CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development DIVISION

Planning & Zoning COMMITTEE: 02/04/2025

ONE ORIGINAL

| ONLY STAPLED |

TO DOCUMENTS

DATEPUBLIC SESSION:02/18/2025DATE

				DATE				
ITEM (CHECK ONE)ORDINANCE	X_RESOLUTION	R	EQUEST FOR F	UBLIC HEARING				
ITEM DESCRIPTION:	Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 0 Hawkins Mill Road, east of Overton Crossing Street, known as case number SUP 2024-048							
CASE NUMBER:	SUP 2024-048							
LOCATION:	0 Hawkins Mill Road, east of Overton Crossing Street							
COUNCIL DISTRICTS:	District 7 and Super District 8 – Positions 1, 2, and 3							
OWNER/APPLICANT:	J.C. McKinnon – Fa	st Tn Hon	ne Offer					
REPRESENTATIVE:	J.C. McKinnon							
REQUEST:	To allow a multifam	ily (4-plex	() use					
AREA:	+/-18,164 sq. ft. (0.4	1 acre)						
RECOMMENDATION:				ommended <i>Approval with conditions</i> proval with conditions				
RECOMMENDED COUN								
FUNDING: (2) \$ \$ SOURCE AND AMOUNT (\$	APPROVAL - (1) APPROVED (2) DENIED DATE ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED							
ADMINISTRATIVE APPR	OVAL:		<u>DATE</u>	<u>POSITION</u>				
<u>Lucas Skinner</u>				MANAGER DEPUTY ADMINISTRATOR ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR CITY ATTORNEY				
				CHIEF ADMINISTRATIVE OFFICER COMMITTEE CHAIRMAN				



Memphis City Council Summary Sheet

SUP 2024-048

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 0 HAWKINS MILL ROAD, EAST OF OVERTON CROSSING STREET, KNOWN AS CASE NUMBER SUP 2024-048

- This item is a resolution with conditions for a special use permit to allow a multifamily four-plex use in CMU-1 zoning;
- CMU-1 zoning only allows multifamily uses by-right in situations where the residential component is in tandem with commercial uses, usually on the ground floor of the structure;
- The proposed structure has two units on the ground floor and two units on the second floor, with an access drive and parking in the rear. Staff believes that the unique shape and depth of the property make this site an excellent candidate for residential infill, as there are single family residential uses to the east and a fire station to the west. Staff is of the opinion that this site would be very difficult to develop commercially, so this relatively low-density multifamily use facing Hawkins Mill Road seems to be an ideal fit. Also, the added depth of the property gives somewhat of a "backyard" to the residents of this site, which helps the site to complement the surrounding single-family density and nature;
- The granting of this special use permit will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, January 9, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SUP 2024-048
LOCATION:	0 Hawkins Mill Road, east of Overton Crossing Street
COUNCIL DISTRICT(S):	District 7 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	J.C. McKinnon – Fast TN Home Offer
REPRESENTATIVE:	J.C. McKinnon
REQUEST:	To allow a multifamily four-plex use
EXISTING ZONING:	Commercial Mixed Use – 1 (CMU-1)
AREA:	+/-0.41 acres

The following spoke in support of the application: None

The following spoke in opposition the application: None

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

The motion passed by a vote of 7-0-1 on the consent agenda.

Respectfully,

Lucas Shin.

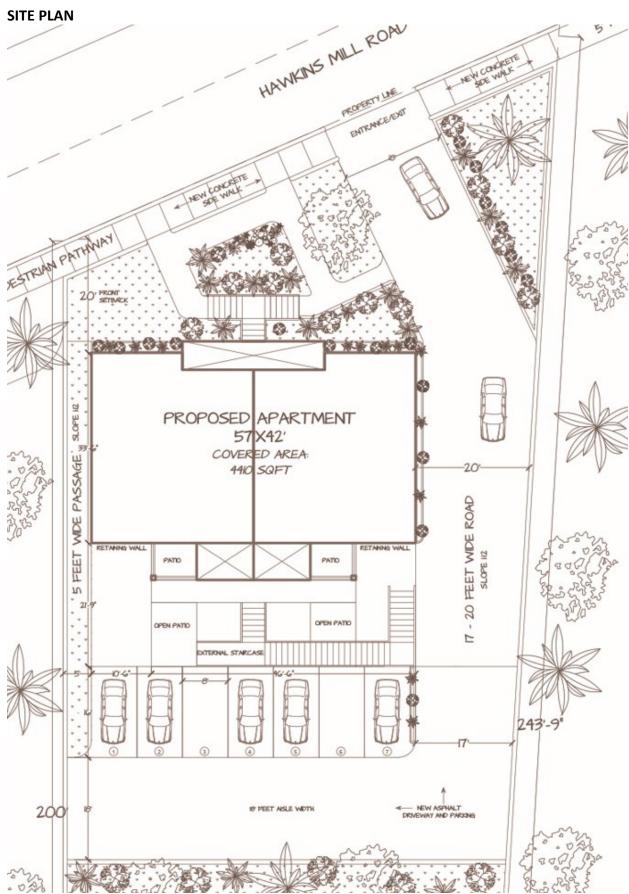
Lucas Skinner Manager Land Use and Development Services Division of Planning and Development

Cc: Committee Members File

SUP 2024-048 CONDITIONS

1. The applicant shall provide a landscaping plan to the Division of Planning and Development for review and administrative approval prior to the issuance of building permits.





RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 0 HAWKINS MILL, EAST OF OVERTON CROSSING STREET, KNOWN AS CASE NUMBER SUP 2024-048

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

WHEREAS, J.C. McKinnon filed an application with the Memphis and Shelby County Division of Planning and Development to allow a multifamily four-plex use; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on January 9, 2025, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

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

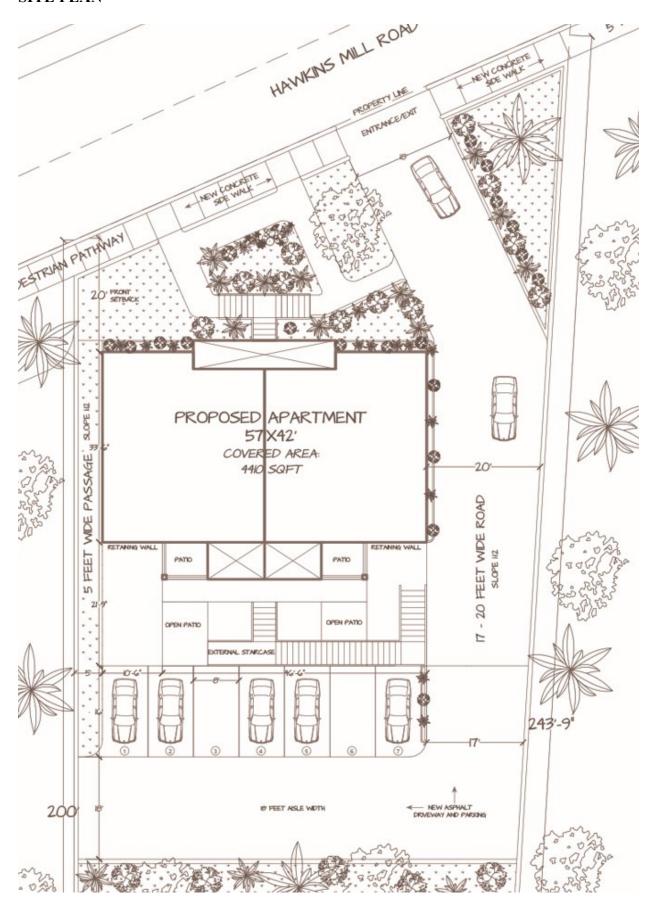
BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

CONDITIONS

1. The applicant shall provide a landscaping plan to the Division of Planning and Development for review and administrative approval prior to the issuance of building permits.

SITE PLAN



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

ded STAFF REPORT

AGENDA HEIVI:	12 L.U.C.B. WIEETI
CASE NUMBER:	SUP 2024-048
LOCATION:	0 Hawkins Mill Road, east of Overton Crossing St
COUNCIL DISTRICT:	District 7 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	J.C. McKinnon – Fast TN Home Offer
REPRESENTATIVE:	J.C. McKinnon
REQUEST:	Special Use Permit to allow a large home (4-plex)
EXISTING ZONING:	Commercial Mixed Use – 1 (CMU-1)

1 2

CONCLUSIONS

ACCNIDA ITCAA.

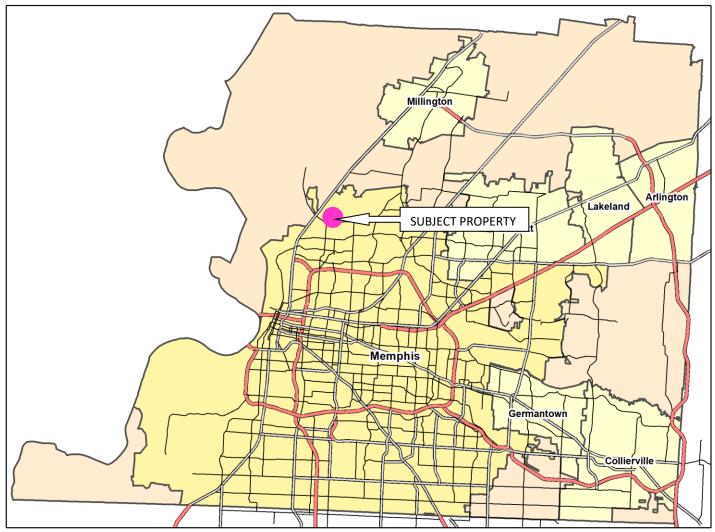
- The requested Special Use Permit is to allow a large home (4-unit) multifamily structure in CMU-1 zoning. CMU-1 zoning does not allow multifamily uses by-right.
- 2. This lot exhibits several exceptional features including a downward slope from front to rear as well as a thinness that tapers inward from front to rear. Given these features, staff feels this site lends itself to be much better suited for residential infill development, rather than commercial development.
- 3. With the building pushed up to the street and a single access drive leading to parking at the rear of the structure, vehicular nuisance will be minimized.
- 4. Also, with surrounding uses including single family houses and a fire station, staff feels this low-density multifamily use will be a compliment to the area providing a denser housing model in a residential area without a large footprint.
- 5. The granting of this special use permit will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC.

CONSISTENCY WITH MEMPHIS 3.0

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

RECOMMENDATION:

Approval with conditions



Subject property located within the pink circle

January 9, 2025 Page 3

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 110 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

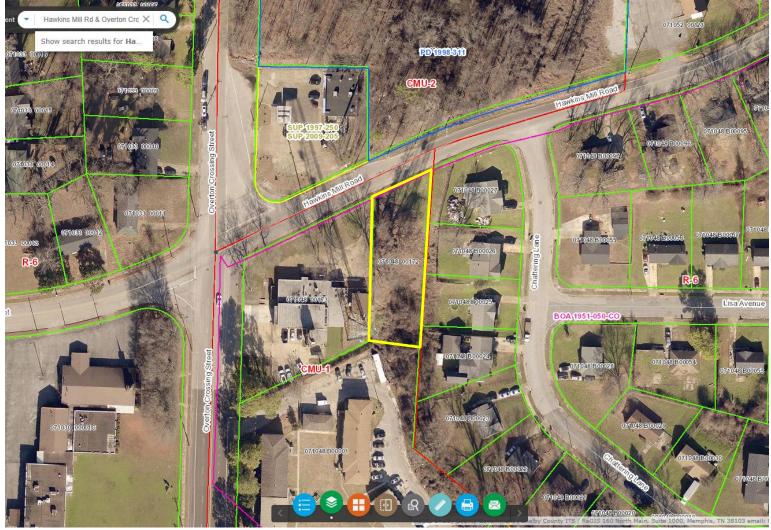
The meeting was held at 12:30 PM on Monday, December 30, 2024, at the Memphis Fire Station 31, 4258 Overton Crossing St.

AERIAL



Subject property outlined in yellow, imagery from 2024

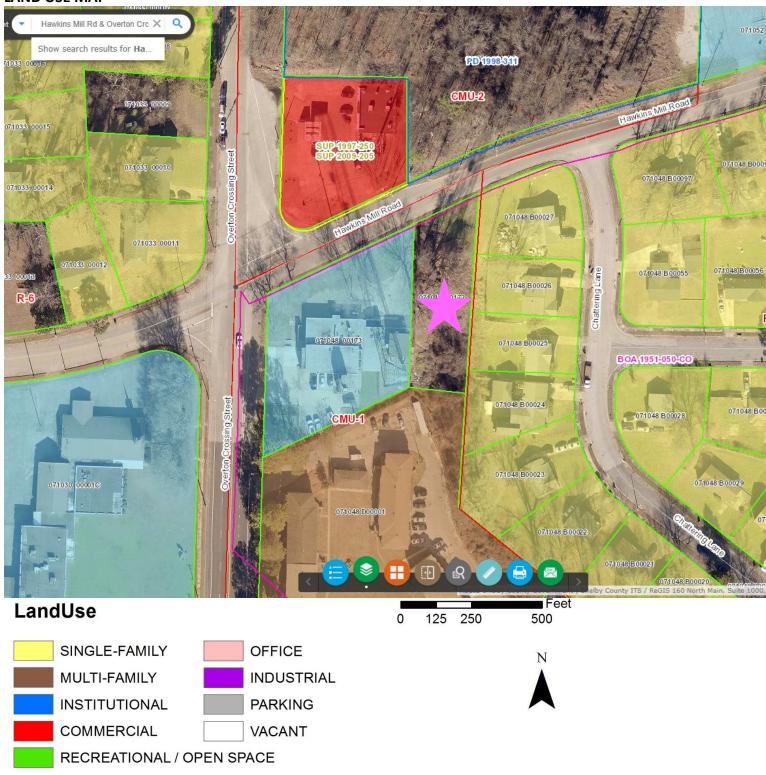
ZONING MAP



Subject property highlighted in yellow

January 9, 2025 Page 6

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS

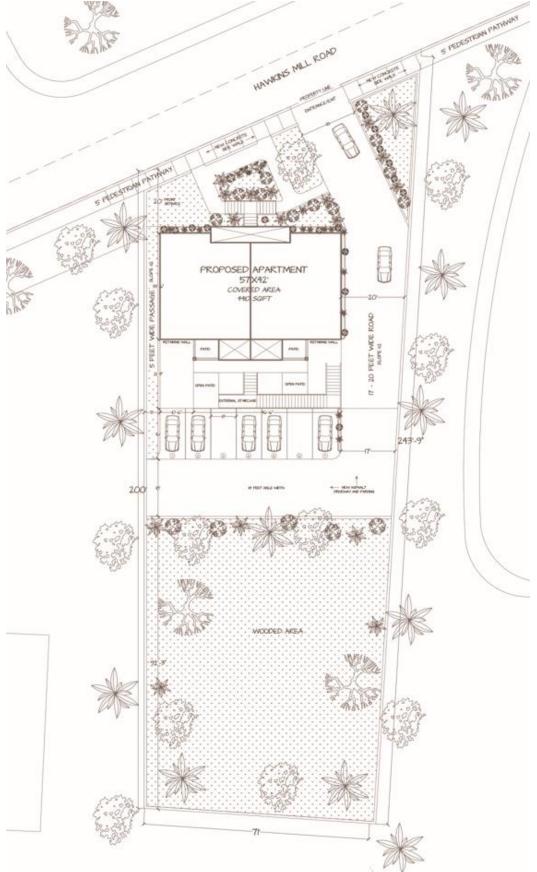


View of subject property from Hawkins Mill Road looking south

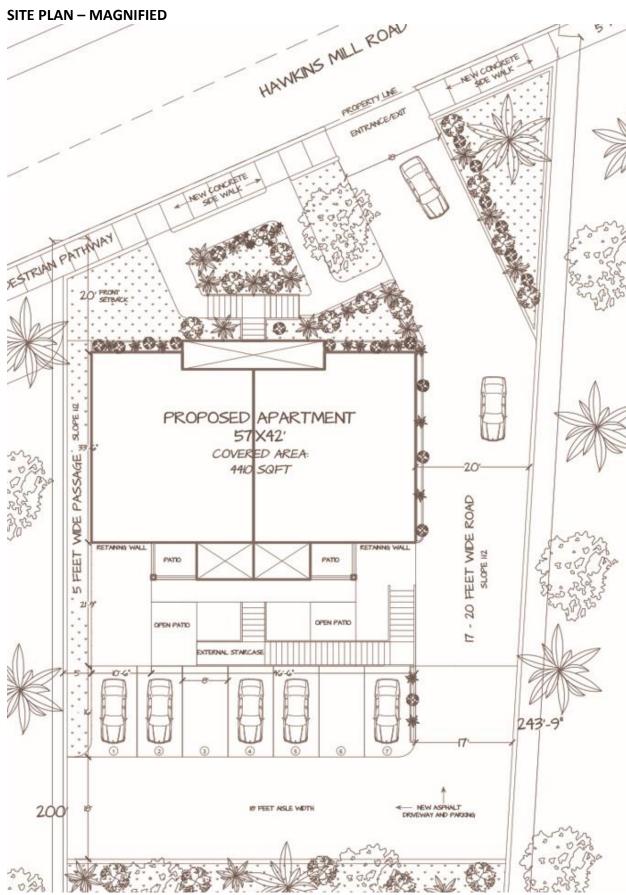


View of subject property from Hawkins Mill Road looking south

SITE PLAN



SITE PLAN – MAGNIFIED



CASE REVIEW

Request

The request is a special use permit to allow a four-plex multifamily building in CMU-1 zoning.

Approval Criteria

Staff agrees the approval criteria in regard special use permits as set out in Section 9.6.9 of the Unified Development Code are met.

9.6.9 Approval Criteria

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

- 9.6.9A The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.
- 9.6.9B The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.
- 9.6.9C The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.
- 9.6.9D The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.
- 9.6.9E The project complies with all additional standards imposed on it by any particular provisions authorizing such use.
- 9.6.9F The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.
- 9.6.9G The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to ensure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.
- 9.6.9H Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.

Site Details

Address: 0 Hawkins Mill Rd

Parcel ID: 071048 00172

Area: +/-18,164 square feet

Description:

January 9, 2025 Page 11

The subject property is not in any platted subdivisions or developments and has a light commercial zoning of CMU-1. The site has been vacant for many years and has a fairly steep downward slope from the front of the site to the rear. Adding to the slope, the lot is skinny and tapers inward toward the rear as well. The site is surrounded by residential and civic uses, with a fire station to the west.

Site Plan Review

The applicant is proposing a +/-4400 sq. ft. structure, with two units on the ground floor and two units on the second floor. The intent is to have a backwards "L" shaped drive from Hawkins Mill to supply parking in the rear of the structure. The building will shield the provided 7 parking spaces from the street view, but there is also ample room to add additional parking in the future, if needed. Side property lines will be landscaped so that the view of parking is minimized from the surrounding uses, and the unique depth of the property gives this site a substantial rear setback from the parking to anything else.

<u>Analysis</u>

The requested Special Use Permit is to allow a 4-unit multifamily structure in CMU-1 zoning. CMU-1 zoning only allows multifamily uses by-right in situations where the residential component is in tandem with commercial uses, usually on the ground floor of the structure.

The proposed structure has two units on the ground floor and two units on the second floor, with an access drive and parking in the rear. Staff believes that the unique shape and depth of the property make this site an excellent candidate for residential infill, as there are single family residential uses to the east and a fire station to the west. Staff is of the opinion that this site would be very difficult to develop commercially, so this relatively low-density multifamily use facing Hawkins Mill Road seems to be an ideal fit. Also, the added depth of the property gives somewhat of a "backyard" to the residents of this site, which helps the site to complement the surrounding single-family density and nature.

The granting of this special use permit will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. The applicant shall provide a landscaping plan to the Division of Planning and Development for review and administrative approval prior to the issuance of building permits.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

NAME: 0 Hawkins Mill Rd Quadplex Development Basin/Lot/CD: Point Church, 8-J/.417ac / 7

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 of approximately 300' will be required to serve this development. Roads:

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

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

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

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

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

Curb Cuts/Access:

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

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

10. Will require engineering ASPR.

11. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.

12. All connections to the sewer shall be at manholes only.

13. 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.

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

City/County Fire Division:



DIVISION OF FIRE SERVICES ***** FIRE PREVENTION BUREAU

2668 Avery Avenue · Memphis · Tennessee · 38112 (901) 636-5401 Fax (901) 320-5425

Case Number: SUP 2024 048

Date Reviewed: 12/17/24

Reviewed by: J. Stinson

Address or Site Reference: 0 Hawkins Mill

- All design and construction shall comply with the 2021 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503.
- Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate:	No comments received.
County Health Department:	No comments received.
Shelby County Schools:	No comments received.

mments received.
)

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received

Office of Comprehensive Planning:

Site Address/Location: 0 Hawkins Mill Rd, east of Overton Crossing St. Overlay District/Historic District/Flood Zone: Not located in a Residential Corridor, Flood Zone or Historic District Future Land Use Designation: Primarily Single-Unit Neighborhood (NS) Street Type: Avenue

The applicant is requesting a variance for a quadplex on vacant commercial zoned land.

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

Primarily Single-Unit Neighborhood (NS) are residential neighborhoods consisting primarily of single-unit houses that are not near a Community Anchor. Graphic portrayal of NS is to the right.

"NS" Form & Location Characteristics

Primarily detached, House scale buildings, Primarily residential, 1 – 3 stories; Beyond ½ mile from a Community Anchor

"NS" Zoning Notes

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

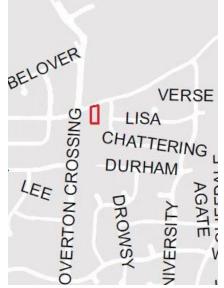
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant; CMU-1

Adjacent Land Use and Zoning: Single-Family, Multi-family, Institutional, Commercial, Vacant; R-6, CMU-1, CMU-2

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





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 NA

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

NA

Consistency Analysis Summary

The applicant is requesting a variance for a quadplex on vacant commercial zoned land.

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

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

Summary Compiled by: Isaac Bacon, Comprehensive Planning.

MAILED PUBLIC NOTICE

January 9, 2025 Page 17

NOTICE OF PURITC 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:	SUP 2024-048
ADDRESS:	0 Hawkins Mill Ave, east of Overton Crossing St
REQUEST:	Special Use Permit for a 4-unit apartment building
APPLICANT:	J.C. McKinnon—Fast TN Home Offer

Meeting Details

Location: Council Chambers City Hall 1st Floor 125 N Main St. Time: 9:00 AM

Date: Thursday, January 9, 2025

Staff Planner Contact:

Lucas Skinner ☑ lucas.skinner@memphistn.gov (901) 636-7170



VICINITY MAP



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



SIGN AFFIDAVIT

Shelby County State of Tennessee January 9, 2025 Page 18

AFFIDAVIT

I, J. C. MC Kinnon, being duly sworn, depose and say that at 11.57 appm on the <u>231</u> day of <u>Vecember</u>, 20<u>24</u>, I posted <u>I</u> Public Notice Sign(s) pertaining to Case No. <u>Sup 2024-048</u> at <u>O Haw Kind M(1) RJ Mcmphus, JN 39127</u>, 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. 12/23/2024 Owner, Applicant or Representative Date December, 2024. Subscribed and sworn to before me this _2.3rd day of yetal Notary Public My Commission Expires: November 9, 2025 My commission expires: TATE (SSE NOT

APPLICATION

January 9, 2025 Page 19



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

Owner Phone

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment Opened Date: December 2, 2024

Record Number: SUP 2024-048

Expiration Date:

Record Name: Hawkins Mill Quadplex Development

Description of Work: Quadplex development on vacant commercial zoned land

Parent Record Number:

Address:

38127

Owner Information

Primary Owner Name Y REALTY TRUST

Owner Address

9285 SPEERBERRY CIR, CORDOVA, TN 38016

Parcel Information

071048 00172

Data Fields

PREAPPLICATION MEETING	
Name of DPD Planner	Lucas Skinner
Date of Meeting	11/22/2024
Pre-application Meeting Type GENERAL PROJECT INFORMATION	In Person
Application Type	New Special Use Permit (SUP)
List any relevant former Docket / Case Number(s) related to previous applications on this site	-
Is this application in response to a citation, stop work order, or zoning letter	No

GENERAL PROJECT INFORMATION	
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any	-
other relevant information	
A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare	THE PROJECT WILL NOT HAVE ANY ADVERSE AFFECT TO THE COMMUNITY IN NO WAY.
B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations	CONFIRMED AND CONCUR.
UDC Sub-Section 9.6.9C	AGREED.
UDC Sub-Section 9.6.9D	AGREED.
UDC Sub-Section 9.6.9E	YES THE PROJECT COMPLIES WITH ALL
UDC Sub-Section 9.6.9F	STANDARDS WITHIN THE PROVISIONS. THE REQUEST WILL NOT ADVERSELY AFFECT ANY PLANS OR ADJACENT PROPERTIES.
GIS INFORMATION	
Case Layer	BOA1951-050-CO
Central Business Improvement District	No
Class	R
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	-
Overlay/Special Purpose District	-
Zoning	CMU-1
State Route	-
Lot	-
Subdivision	-
Planned Development District	- No
Wellhead Protection Overlay District	NO
County Commission District City Council District	-
City Council Super District	
Contact Information	
Name J.C. MCKINNON	Contact Type APPLICANT
Address	

Address

Phone (901)650-0096

Page 2 of 3

SUP 2024-048

Fee Inform	nation					
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1610090	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	12/05/2024
1610090 Credit Card Use Fee (x fee)		1	13.00	INVOICED	0.00	12/05/2024
	То	otal Fee Invo	iced: \$513.00	Total Balance: \$0.00		
Payment I	Information					
Payment Amount Method of Pa		yment				
\$513.00	Credit Card	l .				

SUP 2024-048

OWNER AFFIDAVIT



Fast TN Home Offer, LLC 999 Shady Grove Rd. #500 Memphis, TN 38120

December 3, 2024

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

RE: 0 Hawkins Mill Rd. (Parcel ID: 071048 00172) Memphis, TN 38127

Mr. Ragsdale,

Please find attached application for a Special Use Permit to allow a four-unit residential property or fourplex in a CMU-1 zoned district. This site is currently unimproved and has never had any improvement erected or completed. I purchased the property with the intent to build much needed housing to support the Memphis 3.0 plan and the city of Memphis specifically the Frayser community with afford new housing goals. Currently the zoning does not allow a fourplex, however this application is to request special use permit approval that would allow such. Thank you for considering this request. If you have any questions or concerns please contact me.

