

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

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

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 8/20/2024

DATE

PUBLIC SESSION: 9/10/2024

DATE

ITEM (CHECK ONE)

 ORDINANCE X RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 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

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

REQUEST: New planned development to allow a new high school

AREA: +/-46.42 acres

RECOMMENDATION: The Division of Planning and Development recommended *Approval with outline plan conditions*
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:

<u>(1)</u>	APPROVAL - (1) APPROVED (2) DENIED
<u>07/11/2024</u>	DATE
<u>(1) Land Use Control Board</u>	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

<u>(2)</u>	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
<u>\$</u>	AMOUNT OF EXPENDITURE
<u>\$</u>	REVENUE TO BE RECEIVED
SOURCE AND AMOUNT OF FUNDS	
<u>\$</u>	OPERATING BUDGET
<u>\$</u>	CIP PROJECT # _____
<u>\$</u>	FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____	_____	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 Christian
Planner I
Land Use and Development Services
Division of Planning and Development

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 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.): 20,000sf
- b. Width (ft.): 50ft

2. Building

- a. Height (max ft.): 75ft
- b. Setback (min ft.)
 - i. Front (Primary Street): 30ft*
- ii. Side (Side Street): 20ft
- iii. Side/Rear: 5ft

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

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.

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

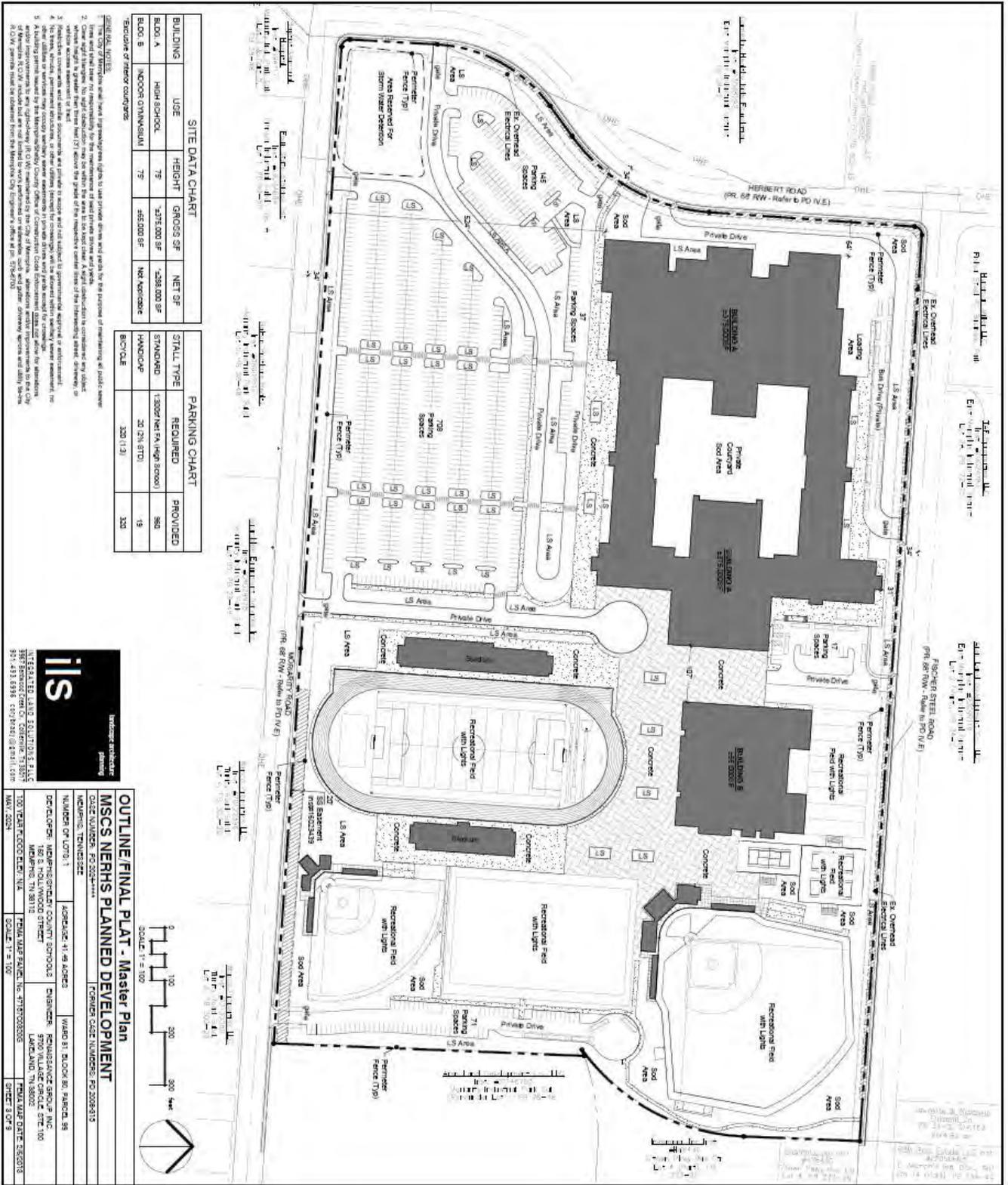
- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension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



SITE DATA CHART				
BUILDING	USE	HEIGHT	GROSS SF	NET SF
BLDG. A	HIGH SCHOOL	7F	215,000 SF	~200,000 SF
BLDG. B	INDOOR GYMNASIUM	7F	285,000 SF	~260,000 SF

PARKING CHART				
STALL TYPE	REQUIRED	PROVIDED		
STANDARD	1,300 (Net for High School)	860		
HANDICAP	20 (2% STD)	19		
BIKE	200 (1%)	200		

NOTES:

1. All work shall be in accordance with the specifications and standards of the City of Memphis.
2. All work shall be in accordance with the specifications and standards of the City of Memphis.
3. All work shall be in accordance with the specifications and standards of the City of Memphis.
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5. All work shall be in accordance with the specifications and standards of the City of Memphis.



OUTLINE/FINAL PLAT - Master Plan
MCS NERHS PLANNED DEVELOPMENT

DATE: 05/20/2024
 PROJECT NO: 2024-013
 NUMBER OF LOTS: 1
 ADDRESS: 41-9 ADAMS
 WARD: ST. BLOOMSBURY, PARCEL 99

DEVELOPER: LANDSCAPE ARCHITECTURE CONSULTANTS, INC.
 362 S. HOLLWOOD STREET
 MEMPHIS, TN 38112

DESIGNER: PERMUTATION CONSULTANTS, INC.
 5700 WILSON DRIVE, SUITE 100
 LANDLAND, TN 38002

DATE: 05/20/2024
 SCALE: 1" = 100'

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)
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 - b. 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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- A. The primary street shall be defined as the public street upon which the principal building's primary façade or main entrance is oriented.
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- 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.
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- 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.
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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.
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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.
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properties having established industrial land uses and/or zoning.

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- 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.

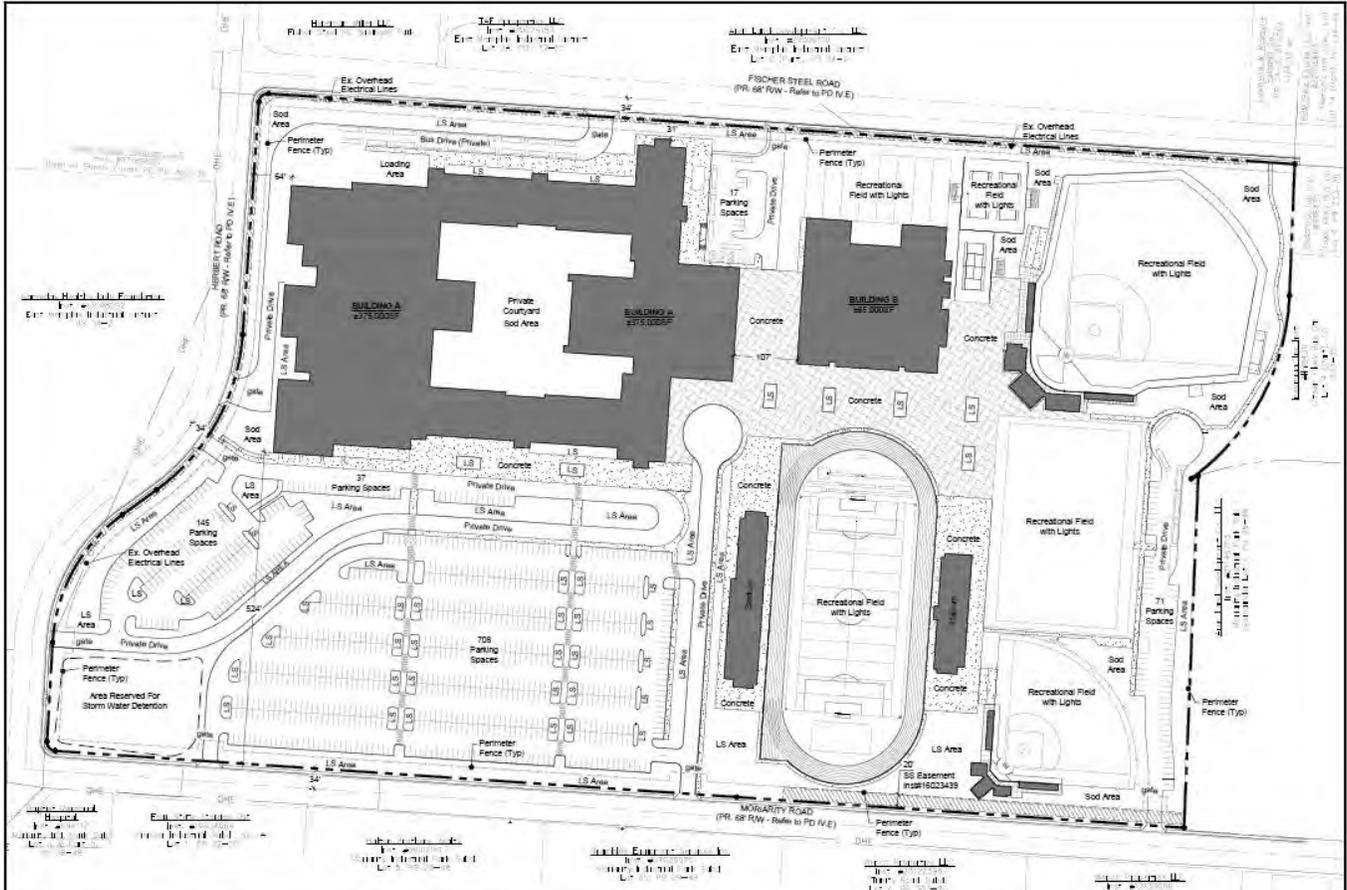
X. FINAL PLAN REQUIREMENTS

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



SITE DATA CHART				
BUILDING	USE	HEIGHT	GROSS SF	NET SF
BLDG. A	HIGH SCHOOL	75'	~1,375,000 SF	~1,298,000 SF
BLDG. B	INDOOR GYMNASIUM	75'	~85,000 SF	Not Applicable

PARKING CHART		
STALL TYPE	REQUIRED	PROVIDED
STANDARD	1300SF Net FA (High School)	960
HANDICAP	20 (2% STD)	19
BICYCLE	320 (1:3)	320

GENERAL NOTES:

- The City of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives and yards.
- Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or yard.
- Resubdivisions and similar documents are private documents and are not subject to governmental approval or enforcement.
- No trees, shrubs, permanent structures, or other utilities (except for coverages) will be allowed within sanitary sewer easement, no other utilities or services may occupy sanitary sewer easements to private drives and yards except for coverages.
- A building permit issued by the Memphis/DeSoto County Office of Construction Code Enforcement does not allow for alterations and/or improvements to any right-of-way (R.O.W.) maintained by the City of Memphis, alterations and/or improvements to the City of Memphis R.O.W. include but are not limited to work performed on sidewalks, curbs and gutters, driveway aprons and utility bores. R.O.W. permits must be obtained from the Memphis City Engineer's office at pH: 975-6710.



OUTLINE/FINAL PLAT - Master Plan
MSCS NERHS PLANNED DEVELOPMENT
 CASE NUMBER: PD 2024-**** FORMER CASE NUMBERS: PD 2008-015
 MEMPHIS, TENNESSEE
 NUMBER OF LOTS: 1 ACREAGE: 41.49 ACRES WARD 81, BLOCK 80, PARCEL 99
 DEVELOPER: MEMPHIS/DESOLO COUNTY SCHOOLS ENGINEER: RENAISSANCE GROUP, INC.
 150 S. HOLLYWOOD STREET 3700 VILLAGE CIRCLE, STE. 100
 MEMPHIS, TN 38112 LANDL: TN 88002
 100-YEAR FLOOD ELEV: NA FEMA MAP PANEL No. 47157C03200 FEMA MAP DATE: 2/8/2013
 MAY, 2024 SCALE: 1" = 100' SHEET 3 OF 3

ATTEST:

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

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), Fletcher 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.

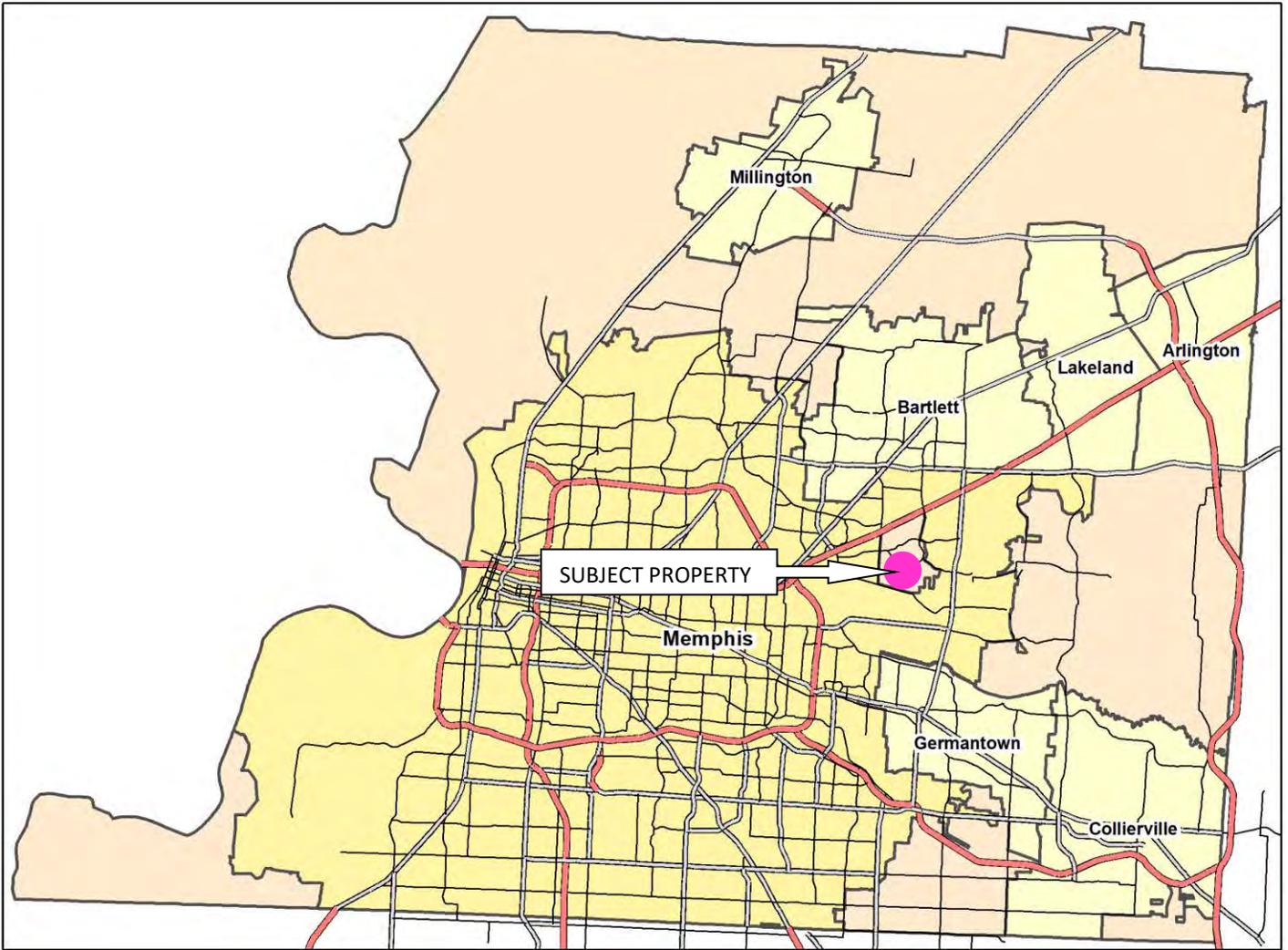
CONSISTENCY WITH MEMPHIS 3.0

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

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

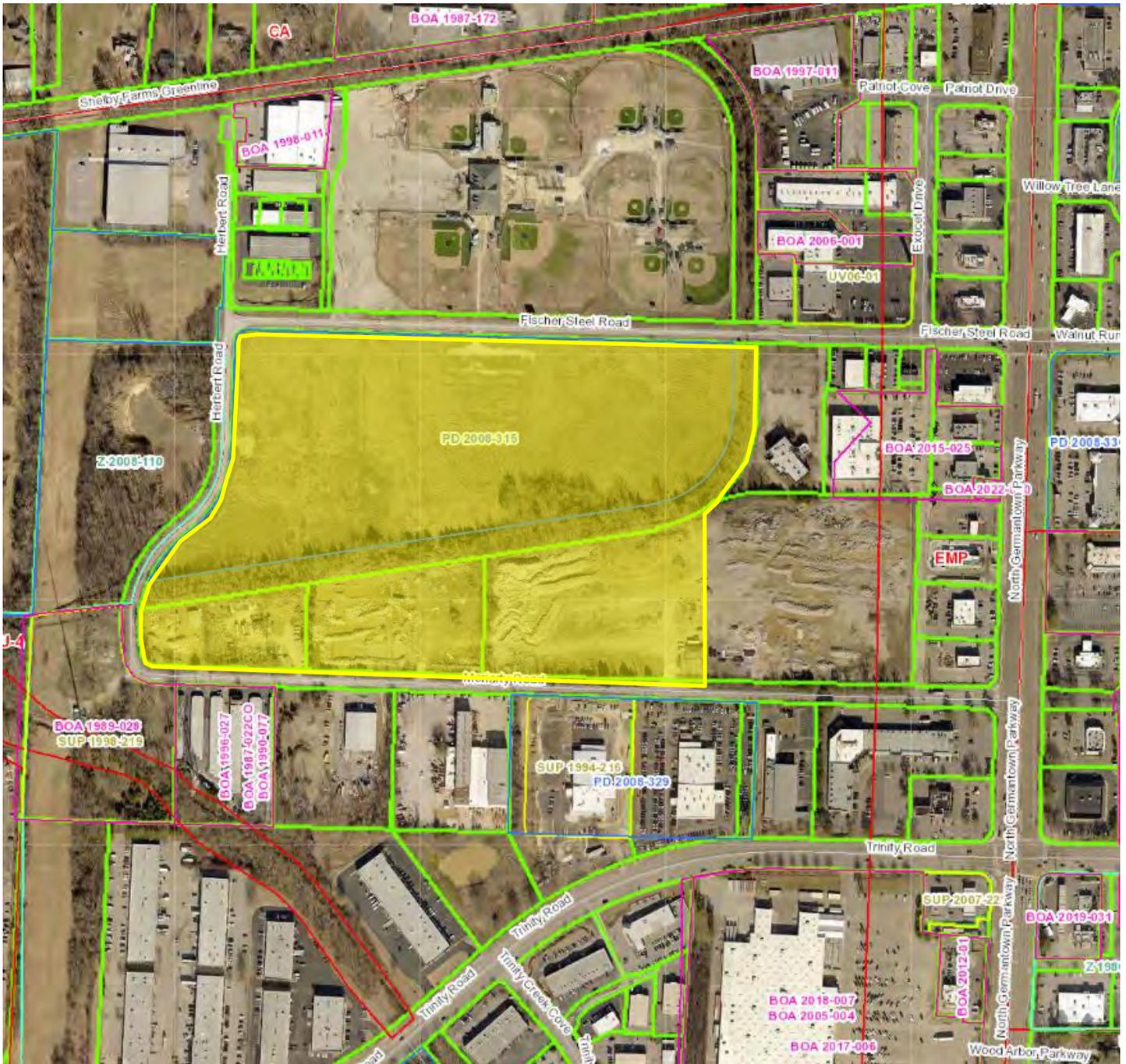
The meeting was held at 6:00 PM on May 30, 2024 at the Bert Ferguson Community Center at 8505 Trinity Road.

AERIAL



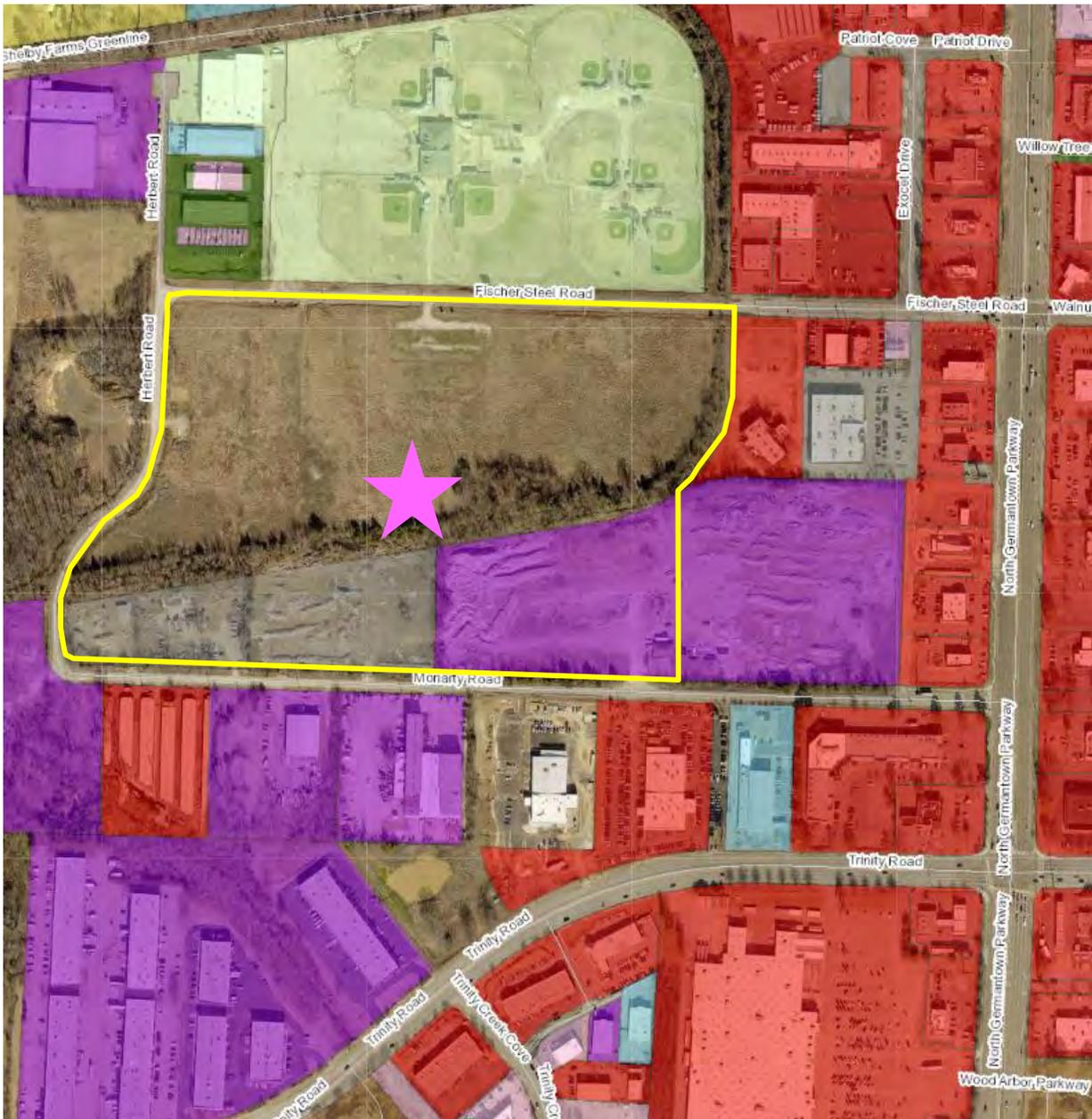
Subject property outlined in yellow, imagery from 2023

ZONING MAP



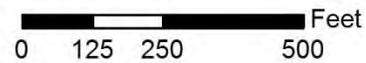
Subject property highlighted in yellow

LAND USE MAP



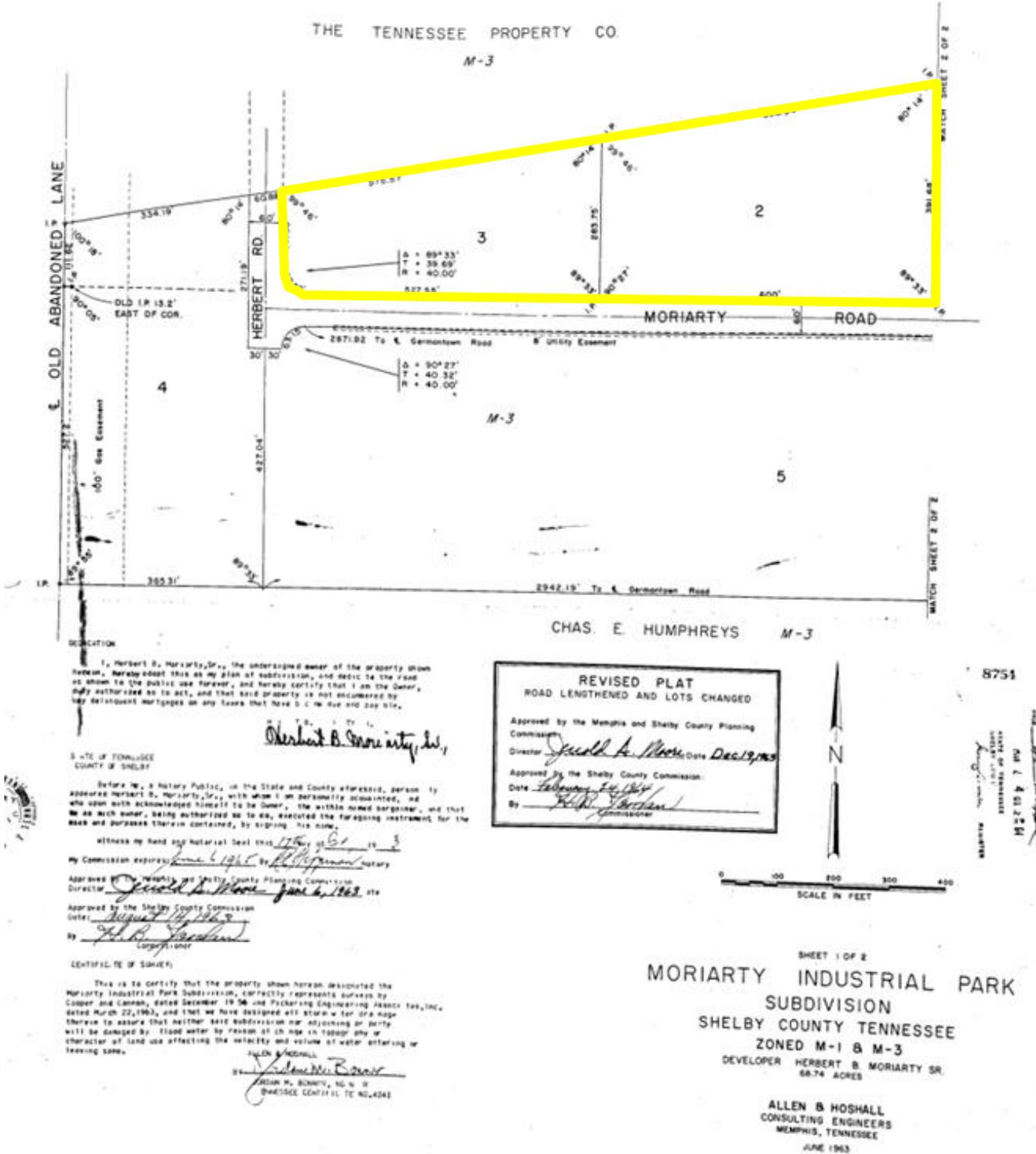
LandUse

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



Subject property outlined in yellow and indicated by a pink star

MORIARTY INDUSTRIAL PARK SUBDIVISION (1963)



Portion of proposed subject property outlined in yellow, Lots 2 and 3 of Moriarty 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.



Google

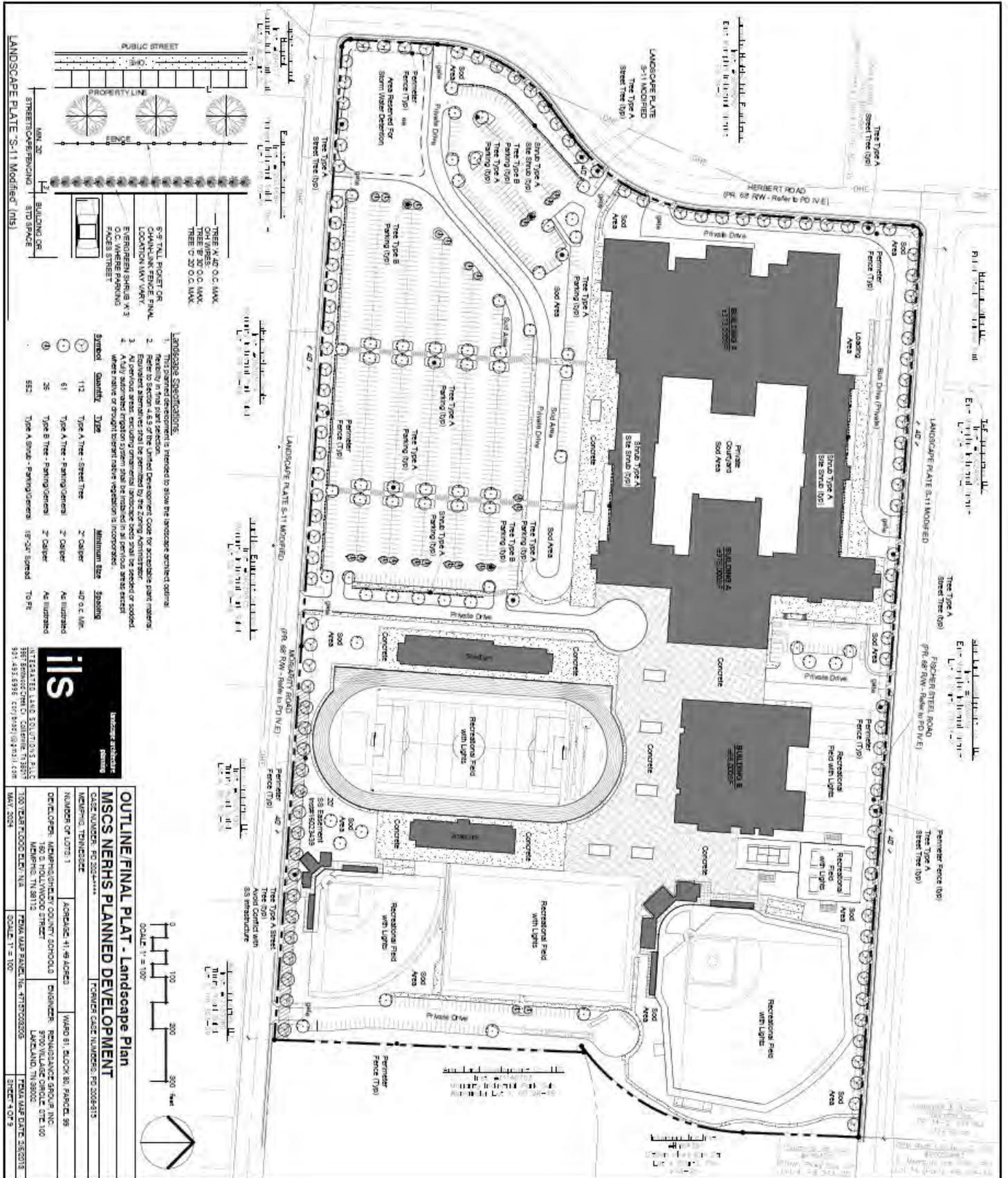
View of subject property from Moriarty Road facing north.



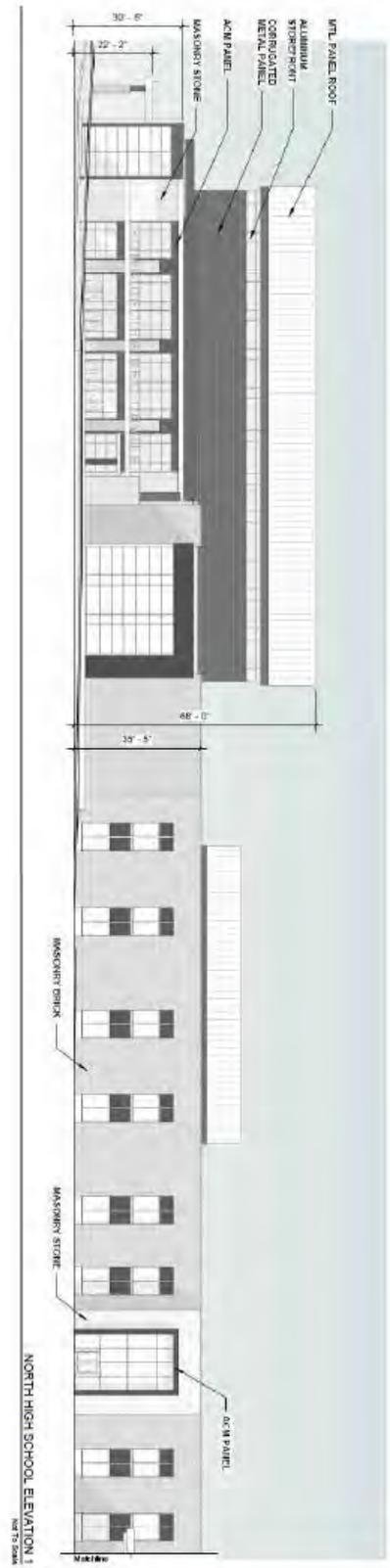
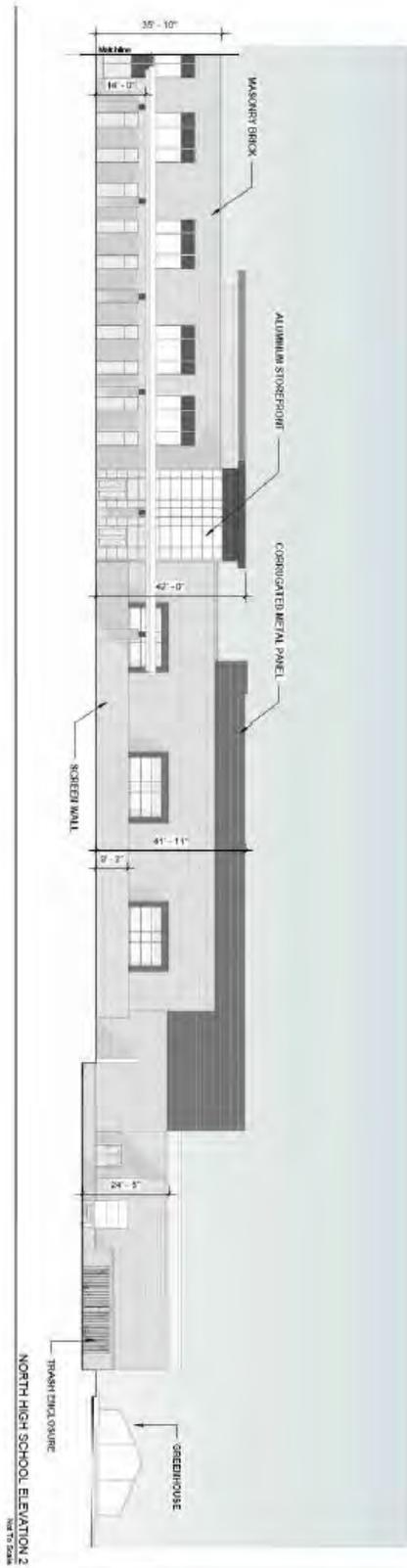
Google

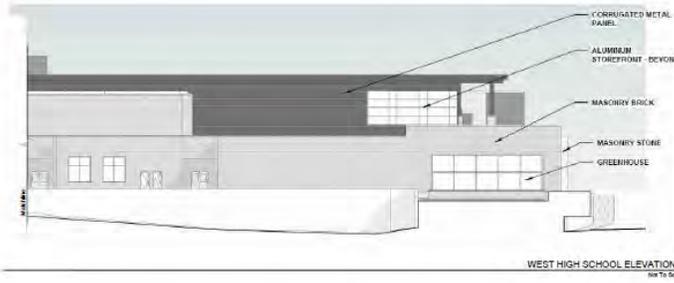
View of subject property from Moriarty Road facing north.

LANDSCAPE 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 in order to encourage the rehabilitation of such centers in order to meet current market preferences.*
- J. Provision in attractive and appropriate locations for business and manufacturing uses in well-designed buildings and provision of opportunities for employment closer to residence with a reduction in travel time from home to work.*
- K. Consistency with the Memphis 3.0 General Plan.*

General Provisions

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

4.10.3 General Provisions

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

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

current development policies and plans of the City and County.

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

Commercial or Industrial Criteria

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

4.10.5 Planned Commercial or Industrial Developments

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

- A. Screening*

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

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

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

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

Approval Criteria

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

9.6.9 Approval Criteria

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

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

Site Details

Address:

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.

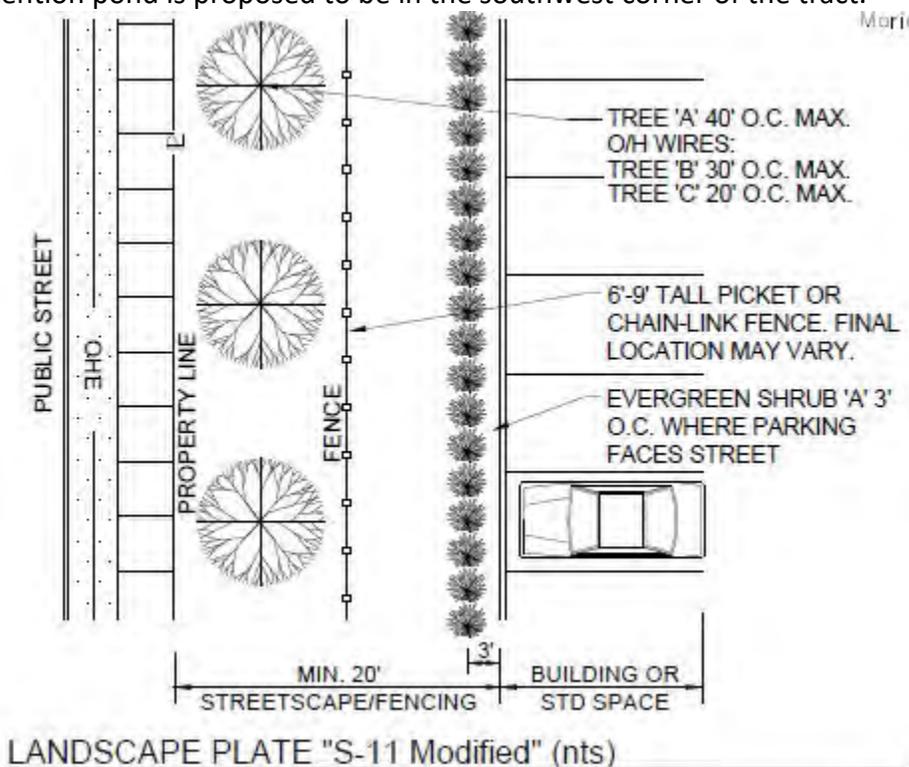
Concept Plan Review

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

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.): 20,000sf
- b. 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.

