## CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL Planning & Development ONLY STAPLED | **DIVISION** |TO DOCUMENTS| **Planning & Zoning** COMMITTEE: 03/25/25 **DATE PUBLIC SESSION:** 04/08/25 **DATE** ITEM (CHECK ONE) RESOLUTION X REQUEST FOR PUBLIC HEARING X ORDINANCE **ITEM CAPTION:** Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on 0 Mt. Moriah Ext, north of Kirby Terrace Drive By taking the land out of the Residential Single-Family – 8 (R-8), Residential Urban – 2 (RU-2), Conservation Agriculture (CA) and Residential Single-Family – 15 (R-15) Use Districts and including it in the Commercial Mixed-Use – 3 (CMU-3) Use District, known as case number Z 2024-009 Z 2024-009 **CASE NUMBER:** LOCATION: 0 Mt. Moriah Ext, north of Kirby Terrace Drive **COUNCIL DISTRICTS:** District 2 and Super District 9 – Positions 1, 2, and 3 **OWNER/APPLICANT:** Prentiss Mitchell **REPRESENTATIVES:** Rezoning of +/-22.96 acres from Residential Single-Family - 8 (R-8), Residential Urban - 2 (RU-2), **REQUEST:** Conservation Agriculture (CA) and Residential Single-Family - 15 (R-15) to Commercial Mixed-Use - 3 (CMU-3) **RECOMMENDATION:** The Division of Planning and Development recommended *Rejection* The Land Use Control Board recommended Rejection 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 02/13/2025 DATE (1) Land Use Control Board ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE **FUNDING:** REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED **SOURCE AND AMOUNT OF FUNDS OPERATING BUDGET** CIP PROJECT # FEDERAL/STATE/OTHER <u>DATE</u> **POSITION** 3/10/2025 PLANNER II **DEPUTY ADMINISTRATOR** 3/10/2025 ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR CITY ATTORNEY CHIEF ADMINISTRATIVE OFFICER

**COMMITTEE CHAIRMAN** 



# Memphis City Council Summary Sheet

## Z 2024-009

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON 0 MT. MORIAH EXT, NORTH OF KIRBY TERRACE DRIVE. BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 8 (R-8), RESIDENTIAL URBAN – 2 (RU-2), CONSERVATION AGRICULTURE (CA) AND RESIDENTIAL SINGLE-FAMILY – 15 (R-15) USE DISTRICTS AND INCLUDING IT IN THE COMMERCIAL MIXED-USE – 3 (CMU-3) USE DISTRICT, KNOWN AS CASE NUMBER Z 2024-009

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

## LAND USE CONTROL BOARD RECOMMENDATION

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

**CASE NUMBER:** Z 2024-009

**LOCATION:** 0 Mt. Moriah Ext, north of Kirby Terrace Drive

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

OWNER/APPLICANT: Prentiss Mitchell

**REPRESENTATIVE:** N/A

**REQUEST:** Rezoning of +/-22.96 acres from Residential Single-Family – 8 (R-8),

Residential Urban -2 (RU-2), Conservation Agriculture (CA) and Residential Single-Family -15 (R-15) to Commercial Mixed-Use -3

(CMU-3)

The following spoke in support of the application: Prentiss Mitchell

The following spoke in opposition of the application: None

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

The motion failed by a unanimous vote of 0-9.

Respectfully,

**Chloe Christion** 

Planner II

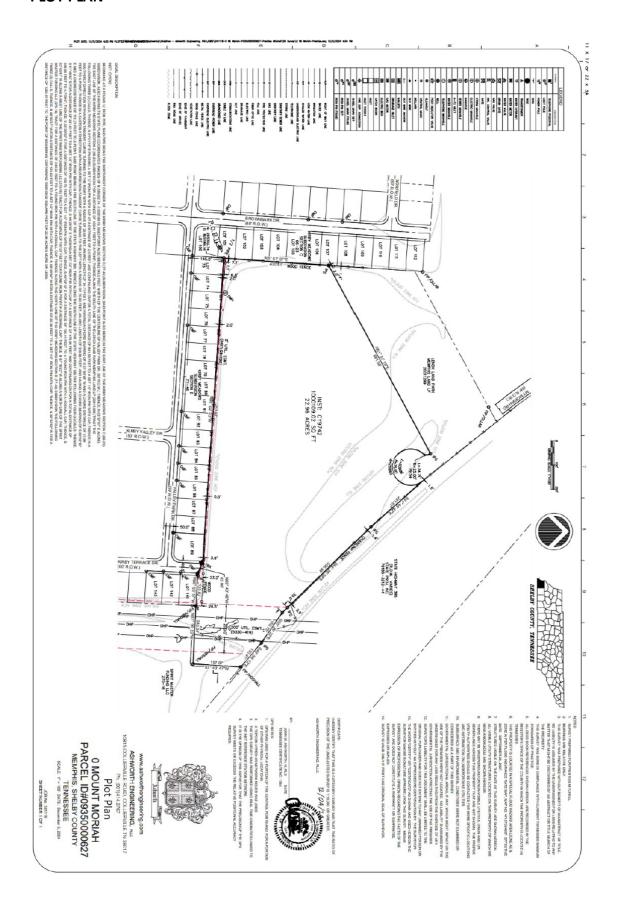
Land Use and Development Services
Division of Planning and Development

Chloe Christian

Cc: Committee Members

File

## **PLOT PLAN**



<b>ORDINANCE NO:</b>	
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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 0 MT. MORIAH EXT, NORTH OF KIRBY TERRACE DRIVE BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 8 (R-8), RESIDENTIAL URBAN – 2 (RU-2), CONSERVATION AGRICULTURE (CA) AND RESIDENTIAL SINGLE-FAMILY – 15 (R-15) USE DISTRICTS AND INCLUDING IT IN THE COMMERCIAL MIXED-USE – 3 (CMU-3) USE DISTRICT, KNOWN AS CASE NUMBER Z 2024-009.

**WHEREAS,** a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2024-009**; and

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

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

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

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

#### **SECTION 1:**

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL SINGLE-FAMILY – 8 (R-8), RESIDENTIAL URBAN – 2 (RU-2), CONSERVATION AGRICULTURE (CA) AND RESIDENTIAL SINGLE-FAMILY – 15 (R-15) USE DISTRICTS AND INCLUDING IT IN THE COMMERCIAL MIXED-USE – 3 (CMU-3) USE DISTRICT.

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

BEGINNING AT A FOUND  $\frac{1}{2}$ " IRON PIPE, SAID PIPE BEING THE NORTHWEST CORNER OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION, SAID POINT ALSO BEING IN THE EAST LINE OF THE KIRBY

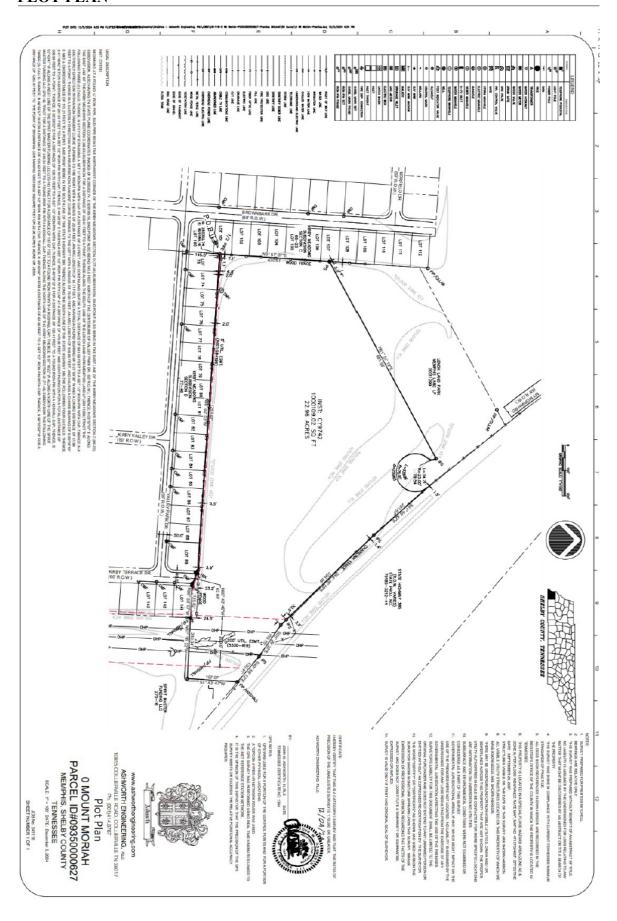
MEADOWS SECTION C (66-23) SUBDIVISION, ALSO HAVING TN STATE PLANE COORDINATES (NAD83) OF N:285302.74, E:820189.16, SAID POINT ALSO BEING 145.0 FEET NORTH OF THE CENTERLINE OF VALLEY PARK DR. (50' R.O.W.); THENCE, N 03°57'07" E ALONG THE EAST LINE OF THE KIRBY MEADOWS SECTION C (66-23) SUBDIVISION FOR A DISTANCE OF 430.41 FEET TO A POINT; THENCE ALONG THE SOUTH LINE OF THE LENOX LAND PARK MEMPHIS LAND LP (20011299) TRACT THE FOLLOWING THREE (3) CALLS; THENCE, N 61°51'19" E PASSING A SET 1/2" IRON PIN WITH CAP AT A DISTANCE OF 2.0 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 881.58 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE IN A SOUTHERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 34.71 FEET, AND HAVING A CHORD BEARING OF S 01°00'38" W AND A CHORD DISTANCE OF 31.99 FEET TO A POINT; THENCE IN A EASTERLY DIRECTION WITH A REVERSE NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 339.86 FEET, AND HAVING A CHORD BEARING OF S 89°05'16" E AND A CHORD DISTANCE OF 115.21 FEET TO A POINT, SAID POINT BEING IN THE SOUTH LINE OF THE STATE HIGHWAY 385; THENCE ALONG THE SOUTH LINE OF THE STATE HIGHWAY 385 THE FOLLOWING FOUR (4) CALLS; THENCE, S 41°46'42" E FOR A DISTANCE OF 281.61 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, S 44°26'59" E PASSING A SET 1/2" IRON PIN WITH CAP AT A DISTANCE OF 476.98 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 506.98 FEET TO A POINT; THENCE, S 55°29'22" E FOR A DISTANCE OF 150.75 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, S 49°58'12" E FOR A DISTANCE OF 130.41 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, S 03°43'47" W ALONG A WEST LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 197.07 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, N 87°16'22" W ALONG A NORTH LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 240.34 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE ALONG THE NORTH LINE OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION THE FOLLOWING THREE (3) CALLS; THENCE, N 86°55'57" W FOR A DISTANCE OF 125.62 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, N 69°40'46" W FOR A DISTANCE OF 62.98 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, N 86°02'53" W FOR A DISTANCE OF 1253.97 FEET TO THE POINT OF BEGINNING CONTAINING 1000109.02 SQUARE FEET OR 22.96 ACRES MORE OR LESS.

#### **SECTION 2:**

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

## **SECTION 3:**

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



ATTEST:

Division of Planning and Development

– Land Use and Development Services CC:

- Office of Construction Enforcement

**Shelby County Assessor** 



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

February 14, 2025

Prentiss Mitchell, Delta Area Holdings LLC Horn Lake, Mississippi 38637

Sent via electronic mail to: mimllcmemphis@gmail.com

Case Number: Z 2024-009

LUCB Recommendation: Rejection

Dear applicant,

On Thursday, February 13, 2025, the Memphis and Shelby County Land Use Control Board recommended *rejection* of your rezoning application located southeast of Mount Moriah Road Extension to be included in the Commercial Mixed-Use - 3 (CMU-3) 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) 636-6619 or via email at chloe.christion@memphistn.gov.

Respectfully,

Chloe Christion

Planner II

Land Use and Development Services

Chloe Christian

Division of Planning and Development

Cc:

File

# dpd STAFF REPORT

AGENDA ITEM: 6 L.U.C.B. MEETING: February 13, 2025

**CASE NUMBER:** Z 2024-009

**LOCATION:** 0 Mt. Moriah Ext, north of Kirby Terrace Drive

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

**OWNER/APPLICANT:** Prentiss Mitchell

**REPRESENTATIVE:** N/A

**REQUEST:** Rezoning of  $\pm$ 15.6 acres from Residential Single-Family  $\pm$ 8 (R-8),  $\pm$ 16.97 acres from

Residential Urban -2 (RU-2), +/-0.44 acres from Conservation Agriculture (CA) and +/-0.27 acres from Residential Single-Family -15 (R-15) to Commercial Mixed-use -

1 (CMU-1)

## CONCLUSIONS

- 1. The request is a rezoning from multiple residentially-oriented zoning districts to Commercial Mixed-se 3 (CMU-3).
- 2. When asked what the purpose of this rezoning was, the applicant responded that he does not know what intended uses would occur if the rezoning were to be approved. With no direction as to what development may take place at the subject property, this rezoning to high-intensity commercial would permit a variety of undesirable uses such as a nightclub, tavern, or used tire shop.
- 3. The subject property is located within a floodplain in which development of any kind, especially large-scale commercial development, is strongly discouraged.
- 4. The proposed rezoning to Commercial Mixed-Use -3 is not in keeping with the nature of the surrounding residential and office land uses of the subject property. Therefore, staff is recommending rejection of the rezoning.

### **CONSISTENCY WITH MEMPHIS 3.0**

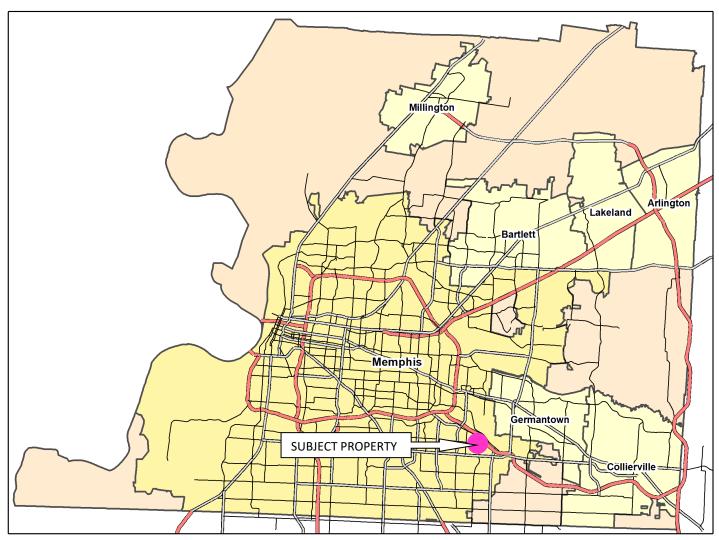
This proposal is inconsistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 14-16 of this report.

#### **RECOMMENDATION:**

Rejection

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

# **LOCATION MAP**



Subject property located within the pink circle

#### **PUBLIC NOTICE VICINITY MAP**



Subject property outlined in red.

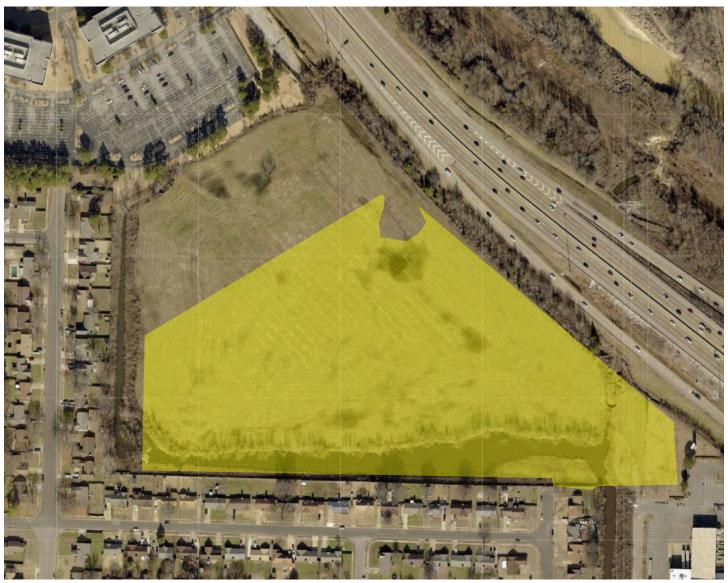
## **PUBLIC NOTICE DETAILS**

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 190 notices were mailed on December 17, 2024, see page 17 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 18 of this report for a copy of the sign affidavit.

## **NEIGHBORHOOD MEETING**

The meeting was held at 8:05 AM on Saturday December 21, 2024, at the Home Depot at 3469 Riverdale Road.

# **AERIAL**



Subject property outlined in yellow, imagery from 2023

# **ZONING MAP**



Subject property highlighted in yellow

## **FEMA MAP**



Subject property outlined in yellow

## **LAND USE MAP**



Subject property indicated by a pink star

# **SITE PHOTOS**

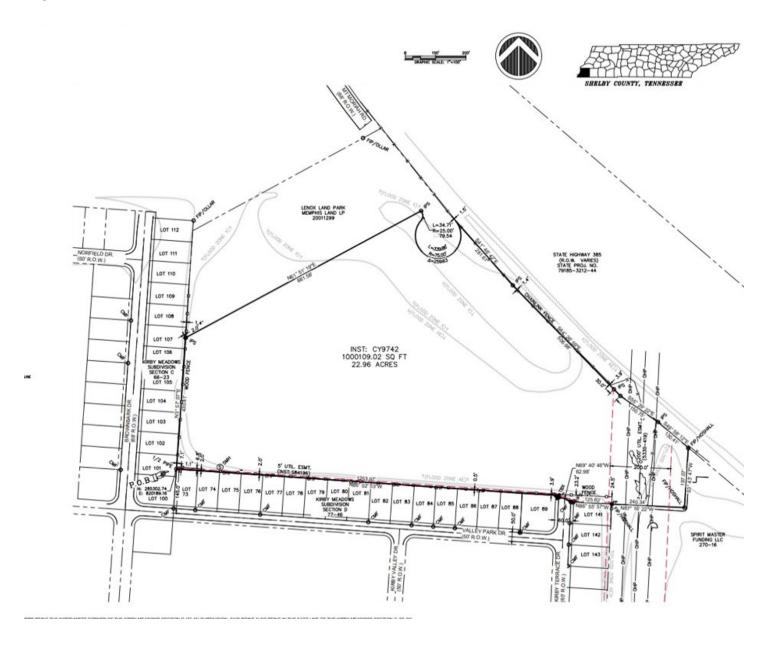


View of subject property from Kirby Terrace Drive looking north.



View of subject property from State Route 385 looking west.

# **PLOT PLAN**



Staff Report Z 2024-009 February 13, 2025 Page 10

#### **LEGAL DESCRIPTION**

INST: CY9742

BEGINNING AT A FOUND 1/2" IRON PIPE, SAID PIPE BEING THE NORTHWEST CORNER OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION, SAID POINT ALSO BEING IN THE EAST LINE OF THE KIRBY MEADOWS SECTION C (66-23) SUBDIVISION, ALSO HAVING TN STATE PLANE COORDINATES (NAD83) OF N:285302.74, E:820189.16, SAID POINT ALSO BEING 145.0 FEET NORTH OF THE CENTERLINE OF VALLEY PARK DR. (50' R.O.W.); THENCE, N 03°57'07" E ALONG THE EAST LINE OF THE KIRBY MEADOWS SECTION C (66-23) SUBDIVISION FOR A DISTANCE OF 430.41 FEET TO A POINT; THENCE ALONG THE SOUTH LINE OF THE LENOX LAND PARK MEMPHIS LAND LP (20011299) TRACT THE FOLLOWING THREE (3) CALLS; THENCE, N 61°51'19" E PASSING A SET 1/2" IRON PIN WITH CAP AT A DISTANCE OF 2.0 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 881.58 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE IN A SOUTHERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 34.71 FEET, AND HAVING A CHORD BEARING OF S 01°00'38" W AND A CHORD DISTANCE OF 31.99 FEET TO A POINT; THENCE IN A EASTERLY DIRECTION WITH A REVERSE NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 339.86 FEET, AND HAVING A CHORD BEARING OF S 89°05'16" E AND A CHORD DISTANCE OF 115.21 FEET TO A POINT, SAID POINT BEING IN THE SOUTH LINE OF THE STATE HIGHWAY 385; THENCE ALONG THE SOUTH LINE OF THE STATE HIGHWAY 385 THE FOLLOWING FOUR (4) CALLS; THENCE, S 41°46'42" E FOR A DISTANCE OF 281.61 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, S 44°26'59" E PASSING A SET 1/2" IRON PIN WITH CAP AT A DISTANCE OF 476.98 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 506.98 FEET TO A POINT; THENCE, S 55°29'22" E FOR A DISTANCE OF 150.75 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, S 49°58'12" E FOR A DISTANCE OF 130.41 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, S 03°43'47" W ALONG A WEST LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 197.07 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, N 87°16'22" W ALONG A NORTH LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 240.34 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE ALONG THE NORTH LINE OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION THE FOLLOWING THREE (3) CALLS; THENCE, N 86°55'57" W FOR A DISTANCE OF 125.62 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, N 69°40'46" W FOR A DISTANCE OF 62.98 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, N 86°02'53" W FOR A DISTANCE OF 1253.97 FEET TO THE POINT OF BEGINNING CONTAINING 1000109.02 SQUARE FEET OR 22.96 ACRES MORE OR LESS.

#### **CASE REVIEW**

#### **Request**

The request is a Rezoning of +/-15.6 acres from Residential Single-Family -8 (R-8), +/-6.97 acres from Residential Urban -2 (RU-2), +/-0.44 acres from Conservation Agriculture (CA) and +/-0.27 acres from Residential Single-Family -15 (R-15) to Commercial Mixed-use -1 (CMU-1)

### **Review Criteria**

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

#### 9.5.7B Review Criteria

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

9.5.7B(1) Consistency with any plans to be considered (	(see Chapter 1.9);	
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- 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:

0 Mt. Moriah Ext.

Parcel ID:

093500 00627

Area:

+/-22.96 acres

### Description:

The subject property is a vacant lot with a zoning of Residential Single-Family -8 (R-8), Urban Residential -2 (RU-2), Conservation Agriculture (CA) and Residential Single-Family -15 (R-15). The lot has one street frontage along State Route 385. The surrounding land uses are a mixture of single-family, commercial and office lots.

#### **Analysis**

When asked what the purpose of this rezoning was, the applicant responded that he does not know what intended uses would occur if the rezoning were to be approved. With no direction as to what development may take place at the subject property, this rezoning from predominately residential classification to high-intensity commercial would permit a variety of undesirable uses such as a nightclub, tavern, or used tire shop.

The subject property is located within a floodplain in which development of any kind, especially large-scale commercial development, is strongly discouraged. The Future Land Use Planning Goals of the Office of Comprehensive Planning's Memphis 3.0 plan also discourage development on the subject property as it is designated Open Spaces & Natural Features (OSN).

The site may also have a history of being used, at least in part, as a construction debris landfill. As of the release of this staff report, research to confirm this in ongoing. If confirmed, development of this site may be compromised if unstable soils are found. See below aerial photograph from 1996 which shows that this site was previously used as a borrow pit for fill dirt in the construction of Nonconnah Parkway and is believed to have been filled, in part, by construction debris.



It should also be mentioned that the site appears to be subject to development limitations in accordance with the Tennessee Scenic Highway System Act (TN Code 54-17-114(a)(I)(J) and 54-17-115(a)(I)(2)). These limitations restrict the height of a building to 35 feet. CMU-3 Zoning permits a maximum building height of 75 feet. This adds further validity that the subject property is not meant to be developed with the mass, height, and scale CMU-3 encourages.

Finally, the District Intent Statement for CMU-3 Zoning found in UDC Paragraph 2.2.3D(3) states the following: "The CMU-3 District is intended to accommodate a very broad range of high intensity commercial, office, and employment uses that require highly visible and highly accessible locations with direct access to arterials." The site has no direct access to an arterial street.

The proposed rezoning to Commercial Mixed-Use -3 is not in keeping with the nature of the surrounding residential and office land uses of the subject property. Therefore, staff is recommending rejection of the rezoning.

#### RECOMMENDATION

Staff recommends rejection.

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#### **DEPARTMENTAL COMMENTS**

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

## **City Engineer:**

## Basin/Lot/CD: Kirby, 18-A/23.5ac/2

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

#### **Sewers:**

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

#### **General Notes:**

3. Development is greater than 1 acre and will require detention when developed.

**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:



Logan Landry
Planner I
Office of Sustainability and Resilience
125 N. Main St., Memphis, TN 38103
Logan.Landry@memphistn.gov

#### **MEMORANDUM**

To: Chloe Christion, Planner I

From: Logan Landry, Planner I

Date: December 31, 2024

Subject: OSR Comments on Z 24-09: SOUTHEAST

### **General Comments & Analysis:**

Located in Zone 1 and Zone 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.

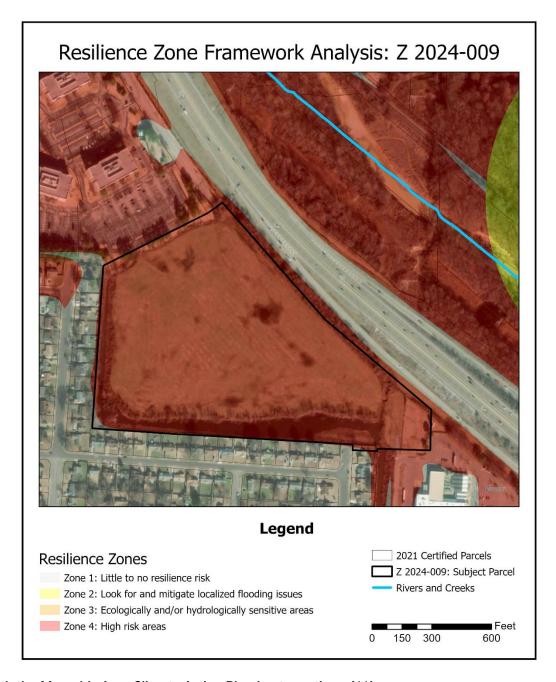
Zone 4 areas are high risk locations, namely riparian corridors, floodplains, and especially high vulnerability to earthquakes. Development in these locations is often directly at risk for flooding. Although these risks could be mitigated through the construction of major flood control infrastructure 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.

Nearly the entirety of the parcel is located in Zone 4 which is due to its location in both the 100-year floodplain (1% annual chance of flooding) and the 500-year floodplain (.2% annual chance of flooding) for nearby Nonconnah Creek.

The parcel is currently zoned Residential (R-8) and the Applicant would like to rezone to Commercial Mixed Use (CMU-3). The land is currently vacant and undeveloped.

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

This rezoning request is generally not consistent with the Mid-South Regional Resilience Master Plan. The Plan designates the floodplain as an area where development should be restricted due to exposure to environmental hazards like flooding (Section 4.1 – Resilient Sites). Additionally, Section 4.3 – Flood Smart Development encourages preserving vacant parcels that are in the floodplain and avoiding development.



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

**Recommendations:** Staff does not recommend approval of this rezoning request.

## 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: Z 2024-009 Southeast

Site Address/Location: 0 Mount Moriah (Parcel Number 093500 00627)

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

Future Land Use Designation: Open Spaces & Natural Features (OSN)

Street Type: NA

The applicant is seeking a Rezoning from R-8 to CMU-3

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

Wildlands, waterways, and natural features with a focus on preservation and occasional opportunities for passive recreation. Conservation Agriculture. Graphic portrayal of OSN to the right.



#### "OSN" Form & Location Characteristics

Conservation and recreational uses.

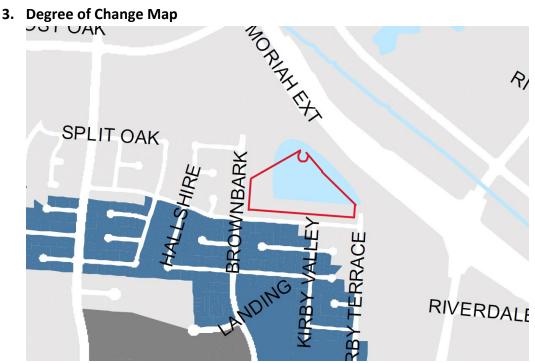
## "OSN" Zoning Notes

Generally compatible with the following zone districts: OS, FW, CA in accordance with Form and characteristics listed below. Consult zoning map and applicable overlays for current and effective regulations. Changes unlikely; may consider rezonings, as appropriate, at the time of a small area plan. Analysis to understand how uses like wind farms, solar farms, stormwater facilities, community gardens/CSAs, apiaries, timber harvesting, or other similar uses are integrated into these zones.

#### **Existing, Adjacent Land Use and Zoning**

Existing Land Use and Zoning: Vacant, R-8

Adjacent Land Use and Zoning: Single-family Residential, Office, Commercial and Vacant, R-8, CA and FW **Overall Compatibility:** This requested land use is not compatible with these adjacent land uses and zoning districts because there is no other CMU-3 district adjacent, and the creek serves as a natural barrier from the other commercial uses.



Red polygon denotes the proposed site in Degree of Change area. There is no Degree of Change.

## 4. Degree of Change Description

N/A

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

The requested use is not consistent with Action 1.3.13. "Apply nature lots and flood lots as transitonal uses at community edges, particularly where communities border envioronmental hazards." This lot currently serves as a buffer lot in a large flood zone, the request if granted would be inconsistent with the Goal 1 Action. The requested use is also not consistent with Action 1.3.14. "Identify opportunities to apply flood lots throughout communities to address persistent stormwater issues." Activating what is functioning as a floodlot for commercial use is inconsistent with the action.

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

The parcel is in the Open Space and Natural Features Future Land Use Category. The intent of this category is for areas that have been identified as wildlands, waterways, and natureal features with a focus on preservation. This requested rezoning is not consistent with the goals of this Future Land use Category cheifly the goal of flood control.

## **Consistency Analysis Summary**

The applicant is seeking a Rezoning from R-8 to CMU-3

This requested land use is not compatible with these adjacent land uses and zoning districts because there is no other CMU-3 district adjacent, and the creek serves as a natural barrier from the other commercial uses. The requested use is not consistent with Action 1.3.13. "Apply nature lots and flood lots as transitonal uses at community edges, particularly where communities border envioronmental hazards." This lot currently serves as a buffer lot in a large flood zone, the request if granted would be inconsistent with the Goal 1 Action. The requested use is also not consistent with Action 1.3.14. "Identify opportunities to apply flood lots throughout communities to address persistent stormwater issues." Activating what is functioning as a floodlot for commercial use is inconsistent with the action.

The parcel is in the Open Space and Natural Features Future Land Use Category. The intent of this category is for areas that have been identified as wildlands, waterways, and natureal features with a focus on preservation. This requested rezoning is not consistent with the goals of this Future Land use Category cheifly the goal of flood control.

