

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 03/19/2024
DATE
PUBLIC SESSION: 04/23/2024
DATE

ITEM (CHECK ONE)

ORDINANCE RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located at the **SOUTHWEST CORNER OF MANCHESTER ROAD AND NEW TCHULAHOMA ROAD** by taking the land out of the Residential Single-Family – 8 (R-8) Use District and including it in the Commercial Mixed Use – 1 (CMU-1) Use District, known as case number Z 2024-002.

CASE NUMBER: Z 2024-002

LOCATION: 3343 Winchester Road

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

OWNER/APPLICANT: Chief Auto Parts, Inc.

REPRESENTATIVES: Lauren Bishop, Carlson Consulting Engineers, Inc.

REQUEST: Rezoning of +/- .81 acres from Residential Single-Family – 8 (R-8) to Commercial Mixed Use 1 – (CMU-1)

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
Set date for first reading – March 19, 2024
Second reading – April 9, 2024
Third reading – April 23, 2024

PRIOR ACTION ON ITEM:

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

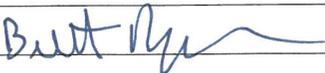
FUNDING:

<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>
	<u>3/11/24</u>	PRINCIPAL PLANNER
		DEPUTY ADMINISTRATOR
	<u>3/11/24</u>	ADMINISTRATOR
		DIRECTOR (JOINT APPROVAL)
		COMPROLLER
		FINANCE DIRECTOR
		CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN

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**Planning & Development
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**Planning & Zoning COMMITTEE: 03/19/2024
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ITEM (CHECK ONE)

X ORDINANCE _____ RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located at the **SOUTHWEST CORNER OF MANCHESTER ROAD AND NEW TCHULAHOMA ROAD** by taking the land out of the Residential Single-Family – 8 (R-8) Use District and including it in the Commercial Mixed Use – 1 (CMU-1) Use District, known as case number Z 2024-002.

CASE NUMBER: Z 2024-002

LOCATION: 3343 Winchester Road

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

OWNER/APPLICANT: Chief Auto Parts, Inc.

REPRESENTATIVES: Lauren Bishop, Carlson Consulting Engineers, Inc.

REQUEST: Rezoning of +/- .81 acres from Residential Single-Family – 8 (R-8) to Commercial Mixed Use 1 – (CMU-1)

RECOMMENDATION: The Division of Planning and Development recommended *Approval*
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RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
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PRIOR ACTION ON ITEM:

<u>(1) APPROVED</u>	APPROVAL - (1) APPROVED (2) DENIED
<u>02/08/2024</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>
_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2024-02

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE SOUTHWEST CORNER OF MANCHESTER ROAD AND NEW TCHULAHOMA ROAD BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 8 (R-8) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED USE-1 (CMU-1) USE DISTRICT, KNOWN AS CASE NUMBER Z 2024-02.

- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: Z 2024-002

LOCATION: 3343 Winchester Road, on the southwest corner of Winchester and New TCHULAHOMA ROAD

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

OWNER/APPLICANT: Chief Auto Parts, Inc.

REPRESENTATIVE: Lauren Bishop, Carlson Consulting Engineers, Inc.

REQUEST: Rezoning of +/- .81 acres from Residential Single-Family – 8 (R-8) to Commercial Mixed Use 1 – (CMU-1)

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

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

Respectfully,

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

Cc: Committee Members
File

PLOT PLAN

ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED 3343 WINCHESTER ROAD, ON THE SOUTHWEST CORNER OF WINCHESTER ROAD AND NEW TCHULAHOMA ROAD BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 8 (R-8) USE DISTRICT AND INCLUDING IT IN COMMERCIAL MIXED USE-1 (CMU-1) USE DISTRICT, KNOWN AS CASE NUMBER Z 2024-02

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2024-02**; and

WHEREAS, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

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

WHEREAS, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:

SECTION 1:

THAT, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL SINGLE-FAMILY – 8 (R-8) USE DISTRICT AND INCLUDING IT IN COMMERCIAL MIXED USE-1 (CMU-1) USE DISTRICT.

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

PARCEL DESCRIPTION

All that certain piece, parcel or tract of land lying and being in Shelby county, Tennessee. And being more particularly described as follows:

Beginning at a chiseled x on the curve forming the intersection of the southerly margin of the right-of-way of Winchester Road (variable width public right-of-way) and the westerly margin of the right-of-way of New Tchulahoma road (106 foot public right-of-way) having TN grid coordinates of N 285,471.72, E 785,919.35 ; thence along the westerly margin of the right-of-way of New Tchulahoma road along a clockwise curve for 183.95 feet having a radius of 1,379.69 feet a chord bearing of S18°11'59"W and a chord distance of 183.81 feet to an iron pin, thence along the common line of Lunt (for the following two calls) (1) N86°03'21"W a distance of 74.11 feet to an iron pin, (2) thence S19°32'39"W a distance of 48.88 feet to an iron pin, thence along the common line of Woodlake, LP N86°06'21"W a distance of 34.28 feet to an iron pin, thence along the common line of Lakewood Cove shopping center N01°57'39"E a distance of 272.56 feet to an iron pin, thence along the southerly margin of the right-of-way of Winchester Road (for the following two calls) (1) S86°06'21 "E a distance of 136.86 feet to an iron pin, (2) thence along a clockwise curve for 70.16 feet having a radius of 40.00 feet a chord bearing of S35°51'27"E and a chord distance of 61.51 feet to the point of beginning and containing 36,829 S.F. or 0.845 acres more or less.

The north 150 feet of Lot 20, Lakewood Manor Estates Subdivision, of record in Plat Book 39, Page 50, Register's Office Shelby County, Tennessee, being more particularly described as follows:

BEGINNING at a point in the south right of way line of Winchester Road, said point being the northeast corner of Lot 19 and the northwest corner of Lot 20 of Lakewood Manor Estates Subdivision; thence east 136.86 feet to a point; thence south by east 70.16 feet on a curve with a radius of 40 feet to a point; thence south by west 105.22 feet in the west line of proposed Tchulahoma By-Pass Road; thence west 148.06 feet to a point, said point being on dividing line of Lots 19 and 20; thence north 150 feet to the point of beginning.

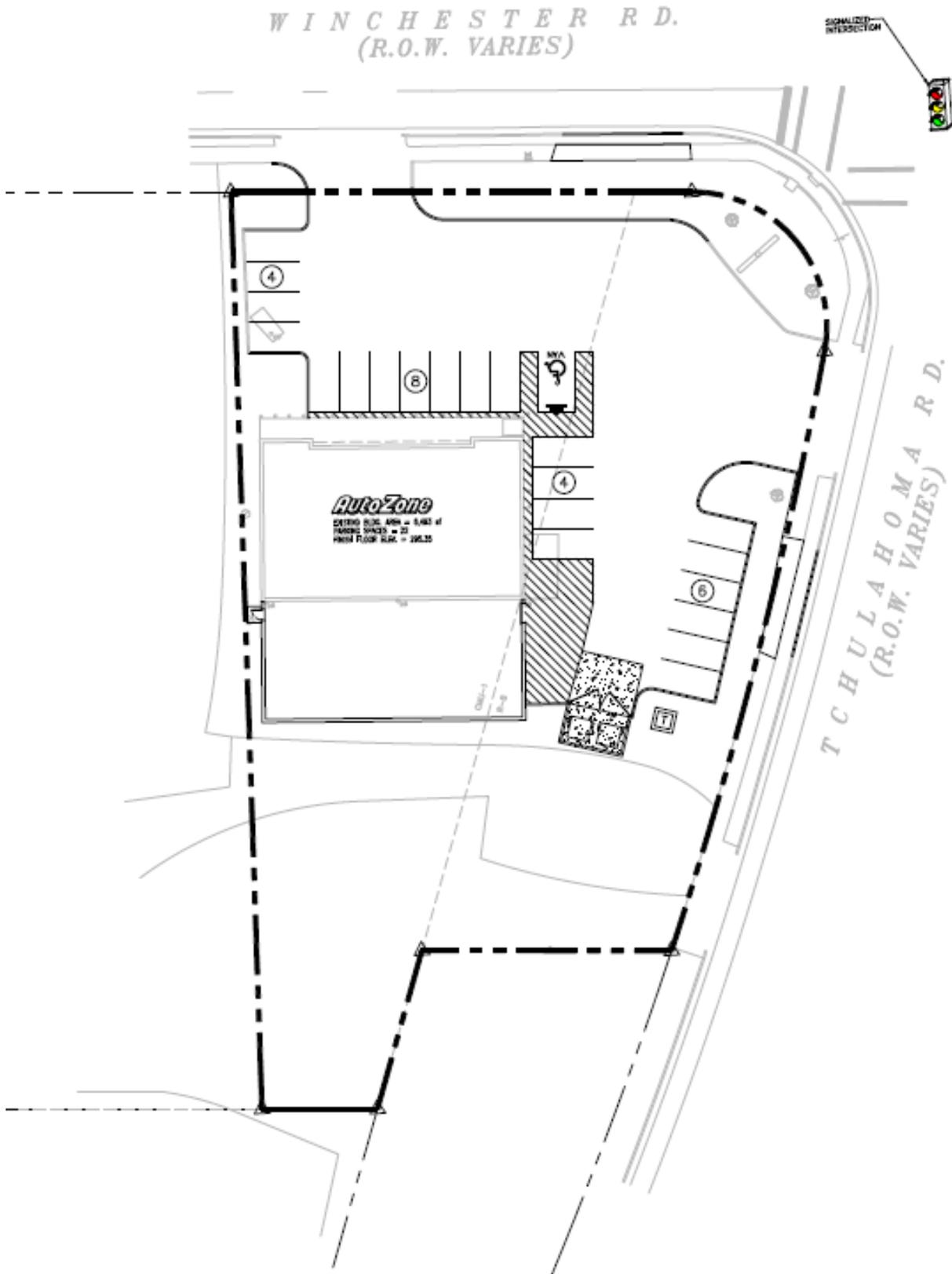
SECTION 2:

THAT, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

SECTION 3:

THAT, this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

SITE PLAN



ATTEST:

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

AGENDA ITEM: 26

CASE NUMBER: Z 2024-002

L.U.C.B. MEETING: February 8, 2024

LOCATION: 3343 Winchester Rd

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

OWNER/APPLICANT: Chief Auto Parts Inc.