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.

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 Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

8. The City Engineer shall approve the design, number, and location of curb cuts.

9. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter, and sidewalk.
10. 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.

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

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: PD 2024-007: Cordova

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

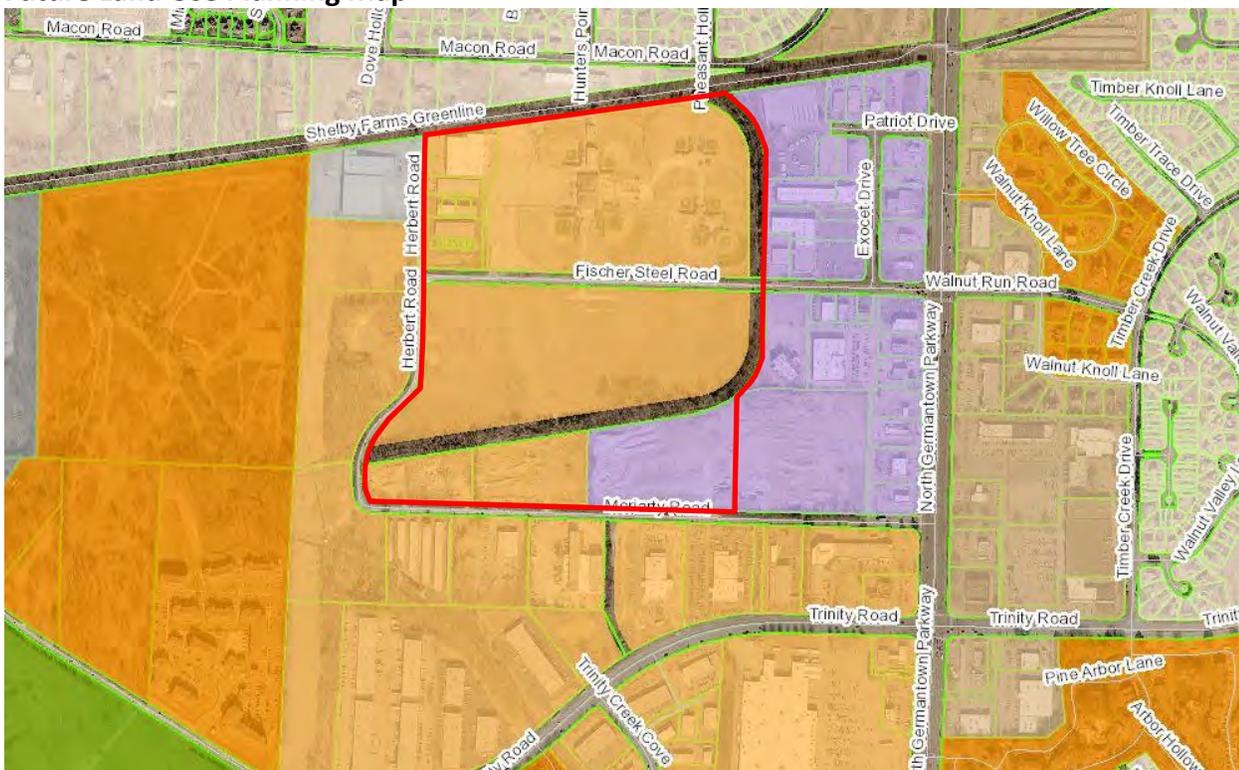
Future Land Use Designation: Anchor Neighborhood-Mix of Building Types (AN-M)

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.

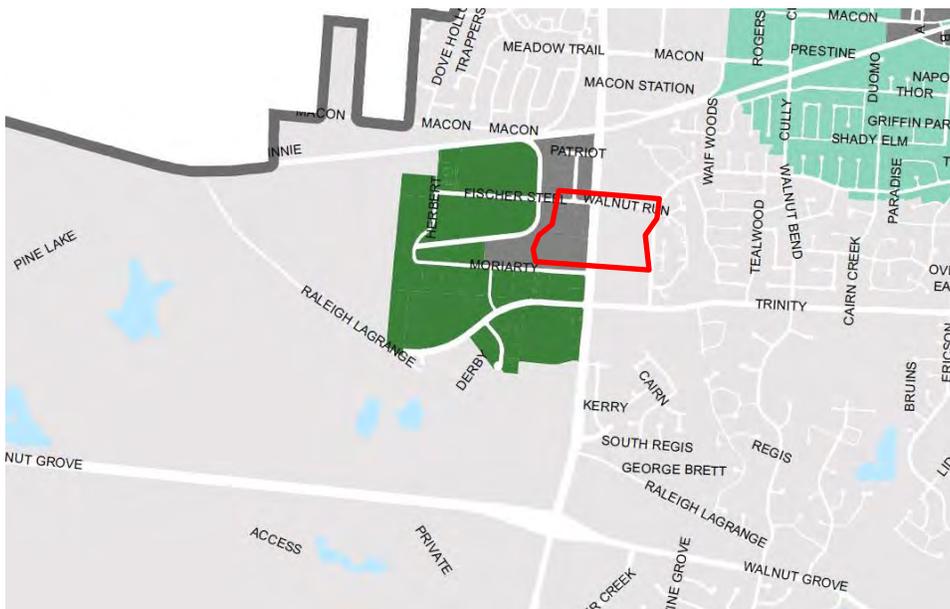
Existing, Adjacent Land Use and Zoning

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

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.

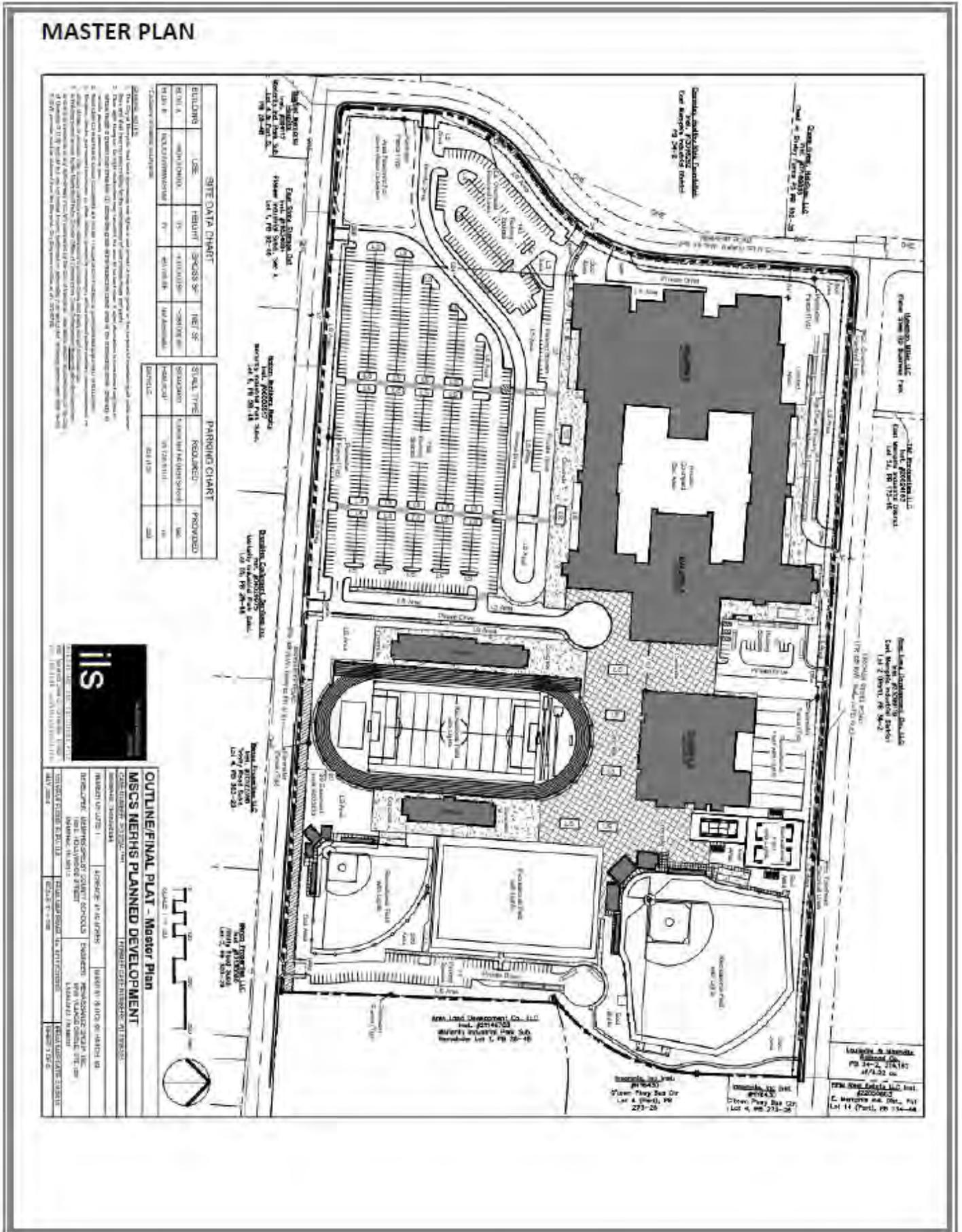
THE LAND USE CONTROL BOARD PUBLIC MEETING WILL BE HELD:

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

You are not required to attend this hearing, although you are welcome to do so if you wish to speak for or against this application. You may also contact Chloe Christian 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 of Tennessee

I, Cory Brady, being duly sworn, depose and say that at 11:30 am/pm on the 30th day of May, 20 24, I posted 3 Public Notice Sign(s) pertaining to Case No. PD 2024-007 at Fischer Steel Rd, Herbert Rd and Moriarity Rd providing notice of a Public Hearing before the (check one):

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

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

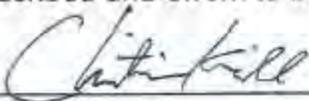


Owner, Applicant or Representative

5/30/24

Date

Subscribed and sworn to before me this 30th day of May, 20 24.



Notary Public

My commission expires: Nov 13th, 2027



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

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 No

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

APPROVAL CRITERIA

UDC Sub-Section 9.6.9A

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.

UDC Sub-Section 9.6.9B

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.

UDC Sub-Section 9.6.9C

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.

UDC Sub-Section 9.6.9D

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

UDC Sub-Section 9.6.9E

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

UDC Sub-Section 9.6.9F

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

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	No
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	Fletcher Creek Overlay
Zoning	-
State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No

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.

AREA INFORMATION

Name: Overall Site
 Size (Acres): 46.42
 Existing Use of Property: Industrial/Vacant
 Requested Use of Property: Public High School & Lighted Recreational Fields

Contact Information

Name
 NAME NAME Contact Type
 APPLICANT

Address

Phone
 -

Name
 SAL FERACI Contact Type
 ARCHITECT / ENGINEER /
 SURVEYOR

Address

Phone
 (901)332-5533

Name
 IGAL ELFEZOUATY Contact Type
 PROPERTY OWNER OF
 RECORD

Address

Phone
 (901)493-6996

Name
 CORY BRADY Contact Type
 REPRESENTATIVE

Address

Phone
 (901)493-6996

Fee Information

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

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

Payment Information

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

OWNER AFFIDAVIT



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, AVI EFFEZOWATY (Print Name) [Signature] (Sign Name) state that I have read the definition of

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

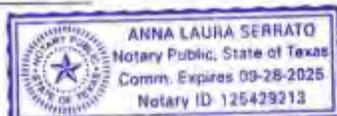
- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at the Southeast Corner of Fischer Steel Road AND Herbort Road and further identified by Assessor's Parcel Number #S 091030 00010 (portion) 091030 00011, 091030 00012, AND 091031 00001 for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 5th day of June in the year of 2024

[Signature]
Signature of Notary Public

9-28-2025
My Commission Expires



LETTER OF INTENT

INTEGRATED LAND SOLUTIONS, PLLC
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
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: Christian, 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!

LAMBERT LAW FIRM

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 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.

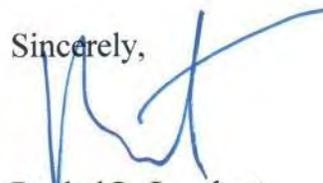
The infrastructure in this area is already subpar. This area suffers frequent power outages, sewage/drainage issues, and roads that are less than adequate. With increasing the demand on the already dilapidated roads, poor water drainage, sewage usage, drain on the electrical power grid, public transport,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

A handwritten signature in blue ink, appearing to read 'RL', with a long horizontal flourish extending to the right.

Rachel L. Lambert
Attorney at Law

RLL/ms

New Build

Jeana Burrell <jeana.burrell@gmail.com>

Tue 6/4/2024 6:00 PM

To: Christian, 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: Christian, 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.

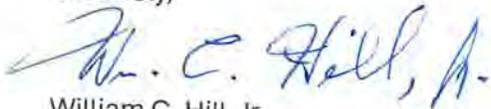
My primary concerns include:

- 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 <develop901@memphistn.gov>;Dyleswallace@comcast.net <Dyleswallace@comcast.net>;Christian, Chloe <Chloe.Christion@memphistn.gov>

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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 traffic congestion, 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.

Parking 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 safety 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:Christian, Chloe <Chloe.Christion@memphistn.gov>

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

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Please see objection to Record No. PD 2024-007

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

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

Date: Wed, Jun 5, 2024 at 12:33 PM

Subject: Fischer Steel development

To: Chole.christion@memphistn.gov <Chole.christion@memphistn.gov>, develop901@memphistn.gov <develop901@memphistn.gov>, tolesassoc@aol.com <tolesassoc@aol.com>, brown@gillprop.com <brown@gillprop.com>, sfleming@flemingarchitects.com <sfleming@flemingarchitects.com>, mwsharp@bellsouth.net <mwsharp@bellsouth.net>, lisa@ethridgeenterprises.com <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

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--

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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(No subject)

Tiffany Wallace <twboxet2000@yahoo.com>

Wed 6/5/2024 12:33 PM

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

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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 OPPOSITION 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 DENIAL RECOMMENDATION 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 semi-truck 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-queuing 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.

Fwd: Case number PD 2024-007

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 12:19 PM

To: Christian, 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: <dlyleswallace@comcast.net>, <dkthomas@gotci.com>, <lisa@ethridgeenterprises.com>, <mwsharp@bellsouth.net>, <sfleming@flemingarchitects.com>, <brown@gillprop.com>, <tolesassoc@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: Christian, Chloe <Chloe.Christion@memphistn.gov>

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Please see objection to Record No. PD 2024-007

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

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

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

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

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

Subject: Safety

To: <lisa@ethridgeenterprises.com>, <mwsharp@bellsouth.net>, <tolesassoc@aol.com>, <develop901@memphistn.gov>, <sfleming@flemingarchitects.com>, <brown@gillprop.com>, <dkthomas@gotci.com>, <jenniferbethoconnell@gmail.com>, <dlyleswallace@comcast.net>, <jmckinnoncre@gmail.com>, <RachellLambertEsq@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: Christian, Chloe <Chloe.Christion@memphistn.gov>

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Please see objection to Record No. PD 2024-007

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

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

Date: Tue, Jun 4, 2024 at 8:02 PM

Subject: MPC parking and traffic

To: <Chole.christion@memphistn.gov>, <RachelLambertEsq@gmail.com>, <develop901@memphistn.gov>, <dkthomas@gotci.com>, <dlyleswallace@comcast.net>, <jmckinnoncre@gmail.com>, <jenniferbethoconnell>, <sfleming@flemingarchitects.com>

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: Christian, 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: <dlyleswallace@comcast.net>, <dkthomas@gotci.com>, <lisa@ethridgeenterprises.com>, <mwsharp@bellsouth.net>, <sfleming@flemingarchitects.com>, <brown@gillprop.com>, <tolesassoc@aol.com>, <develop901@memphistn.gov>, <jmckinnoncre@gmail.com>, <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: Christian, Chloe <Chloe.Christion@memphistn.gov>

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Please see objection to Record No. PD 2024-007

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

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

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

Subject: Opposition to Proposed High School Construction in Our Neighborhood

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

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Fwd: Development Project- 7790 Fischer Steel Rd

Rachel Lambert <rachellambertesq@gmail.com>

Wed 6/5/2024 1:59 PM

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

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Please see objection to Record No. PD 2024-007

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

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

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

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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 <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 <develop901@memphistn.gov>

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

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

Cc: Rachel Lambert Esq <RachelLambertEsq@gmail.com>

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

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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

To: <dlyleswallace@comcast.net>, <dkthomas@gotci.com>, <lisa@ethridgeenterprises.com>, <mwsharp@bellsouth.net>, <sfleming@flemingarchitects.com>, <brown@gillprop.com>, <tolesassoc@aol.com>, <develop901@memphistn.gov>Cc: <RachellLambertEsq@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

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Case# PD 2024-007

Jennifer Howse <jhowse42@yahoo.com>

Wed 6/5/2024 2:07 PM

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

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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 <jennythomas0519@gmail.com>

Wed 6/5/2024 2:08 PM

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

Cc: Chole.christion@memphistn.gov <Chole.christion@memphistn.gov>

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

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Please see objection to Record No. PD 2024-007

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

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

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

Subject: Concerning case number PD 2024-007

To: <dlyleswallace@comcast.net>Cc: <RachellLambertEsq@gmail.com>

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 Christian

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. Christian:

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.
- 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 be 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.

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.

Summary of Traffic Study
LOS SUMMARY

					MITIGATION	
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	F		
PM Peak		E	E	F		
Trinity Road & Germantown Parkway						
AM Peak	F	F	F	F	F	F
Midday Peak		E	F	F		
PM Peak	F	F	F	F		E
Moriarity & Germantown Parkway						
Midday Peak	E	F	F	E	F	
PM Peak		F	F	E	F	
Fischer Steel & Germantown Parkway						
PM Peak				E		
Macon Road & Germantown Parkway						
AM Peak	E	E	E	F	F	E
PM Peak				E		
Mullins Station & Whitten						
AM Peak	E	E	F	F	F	
PM Peak	E	E	F	F	E	
Mullins Station & Appling						
AM Peak			F	F		
PM Peak	E	E	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 Christian

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

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

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 No

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

APPROVAL CRITERIA

UDC Sub-Section 9.6.9A

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.

UDC Sub-Section 9.6.9B

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.

UDC Sub-Section 9.6.9C

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.

UDC Sub-Section 9.6.9D

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

UDC Sub-Section 9.6.9E

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

UDC Sub-Section 9.6.9F

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

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	No
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	Fletcher Creek Overlay
Zoning	-
State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No

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.

Data Tables

AREA INFORMATION

Name: Overall Site
Size (Acres): 46.42
Existing Use of Property: Industrial/Vacant
Requested Use of Property: Public High School & Lighted Recreational Fields

Contact Information

Name **Contact Type**
NAME NAME APPLICANT

Address

Phone
-

Name **Contact Type**
SAL FERACI ARCHITECT / ENGINEER /
SURVEYOR

Address

Phone
(901)332-5533

Name **Contact Type**
IGAL ELFEZOUATY PROPERTY OWNER OF
RECORD

Address

Phone
(901)493-6996

Name **Contact Type**
CORY BRADY REPRESENTATIVE

Address

Phone
(901)493-6996

Fee Information

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

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

Payment Information

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

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

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

Avi E. Ferencik [Signature] state that I have read the definition of
(Print Name) (Sign Name)

"Owner" as defined 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 feehold or leasehold estate in the premises

I 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

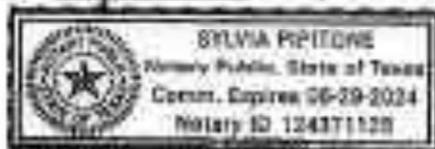
_____ and further identified by Assessor's Parcel Number _____

for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 30th day of April in the year of 2024.

[Signature]

Signature of Notary Public



My Commission Expires

INTEGRATED LAND SOLUTIONS, pllc

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.

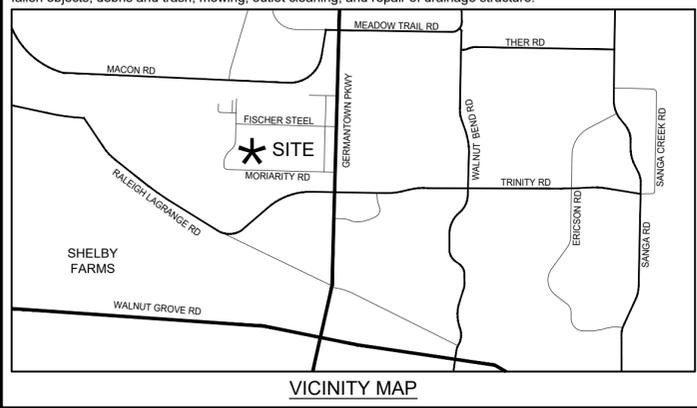
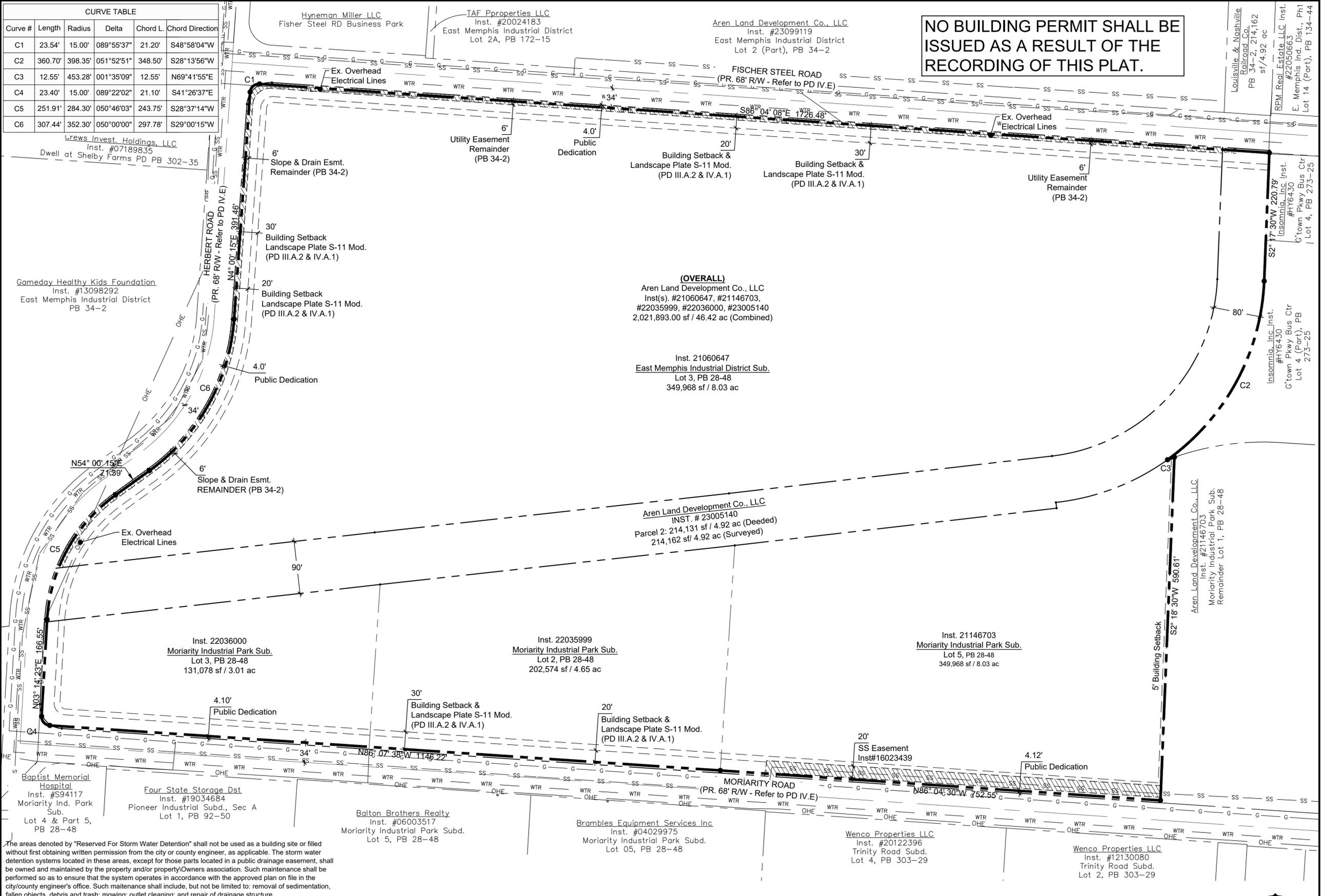
Respectfully,



Cory Brady, PLA, AICP
Integrated Land Solutions, PLLC

Curve #	Length	Radius	Delta	Chord L.	Chord Direction
C1	23.54'	15.00'	089°55'37"	21.20'	S48°58'04"W
C2	360.70'	398.35'	051°52'51"	348.50'	S28°13'56"W
C3	12.55'	453.28'	001°35'09"	12.55'	N69°41'55"E
C4	23.40'	15.00'	089°22'02"	21.10'	S41°26'37"E
C5	251.91'	284.30'	050°46'03"	243.75'	S28°37'14"W
C6	307.44'	352.30'	050°00'00"	297.78'	S29°00'15"W

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



Benchmark
 Benchmark (B.M.): City of Memphis Vertical Benchmark #531 being a city monument located at the south side of Moriarity Rd., 150' east of intersection, 15' south of south edge of pavement, 1' north of power pole #72503. Elevation" 321.00 (NAD88)

Floodway/Floodplain
 This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C0320G, Effective Date: February 6, 2013.

Required Sidewalks				
Street Name	S/W Width	Side	Location From Curb Line	Status
Fischer Steel Road	5' Min.	South	4.5' Offset Of Back Of Curb	Proposed
Herbert Road	5' Min.	East	4.5' Offset Of Back Of Curb	Proposed
Moriarity Road	5' Min.	North	4.5' Offset Of Back Of Curb	Proposed

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

(OVERALL)
 Aren Land Development Co., LLC
 Inst(s) #21060647, #21146703, #22035999, #22036000, #23005140
 2,021,893.00 sf / 46.42 ac (Combined)

Inst. 21060647
 East Memphis Industrial District Sub.
 Lot 3, PB 28-48
 349,968 sf / 8.03 ac

Aren Land Development Co., LLC
 INST. # 23005140
 Parcel 2: 214,131 sf / 4.92 ac (Deeded)
 214,162 sf / 4.92 ac (Surveyed)

Inst. 22036000
 Moriarity Industrial Park Sub.
 Lot 3, PB 28-48
 131,078 sf / 3.01 ac

Inst. 22035999
 Moriarity Industrial Park Sub.
 Lot 2, PB 28-48
 202,574 sf / 4.65 ac

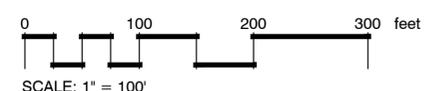
Inst. 21146703
 Moriarity Industrial Park Sub.
 Lot 5, PB 28-48
 349,968 sf / 8.03 ac

Balton Brothers Realty
 Inst. #06003517
 Moriarity Industrial Park Subd.
 Lot 5, PB 28-48

Brambles Equipment Services Inc
 Inst. #04029975
 Moriarity Industrial Park Subd.
 Lot 05, PB 28-48

Wenco Properties LLC
 Inst. #20122396
 Trinity Road Subd.
 Lot 4, PB 303-29

Wenco Properties LLC
 Inst. #12130080
 Trinity Road Subd.
 Lot 2, PB 303-29



OUTLINE/FINAL PLAT
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
 MEMPHIS, TN 38112 LAKELAND, TN 38002

100 YEAR FLOOD ELEV: N/A FEMA MAP PANEL No. 47157C0320G FEMA MAP DATE: 2/6/2013
 MAY, 2024 SCALE: 1" = 100'-0" SHEET 1 OF 9

landscape architecture
 planning

ils

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

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.): 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.

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.

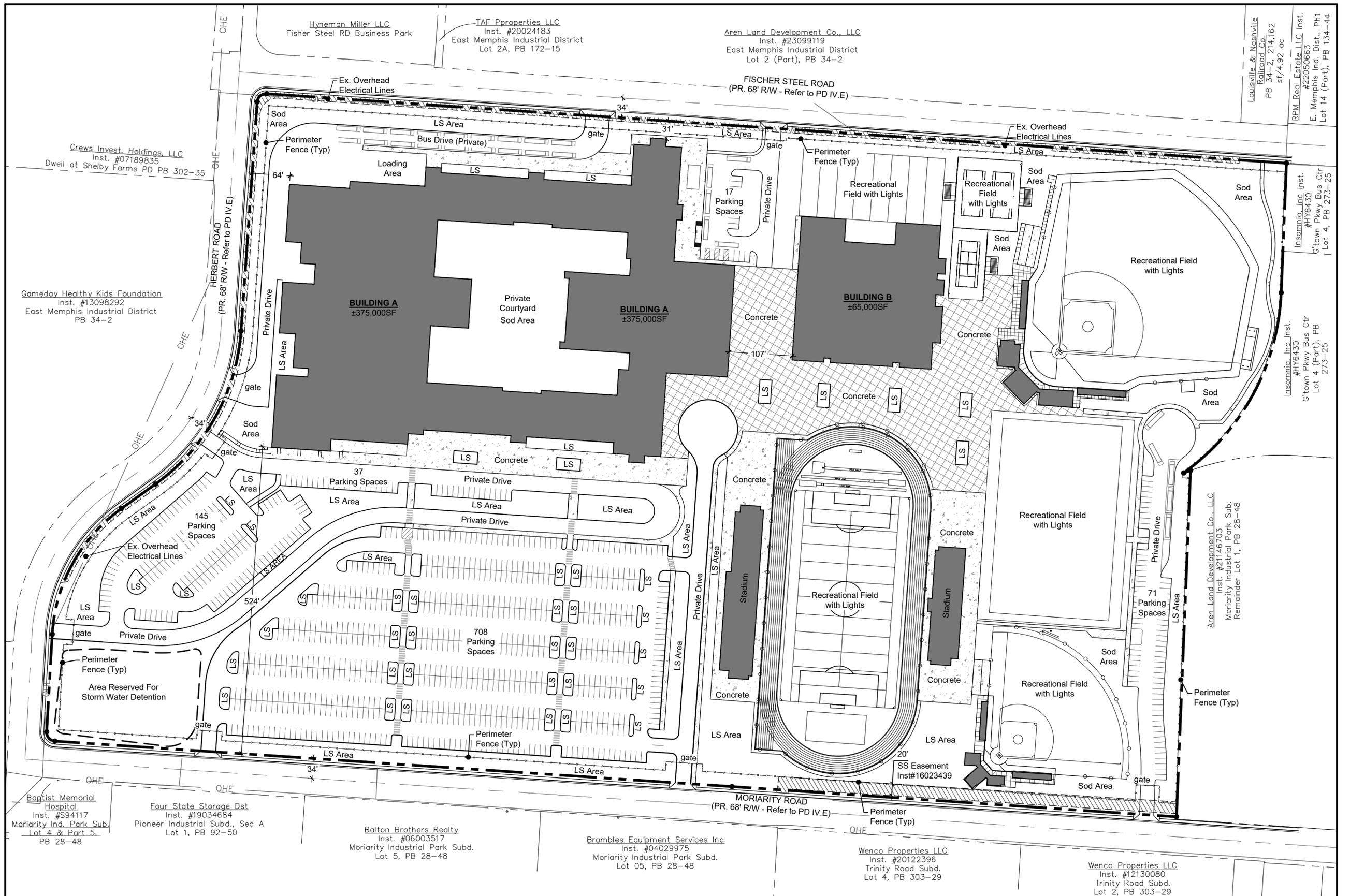
X. FINAL PLAN REQUIREMENTS

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 160 S. HOLLYWOOD STREET MEMPHIS, TN 38112	ENGINEER: RENAISSANCE GROUP, INC. 9700 VILLAGE CIRCLE, STE.100 LAKELAND, TN 38002	
100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL No. 47157C0320G	FEMA MAP DATE: 2/6/2013
MAY, 2024	SCALE: 1" = NOT APPLICABLE	SHEET 2 OF 9



SITE DATA CHART

BUILDING	USE	HEIGHT	GROSS SF	NET SF
BLDG. A	HIGH SCHOOL	75'	*±375,000 SF	*±288,000 SF
BLDG. B	INDOOR GYMNASIUM	75'	±65,000 SF	Not Applicable

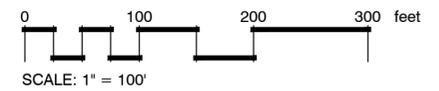
PARKING CHART

STALL TYPE	REQUIRED	PROVIDED
STANDARD	1:300sf Net FA (High School)	960
HANDICAP	20 (2% STD)	19
BICYCLE	320 (1:3)	320

*Exclusive of interior courtyards

GENERAL NOTES:

- The City of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives and yards.
- Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or tract.
- Restrictive covenants and similar documents are private in scope and not subject to governmental approval or enforcement.
- No trees, shrubs, permanent structures, or other utilities (except for crossings) will be allowed within sanitary sewer easement. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- A building permit issued by the Memphis/Shelby County Office of Construction Code Enforcement does not allow for alterations and/or improvements to any right-of-way (R.O.W) maintained by the City of Memphis. alterations and/or improvements to the City of Memphis R.O.W. include but are not limited to work performed on sidewalks, curb and gutter, driveway aprons and utility tie-ins. R.O.W. permits must be obtained from the Memphis City Engineer's office at ph. 576-6700.



OUTLINE/FINAL PLAT - Master Plan

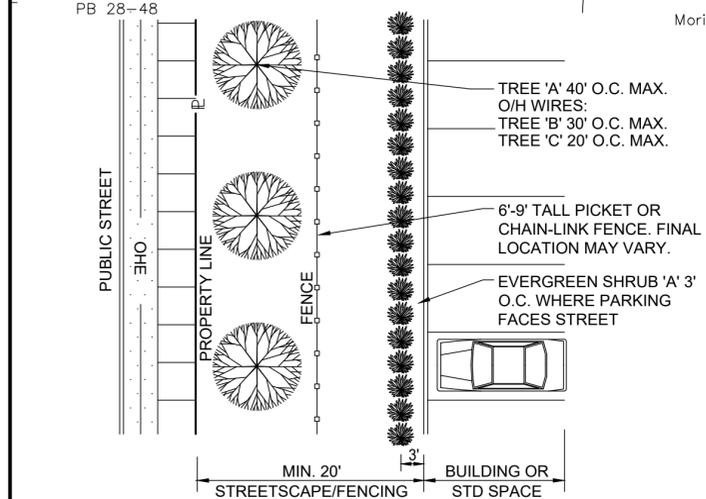
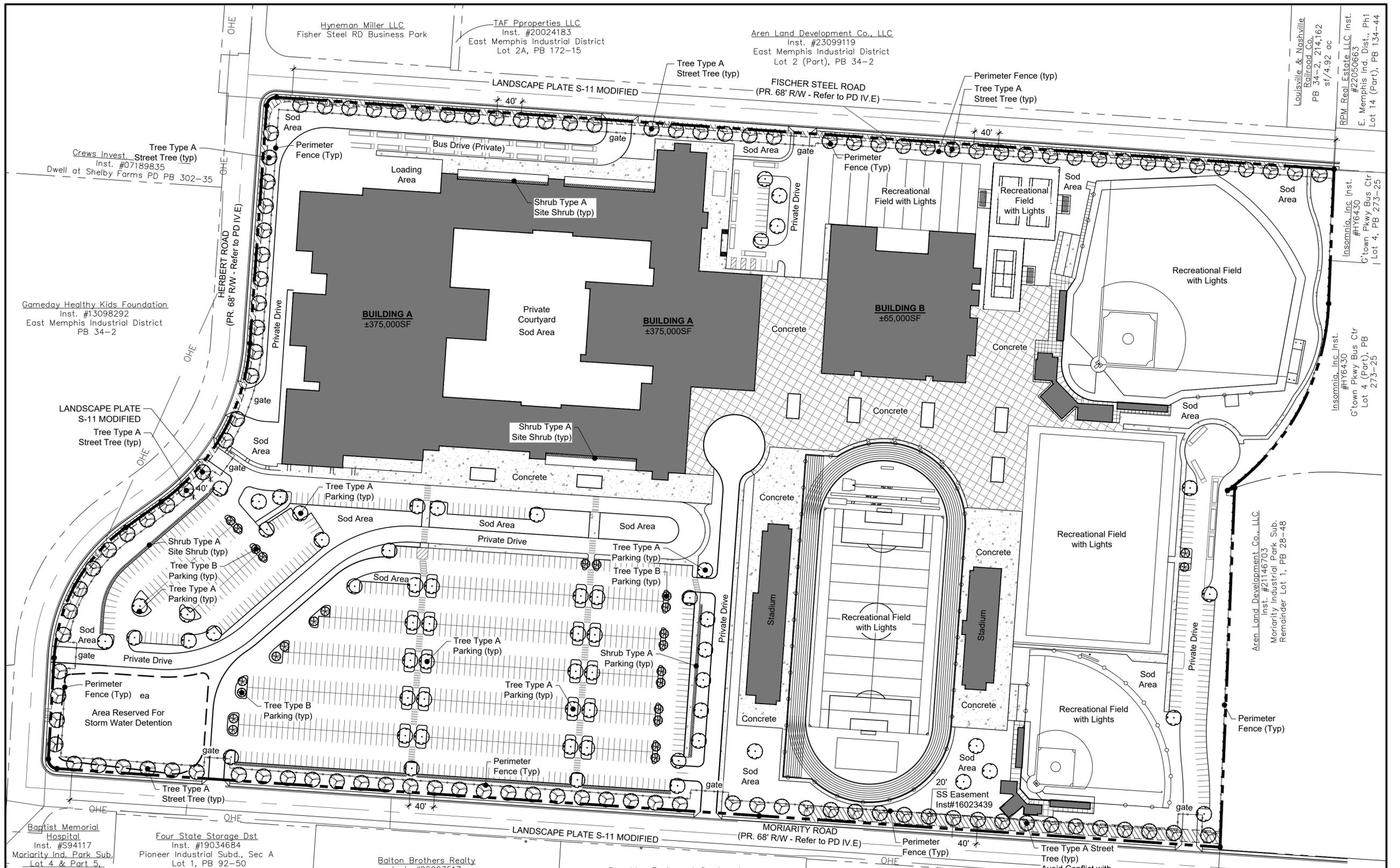
MSCS NERHS PLANNED DEVELOPMENT

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 160 S. HOLLYWOOD STREET MEMPHIS, TN 38112		ENGINEER: RENAISSANCE GROUP, INC. 9700 VILLAGE CIRCLE, STE. 100 LAKELAND, TN 38002	
100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL No. 47157C0320G	FEMA MAP DATE: 2/6/2013	
MAY, 2024	SCALE: 1" = 100'	SHEET 3 OF 9	

landscape architecture
planning

ils

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



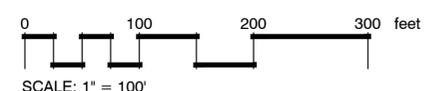
Landscape Specifications:

- This planned development is intended to allow the landscape architect optimal flexibility in final plant selection.
- Refer to Section 4.6.9 of the Unified Development Code for acceptable plant material. Equivalent alternatives shall be permitted by the Zoning Administrator.
- All pervious areas, excluding ornamental landscape beds shall be seeded or sodded.
- A fully automated irrigation system shall be installed in all pervious areas except where native or drought tolerant native vegetation is incorporated.