This proposed rezoning is also not consistent with Memphis 3.0 Goal 3: Sustainable and Resilient Communities Objective 3.3 Expand use and protection of natural landscapes and green infrastructure or Objective 3.5 Protect life, Property, infrastructure and environment from disaster events.

Based on the information provided, the proposal is <u>NOT CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Christina Edingbourgh, Comprehensive Planning.

#### **MAILED PUBLIC NOTICE**

# NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than

Thursday, January 2, 2025 at 8 AM.

**CASE NUMBER:** Z 2024-009

ADDRESS: 0 Mt. Moriah Road

REQUEST: Rezoning of approx. 22.9 acres from RU-2 and R-6 to

CMU-3

APPLICANT: Prentiss Mitchell

**Meeting Details** 

Location: Council Chambers Time: 9:00 AM

City Hall 1st Floor 125 N Main St.

Date: Thursday, Jan. 9, 2025

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



190 Notices Mailed 12/17/2024

#### Staff Planner Contact:

Chloe Christion

☐ chloe.christion@memphistn.gov

(901) 636-7494

VICINITY MAP—SUBJECT PROPOERTY HIGHLIGHTED

IN BLUE

# **SIGN AFFIDAVIT**

# **AFFIDAVIT**

Shelby County		
State of Tennessee		
on the 12 day of December, 20	n, depose and say that at 330 am/pm	)
pertaining to Case No.Z 2024-00 9 at		
providing notice of a Public Hearing before the	,	
Land Use Control Board	,	
Board of Adjustment		
Memphis City Council		
Shelby County Board of Commissioners	3	
for consideration of a proposed land use acti	ion, a photograph of said sign(s) being	
attached hereon and a copy of the sign purch	hase receipt or rental contract attached	
hereto.		
Tulchell	12/13/2024	
Owner, Applicant or Representative	Date	
Subscribed and sworn to before me this $13^{th}$	day of December, 2024.	
manie 1 V		
Majorie Gackan	- A	
Notary Public	- 20	
	La Colore Continue de la Colore	

#### **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;

Downtown Service Center, 125 N. Main Street

Memphis, Tennessee 38103

website: www.develop901.com

## Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning Record Status: Processing

Opened Date: September 12, 2024

Record Number: Z 2024-009 Expiration Date:

Record Name: Riverdale & HWY 385
Description of Work: REZONING

Parent Record Number:

Address:

38115

Owner Information

Primary Owner Name

Y FARRELL PROPERTIES (PSO)

Owner Address Owner Phone

2174 E PERSON AVE, MEMPHIS, TN 38114

Parcel Information

093500 00627

#### Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Chloe Christion
Date of Meeting 10/07/2024
Pre-application Meeting Type
GENERAL INFORMATION
Chloe Christion
10/07/2024
Phone

Have you held a neighborhood meeting?

Is this application in response to a citation from

Construction Code Enforcement or Zoning

Letter?

If yes, please provide additional information

GIS INFORMATION

Nο

Nο

Page 1 of 3 Z 2024-009

GIS INFORMATION

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

Land Use VACANT

 Municipality

 Overlay/Special Purpose District

 Zoning
 R-8

 State Route
 1

 Lot

 Subdivision

 Planned Development District

 Wellhead Protection Overlay District
 Yes

 County Commission District

 City Council District

 City Council Super District

**Data Tables** 

ADDRESS AND PARCEL LIST

Property Parcel Number: 093500 00627

Property Address: 0 Mount Moriah

Contact Information

Name
PRENTISS MITCHELL
APPLICANT

Address

Phone (901)305-5000

Fee Information Invoice # Quantity Balance Date Assessed 10/07/2024 1597845 Residential Rezoning - 5 750.00 INVOICED 0.00 acres or less 1597845 19.50 INVOICED 0.00 10/07/2024 Credit Card Use Fee (.026 1 x fee)

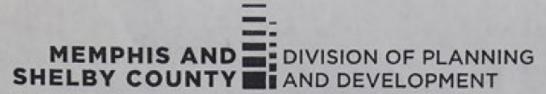
Total Fee Invoiced: \$769.50 Total Balance: \$0.00

Payment Information

Payment Amount Method of Payment \$769.50 Credit Card

Page 2 of 3 Z 2024-009

#### **OWNER AFFIDAVIT**



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

## Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

1. Dwight Fenne, (Print Name)	// Sign Name) , state that I have r	ead the definition of
	Shelby County Unified Development Code Section 12.3.1	and hereby state
that (select applicable box):		
holder of record as shown in the mi	on the current tax rolls of the county Assessor of Property ortgage records of the county Register of Deeds; purchase possession; or I have a freehold or lesser estate in the pr	er under a land
	e premises as trustee, agent, executor, administrator, assigned documentation with this affidavit)	gnee, receiver,
	Number 09350 00627	
	the Division of Planning and Development.	
Subscribed and sworn to (or affirmed) be	fore me this	year of 2034
Parsey & Patrul March Signature & Notary Public	My Commission Expires  Expires V Commission Expires	126

August 03, 2026

## **LETTER OF INTENT**

Municipal Planner
Land Use and Development Services
Division of Planning and Development
125 N. Main, Ste. 477 Memphis, TN 38103

Delta Area Holdings LLC

P.O. Box 488

Best Regards,

Delta Area Holdings LLC

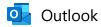
Horn Lake, MS 38637

# LETTER OF INTENT

RE: 0 Mt Moriah, Memphis TN 38125
Department of Planning and Development,
Delta Area Holdings LLC is applying for Rezoning at 0 Mt Moriah, Memphis TN 38125 (parcel # 093500 00627).

## **LETTERS RECEIVED**

Two (2) letters of opposition have been received at the time of completion of this report and have subsequently been attached.



#### Case number Z 2024-009

From Sharon Robinson <sharonrobinson047@gmail.com>

Date Wed 1/22/2025 7:17 PM

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

Cc Sharonrobinson047@gmail.com <sharonrobinson047@gmail.com>

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

Good evening Mrs Chloe Christion I contacting you because I received a notice in the mail concerning a request to rezoning I am AGAINST IT. I do not want this and I need for the city council to know it. Please keep me informed on what I need to do to keep this from happening or taking place. Thank you for your time I can be contacted at (901)493-6311 if I'm not in leave a message and I will return your call.



## Case Z 2024-009 rezoning RU-2 and R-6 to CMU

From keresia jones <keresiajns@yahoo.com>

Date Sat 1/25/2025 2:11 PM

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

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

I don't agree with rezoning. The gas line runs through my back yard and I don't want additional connections to raise concerns. I feel it will bring unwanted traffic to an already crowded area and crime increase. The rezoning would not benefit us in anyway! Keresia Jones 6780 kiby arms drive



#### 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;

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Address:

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Owner Address Owner Phone

2174 E PERSON AVE, MEMPHIS, TN 38114

Parcel Information

093500 00627

#### **Data Fields**

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Name of DPD Planner

Chloe Christion
Date of Meeting

10/07/2024

Pre-application Meeting Type

Phone

**GENERAL INFORMATION** 

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** 

-

Page 1 of 3 Z 2024-009

#### **GIS INFORMATION**

Case Layer -

Central Business Improvement District No
Class R
Downtown Fire District No

Historic District -

Land Use VACANT

Municipality -

Overlay/Special Purpose District Zoning R-8
State Route 1
Lot Subdivision Planned Development District Wellhead Protection Overlay District Yes

County Commission District City Council District City Council Super District -

**Data Tables** 

ADDRESS AND PARCEL LIST

Property Parcel Number: 093500 00627

Property Address: 0 Mount Moriah

**Contact Information** 

Name
PRENTISS MITCHELL

ARRIVATOR OF THE PROPERTY OF THE PROPE

APPLICANT

**Address** 

Phone

(901)305-5000

**Fee Information** 

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1597845	Residential Rezoning - 5	1	750.00	INVOICED	0.00	10/07/2024
1597845	acres or less Credit Card Use Fee (.026	1	19.50	INVOICED	0.00	10/07/2024

x fee)

Total Fee Invoiced: \$769.50 Total Balance: \$0.00

**Payment Information** 

Payment Amount Method of Payment \$769.50 Credit Card

Page 2 of 3 Z 2024-009

#### **LEGAL DESCRIPTION**

INST: CY9742

BEGINNING AT A FOUND 1/2" IRON PIPE, SAID PIPE BEING THE NORTHWEST CORNER OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION, SAID POINT ALSO BEING IN THE EAST LINE OF THE KIRBY MEADOWS SECTION C (66-23) SUBDIVISION, ALSO HAVING TN STATE PLANE COORDINATES (NAD83) OF N:285302.74, E:820189.16, SAID POINT ALSO BEING 145.0 FEET NORTH OF THE CENTERLINE OF VALLEY PARK DR. (50' R.O.W.); THENCE, N 03°57'07" E ALONG THE EAST LINE OF THE KIRBY MEADOWS SECTION C (66-23) SUBDIVISION FOR A DISTANCE OF 430.41 FEET TO A POINT: THENCE ALONG THE SOUTH LINE OF THE LENOX LAND PARK MEMPHIS LAND LP (20011299) TRACT THE FOLLOWING THREE (3) CALLS; THENCE, N 61°51'19" E PASSING A SET 1/2" IRON PIN WITH CAP AT A DISTANCE OF 2.0 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 881.58 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE IN A SOUTHERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 34.71 FEET, AND HAVING A CHORD BEARING OF S 01°00'38" W AND A CHORD DISTANCE OF 31.99 FEET TO A POINT; THENCE IN A EASTERLY DIRECTION WITH A REVERSE NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 339.86 FEET, AND HAVING A CHORD BEARING OF S 89°05'16" E AND A CHORD DISTANCE OF 115.21 FEET TO A POINT, SAID POINT BEING IN THE SOUTH LINE OF THE STATE HIGHWAY 385; THENCE ALONG THE SOUTH LINE OF THE STATE HIGHWAY 385 THE FOLLOWING FOUR (4) CALLS; THENCE, S 41°46'42" E FOR A DISTANCE OF 281.61 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, S 44°26'59" E PASSING A SET 1/2" IRON PIN WITH CAP AT A DISTANCE OF 476.98 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 506.98 FEET TO A POINT; THENCE, S 55°29'22" E FOR A DISTANCE OF 150.75 FEET TO A SET 1/2" IRON PIN WITH CAP: THENCE, S 49°58'12" E FOR A DISTANCE OF 130.41 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, S 03°43'47" W ALONG A WEST LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 197.07 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, N 87°16'22" W ALONG A NORTH LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 240.34 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE ALONG THE NORTH LINE OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION THE FOLLOWING THREE (3) CALLS; THENCE, N 86°55'57" W FOR A DISTANCE OF 125.62 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, N 69°40'46" W FOR A DISTANCE OF 62.98 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, N 86°02'53" W FOR A DISTANCE OF 1253.97 FEET TO THE POINT OF BEGINNING CONTAINING 1000109.02 SQUARE FEET OR 22.96 ACRES MORE OR LESS.

11 X 17 or 22 x 34 SURVEY PREPARED FOR PRENTISS MITCHELL BEARINGS ARE RELATIVE ONLY. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF LIGHT POLE THE PROPERTY POWER POLE 4. THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM SHRLBY COUNTY, TENNESSES STANDARDS OF PRACTICE. 5. ALL DEED BOOK REFERENCES SHOWN HEREON ARE RECORDED IN THE REGISTER'S OFFICE OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED IN WATER HYDRAN TENNESSEE. WATER METER 6. THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE AE & ZONE X) PER FLOOD INSURANCE RATE MAP, MAP NO. 47157C0465F, EFFECTIVE WATER VALVE DATE: SEPTEMBER 28, 2007. DRAN GATE 7. STRUCTURES VISIBLE ON THE DATE OF THIS SURVEY ARE SHOWN HEREON. GAS VALVE 8. ALL VISIBLE UTILITY STRUCTURES LOCATED ON THIS PROPERTY OF WHICH WE IRR. CONTROL VALVE HAVE KNOWLEDGE ARE SHOWN HEREON. GATE THERE MAY BE UNDERGROUND OR NON-VISIBLE UTILITIES, DRAIN AND/ OR STORM MAHIOLE SEWER LINES ACROSS THIS PROPERTY THAT ARE NOT SHOWN. THE PROPER ELECTRIC MANHOLE UTILITY AUTHORITIES SHOULD BE CONTACTED FOR MORE SPECIFIC LOCATIONS MANHOLE AND INFORMATION ON UNDERGROUND UTILITIES. SEWER MANHOLE 10. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR 6-72 HLET CONSIDERED AS A PART OF THIS SURVEY. WATER MANHOLI 11. GOVERNMENTAL JURISDICTIONAL AREAS, IF ANY, WHICH MIGHT IMPACT ON THE TELEPHONE MANHOLE USE OF THE PREMISES WERE NOT LOCATED. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY POST INDICATOR VALVE GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THE PREMISES. 12. SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE CONTROL MARK ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR **BOLLARD** LOT 112 ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR CUY WIFE 13. THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON THE SURVEYOR WHOSE SIGNATURE APPEARS UPON THIS SURVEY. MEANS GUY WIFE ANCHO EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE WALBOX NORFIELD DR. LOT 111 STATE HIGHWAY 385 SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE. DRAMAGE INLET (50' R.O.W.) EXPRESSED OR IMPLIED. GAS METER SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL OF SURVEYOR. **LOT 110** CATCH BASIN HLET MLET THROAT LOT 109 FIRE DEP. CONNECTIO CHISEL MARK SET CHISEL MARK FOUND LOT 108 MON PIN SET THEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 OR GREATER. **LOT 107** INST: CY9742 WATER LINE LOT 106 ASHWORTH ENGINEERING, PLLC. PRIGATION LINE 1000109.02 SQ FT RBY MEADOW SUBDIVISION SECTION C 66-23 LOT 105 HOW WATER LINE 22.96 ACRES STORM LINE JOHN W. ASHWORTH, III, RLS SANTARY SEWER LIN TENNESSEE CERTIFICATE NO. 1344 LOT 104 SANTARY LINE GAS LINE 1. GPS WAS USED FOR A PORTION OF THE CONTROL POINTS AND FOR A PORTION LOT 103 OF OTHER PHYSICAL LOCATIONS. FILL LINE 2. A TOPCON HYPER HR NETWORK ROVER WAS USED. THE GPS SURVEY WAS PERFORMED USING REAL TIME KINEMATICS LINKED TO LOT 102 THE INET REFERENCE STATION NETWORK. 4. IT IS THE OPINION OF THIS SURVEYOR THAT THE PRECISION OF THE GPS CUT LINE SURVEY MEETS OR EXCEEDS THE RELATIVE POSITIONAL ACCURACY 1/2 COMMUNICATIONS LIN 5' UTIL ESMT (INST: S84196) LOT 101 CABLE TV LINE I.B.II ABANDONED LINE OVERHEAD ELECTRIC LIN LOT 75 LOT 79 LOT 80 LOT 81 LOT 7 LOT 78 KIRBY MEADOWS WOOD FENCE LINE LOT BE VEGETATION LINE LOT 141 EDGE OF PAVEMENT ---- EDGE OF GRAVEL \_\_\_\_ RAL ROAD LINE LOT 142 LOT 143 www.ashworthengineering.com ASHWORTH ENGINEERING, PLLC 10815 COLLIERVILLE ROAD, COLLIERVILLE TN 38017 Ph. (901)414.8767 LEGAL DESCRIPTION INST: CY9742 Plot Plan BEGINNING AT A FOUND WIRON PIPE, SAID PIPE BEING THE NORTHWEST CORNER OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION, SAID POINT ALSO BEING IN THE EAST LINE OF THE KIRBY MEADOWS SECTION C (66-23) SUBDIVISION, ALSO HAVING TN STATE PLANE COORDINATES (NAD83) OF N:285302.74, E:820189.16, SAID POINT ALSO BEING 145.0 FEET NORTH OF THE CENTERLINE OF VALLEY PARK DR. 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THE SOUTH LINE OF THE STATE HIGHWAY 385; THENCE ALONG THE SOUTH LINE OF THE STATE HIGHWAY 385; THENCE ALONG THE SOUTH LINE OF THE STATE HIGHWAY 385 THE FOLLOWING FOUR (4) CALLS; THENCE, MEMPHIS, SHELBY COUNTY S 41°46'42" E FOR A DISTANCE OF 281.61 FEET TO A SET 1/2" IRON PIN WITH CAP, THENCE, S 44°26'50" E PASSING A SET 1/2" IRON PIN WITH CAP AT A DISTANCE OF 476.98 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 506.98 FEET TO A POINT; THENCE, S 55°29'22" E FOR A DISTANCE OF 150.75 FEET TO A SET 1/2" IRON PIN WITH CAP, THENCE, S 49°58'12" E FOR A DISTANCE OF 130.41 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, S **TENNESSEE** 

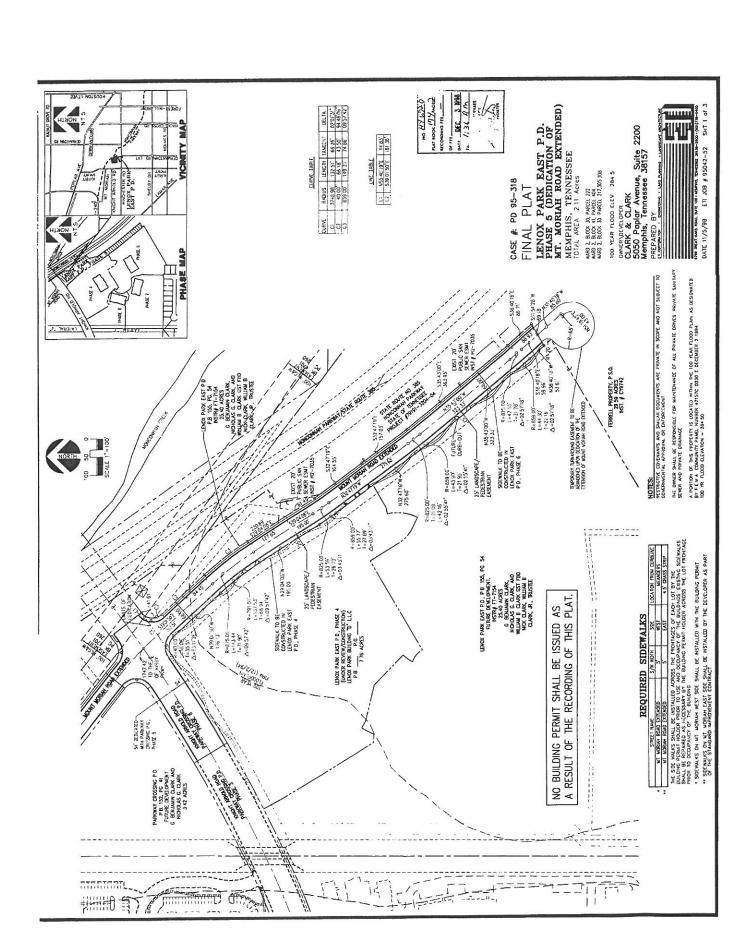
03'43'47' W ALONG A WEST LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 197.07 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, N 87"16'22' W ALONG A NORTH LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 240.34 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE ALONG THE NORTH LINE OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION THE FOLLOWING

THREE (3) CALLS; THENCE, N 86°55'57" W FOR A DISTANCE OF 125.62 FEET TO A SET 1/2" IRON PIN WITH CAP, THENCE, N 66°40'46" W FOR A DISTANCE OF 62.98 FEET TO A SET 1/2" IRON PIN WITH CAP, THENCE, N 86°02'53" W FOR A DISTANCE OF 1253.97 FEET TO THE POINT OF BEGINNING CONTAINING 1000109.02 SQUARE FEET OR 22.96 ACRES MORE OR LESS.

JOB No. 241118 SHEET NUMBER 1 OF 1

SCALE: 1" = 100' DATE: December 5, 2024

Page 3 of 3 Z 2024-009



P.D. 95-318 CC LENDX PARK EAST PLANNED DEVELOPMENT Outline Plan Conditions

## I Uses Permitted

- Any use permitted by right in the General Office (0-6) District except the following uses
- Art or pnoto studio except within an Office Building Barber or Beauty Stope except within an Office Building Cleaving feather are printed as the Building Flaver or Plant Store except with an Office Building Flaver or Plant Store except with an Office Building
  - Outdoor storage or outdoor sales shall be prohibited
- Wheneyor Cardia, service, storates and deapyr on related to business for which offices when the development and monitoring Services or electricing companies and persons and annual service. Computer chairs and service formation of service and service formation of service and service formation of the service and services whenever and development services when service and development services or stringle formation or specialistic service and services of services or services of services or service fine following additional uses shall be permitted

- Procesty located in Floatway (FW) District shall be governed by the Floatway (FW) District Regulations

4. 9.4. Regulations — The Duta regulations of the Genero-Office (0.-G) District shall govern a  $\{t_1,t_2,t_3,t_4,t_5\}$  the following exceptions

- Vacantum build of strengt shall be one (1) stoy. The Land use Control Board and the strength of the community of the strength on the strength of the community of the strength of the strength
  - Mannym building settack from the south property line for any building upoctor than and story in negat shall be 700 feet as shown on the Dulline Flain.
- Minimum building setback from the south property line shall be 100 feet and from the west property line shall be 70 feet.
- At buildings shall be constructed with a confidented exterior appropriace, and outstand the constructed of bries or other senior material subject to the appropriace of the Office at Farancia and Development

# Access Parking and Circulation

- Dedicare 54 feet from the centerline of Knight Arnold Road and improve in accordance with the Subdivision Regulations
- A maximum of two (2) cuta cuts shall be awarited to knight knoole Rood, the assign ord local on of when shall be subject to the approval of the City ingrement.
  - A volveyy stall be provided along the private are tribugh the site provide precision and enessity on answers from Kinghi Kingha Road Road to the buildings and provide proposed to be developed on the site.
    - Access to Brownbark Drive shall be prohibited
- Any looking cooks shall be oriented darry from the residential area located to the sauth of the state. The macroum neght of overhead doors shall be twelve (12) feet an in only somethies solved to site plan approval by the Land Use Euroria Bland in accordance with Condition X.
- Required internal walkways snot be snown on any final plans

# Landsceping Screening and Lighting #

- Minnen 25 fast wide landscape strip. Plate A=5 modified, shall be provided apping Knight, Arnold Rood
- Mannum 50 and 25 tool was planting screens, Plate 8–4 modified, shall be provided origin the south popularly line. Plant materials shall be a minute of plants such as White Prok, Vigero Pad, Sovernah Holly and Faster Holly or a minuter which with why Provide an equivalent screen.
- Internal tendscooping shall be provided at a minimum ratio of 300 square feet to the Underscoop divide only one abode the Cifer & Hom his applicabilities the Landscope dividence, for every 20 portions spaces. Required indiscoperate provided the Landscope and any shall s
- Equivalent landscaping may be substituted for that required above, subject to the approval of the Othice of Planning and Development.
- All required landscaping and screening shall not conflict with any easement including overhead wires.
- All refuse dumpsters shall be completely screened from view from all adjacent properties and from public roads

All loading facilities shall be screened from view of the public roads and adjacent properties

- Lighting standards shall have a maximum height of 30 feet, except that within 200 feet of the south property line coperat to existing residential development a maximum height of 12 feet shall be required
- Lighting shall be directed so as not to glare into residential property

- A Signs shall be in accordance with the 0-6 District Regulations
- B Minimum sign selback shall be 15 feet from street right-of-ways
- C. Portable and temporary signs and outdoor advertising signs shall be prohibited except for construction signs.

### M Drainage

- All arginage plans shall be submitted to the City/County Engineer(s) for review
  - 3 Dronage improvements including possible on-site detention shall be provided under controct in accordance with the Supinisarion Regulations and the City of Vernage Design Marval.
- This project must be evaluated by the Tennessee Department of Health and accordance with the Wister Quelity Control Act of 1977 as amended (TCA 69-3-10) et seq.)
- VII he clore use Carvie Board moy madily the bus, cases, served, indirections or protecting, servening, or a seasotistical with the monoticetions of the Lord Use Coalred Board hereafter may, within the disk of servening the coalred for the order of Cific or Braining and December Coalred Foreign and Coalred Coalred
  - a that blan shall be field within five years of the opproval of the outline blan and use Control Board may grant extensions at the request of the applicant Ē
- Any find plan shall include the following ×
- The outline plan concilions
- A standard subdivision contract as defined by the Sundivision Regulations for any needed sublic improvements
- The ends incation and dimensions including height of all buildings or buildings or buildings to constitute and allow reserved including a secretary respected to the property of political and requestions, board and accepting and accepting
- The exterior appearance of proposed buildings and signs
- The content of all landscaping and screening to be provided
- the proposed means of occess and circulation of automobile and pedestrian traffic.
- A statement convoying all common facilities and ordes to a property owners' association or other entity, for ownership and maintenance purposes he location and ownership, whether public or private of any easement
- The following more shall be placed on the final plat of any development of against over \$10 miles and \$10 miles an

the LUCB on May 14, 1998 approved a correspondence item for the Site Plan with the following conditions

- The Dutine pow shot the re-recorded to enread the opphic depacting building localizations and access. The amended Outline Plan shall shaw four proposal buildings adopting and access. The amended Outline Plan shall shaw four proposal buildings and access and access and access to the Morah Rocal Retended as a public street.
  - The proposed building elevations shall be provided as a part of the Final Plat and subject to the approval of the Office of Planning and Development.
- Dedicate 68 feet of right-of-way and improve with 48 feet of powement kill Mondh Extended Provide a temporary furmations, subject to the approval of City/County Engineering, of the southeast corner of the property
- The approved Landscape Plan shall be provided as a part of the "Final Plat"
- The Final Plot shall provide the finished floor elevation, the overall building height, und the elevation of hydroxining poisson, the site P his overall building height along his note has overall building height along note of Norociniah Parkway.



LENOX PARK EAST P.D. PHASE 5 (DEDICATION OF MT. MORIAH ROAD EXTENDED) CASE # PD 95-318 .. FINAL PLAT

MEMPHIS, TENNESSEE TOTAL AREA 2 11 Acres WARD 2, BLODX 30, PARCEL 222 WARD 2, BLODX 41, PARCEL 464 WARD 2, BLODX 30, PARCEL 217,305,508

100 YEAR FLOOD ELEV 284 5

owick/berclopes CLARK & CLARK 5050 Popiar Avenue, Sulte 2200 Memphis, Tennessee 38157

PREPARED BY

SHT 2 of 3 ETI JOB # 95042-52 DATE 11/5/98

Owner's Certificate (Lenox Park East P.D.)

We, Q. Banzonn, Code, Micholson, C. Goor, and Milliam B. Oger, OST. IBBO, Mich. Globs, Milliam B. Clott, & Lichtler the undersoyned owners of the book operators of the control of extendent and extendent the store that show code this policy care care in the designments as shown code, or described to bank care forces Mr exceptly that we are the control of and property in fee among, duty cotherings to call, and that some property is not encounted by only toxes (or mortgages) which have become due and popule.

S. Besi Clas

SIGNATURE G Benjamin Clark

8136198

Nicholas G Clark Lection

26 1888

SIGNATURE Willom B Clark CST FBD Nick Clark, Willom B Clark, Jr., Trustee

Notory's Certificate (Lenox Park East P D )

Before me, the undersaped, a Notory Public in and for the State of character and subsequently observed and subsequently ob

Notory Public Many d. Creckett



BY Lett bet of the med More 4 1588

Engineer's Certificate

It is herapy centrified their this plot at the ond convect; is an conformence with the design requerements of the Zoung Defonces, the Statewaron Regulations and the specific conditions imposed on this development, and takes into account oil applicable reduction that local busing lows and regulations.

Surveyor's Certificate
For butter Bondery that is a category I survey and that the
pression of the unablated survey is 10,000 or greater, that this
plets in conformance with the survey prepared by me or under my
induvidual supervision and conforma with opticitable State Lows and
local Zonnay Ordanores, Subdownen Regulations and The specific
confidence imposed on this development cediting to the practice of
surveying

By Seal (Seal (Date)

Ollar Surveying Co 3850 Viscount Avenue Suite 1 Memphis, TN 38118

OLLAR SURVEYING CO.

(Seal) (Date) Tennessee Certificate No 23559 By Michael J Swindle



CASE #: PD 95-318

FINAL PLAT
LENOX PARK EAST P.D.
PHASE 6 (DEDICATION OF
MT. MORIAH ROAD EXTENDED)
MEMPHIS
TOTAL AREA 2.11 Acres

WARD 2 BLOCK 30 PARCEL 272 WARD 2, BLOCK 41 PARCEL 404 WARD 2 BLOCK 30 PARCEL 217 305 308

100 YEAR FLOOD ELEV 284 5

owitk) beveloper CLARK & CLARK 5050 Poplar Avenue, Sulte 2200 Memphis, Tennessee 38157

SHT 3 of 3 ETI JOB # 95042-52

SH5.C. 15EDS REGISTE 15EDS 98 DEC -3 FM 1:36

Anollow A

DATE 8/26/98

Owner's Certificate (Adjacent Property)

Activity Constitution of the undersigned some of the adopted property and are mercy and many and the reperting a shown only or only of the area of the

FEKENCE MONERIES

Office of Planning and Development Certificate

(Adjacent Property Owner)

Notery's Certificate

has find plot conforms with the planned development acted on by the Land Use Control Board on MAVII, 1995. and approved by the Wemphin City Council on <u>SETIMENS (HS</u> and/or the Sheby County Board of Commissioners on <u>August 7.84</u>1995. 86/7/21

By Ment of Balactor of Payment City Engineer NAM

Before ne the undersyned o volony Public in and for the State of Tennesse and States Court Memphas, any commissioned and making the presentily opposed in the public of the court in exponential or the court of the court in the court of the purpose there contained in witness whereof, I have assument for the purpose there contained in witness whereof, I have the court of the court o

Notor, Public Klund Moons.

000 000 County Engineer

HY6720

plat is in conformance with the survey prepared by me or under my individual supervision and conforms with applicable State Laws and local Zoning Ordinances, Subdivision Regulations and the specific conditions imposed on this development relating to the practice of surveying

OLLAR SURVEYING CO.