REPRESENTATIVE: Carlson Consulting Engineers, Inc. Laura Bishop

REQUEST: Rezoning of +/- .35 acres of a +/- .81 parcel from Residential Single-Family 8 - (R-8) to Commercial Mixed Use 1 – (CMU-1)

CONCLUSIONS

1. The request is to rezone +/- .35 acres of the parcel from Residential Single-Family – 8 (R-8) to Commercial Mixed Use – 1 – (CMU-1), which is consistent with the existing zoning on the remaining portion of the parcel.
2. The split zoning on the parcel is due to the relocation of Tchulohoma street. The acquisition severed a lot zoned R-8, leaving a small portion remaining on the site.
3. BOA86-66 was approved on April 23, 1986, allowing the residentially zoned portion of the parcel to be used for ingress, egress, and parking to serve the commercial use on the commercially zoned portion of the parcel.
4. The owner desires to expand the AutoZone facility which is currently operating on the CMU-1 zoned portion of the parcel. The commercial use will encroach into the R-8 zoned portion of the parcel, necessitating the rezoning.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is CONSISTENT with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 14 - 16 of this report.

RECOMMENDATION

Approval

GENERAL INFORMATION

Street Frontage: Winchester Road +/-191.90 curvilinear feet
New Tchulahoma Road +/-184.00 curvilinear feet

Zoning Atlas Page: 2335

Parcel ID: 073088 B00027

Area: +/- .81 acres

Existing Zoning: Residential Single-Family – 8 (R-8)

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

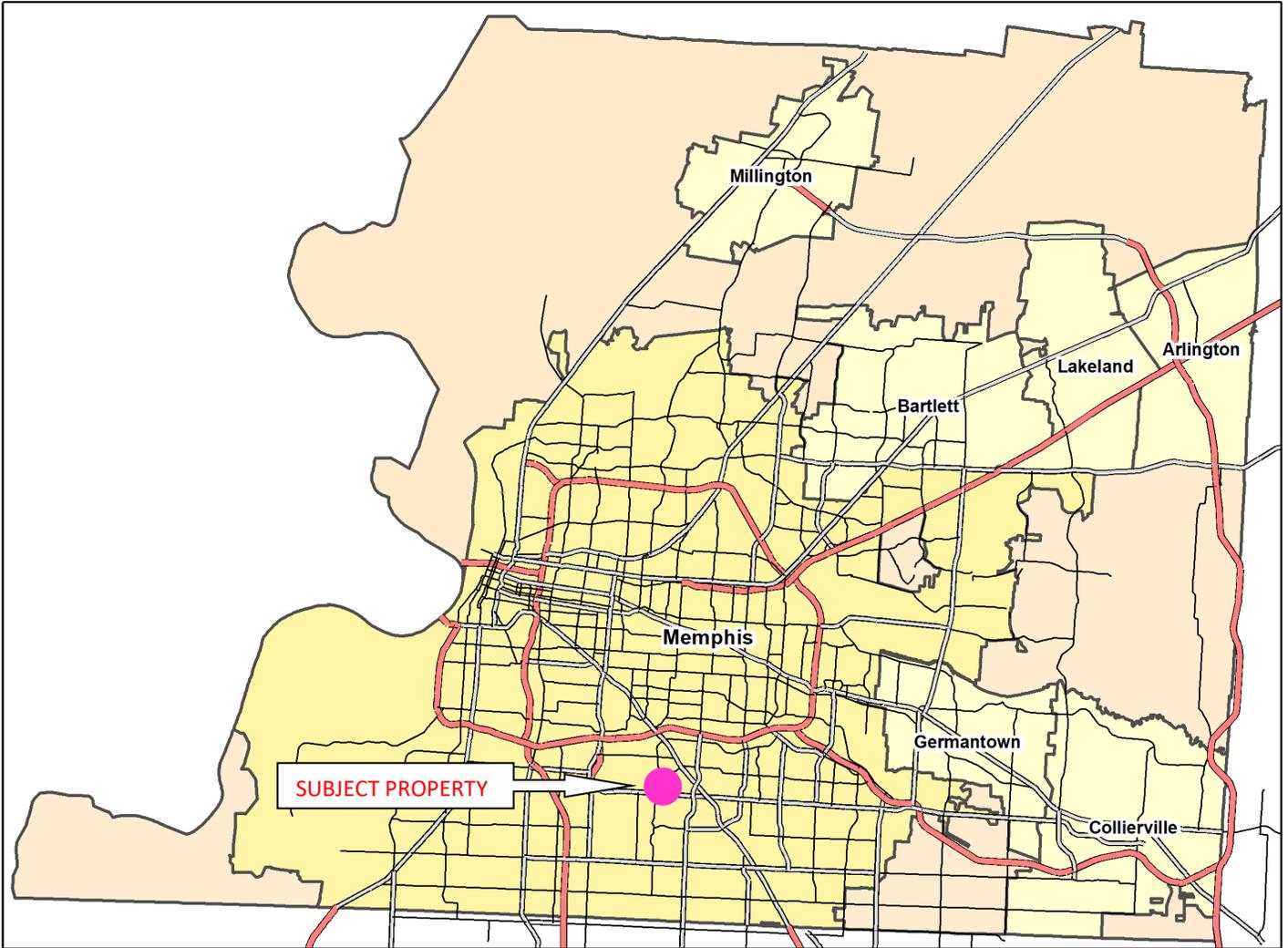
NEIGHBORHOOD MEETING

Note in accordance with Sub-Section 9.3.2E of the Unified Development Code (UDC) the applicant must hold a neighborhood meeting in compliance with the Section 9.3.2 of the UDC. Note all notice and timing requirements of this Section 9.3.2 still apply but will be timed in conjunction with date the governing body is expected to vote on the matter.

PUBLIC NOTICE

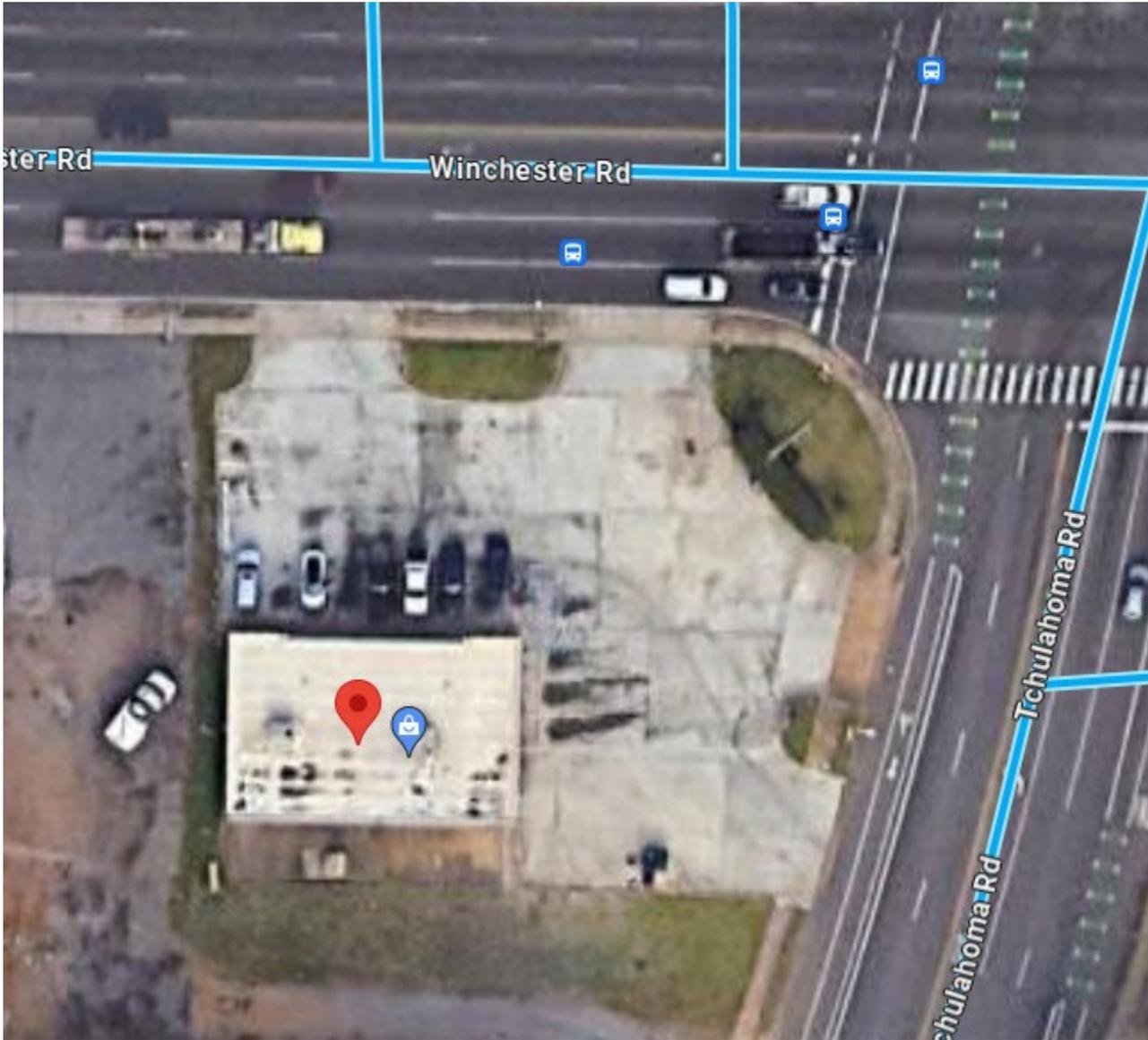
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 26 notices were mailed on January 12, 2024, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



