CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development DIVISION

04/08/2025 Planning & Zoning COMMITTEE:

ONE ORIGINAL

| ONLY STAPLED |

TO DOCUMENTS

DATE

		PUBLIC SESSION:	04/22/2025	
ITEM (CHECK ONE)			DATE	
ORDINANCE	X RESOLUTION	X REQUEST FOR	PUBLIC HEARING	
ITEM DESCRIPTION:	Resolution approvir residents along Grar Control Board app	g the appeal of David Wade on behalf of Charles B. Dudley, Frank Stallworth, and other dview Avenue seeking to overturn the action of the Memphis and Shelby County Land Use oving a two-lot residential major subdivision at the subject property located at 4041 nown as case number S 2024-041 correspondence		
CASE NUMBER:	S 2024-041 Corresp	ondence		
DEVELOPMENT:	Two-lot residential	major subdivision		
LOCATION:	4014 Grandview Av	/enue		
COUNCIL DISTRICTS:	District 5 and Super	District 9 – Positions 1, 2,	and 3	
APPELLANT:	Charles B. Dudley a	nd Frank Stallworth		
REPRESENTATIVE:	David Wade			
REQUEST:	Overturn a decision	of the Land Use Control Bo	bard	
AREA:	+/-1.55 acres			
RECOMMENDATION:			ommended Approval with conditions and waivers proval with conditions and waivers	
RECOMMENDED COUNC	Add Publ		g public hearing – <u>April 8, 2025</u>	
PRIOR ACTION ON ITEM: (1) 02/13/2025 (1) Land Use Control Board			BOARD / COMMISSION	
FUNDING: (2) \$ \$ SOURCE AND AMOUNT O		REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED OPERATING BUDGET		
<u>\$</u> \$		CIP PROJECT # FEDERAL/STATE/OTH	IER	
ADMINISTRATIVE APPRO		DATE	POSITION	
Chloe Christi		3/31/2025	PLANNER II	
			DEPUTY ADMINISTRATOR	
Butt Render		3/31/2025	ADMINISTRATOR	
			DIRECTOR (JOINT APPROVAL)	
			COMPTROLLER	
			FINANCE DIRECTOR	
			CITY ATTORNEY	
			CHIEF ADMINISTRATIVE OFFICER	
			COMMITTEE CHAIRMAN	



CHASE CARLISLE Memphis City Council Super District 9-1

Date: March 31, 2025

RE: Case S 2024-041

To: John Zeanah Director, Division of Planning & Development

Director Zeanah

In advance of case S 2024-041 that will come before the body on April 8th, I would like to recuse myself from all discussions, voting, and deliberations on this item as I have a personal interest in the matter.

In service,

Chase Carlisle Memphis City Councilman

CC:

J. Ford Canale – Chairman of the Memphis City Council Attorney Allan Wade – Council Attorney Attorney Brianna Owens – Assistant Council Attorney Brooke Hyman – Chief Administrative Officer Ashleigh Hayes – Deputy Chief Administrative Officer



Memphis City Council Summary Sheet

S 2024-041 Correspondence

RESOLUTION APPROVING THE APPEAL OF DAVID WADE ON BEHALF OF CHARLES B. DUDLEY, FRANK STALLWORTH, AND OTHER RESIDENTS ALONG GRANDVIEW AVENUE SEEKING TO OVERTURN THE ACTION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD APPROVING A MAJOR SUBDIVISION AT THE SUBJECT PROPERTY LOCATED AT 4014 GRANDVIEW AVENUE, KNOWN AS CASE NUMBER S 2024-041 CORRESPONDENCE

- This item is a resolution to appeal the Land Use Control Board's approval of a 2-lot residential major subdivision; and
- The Land Use Control Board held a public hearing on February 13, 2025, and approved the aformentioned request subject to eight (8) conditions and one (1) waiver; and
- David Wade of Martin, Tate, Morrow & Marston, P.C. appeared at the aforementioned public hearing on behalf of the appellant; and
- An appeal of the Land Use Control Board decision was filed on February 21, 2025, by David Wade on behalf of Charles B. Dudley, Frank Stallworth and other residents along Grandview Avenue requesting the Memphis City Council overturn the action of the Land Use Control Board; 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 13, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	S 2024-041
LOCATION:	4014 Grandview Avenue
COUNCIL DISTRICT(S):	District 5 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Chaseton and Elizabeth Carlisle
REPRESENTATIVE:	Josh Whitehead
REQUEST:	Two-lot residential major subdivision
EXISTING ZONING:	Residential Single-Family – 10 (R-10)
AREA:	+/-1.55 acres

The following spoke in support of the application: Josh Whitehead

The following spoke in regards to the application: David Wade, Chip Dudley, and Frank Stallworth

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

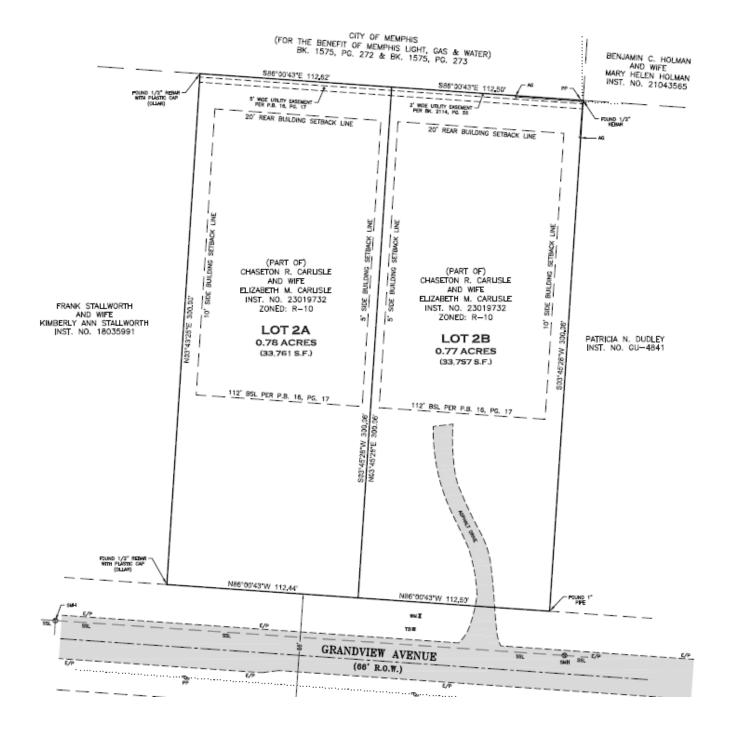
The motion passed by a vote of 5-3 on the regular agenda.

Respectfully,

Chloe Christion

Chloe Christion Planner II Land Use and Development Services Division of Planning and Development

Cc: Committee Members File



CONDITIONS & WAIVERS

Conditions:

- 1. The western side yard setback of Lot 2A and the eastern side yard setback for Lot 2B shall be 15 feet.
- 2. The minimum front yard setback shall be 112 feet; the maximum front setback shall be 122 feet. At least 30 feet of the front facade of the houses shall be placed within this front setback range.
- 3. The final plat shall be reviewed by the City Engineer to determine the size and location of a stormwater detention area based on a drainage design study that ensures post-construction runoff will be less than pre-construction runoff.
- 4. Front-loaded garages shall be prohibited.
- 5. The use of Exterior Insulation Finishing System (EIFS) shall be prohibited on the exterior of the houses.
- 6. Only single-family detached dwellings shall be permitted on the lots. Any other principal uses permitted by the Memphis and Shelby County Unified Development Code are prohibited.
- 7. The final plat shall reflect lots of roughly the same size that do not vary more than 1000 square feet from one another.
- 8. A shared driveway serving both lots is prohibited.

Waivers:

1. A waiver to Sub-Sections 5.2.2B and 5.2.21A is granted to relieve the developer and/or building permit holder of the installation of curb, gutter, or sidewalks along the Grandview Avenue frontage.

RESOLUTION APPROVING THE APPEAL OF DAVID WADE ON BEHALF OF CHARLES B. DUDLEY, FRANK STALLWORTH, AND OTHER RESIDENTS ALONG GRANDVIEW AVENUE SEEKING TO OVERTURN THE ACTION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD APPROVING A TWO-LOT RESIDENTIAL MAJOR SUBDIVISION AT THE SUBJECT PROPERTY LOCATED AT 4014 GRANDVIEW AVENUE, KNOWN AS CASE NUMBER S 2024-041 CORRESPONDENCE

WHEREAS, Chaseton and Elizabeth Carlisle filed an application with the Memphis and Shelby County Division of Planning and Development for a two-lot residential major subdivision; and

WHEREAS, the Memphis and Shelby County Division of Planning and Development reviewed the application in accordance with the standards and regulations of Memphis and Shelby County Unified Development Code and submitted its findings and recommendation 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 February 13, 2025, and said Board approved the request of the applicant subject to eight (8) conditions and one (1) waiver.

WHEREAS, David Wade, filed an appeal on February 21, 2025, on behalf of Charles B. Dudley, Frank Stallworth, and other residents along Grandview Avenue with the Memphis and Shelby County Division of Planning and Development requesting that the Council of the City of Memphis overturn the action of the Memphis and Shelby County Land Use Control Board; and

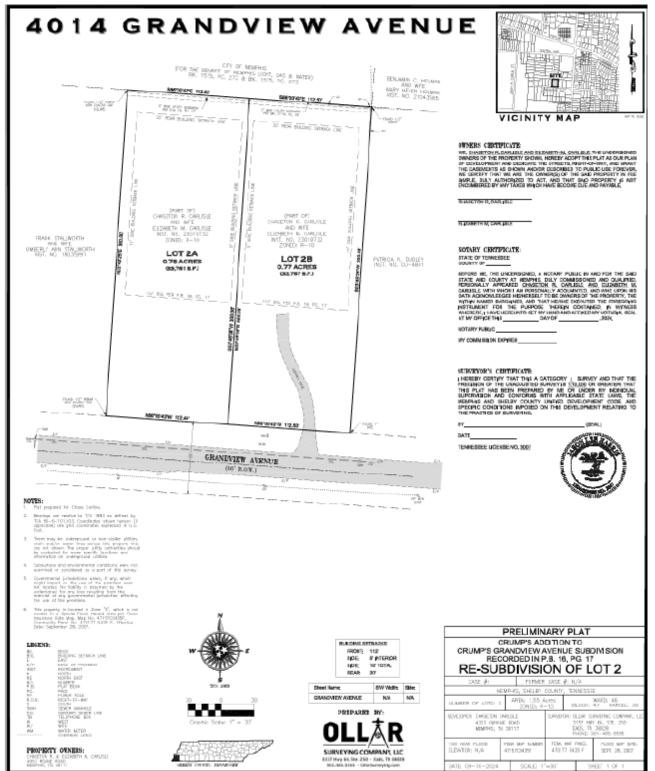
WHEREAS, the Council of the City of Memphis has reviewed the aforementioned appeal pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said appeal is consistent with the Memphis 3.0 General Plan; and

WHEREAS, upon evidence presented at this public hearing by the appellant, the City Council of the City of Memphis, concludes the appeal herein should be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the appeal of the appellant, David Wade on behalf of Charles B. Dudley, Frank Stallworth, and other residents along Grandview Avenue, is granted and the action of the Memphis and Shelby County Land Use Control Board on February 13, 2025, is hereby overturned.

BE IT FURTHER RESOLVED, that this resolution shall take effect from and after the date it shall have been enacted according to due process of law by virtue of the passage thereof by the Council of the City of Memphis.

SITE PLAN



CONDITIONS:

- 1. The western side yard setback of Lot 2A and the eastern side yard setback for Lot 2B shall be 15 feet.
- 2. The minimum front yard setback shall be 112 feet; the maximum front setback shall be 122 feet. At least 30 feet of the front facade of the houses shall be placed within this front setback range.
- 3. The final plat shall be reviewed by the City Engineer to determine the size and location of a stormwater detention area based on a drainage design study that ensures post-construction runoff will be less than pre-construction runoff.
- 4. Front-loaded garages shall be prohibited.
- 5. The use of Exterior Insulation Finishing System (EIFS) shall be prohibited on the exterior of the houses.
- 6. Only single-family detached dwellings shall be permitted on the lots. Any other principal uses permitted by the Memphis and Shelby County Unified Development Code are prohibited.
- 7. The final plat shall reflect lots of roughly the same size that do not vary more than 1000 square feet from one another.
- 8. A shared driveway serving both lots is prohibited.

WAIVERS

1. A waiver to Sub-Sections 5.2.2B and 5.2.21A is granted to relieve the developer and/or building permit holder of the installation of curb, gutter, or sidewalks along the Grandview Avenue frontage.

ATTEST:

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



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 Subdivision

Record Detail Information

Record Type: Subdivision

Record Status: Assignment Opened Date: September 26, 2024

Record Number: S 2024-041

Expiration Date:

Record Name: 4014 Grandview Ave.

Description of Work: Our project objective is to subdivide our 1.55 acre lot into 2 lots (0.78 acres and 0.77 acres). The property is currently in the R-10 zoning district with a minimum lot size of 10,000 s.f. and a minimum lot width of 60'. he proposed lots are a minimum of 112' wide and a minimum of 33,761 s.f.

r

Address:

4014 GRANDVIEW AVE, MEMPHIS 38111

Owner Information

Primary Owner Name

Y CARLISLE CHASETON R & ELIZABETH M

Owner Address

4953 Roane Road, MEMPHIS, TN 38117

Parcel Information

046047 00030

Data Fields

PREAPPLICATION MEETING

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

Type of Subdivision Type of Preliminary Plan Norman Saliba 09/27/2024 Email

Major Standard

Owner Phone 9013357069

GENERAL INFORMATION

A	CRUMP'S ADDITION TO CRUMP'S GRANDVIEW VENUE SUBDIVISION RECORDED IN P.B. 16, PG. 17
Number of lots 2	
Acres 1.	.55
List any relevant former Docket / Case -	
Number(s) related to previous applications on	
this site	
Access to Public Water Ye	/es
Access to Public Sewer Ye	/es
Waiver N	lo
If yes, please cite the specific Article 5, Chapter -	
4.3, or Section 3.9.2 waiver(s) requested and	
provide the justification for the request	
Is this application in response to a citation, stop N	lo
work order, or zoning letter	
If yes, please provide a copy of the citation, stop -	
work order, and/or zoning letter along with any	
other relevant information	
GIS INFORMATION	
Central Business Improvement District N	lo
Case Layer -	
Class R	R
Downtown Fire District N	lo
Historic District -	
Land Use Vi	'ACANT
Municipality M	/EMPHIS
Overlay/Special Purpose District -	
Zoning R	R-10
State Route -	
Lot 2	
Subdivision C	RUMPS ADDITION TO CRUMPS GRANDVIEW
A	VE
Planned Development District -	
Wellhead Protection Overlay District Ye	/es
County Commission District -	
City Council District -	
City Council Super District -	
Contact Information	

Address

4303 GWYNNE RD, MEMPHIS, TN, MEMPHIS, TN, 38117

Phone

(901)335-7069

Name

OLLAR SURVEYING COMPANY, LLC

Address

Phone (901)413-8081

Name CHASETON R CARLISLE

Address

Phone (901)335-7069

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1603003	Prelminary Plan Fee	1	400.00	INVOICED	0.00	10/30/2024
1603003	Per Lot Fee	2	60.00	INVOICED	0.00	10/30/2024
1603003	Credit Card Use Fee (.026 x fee)	1	11.96	INVOICED	0.00	10/30/2024
	Та	otal Fee Invo	iced: \$471.96	Total Ba	lance: \$0.0	00

Payment Information

Payment Amount	Method of Payment
\$471.96	Credit Card

Contact Type APPLICANT

Contact Type

ARCHITECT / ENGINEER / SURVEYOR

Contact Type

REPRESENTATIVE



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, full Development Code Section 12.3.1.

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 <u>4014 Grandview Avenue, Memphis, TN 38117</u> and further identified by Assessor's Parcel Number <u>046047 00030</u> for which an application is being made to the Division of Planning and Development. ABY AD ALWIDD ABY DITEND ABY LON ABY

Subscribed and sworn to (or affirmed) before me this 17 day of October in the year of 2024

Signature of Notary Public

My Commission Expires



September 26, 2024

Memphis & Shelby County Office of Planning & Development 125 North Main Street, Suite 468 Memphis, TN 38103

RE: CRUMP'S ADDITION TO CRUMP'S GRANDVIEW AVENUE SUBDIVISION – RESUBDIVISION OF LOT 2

Dear Sir or Madam:

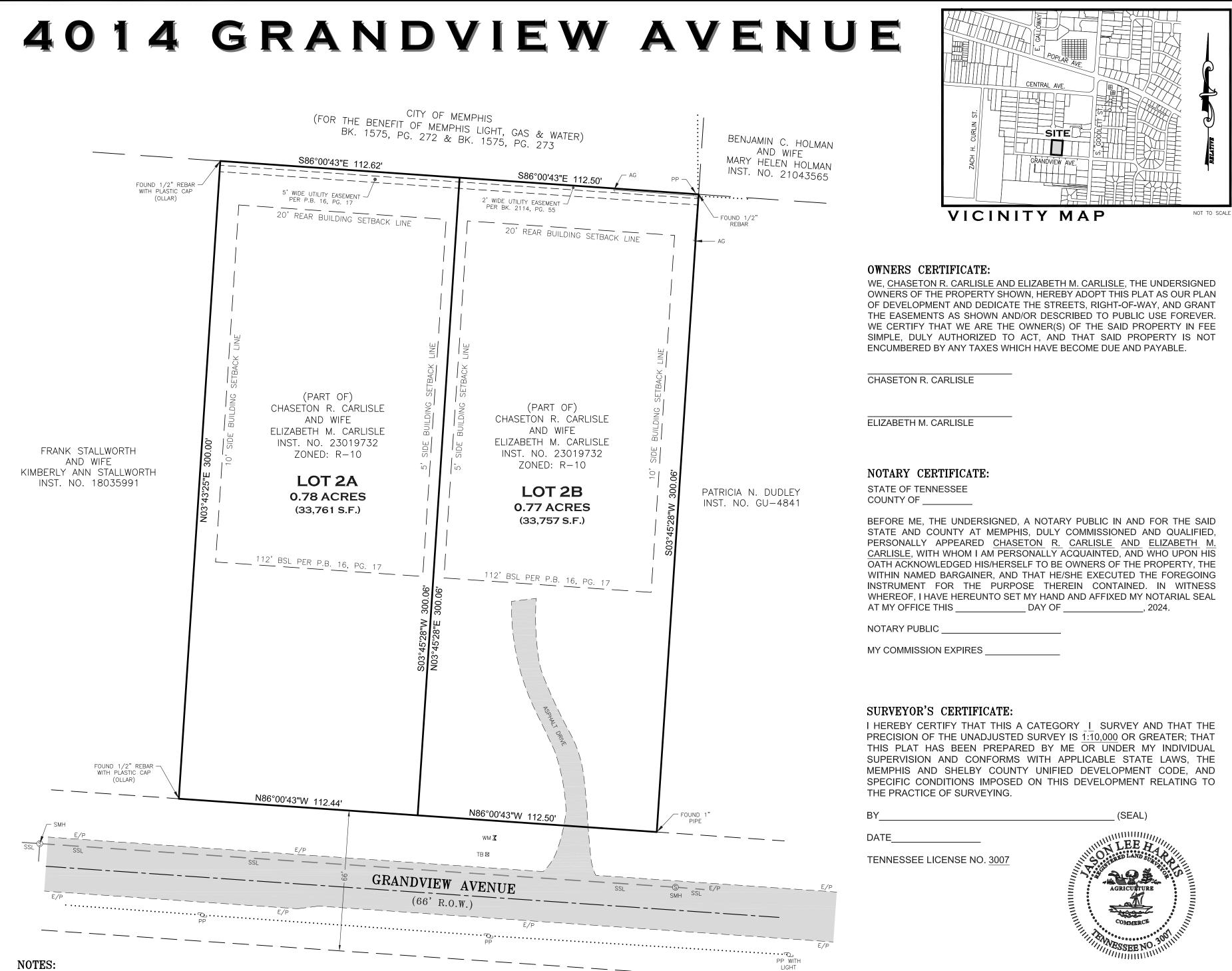
Please allow this correspondence to serve as my "Letter of Intent" to subdivide one (1) existing 1.55 acre lot located at 4014 Grandview Avenue, being on the north side of Grandview Avenue and 720' west of S. Goodlett Road into two (2) residential lots being 0.77 acres and 0.78 acres.

The property is currently in the R-10 zoning district with a minimum lot size of 10,000 s.f. and a minimum lot width of 60. The proposed lots are a minimum of 112' wide and a minimum of 33,761 square feet. Sewerage and water will be provided by Memphis, Light, Gas and Water.

Thank you in advance for your consideration of this request.

Sincerely,

Chaseton and Elizabeth Carlisle



- Plat prepared for Chase Carlisle 1.
- Bearings are relative to TCS 1983 as defined by 2. TCA 66-6-101,103. Coordinates shown hereon (if applicable) are grid coordinates expressed in U.S. foot
- 3. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- Subsurface and environmental conditions were not 4 examined or considered as a part of this survey.
- Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- This property is located in Zone "X", which is not 6. located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C0435F, Community Panel No. 470177 0435 F, Effective Date: September 28, 2007.

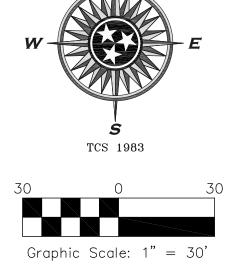
	-		-
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LĽ	GE	IN I	υ.

	Ing nub.	
•	BK. BSL E E/P INST N NE NO. P.B. PG. PP R.O.W. S SMH SSL TB W W/ W/	BOOK BUILDING SETBACK LINE EAST EDGE OF PAVEMENT INSTRUMENT NORTH NORTH EAST NUMBER PLAT BOOK PAGE POWER POLE RIGHT-OF-WAY SOUTH SEWER MANHOLE SANITARY SEWER LINE TELEPHONE BOX WEST WITH WATER METER OVERHEAD LINES

PROPERTY OWNERS:

. . .

CHASETON R. & ELIZABETH M. CARLISLE 4953 ROANE ROAD MEMPHIS, TN 38117





	··	•				
	SIDE:	1(D' TOTAL			
	REAR:	20	ט'			
			,			
Street Nam	ne:		S/W Width:	Side:		
GRANDVI	EW AVENUE		N/A	N/A		
PREPARED BY:						
SUR	VEYING CO	ŐN	IPANY, LLO	2		
	lwy 64, Ste. 25		-	.8		
901.	465.5555 - Ol	larS	urveying.com			

BUILDING SETBACKS FRONT: 112'

5' INTERIOR

SIDE:

PRELIMINARY PLAT							
CRUMP'S ADDITION TO CRUMP'S GRANDVIEW AVENUE SUBDIVISION RECORDED IN P.B. 16, PG. 17 RE-SUBDIVISION OF LOT 2							
CASE #: FORMER CASE #: N/A							
М	MEMPHIS, SHELBY COUNTY, TENNESSEE						
\square NUMBER OF LOISE 2 \square		AREA: 1.55 A ZONED: R-					
DEVELOPER: CHASETON CARLISLE 4303 GWYNNE ROAD MEMPHIS, TN 38117		SURVEYOR: OLLAR SURVEYING COMPANY, LL 3157 HWY 64, STE. 250 EADS, TN 38028 PHONE: 901-465-5555		r 64, STE. 250 38028			
100 YEAR FLOOD ELEVATION: N/A		MA MAP NUMBER 157C0435F			FLOOD MAP DATE: SEPT. 28, 2007		
DATE: 09-10-2024		SCALE: 1'	1"=30' SHEET 1 OF 1		IEET 1 OF 1		

OLLAR SURVEYING COMPANY, LLC – 3157 HIGHWAY NO. 64 – SUITE 250 – EADS, TENNESSEE 38028 – PHONE: 901.465.5555 – E-MAIL: JASON@OLLARSURVEYING.COM – OLLAR JOB No. 24148 – 24148X.DWG



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.

23019732

03/13/2023 - 03:06:	30 PM
3 PGS	
HERTHA 2554259-23019732	
VALUE	985000.00
MORTGAGE TAX	0.00
TRANSFER TAX	3644.50
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	3664.50

WILLIE F. BROOKS JR REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

Prepared by and Return to: Byme & Associates, PLLC-Midtown 51 N. Cooper St. Memphis, TN 38104 901-572-1419

PREPARED BY : Memphis Title Company 7518 Enterprise Avenue Germantown, TN 38138 File No. 2023-02-1977

WARRANTY DEED

THIS INDENTURE is made and entered into this 1st day of March, 2023 between Lee R. Wiener, Married, GRANTOR(s), and Chaseton R. Carlisle and Elizabeth M. Carlisle, Married, GRANTEE(s).

For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby bargain, sell, transfer and convey unto the Grantee, all of Grantor's right, title and interest in the following described property, located in the City of Memphis, County of Shelby, State of Tennessee, being more particularly described as follows:

Lot 2, Crump's Addition to Crump's Grandview Avenue Subdivision, as shown on plat of record in Plat Book 16, Page 17, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to Lee R. Wiener by Quit Claim Deed of record at Instrument No. 04118284, dated 07/14/2004, and recorded 07/19/2004, in the Register's Office of Shelby County Tennessee.

The Grantor(s) does hereby covenant with the Grantee(s) that the Grantor(s) is lawfully seized in fee of the aforedescribed real estate; that Grantor(s) has good right to sell and convey the same; that the same is unencumbered, except for any and all Subdivision Restrictions, Building Lines and Easements of record in said Register's Office including without limitation, those in Plat Book 16, Page 17; Plat Book 15, Page 25; Easement of record at Book 2114, Page 55; Book 888, Page 431; Book 940, Page 349, all in the above referenced Register's Office, and except for 2023 Shelby County taxes and 2023 City of Memphis taxes, not yet due and payable.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, Grantee's heirs, successors and assigns forever. The Grantor does covenant and agree with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth herein, and that the title and quiet possession thereto Grantor will forever warrant and defend against the lawful claims of all persons whomsoever.

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

henn

Lee R. Wiener

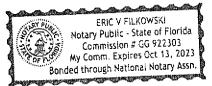
STATE OF COUNTY

On this <u>16</u> t day of March, 2023, before me personally appeared Lee R. Wiener, 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 28 day of March, 2023.

Notary Signature My commission expires: /J. 13 73

AFFIDAVIT OF VALUE



HARRIS

STATE

OF

NNESSEE

UBLIC

NOTARY

SHELBY C

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 \$985,000.00, which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Notar

Affiant

Sworn to and subscribed before me, a Notary Public, this March 1, 2023.

My Commission Expires:

Name and Address of Property Owner: Chaseton R. Carlisle and Elizabeth M. Carlisle

4014 Grandview Avenue Memphis, TN 38111

Property Address: 4014 Grandview Avenue Memphis, TN 38111

Person Responsible for Taxes:

Chaseton R. Carlisle & Elizabeth M.Carlisle 4104 Grandview Avenue Memphis, TN 38111

Tax Parcel ID: 046 047 00030

I, John B. Westmorland, III, 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 electronic document is a true and exact copy of the original document executed and authenticated according to law on \underline{ML} day of $\underline{MARC/W}$, 2023.

John B. Westmoreland, III, Attorney

Date March 121, 2023

State of TENNESSEE County of SHELBY

Sworn to and subscribed before me on this 1st day of March 2023 Votarly Public My Commission Expires: March 11, 2026 TENNESSEE NOTARY PUBLIC Notary's Seal

dod MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT
AGENDA ITEM:	4	L.U.C.B. MEETING:	February 13, 2025
CASE NUMBER:	S 2024-041		
LOCATION:	4014 Grandview Avenue		
OWNER/APPLICANT:	Chaseton and Elizabeth Carlisle		
REPRESENTATIVE:	Josh Whitehead		
REQUEST:	Two-lot residential major resubdiv	ision	
EXISTING ZONING:	Residential Single-Family – 10 (R-1	0)	

CONCLUSIONS

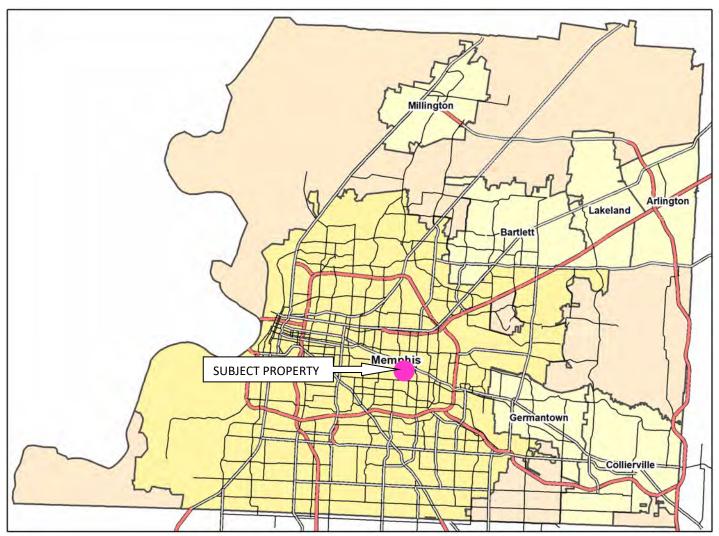
- 1. This case was held from the December 12, 2024, Land Use Control Board meeting in order for the applicant to satisfy the neighborhood meeting notice requirement per UDC Section 9.3.2. This case was also held at the January 9, 2025 LUCB meeting upon request from the applicant.
- The proposed preliminary plan subdivides the parcel into two lots of 33,541 and 33,976 square feet. Each lot is +/- 20,000 square feet over the required minimum for residential lots in the R-10 district. Each lot has a width of +/- 112 feet and the building setback line is 112 feet per the original recorded subdivision. The existing asphalt drive is proposed to remain.
- 3. The proposed lots are consistent with the rhythm of other residential lots within a 500-foot radius of the subject property. See pages 13-14 for lot size analysis.
- 4. The proposed preliminary plan is compatible with and in keeping with the character of development in the neighborhood and conforms with all applicable provision and requirements of the Unified Development Code.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 20-22 of this report.

RECOMMENDATION:

Approval with conditions and waivers



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property outlined in red.

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed. A total of 73 notices were mailed on November 23, 2024, see page 23 of this report for a copy of said notice.

NEIGHBORHOOD MEETING

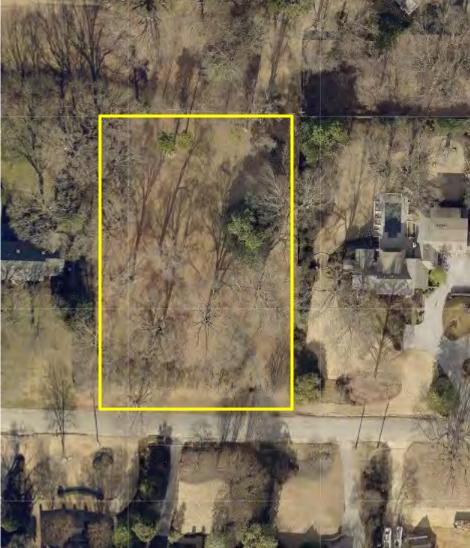
The meeting was held at 3:00 PM on Friday, December 20, 2024, at 4014 Grandview Avenue.

CRUMP'S ADDITION TO GRANDVIEW AVENUE SUBDIVISION (1951) (PLAT BOOK 16 PAGE 17)

GUSON. CIV surveyed the grove describe 15 Tennessee Cortificate No. 145. Givet Engines 188.85 22 8 15110 Builing Line 112 15 GRANDVIEW AVENUE Notory Public 610 City 615 lone

Subject property outlined in red, Lot 2

AERIAL



Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

February 13, 2025 Page 8

SITE PHOTOS



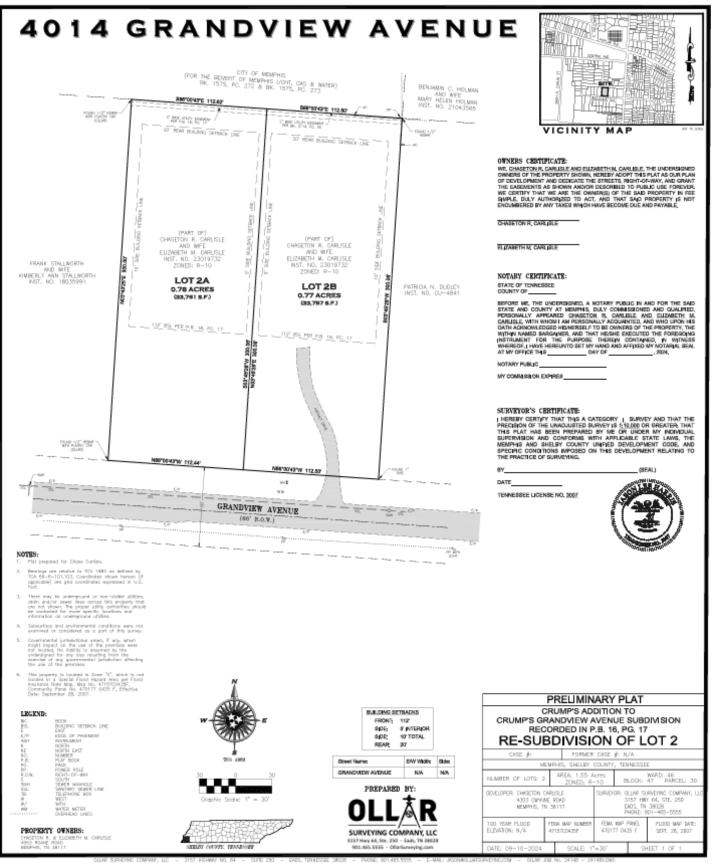
View of subject property from Grandview Avenue.



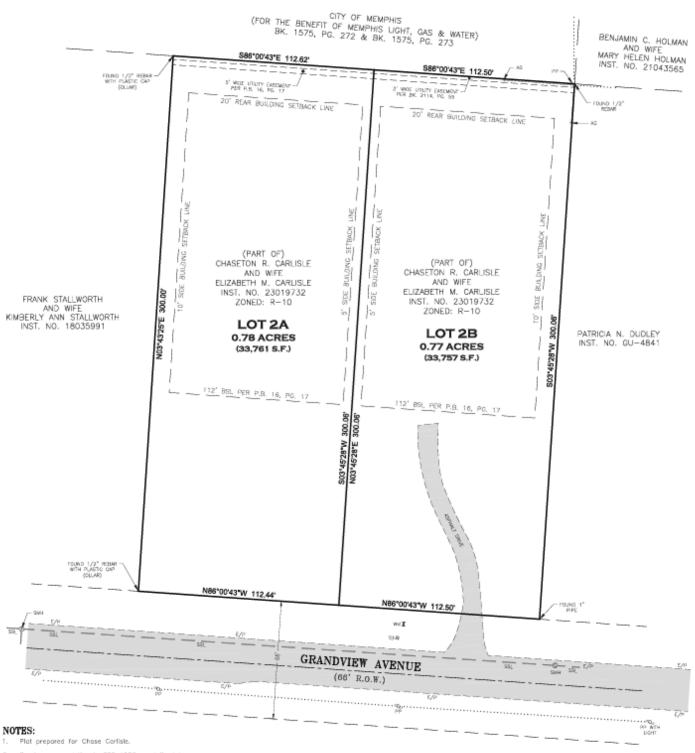
Additional view of subject property from Grandview Avenue.

PRELIMINARY PLAN

February 13, 2025 Page 9



PRELIMINARY PLAN – MAGNIFIED



- Bearings are relative to TCS 1983 as defined by TCA 66-6-101,103. Coordinates shown hereon (if applicable) are grid coordinates expressed in U.S. foot.
- There may be underground or non-visible utilities, drain and/or sever lines across this properly that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- Subsurface and environmental conditions were not examined or considered as a part of this survey.

CASE REVIEW

The request is a two-lot residential major resubdivision.

Review Criteria

Staff agrees the major preliminary plan review approval criteria as set out in Sub-Section 9.7.7H of the Unified Development Code are met.

9.7.7H Approval Criteria

- 1. A major preliminary plan shall be approved by the Land Use Control Board if it meets the following criteria:
 - a. Conforms with all the provisions and requirements of any plans to be considered (see Chapter 1.9);
 - b. There are adequate public facilities available, to be provided by the applicant or programmed within the five-year capital improvements program of the governing bodies to accommodate the proposed development;
 - c. Conforms with all the applicable provisions and requirements of this development code; and
 - d. Conforms with all the provisions and requirements of other applicable codes and ordinances relating to land development not included in this development code.
- 2. The LUCB or governing body(s) may reject a preliminary plan if it is determined that the proposed subdivision is not in keeping with the character of development in the neighborhood. The LUCB or governing body(s) shall consider the following in the determination of the character of the development in the neighborhood.
 - a. Building setback lines of all principal structures that lie within 500 feet of the proposed subdivision.
 - b. Size and width of all lots within 500 feet of the proposed subdivision.
 - c. Proximity of arterial and connector streets within 500 feet of the proposed subdivision.
 - d. Diversity of land uses within 500 feet of the proposed subdivision.

<u>Site Details</u>

Address: 4014 Grandview Avenue

Parcel ID: 046047 00030

Area: +/-1.55 acres

Description:

The subject property is known as Lot 2 of Crump's Addition to Grandview Avenue Subdivision with a zoning of Residential Single-Family – 10. Subject property is currently vacant and surrounded by single-family residential uses. The lot has one street frontage on Grandview Avenue. Subject property is located within the Black Bayou Sensitive Drainage Basin (5-C).

Relevant Unified Development Code Clauses

Sub-Section 3.6.1A – Regulations for Permitted Housing Types

Housing Type R-10 District	Conventional (w/ public water & decentralized sewer)	Conventional (w/ public water & public sewer)
Tract or Lot (min)		
Area (sq. ft.)	10,000	10,000
Width (ft.)	60	60
Building setback (min ft.) Front (without alley access) Front (with alley access) Side (interior) Side (total) Side (street) Rear	20 15 5 10 10 20	20 15 5 10 10 20
Height (max ft.) Curb and Gutter required	40 Yes	40 Yes

Preliminary Plan Review

The proposed preliminary plan subdivides the parcel into two lots of 0.77 and 0.78 acres. Each lot has a width of 112 feet and the building setback line is 112 feet per the original recorded subdivision. The existing asphalt drive is proposed to remain with access to lot 12B. Lot 2A will obtain its own curb cut and driveway for access.

<u>Analysis</u>

Regarding the lot size, the lots created with this proposed subdivision are 33,541 and 33,976 square feet in the R-10 District in which the lot area minimum 10,000 square feet is required. The proposed lots are also consistent with the size of lots in the surrounding area. See below for an analysis of lots within a 500-foot radius of the subject property.