Symbol	Quantity	Type	Minimum Size	Spacing
	112	Type A Tree - Street Tree	2" Caliper	40' o.c. Min.
	61	Type A Tree - Parking/General	2" Caliper	As Illustrated
	26	Type B Tree - Parking/General	2" Caliper	As Illustrated
	552	Type A Shrub - Parking/General	18"-24" Spread	To Fit

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OUTLINE/FINAL PLAT - Landscape Plan
MSCS NERHS PLANNED DEVELOPMENT

CASE NUMBER: PD 2024.**** FORMER CASE NUMBERS: PD 2008-315

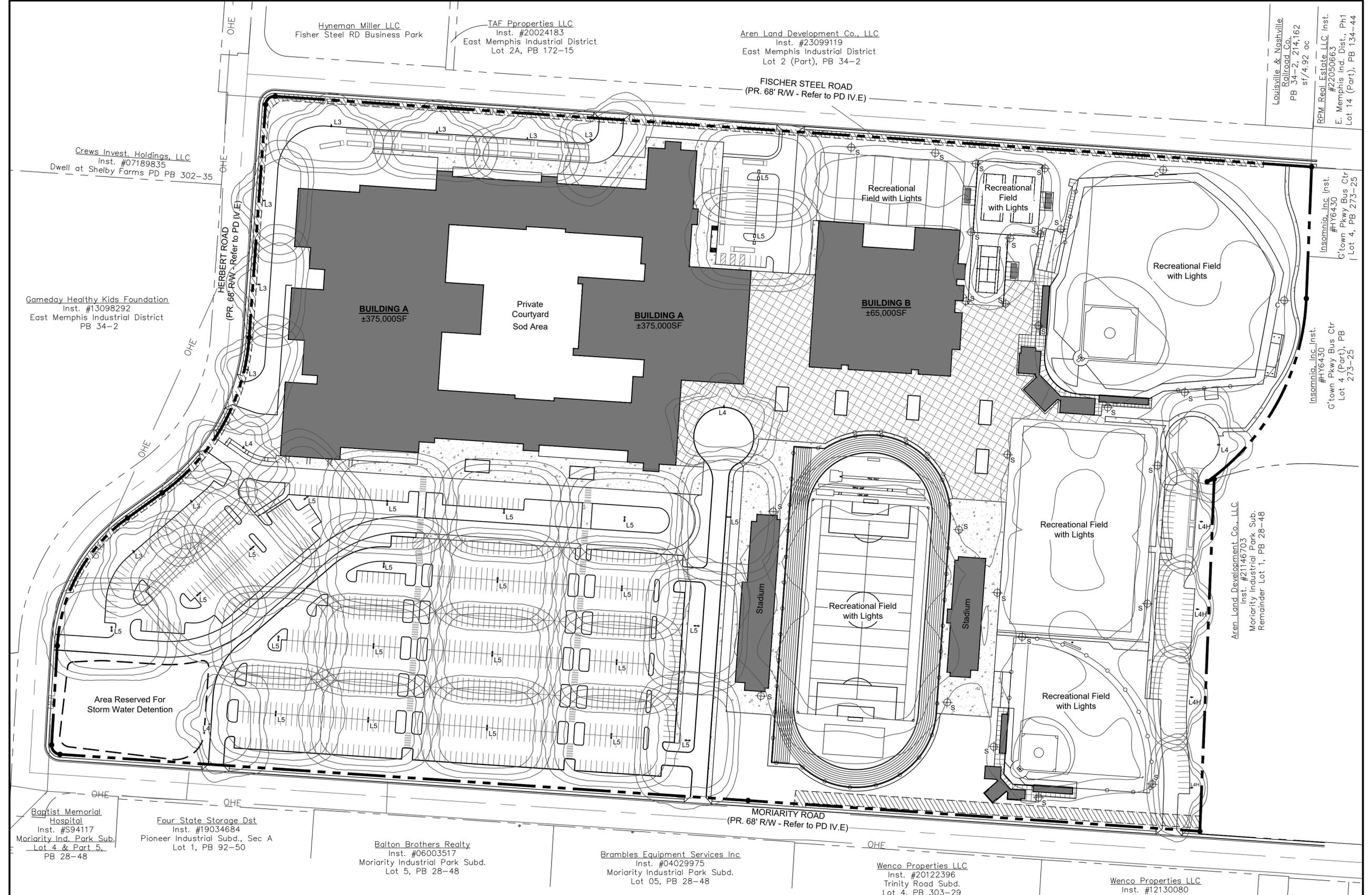
MEMPHIS, TENNESSEE

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
MEMPHIS, TN 38112 LAKELAND, TN 38002

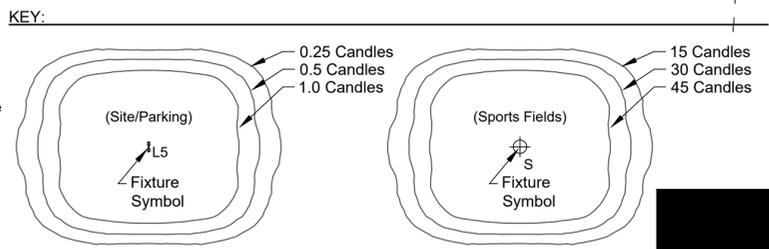
100 YEAR FLOOD ELEV: N/A FEMA MAP PANEL No. 47157C0320G FEMA MAP DATE: 2/6/2013
MAY, 2024 SCALE: 1" = 100' SHEET 4 OF 9

LANDSCAPE PLATE "S-11 Modified" (nts)



LIGHTING SCHEDULE (Or Equal)

SYMBOL	QTY	MFR	CATALOG	DESCRIPTION
L3	9	Lithonia	RSX3 LED P3 40K R3	Site/Parking: RSX Area Fixture Size 3 P3 Lumen Package 4000K CCT Type R3 Distribution
L4	4	Lithonia	RSX3 LED P3 40K R4	Site/Parking: RSX Area Fixture Size 3 P3 Lumen Package 4000K CCT Type R4 Distribution
L4H	4	Lithonia	RSX3 LED P4 40K R4 HS	Site/Parking: RSX LED Area Luminaire Size 3 P4 Lumen Package 4000K CCT Type R4 Distribution with HS shield
L5	23	Lithonia	RSX3 LED P4 40K R3	Site/Parking: RSX Area Fixture Size 3 P4 Lumen Package 4000K CCT Type R3 Distribution
S	27	Musco (Sports)	TLC LED 575, 900, 1200, 1500	Sports Fields: (Football, Soccer, Baseball, Softball, Tennis) TSSAA Compliant Fixtures



Statistics

Description	Avg	Max	Min	Max/Min	Avg/Min
North Bus Loop	2.3 fc	6.5 fc	0.4 fc	16.3:1	5.8:1
Shipping and Receiving	2.8 fc	11.9 fc	0.2 fc	59.5:1	14.0:1
Sports Parking	2.1 fc	7.4 fc	0.2 fc	37.0:1	10.5:1
Main Parking Lot	3.1 fc	12.5 fc	0.3 fc	41.7:1	10.3:1

- LIGHTING SPECIFICATIONS:**
- All parking and general site lighting shall comply with Chapter 4.7 of the Unified Development Code.
 - All recreational sports field lighting shall comply with the TSSAA (Tennessee Secondary School Athletic Associations) standards.
 - Equivalent alternatives shall be permitted by the Zoning Administrator.

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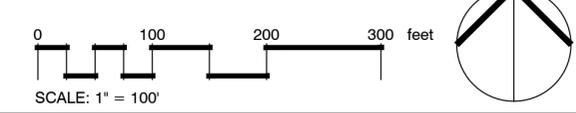
OUTLINE/FINAL PLAT - Lighting Plan
MSCS NERHS PLANNED DEVELOPMENT

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
MEMPHIS, TN 38112 LAKELAND, TN 38002

100 YEAR FLOOD ELEV: N/A FEMA MAP PANEL No. 47157C0320G FEMA MAP DATE: 2/6/2013
MAY, 2024 SCALE: 1" = 100' SHEET 5 OF 9



Hyneman Miller LLC
Fisher Steel RD Business Park

TAF Pproperties LLC
Inst. #20024183
East Memphis Industrial District
Lot 2A, PB 172-15

Aren Land Development Co., LLC
Inst. #23099119
East Memphis Industrial District
Lot 2 (Part), PB 34-2

FISCHER STEEL ROAD
(PR. 68' R/W - Refer to PD IV.E)

Crews Invest. Holdings, LLC
Inst. #07189835
Dwell at Shelby Farms PD PB 302-35

Gameday Healthy Kids Foundation
Inst. #13098292
East Memphis Industrial District
PB 34-2

HERBERT ROAD
(PR. 68' R/W - Refer to PD IV.E)

Recreational Field with Lights

Recreational Field with Lights

Recreational Field with Lights

Recreational Field with Lights

BUILDING A
±375,000SF

Private Courtyard
Sod Area

BUILDING A
±375,000SF

BUILDING B
±65,000SF

Recreational Field with Lights

Recreational Field with Lights

Recreational Field with Lights

Recreational Field with Lights

Stadium

Recreational Field with Lights

Stadium

Recreational Field with Lights

Recreational Field with Lights

Area Reserved For
Storm Water Detention

MORIARITY ROAD
(PR. 68' R/W - Refer to PD IV.E)

Baptist Memorial
Hospital
Inst. #S94117
Moriarity Ind. Park Sub.
Lot 4 & Part 5,
PB 28-48

Four State Storage Dst
Inst. #19034684
Pioneer Industrial Subd., Sec A
Lot 1, PB 92-50

Balton Brothers Realty
Inst. #06003517
Moriarity Industrial Park Subd.
Lot 5, PB 28-48

Brambles Equipment Services Inc
Inst. #04029975
Moriarity Industrial Park Subd.
Lot 05, PB 28-48

Wenco Properties LLC
Inst. #20122396
Trinity Road Subd.
Lot 4, PB 303-29

Wenco Properties LLC
Inst. #12130080
Trinity Road Subd.
Lot 2, PB 303-29

Aren Land Development Co., LLC
Inst. #21146703
Moriarity Industrial Park Sub.
Remainder Lot 1, PB 28-48

Louisville & Nashville
Railroad Co.
PB 34-2, 214,162
sf/4,92 ac

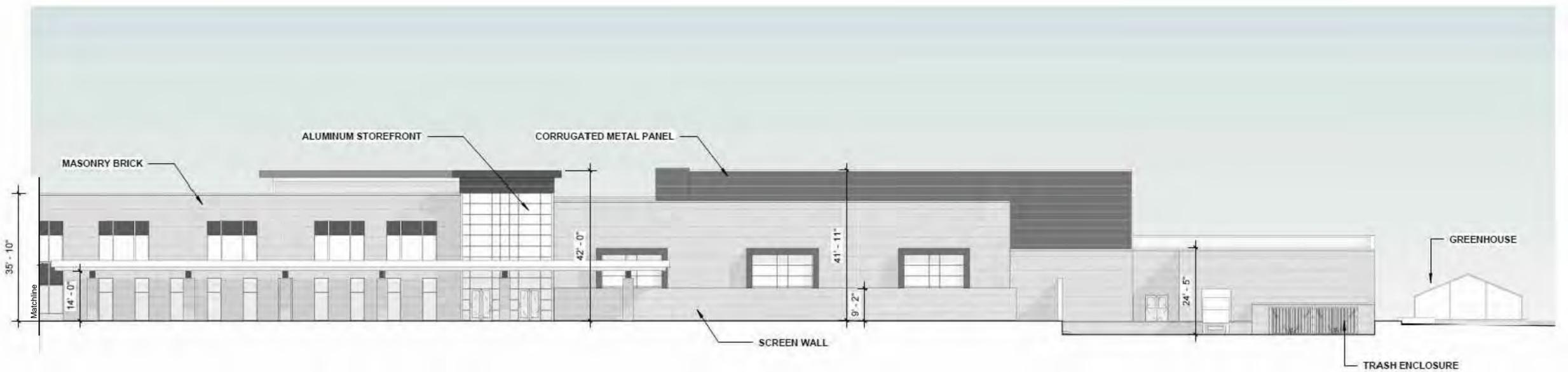
RPM Real Estate, LLC Inst.
#22050663
E. Memphis Ind. Dist., Ph1
Lot 14 (Part), PB 134-44

Insomnia, Inc. Inst.
#HY6430
C'town Pkwy Bus Ctr
Lot 4 (Part), PB
273-25

Insomnia, Inc. Inst.
#HY6430
C'town Pkwy Bus Ctr
Lot 4, PB 273-25



NORTH HIGH SCHOOL ELEVATION 1
Not To Scale



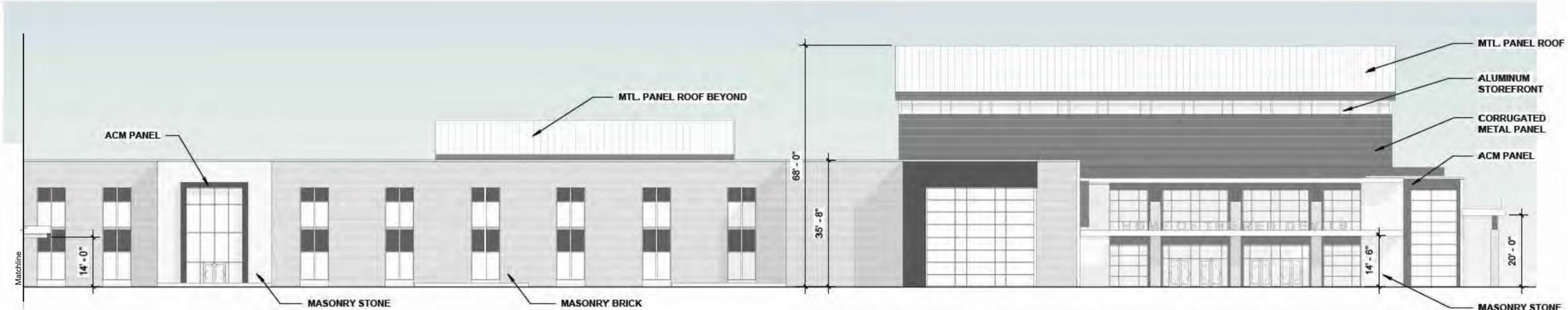
NORTH HIGH SCHOOL ELEVATION 2
Not To Scale



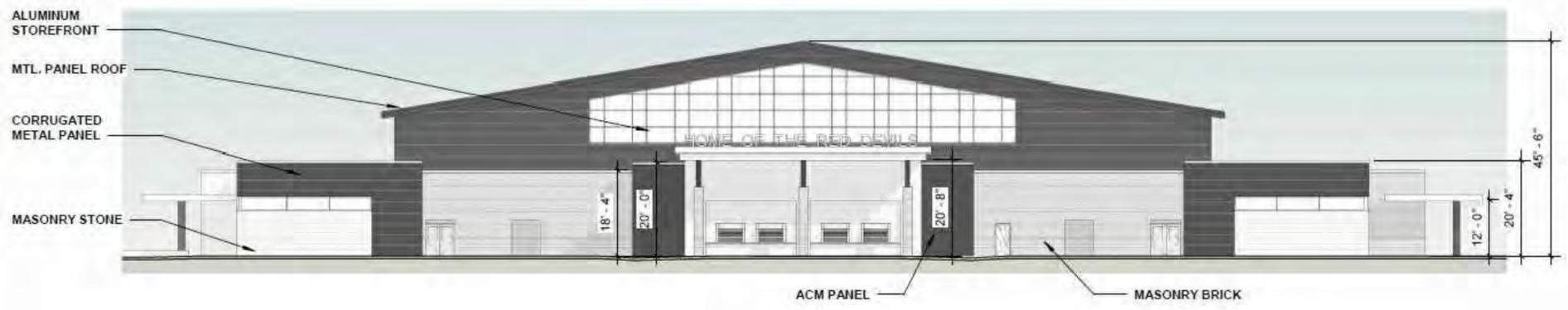
OUTLINE/FINAL PLAT - Building Elevations		
MSCS NERHS PLANNED DEVELOPMENT		
CASE NUMBER: PD 2024.****		FORMER CASE NUMBERS: PD 2008-315
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1	ACREAGE: 41.49 ACRES	WARD 81, BLOCK 80, PARCEL 99
DEVELOPER: MEMPHIS/SHELBY COUNTY SCHOOLS 160 S. HOLLYWOOD STREET MEMPHIS, TN 38112	ENGINEER: RENAISSANCE GROUP, INC. 9700 VILLAGE CIRCLE, STE. 100 LAKELAND, TN 38002	
100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL No. 47157C0320G	FEMA MAP DATE: 2/6/2013
MAY, 2024	SCALE: NTS	SHEET 6 OF 9



SOUTH HIGH SCHOOL ELEVATION 1
Not To Scale



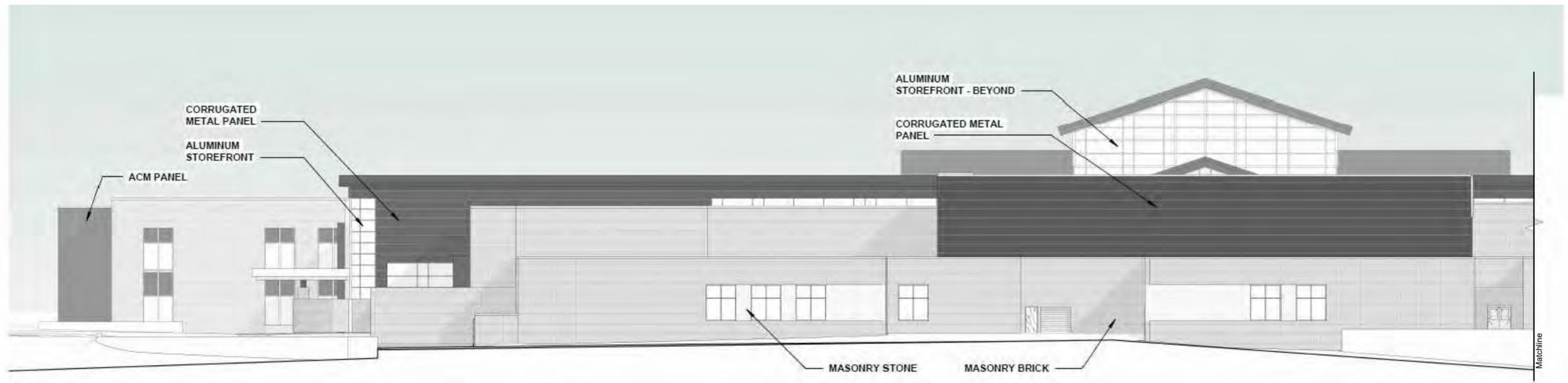
SOUTH HIGH SCHOOL ELEVATION 2
Not To Scale



SOUTH FIELDHOUSE ELEVATION
Not To Scale



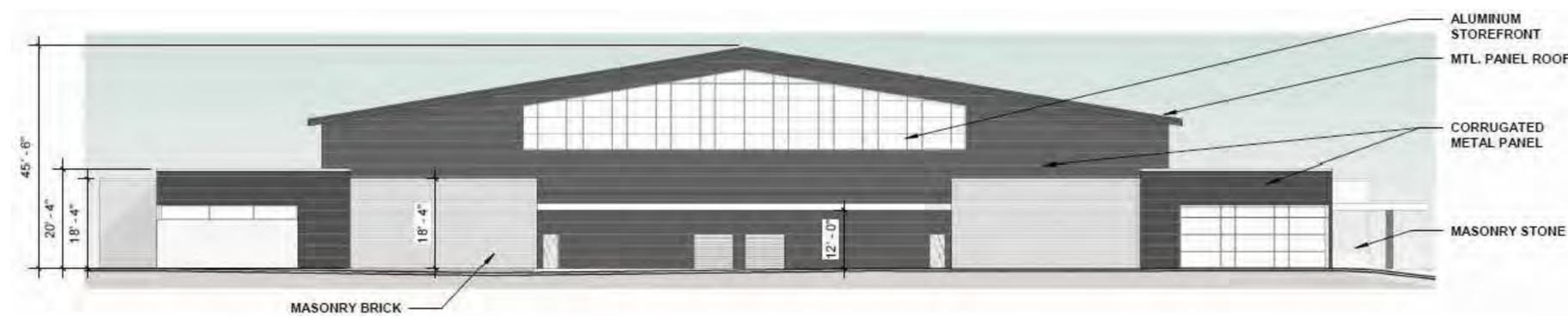
OUTLINE/FINAL PLAT - Building Elevations		
MSCS NERHS PLANNED DEVELOPMENT		
CASE NUMBER: PD 2024.****	FORMER CASE NUMBERS: PD 2008-315	
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DEVELOPER: MEMPHIS/SHELBY COUNTY SCHOOLS 160 S. HOLLYWOOD STREET MEMPHIS, TN 38112	ENGINEER: RENAISSANCE GROUP, INC. 9700 VILLAGE CIRCLE, STE. 100 LAKELAND, TN 38002	
100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL No. 47157C0320G	FEMA MAP DATE: 2/6/2013
MAY, 2024	SCALE: NTS	SHEET 7 OF 9



WEST HIGH SCHOOL ELEVATION 1
Not To Scale



WEST HIGH SCHOOL ELEVATION 2
Not To Scale



NORTH FIELDHOUSE ELEVATION
Not To Scale



OUTLINE/FINAL PLAT - Building Elevations		
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
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100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL No. 47157C0320G	FEMA MAP DATE: 2/6/2013
MAY, 2024	SCALE: NTS	SHEET 8 OF 9

OWNER'S CERTIFICATE

I, _____, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS MY PLAN OF DEVELOPMENT. I CERTIFY THAT I AM THE OWNER OF SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

OWNER _____ DATE _____

NOTARY CERTIFICATE
STATE OF TENNESSEE
COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, DULY COMMISSIONED AND QUALIFIED PERSONALLY APPEARED _____, WITH WHO I AM PERSONALLY ACQUAINTED AND WHO, UPON OATH ACKNOWLEDGED HIMSELF TO BE THE OWNER OF _____, AND HE AS SUCH REPRESENTATIVE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET OUT BY HAND AND AFFIX MY SEAL THIS _____ DAY OF _____, 20 ____.

(NOTARY PUBLIC)

MY COMMISSION EXPIRES: _____

OWNER'S CERTIFICATE

I, _____, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS MY PLAN OF DEVELOPMENT. I CERTIFY THAT I AM THE OWNER OF SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

OWNER _____ DATE _____

NOTARY CERTIFICATE
STATE OF TENNESSEE
COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, DULY COMMISSIONED AND QUALIFIED PERSONALLY APPEARED _____, WITH WHO I AM PERSONALLY ACQUAINTED AND WHO, UPON OATH ACKNOWLEDGED HIMSELF TO BE THE OWNER OF _____, AND HE AS SUCH REPRESENTATIVE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET OUT BY HAND AND AFFIX MY SEAL THIS _____ DAY OF _____, 20 ____.

(NOTARY PUBLIC)

MY COMMISSION EXPIRES: _____

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 _____
DATE: _____
TENNESSEE 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 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 _____



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

OUTLINE/FINAL PLAT - Certificates		
MSCS NERHS PLANNED DEVELOPMENT		
CASE NUMBER: PD 2024.****	FORMER CASE NUMBERS: PD 2008-315	
MEMPHIS, TENNESSEE		
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100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL No. 47157C0320G	FEMA MAP DATE: 2/6/2013
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.

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.): 20,000sf
- b. 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.

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.



Legend

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


 Map prepared through Shelby County Government's online mapping Portal on 4/22/2024

0 0.06 0.12 0.18 0.24
 mi

N


ANNA NACHMAN LP
720 LYNN ST #
HERNDON VA 20170

AREN LAND DEV CO LLC
7810 MORIARTY RD #
MEMPHIS TN 38018

AREN LAND DEV CO LLC
11814 STALLION LN #
HOUSTON TX 77071

AREN LAND DEV CO LLC
7707 APACHE PLUME DR #
HOUSTON TX 77071

ARLINGTON MEMPHIS LLC
2 20TH ST #
BIRMINGHAM AL 35203

BALTON BROTHERS REALTY
7801 MORIARTY RD #
MEMPHIS TN 38018

BAPTIST MEMORIAL HOSPITAL
350 N HUMPHREYS BLVD #
MEMPHIS TN 38120

BRAMBLES EQUIPMENT SERVICES INC
8450 W BRYN MAWE AVE #
CHICAGO IL 60631

CHOATE CHRISTOPHER K & CYNTHIA L
820 HERBERT RD #
CORDOVA TN 38018

COLEMAN LARRY E MARITAL TRUST AND
6711 WILD BERRY LN #
MEMPHIS TN 38119

CORDOVA PROPERTIES LLC
4701 GLACIER BAY #
COLLIERVILLE TN 38017

CREWS INVESTMENT HOLDINGS LLC
555 GREAT CIRCLE RD #
NASHVILLE TN 37220

EAST MEMPHIS INDUSTRIAL DISTRICT
820 HERBERT RD #
CORDOVA TN 38018

FOCHT JOHN & KAREN
1579 LACEWING TRCE #
CORDOVA TN 38016

FOUR STATE STORAGE DST
PO BOX 3666 #
OAK BROOK IL 60523

GAMEDAY HEALTHY KIDS FOUNDATION
140 E MULBERRY ST #
COLLIERVILLE TN 38017

GAMEDAY HOLDINGS LLC
140 E MULBERRY ST #
COLLIERVILLE TN 38017

H & M DEVELOPMENT LLC
7895 PLAYERS FOREST DR #
MEMPHIS TN 38119

HYNEMAN MILLER LLC
820 HERBERT RD #
CORDOVA TN 38018

IBB HOLDINGS GP
PO BOX 40642 #
MEMPHIS TN 38174

INSOMNIA INC
5050 POPLAR AVE #
MEMPHIS TN 38157

JUSTICE JOHNNY AND CAROL TRUST
830 HERBERT RD #
CORDOVA TN 38018

KASHMIR EL 331
7989 FISCHER STEEL RD #
CORDOVA TN 38018

KISER'S FLOOR FASHIONS INC
3050 WALNUT GROVE RD #
MEMPHIS TN 38111

NATIONAL RETAIL PROPERTIES INC
450 S ORANGE AVE #
ORLANDO FL 32801

PGP PATRIOT 1 LLC (43.991%) AND
141 S PROVIDENCE RD #
CHAPEL HILL NC 27514

PGP PATRIOT 1 LLC (43.991%) AND
141 S PROVIDENCE RD #
CHAPEL HILL NC 27514

ROSE MORSE W & MONICA W
7142 BLUE GRASS LN #
GERMANTOWN TN 38138

ROSE MORSE W & MONICA W
7142 BLUE GRASS LN #
GERMANTOWN TN 38138

RPM REAL ESTATE LLC
9411 SHADOW RIDGE CV #
CORDOVA TN 38016

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.



21060647

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 aforescribed 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
Marvin E. Orr

Irma Jean Orr
Irma Jean Orr

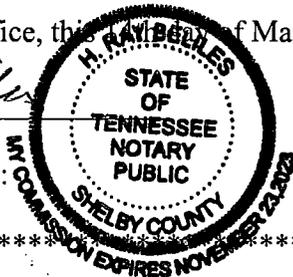
STATE OF TENNESSEE
COUNTY OF SHELBY

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, this 14th day of May, 2021.

H. Ray Beales
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.

Carol Bateman
Affiant

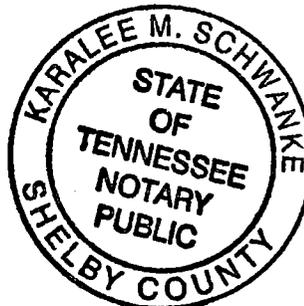
Subscribed and sworn to before me this 14th day of May, 2021.

[Signature]
Notary Public

My Commission Expires: June 29, 2021

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

Aren Land Dev Co LLC
7707 Apache Plume Dr.
Houston, Tx 77071



WARRANTY DEED



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

Return To:

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

Owner Name and Address:

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

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 22nd day of November, 2021.

Quality Concrete Products Co., Inc.

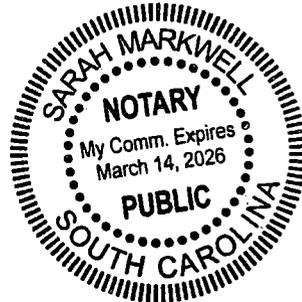
By: [Signature]
Chris Markwell, Vice President

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 bargainer, 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.

[Signature]
Notary Public
My Commission Expires: 3/14/26



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.

[Signature]
Affiant

Subscribed and sworn to before me this 22nd day of November, 2021.

[Signature]
Notary Public
My Commission Expires: _____

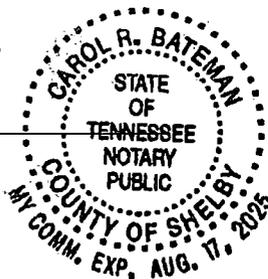


EXHIBIT A

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 right-of-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

PIETRANGELO SMITH
Attorneys & Counselors

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 aforescribed 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 *Patricia Ann Brown, Trustee*
Patricia Ann Brown, Trustee

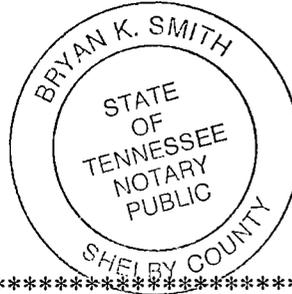
STATE OF TENNESSEE
COUNTY OF SHELBY

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

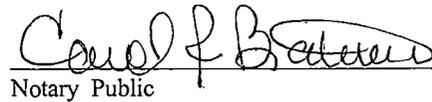
Mail tax bills to:
Aren Land Dev Co LLC
7810 Moriarty Road
Memphis, TN 38018

STATE OF TENNESSEE
COUNTY OF SHELBY

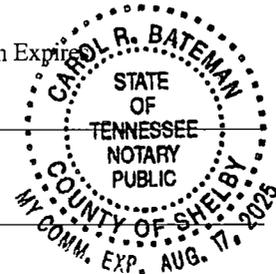
I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is \$540,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.


Affiant

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


Notary Public

My Commission Expires





Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

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



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

PIETRANGELO SMITH
Attorneys & Counselors

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 aforescribed 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
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.

Bryan K. Smith
Notary Public Bryan K. Smith

My Commission expires: March 2, 2024



Property Address:
7788 Moriarty Road
Memphis, TN 38018

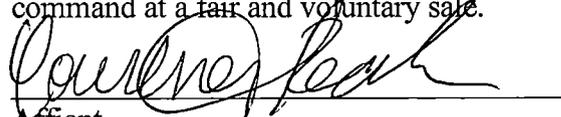
Property Owner:
Aren Land Dev Co LLC
11814 Stallion Lane
Houston, TX 77071

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 23rd 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 long-term 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:

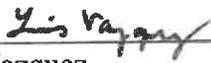
CSX TRANSPORTATION, INC.:



Jessica A. Braig

By: 

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



Luis Vazquez

Attest 

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

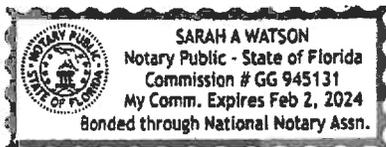
STATE OF FLORIDA)
) SS.
COUNTY OF DUVAL)

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 pursuant to Board authority; and instrument is the free act and deed of 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

 (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 18th day of January 2023.



Notary Public

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

TENNESSEE Shakespeare co.

neighboring  Shelby Farms Park

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
Louise Calandrucio
Blanche Deaderick
Ruth Dunning
John Paul (Jack) Jones (d.)
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

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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

HAND-DELIVERED

July 24, 2024

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 Christian
Staff Planner
Memphis and 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 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

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

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. Christian 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. Christian, TSC objects to the Land Use Control Board's decision and wishes to appeal its recommendation.



TENNESSEE Shakespeare co.

neighboring  Shelby Farms Park

Board of Directors

Ernest G. Kelly, Jr.
President
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Vice President
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Past President
Audrey Taylor (d.)
George Walters (d.)
Founding President

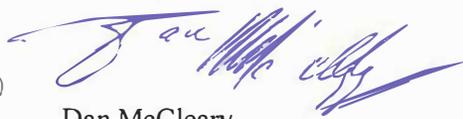
I am attaching here our letter of opposition that was submitted to the Land Use Control Board. I attempted to speak at the LUCB hearing, but I was given 45 seconds to do so. Few others in opposition were given more than 45 seconds to speak.

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

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Permanent Home
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Classical Theatre,
Education, and
Outreach.

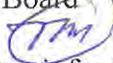
7950 Trinity Road
Memphis, TN 38018-6297

Business Office:
901.759.0620

Box Office:
901.759.0604

contact@tnshakespeare.org

www.tnshakespeare.org

TO: Chloe Christian, 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 OPPOSITION 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 DENIAL RECOMMENDATION 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 semi-truck 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)**

You will take notice that a public hearing will be held by the City Council of the City of Memphis, Tennessee, meeting in session in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee, 38103, on Tuesday, _____ at 3:30 P.M., in the matter of granting an application for a planned development pursuant to Article 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*

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

THIS THE _____, _____

JB SMILEY, JR.
CHAIRMAN OF COUNCIL

ATTEST:

CRYSTAL GIVENS
CITY COMPTROLLER

TO BE PUBLISHED:



Legend

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

Map prepared through Shelby County Government's online mapping Portal on 4/22/2024

0 0.06 0.12 0.18 0.24 mi

N

ANNA NACHMAN LP
720 LYNN ST #
HERNDON VA 20170

AREN LAND DEV CO LLC
7810 MORIARTY RD #
MEMPHIS TN 38018

AREN LAND DEV CO LLC
11814 STALLION LN #
HOUSTON TX 77071

AREN LAND DEV CO LLC
7707 APACHE PLUME DR #
HOUSTON TX 77071

ARLINGTON MEMPHIS LLC
2 20TH ST #
BIRMINGHAM AL 35203

BALTON BROTHERS REALTY
7801 MORIARTY RD #
MEMPHIS TN 38018

BAPTIST MEMORIAL HOSPITAL
350 N HUMPHREYS BLVD #
MEMPHIS TN 38120

BRAMBLES EQUIPMENT SERVICES INC
8450 W BRYN MAWE AVE #
CHICAGO IL 60631

CHOATE CHRISTOPHER K & CYNTHIA L
820 HERBERT RD #
CORDOVA TN 38018

COLEMAN LARRY E MARITAL TRUST AND
6711 WILD BERRY LN #
MEMPHIS TN 38119

CORDOVA PROPERTIES LLC
4701 GLACIER BAY #
COLLIERVILLE TN 38017

CREWS INVESTMENT HOLDINGS LLC
555 GREAT CIRCLE RD #
NASHVILLE TN 37220

EAST MEMPHIS INDUSTRIAL DISTRICT
820 HERBERT RD #
CORDOVA TN 38018

FOCHT JOHN & KAREN
1579 LACEWING TRCE #
CORDOVA TN 38016

FOUR STATE STORAGE DST
PO BOX 3666 #
OAK BROOK IL 60523

GAMEDAY HEALTHY KIDS FOUNDATION
140 E MULBERRY ST #
COLLIERVILLE TN 38017

GAMEDAY HOLDINGS LLC
140 E MULBERRY ST #
COLLIERVILLE TN 38017

H & M DEVELOPMENT LLC
7895 PLAYERS FOREST DR #
MEMPHIS TN 38119

HYNEMAN MILLER LLC
820 HERBERT RD #
CORDOVA TN 38018

IBB HOLDINGS GP
PO BOX 40642 #
MEMPHIS TN 38174

INSOMNIA INC
5050 POPLAR AVE #
MEMPHIS TN 38157

JUSTICE JOHNNY AND CAROL TRUST
830 HERBERT RD #
CORDOVA TN 38018

KASHMIR EL 331
7989 FISCHER STEEL RD #
CORDOVA TN 38018

KISER'S FLOOR FASHIONS INC
3050 WALNUT GROVE RD #
MEMPHIS TN 38111

NATIONAL RETAIL PROPERTIES INC
450 S ORANGE AVE #
ORLANDO FL 32801

PGP PATRIOT 1 LLC (43.991%) AND
141 S PROVIDENCE RD #
CHAPEL HILL NC 27514

PGP PATRIOT 1 LLC (43.991%) AND
141 S PROVIDENCE RD #
CHAPEL HILL NC 27514

ROSE MORSE W & MONICA W
7142 BLUE GRASS LN #
GERMANTOWN TN 38138

ROSE MORSE W & MONICA W
7142 BLUE GRASS LN #
GERMANTOWN TN 38138

RPM REAL ESTATE LLC
9411 SHADOW RIDGE CV #
CORDOVA TN 38016

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
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 10/15/2024
DATE
PUBLIC SESSION: 11/12/2024
DATE**

ITEM (CHECK ONE)
 ORDINANCE RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 2101 Central Avenue, known as case number PD 2024-012

CASE NUMBER: PD 2024-012

DEVELOPMENT: The Cooper Planned Development

LOCATION: 2101 Central Avenue

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

OWNER/APPLICANT: Cooper Holdings Properties

REPRESENTATIVE: Josh Whitehead

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

AREA: +/-5.79 acres

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required:**
 Hearing – November 12, 2024

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
09/12/2024 _____	DATE
(1) Land Use Control Board _____	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
<u>Chloe Christian</u>	<u>10/7/2024</u>	PLANNER I
		DEPUTY ADMINISTRATOR
<u>Brett Rogala</u>	<u>10/7/2024</u>	ADMINISTRATOR
		DIRECTOR (JOINT APPROVAL)
		COMPTROLLER
		FINANCE DIRECTOR
		CITY ATTORNEY
		CHIEF ADMINISTRATIVE OFFICER
		COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

PD 2024-012

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

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

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: PD 2024-012

DEVELOPMENT: The Cooper Planned Development

LOCATION: 2101 Central Avenue

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

OWNER/APPLICANT: Cooper Holdings Properties

REPRESENTATIVE: Josh Whitehead

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

EXISTING ZONING: Employment (EMP), Residential Urban – 3 (RU-3), Midtown Overlay (MD), and Cooper Young Historic District Overlay [H]

AREA: +/-5.79 acres

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

The following spoke in opposition the application: None

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

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

Respectfully,



Chloe Christian
Planner I
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

PD 2024-012

OUTLINE PLAN CONDITIONS

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

I. Uses Permitted

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

II. Bulk Regulations

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

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

III. Access, Circulation and Parking:

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

IV. Building facades, Landscaping and Screening

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

- V. Signs
- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
 - B. **Any sign elevations shall be included in the recording of this Final Plat.**
 - C. Any ground mounted sign shall have a minimum setback of five (5) feet from the public right-of-way.
 - D. Attached signs shall be in accordance with the CMU-1 District.
 - E. No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.
- VI. Drainage
- A. All drainage plans shall be submitted to the City Engineer for review.
 - B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten days of such action, file a written appeal to the Director of Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plat shall include the following:
- A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by “Reserved for Storm Water Detention” shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners’ association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City/County Engineer’s Office. Such maintenance shall include, but not be limited to, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

CONCEPT PLAN



COOPER & CENTRAL
 Memphis, TN | 08/23/24
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GROUND LEVEL 292'



PROJECT INFO

- 250 UNITS (185 AVG SF)
-4-LEVELS OVER PODIUM
27 TOWNHOUSES
- LEASING & AMENITY
- RETAIL/ RESTAURANT (4,150 SF)
- HOTEL- 120 KEYS
7 LEVELS

MULTIFAMILY
 250 @ 1.3 = 325 SPACES

RETAIL
 5/1000 (4.15) = 21 SPACES

HOTEL
 (120) (66/KEY) = 80 SPACES
 42% SPACES REQUIRED

PARKING PROVIDED

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

M-F-PODIUM

LEVEL 1	186 SPACES
MEZZANINE	190 SPACES
	376 SPACES

TOTAL SPACES PROVIDED = 508 SPACES





COOPER & CENTRAL

Memphis, TN | 08/21/24

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MEZZANINE LEVEL 302'

PROJECT INFO

- 250 UNITS (915 AVG SF)
-4 LEVELS OVER PODIUM
27 TOWNHOUSES
- LEASING & AMENITY
- RETAIL/ RESTAURANT (4,150 SF)
- HOTEL - 120 KEYS
7 LEVELS

PARKING REQUIRED:

MULTIFAMILY
250 @ 1.3 = 325 SPACES
RETAIL
5/1000 (4.15) = 21 SPACES
HOTEL
(120/666/KEY) = 80 SPACES
426 SPACES REQUIRED

PARKING PROVIDED

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

M-F PODIUM
LEVEL 1
185 SPACES
MEZZANINE
190 SPACES
375 SPACES

TOTAL SPACES PROVIDED = 508 SPACES





UNIT MIX	
250 UNITS AT AN AVERAGE OF 815 S.F.	
STUDIOS	8%
ALCOVES	16%
ONE BED	49%
22'	19%
28'	6%
24'	24%
TWO BED	27%
IC	11%
3d	5%
OC	11%

85% EFFICIENT, NOT INCLUDING BALCONIES

PROJECT INFO

- 250 UNITS (815 AVG SF)
-4 LEVELS OVER PODIUM
27 TOWNHOUSES
 - LEASING & AMENITY
 - RETAIL/ RESTAURANT (4,150 SF)
 - HOTEL- 120 KEYS
7 LEVELS
- PARKING REQUIRED:
- MULTIFAMILY
250 @ 1.3 = 325 SPACES
 - RETAIL
5/1000 (4.5) = 21 SPACES
 - HOTEL
(120)(6.6/KEY) = 80 SPACES
- 426 SPACES REQUIRED

PARKING PROVIDED

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

M-F PODIUM

LEVEL 1	185 SPACES
MEZZANINE	100 SPACES
	375 SPACES

TOTAL SPACES PROVIDED = 508 SPACES



COOPER & CENTRAL
Memphis, TN | 08/21/24
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TYPICAL UPPER LEVELS



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

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

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

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

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

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

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

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

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

OUTLINE PLAN CONDITIONS

PD 2024-012

OUTLINE PLAN CONDITIONS

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

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

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

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

III. Access, Circulation and Parking:

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

IV. Building facades, Landscaping and Screening

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

- V. Signs
- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
 - B. **Any sign elevations shall be included in the recording of this Final Plat.**
 - C. Any ground mounted sign shall have a minimum setback of five (5) feet from the public right-of-way.
 - D. Attached signs shall be in accordance with the CMU-1 District.
 - E. No temporary or portable signs shall be permitted unless a permit is obtained from the Office of Construction Code Enforcement.
- VI. Drainage
- A. All drainage plans shall be submitted to the City Engineer for review.
 - B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.
- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten days of such action, file a written appeal to the Director of Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.
- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.
- IX. Any final plat shall include the following:
- A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City/County Engineer's Office. Such maintenance shall include, but not be limited to, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

CONCEPT PLAN



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GROUND LEVEL 292'



PROJECT INFO

■	250 UNITS (185 AVG SF)
■	4 LEVELS OVER PODIUM
■	27 TOWNHOUSES
■	LEASING & AMENITY
■	RETAIL/RESTAURANT (4,350 SF)
■	HOTEL - 170 KEYS
■	HOTEL - 170 KEYS
■	7 LEVELS
PARKING REQUIRED:	
■	MULTI-FAMILY
■	250 @ 1.3 = 325 SPACES
■	RETAIL
■	57,000 (A/N) = 21 SPACES
■	HOTEL
■	(170x4) (170x3) = 80 SPACES
■	426 SPACES REQUIRED
PARKING PROVIDED	
■	LOT 1
■	92 SPACES
■	LOT 2
■	11 SPACES
■	STREET 3
■	40 SPACES
■	133 SPACES
M-F PODIUM	
■	LEVEL 1
■	185 SPACES
■	MEZZANINE
■	190 SPACES
■	375 SPACES
TOTAL SPACES PROVIDED = 608 SPACES	

Calisla
ARCHITECTURAL CONSULTANT



MEZZANINE LEVEL 302

PROJECT INFO

- 250 UNITS (13 AVE SFS)
 - 4 LEVELS OVER PODIUM
 - 27 TOWNHOUSES
 - LEASING & AMENITY
 - RETAIL/RESTAURANT (4,100 SF)
 - HOTEL - 130 KITS
 - 7 LEVELS
- PARKING REQUIRED

MULTI-FAMILY
 250 @ 13 = 328 SPACES

RETAIL
 57,000 (4.15) = 21 SPACES

HOTEL
 (130K MARKET) = 80 SPACES
 426 SPACES REQUIRED

PARKING PROVIDED

LOT 1	82 SPACES
LOT 2	11 SPACES
LOT 3	40 SPACES
LOT 4	133 SPACES

MEZZANINE	185 SPACES
LEVEL 1	100 SPACES
MEZZANINE	215 SPACES

TOTAL SPACES PROVIDED = 808 SPACES





UNIT MIX
250 UNITS AT AN AVERAGE OF 815 S.F.

