

WHEREAS, the Memphis City Council holds in the highest regard those individuals whose unwavering dedication has profoundly shaped and enriched our community, and **Mrs. Virginia B. Wilson** stands as a beacon of service and excellence, having devoted 23 years to the City of Memphis with unparalleled commitment, steadfast leadership, and an enduring passion for public service and community engagement; and

WHEREAS, **Virginia B. Wilsons** commitment to lifelong learning is reflected in her academic achievements, including a Bachelor of Arts in Business Administration from LeMoyne-Owen College, a Master of Education in Education Management from Strayer University, and a Leadership Certificate from Harvard University; and

WHEREAS, in **Virginia B. Wilsons** most recent role as Executive Director of the Police Advisory Review Committee (PARC), formerly known as the Civilian Law Enforcement Review Board (CLERB), she provided invaluable leadership in fostering transparency and accountability by overseeing the review of citizen concerns related to law enforcement interactions; and

WHEREAS, throughout **Virginia B. Wilsons** career with the City of Memphis, she also served as the Intergovernmental Affairs Coordinator, Executive Liaison to the Memphis City Council, Renewal Community Coordinator, and Risk Management Analyst, playing a key role in strengthening relationships and improving city operations; and

WHEREAS, **Virginia B. Wilsons** impact extended beyond city government through her service on several prominent boards and committees, including the Workforce Investment Network, Mid-South Minority Business Council (MSMBC), Delta Leadership Institute, and the Downtown Commission (formerly the Center City Commission); and

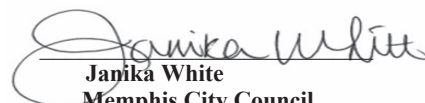
WHEREAS, as a dedicated mentor, **Virginia B. Wilson** has volunteered in Memphis Shelby County Schools, including Humes High School, Westside Elementary School, Ida B. Wells Academy, and Northside High School, shaping the lives of countless students; and

WHEREAS, **Virginia B. Wilsons** extraordinary contributions to the community have been celebrated with numerous prestigious accolades, each a testament to her unwavering dedication, visionary leadership, and tireless commitment to elevating Memphis as a vibrant, thriving, and more compassionate place to live and work; and

WHEREAS, beyond **Virginia B. Wilsons** professional achievements, she is a devoted family member, the daughter of the late Mr. Perry and Mrs. Willie Bell Bowie, the seventh of ten children, a loving wife to Reverend Bobby G. Wilson, a proud mother to Lakendrick M. (Shauna) Wilson and Falondria S. Wilson, and a cherished grandmother to Jordyn Nicole and Nicholas Maxwell Wilson.

NOW, THEREFORE, BE IT RESOLVED, that the Memphis City Council recognizes and honors **Mrs. Virginia B. Wilson** not only for her 23 years of devoted service to the City of Memphis, but also for the grace, integrity, and tireless dedication with which she served. In the words of Proverbs 31:31: "Honor her for all that her hands have done, and let her works bring her praise at the city gate." Her service has not only strengthened the fabric of our city but has also left an indelible mark on the hearts and lives of those she served—an enduring legacy of service, compassion, and excellence that will echo for years to come.

Given by my hand and under the great seal
of the City of Memphis this 25th day of
March 2025.


Janika White
Memphis City Council
Super District 8-3

WHEREAS, each April, National Donate Life observes Blue & Green Day to amplify the importance of registering as an organ and tissue donor; and

WHEREAS, more than 100,000 Americans, including 4,000 in the Mid-South area, are currently on the national transplant waiting list; and

WHEREAS, another person is added to the waiting list every 8 minutes, and on average, 17 people die every day because the organs they need are not donated in time; and

WHEREAS, we all can do our part to save lives by educating and encouraging our peers and loved ones to register as an organ and tissue donor; and

WHEREAS, the Memphis City Council supports National Donate Life and Mid-South Transplant Foundation and its efforts to bring new life to men, women and children in need of lifesaving organ and tissue transplants; and

WHEREAS, we hold those who have saved lives through the gift of donation in the highest regard and are grateful for their selflessness.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council does hereby designate the month of April, 2025 as

Donate Life Month

in the City of Memphis, and thus encourages all residents to promote the importance of organ and tissue donation.

