchase a clicker, meaning that access is not closed it is simply privileged. Based on the drawing set included, it appears that the driveway on Lafayette Pl is to remain, reiterating that the street is neither closed or vacated. Please confirm that the intent is a Public-to-Private Street Conversion and clarify the impacts to adjacent landowners including the City of Memphis Parks Commission land used for the MoSH.
- Please clarify the pedestrian gate access given the conflicting statements in the letter from SRC Consulting, LLC stating "The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.", "The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access.", "These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue."

- Stated in the letter from SRC Consulting, LLC if the bike and pedestrian gates are stated to remain open from dusk til dawn. For those who recreate through walking, running, or biking, in the neighborhoods in the area many will be outside before dawn and after dusk due to the heat index during the daylight hours in the summer months. Restricting current access could have those folks crossing Lafayette St along Central Avenue after dusk and before dawn which is a blind corner for westbound Central Ave traffic turning onto Lafayette St. This would create a higher risk for accidents than what is currently encountered at Lafayette Pl which has a much better line of sight for all vehicular traffic. Please clarify what will be done to protect pedestrians and cyclists that would have to be redirected along Central?
- Please provide the justification for negatively impacting home values in the neighborhoods within walking distance to Chickasaw Park. Convenient access to Chickasaw Park is a selling feature to many of the homes in the Joffre neighborhood. Research published by NIH concluded that parklands can have a 0.5–14.1% value-added effect on property prices in the 850–160-m range in their vicinity which would include the Joffre neighborhood.
- It should be noted that the typical access from the Joffre neighborhood to Chickasaw Park, property of the City of Memphis, would be extended by an additional 10 minutes and .5 miles if current access to the park is not maintained.
- For safety reasons, please define how someone would be able to utilize the pedestrian or vehicular gate for emergencies?
- Please clarify if emergency services would have access to bi-direction use of the gate and
 what system would be in place to allow for this. Limiting access to Chickasaw Park and
 Chickasaw Gardens can have a negative impact on emergency services response time if
 there was a safety concern at the park or within the HOA members. Even with common
 solutions such as Knox boxes, the implementation and use of such devices takes valuable
 time away from emergency responses in time critical events like a home break in, heart
 attack, etc.
- Please clarify the statistics for crime frequency in the neighborhood that would require the City of Memphis to limit access to public spaces such as Chickasaw Park and where else in the City of Memphis this has been successfully implemented? I would like to request the data associated with regards to vehicular and pedestrian statistics to better understand why vehicular, cyclist, and pedestrian access is all being restricted. No reference to data or statistics were given in the provided documents.
- Please clarify the legend used for the map prepared through Shelby County Government's online mapping Portal on 5/19/2023.

We appreciate the review that the TRC is progressing for SAC 23-04: CHICKASAW GARDENS ar	١d
we want to ensure that decisions are being made with a City wide perspective of impact.	

ΤI	nan	k y	ou,

Katie Burns

From: <u>Katie Tamboli</u>
To: <u>Cobbs, Kendra</u>

Subject: REVISED Chickasaw / Lombardy closure Date: Tuesday, August 22, 2023 10:41:05 PM

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.

I'm writing to oppose gating the entrance to Chickasaw Gardens at Lombardy. Cited from the Memphis Daily News, the number of crimes reported in Chickasaw Gardens since 1/1/23 are TWO. One for forgery & the other vandalism. Using the uptick in crime (fed by poverty) to justify building another wall won't solve their catastrophic forgery/vandalism trauma. Instead, it'll fuel the status quo Memphis has followed for decades, separating the elite (white) from impoverished black people. Building another wall will add to the suppression black children already experience as less important, less worthy than others by learning to navigate & survive at nearly a 40% childhood poverty rate. Memphis leads the country as the most impoverished city with over 500k people. Crime & poverty go hand in hand. No wall will fix that.

A few years ago, Chickasaw Gardens residents posted on Nextdoor their concern that a black kid was riding his bike through the neighborhood. It turns out that the child lived on Lombardy just around the corner & his mother was a high ranking, elevated administrative faculty member at CBU. This is point blank profiling by Chickasaw Gardens residents. Imagine the trauma poverty stricken children feel being profiled just for riding their bicycle down the street. If it happens to 'well to do' black child, imagine how most of our children in Memphis must feel. Put yourself in their rugged shoes.

Since Chickasaw Gardens has a history of not upholding their 'promises,' I object they will uphold this promise of keeping a pedestrian gate accessible. One entrance at a time, they are building walls, It began on Poplar years ago, promising to keep pedestrian/biking access yet the gate remains locked. They've provided only empty promises over the years.

Chickasaw Gardens houses PUBLIC streets & a PUBLIC park. Barricading these commons for all will continue to destroy our city, more than it already is.

Let's bridge Memphis together, not add more walls.

Thank you for considering the opposition to further inequality.

Katie Tamboli 2791 Iroquois Rd Memphis, TN 38111 From: Kim Harwood
To: Cobbs, Kendra

Subject: Road Closure: Lombardy at Fenwich

Date: Friday, August 11, 2023 8:43:24 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender whippetk9@aol.com

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

Hello,

I am very opposed to the road closure at Lombardy and Fenwick proposed by the residents of Chickasaw Gardens. This is a public road paid for by tax payers, as is the park and lake in the center. This is a walking path for many in my neighborhood. With this closure we would not have access to this public park or streets located in Chickasaw Gardens. This neighborhood was not set up as a gated community.

Please pass along my concerns.

Best,

Kim Harwood 2700 Lombardy Memphis, TN 38111 901-229-3665
 From:
 Mark Morrison

 To:
 Cobbs, Kendra

 Subject:
 SAC 23-04 and 23-05

Date: Wednesday, August 16, 2023 12:11:57 PM



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

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Ms. Cobbs and Land Use Control Board Members:

I am writing to express my strong objections to the proposed street closures in Chickasaw Gardens (SAC 23-04 and 23-05). These are public streets paid for by taxpayers and should not be converted to private use. Public streets are useless to the general public without an associated network of streets to facilitate transportation and mobility. The proposed closure of these streets degrades transportation and mobility for all citizens.

In addition, a public park maintained by tax money serves as the green heart of Chickasaw Gardens. The closure of these streets will only serve to further "privatize" this public park and keep citizens from accessing their public spaces.

Finally, every street closure like this sets a terrible precedent for the next application. Should my community, Cooper-Young, be able to close off many of the streets that connect it to the rest of the city street network? We, of course, want safety and quiet streets, too. The answer for Cooper-Young, Chickasaw Gardens and other cases should clearly be "no." Taxpayers paid for these streets to provide mobility to our citizens. They should not be closed to appease and favor a few local residents and, at the same time, harm the greater public by degrading our transportation and mobility options.

IF these street closures are approved, Chickasaw Gardens should be required to privatize these streets and buy the park from the city. They should not be able to slowly privatize the use of their streets while putting the costs and burdens of the streets and parks on city taxpayers.

Thank you, Mark Morrison 1988 Young Ave 901-834-7777 From: Robert Hollingsworth

To: Cobbs, Kendra

Subject: SAC 23-04 Chickasaws Gardens and SAC23-05 Chickasaw Gardens

Date: Thursday, August 17, 2023 10:24:04 AM



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Good morning Kendra,

My name is Robert Hollingsworth and I am writing to voice my opposition to the closing and vacating of Lafayette Place between Goodwyn St and Lafayette St as well as the closing and vacating of Lombardy Road between S. Fenwick Rd. and Chickasaw Dr.

My husband and I have lived on Dille Place (which runs parallel to Lafayette St.) for over twenty-three years. Part of the reason (in addition to being close to every part of the city of Memphis) is the easy access to Chickasaw Gardens Park. We have long enjoyed walking around the lake with our dogs, friends and family. Putting up a gate to block access to the joys of a city-owned part that should be enjoyed by all citizens of the city of Memphis, in the name of safety is wrong and unnecessary. There are lots of people in this area that enjoy the natural beauty and ease of access to Chickasaw Gardens Park on a daily basis. Young and old, pet owners and non pet owners alike, we all enjoy the benefits of having such a park within walking distance.

Therefore I urge you and the other staff planners to reject these proposals at the August 24, 2023 Technical Review Meeting and ultimately at the Land Use Control Board on Thursday, September 14, 2023. Chickasaw Gardens already has one entrance that is permanently blocked on North Lafayette and another on Poplar that is access only for residents in Chickasaw Gardens, they don't need two more.

Thank you for your time,

Robert Hollingsworth

From: Adam Smith
To: Cobbs, Kendra

Subject: SAC 23-4, and SAC 23-5

Date: Friday, August 11, 2023 8:02:41 AM



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I oppose the above motions to close Lombardy Ave at Fenwick and Lafayette at Chickasaw gardens. This will prevent easy access to the Chickasaw gardens park, a publicly funded park. Also the residents on the Buntyn side of Lombardy have expressed strong opposition to the closing. This will limit easy access to the park for residents in Buntyn and Joffre neighborhoods. This should not be addressed as an administrative level decision.

Adam Smith.

Sent from Yahoo Mail on Android

From: Michael Hoots
To: Cobbs, Kendra

Subject: SAC 2023 - 005 OPPOSITION TO PROPOSED CHICKASAW HOA

Date: Thursday, November 2, 2023 7:32:16 PM

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.

Sincerely,

Michael Hoots 193 South Fenwick
 From:
 Will Thompson

 To:
 Cobbs, Kendra

 Subject:
 SAC 2023-005

Date: Thursday, November 2, 2023 4:43:31 PM



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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.

Dear Ms. Cobbs,

I am writing to express my very strong opposition to the application submitted to the Memphis and Shelby County Division of Planning and Development by the Chickasaw HOA proposing that Lombardy Road be closed to traffic entering Chickasaw Gardens where it meets South Fenwick Road. As a resident living on South Fenwick just three houses down from the proposed closure, I am directly affected by this action, and in a negative way.

First, I must object to the fact that I was given less than 24 hours to respond to this notice, having received it in the mail today (11/2/2023) with a deadline of 8:00 a.m. tomorrow (11/3/23) to submit any opposition. This is hardly acceptable given the impact that this possible closure would have on me and my neighbors.

Secondly, receiving the notification less than five business days prior to the hearing provides me with little if any opportunity to make arrangements to attend the hearing in person due to my work schedule. I realize that attendance is not required to voice one's opposition, but that would be the most effective way to do so.

Thirdly, I was told that I should have received and had the option to sign an affidavit regarding this proposal, and I have neither received nor been informed officially about this document, should it exist. I would like to know if it does and what it encompasses.

My objections to the actual proposal are numerous, but I will focus on what I believe to be the most important of them:

- I personally use this street (Normandy, entering from South Fenwick) to walk on an almost daily basis, as do many of my neighbors, with my destination being the park at the center of Chickasaw Gardens, which is a **public park**. My ability to reach this destination in a normal manner would be greatly diminished by the closing. And I do not want to be told that I can simply "walk all the way to Central" to get to the park; that is not acceptable when I have spent the past 23 years living on Fenwick assuming that one of the benefits of the location was the easy access to a public park
- With further reference to the access via Central, many of the residents in my neighborhood are older/retired, and they benefit tremendously from having access to an area that does not have busy through streets, and access this closure would take away from them.
- The Normandy Road entrance to Chickasaw Gardens is the **only** exit going east off of Fenwick between Central and Poplar, a route which residents on my street have on occasion had to rely upon during storms when trees have fallen in the neighborhood, or traffic has otherwise been blocked. I cannot believe that there is not some risk involved, including delaying fire and police response to the very neighborhood whose residents are proposing this.
- NO justification whatsoever has been provided for taking this measure. I can only assume that the proposers of this closure are striving to keep out in any way possible anyone who does not reside in Chickasaw Gardens. I can understand that they perhaps see this as a safety measure, but if there continue to be numerous access points into the neighborhood from Central, then this is an empty excuse for the proposed closure. In any case, why should the neighborhoods that surround Chickasaw Gardens suffer and run the risk of increased crime (if that is the reasoning) because those that are economically privileged and have the appropriate connections to propose this want this to happen?
- Finally, I believe that a similar proposal is being submitted for the east entrance to Chickasaw Gardens on Lafayette. For most of the same reasons listed above, I vehemently oppose this proposal as well.

I sincerely hope that my objections, as well as those of my fellow citizens in this neighborhood, will receive proper consideration.

Most sincerely,

Dr. Will Thompson, Professor 193 South Fenwick Road, Memphis TN 38111 From: Almond Daniel
To: Cobbs, Kendra

Subject: SAC23-04 and SAC23-05 Street closures

Date: Friday, August 18, 2023 4:36:36 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender adaniel2764@gmail.com

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

Good afternoon,

I am contacting you to express my opposition regarding the two proposals for street closures and gating of public access to Chickasaw Gardens and the city park within this neighborhood.

I am opposed to this as I believe if this is approved it will send the wrong message to many Memphians. The wording in this proposal is troubling as it suggests that security will profile anyone entering this public park. The wording is as follows: "it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood".

I understand that the security guards will be stationed at the remaining entrances to the park to conduct this "monitoring". This will intimidate those citizens that do not belong in this neighborhood. Chickasaw Gardens has a stained history of limiting access to this neighborhood. The original charter for this neighborhood prevented anyone of color from buying property in Chickasaw Gardens.

I ask that you and the other board members deny these two proposals.