Both east and west side setbacks for the proposed lots should be marked as 5' and the rear setback should be marked as 20'. The front setback provided is 112' which is in keeping with the rhythm of the surrounding properties. Setbacks of the residences abutting the east and west property lines of the subject lot are +/- 113 feet and +/- 117 feet respectively.

The proposed preliminary plan is compatible with and in keeping with the character of development in the neighborhood and conforms with all applicable provision and requirements of the Unified Development Code.

RECOMMENDATION

Staff recommends approval with conditions and waivers.

Conditions:

Changes from the previous report are indicated in **bold, underline**; deletions are indicated **in bold strikethrough.**

1. The western side yard setback of Lot 2A and the eastern side yard setback for Lot 2B shall be 15 feet.

2. The minimum front yard setback shall be 112 feet; the maximum front setback shall be 122 feet. At least 30

feet of the front facade of the houses shall be placed within this front setback range.

3. <u>The final plat shall be reviewed by the City Engineer to determine the need, size and location of stormwater</u> <u>detention area.</u> <u>A non-buildable area of 20 feet in depth (north to south) by 30 feet in width (east to west) shall</u> apply to the northwest corner of Lot 2A for stormwater detention.

4. Front-loaded garages shall be prohibited.

5. The use of Exterior Insulation Finishing System (EIFS) shall be prohibited on the exterior of the houses.

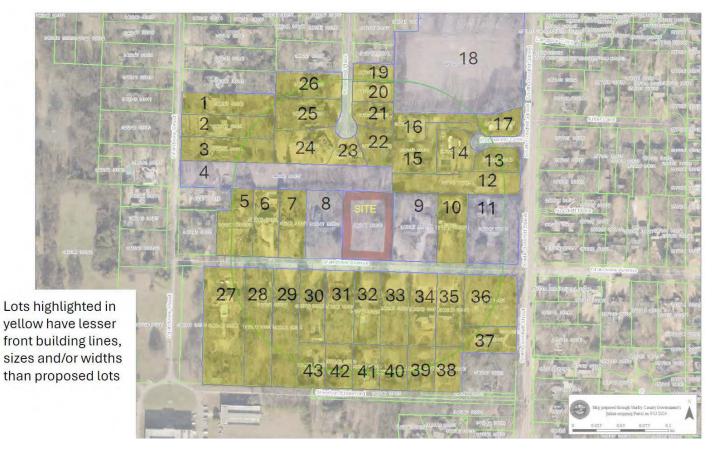
6. Only single-family detached dwellings shall be permitted on the lots. Any other principal uses permitted by the Memphis and Shelby County Unified Development Code are prohibited.

Waivers:

1. A waiver to Sub-Sections 5.2.2B and 5.2.21A is granted to relieve the developer and/or building permit holder of the installation of curb, gutter, or sidewalks along the Grandview Avenue frontage.

LOT ANALYSIS MAP





Lot No. on Map	Address	Width (feet)	Size (acres)	Front Setback	Front setback notes
1	382 Grandview St.	100	0.92	100	approx. existing bldg setback
2	394 Grandview St.	100	0.92	117	approx. existing bldg setback
3	402 Grandview St.	110	1.07	97	approx. existing bldg setback
4	0 Grandview St.	116	2.58	N/A	empty lot owned by MLGW
5	3956 Grandview Ave.	160	0.99	100	approx. existing bldg setback
6	3970 Grandview Ave.	120	0.83	97	platted setback (Book 190, Page 58)
7	3972 Grandview Ave.	120	0.83	97	platted setback (Book 190, Page 58)
8	3996 Grandview Ave.	161	1.17	112	platted setback (Book 190, Page 58)
9	4034 Grandview Ave.	200	1.38	119	approx. existing bldg setback
10	4050 Grandview Ave.	135	0.93	105	approx. existing bldg setback
11	4070 Grandview Ave.	243	1.67	115	approx. existing bldg setback
12	419 S. Goodlett St.	103	1.27	114	approx. existing bldg setback
13	4073 Robinwood Cv.	205	0.50	30	approx. existing bldg setback
14	4060 Robinwood Cv.	184	0.74	46	approx. existing bldg setback
15	4064 Robinwood Cv.	136	0.86	25	platted setback (Book 171, Page 8)
16	4068 Robinwood Cv.	136	0.70	48	platted setback (Book 171, Page 8)
17	4072 Robinwood Cv.	191	0.52	30	approx. existing bldg setback
18	0 Central Ave.	480	7.46	N/A	parking lot and athletic fields for Second Pres.
19	368 Roseland Pl.	80	0.33	30	platted setback (Book 12, Page 30)
20	374 Roseland Pl.	90	0.39	30	platted setback (Book 12, Page 30)
21	386 Roseland Pl.	111	0.49	30	platted setback (Book 12, Page 30)
22	2 394 Roseland Pl.	98	0.56	30	platted setback (Book 12, Page 30)
23	397 Roseland Pl.	115	0.38	30	platted setback (Book 12, Page 30)
24	393 Roseland Pl.	110	0.99	30	platted setback (Book 12, Page 30)
25	5 387 Roseland Pl.	125	0.90	30	platted setback (Book 12, Page 30)
26	373 Roseland Pl.	120	0.84	30	platted setback (Book 12, Page 30)
27	3945 Grandview Ave.	188	2.29	102	approx. existing bldg setback
28	3965 Grandview Ave.	124	1.48	100	approx. existing bldg setback
29	3981 Grandview Ave.	121	1.46	100	approx. existing bldg setback
30	3999 Grandview Ave.	117	0.88	100	platted setback (Book 101, Page 17)
31	4005 Grandview Ave.	130	0.98	100	platted setback (Book 101, Page 17)
32	4015 Grandview Ave.	120	0.91	107	approx. existing bldg setback
33 4	025 Grandview Ave.	127	0.96	110	approx. existing bldg setback
34 4	035 Grandview Ave,	123	0.93	100	platted setback (Book 293, Page 31)
35 4	049 Grandview Ave.	123	0.93	100	platted setback (Book 293, Page 31)
36 4	065 Grandview Ave.	220	1.26	109	approx. existing bldg setback
37 4	89 S. Goodlett St.	120	0.74	74	approx. existing bldg setback
38 5	13 S. Goodlett St.	124	0.57	64	approx. existing bldg setback
39 5	17 S. Goodlett St.	124	0.57	33	approx. existing bldg setback
40 5	19 S. Goodlett St.			33	approx. existing bldg setback
	21 S. Goodlett St.			37	approx. existing bldg setback
42 5	23 S. Goodlett St.			45	platted setback (Book 101, Page 17)
	25 S. Goodlett St.			45	platted setback (Book 101, Page 17)

Average lot width: **142 feet (133 feet not inlcuding parking lot and athletic fields)** Average lot size: **1.08 acres** Average front setback: **71 feet**

DEPARTMENTAL COMMENTS

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

City Engineer:

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

Sewers:

- 2. City sanitary sewers are available to serve this development.
- 3. If the lot will be subdivided into two or more additional lots, each of the additional lots must have their own service connection.
- 4. A sanitary sewer service connection plan is required to be submitted (via 901 portal) to the City Land Development Office for review and approval.
- All required design plans and potential traffic control plan must be prepared in accordance with the City's Standard Requirements and must be stamped by a Professional Engineer registered in the State of Tennessee.
- 6. A Sewer Development fee may be required per the City of Memphis Sewer Use Ordinance.
- 7. Payment of applicable sewer development fees per the City of Memphis Sewer Use Ordinance should be paid to the Land Development Office.

Roads:

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

Traffic Control Provisions:

- 10. 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.
- 11. 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.

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

Curb Cuts/Access:

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

Drainage:

- 15. 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.
- 16. 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.
- 17. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- 18. 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.
- 19. 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:

20. The width of all existing off-street sewer easements shall be widened to meet current city standards.

21. Development is greater than 1 acre and is located within a sensitive drainage basin.

- 22. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 23. 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.
- 24. Required landscaping shall not be placed on sewer or drainage easements.

No comments received.
No comments received.

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

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: <u>S 2024-041 University</u>

Site Address/Location: 4041 Grandview Avenue Overlay District/Historic District/Flood Zone: Future Land Use Designation: Anchor Neighborhood-Primarily Single-Unit (AN-S) Street Type:

The applicant is seeking approval to subdivide one parcel into two.

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

ACCELERATE

Primarily detached, single-family residences. Attached single-family, duplexes, triplexes and quadplexes permitted on parcels within 100 feet of an anchor; at intersections where the presence of such housing type currently exists at the intersection 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, R-10

Adjacent Land Use and Zoning: Single-Family, RU-1, R-10

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

3. Degree of Change Map



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 building is a private investment and infill development contextually compatible with the anchor neighborhood.

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

The requested use is consistent with Objective 1.5.1 – Focus residential infill efforts in anchor neighborhoods to support anchors and neighborhood commercial districts with appropriate population density.

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

NA

Consistency Analysis Summary

The applicant is seeking approval to subdivide one parcel into two.

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

The proposed building is a private investment and infill development contextually compatible with the anchor neighborhood.

The requested use is consistent with Objective 1.5.1 – Focus residential infill efforts in anchor neighborhoods to support anchors and neighborhood commercial districts with appropriate population density.

Based on the information provided, the proposal is <u>CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Christina Edingbourgh, Comprehensive Planning.

MAILED PUBLIC NOTICE

	the second second data with the second of	
property that is near the site of considered at an upcoming pu Shelby County Land Use Cont attend this hearing, but you a		
	iew Avenue tial major subdivision d Elizabeth Carlisle	Grandhow Around
<u>Meeting Details</u> Location: Council Chambers City Hall 1st Floor 125 N Main St.	Time: 9:00 AM Date: Thursday, Dec. 12 2024	
Staff Planner Contact: Chloe Christion I chloe.christion@memphis		To learn more about this proposal, contact the staff planner or use the QR code to view the full application.

APPLICATION



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

East Service Center: 6465 Mullins Station Rd, Memphis, Tennessee 35134 Downtown Service Center, 125 N. Main Street, Memphis, Tennessee 38103

website' www.develop901.com

Record Summary for Subdivision

Record Detail Information

Record Type: Subdivision

Record Status: Assignment Opened Date: September 26, 2024

Record Number: S 2024-041

Record Name: 4014 Grandview Ave.

Description of Work: Our project objective is to subdivide our 1.55 acre lot into 2 lots (0.78 acres and 0.77 acres). The property is currently in the R-10 zoning district with a minimum lot size of 10,000 s.f. and a minimum lot width of 60', he proposed lots are a minimum of 112' wide and a minimum of 33,761 s.f.

Parent Record Number:

Address:

4014 GRANDVIEW AVE, MEMPHIS 38111

Owner Information

Owner Name Primary Y CARLISLE CHASETON R & ELIZABETH M Owner Address

4953 Roane Road, MEMPHIS, TN 38117

Parcel Information

046047 00030

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Date of Meeting Pre-application Meeting Type GENERAL INFORMATION Type of Subdivision Type of Preliminary Plan

Norman Saliba 09/27/2024 Email

Major Standard

S 2024-041

Owner Phone 9013357069

Expiration Date:

SEVERAL INFORMATION	
Name of Subdivision	CRUMP'S ADDITION TO CRUMP'S GRANDVIEW AVENUE SUBDIVISION RECORDED IN P.B. 16 PG. 17
Number of lots	2
Acres	1.55
List any relevant former Docket / Case Number(s) related to previous applications on this site	
Access to Public Water	Yes
Access to Public Sewer	Yes
Waiver	No
If yes, please cite the specific Article 5, Chapter 4.3, or Section 3.9.2 waiver(s) requested and provide the justification for the request	
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 as information	
Central Business Improvement District	No
Case Layer	
Class	B
Downtown Fire District	No
Historic District	
Land Use	VACANT
Municipality	MEMPHIS
Overlay/Special Purpose District	
Zoning	R-10
State Route	8
Lot	2
Subdivision	CRUMPS ADDITION TO CRUMPS GRANDVIEW AVE
Planned Development District	×
Wellhead Protection Overlay District	Yes
County Commission District	1. Contract (1. Contract)
City Council District	8
City Council Super District	
Contact Information	

S 2024-041

Name	and have a
CHASETEN	R CARLISLE

Address 4303 GWYNNE RD, MEMPHIS, TN, MEMPHIS, TN, 38117

Phone (901)035-7069

Name OLLAR SURVEYING COMPANY LLC

Address

Phone (901)413-8081

Name CHASETON & CARLISLE

Address

Phone (901)305-7069

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	
1603003	Prelminary Plan Fee	t .	400.00	INVOICED	0.00	10/30/2024	
1603003	Per Lot Fee	2	60.00	INVOICED	0.00	10/30/2024	
1603003	Credit Card Use Fee (.026 x fee)	1	11,96	INVOICED	0.00	10/30/2024	

Total Fee Invoiced: \$471.96

Total Balance \$0.00

Payment Information

Payment Amount \$471.96

Method of Payment **Diredit Card**

S 2024-041

Fage 1 of 1

Contact Type

APPLICANT

Contact Type ARCHITECT / ENGINEER / SURVEYOR

Contact Type REPRESENTATIVE

OWNER AFFIDAVIT

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY 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 beneficianes. 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.

aseton 1

(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 M 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 4014 Grandview Avenue, Memphis, TN 38117 and further identified by Assessor's Parcel Number 046047 00030 for which an application is being made to the Division of Planning and Development.



in the year of

state that I have read the definition of

Subscribed and sworn to (or affirmed) before me this

Signature of Notary Public

My Commission Expires

day of Cc

February 13, 2025 Page 28

LETTER OF INTENT



September 26, 2024

Memphis & Shelby County Office of Planning & Development 125 North Main Street, Suite 468 Memphis, TN 38103

RE: CRUMP'S ADDITION TO CRUMP'S GRANDVIEW AVENUE SUBDIVISION - RESUBDIVISION OF LOT 2

Dear Sir or Madam:

Please allow this correspondence to serve as my "Letter of Intent" to subdivide one (1) existing 1.55 acre lot located at 4014 Grandview Avenue, being on the north side of Grandview Avenue and 720' west of S. Goodlett Road into two (2) residential lots being 0.77 acres and 0.78 acres.

The property is currently in the R-10 zoning district with a minimum lot size of 10,000 s.f. and a minimum lot width of 60. The proposed lots are a minimum of 112' wide and a minimum of 33,761 square feet. Sewerage and water will be provided by Memphis, Light, Gas and Water.

Thank you in advance for your consideration of this request.

Sincerely,

Chaseton and Elizabeth Carlisle

3157 HIGHWAY 64 SUITE 250 . EADS, TN 38028 . (901) 465-5555 . Ollar Surveying.com

LETTERS RECEIVED

February 13, 2025 Page 29

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

MARTIN, TATE, MORROW & MARSTON, P.C.

ATTORNEYS AND COUNSELORS

INTERNATIONAL PLACE, TOWER II 6410 POPLAR AVENUE SUITE 900 MEMPHIS, TENNESSEE 38119-4839

DAVID WADE

DWADE@MARTINTATE.COM

TELEPHONE (901) 522-9000 FAX (901) 527-3746 NASHVILLE OFFICE

315 DEADERICK STREET, SUITE 1550 NASHVILLE, TN 37238

TELEPHONE (615) 627-0668 Fax (615) 627-0669

December 31, 2024

Chloe Christion Memphis and Shelby County Division of Planning and Development 125 N. Main Street Memphis, Tennessee 38103 Chloe.Christion@memphistn.gov

Re: S 2024-041

Dear Chloe:

Thank you for taking my call yesterday. As I explained, I have been asked to represent some of the neighbors whose homes surround the proposed subdivision. Unfortunately, because of the holidays, the neighbors have not been able to meet with each other or with the owner to discuss his proposal. The neighborhood meeting on December 20, 2024, was held outside in cold weather when most of the interested people could not attend due to holiday absence. Josh Whitehead was present and he and I agreed that the two of us would meet to discuss potential adjustments and additional conditions to the plan to see if a neighborhood consensus is possible before the meeting of the LUCB. Unfortunately, again, Josh also has been unavailable because of his holiday plans. The latest word I have is that he may not return until Friday, (Jan. 3) and potentially not until Monday (Jan. 6).

These impediments to an effective neighborhood consultation are such that I must ask that your office support a hold at the request of the neighbors until the February meeting of the Board. At the outdoor meeting, the owner was reticent to agree to a hold but did state that he might be willing to do so depending on how subsequent discussions proceeded. So far, we have not been able to engage in the discussions.

I do want to note that serious problems must be addressed regarding the proposed subdivision, including, among other things, lot sizes, front, side and rear setbacks, tree removal, side yard fencing, driveway access, and finishes. Just as an example, the two proposed lots on the north side would be the smallest on the street at 112 feet, compared with the 170-foot average width along Grandview. Also, serious drainage issues have plagued the north property lines of the adjacent lots. Crump's Grandview Avenue Subdivision has been a masterpiece for decades, well before the city limits extended to Goodlet Street. Compatibility with the surrounding neighborhood is a key consideration under UDC 9.7.7. and one the neighbors seek to preserve.

MARTIN, TATE, MORROW & MARSTON, P.C.

December 31, 2024 Page 2

In order for the entire neighborhood to fairly assess the impact of this subdivision, my clients request a one-month delay until the February hearing and ask the staff to support the request as reasonable under these unusual circumstances.

Very truly yours, Mutanti David Wade

DW/kmph Enclosure



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

February 14, 2025

Whitehead Law PLLC 275 Jefferson Avenue Memphis, TN 38103

Sent via electronic mail to: josh@joshwhiteheadlaw.com

Crump's Addition to Grandview Avenue Subdivision – Resubdivision of Lot 2 Case Number: S 2024-041 LUCB Decision: Approval with conditions

Dear applicant,

On Thursday, February 13, 2025, the Memphis and Shelby County Land Use Control Board *approved* your major subdivision application requesting a two-lot resubdivision of Lot 2 of Crump's Addition to Grandview Avenue Subdivision located at 4041 Grandview Avenue, subject to the following conditions and waivers:

Conditions:

- 1. The western side yard setback of Lot 2A and the eastern side yard setback for Lot 2B shall be 15 feet.
- 2. The minimum front yard setback shall be 112 feet; the maximum front setback shall be 122 feet. At least 30 feet of the front facade of the houses shall be placed within this front setback range.
- 3. The final plat shall be reviewed by the City Engineer to determine the size and location of a stormwater detention area based on a drainage design study that ensures post-construction runoff will be less than pre-construction runoff.
- 4. Front-loaded garages shall be prohibited.
- 5. The use of Exterior Insulation Finishing System (EIFS) shall be prohibited on the exterior of the houses.
- 6. Only single-family detached dwellings shall be permitted on the lots. Any other principal uses permitted by the Memphis and Shelby County Unified Development Code are prohibited.
- 7. The final plat shall reflect lots of roughly the same size that do not vary more than 1000 square feet from one another.
- 8. A shared driveway serving both lots is prohibited.

Letter to Applicant S 2024-041

Waivers:

1. A waiver to Sub-Sections 5.2.2B and 5.2.21A is granted to relieve the developer and/or building permit holder of the installation of curb, gutter, or sidewalks along the Grandview Avenue frontage.

Next Step: To initiate the final plat review process, a final plat review record must be submitted via the Develop 901 Citizen portal.

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.

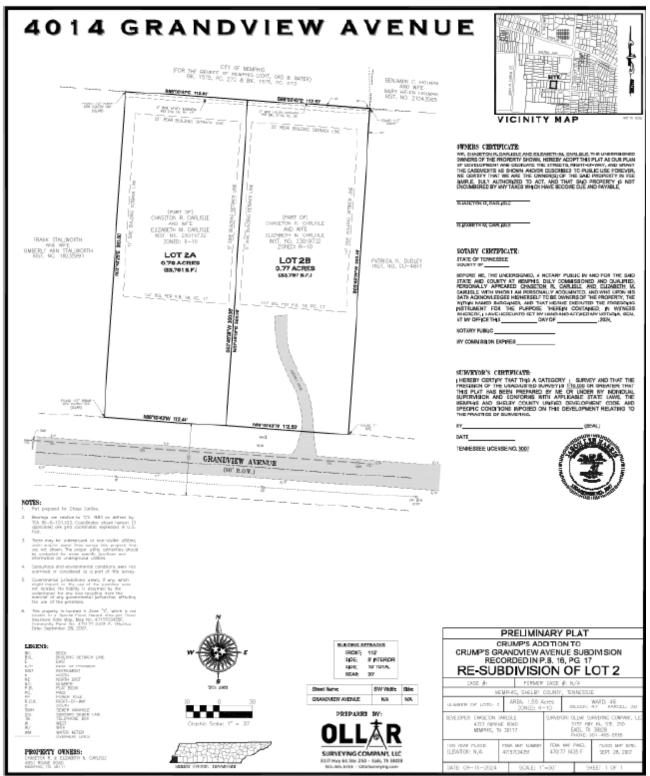
Respectfully,

Chloe Christion

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

Cc: Milos Mikic, Whitehead Law File

PRELIMINARY PLAN



MARTIN, TATE, MORROW & MARSTON, P.C.

ATTORNEYS AND COUNSELORS

INTERNATIONAL PLACE, TOWER II 6410 POPLAR AVENUE SUITE 900 MEMPHIS, TENNESSEE 38119-4839

DAVID WADE

DWADE@MARTINTATE.COM

TELEPHONE (901) 522-9000 FAX (901) 527-3746 NASHVILLE OFFICE

315 Deaderick Street, Suite 1550 Nashville, TN 37238

> TELEPHONE (615) 627-0668 FAX (615) 627-0669

February 21, 2025

Via U.S. Mail and Email

John Zeanah, AICP, Director Memphis and Shelby County Division of Planning and Development 125 N. Main St., Suite 477 Memphis, TN 38103 john.zeanah@memphistn.gov

Re: S 2024-041 – Appeal from Land Use Control Board.

Dear Mr. Zeanah:

This office represents Charles B. Dudley, Frank Stallworth and other residents along Grandview Avenue in Memphis who appeared at the Land Use Control Board hearing on February 13, 2025 opposing the application at Case No. S 2024-41. Our clients were present at the meeting and made vocal objection and submitted written petitions in opposition to the resubdivision.

Pursuant to the Unified Development Code § 9.7.7. J., please accept this as the appeal to the City of Memphis City Council of the determination of the Land Use Control Board.

In addition, please acknowledge this filing and advise me of further steps that are necessary to perfect this Appeal.

Very truly yours

ce: Norman Saliba (via email only) Chloe Christion (via email only) Josh Whitehead (via email only) Charles Dudley (via email only) Frank Stallworth (via email only) Hugh Stevens (via email only)

NOTICE TO INTERESTED OWNERS OF PROPERTY (APPEAL OF LAND USE CONTROL BOARD ACTION)

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 an appeal of decision made by the Memphis and Shelby County Land Use Control Board, as follows:

CASE NUMBER:	S 2024-041 CORRESPONDENCE
LOCATION:	4014 Grandview Avenue
COUNCIL DISTRICTS:	District 5 and Super District 9 – Positions 1, 2, and 3
APPEALANT:	Charles B. Dudley and Frank Stallworth
REPRESENTATIVE:	David Wade
EXISTING ZONING:	Residential Single-Family – 10 (R-10)
REQUEST:	Overturn a decision of the Land Use Control Board (LUCB) (The LUCB approved a two-lot residential major subdivision)
AREA:	+/-1.55 acres

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: Approval with conditions and waivers

Memphis and Shelby County Land Use Control Board: Approval with conditions waivers

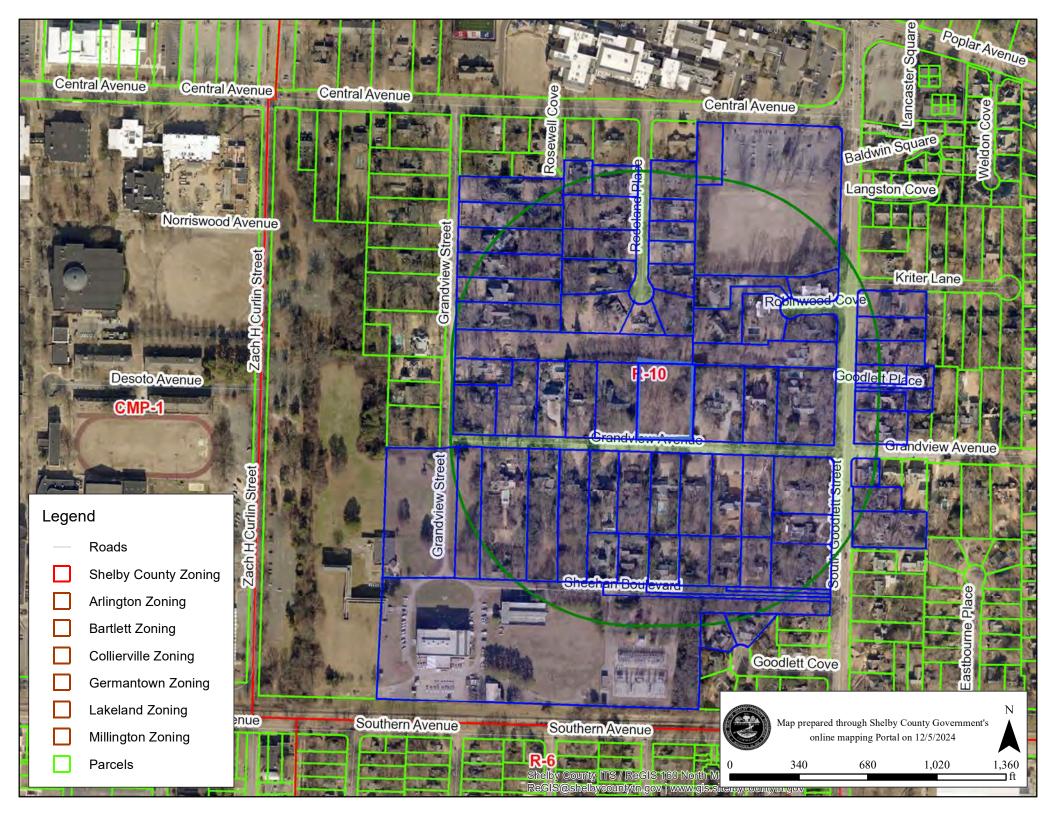
NOW, THEREFORE, you will take notice that on Tuesday, ______, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance's or protests against the making of such changes; such 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 ______, _____

FORD CANALE CHAIRMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT CITY COMPTROLLER TO BE PUBLISHED:



ALTMAN ROGER B & AIMEE BORROMEO-ALTMAN 342 ROSELAND PL # MEMPHIS TN 38111

KLEMIS JAMES E AND TIFFANY REED 362 GRANDVIEW ST # MEMPHIS TN 38111

BOBO L KIRKPATRICK & ANNE C A 372 GRANDVIEW ST # MEMPHIS TN 38111

PEATROSS SCOTT B & KATHERINE G 374 ROSELAND PL # MEMPHIS TN 38111

MCCLURE MARGARET L 387 ROSELAND PL # MEMPHIS TN 38111

EHRHART RYAN E 394 ROSELAND PL # MEMPHIS TN 38111

RABY RICHARD V & LYNN R M 402 GRANDVIEW ST # MEMPHIS TN 38111

COOK TAYLOR & SHELBY A 404 S GOODLETT ST # MEMPHIS TN 38117

HUNT HAYDEN & DADE 397 ROSELAND PL # MEMPHIS TN 38111

WITTE DEXTER H IV & ANNA E 4073 ROBINWOOD CV # MEMPHIS TN 38111 BLACKNEY ADRIAN C & KATHERINE W 426 GRANDVIEW ST # MEMPHIS TN 38111

PITTS JOHN R & KIMBERLY S 3970 GRANDVIEW AVE # MEMPHIS TN 38111

STALLWORTH FRANK & KIMBERLY A 3996 GRANDVIEW AVE # MEMPHIS TN 38111

JBNC LLC 4070 GRANDVIEW AVE # MEMPHIS TN 38111

CHILDERS ROBERT L & AMY J AMUNDSEN 4100 GOODLETT PL # MEMPHIS TN 38117

SOSSAMAN GREGORY W & MEGAN J 3946 GRANDVIEW AVE # MEMPHIS TN 38111

TAYLOR LORRAINE M 4101 GOODLETT PL # MEMPHIS TN 38117

CITY OF MEMPHIS LIGHT GAS & WA 220 S MAIN ST # MEMPHIS TN 38103

DORMAN JAMES P III AND KRISTY K DORMAN 345 ROSELAND PL # MEMPHIS TN 38111

HUGHES BRETT A & STEPHANIE P 352 GRANDVIEW ST # MEMPHIS TN 38111 SANDERS GEORGE J & KASSUNDRA E 359 ROSELAND PL # MEMPHIS TN 38111

CANEPARI SUZANNE D GRANTOR TRUST 360 ROSELAND PL # MEMPHIS TN 38111

DAVIS JACOB L & MARY H 368 ROSELAND PL # MEMPHIS TN 38111

HUMPHREYS JAMES R 373 ROSELAND PL # MEMPHIS TN 38111

GNUSCHKE JOHN E AND SUSAN H GNUSCHKE 382 GRANDVIEW ST # MEMPHIS TN 38111

BELENCHIA MARY L REVOCABLE TRUST 386 ROSELAND PL # MEMPHIS TN 38111

PLUMPTON BRENDON E & WHITNEY A 394 GRANDVIEW ST # MEMPHIS TN 38111

WARNER CHARLES M & MARNE M 4072 ROBINWOOD CV # MEMPHIS TN 38111

FIRST TENNESSEE BANK TRUSTEE OF ROBIN 4385 POPLAR AVE # MEMPHIS TN 38117

COOK PHILLIP W & RENEE W 393 ROSELAND PL # MEMPHIS TN 38111 HUGH STEPHENS JR AND WIFE MARGARET S 4064 ROBINWOOD CV # MEMPHIS TN 38111

HILL HUNTER G & KAYLEA B 4060 ROBINWOOD CV # MEMPHIS TN 38111

CITY OF MEMPHIS LIGHT GAS & WA 220 S MAIN ST # MEMPHIS TN 38103

JOHNSON CAROLINE H C 412 S GOODLETT ST # MEMPHIS TN 38117

HOLMAN BENJAMIN C & MARY H 419 S GOODLETT ST # MEMPHIS TN 38117

GARNER DAVID 418 S GOODLETT ST # MEMPHIS TN 38117

384 S GOODLETT ST # MEMPHIS TN 38117

4055 POPLAR AVE #

519 S GOODLETT ST #

LEMAY PAUL & AMANDA

507 S GOODLETT ST #

MUHLBAUER MICHAEL S

3981 GRANDVIEW AVE #

MEMPHIS TN 38111

MEMPHIS TN 38117

MEMPHIS TN 38117

MEMPHIS TN 38111

BRAGORGOS NICHOLAS E 3956 GRANDVIEW AVE # MEMPHIS TN 38111

HUGHES WILLIAN JR F AND KATHRINE W 3972 GRANDVIEW AVE # MEMPHIS TN 38111

CARLISLE CHASETON R & ELIZABETH M 4303 GWYNNE RD # MEMPHIS TN 38117

DUDLEY PATRICIA N 4034 GRANDVIEW AVE # MEMPHIS TN 38111

BAIRD VICTORIA S

CROONE CRAIG R & KRISTIN 4110 GOODLETT PL # MEMPHIS TN 38117

4111 GOODLETT PL # MEMPHIS TN 38117

MCCARTHY MICHAEL S & SUZANNE W 450 S GOODLETT ST # MEMPHIS TN 38117

344 ROSEWELL CV #

MURPHY JOHN M & SHERRY D

SECOND PRESBYTERIAN CHURCH

LUEBBERS LESLIE L & FREDRIC W KOEPPEL

MEMPHIS TN 38111

SILVERFIELD RYAN D & ANGELA M ADAMS HUNTER R & CARLY T 523 S GOODLETT ST # MEMPHIS TN 38117

> WELLS WARNER M IV & LIZABETH L 521 S GOODLETT ST # MEMPHIS TN 38117

FLAHERTY DAVID L & JENNA A 513 S GOODLETT ST # MEMPHIS TN 38117

GORDON BETTY H & MELVILLE M AND 523 S GOODLETT ST # MEMPHIS TN 38117

JONES WISE S JR & SHARON R 4065 GRANDVIEW AVE # MEMPHIS TN 38111

WORLEY ANNIE K S 3945 GRANDVIEW AVE # MEMPHIS TN 38111

4050 GRANDVIEW AVE # MEMPHIS TN 38111

WOOD JACEY

WILBOURN JOHN K & JEANNE B 3965 GRANDVIEW AVE # MEMPHIS TN 38111

FIELDS MATTHEW S & CAROL S 4005 GRANDVIEW AVE # MEMPHIS TN 38111

MONTAGUE ROSS M & RACHEL A 4025 GRANDVIEW AVE # MEMPHIS TN 38111

GREGORY JANNIRA L & MARTINEZ II 489 S GOODLETT ST # MEMPHIS TN 38117

EDWARDS GEORGE D & ANDREA W	CITY OF MEMPHIS LG&W DIV
3999 GRANDVIEW AVE #	220 S MAIN ST #
MEMPHIS TN 38111	MEMPHIS TN 38103

WHITMORE L MANNING & BARBARA M DAVIDSON WILLIAM V & SHARON S 4015 GRANDVIEW AVE # MEMPHIS TN 38111

476 S GOODLETT ST # MEMPHIS TN 38117

CITY OF MPHS LIGHT GAS & WATER AUTRY EDWARD T & HANNAH E BELAVINS 220 S MAIN ST # MEMPHIS TN 38103

4089 GRANDVIEW AVE # MEMPHIS TN 38117

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

VEST ROBERT & COURTNEY 488 S GOODLETT ST # MEMPHIS TN 38117

WILBOURN JOHN K & JEANNE B CARR CHRISTOPHER T & AUDSLEY D 3965 GRANDVIEW AVE # MEMPHIS TN 38111

517 S GOODLETT ST # MEMPHIS TN 38117

TAYLOE HOWARD JR & LOUISE R PARKER W MARK 985 REDDOCH CV # MEMPHIS TN 38119

4035 GRANDVIEW AVE # MEMPHIS TN 38111

WELLS WARNER M IV & LIZABETH L WELLS DEMOSS CRAIG R & SONIKA COLASO 505 LINDSEY WOOD CV # 521 S GOODLETT ST # MEMPHIS TN 38117 MEMPHIS TN 38117

FLAHERTY DAVID L & JENNA A 513 S GOODLETT ST # MEMPHIS TN 38117

LEMASTER EDWARD B JR & CAMILLE 4035 GOODLETT CV # MEMPHIS TN 38111

MCGEORGE HARRIET LOVE 4042 GOODLETT CV # MEMPHIS TN 38111

	COL	•	TTY OF MEMP GENDA CHEC	PHIS CK OFF SHEET	
ONE ORIGINAL				Planning & Development	
ONLY STAPLED TO DOCUMENTS	Planning & Zoni		COMMITTEE:	DIVISION 04/22/2025	
		PUBL	IC SESSION:	DATE 05/06/2025 DATE	
ITEM (CHECK ONE)	RESOLUTION	х	REQUEST FOR	R PUBLIC HEARING	
ITEM CAPTION:	Zoning ordinance a on August 10, 201 authorize a zoning approximate 300 fe	mending 0, as amen use distr et west of	Ordinance No. 530 nded, known as th ict reclassification Lamar Avenue. B	367 of Code of Ordinance, City of Memphis, Tennessee, adopte he Memphis and Shelby County Unified Development code, on for land located on the north side of East Shelby Drive By taking the land out of the Commercial Mixed Use – 3 (CMU ment (EMP) Use District, known as case number Z 25-002	ed to
CASE NUMBER:	Z 25-002				
LOCATION:	North side of East	Shelby Dr	ive – approximate	e 300 feet west of Lamar Avenue	
COUNCIL DISTRICTS:	District 3 and Supe	r District 8	8	4	
OWNER/APPLICANT:	Moheeb Nasser				
REPRESENTATIVES:	David Gean Bray,	The Bray I	Firm		
REQUEST:	Rezoning of +/-1.7	02 acres fr	rom Commercial N	Mixed Use – 3 (CMU-3) to Employment (EMP)	
RECOMMENDATION:	The Division of Pla The Land Use Cont			commended Approval pproval	
PRIOR ACTION ON ITEM:	Seco Thin	ond readin	rst reading – <u>April</u> 19 – <u>April 22, 2025</u> – <u>May 6, 2025</u>		
(1)		APPRO	OVAL - (1) APPR	ROVED (2) DENIED	
03/13/2025 (1) Land Use Control Board	DATE				
		(2) GO	. ,	B) COUNCIL COMMITTEE	
FUNDING: (2) \$ \$		REQU AMOL	IRES CITY EXPE JNT OF EXPEND NUE TO BE REC		
SOURCE AND AMOUNT O	F FUNDS	OPFR	ATING BUDGET	Г	
\$ \$		CIP PR	ROJECT # RAL/STATE/OTH		
ADMINISTRATIVE APPRO	VAL:	******	<u>DATE</u>	POSITION	2.20
Nabanita Ni	rea		3/25/25	PLANNER II	
				DEPUTY ADMINISTRATOR	
But Up			3/25/2	ADMINISTRATOR	
• /			/ /	DIRECTOR (JOINT APPROVAL)	
				COMPTROLLER	
÷ .				FINANCE DIRECTOR	
				CITY ATTORNEY	
				CHIEF ADMINISTRATIVE OFFICER COMMITTEE CHAIRMAN	



Memphis City Council Summary Sheet

Z 25-002

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 NORTH SIDE OF EAST SHELBY DRIVE – APPROXIMATE 300 FEET WEST OF LAMAR AVENUE. BY TAKING THE LAND OUT OF THE COMMERCIAL MIXED USE – 3 (CMU-3) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 25-002

- 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, March 13, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	Z 25-002
LOCATION:	North side of East Shelby Drive – approximate 300 feet west of Lamar Avenue
COUNCIL DISTRICT(S):	District 3, Super District 8
OWNER/APPLICANT:	Moheeb Nasser
REPRESENTATIVE:	David Gean Bray, The Bray Firm
REQUEST:	Rezoning of +/-1.702 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP)

The following spoke in support of the application: None

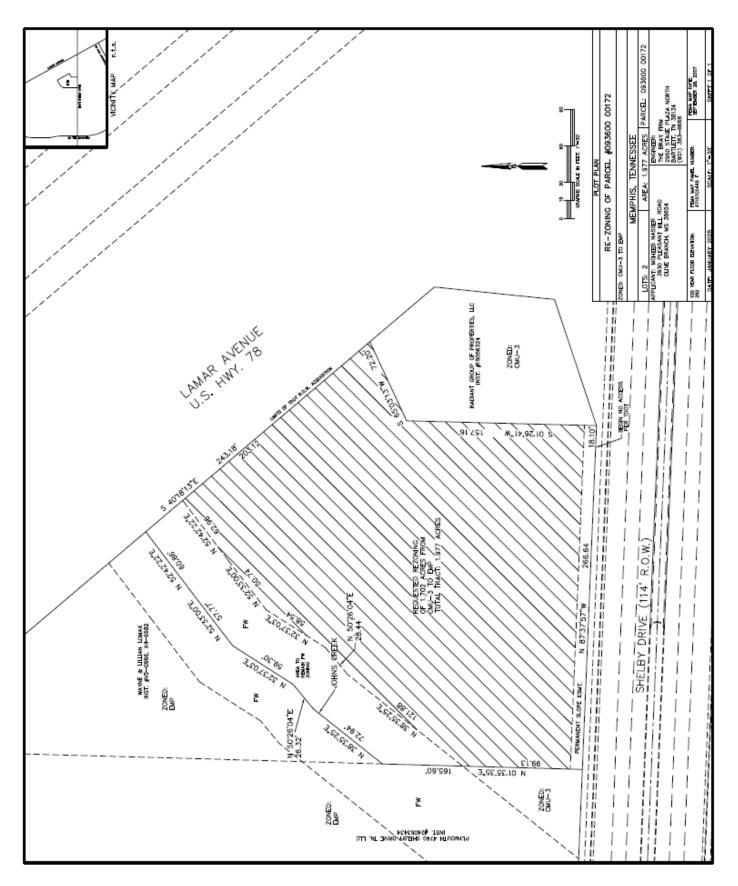
The following spoke in opposition of the application: None

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, Nabanita Nira Planner II Land Use and Development Services Division of Planning and Development

Cc: Committee Members File



ORDINANCE NO:

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 4890 EAST SHELBY DRIVE BY TAKING THE LAND OUT OF THE COMMERCIAL MIXED USE – 3 (CMU-3) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2025-002.