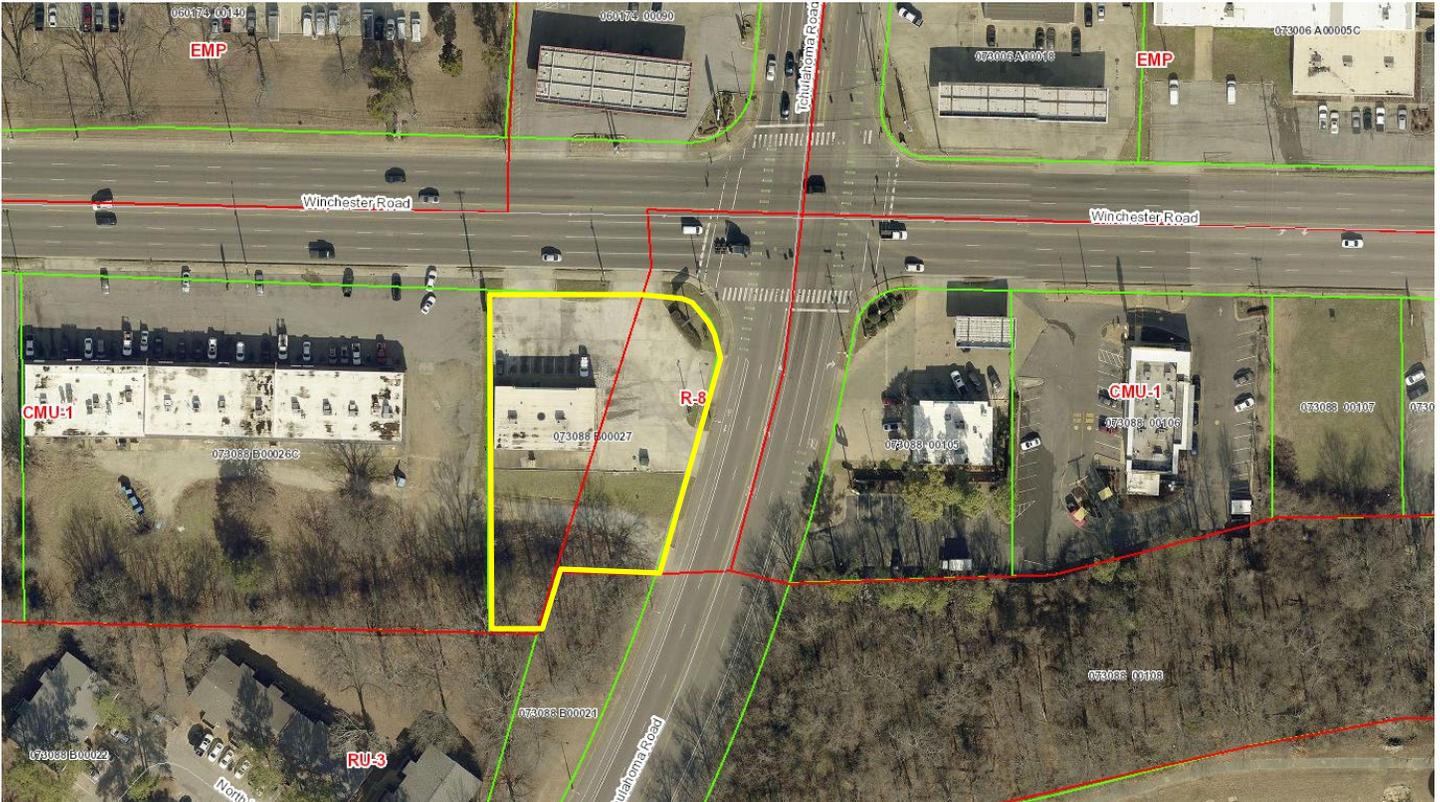
Subject property located within the pink circle Oakhaven neighborhood

AERIAL



Subject property outlined in yellow, imagery from February 2023

ZONING MAP



Subject property highlighted in yellow

Existing Zoning: Residential Single-Family – 8 (R-8)

Surrounding Zoning

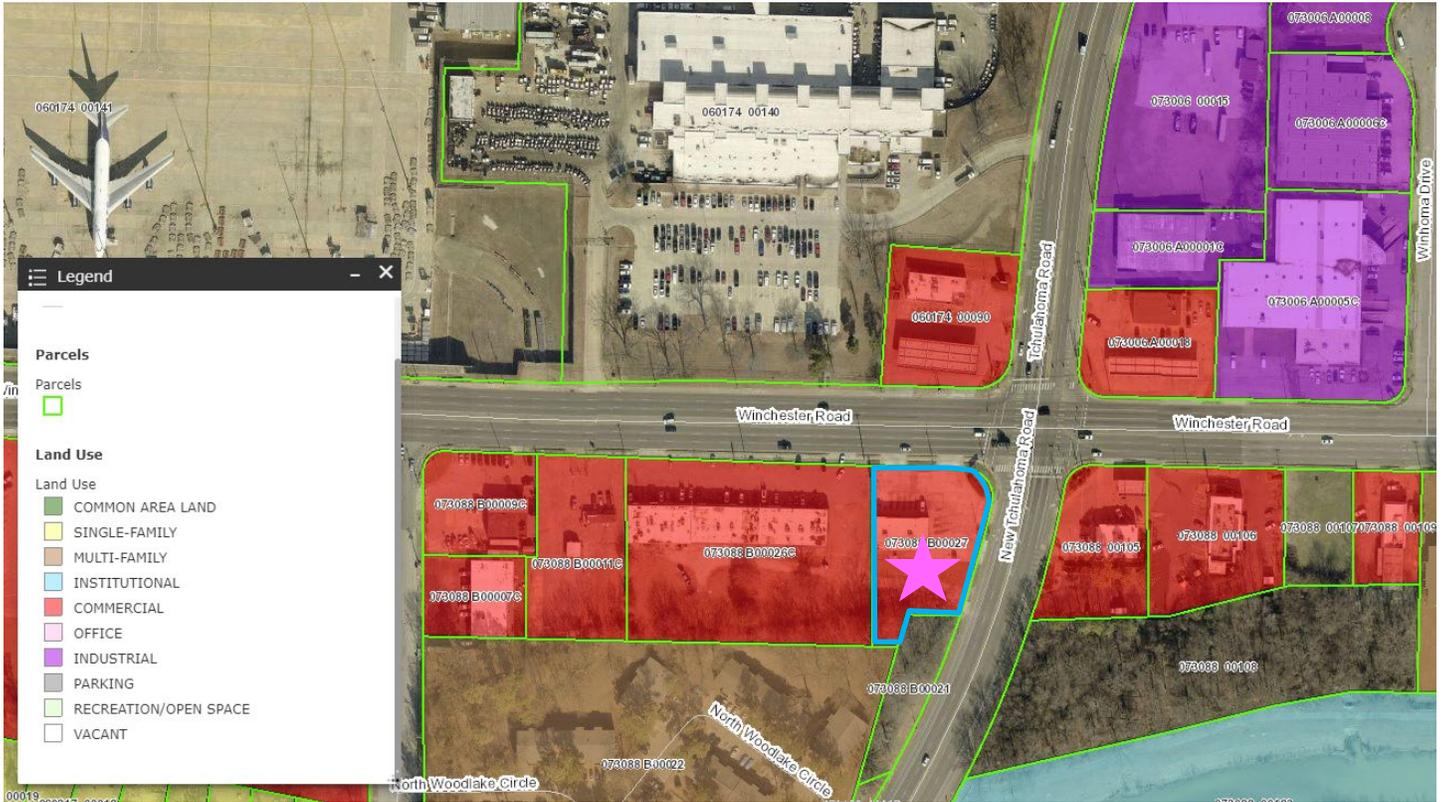
North: Commercial Mixed Use 1 - (CMU-1) and Employment (EMP)

East: Commercial Mixed Use - 1 - (CMU-1)

South: Residential Urban – 3 (RU-3)

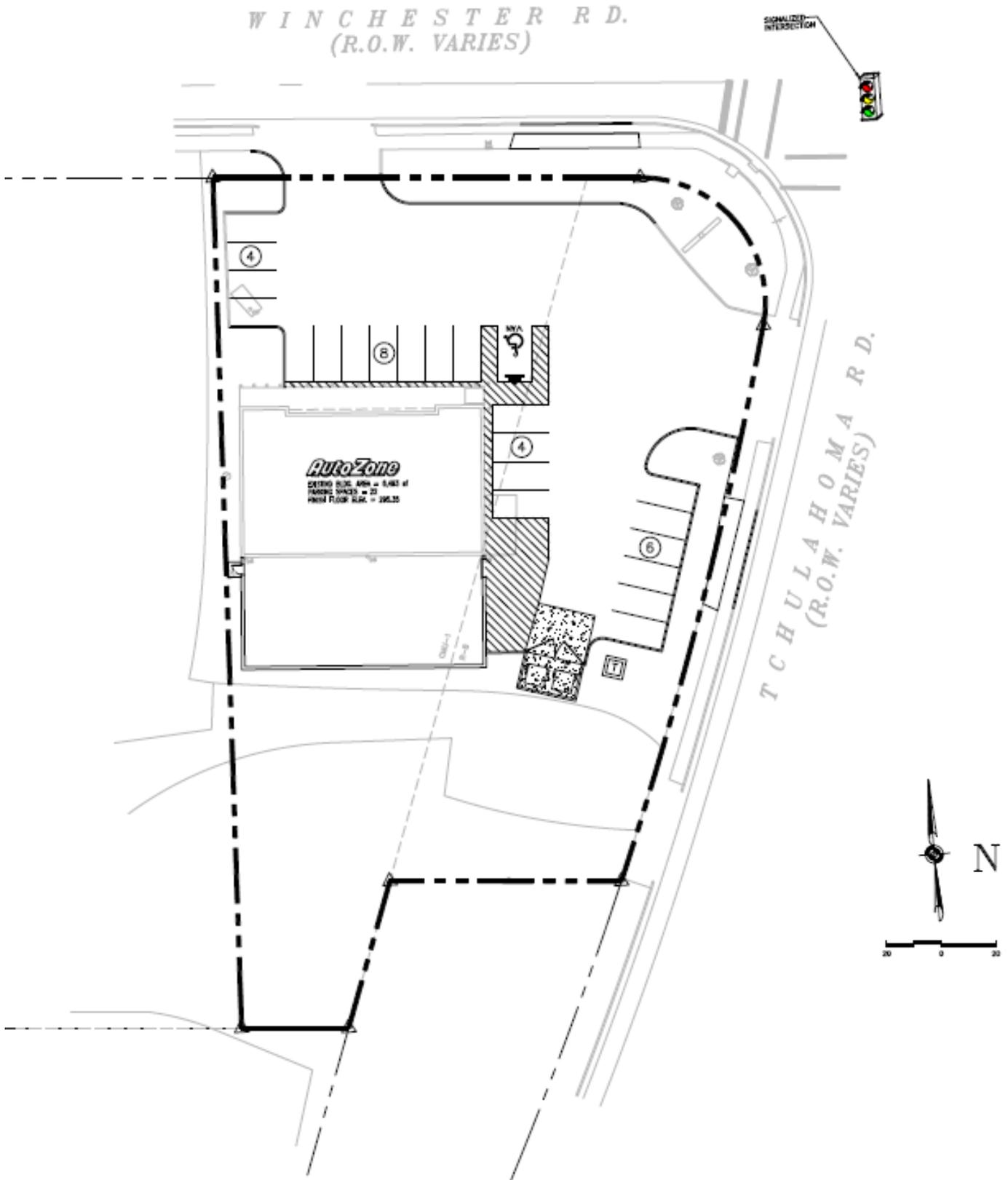
West: Commercial Mixed Use 1 - (CMU-1)