Respectfully,

A. Daniel

From: Michael Hoots
To: Cobbs, Kendra

Subject: SAC2023-005OPPOSITION TO PROPOSED CHICKASAW HOA

Date: Thursday, November 2, 2023 7:58:03 PM

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.

Dear Ms. Cobbs,

I am writing to express my extreme opposition to the application submitted to the Memphis and Shelby County Division of Planning and Development by the Chickasaw HOA proposing that Lombardy Road be closed to traffic entering Chickasaw Gardens at South Fenwick Road. As a 23 year resident living on South Fenwick just three houses from the proposed closure, I am directly affected by this action, and in a negative way.

First, I must object to the fact that I was given less than 24 hours to respond to this notice, having received it in the mail today (11/2/2023) with a deadline of 8:00 a.m. tomorrow (11/3/23) to submit any opposition. This is hardly acceptable given the impact that this possible closure would have on me and my neighbors.

Secondly, receiving the notification less than five business days prior to the hearing provides me with little if any opportunity to make arrangements to attend the hearing in person due to my work schedule. I realize that attendance is not required to voice one's opposition, but that would be the most effective way to do so. I have not even been given an opportunity to represent myself in any other format. (Video submission, virtual link, etc).

Thirdly, I was told that I should have received and had the option to sign an affidavit regarding this proposal, and I have neither received nor been informed officially about this document, should it exist. As a resident and property owner that lives within 300 feet I have a say so in what happens on my street as a result of this closure. Therefore, I would like to know if it does exist and what it encompasses.

My objections to the actual proposal to close Lombardy at Fenwick are numerous, but I will focus on what I believe to be the most important of them:

• I personally use this street (Normandy, entering from South Fenwick) to walk on an almost daily basis, as do many of my neighbors, with my destination being the public park at the center of Chickasaw Gardens. My ability to reach this destination in a

- normal manner would be greatly diminished by the closing. And I do not want to be told that I can simply "walk all the way to Central" to get to the park; that is not acceptable when I have spent the past 23 years living on Fenwick assuming that one of the benefits of the location was the easy access to a public park
- With further reference to the access via Central, many of the residents in my neighborhood are older/retired, and they benefit tremendously from having access to an area that does not have busy through streets, and access this closure would take away from them.
- The Normandy Road entrance to Chickasaw Gardens is the only exit going east off of Fenwick between Central and Poplar, a route which residents on my street have on occasion had to rely upon during storms when trees have fallen in the neighborhood, or traffic has otherwise been blocked. The fire department would not even allow Fenwick to be blocked off at Poplar many years ago due to the route Fenwick allows for easy access into Chickasaw Gardens for potential fires. I cannot believe that there is not some risk involved, including delaying fire and police response to the very neighborhood whose residents are proposing this.
- NO justification whatsoever has been provided for taking this measure. I can only assume that the proposers of this closure are striving to keep out in any way possible anyone who does not reside in Chickasaw Gardens. I can understand that they perhaps see this as a safety measure, but if there continue to be numerous access points into the neighborhood from Central, then this is an empty excuse for the proposed closure. In any case, why should the neighborhoods that surround Chickasaw Gardens suffer and run the risk of increased crime (if that is the reasoning) because those that are economically privileged and have the appropriate connections to propose this want this to happen?
- If the proposed closure is for potential crime, why have the residents of Chickasaw Gardens not ever accepted attempts to join neighboring community neighborhood watch associations?
- As a 23 year resident near the corner of Fenwick and Lombardy we often have to deal with unkept fences that face our houses. This doesn't help with aesthetics of the neighborhood. If these properties owned by Chickasaw Gardens residents are not being kept tighty, how do I know an eyesore of fence, gate, barrier that covers a wide road will be kept up any better than the overgrown grass, shrubs, and bushes that spill into the middle of Fenwick.
- Gates and Fences separate communities negatively. I walk every morning at 6 and often ride my bike late afternoon through the streets of Chickasaw Gardens. I work as an Educator at East High School and use Lombardy and Lafayette as a way to ride my bike to work to avoid busy Poplar Ave. Whatever the hour of day I see numerous people from around the area who I've gotten to know from passing them on the street. We speak and catch up in passing. That is what community is all about. Blocking t community osepar
- Finally, I believe that a similar proposal is being submitted for the east entrance to Chickasaw Gardens on Lafayette. For most of the same reasons listed above, I vehemently oppose this proposal as well.

As a 23 year resident and tax payer, I sincerely hope that my objections, as well as those of my fellow citizens in this neighborhood, will receive proper consideration.

Sincerely,

Michael Hoots

Home Owner 193 South Fenwick Road

From: <u>Lyn Joyner</u>

To: Cobbs, Kendra; Morgan, Worth; Strickland, Jim; Jackson Baker; kbomani@dailymemphian.com

Subject: STRONG OBJECTION to SAC 23-04, 23-05 -public roads closings

Date: Wednesday, August 16, 2023 4:52:56 PM



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To: Kendra Cobbs

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Chickasaw Gardens does NOT have a crime problem that calls for two road closings. There is NO VALID REASON for HA's proposed two road closings.

CGHA's Letter of Intent says

"It (less public road access) should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood."

CGHA provides no stats to support their reason for closing two public roads.

Concerned, I checked The Daily News Crime Report Map to count crimes: Chickasaw Garden's CRIME STATS from 1/16/2023 - 8/16/2023: TOTAL OF <u>7 CRIMES</u> reported for the past seven months, of which 3 were for counterfeiting/forgery.

For 3 months in this past 7-month period, **zero reported crimes in CG.** Hard to decrease from that.

In comparison:

Fenwick to Plainview, neighborhoods west of CG, crime stats from 1/16/2023 - 8/16/2023: <u>TOTAL OF 24 CRIMES</u> reported for the past seven months (zero were for counterfeiting/forgery).

NOTE: In January 2023, just 8 months ago, surrounding neighborhoods overwhelmingly rejected via petition CG's proposal to close off Lombardy, one of the roads in the current filing.

Why is this coming up again, so soon?

HOW DID THIS GET FAST-TRACKED????? Why is there no LUCB hearing.

CG has already, over the years, closed 4 of 9 their entrances.

Enough!!!

I would like not to have to address their uncivic road closing proposals again.

Sincerely, Lyn Joyner and John Joyner Fenwick Rd. Neighborhood Association Community Liaisons

Suggestions for HOA:

- pay for more 24-hr surveillance, more cameras
- reach out to MPD for additional patrols
- confer with other neighborhoods, i.e. Central Gardens, for crime-reduction tips
- Neighborhood Watch
- (for those who want to live in a gated community), move to a gated community

From: <u>Linda Andrews</u>
To: <u>Cobbs, Kendra</u>

Cc: Morgan, Worth; Mayor Jim Strickland

Subject: STRONG OBJECTION to SAC 23-0423-05-public roads closings

Date: Sunday, August 20, 2023 2:22:22 PM



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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.

I request that on August 24 you NOT APPROVE Chickasaw Gardens Homeowner's Association's

request for two road closings. This proposal would adversely affect surrounding neighborhoods, and

City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers, including emergency vehicles.

Thank you. Linda Andrews 175 S Fenwick 38111 From: Becky Childress
To: Cobbs, Kendra

Subject:Vote No to Chickasaw Gardens GateDate:Tuesday, August 22, 2023 8:52:53 PM



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

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

Hi,

My name is Becky Childress. I live in Humes Heights, the neighborhood adjacent to Chickasaw Gardens.

I live about a 1/2 from the lake and take daily walks there with my dog. I also run there early in the mornings. It is a public lake and a beautiful addition to our community. It is one reason I choose to live in the neighborhood. I do not believe that blocking the entrance to Chickasaw Gardens on 2 sides will prevent crime in a neighborhhod that already has 24 hour security. It will only make it harder for others in the community to access the Public park. Please vote No to adding a gate and making the Public park more challenging to access.

As a community, we need to address crime amd work on finding a solution. Not build gates or walls and try to cut off from the community.

Thanks, Becky Childress

--

Becky Childress



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

November 16, 2023

Chickasaw HOA

Sent via electronic mail to: cindy.reaves@srce-memphis.com

Case Number: SAC 2023-004 and SAC 2023-005

LUCB Recommendation: Rejection

Dear Applicant,

On Thursday, November 9, 2023, the Memphis and Shelby County Land Use Control Board recommended *rejection* of your right-of-way vacation application to vacate portions of Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive.

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

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

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

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

Respectfully, Kendra Cobbs

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



Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of

Way Vacation)

Record Status: Assignment

Opened Date: August 4, 2023

Record Number: SAC 2023-005 Expiration Date:

Record Name: Lombardy Rd. Closure

Description of Work: Street closure between S. Fenwick Rd. and Cherokee Dr.

Parent Record Number:

Address:

Owner Information

Primary

Owner Name

Ν

Owner Address
Owner Phone

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Date of Meeting

Pre-application Meeting Type

GENERAL INFORMATION

Name of Street where closure will begin Name of Street where closure will end

What is the reason for the street closure?

N/A

-

S. Fenwick Rd. Cherokee Dr.

Security of neighborhood

Page 1 of 3 SAC 2023-005

GENERAL INFORMATION

What is the total area of the right-of-way being 14675

closed?

What is the overall length of the street closure? 250

Name of Street/Alley/ROW Lombardy Road

Is this application in response to a citation from No

Construction Code Enforcement or Zoning

Letter?

If yes, please provide additional information - Is this application a time extension? No

RELATED CASE INFORMATION

Previous Case Numbers -

GIS INFORMATION

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

Historic District Land Use -

Municipality Overlay/Special Purpose District -

Zoning - State Route - Lot -

Subdivision Planned Development District Wellhead Protection Overlay District No

Contact Information

Name Contact Type
CHICKASAW HOA APPLICANT

Address

Phone

Fee Information Invoice # Fee Item Quantity Fees Status Balance Date Assessed 1491775 Right of Way 1 400.00 **INVOICED** 0.00 08/04/2023 Vacation/Closure Fee Credit Card Use Fee (.026 10.40 **INVOICED** 0.00 08/04/2023 1491775 1 x fee)

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

Payment Information

Payment Amount Method of Payment \$410.40 Credit Card

Page 2 of 3 SAC 2023-005

Page 3 of 3 SAC 2023-005



Date: August 2, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Lafayette Place Closure

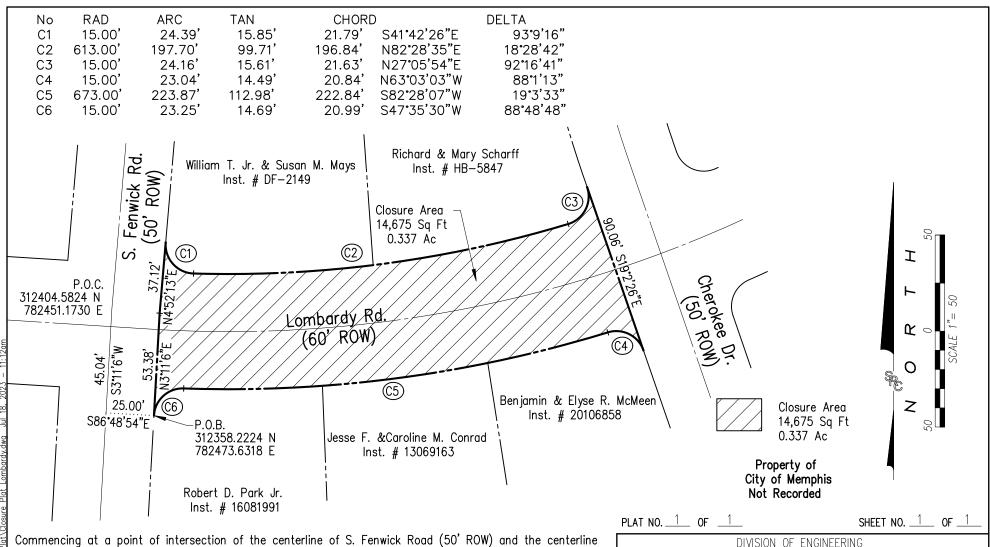
Lombardy Road Closure

LETTER OF INTENT

Dedrick Brittenum and I are submitting two street closure applications for the Chickasaw Gardens Homeowners Association at Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive. The Chickasaw Gardens Neighborhood currently has five points of access. It has come to our attention from the security consultants and neighborhood that something must be done. The security company cannot control such a large neighborhood with this many access points. If we could limit the access to the three streets on Central Avenue, it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood. The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.

We have submitted schematic drawings of the proposed gates prepared by Blair Parker Design that should give a good feeling of the look we are proposing. The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access. The Lafayette Place gate will swing into Lafayette Place with a stop bar and sign to notify the car to stop for the gate to open and the Lombardy Road gate will slide to the north. These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue.