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 2025-002; 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 COMMERCIAL MIXED USE – 3 (CMU-3) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT.

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

Commencing and beginning at a concrete right of way marker to be set per said TDOT project plans at Station 24+50.07 68 Left (set 60p) in the North Right of Way line of Shelby Drive (NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) and, said point having a Tennessee Department of Transportation coordinate of North 273,476.28, East 800,917.73 and being the true point of beginning; thence N87°37'57"W along said North Right of Way line of said Shelby Drive as established by Instrument 20056387 a distance of 18.10' to a point at station 24+31.97 68 Left (End of No Access); thence

continuing N87°37'57"W along said Shelby Drive ROW a distance of 266.64' to a ½ rebar (FOUND) at station 21+65.33 68 Left; thence N01°35'35"E departing said Shelby Drive along the East line of the Plymouth 4740 Shelby Drive TN, LLC property as recorded by Instrument 24063434 a distance of 99.13' to a point at the limits of the floodway along Johns Creek; thence Northeastwardly along said floodway of Johns Creek the following courses: N38°35'25"E a distance of 121.88', N50°26'014"E a distance of 28.44', N32°37'03"E a distance of 58.54', N52°33'00"E a distance of 50.74' to a point; thence N52°42'22 E a distance of 62.96' to a point in the South Right of Way line of Lamar Avenue (State Route 4, NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) as determined by Instrument 20039691; thence S40°18'13"E along said Lamar Ave. Right of Way line a distance of 203.12' to a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 2442.17 Left, said point being in the North line of the Radiant Group of Properties, LLC tract as recorded by Instrument 21108855; thence S65°03'13"W along said Radiant Group of Properties tract a distance of 72.20' to a ¹/₂" rebar (FOUND) at station 24+47.53 225.14 Left; thence S01°26'41"W along said Radiant Group of Properties tract a distance of 72.16' to the point of beginning, having an area of 74156 square feet, 1.702 acres.

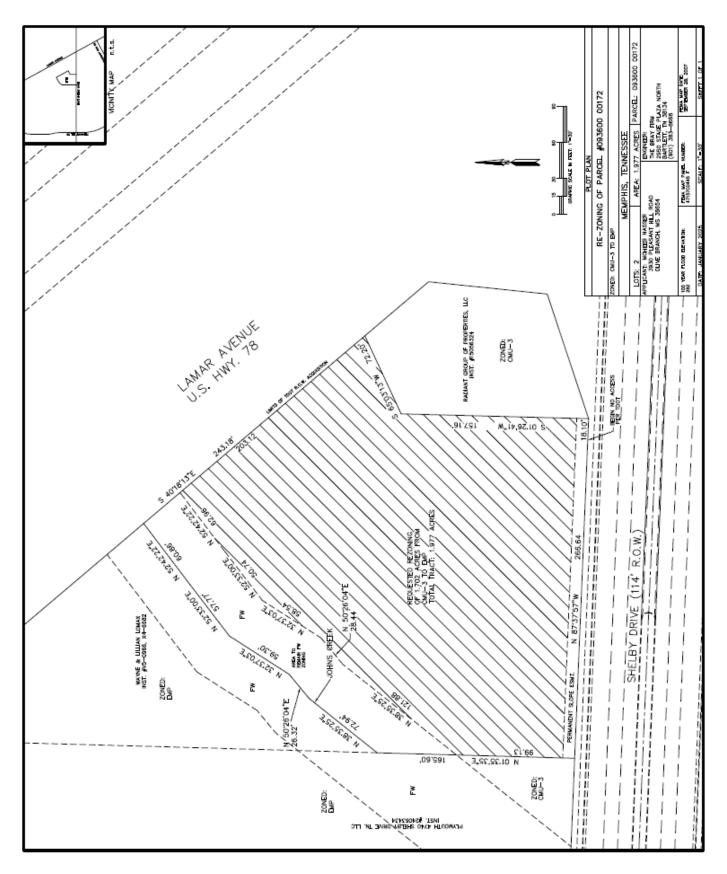
SECTION 2:

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.

PLOT PLAN



ATTEST:

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

	TAFF	REP	ORT
AGENDA ITEM:	17	L.U.C.B. MEETING:	March 13, 2025
CASE NUMBER:	Z 2025-002		
LOCATION:	4890 East Shelby Drive		
COUNCIL DISTRICT:	District 3 and Super District 8		
APPLICANT:	Moheeb Nasser		
REPRESENTATIVE:	David Gean Bray, The Bray Firm		
REQUEST:	Rezoning of +/-1.702 acres from	n Commercial Mixed Use -	- 3 (CMU-3) District to

Employment (EMP) District

CONCLUSIONS

- 1. The subject parcel is zoned Commercial Mixed Use 3 (CMU-3) and Floodway (FW). The applicant is requesting a rezoning of +/-1.702 acres from Commercial Mixed Used 3 (CMU-3) to Employment (EMP) which is south of the Johns Creek Floodway along East Shelby Drive.
- 2. The zoning of the subject property currently matches the zoning of the properties directly adjacent to its east and northeast boundary lines. If approved, the EMP would be consistent with the properties to the west and south of subject property facing East Shelby Drive.
- 3. The surrounding land uses are primarily warehouse/distribution related including truck and trailer parking to the west and south. Lamar Avenue itself and its intersection with Shelby Drive are currently undergoing substantial improvements to address the fact that both roadways have become warehouse/distribution corridors with substantial truck traffic. Further, Lamar Avenue provides a direct link between Interstate 240 and Interstate 22 making it a roadway of regional significance.
- 4. The applicant has indicated the purpose of the rezoning of +/-1.702 acres from CMU-3 to EMP is to develop a truck stop. The proposed use is compatible with the Memphis 3.0 future land use.

CONSISTENCY WITH MEMPHIS 3.0

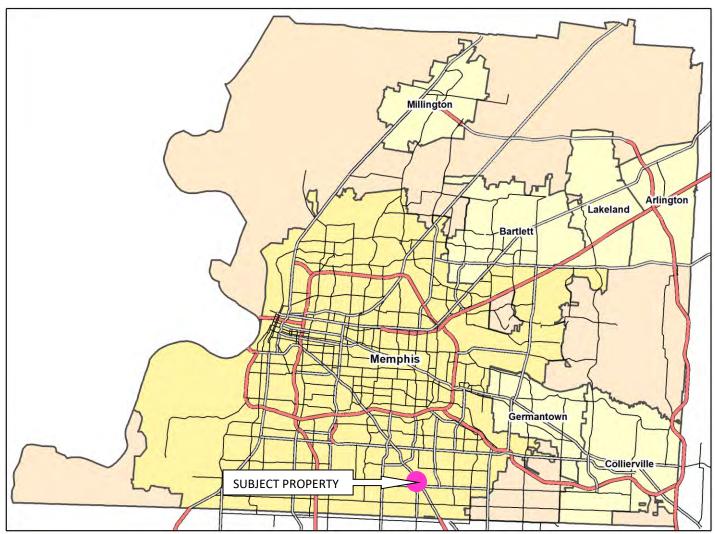
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 18-20 of this report.

RECOMMENDATION:

Approval

Staff Report Z 2025-002

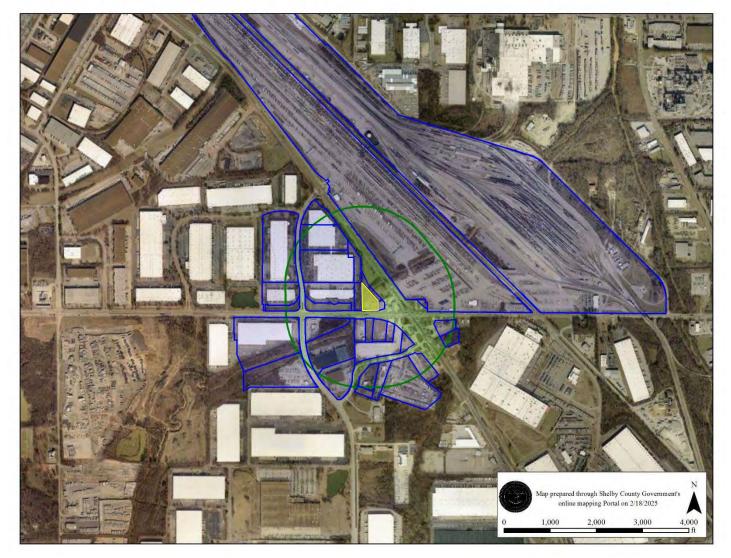
LOCATION MAP



Subject property located within the pink circle

Staff Report Z 2025-002

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 26 notices were mailed on February 18, 2025, see page 21 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 22-23 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Friday, February 28, 2025, at East Shelby Library, 7200 E. Shelby.

Staff Report Z 2025-002



Subject property outlined in yellow, imagery from 2023. The portion of the property zoned FW is excluded from request

ZONING MAP



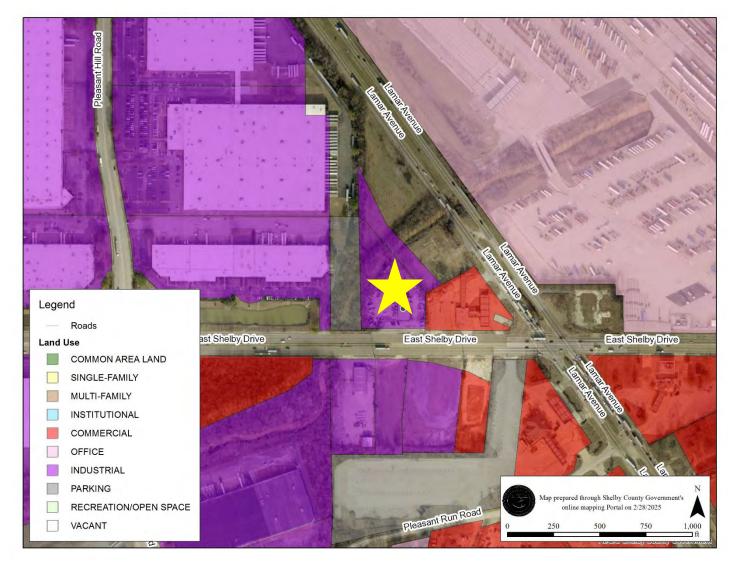
Subject property highlighted in yellow. The portion of the property zoned FW is excluded from the request.

FEMA MAP



Subject property outlined in yellow. The portion of the property zoned FW is excluded from the request.

LAND USE MAP



Subject property indicated by a yellow star



View of subject property from East Shelby Drive looking northwest

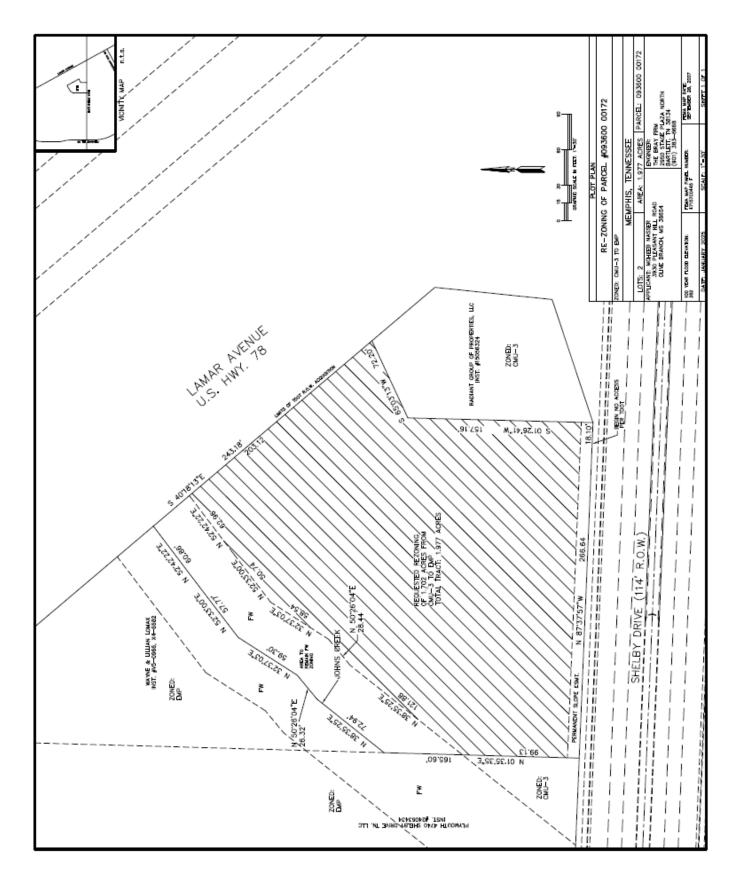


View of subject property from East Shelby Drive looking northeast

Staff Report 2025-002 March 13, 2025 Page 9

View of subject property from East Shelby Drive looking north

PLOT PLAN (THE PORTION OF THE PROPERT ZONED FW IS EXCLUDED FROM THE REQUEST)



LEGAL DESCRIPTION

Property line description of Parcel 093600 - 00172 as recorded by Instrument Number 21131498 in the Shelby County Registers' Office and being more particularly described as follows:

Commencing and beginning at a concrete right of way marker to be set per said TDOT project plans at Station 24+50.07 68 Left (set 60p) in the North Right of Way line of Shelby Drive (NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) and, said point having a Tennessee Department of Transportation coordinate of North 273,476.28, East 800,917.73 and being the true point of beginning; thence N87°37'57"W along said North Right of Way line of said Shelby Drive as established by Instrument 20056387 a distance of 18.10' to a point at station 24+31.97 68 Left (End of No Access); thence continuing N87º37'57"W along said Shelby Drive ROW a distance of 266.64' to a 1/2 rebar (FOUND) at station 21+65.33 68 Left; thence N01°35'35"E departing said Shelby Drive along the East line of the Plymouth 4740 Shelby Drive TN, LLC property as recorded by Instrument 24063434 a distance of 99.13' to a point at the limits of the floodway along Johns Creek; thence Northeastwardly along said floodway of Johns Creek the following courses: N38°35'25"E a distance of 121.88', N50°26'014"E a distance of 28.44', N32°37'03"E a distance of 58.54', N52°33'00"E a distance of 50.74' to a point; thence N52º42'22 E a distance of 62.96' to a point in the South Right of Way line of Lamar Avenue (State Route 4, NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) as determined by Instrument 20039691; thence S40°18'13"E along said Lamar Ave. Right of Way line a distance of 203.12' to a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 2442.17 Left, said point being in the North line of the Radiant Group of Properties, LLC tract as recorded by Instrument 21108855; thence S65°03'13"W along said Radiant Group of Properties tract a distance of 72.20' to a 1/2" rebar (FOUND) at station 24+47.53 225.14 Left; thence S01°26'41"W along said Radiant Group of Properties tract a distance of 157.16' to the point of beginning, having an area of 74156 square feet, 1.702 acres.

CASE REVIEW

The request is a Rezoning of +/- 1.702 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP).

Review Criteria

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

9.5.7B Review Criteria

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

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

Site Details

Address: 4890 E Shelby Dr.

Parcel ID: 093600 00172

Total Area: +/-1.9711 acres (area to be rezoned is 1.702 acres)

Description:

The subject property is located on the north side of East Shelby Drive – approximate 300 feet west of Lamar Avenue. It is zoned Commercial Mixed Use – 3 (CMU-3) and Floodway (FW). Per the Assessor's website, the principal structure on the site was built in 1985 and currently is a one-story structure containing 5,000 square feet. The surrounding land uses are a mixture of commercial, industrial, and vacant lots.

<u>Analysis</u>

The applicant is requesting to rezone the CMU-3 zoned portion of the parcel which is south of the Johns Creek floodway. The zoning of the subject property currently matches the zoning of the properties directly adjacent to its east and northeast boundary lines. If approved, the EMP would be consistent with the properties to the west and south of the subject property facing East Shelby Drive.

The surrounding land uses are primarily warehouse/distribution related including truck and trailer parking to the west and south. Lamar Avenue itself and its intersection with Shelby Drive are currently undergoing substantial improvements to address the fact that both roadways have become warehouse/distribution corridors with substantial truck traffic. Further, Lamar Avenue provides a direct link between Interstate 240 and Interstate 22 making it a roadway of regional significance.

The applicant has indicated the purpose of the rezoning of +/-1.702 acres from CMU-3 to EMP is to develop a truck stop. The proposed use is compatible with the Memphis 3.0 future land use.

RECOMMENDATION

Staff recommends approval.

Editor's Note: Please note that the outline of the subject property as illustrated on pages 17-19 and page 21 illustrate the subject property being larger than it actually is. The accurate property boundary can be found on the Plot Plan on page 10 of this report.

DEPARTMENTAL COMMENTS

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

City Engineer:	Comments received, see page 15 of this report.
City Fire Division:	No comments received.
City Real Estate:	No comments received.
County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Office of Sustainability and Resilience:	Comments received, see page 16-17 of this report.
Office of Comprehensive Planning:	Comments received, see page 18-20 of this report.

CITY ENGINEER COMMENTS

CITY ENGINEERING COMMENTS TRC: 27 Feb 25 & LUCB:13 Mar 25 DATE:25 Feb 2025 CASE 13: Z-25-002

NAME: 4890 Shelby; Request to rezone 1.977 acres from CMU-3 to EMP Basin/Lot/CD: JOHN'S CREEK; 10-B/1.9711AC/3

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

Sewers:

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

<u>Drainage:</u>

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

OFFICE OF SUSTAINABILITY AND RESILIENCE COMMENTS

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

Lows 600051 Sustainability and Resilience Intern Office of Sustainability and Resilience 125 NL Main St., Memphis, TN 88105 Thus Acutosiamemphistr. dov

MEMORANDUM

To: Nabanita Nira, Planner II

From: Truus Abuosi, Sustainability and Resilience Intern

Date: February 25, 2025

Subject: OSR Comments on Z 2025-002: OAKHAVEN/PARKWAY VILLAGE

General Comments & Analysis:

Located in Zones 1 and 4 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.

Zone 4 areas are high risk locations, namely riparian corridors, floodplains, and especially high vulnerability to earthquakes. Development in these locations is often directly at risk for flooding. Although these risks could be mitigated through the construction of major flood control infrastructure and higher seismic construction standards, it is generally advisable to avoid these areas for future development whenever possible. Efforts should be made to protect and further prevent development within Zone 4 for the purposes of mitigating the risk exposure to health and safety.

The applicant is seeking a rezoning of 1.977 acres from CMU-3 to EMP. A portion of the property falls within Zone 4 as outlined in Section 4.1 of the Mid-South Regional Resilience Master Plan. Additionally, the property is located within several environmentally sensitive areas, including the earthquake vulnerability zone, the 500-year floodplains, the floodway, and a wetland area. The requested rezone area is also bounded by Johns Creek.

	mework Analysis: Z 2025-002
	Service Contraction
	PALE
	A DESCRIPTION OF THE OWNER AND
1 Sec	
Legend	
Legend Resilience Zones Zone 1: Little to no resilience ris	
Resilience Zones Zone 1: Little to no resilience ris	
Resilience Zones	calized flooding issues
Resilience Zones Zone 1: Little to no resilience ris Zone 2: Look for and mitigate lo Zone 3: Ecologically and/or hydr	calized flooding issues
Resilience Zones Zone 1: Little to no resilience ris Zone 2: Look for and mitigate lo Zone 3: Ecologically and/or hydr areas	calized flooding issues

Consistent with the Mid-South Regional Resilience Master Plan best practices: No

The rezoning request from CMU-3 to EMP raises concerns due to the property being in Zone 4 (highrisk areas such as floodplains). The site's location in a floodway, wetlands, and a 500-year floodplain further exacerbates the environmental risks associated with development. While the adjacent property to the west is zoned EMP and development is encouraged in Zone 1, the environmental sensitivities of the subject property, particularly its proximity to flood-prone areas, pose significant challenges to ensuring safe, sustainable development.

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

Recommendation: Staff recommends denial of this rezoning request.

OFFICE OF COMPREHENSIVE PLANNING COMMENTS

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: <u>Z 2025-002 OAKHAVEN</u>

Site Address/Location: 4890 E Shelby Dr. Overlay District/Historic District/Flood Zone: It is in flood zone but not in overlay district or historic district. Future Land Use Designation: High Intensity Commercial & Services (CSH) Street Type: N/A

The applicant is seeking a rezoning of approx. 1.97 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP) to develop a truck stop.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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

"CSH" Form & Location Characteristics

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

"CSH" Zoning Notes

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

Existing, Adjacent Land Use and Zoning

QUALITY

Existing Land Use and Zoning: Commercial, CMU-3

Adjacent Land Use and Zoning: Commercial, Industrial, Office, Vacant; CMU-3, EMP, CA, FW.

Overall Compatibility: Considering the proposed use is a rezoning from CMU-3 to EMP, which allows for a new truck stop in this zone, the proposed use is compatible with the land use description/intent, form & location characteristics, and zoning notes.

Degree of Change Map

SOUTHPOINT

Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change.



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

Consistency Analysis Summary

The applicant is seeking a rezoning of approx. 1.97 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP) to develop a truck stop.

Considering the proposed use is a rezoning from CMU-3 to EMP, which allows for a new truck stop in this zone, the proposed use is compatible with the land use description/intent, form & location characteristics, and zoning notes.

Based on the information provided, the proposal is <u>CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Negin Hamidi, Comprehensive Planning.

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 Thursday, March 6, 2025 at 8 AM.	
CASE NUMBER: Z 2025-002 ADDRESS: 4890 E Shelby Dr REQUEST: Rezoning of approx. 1.97 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP) APPLICANT: Moheeb Nasser	E Shelty tr
Meeting Details Location: Council Chambers Time: 9:00 AM City Hall 1st Floor 125 N Main St. Date: Thursday, March 13, 2025	
Staff Planner Contact: Nabanita Nira ☑ nabanita.nira@memphistn.gov ✔ (901) 636-7406	To learn more about this proposal, contact the staff planner or use the QR code to view the full application.

SIGN AFFIDAVIT

Shelby County State of Tennessee

being duly sworn, depose and say that at 10 AM am/pm I. Brian Hatley , 20²⁵, I posted 1 Public Notice Sign(s) on the 20th day of February pertaining to Case No. Z 2025-002 at 4890 Shelby

providing notice of a Public Hearing before the (check one):

Land Use Control Board х

Board of Adjustment

- Х 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

Subscribed and sworn to before me this 27th day of February

Notary Public

My commission expires: 00





APPLICATION



Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis, Tennessee 38134 Downtown Service Center: 125 N. Main Street; Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: January 31, 2025

Record Number: Z 2025-002

170

Expiration Date:

Owner Phone

Record Name: 4890 Shelby - Rezoning of Parcel 093600 00172

Description of work: Request to rezone 1.977 acres from CMU-3 to EMP.

Parent Record Number:

Address:

4890 E SHELBY DR, MEMPHIS 38118

Owner Information

Primary Owner Name

Y ROBINSON WILLIAM C JR AND CYNTHIA R COLE

Owner Address

4890 E SHELBY DR, MEMPHIS, TN 38118

Parcel Information

093600 00172

Data Fields

PREAPPLICATION MEETING	
Name of DPD Planner	Chip Saliba
Date of Meeting	12/03/2024
Pre-application Meeting Type GENERAL INFORMATION	Phone
Have you held a neighborhood meeting?	No
Is this application in response to a citation from	No
Construction Code Enforcement or Zoning Letter?	
If yes, please provide additional information GIS INFORMATION	n/a

Page 1 of 2

Z 2025-002

GIS INFORMATION

Case Layer	BOA1947-091-CO
Central Business Improvement District	No
Class	L. C.
Downtown Fire District	No
Historic District	-
Land Use	INDUSTRIAL
Municipality	MEMPHIS
Overlay/Special Purpose District	
Zoning	CMU-3
State Route	1
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No
County Commission District	-
City Council District	-
City Council Super District	
ontact Information	

Name MOHEEB NASSER

Address

Phone

Name THE BRAY FIRM Address 2950 STAGE PLAZA NORTH,					
ation					
Fee Item	Quantity	Fees	Status	Balance	Date Assessed
Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	01/31/2025
Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	01/31/2025
	ation Fee Item Non-Residential Rezoning - 5 acres or less Credit Card Use Fee (.026	ation Fee Item Quantity Non-Residential Rezoning 1 - 5 acres or less Credit Card Use Fee (.026 1	AZA NORTH, ation Fee Item Quantity Fees Non-Residential Rezoning 1 1,000.00 - 5 acres or less Credit Card Use Fee (.026 1 26.00	ation Fee Item Quantity Fees Status Non-Residential Rezoning 1 1,000.00 INVOICED - 5 acres or less Credit Card Use Fee (.026 1 26.00 INVOICED	ARCHITE SURVEY PLAZA NORTH, ation Fee Item Quantity Fees Status Balance Non-Residential Rezoning 1 1,000.00 INVOICED 0.00 - 5 acres or less Credit Card Use Fee (.026 1 26.00 INVOICED 0.00

Total Fee Invoiced: \$1,026.00

Total Balance: \$0.00

Contact Type APPLICANT

Payment Information

Payment Amount \$1,026.00

Method of Payment Credit Card

Page 2 of 2

Z 2025-002

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, full. Development Code Section 12.3.1.

Moheeb Nasson (Print Name)

(Sign Name)

state that I have read the definition of

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

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

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

of the property located at

and further identified by Assessor's Parcel Number

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

in the year of 2025 Subscribed and sworn to (or affirmed) before me this OF MISSIS ETHR STA uphot NOTARY PUBLIC Signature of Notary Public My Commission Expires July 10, 2025 ara cau

LETTER OF INTENT

THE BRAY FIRM

Telephone 901-383-8668

2950 Stage Plaza North Bartlett, Tennessee 38134

January 30, 2025

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

RE: 4890 Shelby, Parcel 093600-00172 Requested Re-Zoning from CMU-3 to EMP Memphis, Shelby County, Tennessee

Mr. Ragsdale:

Please find attached an application to rezone 1.977 acres from CMU-3 to EMP. This property is bounded by Lamar Avenue, Shelby Drive and John's Creek. Adjacent properties to the west are currently zoned EMP.

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

Sincerely,

David Gean Bray, P.E.

LETTERS RECEIVED

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



Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis, Tennessee 38134 Downtown Service Center: 125 N. Main Street; Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending Opened Date: January 31, 2025

Record Number: Z 2025-002

Expiration Date:

Owner Phone

Record Name: 4890 Shelby - Rezoning of Parcel 093600 00172 Description of Work: Request to rezone 1.977 acres from CMU-3 to EMP.

Parent Record Number:

Address:

4890 E SHELBY DR, MEMPHIS 38118

Owner Information

Primary Owner Name

Y ROBINSON WILLIAM C JR AND CYNTHIA R COLE

Owner Address

4890 E SHELBY DR, MEMPHIS, TN 38118

Parcel Information

093600 00172

Data Fields PREAPPLICATION MEETING Name of DPD Planner Chip Saliba 12/03/2024 Date of Meeting Pre-application Meeting Type Phone **GENERAL INFORMATION** No Have you held a neighborhood meeting? Is this application in response to a citation from No Construction Code Enforcement or Zoning Letter? If yes, please provide additional information n/a **GIS INFORMATION**

GIS INFORMATION	
Case Layer	BOA1947-091-CO
Central Business Improvement District	No
Class	I
Downtown Fire District	No
Historic District	-
Land Use	INDUSTRIAL
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	CMU-3
State Route	1
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No
County Commission District	-
City Council District	-
City Council Super District	-

Contact Information

Name MOHEEB NASSER

. . .

Address

Phone

Name THE BRAY FIRM Address 2950 STAGE PLAZA NORTH,					<u>Contact Type</u> ARCHITECT / ENGINEER /	
					SURVEY	SURVEYOR
Phone (901)487-242	25					
Fee Inforr	nation					
nvoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1621622	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	01/31/2025
1621622	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	01/31/2025
	,					

Payment Information

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

Contact Type

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY 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.

1, Moheeb Nassor (Print Name)

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

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

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

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

of the property located at

and further identified by Assessor's Parcel Number

for which an application is being made to the Division of Planning and Development. anual in the year of 2025. Subscribed and sworn to (or affirmed) before me this OF MISS ID No 120900 NOTARY PUBLIC Signature of Notary Public **Comm Expires** Commission Expires My July 18, 2025 SOTO COU



Telephone 901-383-8668

2950 Stage Plaza North Bartlett, Tennessee 38134

January 30, 2025

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

RE: 4890 Shelby, Parcel 093600-00172 Requested Re-Zoning from CMU-3 to EMP Memphis, Shelby County, Tennessee

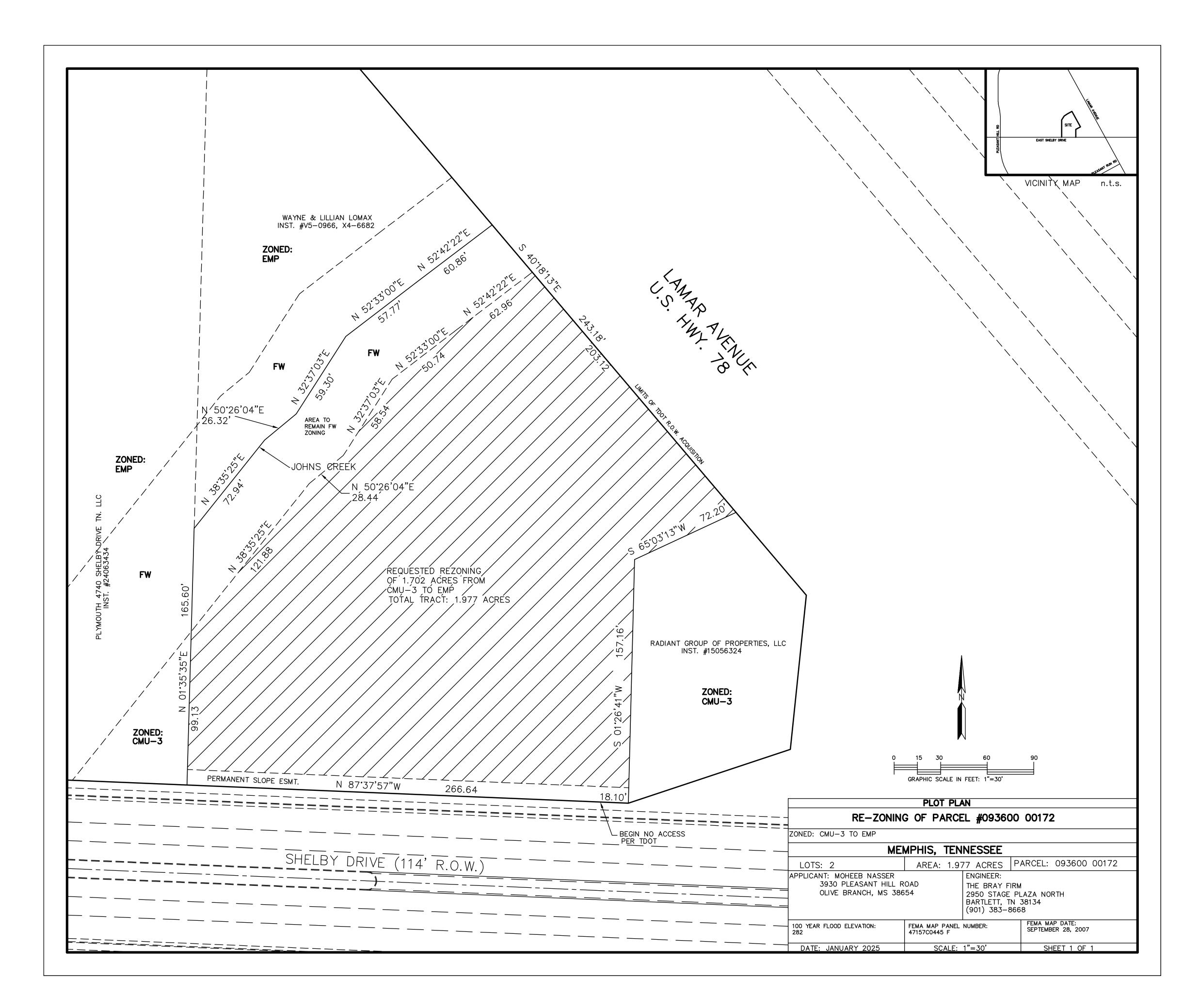
Mr. Ragsdale:

Please find attached an application to rezone 1.977 acres from CMU-3 to EMP. This property is bounded by Lamar Avenue, Shelby Drive and John's Creek. Adjacent properties to the west are currently zoned EMP.

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

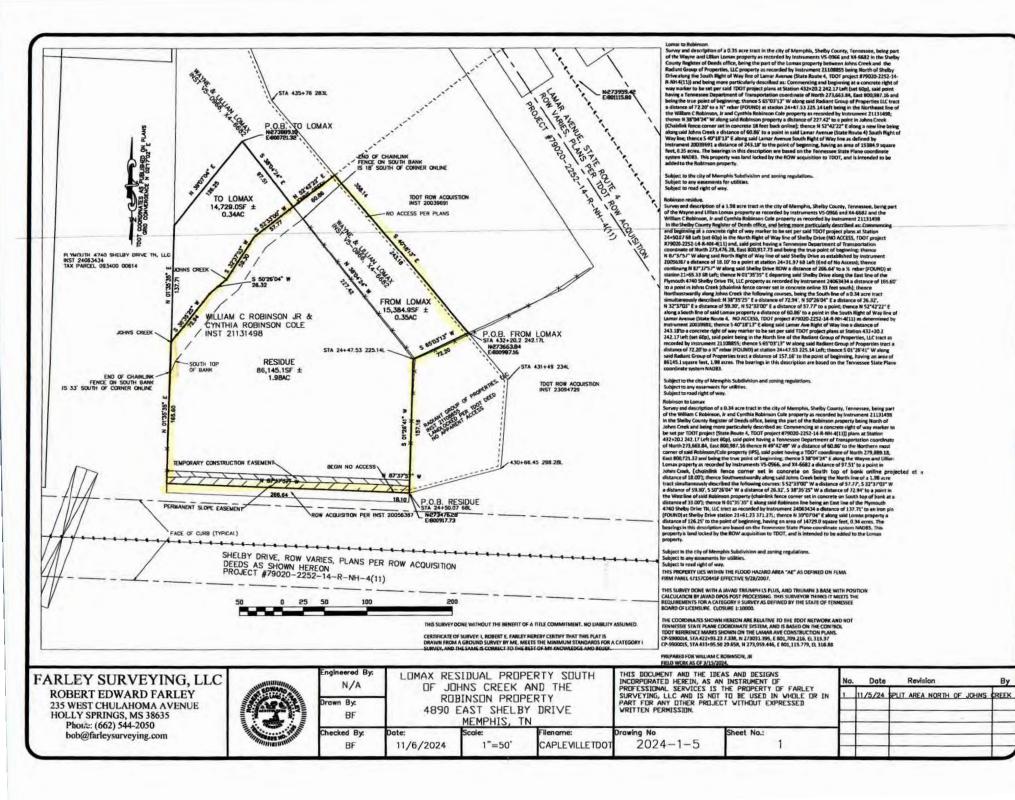
Sincerely,

David Gean Bray, P.E.



Property line description of Parcel 093600 - 00172 as recorded by Instrument Number 21131498 in the Shelby County Registers' Office and being more particularly described as follows:

Commencing and beginning at a concrete right of way marker to be set per said TDOT project plans at Station 24+50.07 68 Left (set 60p) in the North Right of Way line of Shelby Drive (NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) and, said point having a Tennessee Department of Transportation coordinate of North 273,476.28, East 800,917.73 and being the true point of beginning; thence N87°37'57"W along said North Right of Way line of said Shelby Drive as established by Instrument 20056387 a distance of 18.10' to a point at station 24+31.97 68 Left (End of No Access); thence continuing N87º37'57"W along said Shelby Drive ROW a distance of 266.64' to a 1/2 rebar (FOUND) at station 21+65.33 68 Left; thence N01°35'35"E departing said Shelby Drive along the East line of the Plymouth 4740 Shelby Drive TN, LLC property as recorded by Instrument 24063434 a distance of 99.13' to a point at the limits of the floodway along Johns Creek; thence Northeastwardly along said floodway of Johns Creek the following courses: N38°35'25"E a distance of 121.88', N50°26'014"E a distance of 28.44', N32º37'03"E a distance of 58.54', N52º33'00"E a distance of 50.74' to a point; thence N52°42'22 E a distance of 62.96' to a point in the South Right of Way line of Lamar Avenue (State Route 4, NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) as determined by Instrument 20039691; thence S40º18'13"E along said Lamar Ave. Right of Way line a distance of 203.12' to a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 2442.17 Left, said point being in the North line of the Radiant Group of Properties, LLC tract as recorded by Instrument 21108855; thence S65°03'13"W along said Radiant Group of Properties tract a distance of 72.20' to a ¹/2" rebar (FOUND) at station 24+47.53 225.14 Left; thence S01°26'41"W along said Radiant Group of Properties tract a distance of 157.16' to the point of beginning, having an area of 74156 square feet, 1.702 acres.