Sincerely,

J.C. McKinnon

LETTER OF INTENT

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

1. J.C. Mckingan (Print Name)

(Sign Name)

state that I have read the definition of

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

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

of the property located at	0	Hewkins	Mill	Кı	Memph	is Th	N 38128	•	
and further identified by Assess	or's P	arcel Numb	er	071	048	001	72		
for which an application is being made to the Division of Planning and Development.									

day of December in the year of 2024 th Subscribed and sworn to (or affirmed) before me this My Commission Expires: November 9, 2025 Signature of Notary Public My Commission Expires

LETTERS RECEIVED

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



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

January 9, 2025

J.C. McKinnon – Fast TN Home Offer

Sent via electronic mail to: offernow@fasttnhomeoffer.com

Case Number: SUP 2024-048 LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, January 09, 2025, the Memphis and Shelby County Land Use Control Board recommended *approval* of your special use permit application to allow a multifamily quadplex located at 0 Hawkins Mill Rd east of Overton Crossing St, subject to the following conditions:

1. The applicant shall provide a landscaping plan to the Division of Planning and Development for review and administrative approval prior to the issuance of building permits.

This application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

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

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

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at <u>lucas.skinner@memphistn.gov</u>.

Respectfully,

Lucas Skinner Manager Land Use and Development Services Division of Planning and Development



Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment Opened Date: December 2, 2024

Record Number: SUP 2024-048

Expiration Date:

Owner Phone

Record Name: Hawkins Mill Quadplex Development

Description of Work: Quadplex development on vacant commercial zoned land

Parent Record Number:

Address:

38127

Owner Information

Primary Owner Name

Y REALTY TRUST

Owner Address

9285 SPEERBERRY CIR, CORDOVA, TN 38016

Parcel Information

071048 00172

Data Fields

PREAPPLICATION MEETING	
Name of DPD Planner	Lucas Skinner
Date of Meeting	11/22/2024
Pre-application Meeting Type	In Person
GENERAL PROJECT INFORMATION	
Application Type	New Special Use Permit (SUP)
List any relevant former Docket / Case	-
Number(s) related to previous applications on	
this site	
Is this application in response to a citation, stop	No
work order, or zoning letter	

GENERAL PROJECT INFORMATION	
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information APPROVAL CRITERIA	-
A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare	THE PROJECT WILL NOT HAVE ANY ADVERSE AFFECT TO THE COMMUNITY IN NO WAY.
B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations	CONFIRMED AND CONCUR.
UDC Sub-Section 9.6.9C	AGREED.
UDC Sub-Section 9.6.9D	AGREED.
UDC Sub-Section 9.6.9E	YES THE PROJECT COMPLIES WITH ALL
	STANDARDS WITHIN THE PROVISIONS.
UDC Sub-Section 9.6.9F	THE REQUEST WILL NOT ADVERSELY AFFECT
	ANY PLANS OR ADJACENT PROPERTIES.
GIS INFORMATION	
Case Layer	BOA1951-050-CO
Central Business Improvement District	No R
Class	R No
Downtown Fire District Historic District	NO
Land Use	- VACANT
Municipality	-
Overlay/Special Purpose District	<u>-</u>
Zoning	CMU-1
State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No
County Commission District	-
City Council District	-
City Council Super District	-
Contact Information	

Name J.C. MCKINNON

Address

Phone (901)650-0096

Contact Type APPLICANT

Fee Inforr	nation					
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1610090	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	12/05/2024
1610090	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	12/05/2024
	Тс	otal Fee Invo	iced: \$513.00	Total Ba	lance: \$0.	00
Payment	Information					
Payment Am	ount Method of Pa	yment				

Credit Card

Payment Amount

\$513.00

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development DIVISION

Planning & Zoning COMMITTEE: 03/25/25

ONE ORIGINAL

| ONLY STAPLED |

TO DOCUMENTS

	DATE
PUBLIC SESSION:	0 <u>4/08/25</u>
	DATE

ITEM (CHECK ONE)	DATE					
	RESOLUTION	<u> </u>	EQUEST FOR	PUBLIC HEARING		
ITEM CAPTION:	Zoning ordinance a on August 10, 201 authorize a zoning Drive By taking t Conservation Agric	amending Or 0, as amende ; use district he land out culture (CA)	dinance No. 530 ed, known as the reclassification of the Residen and Residential	67 of Code of Ordinance, City of Memphis, Tennessee, adopted ne Memphis and Shelby County Unified Development code, to for land located on 0 Mt. Moriah Ext, north of Kirby Terrace tial Single-Family $- 8$ (R-8), Residential Urban $- 2$ (RU-2), l Single-Family $- 15$ (R-15) Use Districts and including it in the trict, known as case number Z 2024-009		
CASE NUMBER:	Z 2024-009					
LOCATION:	0 Mt. Moriah Ext,	north of Kirb	y Terrace Drive	e		
COUNCIL DISTRICTS:	District 2 and Supe	er District 9 –	Positions 1, 2,	and 3		
OWNER/APPLICANT:	Prentiss Mitchell					
REPRESENTATIVES:	N/A					
REQUEST:				al Single-Family – 8 (R-8), Residential Urban – 2 (RU-2), al Single-Family – 15 (R-15) to Commercial Mixed-Use – 3		
RECOMMENDATION:	The Division of Pla The Land Use Con			commended <i>Rejection</i> <i>cjection</i>		
RECOMMENDED COUN	Set Sec	date for first ond reading -	Required reading – <u>Marc</u> – <u>March 25, 202</u> April 8, 2025			
PRIOR ACTION ON ITEM (1) 02/13/2025 (1) Land Use Control Board FUNDING:		DATE ORGAN	IZATION - (1)	ROVED (2) DENIED BOARD / COMMISSION) COUNCIL COMMITTEE		
(2) \$ \$ SOURCE AND AMOUNT (\$ \$		AMOUN REVENU	T OF EXPENI JE TO BE REC 'ING BUDGET	CEIVED		
<u>\$</u>			L/STATE/OTH	IER		
ADMINISTRATIVE APPR	OVAL:		<u>DATE</u>	<u>POSITION</u>		
Chloe Chris Butt Render	tuon			PLANNER II		
				DEPUTY ADMINISTRATOR		
Butt Readow				ADMINISTRATOR		
				DIRECTOR (JOINT APPROVAL)		
				COMPTROLLER		
				FINANCE DIRECTOR		
				CITY ATTORNEY		
				CHIEF ADMINISTRATIVE OFFICER		
				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.

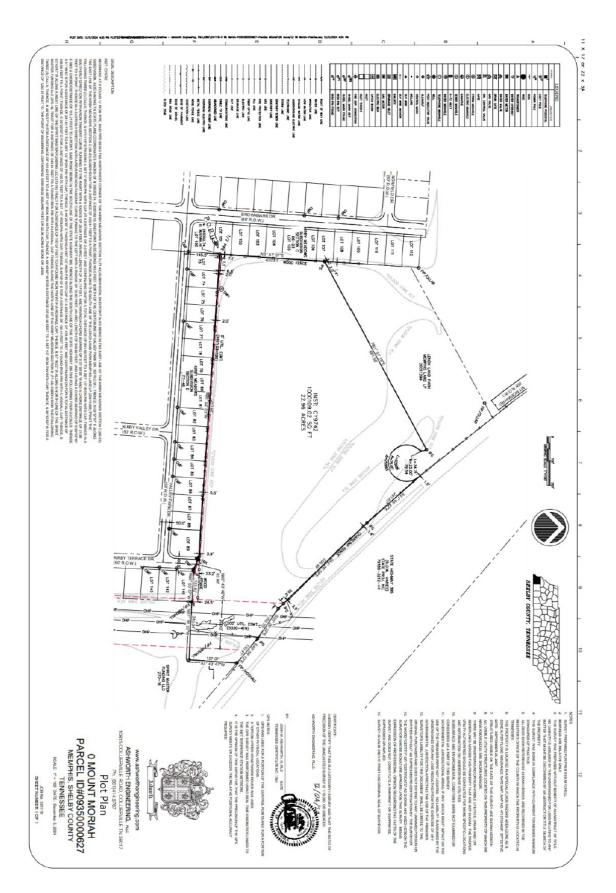
The motion failed by a unanimous vote of 0-9.

Respectfully,

Chloe Christion

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

Cc: Committee Members File



ORDINANCE NO:

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 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 ½" 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.

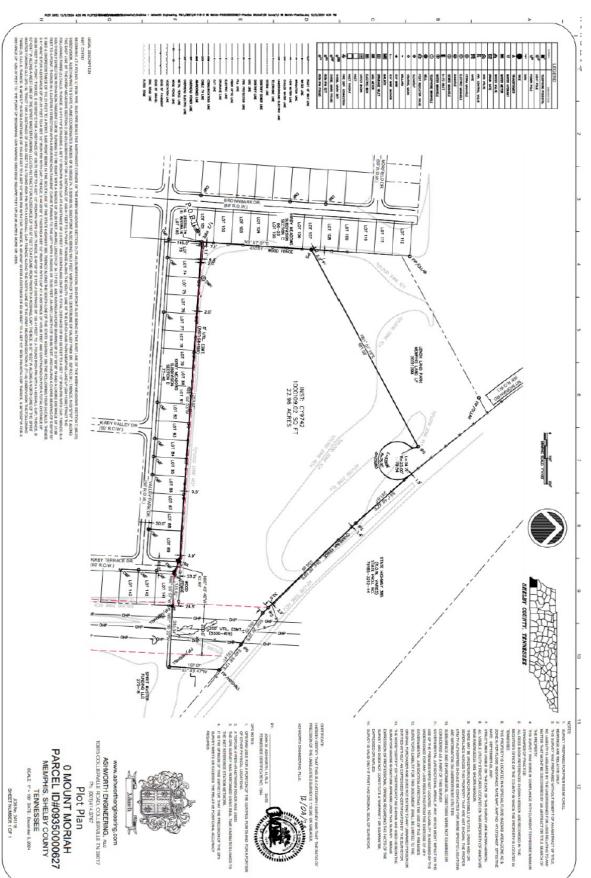
SECTION 2:

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:

CC: Division of Planning and Development – Land Use and Development Services – 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

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

File

dpd STAFF REPORT

L.U.C.B. MEETING: February 13, 2025

	v		1001001 y 10, 2020
CASE NUMBER:	Z 2024-009		
LOCATION:	0 Mt. Moriah Ext, north of Kirby Terrac	e Drive	
COUNCIL DISTRICT:	District 2 and Super District 9 – Position	ns 1, 2, and 3	
OWNER/APPLICANT:	Prentiss Mitchell		
REPRESENTATIVE:	N/A		
REQUEST:	Rezoning of +/-15.6 acres from Residen Residential Urban – 2 (RU-2), +/- 0.44 +/- 0.27 acres from Residential Single-F 1 (CMU-1)	acres from Conservati	on Agriculture (CA) and

CONCLUSIONS

AGENDA ITEM:

6

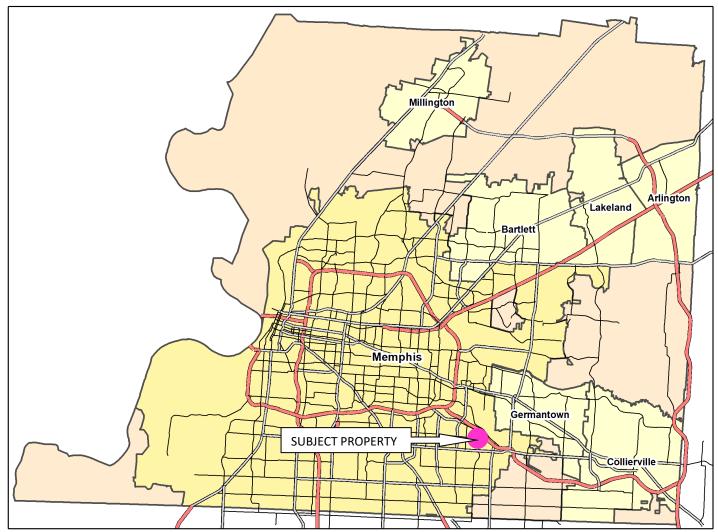
- The request is a rezoning from multiple residentially-oriented zoning districts to Commercial Mixed-se - 3 (CMU-3).
- 2. When asked what the purpose of this rezoning was, the applicant responded that he does not know what intended uses would occur if the rezoning were to be approved. With no direction 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 largescale 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



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property outlined in red.

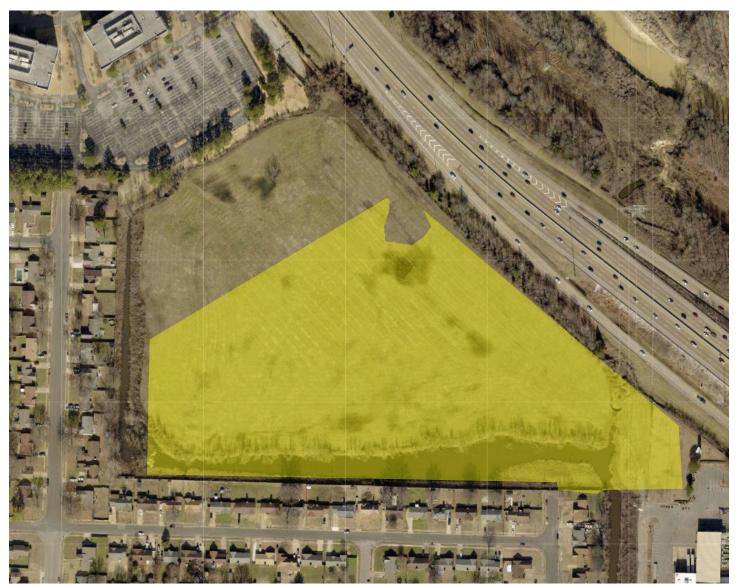
PUBLIC NOTICE DETAILS

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



Subject property outlined in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS

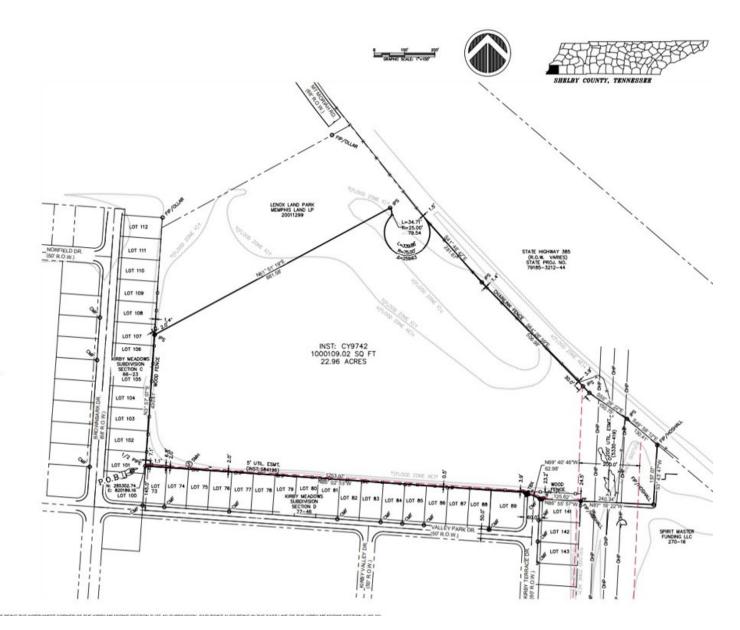


View of subject property from Kirby Terrace Drive looking north.



View of subject property from State Route 385 looking west.

PLOT PLAN



LEGAL DESCRIPTION

February 13, 2025 Page 10

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

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);
- 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.

<u>Analysis</u>

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).

February 13, 2025 Page 12

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.

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:

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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: <u>Z 2024-009 Southeast</u>

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

February 13, 2025 Page 17

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.

3. Degree of Change Map



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

AILED PUBLIC NOTICE	· · · · –
NOTICE OF PUBLIC HEARING	MEMPHIS AND SHELBY COUNTY AND DEVELOPMENT
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 .	VICINITY MAP-SUBJECT PROPOERTY HIGHLIGHTED
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 Time: 9:00 AM Location: Council Chambers Time: 9:00 AM City Hall 1st Floor 125 N Main St. Date: Thursday, Jan. 9, 2025	
Staff Planner Contact: Chloe Christion ☑ chloe.christion@memphistn.gov 【 (901) 636-7494	To learn more about this proposal, contact the staff planner or use the QR code to view the full application.
	190 Notices Mailed 12/17/202

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County State of Tennessee

being duly sworn, depose and say that at $\frac{330}{30}$ am(pm)on the 12_ day of December____, 20 24, I posted ____ Public Notice Sign(s) pertaining to Case No. 22024-009 at OMT Moriah, Memphis TN providing notice of a Public Hearing before the (check one):

Land Use Control Board

____Board of Adjustment

_____Memphis City Council

_____Shelby County Board of Commissioners

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

Owner, Applicant or Representative

2024

Date

9/17/2

Subscribed and sworn to before me this <u>18th</u> day of <u>December</u> achar 12-13-2 Notary Public My commission expires: May 17, 202

APPLICATION

MEMPHIS AND SHELBY COUNTY	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 Sur	mmary 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:
38115 Owner Information Primary Owner Name Y FARRELL PROPERTIES (PSO) Owner Address 2174 E PERSON AVE, MEMPHIS, TN 38114	Owner Phone
Parcel Information	
093500 00627 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 Letter? If yes, please provide additional information	Chloe Christion 10/07/2024 Phone No No
GIS INFORMATION Page 1 of 3	Z 2024-009

1597845 1597845	Credit Card Use Fee (.026 x fee)		19.50 iced: \$769.50		lance: \$0.0	
	Credit Card Use Fee (.026	1	19.50	INVOICED	0.00	10/07/2024
		1	19.50	INVOICED	0.00	10/07/2024
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597845	acres or less	'	700.00	INVOICED	0.00	10/07/2024
ivoice #		Quantity 1	Fees 750.00	INVOICED		10/07/2024
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ddress						
Name PRENTISS N	MITCHELL				Contact Type APPLICANT	
					Contro	
contact I	nformation					
Propert	y Address: 0 Mount	Moriah				
	·					
Propert	y Parcel Number: 093500	00627				
DDRESS AI	ND PARCEL LIST					
ata Tabl	es					
City Cou	Incil Super District		-			
-	uncil District		-			
	Commission District		-			
	d Protection Overlay District		Yes			
	Development District		-			
Lot Subdivis	ion		-			
State Ro	oute		1			
Zoning			R-8			
-	Special Purpose District		-			
Municipa	ality		-			
Land Us			VACANT			
Downtown Fire District Historic District			-			
			No			
Central Business Improvement District Class			R			
Control	-		- No			
Case La						
GIS INFOR Case La	MATION					

\$769.50

Method of Paymer Credit Card **OWNER AFFIDAVIT**

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

Dwight Fennell Mtcell, 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 O Mount Moniah and further identified by Assessor's Parcel Number 09350 00627

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

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

My Commission H II Expires 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

Horn Lake, MS 38637

LETTER OF INTENT

RE: 0 Mt Moriah, Memphis TN 38125

Department of Planning and Development,

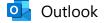
Delta Area Holdings LLC is applying for Rezoning at 0 Mt Moriah, Memphis TN 38125 (parcel # 093500 00627).

Best Regards,

Delta Area Holdings LLC

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

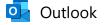
From Sharon Robinson <sharonrobinson047@gmail.com>

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; Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Number: Z 2024-009

Record Name: Riverdale & HWY 385

Description of Work: REZONING

Record Status: Processing Opened Date: September 12, 2024

Expiration Date:

Owner Phone

Parent Record Number:

Address:

38115

Owner Information

Primary Owner Name

Y FARRELL PROPERTIES (PSO)

Owner Address

2174 E PERSON AVE, MEMPHIS, TN 38114

Parcel Information

093500 00627

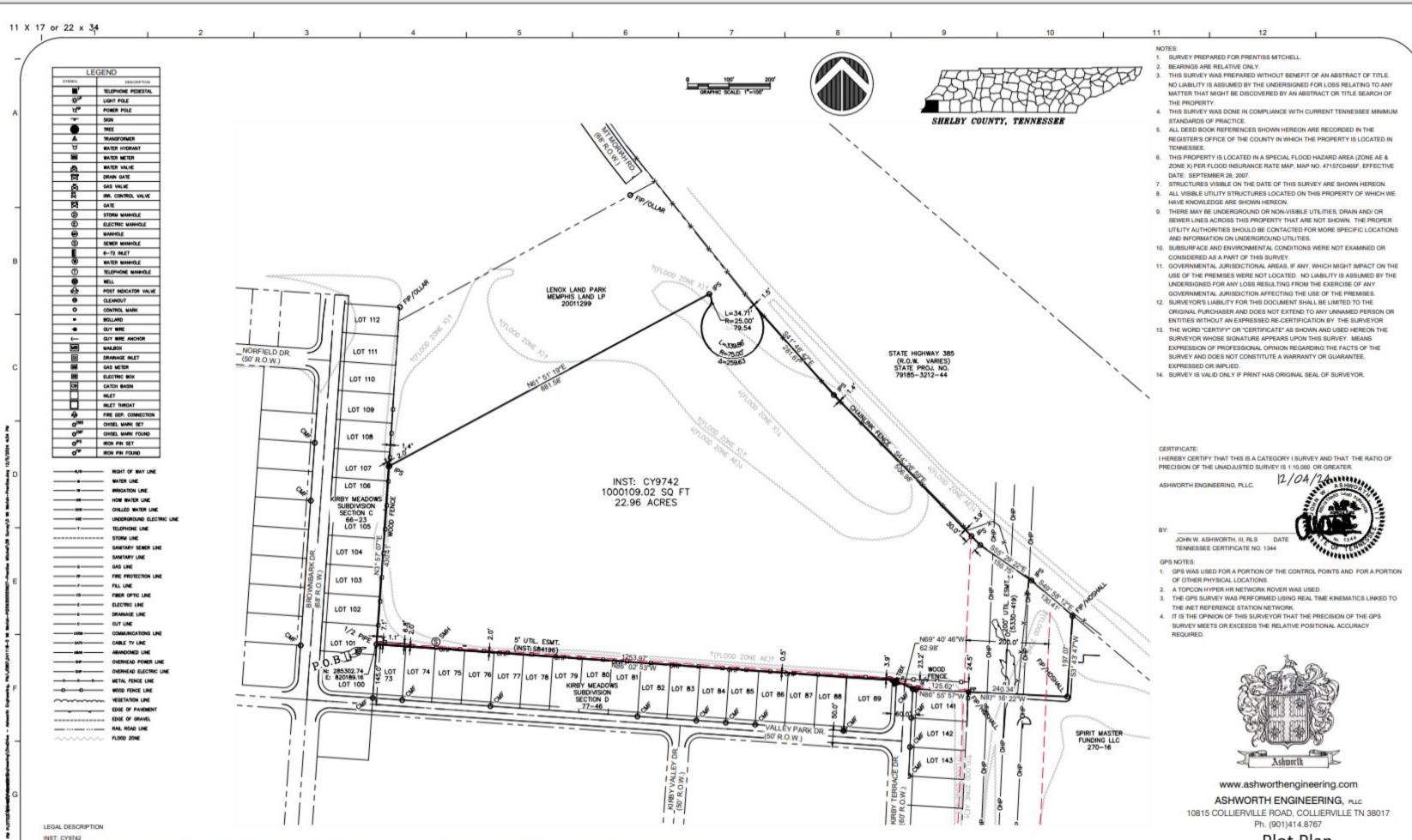
Data Fields PREAPPLICATION MEETING **Chloe Christion** Name of DPD Planner 10/07/2024 Date of Meeting Pre-application Meeting Type Phone **GENERAL INFORMATION** No Have you held a neighborhood meeting? Is this application in response to a citation from No Construction Code Enforcement or Zoning Letter? If yes, please provide additional information **GIS INFORMATION**

GIS INFORI	MATION						
Case Lay	yer			-			
-	Business Improvemer	nt District		No			
Class	•			R			
Downtow	n Fire District			No			
Historic [District			-			
Land Use	9			VACANT			
Municipa				-			
	Special Purpose Dist	rict		-			
Zoning		iiot		R-8			
State Ro	ute			1			
Lot	uto			-			
Subdivisi	ion			_			
				-			
	Development District			-			
	d Protection Overlay I	DISTRICT		Yes			
County Commission District				-			
-	ncil District			-			
City Cou	ncil Super District			-			
Data Table	es						
DDRESS AN	ID PARCEL LIST						
Property	/ Parcel Number:	093500	00627				
Property	/ Address:	0 Mount	Moriah				
Contact Ir	formation						
Name						Contac	<u>ct Type</u>
PRENTISS MITCHELL						APPLICA	NT
Address							
Phone (901)305-500	0						
ee Inforn	nation						
nvoice #	Fee Item		Quantity	Fees	Status	Balance	Date Assessed
597845	Residential Rezonir acres or less	ng - 5	1	750.00	INVOICED	0.00	10/07/2024
1597845	Credit Card Use Fe x fee)	e (.026	1	19.50	INVOICED	0.00	10/07/2024
		Тс	otal Fee Invo	iced: \$769.50	Total Ba	llance: \$0.0	00
Payment I	nformation						
Payment Amo	ount Me	ethod of Pa	yment				

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.