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



of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03'11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3'11'6"E a distance of 53.38 feet to a point; thence N4*52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41*42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27.5'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63'3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point: thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

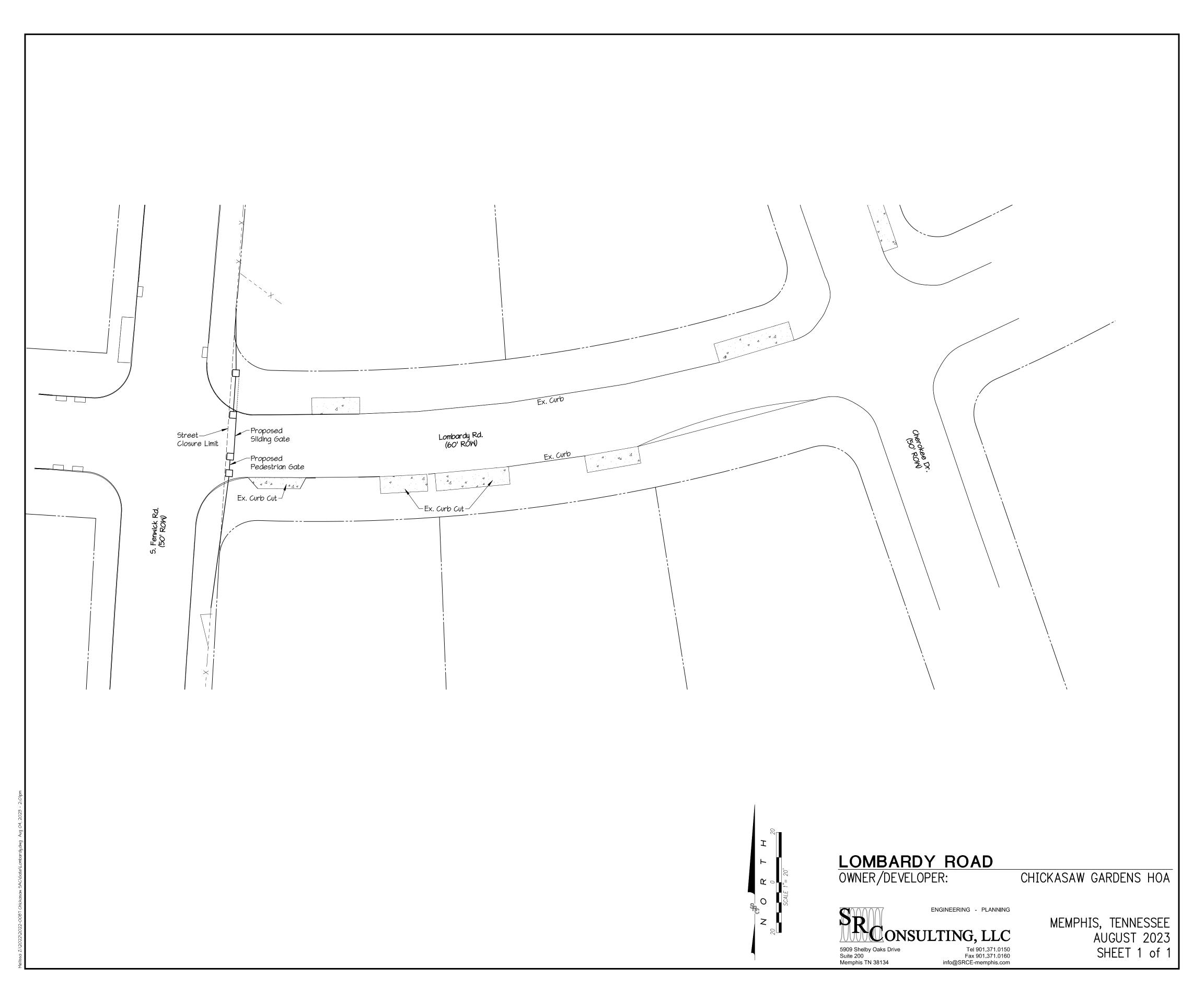
SAC 23-_ LOMBARDY ROAD CLOSURE PLAT FROM S. FENWICK RD. TO CHEROKEE DR.

MEMPHIS, TN

SURVEY BY Fisher Arnold DRAFTSMAN SR Consulting	 BOOK SCALE
REVIEWED	DEPUTY CITY ENGINEER
REVIEWED	CITY ENGINEER







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. J.	Edward Beasley, Jr. (Print Name) (Sign Name) (Sign Name) (Sign Name)
	(Print Name) (Sign Name)
"Own	ner" 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
V	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	e property located at Lafayette Pl. at Lafayette St. and Lombardy Rd. at S. Fenwick Rd.
and f	further identified by Assessor's Parcel Number
for w	hich an application is being made to the Division of Planning and Development.
Subs	scribed and sworn to (or affirmed) before rocked NEWS day of August in the year of 2003
X	atherine m Russ = PUBLIC 10-29-2024
Sign	ature of Notary Public My Commission Expires

Chickasaw Gardens Homes Association 3009 Gardens Way Memphis, TN 38111

August 3, 2023

Ms Cindy Reaves
SR Consulting, LLC
5909 Shelby Oaks Drive
Suite 200
Memphis, TN 38134

Dear Ms Reaves,

Please be advised that at the regularly-scheduled meeting of the Trustees of Chickasaw Gardens, February 8, 2023, the following motion was made by Patick Sala and seconded by Boyd Wade:

"The Trustees of Chickasaw Gardens are in favor of closing the Fenwick entrance to Chickasaw Gardens and the Lafayette entrance to Chickasaw Gardens."

The above motion passed unanimously by the Trustees and the Trustees continue to support closure.

Respectfully submitted,

J. Edward Beasley, Jr.

Chairman, Trustees of Chickasaw Gardens

A- Edward Beasley, &



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.

1306	
06/10/2013 ·	- 03:31 PM
CHRIS 1097901-1306916	3
VALUE	478000.00
MORTGAGE TAX	0.00
IRANSFER TAX	1768.60
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	1781.60

WARRANTY DEED TENNESSEE NOTARY My Comm. Exp. 10-18-2014

STATE OF Tennessee COUNTY OF _She1bv

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$478,000.00

SUBSCRIBED AND SWORN to BEFORE ME, THIS THE 2013

une

MY COMMISSION EXPIRES:

(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY

Sidwell, Barrett & Welch, P.C.

Stewart Title Company Tennessee Division, 390 Mallory Station Road, Suite 107, Franklin, TN 37067

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBERS
Jesse Franklin Conrad	Merchants and Planters Bank Home Loans, ISAOA	0450460000002
(NAME)	(NAME)	
238 Lombardy Road	1125 Schilling Blvd.	
(ADDRESS)	(ADDRESS)	
Memphis, TN 38111	Collierville, TN 38017	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

For and in consideration of the sum of ten dollars, cash in hand paid by the hereinafter named GRANTEE(S), and other good and valuable considerations, the receipt of which is hereby acknowledged, Graebel Relocation Services Worldwide, hereinafter called the GRANTQR(S), has bargained and sold, and by these presents do transfer and convey unto Jesse Franklin Conrad," hereinafter called the GRANTEE(S), their heirs and/or assigns, a certain tract or parcel of land in Shelby County, State of Tennessee, described as follows, to-wit: * and wife. Caroline Marie Conrad Land in Shelby County, Tennessee, being Lot No. 248 and part of Lot 247, Chickasaw Gardens Subdivision, as shown on plat of record in Plat Book 9, Pages 18 and 19, in the Register's Office for Shelby County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the southeast line of Lombardy Road, said point being a common corner of Lots 249 and 248; thence southeastwardly along said southeast line a distance of 87.0 feet to a point; thence southeastwardly a distance of 139.80 feet to a point in the Lot 246; thence eastwardly a distance of 7.0 feet to a corner of Lot 242; thence northeastwardly along the line dividing Lots 242 and 248 a distance of 100.0 feet to a corner of Lot 249; thence northwestwardly along the line dividing Lots 249 and 248 a distance of 120.30 feet to the point of beginning.

Being the same property conveyed to Philip A. Hatfield and Anna D. Hatfield, husband and wife by Deed from Bess S. Schaberg, a married person dated 03/27/2006 in Instrument No. 06058415, Register's Office for Shelby County, Tennessee.

This conveyance is subject to: (1) All matters on the Plan of record in Plat Book 9, Pages 18 and 19, (2) Deed Restrictions of record in Book 1093, Page 253 and in Book 2506, Page 219, (3) Restrictions of record in Plat Book 9, Pages 18 and 19, Modified in Book 3151; Pages 391, 401 and 415; Instrument No. L78130; Instrument No. R73249; Instrument No. T25144; Instrument No. AA5846; Instrument No. AK3462; Instrument No. AN5392; Instrument No. BZ0630 and Instrument No. AU5964, (4) Easement of record in Chattel Book 275, Page 26, and (5) Construction Agreement of record in Instrument No. T25143, Register's Office for Shelby County, Tennessee.

File No.: 01288-4507 SMG TN Warranty Deed Tom Leatherwood, Shelby County Register of Deeds: Instr. # 13069163

This conveyance is further subject to (1) all applicable zoning ordinances (2) utility, sewer, drainage and other easements of record, (3) all subdivision/condominium assessments, covenants, bylaws, restrictions, declarations and easements of record, (4) building restrictions, and (5) other matters of public record.

unimproved
This is improved
property, known as
238 Lombardy Road, Memphis, TN 38111
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE(S), their heirs and/or assigns forever; and we do covenant with the said GRANTEE(S) 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 GRANTEE(S), their heirs and/or 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 our hands this 21st day of September 2011

Philip of Hatfield

State of VicqiAiq

County of City A Rid Providence Coun

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Philip A. Hatfield,** the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence to be the person(s) described herein, and who acknowledge that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and Official seal this 21ct day of September 7011

Notary Public My Commission Expires: Ja 31 7011

State of Virginia

Witness my hand and Official seal this 21ct day of September 7011

Stephen M. Randolph Commonwealth of Virginia Notary Public Commission No. 7023277

My Commission Expires 01/31/2014

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Anna D. Hatfield**, the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence to be the person(s) described herein, and who acknowledge that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and Official seal this 715t day of September , 2011

Notary Public
My Commission Expires: 157 71 7014

RFT/VRN 7/9: PREPARED BY: Stewart Title Company Tennessee Division 1604 Westgate Circle Brentwood, TN 37027

Stephen M. Randolph Commonwealth of Virginia Notary Public Commission No. 7023277 My Commission Expires 01/31/2014

RETURN TO:

County of CIT

Robert K. Alvarez , Esq. File No.: 01288-4507 SMG TN Warranty Deed Memphis, TN 38119

THIS INSTRUMENT PREPARED BY AND RETURN TO: B. DOUGLAS EARTHMAN, Attorney WARING COX, 50 N. Front Street Suite 1300, Memphis, Tennessee 38103

DF 234

Parcel # 45-50-16

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CORRECTION WARRANTY DEED

THIS INDENTURE, FLAGE the through and as of the 29th day of May, 1992, by and between ELIZABETH REDWINE MASON ("Grantor") and WILLIAM T. MAYS, JR. and WIFE, SUSAN M. MAYS ("Grantes").

WITHESETH: That for and in consideration of Ten Dollars (\$10.00) cash in hand paid and other good and variable conviderations, the receipt of all of which is hereby acknowledged, the Grantor to converted and cold and does hereby bargain, sell, convey and confirm unto the Grantos the following described real estate, situated and being in the City of Memphis Chanty of Shelry, State of Tennessee, to wit:

Lot 252 and Port of Lit. Si. Gorkasaw wardens Subdivision, as recorded in Plat Book \mathbf{Z}_i (age 18. in the Sheary county Register's Office: being more particularly $\cos(z_1, \cos(z_1))$ with

Beginning of the construction of the north line of Lombardy ensurance of the soft person of the north along the east time of line of line and the soft line of line of line of line of the construction of the continues of the construction of the continues of the continues of the continues of the continues of the line divide of the continues of th

Together with all a structures of a substant of the land, if any, between the arm $\nu=\nu$, and $\nu=\nu$, going substant wast line of Fenwick (Outlet) Road.

Being the summary of the summary. Between the summary of the summary of the summary of the summary of the Granton of the summary of the Granton of the summary of the Granton of the summary of the summary of the Granton of the summary of the summ

The wasterful rest. Security is executed and recorded to correct fitch. As a children she of our many warranty deed of record at a complete of shelpy County, the legal n. ... Instrument No.

TO HAVE AND TO HOUD the state of the distance together with all the appurtenance, and here bit extra the sent tree, nging or in any wishe appertaining unto the Grantee, its sucressor and a contact the sample forever.

The Grantor was beindy count with the orantee that it is lawfully seized in fee of the aforedescrined by a color with of has a good right to sell and convey the same; that the title and quot, and or derived a will warrant and, forever defend against the lawful claims of adject of a color tool the same is in encumpered, except for 1992 City of Memphis and 199. There are tool tool the same is in encumpered, except for 1992 City of Memphis and 199. There are tool tool the orantee archives and advent of ray adjects, sion restrictions, building lines and easements of record it filt with the opening by Book 1993, Page 56: Book 2770, Page 363; Book 515; Fage and a profit members 17-8130; R7-1249; T2-5144; AU-5966; AK-3460; AN 3797; and a color and another thombers 17-8130; R7-1249; T2-5144; AU-5966; AK-3460; AN 3797; and a color and another book 275, Page 26, all of record in the Register's Office of Shelty, and a page 26.

The words Granton arguments and "Grantees" if more than one person is easily no referred to, and pronouns shall be construed according to their proper notion and planer according to the context hereof.

WITHERS the augmatages of the operation as of the day and year first above written.

Florabett Redwine Mason

On this day of meeting 1997, before me personally appeared ELIZABETH REDWINE MASON, to me known for proved to me on the basis of satisfactory evidence) to be the personal described in and which who had not be foregoing instrument, and acknowledged that she executed the same as her line and and deed.

NITHERSON mand and officers, deal at effice this day of warms, 1992.