LAND USE MAP



Subject property outlined in electric blue and indicated by pink star

CONCEPTUAL SITE PLAN



SITE PHOTOS



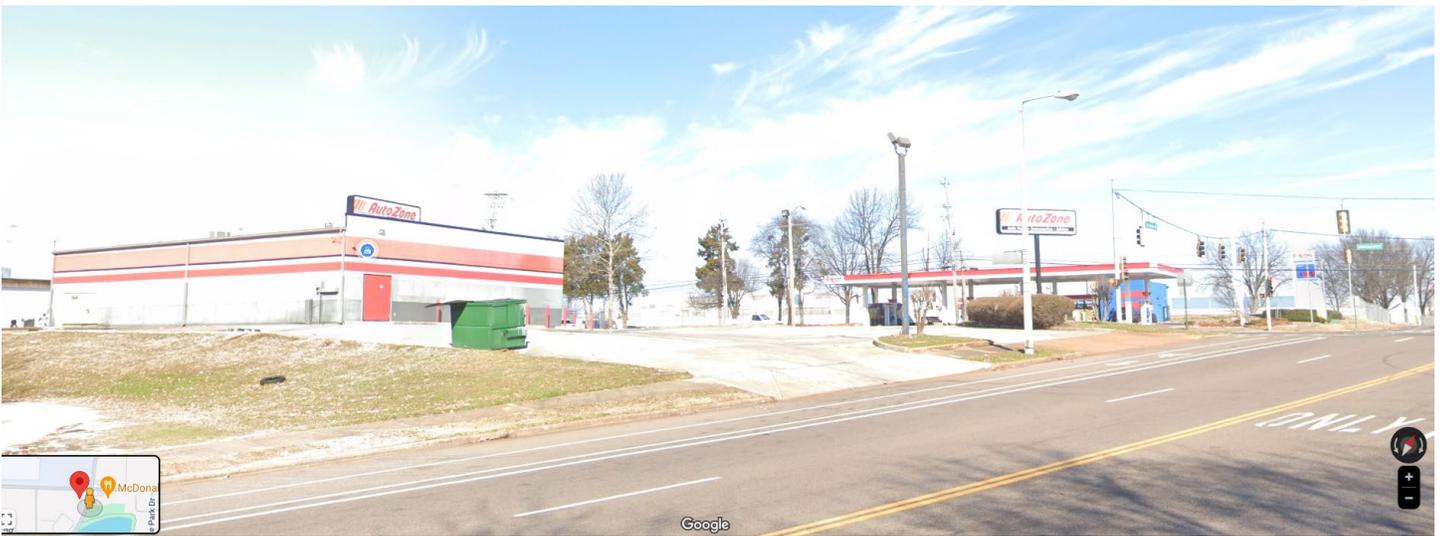
View of subject property from Winchester Rd



View of subject property from the corner of Winchester and Tchulahoma Rd looking west



View of subject property from Winchester looking east



View of subject property from Tchulahoma Rd looking northeast

STAFF ANALYSIS

Request

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

The request is to rezone +/- .35 acres of a +/- .81 acre split-zoned parcel from Residential Single-Family – 8 (R-8) to Commercial Mixed Use 1 – (CMU-1)

Review Criteria

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

9.5.7B Review Criteria

In making recommendations, the Land Use Control Board shall consider the following matters:

- 9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);*
- 9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;*
- 9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;*
- 9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and*
- 9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.*

Site Description

The subject property is +/- .81 acres and is located on the Southeast corner of Winchester and Tchulahoma Rd. The site is currently zoned commercial mixed use -1 and Residential Single-Family – 8. An Autozone auto parts store currently sits on the CMU-1 zoned portion of the property, and the paved R-8 zoned portion consisting of +/- .35 acres is being used for ingress, egress, and parking.

Conclusions

The request is to rezone +/- .35 acres of the parcel from Residential Single-Family – 8 (R-8) to Commercial Mixed Use – 1 – (CMU-1), which is consistent with the existing zoning on the remaining portion of the parcel.

The split zoning on the parcel is due to the relocation of Tchulohoma street. The acquisition severed a lot zoned R-8, leaving a small portion remaining on the site.

BOA86-66 was approved on April 23, 1986, allowing the residentially zoned portion of the parcel to be used for ingress, egress, and parking to serve the commercial use on the commercially zoned portion of the parcel.

The owner desires to expand the Autozone facility which is currently operating on the CMU-1 zoned portion of the parcel. The commercial use will encroach into the R-8 zoned portion of the parcel, necessitating the rezoning.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

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

Sewers:

2. The availability of City sanitary sewer is unknown at this time. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept, a determination can be made as to available sewer capacity.

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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

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

10. Will require ASP

Drainage:

1. 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.
2. 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.
3. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
4. 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.
5. 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.

Site Plan Notes:

6. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.

General Notes:

7. The width of all existing off-street sewer easements shall be widened to meet current city standards.
8. Development is greater than 1 acre and requires detention.
9. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
10. All connections to the sewer shall be at manholes only.
11. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this

effect shall appear on the final plat.

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

City/County Fire Division: No comments received.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning:

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: Z 2024-002: Oakhaven

Site Address/Location: 3343 Winchester Rd

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

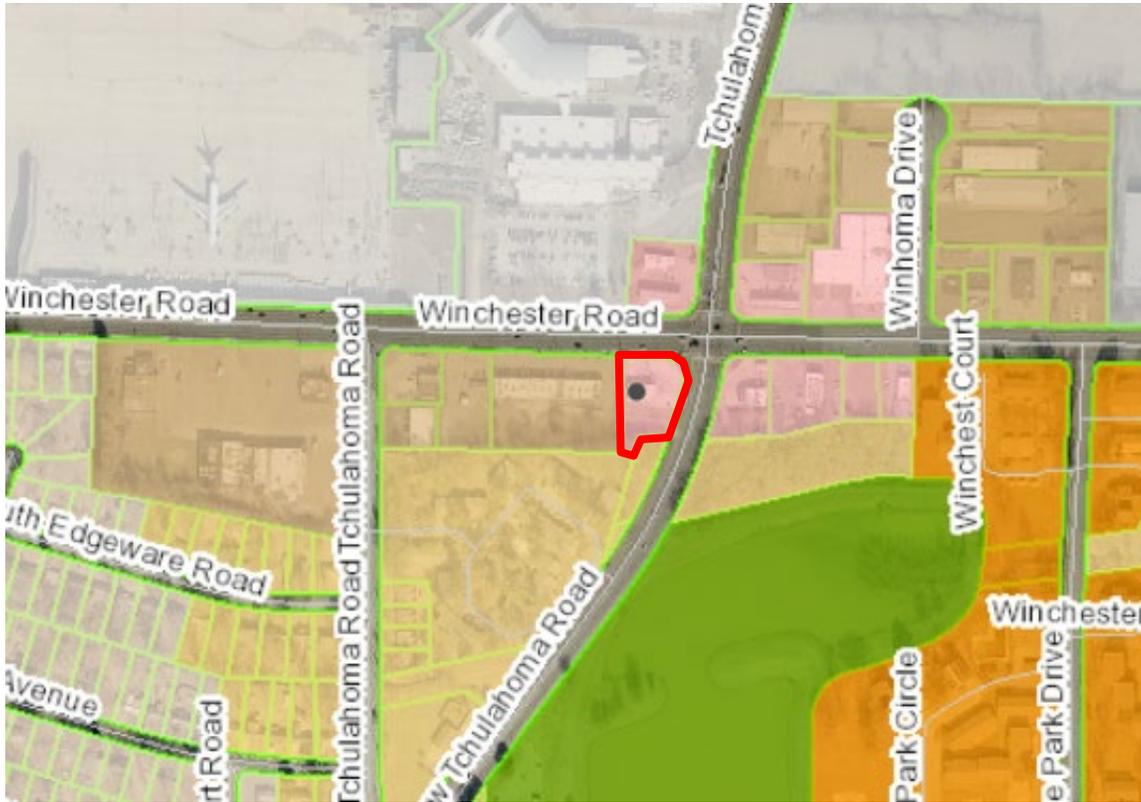
Future Land Use Designation: Anchor Neighborhood Crossing (A-NC)

Street Type: Avenue

The applicant is requesting to rezone a portion of the parcel from R-8 to CMU-1. The intention is to expand an existing AutoZone building.