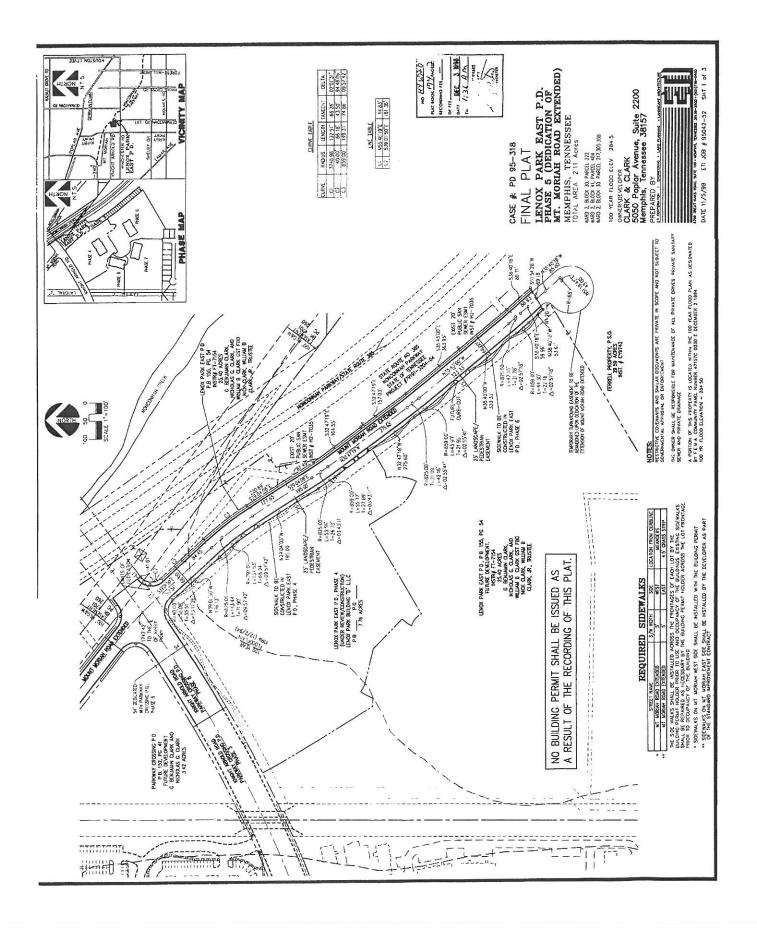
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Plot Plan

0 MOUNT MORIAH PARCEL ID#09350000627 MEMPHIS, SHELBY COUNTY TENNESSEE

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

JOB No. 241118 SHEET NUMBER 1 OF



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

- I Uses Permitted
- Any use permitted by right in the General Office (O-C) District except the following uses V
- Art or proto studio except within an Office Building Barber or Recuty Stope except within an Office Building Coeming Establishment except within an Office Building Flower or Provi Store except within an Office Building
- Outdoor storage or outdoor sales shall be prohibited a
- fre following additional uses shall be permitted
- Wheness calls serves, blocks on dependent on related to business for wheness confrees and the demonstration and monotoned secretion of relatives contenting and antiumental servers, other halaness and period computer of sea and serves Aviration serves Aviration of development antives Based of development antives Varuations or physicallog soles, serves and stronge Offer a phavedam

- -correctly located in Flocatway (FW) District shall be gaverned by the Flocatwoy (FW) District Regulations 3
- d=3.4 Regulations The bulk regulations of the General Office (0-G) District shall gave the three following exceptions
- Vernimin Durang height shell be one (1) story. The Leve Use Control Board the stores the unitarity to be provide on the receiver in the one on moment of flow (*) stores during the stee plan hereix provides in according the with Controlo ? 4
- Moment building selfacts from the south property line for any building years' than one story in regist sholl be 200 feet as shown on the Dulline Hain. m
- Winterform autoing setback from the south property line shall be 100 feet and from the west property line shall be 10 feet a
- Al buildings shell be constructed with a coordinated enterior uppediance, and all shell be constructed by these to other semilar material subject to the sparse, of the Other an Hammag and Development. a
 - Access Parking and Crowation
- Dedicare 54 feet from the centerine of Anghi Arnold Road and improve in accordance with the Subdivision Regulations ¥
- A momentum of two (2) ours cuts should be securited to known of the Gaod, the second location of which shall be subject to the coprover of the City Γ_{10} proves m
 - - A volkeway shall be provided along the private drive tribuigh the site to provide transition and regard kindle faced to the buildings and perivery bits proposed to be createded on the site.
- Ancess to Brownback Drive shall be prohibited ¢
- Any loading books what be prevented perity from the respendiol proof located to the south of the site. The mountum neght of overhead doors shall be (welve (12) feet, which on varionce subject to site plan coprions' by the lond Use (2) and Doord in according with Concilient X.
- Required internal walkways shore be shawn on any final plans
- Landsceping Screening and Lighting

2

- Minmum 25 fast wide londscape strip. Plate A-5 modified, shall be provided acing Kinght Annual Reed ~
- Mannum 50 and 25 tool was planting screens, Plate B-4 madiled, shall be been acceed and the scuth poparty trac. Plant materials shall be a miture of plants sum as While Pha, Vagna Pha, Sowmach Holly and Faster Holly or a miture write with a Proved on equivalent screen
- U
- Equivalent landscaping may be substituted for that required above, subject to the approval of the Olfice of Piccoung and Development.
 - All resured londscoping and screening shall not conflict with any easement including overhead writes
- All refuse dumpsifers 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 ince capacit to easing researchai development a maximum height of 12 feet shall be required
- Lighting shall be directed so as not to glare into residential property

V Signs

- A Signs shall be in accordance with the 0-G District Regulations
- B Minimum sign setbock 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 argingle plans and be submitted to the City/County Engineer(s) for review <
 - 3 Drancge improvements including possible on-site detention shall be provided under controct in detexpositions with the Suukwision Regulations and the Cry of Veriphis Dranage Design Verucli 5
 - This project must be evoluted by the Tennessee Deportment of Health and concomment regarding their jurgediction over the watercourses on this site in accordance with the Water Quelity Control Act of 1977 as amended (TCA 69-3-101) et sign.)
- VII The Long use Carlow Board mary model by the Nav, creates, activity indication, are presented, activity advances and soften subtractions in example of a statistical presenter, provest, however, any dopated representer, a statistical with the modelections of the Lond Use Carlot Board herearder may, which are dopa such action. The a write popertic to prevead by the Appropriate Goernag Board Decommend. In a write popertic popertic popertic popertic dopated backs are concreted. In a write popertic popertic popertic popertic popertic popertic popertic Decommend.
- The 4 "not blan shall be field within five years of the opproval of the outline plan und use Control Board may grant extensions of the request of the applicant 5
- Any find plan shell include the following ×
- The outline plan conditions
- A standard subdivision contract as defined by the Sundivisian Regulations for any needed bublic improvements a
- The eract iscation and dimensions including height of cli building or building enaby, prederation and suffly preserving succes, parking eracs, train respirates, including facilities and required inordisciphing and societing Scene. Q
- The exterior appearance of proposed buildings and signs
- The content of all landscaping and screening to be provided
- he processed means of occess and circulation of automobile and pedestrion Volfa
 - he location and ownership, whether public or private of any easement 0
- 1
- A statement compaying all common foculties and areas to a property owners association or other entity, for ownership and maintenance purposes

OPLIT KH OM

The following note shrull be paced on the final plat of orgaeological rescind, or active structure and rescind on the organ organ of the rescind of the active structure and the rest organ of the organization rescind of the active structure active and the structure active rescind of the active active active active active active rescind and monitorial factorial rescind a first rescind and monitorial rescind an exploration structure active rescind and monitorial rescind an anti-structure active active active active active rescind and monitorial properties and the opposite active rescind and monitorial properties and the opposite active rescind and monitorial properties and the opposite active rescind and and rescind and the opposite active active rescind active active active active active active rescind active active active active active active rescind active active active active active rescind active active

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

- The Duries prom shot be re-recorded to enread the grophic departed building looppings and access. The amended Duties plan shall show four propsed buildings and with the extension of NL Moort Rade Extended 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. 2
- Dedecte 68 (set of right-of-way and improve with 48 (set of powement VI Moneh Exterded Prove of tempory functional subject to the approval of City/County Engineering, of the southeast conter of the property ~
 - - The approved Landscape Plan shall be provided as a part of the "Final Plat" 4 \$
- The Final Piat shall provide the finished floor elevation, the overal building height, and the elevation of Noncontem porveyor opposit in the site in a cvertal building height shall not exceed 35 fleet above the grade of Noncontal Parkway.



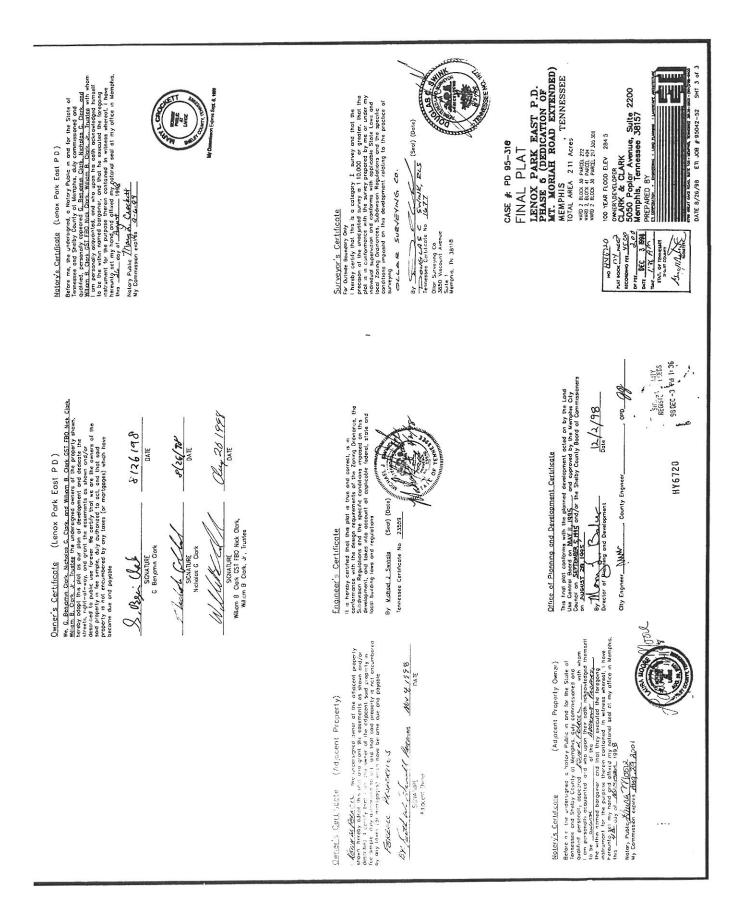
LENOX PARK EAST P.D. PHASE 5 (DEDICATION OF MT. MORIAH ROAD EXTENDED) owertyperclopen CLARK & CLARK 5050 Poplar Avenue, Sulte 2200 Memphis, Tennessee 38157 MEMPHIS, TENNESSEE TOTAL AREA 2 11 Acres WARD 2, BLOCK 30, PARCEL 222 WARD 2, BLOCK 41, PARCEL 464 WARD 2, BLOCK 30, PARCEL 217, 505, 508 100 YEAR FLOOD ELEV 284 5 FINAL PLAT

OF APPLICATION STATE CLOSE SAVE TADA BY

.....

PREPARED BY

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



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. DCLAR SURVEYING CD. By: Double Control	
CASE # PD 95-318 FINAL PLAT LENOX PARK EAST P.D. PHASE 5 (DEDICATION OF PHASE 5 (DEDICATION OF MT. MORIAH ROAD EXTENDED) MEMPHIS , TENNESSEE TOTAL AREA: 2.11 Acres WARD 2, BLOCK 30, PARCEL 222 WARD 2, BLOCK 30, PARCEL 220 WINER DEVELOPER: CLARK & CLARK 5050 POPULAT AVENUE, SUITE 2200 MEMPHIS, TENNESSEE 38157 PREPARED BY: DECEMBER 0 FILL 000 FILL 200 MEMPHIS 100 FILL 000 F	

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

HS 6059

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

QUIT CLAIM DEED

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

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 each grantee in the following percentages:

The Testamentary Trust for the benefit of Nicholas G. Clark created under the Last Will and Testament	
of William B. Clark, Deceased	31.63%
G. Benjamin Clark	50.00%
TOTAL	100.00%

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 18^{th} 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

Innl

My Commission Expires:

MISUST 29 2001

Page 1 of 2

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.

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

WITNESS MY HAND, at office, this	18th day of August, 1998.
	NOTARY PUBLIC
My Commission Expires: AUSUST 29 2001	Laura More (Marine)
• •	CONTRACTOR STREET

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. 18th day of August, 1998.

WITNESS MY HAND, at office, this ____

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 $\frac{20000}{2000}$.

AFFIANT

NQTARY PUBLIC

NOTARY PUBLIC

Yaura Mone

Sono Bean Clabe

Mary L. Crockett

<u>24</u> day of August, 1998. Subscribed and sworn to before me this

My Commission Expires:

9-6-99

Property Address: vacant Person or entity responsible for payment of real property taxes: Clark and Clark 5050 Poplar Ave. #2200 Memphis TN 38157

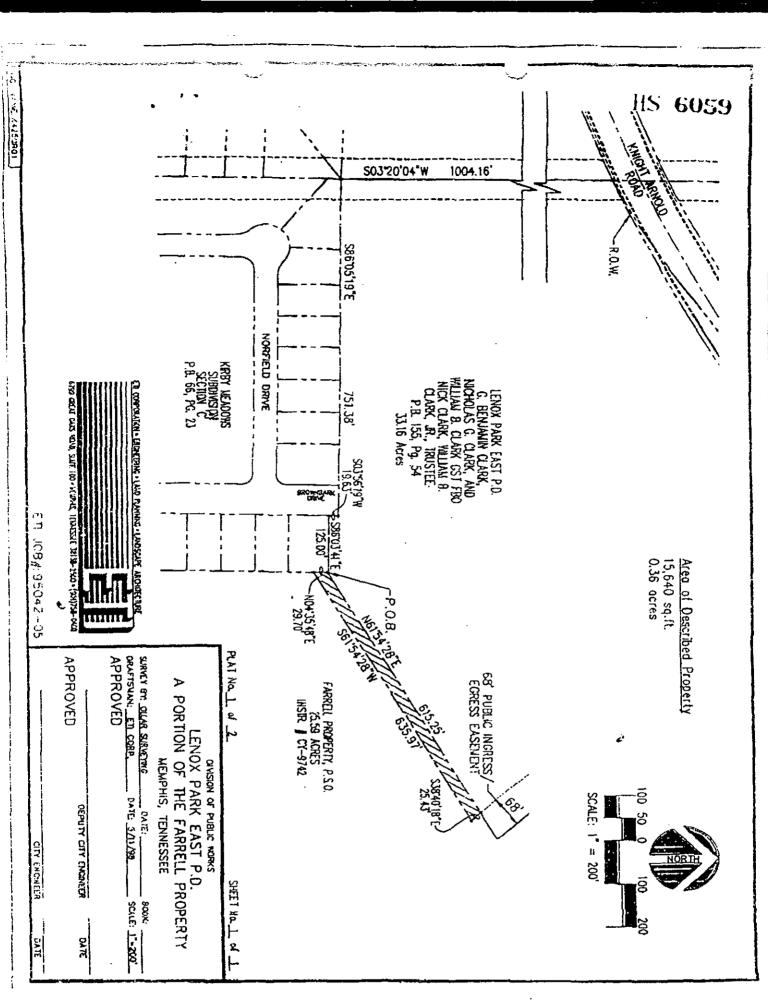
Tax parcel I.D. No.: Part of D02-041-146

C Interclark god fer 8 1886

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

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, PC. 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.

K4205101.doc



HS ħio. DK P_{ES}. 00000 3 ۍ ۲ 000 LI.I.-Yei _ 8177E i HS6059 PC35 15 \cdot : ; d. 171 υr ł 10177 60 0 ١, * * •**34** * 1

SHELDY COUNTY REGISTER OF DEEDS 98 AUG 26 PH 12: 22

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

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 BEGINNING; 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 04º 35' 48" E along said east line, a distance of 29.70' to THE POINT OF BECINNINC, containing 15,640 square feet of land, 0.36 acres, more or less.

K4205101.doc

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY MI AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

(Print Name) (Sim News), 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 O Mount Moniah and further identified by Assessor's Parcel Number _____ 09350 00 (p37 for which an application is being made to the Division of Planning and Development. Subscribed and sworn to (or affirmed) before me this \underline{TH} day of \underline{Oct} in the year of $\underline{2034}$ to Marca My Commission Expires Signature o∮Notary Public 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:

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 – 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)		

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: Rejection

Memphis and Shelby County Land Use Control Board: Rejection

NOW, THEREFORE, you will take notice that on Tuesday, <u>April 8, 2025</u>, 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 _____, ____

FORD CANALE CHAIRMAN OF COUNCIL

ATTEST:

MEMPHIS CITY OF 125 N MAIN ST # MEMPHIS TN 38103

STATE OF TENNESSEE 170 N MAIN ST # MEMPHIS TN 38103

SHELBY COUNTY 160 N MAIN ST # MEMPHIS TN 38103

RA OAK LIINE LLC 11 S ORLEANS ST # MEMPHIS TN 38103

HURLEY RONALD R 3385 BROWNBARK DR # MEMPHIS TN 38115

YOUNG MARCUS 6725 HALLSHIRE CV # MEMPHIS TN 38115

BLACKMON LEON JR 3400 BROWNBARK DR # MEMPHIS TN 38115

EQUITY TRUST CUST CO FBO BUFORD ANDRE D 865 S MAIN ST #2 PLYMOUTH MI 48170

FKH SFR PROPCO B-HLD LP 1850 PARKWAY PL #900 MARIETTA GA 30067

MORRIS TERRY 3415 BROWNBARK DR # MEMPHIS TN 38115

ANDERSON TERESA 6708 VALLEY PARK DR # MEMPHIS TN 38115

LOVE MARK 6790 VALLEY PARK DR # MEMPHIS TN 38115

FOREMAN DARRELL A AND STEPHANIE K WATSON 6868 VALLEY PARK DR # MEMPHIS TN 38115

TROTTER ORA 6882 VALLEY PARK DR # MEMPHIS TN 38115

SHAW STACEY 6723 VALLEY PARK DR # MEMPHIS TN 38115

FLOWERS BARON 6729 VALLEY PARK DR # MEMPHIS TN 38115

VILLALBA AURORA 3446 BROWNBARK DR # MEMPHIS TN 38115

3448 HALLSHIRE DR # MEMPHIS TN 38115

AMADOR JORGE & ROSA HERNANDEZ 6781 VALLEY PARK DR # MEMPHIS TN 38115

WINFREY JOHN T PO BOX 192 # EADS TN 38028

HARPER JACQUELINE 6817 VALLEY PARK DR # MEMPHIS TN 38115

AO PROPCO 1 LLC 32 MERCER ST #4 NEW YORK NY 10013

WILHITE KENNETH L & ANNA 6744 BROWNBARK CV # MEMPHIS TN 38115

GASSAMA ABRAHAM 6808 KIRBY ARMS DR # MEMPHIS TN 38115

GONZALEZ FELICITO 6816 KIRBY ARMS DR # MEMPHIS TN 38115

MORENO FRANCISO J & GUILLERMINA LEBE 6711 BROWNBARK CV # MEMPHIS TN 38115

DORNING EDYTH 3467 KIRBY TERRACE DR # MEMPHIS TN 38115

STEWART LAZE S JR 3468 KIRBY TERRACE DR # MEMPHIS TN 38115

BARUTT AZIZA S 6739 BROWNBARK CV # MEMPHIS TN 38115

SIMMONS KENNETH L & JUDITH L 3476 BROWNBARK DR # MEMPHIS TN 38115

HARRIS DAVID J & ELOISE R 6787 KIRBY ARMS DR # MEMPHIS TN 38115

PITTMAN ERIK L 6801 KIRBY ARMS DR # MEMPHIS TN 38115

COOPER TAMARA 6821 KIRBY ARMS DR # MEMPHIS TN 38115

ROBINSON SHARON D 6829 KIRBY ARMS DR # MEMPHIS TN 38115

JOHNSON WILLIE G 6855 KIRBY ARMS DR # MEMPHIS TN 38115

SANCHEZ SAMUEL H & MARIA MEJIA 3482 BROWNBARK DR # MEMPHIS TN 38115

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

CABAHUG NEIL A & SOPHORN 19730 CAMPAIGN DR # CARSON CA 90746

HULBERT MILLICENT C 1111 FALCON PARK DR #2102 KATY TX 77494

DREAM HIGHER INVESTMENTS LLC 101 JULIA LOOP # DANVILLE CA 94506 UNISON SOLUTION CAPITAL LLC 3611 CONNIE KAY WAY # BLOOMINGTON IL 61704

TURNER CHARLES D SR AND LOU A J TURNER 6786 GREENBARK DR # MEMPHIS TN 38115

WRIGHT SANDRA 3490 BROWNBARK DR # MEMPHIS TN 38115

SANCHEZ MARIA D 6794 GREENBARK DR # MEMPHIS TN 38115

JONES GIFTON H III & SANDRA D TURNER-6870 GREENBARK DR # MEMPHIS TN 38115

LOCKE JOHN N & kathryn d 1229 E 8220 # SANDY UT 84094

BEVERIDGE NANCY A 192 ATLANTIC AVE # NORTH HAMPTON NH 03862

MILLBROOKS LAVERNE P S 3490 KIRBY TERRACE DR # MEMPHIS TN 38115

TAN WEI-EN 610 W 42ND AVE # SAN MATEO CA 94403

LENOX PARK MEMPHIS REALTY LP 1 WORLD TRADE CTR #83G NEW YORK NY 10007 WHITTED WINDELL M 3403 HALLSHIRE DR # MEMPHIS TN 38115