NOTICE PUBLIC

DF 2149

STATE OF TRIMESEES COUNTY OF SKELDY

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I, or we, hereby were a differ that, to the best of affiant's knowledge, information and besset, the association to this transfer or value of the property transferred whichever is greater is \$16,500.00 which amount is equal to or greater than the amount which the property transferred would command at a feir and voluntary sale.

Subscribed and sworn to before me this

DF2149

Northeast. NETAR CPUBLIC

My Commission Expires:

Property Addresses: 241 Lombardy Momphis, Tennessee 381

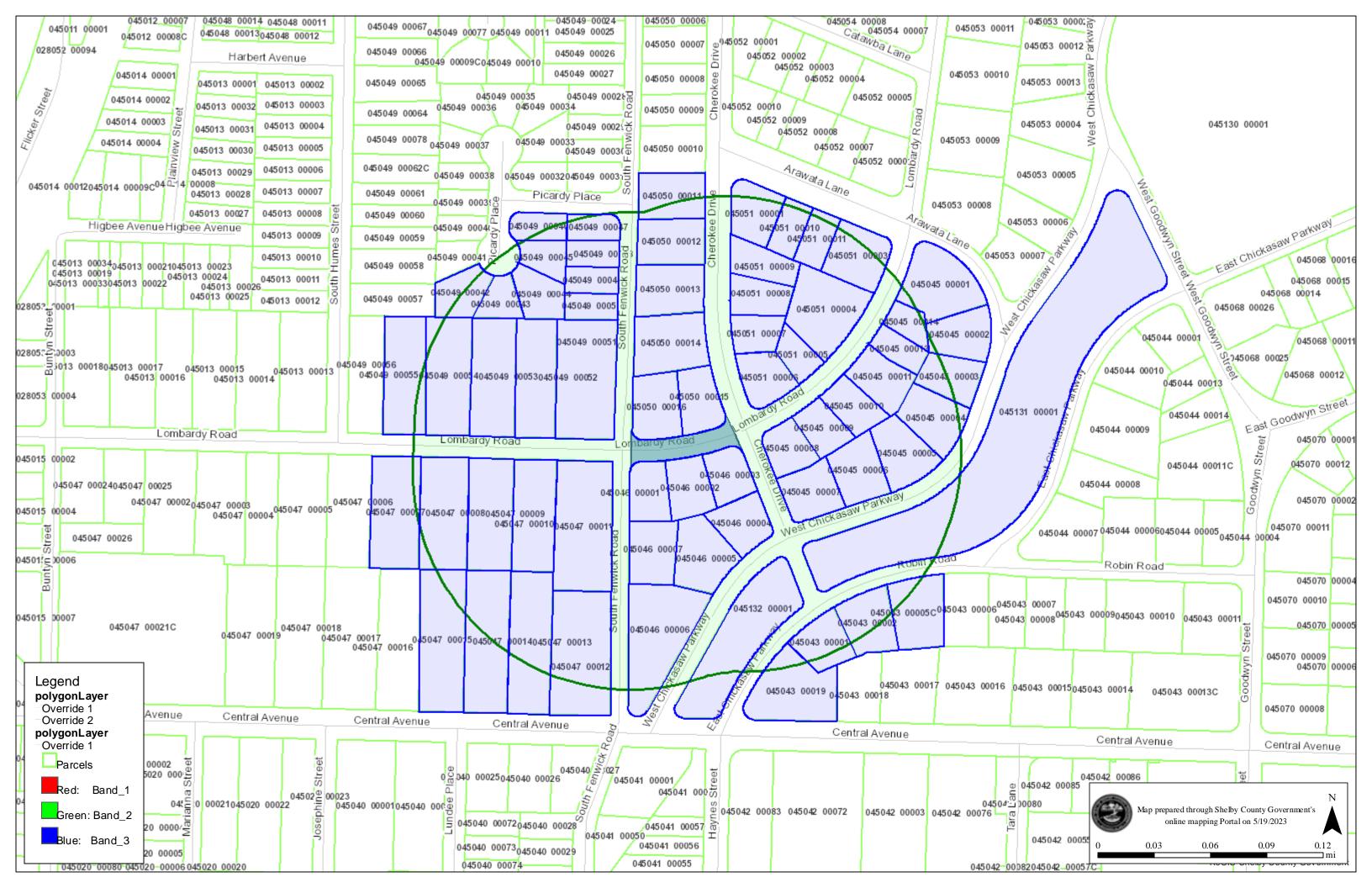
Parson or entity responsible
for payment of taxes:
First Tennessee Bank Bat, ca. 4 and atom
P.O. Box 1999, Department of
Hemphis, Tennessee Ealth

Heme and address of property owners Mr. and Mrs. William T. Maye, ir. 241 Lombardy Memphis, Tennessee select

State Tax....\$
Register's Fee.\$
Recording Fee.\$
Total....\$

9/6 C 05 34 Krs. 2 3 Vot 3 S177 1 800.03346 1-20...3346 **800** WIT AND THE STATE ASSETS
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92 DEC -7 (11/2: 12



Tom Leatherwood, Shelby County Register of Deeds: Instr # HB5847

6185/JZT-1980

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HB 5847

THIS INDENTURE made and entered into this 30th day of December, 1997, by between Stephen P. Arnold and wife, Kathy A. Arnold, party of the first part, 1997, by and and Richard Scharff and wife, Mary Scharff, 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 following described real estate, situated and being in the City of Memphis, County of Shelby, State of Tennessee:

Lot 250 and part of Lot 251 of Chickasaw Gardens Subdivision, as shown on plat of record in Plat Book 9, Page 18, in the Register's Office of Shelby County, Tennessee, being more particularly described as follows: BEGINNING at a point of intersection of the north line of Lombardy Raod with the west line of Cherokee Drive, and running thence northwardly along the west line of Cherokee Drive 140.8 feet to a point, the southeast corner of Lot 253 of said subdivision; thence westwardly along the south line of said Lot 253, a distance of 98.3 feet to a point; thence southwardly in a straight line 145 feet to a point in the north line of Lombardy Road, which is 45 feet west of the southwest corner of said Lot 250; thence eastwardly along the north line of Lombardy Road 120 feet to the point of beginning.

Being all or part of the same property conveyed to party of the first part by Warranty Deed of record as Instrument No. AB 1715, in said Register's Office.

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 parties of the second part, their heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of second part that they are lawfully seized in fee of the aforedescribed that they have good right to sell and convey the same; that the same is unencumbered,

except for subdivision restrictions, building lines and easements of record in Plat Book 9, Page 18 and 19, Declaration of Covenants, Conditions and Restrictions of record in Book 1093, Page 154, Book 1093, Page 157, Book 3151, Page 391, Book 3151, Page 401, Book 3151, Page 417, Instrument Nos. L7 8130, R7 3249, T2 5144, Modification of Restrictions of record as Instrument Nos. AK 3462, AN 5392, AU 5964, BZ 0630, Easements of record as Instrument No. X6 4854, Agreement of record as Instrument No. T2 5143, all in said Register's Office, and except for 1998 City of Memphis and 1998 Shelby County Taxes, not yet due and payable, which parties of the second part assume and agree to pay.

and that the title and quiet possession thereto they 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 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 party of the first part the day and year first above written.

Tom Leatherwood, Shelby County Register of Deeds: Instr # HB5847

HB 5847

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Stephen P. Arnold and wife, Kathy A. Arnold, to me m on the disis of satisfactory evidence) to be the persons entired the foregoing instrument, and acknowledged that they ack and deed. known (or proved to me described in and wh CONNOTARY OF executed the same

WITNESS my ha Sea at office this, 30th day of December, 1997.

My commission exp

voluntary sale.

WEN COUNT (FOR RECORDING DATA ONLY)

Property Address:

219 Cherokee Drive Memphis, TN 38111

Mail Tax Bills to: (Entity responsible for

payment of taxes) This Instrument Prepared By:

H. LEE SHAW, P.C. 6075 Poplar Avenue, Suite 420 Memphis, Tennessee

State tax Register's fee Recording fee

1.00 7.00

Total

8.00

T.G. Number: Lawyers #385393
Return to: SMITH & SMITH
4917 William Arnold Road
Memphis, TN 38117
Tax Parcel ID #: 045-050-015

Name and Address of Property Owner: Richard Scharff and Mary Scharff 219 Cherokee Drive Memphis, TN 38111

I, or we, 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 \$420,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and

Affiant Subscribed and sworn to before me this 30th day of December, 1997.

Notary Public Commission expires:

LINSER TOO FREY COUNT

11

HB5847

97 DEC 31 AR 10: 50



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.