By: SWINK, PLS
Tennessee Certificate No. 1677
Ollar Surveyina Co

Ollar Surveying Co. 3850 Viscount Avenue Suite 1 Memphis, TN 38118



CASE #: PD 95-318
FINAL PLAT

LENOX PARK EAST P.D. PHASE 5 (DEDICATION OF MT. MORIAH ROAD EXTENDED)

MEMPHIS

, TENNESSEE

TOTAL AREA: 2.11 Acres

WARD 2, BLOCK 30, PARCEL 222 WARD 2, BLOCK 41, PARCEL 404 WARD 2, BLOCK 30, PAPCEL 217,305.308

100 YEAR FLOOD ELEV.: 284.5

HO HV6710

PLAT BOOK 17 / PAGE

RECONDING FEE YS CO

DATE: DEC 3 1998

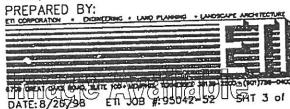
TIME 1:36 AM

STAT. OF TENNIESSEE

HELST COLMIY

and the same of the same of the same of the same

OWNER DE VELOPER: CLARK & CLARK 5050 Poplar Avenue, Suite 2200 Memphis, Tennessee 38157



Municipal Planner
Land Use and Development Services
Division of Planning and Development
125 N. Main, Ste. 477 Memphis, TN 38103

Delta Area Holdings LLC

P.O. Box 488

Horn Lake, MS 38637

#### **LETTER OF INTENT**

RE: 0 Mt Moriah, Memphis TN 38125

Department of Planning and Development,

Delta Area Holdings LLC is applying for Rezoning at 0 Mt Moriah, Memphis TN 38125 (parcel # 093500 00627).

Best Regards,

Delta Area Holdings LLC

Tom Leatherwood, Shelby County Register of Deeds: Instr #HS6059

This Instrument Prepared by and Return to: LeeAnne M. Cox Burch, Porter & Johnson, PLLC 50 North Front, Suite 800 Memphis, TN 38103 HS 6059

4

#### **QUIT CLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS, that A. DWIGHT FERRELL, KEITH W. FERRELL, AND JOHN P. FERRELL (collectively, "Grantors"), in consideration of Ten and No/100 Dollars (\$10.00), hereby bargain, sell, remise, release, quit claim, and convey unto G. BENJAMIN CLARK, NICHOLAS G. CLARK, AND WILLIAM B. CLARK, JR., AS TRUSTEE OF THE TESTAMENTARY TRUST FOR THE BENEFIT OF NICHOLAS G. CLARK CREATED UNDER THE LAST WILL AND TESTAMENT OF WILLIAM B. CLARK, DECEASED, the following described real estate located in the city of Memphis, Shelby County, Tennessee, to-wit:

See Exhibit A attached hereto and made a part hereof.

This conveyance is made unto ea	th grantee in the	following percentages:
---------------------------------	-------------------	------------------------

This being part of the same property conveyed to Grantors by deed recorded as Instrument No. CY 9742 in the Register's Office of Shelby County, Tennessee.

IN TESTIMONY WHEREOF, the undersigned have executed this instrument this the day of August, 1998.

Keith W. Ferrell

John P. Ferrell

STATE OF TENNESSEE COUNTY OF SHELBY

Personally appeared before me, a Notary Public in and for said county, A. Dwight Ferrell, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS MY HAND, at office, this \_\_\_\_\_\_ day of August, 1998.

**NOTARY PUBLIC** 

My Commission Expires:

Musust 29, 2001

Laura Mone

HS 6059

#### STATE OF TENNESSEE **COUNTY OF SHELBY**

Personally appeared before me, a Notary Public in and for said county, Keith W. Ferrell, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS MY HAND, at office, this \_\_\_\_\_\_ day of August, 1998.

**NOTARY PUBLIC** 

My Commission Expires:

August 29201

Laura V



STATE OF TENNESSEE COUNTY OF SHELBY

Personally appeared before me, a Notary Public in and for said county, John P. Ferrell, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS MY HAND, at office, this // day of August, 1998.

**NOTARY PUBLIC** 

My Commission Expires:

August 29, 2001

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 \$\( \frac{30}{000} \).

**AFFIANT** 

Sovo Bean Clake

**24** day of August, 1998. Subscribed and sworn to before me this

My Commission Expires:

NQTARY PUBLIC

Mary L. Crocket

Property Address: vacant

Person or entity responsible for payment

of real property taxes:

Clark and Clark

5050 Poplar Ave. #2200

Memphis TN 38157

Tax parcel I.D. No.: Part of D02-041-146

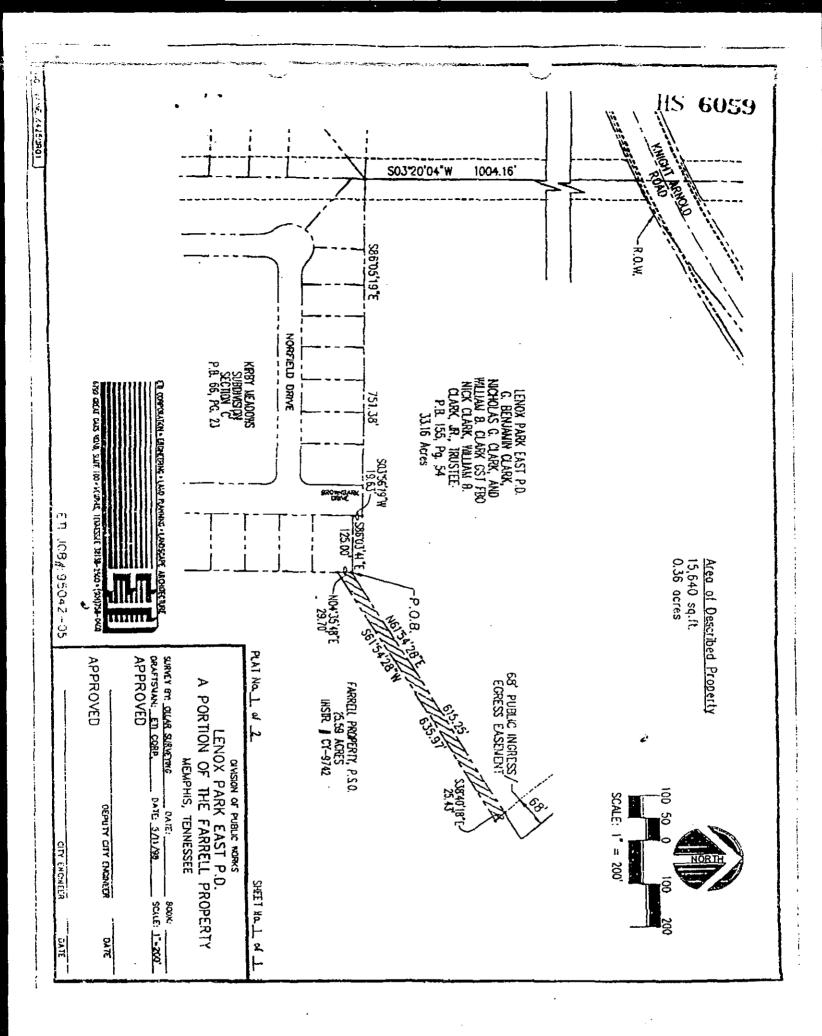
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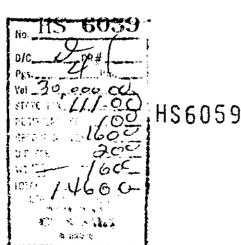
#### EXHIBIT A

HS 6059

Commencing at the intersection of the south right-of-way line of Knight Arnold Road (108' right-of-way) and the common property line between Lenox Park East (P.B. 155, PG. 54) and Clark Realty (Instrument No. ET-3468); thence S 03° 20' 04" W along said common line, a distance of 1004.16' to a point, said point being the northwest corner of Kirby Meadows Subdivision, Section 'C' (P.B. 66, PG. 23); thence S 86° 05' 19" E along the north line of Kirby Meadows Subdivision, a distance of 751.38' to point in the east right-of-way line of Brownbark Drive; thence 5 03° 56' 19" W along said right-of-way, a distance of 19.63' to a point; thence 5 86° 03' 41" E along the north line of Kirby Meadows Subdivision, a distance of 125.00' to THE POINT OF BECINNING; the N 61° 54′ 28" E along the common line of said Lenox Park East and Farrell Property, P.S.O. (Instrument No. CY-9742), a distance of 615.25' to a point in the west right-of-way line of proposed road (68' right-of-way); thence S 38° 40' 18" E along proposed R.O.W., a distance of 25.43' to a point; thence S 61° 54' 28" W, a distance of 635.97' to a point on the east property line of Kirby Meadows Subdivision; thence N 04° 35' 48" E along said east line, a distance of 29.70' to THE POINT OF BEGINNING, containing 15,640 square feet of land, 0.36 acres, more or

K4205101.doc





SHELDY COUNTY REGISTER OF DEEDS

98 AUG 26 PH 12: 22

Commencing at the intersection of the south right-of-way line of Knight Arnold Road (108' right-of-way) and the common property line between Lenox Park East (P.B. 155, PG. 54) and Clark Realty (Instrument No. ET-3468); thence S 03° 20' 04" W along said common line, a distance of 1004.16' to a point, said point being the northwest corner of Kirby Meadows Subdivision, Section 'C' (P.B. 66, PG. 23); thence S 86° 05' 19" E along the north line of Kirby Meadows Subdivision, a distance of 751.38' to point in the east right-of-way line of Brownbark Drive; thence 5 03° 56' 19" W along said right-of-way, a distance of 19.63' to a point; thence S 86° 03' 41" E along the north line of Kirby Meadows Subdivision, a distance of 125.00' to THE POINT OF BECINNING; the N 61° 54' 28" E along the common line of said Lenox Park East and Farrell Property, P.S.O. (Instrument No. CY-9742), a distance of 615.25' to a point in the west right-of-way line of proposed road (68' right-of-way); thence S 38° 40' 18" E along proposed R.O.W., a distance of 25.43' to a point; thence S 61° 54' 28" W, a distance of 635.97' to a point on the east property line of Kirby Meadows Subdivision; thence N 04° 35' 48" E along said east line, a distance of 29.70' to THE POINT OF BEGINNING, containing 15,640 square feet of land, 0.36 acres, more or less.

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. wight Ferrell Modell, 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 0 Mount Moniah and further identified by Assessor's Parcel Number \_\_\_\_\_\_\_ 9350 00627 for which an application is being made to the Division of Planning and Development. 

Signature of Notary Public

Signature of Notary Public

Signature of Notary Public

My Commission Expires
Expires
August 03, 2026

#### 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, <u>April 8, 2025</u> 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:

	amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Memphis, Tennessee, as amended, as follows:
CASE NUMBER:	Z 2024-009
LOCATION:	0 Mt. Moriah Ext., north of Kirby Terrace Drive
COUNCIL DISTRICTS:	District 2 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Prentiss Mitchell
REPRESENTATIVE:	N/A
REQUEST:	Rezoning of $\pm$ -22.96 acres from Residential Single-Family $\pm$ 8 (R-8), Residential Urban $\pm$ 2 (RU-2), Conservation Agriculture (CA) and Residential Single-Family $\pm$ 15 (R-15) to Commercial Mixed-Use $\pm$ 3 (CMU-3)
RECOMMENDATIONS:	
Memphis and Shelby County	y Division of Planning and Development: Rejection
Memphis and Shelby County	y Land Use Control Board: <i>Rejection</i>
City Council of the City of I Main Street, Memphis, Ten- such remonstrance's or protes	RE, you will take notice that on Tuesday, <u>April 8, 2025</u> , at 4:00 P.M. the Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North nessee 38103 to hear remonstrance's or protests against the making of such changes; ests must be by personal appearances, or by attorneys, or by petition, and then and there ish to remonstrate or protest against the same.
THIS THE	
ATTEST:	FORD CANALE CHAIRMAN OF COUNCIL

KAMETRIS WYATT CITY COMPTROLLER

TO BE PUBLISHED:

ANDERSON TERESA MEMPHIS CITY OF HARPER JACQUELINE 6708 VALLEY PARK DR # 125 N MAIN ST # 6817 VALLEY PARK DR # MEMPHIS TN 38103 MEMPHIS TN 38115 MEMPHIS TN 38115 STATE OF TENNESSEE LOVE MARK AO PROPCO 1 LLC 170 N MAIN ST # 6790 VALLEY PARK DR # 32 MERCER ST #4 MEMPHIS TN 38103 MEMPHIS TN 38115 **NEW YORK NY 10013** SHELBY COUNTY FOREMAN DARRELL A AND STEPHANIE K WATSON WILHITE KENNETH L & ANNA 160 N MAIN ST # 6868 VALLEY PARK DR # 6744 BROWNBARK CV # MEMPHIS TN 38103 MEMPHIS TN 38115 MEMPHIS TN 38115 RA OAK LIINE LLC TROTTER ORA GASSAMA ABRAHAM 11 S ORLEANS ST # 6882 VALLEY PARK DR # 6808 KIRBY ARMS DR # MEMPHIS TN 38103 MEMPHIS TN 38115 MEMPHIS TN 38115 HURLEY RONALD R SHAW STACEY GONZALEZ FELICITO 6723 VALLEY PARK DR # 3385 BROWNBARK DR # 6816 KIRBY ARMS DR # MEMPHIS TN 38115 MEMPHIS TN 38115 MEMPHIS TN 38115 YOUNG MARCUS FLOWERS BARON MORENO FRANCISO J & GUILLERMINA LEBE 6729 VALLEY PARK DR # 6725 HALLSHIRE CV # 6711 BROWNBARK CV # MEMPHIS TN 38115 MEMPHIS TN 38115 MEMPHIS TN 38115 VILLALBA AURORA BLACKMON LEON JR DORNING EDYTH 3400 BROWNBARK DR # 3446 BROWNBARK DR # 3467 KIRBY TERRACE DR # MEMPHIS TN 38115 MEMPHIS TN 38115 MEMPHIS TN 38115 EQUITY TRUST CUST CO FBO BUFORD ANDRE D STEWART LAZE S JR 865 S MAIN ST #2 3448 HALLSHIRE DR # 3468 KIRBY TERRACE DR # PLYMOUTH MI 48170 MEMPHIS TN 38115 MEMPHIS TN 38115 FKH SFR PROPCO B-HLD LP AMADOR JORGE & ROSA HERNANDEZ BARUTT AZIZA S 1850 PARKWAY PL #900 6739 BROWNBARK CV # 6781 VALLEY PARK DR # MARIETTA GA 30067 MEMPHIS TN 38115 MEMPHIS TN 38115 MORRIS TERRY WINFREY JOHN T SIMMONS KENNETH L & JUDITH L

PO BOX 192 #

EADS TN 38028

3476 BROWNBARK DR #

MEMPHIS TN 38115

3415 BROWNBARK DR #

MEMPHIS TN 38115

HARRIS DAVID J & ELOISE R 6787 KIRBY ARMS DR # MEMPHIS TN 38115	3611 CONNIE KAY WAY #	3403 HALLSHIRE DR #
PITTMAN ERIK L 6801 KIRBY ARMS DR # MEMPHIS TN 38115		STRICKMAN-LEVITAS BRIAN K 3235 ROSWELL RD #619 ATLANTA GA 30305
COOPER TAMARA	WRIGHT SANDRA	BONDOC EDWARD
6821 KIRBY ARMS DR #	3490 BROWNBARK DR #	3803 169TH ST #
MEMPHIS TN 38115	MEMPHIS TN 38115	LYNNWOOD WA 98037
ROBINSON SHARON D 6829 KIRBY ARMS DR # MEMPHIS TN 38115		ARMM ASSET COMPANY 2 LLC 5001 PLAZA ON THE LK #200 AUSTIN TX 78746
JOHNSON WILLIE G 6855 KIRBY ARMS DR # MEMPHIS TN 38115	JONES GIFTON H III & SANDRA D TURNER- 6870 GREENBARK DR # MEMPHIS TN 38115	3373 HALLSHIRE DR #
SANCHEZ SAMUEL H & MARIA MEJIA	LOCKE JOHN N & kathryn d	LAKE CHRISTINE B R
3482 BROWNBARK DR #	1229 E 8220 #	6824 VALLEY PARK DR #
MEMPHIS TN 38115	SANDY UT 84094	MEMPHIS TN 38115
ARMM ASSET CO 2 LLC	BEVERIDGE NANCY A	DOYLE BRITANI A
5001 PLAZA ON THE LAKE #200	192 ATLANTIC AVE #	6832 VALLEY PARK DR #
AUSTIN TX 78746	NORTH HAMPTON NH 03862	MEMPHIS TN 38115
CABAHUG NEIL A & SOPHORN	MILLBROOKS LAVERNE P S	COLLINS CLINTON
19730 CAMPAIGN DR #	3490 KIRBY TERRACE DR #	6838 VALLEY PARK DR #
CARSON CA 90746	MEMPHIS TN 38115	MEMPHIS TN 38115
HULBERT MILLICENT C	TAN WEI-EN	WILKERSON JERRY & CHERYL D
1111 FALCON PARK DR #2102	610 W 42ND AVE #	6846 VALLEY PARK DR #
KATY TX 77494	SAN MATEO CA 94403	MEMPHIS TN 38115
DREAM HIGHER INVESTMENTS LLC  101 JULIA LOOP #	LENOX PARK MEMPHIS REALTY LP 1 WORLD TRADE CTR #83G	CAMARILO CAROLYN AND REGINALDO 6854 VALLEY PARK DR #

NEW YORK NY 10007

MEMPHIS TN 38115

DANVILLE CA 94506

MCGEE CINDY A CANTU MARLENE ALARCON MAURO & ROSANNE 6721 NORFIELD DR # 6750 NORFIELD DR # 2789 FOURTHPLAIN ST # MEMPHIS TN 38115 MEMPHIS TN 38115 SAN JOSE CA 95121 PRATCHER RAY A STATE OF TENNESSEE HOLLY TINA V 3373 BROWNBARK DR # 170 N MAIN ST # 6726 HALLSHIRE CV # MEMPHIS TN 38115 MEMPHIS TN 38103 MEMPHIS TN 38115 NOVEMBER ASSET MANAGEMENT LLC RS RENTAL III-A LLC KONZELMAN DAVID E & MARY A AND MICHEAL A 3352 BROWNBARK DR # 2315 TOMPIRO DR # 3374 BROWNBARK # ALBUQUERQUE NM 87120 MEMPHIS TN 38115 MEMPHIS TN 38115 SAAVEDRA EDGAR E & AMALIA B HILL JOHN L JR WAKEFIELD TAURA M 6715 NORFIELD DR # 6789 VALLEY PARK DR # 6730 HALLSHIRE CV # MEMPHIS TN 38115 MEMPHIS TN 38115 MEMPHIS TN 38115 CLARK VIRGINIA RIVERA CIPRIANO R VM MASTER ISSUER LLC 6731 BROWNBARK CV # MEMPHIS TN 38115 3360 BROWNBARK DR # 5001 PLAZA ON THE LAKE #200 MEMPHIS TN 38115 AUSTIN TX 78746 STERN TOM BECKMAN FRED BRANCH JOYCE V 6729 NORFIELD DR # 1528 TRENTWOOD PL # 3381 HALLSHIRE DR # ATLANTA GA 30319 MEMPHIS TN 38115 MEMPHIS TN 38115 EVANS SHONTANIQUE BROWN LEIGHTON M VASQUEZ REINALDO O & ESPERANSA SUAREZ 3501 KIRBY TERRACE DR # 6735 NORFIELD DR # 7662 BROOKBRIAR CV # MEMPHIS TN 38115 MEMPHIS TN 38115 MEMPHIS TN 38125 BAILEY TIMOTHY MEMPHIS CITY OF MARTINEZ JULIO 3365 BROWNBARK DR # 125 N MAIN ST # 3386 BROWNBARK DR # MEMPHIS TN 38103 MEMPHIS TN 38115 MEMPHIS TN 38115

SHELBY COUNTY TAX SALE 89.2 EXH #11631 RANDOLPH DEBRA L 160 N MAIN ST # MEMPHIS TN 38103

3366 BROWNBARK DR # MEMPHIS TN 38115

PALMER-WILLIAMS PAMELA 6731 HALLSHIRE CV # MEMPHIS TN 38115

CENTER HARBOR CHRISTIAN CHURCH PAYNE BRIAN PO BOX 361 # AMISSVILLE VA 20106

P O BOX 1849 # OLIVE BRANCH MS 38654

R COLE REAL ESTATE HOLDINGS GP 9753 GREEN SPRUCE DR # LAKELAND TN 38002

GEORGE FLORENCE LE ELVIS VAN & KATHY P FIN VII MEM LLC 3418 VALLEY PARK CV # 6717 HALLSHIRE CV # 3525 PIEDMONT BLDG 5 RD #900 MEMPHIS TN 38115 MEMPHIS TN 38115 ATLANTA GA 30305 UPSHAW ALONDRIA WILLIAMS MILDRED GUPTA GYAN 3393 BROWNBARK DR # 3425 VALLEY PARK CV # 14757 HOLLY TREE LN # MEMPHIS TN 38115 MEMPHIS TN 38115 FRISCO TX 75035 KRIDEL FAMILY TRUST K & H REAL ESTATE LLC FKH SFR PROPCO B-HLD LP 1019 PINE ST # 3823 CUTTER CV # 1850 PARKWAY PL #900 SANTA MONICA CA 90405 ARLINGTON TN 38002 MARIETTA GA 30067 VM PRONTO LLC CASTRO LEONARDO KCM INVESTMENTS LLC 5001 PLAZA ON THE LAKE #200 3422 BROWNBARK DR # PO BOX 280 # AUSTIN TX 78746 MEMPHIS TN 38115 CORDOVA TN 38088 BLANKS ASLEAN AND TRESSAN BLANKS (RS) RS RENTAL I LLC EMIGDIO RODRIGO C 3399 BROWNBARK DR # 1955 S VAL VISTA DR #126 6890 VALLEY PARK DR # MEMPHIS TN 38115 MESA AZ 85204 MEMPHIS TN 38115 MARTINEZ JULIO YOUNG DINA BANAH LLC 3415 VALLEY PARK CV # 3429 BROWNBARK DR # 66 TIMBER RIDGE RD # MEMPHIS TN 38115 MEMPHIS TN 38115 NORTH BRUNSWICK NJ 08902 FAMILY INVESTOR GROUP OF MEMPHIS K & J INVESTMENTS USA LLC NOLASCO FULGENCIO AND EVARISTO SUAREZ 2524 OVERLOOK DR # 6774 VALLEY PARK DR # 11816 INWOOD RD #70506 GERMANTOWN TN 38138 MEMPHIS TN 38115 DALLAS TX 75244 WILLIAMS MAE H HOOD CONNIE AT YOUR DOOR CAPITAL LLC 3412 VALLEY PARK CV # 6782 VALLEY PARK DR # 7303 BRISCOE LN # MEMPHIS TN 38115 MEMPHIS TN 38115 LOUISVILLE KY 40228 HERNANDEZ LUIS D COOK JERRI S BANKS MINNISHA L 3854 GIVEN AVE # 6796 VALLEY PARK DR # 6745 VALLEY PARK DR # MEMPHIS TN 38122 MEMPHIS TN 38115 MEMPHIS TN 38115 PROVIDENT TRUST GROUP LLC FBO ROBERT ABE MEDINA IRIS V AMOR ANTONIO

6609 POLK ST #

WEST NEW YORK NJ 07093

8880 W SUNSET RD #250

LAS VEGAS NV 89148

1904 CLINTONVILLE ST #

WHITESTONE NY 11357

LUMPKIN DIANNA M LBJ HOLDINGS LLC HERNANDEZ ARIADNA 3440 KIRBY TERRACE DR # 990 VIA GANDALFI # 6788 KIRBY ARMS DR # HENDERSON NV 89011 MEMPHIS TN 38115 MEMPHIS TN 38115 WRIGHT SANDRA A 6795 VALLEY PARK DR # GONZALEZ TOMAS R MURPHY JAMES H & LORETTA E 1407 GREEN AVE #1 6796 KIRBY ARMS DR # MEMPHIS TN 38115 BROOKLYN NY 11237 MEMPHIS TN 38115 FLEMING WALTER J 3448 KIRBY TERRACE DR # COHRAN REGINALD AND SHERANDA GRANT AND GOMEZ CELINA 6809 VALLEY PARK DR # 3454 KIRBY TERRACE DR # MEMPHIS TN 38115 MEMPHIS TN 38115 MEMPHIS TN 38115 GRACE SOL JR 6823 VALLEY PARK DR # WEBB SANDRA T WALKER ANGELA R 3453 BROWNBARK DR # 6802 KIRBY ARMS DR # MEMPHIS TN 38115 MEMPHIS TN 38115 MEMPHIS TN 38115 HAMPTON TARSHA C SULFRIDGE CLAYTON E & AIDA AO PROPCO 1 LLC 6710 BROWNBARK CV # 3451 KIRBY TER # 32 MERCER ST #4 MEMPHIS TN 38115 MEMPHIS TN 38115 **NEW YORK NY 10013** HERRERA JESUS R BROAD ST LLC LI JIAWEN 6722 BROWNBARK CV # 667 CONGRESS ST #201 2595 BROAD ST # PORTLAND ME 04101 MEMPHIS TN 38115 MEMPHIS TN 38112 SMITH JANET L DOBBINS SHERETTA L SUE ALAN 6716 BROWNBARK CV # 6728 BROWNBARK CV # 1 KEAHOLE PL #3308 MEMPHIS TN 38115 MEMPHIS TN 38115 HONOLULU HI 96825 COSBY CATHERINE O FELTON DYNASTY A BOYD STELLA AND WENDY CURRY 3450 KIRBY VALLEY DR # 6736 BROWNBARK CV # 3463 KIRBY VALLEY DR # MEMPHIS TN 38115 MEMPHIS TN 38115 MEMPHIS TN 38115 CSMA BLT LLC ASEFUABA MAAME A HAVENWOOD ALTI LLC 1850 PARKWAY PL #900 365 KNICKERBOCKER RD # 13217 JAMBOREE RD #215 ENGLEWOOD NJ 07631 MARIETTA GA 30067 TUSTIN CA 92782

6784 KIRBY ARMS DR #

MEMPHIS TN 38115

SUMERALL KION AND TONYA SUMERALL

6862 KIRBY ARMS DR #

MEMPHIS TN 38115

MIRAGLIA PROPERTY MANAGEMENT LLC LLC LEAVY ROBERT L & TERRESA

1 BROWN AVE #87

LAKEHURST NJ 08733

WASHINGTON COURTNEY T SR & 3459 KIRBY TERRACE DR # MEMPHIS TN 38115	472 CROFT RD #	MORENO GLADYS M H 6772 GREENBARK DR # MEMPHIS TN 38115
JONES KERESIA L	OUR HOME TO YOUR HOME REALTY LLC	TEJEDA INGRIS N T
6780 KIRBY ARMS DR #	PO BOX 38252 #	6780 GREENBARK DR #
MEMPHIS TN 38115	GERMANTOWN TN 38183	MEMPHIS TN 38115
KNIGHT CARLA 6870 KIRBY ARMS DR # MEMPHIS TN 38115		THOMPSON CURTIS L 6800 GREENBARK DR # MEMPHIS TN 38115
HENDERSON ELLA M 6874 KIRBY ARMS DR # MEMPHIS TN 38115		MATTHEWS TERESA M 6808 GREENBARK # MEMPHIS TN 38115
STEWART LAZE JR	HERNANDEZ MIGUEL	6814 GREENBARK TRUST
3462 KIRBY TERRACE DR #	6835 KIRBY ARMS DR #	PO BOX 650715 #
MEMPHIS TN 38115	MEMPHIS TN 38115	STERLING VA 20165
GAINES MELONEE	OUSLEY ARNEDTHA L	ORELLANA JOSE P
3468 BROWNBARK DR #	3476 KIRBY TERRACE DR #	3489 KIRBY TERRACE DR #
MEMPHIS TN 38115	MEMPHIS TN 38115	MEMPHIS TN 38115
EMDL 401 K PLAN	MORGAN WAURINE C	WILLIAMS GLORIA
867 38TH AVE #	6875 KIRBY ARMS DR #	6822 GREENBARK DR #
SAN FRANCISCO CA 94121	MEMPHIS TN 38115	MEMPHIS TN 38115
ISBY PATRICIA M	CASTILLO CANDELARIO	HARDY EDWARD & FREDDIE
6725 BROWNBARK CV #	8090 CENTER HILL RD #	6854 GREENBARK DR #
MEMPHIS TN 38115	OLIVE BRANCH MS 38654	MEMPHIS TN 38115
QUINONEZ ROSA M	SCHUMACHER FAMILY TRUST	HENDERSON CHARLES
3477 BROWNBARK DR #	26121 CALLE CRESTA #	6862 GREENBARK DR #
MEMPHIS TN 38115	MISSION VIEJO CA 92692	MEMPHIS TN 38115
PHILLIPS JOYCE A 6783 KIRBY ARMS DR #	DOTSON JAMES C & ROSE N 6724 GREENBARK DR #	BRADSHAW NOEL 4701 SUMMER AVE #