Adopted: April 22, 2025

WHEREAS, when worthy circumstances arise, the Memphis City Council has seen fit to name certain public roads to honor citizens who have served this community and whose contributions to the City of Memphis are certainly worthy of recognition of **George Edward Falls, Jr.** representing one of these worthy occasions; and

WHEREAS, **George Edward Falls, Jr.** was a true Southern gentleman and one of Memphis and the Mid-South's premier restaurateurs, whose hospitality, graciousness, and entrepreneurial vision helped shape the city's culinary landscape; and

WHEREAS, after a distinguished 24-year career with Holiday Inns, Inc., during which he forged lifelong friendships and traveled the world, **Mr. Falls** pursued his dream of entrepreneurship, purchasing Paulette's Restaurant and later becoming a partner in the River Inn at Harbor Town, which includes Paulette's, The Terrace, and Tug's; and

WHEREAS, **George Edward Falls, Jr.** was a generous and devoted community servant whose leadership touched countless lives and institutions, having served as Treasurer, Vice-President, and President of the Memphis Symphony Orchestra Board, Chairman of the Board of the Boys and Girls Clubs of Greater Memphis, and Chair of its Steak & Burger Dinner; and

WHEREAS, **George Edward Falls, Jr.** also served with distinction as Past Chairman of the Baptist Memorial Health Care Foundation Board, the Memphis Convention and Visitors Bureau, and The Society of Entrepreneurs, and lent his time and expertise to the Memphis Restaurant Association, Tennessee Restaurant Association, City Beautiful Commission, the Kemmons Wilson School at the University of Memphis, and many other civic organizations; and

WHEREAS, **George Edward Falls, Jr.** was recognized for his exemplary contributions with numerous accolades including the Tennessee Restaurateur of the Year, induction into the Tennessee Restaurant Association Hall of Fame, the Hebe Award, the Boys and Girls Club National Medallion, and The Golden Eagle Award; and

WHEREAS, **Mr. Falls** was a man of deep faith, who loved the Lord and served as a longtime member of Church of the Holy Communion, where he found spiritual strength and a welcoming community before his passing on Wednesday, October 18, 2023, at the age of 87; and

WHEREAS, beyond his many professional and civic accomplishments, **George Edward Falls, Jr.** is most remembered for his warm smile, kind heart, polished charm, and deep devotion to his family—especially his beloved wife Jackie, son Harry, and extended family and friends whom he held close; and

WHEREAS, the Memphis City Council gladly celebrates **George Edward Falls, Jr.** and we applaud him for his invaluable contributions to the City of Memphis; we also entreat servants everywhere to emulate his dedication within their own lives.

NOW, THEREFORE, BE IT RESOLVED, that we honor **George Edward Falls, Jr.** for his unparalleled service and contribution to the City of Memphis, and Island Drive from A.W. Willis to Harbortown Circle North in the City of Memphis, be declared and designated

“George Edward Falls, Jr. Drive”

BE IT FURTHER RESOLVED, the City Engineer is requested to affix suitable signs designating this public road in honor of **George Edward Falls, Jr.** for his commitment and contributions to the City of Memphis.