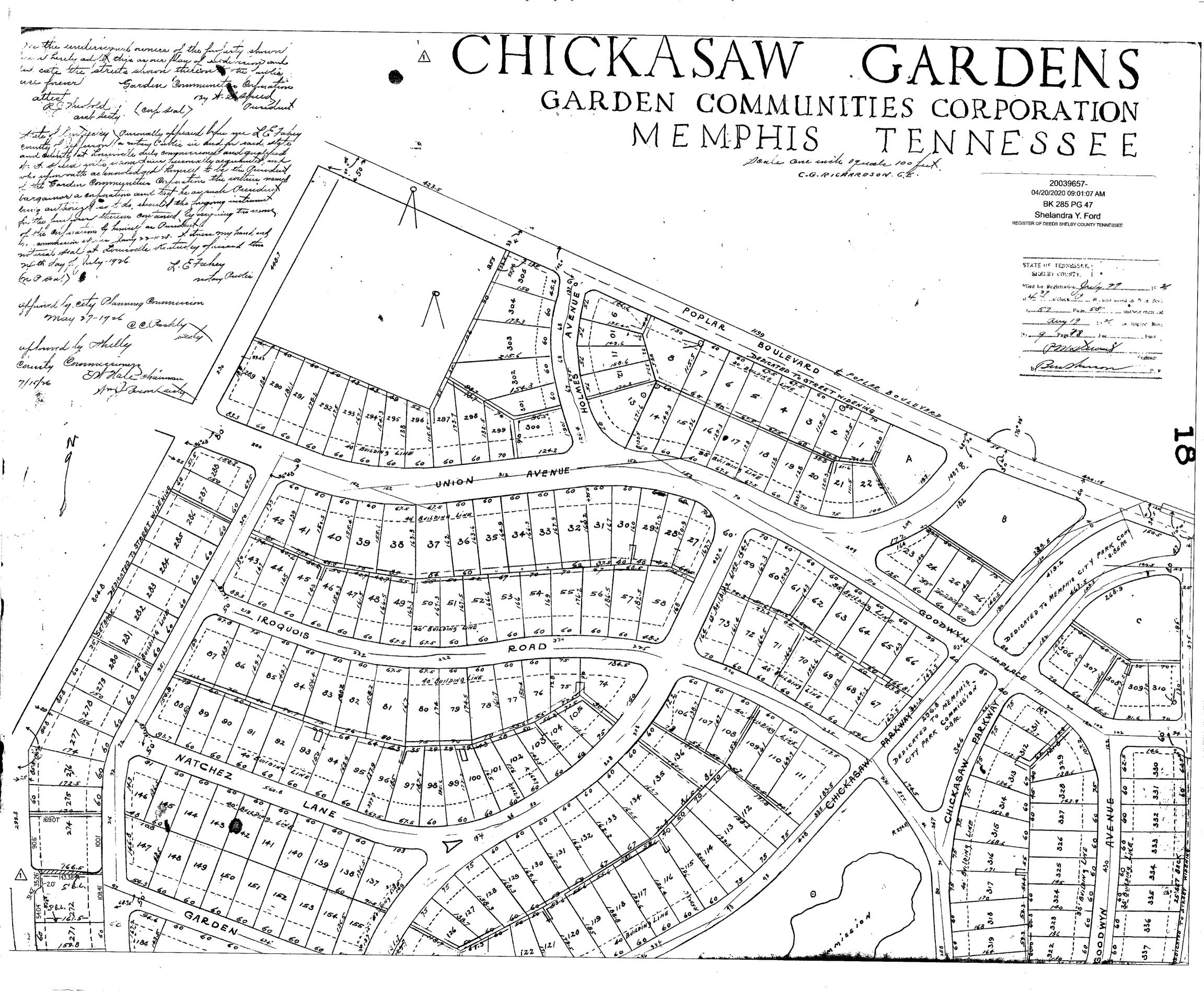
20039657

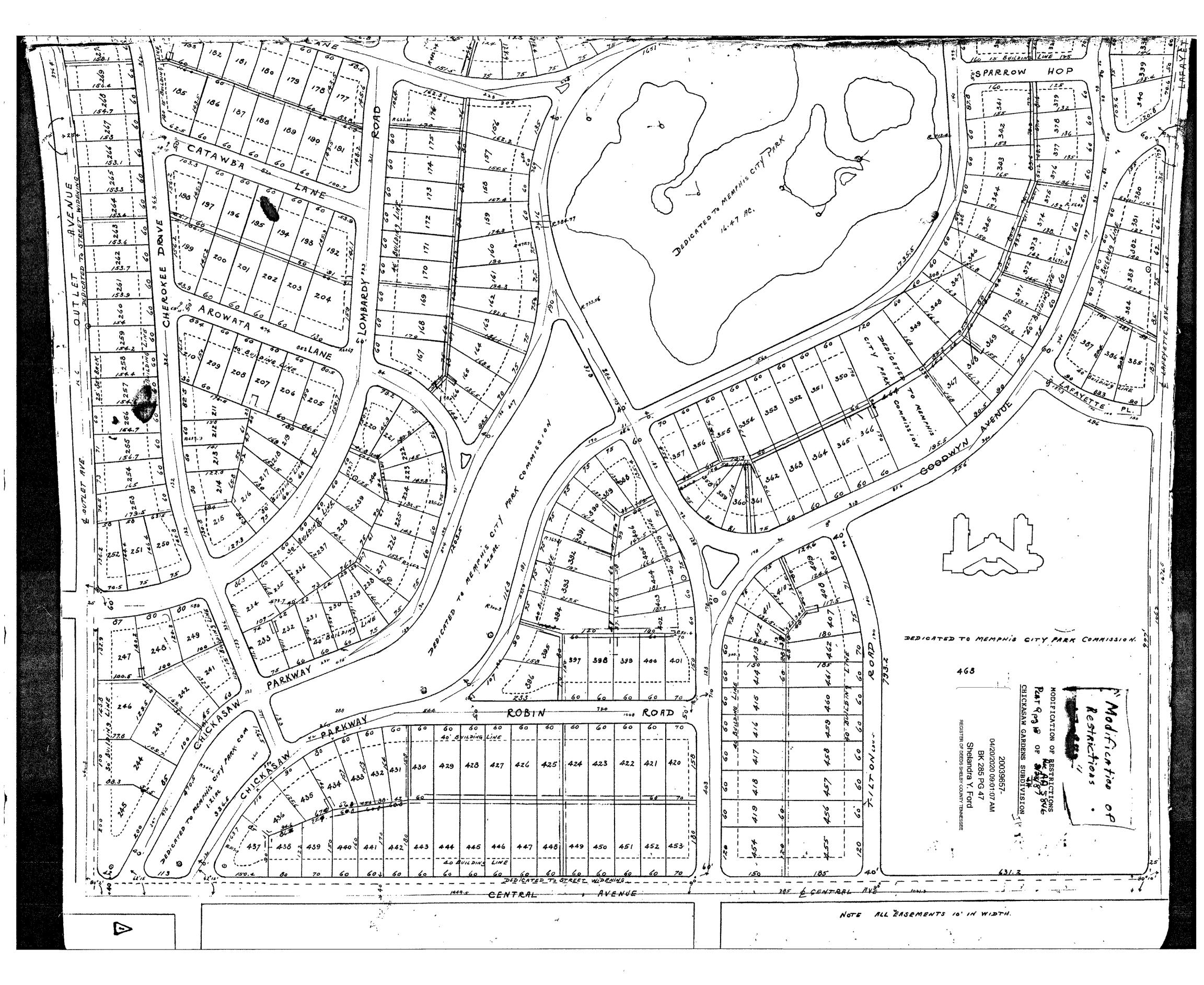
04/20/2020 - 09:01:07 AM

3 PGS	
CHRISTINAM 2009061 - 20039657	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE





A CHICKASAW GARDENS

GARDEN COMMUNITIES CORPORATION MEMPHIS TENNESSEE Soule and with opening 100 fex. 20039657-

04/20/2020 09:01:07 AM BK 285 PG 47 Shelandra Y. Ford REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

STATE OF PERNSONAL

Λ	NOTARY'S	CERTIFICATI	E
			•

TENNESSEE AND SHELBY, COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED JEWIFER CUSTEMWITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HIS OATH ACKNOWLEDGED HIMSELF TO BE THE WITHIN NAMED BARGAINER, AND THAT THEY 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 DAY OF AFRICA 2020.

4-30-2020 MY COMMISSION EXPIRES





ENCUMBERED BY ANY TAXES (OR MORTGAGE) WHICH HAVE SAID PROPERTY BECOME DUE AND PAYABLE.

DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER

OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT IS NOT

// NOTARY'S CERTIFICATE

OWNER'S CERTIFICATION

SECRETARY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TENNESSEE AND SHELBY COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED ED APPLE, WITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HIS OATH ACKNOWLEDGED HIMSELF TO BE THE WITHIN NAMED BARGAINER, AND THAT THEY 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 BOAY OF APPLIC 2020.

HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND

MY COMMISSION EXPIRES 9-30-2020



HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT IS NOT ENCUMBERED BY ANY TAXES (OR MORTGAGE) WHICH HAVE SAID PROPERTY BECOME DUE AND PAYABLE.

SECRETARY

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 TAKES INTO ACCOUNT ALL APPLICABLE FEDERAL, STATE AND LOCAL BUILDING LAWS AND



1\ OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE

- 1. THIS PLAN OF DEVELOPMENT IS BEING RE-RECORDED TO
- 273. HATCHED AREA ON SHEET 1 OF 3 IS AREA OF QUIT LE NOW COLLECTIVECT SHOWN AS LOT 274.

 CLAIM TO LOT 274. LOT 273 AND THE HATCHED SHEET HOW COLLECTIVECT SHOWN AS LOT 274.

 CLOSURE OF GARDEN LANE WAS APPROVED BY THE MEMPHIS

 CITY COUNCIL ON DECEMBER 1. 1987 AND BECOME MEMPHIS

 INSTRIMENT AT THE MEMPHIS 2. REFLECT THE CLOSURE OF GARDEN LANE AND THE

AFT TO CITY COUNCIL ON DECEMBER 1, 1987 AND RECORDED UNDER INSTRUMENTS, AS A FCONDED WITH THE SHELBY COUNTY AGAINN THIS AVEA.

AND OFFICE ANY CASHLATS IN THE SHELBY COUNTY REGISTERS. ANSICULATED BY THESE INSTRUMENT AS THINK IS NO CITY INFOLASTANCTURE MITHIN THIS AVEA.

BY MINOLE SALL 1 / DATE ON 1 AND OFFICE AND CASHLATS IN THE COUNTY OF WAI ANSICULATED BY ADAMANNED AS THINK IS NO CITY INFOLASTANCTURE MITHIN THIS AVEA.



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.

20106858

10/01/2020 - 10:46:3	BO ALM
3 PGS	
IAN 2097573-20106858	
VALUE	637000.00
MORTGAGE TAX	0.00
TRANSFER TAX	2356.90
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	2376.90

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

WARRANTY DEED

THIS INDENTURE, made and entered into as of the 23rd day of September, 2020, by and between Thomas H. Hutton, III and wife, Laura D. Hutton, party of the first part, and Benjamin McMeen and wife, Elvse R. McMeen, 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 County of **Shelby**, State of **Tennessee**:

Lot 249, Chickasaw Gardens Subdivision, as shown on plat of record in Plat Book 285, Page 47 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 the same property conveyed to the party of the first part by Warranty Deed of record at Document Number 07122256 rerecorded at Instrument Number 07166689 in the Shelby County Register's Office. **Shelby** County, **Tennessee**.

This conveyance is made subject to Subdivision Restrictions, Building Lines and Easements of record in Plat Book 9, Page 18, Plat Book 9, Page 19, Plat Book 9, Page 76, Plat Book 285, Page 47; Covenants and Restrictions of record in Book 1093, Page 56, Book 2770, Page 363, Book 4014, Page 445, Book 1093, Page 274, Book 3151, Page 391, Book 3151, Page 401, Book 3151, Page 415 and Instrument Numbers L7 8130, R7 3249, T2 5144, AA 5846, AK 3462, AN 5392, AU 5964, BZ 0630, FX 1804, all of record in the Register's Office of Shelby County, Tennessec, together with the City and County taxes, not yet due and payable which are prorated and assumed by Grantee herein.

Thomas H. Hutton, III is one and the same person as Thomas H. Hutton as shown in Warranty Deed at Instrument Number 07122256 rerecorded at Instrument Number 07166689 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, his 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 they are lawfully seized in fee of the aforedescribed real estate; they have a good right to sell and convey the same; that the same is unencumbered, except as setforth herein and that the title and quiet possession thereto they 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 in 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 written.

hontas H. Hutton, III

aura D. Hutton

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Thomas H. Hutton, III and Laura D. Hutton** to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument and who acknowledged that he/she/they executed the same as his/her/their free act and deed.

WITNESS my hand and Notantal Seal

at office this 23rd day of September, 2020.

VAV

Notary Public

My Commission expires:

(FOR RECORDING DATA ONLY)

Property Address: 237 Cherokee Drive Memphis, TN 38111

Property Owner: Benjamin McMeen & Elyse R. McMeen 237 Cherokee Drive Memphis, TN 38111

Ward, Block or Tax Parcel Number: 45-46-3

Mail tax bills to:

Benjamin McMeen 231 Cherokee Drive

This instrument prepared by: Smith and Smith Law Firm 4917 William Arnold Road Memphis, TN 38117 l, 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 \$637,000.00, 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 the 23rd day of September, 2020.

The 23rd day of September, 2020.

My Commission Expirate TENNESSEE NOTARY PUBLIC

A. EXP. OCT.

Smith and Smith Law Firm#: 200167

I, William N. Griffin, Jr. 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 the original document executed and authenticated according to law.

State of Tennessee County of Shelby

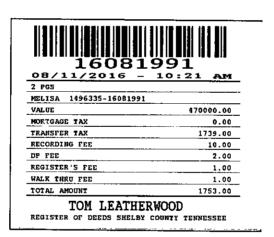
On this 28 day of 5020, personally appeared before me, a notary public for this county and state, **William N. Griffin, Jr.** who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: Notary's Seal



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 # 16081991
TUILLEAMERWOOD.	CHEIDA COURIN	CINCUISICI VI DECUS	. 111811.# 100011881

Prepared by and Return to:	Property Owner:	Property Address:	Mail Tax Bills To:	Tax Parcel No:
Allison T. Gilbert Harris Shelton Hanover Walsh PLLC 999 S. Shady Grove Road, Suite 300 Memphis, TN 38120	Robert D. Park, Jr. 242 Lombardy Road Memphis, TN 38111	242 Lombardy Rd. Memphis, TN 38111	Robert D. Park, Jr. 242 Lombardy Rd. Memphis, TN 38111	04504600000010

WARRANTY DEED

THIS INDENTURE, is made and entered into as of the 27 day of July, 2016, by and between Kojo N. McLennon and wife, Gretchen K. Wollert, party of the first part, and Robert D. Park, Jr., 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 County of Shelby, State of Tennessee:

Part of Lot 247, Chickasaw Gardens Subdivision, as recorded in Plat Book 9, Page 18, in the Register's Office of Shelby County, Tennessee, and being more particularly described as follows.

Beginning at a point in the south line of Lombardy Road 167 feet westwardly from the west line of Cherokee Road, said point being 7.0 feet westwardly from the northeast corner of Lot 247; thence westwardly with the said south line of Lombardy Road 80 feet to the intersection of said south line with the east line of south Fenwick (outlet) Street; thence southwardly with the east line of south Fenwick Street 132.9 feet to a point in the north line of Lot 246; thence eastwardly along the line dividing Lots 246 and 247, 93.5 (call 92.5) feet to a point 7.0 feet westwardly from the southwest corner of Lot 248; thence northwardly 139.8 feet to the point of beginning.

Being the same property conveyed to the party of the first part by Warranty Deed of record at Instrument Number 09016643 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, his 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 they are lawfully seized in fee of the aforedescribed real estate; they have a good right to sell and convey the same; that the same is unencumbered, EXCEPT Subdivision restrictions building lines and easements of record in Plat Book 9, Page 18, Plat Book 9, Page 19, Plat Book 9, Page 76, and Amendment to Subdivision Restrictions in Book 1092, Page 574, Book 1093, Page 56, Book 1093, Page 271, Book 2506, Page 218, Book 2770, Page 363, Book 3151, Page 391, Book 3151, Page 401, Book 3151, Page 415, Instrument Number L7 8130, R7 3249, T2 5143, T2 5133, T2 5144, AA 5846, AK 3462, AN 5392, AU 5964, BZ 0630, and Easements of record in Chattel Book 275, Page 26, and Instrument No. 03154236, all in the Register's Office of Shelby County, Tennessee; and 2016 City of Memphis and 2016 Shelby County real estate taxes, which the party of the second part hereby assumes and agrees to pay; and that the title and quiet possession thereto they 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 in their proper gender and number according to the context hereof.

Tom Leatherwood, Shelby County Register of Deeds: Instr. # 16081991

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

Kojo N. McLennon

Gretchen K. Wollert

STATE OF TENNESSEE COUNTY OF SHELBY

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

WITNESS my hand and Notarial Seal at office this 29 day of July, 2016.

Notary Public

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 **Gretchen K. Wollert** to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument and who acknowledged that they executed the same as her free act and deed.

WITNESS my hand and Notarial Seal at office this 29 day of July, 2016.

Notary Public

My Commission expires:



AFFIDAVIT OF VALUE

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 \$470,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

SUBSCRIBED and sworn to me this 29th day of July, 2016.