MEMPHIS TN 38115

MEMPHIS TN 38122

MEMPHIS TN 38115

ROSALES-LOPEZ JUAN O & LORENA BEVERIDGE NANCY 3502 KIBRY TERRACE DR # MEMPHIS TN 38115

192 ATLANTIC AVE # NORTH HAMPTON NH 03862

CSMA BLT LLC 1850 PARKWAY PL #900 MARIETTA GA 30067

SPIRIT MASTER FUNDING X LLC PO BOX 105842 # ATLANTA GA 30348

CRAYTON JOSEPHINE 3416 BROWNBARK DR # MEMPHIS TN 38115

GARICA DERON R 3344 BROWNBARK DR # MEMPHIS TN 38115

LIU PEIXUAN & ALBERTINA WANG (RS) AND STEWART JESSICA D 20500 TOWN CENTER LN #270 3380 BROWNBARK DR # CUPERTINO CA 95014

MEMPHIS TN 38115

SMITH RAY M & CAROLYN S 6810 VALLEY PARK DR # MEMPHIS TN 38115

LENOX PARK MEMPHIS REALTY LP 1 WORLD TRADE CTR #83G NEW YORK NY 10007

KAWAI MAKOTO #

FARRELL PROPERTIES (PSO) 2174 E PERSON AVE # MEMPHIS TN 38114

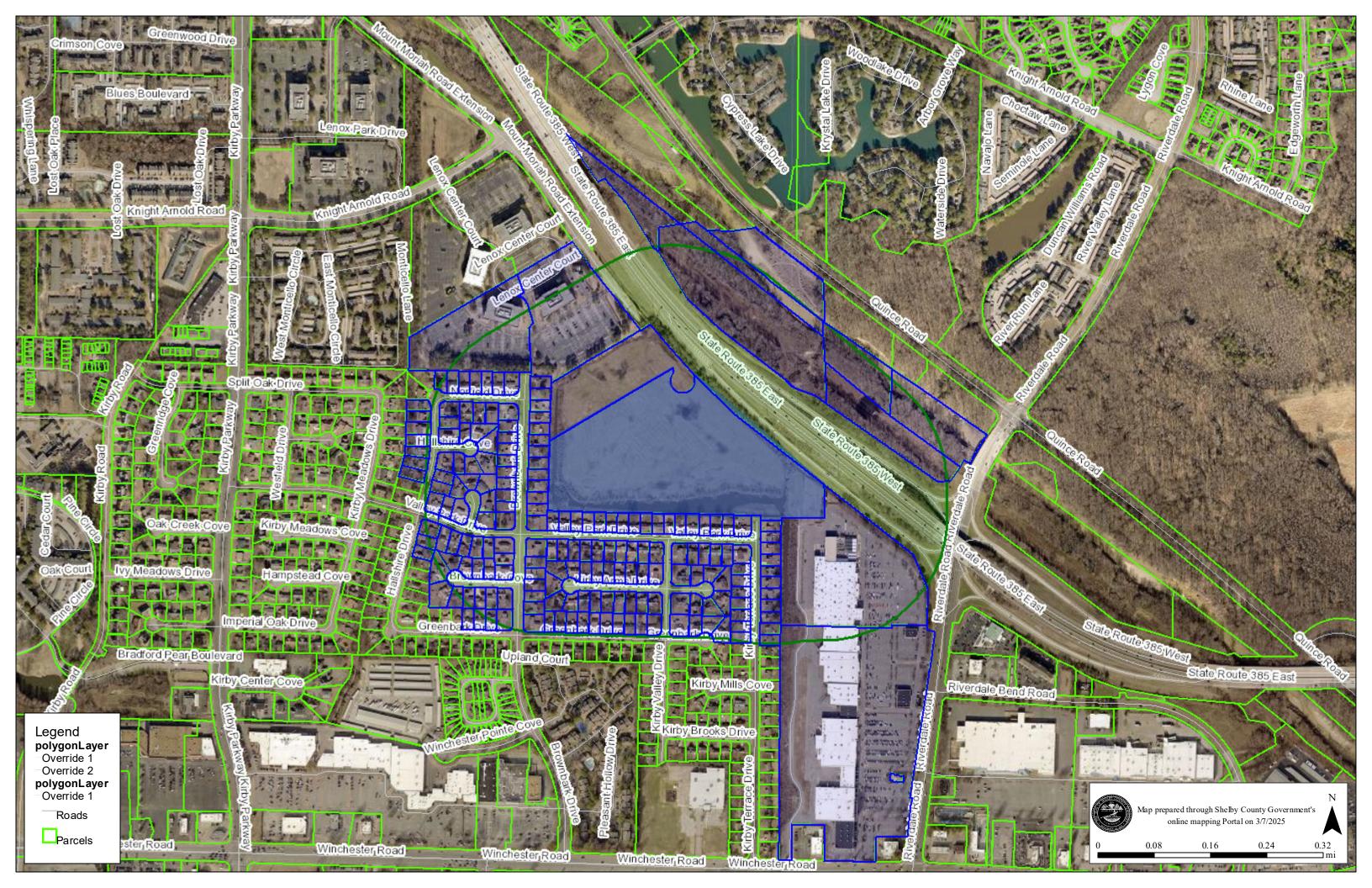
AO PROPCO 1 LLC 32 MERCER ST #4 NEW YORK NY 10013 ASPEN MEMPHIS LLC AND AR REALTY GROUP 83 SOUTH ST #101 FREEHOLD NJ 07728

BARNES LARRY & LILLIE 6728 NORFIELD DR # MEMPHIS TN 38115

LENOX LAND PARK MEMPHIS LAND LP ONE WORLD TRADE CENTER # NEW YORK NY 10007

ZAPATA VILMA M B 6734 NORFIELD DR # MEMPHIS TN 38115

GOLDSTAR HOMES LLC 3840 WINCHESTER RD # MEMPHIS TN 38118



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

ONE ORIGINAL | Planning & Development ONLY STAPLED | **DIVISION TO DOCUMENTS Planning & Zoning** COMMITTEE: 03/25/25 DATE **PUBLIC SESSION:** 04/08/25 **DATE** ITEM (CHECK ONE) RESOLUTION X REQUEST FOR PUBLIC HEARING X ORDINANCE **ITEM CAPTION:** Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on 7073, 7093, 7105 and 7117 Stage Road. By taking the land out of the Conservation Agriculture (CA) Use District and including it in the Commercial Mixed-Use – 2 (CMU-2) Use District, known as case number Z 2025-001 **CASE NUMBER:** Z 2025-001 LOCATION: 7073, 7093, 7105 and 7117 Stage Road **COUNCIL DISTRICTS:** District 1 and Super District 9 – Positions 1, 2, and 3 **OWNER/APPLICANT:** Greg Glaser, Franklin Land Association **REPRESENTATIVES:** Brenda Shackleford, CSDG **REQUEST:** Rezoning of +/-7.24 acres from Conservation Agriculture (CA) to Commercial Mixed-Use - 2 (CMU-2) **RECOMMENDATION:** The Division of Planning and Development recommended Approval The Land Use Control Board recommended Approval RECOMMENDED COUNCIL ACTION: Public Hearing Required Set date for first reading – March 18, 2025 Second reading – March 25, 2025 Third reading – April 8, 2025 **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED (1) 02/13/2025 DATE (1) Land Use Control Board ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE **FUNDING:** REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED SOURCE AND AMOUNT OF FUNDS **OPERATING BUDGET** CIP PROJECT # FEDERAL/STATE/OTHER ADMINISTRATIVE APPROVAL: DATE **POSITION** 3/10/2025 PLANNER II **DEPUTY ADMINISTRATOR** 3/10/2025 **ADMINISTRATOR** DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR CITY ATTORNEY CHIEF ADMINISTRATIVE OFFICER

**COMMITTEE CHAIRMAN** 



#### Memphis City Council Summary Sheet

#### Z 2025-001

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON 7073, 7093, 7105 AND 7117 STAGE ROAD BY TAKING THE LAND OUT OF THE CONSERVATION AGRICULTURE (CA) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED-USE – 2 (CMU-2) USE DISTRICT, KNOWN AS CASE NUMBER Z 2025-001

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

#### LAND USE CONTROL BOARD RECOMMENDATION

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

**CASE NUMBER:** Z 2025-001

**LOCATION:** 7073, 7093, 7105 and 7117 Stage Road

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

**OWNER/APPLICANT:** Greg Glaser, Franklin Land Association

**REPRESENTATIVE:** Brenda Shackleford, CSDG

**REQUEST:** Rezoning of +/-7.26 acres from Conservation Agriculture (CA) to

Commercial Mixed-Use – 2 (CMU-2)

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,

**Chloe Christion** 

Planner II

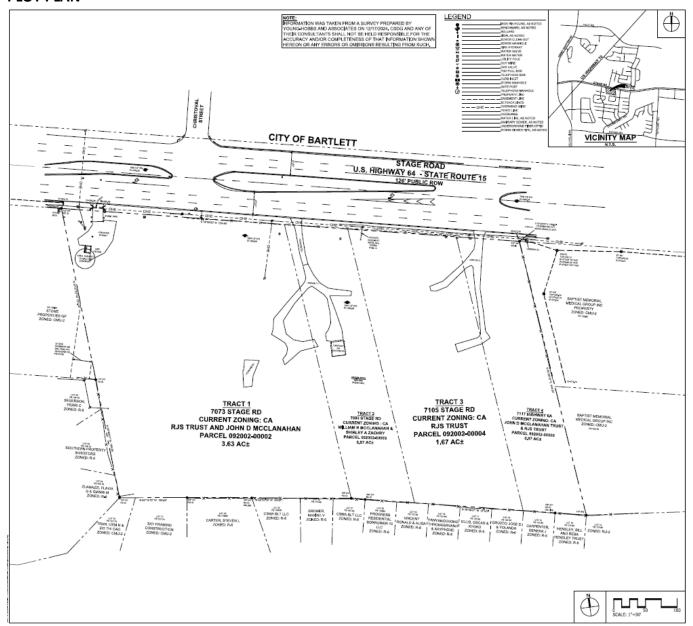
Land Use and Development Services Division of Planning and Development

Chloe Christian

Cc: Committee Members

File

#### **PLOT PLAN**



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 7073, 7093, 7105 AND 7117 STAGE ROAD BY TAKING THE LAND OUT OF THE CONSERVATION AGRICULTURE (CA) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED-USE – 2 (CMU-2) USE DISTRICT, KNOWN AS CASE NUMBER Z 2025-001.

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 2025-001; 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 CONSERVATION AGRULCUTRE (CA) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED-USE – 2 (CMU-2) USE DISTRICT.

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

BEGINNING AT A 1/2" IRON PIN FOUND IN THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 64, SAID IRON PIN BEING 393 FEET WEST OF VAN LEER DRIVE AND THE NORTHWEST CORNER OF PLAT BOOK 126, PAGE 80; THENCE LEAVING SAID RIGHT OF WAY LINE WITH SAID PLAT BOOK S 05°59'16" E A DISTANCE OF 444.50 FEET TO A 1/2" IRON PIN SET IN THE NORTH LINE OF PLAT BOOK 137, PAGE 86; THENCE WITH SAID

NORTH LINE, AS FOLLOWS: N 78°09'37" W A DISTANCE OF 371.75 FEET TO A 3/8" IRON PIN FOUND; THENCE N 82°03'36" W A DISTANCE OF 258.91 FEET TO A 5/8" IRON PIN FOUND; THENCE WITH THE NORTH LINE OF PLAT BOOK 127, PAGE 78 N 82°16'15" W A DISTANCE OF 106.63 FEET TO A 1/2" IRON PIN FOUND; THENCE WITH THE EAST LINE OF PLAT BOOK 134, PAGE 16 N 03°40'01" W A DISTANCE OF 189.89 FEET TO A 1/2" IRON PIN FOUND; THENCE WITH THE EAST LINE OF PLAT BOOK 167, PAGE 29 N 03°37'02" W A DISTANCE OF 275.34 FEET TO A 1/2" IRON PIN FOUND IN THE SOUTH LINE OF SAID U.S. HIGHWAY 64; THENCE WITH SAID SOUTH LINE S 78°09'50" E A DISTANCE OF 724.48 FEET TO THE POINT OF BEGINNING, HAVING AN AREA OF 315,221 SQUARE FEET, 7.24 ACRES

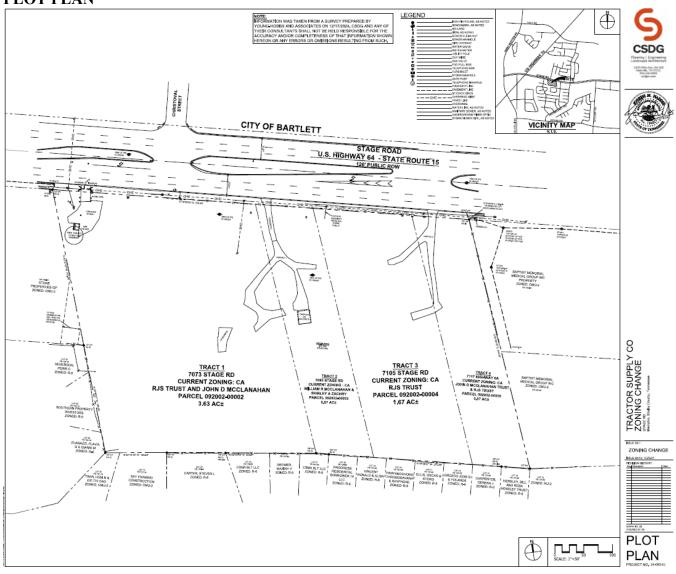
#### **SECTION 2:**

**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:** 

Division of Planning and Development

– Land Use and Development Services CC:

- Office of Construction Enforcement **Shelby County Assessor**

## dpd STAFF REPORT

AGENDA ITEM: 16 L.U.C.B. MEETING: February 13, 2025

**CASE NUMBER:** Z 2025-001

**LOCATION:** 7073 – 7117 Stage Road

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

**OWNER/APPLICANT:** Greg Glaser, Franklin Land Association

**REPRESENTATIVE:** Brenda Shackleford, CSDG

**REQUEST:** Rezoning of +/-7.24 acres from Conservation Agriculture (CA) to Commercial Mixed-

use - 2 (CMU-2)

#### CONCLUSIONS

- 1. The request is a rezoning of approximately 7.24 acres from Conservation Agriculture (CA) to Commercial mixed-use 2 (CMU-2) to allow for the construction of a Tractor Supply Company location to service the Bartlett area.
- 2. Pending the approval of this request, the zoning of the subject property would now match the zoning of the properties directly adjacent to its eastern and western boundary lines.
- 3. The subject property is located along Stage Road, a principal arterial road which is defined as a street serving major metropolitan activity centers, highest traffic volume corridors, and high proportion of urban travel per UDC Paragraph 5.2.7B(2). Commercial zoning is intended to apply to properties with direct access to principal arterials, therefore staff recommends approval of this request.

#### **CONSISTENCY WITH MEMPHIS 3.0**

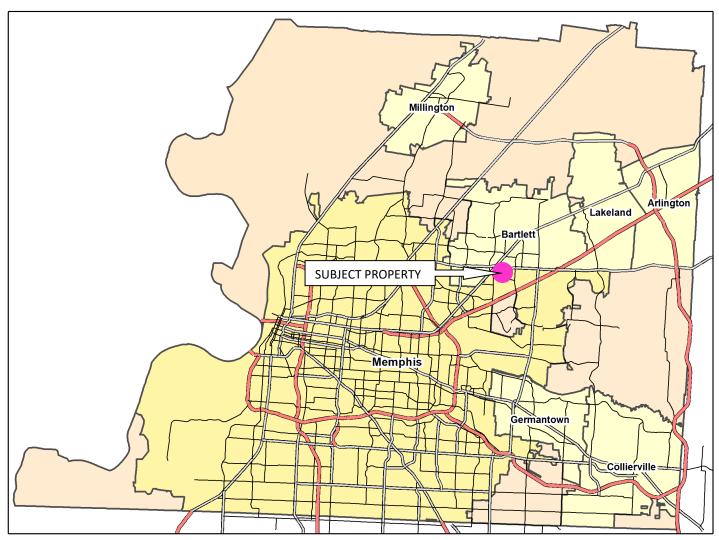
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 18-20 of this report.

#### **RECOMMENDATION:**

**Approval** 

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

#### **LOCATION MAP**



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 and signage posted. A total of 228 notices were mailed on January 24, 2025, see pages 21-22 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 23 of this report for a copy of the sign affidavit.

#### **NEIGHBORHOOD MEETING**

The meeting was held at 11:00 AM on Monday, February 3, 2025, at the Raleigh Library, 3452 Austin Peay Highway.

# **AERIAL**



Subject property outlined in yellow, imagery from 2023

# **ZONING MAP**



Subject property highlighted in yellow

# **LAND USE MAP**



Subject property indicated by a pink star

# **SITE PHOTOS**

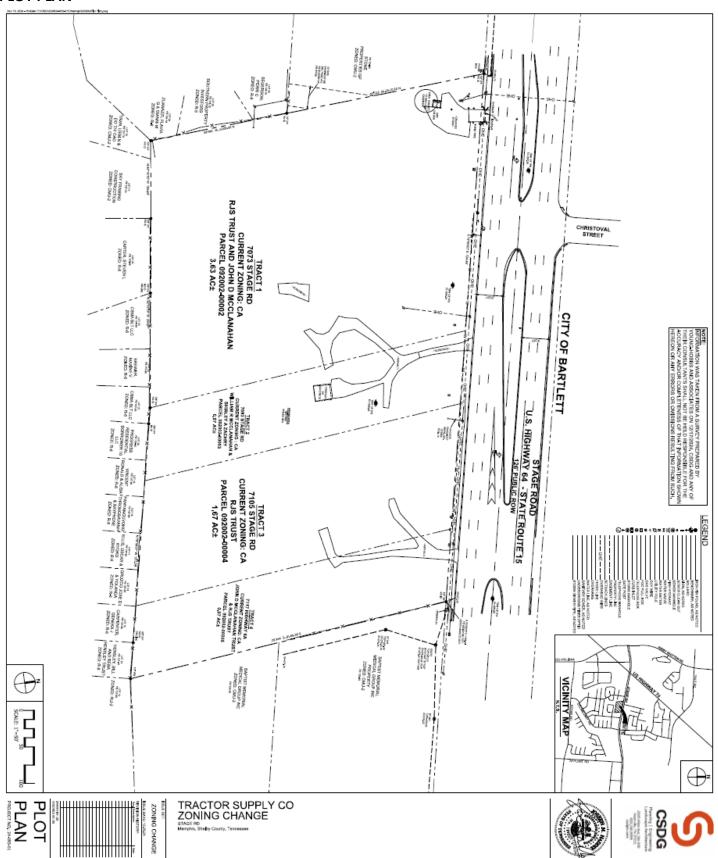


View of subject property from Stage Road facing southwest.



View of existing access drive on subject property from Stage Road facing southwest.

# **PLOT PLAN**



F 42

# EXHIBIT "A"

# LEGAL DESCRIPTION

1.72 acres, more or less, being part of the Mary McClanahan 24.60 acre tract, and being more particularly described as follows:

### ORIGINAL MARY MCCLANAHAN 24.60 ACRE TRACT:

24.60 acres, being a part of the Simon Crawford west 80 acres of that part of the H. S. Williams tract lying south of the Memphis and Somerville Road, said 24.60 acres being Lot No. 7 of an unrecorded subdivision made by W. O. Crump of said Simon Crawford tract and said 24.60 acres, being more particularly described as follows:

Beginning in the south line of the Lee Highway (U.S. Highway No. 64) at the northeast corner of the Crawford tract, being the northwest corner of the Rock 107 acres; thence south 7 degrees east along the east line of the Crawford tract 2855.2 feet to a creek; thence west 371.6 feet; thence north 7 degrees west 2909 feet to the south line of Lee Highway; thence eastwardly with said south line 371.6 feet to the point of beginning, containing 24.60 acres according to survey by C.G. Richardson.

This same tract being conveyed to Mary McClanahan by E.W. Mathis and wife, Annie Mathis, b deed dated August 15, 1938, and filed of record in deed book No. 1584, Page 566, in the Register's Office of Shelby County, Tennessee.

# LESS AND EXCEPT FIRST CONVEYANCE:

1.01 acres, more or less, conveyed by Mary McClanahan to W.E. McClanahan and wife, Bessie McClanahan, by deed dated August 15, 1938, and filed for record in deed book 1597, Page 328 and by deed of correction dated December 14, 1938, and filed for record in deed book 1606, Page 299, all in the Register's Office of Shelby County, Tennessee, said 1.01 acres being more particularly described as follows:

A one acre lot in the northwest corner of Lot 7 of the unrecorded subdivision made by W.O. Crump of the Simon Crawford 80 acre tract, beginning at a point in the south line of U.S. Highway #64, 271.6 feet west of the northeast corner of said lot 7; thence south and parallel with the east line of the said lot 7, 438.9 feet to a point; thence west and parallel with the south line of U.S. Highway #61, 100 feet to a point in the west line of the said lot 7; thence orth

1 5

with the west line of lot 7, 438.9 feet to a point in the south line of U.S. Highway #64; thence east with the south line of U.S. Highway #64, 100 feet to the point of beginning, containing one acre, more or less, and being the one acre lot excepted from the trust deed recorded at Book 1577, Page 299, in the Register's Office of Shelby County, Tennessee.

### LESS AND EXCEPT SECOND CONVEYANCE:

20.61 acres, more or less, conveyed by Mary McClanahan to H.T. Edwards and wife, Ruth Edwards, by deed dated July 16, 1954, and filed for record in deed book 3303, page 360, in the Register's Office of Shelby County, Tennessee, more particularly described as follows:

Beginning at a point in the west line of the Mary McClanahan 24.60 acres, 438.9 feet south of the south line of U.S. Highway No. 64, being the southwest corner of the W.E. McClanahan tract; running thence eastwardly with the W.E. McClanahan south line, passing his southeast corner on a straight line, approximately 371 feet to a point in the east line of the Mary McClanahan tract; thence south with the Mary McClanahan east line to her southeast corner approximately 24.70 feet; thence westwardly 371.6 feet to the Mary McClanahan southwest corner; thence northwardly with the north line of the Mary McClanahan tract 2416.3 feet to the point of beginning, containing in all 20.61 acres, more or less.

### LESS AND EXCEPT THIRD CONVEYANCE:

A Temporary Construction Easement only on the Mary McClanahan McCreight 1.72 acre tract recorded in Book 1584, Page 566, in the Register's Office, Shelby County, Tennessee, being located on the South side of U.S. Highway No. 64, , 500 feet more or less East of Christoval Street, and being more particularly described as follows:

### TEMPORARY CONTRUCTION EASEMENT

Being outside and adjacent to the present South right of way line of U.S. Highway No. 64, 33 feet from the center of the existing highway extending from the West line to the Ease line of the subject tract, being 170 feet more or less in the length and variable in width of from 5 feet more or less to 15 feet more or less as shown on the right of way Plan Sheet No. 6 of the subject project.

Containing 0.029 acres.

Tom Leatherwood, Shelby County Register of Deeds: Instr. # 11014755



By this instrument the grantor (Mary McClanahan) hereby conveys a temporary construction easement.

The title to the above described land remains vested in the grantor (Mary McClanahan) and is to be used by the State of Tennessee, its contractors or its assigns for a period of three (3) years.

The consideration mentioned herein included payment for all property rights taken, also payment for any and all incidental damages to the remainder compensable under eminent domain.

# LESS AND EXCEPT FIRST DEVISE:

1.01 acres, more or less, devised to Margaret McClanahan by Decedent's Will admitted to probate on May 3, 1996, in the Probate Court of Shelby County, Tennessee, Docket Number B-27390, more particularly described as follows:

Part of Lot 7, W.O. Crump Subdivision of part of the Simon Crawford 80 acres, being more particularly described as follows:

Beginning at a stake in the south line of U.S. Highway #64, 171.6 feet westwardly from the northeast corner of said Lot 7, W.O. Crump Subdivision; thence westwardly along said south line of U.S. Highway #64, 100 feet to a point 100 feet eastwardly from the dividing line between Lots 6 and 7; thence southeastwardly parallel with said dividing line 438.9 feet to a point; thence eastwardly 438.9 feet to the point of beginning; being part of the same property conveyed to Mary McClanahan by warranty deed of record in book 1584, page 566, in the Register's Office of Shelby County, Tennessee.

Return To: John P. Roberts, Attorney 6399 Stage Road Bartlett, TN 38134

#### **CASE REVIEW**

### **Request**

The request is a rezoning of  $\pm$ -7.24 acres from Conservation Agriculture (CA) to Commercial Mixed-use  $\pm$  (CMU-2).

### **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 consid	dered (see Ch	napter 1.9);
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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;
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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:

7073, 7093, 7105 & 7117 Stage Road

Parcel ID:

092002 00002, 092002 00003, 092002 00004 and 092002 00005

Area:

+/-7.24 acres

#### Description:

The subject properties are currently vacant with mature tree coverage throughout. There is one street frontage along Stage Road/US Highway 64. The surrounding land uses to the east and west of the property are commercial and office. Residential properties abut the southern and western boundary of the site.

# **Analysis**

Pending the approval of this request, the zoning of the subject property would now match the zoning of the properties directly adjacent to its eastern and western boundary lines. If approved, the zoning of CMU-2 would be consistent among all properties facing Stage Road from the Dromedary Drive intersection to the edge of the US Highway 70 intersection. In this over ½ mile stretch, the subject properties are the only parcels with zoning inconsistent to the surrounding designation.

Additionally, Stage Road is a principal arterial road which is defined as a street serving major metropolitan activity centers, the highest traffic volume corridors, and high proportion of urban travel per UDC Paragraph 5.2.7B(2). Commercial zoning is intended to apply to properties with direct access to principal arterials,

Staff Report Z 2025-001

February 13, 2025 Page 13

therefore staff recommends approval of this request.

Considering potential impacts that development on this site raises going from an undeveloped status to one of buildings and parking, staff urges the applicant to consider incorporating Low Impact Development (LID) elements into the site plan to allow adequate filtration and groundwater recharge. Staff also encourages the applicant retain as much existing vegetation as possible during the development process pending approval of this request.

### **RECOMMENDATION**

Staff recommends approval.

### **DEPARTMENTAL COMMENTS**

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

**City Engineer:** See below.

**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: See below.

Office of Comprehensive Planning: See below.

# CASE 11: Z-25-001

NAME: 7073 Stage Road

BASIN/LOT/CD: YOUNG, 12-C /3.87AC /1

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

### **Sewers:**

- 2. A sewer extension will be required to serve this development. Closest sewer is approximately 250' South of the intersection of Stage and Van Leer Dr.
- 3. In addition, this development is located in Fletcher Creek Sewer basin and any proposed development within the basin must be evaluated on a case-by-case basis, the developer's engineer has to contact the City Public Works and ask for the sewer connection permit.
- 4. If a sewer connection permit is approved by Public Works, on-site storage tank with off-peak discharge is required.
- 5. The developer must provide the proposed discharge rate to the Engineering Div/Sewer Design Dept for a hydraulic analysis of the sewer system.

# **General Notes:**

- 6. Development is greater than 1 acre is located within a sensitive drainage basin.
- 7. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 8. All connections to the sewer shall be at manholes only.
- 9. 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.
- 10. Required landscaping shall not be placed on sewer or drainage easements.



Logan Landry
Planner I
Office of Sustainability and Resilience
125 N. Main St., Memphis, TN 38103
Logan.Landry@memphistn.gov

### **MEMORANDUM**

To: Chloe Christion, Planner I

From: Logan Landry, Planner I

Date: January 20, 2025

Subject: OSR Comments on Z 2025-001: CORDOVA

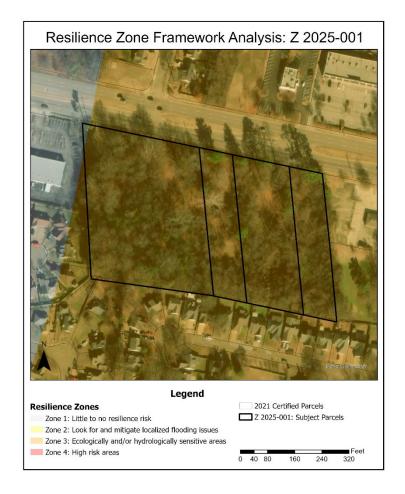
### **General Comments & Analysis:**

Located in Zone 3 of the Resilience Zone Framework:

Zone 3 areas contain resilience assets that could be compromised by certain kinds of development. These assets include wetlands, forests, meadows, and aquifer recharge areas. The loss of these assets makes the entire region less resilient. Context sensitive development could still occur in these areas to minimize its impact. Consider strategic investment in ecological assets through revitalization and preservation as well as the impacts on local and regional hydrology and methods to mitigate drainage impacts.

The applicant is requesting a rezoning of four parcels from Conservation Agriculture (CA) to Commercial Mixed Use – 2 (CMU-2) to allow the construction of a tractor supply retail store.

The Zone 3 designation is due to the parcels' location in the aquifer recharge zone. The site is currently largely undeveloped and has mature tree coverage across the lots meaning that the development of a tractor retail store would require clearing the trees and a substantial increase in impervious surfaces.



### 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. Section 4.1 – Resilient Sites of the Mid-South Regional Resilience Master Plan discourages development within ecologically sensitive areas, making this application inconsistent with the goals of the Plan. Additionally, the site of the application being in the aquifer recharge zone contradicts section 2.2.2 – Aquifer Conservation and Recharge. Increasing the amount of impervious surface on the lot would increase the amount of runoff produced and water diverted from recharging the aquifer. The current zoning of Conservation Agriculture is much more suitable for the location to ensure conservation and protection of the aquifer.

### Consistent with the Memphis Area Climate Action Plan best practices: No

This application is generally inconsistent with the Memphis Area Climate Action Plan. The eventual clearing of the undeveloped parcels would lead to a reduction in the urban tree canopy which contradicts the goals of Action E.7: Nurture and Expand the Urban Tree Canopy. A robust urban tree canopy provides many benefits to the area including temperature regulation and improved stormwater management.

**Recommendations:** Staff recommends rejection. If development proceeds, staff urges the applicant to consider incorporating Low Impact Development (LID) elements into the site plan to allow adequate filtration and groundwater recharge. Staff also encourages the applicant retain as much existing vegetation as possible. Recommended LID techniques include bioretention areas in the parking lot and permeable pavement.

# **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: **Z 2025-001** 

Site Address/Location: 7073, 7093, 7105, 7117 Stage Rd.

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

though is located in a sensitive Memphis Aquifer recharge zone.

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

Street Type: Parkway/Highway

Applicant is requesting a rezoning from CA to allow for a new Tractor Supply retail store across four undeveloped parcels.

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

# 1. Future Land Use Planning Map



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

### 2. Land Use Description/Intent

Low Intensity Commercial and Service (CSL) areas are typically not associated with anchors. These areas may include neighborhood supporting commercial uses such as retail sales and services, offices, restaurants, funeral services, small-scale recreation, social service institutions, and occasional upper-story residential. Graphic portrayal of CSL is to the right.



### "CSL" Form & Location Characteristics

Commercial and services uses, 1-4 stories height

# "CSL" Zoning Notes

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

### **Existing, Adjacent Land Use and Zoning**

Existing Land Use and Zoning: Vacant, Parking; CA

Adjacent Land Use and Zoning: Commercial, Residential, Office, Vacant; CMU-2, RU-2, R-6, OG.

**Overall Compatibility:** The requested use is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing adjacent land use and zoning. Although, the proposed rezoning is located in the Memphis aquifer, sensitivities associated with the aquifer are addressed in Office of Sustainability analysis of this case.

# **Degree of Change Map**



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

# 3. Degree of Change Description

N/A

**4.** Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities N/A

# 5. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations

While the request for rezoning the parcels in question are consistent with the existing surrounding land use Description/intent, form & location characteristics, and zoning notes; it is not consistent with *Objective 3.1*—Improve health of environmental systems, *Action 3.1.8*—protect, preserve, and enhance precious surface water and groundwater resources, with special focus on the Memphis and Fort Pillow aquifers. The site in question is located within an ecologically and/or hydrologically sensitive area.