Adopted: April 22, 2025

Chairman Ford Canale

WHEREAS, on occasion, the Memphis City Council recognizes individuals who are making a positive impact in the community, and in recognition of April as Second Chance Month, **Dr. William E. Arnold, Jr.** is certainly worthy of honor for his public service and tireless advocacy for justice reform and community empowerment; and

WHEREAS, **Dr. William E. Arnold, Jr.** is a proud native of Memphis, Tennessee, and a product of the Memphis City School System; he holds a Bachelor's degree in Sociology from the University of Tennessee and a Doctorate in Higher Education Administration from Tennessee State University; and

WHEREAS, **Dr. Arnold** has over 20 years of experience in higher education and community engagement, with a strong focus on reentry initiatives and criminal justice reform; he is a dedicated servant leader and TED Talk alum, committed to advancing social justice and public policy; and

WHEREAS, in 2013, **Dr. Arnold** was wrongfully convicted of crimes he did not commit in Nashville, Tennessee, but in 2020, his conviction was unanimously overturned by an Appellate Court, making him the first individual to receive relief from the Davidson County Conviction Review Unit; and

WHEREAS, **Dr. Arnold** has served on the transition team of Shelby County District Attorney Steve Mulroy and chaired the subcommittee that established the Shelby County Justice Review Unit, the second criminal justice reform unit of its kind in Tennessee; and

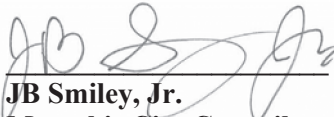
WHEREAS, **Dr. Arnold** currently serves as the Director of the Tennessee Office of Reentry at the Tennessee Department of Labor and Workforce Development, overseeing the nation's first state-funded, comprehensive reentry program housed within a Department of Labor rather than a Department of Corrections; he has led discussions at national conferences, universities, and state agencies, highlighting the urgent need for criminal justice reform, personal risk management, and expanded reentry efforts; and

WHEREAS, **Dr. Arnold** advocates for a labor-focused approach to reentry, emphasizing pathways that restore dignity, reduce recidivism, and integrate justice-involved individuals into the workforce.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council commemorates April 15th, 2025, as the fifth anniversary of **Dr. William E. Arnold, Jr.**'s Second Chance and recognizes his continued mission toward full exoneration following his wrongful conviction.

BE IT FURTHER RESOLVED that this resolution be presented to **Dr. Arnold** as a token of appreciation for his leadership, advocacy, and tireless work in promoting a more just and equitable society for all.

ADOPTED: April 22, 2025


JB Smiley, Jr.
Memphis City Council
Super District 8-1


J. Ford Canale, Chairman
Memphis City Council

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 03/25/25
DATE**

**PUBLIC SESSION: 04/08/25
DATE**

ITEM (CHECK ONE)

 X ORDINANCE RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located 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

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

REPRESENTATIVES: 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)

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
Set date for first reading – March 18, 2025
Second reading – March 25, 2025
Third reading – April 8, 2025

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
02/13/2025 _____	DATE
(1) Land Use Control Board _____	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
<u>Chloe Christion</u>	<u>3/10/2025</u>	PLANNER II
		DEPUTY ADMINISTRATOR
<u>Brett Rydalske</u>	<u>3/10/2025</u>	ADMINISTRATOR
		DIRECTOR (JOINT APPROVAL)
		COMPTROLLER
		FINANCE DIRECTOR
		CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2024-009

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

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

LAND USE CONTROL BOARD RECOMMENDATION

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


CASE NUMBER:	Z 2024-009
LOCATION:	0 Mt. Moriah Ext, north of Kirby Terrace Drive
COUNCIL DISTRICT(S):	District 2, Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Prentiss Mitchell
REPRESENTATIVE:	N/A
REQUEST:	Rezoning of +/-22.96 acres from Residential Single-Family – 8 (R-8), Residential Urban – 2 (RU-2), Conservation Agriculture (CA) and Residential Single-Family – 15 (R-15) to Commercial Mixed-Use – 3 (CMU-3)