Robinson residue.

Survey and description of a 1.98 acre tract in the city of Memphis, Shelby County, Tennessee, being part of the Wayne and Lillian Lomax property as recorded by Instruments V5-0966 and X4-6682 and the William C Robinson, Jr and Cynthia Robinson Cole property as recorded by Instrument 21131498 in the Shelby County Register of Deeds office, and being more particularly described as: Commencing and beginning at a concrete right of way marker to be set per said TDOT project plans at Station 24+50.07 68 Left (set 60p) in the North Right of Way line of Shelby Drive (NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) and, said point having a Tennessee Department of Transportation coordinate of North 273,476.28, East 800,917.73 and being the true point of beginning; thence N 87°37'57" W along said North Right of Way line of said Shelby Drive as established by Instrument 20056387 a distance of 18.10' to a point at station 24+31.97 68 Left (End of No Access); thence continuing N 87°37'57" W along said Shelby Drive ROW a distance of 266.64' to a ½ rebar (FOUND) at station 21+65.33 68 Left; thence N 01°35'35" E departing said Shelby Drive along the East line of the Plymouth 4740 Shelby Drive TN, LLC property as recorded by Instrument 24063434 a distance of 165.60' to a point in Johns Creek (chainlink fence corner set in concrete online 33 feet south); thence Northeastwardly along Johns Creek the following courses, being the South line of a 0.34 acre tract simultaneously described: N 38°35'25" E a distance of 72.94', N 50°26'04" E a distance of 26.32', N 32°37'03" E a distance of 59.30', N 52°33'00" E a distance of 57.77' to a point, thence N 52°42'22" E along a South line of said Lomax property a distance of 60.86' to a point in the South Right of Way line of Lamar Avenue (State Route 4, NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) as determined by Instrument 20039691; thence S 40°18'13" E along said Lamar Ave Right of Way line a distance of 243.18'to a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 242.17 Left (set 60p), said point being in the North line of the Radiant Group of Properties, LLC tract as recorded by Instrument 21108855; thence S 65°03'13" W along said Radiant Group of Properties tract a distance of 72.20'to a ½" rebar (FOUND) at station 24+47.53 225.14 Left; thence S 01°26'41" W along said Radiant Group of Properties tract a distance of 157.16' to the point of beginning, having an area of 86145.1 square feet, 1.98 acres. The bearings in this description are based on the Tennessee State Plane coordinate system NAD83.

Subject to the city of Memphis Subdivision and zoning regulations. Subject to any easements for utilities. Subject to road right of way.

Lomax to Robinson.

Survey and description of a 0.35 acre tract in the city of Memphis, Shelby County, Tennessee, being part of the Wayne and Lillian Lomax property as recorded by Instruments V5-0966 and X4-6682 in the Shelby County Register of Deeds office, being the part of the Lomax property between Johns Creek and the Radiant Group of Properties, LLC property as recorded by Instrument 21108855 being North of Shelby Drive along the South Right of Way line of Lamar Avenue (State Route 4, TDOT project #79020-2252-14-R-NH-4(11)) and being more particularly described as: Commencing and beginning at a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 242.17 Left (set 60p), said point having a Tennessee Department of Transportation coordinate of North 273,663 84, East 800,987.16 and being the true point of beginning; thence S 65°03'13" W along said Radiant Group of Properties LLC tract a distance of 72.20' to a ½" rebar (FOUND) at station 24+47.53 225.14 Left being in the Northeast line of the William C Robinson, Jr and Cynthia Robinson Cole property as recorded by Instrument 21131498; thence N 38°04'24" W along said Robinson property a distance of 227.42' to a point in Johns Creek (Chainlink fence corner set in concrete 18 feet back online); thence N 52°42'22" E along a new line being along said Johns Creek a distance of 60.86' to a point in said Lamar Avenue (State Route 4) South Right of Way line; thence S 40°18'13" E along said Lamar Avenue South Right of Way line as defined by Instrument 20039691 a distance of 243.18' to the point of beginning, having an area of 15384.9 square feet, 0.35 acres. The bearings in this description are based on the Tennessee State Plane coordinate system NAD83. This property was land locked by the ROW acquisition to TDOT, and is intended to be added to the Robinson property.

Subject to the city of Memphis Subdivision and zoning regulations. Subject to any easements for utilities. Subject to road right of way.

Robinson to Lomax

Survey and description of a 0.34 acre tract in the city of Memphis, Shelby County, Tennessee, being part of the William C Robinson, Jr and Cynthia Robinson Cole property as recorded by Instrument 21131498 in the Shelby County Register of Deeds office, being the part of the Robinson property being North of Johns Creek and being more particularly described as: Commencing at a concrete right of way marker to be set per TDOT project (State Route 4, TDOT project #79020-2252-14-R-NH-4(11)) plans at Station 432+20.2 242.17 Left (set 60p), said point having a Tennessee Department of Transportation coordinate of North 273,663.84, East 800,987.16 thence N 49°42'49" W a distance of 60.86' to the Northern most corner of said Robinson/Cole property (IPS), said point having a TDOT coordinate of North 279,889.18, East 800,721.32 and being the true point of beginning; thence S 38°04'24" E along the Wayne and Lillian Lomax property as recorded by Instruments V5-0966, and X4-6682 a distance of 97.51' to a point in Johns Creek, (chainlink fence corner set in concrete on South top of bank online projected at a distance of 18.00'); thence Southwestwardly along said Johns Creek being the North line of a 1.98 acre tract simultaneously described the following courses: S 52°33'00" W a distance of 57.77', S 32°37'03" W a distance of 59.30', S 50°26'04" W a distance of 26.32', S 38°35'25" W a distance of 72.94' to a point in the West line of said Robinson property (chainlink fence corner set in concrete on South top of bank at a distance of 33.00'); thence N 01°35'35" E along said Robinson line being an East line of the Plymouth 4740 Shelby Drive TN, LLC tract as recorded by Instrument 24063434 a distance of 137.71' to an iron pin (FOUND) at Shelby Drive station 21+61.23 371.27L; thence N 39°07'04" E along said Lomax property a distance of 126.25' to the point of beginning, having an area of 14729.0 square feet, 0.34 acres. The bearings in this description are based on the Tennessee State Plane coordinate system NAD83. This property is land locked by the ROW acquisition to TDOT, and is intended to be added to the Lomax property.

Subject to the city of Memphis Subdivision and zoning regulations. Subject to any easements for utilities. Subject to road right of way.



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.

	TOLET	10.20.30 11	<u> </u>
4 PGS			
ALONZO	2323139-2113	1498	
VALUE			0.00
MORTGAGE	TAX		0.00
TRANSFER	TAX		0.00
RECORDING	G FEE		20.00
DP FEE			2.00
REGISTER	'S FEE		0.00
EFILE FER	C		2.00
TOTAL AMO	DUNT		24.00

21131498 10/19/2021 - 10:20:30 AM

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

1075 Mullins Station, Suite W165 ~ Memphis, Tennessee 38134 (901) 222-8100 Website: www.register.shelby.tn.us Email: register@shelbycountytn.gov Prepared by and Return to: Hugh H. Armistead, Attorney Armistead Law, PLLC 8925 Goodman Road Olive Branch, MS 38654 662-895-4844

<u>New Property Owner/Send Tax Bills:</u> William Clifford Robinson, Jr. and Cynthia Robinson Cole 4890 East Shelby Drive, Memphis, TN 38118 901-366-4995

<u>Property Address and Tax Parcel Number:</u> 4890 East Shelby Drive, Memphis, TN 38118 093-6000-0-00172-0

QUITCLAIM DEED

THIS INSTRUMENT, made and entered into this the <u>14</u>th day of October, 2021, by and between WILLIAM C. ROBINSON and wife, PEGGIE M. ROBINSON, of the first part,

and

WILLIAM CLIFFORD ROBINSON, JR. and CYNTHIA ROBINSON COLE,

as Tenants in Common, of the second part,

WITNESSETH: That for and in consideration of ONE and 00/100 DOLLAR (\$1.00), the

said party of the first part does hereby bargain, sell, remise, release, quit claim and convey unto the said party of the second part all of its right, title and interest in and to the following described real estate, situated and being in the City of Memphis, County of Shelby, State of Tennessee, to-wit:

Parts of the property conveyed to L. H. Poppenheimer, Trustee, by Warranty Deed of record in Book 3331, Page 171, Shelby County Register's Office, being more particularly described as follows:

BEGINNING at a point in the present North line of Whitehaven-Capleville Road (Shelby Drive; 57 feet northwardly from the center line, as measured perpendicular thereto); said Point of Beginning being in the West line of the property of James O. Strickland, as described in Warranty Deed of record as Instrument J2 8293, Shelby County Register's Office; thence South 84 degrees, 47 minutes West along the present North line of Whitehaven-Capleville

I

Road 284.40 feet to a point in the East line of the property of James F. Kyle, described in Warranty Deed of record in Book 4530, Page 239, Shelby County Register's Office; thence North 6 degrees, 10 minutes West along the line dividing said property of James F. Kyle and the aforesaid property of L. H. Poppenheimer, Trustee, 315.00 feet to the most southerly corner of the property of Regina Merlo described in Warranty Deed of record as Instrument K2 4565, Shelby County Register's Office; thence 31 degrees, 23 minutes East along the line dividing said property of Regina Merlo and said property of L. H. Poppenheimer, Trustee, a distance of 126.25 feet to a point; thence South 45 degrees, 40 minutes East to an angle point in the westerly line of the aforesaid property of James O. Strickland; thence South 6 degrees, 10 minutes East along the line dividing said property of James O. Strickland and the aforesaid property of L. H. Poppenheimer, Trustee, a distance of 168.31 feet to the Point of Beginning; containing an area of 2.043 acres, and being a vacant parcel of land. John's Creek crosses the above-described property as shown on the accompanying plat.

Being the same property conveyed to William C. Robinson and wife, Peggie M. Robinson, in Warranty Deed dated March 18, 1986, and recorded as Instrument Number X6 3698, in said Register's Office.

Municipally known as: 4890 East Shelby Drive, Memphis, TN 38118. Tax Parcel No.: 093-6000-0-00172-0.

Taxes for the current year and thereafter shall be paid by the Grantees, and possession shall take place with delivery of this deed.

IN TESTIMONY WHEREOF, the Grantors have executed this instrument this the $\underline{\mu}$ day of October, 2021.

William & Robinson

WILLIAM C. ROBINSON

Robinson

PEGGIE/M. ROBINSON

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Before me, the undersigned, a Notary Public of the State and County aforesaid, duly commissioned and qualified, personally appeared WILLIAM C. ROBINSON and PEGGIE M. ROBINSON, with whom I am personally acquainted, and who upon oath acknowledged that they executed the foregoing instrument for the purposes therein contained.

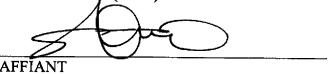
WITNESS my hand and Notarial Seal at office this 14^{++} day of October, 2021.

My Commission Expires: VOTARY PUBLIC ID No. 249551 Commission Expires oher 18, 2024 TOCO

STATE OF MISSISSIPPI

COUNTY OF DESOTO

I hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer is One and 00/100 Dollar (\$1.00).



Subscribed and sworn to before me this the 14^{rh} day of October, 2021.

My Commission Expires:

Tennessee Certification of Electronic Document

I, <u>Hugh</u> <u>H</u>. <u>Armisterial</u>, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on 10.14 - 2021 (date of document).

Affiant Signature

10 · 18 · 707 Date

State of <u>Mississippi</u> County of <u>Desoto</u>

Sworn to and subscribed before me this 18th day of	October	,2021.
	~	\land

(Ishle Waller) Notary's Signature

MY COMMISSION EXPIRES: 10.18.202

NOTARY'S SEAL





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

March 13, 2025

David Gean Bray 2950 Stage Plaza North Bartlett, TN 38134

Sent via electronic mail to: moheeb.nasser32@gmail.com & dgbray@comcast.net

Case Number: Z 2025-002 LUCB Recommendation: Approval

Dear applicant,

On Thursday, March 13, 2025, the Memphis and Shelby County Land Use Control Board recommended *approval* of your rezoning application located on the north side of East Shelby Drive – approximate 300 feet west of Lamar Avenue to be included in the Employment (EMP) Zoning District.

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

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

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

If you have questions regarding this matter, please feel free to contact me at (901) 636-7406 or via email at nabanita.nira@memphistn.gov.

Respectfully, Nabanita Nira Planner II Land Use and Development Services Division of Planning and Development

Cc: Moheeb Nasser File

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

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, at 4:00 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 25-002
LOCATION:	North side of East Shelby Drive – approximate 300 feet west of Lamar Avenue
COUNCIL DISTRICTS:	District 3 and Super District 8
OWNER/APPLICANT:	Moheeb Nasser
REPRESENTATIVE:	David Gean Bray, The Bray Firm
REQUEST:	Rezoning of +/-1.702 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP)

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: Approval

Memphis and Shelby County Land Use Control Board: Approval

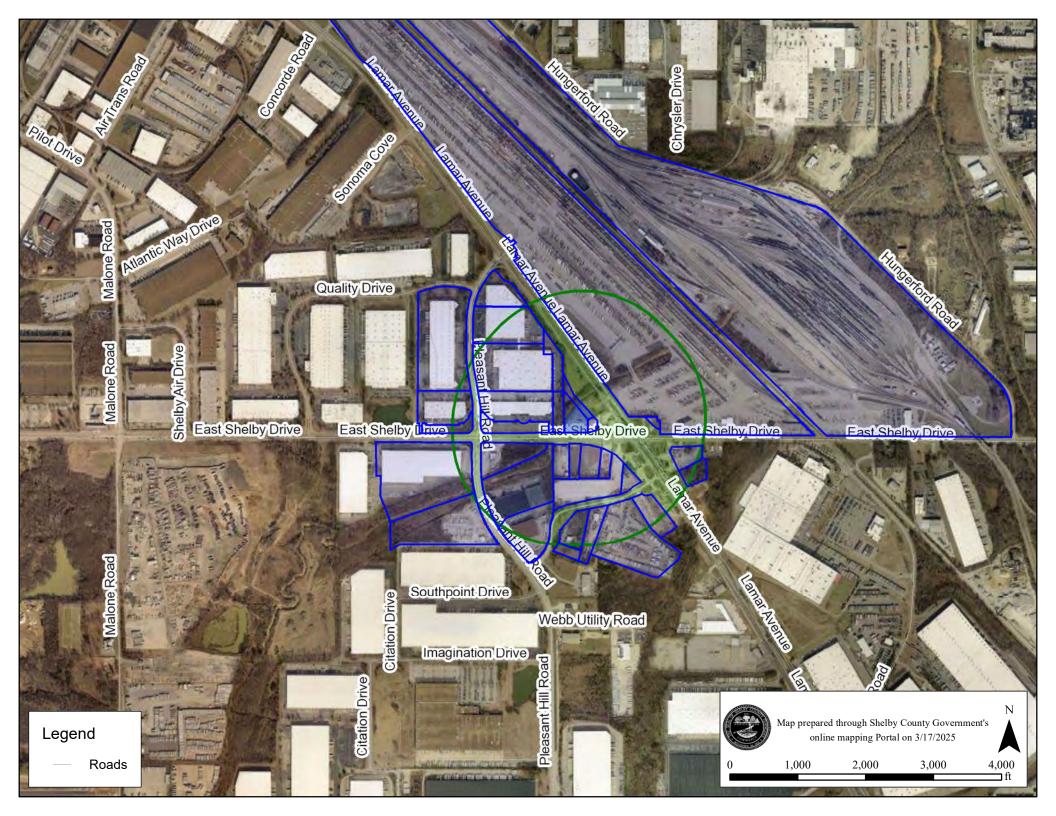
NOW, THEREFORE, you will take notice that on Tuesday, ______, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance's or protests against the making of such changes; such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

THIS THE _____, ____

FORD CANALE CHAIRMAN OF COUNCIL

ATTEST:





RANGER TN LLC 220 E 42ND ST # NEW YORK NY 10021

DREAM INDUSTRIAL MEMPHIS 1 LLC 30 ADELAIDE ST #301 TORONTO ON

MEMPHIS INDUSTRIAL LL LLC 280 PARK AVE #36 NEW YORK NY 10017

CHRIS-HILL CONSTRUCTION COMPANY LLC 4749 PLEASANT RUN RD # MEMPHIS TN 38118

STATE OF TENNESSEE 312 8TH AVE #22 NASHVILLE TN 37243

MEMPHIS BAX L P (60.0%) AND JES MEMPHIS 100 S WACKER DR #950 CHICAGO IL 60606 ROBINSON WILLIAM C JR AND CYNTHIA R COLE 4890 E SHELBY DR # MEMPHIS TN 38118

PLYMOUTH SOUTHPARK LLC

20 CUSTOM HOUSE ST #11

PLYMOUTH SOUTHPARK LLC

20 CUSTOM HOUSE ST #11

LOMAX WAYNE E & LILLIAN P

SOUTHPARK PROPERTIES ASSOCIATION INC

3763 HATCHER CIR #

6070 POPLAR AVE #500

BOSTON MA 02110

BOSTON MA 02110

MEMPHIS TN 38118

MEMPHIS TN 38119

7475 LUSK BLVD #

SAN DIEGO CA 92121

NUVASIVE INC

STATE OF TENNESSEE 505 DEADERICK ST #700 NASHVILLE TN 37243

SE INDUSTRIAL INVESTMENTS LLC 6363 POPLAR AVE #220 MEMPHIS TN 38119

BNSF RAILWAY COMPANY P O BOX 961089 # FORT WORTH TX 76161

PLYMOUTH SOUTHPARK LLC 20 CUSTOM HOUSE ST #11 BOSTON MA 02110 BALLENTINE HUBERT & BETTY PO BOX 18567 # MEMPHIS TN 38181

WPT SOUTHPOINT IV LP 150 S 5TH ST #2675 MINNEAPOLIS MN 55402

CHRIS-HILL CONSTRUCTION CO LLC 4749 PLEASANT RUN RD # MEMPHIS TN 38118

> STATE OF TENNESSEE 300 BENCHMARK PL # JACKSON TN 38301

STATE OF TENNESSEE 300 BENCHMARK PL # JACKSON TN 38301

STATE OF TENNESSEE 312 8TH AVE #22 NASHVILLE TN 37243

PLYMOUTH SOUTHPARK LLC 20 CUSTOM HOUSE ST #11 BOSTON MA 02110

RMRM INC 1121 POPLAR VIEW LN #1 COLLIERVILLE TN 38017

MEMPHIS INDUSTRIAL LL LLC 280 PARK AVE #36 NEW YORK NY 10017

MEMPHIS INDUSTRIAL LL LLC 280 PARK AVE #36 NEW YORK NY 10017

SOUTHPARK PROPERTIES ASSOC INC 6070 POPLAR AVE #500 MEMPHIS TN 38119

RADIANT GROUP OF PROPERTIES LLC 384 DISTRIBUTION PKWY # COLLIERVILLE TN 38017

PERRY HILL PLESANT RUN LLC 222 E WISCONSIN AVE #LL2 LAKE FOREST IL 60045

PERRY-HILL PLEASANT RUN LLC 222 E WISCONSIN AVE #LL2 LAKE FOREST IL 60045 REAL PROPERTY RESERVE LLC 800 HIGHWAT 98 BYP # COLUMBIA MS 39429

TRANSPORT PROPERTIES LLC 800 HIGHWAY 98 BYP # COLUMBIA MS 39429

RADIANT GROUP OF PROPERTIES LLC 384 DISTRIBUTION # COLLIERVILLE TN 38017

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL			Plan	ning & Development DIVISION
ONLY STAPLED TO DOCUMENTS	Planning &	Zoning COMMITTEE:	<u>04/08/2025</u>	DIVISION
Living and the second		PUBLIC SESSION:	DATE 04/22/2025	
		PUBLIC SESSION:	<u>04/22/2025</u> DATE	
ITEM (CHECK ONE)ORDINANCE	<u>X</u> RESOLUTIO	N X REQUEST FOR	PUBLIC HEARING	
ITEM DESCRIPTION:	Resolution approv the Memphis and a surface parking I	ing the appeal of Ron Belz, C Shelby County Land Use Cont	one Eighty South Main, trol Board denying a mo	LLC, seeking to overturn the action of odification to allow a time extension for reet, known as case number MJR 2025-
CASE NUMBER:	MJR 2025-004 (C	orrespondence to SUP 2018-0	13)	
DEVELOPMENT:	Surface parking lo	ot		
LOCATION:	180 South Main S	treet		
COUNCIL DISTRICTS:	District 7 and Sup	er District 8 – Positions 1, 2, a	and 3	
APPELLANT:	Ron Belz, One Eig	ghty South Main, LLC		
REQUEST:	Overturn a decisio	on of the Land Use Control Bo	ard	
AREA:	+/-30,492 square t	feet		
RECOMMENDATION:		lanning and Development recontrol Board recommended <i>Rej</i>		
RECOMMENDED COUNC	Ad	ld to consent agenda requestin	g public hearing – <u>Apri</u>	<u>1 8, 2025</u>
PRIOR ACTION ON ITEM:				
(<u>2</u>) 03/13/2025		APPROVAL - (1) APPRO DATE	JVED (2) DENIED	
(1) Land Use Control Board		ORGANIZATION - (1) I	BOARD / COMMISSIC COUNCIL COMMITT	DN EE
FUNDING:				
<u>(2)</u>		REQUIRES CITY EXPE AMOUNT OF EXPEND		!) NO
<u>\$</u> \$		REVENUE TO BE RECI		
SOURCE AND AMOUNT O	F FUNDS	OPERATING BUDGET		
<u>\$</u> \$	·····	CIP PROJECT #		
<u>\$</u>		FEDERAL/STATE/OTH	ER	
ADMINISTRATIVE APPRO	OVAL:	DATE	<u>POSITION</u>	
Xite		2/31/25	PLANNER	
			DEPUTY ADMINIST	RATOR
But the	<u> </u>		ADMINISTRATOR	
. 0		• - <i>1</i>	DIRECTOR (JOINT	APPROVAL)
			COMPTROLLER	
			FINANCE DIRECTO	R
<u></u>	· · · · · · · · · · · · · · · · · · ·		CITY ATTORNEY	
		p	CHIEF ADMINISTR	ATIVE OFFICER
	·····	·····	COMMITTEE CHAI	RMAN



Memphis City Council Summary Sheet

MJR 2025-004 (Correspondence to SUP 2018-013)

Resolution approving the appeal of Ron Belz, One Eighty South Main, LLC, seeking to overturn the action of the Memphis and Shelby County Land Use Control Board denying a modification to allow a time extension for a surface parking lot at the subject property located at 180 South Main Street, known as case number MJR 2025-004 (Correspondence to SUP 2018-013)

- This item is a Resolution to appeal the Land Use Control Board's denial of a modification to allow a time extension for a surface parking lot; and
- The Land Use Control Board held a public hearing on March 13, 2025, and denied the aformentioned request; and
- An appeal of the Land Use Control Board decision was filed on March 18, 2025, by Ron Belz, One Eighty South Main, LLC, requesting the Council of the City of Memphis overturn the action of the Land Use Control Board; 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, March 13, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	MJR 2025-004 CORRESPONDENCE formerly known as SUP 2018-013
LOCATION:	180 South Main Street
COUNCIL DISTRICT(S):	District 7 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Ron Belz, One Eighty South Main, LLC
REPRESENTATIVE:	Nathan Bicks, Burch, Porter & Johnson
REQUEST:	Modification to allow a time extension for a surface parking lot
EXISTING ZONING:	Central Business District (CBD)
AREA:	+/-30,492 square feet

The following spoke in support of the application: Nathan Bicks, and Ron Belz

The following spoke in regards to the application: None.

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

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

Respectfully,

Alexis Longstreet

Alexis Longstreet Planner Land Use and Development Services Division of Planning and Development

Cc: Committee Members File

RESOLUTION APPROVING THE APPEAL OF NATHAN BICKS SEEKING TO OVERTURN THE ACTION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD DENYING A MODIFICATION TO ALLOW A TIME EXTENSION FOR A SURFACE PARKING LOT AT THE SUBJECT PROPERTY LOCATED 180 SOUTH MAIN STREET, KNOWN AS CASE NUMBER MJR 2025-004 (CORRESPONDENCE TO SUP 2018-013)

WHEREAS, Ron Belz, ONE EIGHTY SOUTH MAIN, LLC, filed an application with the Memphis and Shelby County Division of Planning and Development to allow a major modification to allow a time extension for a surface parking lot; and

WHEREAS, the Memphis and Shelby County Division of Planning and Development reviewed the application in accordance with the standards and regulations of Memphis and Shelby County Unified Development Code and submitted its findings and recommendation 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 March 13, 2025, and said Board denied the request of the applicant.

WHEREAS, Nathan Bicks, filed an appeal on March 18, 2025, on behalf of Ron Belz, One Eighty South Main, LLC with the Memphis and Shelby County Division of Planning and Development requesting that the Council of the City of Memphis overturn the action of the Memphis and Shelby County Land Use Control Board; and

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

WHEREAS, upon evidence presented at this public hearing by the appellant, the City Council of the City of Memphis, concludes the appeal herein should be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the appeal of the appellant, Ron Belz, One Eighty South Main, LLC, is granted and the action of the Memphis and Shelby County Land Use Control Board on March 13, 2025, is hereby overturned, in accordance with the attached site and outline plan conditions.

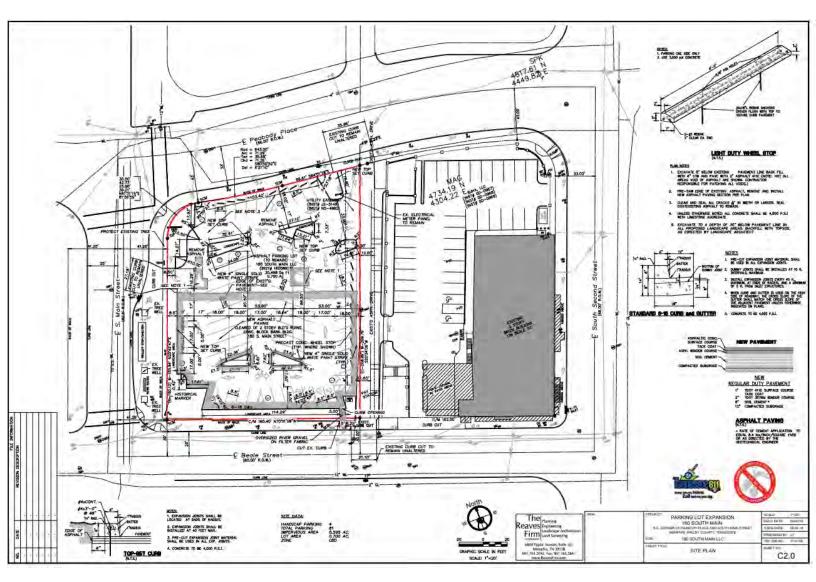
BE IT FURTHER RESOLVED, that this resolution shall take effect from and after the date it shall have been enacted according to due process of law by virtue of the passage thereof by the Council of the City of Memphis.

BE IT FURTHER RESOLVED, that the requirements of Chapter 9.6 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.

CONDITIONS

- A special use permit shall be granted to allow a surface parking lot.
 This special use permit shall expire on <u>August 28, 2038.</u>

PRELIMINARY SITE PLAN



ATTEST:

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

NOTICE TO INTERESTED OWNERS OF PROPERTY (APPEAL OF LAND USE CONTROL BOARD ACTION)

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, <u>April 22, 2025</u> at 3:30 P.M., in the matter of granting an application for an appeal of decision made by the Memphis and Shelby County Land Use Control Board, as follows:

CASE NUMBER:	MJR 2025-004 (SUP 2018-013 Correspondence)
LOCATION:	180 South Main Street
COUNCIL DISTRICTS:	District 7 and Super District 8 – Positions 1, 2, and 3
APPEALANT:	Ron Belz, One Eighty South Main, LLC
EXISTING ZONING:	Central Business District (CBD)
REQUEST:	Overturn a decision of the Land Use Control Board (LUCB) (The LUCB denied a time extension for a surface parking lot)
AREA:	+/-30,492 square feet

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: Rejection

Memphis and Shelby County Land Use Control Board: Rejection

NOW, THEREFORE, you will take notice that on Tuesday, <u>April 22, 2025</u> at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance's or protests against the making of such changes; such remonstrance's or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

THIS THE ______, _____

JB SMILEY, JR. CHAIRMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT CITY COMPTROLLER

TO BE PUBLISHED:

de STAFF REPORT

AGENDA ITEM:	8	L.U.C.B. MEETING:	March 13, 2025
CASE NUMBER:	MJR 2025-004 (SUP 2018-013 CORRES.)		
LOCATION:	180 South Main Street		
OWNER/APPLICANT:	Ron Belz, ONE EIGHTY SOUTH MAIN, LLC		
REPRESENTATIVE:	Nathan Bicks, Burch, Porter & Johnson, P	LLC	
REQUEST:	Time extension for an existing parking lot	:	
EXISTING ZONING:	Central Business District (CBD)		

CONCLUSIONS

- The Memphis City Council approved the existing Special Use Permit to allow a commercial parking lot (SUP 2018-013) on August 28, 2018. See pages 9 – 11 of this report for the attested resolution.
- Approved condition #2 states "This special use permit shall expire in ten (10) years". The applicants time
 extension request will exceed the additional approved ten (10) years. More specifically, the applicant's
 request seeks an additional ten years of approved starting on August 29th, 2028, with the express right to
 seek two additional five-year extensions.
- 3. The Office of Sustainability and Resilience recommends rejection of this proposal with the recommendation that EV charging stations are added to the existing parking lot.
- 4. There were letters of support submitted by surrounding businesses.
- 5. This project will have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare. Surface parking lots in the Central Business District are contrary to the purpose of the CBD zoning district to promote vertical mixed-use projects with active ground-floor uses.

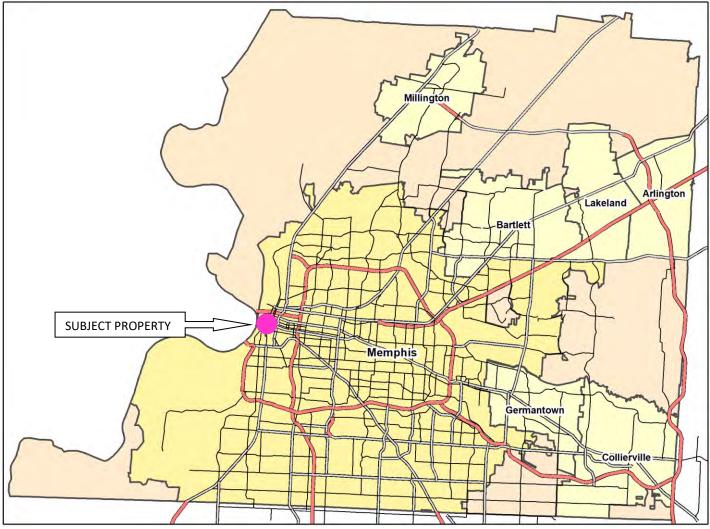
CONSISTENCY WITH MEMPHIS 3.0

This proposal did not require a Comprehensive Planning analysis.

RECOMMENDATION

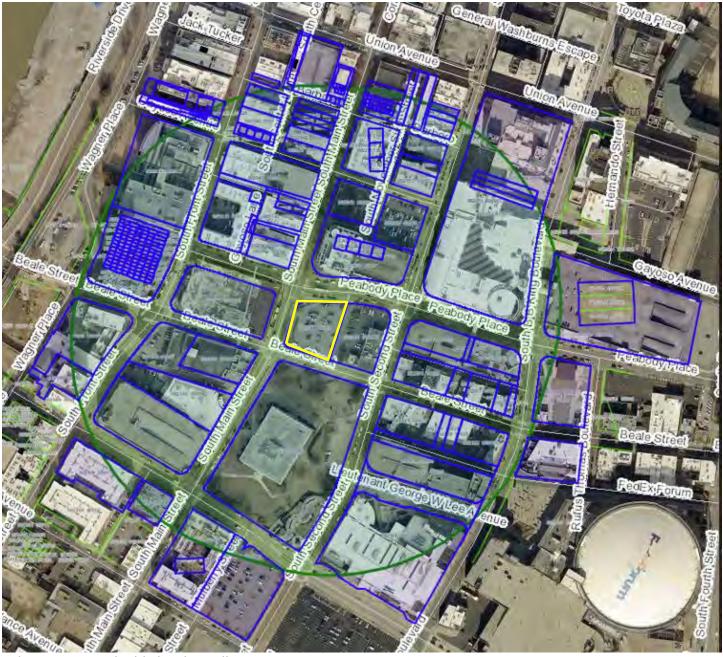
Rejection

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP

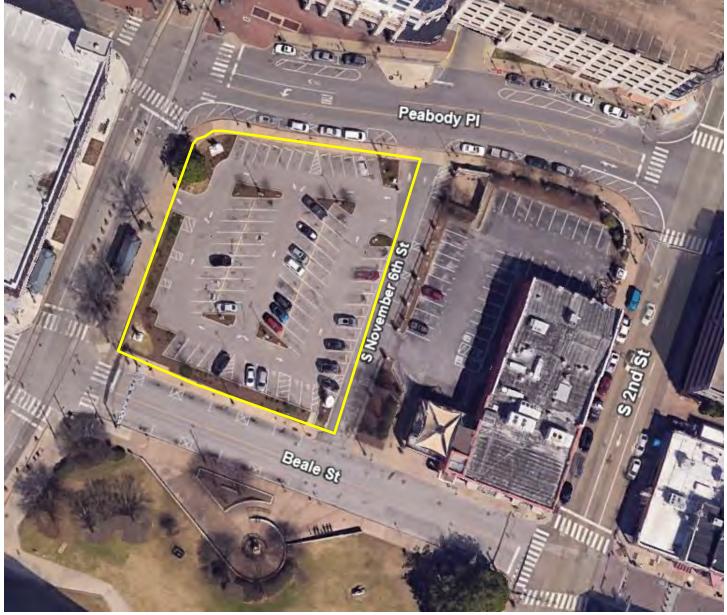


Subject property highlighted in yellow

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. A total of 197 notices were mailed on February 20, 2025, see page 22 of this report for a copy of said notice. Additionally, three signs were posted at the subject property, see page 23 of this report for a copy of the sign affidavit.

AERIAL



Subject property outlined in yellow

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

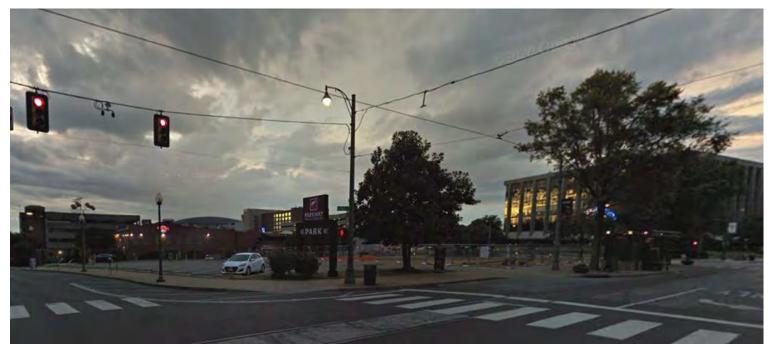
SITE PHOTOS



View of subject property from Beale Street looking northeast



View of subject property from South November Street looking southwest



View of subject property from intersection of South Main Street and Peabody Place

RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT THE BLOCK EAST OF SOUTH MAIN STREET BETWEEN PEABODY PLACE AND BEALE, KNOWN AS CASE NUMBER SUP 18-13.

WHEREAS, Article 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 180 South Main LLC filed an application with the Memphis and Shelby County Office of Planning and Development on July 2, 2018, to allow commercial surface parking lot for a period not to exceed fifteen (15) years; and

WHEREAS, the Office 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 August 9, 2018, and said Board recommended approval of the request of the applicant subject to conditions 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; 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

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that this planned development is hereby granted in accordance with the attached outline plan conditions; and

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 site 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.



March 13, 2025 Page 10

ATTEST:

CC: Office of Planning and Development – Land Use Controls 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

dine . . .

AUG 28 2018 Date

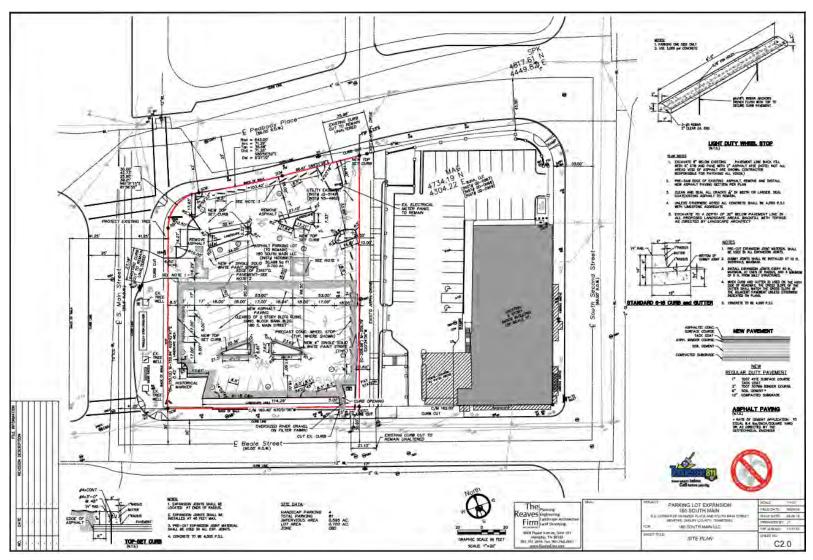
Valerie C. Sripes

March 13, 2025 Page 11

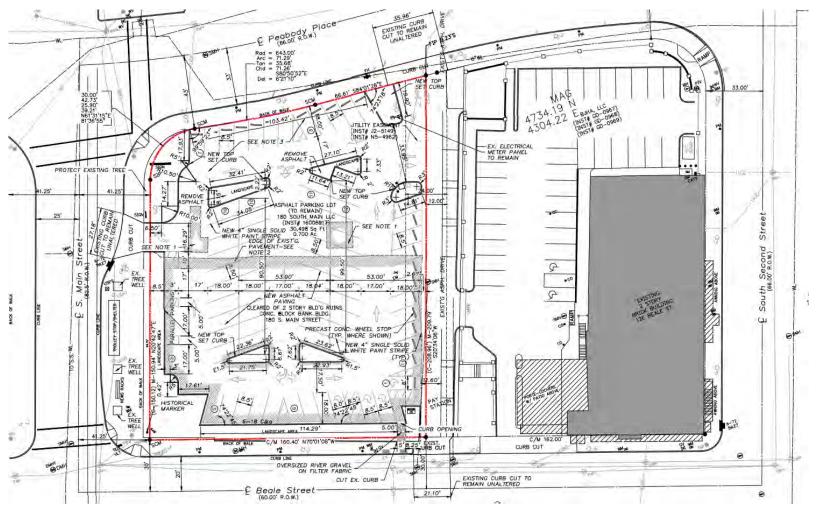
CONDITIONS

- 1. A special use permit shall be granted to allow a surface parking lot.
- 2. This special use permit shall expire in ten (10) years.
- 3. The applicant shall be entitled to apply for a single five (5) year time extension of this special use permit from the Land Use Control Board; the applicant must apply before the expiration date defined in Condition 2.