Action 3.1.1—Encourage compact and infil development to reduce sprawl, limit the expansion of impervious cover, lower vehicle miles traveled, and increase the viability of active transportation, such as walking and biking, and improve air quality. The development would also not be consistent with Action

3.1.10—Protect critical watershed assets with specific emphasis on aquifer recharge areas and wetlands.

# **Consistency Analysis Summary**

Applicant is requesting a rezoning from CA to allow for a new Tractor Supply retail store across four undeveloped parcels.

This requested use is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing adjacent land use and zoning. Although, the proposed rezoning is located in the Memphis aquifer, sensitivities associated with the aquifer are addressed in the Office of Sustainability analysis of this case.

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

Summary Compiled by: Grayson Vincent, Graduate Intern, Comprehensive Planning.

#### **MAILED PUBLIC NOTICE**

232 Notices Mailed on 1/24/2025



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

# NOTICE OF PUBLIC HEARING

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

CASE NUMBER: Z 2025-001

LOCATION: 7073 Stage Road

(SEE PLOT PLAN ON REVERSE SIDE)

APPLICANT: Tractor Supply Company

REQUEST: Rezoning from Conservation Agriculture (CA) to Commercial Mixed-Use - 1 (CMU-1)

# THE PUBLIC MEETING WILL BE HELD:

DATE: Thursday, February 13, 2025

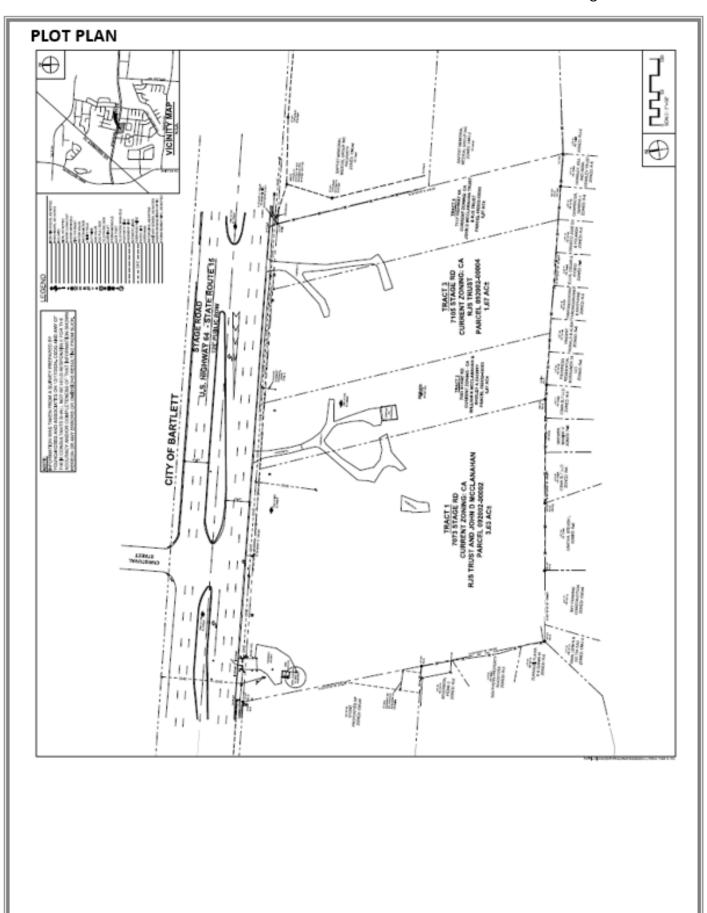
TIME: 9:00 AM

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

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

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

You are not required to attend this hearing, although you are welcome to do so if you wish to speak for or against this application. You may also contact Chloe Christion at chloe.christion@memphistn.gov or (901) 636-7494 to learn more about the proposal and/or to submit a letter of support or opposition no later than Wednesday, February 5, at 8 AM. Note, comments sent to anyone other than the staff planner will not be recognized or included in the staff report.



# **SIGN AFFIDAVIT**

# **AFFIDAVIT**

Shelby County	
State of Tennessee	
on the Total day of January	sworn, depose and say that at 11:22 am/pm Junder my direction, Tech Plus 2025_, † posted 1 Public Notice Sign(s) 7073 Stage Road, Memphis, TN 38133
providing notice of a Public Hearing before	
X Land Use Control Board	the (check che).
Board of Adjustment	
Memphis City Council	
Shelby County Board of Commissi	oners
for consideration of a proposed land use	e action, a photograph of said sign(s) being
attached hereon and a copy of the sign	purchase receipt or rental contract attached
hereto.	
Brd Kuli	February 1, 2025
Owner, Applicant or Representative Brenda Shackleford, CSDG	Date
Subscribed and sworn to before me this	day of February , 2025.
Lellawit	
Notary Public	JELLEY A WAY
My commission expires: 9/16/28	STATE OF TENNESSEE NOTARY PUBLIC
•	PUTHERFO'

### **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: December 17, 2024

Record Number: Z 2025-001 Expiration Date:

Record Name: Rezoning for Tractor Supply Company, Stage Road

Description of Work: The proposed project consists of 4 parcels to be rezoned for future use as a Tractor Supply Company retail store. The 4 parcels are on the south side of Stage Road (7073, 7093, 7105, and 7117 Stage Road) directly across Highway 64, Stage Road, from Cristoval Street. Parcel ID's are 092002, 092002

Parent Record Number:

### Address:

7073 STAGE RD, MEMPHIS 38133

### Owner Information

Primary Owner Name

Y RJS TRUST AND JOHN D MCCLANAHAN

Owner Address Owner Phone

29 NORMANDY CIR, MEMPHIS, TN 38111

#### Parcel Information

092002 00002

# Data Fields

PREAPPLICATION MEETING
Name of DPD Planner

Date of Meeting Pre-application Meeting Type

GENERAL INFORMATION

Have you held a neighborhood meeting? Is this application in response to a citation from Construction Code Enforcement or Zoning Alexis Longstreet 11/25/2024 Virtual

No No

Page 1 of 3 Z 2025-001

#### GENERAL INFORMATION

Letter?

If yes, please provide additional information

GIS INFORMATION

Case Layer
Central Business Improvement District

Central Business Improvement District No
Class R
Downtown Fire District No
Historic District -

Land Use VACANT Municipality MEMPHIS

N/A

 Overlay/Special Purpose District

 Zoning
 CA

 State Route
 1

 Lot
 6

Subdivision W O CRUMP

Planned Development District Wellhead Protection Overlay District Yes
County Commission District City Council District City Council Super District -

#### Data Tables

### ADDRESS AND PARCEL LIST

Property Address: 7073 Stage Road Property Parcel Number: 092002 00002

Property Address: 7093 Stage Rd Property Parcel Number: 092002 00003

Property Address: 7105 Stage Rd Property Parcel Number: 092002 00004

Property Address: 7117 Highway 64
Property Parcel Number: 092002 00005

#### AREA INFORMATION

Name: Area A
Size (Acres): 7.24
Existing Use of Property: Vacant
Requested Use of Retail

Property:

# Contact Information

Page 2 of 3 Z 2025-001

February 13, 2025 Page 26

Name GREG GLASER Contact Type

APPLICANT

Address

Phone (615)370-0670

Name BRENDA SHACKLEFORD Contact Type

ARCHITECT / ENGINEER /
SURVEYOR

Address

Phone (615)479-2427

Name
BRENDA SHACKLEFORD

Contact Type
REPRESENTATIVE

Address

Phone (615)479-2427

Fee Information						
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1615539	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	01/02/2025
1615539	Non-Residential Rezoning - each additional acre or fraction above 5	2	230.00	INVOICED	0.00	01/02/2025
1615539	Credit Card Use Fee (.026 x fee)	1	31.98	INVOICED	0.00	01/02/2025

Total Fee Invoiced: \$1,261.98 Total Balance: \$0.00

Payment Information

Payment Amount Method of Payment \$1,261.98 Credit Card

Page 3 of 3 Z 2025-001

### **OWNER AFFIDAVIT**



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

# **Property Owner's Affidavit**

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries,

contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like.
Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full
disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified
Development Code Section 12.3.1.
I, WILLYAM R. Mc CLAVAPON Author (Sign Name)  (Sign 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 at7073 - 7117 Stage Road, Memphis, TN 38133
of the property located at7073 - 7117 Stage Road, Memphis, TN 38133 and further identified by Assessor's Parcel Number092-00200002, 092-00200003, 092-00200004, & 092-00200005
of the property located at
and further identified by Assessor's Parcel Number092-00200002, 092-00200003, 092-00200004, & 092-00200005

#### LETTER OF INTENT



December 19, 2024

Memphis and Shelby County Division of Planning and Development Uploaded electronically through portal

RE: Letter of Intent

Tractor Supply Company Rezoning of 4 parcels on Stage Road CSDG Project #24-093-01

To whom it may concern:

On behalf of Tractor Supply Company (TSC) and GBT Realty, Inc., CSDG offers the following to serve as a letter of intent for the rezoning of the following parcels:

- 092002 00002 with an address of 7073 Stage Road
- · 092002 00003 with an address of 7093 Stage Road
- 092002 00004 with an address of 7105 Stage Road
- 092002 00005 with an address of 7117 Highway 64

The parcels are currently zoned CA, which does not support the proposed Tractor Supply Company retail store. The proposed store is expected to be 21,930 sf with a fenced outdoor display area of approximately 20,000 sf, approximately 76 parking spaces for cars, and appurtenances associated with the retail store, including storm system and utilities. The site development is expected to span the four parcels.

From information provided by TSC "Tractor Supply Company (NASDAQ: TSCO), the largest rural lifestyle retailer in the United States, has been passionate about serving its unique niche, targeting the needs of recreational farmers, ranchers and all those who enjoy living the rural lifestyle, for more than 85 years."

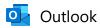
Sincerely, CSDG

Brenda Shackleford, PE (CA, TN, KY) Associate | Civil Engineer

CSDG No. 24-093-01

# **LETTERS RECEIVED**

Three (3) letters of opposition have been received at the time of the completion of this report and have subsequently been attached.



# Z-2025-001: Letter Against Proposal

From Debbie Long <debinuna@gmail.com>

Date Sat 2/1/2025 1:42 PM

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

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

# Good Afternoon Chloe,

Thank you for the letter concerning the possible rezoning of Conservation Agricultural to Mixed Commercial use on the plot of 7073 Stage Rd.

I am unable to attend the public hearing but wanted to share my thoughts as a residential home owner in the area.

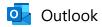
I am against this rezoning and the placement of commercial property on this plot. My primary concern is for traffic problems and area congestion. Traffic is heavy and congested enough in this area without an additional stop.

I also feel this change will have negative effects on the crime rate (attracting more opportunities for theft and break-ins stemming from the Wolfchase area), property values, and possible drainage issues from lack of natural ground.

Other plots in the area would be better suited for commercial use, but I do not feel this is a good location.

Thank you for your time and consideration of my concerns.

Have a wonderful day! Deborah Long 2807 Maryland Cir W 901-493-1950



#### CASE # Z 2025-001

From JOHN STRANGE <jtsk@bellsouth.net>

Date Wed 1/29/2025 5:22 PM

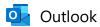
To Christion, Chloe < Chloe. Christion@memphistn.gov>

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

Hello, I am a resident of the neighborhood that borders to the South of the property that is being considered for rezoning at 7073 Stage Road. I am writing to express my opposition to this rezoning, as I feel it will devalue my property, and cause excessive traffic, which will be difficult to deal with considering the location of businesses on the North side of Stage Road in that area, and the side streets trying to access Stage Road. I feel it will also bring the opportunity for more crime into the area. Please record my opposition and reason, and give them due diligence and consideration.

thank you, John Strange 2803 Maryland Cr. W. Memphis, TN 38133 901-219-0138

Sent from AT&T Yahoo Mail on Android



### Case Number Z 2025-001

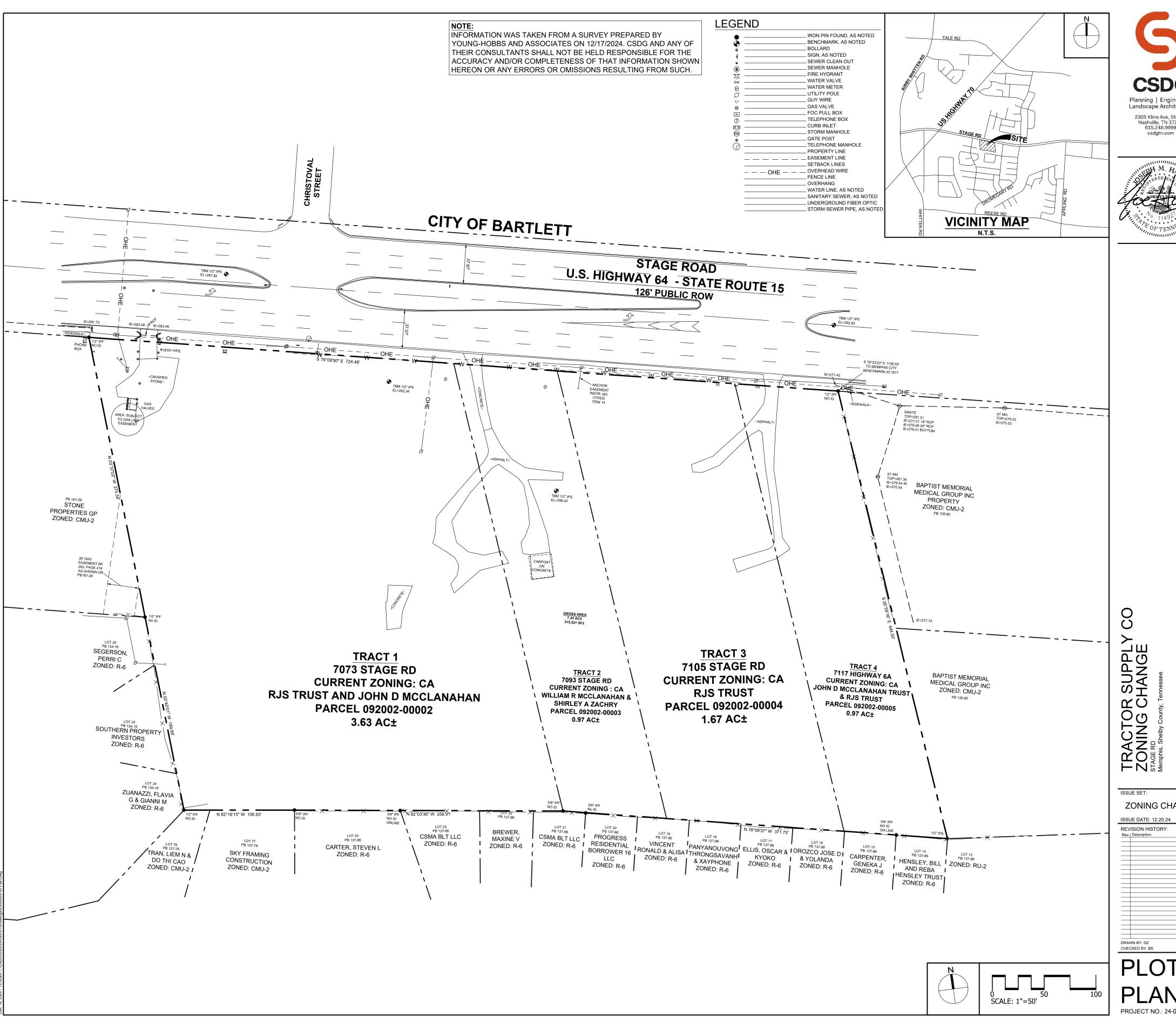
From Shaun Strange <srstrange24@gmail.com>

Date Thu 1/30/2025 4:11 PM

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

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

My name is Shaun Strange. I received a Notice of Public Hearing involving rezoning a plot of land for Tractor Supply Company. I am a resident in the neighborhood directly behind the plot of land that is up for rezoning. I am writing to state my opposition to the change. I feel like it would bring more crime into the neighborhood, lower property values, cause more traffic issues, and a lot of noise pollution. I also believe that the area looks better with the trees and greenery. The city has too few areas where it is just green. The area is also a habitat to a lot of birds and squirrels. Thank you for accepting this letter of opposition and recording it for the hearing.

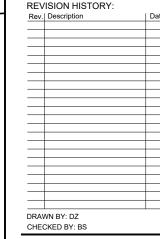


**CSDG** Planning | Engineering Landscape Architecture 2305 Kline Ave, Ste 300 Nashville, TN 37211 615.248.9999



**ZONING CHANGE** 

ISSUE DATE: 12.20.24 REVISION HISTORY:





# 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: December 17, 2024

Record Number: Z 2025-001 Expiration Date:

Record Name: Rezoning for Tractor Supply Company, Stage Road

Description of Work: The proposed project consists of 4 parcels to be rezoned for future use as a Tractor Supply Company retail store. The 4 parcels are on the south side of Stage Road (7073. 7093, 7105, and 7117 Stage Road) directly across Highway 64, Stage Road, from Cristoval Street. Parcel ID's are

092002 00002, 092002 00003, 092002 00004, and 092002 00005.

Parent Record Number:

### Address:

7073 STAGE RD, MEMPHIS 38133

### **Owner Information**

Primary Owner Name

Y RJS TRUST AND JOHN D MCCLANAHAN

Owner Address Owner Phone

29 NORMANDY CIR, MEMPHIS, TN 38111

### Parcel Information

092002 00002

### **Data Fields**

#### PREAPPLICATION MEETING

Name of DPD Planner

Date of Meeting

Pre-application Meeting Type

Alexis Longstreet
11/25/2024

Virtual

**GENERAL INFORMATION** 

Have you held a neighborhood meeting?

Is this application in response to a citation from No Construction Code Enforcement or Zoning

Page 1 of 3 Z 2025-001

#### **GENERAL INFORMATION**

Letter?

If yes, please provide additional information

**GIS INFORMATION** 

Case Layer

Central Business Improvement District No
Class R
Downtown Fire District No

Historic District -

Land Use VACANT Municipality MEMPHIS

N/A

Overlay/Special Purpose District Zoning CA
State Route 1
Lot 6

Subdivision W O CRUMP

Planned Development District Wellhead Protection Overlay District Yes
County Commission District City Council District City Council Super District -

### **Data Tables**

### ADDRESS AND PARCEL LIST

Property Address: 7073 Stage Road
Property Parcel Number: 092002 00002

Property Address: 7093 Stage Rd
Property Parcel Number: 092002 00003

Property Address: 7105 Stage Rd
Property Parcel Number: 092002 00004

Property Address: 7117 Highway 64
Property Parcel Number: 092002 00005

### **AREA INFORMATION**

Name: Area A
Size (Acres): 7.24
Existing Use of Property: Vacant
Requested Use of Retail

Property:

### **Contact Information**

Page 2 of 3 Z 2025-001

Name **GREG GLASER** 

**Contact Type** 

**APPLICANT** 

#### Address

**Phone** 

(615)370-0670

Name **Contact Type BRENDA SHACKLEFORD** 

ARCHITECT / ENGINEER / **SURVEYOR Address** 

**Phone** (615)479-2427

Name **Contact Type** BRENDA SHACKLEFORD REPRESENTATIVE

**Address** 

**Phone** (615)479-2427

**Fee Information** Invoice # Fee Item Quantity Balance Date Assessed Fees Status 1615539 Non-Residential Rezoning 1 1,000.00 **INVOICED** 0.00 01/02/2025 - 5 acres or less 1615539 Non-Residential Rezoning 2 230.00 **INVOICED** 0.00 01/02/2025 - each additional acre or fraction above 5 Credit Card Use Fee (.026 1 31.98 **INVOICED** 1615539 0.00 01/02/2025 x fee)

> Total Fee Invoiced: \$1,261.98 Total Balance: \$0.00

# **Payment Information**

**Payment Amount** Method of Payment \$1,261.98 Credit Card

Z 2025-001 Page 3 of 3

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

# **Property Owner's Affidavit**

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1. Mullium, state that I have read the definition of 1, WILYAM R. MCCLANARAN Chill (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 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 \_\_\_\_7073 - 7117 Stage Road, Memphis, TN 38133 092-002---00002, 092-002---00003, 092-002---00004, & 092-002---00005 and further identified by Assessor's Parcel Number \_ for which an application is being made to the Division of Planning and Development. day of <u>December</u> in the year of <u>2024</u>. Subscribed and sworn to (or affirmed) before me this



# THE RJS TRUST DATED MARCH 8, 1999

THIS AGREEMENT is hereby entered into by and between JOHN D. McCLANAHAN, SR., and MARGARETE HASEN McCLANAHAN, as Grantors, and WILLIAM RICHARD McCLANAHAN, as Trustee.

# \*\*\* ARTICLE ONE \*\*\* RECITALS

- A. Effective Date of Trust. The effective date of this trust shall be March 8, 1999.
- B. Name of Trust. This trust shall be referred to as the RJS TRUST DATED MARCH 8, 1999 (hereinafter referred to as this "Trust").
- C. <u>Name of Trust Agreement</u>. This trust agreement shall be named for identification purposes the RJS TRUST AGREEMENT DATED MARCH 8, 1999 (hereinafter referred to as this "Agreement").
  - D. <u>Grantors</u>. The Grantors of this Trust are JOHN D. McCLANAHAN, SR., and MARGARETE HASEN McCLANAHAN (hereinafter referred to as the "Grantors".) Grantors are residents of Memphis, Shelby County, Tennessee. The mailing address of the Grantors is: 7073 Highway 64 or Stage Road, Memphis, Tennessee 38133.
  - E. <u>Primary Trustee</u>. The Primary Trustee is Grantors' child, <u>WILLIAM RICHARD McCLANAHAN</u> (hereinafter referred to as the "Trustee."). The Trustee is a resident of Memphis, Shelby County, Tennessee. The mailing address of the Trustee is: 29 Normandy Circle, Memphis, Tennessee 38111.
  - F. <u>Successor Trustee</u>. The Successor Trustee is Grantors' son-in-law, JOHN ZACHRY (hereinafter referred to as the "Successor Trustee."). The Successor Trustee is a resident of Cheverly, Maryland. The mailing address of the Successor Trustee is: 2708 Belleview, Cheverly, Maryland 20785.
  - G. First Alternate Successor Trustee. The First Alternate Successor Trustee is FIRST TENNESSEE BANK, N.A., of Memphis, Tennessee (hereinafter referred to as the "First Alternate Successor Trustee."). The First Alternate Successor Trustee is a financial institution. The mailing address of the trust department of the First Alternate Successor Trustee is: 4385 Poplar Avenue, Memphis, Tennessee 38117.
  - H. <u>Beneficiaries</u>. This Trust is exclusively for the benefit of the Grantors' present and after-born natural children and issue (hereinafter referred to generically in the

# LAND USE OWNERSHIP DISCLOSURE

Please identify every person who has an ownership interest of 10% or more in the subject application whether they be the current owners, the contract buyers, or the lenders. If current owner or contract buyer are public corporations, please note the fact and list no other owners. Only lenders which are not institutions (banks, saving and loans or credit unions) need be listed.

	NAMES	ADDRESSES
CURRENT OWNERS	WILLIAM R.MCCAN	DAHAW 29 NORMANDY CIRCLE MFS, TN. 38111
	SHIRLEY A ZACHLY	57 THOMAS OR. CHEUNSFURD MA. 01874
	RJS TILUST	29 NORMANDY CIRCLE MESTN. 38111
	JOWD MCCLAMADA	NJR 6543 OAK PARK MFS TN. 38/34
CONTRACT		
OWNERS/BUYERS	-	
	-	
	<u> </u>	
	·	
NON-INSTITUTIONAL LENDERS INCLUDING SELLER(S) IF THE PENDING SALE IS OWNER FINANCED		
	-	2 <del></del>
		·



December 19, 2024

Memphis and Shelby County Division of Planning and Development Uploaded electronically through portal

RE: Letter of Intent
Tractor Supply Company
Rezoning of 4 parcels on Stage Road
CSDG Project #24-093-01

To whom it may concern:

On behalf of Tractor Supply Company (TSC) and GBT Realty, Inc., CSDG offers the following to serve as a letter of intent for the rezoning of the following parcels:

- 092002 00002 with an address of 7073 Stage Road
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- 092002 00005 with an address of 7117 Highway 64

The parcels are currently zoned CA, which does not support the proposed Tractor Supply Company retail store. The proposed store is expected to be 21,930 sf with a fenced outdoor display area of approximately 20,000 sf, approximately 76 parking spaces for cars, and appurtenances associated with the retail store, including storm system and utilities. The site development is expected to span the four parcels.

From information provided by TSC "Tractor Supply Company (NASDAQ: TSCO), the largest rural lifestyle retailer in the United States, has been passionate about serving its unique niche, targeting the needs of recreational farmers, ranchers and all those who enjoy living the rural lifestyle, for more than 85 years."

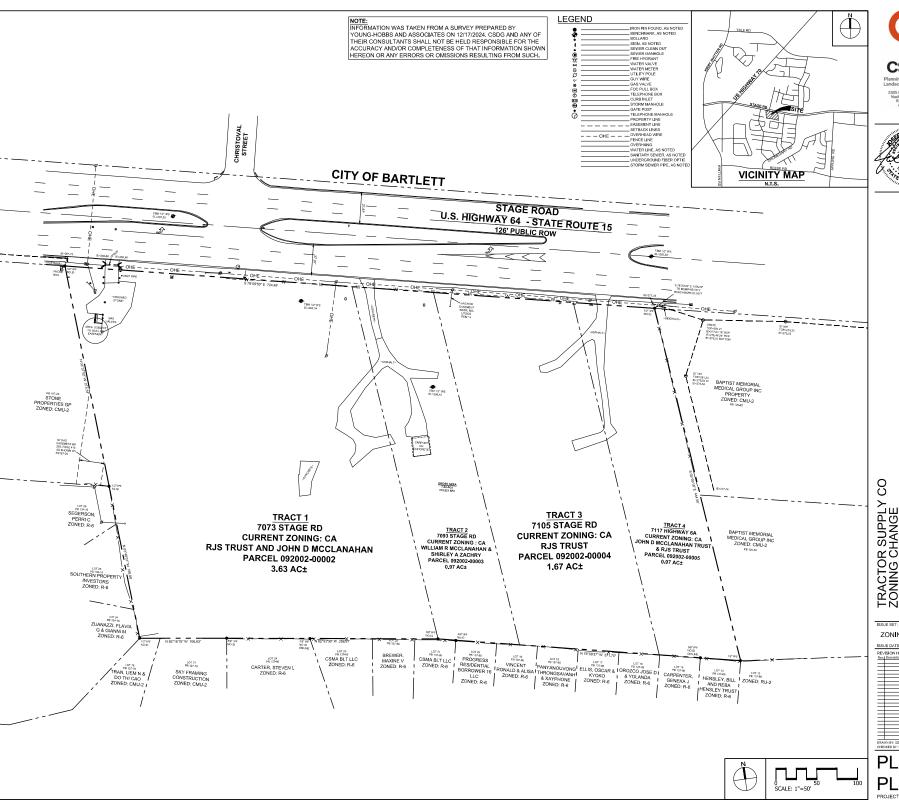
Sincerely, **CSDG** 

Brenda Shackleford, PE (CA, TN, KY)

much Shackleful

Associate | Civil Engineer

CSDG No. 24-093-01







TRACTOR SUPPLY C ZONING CHANGE STAGE RD Memple, Stribly County, Tennessee

ZONING CHANGE ISSUE DATE: 12.20.24 REVISION HISTORY

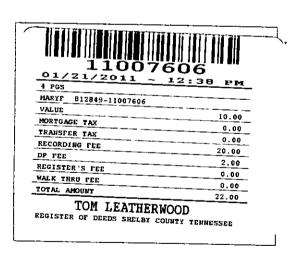




## Tom Leatherwood

Shelby County Register

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



Return to: FNTG Chicago Title | Fidelity National Title | Lawyer's Title 6060 Poplar Avenue, Suite LL37 Memphis, TN 38119

PREPARED BY AND RETURN TO: JOHN P. ROBERTS, ATTORNEY 6399 Stage Road Bartlett, Tennessee 38134 (901) 382-8088

## QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM RICHARD MCCLANAHAN, SUCCESSOR TRUSTEE FOR MARGARETE HASEN MCCLANAHAN UNDER AGREEMENT DATED DECEMBER 28, 1989, for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, does hereby bargain, sell, remise, quit claim and convey unto WILLIAM RICHARD MCCLANAHAN, TRUSTEE OF THE RJS TRUST DATED MARCH 8, 1999, the following described real estate, situated and being in the County of SHELBY, State of Tennessee:

#### SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

BEING all or a part of the same property and description as described in QUITCLAIM DEED of record in Instrument No. BL9218 in the Register's Office of SHELBY County, Tennessee.

IN TESTIMONY WHEREOF I (WE) have executed this instrument this the 17TH day of JANUARY, 2011.

WILLIAM

RICHARD

MCCLANAHAN.

SUCCESSOR TRUSTEE FOR MARGARETE HASEN MCCLANAHAN UNDER AGREEMENT

DATED DECEMBER 28, 1989

THIS INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH OR TITLE EXAMINATION. PREPARER MAKES NO REPRESENTATIONS CONCERNING THE ADEQUACY OR SUFFICIENCY OF TITLE.

#### TRUSTEE ACKNOWLEDGMENT

#### STATE OF TENNESSEE **COUNTY OF SHELBY**

Personally appeared before me, a Notary Public in and for said State and County, WILLIAM RICHARD MCCLANAHAN, SUCCESSOR TRUSTEE FOR MARGARETE MCCLANAHAN UNDER AGREEMENT DATED DECEMBER 28, 1989 with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged himself to be the SUCCESSOR TRUSTEE FOR MARGARETE HASEN MCCLANAHAN UNDER AGREEMENT DATED DECEMBER 28, 1989, the within named bargainor, a trust, and that he as such Trustee executed the within instrument for the purposes therein contained, by signing the of the trust by himself as Trustee.

Notarx

WITNESS my hand, at office, this 17TH day of JANUARY, 2011.

My Commission Expires: 03/20/2013

MAIL TAX STATEMENTS TO:

WILLIAM RICHARD MCCLANAHAN, TRUSTEE

ENNESSEE NOTARY PUBLIC

ROBA

ENNESSEE

NOTARY PUBLIC

On Expires March

THE RJS TRUST DATED MARCH 8, 1999

29 NORMANDY CIRCLE MEMPHIS, TN 38111

Public

PROPERTY ADDRESS:

7073 U.S. HIGHWAY 64 MEMPHIS, TN 38133

**OWNER & ADDRESS:** 

WILLIAM RICHARD MCCLANAHAN, TRUSTEE

THE RJS TRUST DATED MARCH 8, 1999

29 NORMANDY CIRCLE MEMPHIS, TN 38111

TAX PARCEL I.D.#:

092-002-00002

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.