Bololia C. Notary Public

My Commission Expires: OCT 2 1 2015

STATE OF STATE NOTARY PUBLIC OF STATE

STONEHOLLOW HOLDINGS I LLC	HICKEY MARK A REVOCABLE LIVING TRUST	WHITE CHRISTOPHER L & ALLISON P
4111 GWYNNE RD #	214 LOMBARDY RD #	268 E CHICKASAW PKWY #
MEMPHIS TN 38117	MEMPHIS TN 38111	MEMPHIS TN 38111
SAKAUYE KENNETH M & BEVERLY C	MARCIANO MOLLY L & RICCARDO	PATE PERI J
189 LOMBARDY RD #	219 W CHICKASAW PKWY #	205 W CHICKASAW PKWY #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
THOMPSON WILLIAM AND MICHAEL HOOTS	MAYS WILLIAM T JR & SUSAN M	WATTS GLORIA E P
193 S FENWICK RD #	241 LOMBARDY RD #	194 CHEROKEE DR #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
BLAND LAUREN E	SQUITIERI MARK C & DEBRA TURNER SQUITIER	FLINN GEORGE S III & AMY R
197 PICARDY ST #	224 LOMBARDY RD #	6019 WOOD TRAIL DR #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38120
DURBIN ROBERT H & KATHERINE C	GOULD JAMES F & KATHERINE S THINNES	NOEL RANDALL D & LISSA J
199 CHEROKEE DR #	2785 LOMBARDY AVE #	2889 ARAWATA LN #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
QUINN EMILY J AND WILLIAM M QUINN	LEWIS ANTHONY & SALLY	SKEFOS JAMES J
204 CHEROKEE DR #	2805 LOMBARDY AVE #	2884 WALNUT GROVE RD #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
HARVEY KENNETH AND A ROMAN RUSH III (RS)	CONRAD JESSE F & CAROLINE M	KRAUSNICK VEAZEY G
5210 GRANADA ST #	238 LOMBARDY RD #	2875 ARAWATA LN #
LOS ANGELES CA 90042	MEMPHIS TN 38111	MEMPHIS TN 38111
ERB CATHERINE W & GEORGE K	FORTAS MILES S & ELLEN L	CTY MEMPHIS PK COMMISSION
2796 LOMBARDY AVE #	267 W CHICKASAW PKWY #	GENERAL DELIVERY #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38101
MEEKS GREGG C & JULIE H	GENENT LLC	CGIENT LLC SERIES 187 S FENWICK
211 CHEROKEE DR #	2172 N FOX HOLLOW #1	7540 NORTH ST #
MEMPHIS TN 38111	NIXA MO 65714	GERMANTOWN TN 38138

JEFCOAT DAVID & CATHERINE

2915 ROBIN RD #

MEMPHIS TN 38111

BRYAN LARRY H

MEMPHIS TN 38111

191 CHEROKEE DR #

CHOURASIA NITISH & ANKITA GHOSH

217 LOMBARDY RD #

MEMPHIS TN 38111

MORSE WILLIAM H JR & JANE M	COCKE DAVID J & JERRY H	SOWELL JOHN G & LINDA B
194 PICARDY ST #	212 CHEROKEE DR #	2815 LOMBARDY AVE #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
GULLY GEORGE W & JANE H	WILDER DAVID J & CANDACE S	GIBBS JOSEPH M
198 PICARDY ST #	225 LOMBARDY RD #	2825 LOMBARDY AVE #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
PAPRITZ DAVID & LEA W	SCHARFF RICHARD & MARY	PARK ROBERT D JR
199 S FENWICK RD #	219 CHEROKEE DR #	242 LOMBARDY RD #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
DUGGAN MELISSA	RAWSON EDWIN L & ALISON D	ARCHEY JOINT REVOCABLE TRUST
201 PICARDY ST #	220 LOMBARDY RD #	257 W CHICKASAW PKWY #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
ROBBINS E TODD & CHARLOTTE	HUSSEY ROBERT J III & JULIE T	SCHIRO-GEIST CHRISANN & JOHN J CONWAY SR
203 LOMBARDY RD #	227 W CHICKASAW PKWY #	261 W CHICKASAW PKWY #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
GLEYSTEEN JOHN & CASEY	CULPEPPER MARGARET E	BALLENGER PETER L & BARBARA M
2788 LOMBARDY AVE #	228 LOMBARDY RD #	2796 CENTRAL AVE #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
DUNN MILTON D JR	MULLIS MICHAEL E & LESLIE D	CITY OF MEMPHIS PARK COMISSION
210 LOMBARDY ST #	243 W CHICKASAW PKWY #	GENERAL DELIVERY #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38101
WILLIFORD JOHN & RENEE	MCCABE SUZANN S REVOCABLE LIVING TRUST	GERALD LEE & LELA
2806 LOMBARDY AVE #	251 W CHICKASAW PKWY #	2804 CENTRAL AVE #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
LEATHERMAN ANN H	STAMPS JAMES K & COURTNEYS SENTER	FIDLER WILLIAM J JR & SHARON S
2816 LOMBARDY AVE #	2795 LOMBARDY AVE #	2816 CENTRAL AVE #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111
CRONE ALAN G & ALLISON S	MCMEEN BENJAMIN & ELYSE R	BADDOUR LYNDA B & ANDREW W
2826 LOMBARDY AVE #	237 CHEROKEE DR #	281 W CHICKASAW PKWY #
MEMPHIS TN 38111	MEMPHIS TN 38111	MEMPHIS TN 38111

ADAMS L R & MELISSA B 2826 CENTRAL AVE # MEMPHIS TN 38111

COHEN JON M & BEATRICE R ONEILL 278 E CHICKASAW PKWY # MEMPHIS TN 38111

HEAD BENJAMIN F & CAROLYN H 2884 CENTRAL AVE # MEMPHIS TN 38111

CONNELL KATHERINE G 2021 LIVING TRUST 560 COLONIAL RD #200 MEMPHIS TN 38117

MONTESI SEAN & DANIELLE 194 LOMBARDY RD # MEMPHIS TN 38111 SR Consulting Engineering 5909 Shelby Oaks Drive, Suite 200 Memphis TN 38134 SR Consulting Engineering 5909 Shelby Oaks Drive, Suite 200 Memphis TN 38134 SR Consulting Engineering 5909 Shelby Oaks Drive, Suite 200 Memphis TN 38134

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

Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138 Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138 Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138

Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138 Chickasaw HOA A. Boyd Wade 9040 Garden Arbor Drive, Suite 206 Germantown, TN 38138

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045049 00046 - STONEHOLLOW HOLDINGS I LLC
045051 00003 - SAKAUYE KENNETH M & BEVERLY C
045049 00048 - THOMPSON WILLIAM AND MICHAEL HOOTS
045049 00042 - BLAND LAUREN E
045050 00013 - DURBIN ROBERT H & KATHERINE C
045051 00008 - QUINN EMILY J AND WILLIAM M QUINN
045049 00050 - HARVEY KENNETH AND A ROMAN RUSH III (RS)
045049 00054 - ERB CATHERINE W & GEORGE K
045050 00014 - MEEKS GREGG C & JULIE H
045051 00005 - CHOURASIA NITISH & ANKITA GHOSH
045045 00011 - HICKEY MARK A REVOCABLE LIVING TRUST
045045 00003 - MARCIANO MOLLY L & RICCARDO
045050 00016 - MAYS WILLIAM T JR & SUSAN M
045045 00009 - SQUITIERI MARK C & DEBRA TURNER SQUITIER
045047 00007 - GOULD JAMES F & KATHERINE S THINNES
045047 00009 - LEWIS ANTHONY & SALLY
045046 00002 - CONRAD JESSE F & CAROLINE M
045046 00005 - FORTAS MILES S & ELLEN L
045046 00007 - GENENT LLC
045043 00005C - JEFCOAT DAVID & CATHERINE
045043 00002 - WHITE CHRISTOPHER L & ALLISON P
045045 00002 - PATE PERI J
045051 00009 - WATTS GLORIA E P
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045051 00011 - FLINN GEORGE S III & AMY R

045051 00010 - NOEL RANDALL D & LISSA J

- 045050 00011 SKEFOS JAMES J
- 045051 00001 KRAUSNICK VEAZEY G
- 045131 00001 CTY MEMPHIS PK COMMISSION
- 045049 00047 CGIENT LLC SERIES 187 S FENWICK
- 045050 00012 BRYAN LARRY H
- 045049 00045 MORSE WILLIAM H JR & JANE M
- 045049 00044 GULLY GEORGE W & JANE H
- 045049 00049 PAPRITZ DAVID & LEA W
- 045049 00043 DUGGAN MELISSA
- 045051 00004 ROBBINS E TODD & CHARLOTTE
- 045049 00055 GLEYSTEEN JOHN & CASEY
- 045045 00013 DUNN MILTON D JR
- 045049 00053 WILLIFORD JOHN & RENEE
- 045049 00052 LEATHERMAN ANN H
- 045049 00051 CRONE ALAN G & ALLISON S
- 045051 00007 COCKE DAVID J & JERRY H
- 045051 00006 WILDER DAVID J & CANDACE S
- 045050 00015 SCHARFF RICHARD & MARY
- 045045 00010 RAWSON EDWIN L & ALISON D
- 045045 00004 HUSSEY ROBERT J III & JULIE T
- 045045 00008 CULPEPPER MARGARET E
- 045045 00005 MULLIS MICHAEL E & LESLIE D
- 045045 00006 MCCABE SUZANN S REVOCABLE LIVING TRUST
- 045047 00008 STAMPS JAMES K & COURTNEYS SENTER
- 045046 00003 MCMEEN BENJAMIN & ELYSE R

- 045047 00010 SOWELL JOHN G & LINDA B
- 045047 00011 GIBBS JOSEPH M
- 045046 00001 PARK ROBERT D JR
- 045045 00007 ARCHEY JOINT REVOCABLE TRUST
- 045046 00004 SCHIRO-GEIST CHRISANN & JOHN J CONWAY SR
- 045047 00015 BALLENGER PETER L & BARBARA M
- 045132 00001 CITY OF MEMPHIS PARK COMISSION
- 045047 00014 GERALD LEE & LELA
- 045047 00013 FIDLER WILLIAM J JR & SHARON S
- 045046 00006 BADDOUR LYNDA B & ANDREW W
- 045047 00012 ADAMS L R & MELISSA B
- 045043 00001 COHEN JON M & BEATRICE R ONEILL
- 045043 00019 HEAD BENJAMIN F & CAROLYN H
- 045045 00014 CONNELL KATHERINE G 2021 LIVING TRUST
- 045045 00001 MONTESI SEAN & DANIELLE

Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27°5'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63°3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL Planning & Development | ONLY STAPLED | **DIVISION** |TO DOCUMENTS| **Planning & Zoning** COMMITTEE: 08/06/2024 DATE **PUBLIC SESSION:** 08/20/2024 DATE ITEM (CHECK ONE) RESOLUTION X REQUEST FOR PUBLIC HEARING X ORDINANCE **ITEM CAPTION:** Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the east side of Elvis Presley Boulevard, +/-208 feet north of Commercial Parkway. By taking the land out of the Residential Single-Family - 15 (R-15) Use District and including it in the Commercial Mixed Use - 1 (CMU-1) District, known as case number Z 2024 - 006**CASE NUMBER:** Z 2024 - 006LOCATION: 3230 Commercial Parkway **COUNCIL DISTRICTS:** District 3 **OWNER/APPLICANT:** Yaaqob Al Shugga REPRESENTATIVES: David Bray, The Bray Firm Rezoning of +/-20, 265 square feet from Residential Single-Family - 15 (R-15) to Commercial Mixed Use - 1 **REQUEST:** (CMU-1) located at 3230 Commercial Parkway **RECOMMENDATION:** The Division of Planning and Development recommended Approval The Land Use Control Board recommended Approval RECOMMENDED COUNCIL ACTION: Public Hearing Required Set date for first reading – August 06, 2024 Second reading – August 20, 2024 Third reading – September 10, 2024 **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED 07/11/2024 DATE (1) Land Use Control Board ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE **FUNDING:** 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** PLANNER I DEPUTY ADMINISTRATOR Butt Randole __July 29, 2024 ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR **CITY ATTORNEY** CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2024 - 006

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 3230 COMMERCIAL PARKWAY ON THE EAST SIDE OF ELVIS PRESLEY BOULEVARD, +/- 208 FEET NORTH OF COMMERCIAL PARKWAY ROAD. BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 15 (R-15) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED USE – 1 (CMU-1) DISTRICT, KNOWN AS CASE NUMBER Z 2024 – 006

- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: Z 2024 – 006

LOCATION: 3230 Commercial Parkway

COUNCIL DISTRICT(S): District 3, Super District 8 – Position 1, 2, 3

OWNER/APPLICANT: Yaaqob Al Shugga

REPRESENTATIVE: David Bray, The Bray Firm

REQUEST: Rezoning of +/-20, 265 acres from Residential Single-Family – 15 (R-

15) to Commercial Mixed Use - 1 (CMU-1)

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

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

Respectfully,

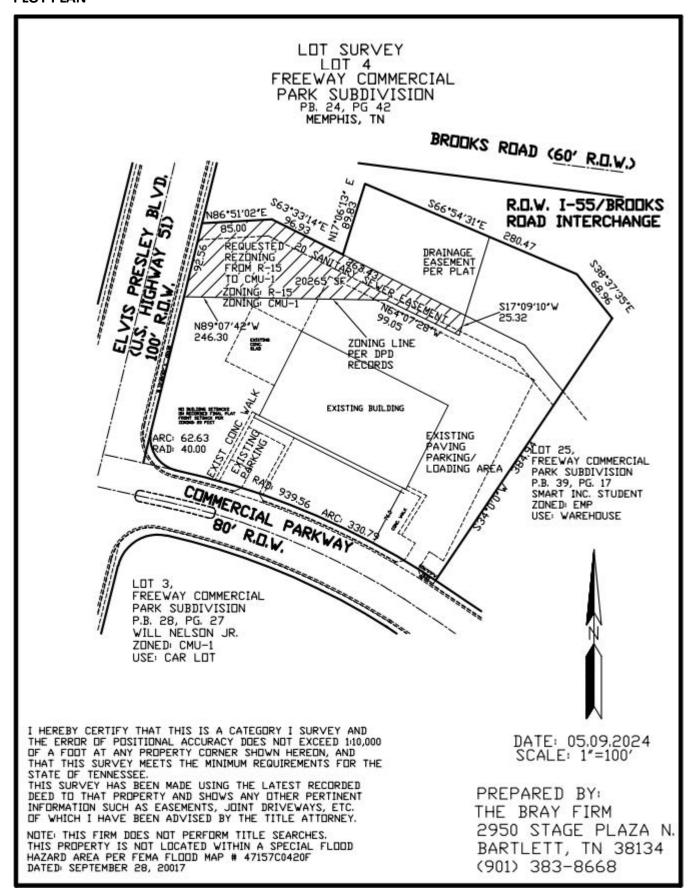
Alexis Longstreet

Planner I

Land Use and Development Services
Division of Planning and Development

Cc: Committee Members

File



ORDINANO	E NO:	
UNDINAM	-E-11().	