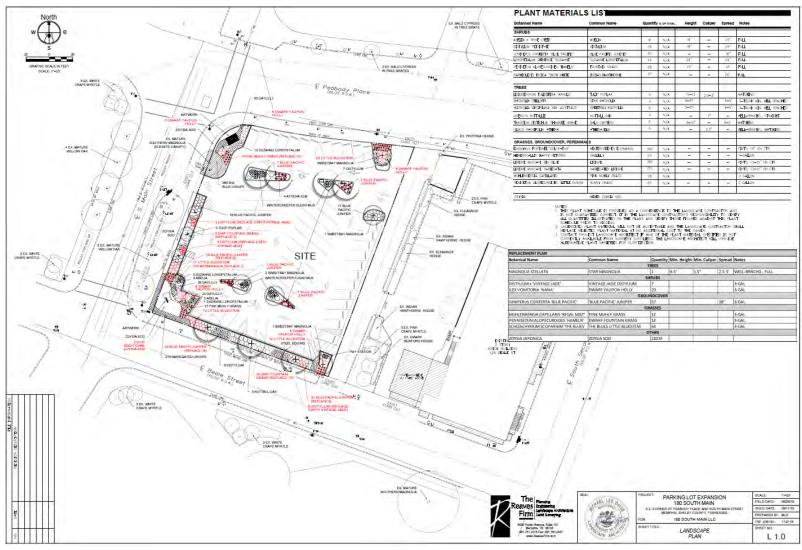
SITE PLAN



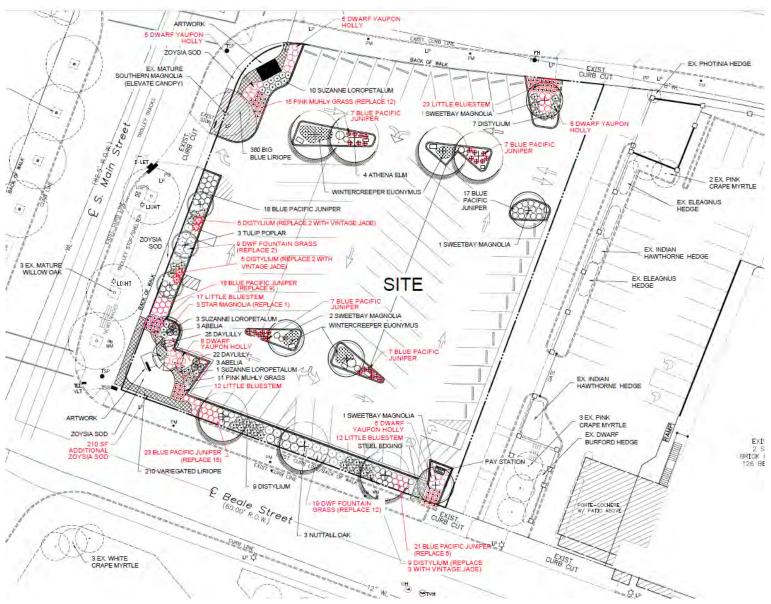
SITE PLAN – MAGNIFIED



LANDSCAPE PLAN



LANDSCAPE PLAN – MAGNIFIED



CASE REVIEW

The request is for a special use permit major modification to allow a time extension for an existing parking lot.

Approval Criteria

Staff disagrees the approval criteria in regard to 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.

Time Extension Criteria

Staff disagrees the findings of fact in regard to time extensions as set out in Section 9.16.3 of the Unified Development Code are met and that the conditions that supported the original recommendation for approval remains in place and are likely to remain in place for the period of the proposed time extension.

9.16.3 Findings of Fact

The appropriate authority, pursuant to the individual Chapters of this Article, shall make the following findings in its approval, approval with conditions or rejection of an extension:

- 9.16.3A Changed conditions of the neighborhood and area in which the time extension is being made, as compared to conditions present during the original approval;
- 9.16.3B Changed conditions of the site in which the request is being made, as compared to conditions

present during the original approval;

- 9.16.3C Any administrative or legislative policy, ordinance, regulation or comprehensive or neighborhood plan that has been adopted since the time of the original approval; and
 9.16.3D The scope of construction, such as the size of the site or building, involved with the original
- approval.

Site Details

Address: 180 South Main Street

Parcel ID: 002049 00013

Area: +/-30,492 square feet

Description:

The subject property is currently being operated as a commercial parking lot. The subject property is located in the Core Downtown area and is surrounded by Commercial land use designations.

Site Plan Review

- There are three (3) existing curb cuts.
 - Right-out only onto South Main Street
 - o Two Two-way curb cuts
 - Located north on Peabody Place
 - Located south on Beale Street
- There is a total of 83 parking spaces
- There are two designated landscaping areas
 - o +/-114 feet along Beale Street
 - +/-150 feet along South Main Street

<u>Analysis</u>

The previous Special Use Permit application to allow a surface parking lot not to exceed (15) fifteen years was conditionally approved by City Council for a maximum of 10 years, to expire on August 28, 2028. The applicant is now requesting a 10-year extension (which expiration date would be August 28, 2028) with the express right to seek two five-year extensions.

Approval of this request would be reflective of grating a quasi-permanent status to the surface parking lot for the next 13 years at a minimum. Surface parking lots the Central Business District are contrary to the purposed of the CBD zoning district to promote vertical mixed-use projects with active ground floor uses.

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

RECOMMENDATION

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

<u>Conditions – Revisions</u>

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

- 1. A special use permit shall be granted to allow a surface parking lot.
- 2. This special use permit shall expire in-on-ten (10) years August 28, 2038
- The applicant shall be entitled to apply for a single five (5) year time extension of this special use permit from the Land Use Control Board; the applicant must apply before the expiration date defined in Condition 2.
- 4. <u>A minimum of three (3) level 3 fast charging station shall be installed.</u>

DEPARTMENTAL COMMENTS

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

City Engineer:

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

Sewers:

2. No permit for construction/ building permit shall be granted for this parcel. Any other use of this property will require re-recording of the plat, the payment of sewer development fees and the installation of the sewer connection to this property.

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

- 8. The City Engineer shall approve the design, number, and location of curb cuts.
- 9. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter, and sidewalk.
- 10. Required landscaping shall not be placed on sewer or drainage easements.

City Fire Division:	No comments received.
City Real Estate:	No comments received.
City 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:	See pages 20 – 21.

March 13, 2025 Page 20

To:Alexis Longstreet, Planner IIFrom:Robin Richardson, Planner IIDate:February 28, 2025Subject:OSR Comments on MJR 2025-004: CORE CITY

General Comments & Analysis:

Located in Zone 2 of the Resilience Zone Framework:

Zone 2 areas have risks that can be mitigated with enhanced infrastructure. This zone includes areas with known localized flash flooding and/or insufficient storm drainage. Developing in Zone 2 is risky, but the risk can be mitigated. Consider the impact of new and existing development on localized flooding and propose measures to mitigate runoff and utilize potential development to mitigate areas of flood risk.

The site is designated as Zone 2 because of its proximity to noted flash flooding locations in downtown.

The applicant is seeking a major modification that would extend the current use of the site as a surface parking lot until 2038, with the future option to extend the use further until 2048 at maximum.

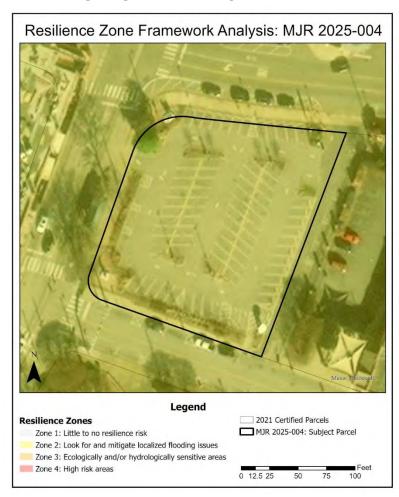
As noted in the application, the parking lot at the site includes landscaping along its street frontage.

Consistent with the Mid-South Regional Resilience Master Plan best practices: No

This application is generally inconsistent with the Mid-South Regional Resilience Master Plan. The parking lot design incorporates more landscaping than other typical surface parking lots, which can help absorb stormwater runoff. Though this landscaping is not expressly Low-Impact Development (examples of which can be found in Section 2.3 - Low-Impact Development), the pervious sections of the site where the plants and trees have been planted provide a better outlet for stormwater than merely going down the drain. However, keeping this parcel as a parking lot for at least the next thirteen years would run contrary to the best practices outlined in Section 4.2 -Smart Growth. This section of the Regional Resilience Master Plan calls for compact and infill development, which would increase density in key areas of development (such as downtown) and promote walkability. Keeping this parcel as a surface parking lot until 2038 at least - as requested in this application - would accomplish the exact opposite goals, as it would limit the site from potentially being used for residential, commercial, or mixed uses in the future.

Consistent with the Memphis Area Climate Action Plan best practices: $\ensuremath{\mathsf{N}}\xspace/\ensuremath{\mathsf{A}}\xspace$

Recommendations: Staff recommends rejection. However, should the application be approved, staff recommends



adding a condition requiring the inclusion of electric vehicle charging infrastructure, which would advance goals for vehicle electrification in the Memphis Area Climate Action Plan (see Priority Action T.5 – Encourage Electric Vehicle Adoption and the Development of Charging Infrastructure for more information). This condition should require that a minimum of 5% of the parking spots either be upgraded to be EV-ready or to have EV charging stations installed. EV-ready spaces have full circuit installations of 208/240-volt (or greater), 40-ampere (or greater) panel capacity,

raceway wiring, receptacle and circuit overprotection devices. An EV-ready space provides all required electrical hardwire for the future installation of EV charging stations, though it does not require the installation of EV charging stations. All electrical work must be completed according to all applicable building and electrical codes.

Office of Comprehensive Planning: No comments received.

March 13, 2025 Page 22

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 **Thursday, March 6, 2025 at 8 AM.**

CASE NUMBER:	MJR 2025-004 (Corres. SUP 2018-013)
ADDRESS:	180 South Main Street
REQUEST:	Time extension for a previously approved parking lot
APPLICANT:	Ron Belz

Meeting Details

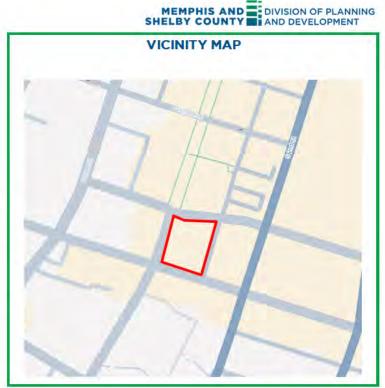
Location: Council Chambers City Hall 1st Floor 125 N Main St. Time: 9:00 AM
Date: Thursday, March 13, 2025

Staff Planner Contact:

Alexis Longstreet

☑ alexis.longstreet@memphistn.gov

(901) 636-7120



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



197 Notices Mailed 02/20/2025

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County State of Tennessee

I. Minu 4155 being duly sworn, depose and say that at 10:00 am/pm on the 157 day of March 20,25, I posted 3 Public Notice Sign(s) pertaining to Case No. 25-094 at Beale ST, N. Mun d Peaberry 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.

OP TENNESSEE

Owner, Applicant or Representative

Date_ day of <u>Man</u>

Subscribed and sworn to before me this _

the otters Mai Notary Public

My commission expires: _

APPLICATION

March 13, 2025 Page 24



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 Major Modification

Record Detail Information

Record Type: Major Modification

Record Status: Pending Opened Date: January 22, 2025

Record Number: MJR 2025-004

Expiration Date:

Record Name: 180 S Main

Description of Work: On behalf of 180 South Main LLC, we are pleased to submit the enclosed application to the Division of Planning and Development seeking a major modification to extend the current Special Use Permit to operate a pay surface parking lot on the east side of S. Main Street between Peabody Place and Beale Street.

Parent Record Number:

Address:

180 S MAIN ST, MEMPHIS 38103

Owner Information

Primary Owner Name Y ONE EIGHTY SOUTH MAIN LLC Owner Address

1000 RIDGEWAY LOOP RD, MEMPHIS, TN 38120

Parcel Information

002049 00013

Data Fields

PREAPPLICATION MEETING Name of DPD Planner Date of Meeting

Pre-application Meeting Type GENERAL INFORMATION Chip 01/14/2025 Phone **Owner Phone**

March 13, 2025 Page 25

GENERAL INFORMATION

Justification for Request

On behalf of 180 South Main LLC, we are pleased to submit this letter of intent in support of the enclosed application that seeks a major modification of the current Special Use Permit that authorizes the operation of a pay surface parking on the east side of Main Street between Peabody Place and Beale Street.

The existing SUP (SUP 18-13) was approved in 2018 for a period of 10 years with a possible 5 year extension by the LUCB. This application requests the extension of the current SUP for an additional 10 years (from 2028 to 2038), plus the express right to seek two additional five year extensions (10 years total) from the LUCB.

The subject lot contains 83 spaces and was improved in 2018 with new curbs, asphalt, landscaping, irrigation, lighting, music sound system and major public artwork. The property is immaculately maintained, and surface parking remains in high demand in this area. The current operation is one of the nicest in the entire Memphis area and is a key resource for many entertainment, restaurant and other commercial ventures in the Peabody Place/Orpheum/Beale Street area. This application for extension has the support of numerous neighbors in the community.

The current owners, including the Belz family, continue to explore development opportunities for the site, as economic and market conditions permit. Approval of this application will allow 180 South Main LLC to continue uninterrupted operation of a surface parking area vital to the area's businesses and generate much-needed tax revenues, while exploring the highest and best future alternatives. SUP 18-13

List any relevant former Docket / Case Number(s) related to previous applications on this site

Is this application in response to a citation, stop work order, or zoning letter

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

Case Layer

Page 2 of 4

No

SUP18-013, SAC_1973-020

MJR 2025-004

GIS INFORMATION	
Central Business Improvement District	Yes
Class	C
Downtown Fire District	Yes
Historic District	
Land Use	VACANT
Municipality	MEMPHIS
Overlay/Special Purpose District	Central Business Improvement District
Zoning	CBD
Lot	C 486
State Route	
Subdivision	TOPP
Planned Development District	
Wellhead Protection Overlay District	No
County Commission District	1. The second se
City Council District	G21
City Council Super District	(L)
Contact Information	

Contact Information

Name RON BELZ

Address 1000 RIDGEWAY LOOP RD, MEMPHIS, TN, MEMPHIS, TN, 38120

Phone

Name CHRISTINE DONHARDT

Address 6800 POPLAR AVE,

Phone (901)761-2016

Name RON BELZ

Address 1000 RIDGEWAY LOOP RD, MEMPHIS, TN, MEMPHIS, TN, 38120

Phone (901)761-2016

Name NATHAN BICKS

Address

Phone (901)524-5146

Contact Type APPLICANT

Contact Type MANAGER

Contact Type PROPERTY OWNER OF RECORD

Contact Type REPRESENTATIVE

Page 3 of 4

MJR 2025-004

OWNER AFFIDAVIT

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

City Hall - 125 N. Main Street, Sulte 468 - Memphls, 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. 180 South Main LLC

Ronald A. Belz

(Print Name)



in the year of

My Commission Expires

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

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

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

of the property located at 180 S MAIN ST

and further identified by Assessor's Parcel Number

002049 00013

R. BRA

UNTAR

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

Subscribed and sworn to (or affirmed) before me this day of

Signature of Notary Public

MEMORANDUM

To: Members of the Memphis/Shelby County Land Use Control Board From: Nathan A. Bicks, Burch, Porter & Johnson PLLC Date: January 23, 2025 Re: SUP 18-13—Major Modification (Time Extension)



On behalf of 180 South Main LLC, we are pleased to submit this letter of intent in support of the enclosed application that seeks a major modification of the current Special Use Permit that authorizes the operation of a pay surface parking on the east side of Main Street between Peabody Place and Beale Street.

The existing SUP (SUP 18-13) was approved in 2018 for a period of 10 years with a possible 5 year extension by the LUCB. This application requests the extension of the current SUP for an additional 10 years (from 2028 to 2038), plus the express right to seek two additional five year extensions (10 years total) from the LUCB.

The subject lot contains 83 spaces and was improved in 2018 with new curbs, asphalt, landscaping, irrigation, lighting, music sound system and major public artwork. The property is immaculately maintained, and surface parking remains in high demand in this area. The current operation is one of the nicest in the entire Memphis area and is a key resource for many entertainment, restaurant and other commercial ventures in the Peabody Place/Orpheum/Beale Street area. This application for extension has the support of numerous neighbors in the community.

The current owners, including the Belz family, continue to explore development opportunities for the site, as economic and market conditions permit. Approval of this application will allow 180 South Main LLC to continue uninterrupted operation of a surface parking area vital to the area's businesses and generate much-needed tax revenues, while exploring the highest and best future alternatives.

Burch, Porter & Johnson, PLLC • 130 North Court Avenue • Memphis, TN•38103 Phone (901) 524-5000 • Fax (901) 524-5024 • www.bpjlaw.com

LETTERS RECEIVED

Four letters of support were received at the time of completion of this report.



Brett Batterson President & CEO

> Alexis Longstreet Statt Planner, City of Memphis Sent via email to alexia longstreet@memphistn.gov

March 3, 2025

Dear Planner Longstreet:

On behalf of the Orpheum Theatre Group, I am writing today in support of the application made by 180 South Main LLC, Case Number MJR2025-004, for an extension of time for the Special Use Permit for the property located on the east side of South Main between Peabody Place and Beale Street, Specifically, this is an application to extend the time allowed on a previously issued Special Use Permit for the parking lot at that location.

While the Orpheum Theatre Group is happy that the Mobility Centre opened and is now serving our patrons, and we continue our partnership with MLGW for the garage located to the south of the Orpheum, this surface lot is also a valuable option for the 275,000 guests who attend the theatre and Halloran Centre each year.

As there are some patrons who prefer a surface parking opportunity to a garage option, this surface lot is the only remaining lot close to the theatre. With the construction of the Hyatt hotels behind us, all other surface lots that are walkable to the Orpheum campus have been eliminated. This lot is, therefore, an asset to our patrons.

Likewise, for those guests who are wheelchair patrons, a surface lot might be preferred to a garage. Again, this is valuable to the Orpheum Theatre Group as we strive to make our facilities accessible to all Memphians.

Please accept this letter in support of the application for an extension of time on the existing Special Use Permit.

Thank you for your consideration. Please do not hesitate to contact me should you require additional information.

Samon Brett Betterson

205 South Main Street + Memphis, TN + 38103 (901) 529-4224 + hbatterson@mphaum.memphis.com

Ms. Alexis Longstreet Memphis and Shelby County Division of Planning and Development 125 N.Main Street Memphis, Tn 38103

RE: Case # MJR 2025-004 Staff Planner Contract-Alexis Longstreet Aleis.longstreet@memphistn.gov-(901) 636-7120

Dear Ms. Longstreet,

I would like to express my support for extending the Special Use Permit for the parking lot located at Main Street and Peabody Place Avenue. This parking facility is conveniently located to serve a number of Downtown businesses including the Lansky Shops. Having adequate parking is essential for the success of retail shops such as ours. This parking lot offers very competitive pricing and provides an independent alternative to the major parking corporation which controls most of the parking facilities downtown. In addition, this parking lot is very well maintained, well-lit and is attractively landscaped.

For all the above reasons, we encourage the Land Use Control Board to approve the application for Case #MJR 2025-004.

Thank you.

Hal Lansky

President Lansky Brothers

From Deni Reilly <deni@majesticgrille.com> Date Wed 3/5/2025 5:05 PM

To Longstreet, Alexis <Alexis.Longstreet@memphistn.gov>

Cc Patrick Reilly <patrick@majesticgrille.com>

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

RE: Case # MJR 2025-004

Dear Division of Planning and Development Members,

We'd like to express our support for the Land Use Exception extension submitted by 180 South Main LLC for their existing Special Use Permit for the Lot located on Main Street at the corners of Peabody Place & Beale.

As the business owners of The Majestic Grille, located at 145 South Main Street, we rely daily on this accessible lot for our guests and vendors, particularly for our guests unfamiliar with or wary of navigating multi-story parking garages. During this time when Downtown restaurants and retail are still very much struggling to get anywhere near pre-pandemic numbers and even survive, it is imperative that we provide accessible, affordable parking options, including well-maintained, safe surface lots such as this one.

The lot is meticulously maintained, well-lit, and landscaped with both plantings and art to higher standards than any lot Downtown, and possibly Memphis. The addition of the in-ground speakers enhance the pedestrian experience for the entire block and provide visitors to the Entertainment District a much welcomed musical accompaniment at the very entrance to World Famous Beale Street.

We are very confident that the Belz Family will continue to be good stewards of this lot and the surrounding properties. As stewards of Downtown ourselves, we believe that it is most important for our business, those of our neighbor's, and the hopeful soon-be-be resurgence of a successful Downtown, to focus on making Downtown as accessible as possible.

Please reach out if you have any questions regarding our support.

Regards,

Patrick Reilly and Deni Reilly, former DMC Board Member

Deni C. Reilly

The Majestic Grille Downtown Memphis www.majesticgrille.com



Cocozza American Italian Now OPEN in Harbor Town www.cocozzamemphis.com



March 13, 2025 Page 32

bls Fine Candies Since 1902

March 4, 2025

Alexis Longstreet Memphis & Shelby County Division of Planning & Development 125 N Main Street Memphis, TN 38103

RE: Case # MJR 2025-004 Staff Planner Contact – Alexis Longstreet Alexis.longstreet@memphistn.gov

Dear Ms. Longstreet,

I would like to express my support for extending the Special Use Permit for the parking lot located at Main Street and Peabody Place Avenue. This parking facility is conveniently located to serve a number of Downtown businesses including Dinstuhl's Candies. Having adequate parking is essential for the success of retail shops such as ours. This parking lot offers very competitive pricing and provides an independent alternative to the major parking corporation which controls most of the parking facilities downtown. In addition, this parking lot is very well maintained, well-lit and is attractively landscaped.

For all the above reasons, we encourage the Land Use Control Board to approve the application for Case #MJR 2025-004.

With sweet regards,

1/2000

Rebecca W. Dinstuhl 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 Major Modification

Record Detail Information

Record Type: Major Modification

Record Status: Pending Opened Date: January 22, 2025

Record Number: MJR 2025-004

Expiration Date:

Record Name: 180 S Main

Description of Work: On behalf of 180 South Main LLC, we are pleased to submit the enclosed application to the Division of Planning and Development seeking a major modification to extend the current Special Use Permit to operate a pay surface parking lot on the east side of S. Main Street between Peabody Place and Beale Street.

Parent Record Number:

Address:

180 S MAIN ST, MEMPHIS 38103

Owner Information

Primary Owner Name Y ONE EIGHTY SOUTH MAIN LLC

Owner Address

1000 RIDGEWAY LOOP RD, MEMPHIS, TN 38120

Parcel Information

002049 00013

Data Fields

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

Chip 01/14/2025 Phone **Owner Phone**

On behalf of 180 South Main LLC, we are pleased to submit this letter of intent in support of the enclosed application that seeks a major modification of the current Special Use Permit that authorizes the operation of a pay surface parking on the east side of Main Street between Peabody Place and Beale Street.

The existing SUP (SUP 18-13) was approved in 2018 for a period of 10 years with a possible 5 year extension by the LUCB. This application requests the extension of the current SUP for an additional 10 years (from 2028 to 2038), plus the express right to seek two additional five year extensions (10 years total) from the LUCB.

The subject lot contains 83 spaces and was improved in 2018 with new curbs, asphalt, landscaping, irrigation, lighting, music sound system and major public artwork. The property is immaculately maintained, and surface parking remains in high demand in this area. The current operation is one of the nicest in the entire Memphis area and is a key resource for many entertainment, restaurant and other commercial ventures in the Peabody Place/Orpheum/Beale Street area. This application for extension has the support of numerous neighbors in the community.

The current owners, including the Belz family, continue to explore development opportunities for the site, as economic and market conditions permit. Approval of this application will allow 180 South Main LLC to continue uninterrupted operation of a surface parking area vital to the area's businesses and generate much-needed tax revenues, while exploring the highest and best future alternatives. SUP 18-13

List any relevant former Docket / Case Number(s) related to previous applications on this site

Is this application in response to a citation, stop work order, or zoning letter

If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information GIS INFORMATION No

SUP18-013, SAC_1973-020

Case Layer

GIS INFORMATION

Central Business Improvement District	Yes
Class	С
Downtown Fire District	Yes
Historic District	-
Land Use	VACANT
Municipality	MEMPHIS
Overlay/Special Purpose District	Central Business Improvement District
Zoning	CBD
Lot	C 486
State Route	-
Subdivision	TOPP
Planned Development District	-
Wellhead Protection Overlay District	No
County Commission District	-
City Council District	-
City Council Super District	-

Contact Information

Name RON BEI

RON BELZ

Address

1000 RIDGEWAY LOOP RD, MEMPHIS, TN, MEMPHIS, TN, 38120

Phone

Name CHRISTINE DONHARDT

Address 6800 POPLAR AVE,

Phone

(901)761-2016

Name

RON BELZ

Address

1000 RIDGEWAY LOOP RD, MEMPHIS, TN, MEMPHIS, TN, 38120

Phone

(901)761-2016

Name

NATHAN BICKS

Address

Phone (901)524-5146

Contact Type

Contact Type

MANAGER

Contact Type

PROPERTY OWNER OF RECORD

Contact Type

REPRESENTATIVE

Fee Inforr	nation					
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1620651	Major Modification Fee	1	300.00	INVOICED	0.00	01/27/2025
1620651	Credit Card Use Fee (.026 x fee)	1	7.80	INVOICED	0.00	01/27/2025
	Та	otal Fee Invo	iced: \$307.80	Total Ba	ance: \$0.	00
Payment	Information					
Payment Amount Method o		yment				
\$307.80	Credit Card	l				

002050 A00004 - PEABODY OFFICE TOWER CONDOMINIUM

- 002048 00007C MEMPHIS CITY OF
- 002049 00013 ONE EIGHTY SOUTH MAIN LLC
- 002050 00009C 126 BEALE STREET LLC
- 002127 00002 MEMPHIS LIGHT GAS & WATER DIVISION



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. 180 South Main LLC

Ronald A. Belz



(Print Name)

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

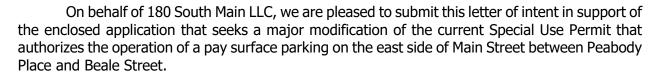
- I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgage or vendee in possession; or I have a freehold or lesser estate in 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 <u>180 S MAIN ST</u> and further identified by Assessor's Parcel Number <u>002049 00013</u> for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this dav of $\underline{\mathsf{M}}$ in the year of $\underline{\mathsf{AOAS}}$ adshaw Signature of Notary Public My Commission Expires

MEMORANDUM

To: Members of the Memphis/Shelby County Land Use Control Board
From: Nathan A. Bicks, Burch, Porter & Johnson PLLC
Date: January 23, 2025
Re: SUP 18-13—Major Modification (Time Extension)

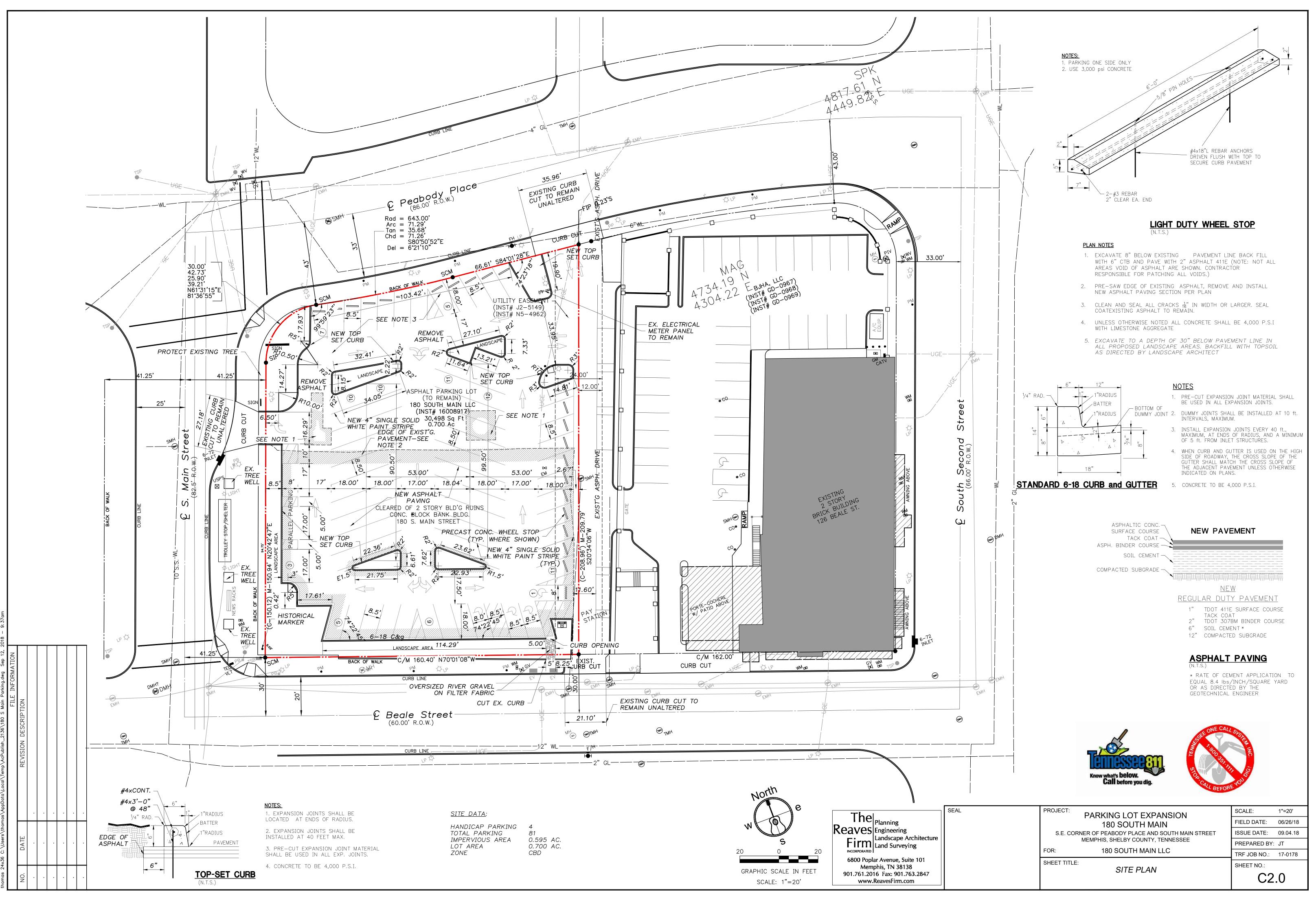


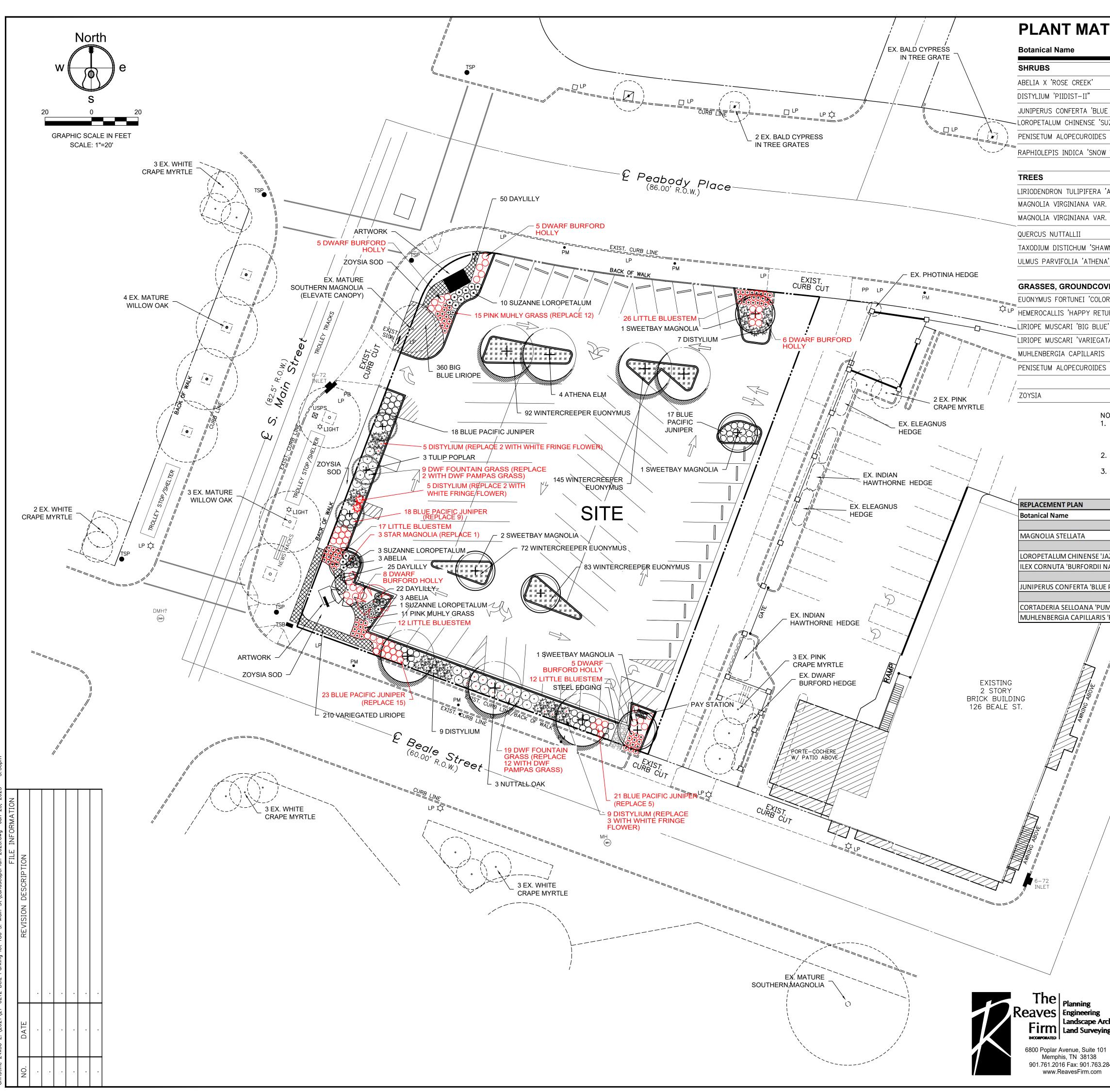
The existing SUP (SUP 18-13) was approved in 2018 for a period of 10 years with a possible 5 year extension by the LUCB. This application requests the extension of the current SUP for an additional 10 years (from 2028 to 2038), plus the express right to seek two additional five year extensions (10 years total) from the LUCB.

The subject lot contains 83 spaces and was improved in 2018 with new curbs, asphalt, landscaping, irrigation, lighting, music sound system and major public artwork. The property is immaculately maintained, and surface parking remains in high demand in this area. The current operation is one of the nicest in the entire Memphis area and is a key resource for many entertainment, restaurant and other commercial ventures in the Peabody Place/Orpheum/Beale Street area. This application for extension has the support of numerous neighbors in the community.

The current owners, including the Belz family, continue to explore development opportunities for the site, as economic and market conditions permit. Approval of this application will allow 180 South Main LLC to continue uninterrupted operation of a surface parking area vital to the area's businesses and generate much-needed tax revenues, while exploring the highest and best future alternatives.







ne 24x36 Z: \2021\21-0212 Belz Parking lot 180 S. Main St\LandscapePlan 2025.dwg Jan 23, 2025 - 3

	Common Name	Quantity	/ % OF TOTAL	Height	Caliper	Spread	Notes
	ABELIA	6	N/A	18"	-	24"	FULL
	DISTYLIUM	35	N/A	18"	-	24"	FULL
JE PACIFIC'	BLUE PACIFIC JUNIPER	97	N/A	_	_	18'"	FULL
SUZANNE'	SUZANNE LOROPETALUM	14	N/A	24"	-	24"	FULL
S 'HAMELN'	FOUNTAIN GRASS	28	N/A	24"	-	24"	FULL
W WHITE'	INDIAN HAWTHORNE	47	N/A	_	_	24"	FULL
'ARNOLD'	TULIP POPLAR	3	N/A	10-12'	2.5-3"		MATCHING
R. AUSTRAUS	STAR MAGNOLIA	3	N/A	8–10'		4-5'	3-TRUNK MIN, WELL BRNCHE
R. AUSTRAUS	SWEETBAY MAGNOLIA	5	N/A	8–10'		4-5'	3-TRUNK MIN, WELL BRNCHE
	NUTTALL OAK	3	N/A	_	3"	_	WELL-BRNCHD.; STRAIGHT
WNEE BRAVE'	BALD CYPRESS	2	N/A	8–10'	-	4-5'	MATCHING
1A,	ATHENA ELM	4	N/A	_	2.5"	_	WELL-BRNCHD.; MATCHING
VER, PERENNIA	LS						
ORATUS'	WINTERCREEPER EUONYMUS	392	N/A	_	-	_	PINTS; 18" ON CTR.
TURNS'	DAYLILLY	97	N/A	_	-	_	1-GALLON
JE,	LIRIOPE	360	N/A	_	-	_	PINTS; 12-15" ON CTR.
ΑΤΑ'	VARIEGATED LIRIOPE	210	N/A	_	-	_	PINTS; 12-15" ON CTR.
S	PINK MUHLY GRASS	26	N/A				2 GALLON
S 'LITTLE BUNNY'	BUNNY GRASS	67	N/A	_	_	_	2 GALLON

MEYER ZOYSIA SOD

NOTES:

500, R.O.M.)

DMH DMH

44 (66

1. THIS PLANT SCHEDULE IS PROVIDED AS A CONVENIENCE TO THE LANDSCAPE CONTRACTOR AND IS NOT GUARANTEED CORRECT. IT IS THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL QUANTITIES ILLUSTRATED ON THE PLANS AND VERIFY THOSE FIGURES AGAINST THIS PLANT

SCHEDULE PRIOR TO BIDDING. 2. UNDERSIZED PLANT MATERIAL WILL NOT BE ACCEPTABLE AND THE LANDSCAPE CONTRACTOR SHALL REPLACE REJECTED PLANT MATERIAL AT NO ADDITIONAL COST TO THE OWNER.