TRANSFER TAX EXEMPT IN ACCORDANCE WITH T.C.A. § 67-4-409(a)(3)(F)

Public

Subscribed and sworn to before me this 17TH day of JANUARY, 2011

My Commission Expires: 03/20/2011

RETURN TO:

John P. Roberts, Attorney 6399 Stage Road Bartlett, TN 38134 (901) 382-8088

#### EXHIBIT "A" LEGAL DESCRIPTION

#### PARCEL 1:

Part of Lot 6 of the W.O. Crump Subdivision of the Crawford tract (unrecorded), and more particularly described as follows:

Beginning at a point in the south line of State Highway No. 15 (15) 2306.7 feet east of the center line of State Highway 1 (1), said point being the northeast corner of the said Lot No. 6 of the W.O. Crump Subdivision of the Crawford tract, running thence southeastwardly along the east line of the said Lot No. 6 of the said subdivision 940 feet to a stake; thence westwardly parallel to the south line of Highway 15, 185.8 feet to a stake; thence northwardly parallel to the east line of said Lot 6 of the W.O. Crump Subdivision 940 feet to a point in the south line of State Highway No. 15, 2120.9 feet east of the center line of State Highway No. 1; thence eastwardly along the said south line of state highway No. 15 185.8 feet to the northeast corner of Lot 6 of the W.O. Crump Subdivision, being the point of beginning, being 4 acres, more or less, and being the same property conveyed to the parties hereto.

#### LESS AND EXCEPT the following described property:

The south 470 feet of the north 940 feet of the east 185.5 feet of Lot 6 of the W.O. Crump Subdivision of the Crawford tract (unrecorded) the part conveyed hereby being more particularly described as follows:

Beginning at a point in the east line of Lot 6 of the W.O. Crump Subdivision of the Crawford tract, said point being 470 feet south of the south line of State Highway #15, as measured along the east side of said Lot 6; said point being also in the east line of a part of said Lot 6 conveyed to J.D. McClanahan et ux by Warranty Deed in Book 1969, Page 389; thence southwardly and along the east line of said Lot 6 and along the east line of the said J.D. McClanahan tract a distance of 470 feet at the southeast corner of the said J.D. McClanahan et ux tract; thence west and parallel to the south line of said State Highway #15 a distance of 185.8 feet to a point at the southwest corner of the said J.D. McClanahan et ux tract;; thence north and along the west line of the said J.D. McClanahan et ux tract and parallel to the east line of said Lot 6 a distance of 470 feet to a point; thence eastwardly 185.8 feet to the point of beginning, being the same property conveyed to Malcolm Davie McClanahan and wife, Virginia B. McClanahan by Warranty Deed recorded in Plat Book 4079, Page 197, in the Register's Office of Shelby County, Tennessee.

#### PARCEL 2:

The north 470 feet of the west 185.8 feet of Lot 6, of the W.O. Crump Subdivision of the Crawford tract (unrecorded) the part conveyed hereby being more particularly described as follows:

Beginning at a point in the south line of State Highway 15 a distance of 1935.1 feet east of the center line of State Highway #1; running thence east with the south line of said State Highway 15 a distance of 185.8 feet to a point, the northwest corner of a part of said Lot 6 conveyed to J.D. McClanahan et ux by Warranty Deed in Book 1969, Page 389; thence

southwardly and along the east line of said J.D. McClanahan et ux tract a distance of 470 feet to a point; thence westwardly and parallel to the center line of said Highway 15 a distance of 185.8 feet to a stake in the west line of said Lot 6, said point being also in the west line of property conveyed to Malcolm Davie McClanahan et ux by Deed in Book 1981, Page 222; thence northwardly and along the west line of the aforesaid Lot 6, and along the west line of the said Malcolm David McClanahan tract a distance of 470 feet to the point of beginning, and being the same property conveyed to the parties hereto by Warranty Deed recorded in Plat Book 4079, Page 199, in the Register's Office of Shelby County, Tennessee.

#### LESS AND ESCEPT the following described property:

Part of Lot 6 of the W.O. Crump Subdivision of the Crawford tract (unrecorded) the part conveyed hereby being more particularly described as follows:

Beginning at an iron fence post in the east line of Lot 5 of the W.O. Crump Subdivision (unrecorded) said point being the southwest corner of a part Lot 6 conveyed to J.D. McClanahan et ux by Warranty Deed dated October 28, 1958, executed by Malcolm Davie McClanahan et ux; thence south 81 degrees 45 minutes east a distance of 371.6 feet to an iron stake in the dividing line between Lots 6 and 7 of the W.O. Crump Subdivision, said point being 470 feet south of the south line of State Highway 15 as measured along the east line of said Lot 6; thence north 7 degrees west and along the east line of said Lot 6 a distance of 31.1 feet to a stake 438.9 feet south of the south line of State Highway 15; thence north 7 degrees west a distance of 364.6 feet to the point of beginning, and containing .13 of an acre as shown on Plat of Survey by Ashley G. Wiles dated November 24, 1958, and being the same property conveyed by J.D. McClanahan and wife, Margarete H. McClanahan and R.T. Edwards and wife, Ruth I. Edwards by Warranty Deed of record in Book 4082, Page 307, in the Register's Office of Shelby County, Tennessee.

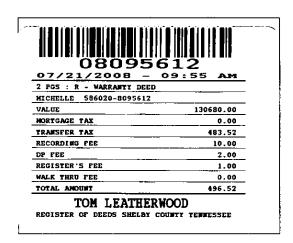
. . . . .



# Tom Leatherwood

Shelby County Register

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



THIS INSTRUMENT PREPARED BY: JOHN P. ROBERTS, ATTORNEY 6399 Stage Road Bartlett, Tennessee 38134 (901) 382-8088

#### WARRANTY DEED

THIS INDENTURE, made and entered into this 8TH day of JULY, 2008,

by and between

WILLIAM RICHARD MCCLANAHAN, SUCCESSOR TRUSTEE OF THE MJARGARET MAYES MCCLANAHAN TRUST DATED MARCH 23, 1998,

party of the first part,

and

WILLIAM R. MCCLANAHAN AND SHIRLEY A. ZACHRY, TENANTS IN COMMON,

party of the second part,

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

A ONE ACRE LOT IN THE NORTHWEST CORNER OF LOT 7 OF THE UNRECORDED SUBDIVIION MADE BY W.O. CRUMP OF THE SIMON CRAWFORD 80 ACRE TRACT, BEGINNING AT A POINT IN THE SOUTH LINE OF U.S. HIGHWAY #64, 271.6 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 7; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF U.S. HIGHWAY #64, 100 FEET TO A POINT IN THE WEST LINE OF THE SAID LOT 7; THENCE NORTH WITH THE WEST LINE OF LOT 7, 438.9 FEET TO A POINT IN THE SOUTH LINE OF U.S. HIGHWAY #64; THENCE EAST WITH THE SOUTH LINE OF U.S. HIGHWAY #64, 100 FEET TO THE POINT OF BEGINNING, CONTAINING ONE ACRE, MORE OR LESS, AND BEING THE ONE ACRE EXCEPTED FROM THE TRUST DEED RECORDED IN BOOK 1577, PAGE 299, IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE.

**BEING** all or a part of the same property and description as shown in Warranty Deed of record in Book 3438, Page 75 and Quit Claim Deed of record as Instrument No. HH 1390, in the Register's Office of **Shelby** County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, its heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that it is lawfully seized in fee of the aforedescribed real estate; that it has good right to sell and convey the same; that the same is unencumbered, except: any taxes not yet due and payable, but constituting a lien, which the party of the second part assumes and agrees to pay; all covenants, easements, restrictions, reservations, conditions and rights appearing of record against the abovedescribed property, including:

any subdivision restrictions in Book 3892, Page 531;

and any easements of record in Book 2204, Page 1; Instrument No. U7 9322; Instrument No. W7 6161 and Instrument No. 04040767:

all of record in the Register's Office of Shelby County, Tennessee;

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

Any reference to recorded instruments is reference to the Register's Office in said County.

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

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

THE MARGARET MAYES MCCLANAHAN TRUST DATED MARCH 23, 1998  BY Malla March 24, 1998
WILLIAM RICHARD MCCLANAHAN SUCCESSOR TRUSTEE
SOCCESSON MOSTEE

### ₹ 💥

## STATE OF TENNESSEE COUNTY OF SHELBY

Personally appeared before me, a Notary Public in and for said State and County, WILLIAM RICHARD MCCLANAHAN, SUCCESSOR TRUSTEE OF THE MARGARET MAYES MCCLANAHAN TRUST DATED MARCH 23, 1998 with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged himself to be the Successor Trustee of THE MARGARET MAYES MCCLANAHAN TRUST DATED MARCH 23, 1998, the within named bargainor, a trust, and that he as such Successor Trustee executed the within instrument for the purposes therein contained, by signing the name of the trust by himself as Successor Trustee.

TRUSTEE ACKNOWLEDGMENT

WITNESS my hand, at office, this 8th day of July, 2008.

Notary Public

My Commission Expires: 04/07/09

MAIL TAX BILLS TO: PROPE

PROPERTY ADDRESS: PROPERTY OWNER'S NAME & ADDRESS:

WILLIAM R. MCCLANAHAN 7093 HIGHWAY 64

MEMPHIS, TN 38133

SHIRLEY A. ZACHRY
29 NORMANDY CR.

WILLIAM R. MCCLANAHAN &

MEMPHIS, TN 38111 MEMPHIS, TN 38111

FILE #: 08-06164

29 NORMANDY CR

T.G.#:

TAX PARCEL I.D#:

92-2-3

TENNESSEE

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is \$130,680.00 which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this 8TH day of JULY, 2008

Notero Public

My Commission Expires: 04/07/09

P. ROBE

STATE OF TENNESSEF NOTARY PUBLIC

Commission Expires April

#### **RETURN TO:**

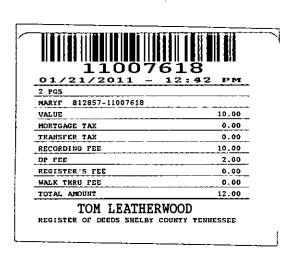
John P. Roberts, Attorney 6399 Stage Road Bartlett, Tennessee 38134 (901) 382-8088



## Tom Leatherwood

Shelby County Register

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



PREPARED BY AND RETURN TO: JOHN P. ROBERTS, ATTORNEY 6399 Stage Road Bartlett, Tennessee 38134 (901) 382-8088

### **QUIT CLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM RICHARD MCCLANAHAN, TRUSTEE OF THE MARGARET MAYES MCCLANAHAN TRUST DATED MARCH 23, 1998, for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, does hereby bargain, sell, remise, quit claim and convey unto WILLIAM RICHARD MCCLANAHAN, TRUSTEE OF THE RJS TRUST DATED MARCH 8, 1999, the following described real estate, situated and being in the County of SHELBY. State of Tennessee:

A one acre lot in the northwest corner of lot 7 of the unrecorded subdivision made by W. O. Crump of the Simon Crawford 80 acre tract, beginning at a point in the south line of U.S. Highway 64 271.6 feet west of the northeast corner of said lot 7; thence south and parallel with the east line of the said lot 438.9 feet to a point; thence west and parallel with the south line of U.S. Highway 64 100 feet to a point in the west line of lot 7 438.9 feet to a point in the south line of U.S. Highway 64; thence east with the south line of U.S. Highway 64 100 feet to the point of beginning, containing one acre, more or less, and being the one acre lot excepted from the trust deed recorded in Book 1577, Page 299, in the Register's Office of Shelby County, Tennessee.

BEING all or a part of the same property and description as described in QUITCLAIM DEED of record in Instrument No. HH1390 in the Register's Office of SHELBY County, Tennessee.

IN TESTIMONY WHEREOF I (WE) have executed this instrument this the 17TH day of JANUARY, 2011.

WILLIAM RICHARD MCCLANAHAN, TRUSTEE OF THE MARGARET MAYES MCCLANAHAN

TRUST DATED MARCH 23, 1998

THIS INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH OR TITLE EXAMINATION. PREPARER MAKES NO REPRESENTATIONS CONCERNING THE ADEQUACY OR SUFFICIENCY OF TITLE.

#### TRUSTEE ACKNOWLEDGMENT

#### STATE OF TENNESSEE COUNTY OF SHELBY

Personally appeared before me, a Notary Public in and for said State and County, WILLIAM RICHARD MCCLANAHAN, TRUSTEE OF THE MARGARET MAYES MCCLANAHAN TRUST DATED MARCH 23, 1998 with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged himself to be the TRUSTEE OF THE MARGARET MAYES MCCLANAHAN TRUST DATED MARCH 23, 1998, the within named bargainor, a trust, and that they as such Trustee executed the within instrument for the purposes therein contained, by signing the name of the trust by himself as Trustee.

WITNESS my hand, at office, this 17TH day of JANUARY, 2011.

My Commission Expires: 03/20/2013

//

Notary

MAIL TAX STATEMENTS TO:

WILLIAM RICHARD MCCLANAHAN, TRUSTEE

STATE

TENNESSEE NOTARY PUBLIC

ROSK

STATE

THE RJS TRUST DATED MARCH 8, 1999

29 NORMANDY CIRCLE MEMPHIS, TN 38111

PROPERTY ADDRESS:

7105 HIGHWAY 64 MEMPHIS, TN 38133

OWNER & ADDRESS:

WILLIAM RICHARD MCCLANAHAN, TRUSTEE

THE RJS TRUST DATED MARCH 8, 1999

29 NORMANDY CIRCLE MEMPHIS, TN 38111

TAX PARCEL I.D.#:

092-002-00004

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.

TRANSFER TAX EXEMPT IN ACCORDANCE WITH T.C.A. § 67-4-409(a)(3)(F)

Affian

Subscribed and sworn to before me this 17TH day of JANUARY, 2011

Notary Public

My Commission Expires: 03/20/2011

RETURN TO:

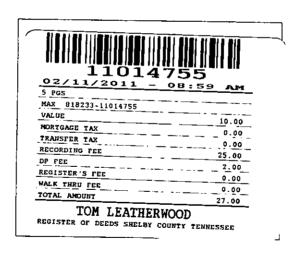
John P. Roberts, Attorney 6399 Stage Road Bartlett, TN 38134 (901) 382-8088



## Tom Leatherwood

Shelby County Register

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Return to: FNTG Chicago Title | Fidelity National Title | Lawyer's Title 6060 Poplar Avenue, Suite LL37 Memphis, TN 38119

PREPARED BY AND RETURN TO: JOHN P. ROBERTS, ATTORNEY 6399 Stage Road Bartlett, Tennessee 38134 (901) 382-8088

## QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM RICHARD MCCLANAHAN, SUCCESSOR TRUSTEE FOR JOHN D. MCCLANAHAN UNDER AGREEMENT DATED DECEMBER 28, 1989, for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, does hereby bargain, sell, remise, quit claim and convey unto WILLIAM RICHARD MCCLANAHAN, TRUSTEE OF THE RJS TRUST DATED MARCH 8, 1999, his undivided 1/2 (One-half) interest in the following described real estate, situated and being in the County of SHELBY, State of Tennessee:

#### SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

Return to: FNTG Chicago Title | Fidelity National Title | Lawyer's Title 6060 Poplar Avenue, Suite LL37 Memphis, TN 38119

BEING all or a part of the same property and description as described in QUITCLAIM DEED of record in Instrument No. JH7598 in the Register's Office of SHELBY County, Tennessee.

IN TESTIMONY WHEREOF I (WE) have executed this instrument this the 17TH day of JANUARY, 2011.

WILLIAM RICHARD MCCLANAHAN, SUCCESSOR TRUSTEE FOR JOHN D. MCCLANAHAN UNDER AGREEMENT DATED

**DECEMBER 28, 1989** 

THIS INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH OR TITLE EXAMINATION. PREPARER MAKES NO REPRESENTATIONS CONCERNING THE ADEQUACY OR SUFFICIENCY OF TITLE.

#### TRUSTEE ACKNOWLEDGMENT

#### STATE OF TENNESSEE COUNTY OF SHELBY

Personally appeared before me, a Notary Public in and for said State and County, WILLIAM RICHARD MCCLANAHAN, SUCCESSOR TRUSTEE FOR JOHN D. MCCLANAHAN UNDER AGREEMENT DATED DECEMBER 28, 1989 with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged himself to be the SUCCESSOR TRUSTEE FOR JOHN D. MCCLANAHAN UNDER AGREEMENT DATED DECEMBER 28, 1989, the within named bargainor, a trust, and that he as such Trustee executed the within instrument for the purposes therein contained, by signing the name of the trust by himse

WITNESS my hand, at office, this 17TH day of JANUARY, 2011.

My Commission Expires: 03/20/2013

MAIL TAX STATEMENTS TO:

WILLIAM RICHARD MCCLANAHAN, TRUSTEE

STATE OF ENNESSEE чатаку

PUBLIC

RO8

STATE

ENNESSEE

NOTARY

PUBLIC

On Office BY COUNTY

THE RJS TRUST DATED MARCH 8, 1999

29 NORMANDY CIRCLE MEMPHIS, TN 38111

otary Public

PROPERTY ADDRESS:

7117 U.S. HIGHWAY 64 MEMPHIS, TN 38133

**OWNER & ADDRESS:** 

WILLIAM RICHARD MCCLANAHAN, TRUSTEE

THE RJS TRUST DATED MARCH 8, 1999

29 NORMANDY CIRCLE MEMPHIS, TN 38111

TAX PARCEL I.D.#:

092-002-00005

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.

TRANSFER TAX EXEMPT IN ACCORDANCE WITH T.C.A. § 67-4-409(a)(3)(F)

Subscribed and sworn to before me this 17TH day of JANUARY, 2011

Nota,

My Commission Expires: 03/20/2011

RETURN TO:

John P. Roberts, Attorney 6399 Stage Road Bartlett, TN 38134 (901) 382-8088

## **EXHIBIT "A"**

#### LEGAL DESCRIPTION

1.72 acres, more or less, being part of the Mary McClanahan 24.60 acre tract, and being more particularly described as follows:

### ORIGINAL MARY MCCLANAHAN 24.60 ACRE TRACT:

24.60 acres, being a part of the Simon Crawford west 80 acres of that part of the H. S. Williams tract lying south of the Memphis and Somerville Road, said 24.60 acres being Lot No. 7 of an unrecorded subdivision made by W. O. Crump of said Simon Crawford tract and said 24.60 acres, being more particularly described as follows:

Beginning in the south line of the Lee Highway (U.S. Highway No. 64) at the northeast corner of the Crawford tract, being the northwest corner of the Rock 107 acres; thence south 7 degrees east along the east line of the Crawford tract 2855.2 feet to a creek; thence west 371.6 feet; thence north 7 degrees west 2909 feet to the south line of Lee Highway; thence eastwardly with said south line 371.6 feet to the point of beginning, containing 24.60 acres according to survey by C.G. Richardson.

This same tract being conveyed to Mary McClanahan by E.W. Mathis and wife, Annie Mathis, b deed dated August 15, 1938, and filed of record in deed book No. 1584, Page 566, in the Register's Office of Shelby County, Tennessee.

#### LESS AND EXCEPT FIRST CONVEYANCE:

1.01 acres, more or less, conveyed by Mary McClanahan to W.E. McClanahan and wife, Bessie McClanahan, by deed dated August 15, 1938, and filed for record in deed book 1597, Page 328 and by deed of correction dated December 14, 1938, and filed for record in deed book 1606, Page 299, all in the Register's Office of Shelby County, Tennessee, said 1.01 acres being more particularly described as follows:

A one acre lot in the northwest corner of Lot 7 of the unrecorded subdivision made by W.O. Crump of the Simon Crawford 80 acre tract, beginning at a point in the south line of U.S. Highway #64, 271.6 feet west of the northeast corner of said lot 7; thence south and parallel with the east line of the said lot 7, 438.9 feet to a point; thence west and parallel with the south line of U.S. Highway #61, 100 feet to a point in the west line of the said lot 7; thence orth

with the west line of lot 7, 438.9 feet to a point in the south line of U.S. Highway #64; thence east with the south line of U.S. Highway #64, 100 feet to the point of beginning, containing one acre, more or less, and being the one acre lot excepted from the trust deed recorded at Book 1577, Page 299, in the Register's Office of Shelby County, Tennessee.

#### LESS AND EXCEPT SECOND CONVEYANCE:

20.61 acres, more or less, conveyed by Mary McClanahan to H.T. Edwards and wife, Ruth Edwards, by deed dated July 16, 1954, and filed for record in deed book 3303, page 360, in the Register's Office of Shelby County, Tennessee, more particularly described as follows:

Beginning at a point in the west line of the Mary McClanahan 24.60 acres, 438.9 feet south of the south line of U.S. Highway No. 64, being the southwest corner of the W.E. McClanahan tract; running thence eastwardly with the W.E. McClanahan south line, passing his southeast corner on a straight line, approximately 371 feet to a point in the east line of the Mary McClanahan tract; thence south with the Mary McClanahan east line to her southeast corner approximately 24.70 feet; thence westwardly 371.6 feet to the Mary McClanahan southwest corner; thence northwardly with the north line of the Mary McClanahan tract 2416.3 feet to the point of beginning, containing in all 20.61 acres, more or less.

#### LESS AND EXCEPT THIRD CONVEYANCE:

A Temporary Construction Easement only on the Mary McClanahan McCreight 1.72 acre tract recorded in Book 1584, Page 566, in the Register's Office, Shelby County, Tennessee, being located on the South side of U.S. Highway No. 64, , 500 feet more or less East of Christoval Street, and being more particularly described as follows:

#### TEMPORARY CONTRUCTION EASEMENT

Being outside and adjacent to the present South right of way line of U.S. Highway No. 64, 33 feet from the center of the existing highway extending from the West line to the Ease line of the subject tract, being 170 feet more or less in the length and variable in width of from 5 feet more or less to 15 feet more or less as shown on the right of way Plan Sheet No. 6 of the subject project.

Containing 0.029 acres.

By this instrument the grantor (Mary McClanahan) hereby conveys a temporary construction easement.

The title to the above described land remains vested in the grantor (Mary McClanahan) and is to be used by the State of Tennessee, its contractors or its assigns for a period of three (3) years.

The consideration mentioned herein included payment for all property rights taken, also payment for any and all incidental damages to the remainder compensable under eminent domain.

#### LESS AND EXCEPT FIRST DEVISE:

1.01 acres, more or less, devised to Margaret McClanahan by Decedent's Will admitted to probate on May 3, 1996, in the Probate Court of Shelby County, Tennessee, Docket Number B-27390, more particularly described as follows:

Part of Lot 7, W.O. Crump Subdivision of part of the Simon Crawford 80 acres, being more particularly described as follows:

Beginning at a stake in the south line of U.S. Highway #64, 171.6 feet westwardly from the northeast corner of said Lot 7, W.O. Crump Subdivision; thence westwardly along said south line of U.S. Highway #64, 100 feet to a point 100 feet eastwardly from the dividing line between Lots 6 and 7; thence southeastwardly parallel with said dividing line 438.9 feet to a point; thence eastwardly 438.9 feet to the point of beginning; being part of the same property conveyed to Mary McClanahan by warranty deed of record in book 1584, page 566, in the Register's Office of Shelby County, Tennessee.

Return To: John P. Roberts, Attorney 6399 Stage Road Bartlett, TN 38134



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

February 14, 2025

Brenda Shackleford, CSDG 2305 Kline Avenue, Suite 300 Nashville, Tennessee 37211

Sent via electronic mail to: <u>BrendaS@csdqtn.com</u>

Case Number: Z 2025-001

LUCB Recommendation: Approval

Dear applicant,

On Thursday, February 13, 2025, the Memphis and Shelby County Land Use Control Board recommended *approval* of your rezoning application located at 7073-7117 Stage Road to be included in the Commercial Mixed-Use - 2 (CMU-2) 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) 636-6619 or via email at chloe.christion@memphistn.gov.

Letter to Applicant Z 2025-001

Respectfully,

Chloe Christian

Chloe Christion Planner II

Land Use and Development Services Division of Planning and Development

Cc: Caleb Neal, CSDG

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, <u>April 8, 2025</u> 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:

<b>CASE NUMBER:</b>	Z 2025-001			
LOCATION:	7073, 7093, 7105 and 7117 Stage Road			
COUNCIL DISTRICTS:	District 1 and Super District 9 – Positions 1, 2, and 3			
OWNER/APPLICANT:	Greg Glaser, Franklin Land Association			
REPRESENTATIVE:	Brenda Shackleford, CSDG			
REQUEST:	Rezoning of $\pm$ -7.24 acres from Conservation Agriculture (CA) to Commercial Mixe Use $\pm$ 2 (CMU-2)			
RECOMMENDATIONS:				
Memphis and Shelby County	y Division of Planning and Development: Approval			
Memphis and Shelby County	y Land Use Control Board: Approval			
such remonstrance's or prote you will be present if you wi	nessee 38103 to hear remonstrance's or protests against the making of such changes; ests must be by personal appearances, or by attorneys, or by petition, and then and there ish to remonstrate or protest against the same.  FORD CANALE			
ATTEST:	CHAIRMAN OF COUNCIL			
KAMETRIS WYATT CITY COMPTROLLER TO BE PUBLISHED:				



WATTS DONALD P & KATHRYN A 2955 CHRISTOVAL ST # MEMPHIS TN 38133

BROOKS DAVID B FAMILY TRUST 12057 CRANSTON DR # ARLINGTON TN 38002 WELCH WILBUR L & RUBENA B REVOCABLE 2926 CHRISTOVAL ST # MEMPHIS TN 38133

BROOKS LOUIS D & VIRGIE L 2953 CROWELL ST # MEMPHIS TN 38133

SMITH WEI L 8659 MEMPHIS ARLINGTON DR # BARTLETT TN 38133 MCELVAIN JONNY 7185 LAMESA LN # BARTLETT TN 38133

MOORE DEBORAH L 2954 CHRISTOVAL ST # MEMPHIS TN 38133 RODRIQUEZ ALFREDO E & MIRIAM J B MACIAS 7192 LAMESA LN # MEMPHIS TN 38133 MALHOTRA SUHAIL 41 WALLER ST #205 AUSTIN TX 78702

RS RENTAL I LLC 1955 VAL VISTS DR #126 MESA AZ 85204

CHIN M BERNICE 7181 LAMESA LN # MEMPHIS TN 38133 LOWRIGHT CHRISTOPHER J & JOHANNAH 2920 CHRISTOVAL ST # MEMPHIS TN 38133

BIGGER TIMOTHY J & AGNES O 2941 CHRISTOVAL ST # MEMPHIS TN 38133 LAMBERT CRAIG A 7196 LAMESA LN # MEMPHIS TN 38133 BREWER JOANN L 7195 LAMESA LN # MEMPHIS TN 38133

SOBCZAK JOHN R & SHERRI L 2946 CHRISTOVAL ST # BARTLETT TN 38133

STAGECOACH COLLECTION BACELINE LLC 511 BROADWAY # DENVER CO 80203 POWELL MATTHEW & JENNIFER HARDEE-POWELL 2907 CHRISTOVAL ST # MEMPHIS TN 38133

POPE JOSEPH D & MADISON 2946 CROWELL ST # MEMPHIS TN 38133 COOK GREGORY B AND DOUGLAS B COOK (RS)
7200 LAMESA LN #
MEMPHIS TN 38133

DUONG DUNG 7029 LAURA CIR # BARTLETT TN 38133

GASKINS ARTHUR W 7174 LAMESA LN # BARTLETT TN 38133 CGW ENTERPRISES LLC 2881 WHITTEN RD # BARTLETT TN 38134

MASON HARRISON AND JARRARD ENT (50%) AND PO BOX 751510 #
MEMPHIS TN 38175

DUNN KEVIN M 2939 CROWELL ST # BARTLETT TN 38133 YU DIANE 3695 STONETRACE CIR # BARTLETT TN 38135 HOME SFR BORROWER LLC 3505 KOGER BLVD #400 DULUTH GA 30096

THEISEN COLLEEN
2935 CHRISTOVAL ST #
MEMPHIS TN 38133

MONTOYA THERESA 2921 CHRISTOVAL ST # MEMPHIS TN 38133 BRITTON DOUGLASS L 6988 DEBRA CV # MEMPHIS TN 38133

CRUTCHFIELD CHRISTOPHER A & 6992 DEBRA CV # MEMPHIS TN 38133	BANUELOS JONATHAN A L 6997 DEBRA CV # MEMPHIS TN 38133	HESTER TRAVIS L 6982 JUANITA CIR # MEMPHIS TN 38133
ODOM ROBERT K	SOUTHERN PROPERTY INVESTORS	UTLEY CAROLYN L
6998 DEBRA CV #	PO BOX 342707 #	6988 JUANITA CIR #
MEMPHIS TN 38133	MEMPHIS TN 38184	MEMPHIS TN 38133
BAPTIST MEMORIAL MEDICAL GROUP INC	MATA ROSA & CESAR L DOMINGUEZ	VU HAI
350 N HUMPHREYS BLVD #	7003 DEBRA CV #	2667 LAKESIDE DR #
MEMPHIS TN 38120	MEMPHIS TN 38133	MEMPHIS TN 38133
CRUZ IRMA B AND NANCY B CRUZ	BAPTIST MEMORIAL MEDICAL GROUP INC	TRAN LIEM N & DO THI CAO
142 TIMBER CREEK DR #	350 N HUMPHREYS BLVD #	7048 LAURA CIR #
CORDOVA TN 38018	MEMPHIS TN 38120	MEMPHIS TN 38133
COUNTRYSIDE CENTER LLC	RAYFORD SHANIQUA	WILLIAMS MOE CONSTRUCTION CO INC
PO BOX 491817 #	7021 DEBRA CV #	7050 LAURA CIR #
LOS ANGELES CA 90049	MEMPHIS TN 38133	MEMPHIS TN 38133
COUNTRYSIDE CENTER LLC	HERNANDEZ FRANCISCO A	LEFEVER BETH J
PO BOX 491817 #	7025 DEBRA CV #	7002 JUANITA CIR #
LOS ANGELES CA 90047	MEMPHIS TN 38133	MEMPHIS TN 38133
SEGERSON PERRI C	MCDONALD-MARTIN DONNA	CARTER STEVEN L
7040 DEBRA CV #	7031 DEBRA CV #	7086 MARYLAND CT #
MEMPHIS TN 38133	MEMPHIS TN 38133	MEMPHIS TN 38133
CONNOLLY THERESA N	ZUANAZZI FLAVIA G & GIANNI M	CSMA BLT LLC
6979 DEBRA CV #	7045 DEBRA CV #	1850 PARKWAY PL #900
MEMPHIS TN 38133	MEMPHIS TN 38133	MARIETTA GA 30067
FLEMING JESSE K	VATTER DAVID W AND KRISTY E SMITH (RS)	BREWER MAXINE V
6983 DEBRA CV #	6978 JUANITA CIR #	7094 MARYLAND CT #
MEMPHIS TN 38133	MEMPHIS TN 38133	MEMPHIS TN 38133
NGUYEN MICHAEL A & TANIA T	GOLDSTAR HOMES LLC	JORDAN BRIANNA M
6987 DEBRA CV #	3840 WINCHESTER RD #	7020 LAURA CIR #
MEMPHIS TN 38133	MEMPHIS TN 38118	MEMPHIS TN 38133