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 Crossings (A-NC) are small, walkable centers comprised of house scale buildings embedded within residential neighborhoods. Graphic portrayal of A-NC is to the



mixed-use
otherwise
right.

“A-NC” Form & Location Characteristics

NURTURE

Primarily detached, single-family residences and commercial and institutional uses. Attached single-family, duplexes, triplexes, quadplexes and large homes (defined in the UDC as those apartment buildings with up to 6 units), including those with active ground floor commercial uses (including live/work) along sidewalk, are also permitted. Height: 1-3 stories. Scale: house-scale.

“A-NC” Zoning Notes

Generally compatible with the following zone districts: RW and CMU-1 in accordance with Form and characteristics listed above.

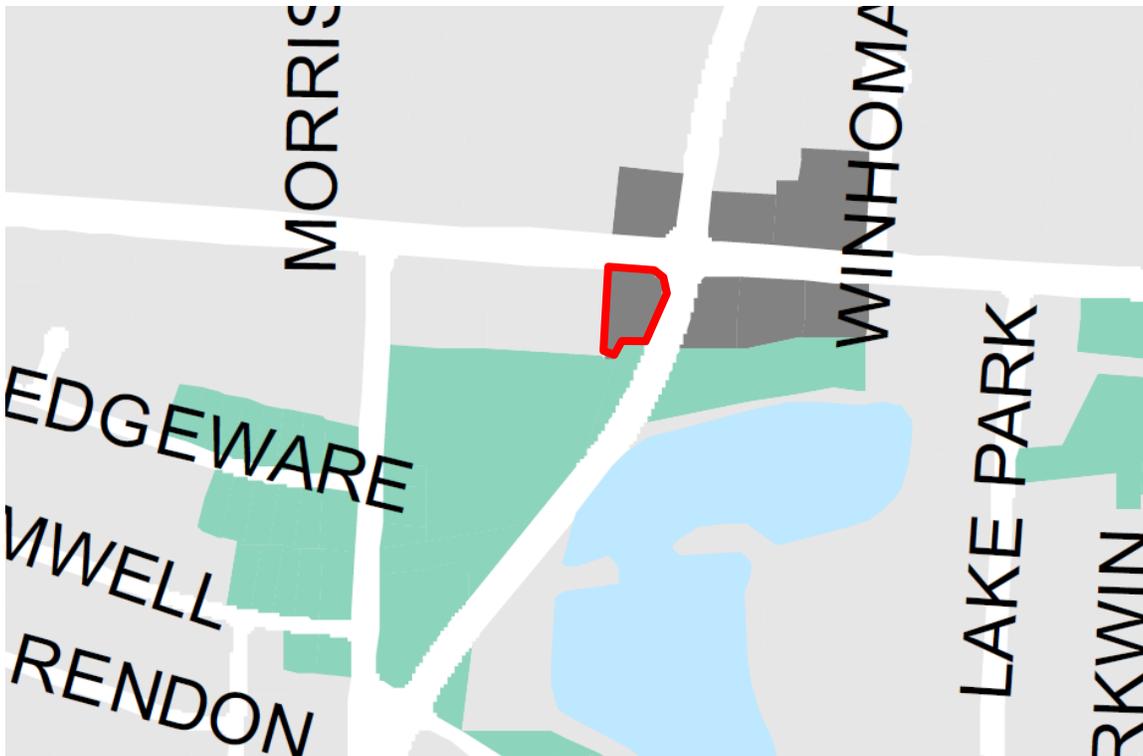
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, R-8

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

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 proposed expansion is within an existing commercial use parcel.*

3. Degree of Change Map



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

4. Degree of Change Description

Nature areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place. *The proposed building is a private investment and will not impede promoting activities that will stimulate market 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 requesting to rezone a portion of the parcel from R-8 to CMU-1. The intention is to expand an existing AutoZone building.

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 proposed expansion is within an existing commercial use parcel.

The proposed building is a private investment and will not impede promoting activities that will stimulate market activity.

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

APPLICATION



Record Summary for Rezoning

Record Detail Information

Record Type: **Rezoning**

Record Status: Processing

Opened Date: January 3, 2024

Record Number: Z 2024-002

Expiration Date:

Record Name: Rezoning - 3343 Winchester Rd.

Description of Work: Requesting to rezone 3343 Winchester Rd., the lot of the existing AutoZone, from R-8 to CMU-1.

Parent Record Number:

Address:

3343 WINCHESTER RD, MEMPHIS 38118

Owner Information

Primary Owner Name

Y CHIEF AUTO PARTS INC

Owner Address

0 PO BOX 2198, MEMPHIS, TN 38101

Owner Phone

Parcel Information

073088 B00027

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Chip Saliba

Date of Meeting

12/20/2023

Pre-application Meeting Type

Email

GENERAL INFORMATION

GENERAL INFORMATION

Have you held a neighborhood meeting? -
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter? No
If yes, please provide additional information -

GIS INFORMATION

Central Business Improvement District No
Case Layer -
Class -
Downtown Fire District No
Historic District -
Land Use -
Municipality -
Overlay/Special Purpose District -
Zoning CMU-1
State Route -
Lot -
Subdivision -
Planned Development District -
Wellhead Protection Overlay District No

Data Tables

ADDRESS AND PARCEL LIST

Property Address: 3343 Winchester Road
Property Parcel Number: 073088 B00027

AREA INFORMATION

Name: Parcel
Size (Acres): 0.845
Existing Use of Property: Retail Store
Requested Use of Property: Retail Store

Contact Information

Name	Contact Type
CARLSON CONSULTING ENGINEERS, INC.	APPLICANT
Address	
Phone	
(662)213-8865	

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1528661	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	01/03/2024
1528759	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	01/03/2024
1528759	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	01/03/2024

Total Fee Invoiced: \$1,026.00

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$1,026.00	Credit Card

LETTER OF INTENT



January 3, 2024

John Zeanah, Director
Memphis and Shelby County
Division of Planning and Development
125 North Main St.
Memphis, TN 38103

RE: LETTER OF INTENT: WINCHESTER RD COMMERCIAL REZONING

We are pleased to submit this rezoning application involving the parcel located at 3343 Winchester Road. The parcel, 073088 B00027, is split between zones CMU-1 and R-8.

The applicant, AutoZone, intends to rezone the R-8 portion of the lot to CMU-1, allowing for a building expansion. Carlson Consulting Engineers, Inc., is providing professional civil engineering services.

Abutting parcels include the Lakewood Cove Shopping Center to the west, zoned CMU-1, as well as Woodlake Apartments and a vacant lot to the south, both zoned RU-3. North and east boundaries are fronting Winchester and New Tchulahoma roads, respectively. Across from the site are Exxon and Valero fuel stations, both zoned CMU-1.

We feel this proposed rezoning is appropriate and consistent with the use of the subject and abutting properties, as well as city strategic plans, and request your support and positive recommendation.

Sincerely,

A handwritten signature in black ink that reads "Lauren Bishop". The signature is written in a cursive, flowing style.

Lauren Bishop, EI
Project Manager

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Mike Dealman, being duly sworn, depose and say that at 8 am/pm on the 26th day of January, 2024, I posted 2 Public Notice Sign(s) pertaining to Case No. Z 2024-002 at Winchester and Tchulahoma, providing notice of a Public Hearing before the X Land Use Control Board, X Memphis City Council, _____ Shelby County Board of Commissioners for consideration of a proposed Land Use Action (____ Planned Development, _____ Special Use Permit, X Zoning District Map Amendment, _____ Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Mike Dealman
Owner, Applicant or Representative

1-26-24
Date

Subscribed and sworn to before me this 26th day of January, 2024.

Jon S. Kendall
Notary Public

My commission expires: October 20, 2024



LETTERS RECEIVED

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



Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Processing

Opened Date: January 3, 2024

Record Number: Z 2024-002

Expiration Date:

Record Name: Rezoning - 3343 Winchester Rd.

Description of Work: Requesting to rezone 3343 Winchester Rd., the lot of the existing AutoZone, from R-8 to CMU-1.

Parent Record Number:

Address:

3343 WINCHESTER RD, MEMPHIS 38118

Owner Information

Primary Owner Name

Y CHIEF AUTO PARTS INC

Owner Address

0 PO BOX 2198, MEMPHIS, TN 38101

Owner Phone

Parcel Information

073088 B00027

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Chip Saliba

Date of Meeting

12/20/2023

Pre-application Meeting Type

Email

GENERAL INFORMATION

GENERAL INFORMATION

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If yes, please provide additional information -

GIS INFORMATION

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Case Layer -
Class -
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Historic District -
Land Use -
Municipality -
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Zoning CMU-1
State Route -
Lot -
Subdivision -
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Name **Contact Type**
CARLSON CONSULTING ENGINEERS, INC. APPLICANT

Address

Phone
(662)213-8865

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Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$1,026.00	Credit Card



January 3, 2024

John Zeanah, Director
Memphis and Shelby County
Division of Planning and Development
125 North Main St.
Memphis, TN 38103