3. CONTACT PROJECT LANDSCAPE ARCHITECT IF ANY OF THE PLANT MATERIAL SPECIFIED IS NOT CURRENTLY AVAILABLE FROM NURSERY SUPPLIERS. THE LANDSCAPE ARCHITECT WILL PROVIDE

CURRENTLY AVAILABLE FROM NURSERY SUPPLIERS. THE LANI ALTERNATIVE PLANT VARIETIES FOR SUBSTITUTION.

	Common Name	Quantity	Min. Height	Min. Caliper	Spread	Notes
	TREES			_		
	STAR MAGNOLIA	1	4-5'	1.5"	<mark>2.5-3</mark> '	WELL-BRNCHD.; FULL
	SHRUBS					
JAZZ HANDS'	WHITE FRINGE FLOWER	7	30"		30"	3-GAL
NANA'	DWARF BURFORD HOLLY	29	24-28"		20-24"	3-GAL
GROUNDCOVER						
E PACIFIC'	'BLUE PACIFIC' JUNIPER	29			18"	3-GAL
GRASSES						
JMILA'	DWF PAMPAS GRASS	14				5-GAL
S 'REGAL MIST'	PINK MUHLY GRASS	24	15"		24"	2-GAL
11						

	SEAL	PROJECT: PARKING LOT EXPANSION	SCALE:	1"=20'
hitecture g 347	MULLAEL LEE D	180 SOUTH MAIN	FIELD DATE:	06/26/18
	REGISTERED	S.E. CORNER OF PEABODY PLACE AND SOUTH MAIN STREET	ISSUE DATE:	09/11/18
		MEMPHIS, SHELBY COUNTY, TENNESSEE	PREPARED BY:	MLD
		FOR: 180 SOUTH MAIN LLC	TRF JOB NO.:	17-0178
		SHEET TITLE: LANDSCAPE	SHEET NO .:	
		PLAN	L 1	.0

RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT THE BLOCK EAST OF SOUTH MAIN STREET BETWEEN PEABODY PLACE AND BEALE, KNOWN AS CASE NUMBER SUP 18-13.

WHEREAS, Article 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 180 South Main LLC filed an application with the Memphis and Shelby County Office of Planning and Development on July 2, 2018, to allow commercial surface parking lot for a period not to exceed fifteen (15) years; and

WHEREAS, the Office 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 August 9, 2018, and said Board recommended approval of the request of the applicant subject to conditions 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; 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

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that this planned development is hereby granted in accordance with the attached outline plan conditions; and

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 site 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.

Office of Planning and Development – Land Use Controls \checkmark Office of Construction Code Enforcement \checkmark CC:

> 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

1888 and 1990 and 19

AUG 28 2018
Date ______ AUG 28 2018
Deputy Comptroller-Council Records

CONDITIONS

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- 1. A special use permit shall be granted to allow a surface parking lot.
- 2. This special use permit shall expire in ten (10) years.
- 3. The applicant shall be entitled to apply for a single five (5) year time extension of this special use permit from the Land Use Control Board; the applicant must apply before the expiration date defined in Condition 2.



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.

16008917 01/29/2016 - 09:36 AM		
PGS		
ONALD 1421028-16008917		
ALUE	10.00	
ORTGAGE TAX	0.00	
RANSFER TAX	0.00	
ECORDING FEE	15.00	
P CEE	2.00	
EGISTER'S FEE	0.00	
ALK THRU FEE	1.50	
	18.50	

1075 Mullins Station, Suite W165 ~ Memphis, Tennessee 38134 (901) 222-8100 Website: http://register.shelby.tn.us Email: Tom.Leatherwood@shelbycountytn.gov Join us on Facebook This instrument prepared by and return to: Andrea S. Bienstock, Esq. 100 Peabody Place, Suite 1400 Memphis, Tennessee 38103

æ

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that BELZ INVESTCO GP, a Tennessee general partnership, for and in consideration of the sum of Ten and No/100 Dollars, does hereby bargain, sell, remise, release, quitclaim and convey unto 180 SOUTH MAIN LLC, a Tennessee limited liability company, all its right, title and interest in and to the following real estate located in the City of Memphis, County of Shelby, State of Tennessee, to-wit:

West part of Reuse Block 7 in Beale Street Renewal Area No. 1, Tenn. Project No. R-77, more particularly described as follows:

The coordinates of points are referred to the Tenn. Coordinate System as set out in T.C.A. 64-601, et seq.

Beginning at the point of intersection of the north line of Beale Street (60 feet wide) with the east line of Main Street (82.S feet wide), said beginning point having the coordinates Y=297493.06, X=788033.65; thence northwardly along the east line of Main Street on a Lambert Grid Bearing of North 20 degrees 31 minutes 17 seconds East a distance of 150.12 feet to the beginning of a proposed curve to the right having a radius of 30.0 feet; thence northwardly and eastwardly a distance of 49.9 feet along the arc of said curve to the point of reverse curve; thence eastwardly along the proposed south line of (new) McCall Avenue by a curve to the left having a radius of 643.0 feet a distance of 75.66 feet as measured along the arc of said curve to a point of tangency; thence South 84 degrees 17 minutes 01 seconds East along the proposed south line of (new) McCall Avenue a distance of 62.74 feet to a point on the centerline of a 24 foot wide utility easement; thence South 20 degrees 26 minutes 19 seconds West a distance of 208.96 feet along the centerline of said easement to a point in the north line of Beale Street; thence North 70 degrees 08 minutes 55 seconds West along the north line of Beale Street a distance of 160.4 feet to the Point of Beginning.

SUCH PARCEL ALSO BEING DESCRIBED AS:

BEING THE TRI-STATE BANK OF MEMPHIS PROPERTY AS RECORDED IN INSTRUMENT J2-9028 AT THE SHELBY COUNTY REGISTER'S OFFICE, LOCATED IN MEMPHIS, AND SHELBY COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING THAT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF BEALE STREET (60.00 FOOT WIDE PUBLIC RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF SOUTH MAIN STREET (82.50 FOOT WIDE PUBLIC RIGHT-OF-WAY); THENCE N20°42'47"E ALONG THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH MAIN STREET A MEASURED DISTANCE OF 150.94 FEET (CALL 150.12 FEET) TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 42.73 FEET (CHORD N61°31'15"E – 39.21 FEET) TO A POINT OF REVERSE CURVATURE, SAID POINT LIES ON THE SOUTH RIGHT-OF-WAY LINE OF PEABODY PLACE (86.00 FOOT WIDE PUBLIC RIGHT-OF-WAY); THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID PEABODY PLACE FOLLOWING A CURVE TO THE LEFT HAVING A RADIUS OF 643.00 FEET, AN ARC LENGTH OF 71.29 FEET (CHORD S80°50'52"E – 71.26 FEET) TO THE POINT OF TANGENCY; THENCE S84°01'28"E AND CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID PEABODY PLACE A DISTANCE OF 66.61 FEET TO THE NORTHWEST CORNER OF TRACT 1 OF THE BJHA, LLC PROPERTY AS RECORDED IN INSTRUMENT GD-0697; THENCE S20°34'06"W ALONG THE WEST LINE OF THE SAID BJHA, LLC PROPERTY A MEASURED DISTANCE OF 209.79 FEET (CALL 208.96 FEET) TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BEALE STREET; THENCE N70°01'08"W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID BEALE STREET A CALLED AND MEASURED DISTANCE OF 160.40 FEET THE POINT OF BEGINNING, according to a survey dated December 15, 2015, prepared by MICHAEL FRYE, TNRLS No. 807, The Reaves Firm, 6800 Poplar Avenue, Suite 101, Memphis, TN 38138.

This is the same property conveyed to the Grantor by Deed recorded under Instrument No. 15129816 in the Register's Office of Shelby County, Tennessee and being further identified as Parcel I.D. Number 002049 00013.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 28th day of Januar 2016.

BELZ INVESTCO GP By: URCO, Inc, its Managing Partner By: Jimme D. Williams, President

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, a Notary Public of the State and County aforesaid, personally appeared JIMMIE D. WILLIAMS, VICE PRESIDENT of URCO, INC., a Tennessee corporation, said corporation is the managing partner of BELZ INVESTCO GP, a Tennessee general partnership, with whom I am personally acquainted, and who, upon oath acknowledged that he is the VICE PRESIDENT of URCO, INC., managing partner of BELZ INVESTCO GP, and that he as such VICE PRESIDENT, executed the foregoing instrument for the purpose therein contained by signing the name of such partnership by such corporation, as the managing partner by himself as VICE PRESIDENT of such corporation.

WITNESS my hand and Notarial seal, at office in Memphis, Tennessee, this, the 23^{44} day of 2016. **Notary Public** MY COMMISSION EXPIRES NOV. 13, 2016 My Commission Expires:

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

Affiant SUBSCRIBED AND SWORN to before me this 20 day of January 2016. Notary Public MOLTS MY COMMISSION EXPIRES NOV. 13, 2016 OTAR My commission expires:

Property Address:

180 South Main Street Memphis, Tennessee 38103 Property Tax ID # 002049 00013

Owner's Address:

180 South Main LLC 100 Ridgeway Loop, Suite 203 Memphis, TN 38120

Mail Tax Bills to:

180 South Main LLC 100 Ridgeway Loop, Suite 203 Memphis, TN 38120

Total Due:	\$18.50
Walk Through Fee	\$1.50
DP Fee	\$2.00
Register's Fee	\$0.00
Recording Fees	\$15.00
Conveyance Tax	\$0.00



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

March 18, 2025

Ron Belz, One Eighty South Main, LLC 1000 Ridgeway Loop Road Memphis, TN 38120

Sent via electronic mail to: nbicks@bpjlaw.com, cdonhardt@reavesfirm.com

Case Number: MJR 2024-004 (SUP 2018-013 CORRES.) LUCB Decision: Rejection

Dear applicant,

On Thursday, March 13, 2025, the Memphis and Shelby County Land Use Control Board *rejected* your special use permit major modification application to allow a time extension for an approved parking lot located at 180 South Main Street, subject to the following conditions:

- 1. A special use permit shall be granted to allow a surface parking lot.
- 2. This special use permit shall expire on August 28, 2038.

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

Respectfully,

Alexis Longstreet

Alexis Longstreet Planner Land Use and Development Services Division of Planning and Development

Cc: File



Nathan A. Bicks Direct: 901.524.5146 nbicks@bpjlaw.com LAW OFFICES Burch, Porter & Johnson, PLLC 130 North Court Avenue Memphis, TN 38103 Phone: 901.524.5000 Fax: 901.524.5024

bpjlaw.com

March 18, 2025

By Hand Delivery Brooke Hyman Chief Administrative Officer Memphis City Council 125 North Main Street –4th Floor Memphis, Tennessee 38103

Re: Appeal to City Council of Land Use Control Board Matter (MJR2025-004)

Dear Brooke:

Pursuant to section 9.23.2(B) of the Unified Development Code, this letter is intended to be notice of the applicant's appeal in the above-captioned case.

The matter was heard at the March 13, 2025 meeting of the Land Use Control Board (LUCB). The Board voted 3-3, thereby failing to approve the application for an extension of time for the Special Use Permit associated with the parking lot located at 180 South Main Street. The appellant is One Eighty South Main, LLC (Ron Belz), One Peabody Place, Memphis 38103 (901-260-7200), and it is represented by Burch, Porter & Johnson, LLC (Nathan Bicks 901-524-5146).

Accompanying this notice of appeal is a check in the amount of \$50.00 (payable to the City of Memphis) for the City Council Records. A check in the amount of \$175.00 has simultaneously been delivered to the Department of Planning and Development.

Please let me know if you need further information from me. Thanks!

Very truly yours,

BURCH, PORTER & JOHNSON, PLLC

Natan Q. Bab

Nathan A. Bicks

NAB/sjl Enclosures

C: Brett Ragsdale, Zoning Administrator Ron Belz

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development ONE ORIGINAL DIVISION ONLY STAPLED Planning & Zoning COMMITTEE: 03/25/2025 TO DOCUMENTS DATE **PUBLIC SESSION:** 04/08/2025 DATE ITEM (CHECK ONE) RESOLUTION X REQUEST FOR PUBLIC HEARING X_ORDINANCE Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted **ITEM CAPTION:** on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize the designation of a new Historic (H) Overlay District to include 43 residential properties within the 2000 to 2100 block of Carr Avenue, known as case number HDD 2024-0001 HDD 2024-0001 CASE NUMBER: 43 properties within the 2000 to 2100 block of Carr Avenue between Diana Street and Cooper Street LOCATION: District 4 and Super District 9 - Positions 1, 2 and 3 **COUNCIL DISTRICTS:** Hunter Oppenheimer and 41 others **OWNER/APPLICANT: REPRESENTATIVES:** Hunter Oppenheimer Designation of a new Historic (H) Overlay District **REQUEST:** The Division of Planning and Development recommended Approval **RECOMMENDATION:** The Memphis Landmarks Commission recommended Approval The Land Use Control Board recommended Approval **RECOMMENDED COUNCIL ACTION:** Public Hearing Required Set date for first reading - March 18, 2025 Second reading - March 25, 2025 Third reading - April 8, 2025 PRIOR ACTION ON ITEM: APPROVAL - (1) APPROVED (2) DENIED (1)DATE 02/13/2025 ORGANIZATION - (1) BOARD / COMMISSION (1) Land Use Control Board (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE _____ FUNDING: REQUIRES CITY EXPENDITURE - (1) YES (2) NO (2)AMOUNT OF EXPENDITURE \$ REVENUE TO BE RECEIVED SOURCE AND AMOUNT OF FUNDS OPERATING BUDGET **CIP PROJECT #** FEDERAL/STATE/OTHER ADMINISTRATIVE APPROVAL: DATE POSITION URBAN DESIGN & PRESERVATION PLANNER DEPUTY ADMINISTRATOR ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR CITY ATTORNEY CHIEF ADMINISTRATIVE OFFICER COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

HDD 2024-0001

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 THE DESIGNATION OF A NEW HISTORIC (H) OVERLAY DISTRICT TO INCLUDE 43 RESIDENTIAL PROPERTIES WITHIN THE 2000 TO 2100 BLOCK OF CARR AVENUE BETWEEN DIANA STREET AND COOPER STREET, KNOWN AS CASE NUMBER HDD 2024-0001

- This item is an ordinance for establishment of a Historic (H) Overlay District at the aforementioned location; and
- Approval of this establishment of a historic overlay district 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.

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 THE DESIGNATION OF A NEW HISTORIC (H) OVERLAY DISTRICT TO INCLUDE 43 PROPERTIES WITHIN THE 2000 TO 2100 BLOCK OF CARR AVENUE BETWEEN DIANA STREET AND COOPER STREET, KNOWN AS CASE NUMBER HDD 2024-0001.

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: HDD 2024-0001**; 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 PROPERTIES OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) AND COMMERCIAL MIXED USE – 1 (CMU-1) DISTRICTS AND INCLUDING THEM IN THE RESIDENTIAL SINGLE-FAMILY HISTORIC – 6 (R-6[H]) AND COMMERCIAL MIXED USE HISTORIC – 1 (CMU-1[H]) DISTRICTS.

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

FORTY-THREE PROPERTIES WITHIN THE 2000 TO 2100 BLOCK OF CARR AVENUE BETWEEN DIANA STREET TO THE WEST AND COOPER STREET TO THE EAST AS ILLUSTRATED ON THE BOUNDARY MAP ATTACHMENT.

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.

HISTORIC (H) OVERLAY DISTRICT BOUNDARIES



PARCEL NUMBERS

Carr Avenue Address	Parcel Number	Property Owner
2035	01605800001	William Howard Sr & Linda Howard
2038	01606000050	Jean H Oppenheimer
2039	01605800002	Andrew Williams
2040	01606000049	Lauren Gates
2042	01606000048	Lindsey & Mark Neal
2044	01606000047	Haley C. Overcast
2046	01606000046	Kassey Pass
2047	01605800003	Delori Dever, Andra Allgood, Elliott Dever
2049	01605800004	Peter & Tina Sullivan
2052	01606000045	DJS Holdings, LLC
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2107	01605800020	Galen Givens-Rowlin
2119	01605800021	Rodney Nash
2121	01605800022	Rodney Nash
		Actual Contractor

Mailing Address

2035 Carr Avenue, Memphis, TN 38104 2038 Carr Avenue, Memphis, TN 38104 2039 Carr Avenue, Memphis, TN 38104 2040 Carr Avenue, Memphis, TN 38104 2042 Carr Avenue, Memphis, TN 38104 2044 Carr Avenue, Memphis, TN 38104 2046 Carr Avenue, Memphis, TN 38104 2047 Carr Avenue, Memphis, TN 38104 2049 Carr Avenue, Memphis, TN 38104 1900 Starling Drive, Jonesboro, AR 72401 2053 Carr Avenue, Memphis, TN 38104 2054 Carr Avenue, Memphis, TN 38104 3406 Democrat Road, Memphis, TN 38118 2061 Carr Avenue, Memphis, TN 38104 2063 Carr Avenue, Memphis, TN 38104 2064 Carr Avenue, Memphis, TN 38104 2065 Carr Avenue, Memphis, TN 38104 2066 Carr Avenue, Memphis, TN 38104 2067 Carr Avenue, Memphis, TN 38104 2068 Carr Avenue, Memphis, TN 38104 2069 Carr Avenue, Memphis, TN 38104 2070 Carr Avenue, Memphis, TN 38104 2071 Carr Avenue, Memphis, TN 38104 2072 Carr Avenue, Memphis, TN 38104 2073 Carr Avenue, Memphis, TN 38104 2074 Carr Avenue, Memphis, TN 38104 2075 Carr Avenue, Memphis, TN 38104 2076 Carr Avenue, Memphis, TN 38104 2079 Carr Avenue, Memphis, TN 38104 2080 Carr Avenue, Memphis, TN 38104 2085 Carr Avenue, Memphis, TN 38104 2090 Carr Avenue, Memphis, TN 38104 2093 Carr Avenue, Memphis, TN 38104 2094 Carr Avenue, Memphis, TN 38104 2095 Carr Avenue, Memphis, TN 38104 2096 Carr Avenue, Memphis, TN 38104 2101 Carr Avenue, Memphis, TN 38104 2102 Carr Avenue, Memphis, TN 38104 2103 Carr Avenue, Memphis, TN 38104 6491 Kirby Woods Drive, Memphis, TN 38119 2107 Carr Avenue, Memphis, TN 38104 2119 Carr Avenue, Memphis, TN 38104 2119 Carr Avenue, Memphis, TN 38104

ATTEST:

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, February 13, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

HDD 2024-0001
43 properties within the 2000 to 2100 block of Carr Avenue between Diana Street and Cooper Street
District 4, Super District 9 – Positions 1, 2, and 3
Hunter Oppenheimer and 41 others
Hunter Oppenheimer
Designation of a new Historic (H) Overlay District

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

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

Respectfully,

Harget FPagne

Margot Payne Urban Design & Preservation Planner Land Use and Development Services Division of Planning and Development

Cc: Committee Members File

HISTORIC (H) OVERLAY DISTRICT BOUNDARIES



PARCEL NUMBERS

Carr Avenue Address	Parcel Number	Property Owner
2035	01605800001	William Howard Sr & Linda Howard
2038	01606000050	Jean H Oppenheimer
2039	01605800002	Andrew Williams
2040	01606000049	Lauren Gates
2042	01606000048	Lindsey & Mark Neal
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ddd MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT
AGENDA ITEM:	17	L.U.C.B. MEETING:	February 13, 2025
CASE NUMBER:	HDD 2024-0001		
LOCATION:	43 properties within the 2000 to	2100 block of Carr Avenue.	
COUNCIL DISTRICT:	District 4 and Super District 9 – P	ositions 1, 2 and 3	
REPRESENTATIVE:	Hunter Oppenheimer		
REQUEST:	Designation of a new Historic (H)	Overlay District	

CONCLUSIONS

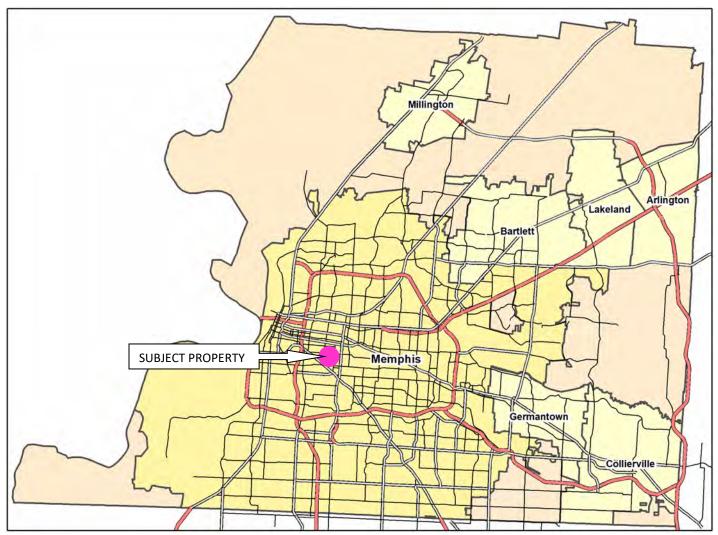
- The request is to designate multiple properties to be included in a new Historic (H) Overlay District and to adopt design guidelines to apply within the proposed Carr Avenue Historic District. The proposed district includes 43 residential properties within the 200 to 2100 block of Carr Avenue, between Diana Street and Cooper Street, within the Idlewild National Register Historic District, listed on the National Register of Historic Places since 1999.
- 2. The Landmarks Commission reviewed and approved the proposed design guidelines and properties to be included in the district on January 23, 2025. The design guidelines will be used by the Memphis Landmarks Commission and the Land Use and Development Services staff to review projects within the district and for issuance of Certificates of Appropriateness. The review process will include new construction, exterior alterations, additions, site improvements, relocation, and demolition projects within the proposed district boundaries to preserve properties with historical, cultural, architectural, and geographic significance and promote historic preservation within the City of Memphis. The proposed historic overlay district will be an addition to the existing eighteen (18) local historic districts within the City.
- 3. This application is a recommendation for approval by the Landmarks Commission to the Land Use Control Board. The Land Use Control Board will review this application and make a recommendation to the Memphis City Council. The Memphis City Council will review the rezoning application and on the third (3rd) and final reading will hold a public hearing on whether this area is to be rezoned as a new Historic (H) Overlay District.

CONSISTENCY WITH MEMPHIS 3.0

Not Applicable - The Memphis 3.0 Plan does not make recommendations related to the creation of historic overlay districts.

RECOMMENDATION:

Approval



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject properties highlighted in green

PUBLIC NOTICE DETAILS

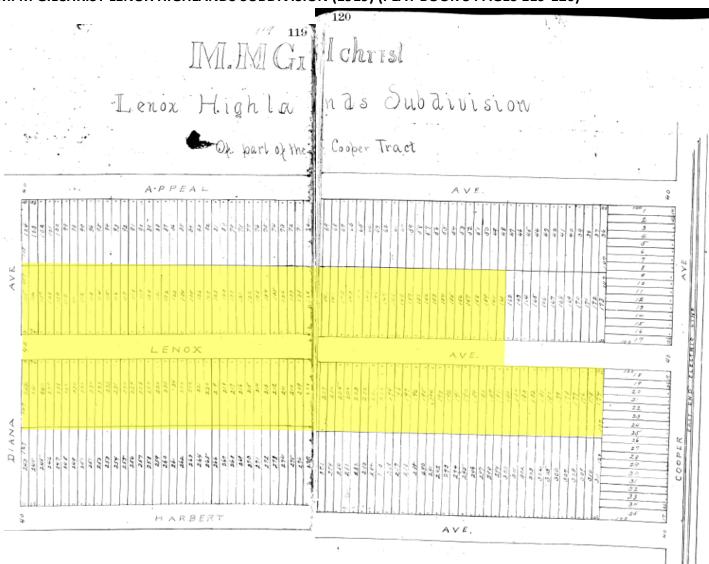
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 93 notices were mailed on January 23, 2025, see page 13 of this report for a copy of said notice. Additionally, two signs were posted at the subject property, see page 14 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

Two neighborhood meetings were held at 6:30 pm at the Park Avenue Masonic Lodge, 539 Cooper Street, on July 18 and August 29, 2024.

February 13, 2025 Page 4





Subject properties highlighted in yellow, Lots 105-161 and 175-239

ZONING MAP



Subject properties outlined in yellow, imagery from 2017

Existing Zoning: Residential Single-Family - 6 (R-6) and Commercial Mixed Use – 1 (CMU-1)

LAND USE MAP



Subject properties outlined in pink.

SITE PHOTOS



View of subject properties from Cooper Street and Carr Avenue looking southwest



View of subject properties from Carr Avenue looking northwest



View of subject properties from Carr Avenue looking southeast.



View of subject properties from Carr Avenue looking northeast

CASE REVIEW

Request

The application has been added to this report. See pages 15 to 46 of this staff report for the application.

Designation of a new Historic (H) Overlay District of an area of 4.53 acres which contains 43 parcels with Residential Single-Family - 6 (R-6) and Commercial Mixed Use – 1 (CMU-1) zoning.

Review Criteria

Staff agrees the review criteria as set out in Sub-Section 9.5.7B and Sub-Section 8.6.2E 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.

8.6.2E Criteria for Designation

Any use permitted in the underlying zoning district shall also be permitted in a Historic Overlay District. In addition to the zoning change criteria (see Chapter 9.5, Zoning Change), an application for a Historic Overlay District zoning change shall meet one or more of the following criteria, in that they are:

- 8.6.2E(1) Associated with events which have made a significant contribution to local, state or national history; or
- 8.6.2E(2) Associated with persons significant in our past; or
- 8.6.2E(3) Comprised of structures or groups of structures that embody the distinctive characteristics of a type, period, or method of construction; or that represent the work of a master or possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- 8.6.2E(4) Likely to yield archaeological information; or
- 8.6.2E(5) Listed in the National Register of Historic Places.

Site Details

Address:

43 properties within the 2000 to 2100 block of Carr Avenue

Parcel IDs: 016060 00030 - 016060 00050 016058 00001 - 016058 00022

Area: +/-4.53 acres

February 13, 2025 Page 10

Site Description

The subject area is +/-4.53 acres and comprised of forty-three (43) parcels. The area includes multiple single-family properties and includes Residential Single-Family - 6 (R-6) and Commercial Mixed Use – 1 (CMU-1) zoning districts.

<u>Analysis</u>

The applicant's request is to designate multiple properties to be included in a new Historic (H) Overlay District and to adopt design guidelines to apply within the proposed Carr Avenue Historic District. The proposed district includes 43 residential properties within the Idlewild National Register Historic District, listed on the National Register of Historic Places since 1999.

The design guidelines will be used by the Memphis Landmarks Commission and the Land Use and Development Services staff to review projects within the district and for issuance of Certificates of Appropriateness. The review process will include new construction, exterior alterations, additions, site improvements, relocation, and demolition projects within the proposed district boundaries to preserve properties with historical, cultural, architectural, and geographic significance and promote historic preservation within the City of Memphis. The proposed historic overlay district will be an addition to the existing eighteen (18) local historic districts within the City. See pages 18 to 46 of this staff report for the Carr Avenue Design Guidelines.

The Landmarks Commission reviewed and approved the proposed design guidelines and properties to be included in the district on January 23, 2025. The Land Use Control Board will review this application and make a recommendation to the Memphis City Council. The Memphis City Council will review the rezoning application and on the third (3rd) and final reading will hold a public hearing on whether this area is to be rezoned as a new Historic (H) Overlay District.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

February 13, 2025 Page 11

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

City/County Engineer:	No comments received.
City/County Fire Division:	No comments received.
City Real Estate:	No comments received.
County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Office of Sustainability and Resilience:	No comments received.
Office of Comprehensive Planning:	No comments received.

February 13, 2025 Page 12

MEMPHIS LANDMARKS COMMISSION LETTER TO THE APPLICANT



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

MEMPHIS LANDMARKS COMMISSION APPROVAL LETTER

TO: Hunter Oppenheimer

DATE: January 23, 2025 DOCKET: HDD 2024-0001 Carr Avenue Historic District

Sent via electronic mail to: hunteropp@gmail.com

Congratulations- on Thursday, January 23, 2025, the Memphis Landmarks Commission approved your application to designate residential properties to be included in a Historic (H) Overlay District as illustrated on the boundary map and adopted the attached design guidelines to apply within the district.

A final draft copy shall be sent to this office for forwarding to the Memphis & Shelby County Land Use Control Board for consideration. The final draft copy shall include and list any proposed amendments to the design review guidelines for the district and/or boundary map.

If you have any objections, please be aware you have sixty (60) days to discuss alternatives with staff or if you need to make any changes to the design guidelines, please contact us by phone at (901) 636-6619. Thank you in advance for your cooperation in this matter.

Respectfully,

Harget F Pagne

Margot Payne Urban Design & Preservation Planner II Land Use and Development Services Division of Planning and Development

MAILED PUBLIC NOTICE

Staff Report

HDD 2024-0001

Staff Planner Contact: Margot Payne ☐ margot.payne@m < (901) 636-7184	Meeting Details Location: Council Chambers City Hall 1st Floor 125 N Main St.	CASE NUMBER: LOCATION: REQUEST: APPLICANT:	NOTIC You have receiv property that is ("Landmarks") hearing of the I Board. You are invited to do so You may also si below no later
aff Planner Contact: argot Payne margot.payne@memphistn.gov (901) 636-7184	Details Council Chambers Time: 9:00 AM City Hall 1st Floor 125 N Main St. Date: Thursday, Feb. 13, 2025	HDD 2024-0001 Along Carr Ave. between Diana and S Cooper Streets Establishment of a new Local Historic ("Landmarks") District Hunter Oppenheimer	NOTICE OF PUBLIC HEARING You have received this notice because you own or reside on a property that is within or near a proposed new local historic ("Landmarks") district 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, February 5, 2025.
To learn more about this contact the staff planner QR code to view the full	The proposed Carr Avenue HD consists of 43 properties on the 2000 to 2100 block of Carr Ave between Diana St and S. Cooper St (included properties shown within the red and black lines).	Diana St.	Peabody Ave.

SIGN AFFIDAVIT

AFFIDAVIT Shelby County State of Tennessee long lor fing bing duly sworn, depose and say that at i many pm _, 20,2 5, I posted ____ Public Notice Sign(s) on the 20 day of Jonuphy pertaining to Case No at 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 Subscribed and swom to before me this 30 day of 50000000, 2025. hereto. Notary Public STATE O My commission expires: 08/09/29 NOTARY PUBLIC LBY COU My Commission Expires Aug. 9, 2028

STATEMENT OF HISTORICAL SIGNIFICANCE

A building is said to possess architectural significance if it well represents a specific type, period, or method of construction. A property can also have historical significance if it is considered contributing to the significance of an established historic district. Carr Avenue lies within the borders of the Idlewild National Historic District.

The historic structures found along the 2000-2100 block of Carr Avenue are significant as a collection of late-nineteenth and early twentieth century residential buildings. The housing types, styles, forms, and materials used in construction reflect the area's origin as an early streetcar suburb. The period of significance for the district spans between 1890 and 1915, with the beginning date corresponding with the establishment of the first Idlewild subdivision in the early 1890's.

The housing types along Carr Avenue reflect the origins of the district as an early streetcar suburb. Streetcar suburbs had a strong pedestrian orientation. Most people walked along the sidewalk to their homes from the streetcar stop and depended on the streetcar for transportation. The automobile did not yet have a major influence in the neighborhood and would not until the 1920's, and so few driveways or garages were present. The close spacing of the houses was governed by the fact that one walked home from the streetcar stop.* The houses were built linearly on narrow lots (typically 25-50 ft. wide) with shallow side yards and front yard setbacks. Front porches were typical and a distinctive feature.

Carr Avenue, located within the town of Idlewild, was a desirable residential area that attracted a large cross section of mostly working-class families. The streetcar suburb opened up a world to these Americans where they could buy a house, and with the streetcar in close proximity, could easily escape the small walking radius in which they had previously lived and worked. The streetcar suburb introduced an entirely new kind of freedom that would soon be replaced by the automobile.

The Carr Avenue Historic Preservation District is a unique area in the City of Memphis. It is a place which can historically and physically demonstrate the experience of early suburban development in Memphis at the turn of the twentieth century. The street retains its sense of identity today, bolstered in part by its historic architectural character.

*Credit: Field Guide to American Houses by Virginia Savage McAlester

PHYSICAL DESCRIPTION OF PROPERTY

Carr Avenue Historic District consists of 43 properties on the 2000 to 2100 block of Carr Avenue in Midtown Memphis.

Like other edge developments in Memphis at the turn of the twentieth century, the simple single-family residential house types along Carr Avenue include the shotgun, the modified shotgun, the composite cottage, and variations of these forms. Architectural styles applied to these structures included Queen Anne, Colonial Revival, Craftsman, and vernacular.

The houses generally are grouped closely together and sit close to the street on lots as narrow as 25 feet wide. The consistent scale, mass, and form of the houses as well as the pattern of similar design elements and materials establish a sense of visual continuity.

The gently rolling topography of the subdivision development required the street to be cut into the slope. As a result, many of the houses along Carr Avenue have low terraces for the setting of the residences. Some of these terraces are retained by masonry walls while others slope gently to the street.

Architectural Types and Styles

Shotgun and Modified Shotgun

The term *Shotgun* refers to a housing form in which the floor plan arrangement consists of rooms of the house opening in modest in size and in detail, they were historically found grouped together along the shared street. Front gabled roofs are common on the shotgun house which often has a full or 3/4 length front porch built on a raised foundation. Details of the Shotgun house reflect its architectural style and period of construction. Colonial Revival and Queen Anne are two of the most common architectural styles applied to shotgun houses within the district.

The term Queen Anne refers to a style featuring front porch columns that are typically wood, and may be turned, chamfered, or rounded. Post brackets, sawn wood attic vents, and spindle work balustrades can be found as features. Windows are typically 1/1 or 2/2 configuration. Exterior cladding is traditionally wood lap siding. Patterned wood shingles in the open gabled ends can be seen.

The term *Colonial Revival* refers to a style that typically features an accentuated front door, overhead fanlights, and a front porch supported by columns. Windows are usually 1/1 double hung. Exterior cladding is usually wood siding.

Composite Cottage with Craftsman Influence

The term *cottage* traditionally refers to a house form that is either 1 or 1 1/2 stories in height with a low to normal pitched gabled or hipped roof, a wide and unenclosed eave overhang, and a full or partial length front porch. The floor plan is usually a simple 4 unit. The most prevalent style in the district is the 1 story with *Craftsman* elements such as knee braces along the roof line, and columns, sometimes on pedestal bases or piers to support the porch roof. Exterior cladding is typically wood siding.

LIST OF ADDRESSES, PARCEL NUMBERS, PROPERTY OWNERS & PROPERTY OWNER'S MAILING ADDRESS

Carr Avenue Address	Parcel Number	Property Owner
2035	01605800001	William Howard Sr & Linda Howard
2038	01606000050	Jean H Oppenheimer
2039	01605800002	Andrew Williams
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I. Introduction

Purpose of District

This document will serve as the Design Guidelines for the Carr Avenue Historic District. The purpose of the Carr Avenue Historic District is to protect and preserve the historic structures within the district and to protect the designated area from changes that would diminish the historic character and architectural importance of the district.

Scope of Review

Design Guidelines are criteria and standards which the Memphis Landmarks Commission must consider when reviewing plans of proposed work to determine the appropriateness of proposed work within a designated Landmarks District.

In Historic Districts, the Memphis Landmarks Commission reviews and approves all zoning requests and project plans for new construction, relocation of structures, demolition, site improvements, and different types of exterior alterations.

The Memphis Landmarks Commission only reviews those proposed changes to a site or structure that are VISIBLE from the street or other public right-of-way. "Visibility from the public right of way" is determined by Memphis Landmarks Commission staff.

These design guidelines apply to proposed changes to a site or structure VISIBLE from the street or public right-of-way. In all new construction, additions, and exterior alterations, the principal façades (including the front elevation and any street related elevations on corner lots) are reviewed more stringently than other elevations less visible from the public right- of-way.

The appropriateness of proposed work must be determined to accomplish the following goals of historic zoning:

- To preserve and protect the historical and architectural value of buildings or historically significant areas;
- To ensure compatibility and visual continuity within the Historic District by regulating exterior design, texture, and materials;
- To create an aesthetic appearance which complements the historic buildings or other structures;
- To stabilize and improve property values;
- To foster civic beauty and community pride;
- To strengthen the local economy;
- To establish criteria and procedures to regulate new construction, repair, rehabilitation, relocation, or other alteration of structures within any Historic District or zone;
- To promote the use of Historic Districts for the education, pleasure, and welfare of the present and future citizens of Memphis.

What are Design Guidelines?

The Carr Avenue Design Guidelines convey community policies about

Carr Avenue Historic Preservation District

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alterations to existing structures, additions, demolition, new construction, rehabilitation, relocation, and other site improvements within the historic district.

The design guidelines provide a consistent basis for making decisions that may affect the historic character of the neighborhood. Generally, they apply to five basic areas:

1) Alterations to existing structures visible from the street or other public right of way

- 2) Additions
- 3) Demolition and Relocation
- 4) New construction
- 5) Other site improvements.

These 5 areas are the areas considered "reviewable work" by the Memphis Landmarks Commission. If one of these 5 reviewable project types is to be undertaken in the historic district, then the project plan will need to be reviewed by Memphis Landmarks Commission to obtain a Certificate of Appropriateness (COA). There is a fee schedule for this review. The fee schedule can be found at:

https://www.develop901.com/landuse -developmentservices/MemphisLand marksCommission.

These design guidelines do not dictate decisions. They provide a range of historically appropriate and contextually sensitive options to guide design decisions when undertaking **reviewable** work within the district. The design guidelines also identify some design approaches which are inappropriate within the neighborhood due to the negative impact such an approach would have on the perceived historic character and cohesiveness of the district.

These design guidelines reflect the basic philosophy:

1) that the preservation of historic buildings and resources within the district is of primary importance but should be balanced with the contemporary use of these structures.

2) that the historic character of a property should be retained and preserved and recognized as a physical record of its time, place, and use.

 that most properties change over time; that those changes that have acquired historic significance in their own right should be retained and preserved.

4) that new additions, exterior alterations, or related new construction should not destroy the historic character of the property, but strike a balance between the old and new. The new work should be differentiated from the old and yet compatible in mass, scale, and feature with the old.

5) that new additions and adjacent or related new construction should be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Note: There is no Landmarks review for paint color.