STRICKMAN-LEVITAS BRIAN K 3235 ROSWELL RD #619 ATLANTA GA 30305

BONDOC EDWARD 3803 169TH ST # LYNNWOOD WA 98037

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

ROBINSON YVONNE 3373 HALLSHIRE DR # MEMPHIS TN 38115

LAKE CHRISTINE B R 6824 VALLEY PARK DR # MEMPHIS TN 38115

DOYLE BRITANI A 6832 VALLEY PARK DR # MEMPHIS TN 38115

COLLINS CLINTON 6838 VALLEY PARK DR # MEMPHIS TN 38115

WILKERSON JERRY & CHERYL D 6846 VALLEY PARK DR # MEMPHIS TN 38115

CAMARILO CAROLYN AND REGINALDO 6854 VALLEY PARK DR # MEMPHIS TN 38115

MCGEE CINDY A 6721 NORFIELD DR # MEMPHIS TN 38115

PRATCHER RAY A 3373 BROWNBARK DR # MEMPHIS TN 38115

NOVEMBER ASSET MANAGEMENT LLC RS RENTAL III-A LLC 2315 TOMPIRO DR # ALBUQUERQUE NM 87120

SAAVEDRA EDGAR E & AMALIA B 6789 VALLEY PARK DR # MEMPHIS TN 38115

CLARK VIRGINIA 6731 BROWNBARK CV # MEMPHIS TN 38115

STERN TOM 1528 TRENTWOOD PL # ATLANTA GA 30319

VASQUEZ REINALDO O & ESPERANSA SUAREZ 3501 KIRBY TERRACE DR # MEMPHIS TN 38115

MEMPHIS CITY OF 125 N MAIN ST # MEMPHIS TN 38103

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

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

CANTU MARLENE 6750 NORFIELD DR # MEMPHIS TN 38115

STATE OF TENNESSEE 170 N MAIN ST # MEMPHIS TN 38103

3352 BROWNBARK DR # MEMPHIS TN 38115

HILL JOHN L JR 6715 NORFIELD DR # MEMPHIS TN 38115

RIVERA CIPRIANO R 3360 BROWNBARK DR # MEMPHIS TN 38115

BECKMAN FRED 6729 NORFIELD DR # MEMPHIS TN 38115

EVANS SHONTANIQUE 6735 NORFIELD DR # MEMPHIS TN 38115

BAILEY TIMOTHY 3365 BROWNBARK DR # MEMPHIS TN 38115

3366 BROWNBARK DR # MEMPHIS TN 38115

> P O BOX 1849 # OLIVE BRANCH MS 38654

ALARCON MAURO & ROSANNE 2789 FOURTHPLAIN ST # SAN JOSE CA 95121

HOLLY TINA V 6726 HALLSHIRE CV # MEMPHIS TN 38115

KONZELMAN DAVID E & MARY A AND MICHEAL A 3374 BROWNBARK # MEMPHIS TN 38115

WAKEFIELD TAURA M 6730 HALLSHIRE CV # MEMPHIS TN 38115

VM MASTER ISSUER LLC 5001 PLAZA ON THE LAKE #200 AUSTIN TX 78746

BRANCH JOYCE V 3381 HALLSHIRE DR # MEMPHIS TN 38115

BROWN LEIGHTON M 7662 BROOKBRIAR CV # MEMPHIS TN 38125

MARTINEZ JULIO 3386 BROWNBARK DR # MEMPHIS TN 38115

PALMER-WILLIAMS PAMELA 6731 HALLSHIRE CV # MEMPHIS TN 38115

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

LE ELVIS VAN & KATHY 6717 HALLSHIRE CV # MEMPHIS TN 38115

UPSHAW ALONDRIA 3393 BROWNBARK DR # MEMPHIS TN 38115

KRIDEL FAMILY TRUST 1019 PINE ST # SANTA MONICA CA 90405

VM PRONTO LLC 5001 PLAZA ON THE LAKE #200 AUSTIN TX 78746

BLANKS ASLEAN AND TRESSAN BLANKS (RS) 3399 BROWNBARK DR # MEMPHIS TN 38115

MARTINEZ JULIO 3415 VALLEY PARK CV # MEMPHIS TN 38115

FAMILY INVESTOR GROUP OF MEMPHIS 2524 OVERLOOK DR # GERMANTOWN TN 38138

WILLIAMS MAE H 3412 VALLEY PARK CV # MEMPHIS TN 38115

HERNANDEZ LUIS D 3854 GIVEN AVE # MEMPHIS TN 38122

PROVIDENT TRUST GROUP LLC FBO ROBERT ABE 8880 W SUNSET RD #250 LAS VEGAS NV 89148

GEORGE FLORENCE 3418 VALLEY PARK CV # MEMPHIS TN 38115

WILLIAMS MILDRED 3425 VALLEY PARK CV # MEMPHIS TN 38115

K & H REAL ESTATE LLC 3823 CUTTER CV # ARLINGTON TN 38002

CASTRO LEONARDO 3422 BROWNBARK DR # MEMPHIS TN 38115

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

YOUNG DINA 3429 BROWNBARK DR # MEMPHIS TN 38115

NOLASCO FULGENCIO AND EVARISTO SUAREZ 6774 VALLEY PARK DR # MEMPHIS TN 38115

HOOD CONNIE 6782 VALLEY PARK DR # MEMPHIS TN 38115

COOK JERRI S 6796 VALLEY PARK DR # MEMPHIS TN 38115

MEDINA IRIS V 6609 POLK ST # WEST NEW YORK NJ 07093 P FIN VII MEM LLC 3525 PIEDMONT BLDG 5 RD #900 ATLANTA GA 30305

GUPTA GYAN 14757 HOLLY TREE LN # FRISCO TX 75035

FKH SFR PROPCO B-HLD LP 1850 PARKWAY PL #900 MARIETTA GA 30067

KCM INVESTMENTS LLC PO BOX 280 # CORDOVA TN 38088

EMIGDIO RODRIGO C 6890 VALLEY PARK DR # MEMPHIS TN 38115

BANAH LLC 66 TIMBER RIDGE RD # NORTH BRUNSWICK NJ 08902

K & J INVESTMENTS USA LLC 11816 INWOOD RD #70506 DALLAS TX 75244

AT YOUR DOOR CAPITAL LLC 7303 BRISCOE LN # LOUISVILLE KY 40228

BANKS MINNISHA L 6745 VALLEY PARK DR # MEMPHIS TN 38115

AMOR ANTONIO 1904 CLINTONVILLE ST # WHITESTONE NY 11357

LUMPKIN DIANNA M 3440 KIRBY TERRACE DR # MEMPHIS TN 38115

WRIGHT SANDRA A 6795 VALLEY PARK DR # MEMPHIS TN 38115

COHRAN REGINALD AND SHERANDA GRANT AND 6809 VALLEY PARK DR # MEMPHIS TN 38115

GRACE SOL JR 6823 VALLEY PARK DR # MEMPHIS TN 38115

SULFRIDGE CLAYTON E & AIDA 6710 BROWNBARK CV # MEMPHIS TN 38115

LI JIAWEN 667 CONGRESS ST #201 PORTLAND ME 04101

DOBBINS SHERETTA L 6716 BROWNBARK CV # MEMPHIS TN 38115

FELTON DYNASTY A 3450 KIRBY VALLEY DR # MEMPHIS TN 38115

CSMA BLT LLC 1850 PARKWAY PL #900 MARIETTA GA 30067

MIRAGLIA PROPERTY MANAGEMENT LLC LLC LEAVY ROBERT L & TERRESA 1 BROWN AVE #87 LAKEHURST NJ 08733

LBJ HOLDINGS LLC 990 VIA GANDALFI # HENDERSON NV 89011

GONZALEZ TOMAS R 1407 GREEN AVE #1 BROOKLYN NY 11237

FLEMING WALTER J FLEMING WALTER J 3448 KIRBY TERRACE DR # MEMPHIS TN 38115

WEBB SANDRA T 3453 BROWNBARK DR # MEMPHIS TN 38115

HAMPTON TARSHA C 3451 KIRBY TER # MEMPHIS TN 38115

HERRERA JESUS R 6722 BROWNBARK CV # MEMPHIS TN 38115

SMITH JANET L 6728 BROWNBARK CV # MEMPHIS TN 38115

COSBY CATHERINE O 6736 BROWNBARK CV # MEMPHIS TN 38115

ASEFUABA MAAME A 365 KNICKERBOCKER RD # ENGLEWOOD NJ 07631

6784 KIRBY ARMS DR # MEMPHIS TN 38115

HERNANDEZ ARIADNA 6788 KIRBY ARMS DR # MEMPHIS TN 38115

MURPHY JAMES H & LORETTA E 6796 KIRBY ARMS DR # MEMPHIS TN 38115

GOMEZ CELINA 3454 KIRBY TERRACE DR # MEMPHIS TN 38115

WALKER ANGELA R 6802 KIRBY ARMS DR # MEMPHIS TN 38115

AO PROPCO 1 LLC 32 MERCER ST #4 NEW YORK NY 10013

BROAD ST LLC 2595 BROAD ST # MEMPHIS TN 38112

SUE ALAN 1 KEAHOLE PL #3308 HONOLULU HI 96825

BOYD STELLA AND WENDY CURRY 3463 KIRBY VALLEY DR # MEMPHIS TN 38115

HAVENWOOD ALTI LLC 13217 JAMBOREE RD #215 TUSTIN CA 92782

SUMERALL KION AND TONYA SUMERALL 6862 KIRBY ARMS DR # MEMPHIS TN 38115

WASHINGTON COURTNEY T SR & ARROYO JOAQUIN 3459 KIRBY TERRACE DR # MEMPHIS TN 38115

JONES KERESIA L 6780 KIRBY ARMS DR # MEMPHIS TN 38115

KNIGHT CARLA 6870 KIRBY ARMS DR # MEMPHIS TN 38115

HENDERSON ELLA M 6874 KIRBY ARMS DR # MEMPHIS TN 38115

STEWART LAZE JR 3462 KIRBY TERRACE DR # MEMPHIS TN 38115

GAINES MELONEE 3468 BROWNBARK DR # MEMPHIS TN 38115

EMDL 401 K PLAN 867 38TH AVE # SAN FRANCISCO CA 94121

ISBY PATRICIA M 6725 BROWNBARK CV # MEMPHIS TN 38115

QUINONEZ ROSA M 3477 BROWNBARK DR # MEMPHIS TN 38115

PHILLIPS JOYCE A 6783 KIRBY ARMS DR # MEMPHIS TN 38115

472 CROFT RD # BYHALIA MS 38611

OUR HOME TO YOUR HOME REALTY LLC PO BOX 38252 # GERMANTOWN TN 38183

REI NATION LLC PO BOX 381887 # GERMANTOWN TN 38183

411 INVESTMENTS LLC 5524 RIVERDALE RD # MEMPHIS TN 38141

HERNANDEZ MIGUEL 6835 KIRBY ARMS DR # MEMPHIS TN 38115

OUSLEY ARNEDTHA L 3476 KIRBY TERRACE DR # MEMPHIS TN 38115

MORGAN WAURINE C 6875 KIRBY ARMS DR # MEMPHIS TN 38115

CASTILLO CANDELARIO 8090 CENTER HILL RD # OLIVE BRANCH MS 38654

SCHUMACHER FAMILY TRUST 26121 CALLE CRESTA # MISSION VIEJO CA 92692

DOTSON JAMES C & ROSE N 6724 GREENBARK DR # MEMPHIS TN 38115

MORENO GLADYS M H 6772 GREENBARK DR # MEMPHIS TN 38115

TEJEDA INGRIS N T 6780 GREENBARK DR # MEMPHIS TN 38115

THOMPSON CURTIS L 6800 GREENBARK DR # MEMPHIS TN 38115

MATTHEWS TERESA M 6808 GREENBARK # MEMPHIS TN 38115

6814 GREENBARK TRUST PO BOX 650715 # STERLING VA 20165

ORELLANA JOSE P 3489 KIRBY TERRACE DR # MEMPHIS TN 38115

WILLIAMS GLORIA 6822 GREENBARK DR # MEMPHIS TN 38115

HARDY EDWARD & FREDDIE 6854 GREENBARK DR # MEMPHIS TN 38115

HENDERSON CHARLES 6862 GREENBARK DR # MEMPHIS TN 38115

BRADSHAW NOEL 4701 SUMMER AVE # MEMPHIS TN 38122

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

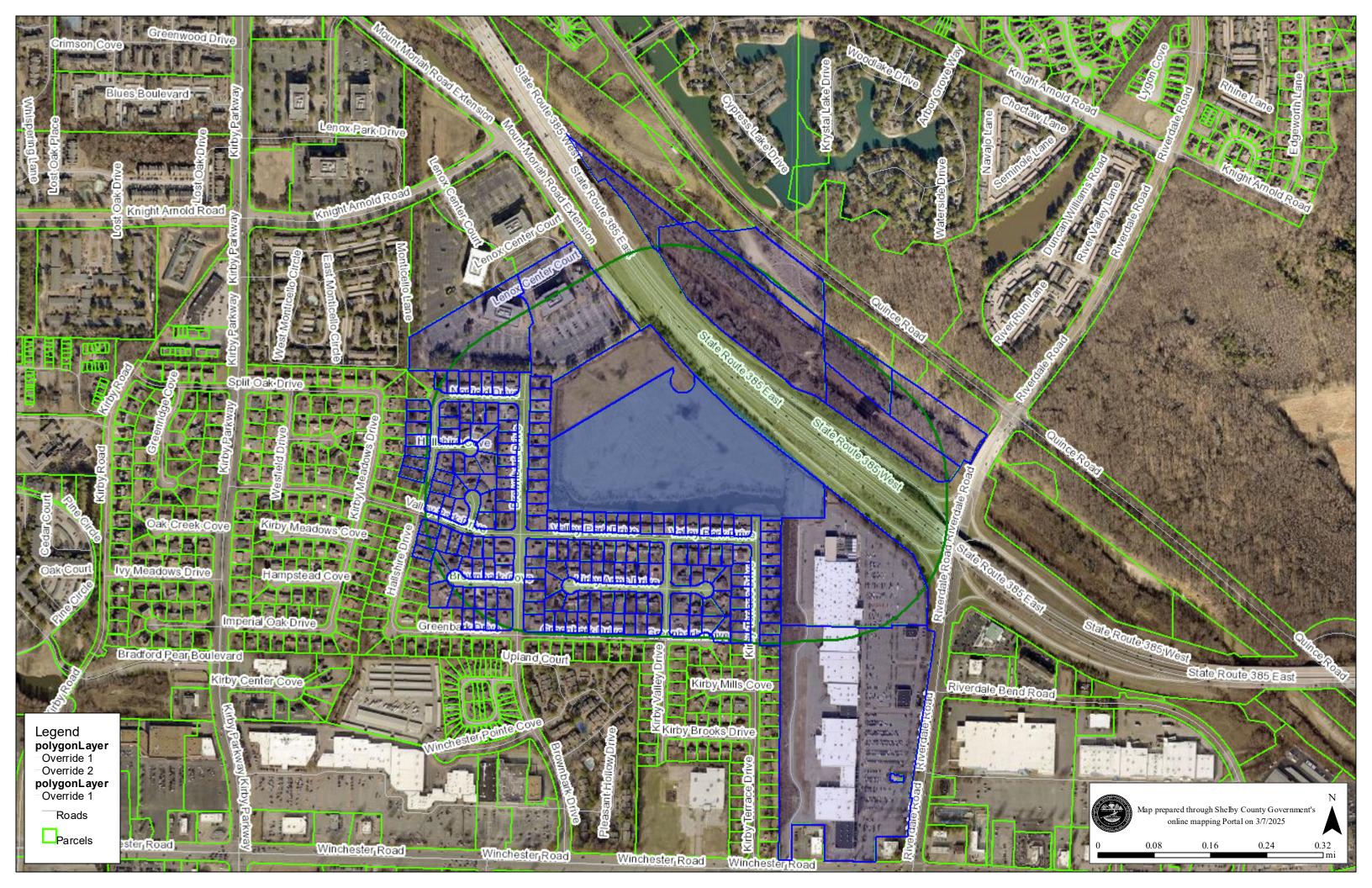
AO PROPCO 1 LLC 32 MERCER ST #4 NEW YORK NY 10013 ASPEN MEMPHIS LLC AND AR REALTY GROUP 83 SOUTH ST #101 FREEHOLD NJ 07728

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 ONLY STAPLED TO DOCUMENTS	Plannin	g & Zoning	_ COMMITTEE:	
		PUB	LIC SESSION:	DATE 03/25/2025 DATE
ITEM (<i>CHECK ONE</i>)ORDINANCE	X_RESOLUT	ION	REQUEST FOR P	PUBLIC HEARING
ITEM DESCRIPTION:	Resolution pur	suant to Chap permit at the	pter 9.6 of the Mem subject property lo	nphis and Shelby County Unified Development Code approving ocated northwest corner of Southwall Street and Bulova Lane,
CASE NUMBER:	SUP 2025-001			
LOCATION:	Northwest corr	ner of Southw	vall St. and Bulova I	Ln., near terminus of Southwall St.
COUNCIL DISTRICTS:	District 4 and S	Super District	t 8	
OWNER/APPLICANT:	Project Transit	ion		
REPRESENTATIVE:	David Bray, Th	ne Bray Firm		
REQUEST:	To allow transi	tional housin	g (social service ins	stitution) and container buildings.
AREA:	+/-3.226 acres			
RECOMMENDATION:	COMMENDATION: The Division of Planning and Development recommended <i>Rejection</i> The Land Use Control Board recommended <i>Rejection</i>			
RECOMMENDED COUNC				
PRIOR ACTION ON ITEM: (2) 02/13/2025 (1) Land Use Control Board FUNDING: (2) \$ \$ SOURCE AND AMOUNT ON \$ \$ \$		DATH ORG/ (2) GO REQU AMO REVE OPER CIP P	E ANIZATION - (1) E OV'T. ENTITY (3) JIRES CITY EXPE UNT OF EXPEND ENUE TO BE RECH RATING BUDGET ROJECT #	CEIVED
<u>\$</u>		_ FEDE	ERAL/STATE/OTH	IER
ADMINISTRATIVE APPRO	VAL: andre		<u>DATE</u> 3/7/25 3/7/25	POSITION PLANNER II DEPUTY ADMINISTRATOR ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER
				FINANCE DIRECTOR
				CITY ATTORNEY
4 I			,	CHIEF ADMINISTRATIVE OFFICER
				COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2025-001

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT THE NORTHWEST CORNER OF SOUTHWALL STREET AND BULOVA LANE, KNOWN AS CASE NUMBER SUP 2025-001

- This item is a resolution with conditions for a special use permit to allow transitional housing (a social service institution) in container structures.
- DPD staff recognizes the existence of strong arguments in both support of and in opposition to the subject application. The following page features a graphical summary of these arguments in a "Pro-Con" format. It also appears on page 17 of the staff report.
- Ultimately, staff found the arguments against the application to outweigh those in support. Additionally, we failed to make the required finding that "adequate" public facilities exist to support the development (Sub-Section 9.6.9C). We therefore recommend *rejection*.
- At its February 2025 meeting, the Land Use Control Board also voted to recommend *rejection*.
- The item may require future public improvement contracts.

Summary of Staff-Identified Factors (from staff report pg. 17)

Pro	Con		
<u>Necessary Use</u>	• <u>500-year floodplain</u>		
 Formerly Incarcerated Individuals face specific housing struggles 	 Incompatibility with Mid-South Regional Resilience Master Plan (see staff report page 		
 Integrated social services and housing 	24-25).		
 Generally advances housing variety 	 Resilient siting especially important when housing reserved for sensitive population 		
<u>Preferable to by-right uses</u>			
 Incompatible uses which would be by-right and 	 Long, indirect pedestrian route to Lamar Ave. 		
require no Governing Body approval include:	 Approx. ½ mile distance 		
 Lumberyard 	\circ Transit accessibility especially key when		
	planning housing for sensitive population,		
 Chemical/Cosmetic/Fertilizer Manufacturing 	required for "adequate" public facilities (Sub-		
 Warehouse/Distribution 	Section 9.6.9C).		
<u>Wooded Site</u>	• Isolated Site		
 Landscape buffer requirements easier to meet and 	 No reason for interaction between residents 		
provide better results than installed landscaping	to north and project residents		
 Preserve existing backyards of abutting residences 	 Separated from surrounding community by 		
	railroad, industrial uses, I-240		

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:	SUP 2025-001
LOCATION:	Northwest corner of Southwall St. and Bulova Ln.
COUNCIL DISTRICT(S):	District 4 and Super District 8
OWNER/APPLICANT:	Project Transition
REPRESENTATIVE:	David Bray, The Bray Firm
REQUEST:	To allow transitional housing and container structures
EXISTING ZONING:	Employment (EMP)
AREA:	+/-3.226 acres

The following spoke in support of the application: David Bray, Stacy Dickson, Ellen Levin, Derrick Boyd, Jonathan Richardson

The following spoke in opposition the application: Mark Jobe, John Mahovitz, Matinika Parker, Dorothy Bobart, Keith Wheeler

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

The motion failed by a vote of 1-8 on the regular agenda.

Respectfully,

ichden Walne

Nicholas Wardroup Planner II Land Use and Development Services Division of Planning and Development

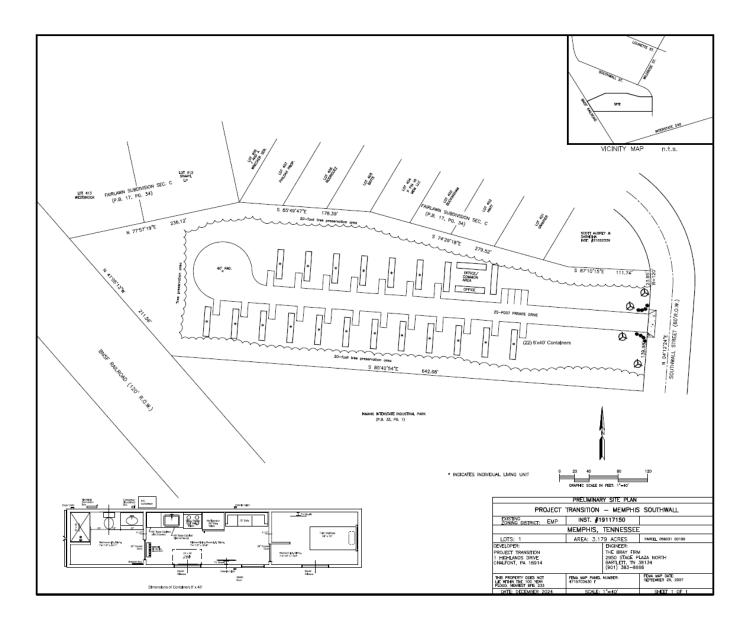
Cc: Committee Members File

SUP 2025-001 CONDITIONS

While the Board recommends *rejection*, it recommends the following conditions if approved:

- The approval of an Administrative Site Plan Review (ASPR) shall be required prior to the issuance of any building permits. The Zoning Administrator, City Engineer, or Building Official may, at their discretion, impose additional requirements or conditions related to floodplain resilience as part of this review. Such requirements or conditions will be considered conditions of this Special Use Permit.
- 2. As part of the required ASPR review, the applicant shall provide detailed plans of the site entrance, including elevations and any other plans deemed necessary by the Zoning Administrator, for administrative review and approval. The approved plans shall be considered conditions of this Special Use Permit.
- 3. At least four bicycle parking spaces (two racks) shall be provided. They shall be of an inverse-U ("staple" or "loop") design and spaced at least 48" apart and set back at least 96" from any walls.
- 4. Pursuant to comments provided by City Fire Prevention, the cul-de-sac at the western portion of the site shall be expanded to feature a 48' radius.

SITE PLAN



RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT THE NORTHWEST CORNER OF SOUTHWALL STREET AND BULOVA LANE KNOWN AS CASE NUMBER SUP 2025-001

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

WHEREAS, Project Transition filed an application with the Memphis and Shelby County Division of Planning and Development to allow transitional housing and container buildings; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on February 13, 2025, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

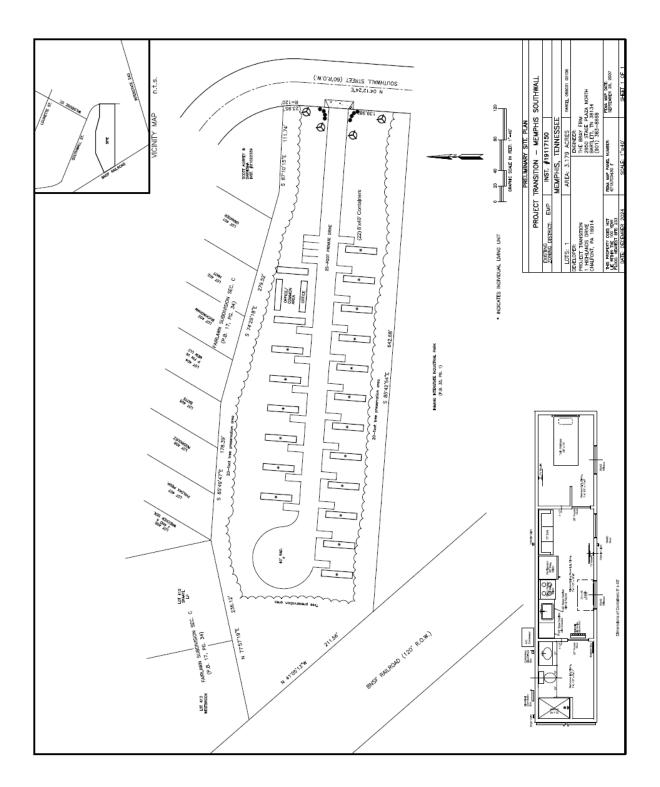
NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted for the request use in accordance with the attached conditions.

BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

CONDITIONS

- The approval of an Administrative Site Plan Review (ASPR) shall be required prior to the issuance of any building permits. The Zoning Administrator, City Engineer, or Building Official may, at their discretion, impose additional requirements or conditions related to floodplain resilience as part of this review. Such requirements or conditions will be considered conditions of this Special Use Permit.
- 2. As part of the required ASPR review, the applicant shall provide detailed plans of the site entrance, including elevations and any other plans deemed necessary by the Zoning Administrator, for administrative review and approval. The approved plans shall be considered conditions of this Special Use Permit.
- 3. At least four bicycle parking spaces (two racks) shall be provided. They shall be of an inverse-U ("staple" or "loop") design and spaced at least 48" apart and set back at least 96" from any walls.
- 4. Pursuant to comments provided by City Fire Prevention, the cul-de-sac at the western portion of the site shall be expanded to feature a 48' radius.



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

d DC MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT
AGENDA ITEM:	15	L.U.C.B. MEETING:	February 13, 2025
CASE NUMBER:	SUP 2025-001		
LOCATION:	Northwest corner of Southwall St.	and Bulova Ln.	
COUNCIL DISTRICT:	District 4 and Super District 8		
OWNER/APPLICANT:	Project Transition		
REPRESENTATIVE:	The Bray Firm, David Bray		
REQUEST:	Special use permit to allow tra container buildings.	nsitional housing (social s	service institution) and
EXISTING ZONING:	Employment (EMP)		

CONCLUSIONS

- 1. The applicant proposes to erect 22 container buildings to serve as temporary housing for formerly incarcerated individuals and associated offices.
- 2. Ultimately, while the requested use is both 1) necessary and 2) preferable to many uses which would be allowed by-right in the EMP zoning district, several site issues exist which render the subject property ill-suited for the proposed use.
- 3. Due to the long and indirect route between the subject property and Lamar Ave., staff cannot find the surrounding street system to be "adequate" as required by Sub-Section 9.6.9C. We therefore recommend *rejection*.
- 4. The granting of this special use permit will cause substantial detriment to the public good, it will substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), it will be injurious to the neighborhood and the general welfare, and it will not be in harmony with the purpose and intent of the UDC.

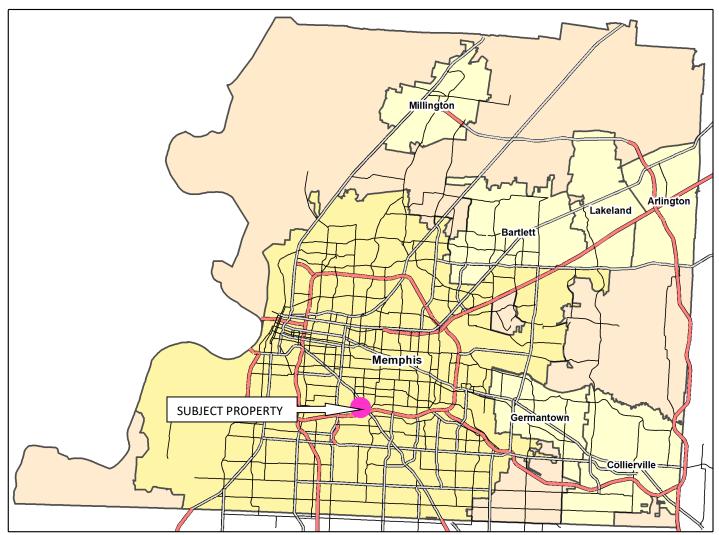
CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 26-28 of this report.

RECOMMENDATION:

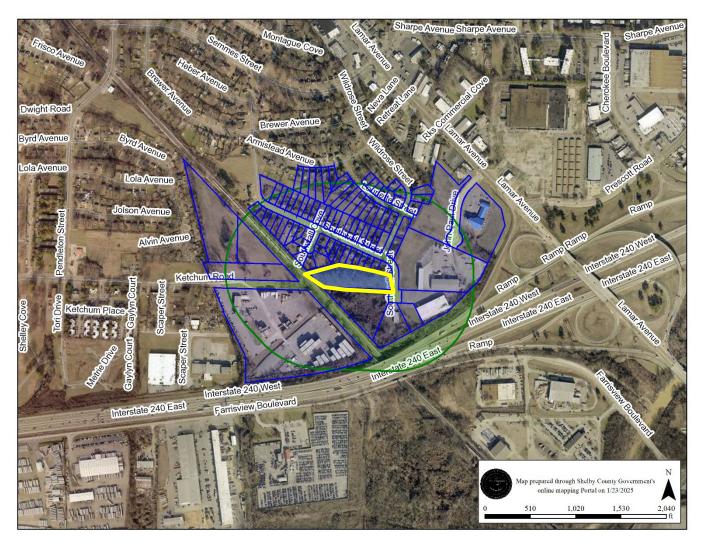
Rejection

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property outlined in yellow

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 85 notices were mailed on January 23, 2025, see page 29 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 31 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Monday, February 3, 2025, at Cherokee Library, 3800 Sharpe Ave.