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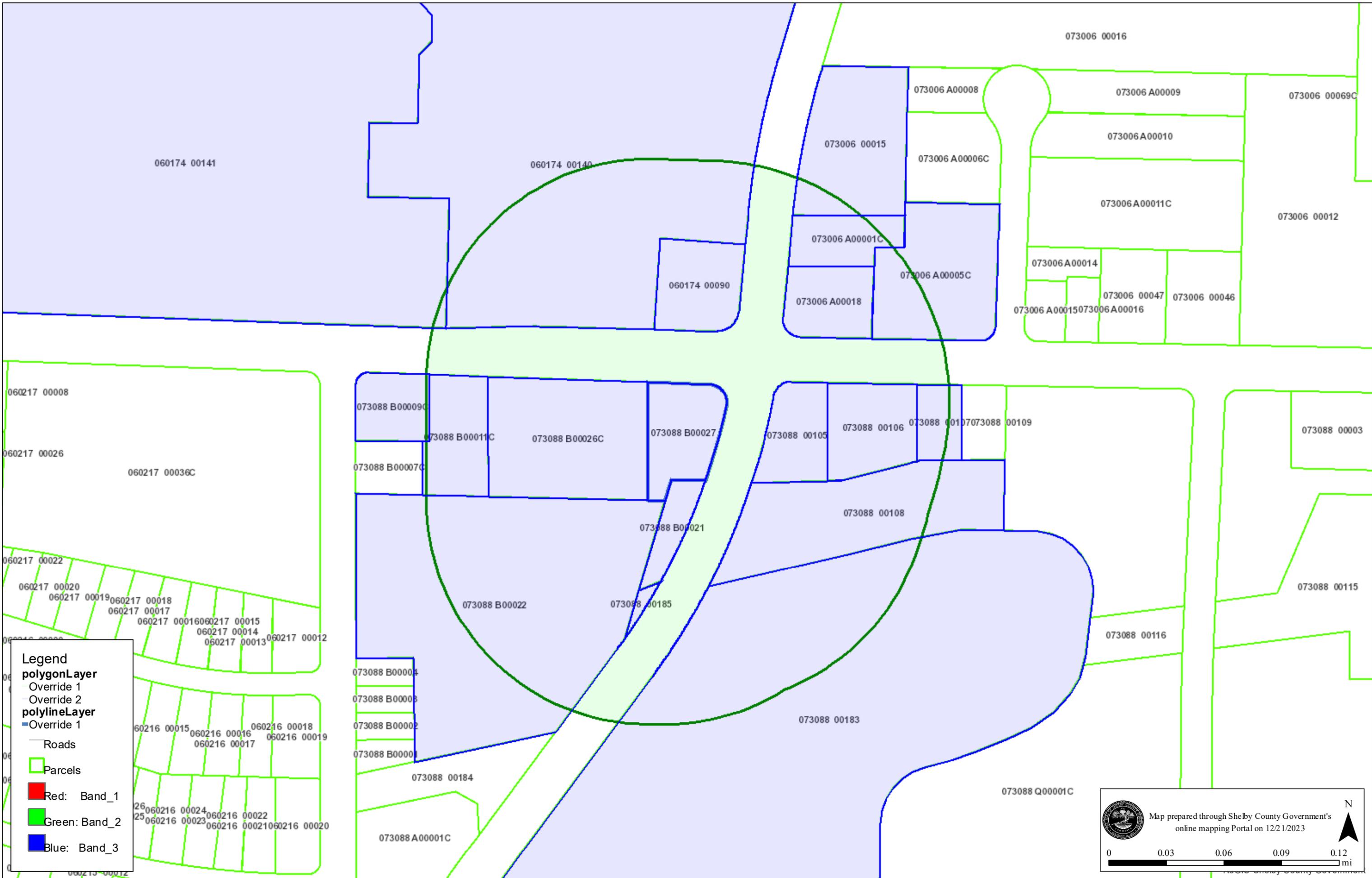
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Sincerely,

A handwritten signature in black ink that reads "Lauren Bishop". The signature is written in a cursive, flowing style.

Lauren Bishop, EI
Project Manager



Legend

polygonLayer

- Override 1
- Override 2

polylineLayer

- Override 1
- Roads

Parcels

- Red: Band_1
- Green: Band_2
- Blue: Band_3



Map prepared through Shelby County Government's
online mapping Portal on 12/21/2023

0 0.03 0.06 0.09 0.12 mi

N

060174 00141

060174 00140

060174 00090

073006 00015

073006 A00008

073006 A00006C

073006 A00001C

073006 A00005C

073006 A00018

073006 00016

073006 A00009

073006 A00010

073006 A00011C

073006 00012

073006 A00014

073006 00047

073006 00046

073006 A00015073006 A00016

060217 00008

060217 00026

060217 00036C

060217 00022

060217 00020

060217 00019

060217 00018

060217 00017

060217 00016

060217 00015

060217 00014

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060216 00018

060216 00019

060216 00024

060216 00022

060216 00023

060216 00021

060216 00020

060213 00012

073088 B00009C

073088 B00011C

073088 B00026C

073088 B00027

073088 00105

073088 00106

073088 00107

073088 00109

073088 00108

073088 B00021

073088 00185

073088 00183

073088 00115

073088 00116

073088 B00004

073088 B00008

073088 B00002

073088 B00001

073088 00184

073088 A00001C

073088 Q00001C

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, Phillip Pecord c/o AutoZone Phillip Pecord, state that I have read the definition of
(Print Name) (Sign Name)

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

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

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

of the property located at 3343 Winchester Road, Memphis TN 38118
and further identified by Assessor's Parcel Number 073-088B-00027,
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 20th day of December in the year of 2023

Ravi Smita
Signature of Notary Public



My Commission Expires
November 9, 2025

My Commission Expires

THE SOUTHLAND CORPORATION

Property No. 26150

Memphis, Tennessee

BA 1183

16

CORRECTION DEED
(Tennessee--Restrict)

THE SOUTHLAND CORPORATION, a Texas Corporation, having its principal office and mailing address at 2828 North Haskell Avenue, Dallas, Texas 75204 (the "Grantor"), for good, valuable and sufficient consideration received, has and by these presents does grant, convey, sell, bargain, assign, transfer, deliver and set over unto CHIEF AUTO PARTS INC., a Delaware corporation, having its principal office and mailing address at 1515 Wade Street, Seagoville, Texas 75159 (the "Grantee") (a) that certain tract or parcel of land situated in the County and State described on Exhibit A attached hereto and incorporated herein by reference, which tract or parcel is more particularly described in such Exhibit A, together with all improvements and fixtures located thereon or affixed thereto and together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances therein or appertaining thereto, and (b) all of Grantor's right, title and interest in and to appurtenant easements, rights-of-way and strips, if any, abutting, adjacent to, contiguous or adjoining the premises described in clause (a) preceding (hereinafter collectively referred to as the "Subject Property").

By Special Warranty Deed dated effective as of April 29, 1988, and more particularly described on page 2 of Exhibit A attached hereto and made a part hereof for all purposes (the "Original Deed"), Grantor conveyed the Subject Property to Grantee; the Original Deed referenced, but did not have attached thereto, an Exhibit C, a copy of which is attached hereto and made a part hereof for all purposes.

Grantor desires hereby to correct and amend the Original Deed by incorporating the Exhibit C which is attached hereto.

TO HAVE AND TO HOLD the Subject Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, its successors and assigns, forever; and Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend the title of the Subject Property unto Grantee, its successors and assigns.

This Deed was prepared by: The address of this property is:

Beverly R. Lopez
 2828 N. Haskell Avenue
 Dallas, TX 75204

3273 Winchester Road
 Memphis, Tennessee

THE SOUTHLAND CORPORATION
 Property No. 26150
 Memphis, Tennessee

BA 1183

against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, subject to, to the extent the same are valid and enforceable and do in fact cover or affect the Subject Property, (i) those easements and other title exceptions and encumbrances described on Exhibit B attached hereto and incorporated herein by reference and (ii) all other encumbrances or exceptions to Grantor's title to the Subject Property (other than liens securing the payment of borrowed monies and other liens arising by, through or under Grantor) which do not, individually or in the aggregate, substantially impair or adversely affect the use to which the Subject Property is subject as of the date hereof and (b) the protective covenant-restriction described in the following paragraph of this Special Warranty Deed. This conveyance is made with full substitution and subrogation of the Grantee, its successors and assigns, in, to, and under all covenants and warranties by others (excluding Grantor, The Southland Employees' Trust or any affiliate of either) heretofore given or made in respect of the title to the Subject Property.

In consideration of Grantor's conveyance of the Subject Property to Grantee, Grantee covenants and agrees that for the Applicable Period (as hereinafter defined) neither Grantee nor any assignee of or successor to Grantee shall operate or use the Subject Property for the purpose of selling, offering for sale, renting, or offering for rent any of the goods identified on Exhibit C attached hereto and incorporated herein by reference. The covenant set forth in the immediately preceding sentence is intended and shall be a covenant running with the Subject Property and shall thus be binding upon each and every subsequent owner of any interest in the Subject Property, to the end that during the Applicable Period each such subsequent owner of any interest in the Subject Property shall be obligated to comply with such covenant effective immediately upon the acquisition of any such interest. Said covenant shall automatically expire and be of no further force and effect upon the expiration of the Applicable Period, and Grantor agrees to execute and deliver to Grantee, promptly following any request made by Grantee following the expiration of the Applicable Period, such instruments as may be reasonably necessary to reflect the termination of the aforesaid covenant. The "Applicable Period" shall be the period of time commencing as of the date hereof and terminating upon the earlier to occur of (1) the cessation of operations by Grantor or any franchisee, licensee or affiliate of Grantor, for more than 90 consecutive days, of a convenience store (i.e., a store in which items of the type described on Exhibit C are generally sold) or any

THE SOUTHLAND CORPORATION
 Property No. 26150 BA 1183
 Memphis, Tennessee

location within a one-half (1/2) mile radius of the boundaries of the Subject Property and (ii) the later to occur of (a) ten (10) years following the date hereof and (b) the sale of the Subject Property by Grantee to any party other than an affiliate of Grantee; provided, the periods covered by clause (b) preceding shall not exceed the maximum period of time permitted under applicable law or beyond the time Grantee or an affiliate, licensee or franchisee of Grantee permanently ceases operations on the Subject Property. For the purposes of clause (b) a sale-leaseback or other transaction in which Grantee transfers its ownership rights in and to the Subject Property and there is no cessation of operations on the Subject Property by Grantee or an affiliate, licensee or franchisee of Grantee for a period of 90 consecutive days shall not constitute a sale. The phrase "cessation of operations" as used in the preceding provisions shall not include any period during which operations are temporarily suspended by reason of repair or reconstruction or by reason of fire, flood, earthquake, casualty, legal requirements, act of God, safety restrictions or any other similar reason (other than the failure to pay monies) beyond the reasonable control of the party affected thereby.