How to use this document

When beginning a project **that** is subject to review and a Certificate of Appropriateness (COA), the applicants should refer to the design guidelines to ensure that the final design is in accordance with the guidelines and is appropriate for the district.

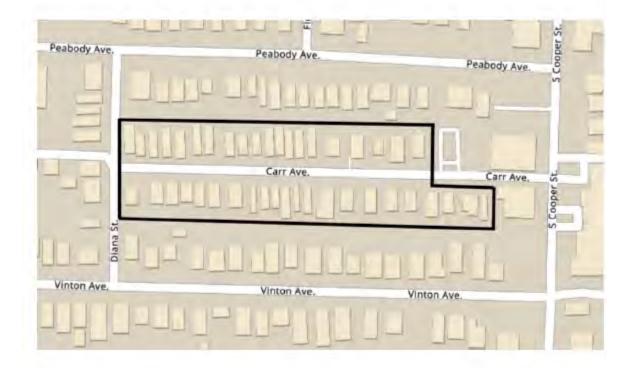
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The online COA application is available electronically at: https://www.develop901.com/landuse-de

velopmentservices/MemphisLandmarks Commission See Landmarks Approval Process, Appendix A, p.26, for further information.

Map of Carr Avenue District:

The Carr Avenue Historic District consists of one block of Carr Avenue between Diana Street on the west and Cooper Street on the east.



Concept of Significance

A building is said to possess architectural significance if it well represents a specific type, period, or method of construction. A property can also have historical significance if it is considered contributing to the significance of an established historic district. Carr Avenue lies within the borders of the Idlewild National Historic District.

Period of Significance

The historic structures found along the 2000-2100 block of Carr Avenue are significant as а collection of late-nineteenth and early twentieth century residential buildings. The housing types, styles, forms, and materials used in construction reflect the area's origin as an early streetcar suburb. The period of significance for the district spans between 1890 and 1915. with the beginning date corresponding with the establishment of the first Idlewild subdivision in the early 1890's.



Typical streetscape in the District.

Concept of Integrity

In addition to dating to a historic period, a building must also have integrity to be considered historic or contributing to the historic district. A building is said to have integrity when the majority of the building's structural systems, original materials, and character defining features remain intact.

Character defining features include the building mass, form, and shape, as well as any architectural details that are characteristic of the style and period of construction.

A building that has integrity can be recognized as a product of its own time, and should be preserved to the maximum extent possible.

Historic Overview

The housing types along Carr Avenue reflect the origins of the district as an early streetcar suburb. Streetcar suburbs had a strong pedestrian orientation. Most people walked along the sidewalk to their homes from the streetcar stop and depended on the for transportation. streetcar The automobile did not vet have a major influence in the neighborhood and would not until the 1920's, and so few driveways or garages were present. The close spacing of the houses was governed by the fact that one walked home from the streetcar stop. The houses were built linearly on narrow lots (25-50 ft. wide) with shallow side yards and front yard setbacks. Front porches were typical and a distinctive feature.

Carr Avenue, located within the town of Idlewild, was a desirable residential area that attracted a large cross section of

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mostly working class families. The streetcar suburb opened up a world to these Americans where they could buy a house, and with the streetcar in close proximity, could easily escape the small walking radius in which they had previously lived and worked. The streetcar suburb introduced an entirely new kind of freedom that would soon be replaced by the automobile.

The Carr Avenue Historic Preservation District is a unique area in the City of Memphis. It is a place which can historically and physically demonstrate the experience of early suburban development in Memphis at the turn of the twentieth century. The street retains its sense of identity today, bolstered in part by its architectural character.

Credit: Field Guide to American Houses by Virginia Savage McAlester



Late 19th century shotgun for worker housing, Carr Avenue. Photograph by Judith Johnson for J. Johnson & Associates

Architectural Types and Styles

Like other edge developments in Memphis at the turn of the twentieth century, the simple single-family residential house types along Carr Avenue include the shotgun, the modified shotgun, the composite cottage, and variations of these forms. Architectural styles applied to these structures included Queen Anne, Colonial Revival, Craftsman, and vernacular.

The houses generally are grouped closely together and sit close to the street on lots as narrow as 25 feet wide. The consistent scale, mass, and form of the houses and the pattern of similar design elements and materials establish a sense of visual continuity.

The gently rolling topography of the subdivision development required the street to be cut into the slope. As a result, many of the houses along Carr Avenue have low terraces for the setting of the residences. Some of these terraces are retained by masonry walls while others slope gently to the street.

Shotgun and Modified Shotgun

The term *Shotgun* refers to a housing form in which the floor plan arrangement consists of rooms of the house opening in succession from the front to the rear without a separate hallway. Typically modest in size and in detail, they were historically found grouped together along the shared street. Front gabled roofs are common on the shotgun house which often has a full or ¾ length front porch built on a raised foundation.

Details of the Shotgun house reflect its architectural style and period of construction. Colonial Revival and Queen Anne are two of the most common architectural styles applied to shotgun houses within the district.



Typical Shotgun house with Colonial Revival style

The term *Colonial Revival* refers to a style that typically features an accentuated front door, overhead fanlights, and a front porch supported by columns. Windows are usually 1/1 double hung. Exterior cladding is usually wood siding.



Modified Shotgun with Queen Anne Style

The term Queen Anne refers to a style featuring front porch columns that are typically wood, and may be turned, chamfered, or rounded. Post brackets, sawn wood attic vents, and spindle work balustrades can be found as features. Windows are typically 1/1 or 2/2 configuration. Exterior cladding is traditionally wood lap siding. Patterned wood shingles in the open gabled ends can be seen.

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Composite Cottage with Craftsman Influence

The term *cottage* traditionally refers to a house form that is either 1 or 1 1/2 stories in height with a low to normal pitched gabled or hipped roof, a wide and unenclosed eave overhang, and a full or partial length front porch. The floor plan is usually a simple 4 unit.



Craftsman Style Cottage

The most prevalent style in the district is the 1 story with *Craftsman* elements such as knee braces along the roof line, and columns, sometimes on pedestal bases or piers to support the porch roof. Exterior cladding is typically wood siding.

II. Design Guidelines for All Projects and New Construction

Streetscape

A.1 The established historic character of the streetscape should be maintained in a manner that reinforces the basic visual continuity of the street.

A.2 Sidewalks should be maintained where they currently exist.

A.3 New sidewalks should be similar in appearance, material, and dimensions to the existing sidewalks.

Private Yard

B.1: The traditional character and appearance of the front yard area should be preserved.

B.2: The visual connection from the front yard to the public street should remain unobscured. Enclosing a front yard such that it is not visible from the street should not be allowed.

B.3: The amount of hard surface in the front yard shall be minimized to 30%. Parking pads in front of the house are not appropriate.

Building Orientation

C.1: The front of the building should be oriented to face the public street with the front door clearly identified.

C.2: Use of a 1-story front porch to further define the entry is typical and appropriate.

C.3: Residences and other primary structures should typically be placed parallel to the lot lines.



Streetscape on Carr Avenue.

Building Setbacks

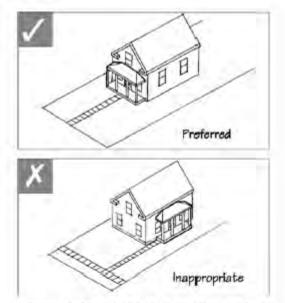
D.1: The building setbacks for new construction should align with the front edge of neighboring historic buildings.

D.2: Front yard setback should fit within the established range of nearby historic properties.

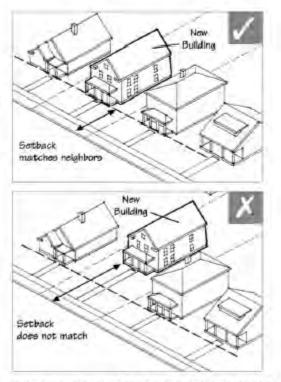
D.3: Side yard setbacks should appear similar to those of nearby historic houses.

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In most cases, the historically sensitive design solution is to locate the primary entrance facing the street.



Building setbacks shall fit within the established pattern of the block.

Building Mass and Scale

The perceived mass and scale of new buildings are critical design issues. The traditional scale of single-family homes is consistent within the neighborhood and enhances the pedestrian-friendly character of the street. It is the intention of these design guidelines to encourage new construction that maintains this consistent human scale. While new buildings are often larger than older homes, new construction shall not be so large as to negatively impact the established character of the neighborhood.

E.1: A building should appear similar in mass and scale as those historic homes on the street.

E.2: The front elevation shall be similar in scale to those seen traditionally on the street.

E.3: Building materials should reflect traditional materials common in the district.

E.4: The solid-to-void ratio (of opaque surface v. transparent glass) should be similar to that seen traditionally in the district.

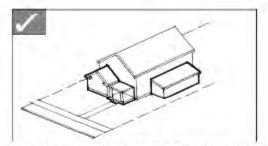
E.5: In order to minimize the perceived scale of a building, the height should step down gradually towards the street, neighboring structures, and the rear of the lot.

Building Height

Buildings significantly taller than adjacent historic properties should not be considered to be contextually appropriate design solutions. Building to an appropriate height is an important step towards increasing a project's overall compatibility with the established historic character of the district.

F.1: The height of any new building should be similar to the heights of adjacent historic buildings. Buildings on the block are typically 1 or 1½ stories in height. New construction should be compatible in height with historic structures on the block.

F.2: If additional building height is needed, it may be possible for the rear of the building to be taller than the front and still have the structure appear compatible in terms of building height and scale.



Stepping down the height of a building towards the front, sides, and rear of the structure is one method of decreasing the perceived scale of the building. Where the immediate context dictates, the front should include a one-story element, such as a porch similar in size to those seen traditionally in the district.

Building Form

G.1: Simple rectangular building forms with sloping roofs are typical of the street, and are preferred.

G.2: Building forms not traditionally found in the district could detract from the visual continuity of the neighborhood and are discouraged.

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Roofs and Roofing

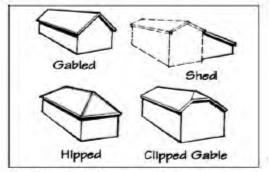
H.1: Roofing form and roofing materials should be consistent with the historical houses on the block.

H.2: Composite shingle roofs are typical of most structures in the district.

H.3: Roofing materials should employ use of earth tones, and have a matte, non reflective finish.

H.4: Metal roofing traditionally has been used within the district for porches and outbuildings.

H.5: The roof pitch of an addition or new construction should be consistent with the historic precedent of the district.



Sloping roof forms are typically appropriate for new construction and additions

Building Materials

The relationship and use of materials should be visually compatible with the district's historic buildings and should be appropriate for the architectural style of the structure.

I.1: Building materials, whether traditional or alternative materials, should be visually compatible with the traditional building materials common in the district and should not contrast conspicuously in terms of scale, proportion, texture, and finish.

I.2: The use of highly reflective materials is discouraged.

1.3: All wood siding is preferred and should have a weather protective, painted finish. Newer building materials such as fiber-cement are acceptable alternatives. Vinyl and aluminum siding are discouraged.

Architectural Elements and Details

J.1: Architectural elements are details such as windows, doors, porches, chimneys, columns, balusters, etc which add visual interest and contribute to an established sense of scale and historic character.

J.2: Architectural elements and details should be appropriate for the style of the structure, reflect the building's period of construction, and relate to those of the historical buildings on the block in terms of size, shape, and general character. Using contemporary interpretations of historic styles is strongly encouraged for new buildings and additions. J.3: Decks should be located to the rear of the primary structure and not visible from the public right- of-way.

J.4: Porches: The use of a front porch is considered an essential architectural element. All new construction shall incorporate a front porch. A porch depth of 8 ft. is typical.

Windows and Doors

A strong sense of visual continuity is established in the historical houses by the similarities in door and window size and location in buildings in the district. In order to maintain this established sense of continuity, new buildings should incorporate traditional window and door proportions and placement locations and maintain the alignment of the horizontal elements as seen along the block.

K.1: New windows and doors should appear similar to those used traditionally within the district. Double-hung windows with traditional depth and trim are typical and are strongly encouraged. Wood windows are typical. Wood doors with traditional paneling and glazing patterns are preferred.

K.2: Windows typically have a vertical emphasis. New windows should reflect this pattern.

K.3: Security bars, if used, should be set within the window frame and not extend out.

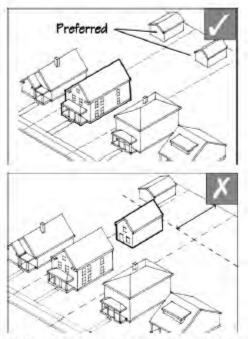
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Secondary Structures

L.1: Secondary structures and outbuildings should be located in the rear yard and be subordinate to the primary structure in terms of height, mass, and overall size.

L.2: Secondary structures should reflect the architectural style and character of the primary structure. Similarity of materials and details is preferred.

L.3: New secondary structures should be similar to those seen traditionally in the neighborhood and within the block in terms of materials, height, scale, and form.



Outbuildings are most appropriate when located at the rear of the lot, and subordinate to the primary structure in terms of overall height and size.

Parking

M.1: Policy: Minimize the visual impact of parking areas. Parking pads of the entire front yard shall *not* be allowed.

M.2: A carport/garage should be located to the rear of the property. Attached garages are prohibited on the front of the habitable space of the primary structure.

M.3: Driveways should be constructed of historic paving materials such as brick, stone, or concrete, preferably not asphalt.

M.4: A parking pad or other paved parking area shall not be located directly in front of a primary structure, but rather to the rear or side.

Mechanical Equipment and Service Areas

N.1 Minimize the visual impact of mechanical equipment and service areas within the district.

N.2: Locate mechanical equipment to the side or rear of buildings and to the extent feasible, out of sight. Screen the equipment from view using landscaping, a fence, or a wall consisting of historically appropriate materials.

N.3: Window AC units and condensers should not be located on the front façade of the building.

N.4: Antennas, satellite dishes, and other rooftop mechanical equipment should not be located on the front elevation of any building, and should be located in a way that will reduce the

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visual impact as seen from the public right-of-way.

N.5: Solar panels, if necessary to be on the front of the house, should fit within the overall dimensions of the roof and not protrude further than the edge of the roofline or extend higher than the existing building.

Porches

Porches are an important character defining feature of the neighborhood. Perhaps no other element is more characteristic of the house on Carr Avenue than is the front porch. Front porches help create a sense of visual interest and are integral to the pedestrian friendly environment. Front porches are considered an essential element of the streetscape within the neighborhood.

III.Design Guidelines for Building Alterations

Replacement of Features

A.1 While restoration and repair of original features is the preferred preservation approach, when the original material or feature is deemed beyond the point where repair is feasible, care should be taken that the new material or feature should match or complement the original in general appearance, shape, scale, material, and finish.

A.2: Protecting and maintaining significant stylistic features and architectural elements wherever possible is of course preferred.

A.3: When window and door replacement is necessary, use windows and doors that match the originals in character, dimensions, and proportion as closely as possible.

Design of Alterations

B.1 Alterations should not negatively impact the historic integrity of the building. Alterations should still allow one the ability to interpret the original design character and form of the building or structure. Necessary alterations such as handicapped ramps and other code issues are included here.

B.2: The guidelines for alteration projects also apply to projects involving an existing non-contributing structure in the historic district.

B.3 Porches: Preserve an original porch. Missing elements such as posts, balusters, and railings should be

replaced with appropriate features and materials.

B.4: Avoid enclosing a porch. If a porch is enclosed, the enclosure design should preserve the sense of openness and transparency that is typical of the porches within the district. Glass might be considered as a transparent enclosure for a porch.

B5: If an entire porch is missing from a historic building, the porch should be reconstructed to be in character to those porches of the comparable historic structures on the street.



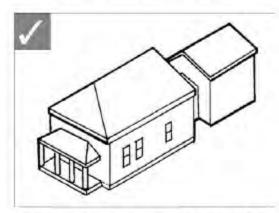
Example of addition that maintains stylistic features of original structure

IV. Design Guidelines for Additions

The overall design of an addition should be compatible with the design of the primary structure and be subordinate to the primary structure in terms of size and perceived visual impact. Minimizing the height and building footprint of an addition helps to reduce its visual impact. New additions to historic buildings should not obscure historic features and are typically most appropriate when placed at the rear of an existing structure.

Design Appropriateness

A.1 The design of an addition should be compatible with the existing building in materials and architectural details.



An addition should be located in a way that will minimize its perceived visual impact. Placing an addition to the rear of the existing structure, as shown in the diagram above, is often the most appropriate design solution.



Additions that change the perceived character of the original structure, such as the above example of a front addition, are inappropriate and are not allowed within the district.

Types of Additions

B.1 A design for a new addition should be consistent with the original character of the existing building.

B.2: Rear additions are typically the most historically sensitive design solution.

B.3: An addition to the front of a structure should be avoided.

B.4: Side additions should occur toward the rear of the structure, setback from the front a minimum of ¼ the depth of the house. Side additions are not typically appropriate for narrow lots or for areas of the district where a side addition would disrupt an established pattern of consistent side yard setbacks.

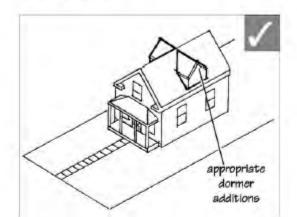
B.5: Dormer additions should be in character with the style and form of the existing structure and should be subordinate in size and scale to the overall roof mass.

B.6: A rooftop addition should be compatible with the existing structure in size, scale, and mass. The addition in many cases should be pulled back on each side to help preserve the appearance of the original building proportion and form.

B.7: If additional building height is needed, it may be possible for the rear of the building to be taller than the front and still have the structure appear compatible in terms of building height and scale.



The above example shows a dormer addition that is too large in relation to the size of the existing structure. The front porch enclosure is also inappropriate.



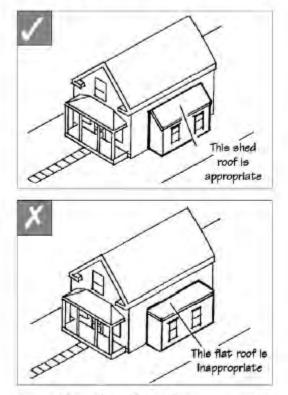
The dormer addition shown in the above diagram is appropriately sized and in character with the form of the existing structure.

Size, Scale, Mass, Materials

C.1: An addition to an existing building should be compatible with the existing building in terms of size, scale, mass, and height and clearly subordinate to that of the existing building. Building materials compatible with the primary structure should be used.

Roof Form

D.1: The roof form and roof pitch for an addition should be compatible with the existing building and be consistent with the historic precedent within the district.



Use roof forms for additions that are compatible with the primary structure and with other historic structures along the block.

V. Design Guidelines for Site Improvements

Fences and Walls

Fences and walls in the front yard are not typical along the street. Historically, privacy fences consisting of solid wood boards, if used, enclosed the side and rear yard. In the occurrence where a front yard fence is considered necessary, the fence should be not higher than 42". It should be made with a transparent quality in order not to obscure the view of the property from the street, and should be made with materials such as wood picket, cast iron, tubular steel, or aluminum.

A.1: Chain link, vinyl fencing, and split rail fences should not be used in areas that are visible from the public right-of-way. Barbed-wire and razor-wire are not permitted.

.A.2: Side yard fencing that runs parallel to the front façade of the house should be set back a minimum of 6ft from the front of the house if of a transparent quality, and set back a minimum of ¼ the depth of the house if of a non-transparent quality.

A.3: Side yard fencing that runs perpendicular to the front façade of the house should not extend past the front façade of the house.

A.4: Materials for walls include brick, stone, concrete, and parged concrete block. Railroad ties, precast concrete panels, exposed concrete block, fiberglass, and other non-traditional materials should not be used in areas visible from the public right- of-way. A.5: With the exception of required retaining walls, walls located in the front yard are generally not appropriate in the district.

Unenclosed Structures and Other Improvements

B.1: Greenhouses, storage sheds, and other site improvements should be located in the rear yard.

B.2: Carports should not be located in the front yard of a property, and are most compatible when located to the rear or side of the primary structure.

Parking

See Parking under All Projects and New Construction, p.15.

VI. Guidelines for the Relocation of Existing Structures

Overview

The "relocation" of a building or structure refers to moving a building or structure into the district, out of the district, or from one site to another within the district.

A.1: A building or structure should be retained at its historic location to the maximum extent feasible.

A.2: Moving an existing building which retains architectural and historic integrity and contributes to the architectural and historical character of the district should be avoided.

A.3: Moving a building which does not contribute to the historical and architectural integrity of the district or which has lost architectural significance due to deterioration, neglect, or significant alteration may be appropriate if its removal and replacement will result in a more appropriate visual effect on the district.

A.4: A building may be moved into the district if it maintains a sense of architectural unity in terms of style, height, massing, materials, texture, and setbacks with existing buildings in the vicinity of the proposed site.

A.5: Relocated buildings must be carefully rebuilt in order to retain and maintain all original architectural details and materials.

A.6: Buildings or other structures should be relocated only as a last resort after all alternatives have been examined.

Criteria

B.1: A building may be moved from one site to another in the district if:

- The integrity of location and setting of the building in its original location has been lost or is seriously threatened;
- The new location will be similar in setting, size, and character;
- The building will be compatible with the buildings adjacent to the proposed location in terms of height, mass, scale, style, materials, and setbacks; and
- The relocation of the building will not result in a negative visual effect on the site and surrounding buildings from which it will be removed.



The relocation of a structure is a complicated and potentially expensive undertaking that should be considered after all other options for preserving the structure in place have been explored.

VII. Guidelines for Demolition

Overview

A.1 An historic building or structure shall not be demolished unnecessarily.

A.2: Since the purpose of historic zoning is to protect historic structures and properties, the demolition of a building, or part of a building, that contributes to the character and significance of the district is inappropriate and shall be avoided.

Criteria

B.1: Demolition is inappropriate:

- If a building contributes to the architectural and/or historical significance of the district;
- If a building is of such old, unusual, or uncommon design and materials that it could not be reproduced or be replaced without great difficulty or expense;
- If the building is closely associated with significant historic events, persons, or trends such that the structure or site gains a unique and increased level of historic importance.

B.2: Demolition may be appropriate:

- If a building or structure has lost its architectural and historical integrity and importance such that its removal will not result in a more negative, less appropriate visual effect on the district;
- If the building or structure does not contribute to the historical or architectural character and importance of the district;
- If the building or structure has been inspected and a professional determination has been made that it is unsound, unsafe, or beyond the point where rehabilitation is feasible;

 If the proposed demolition is economically necessary and justified according to the established process for determining an Economic Hardship (see following section VIII on Economic Hardship).

Actions Following Approval

C1: At the Request of the Landmarks Commission, the applicant is required to thoroughly document the building prior to demolition and submit the documentation to the Landmarks Commission staff prior to the issuance of the COA for Demolition. Adequate documentation can include interior and exterior photographs, as well as measured drawings of all building elevations according to Historic American Building Survey Standards. This requirement may be waived by the Landmarks Commission for buildings or structures that are non-contributing to the district or that are non-historic.

C2: If a replacement structure is proposed on the site of the building or structure approved for demolition, the Landmarks Commission may require that final approval of the COA for demolition be contingent upon the applicant receiving a COA for the design of the replacement structure prior to demolition.

C3: If the site is to remain vacant for any length of time, the lot should be improved and maintained in a manner consistent with other open space in the neighborhood. The demolition of a contributing structure or building in order to provide space for parking is inappropriate and to be avoided

VIII. Design Guidelines for Economic Hardship

Overview

A.1 Policy: An applicant can seek approval of a previously denied COA based upon a real and demonstrable economic hardship in a subsequent application to the Commission.

A.2: In all cases, the burden of proof is on the applicant to demonstrate that the request is necessary and justified. In its deliberations the Landmarks Commission will consider, among other factors, the following factors:

- Owner's Knowledge of Restrictions at the time of purchasing the property. A relatively new owner is assumed to have investigated restrictions on the property at the time of purchase.
- Current Economic Return: "The reviewing body should therefore require an applicant...to produce information regarding the price originally paid for the property, potential rental or lease income, and the new profit derived from the landmarks, if any, over the past several years." *

*From A Handbook on Historic Preservation Law by Christopher J. Duerksen

- Owner's Attempt to Rent or Sell the Property: The Commission may require documentation of these efforts submitted as part of the application process.
- Feasibility of Profitable Alternative Uses: Property owner should investigate alternative strategies and be prepared to discuss findings

with the Commission.

Demolition

B.1: If the application to demolish a building or other structure is being made on the grounds of being economically necessary, the burden of proof is on the applicant to show the estimated cost of rehabilitating the structure versus demolishing the structure and building a replacement.

B.2: The applicant will be required to show that there are no alternatives to demolition. Other interested parties may also be given an opportunity to present alternatives.

Determination of Hardship

C.1: The Commission may, after reasonable notice, set an application for public hearing and may consider any or all of the following:

- Estimate of the cost of the proposed redevelopment, alteration, demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Commission for changes necessary for the issuance of a certificate of appropriateness.
- A report from a licensed engineer or architect with expertise in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.

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- Estimated market value of the property in its current condition; after completion of the proposed redevelopment, alteration, demolition, or removal; after any changes recommended by the Commission; and in the case of a proposed demolition, after renovation of the existing property for continued use.
- In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.
- Amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and the buyer.
- If the property is income producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.
- Any other information considered necessary by the commission to make a determination as to whether the property does yield or may yield a reasonable rate of

return to the owners. Request for consideration shall be taken up at a public hearing with reasonable notice and consideration given to all factors mentioned above.



Before & After. Although it had experienced significant deterioration, the cottage at 2040 Carr Avenue serves as an excellent example of the potential of rehabilitation

IX. Appendix

Appendix A: Landmarks Approval Process

What is the Memphis Landmarks Commission?

The Memphis Landmarks Commission (MLC) is responsible for preserving and protecting the historic, architectural, and cultural landmarks in the City of Memphis. As such, the MLC reviews zoning requests and work that is visible from the street, including new construction, demolition, relocation of structures, and different types of exterior alterations in the historic districts. Routine maintenance of a building/property that does not involve altering historic fabric does not need MLC approval unless it will change the exterior appearance.

What does the Memphis Landmarks Commission have to do with me?

If a property owner within a historic district seeks a building permit for **exterior** work that is **under the supervision of the MLC**, the owner must apply for a Certificate of Appropriateness (COA) for their planned work from the Memphis Landmarks Commission. To obtain the COA, the property owner will submit an application form with the required application materials and fee by the monthly application deadline to the Memphis Landmarks Commission, who will then review the proposed work.

Where do I find the paperwork I need to apply for a Certificate of Appropriateness?

For COA application forms, paperwork, and fee schedule information, go to this website:

develop901.com/landuse-developmentservices/MemphisLandmarksCommission

What if I have questions?

For general inquiries, email staff at landmarks@memphistn.gov.

See further explanation in the Introduction section under Scope of Review, p.3 and What Are Design Guidelines, p.3, and How to Use This Document, p.4.

Appendix B: Glossary of Preservation Terms and Definitions

Alignment: The arrangement of objects along a straight line.

Association: As related to the determination of "integrity" of a property, *association* refers to a link of a historic property with a historic event, activity, or person. Also, the quality of integrity through which a historic property is linked to a particular past time and place.

Building Form: The overall shape of a structure.

Building Mass: The physical size and bulk of a structure.

Building Scale: The size of the structure as it appears to the pedestrian.

Column: A slender upright structure, generally consisting of a cylindrical shaft, a base, and a capital. It is usually a supporting or ornamental member in a building.

Design: As related to the concept of integrity of a property, design refers to the elements that create the physical form, plan, space, structure, and style of a property.

Dormer: A window set upright in a sloping roof. Also, a term to describe the roofed projection in which this window is set.

Elevation: A mechanically accurate "head on" drawing of the face of a building or object without any allowance for the effects of the laws of perspective.

Any measurement on an elevation will be in a fixed proportion, or scale, to the corresponding measurement on the real building.

Façade: Front or principal face of a building, any side of a building that faces a street or open space.

Feeling: As related to the determination of "integrity" of a property, *feeling* refers to how a historic property evokes the aesthetic or historic sense of a past time and place.

Fenestration: The arrangement of windows and other exterior openings on a building.

Floor Area Ratio: The relationship between the total floor area of a building and the total land area of its site.

Form: The overall shape of a structure. Most structures are rectilinear in form.

Frame: A window component.

Gable: The portion, above eave level, of an end wall of a building with a pitched or gambrel roof. In the case of a pitched roof, the gable takes the shape of a triangle. The term is also sometimes used to refer to the whole end wall.

Historic Conservation District: A significant concentration of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. Also, a local historic district established by City Council through an overlay zone that

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requires architectural design review guidelines for new construction, demolition, some site improvements, and some types of alteration to the exterior of a building as seen from the public right of way and within the boundaries of the historic preservation district.

Historic Preservation District: A significant concentration of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. Also, a local historic district established by City Council through an overlay zone that requires architectural design review guidelines for construction, alteration, addition to or demolition of buildings, structures, sites, and objects in the public right of way and within the boundaries of the historic preservation district.

Historic Property: A building, site, structure, or object that is at least 50 years old or older, or is associated with significant people or events, and adds to the historic significance of a historic district.

In-Kind Replacement: To replace a feature of a building or site with materials of the same characteristics, such as material, placement, texture, color, etc.

Integrity: A property (or historic district) retains its integrity if a sufficient percentage of the structure (or district) dates from the period of significance. The majority of a building's structural system and materials should date from the period of significance and its character defining features should remain intact. These may include architectural details such as dormers and porches, ornamental brackets and moldings, and materials, as well as the overall mass and form of the building.

Location: As related to the determination of "integrity" of a property, *location* refers to a historic property existing in the same place as it did during its period of significance.

Mass: The physical size and bulk of a structure.

Material: As related to the determination of "integrity" of a property, *material* relates to the physical elements that were combined or deposited in a particular pattern or configuration to form a historic property.

National Register of Historic Places: The official national list of cultural resources worthy of preservation (Authorized under the National Historic Preservation Act of 1966). Individual historic buildings, neighborhoods (called historic districts), and collections of buildings with a shared history or building type (called a multiple property listing) can all gain National Register designation.

Non-Historic Property: A recent building and those fifty years old or older that have lost their integrity, and who do not add to the historic significance of a historic district.

Orientation: Generally, orientation refers to the way in which a building relates to the street. The entrance of the building plays a large role in the orientation of a building; therefore, it should face the street.

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Period of Significance: Span of time in which a property attained historical significance.

Property: Area of land containing a single historic resource or a group of resources.

Preservation: The act or process of applying measures to sustain the existing form, integrity, and materials of a building or structure, and the existing form and vegetative cover of a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

Protection: The act or process of applying measures designed to affect the physical condition of a property by defending or guarding it from deterioration, loss or attack, or to cover or shield the property from danger or injury. In the case of buildings and structures, such treatment is generally of a temporary nature, and anticipates future historic preservation treatment; in the case of archeological sites, the protective measures may be temporary or permanent.

"Recent Past" Architecture: Individual buildings, sites, collections of buildings, or building types that may or may not be 50 years old or older, but have historical significance unique to the 20th Century.

Reconstruction: The act or process of reproducing by new construction the exact form and detail of a vanished building, structure or object, or part thereof, as it appeared at a specific period of time. **Rehabilitation:** The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, archeological, and cultural value.

Renovation: The act or process of returning a property to a state of utility through repair or alteration which makes possible a contemporary use.

Restoration: The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Roof: The top covering of a building.

Scale: The size of a structure as it appears to the pedestrian.

Setting: As it relates to the concept of "integrity", *setting* refers to the physical environment of a historic property.

Shape: The general outline of a building or its façade.

Size: The dimensions in height and width of a building's face.

Stabilization: The fact or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

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Streetscape: Generally, the streetscape refers to the character of the street, or how elements of the street form a cohesive environment.

Traditional: Based on or established by the history of the area.

Vernacular: A building that may not have noticeable details associated with a specific architectural style, but is simple with modest detailing and form reflecting local culture and indigenous knowledge of construction. Historically, factors often influencing vernacular buildings were things such as available local materials, climate, and building forms used by successive generations.

Vicinity: A neighborhood, or the area surrounding a particular place. For the purpose of the *Idlewild Design Guidelines*, the term *vicinity* describes the area around a subject property including any and all structures or sites within a distance of 500ft. This includes structures and sites on the same and on the opposite side of the street from the subject property.

Visual Continuity: A sense of unity or belonging together that elements of the built environment exhibit because of similarities among them.

Window Parts: The moving units of a window are known as sashes and move within the fixed frame. The sash may consist of one large pane of glass or may be subdivided into smaller panes by thin members called muntins or glazing bars. The heavy vertical wood members that divide windows placed side by side are referred to as mullions.

Workmanship: As related to the determination of "integrity" of a property, *workmanship* refers to the physical evidence of the crafts of a particular culture, people, or artisan.

Staff Report HDD 2024-0001

28 letters of support and 0 letters of opposition were received at the time of completion of this report and have subsequently been attached.

LETTERS OF SUPPORT

Letter of support

From Bettina Gaycken <bgaycken@hotmail.com>

Date Thu 1/9/2025 8:51 AM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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

I support the application for the Carr Avenue Histotic District.

Sincerely, Bettina Gaycken, MD 2075 Carr Ave

February 13, 2025 Page 48

Carr Avenue Historic District

From Josh Hankins <jhankins@colliervilletn.gov>

Date Thu 1/9/2025 11:16 AM

To Payne, Margot <Margot.Payne@memphistn.gov>

100 H

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jhankins@colliervilletn.gov

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

Good afternoon,

My name is Josh Hankins and I am a Planner with the Town of Collierville and live at 2069 Peabody Avenue, directly behind the proposed Carr Avenue Historic District. I received a mailer from the city and wanted to express my support of this case as those homes are very unique in Memphis and need to be preserved.

Thank you,

Josh Hankins

2074 Carr Avenue historical district application

From Gina Ritchey <carravenue@yahoo.com>

Date Fri 1/10/2025 2:32 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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Memphis landmarks commission,

My name is Gina M Ritchey I live at 2074 Carr Avenue I write this letter to express my approval for the historical district for my street.

Thank you, Gina Ritchey

Carr Ave Historic District Application

From Amy Starks <astarks2@gmail.com>

Date Mon 1/13/2025 1:32 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender astarks2@gmail.com

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Hello,

My name is Amy Starks My address is 2094 Carr Ave, Memphis, TN 38104 I approve the historic designation of our block due to its significant historical arch features Thank you in advance, Amy G Starks.

Letter of Approval Carr Avenue Historic District Application

From Dave Hymel <daveh40@me.com>

Date Mon 1/13/2025 4:52 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender daveh40@me.com

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1/13/2025

I live at 2076 Carr Avenue

I am writing to express my support and approval for the Carr Avenue Historic District application. Looking forward to the meeting on the 23rd of January.

Thank you, Dave & Cindy Hymel

Letter of Approval, Carr Ave Historic District Application

From Tina Pierce Sullivan <tinapsullivan@gmail.com>

Date Tue 1/14/2025 10:34 AM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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Ms. Payne,

I would like to offer my support for the Historic District Application being pursued by residents of the 2000 block of Carr Avenue in Midtown Memphis. My address is 2049 Carr, and my husband and I have owned this house for 14 years. I manage the block's communal Facebook page, and have helped host our semi-annual block party ("Blocktoberfest") and I participate in many other neighborhood-organized endeavors.

The sense of community found on this block is palpable, and many of us are certain that the architecture of the homes here facilitates interaction between neighbors. Built in the early 1900's for (we believe) trolley workers installing the tracks along Peabody and Cooper, these tiny homes were built close together with front porches that allow you to speak to your neighbors several houses down. This kind of communal living encourages dialogue, constructive communication, and shared responsibility for the safety of the community (such as splitting expenses to care for trees with canopies that span several yards). It is a delicate ecology that deserves to be nurtured.

After the deadly 1995 Chicago heat wave, researchers discovered that there was a lower mortality rate in older, densely-packed neighborhoods with stoops, where neighbors were used to seeing each other regularly. By comparison, suburban neighborhoods where garages predominate and people rarely see each other experienced increased mortality rates. There is no doubt that architecture, particularly the historic architecture found on this block, can either contribute to or detract from the health of a community.

Our block is its own case study in good design, which has endured for over a century. We seek Historic District Status *not* to micromanage paint colors or landscaping or decorative trim, but to preserve the basic historic architecture that contributes to and facilitates a healthy community.

Thank you, Tina Sullivan 2049 Carr Ave Memphis, TN 38104

Carr Avenue Historic District LOA

From Hunter Oppenheimer <hunteropp@gmail.com> Date Tue 1/14/2025 3:07 PM To Payne, Margot <Margot.Payne@memphistn.gov>

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I approve of and support the application for Carr Avenue Historic District. Thank you, Hunter Oppenehimer 2038 Carr Avenue 901-485-6389

LOA Carr Avenue HD Application

From wade rhea <waderhea@hotmail.com>

Date Tue 1/14/2025 4:11 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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

January 15, 2025

I live at 2080 Carr Ave, Memphis, TN 38104. I am writing to express my support and approval for the Carr Avenue Historic District application.

Thank you, Wade Rhea

Carr Avenue Historic District

From Steve Redding <redding901@gmail.com> Date Tue 1/14/2025 4:01 PM To Payne, Margot <Margot.Payne@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.

Margot & MLC Commissioners,

I am writing in support of creating the Carr Avenue Historic District. I am very pleased this block of Carr, with its numerous attractive and historic homes, has elected to pursue Landmarks status.

As a resident of Central Gardens, I appreciate the benefits afforded by local historic designation - and welcome our neighbors to the east in joining us in helping to enhance our neighborhoods and the greater community.

Thanks, Steve

Steve Redding 1554 Harbert Avenue To: Memphis Landmarks Commission Re: <u>HDD 2024-0001 Carr Avenue Historic District</u> Attn: margot.payne@memphistn.gov

Memphis Landmarks Commission:

We strongly support this application for a new Historic District. A strong part of what defines Memphis is its vast swaths of period housing. Tourists come to Memphis and, because of the architectural preservation that has been so strong here, they can tour the city and feel its growth as if in an actual time travel machine.

Midtown may be best known for its housing stock, but it's true both west and east of there too.

While we are sorry that all of the Idlewild neighborhood could not get behind an Historical District, we applaud the effort of this block that recognizes the benefit and importance of preservation. We hope that this block will be an example for the others in Idlewild, and that soon, other blocks will want to join this Historic District. Letting one block set the example for others who may not understand the benefits of an Historic District is a very good plan.

We remind the Board of the recent study done by the City Council (attached) which confirms the benefits of Historic Districts to the city. It's not just us who know how preservation helps a city.