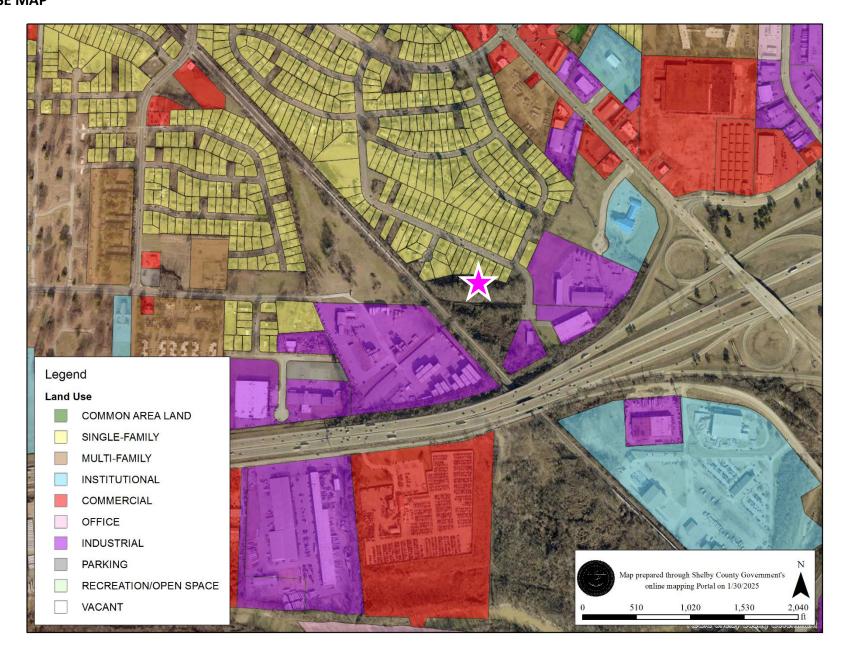
AERIAL



February 13, 2025 Page 5

ZONING MAP





February 13, 2025 Page 7

FEMA FLOOD ZONE MAP



SITE PHOTOS



Looking west from Southwall St. near location of proposed ingress/egress.



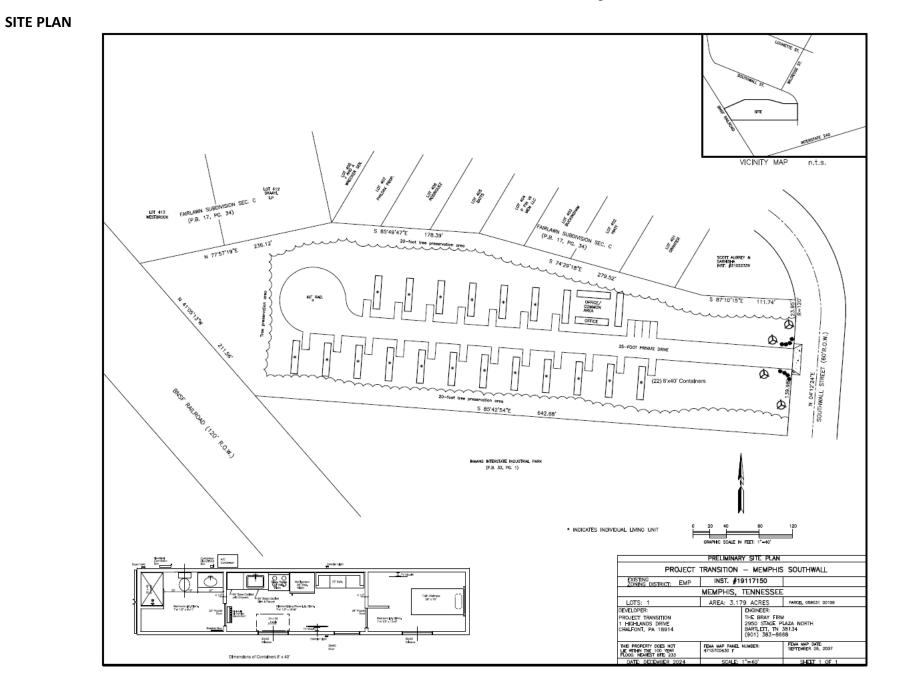
Looking northwest from southeast corner of subject property on Southwall St.

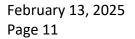


Looking southwest from right-of-way near 3009 Southwall St. Subject property includes wooded area behind existing residential structures. Note that the applicant proposes to maintain a 20' tree perseveration area (buffer).

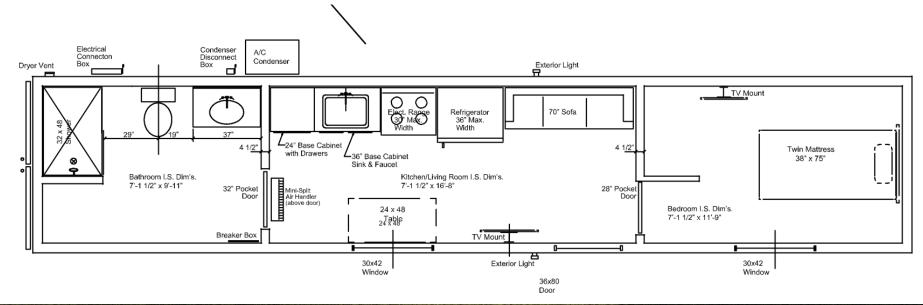


Looking west from Southwall St. near northeast corner of the subject property.





FLOOR PLAN





SELECTED RENDERS PROVIDED BY APPLICANT





CASE REVIEW

Request

New Special Use Permit to permit transitional housing (social service institution) and container buildings in the Employment (EMP) district.

Approval Criteria

Staff *disagrees* the approval criteria in to regard special use permits as set out in Section 9.6.9 of the Unified Development Code are met. Specifically, we find that the lack of a direct pedestrian route to Lamar Avenue renders the surrounding street system inadequate, conflicting with Sub-Section 9.6.9C (*bolded and red for visibility*). See Staff Analysis (page 15) for further detail.

9.6.9 Approval Criteria

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

- 9.6.9A The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.
- 9.6.9B The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.
- 9.6.9C The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.
- 9.6.9D The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.
- 9.6.9E The project complies with all additional standards imposed on it by any particular provisions authorizing such use.
- 9.6.9F The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.
- 9.6.9G The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to ensure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.
- 9.6.9H Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.

<u>Site Details</u> Address: 0 Southwall St. (no assigned address)

Parcel ID: 059031 00108

Area: +/-3.226 acres

Site Plan Review

The applicant proposes to erect twenty-two total container structures: eighteen 320-sq. ft. residences and four office structures of the same size. The project is proposed to be served by a single curb cut on Southwall St. and access drive terminating in a cul-de-sac. Twenty-three parking spaces are proposed: five for the office use and one for each of the eighteen residences. The applicant proposes a minimum 20' tree preservation area around the perimeter of the site.

Staff Analysis

Staff would like to first recognize the existence of several strong arguments which would support the approval of the subject application. While we ultimately find these to be outweighed by the site issues identified later in this section, we acknowledge that several factors exist which could lead one to reasonably find otherwise. In addition to the written analysis found in the following paragraphs, we have also provided a graphical representation of the factors we find to either support or undermine the subject application on page 17.

First, we must acknowledge the fact that the requested land use is a necessary one. No city can consider its housing system complete without a sufficient supply designed to address the specific challenges associated with exiting the criminal legal system. This application, if approved, would supplement this supply as well as advance the general planning goals of increasing housing variety and accessibility.

Secondly, while we are recommending *rejection* due to site concerns, we must also recognize a clear advantage of the subject property: that it remains wooded. The UDC imposes district buffer landscaping requirements that can be costly and yield mixed results even when implemented. This site, on the other hand, provides the applicant the opportunity to go above and beyond these requirements by simply preserving a band of existing trees around the site perimeter.

Finally, we must recognize the simple fact that this use is preferable to may uses which would be permitted byright in the EMP zoning district. Put simply, this is a more neighborhood-friendly use than, say, a lumberyard or chemical manufacturing facility, neither of which would require Council approval to open on the property and would certainly pose greater neighborhood compatibility risks than the use requested here.

Having acknowledged these factors, however, we must also identify several major site issues which, in our view, render the subject property ill-fitting for the requested use and necessitate a recommendation of *rejection*. Firstly, we note that the subject property is entirely located within the 500-year floodplain, likely the reason it has never been developed to date (note how the residential property lines are drawn to avoid floodplain, page 7). The Mid-South Regional Resilience Master Plan identifies the property as Zone 4 (High Risk), calling for "avoid[ing] these areas for future development whenever possible." It additionally stresses the importance of

resilient siting of housing for sensitive populations (formerly incarcerated individuals), a goal with which the approval of this application would be in conflict. See Office of Sustainability and Resilience comments on pages 24-25 for more details regarding these concerns.

Another cause for concern is the site's location within the context of the City's transportation system. The site is located at the rear of the surrounding neighborhood, creating a clear obstacle for pedestrian accessibility to Lamar Avenue and the MATA system and therefore the rest of the city. While encouraging transit-cognizant siting decisions is an important planning goal for residential development generally, it is especially key when that housing is reserved for sensitive populations. The nearly half-mile pedestrian distance to Lamar (see page 18) undermines the ability for residents to access employment, groceries, and the other needs of day-to-day life.

More broadly, the site's isolated location seems generally incompatible with the goal of helping formerly incarcerated individuals reintegrate into society. While it is located in a neighborhood, it is located its extreme rear (south), providing little reason for existing residents to interact with the project residents. To the southwest and south/southeast, the site is further separated from surrounding community by railroad right-of-way and industrial uses/I-240, respectively. In short, it is a planning responsibility to encourage housing, especially that reserved for sensitive populations, be well-integrated into the existing community. The subject property, simply put, is not.

Considering the sum of these factors, we find the identified site issues to outweigh the supporting factors and therefore recommend *rejection*. While we recognize the facts that 1) the requested use is beneficial and necessary and 2) less appropriate uses could be established at the site by-right, we cannot overlook site factors which render the property ill-suited for the requested use. Specifically, we cannot make required finding of Sub-Section 9.6.9C regarding adequacy of public services, finding that the lack of a direct pedestrian route to Lamar Avenue is renders the surrounding street system inadequate for the proposed use (see page 13 for full language of required findings).

The granting of this special use permit will cause substantial detriment to the public good, it will substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), it will be injurious to the neighborhood and the general welfare, and it will not be in harmony with the purpose and intent of the UDC.

RECOMMENDATION

Staff recommends *rejection*. However, if approved, we recommend the conditions listed below. See pages 23 (Fire) and 24-25 (Sustainability and Resilience) for explanatory comments regarding conditions #4 and #1, respectively.

Conditions

- 1. The approval of an Administrative Site Plan Review (ASPR) shall be required prior to the issuance of any building permits. The Zoning Administrator, City Engineer, or Building Official may, at their discretion, impose additional requirements or conditions related to floodplain resilience as part of this review. Such requirements or conditions will be considered conditions of this Special Use Permit.
- 2. As part of the required ASPR review, the applicant shall provide detailed plans of the site entrance, including elevations and any other plans deemed necessary by the Zoning Administrator, for administrative review and approval. The approved plans shall be considered conditions of this Special Use Permit.
- 3. At least four bicycle parking spaces (two racks) shall be provided. They shall be of an inverse-U ("staple" or "loop") design and spaced at least 48" apart and set back at least 96" from any walls.
- 4. Pursuant to comments provided by City Fire Prevention, the cul-de-sac at the western portion of the site shall be expanded to feature a 48' radius.

February 13, 2025 Page 17

Summary of Staff Identified Factors

The table below summarizes the key factors considered by staff in our review and, ultimately, our recommendation. These factors are separated into "pro" and "con" sections depending on whether we find them to support or undermine the request. In short, we both fail to make a required finding (adequacy of public services, Sub-Section 9.6.9C) and generally find the undermining factors to outweigh the supporting factors.

Pro	Con	
<u>Necessary Use</u>	• <u>500-year floodplain</u>	
 Formerly Incarcerated Individuals face specific housing struggles 	 Incompatibility with Mid-South Regional Resilience Master Plan (see page 24-25). 	
 Integrated social services and housing Generally advances housing variety 	 Resilient siting especially important when housing reserved for sensitive population 	
Preferable to by-right uses	 Long, indirect pedestrian route to Lamar Ave. 	
 Incompatible uses which would be by-right and require no Governing Body approval include: Lumberyard Chemical/Cosmetic/Fertilizer Manufacturing 	 Approx. ½ mile distance Transit accessibility especially key when planning housing for sensitive population, <i>required for "adequate" public facilities (Sub-Section 9.6.9C).</i> 	
 Warehouse/Distribution <u>Wooded Site</u> Landscape buffer requirements easier to meet and provide better results than installed landscaping Preserve existing backyards of abutting residences 	 <u>Isolated Site</u> No reason for interaction between residents to north and project residents Separated from surrounding community by railroad, industrial uses, I-240 	

February 13, 2025 Page 18

Distance to Lamar Ave.

The map below illustrates our key finding: that the exceptional distance and indirect route between the subject property and Lamar Ave. (and, with it, the MATA system) renders the street system inadequate for the proposed use as defined by Sub-Section 9.6.9C.



Procedural Context

There are two components of the subject proposal which require approval under the UDC: the principal use (a "social service institution") and the use of container buildings. The use approval is straightforward: the requested use meets the definition of a "transitional home", a use which falls under the broad category civic uses known as "social service institutions" which require an SUP in the EMP district.

More complex is the process by which the request to use container buildings is able to be included in the subject application. "Container home", like all residential uses, is a nonpermitted use in the EMP district and would therefore require a use variance rather than a Special Use Permit. However, social service institutions are not considered residential uses under the UDC, even if individuals live on site. The proposed structures are not "container homes", then, but "container buildings." And, while container buildings in the EMP district typically require a Conditional (as opposed to Special) Use Permit (typically, like variances, heard by the Board of Adjustment), Sub-Section 2.6.4H allows the applicant to combine both applications if the use of a container building also requires Special Use approval. See the definitions of the relevant UDC terms below.

Relevant UDC Provisions/Definitions

Section 2.5.2 – Permitted Use Table "Social Service Institution" is an SUP use in the EMP zoning district.

Sub-Section 2.6.4.H – Container Building (Use Standards)

Definition. A container building is any principal or accessory structure used for a purpose other than a dwelling unit that is wholly or partially located within a shipping container. Container buildings are prohibited in all zoning districts except as indicated in Section 2.5.2. Uses within a container building are regulated by Section 2.5.2. Only those uses permitted by right in a particular zoning district may be located within a container building with the approval of a Conditional Use Permit. Uses requiring the issuance of a Special Use Permit proposed within a Container Building may be approved through the Special Use Permit process without necessitating an accompanying Conditional Use Permit application.

Sub-Section 2.9.3H – Social Service Institution (Definition and Examples) Requested use is a "transitional home" (highlighted in yellow for visibility).

H. Social Service Institution

Uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems, and transient housing related to social service programs.

Principal Uses	Accessory Uses
Correctional facility (private)	Adult educational facility
Group shelter	Associated office
Neighborhood resource center	Food preparation or dining area
Rehabilitative clinic	Gardening
Social service facility, soup kitchen, transient lodging or	Meeting room
shelter for the homeless	Off-street parking
Transitional home	On-site day care where children are cared for while
Work release center and day reporting service	parents or guardians are occupied on the premises
establishment	Staff residences located on-site
	Accessory solar energy system
	Building-mounted wind energy system
	Electric vehicle charging unit

February 13, 2025 Page 20

Section 12.3.1 – Transitional Home (Definition, emphasis added) Residence used for the purposes of rehabilitating persons from **correctional facilities**, mental institutions, and alcoholic and drug treatment centers and operated by a public or private agency duly authorized and licensed by the state, which agency houses individuals being cared for by the agency and deemed by the agency to be capable of living and functioning in a community and which provides **continuous professional guidance**. This definition does not include supportive living facilities or personal care homes for the elderly licensed by any duly authorized governmental agency and thereby allowed by right within all residential zones in accordance with the definition of "family" hereunder.

DEPARTMENTAL COMMENTS

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

City/County Engineer:	See next page.
City/County Fire Division:	See page 23.
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 pages 24-25
Office of Comprehensive Planning:	See pages 26-28

CITY ENGINEERING COMMENTS

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

Sewers:

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

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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

10. Will require engineering ASPR.

Drainage:

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

General Notes:

- 16. The width of all existing off-street sewer easements shall be widened to meet current city standards.
- 17. Development is greater than 1 acre and will require detention.
- 18. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 19. All connections to the sewer shall be at manholes only.
- 20. 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.
- 21. Required landscaping shall not be placed on sewer or drainage easements.



DIVISION OF FIRE SERVICES ***** FIRE PREVENTION BUREAU

2668 Avery Avenue · Memphis · Tennessee · 38112 (901) 636-5401 Fax (901) 320-5425

Case Number: SUP 2025-001 Date Reviewed: 2/7/25 Reviewed by: J. Stinson Address or Site Reference: 0 Southwall

- 16' one-way drives do not comply with IFC 503.2.1 for Fire Department access road dimensions.
- Minimum Cul- de-sac radius is 48' (96' diameter)

503.2.5 Dead ends(Amended)Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an *approved* area for turning around fire apparatus. Turnarounds required by this section shall comply with Table D103.4 Requirements for Dead-End Fire Apparatus Access Roads in Appendix D

FIRE APPARATUS ACCESS ROADS		
LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

TABLE D103.4 REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

For SI: 1 foot = 304.8 mm.

102.5 Application of residential code. Where structures are designed and constructed in accordance with the *International Residential Code*, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, **fire apparatus access** and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.6 shall apply.

2. Administrative, operational and maintenance provisions of this code shall apply.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

MEMORANDUM

To: Nicholas Wardroup, Planner II

From: Robin Richardson, Planner II

Date: January 14, 2025

Subject: OSR Comments on SUP 2025-001: LAMAR

General Comments & Analysis:

Located in Zone 4 of the Resilience Zone Framework:

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

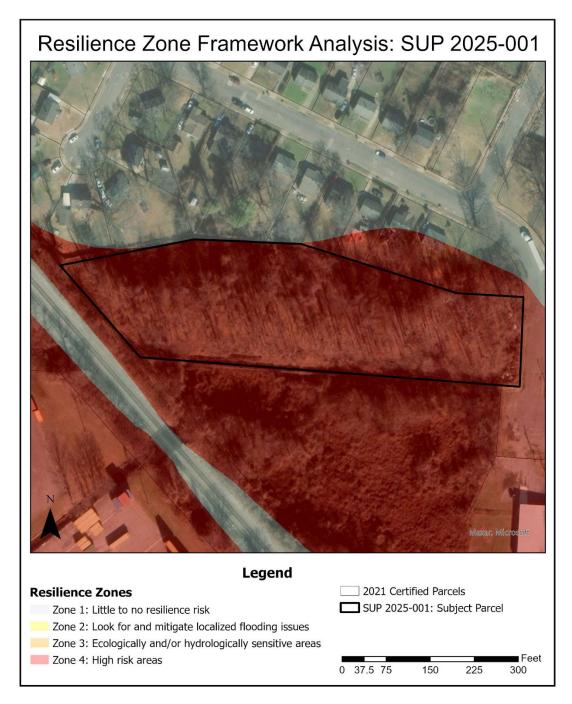
The site is designated as Zone 4 because of its location within the 500-year floodplain for Nonconnah Creek.

The applicant is seeking a special use permit that would allow the construction of transitional housing as a social institution.

Aerial photography shows that the parcel is densely forested.

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. There are some positive elements of the application that should be noted. The applicant proposes a tree preservation area around the border of the site, which would be consistent with Section 5.7 – Trees, considering this would preserve a large number of mature trees. On the other hand, the siting of the housing within Zone 4 would be in conflict with Section 4.1 – Resilient Sites, as it is placing housing within the floodplain. Additionally, the fact that the housing within the floodplain is dedicated for sensitive populations, such as people with behavioral health conditions, would be in conflict with Section 5.1 – Critical Infrastructure Planning.



Consistent with the Memphis Area Climate Action Plan best practices: Yes

This application is generally consistent with the Memphis Area Climate Action Plan. Since the housing will be constructed using recycled shipping containers, the proposed development would be consistent with Priority Action W.3 – Divert Greater Amounts of Inorganic Materials from Landfills.

Recommendations: Staff recommends the following:

- 1. The applicant should resubmit the site plan with the boundaries of the 500-year floodplain delineated.
- 2. Add a condition requiring that the foundations of the container homes be built at least two feet above Base Flood Elevation.

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: <u>SUP 2025-001: LAMAR</u>

Site Address/Location: 0 Southwall St. Overlay District/Historic District/Flood Zone: Not in an Overlay District, Historic District, or Flood Zone. Future Land Use Designation: Industrial Flex (IF) Street Type: Parkway

The applicant is requesting a special use permit to allow a transitional housing as a social service institution in the Employment (EMP) District.

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

Lower intensity industrial areas with a mix of uses and building scales that are generally compatible with nearby neighborhoods. Graphic portrayal of IF is to the right.

"IF" Form & Location Characteristics

Industrial with some commercial and service uses 1-6 stories

"IF" Zoning Notes

Generally compatible with the following zone districts: EMP, IH in accordance with Form and characteristics listed above.

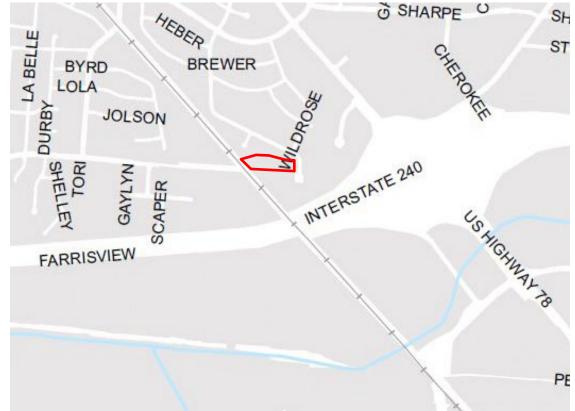
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, EMP

Adjacent Land Use and Zoning: Industrial, Single-Family, Vacant; EMP, R-6, R-15

Overall Compatibility: Although this request does not match Memphis 3.0's Industrial Flex (IF) future land use, its form, location, and description are compatible, as it is surrounded by single-family homes as it is a request for a social service institution in the Employment (EMP) zone.

3. Degree of Change Map

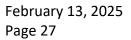


Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change

- 4. Degree of Change Description N/A
- 5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities

N/A





6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations $\ensuremath{\mathsf{N/A}}$

Consistency Analysis Summary

The applicant is requesting a special use permit to allow a transitional housing as a social service institution in the Employment (EMP) District.

Although this request does not match Memphis 3.0's Industrial Flex (IF) future land use, its form, location, and description are compatible, as it is surrounded by single-family homes as it is a request for a social service institution in the Employment (EMP) zone.

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

Summary Compiled by: Negin Hamidi, Comprehensive Planning.

NOTICE OF PUBLIC HEARING	MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY
You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than Wednesday, February 5, 2025 at 8 AM.	VICINITY MAP
CASE NUMBER: SUP 2025-001 LOCATION: NW corner of Southwall St. and Bulova Ln. REQUEST: Special Use Permit to allow transitional housing (social service institution) and container buildings APPLICANT: Project Transition	
Meeting Details Location: Council Chambers Time: 9:00 AM City Hall 1st Floor 125 N Main St. Date: Thursday, Feb. 13, 2025	
Staff Planner Contact: Nicholas Wardroup ☑ nicholas.wardroup@memphistn.gov ᢏ (901) 636-7398	To learn more about this proposal, contact the staff planner or use the QR code to view the full application.



125 N Main St, Suite 468 · Memphis, Tennessee 38103-2084 · (901) 636-6

Return Service Requested

CITY OF MEMPHIS 125 N MAIN ST # MEMPHIS TN 38103

NOTICE OF PUBLIC HEARING

POSTED SIGN PHOTO



AFFIDAVIT

Shelby County State of Tennessee

I, <u>BLAN HATCEY</u>, being duly sworn, depose and say that at <u>7</u> (and pm on the <u>30</u> day of <u>5 ADURAY</u>, 20<u>25</u>, I posted <u>/</u> Public Notice Sign(s) pertaining to Case No. <u>SP225-001</u> at <u>0 Sournage</u>,

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

<u>/</u>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: Λ

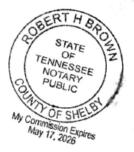
Owner, Applicant or Representative

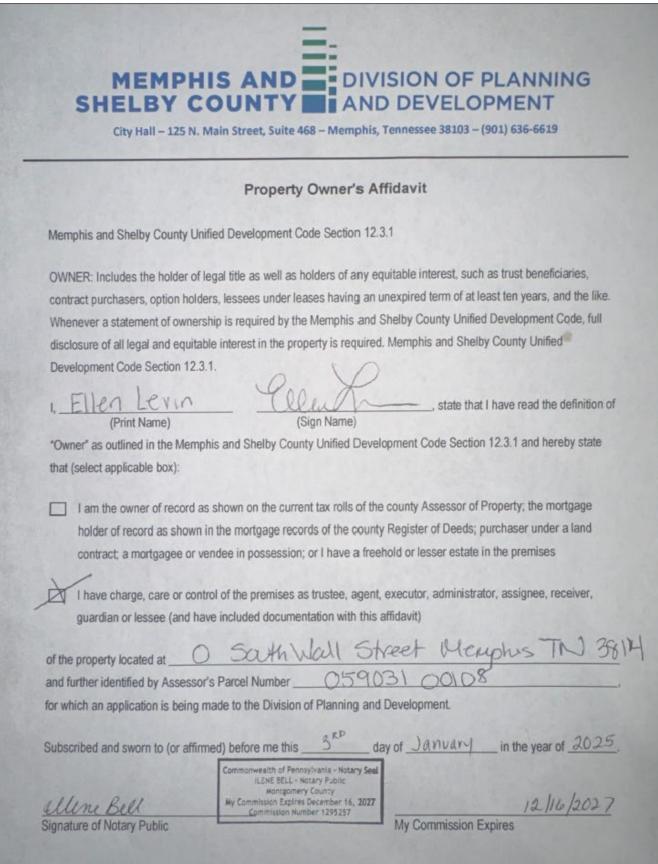
Subscribed and sworn to before me this _____

______ Date day of √

Notary Public

My commission expires: MAY 17, 2026





LETTERS RECEIVED and ATTACHMENTS

No public letters received by the time of the applicable deadline.

Attached to this document is the applicant's letter of intent as well as provided brochures.

Telephone 901-383-8668

2950 Stage Plaza North Bartlett, Tennessee 38134

January 3, 2025

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

LAND DEVELOPMENT_____

RE: 0 Southwall Project Transition – Memphis Southwall Parcel 059031 00108 – Inst. # 19117150 Memphis, Tennessee

Mr. Ragsdale:

Please find attached an application for a Special Use Permit to allow Transitional Housing as a Social Service Institution in the EMP zoning district. The subject property is a 3.179 acre tract at the southern end of Southwall Street. The site is currently treed and a perimeter of existing trees (as shown on the conceptual site plan) will be preserved to screen the property from adjacent tracts and the existing rail line on the western side of the site. The site will consist of 22 container homes with one (1) serving as an office for the site. Below is a mission statement provided by the applicant, Project Transition, for this development.