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 3230 COMMERCIAL PARKWAY BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE FAMILY – 15 (R-15) TO COMMERCIAL MIXED USE – 1 (CMU-1) USE DISTRICT, KNOWN AS CASE NUMBER Z 2024-006.

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2024-006**; and

WHEREAS, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

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

WHEREAS, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:

SECTION 1:

THAT, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL SINGLE FAMILY – 15 (R-15) TO COMMERCIAL MIXED USE – 1 (CMU-1) USE DISTRICT.

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

Commencing at the intersection of the north line of Commercial Parkway (80-foot right of-way) and the east line of Elvis Presley Boulevard (U.S. Highway 51) (100-foot right of-way); then along the

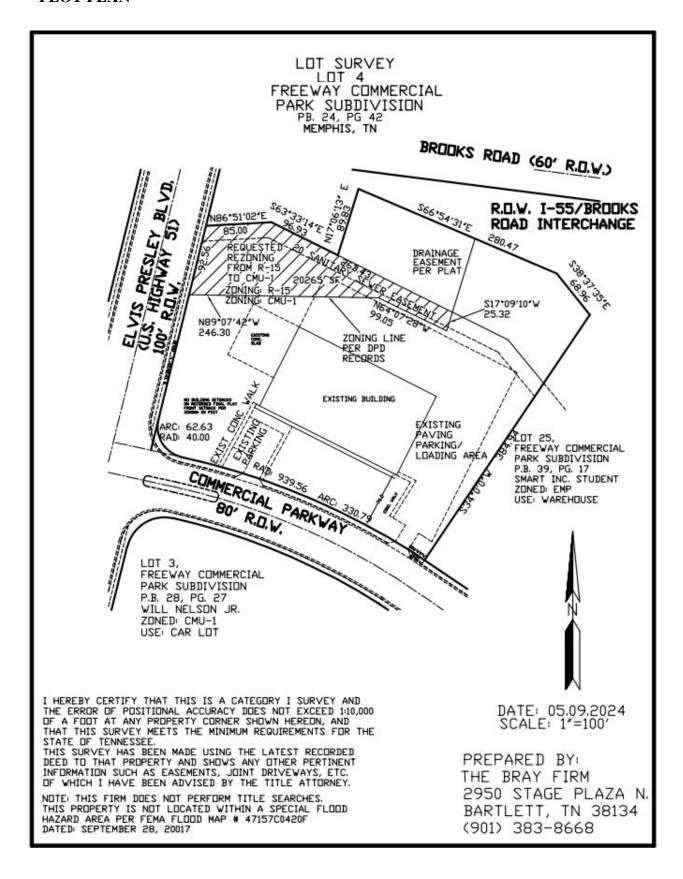
said east line of Elvis Presley North 13 degrees 49 minutes 45 seconds East a distance of 208.49 feet to the Point of Beginning; thence continuing along said east line North 13 degrees 49 minutes 45 seconds East a distance of 92.56 feet to a point; thence South 63 degrees 33 minutes 14 seconds East a distance of 263.43 feet to a point; thence south 17 degrees 9 minutes 10 seconds West a distance of 25.32 feet to a point; thence North 64 degrees 7 minutes 28 seconds West a distance of 99.05 feet to a point; thence North 89 degrees 7 minutes 42 seconds West a distance of 246.30 feet to the Point of Beginning and containing 20265 square feet of land, more or less.

SECTION 2:

THAT, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

SECTION 3:

THAT, this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.



ATTEST:

CC: **Division of Planning and Development**

- Land Use and Development Services
 Office of Construction Enforcement **Shelby County Assessor**



AGENDA ITEM: 16 L.U.C.B. MEETING: July 11, 2024

CASE NUMBER: Z 2024 – 006

LOCATION: 3230 Commercial Parkway

COUNCIL DISTRICT: District 3

OWNER/APPLICANT: Yaaqob Al Shugaa

REPRESENTATIVE: David Bray, The Bray Firm

REQUEST: Rezoning from Residential Single Family -15 to Commercial Mixed Use -1.

EXISTING ZONING: Commercial Mixed Use – 1, Residential Single – Family – 15

CONCLUSIONS

- 1. The applicant is requesting rezoning of a +/- 20, 265 square feet portion of the +/- 3.78-acre lot.
- 2. The subject property is split zoned Commercial Mixed Use -1 (CMU-1) and the northwest portion of the parcel is zoned Residential Single Family -15 (R-15).
- 3. The applicant is requesting a zoning change of the portion zoned R-15 to CMU-1.

CONSISTENCY WITH MEMPHIS 3.0

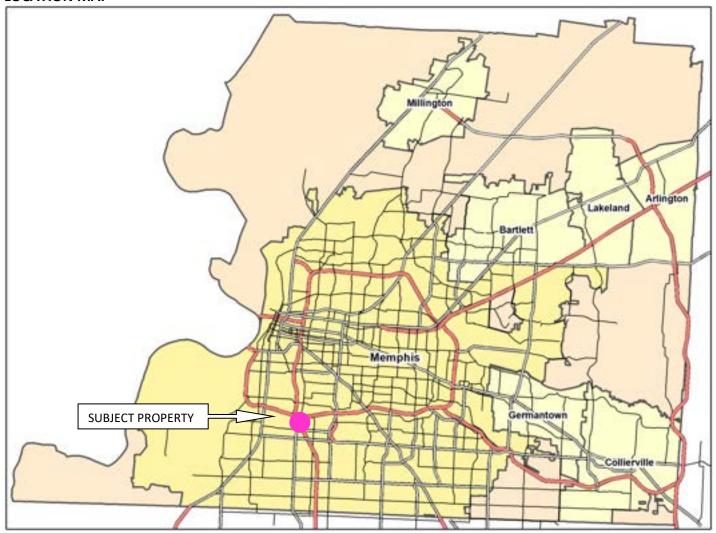
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 15 - 16 of this report.

RECOMMENDATION:

Approval

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

LOCATION MAP



Subject property located within the pink circle.

Page 3

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow.

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 28 notices were mailed on May 13, 2024, see pages 25 - 26 of this report for a copy of said notice. Additionally, xx sign was posted at the subject property, see page xx of this report for a copy of the sign affidavit (awaiting copy of sign affidavit from property owner).

NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Thursday, July 1, 2024, at Southbrook Mall, 1254 East Shelby Drive.

AERIAL



Subject property outlined in yellow. The northwest portion of this site is currently zoned R-15.

ZONING MAP



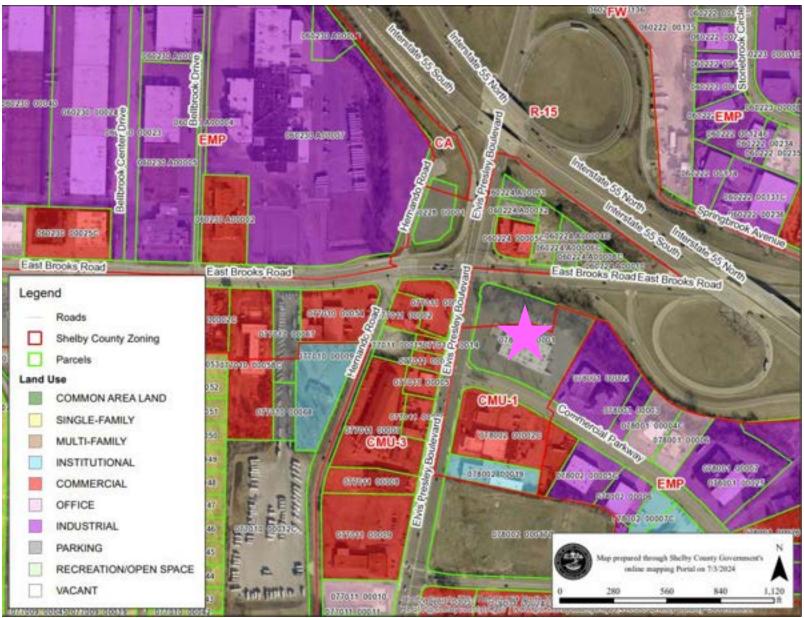
Subject area of proposed rezoning highlighted in yellow.

FEMA MAP



Subject area of proposed rezoning highlighted in yellow.

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS

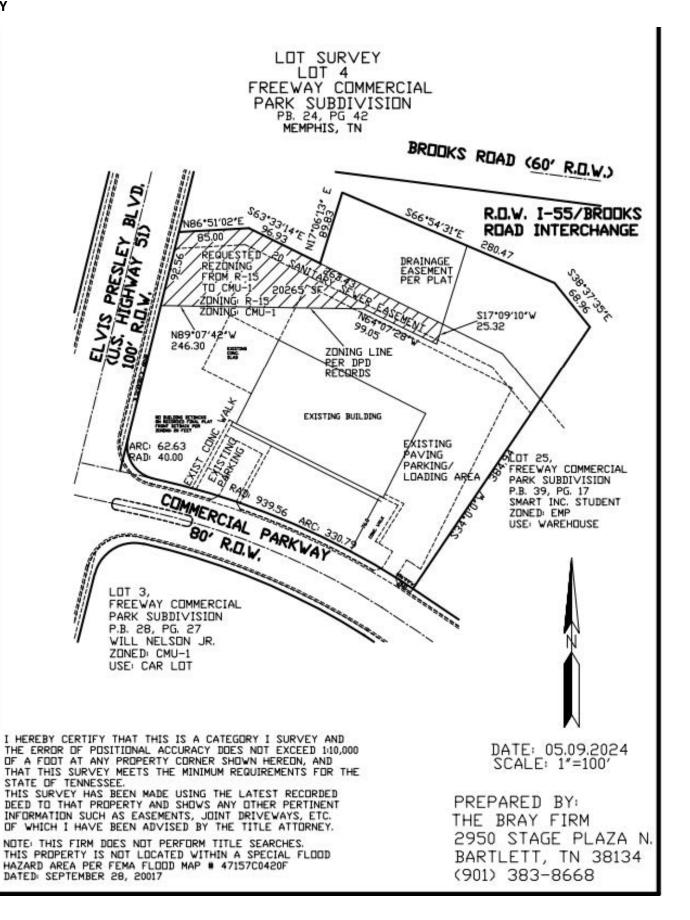


View of subject property from Elvis Presley.



View of subject property from Commercial Parkway looking North.

SURVEY



LOT DESCRIPTION

Property Line Description

of
Part of Lot 4,
Freeway Commercial Park Subdivision
as recorded by
Plat Book 24, Page 42
in the
Shelby County Registers Office;
Property located in Memphis, Shelby County, Tennessee
and being more particularly described as follows:

Commencing at the intersection of the north line of Commercial Parkway (80-foot right-of-way) and the east line of Elvis Presley Boulevard (U.S. Highway 51) (100-foot right-of-way); then along the said east line of Elvis Presley North 13 degrees 49 minutes 45 seconds East a distance of 208.49 feet to the Point of Beginning; thence continuing along said east line North 13 degrees 49 minutes 45 seconds East a distance of 92.56 feet to a point; thence South 63 degrees 33 minutes 14 seconds East a distance of 263.43 feet to a a point; thence south 17 degrees 9 minutes 10 seconds West a distance of 25.32 feet to a point; thence North 64 degrees 7 minutes 28 seconds West a distance of 99.05 feet to a point; thence North 89 degrees 7 minutes 42 seconds West a distance of 246.30 feet to the Point of Beginning and containing 20265 square feet of land, more or less.

CASE REVIEW

Request

The request is a rezoning from Residential Single Family – 15 to Commercial Mixed Use – 1.

Approval Criteria

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

9.5.7B Review Criteria

In making recommendations, the Land Use Control Board shall consider the following matters:

9.5.7B(1)	Consistency with any plans to	o be considered (see Chapter 1.9);	

- 9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;
- 9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;
- 9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and
- 9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.

Site Details

 Staff Report
 July 11, 2024

 Z 2024 – 006
 Page 13

Address:

3230 Commercial Parkway

Parcel ID: 078001 00001

Area:

+/- 3.78 acres

Description:

The subject property is located along Elvis Presley and located within the Whitehaven neighborhood. The property is split zoned CMU-1 and R-15. There is currently a warehouse located on the property that would remain. Per the Assessor's website, the principal structure on the site was built circa 1961 with a building area of +/- 8,000 square feet. The surrounding land uses are a mixture of commercial, industrial, institutional, and single-family and vacant lots. Additionally, this lot has two street frontages: one along Elvis Presley Boulevard and one along Commercial Parkway.