It is acknowledged that all taxes and assessments relating to the Subject Property for the year 1988 have been prorated between Grantor and Grantee as of April 29, 1988, and Grantee hereby assumes liability for such taxes and assessments to the extent the same have not heretofore been paid.

This Correction Deed is executed in correction and as an amendment in entirety of the Original Deed; it being the intention of this Correction Deed to effect, effective as of the stated effective date of the Original Deed, the conveyance intended to be made under such Original Deed, subject to the restriction described above.

IN WITNESS WHEREOF, this instrument is executed as of the 29th day of April, 1989, but shall be effective as of the 29th day of April, 1988.

THE SOUTHLAND CORPORATION

Attest:

By: Beverly R. Key
 Assistant Secretary

By: John H. Dodge
 Senior Vice President

THE SOUTHLAND CORPORATION
Property No. 26150
Memphis, Tennessee BA 1183

The undersigned Grantee joins in this Correction Deed for the purpose of acknowledging and agreeing that this Correction Deed conveys unto Grantee, effective as of the date of the Original Deed, the interest that was intended to be conveyed to such Grantee under the Original Deed (as defined above) subject to the restriction described above, and that the description of Restricted Sales Items attached hereto as Exhibit C accurately describes the items intended to be described on the Exhibit C referenced in such Original Deed.

CHIEF AUTO PARTS INC.

By: *J. L. Slawson*
Its: PRESIDENT
Date: 4-4-89

The undersigned, General Electric Capital Corporation, is executing this document in the space provided below solely for the purpose of evidencing the agreement of General Electric Capital Corporation that all liens, rights and interests in and to the Subject Property held by General Electric Capital Corporation are subject to the restrictive covenants and restrictions described above and in Exhibit C attached hereto as fully as if same had been a part of the Original Deed.

GENERAL ELECTRIC CAPITAL CORPORATION

By: *Wm. A. Slawson*
Its: Region Corporate Manager
Date: 4/6/89

RETURN RECORDED ORIGINAL TO:

Chief Auto Parts Inc.
c/o Lawyers Title Insurance Corporation
One Main Place, Suite 250
Dallas, Texas 75250

MAIL PROPERTY TAX NOTICES TO GRANTEE AT:

Chief Auto Parts Inc.
1515 Wade Street
Seagoville, Texas 75159

THE SOUTHLAND CORPORATION
Property No. 26150
Memphis, Tennessee

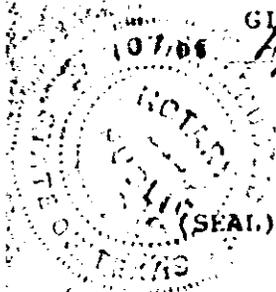
BA 1183

STATE OF TEXAS
COUNTY OF DALLAS

§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared John H. Talbot and Barbara P. Lopez, known to me to be a Senior Vice President and Assistant Secretary, respectively, of The Southland Corporation, and acknowledged to me that the foregoing instrument was the act of the said corporation and that they executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacities therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 3rd day of April, 1989.



Clayton R. [Signature]
Notary Public 6/29/92

STATE OF TEXAS
COUNTY OF DALLAS

§
§
§

BEFORE ME, the undersigned authority, on this day personally appeared MICHAEL H. Hanson, known to me to be the PRESIDENT of Chief Auto Parts Inc., and acknowledged to me that the foregoing instrument was the act of the said corporation and that he executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 4 day of April, 1989.



[Signature]
Notary Public

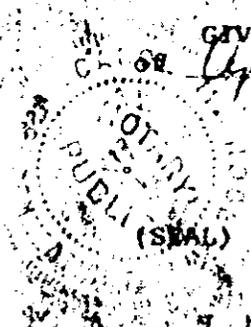
THE SOUTHLAND CORPORATION
Property No. 26150
Memphis, Tennessee

BA 1183

STATE OF TEXAS *Conn.* §
 §
COUNTY OF DALLAS *Fairfield* §

BEFORE ME, the undersigned authority, on this day personally appeared *Karl Tanner*, known to me to be the *Regional Operations Mgr.* of General Electric Capital Corporation, and acknowledged to me that the foregoing instrument was the act of the said corporation and that he executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this *6th* day of *April*, 1989.



Carol M. Rose
Notary Public CAROL M. ROSE
NOTARY PUBLIC
MY COM. EXPIRES 08-31-1992

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 the property or interest in property transferred, whichever is greater, is \$346,377.00 which amount is equal to or greater than the amount which the property or interest in property transferred would command at a fair and voluntary sale.

CHIEF AUTO PARTS INC.

By: *John A. ...*
~~Assistant~~ Secretary

Subscribed and sworn to before me, this the *4* day of *April*, 1989.

Charles ...
Notary Public



BRLREAL199

BA 1183

3125/10/11

Location • 2101 EC

EXHIBIT A

The north 150 feet of Lot 20, Lakewood Manor Estates Subdivision, of record in Plat Book 39, Page 50, Register's Office, Shelby County, Tennessee, being more particularly described as follows:

BEGINNING at a point in the south right of way line of Winchester Road, said point being the northeast corner of Lot 19 and the northwest corner of Lot 20 of Lakewood Manor Estates Subdivision; thence east 136.86 feet to a point; thence south by east 70.16 feet on a curve with a radius of 40 feet to a point; thence south by west 105.22 feet in the west line of proposed Ichulahoma By-Pass Road; thence west 148.06 feet to a point, said point being on dividing line of Lots 19 and 20; thence north 150 feet to the point of beginning.

SOUTHLAND PROPERTY NO. 26150

BEING AND INTENDED TO be the property conveyed to Grantor by Deed, dated June 5, 1985, recorded June 27, 1985, as Document No. W62327, in the Official Records of Shelby County, Tennessee.

Property No. 26150
Memphis, Tennessee
Exhibit A
Page Two

BA 1183

This Correction Deed is given to correct that certain Special Warranty Deed between The Southland Corporation, as Grantor, and Chief Auto Parts Inc., as Grantee, dated effective as of April 29, 1988, and recorded May 16, 1988, in the official Records of Shelby County, Tennessee as AL 0611.

BA 1183

Exhibit "B"

Specific Permitted Title Exceptions

Property No: 26150 - Memphis, Shelby County, TN

-
1. **Restrictions, building lines and easements of record in Plat Book 39, Page 50 and Plat Book 46, Page 31, in the Register's Office of Shelby County, Tennessee.**
 2. **Easements of record under Register's Nos. G1 0258; G7 4575 and G8 9810, in said Register's Office.**

THE SOUTHLAND CORPORATION
Property No. 26150
Memphis, Tennessee **BA 1183**

EXHIBIT C

RESTRICTED SALES ITEMS

Bakery Products
Beer
Bread
Candy (except gum & mints)
Cigarettes/Tobacco Products
Coffee
Dairy Products
Deli
Fast Foods
Food Service
Fountain Drinks
Gasoline
Health & Beauty Aids
Hot Dogs/Nachos

Ice
Ice Cream & Novelties
Juices/Drinks
Lottery Tickets
Money Orders
Newspapers
Sandwiches
Slurpee (or equivalent)
Snacks
Soft Drinks
Staples/Frozen Food
Sundries
Video Rentals
Wine/Liquor

BA 1183
No. _____
STATE TAX _____
REGISTER'S FEE _____
RECORDING FEE <u>3000</u>
TOTAL _____
SEARCHED INDEXED
SERIALIZED FILED
APR 27 1989
CLERK OF COURTS
(07)

SHELBY COUNTY
REGISTER OF DEEDS
1989 APR 27 11 2 00

BA1183

PARCEL DESCRIPTION:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING AND BEING IN SHELBY COUNTY, TENNESSEE. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CHISELED X ON THE CURVE FORMING THE INTERSECTION OF THE SOUTHERLY MARGIN OF THE RIGHT-OF-WAY OF WINCHESTER ROAD (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) AND THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF NEW TCHULAHOMA ROAD (106 FOOT PUBLIC RIGHT-OF-WAY) HAVING TN GRID COORDINATES OF N 285,471.72, E 785,919.35 ; THENCE ALONG THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF NEW TCHULAHOMA ROAD ALONG A CLOCKWISE CURVE FOR 183.95 FEET HAVING A RADIUS OF 1,379.69 FEET A CHORD BEARING OF S18°11'59"W AND A CHORD DISTANCE OF 183.81 FEET TO AN IRON PIN, THENCE ALONG THE COMMON LINE OF LUNT (FOR THE FOLLOWING TWO CALLS) (1) N86°03'21"W A DISTANCE OF 74.11 FEET TO AN IRON PIN, (2) THENCE S19°32'39"W A DISTANCE OF 48.88 FEET TO AN IRON PIN, THENCE ALONG THE COMMON LINE OF WOODLAKE, LP N86°06'21"W A DISTANCE OF 34.28 FEET TO AN IRON PIN, THENCE ALONG THE COMMON LINE OF LAKEWOOD COVE SHOPPING CENTER N01°57'39"E A DISTANCE OF 272.56 FEET TO AN IRON PIN, THENCE ALONG THE SOUTHERLY MARGIN OF THE RIGHT-OF-WAY OF WINCHESTER ROAD (FOR THE FOLLOWING TWO CALLS) (1) S86°06'21 "E A DISTANCE OF 136.86 FEET TO AN IRON PIN, (2) THENCE ALONG A CLOCKWISE CURVE FOR 70.16 FEET HAVING A RADIUS OF 40.00 FEET A CHORD BEARING OF S35°51'27"E AND A CHORD DISTANCE OF 61.51 FEET TO THE POINT OF BEGINNING AND CONTAINING 36,829 S.F. OR 0.845 ACRES MORE OR LESS.