Project Transition (PT) was established 40 years ago with the purpose of serving individuals who have not fit or been accepted in other behavioral health (BH) programs due to their symptom-related behaviors. Our mission is "To empower individuals with BH conditions, substance use disorders, and/or developmental disability to achieve the lives of their choosing in the community." We have a strong commitment to "Hope and Healing Through Community," which includes finding and building strength among the community of our membership and growing connections between them and the broader communities in which they live.

The 6 "traditional" PT programs in PA, TN, and NC offer individuals a safe place to live, a schedule of structured services and multiple learning opportunities through community-based Recovery Centers, and a peer community to which they belong. Our treatment teams work collaboratively with MCOs, State agencies, Counties, and other stakeholders from pre-admission through post-transition. Over the past 4 decades, we have successfully supported hundreds of members who have exited or been diverted from incarceration into our traditional programs.

Specific to the forensic population, we also operate a 16-bed secure Residential Treatment Facility (RTF) and a nonsecure supportive housing model licensed for 8 persons in PA for people exiting or diverting from incarceration. The goal of the programs is to provide person-centered assessment, treatment, and transition planning to support members to successfully transition to lives of their choosing in their home communities with more traditional outpatient BH services and a reduction or elimination of the need for higher intensity levels of care or involvement with the judicial system. Throughout all of our programs, we support people who have suffered insecurity in housing, income, access to food, healthcare, education, vocation, and transportation. Our membership tends to enter our programs with few, if any, identified natural supports. We work diligently to reconnect them with positive supports from their past (e.g., family, friends) and to help them learn the skills needed to grow new supports that are necessary for sustaining permanence and success in the community. A graduation from our BH services means that in addition to the improved management of their symptoms, the person has secured the Social Determinants of Health (SDOH) that are necessary for living a stable, healthy, and productive life.

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

Sincerely,

David Gean Bray, P.E.

Our Specialized

Treatment Team

Our dedicated team of peer specialists, therapists, social workers, psychiatrists and psychiatric rehabilitation counselors at Project Transition make all the difference in quality care.

Our program begins care planning from day one of admissions which ensures that each Member has an individualized plan in place to support successful treatment outcomes and graduation.

"Project Transition came into my life when I felt everyone had given up on me. The staff and other members welcomed me and helped me figure out what I wanted out of my life and how to achieve it. Even though I had a few setbacks, the Project Transition team stood by me, and I am now able to be part of a community, living, paying rent, and even saving money."

-Andre B. Graduate of the Project Transition-Andorra Program

DO YOU OR SOMEONE YOU KNOW STRUGGLE WITH CHRONIC MENTAL ILLNESS AND ARE LOOKING FOR RESIDENTIAL SUPPORT?

We Use Evidence-based Practices: Dialectical Behavior Therapy 24/7 Skills Coaching/Crisis Response Line Community Supports Trauma Treatment Wellness Recovery Action Plan (WRAP) Certified Peer Support

More Information: Want to learn more about how Project Transition can help? Call: Pennsylvania: 215-997-9959 North Carolina: 910-255-5721 Tennessee: 615-540-8174 Email: Info@ProjectTransition.com Web: ProjectTransition.com









"To enable each person who has Serious Mental Illness, Dual Diagnosis, Substance Use Disorder or an Intellectual Developmental Disability and Behavioral Health challenges to live a life that is meaningful to him/her/them in the community on terms he/she/they defines."

Who We Are

Project Transition is a 12-18 month, community based residential treatment and recovery program that has been working with the Mental Health community for over 30 years. We have eight campuses including Nashville, Knoxville, and Memphis, Tennessee, Wilmington, North Carolina, and Philadelphia and Berks Counties, Pennsylvania. We service those 18-65 years old.

We Offer Person-Centered:

24/7 level of care (certain locations) Peer Support Independent Living Skills Groups Vocational Assistance Social Activities Wellness Services Individual and Group Therapy Psychiatry Medication Management

What We Do

"We take your dreams seriously!"

Project Transition offers comprehensive day programming for individuals with serious mental illness (co-occurring disorders and possibly borderline/ mild I/DD). Individuals will live in fully furnished apartments that are integrated within the community.



Blue Sky Treatment and Recovery Plan

Your Blue Sky Treatment & Recovery Plan focuses on your goals when prompted with the following scenario, "If there were no barriers, what would your ideal life look like 5 years after you graduate?" The answer to this question is then broken down into long- and short-term goals accompanied by specific action steps to help you work toward achieving them. These steps are then integrated into a Treatment and Recovery Plan so that every action step and goal is in pursuit of your identified life-worth-living and the life that you deserve.

ProjectTransition1



COMMUNITY REHABILITATION RESIDENTIAL PROGRAM

ne Bridge

Welcome to The Bridge , an 18-home community designed to help people exiting the judicial system to build a bridge to their future life



MEMBERS OF THE COMMUNITY WILL HAVE ACCESS TO BEHAVIORAL HEALTH SERVICES AND SUPPORTS EACH WEEK, INCLUDING:

- PSYCHIATRY APPOINTMENTS
- INDIVIDUAL THERAPY
- GROUP THERAPY
- RECOVERY-BASED INDIVIDUAL AND GROUP SESSIONS,
- WELLNESS ACTIVITIES (AVAILABLE 1:1 AND IN GROUPS)
- VOCATIONAL SKILLS TRAINING AND SUPPORTS (AVAILABLE 1:1 AND IN GROUPS)
- LIFE SKILLS TRAINING

CONTACT INFO:

(615) 540-8174 TNadmissions@ProjectTransition.com ProjectTransition.com

- SOCIAL SKILLS AND RELATIONSHIP BUILDING TRAINING (AVAILABLE 1:1 AND IN GROUPS)
- PLANNED RECREATIONAL ACTIVITIES/OUTINGS
- COMMUNITY MEAL
- MEDICATION MANAGEMENT/OBSERVATION
- OFF-SITE RECOVERY MEETINGS
- LITERACY/EDUCATIONAL SUPPORT (AVA
- CASE MANAGEMENT BENEFITS ENROLLMENT, ASSESSING NEED FOR SUPPORTS/SERVICES, LINKAGE TO COMMUNITY RESOURCES, COMMUNICATION W/POS & COURTS





Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Pending Opened Date: January 3, 2025

Record Number: SUP 2025-001

Expiration Date:

Owner Phone

Record Name: Project Transition - Memphis Southwall

Description of Work: Transitional Housing as a Social Service Institution in the EMP zoning district

Parent Record Number:

Address:

0 SOUTHWALL ST, MEMPHIS, TN 38114

Owner Information

Primary Owner Name

Y GRIGGS LEMMIE C AND ALEXIS V

Owner Address

6004 W ROSEWIND CIR, MEMPHIS, TN 38141

Parcel Information

059031 00108

Data Fields PREAPPLICATION MEETING Lucas Skinner Name of DPD Planner 10/01/2024 Date of Meeting Pre-application Meeting Type Email **GENERAL PROJECT INFORMATION** New Special Use Permit (SUP) Application Type List any relevant former Docket / Case n/a Number(s) related to previous applications on this site Is this application in response to a citation, stop No work order, or zoning letter

GENERAL PROJECT INFORMATION

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

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

B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations

UDC Sub-Section 9.6.9C

UDC Sub-Section 9.6.9D

LIDC Sub-Section 9.6.9E

ODC Sub-Section 9.6.9E	Agr
UDC Sub-Section 9.6.9F	Agr
GIS INFORMATION	
Case Layer	-
Central Business Improvement District	No
Class	R
Downtown Fire District	No
Historic District	-
Land Use	VAC
Municipality	-
Overlay/Special Purpose District	-
Zoning	EMI
State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No
County Commission District	-
City Council District	-
City Council Super District	-
Contact Information	

n/a

The subject property is zoned EMP and is located between an existing SFR subdivision and EMP uses at the southern end of Southwall Street. The subject property is currently vacant. The proposed use is well suited for the access to public facilities and a more appropriate transition to the adjacent SFR than traditional EMP uses. The site will self contained and served by a private

drive from Southwall Street. The existing site is heavily treed and a tree preservation area is proposed along the north, west, and south sides of the property as a buffer to surrounding uses.

All necessary public utilities are in place for the subject property. Agreed. Agreed.

Agreed.

VACANT

EMP

SUP 2025-001

Address

Name THE BRAY FIRM					<u>Conta</u>	Contact Type	
Address	11 (19)				ARCHITECT / ENGINE SURVEYOR		
2950 STAGE PLAZA NORTH,							
Phone (901)487-242	25						
Fee Inform	nation						
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	
1615958	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	01/03/2025	
1615958	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	01/03/2025	
	Тс	Total Fee Invoiced: \$513.00		Total Balance: \$0.00		00	
Payment	Information						
Payment Ame	ount Method of Pa	yment					
\$513.00	Credit Card						

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1. Levin 1 +1120 state that I have read the definition of (Sign Name) (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):

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 O South Wall Street Memphus TN 3814 059031 00108 and further identified by Assessor's Parcel Number_

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

Subscribed and sworn to (or affirmed) before me this 3^{RP} day of <u>January</u> in the year of <u>2025</u>. Commonwealth of Pennsylvania - Notary Seal ILENE BELL - Notary Public Montgomery County 12/16/2027 Ellme Bell My Commission Expires December 16, 2027 Commission Number 1295257 My Commission Expires Signature of Notary Public

Telephone 901-383-8668

2950 Stage Plaza North Bartlett, Tennessee 38134

January 3, 2025

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

LAND DEVELOPMENT_____

RE: 0 Southwall Project Transition – Memphis Southwall Parcel 059031 00108 – Inst. # 19117150 Memphis, Tennessee

Mr. Ragsdale:

Please find attached an application for a Special Use Permit to allow Transitional Housing as a Social Service Institution in the EMP zoning district. The subject property is a 3.179 acre tract at the southern end of Southwall Street. The site is currently treed and a perimeter of existing trees (as shown on the conceptual site plan) will be preserved to screen the property from adjacent tracts and the existing rail line on the western side of the site. The site will consist of 22 container homes with one (1) serving as an office for the site. Below is a mission statement provided by the applicant, Project Transition, for this development.

Project Transition (PT) was established 40 years ago with the purpose of serving individuals who have not fit or been accepted in other behavioral health (BH) programs due to their symptom-related behaviors. Our mission is "To empower individuals with BH conditions, substance use disorders, and/or developmental disability to achieve the lives of their choosing in the community." We have a strong commitment to "Hope and Healing Through Community," which includes finding and building strength among the community of our membership and growing connections between them and the broader communities in which they live.

The 6 "traditional" PT programs in PA, TN, and NC offer individuals a safe place to live, a schedule of structured services and multiple learning opportunities through community-based Recovery Centers, and a peer community to which they belong. Our treatment teams work collaboratively with MCOs, State agencies, Counties, and other stakeholders from pre-admission through post-transition. Over the past 4 decades, we have successfully supported hundreds of members who have exited or been diverted from incarceration into our traditional programs.

Specific to the forensic population, we also operate a 16-bed secure Residential Treatment Facility (RTF) and a nonsecure supportive housing model licensed for 8 persons in PA for people exiting or diverting from incarceration. The goal of the programs is to provide person-centered assessment, treatment, and transition planning to support members to successfully transition to lives of their choosing in their home communities with more traditional outpatient BH services and a reduction or elimination of the need for higher intensity levels of care or involvement with the judicial system. Throughout all of our programs, we support people who have suffered insecurity in housing, income, access to food, healthcare, education, vocation, and transportation. Our membership tends to enter our programs with few, if any, identified natural supports. We work diligently to reconnect them with positive supports from their past (e.g., family, friends) and to help them learn the skills needed to grow new supports that are necessary for sustaining permanence and success in the community. A graduation from our BH services means that in addition to the improved management of their symptoms, the person has secured the Social Determinants of Health (SDOH) that are necessary for living a stable, healthy, and productive life.

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

Sincerely,

David Gean Bray, P.E.

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

ZV 2024-393

August 28, 2024

ELLEN LEVIN Ellen.levin@projecttransition.com

RE: Certificate of Zoning Par 0 SOUTHWALL ST 059

Parcel ID No. 059031 00108

Dear Applicant,

This letter is in response to your request for zoning information regarding the above referenced property. To wit:

• The current zoning classification for the subject property is:

Zoning: EMP

Underlying Entitlements:

• Is the subject property located within an Overlay District?:

No, it is not within an Overlay District.

• Information regarding variances, special permits/exceptions, ordinances or conditions:

There do not appear to be any special zoning dispensations that apply to the subject property.

• The current None/Vacant and proposed use 18-bed Transitional Home of the subject is a: Non-permitted use.

A Transitional Home requires a Special Use Permit in the EMP (Employment) District, subject to the approval of the Land Use Control Board and Memphis City Council.

Link to the Unified Development Code: https://www.develop901.com/landuse-developmentservices/zoningSubdivisionAdministration

The above information contained herein was researched on 8/28/2024.

It is believed to be accurate and is based upon, or relates to, the information supplied by the requestor. No guarantees as to the accuracy of the data and information provided above are expressed or implied. This office is not responsible for any loss of profit, indirect, incidental, special, or consequential damages arising out of the use of the information provided above and assumes no liability for error and/or omission associated with this determination. All of the information contained herein was obtained from public records, which may be inspected during regular business hours.

Further information pertaining to the Unified Development Code may be obtained by visiting <u>https://www.develop901.com/landuse-developmentservices</u> or by contacting staff in the Land Use and Development Services Section of the Memphis and Shelby County Division of Planning and Development.

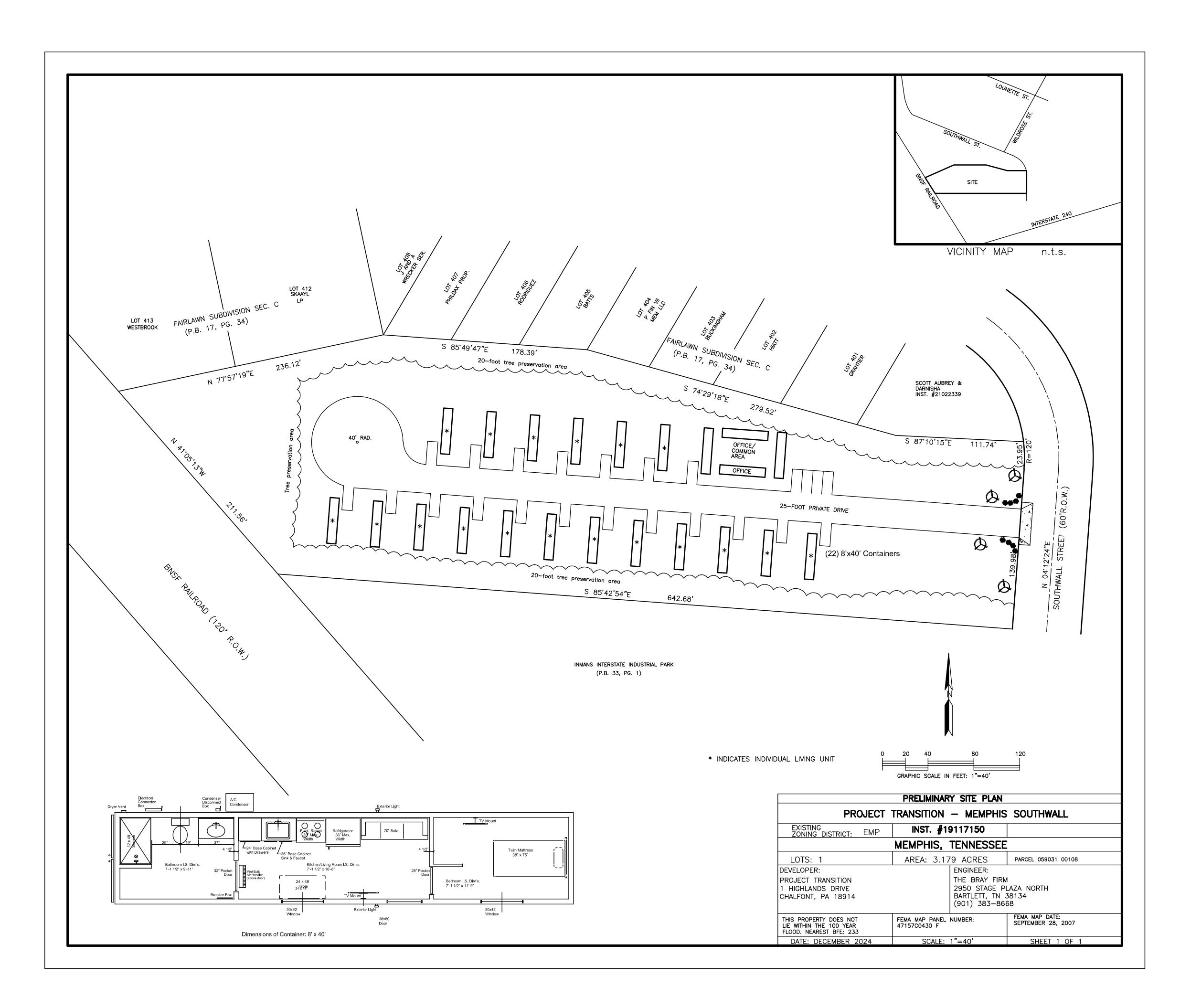
For more information or a more legible copy of any platted Planned Developments (PD-) or Subdivisions (S-), please visit the Register of Deeds site here: <u>https://gis.register.shelby.tn.us</u> and search by the parcel ID number or address.

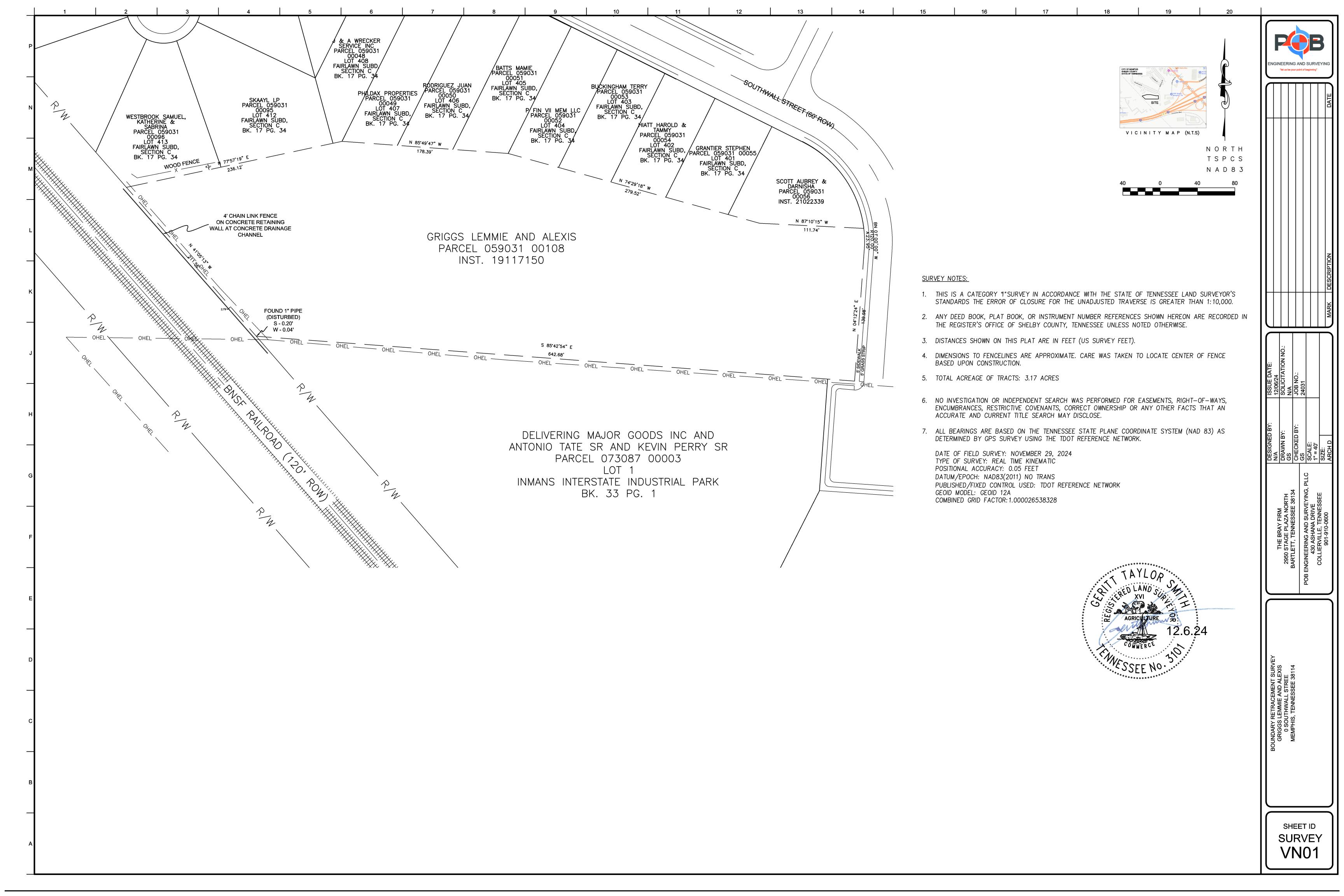
If you have questions regarding this matter, please feel free contact me at (901) 636-6619 or via email at firstname.lastname@memphistn.gov <u>LUCAS.SKINNER@MEMPHISTN.GOV</u>.

Respectfully,

Lucas Shin

Lucas Skinner Planner III Land Use & Development Services





CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

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



Memphis City Council Summary Sheet

HDD 2024-0001

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE THE DESIGNATION OF A NEW HISTORIC (H) OVERLAY DISTRICT TO INCLUDE 43 RESIDENTIAL PROPERTIES WITHIN THE 2000 TO 2100 BLOCK OF CARR AVENUE BETWEEN DIANA STREET AND COOPER STREET, KNOWN AS CASE NUMBER HDD 2024-0001

- This item is an ordinance for establishment of a Historic (H) Overlay District at the aforementioned location; and
- Approval of this establishment of a historic overlay district will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

ORDINANCE NO:

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE THE DESIGNATION OF A NEW HISTORIC (H) OVERLAY DISTRICT TO INCLUDE 43 PROPERTIES WITHIN THE 2000 TO 2100 BLOCK OF CARR AVENUE BETWEEN DIANA STREET AND COOPER STREET, KNOWN AS CASE NUMBER HDD 2024-0001.

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: HDD 2024-0001**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTIES OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) AND COMMERCIAL MIXED USE – 1 (CMU-1) DISTRICTS AND INCLUDING THEM IN THE RESIDENTIAL SINGLE-FAMILY HISTORIC – 6 (R-6[H]) AND COMMERCIAL MIXED USE HISTORIC – 1 (CMU-1[H]) DISTRICTS.

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

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

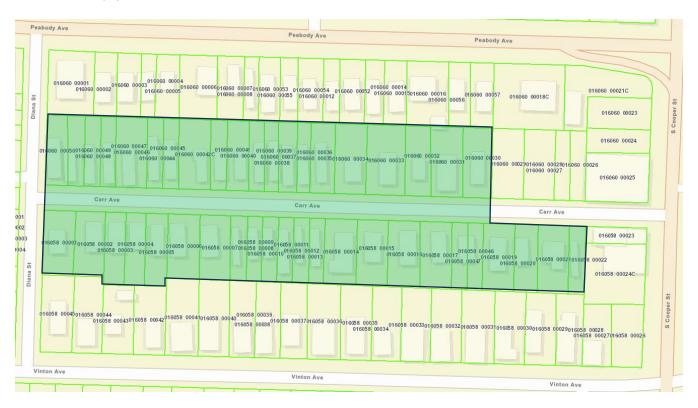
SECTION 2:

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

SECTION 3:

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

HISTORIC (H) OVERLAY DISTRICT BOUNDARIES



PARCEL NUMBERS

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

Mailing Address

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

ATTEST:

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

LAND USE CONTROL BOARD RECOMMENDATION

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

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

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

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

Respectfully,

Harget FPagne

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

Cc: Committee Members File

HISTORIC (H) OVERLAY DISTRICT BOUNDARIES



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C C MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT
AGENDA ITEM:	17	L.U.C.B. MEETING:	February 13, 2025
CASE NUMBER:	HDD 2024-0001		
LOCATION:	43 properties within the 2000 to 2	2100 block of Carr Avenue.	
COUNCIL DISTRICT:	District 4 and Super District 9 – Po	ositions 1, 2 and 3	
REPRESENTATIVE:	Hunter Oppenheimer		
REQUEST:	Designation of a new Historic (H)	Overlay District	

CONCLUSIONS

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

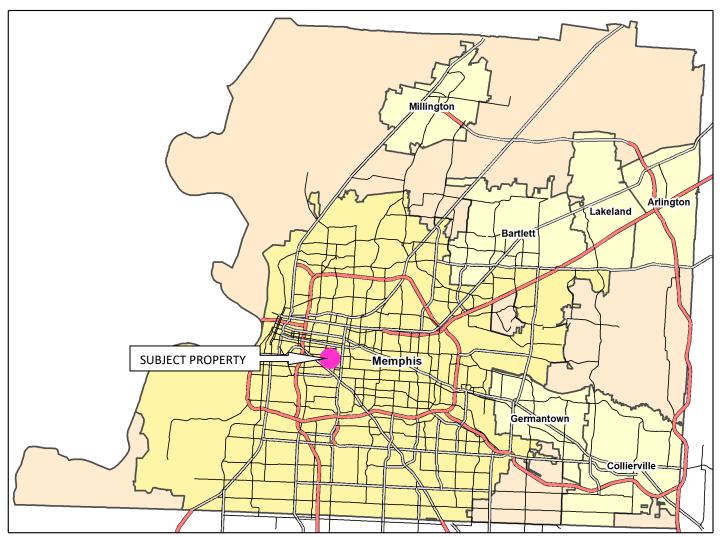
CONSISTENCY WITH MEMPHIS 3.0

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

RECOMMENDATION:

Approval

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject properties highlighted in green

PUBLIC NOTICE DETAILS

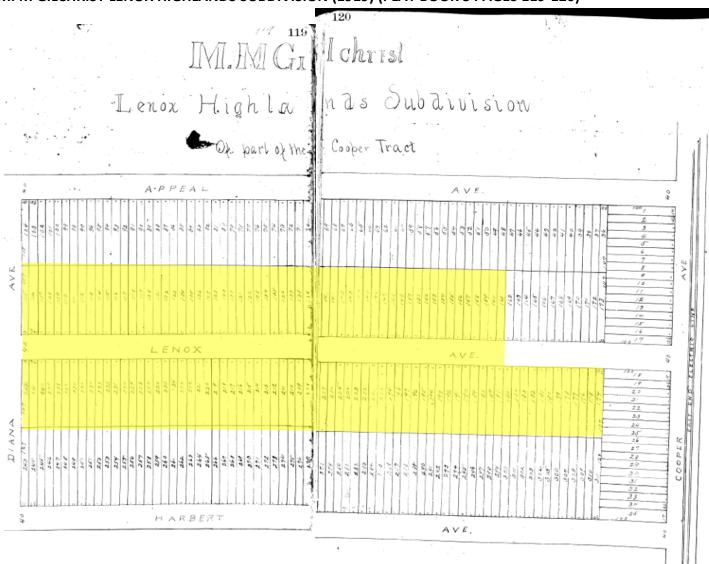
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 93 notices were mailed on January 23, 2025, see page 13 of this report for a copy of said notice. Additionally, two signs were posted at the subject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

February 13, 2025 Page 4





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

ZONING MAP



Subject properties outlined in yellow, imagery from 2017

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

LAND USE MAP



Subject properties outlined in pink.