STUDIOS	8%
ALCOVES	16%
ONE BED	49%
22'	17%
24'	24%
26'	6%
TWO BED	27%
10'	11%
36'	5%
O/C	11%

PROJECT INFO

- 250 UNITS (815 AVG SF)
- 4 LEVELS OVER PODIUM
- 27 TOWNHOUSES
- LEASING & AMENITY
- RETAIL/RESTAURANT (6,180 SF)
- HOTEL - 120 KEYS
- 7 LEVELS

PARKING PROVIDED:

- MULTIFAMILY: 250 @ 1.1 = 325 SPACES
- RETAIL: 5/1000 (A.B.) = 21 SPACES
- HOTEL: 120/1000 (A.B.) = 42 SPACES
- TOTAL: 426 SPACES PROVIDED

PARKING PROVIDED:

- LOT 1: 82 SPACES
- LOT 2: 11 SPACES
- STREET 3: 133 SPACES

MT-PODIUM:

- LEVEL 1: 185 SPACES
- MEZZANINE: 190 SPACES
- TOTAL: 375 SPACES

TOTAL SPACES PROVIDED = 508 SPACES



ATTEST:

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

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

CASE NUMBER: PD 2024-012

DEVELOPMENT: The Cooper Planned Development

LOCATION: 2101 Central Avenue

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

OWNER/APPLICANT: Cooper Holdings Properties

REPRESENTATIVE: Josh Whitehead, Christine Donhardt

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

EXISTING ZONING: Employment (EMP), Residential Urban – 3 (RU-3), Midtown Overlay (MD), and Cooper Young Historic District Overlay [H]

CONCLUSIONS

1. On January 5, 2021, the Council of the City of Memphis approved PD 2020-15 for the Central Yards Planned Development. See approved Council Resolution on pages 35-40 of this report. This application is an amendment to the previously approved planned development to include more land and changes in use including the addition of townhouses and a seven-story hotel following the success of the Memphian Hotel in Overton Square.
2. The continuation of this planned development and approval of this amendment request is a use compatible with the surrounding commercial and residential nature of the Cooper and Central intersection. The site is less than one mile away from the Memphian hotel, and directly adjacent to commercial, retail, and restaurant space. Urban Outfitters, Railgarten, Peabody Park, and Aldo’s Pizza are within walking distance of the development site.
3. The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

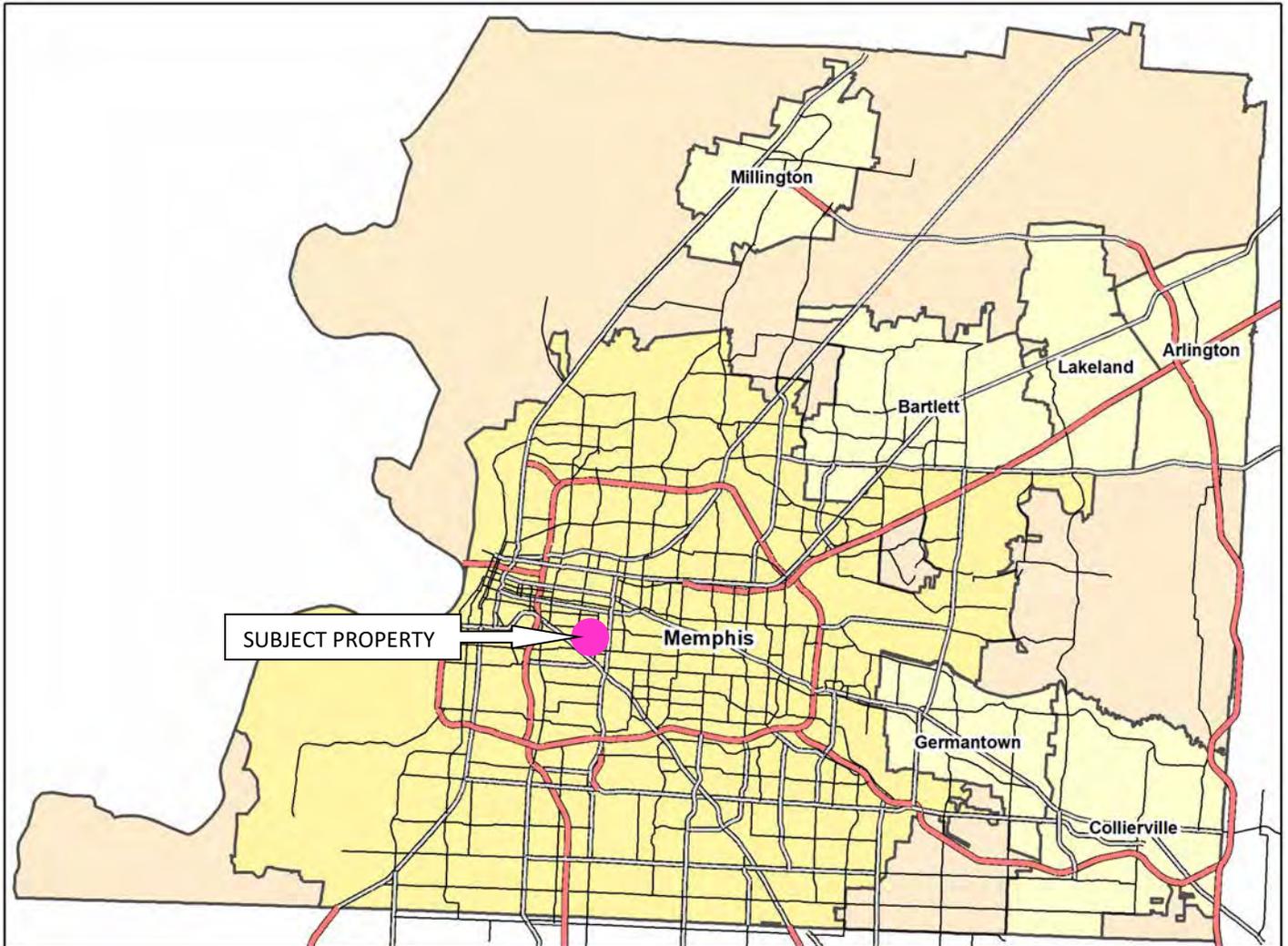
CONSISTENCY WITH MEMPHIS 3.0

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

RECOMMENDATION:

Approval with conditions

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 176 notices were mailed on August 19, 2024, see pages 33-34 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 35 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

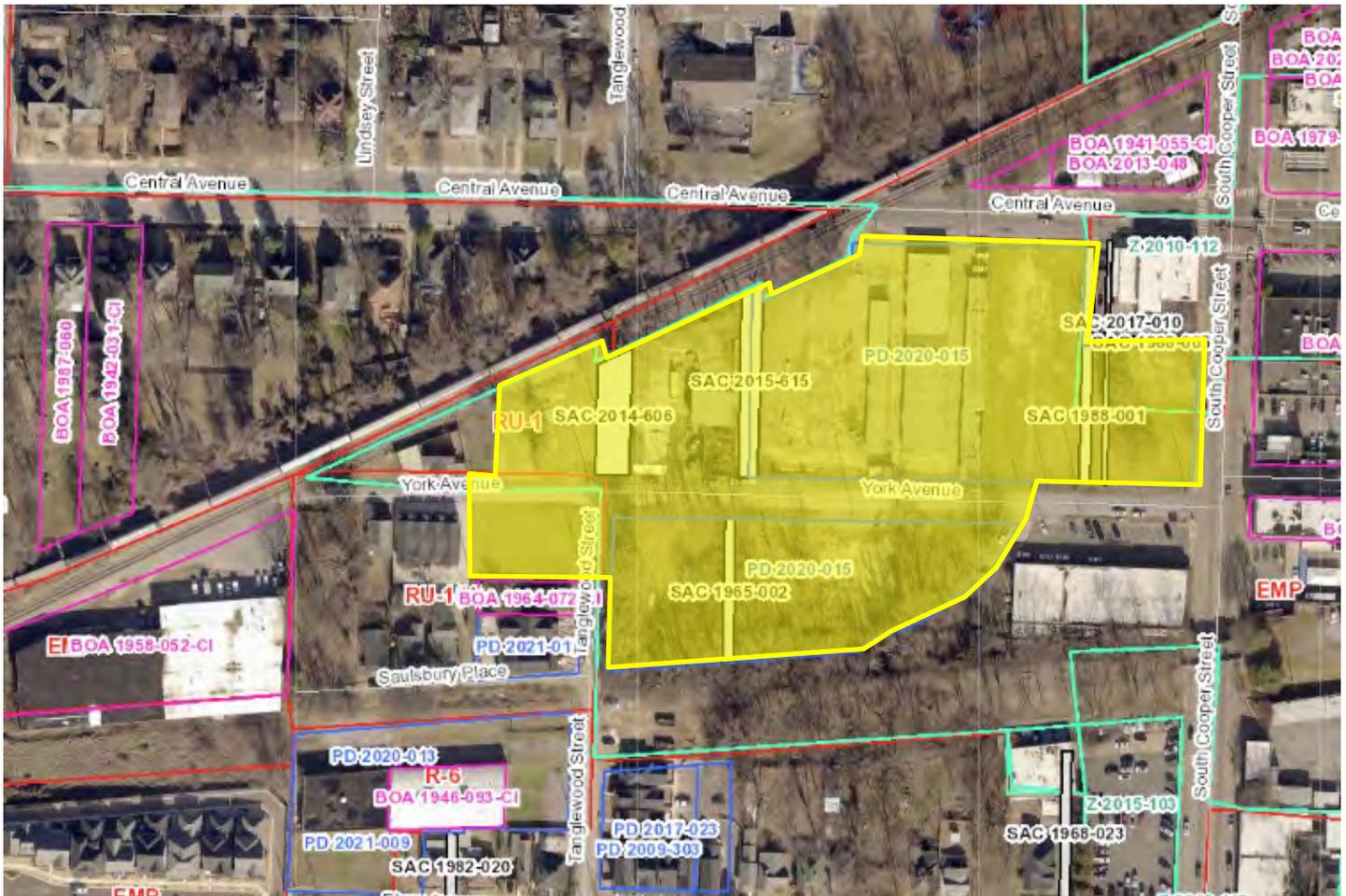
The meeting was held at 5:00PM on Monday, August 26 at the Cooper Young Community Association building at 2298 Young Avenue.

AERIAL



Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from Cooper Street and York Avenue



View of subject property from York Avenue



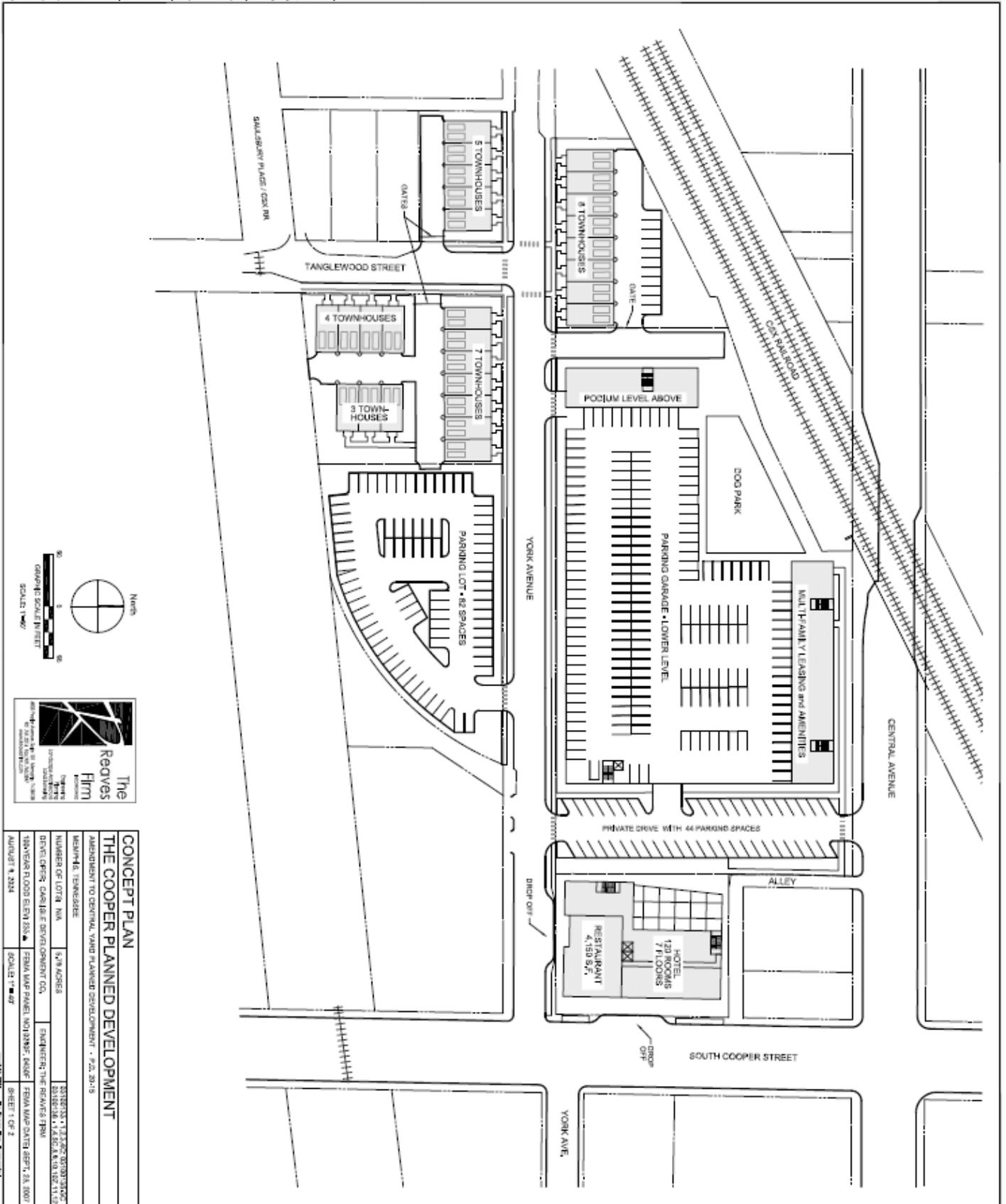
View of subject property from York Avenue and Tanglewood Street



View of subject property from Central Avenue

CONCEPT PLAN – LOWER

Aug 2024 2:13:05 PM (24-001) Central at Cooper West Use Development/00 Driven/01 Design Plan/01 Aug 21, 2024 - 2:43pm



LANDSCAPE PLANS – GROUND LEVEL



PROJECT INFO	
	250 UNITS (815 AVG SF) -4 LEVELS OVER PODIUM 27 TOWNHOUSES
	LEASING & AMENITY
	RETAIL/ RESTAURANT (4,150 SF)
	HOTEL- 120 KEYS 7 LEVELS
PARKING REQUIRED:	
MULTIFAMILY 250 @ 1.3 = 325 SPACES	
RETAIL 5/1000 (4.15) = 21 SPACES	
HOTEL (120)(66/KEY) = 80 SPACES 426 SPACES REQUIRED	
PARKING PROVIDED	
LOT 1	82 SPACES
STREET 3	40 SPACES 122 SPACES
M.F. PODIUM	
LEVEL 1	159 SPACES
MEZZANINE	168 SPACES 327 SPACES
TOTAL SPACES PROVIDED = 449 SPACES	

LANDSCAPE PLANS – MEZZANINE LEVEL



PROJECT INFO	
■	250 UNITS (815 AVG SF) -4 LEVELS OVER PODIUM 27 TOWNHOUSES
■	LEASING & AMENITY
■	RETAIL/ RESTAURANT (4,150 SF)
■	HOTEL- 120 KEYS 7 LEVELS
PARKING REQUIRED:	
MULTIFAMILY 250 @ 1.3 = 325 SPACES	
RETAIL 5/1000 (4.15) = 21 SPACES	
HOTEL (120)/(66/KEY) = 80 SPACES 426 SPACES REQUIRED	
PARKING PROVIDED	
LOT 1	82 SPACES
STREET 3	40 SPACES
	122 SPACES
M.F. PODIUM	
LEVEL 1	159 SPACES
MEZZANINE	168 SPACES
	327 SPACES
TOTAL SPACES PROVIDED = 449 SPACES	

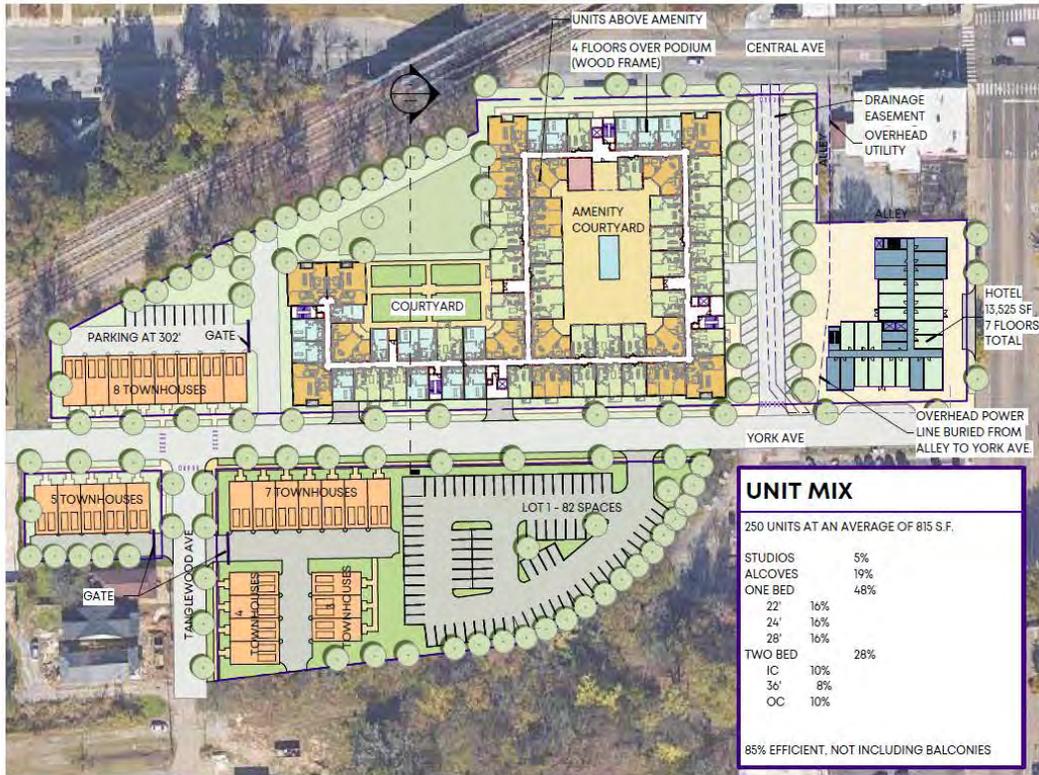


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 Memphis, TN | 08/21/24
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MEZZANINE LEVEL 302'



LANDSCAPE PLANS – UPPER LEVEL



PROJECT INFO	
250 UNITS (815 AVG SF) -4 LEVELS OVER PODIUM 27 TOWNHOUSES	
LEASING & AMENITY	
RETAIL/ RESTAURANT (4,150 SF)	
HOTEL- 120 KEYS 7 LEVELS	
PARKING REQUIRED:	
MULTIFAMILY 250 @ 1.3 = 325 SPACES	
RETAIL 5/1000 (4.15) = 21 SPACES	
HOTEL (120)/(66/KEY) = 80 SPACES	
426 SPACES REQUIRED	
PARKING PROVIDED	
LOT 1	82 SPACES
STREET 3	40 SPACES
	122 SPACES
M.F. PODIUM	
LEVEL 1	159 SPACES
MEZZANINE	168 SPACES
	327 SPACES
TOTAL SPACES PROVIDED = 449 SPACES	

CONCEPTUAL ELEVATIONS



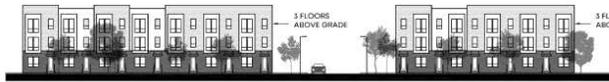
NORTH ELEVATION- CENTRAL AVENUE. SCALE 1"= 50'-0"



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



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



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



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



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

CASE REVIEW

Request

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

Applicability

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

4.10.2 Applicability

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

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

General Provisions

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

4.10.3 General Provisions

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

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

current development policies and plans of the City and County.

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

Commercial or Industrial Criteria

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

4.10.5 Planned Commercial or Industrial Developments

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

- A. Screening*

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

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

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

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

Approval Criteria

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

9.6.9 Approval Criteria

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

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

Site Details

Address:

2101 Central Avenue

Parcel ID:

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

Area:

+/-5.79 acres

Description:

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

Site Zoning History

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

Concept Plan Review

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

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

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

Analysis

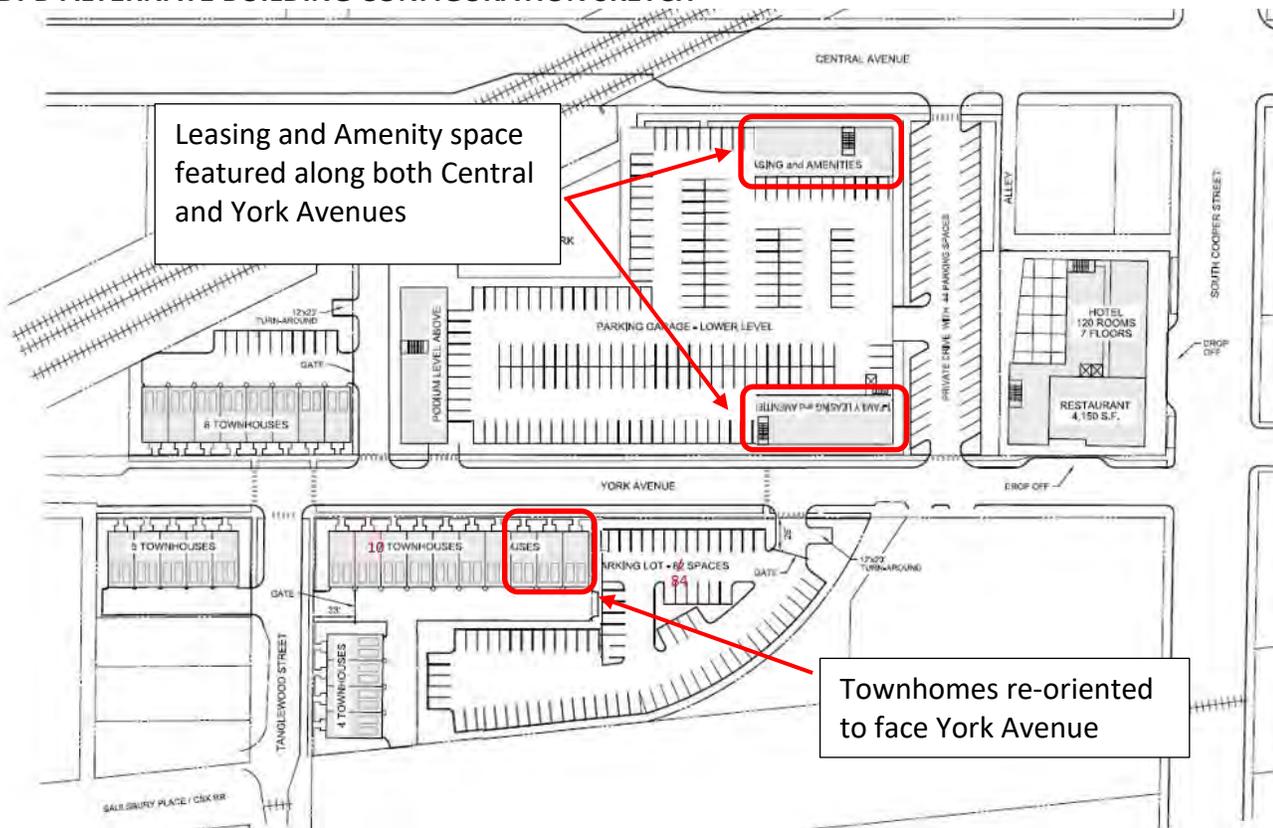
With regards to the general concept of the project, staff finds the requested amendment to be an appropriate use that is compatible with the surrounding area of the Cooper Young district. The proposed hotel would be established less than a mile away from the Memphian hotel in the Overton Square area,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

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

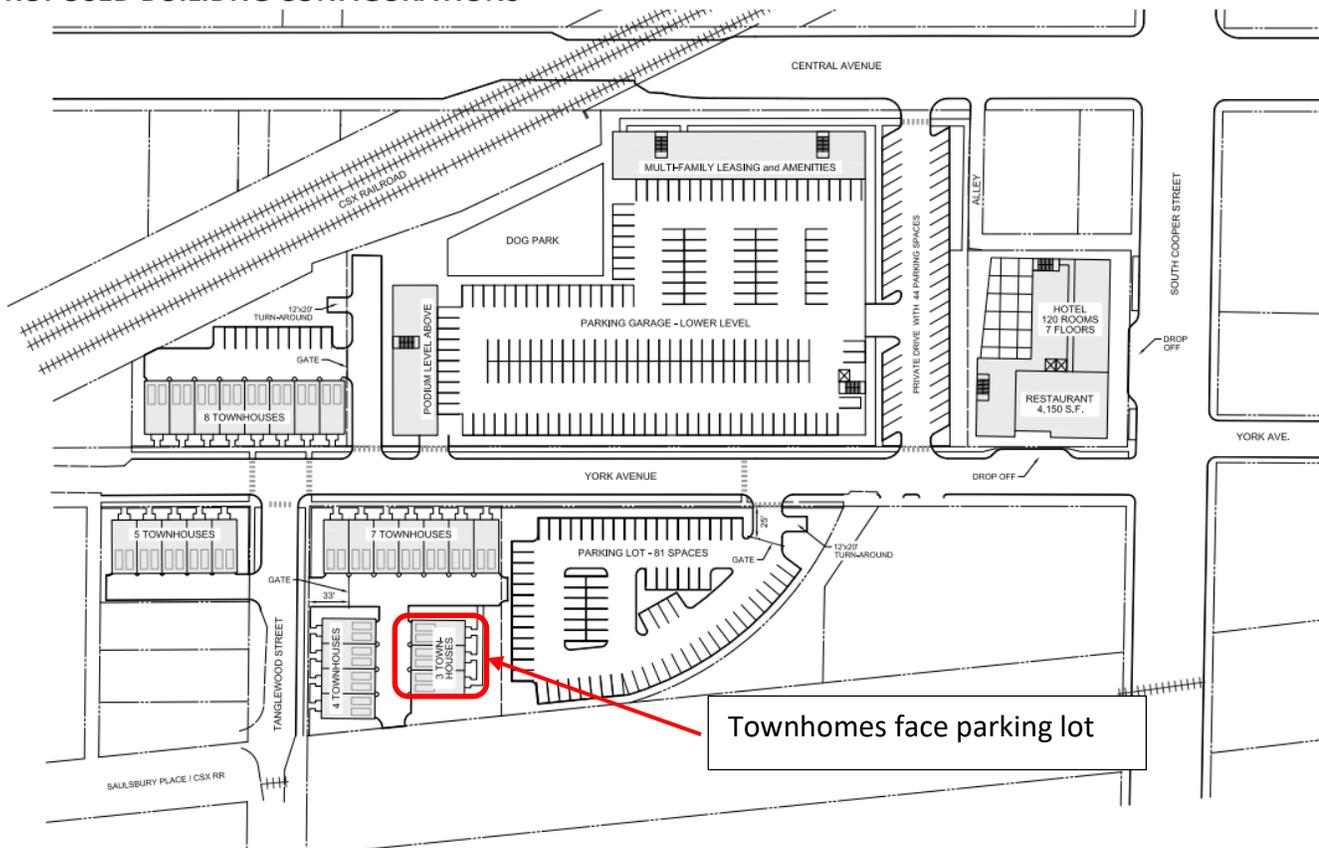
Staff is conditioning a minimum requirement of 25% active ground floor space required in for the ground-floor parking lot facing York Avenue. This modification would enhance the pedestrian experience and provide an increasingly more walkable and safer development for residents and guests. See the proposed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

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

DPD ALTERNATE BUILDING CONFIGURATION SKETCH



PROPOSED BUILDING CONFIGURATIONS



RECOMMENDATION

Staff recommends approval with revisions to the outline plan conditions.

Outline Plan Conditions – Revisions

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

I. Uses Permitted

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

II. Bulk Regulations

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

- ~~E. No rooftop amenity shall be above the level of the fourth (4th) floor parking garage roof.~~
- C. The maximum number of overall units in the Planned Development shall be three hundred and forty-eight (348).

III. Access, Circulation and Parking:

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

IV. Building facades, Landscaping and Screening

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

V. Signs

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

- VI. Drainage
 - A. All drainage plans shall be submitted to the City Engineer for review.
 - B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.

- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten days of such action, file a written appeal to the Director of Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.

- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.

- IX. Any final plat shall include the following:
 - A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City/County Engineer's Office. Such maintenance shall include, but not be limited to, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

DEPARTMENTAL COMMENTS

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

City Engineer:

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

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

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

Sewers:

2. The availability of City sanitary sewer is unknown at this time.

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

4. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept, a determination can be made as to available sewer capacity.

Roads:

5. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.

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

Traffic Control Provisions:

7. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5-foot-wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5-foot clear pedestrian path, an exception may be considered.

8. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.

9. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of

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

Curb Cuts/Access:

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

Drainage:

13. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
14. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
15. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
16. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
17. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

General Notes:

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

shall appear on the final plat.

22. 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 2024-012

Date Reviewed: 9/6/24

Reviewed by: J. Stinson

Address or Site Reference: 2102 Central

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

City Real Estate: No comments received.

County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

**Office of Comprehensive Planning:
Comprehensive Planning Review of Memphis 3.0 Consistency**

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: PD 24-012: Core City

Site Address/Location: 2101 CENTRAL AVE

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

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

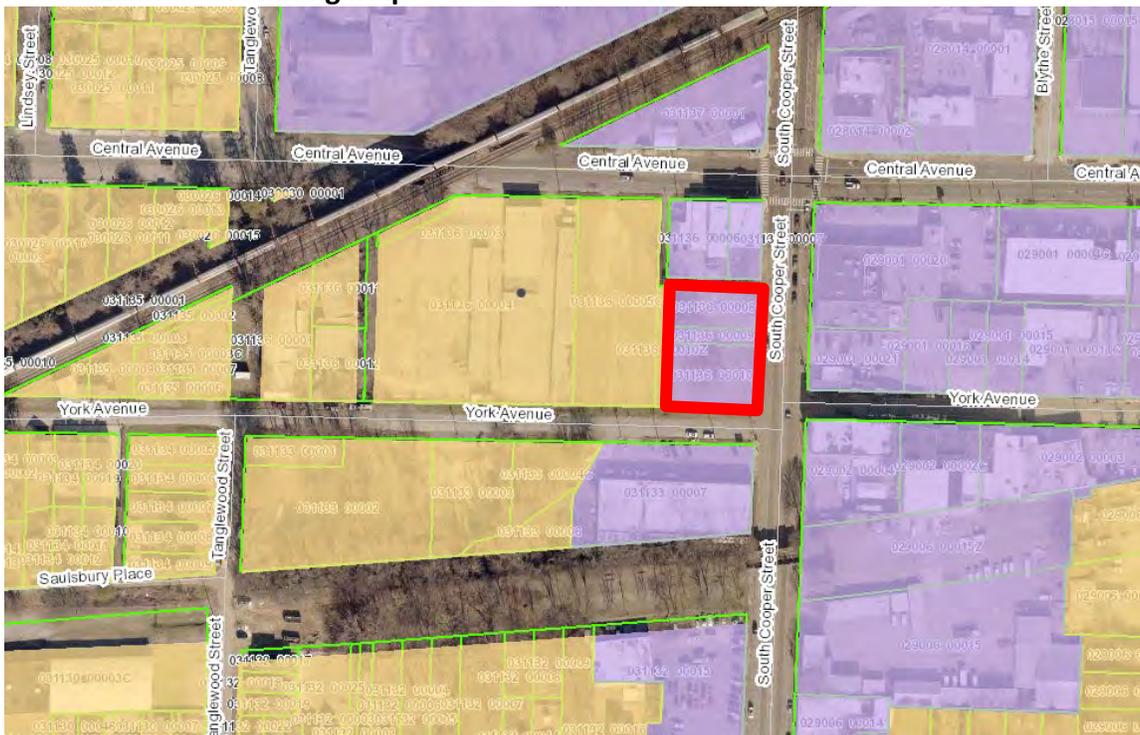
Area A: Hotel & Restaurants

Parcel ID: 031136 00008, 031136 00009, 031136 00010

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

Street Type: Avenue

2. Future Land Use Planning Map



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

3. Land Use Description/Intent

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



use
attached,
blocks.