PROGRESS RESIDENTIAL BORROWER 16 LLC CSMA BLT LLC MURPHY ANITA R (ESTATE OF) 1850 PARKWAY PL #900 7039 LAURA CIR # PO BOX 4090 # SCOTTSDALE AZ 85261 MARIETTA GA 30067 MEMPHIS TN 38133 BELLE PROPERTIES GROUP LLC PERLSEN NATHAN AND TERRANCE E DAVIS (RS) SHORT MARZEE L PO BOX 341381 # 2829 VAN LEER DR # 2819 MARYLAND CIR # MEMPHIS TN 38184 MEMPHIS TN 38133 MEMPHIS TN 38133 MILLER JAMES A & DENA R SZIMANOUSS CHRISTOPHER SHIELDS RICKY D 6991 JUANITA CIR # 7028 LAURA CIR # 6988 JUANITA CV # MEMPHIS TN 38133 MEMPHIS TN 38133 MEMPHIS TN 38133 PANYANOUVONG THRONGSAVANH & XAYPHONE ERAZO WENDY Y & JUAN RODRIGUEZ ALVARADO MARICELA 7112 MARYLAND CT # 2814 LAURA CIR # 6999 JUANITA CIR # MEMPHIS TN 38133 MEMPHIS TN 38133 **BARTLETT TN 38133** RILEY PEARLIE MULUPURU JAYARAM & SRIMANI HOME SFR BORROWER LLC 7040 LAURA CIR # 24127 NE 1ST PL # 3505 KOGER BLVD #400 MEMPHIS TN 38133 SAMMAMISH WA 98074 DULUTH GA 30096 SAETHIA AKE & ERIKA WONG MITCHELL BRUCE FKH SFR C2 LP 39483 RIDGE PARK DR # 753 EHRHORN AVE #8 1850 PARKWAY PL #900 SEVERANCE CO 80610 MOUNTAIN VIEW CA 94041 MARIETTA GA 30067 OROZCO JOSE D & YOLANDA RUIZ EDUARDO S TOVAR JOSE S V & BERTHA R MIRANDA 7120 MARYLAND CT # 7029 LAURA CIR # 7000 JUANITA CV # MEMPHIS TN 38133 MEMPHIS TN 38133 MEMPHIS TN 38133 ALLEN VICTOR A HENSLEY BILL AND REBA HENSLEY TRUST RAYO JOSE O & PATRICIA VERGARA 784 ROCKY POINT RD # 7178 RANSDORP DR # 2808 LAURA CIR # CORDOVA TN 38018 MEMPHIS TN 38133 MEMPHIS TN 38133 STARNES CHRISTOPHER K RUIZ SANDRA CERVANTES JUAN J 6183 GUFFIN CV # 7132 MARYLAND CT # 2808 VAN LEER DR # MEMPHIS TN 38133 MEMPHIS TN 38133 BARTLETT TN 38135

EDINBURGH WANZY G 6985 JUANITA CV #N MEMPHIS TN 38133 WALKER WILLIAM R 401 UTAH DR #H PETALUMA CA 94952 ERAZO DAVID & SARAH FRIZZELL 7173 RANSDORP DR # MEMPHIS TN 38133

FKH SFR PROPCO I LP 1850 PARKWAY PL #900 MARIETTA GA 30067		
KING DAVID JR & TANJA 2802 LAURA CIR # MEMPHIS TN 38133	DUONG DUNG P 7029 LAURA CIR # MEMPHIS TN 38133	
FKH SFR PROPCO I LP 1850 PARKWAY PL #900 MARIETTA GA 30067		HARDIN RANDLE D & LORENZA S 2947 CHRISTOVAL ST # MEMPHIS TN 38133
GLASS KELLY 2801 LAURA CIR # BARTLETT TN 38133	FLORES KIMBERLY D 7172 VOLENDAM CV # MEMPHIS TN 38133	
STRANGE JOHN R & TRISH RUTH LANDON 2803 MARYLAND CIR # MEMPHIS TN 38133	GATERE SOPHIAH M 700 STONEFIELD CIR #727 MAUSTON WI 53948	
CSMA BLT LLC 1850 PARKWAY PL #900 MARIETTA GA 30067	FAUST LISA C 2776 VAN DER VEER DR # MEMPHIS TN 38133	SUAREZ JOSE S 7199 LAMESA LN # MEMPHIS TN 38133
ISOM LARRY E & PATRICIA A 1430 RABBIT RIDGE RD # RED BANKS MS 38661	JACKSON LUTHER E & PEGGY J 2786 VAN LEER DR # MEMPHIS TN 38133	LI XINGCHEN 743 E MANDEVILLA WAY # AZUSA CA 91702
MENDEZ J SANTOS & CLARA 7003 JUANITA CV # MEMPHIS TN 38133	HARRELL SHANNON D 7095 MARYLAND CIR # MEMPHIS TN 38133	POWERS DAVID M 7209 LAMESA LN # MEMPHIS TN 38133
GARCETE OSCAR & LIDA BAZAN 7178 VOLENDAM CV # MEMPHIS TN 38133	AUTIN DONEL C JR 451 BAXTER RD # LOVELAND OH 45140	SMITH KATELYN R AND ZACKERY B EVANS (RS) 2914 CHRISTOVAL ST # BARTLETT TN 38133
CHU DANNY W	KOPPE ROBERT W & CAROLYN	GOINSPLACES LLC

217 HERITAGE POINTE #

WILLIAMSBURG VA 23188

1519 UNION AVE #397

MEMPHIS TN 38104

385 FARLEY CMN #

FREMONT CA 94539

DAVENPORT MARILYN	SOLIMAN AHMED	SPENCER STEPHANIE AND RICKY KING (RS)
2906 CHRISTOVAL ST #	7041 DEBRA CV #	7041 LAURA CIR #
MEMPHIS TN 38133	MEMPHIS TN 38133	MEMPHIS TN 38133
NNN REIT INC	LAVARIAS KAREN E	KRUPINSKI ROBERT J
450 S ORANGE AVE #900	7034 LAURA CIR #	2815 MARYLAND CIR #
ORLANDO FL 32801	MEMPHIS TN 38133	MEMPHIS TN 38133
SHERWIN-WILLIAM DEV CORP	ELLIS OSCAR & KYOKO	PHILLIPS THELMA & TERRY
101 W PROSPECT AVE #	7116 MARYLAND CT #	7010 JUANITA CV #
CLEVELAND OH 44115	MEMPHIS TN 38133	MEMPHIS TN 38133
STONE PROPERTIES GP PO BOX 11553 PL # MEMPHIS TN 38111	MILFORD ANNIE M 7136 MARYLAND CT # MEMPHIS TN 38133	
OROX LLC	BRADFORD JENNIFER AND JIMMY E BRADFORD A	PEEPLES-DICOCCO LIVING TRUST
PO BOX 1104 #	2825 MARYLAND CIR #	3455 COUNTY ROAD 751 #
CULVER CITY CA 90232	MEMPHIS TN 38133	JONESBORO AR 72405
RUSSELL DEDRICK D	FIELDS ZANE	SLAUGHTER CHRISTOPHER L & DEMETRIA R
6984 DEBRA CV #	7003 JUANITA CIR #	2811 MARYLAND CIR #
MEMPHIS TN 38133	MEMPHIS TN 38133	MEMPHIS TN 38133
HOME SFR BORROWER II LLC	ORELLANA GISELLE E	WALKER SHIRLEY
3505 KOGER BLVD #400	7162 RANSDORP DR #	7030 LAURA CIR #
DULUTH GA 30096	MEMPHIS TN 38133	MEMPHIS TN 38133
VONGPHRACHANH PHIENGMANY & SOMJIT	COOPER ARNETTA AND JOHN E HUGHES (RS)	PARNELL BRUCE
7032 DEBRA CV #	2820 MARYLAND CIR #	7034 LAURA CIR #
MEMPHIS TN 38133	BARTLETT TN 38133	MEMPHIS TN 38133
DAVIE WILLIAM S SR AND MARY A CHASTAIN	BOGEN DONALD	LINK MARGARET M
2869 ASPEN GLADE CV #	2823 VAN LEER DR #	7179 RANSDORP DR #
CORDOVA TN 38016	MEMPHIS TN 38133	MEMPHIS TN 38133
MURAYA JENNIFER M	JOHNSON EQUITY GROUP INC AND ROBERT J	LONG DEBORAH L
6993 DEBRA CV #	1661 INTERNATIONAL DR #400	2807 MARYLAND CIR #
MEMPHIS TN 38133	MEMPHIS TN 38120	MEMPHIS TN 38133

VM MASTER ISSUER LLC CEREZO SANDRA L GALVAN REBECCA L 5001 PLAZA ON THE LAKE #200 2768 VAN LEER DR # 7116 MARKIM DR # AUSTIN TX 78746 MEMPHIS TN 38133 MEMPHIS TN 38133 HOME SFR BORROWER III LLC SPECIALIZED IRA SERVICES FBO HARRIER REDD MARTHA M 2795 VAN DER VEER DR # PO BOX 3587 # 3505 KOGER BLVD #400 MEMPHIS TN 38133 ALBUQUERQUE NM 87190 DULUTH GA 30096 OLYMPUS BORROWER LLC HALE CAROLYN A SCHULER INVESTMENTS LLC 2760 VAN LEER DR # PO BOX 4090 # 1707 STILLWIND LN # SCOTTSDALE AZ 85261 MEMPHIS TN 38133 COLLIERVILLE TN 38017 BRYAN MATTHEW AG AIM MEMPHIS RE HOLDINGS LLC LAPUH ALLEN J 6915 FOX CHASE DR # 2803 VAN LEER DR # 7007 STAGE RD # SOUTHAVEN MS 38671 BARTLETT TN 38133 MEMPHIS TN 38133 PARNELL BRYAN CARPENTER GENEKA J JONES DESHONDA 7124 MARYLAND CT # 7184 VOLENDAM CV # 2804 MARYLAND CIR # MEMPHIS TN 38133 MEMPHIS TN 38133 MEMPHIS TN 38133 RODRIGUEZ JOAQUIN DAVENPORT MARILYN A DAVIS LATONYA 2791 VAN DER VEER DR # 2906 CHRISTOVAL ST # 2802 MARYLAND CIR # MEMPHIS TN 38133 MEMPHIS TN 38133 MEMPHIS TN 38133 KING DAVID S & PENNY STAGECOACH COLLECTION BACELINE LLC NAPA HOMES LLC 7198 VOLENDAM CV # 511 BROADWAY # 10023 NW 53RD CT # MEMPHIS TN 38133 DENVER CO 80203 CORAL SPRINGS FL 33076 ML GROUP PROPERTIE LLC CRAIG TERRI L EPPERSON CHARLIE L JR AND JANET M 7125 MARYLAND CIR # 1741 TROON CV # PO BOX 11346 # GERMANTOWN TN 38139 BARTLETT TN 38133 MEMPHIS TN 38111 IVY WILLIE F & TRACY M WARD DERRICK COOPER SMORI P 2779 VAN DER VEER DR # 7102 MARKIM DR # 2793 MARYLAND CIR # MEMPHIS TN 38133 MEMPHIS TN 38133 MEMPHIS TN 38133 GODMAN SHERRY B AND ANTHONY ROGERS (RS) LAM DANG H HAMMETT JAMES F III & SAMANTHA B

7108 MARKIM DR #

MEMPHIS TN 38133

7083 MARYLAND CIR #

MEMPHIS TN 38133

7178 DEVENTER CV #

MEMPHIS TN 38133

STOLTZ ELIZABETH	MCCLANAHAN JOHN D TRUST (1/2%) AND RJS	VSM FAMILY TRUST
500 WESTOVER DR #10747	29 NORMANDY CIR #	PO BOX 1209 #
SANFORD NC 27330	MEMPHIS TN 38111	TRAVIS AFB CA 94535
CARIOTA DONALD J & JOANN	RJS TRUST AND JOHN D MCCLANAHAN	CRUZ MARCOS I
7185 VOLENDAM CV #	29 NORMANDY CIR #	2775 VAN LEER DR #
MEMPHIS TN 38133	MEMPHIS TN 38111	COLLIERVILLE TN 38017
STAGECOACH COLLECTION BACELINE LLC 511 BROADWAY # DENVER CO 80203	MCCLANAHAN WILLIAM R AND SHIRLEY A 29 NORMANDY CIR # MEMPHIS TN 38111	
NFH2 G P 5858 RIDGEWAY CENTER PKWY # MEMPHIS TN 38120	RJS TRUST 29 NORMANDY CIR # MEMPHIS TN 38111	7072 MARKIM DR #
DAEDALUS INNOVATIONS	WOODARD GARY L AND AMY D CHRISTIAN (RS)	REYES JOSE J
950 HARBOR VIEW DR #	2954 CROWELL ST #	7078 MARKIM DR #
MEMPHIS TN 38103	MEMPHIS TN 38133	MEMPHIS TN 38133
	GEORGE JOSEPH A 7173 LAMESA LN # BARTLETT TN 38133	
6975 STAGE ROAD LLC	FKH SFR PROPCO B HLD LP	BELL KIMBERLY L
2424 RIDGE RD #	1850 PARKWAY PL #900	7092 MARKIM DR #
ROCKWALL TX 75087	MARIETTA GA 30067	MEMPHIS TN 38133
SHAW LAWRENCE E & MARIE L	WILKS KIMBERLY	SMITH MATTHEW R & STEPHANIE
7004 DEBRA CV #	7188 LAMESA LN #	2771 VAN LEER DR #
MEMPHIS TN 38133	MEMPHIS TN 38133	MEMPHIS TN 38133
CSMA BLT LLC	STAFFORD ROBIN	HOME SFR BORROWER LLC
1850 PARKWAY PL #900	3554 BLUE SLATE CV #	3505 KOGER BLVD #400
MARIETTA GA 30067	BARTLETT TN 38133	DULUTH GA 30096
VINCENT RONALD & ALISA	WILSON CAROLYN D	WITHERS CAROLYN REVOCABLE LIVING TRUST
70 FOREST EDGE DR #	8936 LUDGATE PL #	7122 MARKIM DR #
EADS TN 38028	CORDOVA TN 38016	MEMPHIS TN 38133

SEU MI AND HUNG PICH	LE KIEN T	MARTINEZ MARIA A
7128 MARKIM DR #	2806 MARYLAND CIR #	2791 MARYLAND CIR #
MEMPHIS TN 38133	MEMPHIS TN 38133	MEMPHIS TN 38133
FKH SFR PROPCO D LP	MUTCHLER PHILLIP E	SALAS RUBEN A & CLAUDIA S
1850 PARKWAY PL #900	2803 MARYLAND CIR #	2790 MARYLAND CIR #
MARIETTA GA 30067	MEMPHIS TN 38133	MEMPHIS TN 38133
COUNTRYSIDE CENTER LLC	PINE GROVE RESIDENTIAL FUNDING I LLC	HARRIS LARESHA
PO BOX 491817 #	1999 BRYAN ST #13	7079 MARYLAND CIR #
LOS ANGELES CA 90047	DALLAS TX 75201	MEMPHIS TN 38133
GASCA MARCO	PRYOR GEORGE L	HEMENWAY JEFFREY N
7190 RANSDORP DR #	1319 FAIRFIELD ST #	3534 MARTIN DR #
MEMPHIS TN 38133	GLENDALE CA 91201	SAN MATEO CA 94402
CHUANG FUKAI L & VICKY TSENG	ALVARADO CALIXTO	STEPHENS DONALD O
20661 WALNUT CIR #	7058 MARKIM DR #	7099 MARYLAND CIR #
PORTER RANCH CA 91326	BARTLETT TN 38133	MEMPHIS TN 38133
ROGERS GARRY & SYLVIA	EGBERT JAMES	KOONCE RONALD D & IDALINA M
7206 RANSDORP DR #	7033 LAURA CIR #	7103 MARYLAND CIR #
MEMPHIS TN 38133	MEMPHIS TN 38133	MEMPHIS TN 38133
CARROLL JACKIE	LEGOLVAN JOSEPH H	FKH SFR C2 LP
7115 MARYLAND CT #	2424 S ORCHARD ST #	1850 PARKWAY PL #900
MEMPHIS TN 38133	DENVER CO 80228	MARIETTA GA 30067
DEVILLE HOLLY Y & JACK M 2809 VAN LEER DR # MEMPHIS TN 38133	PROGRESS RESIDENTIAL BORROWER 17 LLC PO BOX 4090 # SCOTTSDALE AZ 85261	LEYVA JOHN AND JOHN O LEYVA SR (RS) 7107 MARYLAND CIR # MEMPHIS TN 38133
NAPA HOMES LLC	ACENCIO JUAN J AND EMILIA PALMA	RAMIREZ JESSICA M
10023 NW 53RD CT #	2794 MARYLAND CIR #	2786 MARYLAND CIR #
CORAL SPRINGS FL 33076	MEMPHIS TN 38133	MEMPHIS TN 38133
IGIELSKI JANICE	HOME SFR BORROWER III LLC	JEDI INVESTMENTS LLC
2808 MARYLAND CIR #	3505 KOGER BLVD #400	6388 HUNTINGTON DR #
MEMPHIS TN 38133	DULUTH GA 30096	CARLSBAD CA 92009

HOME SFR BORROWER LLC 3505 KOGER BLVD #400 DULUTH GA 30096

ARMM ASSET COMPANY 2 LLC 5001 PLAZA ON THE LAKE #200 AUSTIN TX 78746

MAXWELL JOHN B JR (TR) 766 S WHITE STATION RD #2 MEMPHIS TN 38117

MAXWELL JOHN B JR (TR) 766 S WHITE STATION RD #2 MEMPHIS TN 38117

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

ONE ORIGINAL ONLY STAPLED TO DOCUMENTS Planning & Development DIVISION

Planning & Zoning COMMITTEE: 03/25/2025

DATE 04/08/2025

DEEDLE CESSION.

		PUBLIC SESSION:	DATE
ITEM ( <i>CHECK ONE</i> )  X ORDINANCE	RESOLUTION	X REQUEST FOR	PUBLIC HEARING
ITEM CAPTION:	RESOLUTION X REQUEST FOR PUBLIC HEARING  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, known as case number HDD 2024-0001		
CASE NUMBER:	HDD 2024-0001		
LOCATION:	43 properties within	n the 2000 to 2100 block of	Carr Avenue between Diana Street and Cooper Street
COUNCIL DISTRICTS:	District 4 and Supe	r District 9 – Positions 1, 2 a	and 3
OWNER/APPLICANT:	Hunter Oppenheim	er and 41 others	
REPRESENTATIVES:	Hunter Oppenheim	er	
REQUEST:	Designation of a new Historic (H) Overlay District		
RECOMMENDATION:	The Division of Planning and Development recommended Approval The Memphis Landmarks Commission recommended Approval The Land Use Control Board recommended Approval		
RECOMMENDED COUNC	Set Sec	olic Hearing Required date for first reading – Marcond reading – March 25, 202 rd reading – April 8, 2025	25
PRIOR ACTION ON ITEM:			
(1)		APPROVAL - (1) APPR	OVED (2) DENIED
02/13/2025 (1) Land Use Control Board	DATE rd ORGANIZATION - (1) BOARD / COMMISSION		
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE		
FUNDING: (2) \$ \$		REQUIRES CITY EXPI AMOUNT OF EXPEND REVENUE TO BE REC	
SOURCE AND AMOUNT O \$	F FUNDS	OPERATING BUDGET	
\$		CIP PROJECT #	
<u>\$</u> ====================================		FEDERAL/STATE/OTH	***************************************
ADMINISTRATIVE APPRO	OVAL:	$\frac{DATE}{2 \ln \ln \Omega}$	<u>POSITION</u>
Margot . Yo	work		URBAN DESIGN & PRESERVATION PLANNER
			DEPUTY ADMINISTRATOR
_ BUSH YOU		3/10/2	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.

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.

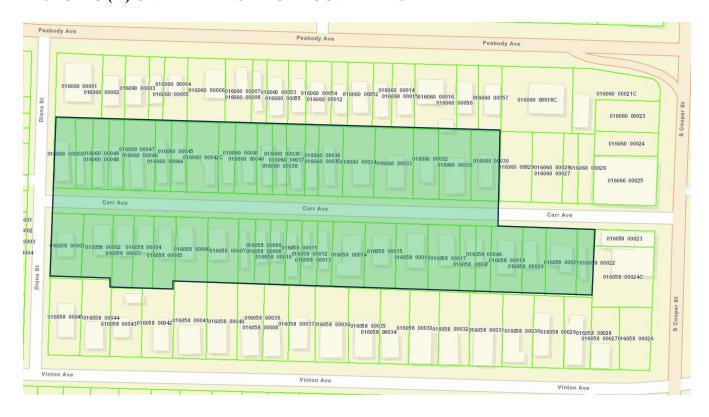
#### **SECTION 2:**

**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	Mailing Address
2035	01605800001	William Howard Sr & Linda Howard	2035 Carr Avenue, Memphis, TN 38104
2038	01606000050	Jean H Oppenheimer	2038 Carr Avenue, Memphis, TN 38104
2039	01605800002	Andrew Williams	2039 Carr Avenue, Memphis, TN 38104
2040	01606000049	Lauren Gates	2040 Carr Avenue, Memphis, TN 38104
2042	01606000048	Lindsey & Mark Neal	2042 Carr Avenue, Memphis, TN 38104
2044	01606000047	Haley C. Overcast	2044 Carr Avenue, Memphis, TN 38104
2046	01606000046	Kassey Pass	2046 Carr Avenue, Memphis, TN 38104
2047	01605800003	Delori Dever, Andra Allgood, Elliott Dever	2047 Carr Avenue, Memphis, TN 38104
2049	01605800004	Peter & Tina Sullivan	2049 Carr Avenue, Memphis, TN 38104
2052	01606000045	DJS Holdings, LLC	1900 Starling Drive, Jonesboro, AR 72401
2053	01605800005	Terri Harris	2053 Carr Avenue, Memphis, TN 38104
2054	01606000044	Ava Middleton	2054 Carr Avenue, Memphis, TN 38104
2060	01606000042C	Ronald Coleman	3406 Democrat Road, Memphis, TN 38118
2061	01605800006	Laurie Major Living Trust	2061 Carr Avenue, Memphis, TN 38104
2063	01605800007	William C & Sarah O'Daniel	2063 Carr Avenue, Memphis, TN 38104
2064	01606000041	Susan Brown	2064 Carr Avenue, Memphis, TN 38104
2065	01605800008	William G Gillespie & William P Gillespie II	2065 Carr Avenue, Memphis, TN 38104
2066	01606000040	Jamie Boller & Hugh Raup	2066 Carr Avenue, Memphis, TN 38104
2067	01605800009	Jake Hopkins	2067 Carr Avenue, Memphis, TN 38104
2068	01606000039	Amanda Bearden	2068 Carr Avenue, Memphis, TN 38104
2069	01605800010	David Carrier	2069 Carr Avenue, Memphis, TN 38104
2070	01606000038	Mary K Walton	2070 Carr Avenue, Memphis, TN 38104
2071	01605800011	James S Speed	2071 Carr Avenue, Memphis, TN 38104
2072	01606000037	Juana H McCoy	2072 Carr Avenue, Memphis, TN 38104
2073	01605800012	Hayden Malone	2073 Carr Avenue, Memphis, TN 38104
2074	01606000036	Gina Ritchey	2074 Carr Avenue, Memphis, TN 38104
2075	01605800013	Bettina Gaycken	2075 Carr Avenue, Memphis, TN 38104
2076	01606000035	David & Cynthia Hymel	2076 Carr Avenue, Memphis, TN 38104
2079	01605800014	Mary Marten	2079 Carr Avenue, Memphis, TN 38104
2080	01606000034	Wade Rhea	2080 Carr Avenue, Memphis, TN 38104
2085	01605800015	Justin & Mary Smith	2085 Carr Avenue, Memphis, TN 38104
2090	01606000033	Genesis Parker	2090 Carr Avenue, Memphis, TN 38104
2093	01605800016	Catherine Wilkinson	2093 Carr Avenue, Memphis, TN 38104
2094	01606000032	Amy G & Sophia Starks	2094 Carr Avenue, Memphis, TN 38104
2095	01605800017	Jeremiah & Gabrielle Littrice	2095 Carr Avenue, Memphis, TN 38104
2096	01606000031	Regan Hill & Glenn B Williams	2096 Carr Avenue, Memphis, TN 38104
2101	01605800046	Lindsey Medlin	2101 Carr Avenue, Memphis, TN 38104
2102	01606000030	Linda Walston	2102 Carr Avenue, Memphis, TN 38104
2103	01605800047	Marissa Actis	2103 Carr Avenue, Memphis, TN 38104
2105	01605800019	Jonathan & Courtney Brafford	6491 Kirby Woods Drive, Memphis, TN 38119
2107	01605800020	Galen Givens-Rowlin	2107 Carr Avenue, Memphis, TN 38104
2119	01605800021	Rodney Nash	2119 Carr Avenue, Memphis, TN 38104
2121	01605800022	Rodney Nash	2119 Carr Avenue, Memphis, TN 38104

**ATTEST:** 

Division of Planning and Development

– Land Use and Development Services CC:

- 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:

CASE NUMBER: HDD 2024-0001

**LOCATION:** 43 properties within the 2000 to 2100 block of Carr Avenue between

Diana Street and Cooper Street

**COUNCIL DISTRICT(S):** District 4, 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

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,

Margot Payne

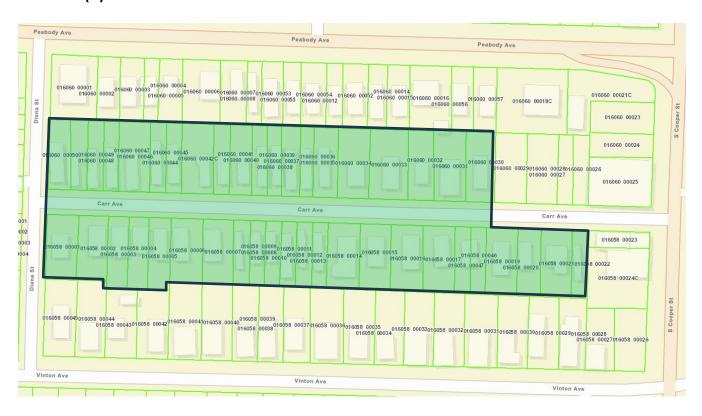
Urban Design & Preservation Planner Land Use and Development Services Division of Planning and Development

Cc: Committee Members

Hargot Flagne

File

### **HISTORIC (H) OVERLAY DISTRICT BOUNDARIES**



### **PARCEL NUMBERS**

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	.07	01605800020	Galen Givens-Rowlin	2107 Carr Avenue, Memphis, TN 38104
	19	01605800021	Rodney Nash	2119 Carr Avenue, Memphis, TN 38104
21	21	01605800022	Rodney Nash	2119 Carr Avenue, Memphis, TN 38104

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 – Positions 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**

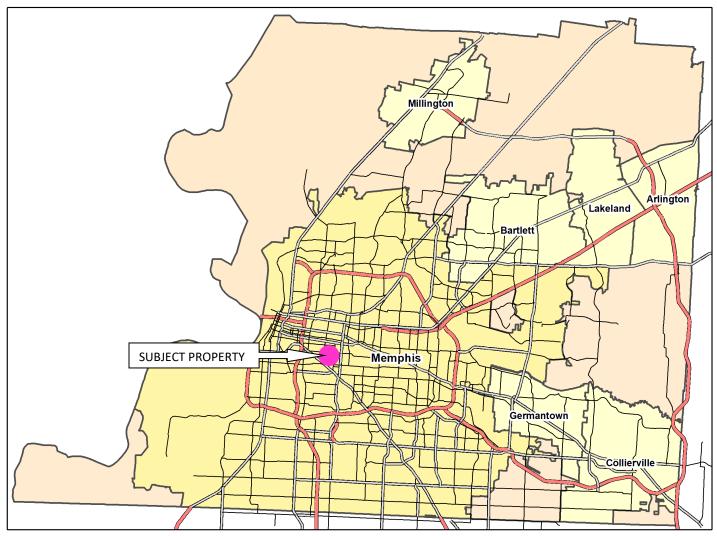
Not Applicable - The Memphis 3.0 Plan does not make recommendations related to the creation of historic overlay districts.

### **RECOMMENDATION:**

**Approval** 

Staff Writer: Margot Payne E-mail: margot.payne@memphistn.gov

### **LOCATION MAP**



Subject property located within the pink circle

### **PUBLIC NOTICE VICINITY MAP**



Subject properties highlighted in green

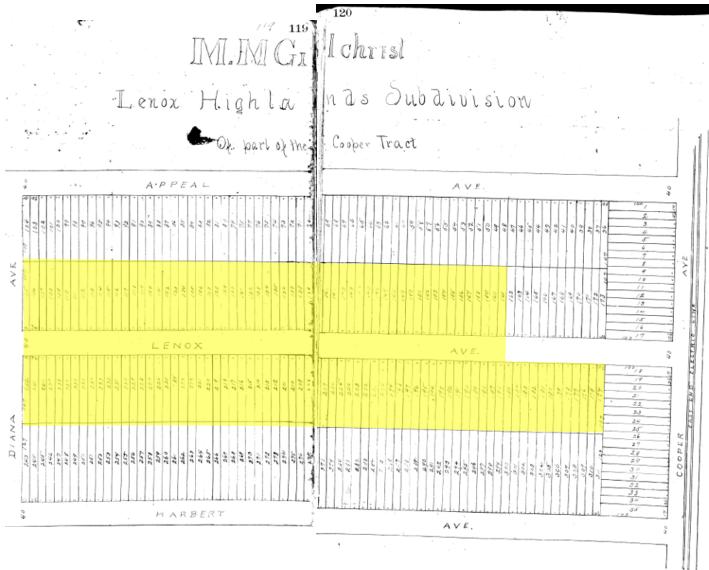
### **PUBLIC NOTICE DETAILS**

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.