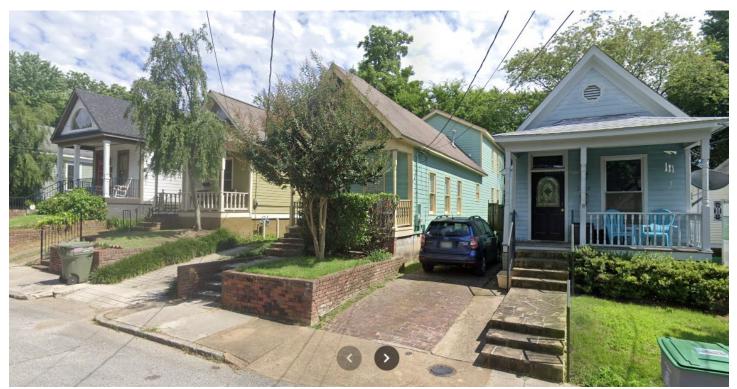
SITE PHOTOS



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



View of subject properties from Carr Avenue looking northwest



View of subject properties from Carr Avenue looking southeast.



View of subject properties from Carr Avenue looking northeast

CASE REVIEW

Request

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

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

Review Criteria

Staff agrees the review criteria as set out in Sub-Section 9.5.7B and Sub-Section 8.6.2E of the Unified Development Code are met.

9.5.7B Review Criteria

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

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

8.6.2E Criteria for Designation

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

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

Site Details

Address:

43 properties within the 2000 to 2100 block of Carr Avenue

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

Area: +/-4.53 acres

February 13, 2025 Page 10

Site Description

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

<u>Analysis</u>

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

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

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

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

February 13, 2025 Page 11

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

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

February 13, 2025 Page 12

MEMPHIS LANDMARKS COMMISSION LETTER TO THE APPLICANT



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

MEMPHIS LANDMARKS COMMISSION APPROVAL LETTER

TO: Hunter Oppenheimer

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

Sent via electronic mail to: hunteropp@gmail.com

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

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

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

Respectfully,

Harget FPagne

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

MAILED PUBLIC NOTICE

Staff Report

HDD 2024-0001

Staff Planner Contact: Margot Payne ☐ margot.payne@memphistn.gov ✔ (901) 636-7184	Meeting DetailsLocation: Council ChambersTime:9:00 AMCity Hall 1st FloorCity Hall 1st Floor125 N Main St.Date:Thursday, Feb. 13, 2025	You have received this notice because you own or reside on a property that is within or near a proposed new local historic ("Landmarks") district to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than Wednesday, February 5, 2025.CASE NUMBER: REQUEST: District 	NOTICE OF PUBLIC HEARING
To learn more about this proposal, contact the staff planner or use the QR code to view the full application.	The proposed Carr Avenue HD consists of 43 properties on the 2000 to 2100 block of Carr Ave between Diana St and S. Cooper St (included properties shown within the red and black lines).	Peabody Ave. Vinton Ave. Vinton Ave. S Cooper St. S Cooper St.	HIS AND

SIGN AFFIDAVIT

AFFIDAVIT Shelby County State of Tennessee long Morth Bing being duly sworn, depose and say that at 4: Wandpm _, 20,2,5,1 posted ____ Public Notice Sign(s) on the 20 day of Doupler 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

 Mon_ - Morthon Queres
 Jun. 30, 2025

 Owner, Applicant or Representative
 Ipate

 Subscribed and sworn to before me this 30 day of 50000000, 2025.

 hereto. Μ. Notary Public STATE O My commission expires: 08/09/29 NOTARY PUBLIC LBY COU My Commission Expires Aug. 9, 2028

STATEMENT OF HISTORICAL SIGNIFICANCE

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

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

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

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

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

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

Staff Report HDD 2024-0001

PHYSICAL DESCRIPTION OF PROPERTY

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

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

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

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

Architectural Types and Styles

Shotgun and Modified Shotgun

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

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

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

Composite Cottage with Craftsman Influence

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

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

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

Mailing Address

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

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I. Introduction

Purpose of District

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

Scope of Review

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

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

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

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

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

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

What are Design Guidelines?

The Carr Avenue Design Guidelines convey community policies about

Carr Avenue Historic Preservation District

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

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

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

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

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

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

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

These design guidelines reflect the basic philosophy:

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

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

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

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

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

Note: There is no Landmarks review for paint color.

How to use this document

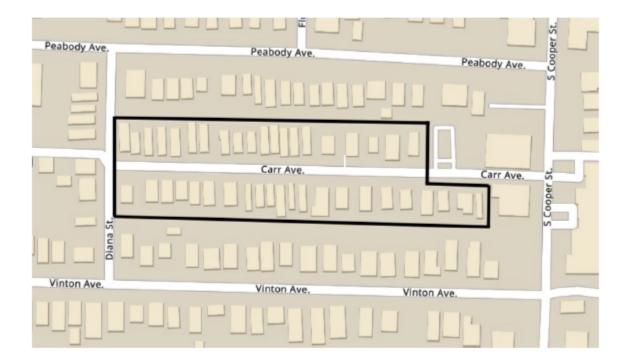
When beginning a project **that** is subject to review and a Certificate of Appropriateness (COA), the applicants should refer to the design guidelines to ensure that the final design is in accordance with the guidelines and is appropriate for the district.

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The online COA application is available electronically at: https://www.develop901.com/landuse-de velopmentservices/MemphisLandmarks Commission See Landmarks Approval Process, Appendix A, p.26, for further information.

Map of Carr Avenue District:

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



Concept of Significance

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

Period of Significance

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



Typical streetscape in the District.

Concept of Integrity

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

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

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

Historic Overview

The housing types along Carr Avenue reflect the origins of the district as an early streetcar suburb. Streetcar suburbs had a strong pedestrian orientation. Most people walked along the sidewalk to their homes from the streetcar stop and depended on the transportation. streetcar for 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 (25-50 ft. wide) with shallow side yards and front yard setbacks. Front porches were typical and a distinctive feature.

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

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

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

Credit: Field Guide to American Houses by Virginia Savage McAlester



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

Architectural Types and Styles

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

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

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

Shotgun and Modified Shotgun

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

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



Typical Shotgun house with Colonial Revival style

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



Modified Shotgun with Queen Anne Style

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

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Composite Cottage with Craftsman Influence

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



Craftsman Style Cottage

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

II. Design Guidelines for All Projects and New Construction

Streetscape

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

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

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

Private Yard

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

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

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

Building Orientation

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

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

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



Streetscape on Carr Avenue.

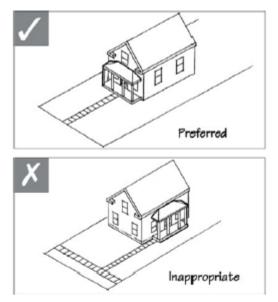
Building Setbacks

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

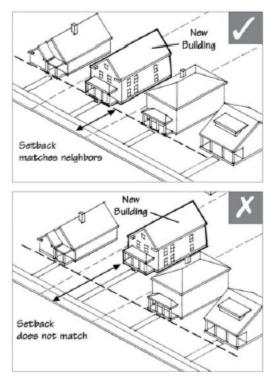
D.2: Front yard setback should fit within the established range of nearby historic properties.

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

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



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

Building Mass and Scale

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

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

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

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

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

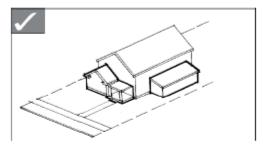
E.5: In order to minimize the perceived scale of a building, the height should step down gradually towards the street, neighboring structures, and the rear of the lot.

Building Height

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

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

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



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

Building Form

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

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

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Roofs and Roofing

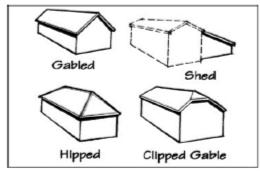
H.1: Roofing form and roofing materials should be consistent with the historical houses on the block.

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

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

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

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



Sloping roof forms are typically appropriate for new construction and additions

Building Materials

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

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

1.2: 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.

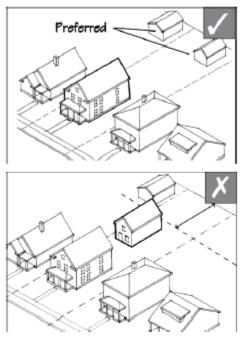
14

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.

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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

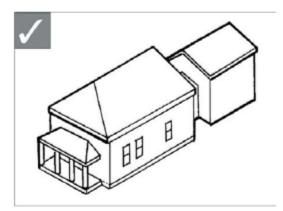
17

IV. Design Guidelines for Additions

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

Design Appropriateness

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



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



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

Types of Additions

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

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

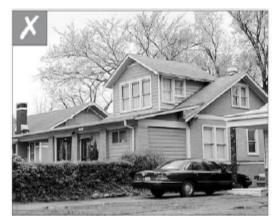
B.3: An addition to the front of a structure should be avoided.

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

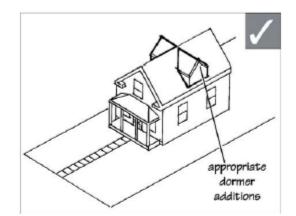
B.5: Dormer additions should be in character with the style and form of the existing structure and should be subordinate in size and scale to the overall roof mass.

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

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



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



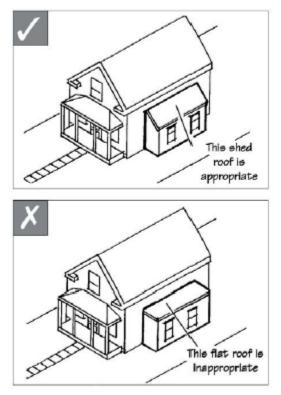
The dormer addition shown in the above diagram is appropriately sized and in character with the form of the existing structure.

Size, Scale, Mass, Materials

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

Roof Form

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



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

V. Design Guidelines for Site Improvements

Fences and Walls

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

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

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

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

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

Unenclosed Structures and Other Improvements

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

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

Parking

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

VI. Guidelines for the Relocation of Existing Structures

Overview

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

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

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

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

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

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

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

Criteria

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

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



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

VII. Guidelines for Demolition

Overview

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

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

Criteria

B.1: Demolition is inappropriate:

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

B.2: Demolition may be appropriate:

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

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

Actions Following Approval

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

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

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

VIII. Design Guidelines for Economic Hardship

Overview

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

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

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

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

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

with the Commission.

Demolition

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

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

Determination of Hardship

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

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

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

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



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

Carr Avenue Historic Preservation District

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IX. Appendix

Appendix A: Landmarks Approval Process

What is the Memphis Landmarks Commission?

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

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

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

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

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

develop901.com/landuse-developmentservices/MemphisLandmarksCommission

What if I have questions?

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

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

Appendix B: Glossary of Preservation Terms and Definitions

Alignment: The arrangement of objects along a straight line.

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

Building Form: The overall shape of a structure.

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

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

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

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

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

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

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

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

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

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

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

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

Frame: A window component.

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

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

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

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

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

In-Kind Replacement: To replace a feature of a building or site with materials of the same characteristics, such as material, placement, texture, color, etc.

Integrity: A property (or historic district) retains its integrity if a sufficient percentage of the structure (or district) dates from the period of significance. The majority of a building's structural system and materials should date from the period of significance and its character defining features should remain intact. These may include architectural details such as dormers and porches, ornamental brackets and moldings, and materials, as well as the overall mass and form of the building.

Location: As related to the determination of "integrity" of a property, *location* refers to a historic property existing in the same place as it did during its period of significance.

Mass: The physical size and bulk of a structure.

Material: As related to the determination of "integrity" of a property, *material* relates to the physical elements that were combined or deposited in a particular pattern or configuration to form a historic property.

National Register of Historic Places: The official national list of cultural resources worthy of preservation (Authorized under the National Historic Preservation Act of 1966). Individual historic buildings, neighborhoods (called historic districts), and collections of buildings with a shared history or building type (called a multiple property listing) can all gain National Register designation.

Non-Historic Property: A recent building and those fifty years old or older that have lost their integrity, and who do not add to the historic significance of a historic district.

Orientation: Generally, orientation refers to the way in which a building relates to the street. The entrance of the building plays a large role in the orientation of a building; therefore, it should face the street.

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Period of Significance: Span of time in which a property attained historical significance.

Property: Area of land containing a single historic resource or a group of resources.

Preservation: The act or process of applying measures to sustain the existing form, integrity, and materials of a building or structure, and the existing form and vegetative cover of a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

Protection: The act or process of applying measures designed to affect the physical condition of a property by defending or guarding it from deterioration, loss or attack, or to cover or shield the property from danger or injury. In the case of buildings and structures, such treatment is generally of a temporary nature, and anticipates future historic preservation treatment; in the case of archeological sites, the protective measures may be temporary or permanent.

"Recent Past" Architecture: Individual buildings, sites, collections of buildings, or building types that may or may not be 50 years old or older, but have historical significance unique to the 20th Century.

Reconstruction: The act or process of reproducing by new construction the exact form and detail of a vanished building, structure or object, or part thereof, as it appeared at a specific period of time. **Rehabilitation:** The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, archeological, and cultural value.

Renovation: The act or process of returning a property to a state of utility through repair or alteration which makes possible a contemporary use.

Restoration: The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Roof: The top covering of a building.

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

Setting: As it relates to the concept of "integrity", *setting* refers to the physical environment of a historic property.

Shape: The general outline of a building or its façade.

Size: The dimensions in height and width of a building's face.

Stabilization: The fact or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

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Streetscape: Generally, the streetscape refers to the character of the street, or how elements of the street form a cohesive environment.

Traditional: Based on or established by the history of the area.

Vernacular: A building that may not have noticeable details associated with a specific architectural style, but is simple with modest detailing and form reflecting local culture and indigenous knowledge of construction. Historically, factors often influencing vernacular buildings were things such as available local materials, climate, and building forms used by successive generations.

Vicinity: A neighborhood, or the area surrounding a particular place. For the purpose of the *Idlewild Design Guidelines*, the term *vicinity* describes the area around a subject property including any and all structures or sites within a distance of 500ft. This includes structures and sites on the same and on the opposite side of the street from the subject property.

Visual Continuity: A sense of unity or belonging together that elements of the built environment exhibit because of similarities among them.

Window Parts: The moving units of a window are known as sashes and move within the fixed frame. The sash may consist of one large pane of glass or may be subdivided into smaller panes by thin members called muntins or glazing bars. The heavy vertical wood members that divide windows placed side by side are referred to as mullions.

Workmanship: As related to the determination of "integrity" of a property, *workmanship* refers to the physical evidence of the crafts of a particular culture, people, or artisan.

Staff Report HDD 2024-0001

28 letters of support and 0 letters of opposition were received at the time of completion of this report and have subsequently been attached.

LETTERS OF SUPPORT

Letter of support

From Bettina Gaycken <bgaycken@hotmail.com>

Date Thu 1/9/2025 8:51 AM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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

I support the application for the Carr Avenue Histotic District.

Sincerely, Bettina Gaycken, MD 2075 Carr Ave

February 13, 2025 Page 48

Carr Avenue Historic District

From Josh Hankins <jhankins@colliervilletn.gov>

Date Thu 1/9/2025 11:16 AM

To Payne, Margot <Margot.Payne@memphistn.gov>

100 H

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jhankins@colliervilletn.gov

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

Good afternoon,

My name is Josh Hankins and I am a Planner with the Town of Collierville and live at 2069 Peabody Avenue, directly behind the proposed Carr Avenue Historic District. I received a mailer from the city and wanted to express my support of this case as those homes are very unique in Memphis and need to be preserved.

Thank you,

Josh Hankins

2074 Carr Avenue historical district application

From Gina Ritchey <carravenue@yahoo.com>

Date Fri 1/10/2025 2:32 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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Memphis landmarks commission,

My name is Gina M Ritchey I live at 2074 Carr Avenue I write this letter to express my approval for the historical district for my street.

Thank you, Gina Ritchey

Carr Ave Historic District Application

From Amy Starks <astarks2@gmail.com>

Date Mon 1/13/2025 1:32 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender astarks2@gmail.com

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Hello,

My name is Amy Starks My address is 2094 Carr Ave, Memphis, TN 38104 I approve the historic designation of our block due to its significant historical arch features Thank you in advance, Amy G Starks.

Letter of Approval Carr Avenue Historic District Application

From Dave Hymel <daveh40@me.com>

Date Mon 1/13/2025 4:52 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender daveh40@me.com

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1/13/2025

I live at 2076 Carr Avenue

I am writing to express my support and approval for the Carr Avenue Historic District application. Looking forward to the meeting on the 23rd of January.

Thank you, Dave & Cindy Hymel

Letter of Approval, Carr Ave Historic District Application

From Tina Pierce Sullivan <tinapsullivan@gmail.com>

Date Tue 1/14/2025 10:34 AM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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: <u>HDD 2024-0001 Carr Avenue Historic District</u> Attn: margot.payne@memphistn.gov

Memphis Landmarks Commission:

We strongly support this application for a new Historic District.

A strong part of what defines Memphis is its vast swaths of period housing. Tourists come to Memphis and, because of the architectural preservation that has been so strong here, they can tour the city and feel its growth as if in an actual time travel machine.

Midtown may be best known for its housing stock, but it's true both west and east of there too.

While we are sorry that all of the Idlewild neighborhood could not get behind an Historical District, we applaud the effort of this block that recognizes the benefit and importance of preservation. We hope that this block will be an example for the others in Idlewild, and that soon, other blocks will want to join this Historic District. Letting one block set the example for others who may not understand the benefits of an Historic District is a very good plan.

We remind the Board of the recent study done by the City Council (attached) which confirms the benefits of Historic Districts to the city. It's not just us who know how preservation helps a city.

> We look forward to your approval of this application. Thank you,

Emily Bishop

Emily Bishop President, MidtownMemphis.org Martul

Robert Gordon P&D Committee Chair

CC: Hunter Oppenheimer, Idlewild resident, Carr Historic District



EXECUTIVE COMMITTEE

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info@midtownmemphis.org

MidtownMemphis.org

MEMPHIS AND SHELBY COUNTY AND DEVELOPMENT

To:	Councilman Ford Canale Chairman Planning and Zoning Committee
From:	Josh Whitehead Zoning Administrator
Date:	December 7, 2021
Subject:	Landmarks District review study

Mr. Chairman:

On August 17, 2021, the Memphis City Council approved a resolution authorizing the Division of Planning and Development to perform a review of the City's Landmarks Districts and report to the Council its findings by January 1, 2022. This study is the product of that initiation resolution, which requested the following information to be included in such a review (see Exhibit "A," attached to this study, for a copy of the initiation resolution):

- Current and historic assessed value of residential properties within the Landmarks Districts relative to those throughout the City of Memphis;
- 2. Demographics of the Landmarks Districts;
- Total value of residential building permits issued per year within the Landmarks Districts relative to those throughout the City of Memphis;
- 4. Current and historic homeownership rates within the Landmarks Districts; and
- 5. Processes for the creation of historic overlay districts in peer cities.

Please note that several Landmarks Districts are omitted from the individual tables in this report due to either their small size (making obtaining data from the Census Bureau impossible) and/or their 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

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would suggest that, for the most part, values in Landmarks Districts grow faster than in neighborhoods outside of these districts. In <u>this Forbes article</u> by Adam A. Millsap, various published studies both support and reject this supposition.¹ The article also points out that there are additional costs to owning a home in a historic district; these can include the hiring of design professionals to draft drawings for historic commission review, construction delays to allow said review, etc.

		Median /	Appraisal	% increase
District Name	Year Est.	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%

¹ Millsap, Adam A. "Historic Designations are Ruining Cities," Forbes, December 23, 2019.

The next table contains average income for all historic districts that existed in 2010 and the relative change between that time and 2019. While the median income increased 13% citywide, it increased 27% in the Landmarks Districts.

		Mediar	n Income	
	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.

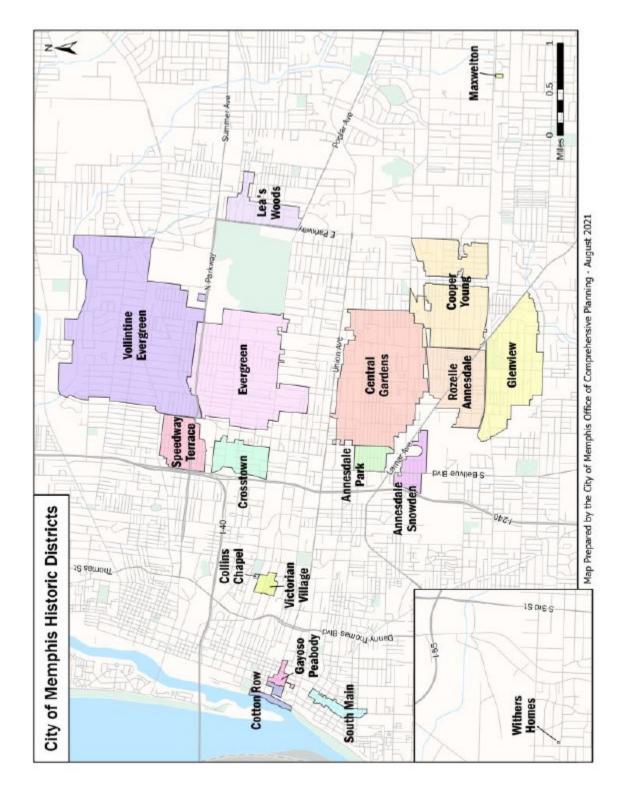
		Own 9	6 - SFR	Rent%	- SFR
	Year				
District Name	Est.	2010	2019	2010	2019
Annesdale-Snowden	1989	n/a	n/a	n/a	n/a
Annesdale Park	1988	n/a	n/a	n/a	n/a
Central Gardens	1993	92%	84%	8%	16%
Evergreen	1990	81%	82%	19%	18%
Glenview	2000	67%	71%	33%	29%
Lea's Woods	2004	n/a	n/a	n/a	n/a
Rozelle-Annesdale	2005	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 Listed	Landmarks District Designation	Establishing Ordinance Number	No. of Parcels Within
Annesdale Park	12/22/78	11/20/89	3899	165
Annesdale-Snowden	10/25/79	9/23/88	3807	204
Central Gardens	8/9/83	5/14/93	4122	1,761
Collins Chapel	4/5/91	8/25/92	4123	5
Cooper Young	6/22/89	2/20/18	5681	1601
Cotton Row	8/1/79	9/23/88	3806	108
Crosstown	N/A	7/20/21	5783	188
Evergreen Historic	1/11/85	2/9/90	3929	1,722
Gayoso-Peabody	5/5/80	9/23/88	3809	89
Glenview Historic	10/7/99	12/1/00	4822	983
Lea's Woods	N/A	1/6/04	5023	261
Maxwelton	3/10/80	12/3/96	4464	1
Rozelle-Annesdale	N/A	7/10/05	5106	768
South Main Street	9/2/82	9/23/88	3808	198
Speedway Terrace	3/19/99	5/23/18	5687	378
Victorian Village	12/11/72	11/20/89	3900	29
Vollintine-Evergreen	4/12/96	7/20/21	5789	3351
Withers Home	N/A	7/5/16	5621	1
18 Local Landmarks districts			Total numbe 11,8	-

These 18 districts are mapped below.



Under the original ordinance that created the Memphis Landmarks Commission in July of 1975, the approval of the affected owners was required. This changed in May of 1988 when the ordinance was amended to allow the creation of districts over owners' objections.² In 2006, during the deliberations to create a neighborhood conservation overlay district within The Village subdivision, a new policy was developed. Under that policy, all future neighborhood conservation and Landmarks Districts were to obtain the written approval of the same percentage of homeowners that require the installation of a speedbump, 72%. As an unwritten policy, it was eschewed with the Cooper-Young and Speedway Terrace neighborhoods underwent the establishment of their districts in 2018.

Other cities in Tennessee follow varying processes. According to Tim Walker, Executive Director of the Metropolitan Nashville Historic Zoning Commission, there is no formal process by which historic districts are created in that city. Most districts begin by a group of neighbors in a proposed district working with their district council member. Art. II, Sec. 10-14 (a) of the Chattanooga Code of Ordinances allows any property owner within the district, as well as the City Council, a neighborhood association or a "historic civic or professional society or group" to petition to create a historic district in that community. Lindsay Crockett, Historic Preservation Planner with the Knoxville and Knox County Planning Commission, cited Sec. 8.5F of the Knoxville zoning code, which covers the initiation process for local historic overlay districts. That community's code requires the City Council or Mayor initiation for districts containing multiple properties. In other words, property owners may only initiate single-property districts for properties they own.