“A-NMS” Form & Location Characteristics

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

“A-NMS” Zoning Notes

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

Existing, Adjacent Land Use and Zoning

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

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

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

4. Degree of Change Map



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

5. Degree of Change Description

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

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

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

Area B-Area E: Residential

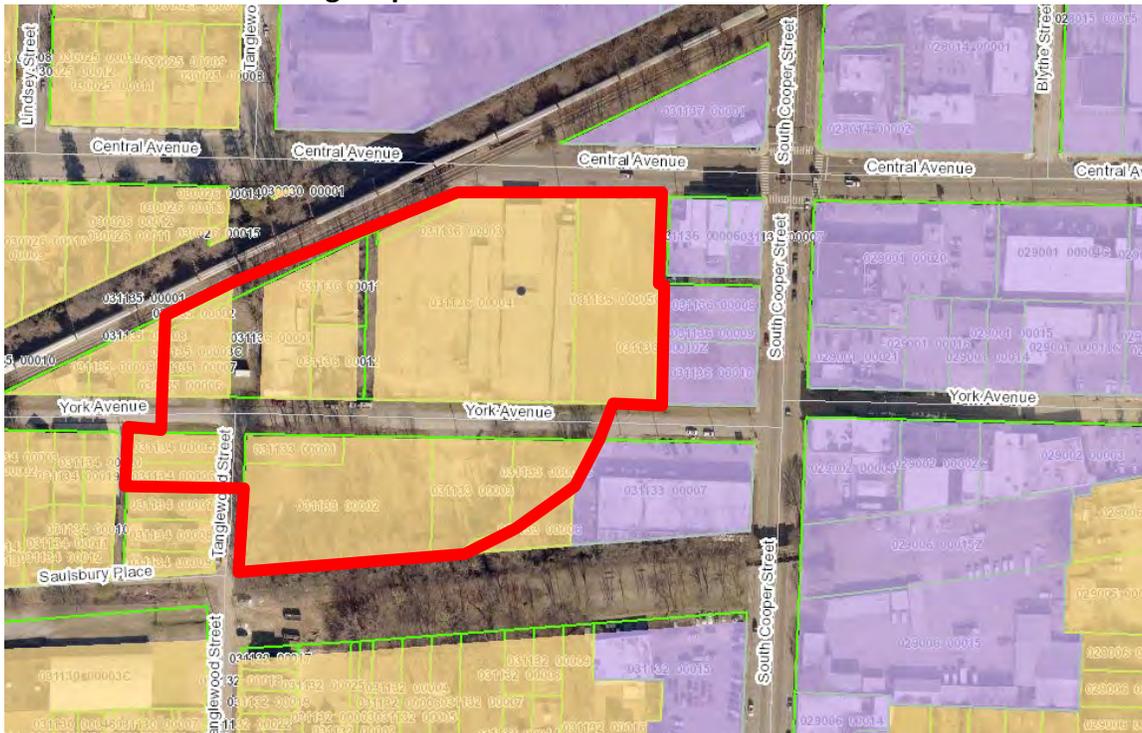
Parcel ID: All proposed parcels except 031136 00008, 031136 00009, 031136 00010

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

Street Type: Parkway

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



These Graphic

“AN-S” Form & Location Characteristics

SUSTAIN

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

“AN-S” Zoning Notes

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

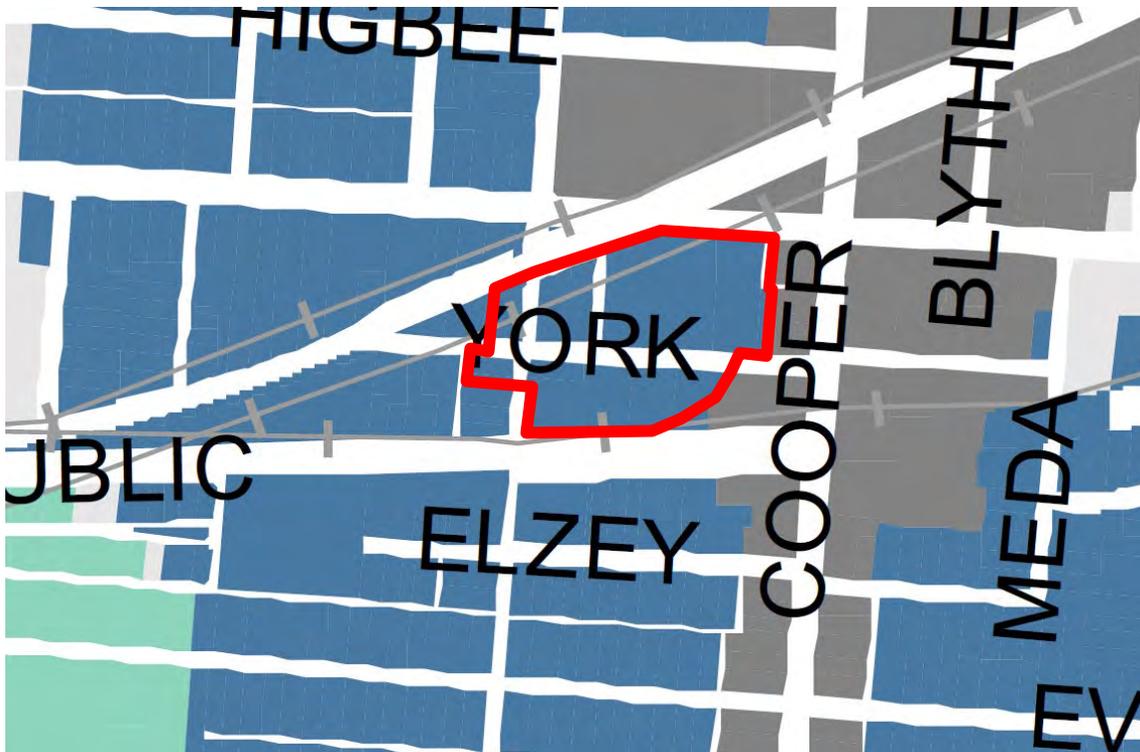
Existing, Adjacent Land Use and Zoning

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

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

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

3. Degree of Change Map



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

4. Degree of Change Description

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

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

Consistency Analysis Summary

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

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

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

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

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

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

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

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

Summary Compiled by: Romana Haque Suravi, Comprehensive Planning.

MAILED PUBLIC NOTICE

176 Notices Mailed on 8/19/2024



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

NOTICE OF PUBLIC HEARING

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

CASE NUMBER: PD 2024-012
LOCATION: 2101 Central Avenue
(SEE CONCEPT PLAN ON REVERSE SIDE)
APPLICANT: David Lewis, Carlisle Development Company
REQUEST: Amendment to PD 2020-015 to include more land and changes in uses.

THE PUBLIC MEETING WILL BE HELD:

DATE: Thursday, September 12, 2024
TIME: 9:00 AM
LOCATION: Council Chambers on the First Floor of City Hall, 125 N. Main Street

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

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

You are not required to attend this hearing, although you are welcome to do so if you wish to speak for or against this application. You may also contact Chloe Christian at chloe.christion@memphistn.gov or (901) 636-7494 to learn more about the proposal and/or to submit a letter of support or opposition no later than **Wednesday, September 4 at 8 AM**.
Note, comments sent to anyone other than the staff planner will not be recognized or included in the staff report.

SIGN AFFIDAVIT

AFFIDAVIT

*Shelby County
State of Tennessee*

I, David Lewis, being duly sworn, depose and say that at 12 am/pm on the 16th day of August, 2024, I posted 4 Public Notice Sign(s) pertaining to Case No. PD 2024-012 at 2101 Central, Cooper at York, and York Ave providing notice of a Public Hearing before the (check one):

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

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

[Signature]
Owner, Applicant or Representative

8/16/24
Date

Subscribed and sworn to before me this 16th day of August, 2024.

[Signature]
Notary Public

My commission expires: 10-5-2025



APPLICATION



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

East Service Center: 8485 Mullins Station Rd; Memphis,
Tennessee 38134

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

website: www.develop901.com

Record Summary for Planned Development

Record Detail Information

Record Type: Planned Development

Record Status: Processing

Opened Date: August 9, 2024

Record Number: PD 2024-012

Expiration Date:

Record Name: The Cooper

Description of Work: The Cooper is a 5.5+ acre mixed-use development on the site of the former Albert Cook Plumbing Co, between Central and York and west of Cooper. This application is an amendment to PD 20-15. See Letter of Intent for further description.

Parent Record Number:

Address:

2101 CENTRAL AVE, MEMPHIS 38104

Owner Information

Primary Owner Name

Y COOPER HOLDINGS PROPERTIES, LLC

Owner Address

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

Owner Phone

9014947154

Parcel Information

031136 00004

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Brett Ragsdale

Date of Meeting

08/06/2024

Pre-application Meeting Type

In Person

GENERAL PROJECT INFORMATION

Planned Development Type

Amendment to Existing PD

Previous Docket / Case Number

PD 20-15

Medical Overlay / Uptown

No

If this development is located in unincorporated

N/A

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 No

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

APPROVAL CRITERIA

UDC Sub-Section 9.6.9A Affirmed.

UDC Sub-Section 9.6.9B Affirmed.

UDC Sub-Section 9.6.9C Affirmed.

UDC Sub-Section 9.6.9D Affirmed.

UDC Sub-Section 9.6.9E Affirmed.

UDC Sub-Section 9.6.9F Affirmed.

GENERAL PROVISIONS

UDC Sub-Section 4.10.3A Affirmed.

B) An approved water supply, community waste 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 Affirmed.

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 Affirmed.

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 Affirmed.

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

F) Lots of record are created with the recording of a planned development final plan Affirmed.

G) The proposed development is consistent with the public interest Affirmed.

H) The proposed development is consistent with the comprehensive plan Affirmed.

I) The proposed development is consistent with the zoning ordinance Affirmed.

GIS INFORMATION

Case Layer SAC15-615

Central Business Improvement District No

Class I

Downtown Fire District No

GIS INFORMATION

Historic District	-
Land Use	INDUSTRIAL
Municipality	MEMPHIS
Overlay/Special Purpose District	Midtown Overlay
Zoning	EMP
State Route	-
Lot	0 25
Subdivision	COOPER
Planned Development District	-
Wellhead Protection Overlay District	No

Data Tables

AREA INFORMATION

Name:	Area A
Size (Acres):	0.5
Existing Use of Property:	Vacant
Requested Use of Property:	Hotel & Retail

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

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

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

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

Contact Information

Name
DAVID LEWIS

Contact Type
APPLICANT

Address
1 DR. MLK JR BLVD SUITE 130,

Phone
(901)494-7154

Fee Information

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

Total Fee Invoiced: \$1,539.00

Total Balance: \$0.00

Payment Information

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

OWNER AFFIDAVIT



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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Chancellor Carlisle (Print Name) [Signature] (Sign Name), state that I have read the definition of

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

- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

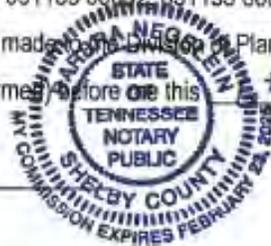
of the properties located at 0 York Ave, 0 Tanglewood, 2074 York Ave, 0 Tanglewood St, 2078 York Ave, 2101 Central Ave, 0 Central Ave, 0 York Ave, 0 S Cooper St, 0 S Cooper St, 0 S Cooper, 0 York Ave, 2093 York Ave, 0 York Ave, 0 York Ave, 0 Tanglewood St, and 765 Tanglewood St

and further identified by Assessor's Parcel Numbers 031135 00006, 031135 00003C, 031136 00001, 031136 00011, 031136 00012, 031136 00004, 031136 00005C, 031136 00010Z, 031136 00008, 031136 00009, 031136 00010, 031133 00004C, 031133 00003, 031133 00002, 031133 00001, 031134 00005, and 031134 00006,

for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 09th day of August in the year of 2024

Barbra Negelein
Signature of Notary Public



02/23/25
My Commission Expires

LETTER OF INTENT



Whitehead Law
275 Jefferson Avenue
Memphis, Tenn. 38103

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

August 9, 2024

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

RE: Application for a Planned Development Amendment

Mr. Ragsdale,

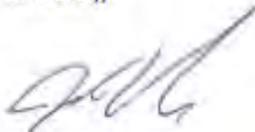
On behalf of Carlisle Development Company, I am pleased to submit the attached application for the redevelopment of the former Albert Cook Plumbing site and those properties adjacent to it. This application represents an amendment to an earlier Planned Development ("PD") which was proposed by a previous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

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

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

Thank you for your time and consideration of this request.

Sincerely,



Josh Whitehead

Exhibit A

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



PD 2020-15 ATTESTED RESOLUTION

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

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

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

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

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

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

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

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

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

PD
K2

ATTEST:

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

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

JAN 05 2021

Date

Valerie C. Stripes

Deputy Comptroller-Council Records

OUTLINE PLAN CONDITIONS

- I. Uses Permitted
 - A. Areas A and B: All uses permitted by right in the Commercial Mixed Use – 1 (CMU-1) District, apartments, and a parking garage for both public rental and private use. Indoor multi-story self-service storage as defined by the Unified Development Code (UDC) shall not be permitted.
- II. Bulk Regulations
 - A. A maximum number of three hundred forty-eight (348) apartments units shall be allowed.
 - B. A maximum area of fifty-seven thousand (57,000) square feet of flex space shall be allowed. Flex space will be used as office, retail, or amenity space.
 - C. Maximum building height shall be limited to the number of stories on the Central Yards Concept Plan as follows:
 1. Buildings AA and AE – four (4) stories
 2. Buildings AC and AD – five (5) stories
 3. Buildings AB and AG – six (6) stories
 4. Building AF – seven (7) stories
 - D. Building setbacks shall be as follows:
 1. Buildings shall be setback a minimum of zero (0) feet from Cooper Street, Central Avenue and York Avenue.
 2. Buildings shall be setback two (2) to fifteen (15) feet from Tanglewood Street.
 3. Buildings shall be setback a minimum of five (5) feet from all other property lines.
 - E. No roof top amenity shall be above the level of the fourth (4th) floor parking garage roof.
- III. Access, Circulation and Parking:
 - A. Improve Tanglewood Street with curb, gutter, sidewalk, and on-street parking.
 - B. Improve York Avenue with curb, gutter, sidewalk, and on-street parking.
 - C. Provide a round-about at the intersection of York Avenue and Tanglewood Street.
 - D. Permit one (1) right turn only curb cut from the site onto Tanglewood Street for a service exit.
 - E. Permit one (1) curb cut onto York Avenue from each of Areas A and B.
 - F. The exact number, location, and design of permitted curb cuts shall be subject to the approval of the City Engineer.
 - G. Provide a north-south private drive connecting Central Avenue to York Avenue. It shall be constructed to meet City Standards and provide a minimum pavement width of twenty (20) feet, exclusive of curb and gutter and on-street parking. Curbs shall be vertical. The design shall prohibit a left turn movement onto Central Avenue. The centerline of this drive shall be a minimum of three hundred (300) feet from the centerline of Cooper Street.
 - H. A one-way (east to west) service drive shall be allowed between Cooper Street and the north-south private drive. The minimum pavement width shall be fourteen (14) feet at Cooper Street and then narrow to eleven (11) feet as indicated on the site plan. Curbs shall be vertical.
 - I. All existing sidewalks shall be replaced if damaged during construction of this project, non-ADA compliant, or in disrepair.
 - J. Parking shall be provided in accordance with the UDC. A minimum of one hundred (100) extra spaces will be provided for additional public parking.
 - K. Bicycle parking shall be provided per the UDC, along with bicycle storage for the residents.
 - L. A signed and lit crosswalk shall be provided across Cooper Street at York Avenue.
 - M. The private streets and plazas of this development shall not be permanently gated or fenced.

IV. Building facades, Landscaping and Screening

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

V. Signs

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

VI. Drainage

- A. All drainage plans shall be submitted to the City Engineer for review.
- B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.

VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten days of such action, file a written appeal to the Zoning Administrator of the Division of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.

VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.

IX. Any final plat shall include, but not limited to, the following:

- A. The Outline Plan Conditions.
- B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.

- C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, building elevations, and identification of plan materials in required landscaping.
- D. The number of parking spaces.
- E. The location and ownership, whether public or private, of any easement.
- F. The one-hundred (100) year flood elevation.
- G. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City/County Engineer's Office. Such maintenance shall include, but not be limited to, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

CONCEPT PLAN

CENTRAL YARDS CONCEPT SITE PLAN

FLEMING
 ARCHITECTS



- AB BUILDING NAME**
 - GREEN SPACE**
 - POOL**
 - ROOFTOP AMENITY**
 - PARKING GARAGE**
 - OUTLINE**
-
- AA - 4 FLOORS**
 1ST FLOOR - RETAIL/FLEX
 2-4 FLOORS - UNITS
 - AB - 6 FLOORS**
 1ST FLOOR - PARKING + RETAIL/FLEX
 2ND FLOOR - PARKING + UNITS
 3-6 FLOORS - UNITS
 - AC - 5 FLOORS**
 1ST FLOOR - RETAIL/FLEX
 2-5 FLOORS - UNITS
 - AD - 5 FLOORS**
 1ST FLOOR - RETAIL/FLEX
 2ND FLOOR - RETAIL + UNITS
 3-5 FLOORS - UNITS
 - AE - 4 FLOORS**
 1ST FLOOR - RETAIL/FLEX
 2-4 FLOORS - UNITS
 - AF - 7 FLOORS**
 1ST FLOOR - PARKING + RETAIL/FLEX
 2-4 FLOORS - PARKING
 5-7 FLOORS - UNITS
 - AG - 6 FLOORS**
 1ST FLOOR - RETAIL/FLEX
 2-6 FLOORS - UNITS

LETTERS RECEIVED

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



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

September 3, 2024

TO: M/SC Land Use Control Board

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

Land Use Control Board Members:

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

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

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

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

Respectfully,

Cooper-Young Community Association Development Committee

Olivia Wall, Development Committee Chair and CYCA President



Memphis and Shelby County Division of Planning and Development

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

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

website: www.develop901.com

Record Summary for Planned Development

Record Detail Information

Record Type: Planned Development

Record Status: Processing

Opened Date: August 9, 2024

Record Number: PD 2024-012

Expiration Date:

Record Name: The Cooper

Description of Work: The Cooper is a 5.5+ acre mixed-use development on the site of the former Albert Cook Plumbing Co, between Central and York and west of Cooper. This application is an amendment to PD 20-15. See Letter of Intent for further description.

Parent Record Number:

Address:

2101 CENTRAL AVE, MEMPHIS 38104

Owner Information

Primary	Owner Name
Y	COOPER HOLDINGS PROPERTIES, LLC

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

Parcel Information

031136 00004

Data Fields

PREAPPLICATION MEETING

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

GENERAL PROJECT INFORMATION

Planned Development Type	Amendment to Existing PD
Previous Docket / Case Number	PD 20-15
Medical Overlay / Uptown	No
If this development is located in unincorporated	N/A

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 No

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

APPROVAL CRITERIA

UDC Sub-Section 9.6.9A Affirmed.

UDC Sub-Section 9.6.9B Affirmed.

UDC Sub-Section 9.6.9C Affirmed.

UDC Sub-Section 9.6.9D Affirmed.

UDC Sub-Section 9.6.9E Affirmed.

UDC Sub-Section 9.6.9F Affirmed.

GENERAL PROVISIONS

UDC Sub-Section 4.10.3A Affirmed.

B) An approved water supply, community waste 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 Affirmed.

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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 Affirmed.

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

F) Lots of record are created with the recording of a planned development final plan Affirmed.

GIS INFORMATION

Case Layer SAC15-615

Central Business Improvement District No

Class I

Downtown Fire District No

GIS INFORMATION

Historic District	-
Land Use	INDUSTRIAL
Municipality	MEMPHIS
Overlay/Special Purpose District	Midtown Overlay
Zoning	EMP
State Route	-
Lot	0 25
Subdivision	COOPER
Planned Development District	-
Wellhead Protection Overlay District	No

Data Tables

AREA INFORMATION

Name: Area A
Size (Acres): 0.5
Existing Use of Property: Vacant
Requested Use of Property: Hotel & Retail

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

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

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

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

Contact Information

Name
DAVID LEWIS

Contact Type
APPLICANT

Address
1 DR MLK JR BLVD SUITE 130,

Phone
(901)494-7154

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
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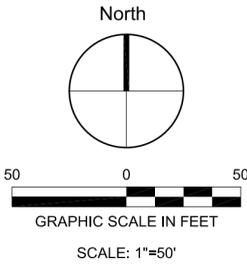
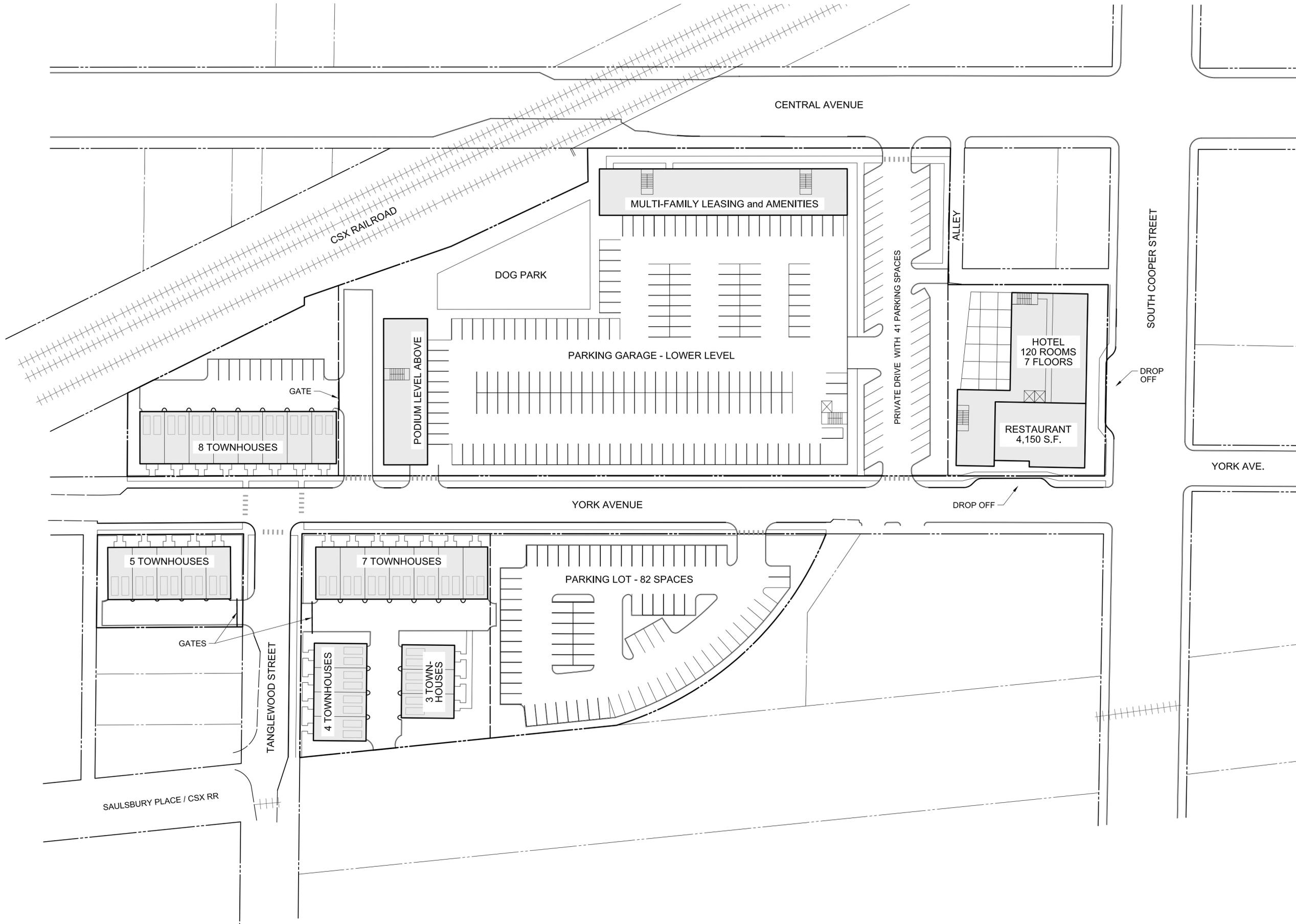
Total Fee Invoiced: \$1,539.00

Total Balance: \$0.00

Payment Information

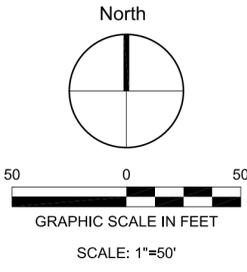
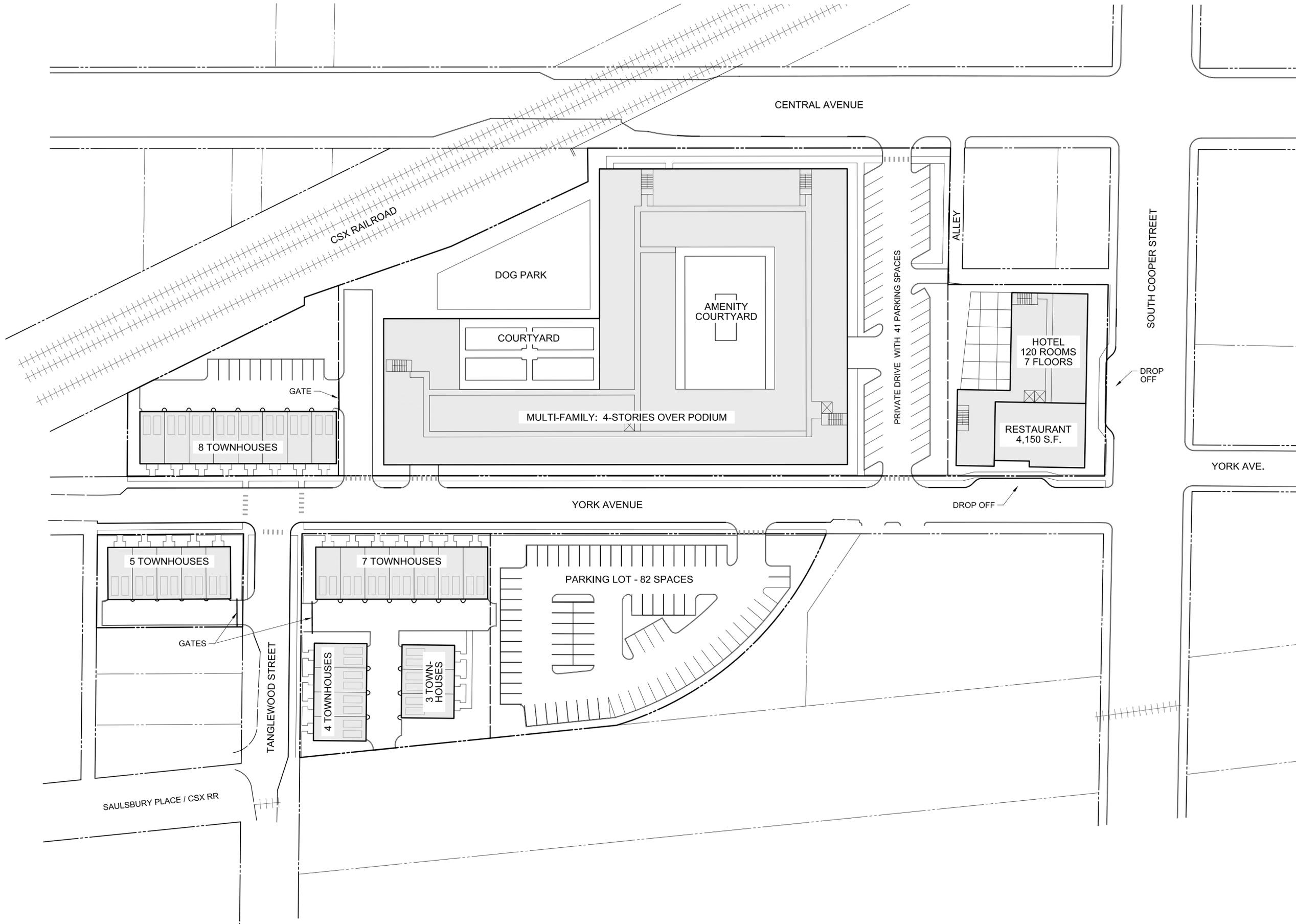
Payment Amount	Method of Payment
\$1,539.00	Credit Card

Key: 20/24 Z:\2024\24-0201_Central at Cooper Mixed Use Development\02_Entitlements\Concept Plan.dwg Aug 09, 2024 - 10:00am



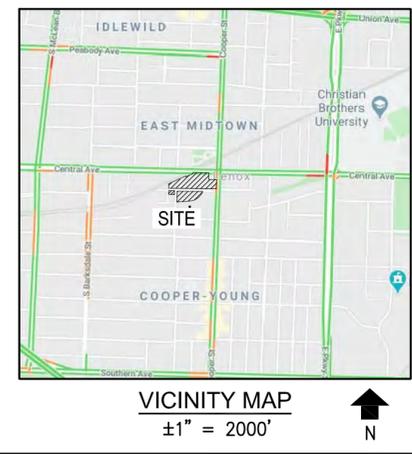
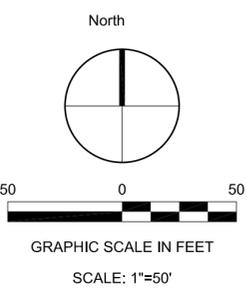
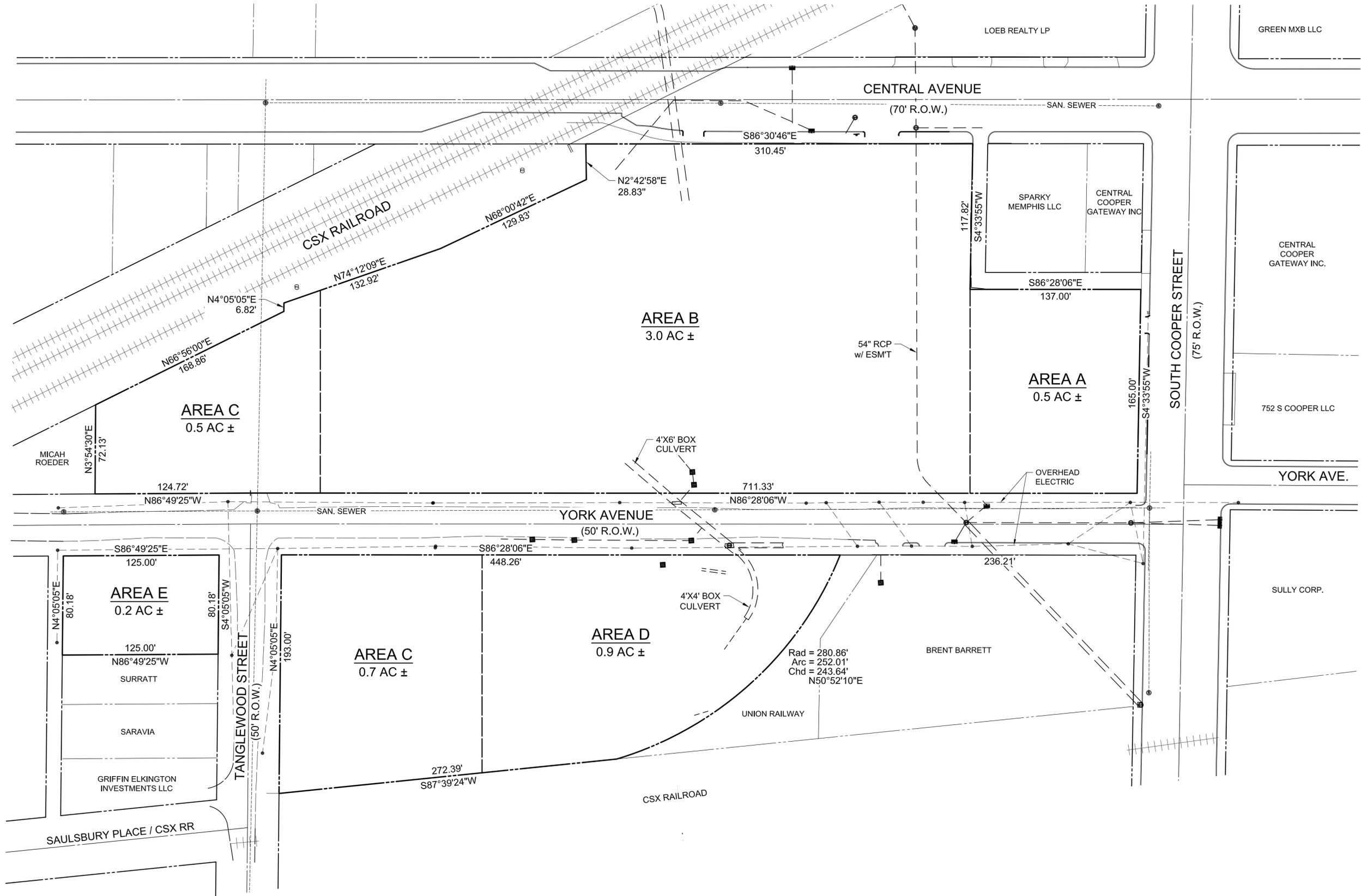
CONCEPT PLAN		
THE COOPER PLANNED DEVELOPMENT		
AMENDMENT TO CENTRAL YARD PLANNED DEVELOPMENT - P.D. 20-15		
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: N/A	5.79 ACRES	03100133 - 1,2,3,4C; 03100135-3C 03100136 - 1,4,5C,8,9,10,10Z,11,12
DEVELOPER: CARLISLE DEVELOPMENT CO.		ENGINEER: THE REAVES FIRM
100-YEAR FLOOD ELEV: 233 ±	FEMA MAP PANEL NO: 0290F, 0430F	FEMA MAP DATE: SEPT. 28, 1997
AUGUST 9, 2024	SCALE: 1" = 40'	SHEET 1 OF 2

Key: 20/24 Z:\2024\24-0201_Central at Cooper Mixed Use Development\02_Entitlements\Concept Plan.dwg Aug 09, 2024 - 10:01am



CONCEPT PLAN		
THE COOPER PLANNED DEVELOPMENT		
AMENDMENT TO CENTRAL YARD PLANNED DEVELOPMENT - P.D. 20-15		
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: N/A	5.79 ACRES	03100133 - 1,2,3,4C; 03100135-3C 03100136 - 1,4,5C,8,9,10,10Z,11,12
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Key: 20/24 Z:\2024\24-0201_Central at Cooper Mixed Use Development\02_Entitlements\Outline Plan.dwg Aug 09, 2024 - 6:27am



The Reaves Firm
INCORPORATED

Engineering
Planning
Landscape Architecture
Land Surveying

6800 Poplar Avenue, Suite 101 Memphis, TN 38138
901.761.2016 Fax: 901.763.2847
www.ReavesFirm.com

OUTLINE PLAN		
THE COOPER PLANNED DEVELOPMENT		
AMENDMENT TO CENTRAL YARD PLANNED DEVELOPMENT - P.D. 20-15		
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: N/A	5.79 ACRES	03100133 - 1,2,3,4C; 03100135-3C 03100136 - 1,4,5C,8,9,10,10Z,11,12
DEVELOPER: CARLISLE DEVELOPMENT CO.		ENGINEER: THE REAVES FIRM
100-YEAR FLOOD ELEV: 233 ±	FEMA MAP PANEL NO: 0290F, 0430F	FEMA MAP DATE: SEPT. 28, 2007
AUGUST 9, 2024	SCALE: 1" = 50'	SHEET 1 OF 1



Whitehead Law

275 Jefferson Avenue
Memphis, Tenn. 38103

Josh Whitehead

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

August 9, 2024

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

RE: Application for a Planned Development Amendment

Mr. Ragsdale,

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

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

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

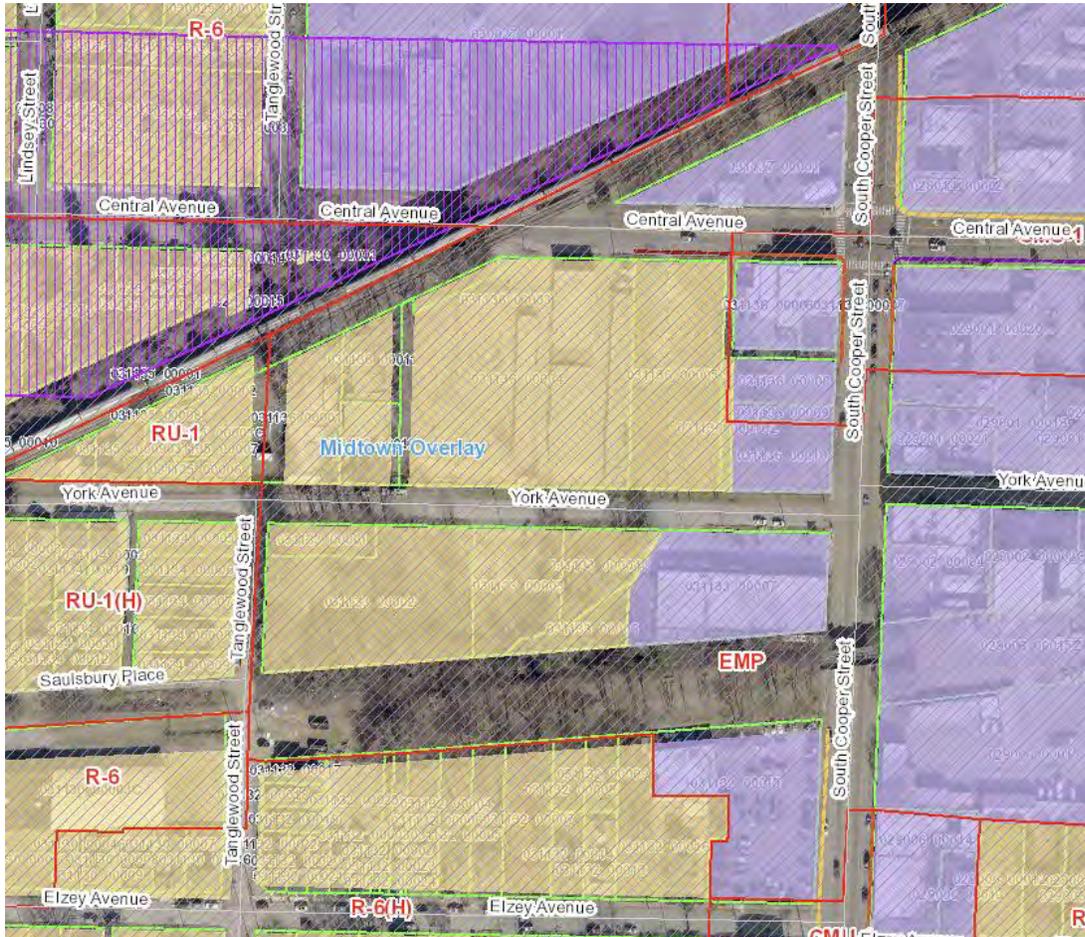
Thank you for your kind consideration of this request.

Sincerely,

Josh Whitehead

Exhibit A

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





PROJECT INFO

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

PARKING REQUIRED:

MULTIFAMILY	
250 @ 1.3 =	325 SPACES
RETAIL	
5/1000 (4.15) =	21 SPACES
HOTEL	
(120)(.66/KEY) =	80 SPACES
426 SPACES REQUIRED	

PARKING PROVIDED

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

M.F. PODIUM

LEVEL 1	185 SPACES
MEZZANINE	190 SPACES
375 SPACES	

TOTAL SPACES PROVIDED = 508 SPACES





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- 250 UNITS (815 AVG SF)
-4 LEVELS OVER PODIUM
27 TOWNHOUSES
- LEASING & AMENITY
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LOT 1	82 SPACES
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133 SPACES	

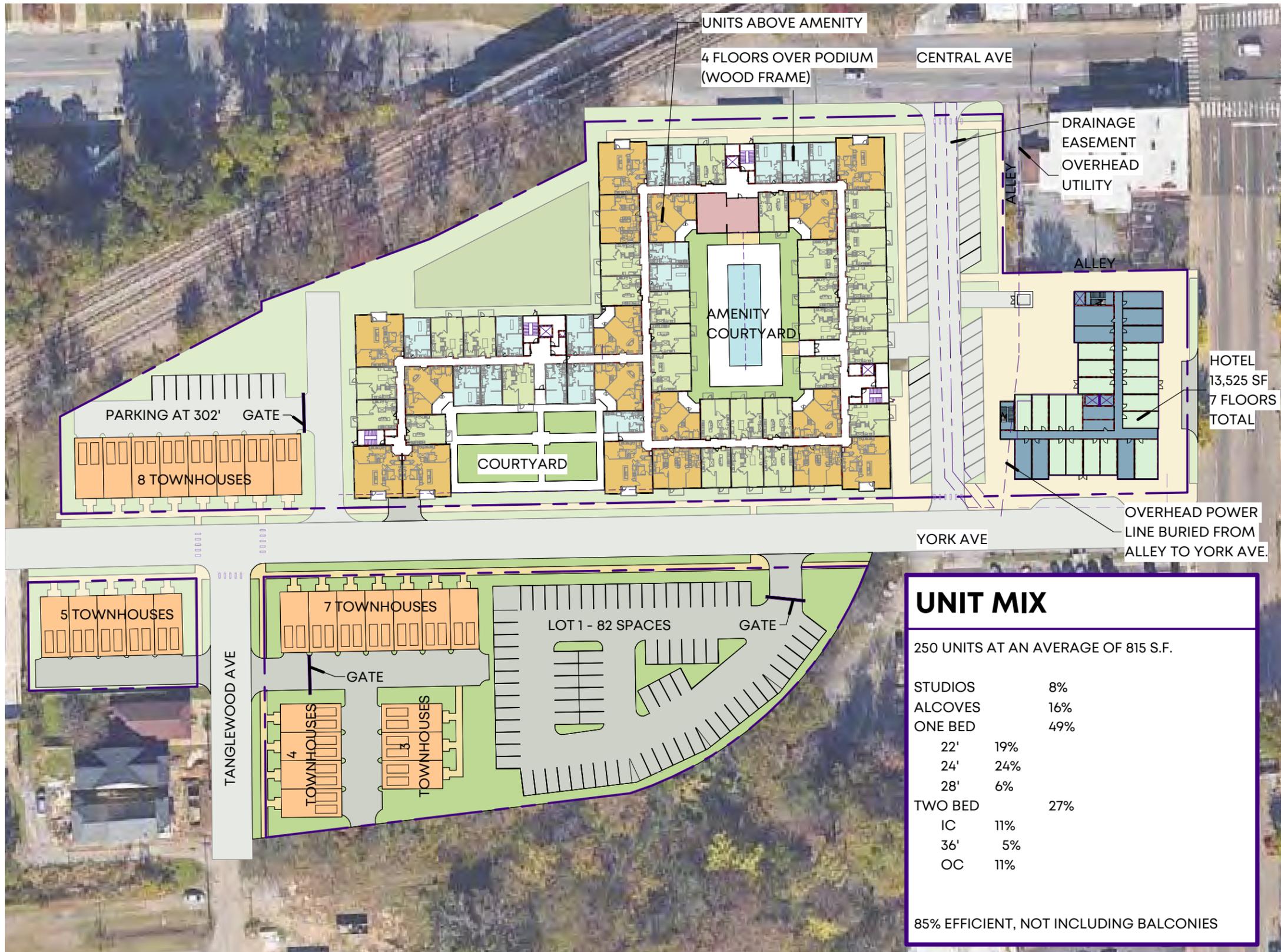
M.F. PODIUM

LEVEL 1	185 SPACES
<u>MEZZANINE</u>	<u>190 SPACES</u>
375 SPACES	

TOTAL SPACES PROVIDED = 508 SPACES



0" 40' 80'



PROJECT INFO

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375 SPACES	

TOTAL SPACES PROVIDED = 508 SPACES

UNIT MIX

250 UNITS AT AN AVERAGE OF 815 S.F.

STUDIOS	8%
ALCOVES	16%
ONE BED	49%
22'	19%
24'	24%
28'	6%
TWO BED	27%
IC	11%
36'	5%
OC	11%

85% EFFICIENT, NOT INCLUDING BALCONIES



**THE COOPER P.D.
OUTLINE PLAN CONDITIONS**

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

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

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

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

IV. Building facades, Landscaping and Screening

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

V. Signs

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

- VI. Drainage
 - A. All drainage plans shall be submitted to the City Engineer for review.
 - B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.

- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten days of such action, file a written appeal to the Director of Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.

- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.

- IX. Any final plat shall include the following:
 - A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City/County Engineer's Office. Such maintenance shall include, but not be limited to, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

THE COOPER P.D.

OUTLINE PLAN CONDITIONS

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

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

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

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

IV. Building facades, Landscaping and Screening

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

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

V. Signs

- A. Three monument style signs shall be permitted in accordance with the CMU-1 District.
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- A. All drainage plans shall be submitted to the City Engineer for review.
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VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten days of such action, file a written appeal to the Director of Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.

VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.

- IX. Any final plat shall include the following:
- A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City/County Engineer's Office. Such maintenance shall include, but not be limited to, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

GOLDEN JOHN F & JEAN SEAGLE
2100 ELZEY AVE #
MEMPHIS TN 38104

KING REVOCABLE LIVING TRUST
1997 CENTRAL AVE #
MEMPHIS TN 38104

WEINSTEIN ANDY
5119 GREENWAY CV #
MEMPHIS TN 38117

LENTI VIRGINIA D
2100 ELZEY AVE #
MEMPHIS TN 38104

FRYAR THOMAS C & BRENDA S
2011 CENTRAL AVE #
MEMPHIS TN 38104

SULLY CORPORATION
792 S COOPER ST #
MEMPHIS TN 38104

GLOTFELTER W A
2100 ELZEY AVE #
MEMPHIS TN 38104

JDP HOLDCO LLC
2172 N FOX HOLLOW DR #1
NIXA MO 65714

BARRETT BRENT E
769 S COOPER ST #
MEMPHIS TN 38104

WRIGHT-MOORE FRANCES
495 WOLF VIEW CV #
CORDOVA TN 38018

COOPER YORK DEVELOPMENT COMPANY INC
232 SOUTHMILL DR #
EADS TN 38028

SURRATT TERRY D & SARAH B
7978 WINDING CREEK DR #
GERMANTOWN TN 38138

FILAMENT LLC
663 S COOPER ST #
MEMPHIS TN 38104

SPARKY MEMPHIS LLC
2724 CENTRAL AVE #
MEMPHIS TN 38111

MEDLIN CANDACE L
701 CHARINGWORTH CT #
WESTMINSTER MD 21158

YORK MOSES M AND RAINEY D WEBBER (RS)
2078 HIGBEE AVE #
MEMPHIS TN 38104

ROBERTS G FRANK & MINDY C
2215 CENTRAL AVE #
MEMPHIS TN 38104

UNION RAILWAY CO
1400 DOUGLAS ST #1640
OMAHA NE 68179

CARLISLE MATTHEW AND MELODY DERNOCOEUR
2090 HIGBEE AVE #
MEMPHIS TN 38104

N C & ST L R R CO
GENERAL DELIVERY #
MEMPHIS TN 38101

WALKER WILLIE JR
3299 LUCIBILL RD #
MEMPHIS TN 38116

THRASHER RONALD C AND BART G JONES
2047 HIGBEE AVE #
MEMPHIS TN 38104

COOPER YORK DEVELOPMENT COMPANY INC
232 SOUTHMILL DR #
EADS TN 38028

RS CAPITAL LLC
792 S COOPER ST #
MEMPHIS TN 38104

CSX TRANSPORTATION INC
500 WATER ST #
JACKSONVILLE FL 32202

APPLE PARTNERS LLC
99 CHEROKEE DR #
MEMPHIS TN 38111

WILBER LLC
794 S COOPER ST #
MEMPHIS TN 38104

STONEHOLLOW HOLDINGS I LLC
4111 GWYNNE RD #
MEMPHIS TN 38117

COOPER YORK DEVELOPMENT COMPANY INC
232 SOUTHMILL DR #
EADS TN 38028

WEINSTEIN ANDY
5119 GREENWAY CV #
MEMPHIS TN 38117

WEINSTEIN ANDY
5119 GREENWAY CV #
MEMPHIS TN 38117

RICHARDSON JORDAN HOMES LLC
7 MORNINGSIDE DR #
MEMPHIS TN 38104

2178 CENTRAL AVENUE LLC
1437 CENTRAL AVE #1200
MEMPHIS TN 38104

HOFFMAN CHRISTOPHER K
3639 NORTHWOOD DR #
MEMPHIS TN 38111

KORNELIUSSEN JON & KRISTIN M
2094 HIGBEE AVE #
MEMPHIS TN 38104

GARY ELIZABETH B
137 N LARCHMONT BLVD #466
LOS ANGELES CA 90004

GODSEY WILLIAM
2107 ELZEY AVE #
MEMPHIS TN 38104

RICHARDSON/JORDAN HOMES LLC
7 MORNINGSIDE PL #
MEMPHIS TN 38104

SCHWARTZ SUSAN K LIVING TRUST
682 S COX ST #
MEMPHIS TN 38104

WHITTINGTON SANDRA P
2097 FIREFLY CV #
MEMPHIS TN 38119

IRVIN ELIN L
2100 HIGBEE AVE #
MEMPHIS TN 38104

DEACON LYNDA G
695 TANGLEWOOD ST #
MEMPHIS TN 38104

FAY BRIAN J & SAVANNAH K
2044 EVELYN AVE #
MEMPHIS TN 38104

GRAY ALEX O
2106 HIGBEE AVE #
MEMPHIS TN 38104

LEWIS JOHN
700 LINDSEY ST #
MEMPHIS TN 38104

FISHER KATHERINE K REVOCABLE LIVING
2058 EVELYN AVE #
MEMPHIS TN 38104

KMET DAVID J & JENNIFER M
2110 HIGBEE AVE #
MEMPHIS TN 38104

HAYDEN LAYNE C AND BRENT A SMOYER
2006 CENTRAL AVE #
MEMPHIS TN 38104

CHUNG RON & TRUNG L
2104 EVELYN AVE #
MEMPHIS TN 38104

BAKER MARY L
2037 HIGBEE AVE #
MEMPHIS TN 38104

TONAHILL RACHEL E
703 TANGLEWOOD ST #
MEMPHIS TN 38104

MOORING BOBBY R
6722 RIVER OAK VIEW DR #
MEMPHIS TN 38120

MACGILLIVRAY LAURIE
2043 HIGBEE AVE #
MEMPHIS TN 38104

REYNA SUE J AND YOUNG CHOI
2012 CENTRAL AVE #
MEMPHIS TN 38104

MOORING BOBBY R
6722 RIVER OAK VIEW DR #
MEMPHIS TN 38120

HANNA CAROLE R
689 TANGLEWOOD ST #
MEMPHIS TN 38104

TYLER ROY W
2020 CENTRAL AVE #
MEMPHIS TN 38104

ROBERTS FAMILY PROPERTIES LLC
PO BOX 771385 #
MEMPHIS TN 38177

MEMPHIS GAS & LIGHT
712 S COOPER ST #
MEMPHIS TN 38104

HALL ANN M
2022 CENTRAL AVE #
MEMPHIS TN 38104

ROBINSON SHANNON M
2026 CENTRAL AVE #
MEMPHIS TN 38104

SCRUGGS JAMES A
2041 CENTRAL AVE #
MEMPHIS TN 38104

CITY OF MEMPHIS
GENERAL DELIVERY #
MEMPHIS TN 38101

MCDANIEL W C & CORNELIA F
2038 CENTRAL AVE #
MEMPHIS TN 38104

FOURNIER JULIE A
1515 AUBURN WOODS DR #
COLLIERVILLE TN 38017

UNION RR CO
GENERAL DELIVERY #
MEMPHIS TN 38101

STEWART DAVID X & DEBORAH J
2042 CENTRAL AVE #
MEMPHIS TN 38104

EUBANKS JAMES F & DEBRA
1965 EDWARDS MILL RD #
GERMANTOWN TN 38139

SCOTT INDUSTRIES OF TN INC
232 SOUTHMILL DR #
EADS TN 38028

SIMMONS-CARROLL KATHRYN B &
2048 CENTRAL AVE #
MEMPHIS TN 38104

EUBANKS JAMES F & DEBRA
1965 EDWARDS MILL RD #
GERMANTOWN TN 38139

COOPER YORK DEVELOPMENT COMPANY INC
232 SOUTHMILL DR #
EADS TN 38028

CURRAN PATRICK B AND ANDREA D GRAVES
2052 N CENTRAL AVE #
MEMPHIS TN 38104

CSX TRANSPORTATION INC
500 WATER ST #
JACKSONVILLE FL 32202

COOPER YORK DEVELOPMENT COMPANY INC
232 SOUTHMILL DR #
EADS TN 38028

MAPCO PETROLEUM INC
2424 RIDGE RD #
ROCKWALL TX 75087

UNION RAILWAY CO
1400 DOUGLAS ST #1640
OMAHA NE 68179

UNION RAILWAY
GENERAL DELIVERY #
MEMPHIS TN 38101

KTFG INVESTMENTS LLC
3550 WELFORD DR #
BARTLETT TN 38133

COOPER YORK DEVELOPMENT COMPANY INC
232 SOUTHMILL DR #
EADS TN 38028

UNION RAILWAY
GENERAL DELIVERY #
MEMPHIS TN 38101

TROUY ROBERT L JR & SARAH S
2007 CENTRAL AVE #
MEMPHIS TN 38104

CENTRAL COOPER GATEWAY INC
4257 WALNUT GROVE RD #
MEMPHIS TN 38117

GARDEN DISTRICT LLC (THE)
5040 SANDERLIN AVE #109
MEMPHIS TN 38117

MOHUNDRO JAKE R & JEANINE H
2025 CENTRAL AVE #
MEMPHIS TN 38104

NC & ST LOUIS RR CO
GENERAL DELIVERY #
MEMPHIS TN 38101

ROEDER MICAH
768 ROLAND ST #
MEMPHIS TN 38104

CHOW MARTIN H
1242 PEABODY AVE #
MEMPHIS TN 38104

SCOTT INDUSTRIES INC
2078 YORK AVE #
MEMPHIS TN 38104

GARDEN DISTRICT LLC (THE)
5040 SANDERLIN AVE #109
MEMPHIS TN 38117

GRAHAM JAMES M III AND CATHERINE C
550 S COOPER #
MEMPHIS TN 38104

RYAN CHARLES S LIVING TRUST
4257 WALNUT GROVE RD #
MEMPHIS TN 38117

MELTON REBA
2045 ELZEY AVE #
MEMPHIS TN 38104

GRAHAM JAMES M III AND CATHERINE C
550 S COOPER #
MEMPHIS TN 38104

MCKINNEY SHIRLEY W & DORIS WEBB & JOSEPH
4091 CECIL DR #
MEMPHIS TN 38116

VASSAR JO ANN
811 TANGLEWOOD ST #
MEMPHIS TN 38104

GOODWIN VERNEDA AND KEVIN R HUTTON AND
2037 YORK AVE #
MEMPHIS TN 38104

SARAVIA TRISTIN N & JORDY
771 TANGLEWOOD ST #
MEMPHIS TN 38104

HERBERS CHRISTOPHER S
4530 KINGS PARK RD #
MEMPHIS TN 38117

APPLE PARTNERS LLC
99 CHEROKEE DR #
MEMPHIS TN 38104

SULLY CORPORATION
792 S COOPER ST #
MEMPHIS TN 38104

LE ANHKHA
2081 ELZEY AVE #
MEMPHIS TN 38104

RYAN CHARLES S LIVING TRUST
4257 WALNUT GROVE RD #
MEMPHIS TN 38117

GRIFFIN ELKINGTON INVESTMENTS LLC
4934 WILLIAM ARNOLD RD #
MEMPHIS TN 38119

MCINTIRE JOHN L
2085 ELZEY AVE #
MEMPHIS TN 38104

RE AND D INVESTMENTS LLC
232 SOUTHMILL DR #
EADS TN 38028

MCGHEE MICHAEL E & PATRICIA K
781 MEDA ST #
MEMPHIS TN 38104

LAWRENCE GREGORY
7630 FAIRWAY FOREST DR #
CORDOVA TN 38016

RE AND D INVESTMENTS LLC
232 SOUTHMILL DR #
EADS TN 38028

SULLYS AUTO SALES INC
792 S COOPER ST #
MEMPHIS TN 38104

SCHAFTLEIN AMY L & BENJAMIN W REDNOUR
2099 ELZEY AVE #
MEMPHIS TN 38104

RE AND D INVESTMENTS LLC
232 SOUTHMILL DR #
EADS TN 38028

ADDINGTON MILTON & AMANDA
2152 ELZEY AVE #
MEMPHIS TN 38104

RIGGS MOLLIE J
2103 ELZEY AVE #
MEMPHIS TN 38104

SULLY CORPORATION
792 S COOPER ST #
MEMPHIS TN 38104

BRECKENRIDGE DAN B & KATHY D
2160 ELZEY AVE #
MEMPHIS TN 38104

HARMON TOM
8179 CLINTON WAY #
CORDOVA TN 38018

RE AND D INVESTMENTS LLC
232 SOUTHMILL DR #
EADS TN 38028

HARDIN PAMELA A
2150 ELZEY AVE #
MEMPHIS TN 38104

BRYANT COWLES PARTNERSHIP
243 N MCLEAN BLVD #
MEMPHIS TN 38112

COWLES BERNARD C
243 MCLEAN #
MEMPHIS TN 38112

FENNEL LLC
6250 GREEN MEADOW RD #
MEMPHIS TN 38120

MOORING BOBBY R
6722 RIVER OAK VIEW DR #
MEMPHIS TN 38120

DRAGO JAMES
4447 WESTBROOK #
BARTLETT TN 38135

COLEY ANTHONY W JR
2100 EVELYN AVE #
MEMPHIS TN 38104

MOORING BOBBY AND MARTHA K MOORING
1779 KIRBY PKWY #1
GERMANTOWN TN 38138

COWLES BERNARD C
PO BOX 42001 #
MEMPHIS TN 38174

SCOTT INDUSTRIES INC
2078 YORK AVE #
MEMPHIS TN 38104

ROBINSON JOZMEN & FELICIA
2080 ELZEY AVE #
MEMPHIS TN 38104

OLSEN SOPHORN K
2050 EVELYN AVE #
MEMPHIS TN 38104

SCOTT INDUSTRIES OF TN INC
232 SOUTHMILL DR #
EADS TN 38028

LOEB REALTY LP
P O BOX 171247 #
MEMPHIS TN 38187

FISHER KATHERINE K REVOCABLE LIVING
2058 EVELYN AVE #
MEMPHIS TN 38104

CENTRAL SALES CO INC
2170 YORK AVE #
MEMPHIS TN 38104

MEDLIN CANDACE L AND
701 CHARINGWORTH CT #
WESTMINSTER MD 21158

MASTERTON BRANDEE L
2068 EVERLYN AVE #
MEMPHIS TN 38104

NEW BALLET ENSEMBLE INC
2157 YORK AVE #
MEMPHIS TN 38104

APPLE PARTNERS LLC
99 CHEROKEE DR #
MEMPHIS TN 38104

DYKES LILLIAN E
2076 EVELYN AVE #
MEMPHIS TN 38104

MCGHEE MICHAEL E & PATRICIA K
781 MEDA ST #
MEMPHIS TN 38104

RHODES IT SOLUTIONS LLC
1423 VILLAGE CREEK CIR #
ATLANTA GA 30316

SHELTON MATTHEW C
2080 EVELYN AVE #
MEMPHIS TN 38104

SEAGLE JEANNE
2098 ELZEY AVE #
MEMPHIS TN 38104

RUDOLPH RUDOLPH K AND MICHAEL MCQUEEN
8566 MACON RD #
CORDOVA TN 38018

KOLASSA EUGENE M JR
2086 EVELYN AVE #
MEMPHIS TN 38104

WRIGHT-MOORE FRANCES
2104 ELZEY AVE #
MEMPHIS TN 38104

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

JOHNSON JOSEPH B AND ELLEN R BURSI
2090 EVELYN AVE #
MEMPHIS TN 38104

GLOTFELTER NONA L
2100 ELZEY AVE #
MEMPHIS TN 38104

DIEP HUNG
2046 ELZEY AVE #
MEMPHIS TN 38104

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

LEOW SAM C & VIVIAN Y AND ANDREANNA LEOW
312 PERKINS EXT #
MEMPHIS TN 38117

MIESSE MARK & ABBEY D G
2024 ELZEY AVE #
MEMPHIS TN 38104

MANESS TERRY
2044 ELZEY AVE #
MEMPHIS TN 38104

CITY BUILDERS LLC
3025 GARDENS WAY #
MEMPHIS TN 38111

SULLIVAN REVOCABLE TRUST
2026 ELZEY AVE #
MEMPHIS TN 38104

795 TANGLEWOOD LLC
6000 POPLAR AVE #250
MEMPHIS TN 38119

KAISER JOHN G LIVING TRUST
792 TANGLEWOOD ST #
MEMPHIS TN 38104

HOLLIDAY JEREMY & TOMMY BALJET
2028 ELZEY AVE #
MEMPHIS TN 38104

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

APPLE PARTNERS LLC
4928 WILLIAM ARNOLD RD #
MEMPHIS TN 38117

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

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

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

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

CITY OF MEMPHIS
GENERAL DELIVERY #
MEMPHIS TN 38101

SULLY CORPORATION
792 S COOPER ST #
MEMPHIS TN 38104

GREGORY REALTY GP
310 GERMANTOWN BEND CV #
CORDOVA TN 38018

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

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

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

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

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

SATTERFIELD ASHLEY
2029 ELZEY AVE #
MEMPHIS TN 38104

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

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

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

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Chancellor Carlisle (Print Name)  (Sign Name), state that I have read the definition of

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

- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the properties located at 0 York Ave, 0 Tanglewood, 2074 York Ave, 0 Tanglewood St, 2078 York Ave, 2101 Central Ave, 0 Central Ave, 0 York Ave, 0 S Cooper St, 0 S Cooper St, 0 S Cooper, 0 York Ave, 2093 York Ave, 0 York Ave, 0 York Ave, 0 Tanglewood St, and 765 Tanglewood St

and further identified by Assessor's Parcel Numbers 031135 00006, 031135 00003C, 031136 00001, 031136 00011, 031136 00012, 031136 00004, 031136 00005C, 031136 00010Z, 031136 00008, 031136 00009, 031136 00010, 031133 00004C, 031133 00003, 031133 00002, 031133 00001, 031134 00005, and 031134 00006,

for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 10th day of August in the year of 2024.

Barbara Neglein
Signature of Notary Public



02/23/25
My Commission Expires



Legend

polygonLayer

- Override 1
- Override 2

polylineLayer

- Override 1

— Roads

▭ Parcels

 Map prepared through Shelby County Government's online mapping Portal on 8/9/2024

0 0.06 0.12 0.18 0.24 mi

N



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

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

21024220

03/02/2021 - 11:22:30 AM

6 PGS

LACT 2181273-21024220

VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	30.00
DP FEE	2.00
REGISTER'S FEE	0.00
EFILE FEE	2.00
TOTAL AMOUNT	34.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

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

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

QUITCLAIM DEED

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

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

WITNESS my hand in Memphis, Tennessee on this 26th day of February, 2021.

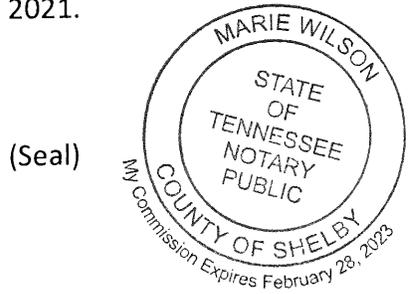
GRANTOR:

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

STATE OF TENNESSEE
COUNTY OF SHELBY

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

WITNESS my hand and Notarial Seal at office this 26th day of February, 2021.



Marie Wilson
NOTARY PUBLIC

New Owner Name and Address:

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

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

Property Address:

Tract One:
2153 and 2155 Young
Memphis, Tennessee

Charles S. Ryan
AFFIANT

Tract Two:
2193 Young
Memphis, Tennessee

Subscribed and sworn to before me this 26th day of February 2021.

Tract Three:
968 South Cooper Street
Memphis, Tennessee 38104

Marie Wilson
NOTARY PUBLIC

Commission expires: _____



Tract Four:
4257 Walnut Grove Road
Memphis, Tennessee 38117

Tract Five:
0 Tanglewood Street
Memphis, Tennessee 38104

Tract Six:
765 Tanglewood Street
Memphis, Tennessee 38104

Mail Tax Notice to:

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

Parcel Id Number:

Tract One: 029-012-00017
Tract Two: 029-028-00004
Tract Three: 29-29-16
Tract Four: 05700100065
Tract Five: 031134 00005
Tract Six: 031134 00006

Exhibit "A"

Tract One:

2153 and 2155 Young, Memphis, Tennessee
Parcel: 029-012-00017

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

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

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

Tract Two:

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

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

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

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

Tract Three:

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

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

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

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

Tract Four:

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

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

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

Tract Five:

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

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

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

Tract Six:

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

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

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

129340

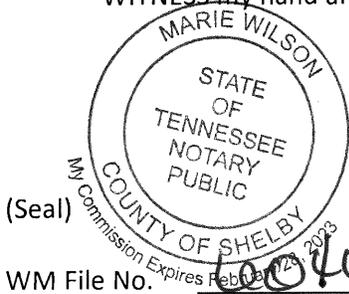
I, A. STEPHEN McDANIEL, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

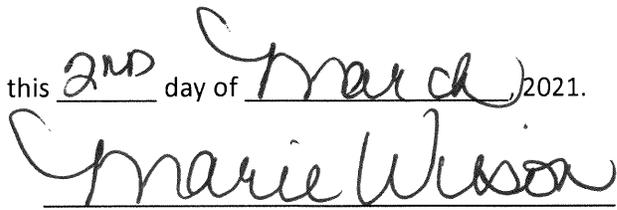

A. STEPHEN McDANIEL

STATE OF TENNESSEE
COUNTY OF SHELBY

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

WITNESS my hand and Notarial Seal at office this 2nd day of March, 2021.




Notary's Signature

WM File No. 2004402.01



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

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



20128814

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

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

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

SPECIAL WARRANTY DEED

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

THIS INDENTURE, made and entered into as of the 12th day of Nov, 2020, by and between Ron Fitzgerald, a married man, hereinafter referred to as Grantor, and Andy Weinstein, unmarried, hereinafter referred to as Grantee.

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

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

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

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

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

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

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

[Handwritten Signature]
Ron Fitzgerald

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 12th day of Nov 2020, before me a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Ron Fitzgerald, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

[Handwritten Signature]
Notary Public
Commission Expiration: 05-01-21



VALUATION AFFIDAVIT

I, or we, hereby swear or affirm that, to the best of Affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is **\$8,000.00** which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

[Handwritten Signature]
Affiant

Subscribed and sworn to before me this 12th day of Nov, 2020.

[Handwritten Signature]
Notary Public
Commission Expiration: 05-01-21



Return to:
Tracey P. Malone
2850 Bartlett Road
Bartlett, TN 38134

Send Tax Bills To:
Andy Weinstein
519 Greenway Cove
Memphis, TN 38117

Property Address & Owner:
Andy Weinstein
0 York
Memphis, TN 38104

Parcel # 031135 00006



Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

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



23006118

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

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

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

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

QUIT CLAIM DEED

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

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

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

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

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

(SEE THE FOLLOWING PAGES FOR SIGNATURES)

(REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY)

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

Charlotte Katherine Foley
CHARLOTTE KATHERINE FOLEY

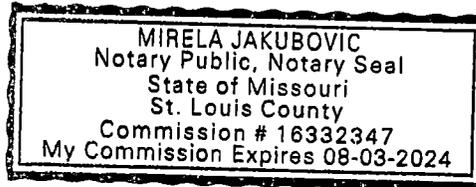
STATE OF Missouri :
COUNTY OF St Louis :

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

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

Mirela Jakubovic
NOTARY PUBLIC

My Commission Expires:
8/3/24



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

Robert Hayne Black
ROBERT HAYNE BLACK

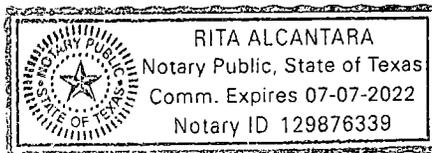
STATE OF Texas :
COUNTY OF Washington :

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

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

[Signature]
NOTARY PUBLIC

My Commission Expires:
07/07/2022



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

Theodore Bruce Black
THEODORE BRUCE BLACK

STATE OF TN :
COUNTY OF Shelby :

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

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


Keith Matthews
NOTARY PUBLIC

My Commission Expires:
July 1, 2023

My Commission Expires July 1, 2023

TAX PARCEL NUMBER: Part of 031135 00003C

NAME AND ADDRESS OF PROPERTY

OWNER:

Scott Industries of TN, Inc.
c/o Clayton Kemker
232 Southmill Drive
Eads, TN 38028-6970

PROPERTY ADDRESS:

2074 York Ave.,
Memphis, TN 38104

MAIL TAX BILLS TO:

Scott Industries of TN, Inc.
c/o Clayton Kemker
232 Southmill Drive
Eads, TN 38028-6970

TG FILE # 8907880

MDW FILE # 200921

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

Robert Wayne Black

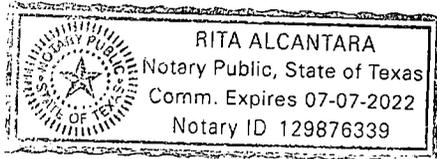
Affiant

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

[Signature]

Notary Public

My Commission Expires: 07/07/2022





Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

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



23006117

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

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

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

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

QUIT CLAIM DEED

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

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

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

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

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

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

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

(SEE THE FOLLOWING PAGES FOR SIGNATURE)

(REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY)

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

SCOTT INDUSTRIES OF TN, INC.

By: Robert H. Black
ROBERT H. BLACK, President

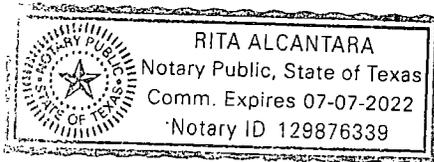
STATE OF Texas :
COUNTY OF Washington :

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

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

[Signature]
NOTARY PUBLIC

My Commission Expires:
07/07/2022



NAME AND ADDRESS OF PROPERTY OWNER:

Scott Industries of TN, Inc.
c/o Clayton Kemker
232 Southmill Drive
Eads, TN 38028-6970

PROPERTY ADDRESS:

2074 York Ave.,
Memphis, TN 38104

MAIL TAX BILLS TO:

Scott Industries of TN, Inc.
c/o Clayton Kemker
232 Southmill Drive
Eads, TN 38028-6970

TG FILE # 8907880

MDW FILE # 200921

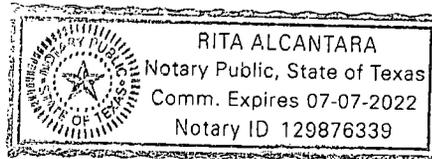
I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, belief, the actual consideration is \$10.00.

Robert Wayne Black
Affiant

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

[Signature]
Notary Public

My Commission Expires: 07/07/2022





Tom Leatherwood
Shelby County Register

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

02063261	
04/11/2002 - 03:36 PM	
3 PGS : R - WARRANTY DEED	
BOBBY 32640-2063261	
VALUE	45000.00
MORTGAGE TAX	0.00
TRANSFER TAX	166.50
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	184.50
STATE OF TENNESSEE, COUNTY OF SHELBY	
TOM LEATHERWOOD REGISTER OF DEEDS	

B
SW. WD. 3 45,000

PREPARED BY:
Johnson, Grusin, Kee & Surprise, P.C.
780 Ridge Lake Boulevard, Suite 202
Memphis, Tennessee 38120
Our File No.: 183959

WARRANTY DEED

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

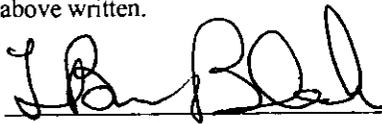
WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the said **PARTY OF THE FIRST PART** has bargained and sold and does hereby bargain, sell, convey and confirm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

See Exhibit "A" attached hereto for Legal Description.

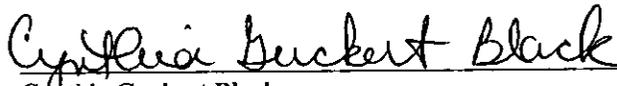
This being the same property conveyed to party of the first part by Warranty Deed of record as Instrument Number S4 7362 in the Register's Office of Shelby County, Tennessee.

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

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



T. Bruce Black



Cynthia Guckert Black

STATE OF TENNESSEE
COUNTY OF SHELBY

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

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



Notary Public

My Commission Expires



Name and Address of Property Owner:

Scott Industries, Inc.
5372 Hayne Circle
Memphis, Tennessee 38119

Property Address:

2078 York Avenue
Memphis, Tennessee 38104

Person Responsible for Taxes:

Scott Industries, Inc.
5372 Hayne Circle
Memphis, Tennessee 38119

Parcel #: 031-136-012

STATE OF TENNESSEE
COUNTY OF SHELBY

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is \$45,000.00 which amount is equal to, or greater than, the amount which he property, or interest in property transferred, would command at a fair and voluntary sale.



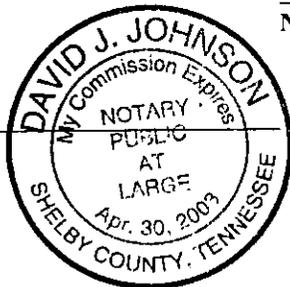
Affiant

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



Notary Public

My Commission Expires:



RETURN TO:
JOHNSON, GRUSIN, KEE & SURPRISE, P.C.
780 RIDGE LAKE BLVD., SUITE, 202
MEMPHIS, TENNESSEE 38120

EXHIBIT "A"

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

J4 5204 2

WARRANTY DEED

THIS INDENTURE, made and entered into this 1st day of March 1974, by and between TRI-STATE PLUMBING CO., a partnership consisting of JOSEPH A. VALENTINE and WILLIAM LYNN TUBBS, party of the first part, and SCOTT INDUSTRIES, INC., a Tennessee corporation, party of the second part.

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt 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 Memphis, County of Shelby, State of Tennessee.

Parts of Lots 13, 14, 15, 16 and 17 inclusive of Cooper & Central Avenue Place Subdivision, as shown on plat of record in Plat Book 4, Pages 99 and 100 in the Register's Office of Shelby County, Tennessee, more particularly described as follows:

BEGINNING at a point in the north line of York Avenue (50 feet wide) a distance of 62.50 feet eastwardly as measured along the north line of York Avenue from its intersection with the east line of Tanglewood Street; thence northwardly along a line parallel with the east line of Tanglewood Street, a distance of 179.00 feet to an iron pin in the southeast line of the N.C.&St.L. Railroad right-of-way; thence northeastwardly along the southeast line of said right-of-way a distance of 66.22 feet to a point in the west line of an alley (12 feet wide); thence southwardly along the west line of said alley a distance of 200.87 feet to a point in the north line of York Avenue, same being a distance of 552.70 feet from the west line of Copper Street; thence westwardly along the north line of York Avenue 62.50 feet to the point of beginning. TO HAVE AND TO HOLD the above described 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.

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

and that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons. The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

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

TRI-STATE PLUMBING CO., a partnership

By: Joseph A. Valentine, William Lynn Tubbs, JOSEPH A. VALENTINE, WILLIAM LYNN TUBBS

STATE OF TENNESSEE, COUNTY OF SHELBY:

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

WITNESS my hand and Notarial Seal at office this 1st day of March, 1974.



[Signature] NOTARY PUBLIC

J4 5204

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared _____

_____ me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this _____ day of _____ 19____

My commission expires _____

STATE TAX 96.20
 RECORDING FEE 4.50
 REC'D MAR 4 2 26 2 PM
 J4 5204
 Notary Public

RECORDING DATA ONLY

Property address 2087 York Avenue
Scott Industries, Inc.
 Mail tax bills to 207 1/2 YORK AVE., Memphis, Tenn.

This instrument prepared By: +MAIL to:
Blanchard S. Tual, Atty.
1041 Sterick Bldg.

State tax \$ ~~88.23~~ 96.20
 Register's fee .50 .50
 Recording fee 4.00 4.00
 Total \$ 100.70 100.70

T.G.#

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, \$37,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.



William L. Lee
Affiant

Subscribed and sworn to before me this 1st day of March 1974

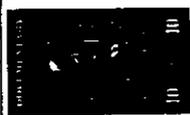
My Commission Expires December 14, 1975

THIS INDENTURE, made and entered into this 27th day of DECEMBER, 1963

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

WITNESSETH: That for the consideration hereinafter expressed the said part y... of the first part ha... bargained and sold and do... hereby bargain, sell, convey and confirm unto the said part y... of the second part the following described real estate, situated and being in MEMPHIS County of SHELBY State of TENNESSEE

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



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 part y... of the second part, ITS heirs and assigns in fee simple forever.



And the said part y... of the first part do... hereby covenant with the said part y... of the second part that it is lawfully seized in fee of the aforescribed real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except State and County Taxes for the year 1963

and that the title and quiet possession thereof it will warrant and forever defend against the lawful claims of all persons. There is expressly reserved from this conveyance any and all claims of the N. C. & St. L. R. R. for right-of-way, trackage or other uses.

THE CONSIDERATION for this conveyance is as follows: TEN DOLLARS (\$10.00) Cash in hand paid and other good and valuable consideration, the receipt of all of which is hereby acknowledged



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

Bluff City Lumber Co Inc
BLUFF CITY LUMBER COMPANY, INC.
Joe Emms
JOE EMMS, President

STATE OF TENNESSEE }
County of Shelby. }

BOOK 5236 PAGE 3

On this _____ day of _____, 19____, before me, a notary Public in and for said State and
County, duly commissioned and qualified, personally appeared _____

to me known to be the person _____ described in and who executed the foregoing instrument, and acknowledged that
_____ he _____ executed the same as _____ free act and deed.

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

Notary Public

My commission expires _____ day of _____, 19____

2000 Rev. 7/01
Compliments of

Memphis Title Co.

40 N. SECOND ST.
MEMPHIS, TENNESSEE

WARRANTY DEED

ELITE CITY LUMBER COMPANY, INC.

ALBERT COOK DEVELOPMENT COMPANY,
INC.

State Tax	1.50
Clerk's Fee	.50
TOTAL	2.00

Paid _____
Deputy County Clerk

STATE OF TENNESSEE
Shelby County

Filed _____ DEC 31 1963
a _____ and taxed in New Book
No. 212 Page 25, and was recorded

in Book 5236 Page 25, in Registered Book
No. _____ of _____
GUY D. BATES, Notary Public

COUNTY REGISTER

Return to:
REILY, GREEN & FARGARSON, ATTYS
1314 Columbian Mutual Tower
Memphis 3, Tennessee
MT 25251

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, personally appeared JOE EMMIS, with whom I
am personally acquainted and who, upon oath, acknowledged himself to be PRESIDENT
of ELITE CITY LUMBER COMPANY, INC., a Corporation, and that he as such PRESIDENT
being authorized to so do, executed the foregoing instrument for the purposes
therein contained, by signing the name of the Corporation by himself as
PRESIDENT.

Witness my hand and Official Seal at office in Memphis, this _____ day of _____



_____ Robert L. Green
ROBERT L. GREEN
NOTARY PUBLIC



E5 1046 *2 Pgs*

WARRANTY DEED

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

WITNESSETH:

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

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

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

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

Beginning at a point in the north line of York Avenue 137 feet westwardly from the west line of Cooper Street, said point of beginning being the southeast corner of said Lot 27; thence northwardly with the east line of said Lot 27, being also the west line of a 12-foot alley running north and south 165 feet to the south line of a 12-foot alley running east and west as shown on said subdivision plat, but which has never been opened or used as a public alley; thence westwardly along the south line of the last mentioned alley 108.5 feet to the east line of a 6-foot alley running north and south, said point being also the northwest corner



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

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

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

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

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

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

Carmela Montesi
Affiant

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

Carmela Montesi
Carmela Montesi

STATE OF TENNESSEE
COUNTY OF SHELBY

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

WITNESS my hand and Notarial Seal at office this the 29th day of September, 1968.

Hugh A. Hooper
Notary Public

My Commission Expires:
3-14-71



-3-

Property Address: vacant lots
 Mail tax bills to: Albert Cook
 2101 Central Avenue
 Memphis, Tennessee
 Return to: Shainberg and Kriger
 81 Madison Building
 Memphis, Tennessee

State Tax	\$110.50
Register's fee	.50
Recording fee	<u>4.50</u>
Total	\$115.50

E5 1046

② 110.12

STATE TAX 110.50
 REGISTER'S FEE .50
 RECORDING FEE 4.50
 SEP 30 10 35 A M '68
 STATE OF TENNESSEE
 SHELBY COUNTY
 REGISTER

E51046

QUITCLAIM DEED

THIS INDENTURE, made and entered into this 18th day of May, 1988 by and between the CITY OF MEMPHIS, Municipal Corporation of the State of Tennessee, party of the first part; and ALBERT COOK DEVELOPMENT COMPANY, INC., a Tennessee Corporation, party of the second part;

WITNESSETH:

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

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

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

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

CITY OF MEMPHIS

By: Richard Lee Backett
Mayor

JLB

ATTEST:

David Crum
City Comptroller

APPROVED:

[Signature]
City Attorney

James O. Blank
Real Estate Manager

AL 8561

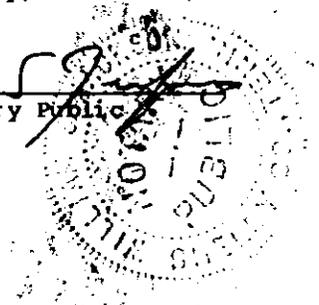
STATE OF TENNESSEE)
COUNTY OF SHELBY)

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

Witness my hand and seal at office in Memphis, Shelby County, Tennessee, this the Eighteenth day of May, 1988.