Analysis

The applicant is proposing a rezoning of \pm 20,265 square feet of the subject property that is included in the Residential Single – Family – 15 zoning district to Commercial Mixed Use – 1. The surrounding areas support the rezoning proposal as majority of the surrounding areas have land designations of similar intensities.

RECOMMENDATION

Staff recommends approval.

July 11, 2024 Page 14

DEPARTMENTAL COMMENTS

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

City Engineer:

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

Sewers:

- 2. The sewer capacity will not be determined until the developer provide the proposed discharge to the Engineering Div/Sewer Design Dept. to check the capacity of the existing system. Drainage:
- 3. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
- 4. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
- 5. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- 6. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
- 7. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.
- 8. Development is greater than 1 acre and is located within a sensitive drainage basin.
- 9. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 10. All connections to the sewer shall be at manholes only.
- 11. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.
- 12. Required landscaping shall not be placed on sewer or drainage easements.

City Fire Division: No comments received. **City Real Estate:** No comments received. **County Health Department:** No comments received. **Shelby County Schools:** No comments received. **Construction Code Enforcement:** No comments received. Memphis Light, Gas and Water: No comments received. Office of Sustainability and Resilience: No comments received. Office of Comprehensive Planning: See pages 15 - 16.

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: <u>Z 2024-006 Whitehaven</u>

Site Address/Location: 3230 highway 51

Overlay District/Historic District/Flood Zone: Located in a 0.2% Annual Flood Hazard Zone, but not in an

Overlay District or Historic District

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

Street Type: Parkway

The applicant is requesting rezoning of a portion of the lot from R-15 to CMU-1. The following information about the land use designation can be found on pages 76 - 122:

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



"CSL" Form & Location Characteristics

Commercial and services uses, 1-4 stories height

"CSL" Zoning Notes

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

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, CMU-1 and R-15

Adjacent Land Use and Zoning: Commercial, Industrial, Institutional, Office and Vacant; R-15, CMU-1 and EMP **Overall Compatibility:** This requested use is compatible with the future land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning.

3. Degree of Change Map



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

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

Consistency Analysis Summary

The applicant is requesting rezoning of a portion of the lot from R-15 to CMU-1.

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

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

Summary Compiled by: Romana Haque Suravi, Comprehensive Planning.

MAILED PUBLIC NOTICE

28 Notices Mailed on 05/13/2024.



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

NOTICE OF PUBLIC HEARING

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

CASE NUMBER: SUP 2024 - 019 and Z 2024 - 006

LOCATION: 3230 Commercial Parkway

(SEE SITE PLAN ON REVERSE SIDE)

APPLICANT: Shugga Yaaqob

REQUEST: Special use permit to allow a convenience store with gas pumps

THE LAND USE CONTROL BOARD PUBLIC MEETING WILL BE HELD:

DATE: Thursday, July 11, 2024

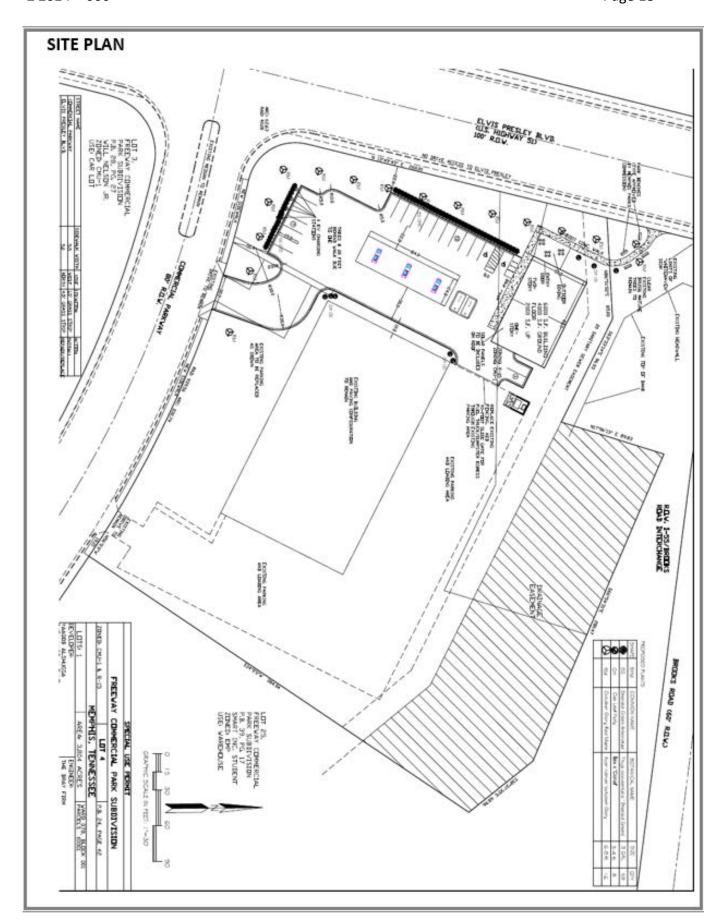
TIME: 9:00 AM

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

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

Please note the Board may place this item on the <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 19**, **2024**, **at 8 AM**



ZONING APPLICATION



Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis, Tennessee 38134 Downtown Service Center: 125 N. Main Street; Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning Record Status: Processing

Opened Date: June 7, 2024

Record Number: Z 2024-006 Expiration Date:

Record Name: Freeway Commercial Park Subdivision, Lot 4

Description of Work: Rezone request of a portion of the lot from R-15 to CMU-1

Parent Record Number:

Address:

3230 highway 51 38116

Owner Information

Primary Owner Name

Y SHUGAA YAAQOB A

Owner Address Owner Phone

, MEMPHIS, TN 38126

Parcel Information

078001 00001

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Alexis Longstreet
Date of Meeting 06/03/2024
Pre-application Meeting Type Email
GENERAL INFORMATION

Have you held a neighborhood meeting? Is this application in response to a citation from

Construction Code Enforcement or Zoning

Letter?

If yes, please provide additional information

GIS INFORMATION

n/a

Yes

No

Page 1 of 2 Z 2024-006

GIS INFORMATION

Central Business Improvement District No

Case Layer SUP19-006

Class Downtown Fire District No Historic District Land Use Municipality Overlay/Special Purpose District

CMU-1 Zoning State Route 0 4 Lot

Subdivision Planned Development District Wellhead Protection Overlay District No

Contact Information

Name Contact Type SHUGAA YAAQOB A APPLICANT

Address

MEMPHIS, TN, 38126

Phone

Name Contact Type THE BRAY FIRM

ARCHITECT / ENGINEER /

SURVEYOR Address 2950 STAGE PLAZA NORTH,

Phone (901)487-2425

Fee Information Invoice # Fee Item Quantity Status Balance Date Assessed Credit Card Use Fee (.026 INVOICED 1569821 0.00 0.00 06/07/2024 Non-Residential Rezoning 1,000.00 0.00 06/07/2024 1569925 1 INVOICED - 5 acres or less Credit Card Use Fee (.026 1569925 1 26.00 INVOICED 0.00 06/07/2024 x fee)

> Total Fee Invoiced: \$1,026.00 Total Balance: \$0.00

Payment Information

Method of Payment **Payment Amount** Credit Card \$1,026.00

Z 2024-006 Page 2 of 2

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.
(Print Name) (Sign Name) "Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state
that (select applicable box):
I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)
of the property located at 3230 Clvis Oresley
and further identified by Assessor's Parcel Number _ also \ ooo l
for which an application is being made to the Division of Planning and Development.
Subscribed and swom to (or affirmed) before me this day of in the year of
Signature of Notary Public My Commission Expires

LETTER OF INTENT



Telephone 901-383-8668

2950 Stage Plaza North Bartlett, Tennessee 38134

June 7, 2024

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

RE: Lot 4, Freeway Commercial Park Subdivision 3230 Elvis Presley Blvd. Memphis, Tennessee

Mr. Ragsdale:

Please find attached an application to rezone a portion of the above captioned property from R-15 to CMU1. The subject property is located at the intersection of Elvis Presley and Commercial Avenue. A Special
Use Permit is currently under consideration for this property. It does not appear from the 1980
comprehensive rezoning that the intention was for a portion of this property (currently used as commercial)
to have an area designated R-15 but the zoning map as currently drawn reflect the split zoning.

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

Sincerely,

David Gean Bray, P.E.

Staff Report Z 2024 – 006 July 11, 2024 Page 23

LETTERS RECEIVED

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



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

July 24, 2024

Yaaqob Shugaa 547 Vance Avenue Memphis, TN 38126

Sent via electronic mail to: dgbray@comcast.net, Mustafashujaa2003@yahoo.com

Case Number: Z 24-006

LUCB Recommendation: Approval

Dear applicant,

On Thursday, July 11, 2024, the Memphis and Shelby County Land Use Control Board recommended *approval* of your rezoning application for a portion of property located on 3230 Commercial Parkway to be included in the Commercial Mixed Use -1 Zoning District.

This application will be forwarded, for final action, to the Council of the City of Memphis. Ordinances appear on three consecutive Council Agendas with the third one being the Public Hearing. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

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

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

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

Respectfully,

Alexis Longstreet

Planner I

Land Use and Development Services
Division of Planning and Development

Cc: David Bray, The Bray Firm

File

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE ZONING MAP OF THE CITY OF MEMPHIS

Chambers, First Floor, C	Public Hearing will be held by the City Council of the City of Memphis in the Council City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being
	e Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:
CASE NUMBER:	Z2024-006
LOCATION:	3230 Commercial Parkway
COUNCIL DISTRICTS:	District 3 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Yaaqob Al Shugga
REPRESENTATIVE:	David Bray, The Bray Firm
REQUEST:	Rezoning of +/-20, 265 acres from Residential Single-Family $-$ 15 (R-15) to Commercial Mixed Use $-$ 1 (CMU-1)
RECOMMENDATIONS:	
Memphis and Shelby County	y Division of Planning and Development: Approval
Memphis and Shelby Count	y Land Use Control Board: Approval
P.M. the City Council of the North Main Street, Memph changes; such remonstrance	RE, you will take notice that on Tuesday,
THIS THE	
	JB SMILEY, JR. CHAIRMAN OF COUNCIL
ATTEST:	
CRYSTAL GIVENS CITY COMPTROLLER	

TO BE PUBLISHED:



TLC PROPERTIES INC 1600 CENTURY CENTER #104 BARTLETT TN 38134

OM SHIVAYA NAMAH INC 3265 ELVIS PRESLEY BLVD # MEMPHIS TN 38116 MEMPHIS SMOKES CIGAR LOUNGE LLC 5341 BRADLEY RIDGE LN # MEMPHIS TN 38125

JOLLY BEE LLC PO BOX 400 # WHEATLEY AR 72392 STAFFORD W DELL AND EDWIN W STAFFORD 3262 COMMERCIAL PKWY # MEMPHIS TN 38116

SHIVA PROPERTIES 8720 SOMERSET LN # GERMANTOWN TN 38138

JOLLY BEE LLC PO BOX 400 # WHEATLEY AR 72392 YET HOLDING LLC 4970 RALEIGH LAGRANGE RD #9 MEMPHIS TN 38128 SHUGAA YAAQOB A 547 VANCE AVE # MEMPHIS TN 38126

JOLLY BEE LLC PO BOX 400 # WHEATLEY AR 72392 NELSON WILL J SR 465 TENNESSEE ST # MEMPHIS TN 38103 BERUK PROPERTIES INC 3264 W SARAZENS CL # MEMPHIS TN 38125

ANJU HOTELS LLC 8720 SOMERSET LN # GERMANTOWN TN 38138 DOUGLAS PAUL M AND GEORGE R DOUGLAS V 3261 COMMERICAL PKWY # MEMPHIS TN 38116 NONCONNAH BAPTIST CHURCH TR 3257 HERNANDO RD # MEMPHIS TN 38116

JOLLY BEE LLC
PO BOX 400 #
WHEATLEY AR 72392

NELSON WILLIE J & HATTIE 3360 FONTAINE RD # MEMPHIS TN 38116 ANJU PROPERTIES LLC 8720 SOMERSET LN # GERMANTOWN TN 38138

TLC PROPERTIES INC 1600 CENTURY CENTER #104 BARTLETT TN 38134

KARN JAMES JR 3271 COMMERCIAL PKWY # MEMPHIS TN 38116 YORK PROPERTIES LLC 3100 BELLBROOK DR # MEMPHIS TN 38116

LG INVESTMENTS LLC 407 SAINTT TAMMANY ST # MADISONVILLE LA 70447 WATSON KENNETH D 8909 GEORGIAN DR # AUSTIN TX 78753 YORK PROPERTIES LLC 3100 BELLBROOK DR # MEMPHIS TN 38116

SMART INC STUDENT MAKING A REWARDED 3242 COMMERCIAL PKWY # MEMPHIS TN 38116 MEMPHIS CONVENTION AND VISTORS BUREAU 47 UNION AVE # MEMPHIS TN 38103

BLU RIVER LLC 119 S MAIN ST #500 MEMPHIS TN 38103 SHIVA PROPERTIES 8720 SOMERSET LN # GERMANTOWN TN 38138