As for the creation of historic zoning districts in cities outside of Tennessee, New York requires initiation by the Landmarks Commission; this is likely one of the justifications for its large staff.³ In Los Angeles, a historic district may be initiated by the City Council, the Director of Planning, the Cultural Heritage Commission the City Planning Commission or the property owners in question. If neighborhood-initiated, Los Angeles ordinance requires 75% owner or lessee approval.⁴ Boston follows a similar process where the City or at least ten property owners may initiate a district.⁵ In Denver, the City, property owners or any group of three residents may propose a historic district.⁶ Philadelphia mirrors Memphis' current situation where any property owner may nominate a district to what is known as the "Philadelphia Register of Historic Places."⁷ The same is true in Washington, DC, and Indianapolis.^{8,9} According to Kristina Harpst, Program Manager of Historic Districts with the City of Charlotte, they require at least 51% property owner approval to initiate a historic zoning district under a relatively recent state law. Savannah requires a petition signed by at least 50% of the owners affected by the historic district to approve its creation.¹⁰ The table below contains the present number of historic districts in each of these communities and their current staff complement.

² Hirschman, Dave. "Landmarks votes push development," Commercial Appeal, August 29, 1989.

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

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

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

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

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

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

⁷ https://www.phila.gov/departments/philadelphia-historical-commission/philadelphia-register-of-historic-places/ ⁸ https://planning.dc.gov/node/883602

⁹ https://citybase-cms-prod.s3.amazonaws.com/68f4332ed0d345bfadafb0271c09dc7f.pdf

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

		HISTORIC			PARCELS PER
	CITY		PARCELS	STAFF	
		DISTRICTS			STFF. MEMBER
Tenn. cities					
	Memphis	18	11,813	2 1/2	4725
	Chattanooga	4	1,564	2	782
	Knoxville	12	1,718	1	1718
	Nashville	30	9,284	7	1326
	Average (incl. Memphis)				2138
	Average (excl. Memphis)				1275
Other cities					
	New York	149	37,000	80	473
	Los Angeles	35	21,000	16	1313
	Philadelphia	31	10,000	7	1429
	Charlotte	6	5,038	4	1260
	Indianapolis	17	6,000	6	1000
	Washington, DC	50	23,600	18	1311
	Boston	9	8,000	8	1000
	Denver	57 ¹	15,779	9	1753
	Savannah	4		4	
	Average				1192
All cities	Average (incl. Memphis)				1508
	Average (excl. Memphis)				1215

¹ Although Denver has 57 local historic districts, the city engages two sets of guidelines for these 57 districts.

As the table above suggests, staffing levels for historic commission in Tennessee and around the country vary widely, ranging from seven professional planners in Nashville to one in Knoxville. On average, each of Memphis' staff planners assigned to the Landmarks Commission is responsible for 4725 properties; *this is about four times the number of properties each planner is responsible for in cities within and outside of Tennessee*.

Conclusion/Recommendation

While the Division of Planning and Development will monitor the incoming fees and budget personnel accordingly, an additional strategy should be employed to ensure the administration of the City's historic districts is effective and efficient. To that end, the Division has drafted amendments to the Bylaws of the Landmarks Commission for review by the Commission next year that allow more types of home improvements to be approved administratively. For instance, during Fiscal year 2020, 70% of the caseload of the Commission was handled administratively as minor Certificates of Appropriateness; this compares to 81% in Nashville and 82% in Denver. A draft amendment to the Bylaws that would effectuate this change is attached to this study as Exhibit B. Other options that could be explored in the future is to amend the Landmarks ordinance in such a way that would require some percentage of property owner approval,

Staff Report HDD 2024-0001

as is the case in Charlotte and Savannah or, as is the case in Oregon, allow non-consenting owners to remove their property from the proposed district.¹¹

The maps below show the relative sizes of Memphis' 18 districts compared with other major cities, to scale. Local historic districts are highlighted in red.



¹¹ Oregon Revised Statutes, Sec. 197.772.

EXHIBIT A: Initiation Resolution

Resolution authorizing the Memphis and Shelby County Division of Planning and Development to perform a review of the City's Landmarks Districts.

WHEREAS, on July 20, 2021, the Memphis City Council approved two additional Landmarks Districts, also known as historic overlay districts: Vollintine-Evergreen and Crosstown; and

WHEREAS, during its deliberations on these two new districts, members of Council inquired as to certain metrics for the existing Districts; and

WHEREAS, the Division of Planning and Development administers the Landmarks Districts and staffs the Memphis Landmarks Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL does hereby authorize the Memphis and Shelby County Division of Planning and Development to perform a review of the City's Landmarks Districts. This review shall include, but shall not be limited to, the following metrics:

- Current and historic assessed value of residential properties within the Landmarks Districts relative to those throughout the City of Memphis;
- 7. Demographics of the Landmarks Districts;
- Total value of residential building permits issued per year within the Landmarks Districts relative to those throughout the City of Memphis;
- 9. Current and historic homeownership rates within the Landmarks Districts; and
- 10. Processes for the creation of historic overlay districts in peer cities.

BE IT FURTHER RESOLVED BY THE MEMPHIS CITY COUNCIL that the Memphis and Shelby County Division of Planning and Development shall report the findings of this review to the Council no later than January 1, 2022.

Sponsor: Worth Morgan

Frank Colvett, Jr., Chairman

EXHIBIT B:

Draft of potential amendment to the Bylaws of the Memphis Landmarks Commission (new language indicated in bold, underline language and deleted language in strikethough)

Sec. VIII(I) Minor Certificates of Appropriateness

- (1) The Commission authorizes staff to preliminarily approve <u>may approve expedited</u> minor certificates of appropriateness for improvements that will not adversely affect any of the historic characteristics of properties within a historic district and will not diminish the integrity of a property's location, design, setting, materials or workmanship. These improvements are as follows:
 - a. Demolition of non historic accessory structures and appurtenances.
 - b. Demolition of any structure that has become a major life-safety hazard and is requested to be demolished by another City department for that reason.
 - c.--Any court-ordered demolition.
 - d. Demolition of non-contributing primary buildings that are less than 50 years old.
 - e. New construction of accessory structures which meet the design guidelines and the bulk zoning requirements, if located behind the rear façade of the primary building and if less than 25% of its street-facing façade is visible from the street.
 - f. Rear additions which are no wider and no taller than the primary building and no deeper than half the depth of the existing house and if less than 25% of the street-facing new facades are visible from the street.
 - g. Side or rear roof additions such as dormers and skylights,
 - h.- Repairs and replacement exactly in-kind where a permit is required.
 - i. Except for fencing along side streets on corner lots, fencing that starts at least five feet behind the front façade of a primary building, including backyard fencing, but such fencing must meet the district's design guidelines as to height, materials and any other related requirement.
 - j. Permanent landscape features, such as hardscape, retaining walls and other landscaping borders of one foot in height or less.
 - k.—The Commission chair may extend the list of minor certificates of appropriateness in emergency situations; otherwise, all exterior work not included in the list of minor certificates of appropriateness in this subsection shall be reviewed exclusively by the Commission.
- (2) After review and preliminary approval by staff, <u>those</u> applications for the above-described certificates of appropriateness <u>deemed as minor by the Executive Secretary or the Zoning</u> <u>Administrator</u> shall be electronically disseminated to all members of the Commission and such

February 13, 2025 Page 65

applications shall also be simultaneously disseminated to any applicable neighborhood association or neighborhood landmarks committee. Approval for minor certificates of appropriateness shall become final only if, three (3) business days after electronic notice, a minimum of four (4) Commissioners has not requested that the application be heard by the full Commission during its next meeting. All requests for full review by Commissioners regarding minor certificates of appropriateness shall be made directly to staff and not to other <u>Commissioners in accordance with</u> <u>the Tennessee Open Meeting Act, T.C.A. 8-44-102</u>. Those minor certificates of appropriateness that are not so held for Commission review shall receive final approval by the Executive Secretary, and be memorialized on the next available Commission meeting agenda.

(3) All applications for certificates of appropriateness deemed to be minor shall be issued by Commission staff within 60 days of the date of application. If the applicant has not submitted necessary materials for the staff to act upon the application within this time period, the application shall be considered withdrawn.

LOA Carr Avenue HD Application

From jlittrice1@gmail.com <jlittrice1@gmail.com> Date Tue 1/14/2025 4:51 PM To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jlittrice1@gmail.com

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

Date: January 14, 2024

I live at 2095 Carr Ave. I approve of the application for Carr Avenue Historic District.

Thank you,

Jeremiah & Gabrielle Littrice

LOA Carr Avenue HD Application 1/14/2025

From Lindsey Medlin lindypop@gmail.com>

Date Tue 1/14/2025 6:35 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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

Greetings,

I live at 2101 Carr Ave, Memphis, TN 38104. I approve of the application for Carr Avenue Historic District.

Thank you, Lindsey Medlin

LOA Carr Avenue HD Application

From Jake Hopkins <jakehopkins428@gmail.com> Date Tue 1/14/2025 8:27 PM To Payne, Margot <Margot.Payne@memphistn.gov>

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

Hello,

My name is Jake Hopkins, and I reside at 2067 Carr Avenue. As I won't be able to attend the Landmarks Hearing on the 23rd, I wanted to reach out and say that I approve of the application for Carr Avenue Historic District.

Thank you,

Jake Hopkins

Letter of Approval Carr Avenue Historic District Application

From Juana McCoy <zoememphis@gmail.com>

Date Wed 1/15/2025 2:30 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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

Date:01/15/2025

I live at 2072 Carr Ave.

I am expressing my support and approval for the Carr Avenue Historic District application. Our small street contains small, shotgun houses not found in other parts of the city. They are one of a kind, unique and historic. Our street was voted most charming street in Memphis magazine. I would be devastated if anything happened to our charming neighborhood.

Thanks, -Juana McCoy

LOA Carr Avenue HD application 1/23/2025

From james speed <jsspeed66@icloud.com>

Date Wed 1/15/2025 2:17 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jsspeed66@icloud.com

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

I strongly approve of the application for Carr avenue historic district, Thank You!! James speed 2071 Carr ave Memphis tn 38104 Sent from my iPhone

In Support of Carr Avenue Historic District

From Emily Oppenheimer <emoppenheimer@gmail.com> Date Wed 1/15/2025 7:24 PM To Payne, Margot <Margot.Payne@memphistn.gov>

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

Hi Margot,

I am reaching out to voice support for the Carr Avenue Historic District and to encourage votes in favor of its establishment. The block of Carr between Diana and Cooper is a charming stretch of historic homes that deserves historic designation and the protection afforded by it. Please vote in favor of the district. Thank you so much!

All my best, Emily Oppenheimer

Letter of approval for Carr Ave historic district application

From Malone, Hayden <Hayden.Malone@STJUDE.ORG>

Date Thu 1/16/2025 8:45 AM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender Hayden.Malone@STJUDE.ORG

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

Good morning,

I own 2073 Carr Ave within the proposed Carr Ave historic district. I am expressing my support for the application to be designated as a historic district. Thank you for your time!

Best,

Hayden

Hayden Malone, MS

PhD Candidate

Laboratory of Dr. Charles Roberts

Division of Molecular Oncology

St. Jude Graduate School of Biomedical Sciences

Carr Ave historic district

From terence ryan <terry_ryan44@yahoo.com>

Date Fri 1/17/2025 6:35 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender terry_ryan44@yahoo.com

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

My name is terry Ryan and I live in Idlewild and am in favor of Carr getting a historic status.

Terry Ryan 901-471-9440

Carr Avenue Historic District

From Ava Middleton <ava.a.middleton@gmail.com> Date Sat 1/18/2025 4:05 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

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

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I am a homeowner at 2054 Carr Avenue in Memphis. I am in favor of the Carr Avenue Historic District. If you have any questions, I can be reached at 901.488.5702.

Thanks,

Ava Middleton

Date: 1/30/25 Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103 Hello, My name is: OWEN C. WALLACE D.C. I live at Z035 Carr Avenue. I approve of and am in support of the application for Carr Avenue Historic District. Thank you, Oceralace D.C. 1/30/25 Signature and Date **Email Address:** Margot.payne@memphistn.gov

Date: 2.1 25 Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103 Hello, My name is: Mary- Martha Biessen Verger I live at 2079 Carr Avenue. I approve of and am in support of the application for Carr Avenue Historic District. Thank you, Hary Martha Biessentrerger Jeb. 1, 2025 Signature and Date **Email Address:** Margot.payne@memphistn.gov

Date: 50/ 1, 3025 Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103 Hello, My name is: CYNH IA HYME I live at 2076 Carr Avenue. I approve of and am in support of the application for Carr Avenue Historic District. Thank you, 2/1/2025 Signature and Date Email Address: Margot.payne@memphistn.gov

Date: JAN. 31, 2025

Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103

Hello,

My name is: DELUR; René Dever

I live at _2047

____Carr Avenue.

I approve of and am in support of the application for Carr Avenue Historic District.

Thank you, Delori Riné Dever

Signature and Date

Email Address: Margot.payne@memphistn.gov

2/1/25 Date: Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103 Hello, My name is: Heather Gillespie 1 live at _ 20105 Carr Avenue. I approve of and am in support of the application for Carr Avenue Historic District. lather Villespe Thank you, Signature and Date Email Address: Margot.payne@memphistn.gov

Staff Report HDD 2024-0001

Date: February 2, 2025

Ms. Margot Payne c/o Memphis Landmarks Commission 125 North Main Street, #443 Memphis, TN 38103

Hello,

My name is: KACKY WALTON

I live at <u>2070</u> Carr Avenue

I approve of and am in support of the application for Carr Avenue Historic District.

Thank you, 2-2-2025

Signature and Date

Email Address: Margot.payne@memphistn.gov

Carr Avenue Historic District Application

From Kacky Walton <kwalton@wkno.org> Date Sun 2/2/2025 3:28 PM

To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender kwalton@wkno.org

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

Dear Ms. Payne,

I am writing to express my support for Carr Avenue's application to become an Historic District.

Buying a home is the biggest financial investment most of us will make in our lifetime. Not only do we look for a home that meets all of our expectations both practically and aesthetically, but we also want that home to be in a neighborhood that has qualities that offer a real sense of community.

After I got married, my late husband and I would drive all over Midtown hoping to find a house that we could imagine becoming a home where we could make memories and grow old. We always found ourselves on the block of Carr Avenue between Cooper and Diana streets. The block's charm was undeniable. The adorable shotgun houses gave off a New Orleans or Carolina vibe that was nowhere else to be found in Midtown. We knew this was where we wanted to live, and were elated when on one of our drives, we saw a "For Sale" sign in the one of the yards. Greg and I knew that no one *ever* moved once they bought a house on this street, and we couldn't believe our luck!

I have happily lived on this street since 2009. Carr Avenue really is a lovely little community all its own. We gather on front porches, we have street parties, and we're also so close that we look out for each other when a neighbor is in need. I don't know what I would have done had I not had the support of my friends on this street when my husband passed away.

A few years ago, a house was razed and replaced with two "tall skinny" houses. The architects completely ignored the aesthetics of our block. These (in my opinion) ugly houses stick out like a sore thumb, their design doesn't mesh with the others on the street, and they disrupt the overall charm of the block.

This is why I support the block of Carr Avenue between Cooper and Diana becoming an Historic District. It's a true gem in our community, and I, along with my neighbors, want to protect it.

The Memphis Flyer didn't name it "Best Street" for nothing!

I truly hope you will vote in our favor.

With sincere gratitude,

Kacky

Kacky Walton Music Coordinator/Classical Music Host WKNO • FM



Approval of Carr Avenue Landmarks designation

From Rodney Nash <rnash57@gmail.com> Date Mon 2/3/2025 3:38 PM To Payne, Margot <Margot.Payne@memphistn.gov>

The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender rnash57@gmail.com

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

Hello.

I am Rodney S Nash and I reside at 2119 Carr Avenue, Memphis TN, 38104.

I bought my house in 1996 because I love the neighborhood feel of this street. While I loved living in Cooper-Young, where I was very active in our Community Association and the Development Corporation, I was tired of living on the busy and noisy East Parkway.

I approve of this application and would love it if our block received local Landmarks historic designation to help preserve its cozy character.

Thank you.

Landmarks Application for Carr Avenue

From Rodney Nash <rnash57@gmail.com> Date Mon 2/3/2025 3:55 PM To Payne, Margot <Margot.Payne@memphistn.gov>

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

This is Rodney Nash. I purchased 2121 Carr in May of 2008 because it was seriously neglected and needed major restoration work, which is what I do for a living.

I heartily approve of our block of Carr Avenue, in the Idlewild National Historic District, receiving local Landmarks designation, to preserve its unique charm and one-of-a-kind character. Thank for your consideration.



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

February 13, 2025

Hunter Oppenheimer 2038 Carr Avenue Memphis, TN 38104

Sent via electronic mail to: hunteropp@gmail.com

Case Number: HDD 2024-0001 LUCB Recommendation: Approval

Dear applicant,

On Thursday, February 13, 2025, the Memphis and Shelby County Land Use Control Board recommended *approval* of your request to designate a new Historic (H) Overlay District containing 43 properties within the 2000 to 2100 block of Carr Avenue.

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

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

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

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

Respectfully,

Harget FPagne

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

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

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, April 8 at 4:00 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

CASE NUMBER:	HDD 2024-0001
LOCATION:	43 properties within the 2000 to 2100 block of Carr Avenue between Diania Street and Cooper Street
COUNCIL DISTRICTS:	District 4 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Hunter Oppenheimer and 41 others
REPRESENTATIVE:	Hunter Oppenheimer
REQUEST:	Designation of a new Historic (H) Overlay District

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: Approval

Memphis Landmarks Commission: Approval

Memphis and Shelby County Land Use Control Board: Approval

NOW, THEREFORE, you will take notice that on Tuesday, April 8, 2025, at 4:00 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance's or protests against the making of such changes; such remonstrance's or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

THIS THE 19th OF MARCH 2025

J. FORD CANALE CHAIRMAN OF COUNCIL

ATTEST:



ESS INVESTMENTS LLC 2109 PEABOBY AVE # MEMPHIS TN 38104

ZANIN MARK AND SOOK-SAN WONG (RS) 2043 PEABODY AVE # MEMPHIS TN 38104

ESS INVESTMENTS LLC 2109 PEABODY AVE # MEMPHIS TN 38104

BROWN SUSAN B

PASS KASSEY

2046 CARR AVE #

MEMPHIS TN 38104

COLEMAN RONALD

MEMPHIS TN 38118

3406 DEMOCRAT RD #

2064 CARR AVE # MEMPHIS TN 38104

BENSON SANDRA LIVING TRUST BEARDEN AMANDA S 2335 RIDGEWAY RD # MEMPHIS TN 38119

HANKINS JOSHUA & KATELYN KENT 2069 PEABODY AVE # MEMPHIS TN 38104

ROBINSON LAURA O REVOCABLE LIVING TRUSTHYMEL DAVID & CYNTHIA1517 VINTON AVE #2076 CARR AVE # MEMPHIS TN 38104

CAMPBELL MICHAEL 1804 GARNET AVE #137 SAN DIEGO CA 92109

NEAL LINDSEY & MARK 889 OAKMONT PL # MEMPHIS TN 38107

OVERCAST HALEY C 2044 CARR AVE # MEMPHIS TN 38104

ROBINSON LAURA O REVOCABLE LIVING TRUST 1517 VINTON AVE # MEMPHIS TN 38104

PONGETTI MICHAEL D 533 DIANA ST # MEMPHIS TN 38104

2068 CARR AVE #

MEMPHIS TN 38104

MEMPHIS TN 38104

MEMPHIS TN 38104

HILL REGAN AND GLENN B WILLIAMS

2094 CARR AVE #

STARKS AMY G AND SOPHIA I STARKS (RS)

580 S BELVEDERE BLVD # MEMPHIS TN 38104

PARK AVENUE LODGE 539 S COOPER ST # MEMPHIS TN 38104

GANGWISH TODD T & CINDY H 11225 WHISPERING PINE DR # OLIVE BRANCH MS 38654

HOWELL STEPHEN C 545 DIANA ST # MEMPHIS TN 38104

HOPKINS JAKE W 2067 CARR AVE # MEMPHIS TN 38104

CARRIER DAVID 2069 CARR AVE # MEMPHIS TN 38104

MALONE HAYDEN A 2073 CARR AVE # MEMPHIS TN 38104

SUITE LANA D 547 DIANA ST #3 MEMPHIS TN 38104

WILKINSON CATHERINE S 2093 CARR AVE # MEMPHIS TN 38104

CARMER CHRISTINE 2095 CARR AVE # MEMPHIS TN 38104

KNOWLTON BONNIE AND HEATHER DONAHO 541 DIANA ST #4 MEMPHIS TN 38104

AO PROPCO 1 LLC 32 MERCER ST #4 NEW YORK NY 10013

ROBINSON AIMEE A AND WALTER J HUMANN JR 2050 VINTON AVE # MEMPHIS TN 38104

HERRERA CHRISTINA S & BRIAN F	SWATZELL VICTORIA M	DJS HOLDINGS LLC
2060 CARR AVE #	2065 PEABODY AVE #	1900 STARLING DR #
MEMPHIS TN 38104	MEMPHIS TN 38104	JONESBORO AR 72401
SMITH MARGARET	TEAGARDEN REBECCA R AND STEPHANIE D	MIDDLETON AVA
2100 VINTON AVE #	2071 PEABODY AVE #	2054 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
MCMAHAN CAYMAN & EMILY FULTZ	SANTOS ANDRESSA N	BOLLER JAMIE N & HUGH J RAUP
2102 VINTON AVE #	2073 PEABODY AVE #	2066 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
ATKINS LOY K & SUSAN M	WONGPRAPAN DON & SABRINA SIMPSON	WALTON MARY K
1765 N PARKWAY #	2075 PEABODY AVE #	2070 CARR AVE #
MEMPHIS TN 38112	MEMPHIS TN 38104	MEMPHIS TN 38104
BINDER LANCE A AND FIONA L BINDER (RS)	TERHORST TARA V	MCCOY JUANA H
2108 VINTON AVE #	2085 PEABODY AVE #	2072 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
2029 PEABODY LLC	JACKSON RICHARD L	RITCHEY GINA
653 S WILLETT ST #	2089 PEABODY AVE #	2074 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
SISSMAN BEN G AND NANCY J SISSMAN	DAGEN BRETT M	RHEA WADE
1497 PEABODY AVE #	2093 PEABODY AVE #	2080 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
BALTON CHRISTOPHER	ROBINSON LAURA O REVOCABLE LIVING TRUST	PARKER GENESIS A
2041 PEABODY AVE #	1517 VINTON AVE #	2090 CARR AVE #
MEMPHIS TN 38104	MEMPHIS TN 38104	MEMPHIS TN 38104
WOOD ANDREW R	OPPENHEIMER JEAN H H	MEMPHIS CENTER CITY REVENUE FINANCE
1024 W 36TH ST #	2038 CARR AVE #	2330 UNIVERSITY AVE #
NORFOLK VA 23508	MEMPHIS TN 38104	OXFORD MS 38655
BENSON SANDRA LIVING TRUST	GATES LAUREN A	LICK CREEK HOMEOWNERS ASSOC INC
2335 RIDGEWAY RD #	2040 CARR AVE #	541 DIANA ST #
MEMPHIS TN 38119	MEMPHIS TN 38104	MEMPHIS TN 38104

KNOWLTON BONNIE G AND HEATHER DONAHO GAYCKEN BETTINA A MCMURTRAY MICHAEL L 543 DIANA ST # 2075 CARR AVE # 3626 BICKERSTAFF RD #C MEMPHIS TN 38104 MEMPHIS TN 38104 LAFAYETTE CA 94549 HOWARD WILLIAM G SR & LINDA M MARTEN MARY J COOK TONYA J 2035 CARR AVE # 2079 CARR AVE # 2559 WINDY OAKS DR # MEMPHIS TN 38104 MEMPHIS TN 38104 GERMANTOWN TN 38139 SMITH JUSTIN R & MARY A WILLIAMS ANDREW J BRANAN WHITNEY F 2085 CARR AVE # 2039 CARR AVE # 2062 VINTON # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 DEVER DELORI R AND ANDRA C ALLGOOD AND MIESSE CHRISTOPHER S & KATIE W **BROWN GEORGE J & KATHY L** 2047 CARR AVE # 2101 CARR AVE # 2046 VINTON AVE # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 SULLIVAN PETER & CATRINA BRAFFORD JONATHAN M & COURTNEY F D'AUNEY CARLA A 2049 CARR AVE # 6491 KIRBY WOODS DR # 2068 VINTON AVE # MEMPHIS TN 38104 MEMPHIS TN 38119 MEMPHIS TN 38104 GIVENS-ROWLIN GALEN HARRIS TERRI **BEENE EMILY & RONALD S EDMONDS** 2053 CARR AVE # 2107 CARR AVE # 2070 VINTON AVE # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 LAURIE MAJOR LIVING TRUST NASH RODNEY S WINDSOR ALISTAIR J 2971 OAKSEDGE CV # 6383 RICKS RD # 2074 VINTON AVE # ARLINGTON TN 38002 GERMANTOWN TN 38138 MEMPHIS TN 38104 O'DANIEL WILLIAM C (1/3%) AND SARAH R NASH RODNEY S **BALK PATRICK & LAURI** 6383 RICKS RD # 2063 CARR AVE # 2080 VINTON AVE # MEMPHIS TN 38104 ARLINGTON TN 38002 MEMPHIS TN 38104 GILLESPIE WILLIAM G AND CAMMACK GLEN G & BETTY B FRANTZ BARBARA M 549 S COOPER ST # MEMPHIS TN 38104 2065 CARR AVE # 2104 VINTON AVE # MEMPHIS TN 38104 MEMPHIS TN 38104 MEMPHIS TN 38104 SPEED JAMES S WURZBURG WARREN SR AND SHIRLEY LAPIDES RASBERRY JOSEPH F 6000 WILD OAKS DR # 2071 CAR AVE # 2112 VENTON AVE #

MEMPHIS TN 38120

MEMPHIS TN 38104

MEMPHIS TN 38104

O'MALLEY JOHANNAH F 2116 VINTON AVE # MEMPHIS TN 38104

WALSTON LINDA 2102 CARR AVE # MEMPHIS TN 38104

RUSSELL WESLEY D 2105 PEABODY AVE # MEMPHIS TN 38104

THOMPSON ROBERT L II 2103 PEABODY AVE # MEMPHIS TN 38104

ACTIS MARISA 2103 CARR AVE # MEMPHIS TN 38104

WISEMAN MATTHEW 559 DIANA ST # MEMPHIS TN 38104