My Commission Expires:
My Commission Expires May 27, 1990

William S. Jones
Notary Public



I, or we, hereby swear or affirm that to the best affiants knowledge, information, and belief, the actual consideration for this transfer is \$ 1.00

Richard C. Hackett
Affiant

Subscribed and sworn to before me this the 18th day of May, 1988

William S. Jones
My Commission Expires May 27, 1990

Property Address: VACANT

Mail tax bills to: Albert Cook Development Company

Address: P.O. Box 40617, Memphis TN 38104

This instrument prepared By:

Name: City of Memphis Real Estate Department

125 N. Mid-America Mall, Room 558

Address: Memphis, Tennessee 38103

Return to the City of Memphis

Real Estate Department Room 517 City Hall

AL 8561

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

1988 JUN - 2 11 9 55
RECORDING DEPARTMENT

No.	AL 8561
STATE TAX	
REGISTER'S FEE	
RECORDING FEE	<u>6.00</u>
TOTAL	
STATE OF TENNESSEE	
SHELBY COUNTY	
CLERK OF THE	
COURT	
GUY R. JONES	
<i>[Signature]</i>	

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

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

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

FF 0402

QUIT CLAIM DEED

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

Lots 28 and 29, E. E. Meacham's Cooper and Central Avenue Place Subdivision, as shown on revised plat of record in Plat Book 4, Pages 99 and 100, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

This being the same property conveyed to Ann Bugbee, Trustee, by Warranty Deed of record at Instrument No. H8 1666 in said Register's Office of Shelby County, Tennessee.

THIS DEED PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.

IN TESTIMONY WHEREOF, I have executed this instrument this the 17 day of July, 1995.

Ann Bugbee Trustee
ANN BUGBEE, TRUSTEE

STATE OF TENNESSEE)
COUNTY OF SHELBY)

On this 17 day of July, 1995, before me the undersigned Notary Public of the aforementioned County and State personally appeared Ann Bugbee, Trustee, with whom I am personally acquainted and who, upon oath acknowledged that she executed the foregoing instrument for the purposes therein contained, as her free act and deed.

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

Debra H. Whitlock
Notary Public

MY COMMISSION EXPIRES DEC. 8, 1997

My Commission expires: _____

STATE OF TENNESSEE:
COUNTY OF SHELBY :

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is \$ -0-.

Ann Bugbee
AFFIANT

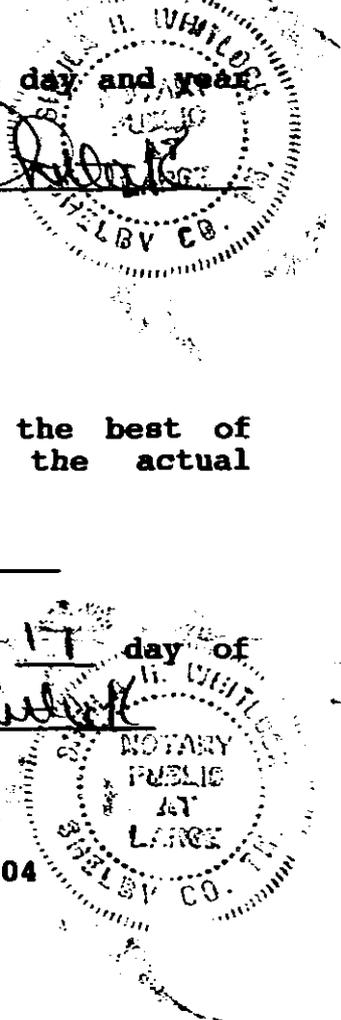
SWORN TO AND SUBSCRIBED before me this the 17 day of July, 1995.

MY COMMISSION EXPIRES DEC. 8, 1997

Debra H. Whitlock
NOTARY PUBLIC

My Commission Expires: _____

Property Address: 739 South Cooper, Memphis, TN 38104
Tax Parcel No.: 031 136 00009
Mail Tax Bills To: Albert Cook Development Company
739 South Cooper
Memphis, Tennessee 38104
& property owner's address;



FF 0402

FF0402

SHELBY COUNTY
REGISTER OF DEEDS

95 AUG -2 AM 11: 13

FF 0402	
D/C <u>D</u>	DR# <u>6</u>
Pgs. <u>7</u>	Itm. _____
Val _____	
STATE FEE _____	
REGISTER'S FEE _____	
RECORDING FEE <u>8.00</u>	
WT <input type="checkbox"/> MISC FEE _____	
TOTAL _____	
STATE OF TENNESSEE SHELBY COUNTY GENERAL DEEDS REGISTER	



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

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



19098911

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

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

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE



005193352

**APPLICATION FOR REGISTRATION
OF ASSUMED NAME**

SS-4230



Tre Hargett
Secretary of State

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

Filing Fee: \$20.00

For Office Use Only

-FILED-

Amendment # 005193352

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

1. The Secretary of State Control Number is: 000007516
and the true name of the business entity is:
ALBERT COOK DEVELOPMENT COMPANY, INCORPORATED

2. The state or country of organization is:
TENNESSEE

3. The business entity intends to transact business under an assumed name.

4. The assumed name the business entity proposes to use is:
COOPER YORK DEVELOPMENT COMPANY, INC.
The assumed name must satisfy the statutory requirements for that type of entity.

09/09/2019
Signature Date
ATTORNEY
Signer's Capacity

Electronic
Signature
J. MICHAEL MURPHY
Name (typed or printed)

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

RETURN TO:
Murphy, DeZonia & Webb
6389 Quail Hollow Rd,
Memphis, TN 38120

B0757-0296 09/09/2019 4:55 PM Received by Tennessee Secretary of State Tre Hargett

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

FF 0402

QUIT CLAIM DEED

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

Lots 28 and 29, E. E. Meacham's Cooper and Central Avenue Place Subdivision, as shown on revised plat of record in Plat Book 4, Pages 99 and 100, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

This being the same property conveyed to Ann Bugbee, Trustee, by Warranty Deed of record at Instrument No. H8 1666 in said Register's Office of Shelby County, Tennessee.

THIS DEED PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.

IN TESTIMONY WHEREOF, I have executed this instrument this the 17 day of July, 1995.

Ann Bugbee Trustee
ANN BUGBEE, TRUSTEE

STATE OF TENNESSEE)
COUNTY OF SHELBY)

On this 17 day of July, 1995, before me the undersigned Notary Public of the aforementioned County and State personally appeared Ann Bugbee, Trustee, with whom I am personally acquainted and who, upon oath acknowledged that she executed the foregoing instrument for the purposes therein contained, as her free act and deed.

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

Debra H. Whitlock
Notary Public

MY COMMISSION EXPIRES DEC. 8, 1997

My Commission expires: _____

STATE OF TENNESSEE:
COUNTY OF SHELBY :

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is \$ -0-.

Ann Bugbee
AFFIANT

SWORN TO AND SUBSCRIBED before me this the 17 day of July, 1995.

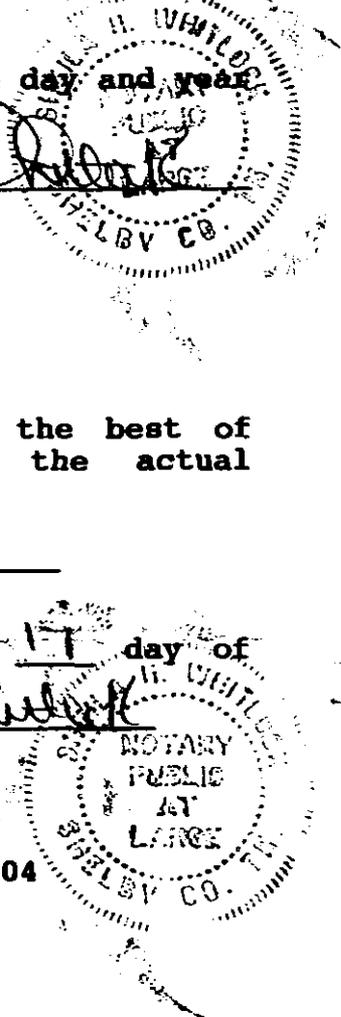
MY COMMISSION EXPIRES DEC. 8, 1997

Debra H. Whitlock
NOTARY PUBLIC

My Commission Expires: _____

Property Address: 739 South Cooper, Memphis, TN 38104
Tax Parcel No.: 031 136 00009
Mail Tax Bills To: Albert Cook Development Company
739 South Cooper
Memphis, Tennessee 38104

of property owner's address



FF 0402

FF0402

SHELBY COUNTY
REGISTER OF DEEDS

95 AUG -2 AM 11: 13

FF 0402	
D/C	D DR# 6
Pgs.	7 Itm.
Val	
STATE FEE	
REGISTER'S FEE	
RECORDING FEE	8.00
WT <input type="checkbox"/> MISC FEE	
TOTAL	
STATE OF TENNESSEE SHELBY COUNTY GENERAL DEEDS REGISTER	



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

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

September 17, 2024

Whitehead Law
275 Jefferson Avenue
Memphis, Tennessee 38103

Sent via electronic mail to: josh@joshwhiteheadlaw.com

The Cooper Planned Development
Case Number: PD 2024-012
LUCB Recommendation: Approval with conditions as amended

Dear applicant,

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

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

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

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

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

Respectfully,



Chloe Christion
Planner I

Letter to Applicant
PD 2024-012

Land Use and Development Services
Division of Planning and Development

Cc:

File

Letter to Applicant
PD 2024-012

Outline Plan Conditions – Revisions

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

I. Uses Permitted

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

II. Bulk Regulations

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

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

III. Access, Circulation and Parking:

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

Letter to Applicant
PD 2024-012

IV. Building facades, Landscaping and Screening

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

Letter to Applicant
PD 2024-012

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

- VI. Drainage
 - A. All drainage plans shall be submitted to the City Engineer for review.
 - B. Drainage improvements, including possible on-site detention shall be provided under contract in accordance with the City of Memphis/Shelby County Storm Water Management Manual. Detention shall be required based on pre-post site conditions.

- VII. The Land Use Control Board may modify the bulk, access, parking, landscaping, loading screen, signage and other site requirements if equivalent alternatives are presented; however, any adjacent property owner who is dissatisfied with the modifications of the Land Use Control Board hereunder may within ten days of such action, file a written appeal to the Director of Office of Planning and Development to have such action reviewed by the Appropriate Governing Bodies.

- VIII. A final plan shall be filed within five (5) years of the approval of the Outline Plan. The Land Use Control Board may grant extensions at the request of the applicant.

- IX. Any final plat shall include the following:
 - A. The Outline Plan Conditions.
 - B. A Standard Contract as defined by the Subdivision Regulations for any needed public improvements.
 - C. The exact location and dimensions, including height, of all buildings or buildable areas, parking areas, drives, and identification of plan materials in required landscaping.
 - D. The number of parking spaces.
 - E. The location and ownership, whether public or private, of any easement.
 - F. The one-hundred (100) year flood elevation.
 - G. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City or County Engineer, as applicable. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City/County Engineer's Office. Such maintenance shall include, but not be limited to, the removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

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

ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS

Planning & Development
DIVISION

Planning & Zoning COMMITTEE: 10/15/2024

DATE

PUBLIC SESSION: 11/12/2024

DATE

ITEM (CHECK ONE)

 ORDINANCE X RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject properties located at various properties along Philadelphia Street and New York Street , known as case number SUP 2024-032

CASE NUMBER: SUP 2024-032

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

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

OWNER/APPLICANT: Karen Pease

REPRESENTATIVE: Milos Mikic

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

AREA: +/-0.87 acres

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**
Hearing – November 12, 2024

PRIOR ACTION ON ITEM:

<u>(1)</u>	APPROVAL - (1) APPROVED (2) DENIED
<u>09/12/2024</u>	DATE
<u>(1) Land Use Control Board</u>	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

<i>ADMINISTRATIVE APPROVAL:</i>	<i>DATE</i>	<i>POSITION</i>
<u>Chloe Christian</u>	<u>10/7/2024</u>	PLANNER I
_____	_____	DEPUTY ADMINISTRATOR
<u>Brett Repadole</u>	<u>10/7/2024</u>	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	<i>CHIEF ADMINISTRATIVE OFFICER</i>
_____	_____	<i>COMMITTEE CHAIRMAN</i>



Memphis City Council Summary Sheet

SUP 2024-032

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

- This item is a resolution with conditions for a special use permit to allow administrative offices and a resource center for medical services; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: SUP 2024-032

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

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

OWNER/APPLICANT: Karen Pease

REPRESENTATIVE: Milos Mikic

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

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

AREA: +/-1.28 acres

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

The following spoke in opposition the application: Brona Pinnolis

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

The motion passed by a vote of 6-4.

Respectfully,



Chloe Christion
Planner I
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SUP 2024-032

CONDITIONS

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

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

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

WHEREAS, Karen Pease filed an application with the Memphis and Shelby County Division of Planning and Development to allow administrative offices and a resource center for medical services; and

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

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

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

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

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

BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

CONDITIONS

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

ATTEST:

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

AGENDA ITEM: 23 **L.U.C.B. MEETING:** September 12, 2024
CASE NUMBER: SUP 2024-032
LOCATION: 681, 685 & 659 Philadelphia Street and 680, 688, 693 & 687 New York Street
COUNCIL DISTRICT: District 6 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT: Karen Pease
REPRESENTATIVE: Josh Whitehead
REQUEST: Special use permit to allow administrative offices and a resource center for medical services
EXISTING ZONING: Residential Urban – 3 (RU-3)

CONCLUSIONS

1. The request is a special use permit to allow administrative offices and a resource center for medical services in seven (7) separate residential-style buildings in single ownership and one (1) vacant parcel used as a neighborhood garden.
2. A similar Special Use Permit (SUP 2020-017) was approved by Memphis City Council on April 6, 2021 which allowed administrative offices and a resource center for medical services at 657 & 659 Philadelphia Street and 680, 687 & 688 New York Street, see pages 24-26 of this report for said resolution. This Special Use Permit has since expired as there have been over twenty-four months of inactivity on said permit according to records on Accela and the Assessor’s website. Additional properties have been added and address changes have been implemented since the approval of the Special Use Permit.
3. The granting of this special use permit will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC.

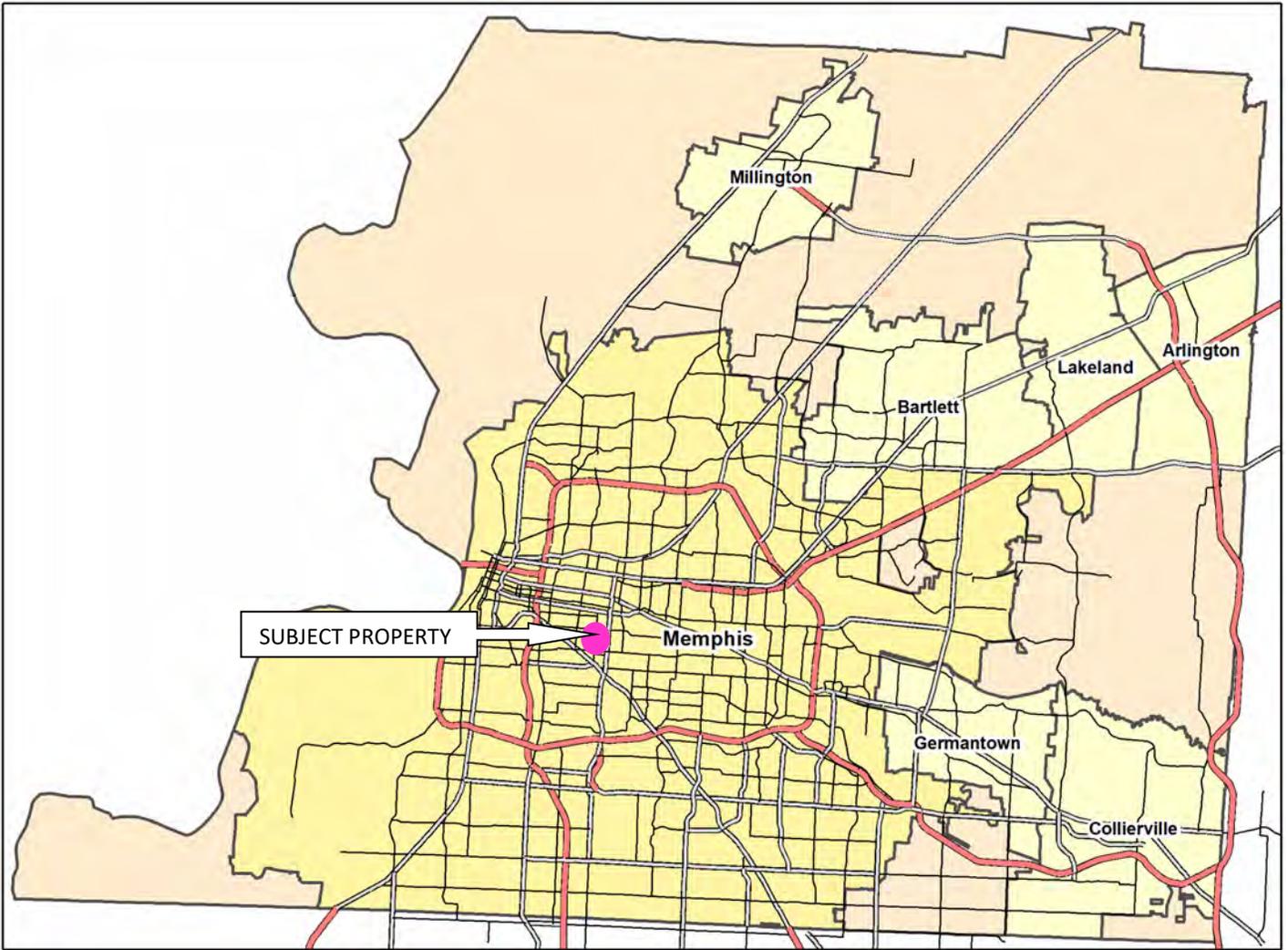
CONSISTENCY WITH MEMPHIS 3.0

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

RECOMMENDATION:

Approval with conditions

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject properties highlighted in yellow

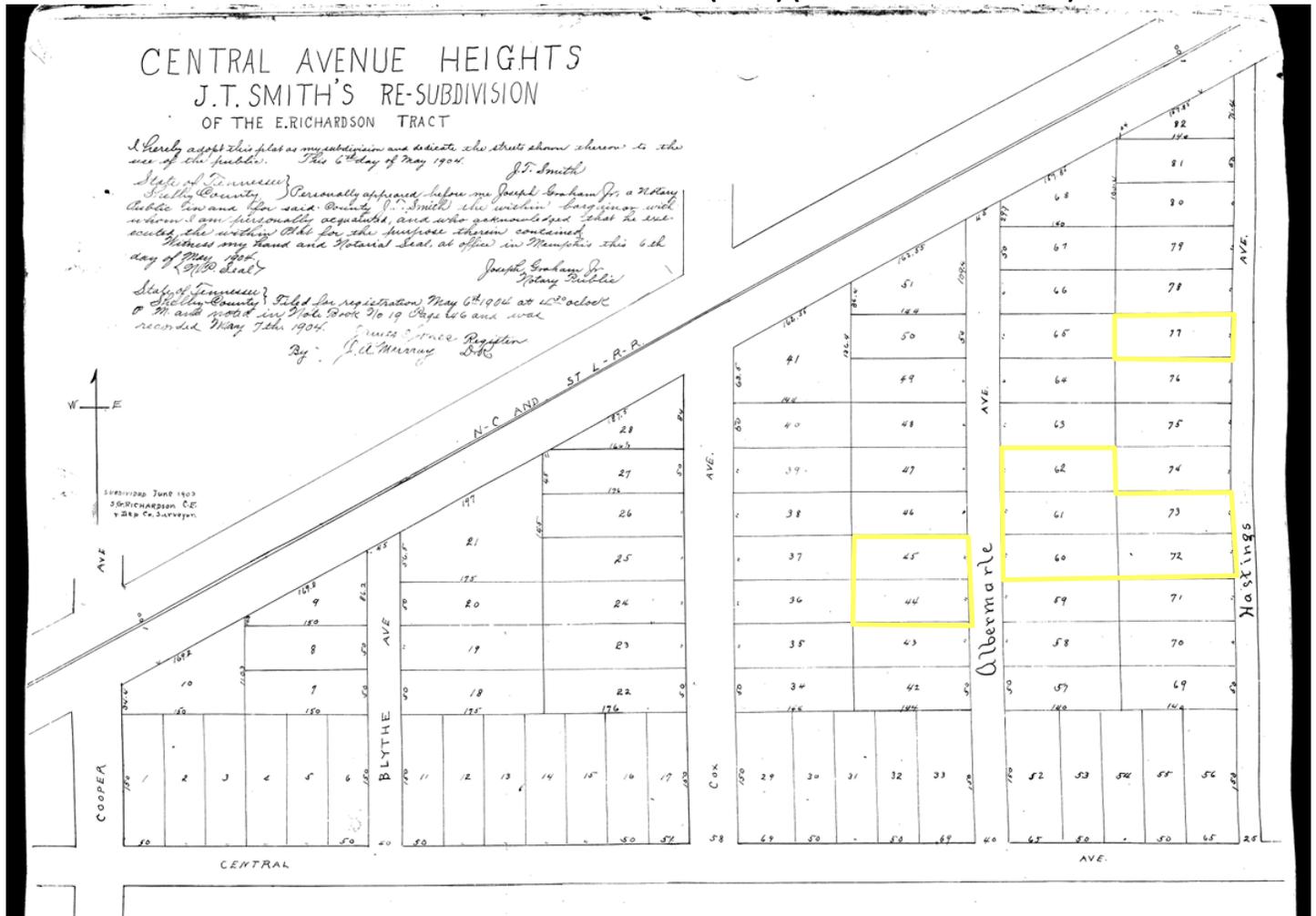
PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 102 notices were mailed on August 16, 2024, see page 22 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 23 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

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

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



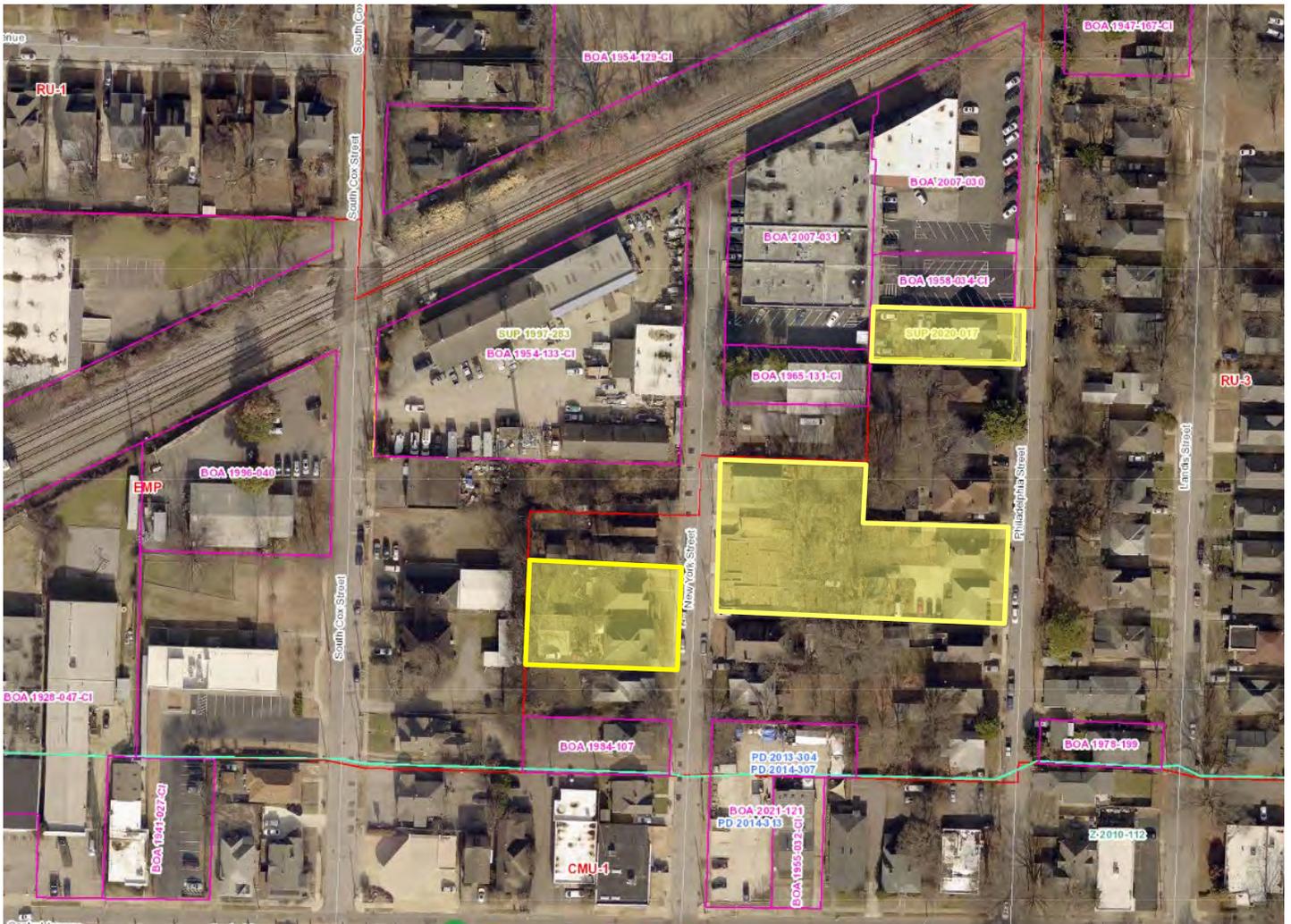
Subject properties highlighted in yellow, Lots 44, 45, 60, 61, 62, 72, 73 and 77

AERIAL



Subject properties outlined in yellow, imagery from 2023

ZONING MAP



Subject properties highlighted in yellow

LAND USE MAP



Subject properties indicated by pink stars

SITE PHOTOS



View of 685 Philadelphia Street



View of 659 Philadelphia Street



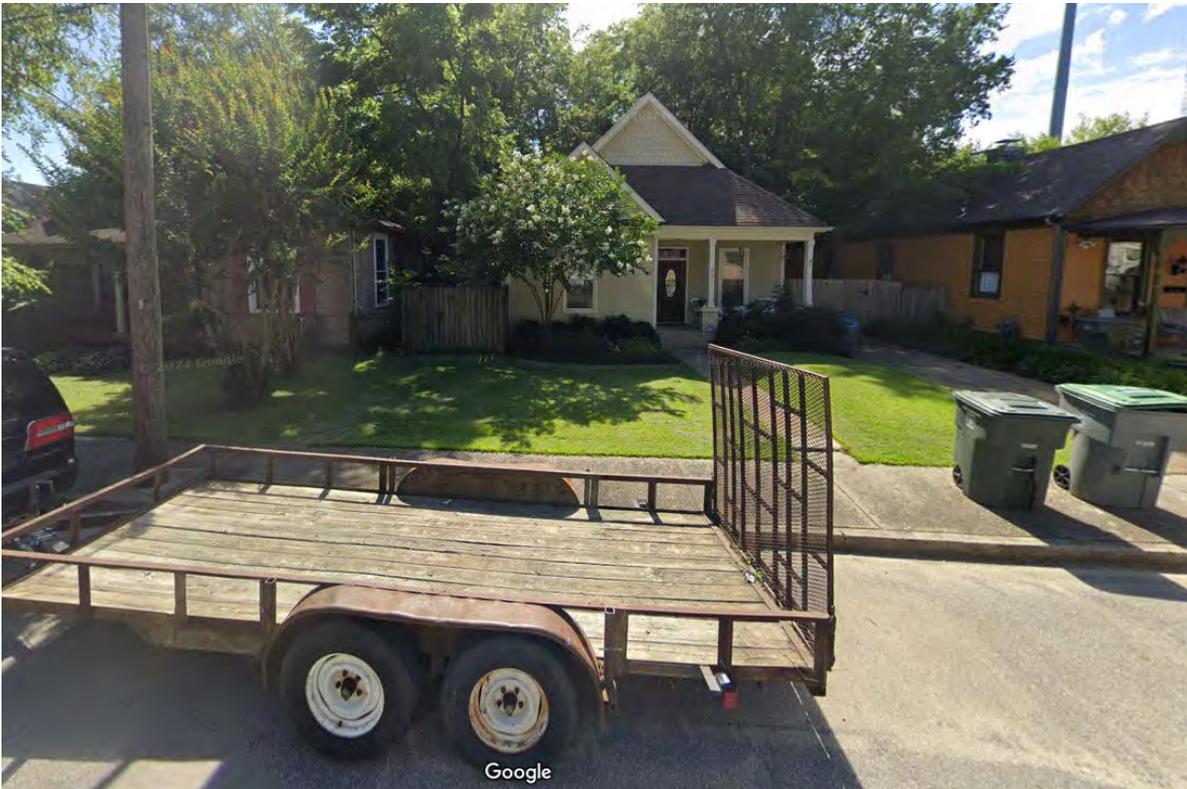
View of 680 New York Street



View of 688 New York Street

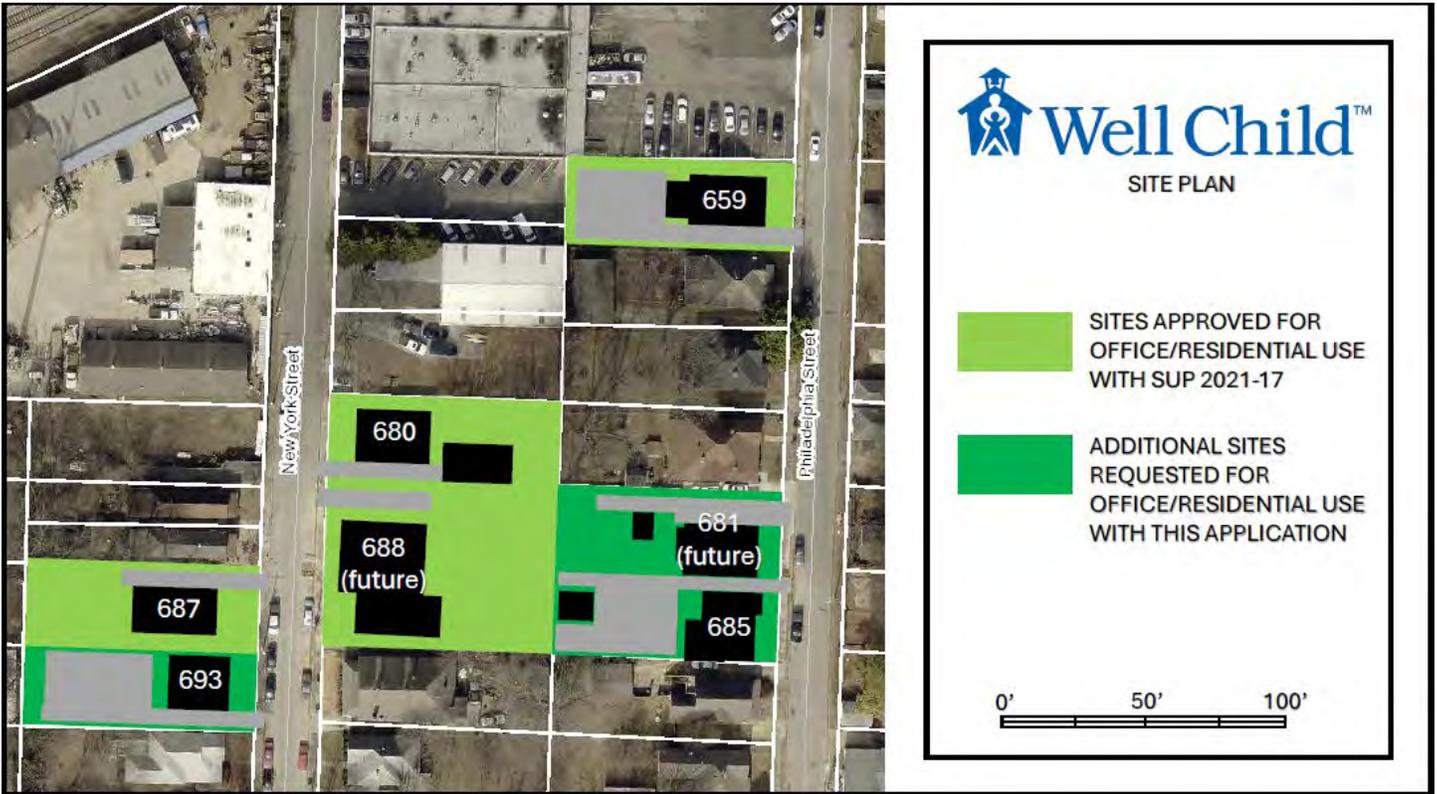


View of 693 New York Street



View of 687 New York Street

SITE PLAN



CASE REVIEW

Request

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

Approval Criteria

Staff agrees the approval criteria in regard special use permits as set out in Section 9.6.9 of the Unified Development Code are met.

9.6.9 Approval Criteria

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

- 9.6.9A The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.*
- 9.6.9B The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.*
- 9.6.9C The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.*
- 9.6.9D The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.*
- 9.6.9E The project complies with all additional standards imposed on it by any particular provisions authorizing such use.*
- 9.6.9F The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.*
- 9.6.9G The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to ensure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.*
- 9.6.9H Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.*

Site Details

Address:

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

Parcel ID:

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

Area:

+/- 1.28 acres

Description:

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

Site Zoning History

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

Analysis

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

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

The granting of this special use permit will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

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

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

DEPARTMENTAL COMMENTS

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

City Engineer:

CASE 14: SUP-24-032

NAME: 681 Philadelphia St.

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

Sewers:

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

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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

General Notes:

11. Development is located within a sensitive drainage basin.

City Fire Division:



DIVISION OF FIRE SERVICES ❖ FIRE PREVENTION BUREAU

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

Case Number: SUP 2024-032

Date Reviewed: 9/5/24

Reviewed by: J. Stinson

Address or Site Reference: 681 Philadelphia

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

City Real Estate: No comments received.

County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

**Office of Comprehensive Planning:
Comprehensive Planning Review of Memphis 3.0 Consistency**

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: SUP 2024-032 – Core City

Site Address/Location: 681 Philadelphia St.

Overlay District/Historic District/Flood Zone: Located in the Midtown Overlay

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

Street Type: N/A

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

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



“AN-S” Form & Location Characteristics SUSTAIN

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

“AN-S” Zoning Notes

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

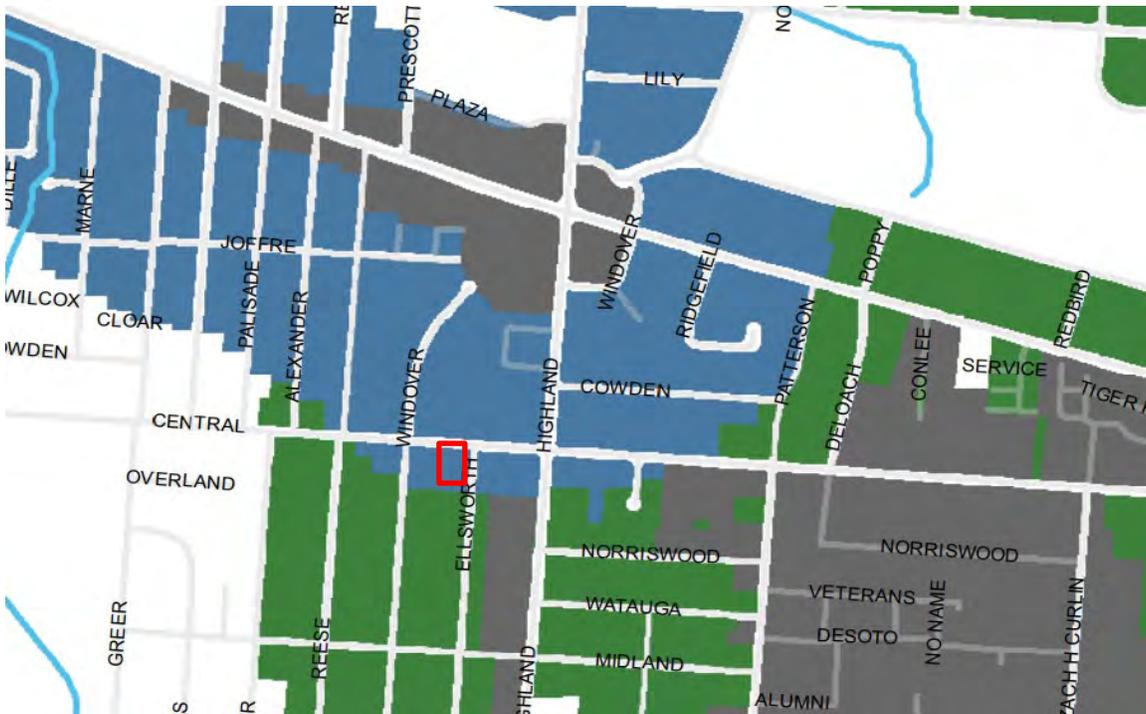
Existing, Adjacent Land Use and Zoning

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

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

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

3. Degree of Change Map



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

4. Degree of Change Description

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

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

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

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

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

Consistency Analysis Summary

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

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

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

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

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

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

Summary Compiled by: Nick Wiggins, Comprehensive Planning.

MAILED PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

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

CASE NUMBER: SUP 2024-032
ADDRESS: 680, 688, 687, and 693 New York St; 685, 659, and 681 Philadelphia St
REQUEST: Special Use Permit to allow administrative offices and a resource center for medical services
APPLICANT: Karen Pease

Meeting Details

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

Staff Planner Contact:

Chloe Christian
✉ chloe.christian@memphistn.gov
☎ (901) 636-7494

SITE PLAN



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



SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Josh Whitehead, being duly sworn, depose and say that at 12:00 am/pm on the 13th day of August, 2024, I posted 2 Public Notice Sign(s) pertaining to Case No. SUP 24-32 at 685 Philadelphia St. and 693 New York St. providing notice of a Public Hearing before the (check one):

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

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

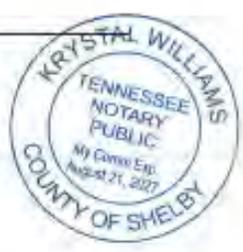
[Signature]
Owner, Applicant or Representative

8/13/24
Date

Subscribed and sworn to before me this 13th day of August, 2024.

[Signature]
Notary Public

My commission expires: _____



APPLICATION



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

East Service Center: 6465 Mullins Station Rd; Memphis,
Tennessee 38134
Downtown Service Center: 125 N. Main Street;
Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Processing

Opened Date: August 7, 2024

Record Number: SUP 2024-032

Expiration Date:

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

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

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

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

Parent Record Number:

Address:

681 PHILADELPHIA ST, MEMPHIS 38104

Owner Information

Primary Owner Name

Y PEASE KAREN J

Owner Address

650 NEW YORK ST, MEMPHIS, TN 38104

Owner Phone

Parcel Information

028017 00007

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner	Chloe Christion
Date of Meeting	06/26/2024
Pre-application Meeting Type	Email
GENERAL PROJECT INFORMATION	
Application Type	Amendment to Existing SUP
List any relevant former Docket / Case Number(s) related to previous applications on this site	SUP 20-017
Is this application in response to a citation, stop work order, or zoning letter	No
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information	-
APPROVAL CRITERIA	
A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare	Correct
B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations	Correct
UDC Sub-Section 9.6.9C	Correct
UDC Sub-Section 9.6.9D	Correct
UDC Sub-Section 9.6.9E	Correct
UDC Sub-Section 9.6.9F	Correct
GIS INFORMATION	
Case Layer	-
Central Business Improvement District	No
Class	R
Downtown Fire District	No
Historic District	-
Land Use	SINGLE-FAMILY
Municipality	MEMPHIS
Overlay/Special Purpose District	Midtown Overlay
Zoning	RU-3
State Route	-
Lot	73
Subdivision	CENTRAL AVE HGTS
Planned Development District	-
Wellhead Protection Overlay District	No

Contact Information

Name

JOSH WHITEHEAD

Contact Type

APPLICANT

Address

Phone

(901)810-5789

Fee Information

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

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

Payment Information

Payment Amount

\$513.00

Method of Payment

Credit Card

OWNER AFFIDAVIT



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, leasees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Karen Pease, state that I have read the definition of "Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

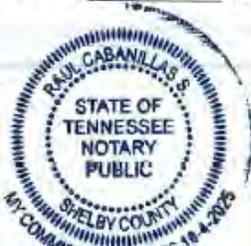
- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 685 Philadelphia Street, 681 Philadelphia Street and 693 New York Street and further identified by Assessor's Parcel Number 028017 00008, 028017 00007 and 028016 00006, for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 31 day of July in the year of 2024.