ALSO BEING DESCRIBED AS FOLLOWS:

The north 150 feet of Lot 20, Lakewood Manor Estates Subdivision, of record in Plat Book 39, Page 50, Register's Office Shelby County, Tennessee, being more particularly described as follows:

BEGINNING at a point in the south right of way line of Winchester Road, said point being the northeast corner of Lot 19 and the northwest corner of Lot 20 of Lakewood Manor Estates Subdivision; thence east 136.86 feet to a point; thence south by east 70.16 feet on a curve with a radius of 40 feet to a point; thence south by west 105.22 feet in the west line of proposed Tchulahoma By-Pass Road; thence west 148.06 feet to a point, said point being on dividing line of Lots 19 and 20; thence north 150 feet to the point of beginning.

Being the same property conveyed to Chief Auto Parts, Inc., a Delaware corporation by deed from The Southland Corporation, a Texas Corporation of record in Instrument No. AL 0611; as corrected by BA 1183, in the Register's Office of Shelby County, Tennessee.

WINCHESTER ROAD 3340 CENTER LLC
P O BOX 1565 #
LAWRENCEVILLE GA 30046

MASOUD RAFAT N M AND SALAH ALQIRM
3380 WINCHESTER RD #
MEMPHIS TN 38118

MEMPHIS SHELBY COUNTY AIRPORT AUTHORITY
2491 WINCHESTER RD #
MEMPHIS TN 38116

SHELBY COUNTY CONSERVATION BOARD
2599 AVERY AVE #
MEMPHIS TN 38112

MEMPHIS SHELBY COUNTY AIRPORT AUTHORITY
2491 WINCHESTER RD #
MEMPHIS TN 38116

SHELBY COUNTY CONSERVATION BOARD
2599 AVERY AVE #
MEMPHIS TN 38112

SHARHAN MUTAHAR
3367 WINCHESTER #
MEMPHIS TN 38116

HAMADE TAHEEN A
3277 WINCHESTER RD #
MEMPHIS TN 38118

MCDONALDS CORPORATION
PO BOX 4457 #
GREENVILLE MS 38704

LATHAM BRIAN
3289 WINCHESTER RD #
MEMPHIS TN 38118

PATEL BHARATKUMAR (75%) AND VIPUL PATEL
7888 SHELBOURNE LN #
SOUTHAVEN MS 38672

LUNT, JOHN C TRUST UTA
7675 BELGRAVE CV #
GERMANTOWN TN 38138

LIVE LIFE DEVELOPMENT LLC
927 STONE HEDGE CV #
COLLIERVILLE TN 38017

WOODLAKE L P
3314 WOODLAKE CIR #
MEMPHIS TN 38118

AUTOMATIC PROPERTIES LLC
3470 TCHULAHOMA RD #
MEMPHIS TN 38118

LAKWOOD COVE SHOPPING CENTER
PO BOX 2026 #
MEMPHIS TN 38101

BALTON STEPHEN & TRACY
3834 N GALLOWAY DR #
MEMPHIS TN 38111

CHIEF AUTO PARTS INC
PO BOX 2198 #
MEMPHIS TN 38101

PROFFER FRANCINE M REVOCABLE LIVING
9559 GWYNNBROOK CV #
GERMANTOWN TN 38139

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

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

February 8, 2024

Carlson Consulting Engineers, Inc.
7068 Ledgestone Commons
Bartlett, TN 38133

Sent via electronic mail to: Laurenbishop@carlsonconsulting.net

Case Number: Z 2024-002
LUCB Recommendation: Approval

Dear applicant,

On Thursday, February 8, 2024, the Memphis and Shelby County Land Use Control Board recommended **approval** of your rezoning application for 3343 Winchester Road to be included in the Commercial Mixed Use-1 (CMU-1) District.

This application will be forwarded, for final action, to the Council of the City of Memphis. Ordinances appear on three consecutive Council Agendas with the third one being the Public Hearing. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall attend all meetings and hearings.

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

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

If you have questions regarding this matter, please feel free to contact me at (901) 636-7179 or via email at Latonya.hull@memphistn.gov.

Respectfully,



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

Letter to Applicant
Z 2024-002

Cc: Chief Auto Parts Inc.
File

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO THE ZONING MAP OF THE CITY OF MEMPHIS**

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, April 23, 2024 at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

CASE NUMBER: Z 2024-02
LOCATION: 3343 Winchester Road
COUNCIL DISTRICTS: District 3 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT: Chief Auto Parts, Inc.
REPRESENTATIVE: Lauren Bishop, Carlson Consulting Engineers, Inc.
REQUEST: Rezoning of +/- .81 acres from Residential Single-Family – 8 (R-8) to Commercial Mixed Use 1 – CMU-1)

RECOMMENDATIONS:

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

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

NOW, THEREFORE, you will take notice that on Tuesday, April 23, 2024, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance’s or protests against the making of such changes; such remonstrance’s or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

This case will also be heard at the Planning and Zoning Committee on the same day with the specific time to be determined prior to the meeting date and posted on the City of Memphis’ website.

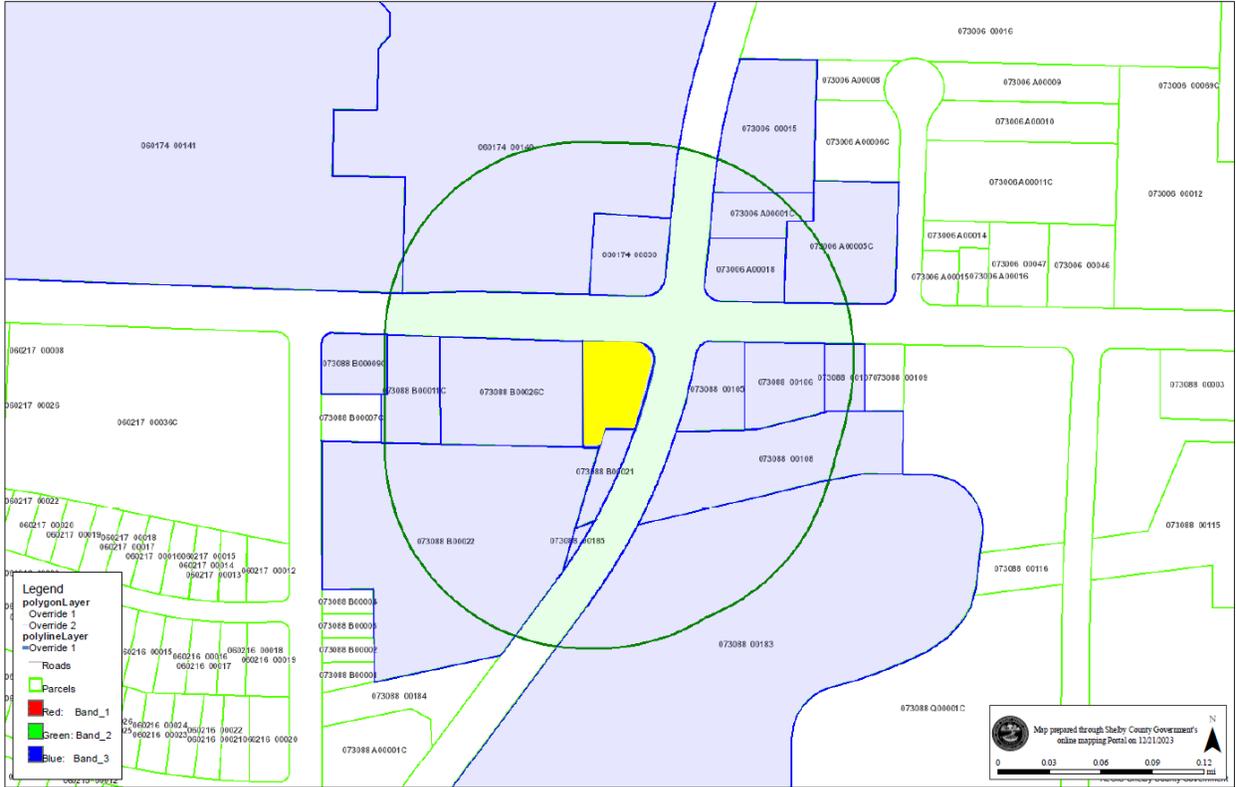
THIS THE _____, _____

JB SMILEY, JR.
CHAIRMAN OF COUNCIL

ATTEST:

JOEL PHILHOURS
CITY COMPTROLLER

TO BE PUBLISHED: _____



WINCHESTER ROAD 3340 CENTER LLC
P O BOX 1565 #
LAWRENCEVILLE GA 30046

MASOUD RAFAT N M AND SALAH ALQIRM
3380 WINCHESTER RD #
MEMPHIS TN 38118

MEMPHIS SHELBY COUNTY AIRPORT AUTHORITY
2491 WINCHESTER RD #
MEMPHIS TN 38116

SHELBY COUNTY CONSERVATION BOARD
2599 AVERY AVE #
MEMPHIS TN 38112

MEMPHIS SHELBY COUNTY AIRPORT AUTHORITY
2491 WINCHESTER RD #
MEMPHIS TN 38116

SHELBY COUNTY CONSERVATION BOARD
2599 AVERY AVE #
MEMPHIS TN 38112

SHARHAN MUTAHAR
3367 WINCHESTER #
MEMPHIS TN 38116

HAMADE TAHEEN A
3277 WINCHESTER RD #
MEMPHIS TN 38118

MCDONALDS CORPORATION
PO BOX 4457 #
GREENVILLE MS 38704

LATHAM BRIAN
3289 WINCHESTER RD #
MEMPHIS TN 38118

PATEL BHARATKUMAR (75%) AND VIPUL PATEL
7888 SHELBOURNE LN #
SOUTHAVEN MS 38672

LUNT, JOHN C TRUST UTA
7675 BELGRAVE CV #
GERMANTOWN TN 38138

LIVE LIFE DEVELOPMENT LLC
927 STONE HEDGE CV #
COLLIERVILLE TN 38017

WOODLAKE L P
3314 WOODLAKE CIR #
MEMPHIS TN 38118

AUTOMATIC PROPERTIES LLC
3470 TCHULAHOMA RD #
MEMPHIS TN 38118

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