# M. M GILCHRIST LENOX HIGHLANDS SUBDIVISION (1919) (PLAT BOOK 3 PAGES 119-120)



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

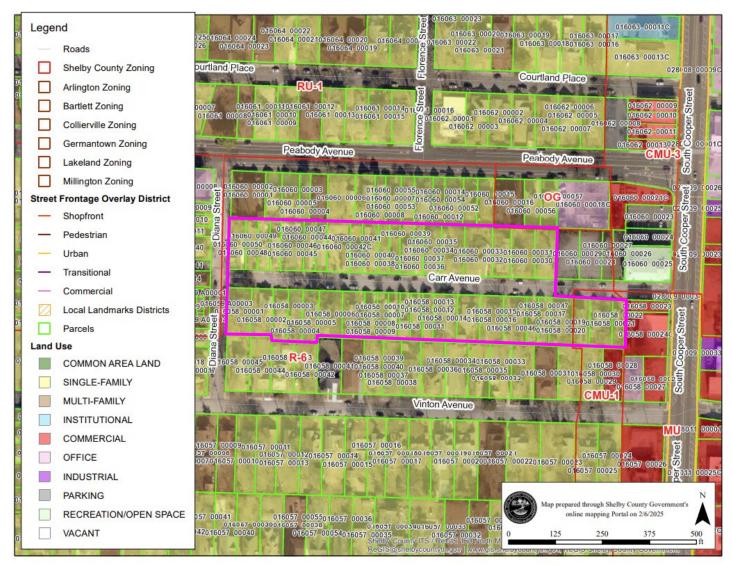
### **ZONING MAP**



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

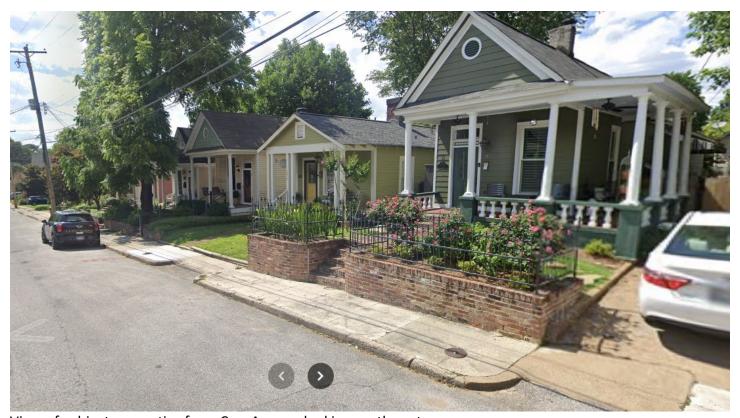


Subject properties outlined in pink.

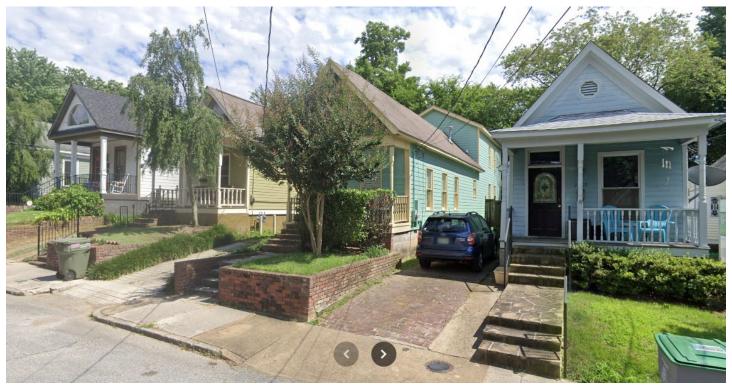
### **SITE PHOTOS**



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);
J.J., _ ( _ /			p		000 0

- 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.

### **Analysis**

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**

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.

### 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,

Margot Payne

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

Hargot F Pagne

### **MAILED PUBLIC NOTICE**

Margot Payne

☐ margot.payne@memphistn.gov

(901) 636-7184

Staff Planner Contact:

# NOTICE OF PUBLIC HEARING

SHELBY COUNTY AND DEVELOPMENT

S Cooper St.

below no later than Wednesday, February 5, 2025 Board. You are not required to attend this hearing, but you are property that is within or near a proposed new local historic You have received this notice because you own or reside on a You may also submit a letter of comment to the staff planner listed invited to do so if you wish to speak for or against this application. hearing of the Memphis and Shelby County Land Use Control ("Landmarks") district to be considered at an upcoming public

CASE NUMBER: HDD 2024-0001

LOCATION: Along Carr Ave. between Diana and S Cooper Streets

Hunter Oppenheimer

**Location:** Council Chambers

Time:

9:00 AM

City Hall 1st Floor 125 N Main St.

Date:

Thursday, Feb. 13, 2025

(included properties shown within the red and black lines).

2000 to 2100 block of Carr Ave between Diana St and S. Cooper St The proposed Carr Avenue HD consists of 43 properties on the Meeting Details

APPLICANT: REQUEST: Establishment of a new Local Historic ("Landmarks")

PROPOSED DISTRICT MAP Peabody Ave Carr Ave Vinton Ave Peabody Ave.

S Cooper St.

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



93 Notices Mailed 01/23/2025

### **SIGN AFFIDAVIT**

Shelby County State of Tennessee  I Many Many Sheing duly sworm, depose and say that at y Many pm on the 10 day of 207 posted Public Notice Sign(s) 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 hereto.  Many Commission expires: Oblines May commission expires: Oblines May commission expires: Oblines May commission Expires Aug. 9, 2025.  My Commission Expires Aug. 9, 2028
State of Tennessee

### 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	Mailing Address
2035	01605800001	William Howard Sr & Linda Howard	2035 Carr Avenue, Memphis, TN 38104
2038	01606000050	Jean H Oppenheimer	2038 Carr Avenue, Memphis, TN 38104
2039	01605800002	Andrew Williams	2039 Carr Avenue, Memphis, TN 38104
2040	01606000049	Lauren Gates	2040 Carr Avenue, Memphis, TN 38104
2042	01606000048	Lindsey & Mark Neal	2042 Carr Avenue, Memphis, TN 38104
2044	01606000047	Haley C. Overcast	2044 Carr Avenue, Memphis, TN 38104
2046	01606000046	Kassey Pass	2046 Carr Avenue, Memphis, TN 38104
2047	01605800003	Delori Dever, Andra Allgood, Elliott Dever	2047 Carr Avenue, Memphis, TN 38104
2049	01605800004	Peter & Tina Sullivan	2049 Carr Avenue, Memphis, TN 38104
2052	01606000045	DJS Holdings, LLC	1900 Starling Drive, Jonesboro, AR 72401
2053	01605800005	Terri Harris	2053 Carr Avenue, Memphis, TN 38104
2054	01606000044	Ava Middleton	2054 Carr Avenue, Memphis, TN 38104
2060	01606000042C	Ronald Coleman	3406 Democrat Road, Memphis, TN 38118
2061	01605800006	Laurie Major Living Trust	2061 Carr Avenue, Memphis, TN 38104
2063	01605800007	William C & Sarah O'Daniel	2063 Carr Avenue, Memphis, TN 38104
2064	01606000041	Susan Brown	2064 Carr Avenue, Memphis, TN 38104
2065	01605800008	William G Gillespie &William P Gillespie II	2065 Carr Avenue, Memphis, TN 38104
2066	01606000040	Jamie Boller & Hugh Raup	2066 Carr Avenue, Memphis, TN 38104
2067	01605800009	Jake Hopkins	2067 Carr Avenue, Memphis, TN 38104
2068	01606000039	Amanda Bearden	2068 Carr Avenue, Memphis, TN 38104
2069	01605800010	David Carrier	2069 Carr Avenue, Memphis, TN 38104
2070	01606000038	Mary K Walton	2070 Carr Avenue, Memphis, TN 38104
2071	01605800011	James S Speed	2071 Carr Avenue, Memphis, TN 38104
2072	01606000037	Juana H McCoy	2072 Carr Avenue, Memphis, TN 38104
2073	01605800012	Hayden Malone	2073 Carr Avenue, Memphis, TN 38104
2074	01606000036	Gina Ritchey	2074 Carr Avenue, Memphis, TN 38104
2075	01605800013	Bettina Gaycken	2075 Carr Avenue, Memphis, TN 38104
2076	01606000035	David & Cynthia Hymel	2076 Carr Avenue, Memphis, TN 38104
2079	01605800014	Mary Marten	2079 Carr Avenue, Memphis, TN 38104
2080	01606000034	Wade Rhea	2080 Carr Avenue, Memphis, TN 38104
2085	01605800015	Justin & Mary Smith	2085 Carr Avenue, Memphis, TN 38104
2090	01606000033	Genesis Parker	2090 Carr Avenue, Memphis, TN 38104
2093	01605800016	Catherine Wilkinson	2093 Carr Avenue, Memphis, TN 38104
2094	01606000032	Amy G & Sophia Starks	2094 Carr Avenue, Memphis, TN 38104
2095	01605800017	Jeremiah & Gabrielle Littrice	2095 Carr Avenue, Memphis, TN 38104
2096	01606000031	Regan Hill & Glenn B Williams	2096 Carr Avenue, Memphis, TN 38104
2101	01605800046	Lindsey Medlin	2101 Carr Avenue, Memphis, TN 38104
2102	01606000030	Linda Walston	2102 Carr Avenue, Memphis, TN 38104
2103	01605800047	Marissa Actis	2103 Carr Avenue, Memphis, TN 38104
2105	01605800019	Jonathan & Courtney Brafford	6491 Kirby Woods Drive, Memphis, TN 38119
2107	01605800020	Galen Givens-Rowlin	2107 Carr Avenue, Memphis, TN 38104
2119	01605800021	Rodney Nash	2119 Carr Avenue, Memphis, TN 38104
2121	01605800022	Rodney Nash	2119 Carr Avenue, Memphis, TN 38104

### **PROPOSED DESIGN GUIDELINES**

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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

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:

- 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:

- 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.
- 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.

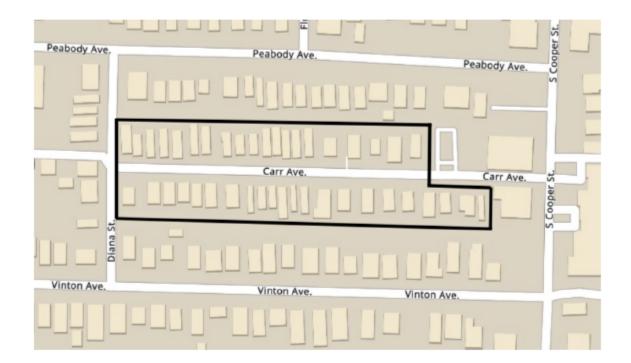
### How to use this document

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.

The online COA application is available electronically at: https://www.develop901.com/landuse-developmentservices/MemphisLandmarks 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 late-nineteenth and early twentieth century residential buildings. 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 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 transportation. streetcar for 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 ( 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

Carr Avenue Historic Preservation District

6

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.

### 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.



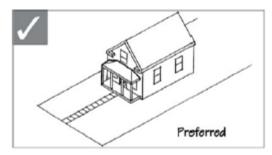
Streetscape on Carr Avenue.

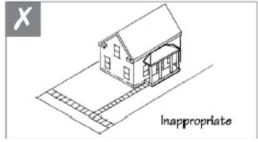
### **Building Setbacks**

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

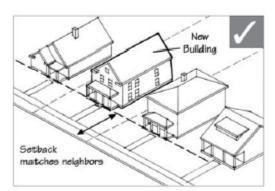
D.2: Front yard setback should fit within the established range of nearby historic properties.

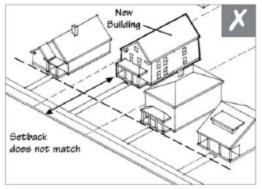
**D.3:** Side yard setbacks should appear similar to those of nearby historic houses





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.

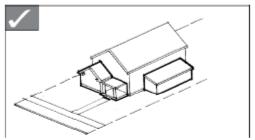
- E.1: A building should appear similar in mass and scale as those historic homes on the street.
- E.2: The front elevation shall be similar in scale to those seen traditionally on the street.
- E.3: Building materials should reflect traditional materials common in the district.
- **E.4:** The solid-to-void 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.



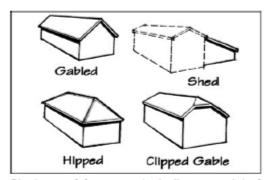
Stepping down the height of a building towards the front, sides, and rear of the structure is one method of decreasing the perceived scale of the building. Where the immediate context dictates, the front should include a one-story element, such as a porch similar in size to those seen traditionally in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

### 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.
- I.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.

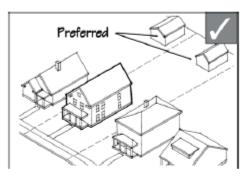
### Windows and Doors

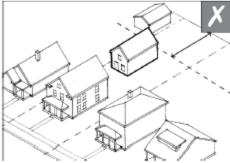
A strong sense of visual continuity is established in the historical houses by the similarities in door and window size and location in buildings in the district. In order to maintain this established sense of continuity, new buildings should incorporate traditional window and door proportions and placement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

#### 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

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.



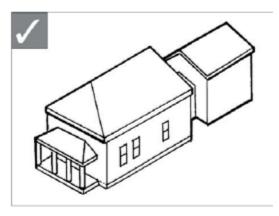
Example of addition that maintains stylistic features of original structure

# 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.



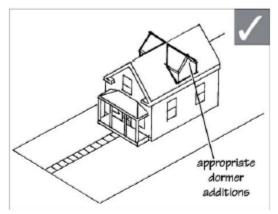
Additions that change the perceived character of the original structure, such as the above example of a front addition, are inappropriate and are not allowed within the district.

#### 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.



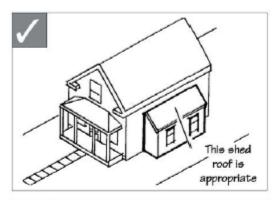
The dormer addition shown in the above diagram is appropriately sized and in character with the form of the existing structure.

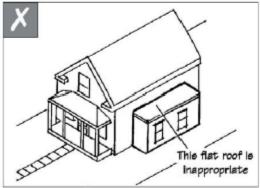
#### Size, Scale, Mass, Materials

**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.

22

### 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 demolition and submit 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 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.

- 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

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.

**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.

**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.

#### **LETTERS RECEIVED**

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**

# From Bettina Gaycken <br/> 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

#### 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>

\$ [,0 -\$ i 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></carravenue@yahoo.com>
Date Fri 1/10/2025 2:32 PM
To Payne, Margot <margot.payne@memphistn.gov></margot.payne@memphistn.gov>
The CoM Email Security System couldn't recognize this email as this is the first time you received an email fro this sender carravenue@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.
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></astarks2@gmail.com>
Date Mon 1/13/2025 1:32 PM
To Payne, Margot <margot.payne@memphistn.gov></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
<b>CAUTION:</b> This email originated outside of the <b>City of Memphis</b> organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
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

**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.

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

**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 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: HDD 2024-0001 Carr Avenue Historic District

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 Robert Gordon
President, MidtownMemphis.org P&D Committee Chair

CC: Hunter Oppenheimer, Idlewild resident, Carr Historic District



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66 S. Cooper St., Ste. 506 Memphis, TN 38104

info@midtownmemphis.org

MidtownMemphis.org



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 non-residential 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

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. 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.	2010	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%

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.

		Media		
	Year			
District Name	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.

		Total Value of Residential Building Permits			
				Increase	Total for
	Year			from 2010	all years,
District Name	Est.	2010	2020	to 2020	2010-2020
All Historic Districts as of					
2021		\$1.9 M	\$6.3 M	232%	\$43.7M
City of Memphis		\$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.

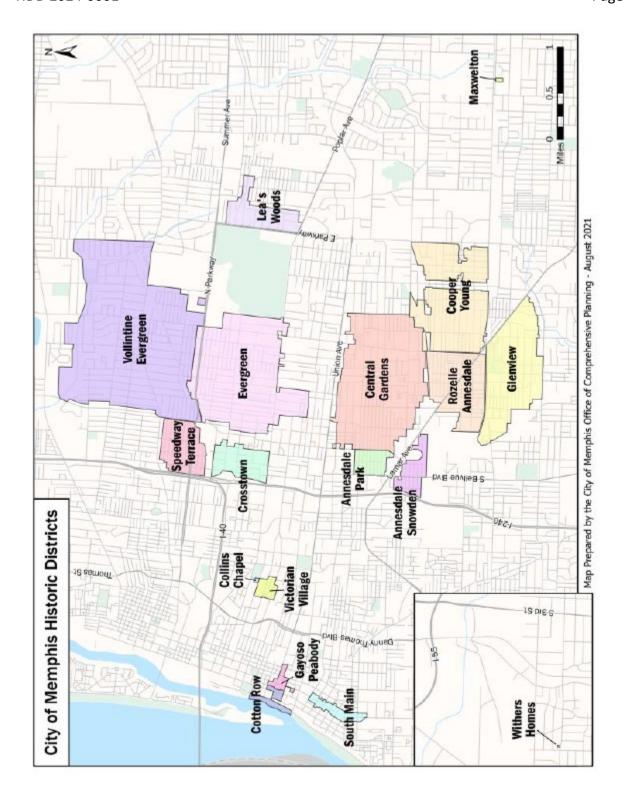
		Own % - SFR		Rent9	- SFR
	Year				
District Name	Est.	2010	2019	2010	2019
Annesdale-Snowden	1989	n/a	n/a	n/a	n/a
Annesdale Park	1988	n/a	n/a	n/a	n/a
Central Gardens	1993	92%	84%	8%	16%
Evergreen	1990	81%	82%	19%	18%
Glenview	2000	67%	71%	33%	29%
Lea's Woods	2004	n/a	n/a	n/a	n/a
Rozelle-Annesdale	2005	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	Landmarks District	Establishing Ordinance	No. of Parcels
	Listed	Designation	Number	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 numbe	r of parcels
To Local Landmarks districts			11,8	13

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. 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.<sup>3</sup> 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.<sup>4</sup> Boston follows a similar process where the City or at least ten property owners may initiate a district.<sup>5</sup> In Denver, the City, property owners or any group of three residents may propose a historic district.<sup>6</sup> Philadelphia mirrors Memphis' current situation where any property owner may nominate a district to what is known as the "Philadelphia Register of Historic Places." The same is true in Washington, DC, and Indianapolis. 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. The table below contains the present number of historic districts in each of these communities and their current staff complement.

<sup>&</sup>lt;sup>2</sup> Hirschman, Dave. "Landmarks votes push development," Commercial Appeal, August 29, 1989.

<sup>3</sup> https://www1.nyc.gov/site/lpc/about/landmark-designation.page

https://planning.lacity.org/odocument/3133ef89-f08b-4b98-9458-

<sup>28</sup>b4f763a4d5/Info%20Brief%20How%20to%20Establish%20an%20HPOZ.pdf

<sup>5</sup> https://www.boston.gov/departments/landmarks-commission/designating-landmarks-boston

<sup>6</sup> https://www.denvergov.org/Government/Agencies-Departments-Offices/Community-Planning-and-

Development/Landmark-Preservation/Historic-Designation/Apply-for-Landmark-Designation

https://www.phila.gov/departments/philadelphia-historical-commission/philadelphia-register-of-historic-places/

<sup>8</sup> https://planning.dc.gov/node/883602

https://citybase-cms-prod.s3.amazonaws.com/68f4332ed0d345bfadafb0271c09dc7f.pdf

<sup>10</sup> https://www.thempc.org/docs/lit/Hist/2021/LBrochure.pdf

	CITY	HISTORIC DISTRICTS	PARCELS	STAFF	PARCELS PER 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 <sup>1</sup>	15,779	9	1753
	Savannah	4		4	
	Average				1192
All cities	Average (incl. Memphis)				1508
	Average (excl. Memphis)				1215

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.<sup>11</sup>

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.



<sup>11</sup> 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;
- 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 may approve expedited 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, those applications for the above-described certificates of appropriateness deemed as minor by the Executive Secretary or the Zoning

  Administrator shall be electronically disseminated to all members of the Commission and such

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 Commissioners in accordance with the Tennessee Open Meeting Act, T.C.A. 8-44-102. 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>

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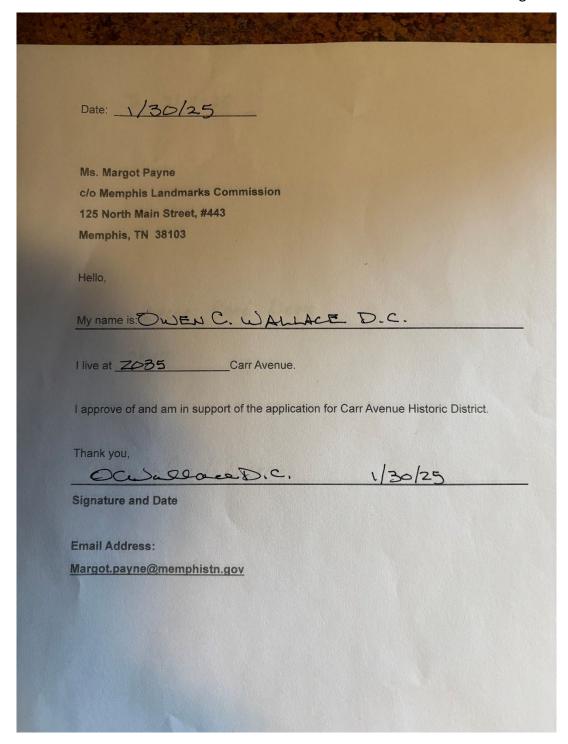
Hi Margot,

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></hayden.malone@stjude.org>
Date Thu 1/16/2025 8:45 AM
To Payne, Margot <margot.payne@memphistn.gov></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
<b>CAUTION:</b> This email originated outside of the <b>City of Memphis</b> 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 Riomedical Sciences

Carr Ave historic district
From terence ryan <terry_ryan44@yahoo.com></terry_ryan44@yahoo.com>
Date Fri 1/17/2025 6:35 PM
To Payne, Margot <margot.payne@memphistn.gov></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></ava.a.middleton@gmail.com>
Date Sat 1/18/2025 4:05 PM
To Payne, Margot <margot.payne@memphistn.gov></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
<b>CAUTION:</b> This email originated outside of the <b>City of Memphis</b> 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:2 1 25
	Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103
	Hello,
	My name is: May-Mayha Bissentergyr  I live at 2079 Carr Avenue.
	I approve of and am in support of the application for Carr Avenue Historic District.  Thank you,
	Mary Mytho Biess entrerger Jeb. 1, 2025 Signature and Date
	Email Address:
. 1	<u>Margot.payne@memphistn.gov</u>

Ms. Margot Payne  c/o Memphis Landmarks Commission  125 North Main Street, #443  Memphis, TN 38103  Hello,  My name is: Cynttle A Hyntle  I live at 2076 Carr Avenue.  I approve of and am in support of the application for Carr Avenue Historic District.  Thank you,  Signature and Date  Email Address:  Margot.payne@memphistn.gov	Date: 506/, 3025	
Hello,  My name is: Cynthia Hymel  I live at 2076 Carr Avenue.  I approve of and am in support of the application for Carr Avenue Historic District.  Thank you,  Signature and Date  Email Address:		
My name is: Cynthia Hyme.  I live at 2076 Carr Avenue.  I approve of and am in support of the application for Carr Avenue Historic District.  Thank you,  Signature and Date  Email Address:		
I live at 2076 Carr Avenue.  I approve of and am in support of the application for Carr Avenue Historic District.  Thank you,  Signature and Date  Email Address:	Hello,	
I approve of and am in support of the application for Carr Avenue Historic District.  Thank you,  Signature and Date  Email Address:	My name is: CYNHHIA HYMEL.	
Thank you,  Signature and Date  Email Address:	I live at 2076 Carr Avenue.	
Signature and Date  Email Address:	I approve of and am in support of the application for Carr Avenue Historic	District.
Email Address:	Thank you, 2/1	2025
	Signature and Date	

Date: JAN. 31, 202	<del></del>		
Ms. Margot Payne			
c/o Memphis Landmarks	Commission		
125 North Main Street, #4	143		
Memphis, TN 38103			
Hello,			
My name is: DELOR;	René Dever		
I live at	Carr Avenue.		
I approve of and am in su	pport of the application	for Carr Avenue Historic	Distr
Thank you, Delori Ren	é Dever	A constant	
Signature and Date			
Email Address:			
Margot.payne@memphi	istn.gov		

Date:	2/1/25
Ms. Margo	
	nis Landmarks Commission
125 North Memphis,	Main Street, #443 TN 38103
wempins,	
Hello,	
My name is	: Heather Gillespie
I live at	2065
I approve o	of and am in support of the application for Carr Avenue Historic District.
Thank you	Heather Millesper
Signature	and Date
E II Add	
Email Add	yne@memphistn.gov
iwai got.pa	Alle@illeliipilledi.394

Ms. Margot Payne			
c/o Memphis Landmarks			
125 North Main Street, #4 Memphis, TN 38103	443		
mempins, 114 30100			
Hello,			
1/0 1/1	. (	(	
My name is: KACKY	WALTON	J	
I live at 2070	Carr Avenu		
Tilve at	Can Avend		
I approve of and am in sur	oport of the app	lication for Carr Aver	nue Historic District.
Thank you,	(, 2		
W 1/2	W	2-2-202	
Signature and Date			
Email Address:	tn aov		
Margot.payne@memphis	Str.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
WKN○・FM



Approval of Carr Avenue Landmarks designation
From Rodney Nash <rnash57@gmail.com></rnash57@gmail.com>
Date Mon 2/3/2025 3:38 PM
To Payne, Margot <margot.payne@memphistn.gov></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.co
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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></rnash57@gmail.com>
Date Mon 2/3/2025 3:55 PM
To Payne, Margot <margot.payne@memphistn.gov></margot.payne@memphistn.gov>
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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 <a href="mailto:margot.payne@memphistn.gov">margot.payne@memphistn.gov</a>.

Respectfully,

Margot Payne

Hargot FPagne

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	PASS KASSEY	HOWELL STEPHEN C
2109 PEABOBY AVE #	2046 CARR AVE #	545 DIANA ST #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
ZANIN MARK AND SOOK-SAN WONG (RS)	COLEMAN RONALD	HOPKINS JAKE W
2043 PEABODY AVE #	3406 DEMOCRAT RD #	2067 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38118	MEMPHIS TN 38104
ESS INVESTMENTS LLC	BROWN SUSAN B	CARRIER DAVID
2109 PEABODY AVE #	2064 CARR AVE #	2069 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
BENSON SANDRA LIVING TRUST	BEARDEN AMANDA S	MALONE HAYDEN A
2335 RIDGEWAY RD #	2068 CARR AVE #	2073 CARR AVE #
MEMPHIS TN 38119	MEMPHIS TN 38104	MEMPHIS TN 38104
	PONGETTI MICHAEL D 533 DIANA ST # MEMPHIS TN 38104	SUITE LANA D 547 DIANA ST #3 MEMPHIS TN 38104
ROBINSON LAURA O REVOCABLE LIVING TRUST	HYMEL DAVID & CYNTHIA	WILKINSON CATHERINE S
1517 VINTON AVE #	2076 CARR AVE #	2093 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
CAMPBELL MICHAEL	STARKS AMY G AND SOPHIA I STARKS (RS)	CARMER CHRISTINE
1804 GARNET AVE #137	2094 CARR AVE #	2095 CARR AVE #
SAN DIEGO CA 92109	MEMPHIS TN 38104	MEMPHIS TN 38104
NEAL LINDSEY & MARK	HILL REGAN AND GLENN B WILLIAMS	KNOWLTON BONNIE AND HEATHER DONAHO
889 OAKMONT PL #	580 S BELVEDERE BLVD #	541 DIANA ST #4
MEMPHIS TN 38107	MEMPHIS TN 38104	MEMPHIS TN 38104
OVERCAST HALEY C	PARK AVENUE LODGE	AO PROPCO 1 LLC
2044 CARR AVE #	539 S COOPER ST #	32 MERCER ST #4
MEMPHIS TN 38104	MEMPHIS TN 38104	NEW YORK NY 10013
ROBINSON LAURA O REVOCABLE LIVING TRUST	GANGWISH TODD T & CINDY H	ROBINSON AIMEE A AND WALTER J HUMANN JR
1517 VINTON AVE #	11225 WHISPERING PINE DR #	2050 VINTON AVE #
MEMPHIS TN 38104	OLIVE BRANCH MS 38654	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
2100 VINTON AVE #	TEAGARDEN REBECCA R AND STEPHANIE D 2071 PEABODY AVE # MEMPHIS TN 38104	2054 CARR AVE #
	SANTOS ANDRESSA N 2073 PEABODY AVE # MEMPHIS TN 38104	
ATKINS LOY K & SUSAN M 1765 N PARKWAY # MEMPHIS TN 38112	WONGPRAPAN DON & SABRINA SIMPSON 2075 PEABODY AVE # MEMPHIS TN 38104	2070 CARR AVE #
BINDER LANCE A AND FIONA L BINDER (RS) 2108 VINTON AVE # MEMPHIS TN 38104	TERHORST TARA V 2085 PEABODY AVE # MEMPHIS TN 38104	
2029 PEABODY LLC 653 S WILLETT ST # MEMPHIS TN 38104	JACKSON RICHARD L 2089 PEABODY AVE # 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
WILLIAMS ANDREW J	SMITH JUSTIN R & MARY A	BRANAN WHITNEY F
2039 CARR AVE #	2085 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
HARRIS TERRI	GIVENS-ROWLIN GALEN	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 #
GERMANTOWN TN 38138	ARLINGTON TN 38002	MEMPHIS TN 38104
O'DANIEL WILLIAM C (1/3%) AND SARAH R	NASH RODNEY S	BALK PATRICK & LAURI
2063 CARR AVE #	6383 RICKS RD #	2080 VINTON AVE #
MEMPHIS TN 38104	ARLINGTON TN 38002	MEMPHIS TN 38104
GILLESPIE WILLIAM G AND	CAMMACK GLEN G & BETTY B	FRANTZ BARBARA M
2065 CARR AVE #	549 S COOPER ST #	2104 VINTON AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
SPEED JAMES S	WURZBURG WARREN SR AND SHIRLEY LAPIDES	RASBERRY JOSEPH F
2071 CAR AVE #	6000 WILD OAKS DR #	2112 VENTON AVE #
MEMPHIS TN 38104	MEMPHIS TN 38120	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