> We look forward to your approval of this application. Thank you,

Emily Bishop

Emily Bishop President, MidtownMemphis.org Robert Gordon P&D Committee Chair

CC: Hunter Oppenheimer, Idlewild resident, Carr Historic District



February 13, 2025

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info@midtownmemphis.org

MidtownMemphis.org

MEMPHIS AND SHELBY COUNTY AND DEVELOPMENT

To:	Councilman Ford Canale Chairman
	Planning and Zoning Committee
From:	Josh Whitehead Zoning Administrator
Date:	December 7, 2021
Subject:	Landmarks District review study

Mr. Chairman:

On August 17, 2021, the Memphis City Council approved a resolution authorizing the Division of Planning and Development to perform a review of the City's Landmarks Districts and report to the Council its findings by January 1, 2022. This study is the product of that initiation resolution, which requested the following information to be included in such a review (see Exhibit "A," attached to this study, for a copy of the initiation resolution):

- Current and historic assessed value of residential properties within the Landmarks Districts relative to those throughout the City of Memphis;
- 2. Demographics of the Landmarks Districts;
- Total value of residential building permits issued per year within the Landmarks Districts relative to those throughout the City of Memphis;
- 4. Current and historic homeownership rates within the Landmarks Districts; and
- 5. Processes for the creation of historic overlay districts in peer cities.

Please note that several Landmarks Districts are omitted from the individual tables in this report due to either their small size (making obtaining data from the Census Bureau impossible) and/or their nonresidential nature. These include the Cotton Row, Gayoso Peabody, South Main and Victorian Village districts downtown and the Collins Chapel, Maxwelton and Withers Home districts, each of which consist of single sites.

1. Current and historic assessed value

The table below contains the median appraised value for single-family homes in each Landmarks District that were in existence in 2010 and shows the increase in value from that time to 2021. The values in these districts rose anywhere from 16% in Glenview to 74% for Annesdale-Snowden. On average, homes in all historic districts rose 59% in value from 2010 to 2021 compared with 18% for the City overall. This data

Staff Report HDD 2024-0001

would suggest that, for the most part, values in Landmarks Districts grow faster than in neighborhoods outside of these districts. In <u>this Forbes article</u> by Adam A. Millsap, various published studies both support and reject this supposition.¹ The article also points out that there are additional costs to owning a home in a historic district; these can include the hiring of design professionals to draft drawings for historic commission review, construction delays to allow said review, etc.

		Median Appraisal		% increase	
District Name	Year Est.		2021		
Annesdale-Snowden	1989	\$120,050	\$208,900	74%	
Annesdale Park	1988	\$234,500	\$306,400	31%	
Central Gardens	1993	\$264,900	\$396,000	49%	
Evergreen	1990	\$217,300	\$328,600	51%	
Glenview	2000	\$62,850	\$72,600	16%	
Lea's Woods	2004	\$124,500	\$190,200	53%	
Rozelle-Annesdale	2005	\$39,850	\$60,050	51%	
All Historic Districts that existed as of 2010		\$171,900	\$273,000	59%	
City of Memphis		\$81,200	\$95,600	18%	

2. Demographic of Landmarks Districts

The second set of data requested dealt with the demographic data of the Landmarks Districts. In total, about 27,000 residents live in these districts. The table below contains racial data for each district; four of the districts are predominantly African-American (Glenview, Rozelle-Annesdale, Speedway Terrace and Vollintine-Evergreen); six are predominantly non-Hispanic white (Annesdale-Snowden, Annesdale Park, Central Gardens, Evergreen, Lea's Woods and Cooper Young) and one (Crosstown) has no predominant racial group.

		White	Black
District Name	Year Est.	2020	2020
Annesdale-Snowden	1989	55%	39%
Annesdale Park	1988	64%	24%
Central Gardens	1993	81%	8%
Evergreen	1990	76%	11%
Glenview	2000	5%	89%
Lea's Woods	2004	54%	21%
Rozelle-Annesdale	2005	17%	74%
Cooper Young	2018	75%	16%
Crosstown	2021	27%	44%
Speedway Terrace	2018	24%	58%
Vollintine-Evergreen	2021	34%	57%
All Historic Districts as of 2021		52%	37%
City of Memphis		24%	61%

¹ Millsap, Adam A. "Historic Designations are Ruining Cities," Forbes, December 23, 2019.

The next table contains average income for all historic districts that existed in 2010 and the relative change between that time and 2019. While the median income increased 13% citywide, it increased 27% in the Landmarks Districts.

		Mediar			
District Name	Year Est.	2010	2019	increase	
Annesdale-Snowden	1989	n/a	n/a		
Annesdale Park	1988	n/a	n/a		
Central Gardens	1993	\$71,625	\$83,234		
Evergreen	1990	\$57,547	\$100,072		
Glenview	2000	\$27,607	\$37,818		
Lea's Woods	2004	n/a	n/a		
Rozelle-Annesdale	2005	\$33,234	\$31,818		
Historic Districts with data as of 2010		\$51,964	\$66,037	27%	
City of Memphis		\$36,473	\$41,228	13%	

3. Value of Residential Building Permits

The table below contains the value of building permits in 2010 and in 2020, in both the Landmarks Districts and throughout the city. While the value of residential building permits increased by 91% citywide, they grew 232% in the Landmarks districts.

			alue of al Building mits		
District Name	Year Est.	2010	2020	Increase from 2010 to 2020	Total for all years, 2010-2020
All Historic Districts as of 2021		\$1.9 M	\$6.3 M	232%	\$43.7M
City of Memphis	de .	\$53.4 M	\$101.9 M	91%	\$748.6M

4. Homeownership Rates

The next table contains the homeowner and rental rates for those districts that existed in 2010 and the relative increases or decreases in those numbers between that time and 2019. Citywide, 66% of the single-family homes in Memphis are owned, compared to 70% for the Landmarks districts. And while single-family homeownership decreased in Central Gardens and Rozelle-Annesdale during this time, it increased in the other two districts with data available, Evergreen and Glenview. Citywide, it also decreased.

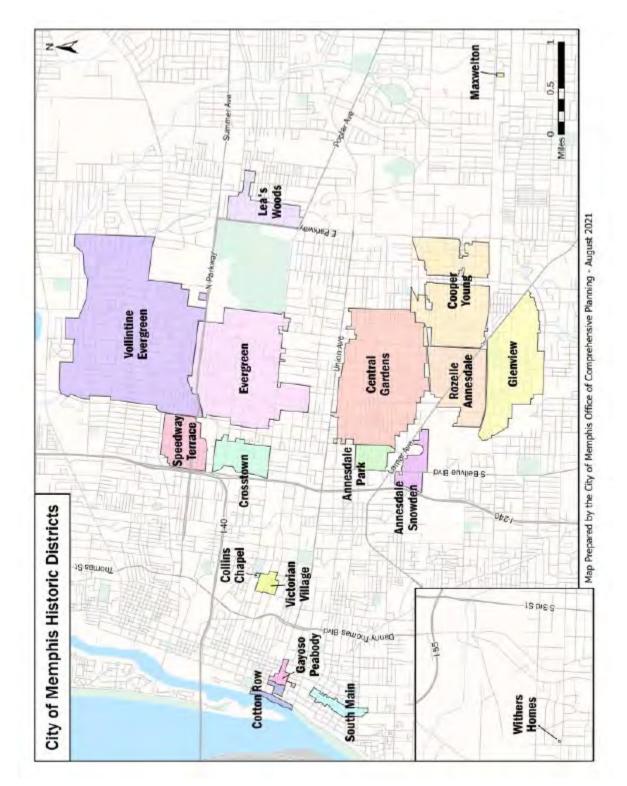
	1. million 1. million	Own %	SFR	Rent% -	SFR	
District Name	Year Est.	2010	2019	2010	2019	
Annesdale-Snowden	1989	n/a	n/a	n/a	n/a	
Annesdale Park	1988	n/a	n/a	n/a	n/a	
Central Gardens	1993	92%	84%	8%	16%	
Evergreen	1990	81%	82%	19%	18%	
Glenview	2000	67%	71%	33%	29%	
Lea's Woods	2004	n/a	n/a	n/a	n/a	
Rozelle-Annesdale	2005	57%	34%	43%	66%	
All Historic Districts as of 2021		-	70%	-	30%	
City of Memphis		75%	66%	25%	34%	

5. Creating Landmarks Districts

Currently, there are 18 historic districts in Memphis with a total of nearly 12,000 parcels. The table below contains the number of parcels within each district and the date the district was created, and, where applicable, the district (or significant portions thereof) were placed on the National Register.

District Name	National Register Listed	Landmarks District Designation	Establishing Ordinance Number	No. of Parcels Within
Annesdale Park	12/22/78	11/20/89	3899	165
Annesdale-Snowden	10/25/79	9/23/88	3807	204
Central Gardens	8/9/83	5/14/93	4122	1,761
Collins Chapel	4/5/91	8/25/92	4123	5
Cooper Young	6/22/89	2/20/18	5681	1601
Cotton Row	8/1/79	9/23/88	3806	108
Crosstown	N/A	7/20/21	5783	188
Evergreen Historic	1/11/85	2/9/90	3929	1,722
Gayoso-Peabody	5/5/80	9/23/88	3809	89
Glenview Historic	10/7/99	12/1/00	4822	983
Lea's Woods	N/A	1/6/04	5023	261
Maxwelton	3/10/80	12/3/96	4464	1
Rozelle-Annesdale	N/A	7/10/05	5106	768
South Main Street	9/2/82	9/23/88	3808	198
Speedway Terrace	3/19/99	5/23/18	5687	378
Victorian Village	12/11/72	11/20/89	3900	29
Vollintine-Evergreen	4/12/96	7/20/21	5789	3351
Withers Home	N/A	7/5/16	5621	1
18 Local Landmarks districts			Total number 11,8	

These 18 districts are mapped below.



Under the original ordinance that created the Memphis Landmarks Commission in July of 1975, the approval of the affected owners was required. This changed in May of 1988 when the ordinance was amended to allow the creation of districts over owners' objections.² In 2006, during the deliberations to create a neighborhood conservation overlay district within The Village subdivision, a new policy was developed. Under that policy, all future neighborhood conservation and Landmarks Districts were to obtain the written approval of the same percentage of homeowners that require the installation of a speedbump, 72%. As an unwritten policy, it was eschewed with the Cooper-Young and Speedway Terrace neighborhoods underwent the establishment of their districts in 2018.

Other cities in Tennessee follow varying processes. According to Tim Walker, Executive Director of the Metropolitan Nashville Historic Zoning Commission, there is no formal process by which historic districts are created in that city. Most districts begin by a group of neighbors in a proposed district working with their district council member. Art. II, Sec. 10-14 (a) of the Chattanooga Code of Ordinances allows any property owner within the district, as well as the City Council, a neighborhood association or a "historic civic or professional society or group" to petition to create a historic district in that community. Lindsay Crockett, Historic Preservation Planner with the Knoxville and Knox County Planning Commission, cited Sec. 8.5F of the Knoxville zoning code, which covers the initiation process for local historic overlay districts. That community's code requires the City Council or Mayor initiation for districts containing multiple properties. In other words, property owners may only initiate single-property districts for properties they own.

As for the creation of historic zoning districts in cities outside of Tennessee, New York requires initiation by the Landmarks Commission; this is likely one of the justifications for its large staff.³ In Los Angeles, a historic district may be initiated by the City Council, the Director of Planning, the Cultural Heritage Commission the City Planning Commission or the property owners in question. If neighborhood-initiated, Los Angeles ordinance requires 75% owner or lessee approval.⁴ Boston follows a similar process where the City or at least ten property owners may initiate a district.⁵ In Denver, the City, property owners or any group of three residents may propose a historic district.⁶ Philadelphia mirrors Memphis' current situation where any property owner may nominate a district to what is known as the "Philadelphia Register of Historic Places."⁷ The same is true in Washington, DC, and Indianapolis.^{8,9} According to Kristina Harpst, Program Manager of Historic Districts with the City of Charlotte, they require at least 51% property owner approval to initiate a historic zoning district under a relatively recent state law. Savannah requires a petition signed by at least 50% of the owners affected by the historic district to approve its creation.¹⁰ The table below contains the present number of historic districts in each of these communities and their current staff complement.

² Hirschman, Dave. "Landmarks votes push development," Commercial Appeal, August 29, 1989.

³ https://www1.nyc.gov/site/lpc/about/landmark-designation.page

⁴ https://planning.lacity.org/odocument/3133ef89-f08b-4b98-9458-

²⁸b4f763a4d5/Info%20Brief%20How%20to%20Establish%20an%20HPOZ.pdf

⁵ https://www.boston.gov/departments/landmarks-commission/designating-landmarks-boston

⁶ https://www.denvergov.org/Government/Agencies-Departments-Offices/Community-Planning-and-

Development/Landmark-Preservation/Historic-Designation/Apply-for-Landmark-Designation

⁷ https://www.phila.gov/departments/philadelphia-historical-commission/philadelphia-register-of-historic-places/ ⁸ https://planning.dc.gov/node/883602

⁹ https://citybase-cms-prod.s3.amazonaws.com/68f4332ed0d345bfadafb0271c09dc7f.pdf

¹⁰ https://www.thempc.org/docs/lit/Hist/2021/LBrochure.pdf

		HISTORIC			PARCELS PER
	CITY		PARCELS	STAFF	
		DISTRICTS			STFF. MEMBER
Tenn. cities					
	Memphis	18	11,813	2 1/2	4725
	Chattanooga	4	1,564	2	782
	Knoxville	12	1,718	1	1718
	Nashville	30	9,284	7	1326
	Average (incl. Memphis)				2138
	Average (excl. Memphis)				1275
Other cities					
	New York	149	37,000	80	473
	Los Angeles	35	21,000	16	1313
	Philadelphia	31	10,000	7	1429
	Charlotte	6	5,038	4	1260
	Indianapolis	17	6,000	6	1000
	Washington, DC	50	23,600	18	1311
	Boston	9	8,000	8	1000
	Denver	57 ¹	15,779	9	1753
	Savannah	4		4	
	Average				1192
All cities	Average (incl. Memphis)				1508
	Average (excl. Memphis)				1215

¹ Although Denver has 57 local historic districts, the city engages two sets of guidelines for these 57 districts.

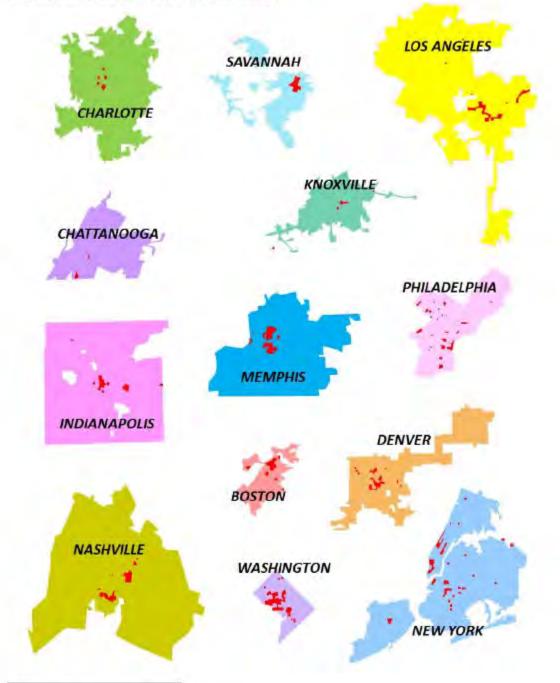
As the table above suggests, staffing levels for historic commission in Tennessee and around the country vary widely, ranging from seven professional planners in Nashville to one in Knoxville. On average, each of Memphis' staff planners assigned to the Landmarks Commission is responsible for 4725 properties; *this is about four times the number of properties each planner is responsible for in cities within and outside of Tennessee*.

Conclusion/Recommendation

While the Division of Planning and Development will monitor the incoming fees and budget personnel accordingly, an additional strategy should be employed to ensure the administration of the City's historic districts is effective and efficient. To that end, the Division has drafted amendments to the Bylaws of the Landmarks Commission for review by the Commission next year that allow more types of home improvements to be approved administratively. For instance, during Fiscal year 2020, 70% of the caseload of the Commission was handled administratively as minor Certificates of Appropriateness; this compares to 81% in Nashville and 82% in Denver. A draft amendment to the Bylaws that would effectuate this change is attached to this study as Exhibit B. Other options that could be explored in the future is to amend the Landmarks ordinance in such a way that would require some percentage of property owner approval,

as is the case in Charlotte and Savannah or, as is the case in Oregon, allow non-consenting owners to remove their property from the proposed district.¹¹

The maps below show the relative sizes of Memphis' 18 districts compared with other major cities, to scale. Local historic districts are highlighted in red.



11 Oregon Revised Statutes, Sec. 197.772.

EXHIBIT A: Initiation Resolution

Resolution authorizing the Memphis and Shelby County Division of Planning and Development to perform a review of the City's Landmarks Districts.

WHEREAS, on July 20, 2021, the Memphis City Council approved two additional Landmarks Districts, also known as historic overlay districts: Vollintine-Evergreen and Crosstown; and

WHEREAS, during its deliberations on these two new districts, members of Council inquired as to certain metrics for the existing Districts; and

WHEREAS, the Division of Planning and Development administers the Landmarks Districts and staffs the Memphis Landmarks Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL does hereby authorize the Memphis and Shelby County Division of Planning and Development to perform a review of the City's Landmarks Districts. This review shall include, but shall not be limited to, the following metrics:

- Current and historic assessed value of residential properties within the Landmarks Districts relative to those throughout the City of Memphis;
- 7. Demographics of the Landmarks Districts;
- Total value of residential building permits issued per year within the Landmarks Districts relative to those throughout the City of Memphis;
- 9. Current and historic homeownership rates within the Landmarks Districts; and
- 10. Processes for the creation of historic overlay districts in peer cities.

BE IT FURTHER RESOLVED BY THE MEMPHIS CITY COUNCIL that the Memphis and Shelby County Division of Planning and Development shall report the findings of this review to the Council no later than January 1, 2022.

Sponsor: Worth Morgan

Frank Colvett, Jr., Chairman

EXHIBIT B:

Draft of potential amendment to the Bylaws of the Memphis Landmarks Commission (new language indicated in bold, underline language and deleted language in strikethough)

Sec. VIII(I) Minor Certificates of Appropriateness

- (1) The Commission authorizes staff to preliminarily approve <u>may approve expedited</u> minor certificates of appropriateness for improvements that will not adversely affect any of the historic characteristics of properties within a historic district and will not diminish the integrity of a property's location, design, setting, materials or workmanship. These improvements are as follows:
 - a. Demolition of non historic accessory structures and appurtenances.
 - b. Demolition of any structure that has become a major life-safety hazard and is requested to be demolished by another City department for that reason.
 - c.--Any court-ordered demolition.
 - d. Demolition of non-contributing primary buildings that are less than 50 years old.
 - e. New construction of accessory structures which meet the design guidelines and the bulk zoning requirements, if located behind the rear façade of the primary building and if less than 25% of its street-facing façade is visible from the street.
 - f. Rear additions which are no wider and no taller than the primary building and no deeper than half the depth of the existing house and if less than 25% of the street-facing new facades are visible from the street.
 - g. Side or rear roof additions such as dormers and skylights,
 - h.- Repairs and replacement exactly in-kind where a permit is required.
 - i. Except for fencing along side streets on corner lots, fencing that starts at least five feet behind the front façade of a primary building, including backyard fencing, but such fencing must meet the district's design guidelines as to height, materials and any other related requirement.
 - j. Permanent landscape features, such as hardscape, retaining walls and other landscaping borders of one foot in height or less.
 - k.—The Commission chair may extend the list of minor certificates of appropriateness in emergency situations; otherwise, all exterior work not included in the list of minor certificates of appropriateness in this subsection shall be reviewed exclusively by the Commission.
- (2) After review and preliminary approval by staff, <u>those</u> applications for the above-described certificates of appropriateness <u>deemed as minor by the Executive Secretary or the Zoning</u> <u>Administrator</u> shall be electronically disseminated to all members of the Commission and such

February 13, 2025 Page 65

applications shall also be simultaneously disseminated to any applicable neighborhood association or neighborhood landmarks committee. Approval for minor certificates of appropriateness shall become final only if, three (3) business days after electronic notice, a minimum of four (4) Commissioners has not requested that the application be heard by the full Commission during its next meeting. All requests for full review by Commissioners regarding minor certificates of appropriateness shall be made directly to staff and not to other <u>Commissioners in accordance with</u> <u>the Tennessee Open Meeting Act, T.C.A. 8-44-102</u>. Those minor certificates of appropriateness that are not so held for Commission review shall receive final approval by the Executive Secretary, and be memorialized on the next available Commission meeting agenda.

(3) All applications for certificates of appropriateness deemed to be minor shall be issued by Commission staff within 60 days of the date of application. If the applicant has not submitted necessary materials for the staff to act upon the application within this time period, the application shall be considered withdrawn.

LOA Carr Avenue HD Application

From jlittrice1@gmail.com <jlittrice1@gmail.com> Date Tue 1/14/2025 4:51 PM To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jlittrice1@gmail.com

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

Date: January 14, 2024

I live at 2095 Carr Ave. I approve of the application for Carr Avenue Historic District.

Thank you,

Jeremiah & Gabrielle Littrice

LOA Carr Avenue HD Application 1/14/2025

From Lindsey Medlin lindypop@gmail.com>

Date Tue 1/14/2025 6:35 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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

Greetings,

I live at 2101 Carr Ave, Memphis, TN 38104. I approve of the application for Carr Avenue Historic District.

Thank you, Lindsey Medlin

LOA Carr Avenue HD Application

From Jake Hopkins <jakehopkins428@gmail.com> Date Tue 1/14/2025 8:27 PM To Payne, Margot <Margot.Payne@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,

My name is Jake Hopkins, and I reside at 2067 Carr Avenue. As I won't be able to attend the Landmarks Hearing on the 23rd, I wanted to reach out and say that I approve of the application for Carr Avenue Historic District.

Thank you,

Jake Hopkins

Letter of Approval Carr Avenue Historic District Application

From Juana McCoy <zoememphis@gmail.com>

Date Wed 1/15/2025 2:30 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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

Date:01/15/2025

I live at 2072 Carr Ave.

I am expressing my support and approval for the Carr Avenue Historic District application. Our small street contains small, shotgun houses not found in other parts of the city. They are one of a kind, unique and historic. Our street was voted most charming street in Memphis magazine. I would be devastated if anything happened to our charming neighborhood.

Thanks, -Juana McCoy

LOA Carr Avenue HD application 1/23/2025

From james speed <jsspeed66@icloud.com>

Date Wed 1/15/2025 2:17 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jsspeed66@icloud.com

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

I strongly approve of the application for Carr avenue historic district, Thank You!! James speed 2071 Carr ave Memphis tn 38104 Sent from my iPhone

In Support of Carr Avenue Historic District

From Emily Oppenheimer <emoppenheimer@gmail.com> Date Wed 1/15/2025 7:24 PM To Payne, Margot <Margot.Payne@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 Margot,

I am reaching out to voice support for the Carr Avenue Historic District and to encourage votes in favor of its establishment. The block of Carr between Diana and Cooper is a charming stretch of historic homes that deserves historic designation and the protection afforded by it. Please vote in favor of the district. Thank you so much!

All my best, Emily Oppenheimer

Letter of approval for Carr Ave historic district application

From Malone, Hayden <Hayden.Malone@STJUDE.ORG>

Date Thu 1/16/2025 8:45 AM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender Hayden.Malone@STJUDE.ORG

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

Good morning,

I own 2073 Carr Ave within the proposed Carr Ave historic district. I am expressing my support for the application to be designated as a historic district. Thank you for your time!

Best,

Hayden

Hayden Malone, MS

PhD Candidate

Laboratory of Dr. Charles Roberts

Division of Molecular Oncology

St. Jude Graduate School of Biomedical Sciences

Carr Ave historic district

From terence ryan <terry_ryan44@yahoo.com>

Date Fri 1/17/2025 6:35 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender terry_ryan44@yahoo.com

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

My name is terry Ryan and I live in Idlewild and am in favor of Carr getting a historic status.

Terry Ryan 901-471-9440

Carr Avenue Historic District

From Ava Middleton <ava.a.middleton@gmail.com> Date Sat 1/18/2025 4:05 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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

I am a homeowner at 2054 Carr Avenue in Memphis. I am in favor of the Carr Avenue Historic District. If you have any questions, I can be reached at 901.488.5702.

Thanks,

Ava Middleton

Date: 1/30/25 Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103 Hello, My name is: OWEN C. WALLACE D.C. I live at Z035 Carr Avenue. I approve of and am in support of the application for Carr Avenue Historic District. Thank you, 1/30/25 Oceralace D.C. Signature and Date **Email Address:** Margot.payne@memphistn.gov

Date: 2125 Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103 Hello, My name is: Mary- Martha Biessen Verger I live at 2079 Carr Avenue. I approve of and am in support of the application for Carr Avenue Historic District. Thank you, Mary Martha Biessenterger Jeb. 1, 2025 Signature and Date **Email Address:** Margot.payne@memphistn.gov

Date: 500 1, 3025 Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103 Hello, My name is: CYNHIA HYME I live at 2076 Carr Avenue. I approve of and am in support of the application for Carr Avenue Historic District. Thank you, 2/1/2025 Signature and Date Email Address: Margot.payne@memphistn.gov

Date: JAN. 31, 2025

Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103

Hello,

My name is: DELOR: René Dever

1 live at _ 2047

____Carr Avenue.

I approve of and am in support of the application for Carr Avenue Historic District.

Thank you, Delori Riné Deler

Signature and Date

Email Address: <u>Margot.payne@memphistn.gov</u>

2/1/25 Date: Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103 Hello, My name is: Heather Gillespie 1 live at _ 20105 Carr Avenue. I approve of and am in support of the application for Carr Avenue Historic District. lather fillespe Thank you, Signature and Date Email Address: Margot.payne@memphistn.gov

Staff Report HDD 2024-0001

Date: Feldinzly 2, 2025

Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103

Hello,

My name is: KACKY WALTON

I live at <u>2070</u> Carr Avenue.

I approve of and am in support of the application for Carr Avenue Historic District.

Thank you, 2-2-2025

Signature and Date

Email Address: Margot.payne@memphistn.gov

Carr Avenue Historic District Application

From Kacky Walton < kwalton@wkno.org> Date Sun 2/2/2025 3:28 PM To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender kwalton@wkno.org

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

Dear Ms. Payne,

I am writing to express my support for Carr Avenue's application to become an Historic District.

Buying a home is the biggest financial investment most of us will make in our lifetime. Not only do we look for a home that meets all of our expectations both practically and aesthetically, but we also want that home to be in a neighborhood that has qualities that offer a real sense of community.

After I got married, my late husband and I would drive all over Midtown hoping to find a house that we could imagine becoming a home where we could make memories and grow old. We always found ourselves on the block of Carr Avenue between Cooper and Diana streets. The block's charm was undeniable. The adorable shotgun houses gave off a New Orleans or Carolina vibe that was nowhere else to be found in Midtown. We knew this was where we wanted to live, and were elated when on one of our drives, we saw a "For Sale" sign in the one of the yards. Greg and I knew that no one *ever* moved once they bought a house on this street, and we couldn't believe our luck!

I have happily lived on this street since 2009. Carr Avenue really is a lovely little community all its own. We gather on front porches, we have street parties, and we're also so close that we look out for each other when a neighbor is in need. I don't know what I would have done had I not had the support of my friends on this street when my husband passed away.

A few years ago, a house was razed and replaced with two "tall skinny" houses. The architects completely ignored the aesthetics of our block. These (in my opinion) ugly houses stick out like a sore thumb, their design doesn't mesh with the others on the street, and they disrupt the overall charm of the block.

This is why I support the block of Carr Avenue between Cooper and Diana becoming an Historic District. It's a true gem in our community, and I, along with my neighbors, want to protect it.

The Memphis Flyer didn't name it "Best Street" for nothing!

I truly hope you will vote in our favor.

With sincere gratitude,

Kacky

Kacky Walton Music Coordinator/Classical Music Host WKNO+FM



Approval of Carr Avenue Landmarks designation

From Rodney Nash <rnash57@gmail.com> Date Mon 2/3/2025 3:38 PM To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender rnash57@gmail.com

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

Hello.

I am Rodney S Nash and I reside at 2119 Carr Avenue, Memphis TN, 38104.

I bought my house in 1996 because I love the neighborhood feel of this street. While I loved living in Cooper-Young, where I was very active in our Community Association and the Development Corporation, I was tired of living on the busy and noisy East Parkway.

I approve of this application and would love it if our block received local Landmarks historic designation to help preserve its cozy character.

Thank you.

Landmarks Application for Carr Avenue

From Rodney Nash <rnash57@gmail.com> Date Mon 2/3/2025 3:55 PM To Payne, Margot <Margot.Payne@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.

This is Rodney Nash. I purchased 2121 Carr in May of 2008 because it was seriously neglected and needed major restoration work, which is what I do for a living.

I heartily approve of our block of Carr Avenue, in the Idlewild National Historic District, receiving local Landmarks designation, to preserve its unique charm and one-of-a-kind character. Thank for your consideration.



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

February 13, 2025

Hunter Oppenheimer 2038 Carr Avenue Memphis, TN 38104

Sent via electronic mail to: hunteropp@gmail.com

Case Number: HDD 2024-0001 LUCB Recommendation: Approval

Dear applicant,

On Thursday, February 13, 2025, the Memphis and Shelby County Land Use Control Board recommended *approval* of your request to designate a new Historic (H) Overlay District containing 43 properties within the 2000 to 2100 block of Carr Avenue.

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

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

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

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

Respectfully,

Harg & FPagne

Margot Payne Urban Design & Preservation Planner Land Use and Development Services Division of Planning and Development

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 8 at 4:00 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:	HDD 2024-0001
LOCATION:	43 properties within the 2000 to 2100 block of Carr Avenue between Diania Street and Cooper Street
COUNCIL DISTRICTS:	District 4 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Hunter Oppenheimer and 41 others
REPRESENTATIVE:	Hunter Oppenheimer
REQUEST:	Designation of a new Historic (H) Overlay District

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: Approval

Memphis Landmarks Commission: Approval

Memphis and Shelby County Land Use Control Board: Approval

NOW, THEREFORE, you will take notice that on Tuesday, April 8, 2025, at 4:00 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 19th OF MARCH 2025

J. FORD CANALE CHAIRMAN OF COUNCIL

ATTEST:



ESS INVESTMENTS LLC 2109 PEABOBY AVE # MEMPHIS TN 38104

ZANIN MARK AND SOOK-SAN WONG (RS) 2043 PEABODY AVE # MEMPHIS TN 38104

ESS INVESTMENTS LLC 2109 PEABODY AVE # MEMPHIS TN 38104

BROWN SUSAN B

PASS KASSEY

2046 CARR AVE #

MEMPHIS TN 38104

COLEMAN RONALD

MEMPHIS TN 38118

3406 DEMOCRAT RD #

2064 CARR AVE # MEMPHIS TN 38104

BENSON SANDRA LIVING TRUST BEARDEN AMANDA S 2335 RIDGEWAY RD # MEMPHIS TN 38119

HANKINS JOSHUA & KATELYN KENT 2069 PEABODY AVE # MEMPHIS TN 38104

ROBINSON LAURA O REVOCABLE LIVING TRUSTHYMEL DAVID & CYNTHIA1517 VINTON AVE #2076 CARR AVE # MEMPHIS TN 38104

CAMPBELL MICHAEL 1804 GARNET AVE #137 SAN DIEGO CA 92109

NEAL LINDSEY & MARK 889 OAKMONT PL # MEMPHIS TN 38107

OVERCAST HALEY C 2044 CARR AVE # MEMPHIS TN 38104

ROBINSON LAURA O REVOCABLE LIVING TRUST 1517 VINTON AVE # MEMPHIS TN 38104

PONGETTI MICHAEL D 533 DIANA ST # MEMPHIS TN 38104

2068 CARR AVE #

MEMPHIS TN 38104

MEMPHIS TN 38104

MEMPHIS TN 38104

HILL REGAN AND GLENN B WILLIAMS

2094 CARR AVE #

STARKS AMY G AND SOPHIA I STARKS (RS)

580 S BELVEDERE BLVD # MEMPHIS TN 38104

PARK AVENUE LODGE 539 S COOPER ST # MEMPHIS TN 38104

GANGWISH TODD T & CINDY H 11225 WHISPERING PINE DR # OLIVE BRANCH MS 38654

HOWELL STEPHEN C 545 DIANA ST # MEMPHIS TN 38104

HOPKINS JAKE W 2067 CARR AVE # MEMPHIS TN 38104

CARRIER DAVID 2069 CARR AVE # MEMPHIS TN 38104

MALONE HAYDEN A 2073 CARR AVE # MEMPHIS TN 38104

SUITE LANA D 547 DIANA ST #3 MEMPHIS TN 38104

WILKINSON CATHERINE S 2093 CARR AVE # MEMPHIS TN 38104

CARMER CHRISTINE 2095 CARR AVE # MEMPHIS TN 38104

KNOWLTON BONNIE AND HEATHER DONAHO 541 DIANA ST #4 MEMPHIS TN 38104

AO PROPCO 1 LLC 32 MERCER ST #4 NEW YORK NY 10013

ROBINSON AIMEE A AND WALTER J HUMANN JR 2050 VINTON AVE # MEMPHIS TN 38104

HERRERA CHRISTINA S & BRIAN F	SWATZELL VICTORIA M	DJS HOLDINGS LLC
2060 CARR AVE #	2065 PEABODY AVE #	1900 STARLING DR #
MEMPHIS TN 38104	MEMPHIS TN 38104	JONESBORO AR 72401
SMITH MARGARET	TEAGARDEN REBECCA R AND STEPHANIE D	MIDDLETON AVA
2100 VINTON AVE #	2071 PEABODY AVE #	2054 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
MCMAHAN CAYMAN & EMILY FULTZ	SANTOS ANDRESSA N	BOLLER JAMIE N & HUGH J RAUP
2102 VINTON AVE #	2073 PEABODY AVE #	2066 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
ATKINS LOY K & SUSAN M	WONGPRAPAN DON & SABRINA SIMPSON	WALTON MARY K
1765 N PARKWAY #	2075 PEABODY AVE #	2070 CARR AVE #
MEMPHIS TN 38112	MEMPHIS TN 38104	MEMPHIS TN 38104
BINDER LANCE A AND FIONA L BINDER (RS)	TERHORST TARA V	MCCOY JUANA H
2108 VINTON AVE #	2085 PEABODY AVE #	2072 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
2029 PEABODY LLC	JACKSON RICHARD L	RITCHEY GINA
653 S WILLETT ST #	2089 PEABODY AVE #	2074 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
SISSMAN BEN G AND NANCY J SISSMAN	DAGEN BRETT M	RHEA WADE
1497 PEABODY AVE #	2093 PEABODY AVE #	2080 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
BALTON CHRISTOPHER	ROBINSON LAURA O REVOCABLE LIVING TRUST	PARKER GENESIS A
2041 PEABODY AVE #	1517 VINTON AVE #	2090 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
WOOD ANDREW R	OPPENHEIMER JEAN H H	MEMPHIS CENTER CITY REVENUE FINANCE
1024 W 36TH ST #	2038 CARR AVE #	2330 UNIVERSITY AVE #
NORFOLK VA 23508	MEMPHIS TN 38104	OXFORD MS 38655
BENSON SANDRA LIVING TRUST	GATES LAUREN A	LICK CREEK HOMEOWNERS ASSOC INC
2335 RIDGEWAY RD #	2040 CARR AVE #	541 DIANA ST #
MEMPHIS TN 38119	MEMPHIS TN 38104	MEMPHIS TN 38104

KNOWLTON BONNIE G AND HEATHER DONAHO GAYCKEN BETTINA A MCMURTRAY MICHAEL L 543 DIANA ST # 2075 CARR AVE # 3626 BICKERSTAFF RD #C MEMPHIS TN 38104 MEMPHIS TN 38104 LAFAYETTE CA 94549 HOWARD WILLIAM G SR & LINDA M MARTEN MARY J COOK TONYA J 2035 CARR AVE # 2079 CARR AVE # 2559 WINDY OAKS DR # MEMPHIS TN 38104 MEMPHIS TN 38104 GERMANTOWN TN 38139 SMITH JUSTIN R & MARY A WILLIAMS ANDREW J BRANAN WHITNEY F 2085 CARR AVE # 2039 CARR AVE # 2062 VINTON # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 DEVER DELORI R AND ANDRA C ALLGOOD AND MIESSE CHRISTOPHER S & KATIE W **BROWN GEORGE J & KATHY L** 2047 CARR AVE # 2101 CARR AVE # 2046 VINTON AVE # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 SULLIVAN PETER & CATRINA BRAFFORD JONATHAN M & COURTNEY F D'AUNEY CARLA A 2049 CARR AVE # 6491 KIRBY WOODS DR # 2068 VINTON AVE # MEMPHIS TN 38104 MEMPHIS TN 38119 MEMPHIS TN 38104 GIVENS-ROWLIN GALEN HARRIS TERRI **BEENE EMILY & RONALD S EDMONDS** 2053 CARR AVE # 2107 CARR AVE # 2070 VINTON AVE # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 LAURIE MAJOR LIVING TRUST NASH RODNEY S WINDSOR ALISTAIR J 2971 OAKSEDGE CV # 6383 RICKS RD # 2074 VINTON AVE # ARLINGTON TN 38002 GERMANTOWN TN 38138 MEMPHIS TN 38104 O'DANIEL WILLIAM C (1/3%) AND SARAH R NASH RODNEY S **BALK PATRICK & LAURI** 6383 RICKS RD # 2063 CARR AVE # 2080 VINTON AVE # MEMPHIS TN 38104 ARLINGTON TN 38002 MEMPHIS TN 38104 GILLESPIE WILLIAM G AND CAMMACK GLEN G & BETTY B FRANTZ BARBARA M 549 S COOPER ST # MEMPHIS TN 38104 2065 CARR AVE # 2104 VINTON AVE # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 SPEED JAMES S WURZBURG WARREN SR AND SHIRLEY LAPIDES RASBERRY JOSEPH F 6000 WILD OAKS DR # 2071 CAR AVE # 2112 VENTON AVE #

MEMPHIS TN 38120

MEMPHIS TN 38104

MEMPHIS TN 38104

O'MALLEY JOHANNAH F 2116 VINTON AVE # MEMPHIS TN 38104

WALSTON LINDA 2102 CARR AVE # MEMPHIS TN 38104

RUSSELL WESLEY D 2105 PEABODY AVE # MEMPHIS TN 38104

THOMPSON ROBERT L II 2103 PEABODY AVE # MEMPHIS TN 38104

ACTIS MARISA 2103 CARR AVE # MEMPHIS TN 38104

WISEMAN MATTHEW 559 DIANA ST # MEMPHIS TN 38104