Karen Pease
Signature of Owner

KJ Pease, LLC
On behalf of (if owned by a corporation)



Paul Cabanillas
Signature of Notary Public

10-04-2025
My Commission Expires

LETTER OF INTENT



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

August 8, 2024

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

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

Mr. Ragsdale,

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

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



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

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

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

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

Thank you for your time and consideration of this request.

Sincerely,

Josh Whitehead

SUP 2020-017 COUNCIL RESOLUTION

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

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

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

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on *Thursday, March 11th, 2021*, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted to allow *administrative offices and a resource center for medical services* in accordance with the attached *site plan conditions*.

BE IT FURTHER RESOLVED, that this special use permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all site plan conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

#6

Site Plan Conditions:

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

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

ATTEST:

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

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

Date APR 06 2021
Valerie C. Sripes
Deputy Comptroller-Council Records

LETTERS RECEIVED

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

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

Brona Pinnolis <bronaarts@gmail.com>

Sun 9/1/2024 11:01 AM

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

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

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

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

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

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

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

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

Brona Pinnolis 901-569-0972

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

David Rhea <david@rheapm.com>

Tue 9/3/2024 9:09 PM

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

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

 3 attachments (14 MB)

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

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

To: Chloe Christian

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

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

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

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

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

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

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





Memphis and Shelby County Division of Planning and Development

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

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

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Processing

Opened Date: August 7, 2024

Record Number: SUP 2024-032

Expiration Date:

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

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

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

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

Parent Record Number:

Address:

681 PHILADELPHIA ST, MEMPHIS 38104

Owner Information

Primary Owner Name

Y PEASE KAREN J

Owner Address

650 NEW YORK ST, MEMPHIS, TN 38104

Owner Phone

Parcel Information

028017 00007

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner	Chloe Christion
Date of Meeting	06/26/2024
Pre-application Meeting Type	Email
GENERAL PROJECT INFORMATION	
Application Type	Amendment to Existing SUP
List any relevant former Docket / Case Number(s) related to previous applications on this site	SUP 20-017
Is this application in response to a citation, stop work order, or zoning letter	No
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information	-
APPROVAL CRITERIA	
A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare	Correct
B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations	Correct
UDC Sub-Section 9.6.9C	Correct
UDC Sub-Section 9.6.9D	Correct
UDC Sub-Section 9.6.9E	Correct
UDC Sub-Section 9.6.9F	Correct
GIS INFORMATION	
Case Layer	-
Central Business Improvement District	No
Class	R
Downtown Fire District	No
Historic District	-
Land Use	SINGLE-FAMILY
Municipality	MEMPHIS
Overlay/Special Purpose District	Midtown Overlay
Zoning	RU-3
State Route	-
Lot	73
Subdivision	CENTRAL AVE HGTS
Planned Development District	-
Wellhead Protection Overlay District	No

Contact Information

Name
JOSH WHITEHEAD

Contact Type
APPLICANT

Address

Phone
(901)810-5789

Fee Information

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

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$513.00	Credit Card

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

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Karen Pease, state that I have read the definition of "Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises
- I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 685 Philadelphia Street, 681 Philadelphia Street and 693 New York Street and further identified by Assessor's Parcel Number 028017 00008, 028017 00007 and 028016 00006, for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 31 day of July in the year of 2024.

Karen Pease
Signature of Owner

KJ Pease, LLC
On behalf of (if owned by a corporation)



Raul Cabanillas
Signature of Notary Public

10-04-2025
My Commission Expires



Whitehead Law

275 Jefferson Avenue
Memphis, Tenn. 38103

Josh Whitehead

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

August 8, 2024

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

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

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

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Thank you for your Pme and consideraPon of this request.

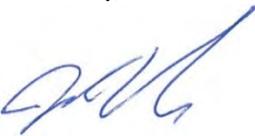
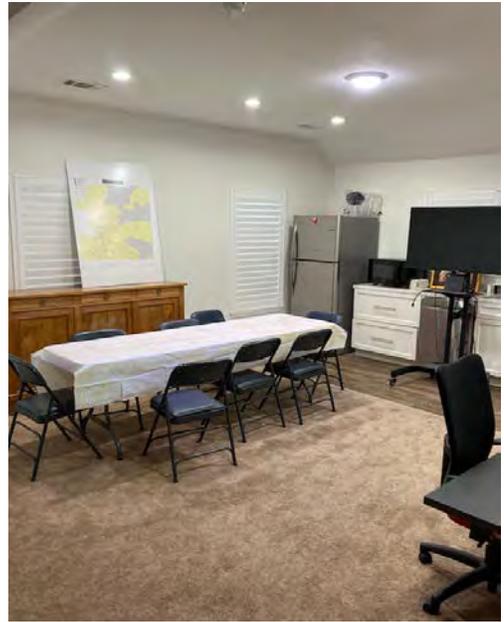
Sincerely,

 Josh Whitehead

Exhibit "A"





Well Child™

SITE PLAN



SITES APPROVED FOR
OFFICE/RESIDENTIAL USE
WITH SUP 2021-17



ADDITIONAL SITES
REQUESTED FOR
OFFICE/RESIDENTIAL USE
WITH THIS APPLICATION





Well Child™

SITE PLAN



SITES APPROVED FOR
OFFICE/RESIDENTIAL USE
WITH SUP 2021-17



ADDITIONAL SITES
REQUESTED FOR
OFFICE/RESIDENTIAL USE
WITH THIS APPLICATION



-  Germantown Zoning
-  Lakeland Zoning
-  Millington Zoning

Overlay Districts

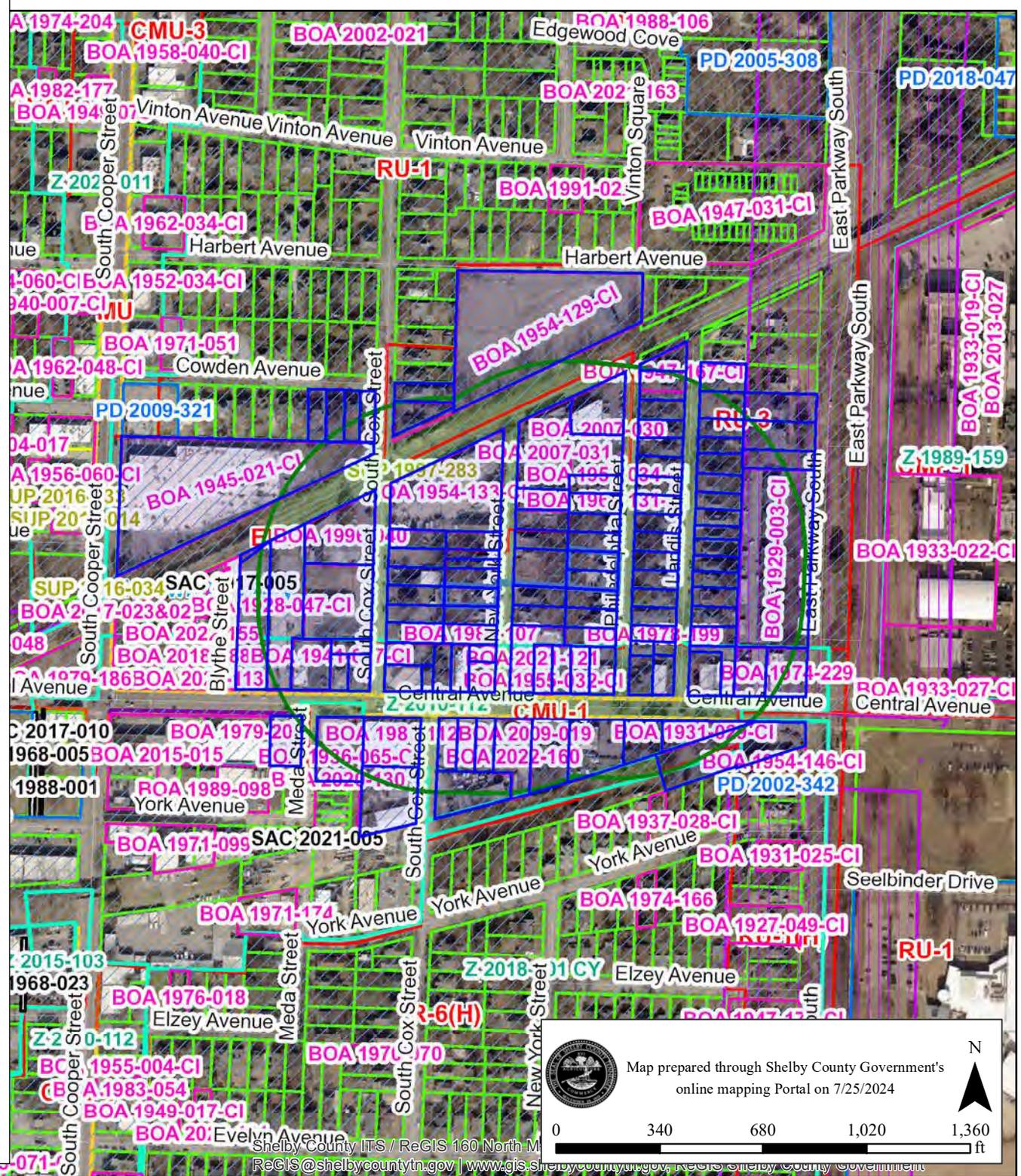
-  Central Business Improvement District
-  Downtown Fire District
-  Fletcher Creek Overlay
-  Medical District Overlay
-  Midtown Overlay
-  Transit Overlay District Overlay
-  University District Overlay
-  Residential Corridors
-  Moratorium Zones
-  Brown Field Properties

Street Frontage Overlay District

-  Shopfront
-  Pedestrian
-  Urban
-  Transitional
-  Commercial
-  Contextual Infill

Flood Zones

-  Area of Minimal Flood Hazard
-  Area with Reduced Flood Risk Due to Levee
-  0.2 % Annual Chance Flood Hazard
-  Floodplain
-  Floodway
-  Parcels




 Map prepared through Shelby County Government's
 online mapping Portal on 7/25/2024

0 340 680 1,020 1,360
 ft

MIDTOWN ANIMAL LAND LLC
2192 CENTRAL AVE #
MEMPHIS TN 38104

KJ PEASE LLC
693 NEW YORK ST #
MEMPHIS TN 38104

CENTRAL AVENUE LLC
1300 GRAYSTONE CT #
CORDOVA TN 38016

MONCILOVICH THOMAS A & RUTH D
2041 NE 53RD ST #
FORT LAUDERDALE FL 33308

KJ PEASE LLC
650 NEW YORK ST #
MEMPHIS TN 38104

SIMMONS CATHERINE G (1/3%) AND A WILSON
2300 CENTRAL AVE #
MEMPHIS TN 38104

GRACE-ST LUKES EPISCOPAL SCHOOL
246 S BELVEDERE BLVD #
MEMPHIS TN 38104

COMMERCIAL ROOFING LLC
692 S COX ST #
MEMPHIS TN 38104

MID SOUTH HOMEBUYERS INC
2238 CENTRAL AVE #
MEMPHIS TN 38104

SCHWARZ ROBERT G III & LAURA C
641 E PARKWAY #
MEMPHIS TN 38104

GINN NICHOLAS W
699 NEW YORK ST #
MEMPHIS TN 38104

TRANSFORMAMA HOLDINGS LLC
1895 COURT AVE #
MEMPHIS TN 38104

BORDEN ANNE L
673 N BELVEDERE BLVD #
MEMPHIS TN 38107

ANIMAL CAPITAL LLC
2348 E 4040 #
SAINT GEORGE UT 84790

L & W INVESTMENT COMPANY
P O BOX 40467 #
MEMPHIS TN 38174

SCHWARTZ SUSAN K LIVING TRUST AND
682 S COX ST #
MEMPHIS TN 38104

TAYLOR ROBERT F
1904 COWDEN AVE #
MEMPHIS TN 38104

CITY OF MEMPHIS
GENERAL DELIVERY #
MEMPHIS TN 38101

MEZA REI LLC
PO BOX 3383 #
MEMPHIS TN 38173

710-712 SOUTH COX LLC
3181 POPLAR AVE #328
MEMPHIS TN 38111

PRUITT PROPERTIES L L C
2259 CENTRAL AVE #
MEMPHIS TN 38104

ABESI MEHDI
2186 CENTRAL AVE #
MEMPHIS TN 38104

LOWE JOHN & BEVERLY
1042 N BARKSDALE ST #
MEMPHIS TN 38107

BLACK ANCHOR LLC
4886 COLE RD #
MEMPHIS TN 38117

KJ PEASE LLC
693 NEW YORK ST #
MEMPHIS TN 38104

GALLOWAY CHARLES
711 N EVERGREEN ST #
MEMPHIS TN 38107

ROBERTS G FRANK & MINDY C
2215 CENTRAL AVE #
MEMPHIS TN 38104

SCHWARTZ DAURIE A
682 S COX ST #
MEMPHIS TN 38104

FDM INVESTORS LLC
226 JAMERSON FARM RD #
COLLIERVILLE TN 38017

EVERITT PATRICIA L
4886 COLE RD #
MEMPHIS TN 38117

WILKERSON WILLIAM H
632 LANDIS ST #
MEMPHIS TN 38104

DELMORE WILLIAM T
650 LANDIS ST #
MEMPHIS TN 38104

SCHWARTZ SUSAN K AND DAURIE A SCHWARTZ
682 S COX ST #
MEMPHIS TN 38104

NANDRAJOG LAKSH
PO BOX 17005 #
MEMPHIS TN 38187

SCHWARZ ROBERT G & SILVIA AND MICHAEL A
647 E PARKWAY #
MEMPHIS TN 38104

SCHWARTZ SUSAN K LIVING TRUST
682 S COX ST #
MEMPHIS TN 38104

ANNABLE HALEY C & PAULA B
2191 COWDEN AVE #
MEMPHIS TN 38104

GREGORY CYNTHIA L
20635 ELKWOOD PL #
LAKE MATHEWS CA 92570

N-C & ST LOUIS RWY
GENERAL DELIVERY #
MEMPHIS TN 38101

GRAVES THOMAS A
2197 COWDEN AVE #
MEMPHIS TN 38104

HOLMES STEFANIE L
652 LANDIS TER #
MEMPHIS TN 38104

2178 CENTRAL AVENUE LLC
1437 CENTRAL AVE #1200
MEMPHIS TN 38104

KING MARC
2201 COWDEN AVE #
MEMPHIS TN 38104

SMITH DENNIS W
663 LANDIS ST #
MEMPHIS TN 38104

CDM PROPERTIES LLC
5345 WILDBROOK CV #
MEMPHIS TN 38120

DAVIS JAMES T & KATHRYN F C
2203 COWDEN AVE #
MEMPHIS TN 38104

LOST LAKE LLC
666 LANDIS ST #
MEMPHIS TN 38104

RHEA DAVID O & BEVERLY
207 STONEWALL ST #
MEMPHIS TN 38112

CASSIN MARTHA R
640 LANDIS ST #
MEMPHIS TN 38114

BAKER CHADWICK M LIVING TRUST
669 LANDIS ST #
MEMPHIS TN 38104

SILVER MOUNTAIN VENTURES LLC SERIES A
1446 N REID HOOKER #
EADS TN 38028

GARDNER JASON E & NINA K H
642 S COX ST #
MEMPHIS TN 38104

GODMAN STEPHEN A
4845 SHIRA DR #
ARLINGTON TN 38002

CITY PRIDE PROPERTIES LLC
1446 N REID HOOKER #
EADS TN 38028

MELLINGER KELSEY L AND KEVIN L MELLINGER
645 LANDIS ST #
MEMPHIS TN 38104

CARPENTER HAROLD W JR & ERICA
674 LANDIS ST #
MEMPHIS TN 38104

PINNOLIS BRONA LIVING TRUST
683 NEW YORK ST #
MEMPHIS TN 38104

ROBERTS FAMILY PROPERTIES LLC
PO BOX 771385 #
MEMPHIS TN 38177

MACYAUSKI WILLIAM J
673 LANDIS ST #
MEMPHIS TN 38104

PEASE KAREN J
650 NEW YORK ST #
MEMPHIS TN 38104

REPP LINDSAY AND JUDY REPP
1278 AGNES #
MEMPHIS TN 38104

BLAND ADAM B AND CRYSTAL C CASON (RS)
694 LANDIS ST #
MEMPHIS TN 38104

CHATMAN ERIC G
704 LANDIS ST #
MEMPHIS TN 38104

SCHWARTZ SUSAN K LIVING TRUST AND
682 S COX ST #
MEMPHIS TN 38104

COMMERCIAL ROOFING LLC
692 S COX ST #
MEMPHIS TN 38104

TAYLOR ROBERT F
1904 COWDEN AVE #
MEMPHIS TN 38104

CITY PRIDE PROPERTIES LLC
1446 N REID HOOKER #
EADS TN 38028

EVERETT JOHN S III REVOCABLE LIVING
1511 HARBERT AVE #
MEMPHIS TN 38104

BENSON LEO IV
2232 CENTRAL AVE #
MEMPHIS TN 38104

PEASE KEVIN J INVESTMENT SERVICES
685 PHILADELPHIA ST #
MEMPHIS TN 38104

GRAY AMY
699 PHILADELPHIA ST #
MEMPHIS TN 38104

ABBOTT HAROLD D AND SUZANNE G ABBOTT
5051 NEW CASTLE RD #
MEMPHIS TN 38117

COLLINS ABE
320 FAIRWAY DR #
ACWORTH GA 30101

SIMMONS A WILSON III
79 MORNING SIDE PL #
MEMPHIS TN 38104

CENTRAL AVENUE LLC
2186 CENTRAL AVE #
MEMPHIS TN 38104

ROUNDPAK PROPERTIES LLC
1873 MILLER FARMS RD #
GERMANTOWN TN 38138

LISLE BETTY C
6443 CALLAWAY ACRES RD #
GULF SHORES AL 36542

FDM INVESTORS LLC
226 JAMERSON FARM RD #
COLLIERVILLE TN 38017

KJ PEASE LLC
693 NEW YORK ST #
MEMPHIS TN 38104

KICKHAM VIRGINIA F
3163 BIRCHTON GLADE CV #
LAKELAND TN 38002

CENTRAL AVENUE LLC
2186 CENTRAL AVE #
MEMPHIS TN 38104

FERGUSON WILLIAM E & MARY S
694 NEW YORK ST #
MEMPHIS TN 38104

MIDTOWN ANIMAL LAND LLC
2192 CENTRAL AVE #
MEMPHIS TN 38104

MOHUNDRO JAKE R & JEANINE H
2208 CENTRAL AVE #
MEMPHIS TN 38104

HIGGINS PROPERTIES LLC
1976 VAL VERDE DR #
GERMANTOWN TN 38138

SIMMONS A WILSON III
79 MORNING SIDE PL #
MEMPHIS TN 38104

VANCE MARGARET E
2304 CENTRAL AVE #
MEMPHIS TN 38104

SIMMONS A WILSON & CATHERINE C
79 MORNING SIDE PL #
MEMPHIS TN 38104

MOHUNDRO JAKE R & JEANINE H
711 S COX ST #
MEMPHIS TN 38104

FLASHBACK INC
2304 CENTRAL AVE #
MEMPHIS TN 38104

LOEB REALTY L P
P O BOX 171247 #
MEMPHIS TN 38187

ANDREINI SHARON A LIVING TRUST
8384 BERGEN DR #
CORDOVA TN 38018

SULLIVAN GARLAND & CHERYL O
682 S COX ST #
MEMPHIS TN 38104

COUCH DAVID V
9950 CENTER HILL RD #
COLLIERVILLE TN 38017

CITY OF MEMPHIS
GENERAL DELIVERY #
MEMPHIS TN 38101

PARKWAY ARMS LLC
5345 WILDBROOK CV #
MEMPHIS TN 38120

WALKER LARRY & EMILY
1654 STONEHEDGE DR #
SOUTHAVEN MS 38671

BOOCATCHICKEN LLC
6068 DOKOTA TRAIL #
PARK CITY UT 84098

PARKWAY ARMS LLC
5345 WILDBROOK CV #
MEMPHIS TN 38120

CRUM JOHN H & KONG W PANG
2224 CENTRAL AVE #
MEMPHIS TN 38104

BISHOP ROGER W AND JUDY R BISHOP LIVING
795 PORT NATCHEZ DR #
COLLIERVILLE TN 38017

ROBERTS G FRANK & MINDY C
2215 CENTRAL AVE #
MEMPHIS TN 38104

HTR & PROPERTY LLC
1710 CYPRESS SPRINGS LN #
COLLIERVILLE TN 38017

BAUWENS GINO & DIANE F
670 NEW YORK ST #
MEMPHIS TN 38104

SOUTHBAY PROPERTIES LLC
5851 RIDGE BEND RD #
MEMPHIS TN 38120

CHARNG LLC
1979 FELIX AVE #
MEMPHIS TN 38104

BAUWENS GINO & DIANE FULTON
245 RIDGEFIELD #
MEMPHIS TN 38111

ROBERTS G FRANK & MINDY C
2215 CENTRAL AVE #
MEMPHIS TN 38104

CBBQ PROPERTIES LLC
4840 GWYNNE #
MEMPHIS TN 38117

SAPP CHARLES G
665 PHILADELPHIA ST #
MEMPHIS TN 38104

CBBQ PROPERTIES LLC
4840 GWYNNE #
MEMPHIS TN 38117

LANZA PAUL K & MARJEAN E
7192 BAKER ST #
MILLINGTON TN 38083

CBBQ PROPERTIES LLC
4840 GWYNNE #
MEMPHIS TN 38117

KJ PEASE LLC
650 NEW YORK ST #
MEMPHIS TN 38104

HUGHES KATHERINE A
2265 CENTRAL AVE #
MEMPHIS TN 38104

FOOZIZZA LLC
2272 CENTRAL AVE #
MEMPHIS TN 38104

028015 00005C - MIDTOWN ANIMAL LAND LLC
028035 00012 - MONCILOVICH THOMAS A & RUTH D
028018 00003 - GRACE-ST LUKES EPISCOPAL SCHOOL
028036 00007 - SCHWARZ ROBERT G III & LAURA C
028035 00005 - BORDEN ANNE L
028016 00001 - SCHWARTZ SUSAN K LIVING TRUST AND
028035 00007 - MEZA REI LLC
028015 00016 - ABESI MEHDI
028017 00023 - KJ PEASE LLC
028016 00020 - SCHWARTZ DAURIE A
028016 00005 - KJ PEASE LLC
028017 00021C - KJ PEASE LLC
028016 00018 - COMMERCIAL ROOFING LLC
028016 00007 - GINN NICHOLAS W
028016 00016 - ANIMAL CAPITAL LLC
028016 00008 - TAYLOR ROBERT F
028016 00015 - 710-712 SOUTH COX LLC
028015 00011 - LOWE JOHN & BEVERLY
028017 00015 - GALLOWAY CHARLES
028035 00017 - FDM INVESTORS LLC
028017 00014 - CENTRAL AVENUE LLC
028036 00013 - SIMMONS CATHERINE G (1/3%) AND A WILSON
028016 00010 - MID SOUTH HOMEBUYERS INC
028035 00018 - TRANSFORMAMA HOLDINGS LLC
029004 00011 - L & W INVESTMENT COMPANY

029004 00012 - CITY OF MEMPHIS
029004 00006C - PRUITT PROPERTIES L L C
028035 00003C - BLACK ANCHOR LLC
028015 00002C - ROBERTS G FRANK & MINDY C
028035 00022 - EVERITT PATRICIA L
028036 00029 - WILKERSON WILLIAM H
028018 00008 - NANDRAJOG LAKSH
028013 00011 - ANNABLE HALEY C & PAULA B
028013 00012 - GRAVES THOMAS A
028013 00013 - KING MARC
028013 00014 - DAVIS JAMES T & KATHRYN F C
028036 00028 - CASSIN MARTHA R
028018 00007 - GARDNER JASON E & NINA K H
028035 00004 - MELLINGER KELSEY L AND KEVIN L MELLINGER
028013 00015 - ROBERTS FAMILY PROPERTIES LLC
028036 00027 - DELMORE WILLIAM T
028036 00008 - SCHWARZ ROBERT G & SILVIA AND MICHAEL A
028035 00006 - GREGORY CYNTHIA L
028036 00026 - HOLMES STEFANIE L
028035 00008 - SMITH DENNIS W
028036 00024 - LOST LAKE LLC
028035 00009 - BAKER CHADWICK M LIVING TRUST
028036 00023 - GODMAN STEPHEN A
028036 00022 - CARPENTER HAROLD W JR & ERICA
028035 00010 - MACYAUSKI WILLIAM J

028016 00021 - SCHWARTZ SUSAN K AND DAURIE A SCHWARTZ
028016 00002 - SCHWARTZ SUSAN K LIVING TRUST
028015 00001 - N-C & ST LOUIS RWY
028015 00015 - 2178 CENTRAL AVENUE LLC
028036 00021 - CDM PROPERTIES LLC
028017 00006 - RHEA DAVID O & BEVERLY
028035 00011 - SILVER MOUNTAIN VENTURES LLC SERIES A
028036 00020 - CITY PRIDE PROPERTIES LLC
028016 00003 - PINNOLIS BRONA LIVING TRUST
028017 00007 - PEASE KAREN J
028016 00004 - REPP LINDSAY AND JUDY REPP
028016 00019 - SCHWARTZ SUSAN K LIVING TRUST AND
028036 00019 - CITY PRIDE PROPERTIES LLC
028017 00008 - PEASE KEVIN J INVESTMENT SERVICES
028035 00013 - COLLINS ABE
028036 00018 - ROUNDOAK PROPERTIES LLC
028016 00006 - KJ PEASE LLC
028017 00020 - FERGUSON WILLIAM E & MARY S
028017 00009 - HIGGINS PROPERTIES LLC
028035 00014 - SIMMONS A WILSON & CATHERINE C
028036 00017 - BLAND ADAM B AND CRYSTAL C CASON (RS)
028016 00017 - COMMERCIAL ROOFING LLC
028017 00019 - EVERETT JOHN S III REVOCABLE LIVING
028017 00010 - GRAY AMY
028035 00015 - SIMMONS A WILSON III

028036 00016 - LISLE BETTY C
028017 00011 - KICKHAM VIRGINIA F
028015 00012C - MIDTOWN ANIMAL LAND LLC
028035 00016 - SIMMONS A WILSON III
028015 00009 - MOHUNDRO JAKE R & JEANINE H
028036 00015 - CHATMAN ERIC G
028016 00012 - TAYLOR ROBERT F
028016 00011 - BENSON LEO IV
028016 00009 - ABBOTT HAROLD D AND SUZANNE G ABBOTT
028017 00017C - CENTRAL AVENUE LLC
028035 00020 - FDM INVESTORS LLC
028017 00016 - CENTRAL AVENUE LLC
028015 00010 - MOHUNDRO JAKE R & JEANINE H
028036 00014 - VANCE MARGARET E
028036 00012 - FLASHBACK INC
028036 00011 - LOEB REALTY L P
028016 00014 - COUCH DAVID V
028035 00019 - WALKER LARRY & EMILY
028016 00013 - CRUM JOHN H & KONG W PANG
029001 00008 - HTR & PROPERTY LLC
029004 00036 - CHARNG LLC
029004 00037 - CBBQ PROPERTIES LLC
029004 00038 - CBBQ PROPERTIES LLC
029004 00039 - CBBQ PROPERTIES LLC
029004 00010C - HUGHES KATHERINE A

029004 00004 - ANDREINI SHARON A LIVING TRUST
029004 00013 - CITY OF MEMPHIS
028017 00029 - BOOCATCHICKEN LLC
028017 00028 - BISHOP ROGER W AND JUDY R BISHOP LIVING
028017 00025C - BAUWENS GINO & DIANE F
028017 00024 - BAUWENS GINO & DIANE FULTON
028017 00005 - SAPP CHARLES G
028017 00004 - LANZA PAUL K & MARJEAN E
028017 00003 - KJ PEASE LLC
028017 00012C - FOOZIZZA LLC
028036 00025 - SULLIVAN GARLAND & CHERYL O
028036 00010 - PARKWAY ARMS LLC
028036 00009 - PARKWAY ARMS LLC
029003 00005C - ROBERTS G FRANK & MINDY C
029003 00006 - SOUTHBAY PROPERTIES LLC
029003 00004 - ROBERTS G FRANK & MINDY C



Tom Leatherwood
Shelby County Register / Archives

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

17096636

09/20/2017 - 09:12 AM

<hr/>	
2 PGS	
<hr/>	
TANYA	1649925-17096636
<hr/>	
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	12.00

TOM LEATHERWOOD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared by and
When Recorded Return to:
Wardlow & Wardlow, PLLC
7500 Capital Drive
Germantown, TN 38138

QUIT CLAIM DEED

Tax Parcel: 028017 00007

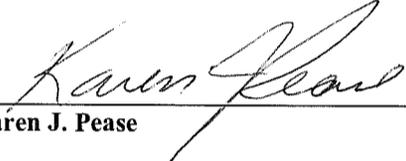
KNOW ALL MEN BY THESE PRESENTS, that **Karen J. Pease, a single woman**, for and in consideration of **TEN (10.00) DOLLARS**, do hereby bargain, sell, remise, release, quit claim and convey unto **KJ Pease, LLC, Tennessee Limited Liability Company**, all of my rights, title, and interest that I now have or may hereafter acquire in the following described real estate located in **Shelby County, Tennessee**, to-wit:

Lot 73, Central Avenue Heights J. T. Smith's re-subdivision, as shown on plat of record in Plat Book 4, Page 69, in the Register's Office, Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the Grantor herein by Deed of record at Instrument Number 17032304 in said Register's Office.

This Deed was prepared without the benefit of a title search.

IN TESTIMONY WHEREOF (I / we) have hereunto set (my / our) hand(s) and seal(s) this 15th day of September, 2017.



Karen J. Pease

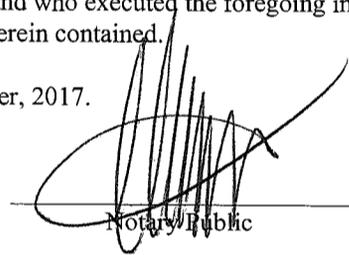
STATE OF TENNESSEE,
COUNTY OF SHELBY.

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Karen J. Pease** to me known to be the person s described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

Witness my hand, at office, this 15th day of September, 2017.

My Commission expires: _____





Notary Public

Property Owner:
Karen J. Pease
681 Philadelphia Street
Memphis, TN 38104

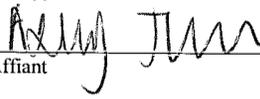
Property Known As:
681 Philadelphia Street
Memphis, TN 38104

Mail Tax Bills To:
KJ Pease, LLC
650 New York Street
Memphis, TN 38104



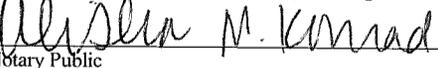
STATE OF TENNESSEE,
COUNTY OF SHELBY

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



Affiant

Witness my hand this 15th day of September, 2017.



Notary Public

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



Charles G. Wardlow, II

State of TENNESSEE

County of SHELBY

Personally appeared before me, a notary public for this county and state, Charles G. Wardlow, II, who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.



Notary's Signature

MY COMMISSION EXPIRES: _____



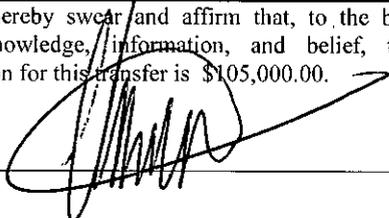
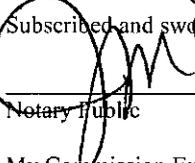


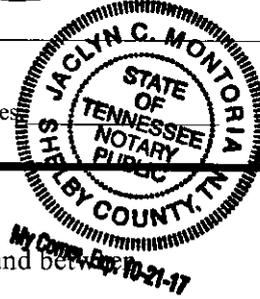
Tom Leatherwood
Shelby County Register / Archives

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

	
14046968	
05/05/2014 - 01:56 PM	
2 PGS	
TAXID	1209987-14046968
VALUE	105000.00
MORTGAGE TAX	0.00
TRANSFER TAX	388.50
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	401.50
TOM LEATHERWOOD REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

WARRANTY DEED

<p>Property address: 693 New York Street Memphis, TN 38104</p> <p>Owner's name: KJ Pease, LLC</p> <p>693 New York Street Memphis, TN 38104</p>	<p>Mail tax bills to:</p> <p>KJ Pease, LLC 693 New York Street Memphis, TN 38104</p>	<p>I, or we, hereby swear and affirm that, to the best of the affiant's knowledge, information, and belief, the actual consideration for this transfer is \$105,000.00.</p> <p></p> <p>_____ Affiant</p> <p>Subscribed and sworn to before me this 2nd day of May, 2014.</p> <p></p> <p>_____ Notary Public</p> <p>My Commission Expires _____</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



THIS INDENTURE, made and entered into this 2nd day of May, 2014, by and between

Mary Anna Allison Sewell Wolf, a married person, party of the first part and

KJ Pease, LLC, a Tennessee limited liability company, party of the second part,

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

Lot 44, Central Avenue Heights Subdivision, as recorded in plat of record in Plat Book 4, Page 69, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

This property being the same property conveyed to the Grantor(s) by Warranty Deed at Instrument No. BH 8438 and Quit Claim Deed of record in Instrument No. DA 2625 in said Register's Office.

Parcel Number: 028016 00006

Mary Anna Allison Sewell Wolf is also known as Mary Wolf.

Mary Anna Allison Sewell Wolf hereby certifies that her husband, Renee Wolf, has never lived in the above described property as his homestead.

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

The said party of the first part does hereby covenant with the said party of the second part that he/she is/are lawfully seized in fee of the aforescribed real estate; that he/she has good right to sell and convey the same; that the same is unencumbered, EXCEPT for:

Subdivision restrictions, building lines and easements of record, and any subsequent years taxes not yet due and payable,

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

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

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

Mary Anna Allison Sewell Wolf
Mary Anna Allison Sewell Wolf

STATE OF TENNESSEE,
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Mary Anna Allison Sewell Wolf** to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal this 2nd day of May, 2014.



[Signature]

Notary Public

My commission expires: _____

This instrument prepared by:
Southern Trust Title Company
6465 Quail Hollow, Suite #401
Memphis, TN 38120
File No.: 3159276

(FOR RECORDING DATA ONLY)



Shelby County Tennessee
Willie F. Brooks, Jr.
Shelby County Register

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

24039896
05/16/2024 - 10:34:30 AM

3 PGS

LACY 2703650-24039896

VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
EFILE FEE	2.00
TOTAL AMOUNT	19.00

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared By:
Southern Trust Title Company
7500 Capital Drive
Germantown, TN 38138

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that **KAREN J. PEASE, Trustee of the KEVIN JOSEPH PEASE INVESTMENT SERVICES TRUST, dated December 19, 2022**, for and in consideration of **TEN (10.00) DOLLARS**, do hereby bargain, sell, remise, release, quit claim and convey **unto KJ Pease LLC a Tennessee limited liability company**, all of my rights, title, and interest that I now have or may hereafter acquire in the following described real estate located in **Shelby County, Tennessee**, to-wit:

Lot 72, Central Avenue Heights J.T. Smith's re-subdivision~ as shown on plat of record in Plat Book 4, Page 69, in the Register's Office, Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the Grantor by Quit Claim Deed of record at Instrument Number 22136506 in the Register's Office of Shelby County, Tennessee.

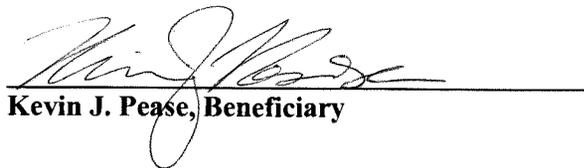
No abstract or survey was furnished for preparation of this instrument.
The preparer of this deed makes no representation as to the status of title to the property described hereto. This deed has been prepared solely from information furnished to the preparer, who makes no representation whatsoever other than it has been accurately transcribed from the information provided.

Tax Parcel Number 0280170008

IN TESTIMONY WHEREOF (I / we) have hereunto set (my / our) hand(s) and seal(s) this 10th the day of May, 2024.



KAREN J. PEASE, Trustee of the KEVIN JOSEPH PEASE INVESTMENT SERVICES TRUST, dated December 19, 2022

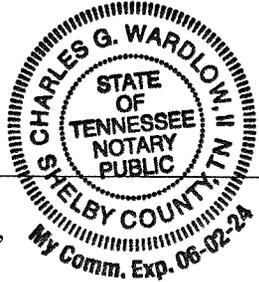


Kevin J. Pease, Beneficiary

STATE OF TENNESSEE,
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **KAREN J. PEASE, Trustee of the KEVIN JOSEPH PEASE INVESTMENT SERVICES TRUST, dated December 19, 2022** to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal this 10th day of May, 2024.



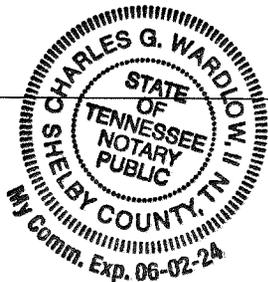
Notary Public

My commission expires: _____

STATE OF TENNESSEE,
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **KEVIN J. PEASE, beneficiary of the KEVIN JOSEPH PEASE INVESTMENT SERVICES TRUST, dated December 19, 2022**, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal this 10th day of May, 2024.



Notary Public

My commission expires: _____

Property Owner:
KJ Pease, LLC
650 New York Street
Memphis, TN. 38104

Property Known As:
650 New York Street
Memphis, TN. 38104

Mail Tax Bills To:
650 New York Street
Memphis, TN. 38104

STATE OF TENNESSEE,
COUNTY OF SHELBY

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

Affiant

Witness my hand, at office, this 10th day of May, 2024.

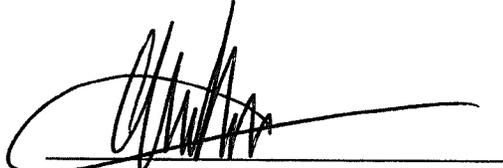


Notary Public

MY Commission Expires: _____

Certification of Electronic Document

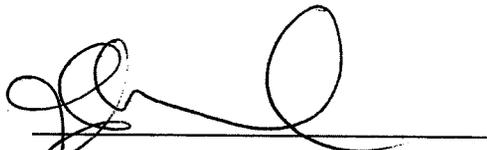
I, Charles G. Wardlow, II, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.



Charles G. Wardlow, II

State of TENNESSEE
County of SHELBY

Sworn to and subscribed before me, Gaylon Muhammad, a notary public for this county and state, Charles G. Wardlow, II, who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.



Notary's Signature

MY COMMISSION EXPIRES: _____





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

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

September 26, 2024

Milos Mikic, Whitehead Law
275 Jefferson Avenue
Memphis, TN 38103

Sent via electronic mail to: milos@whiteheadlaw.com

Case Number: SUP 2024-032

LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, September 12, 2024, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow administrative offices and a resource center for medical services located at 681, 685 & 659 Philadelphia Street and 680, 688, 693 & 687 New York Street subject to the following conditions:

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

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

It is the applicant's responsibility to contact the City Council Records Office to determine when the

Letter to Applicant
SUP 2024-032

application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

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

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

Respectfully,

A handwritten signature in cursive script that reads "Chloe Christion".

Chloe Christion
Planner I
Land Use and Development Services
Division of Planning and Development

Cc: Josh Whitehead, Whitehead Law
File