The following spoke in support of the application: Prentiss Mitchell

The following spoke in opposition of the application: None

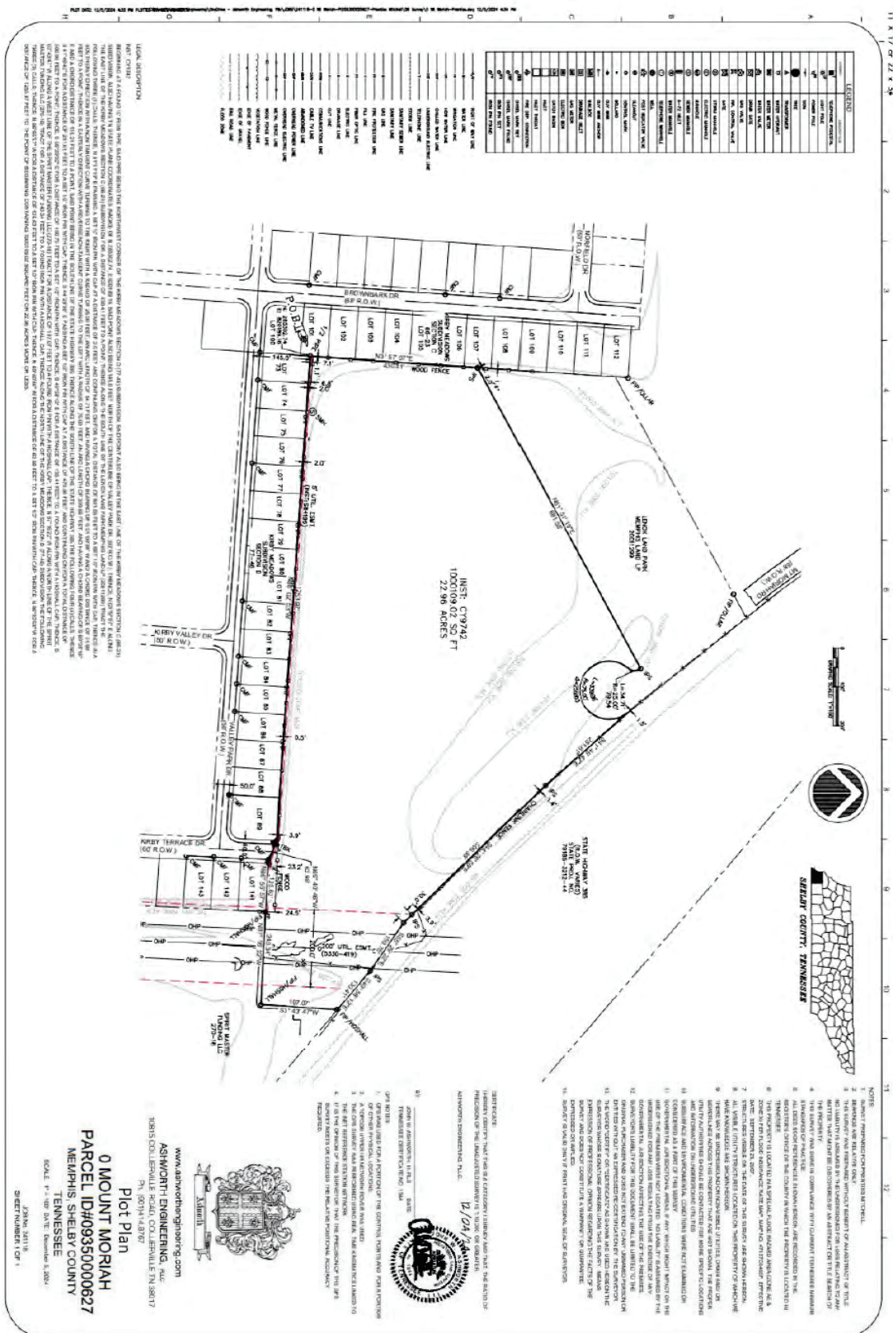
The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application.

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

Respectfully,

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

Cc: Committee Members
File

PLOT PLAN



ORDINANCE NO: _____

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

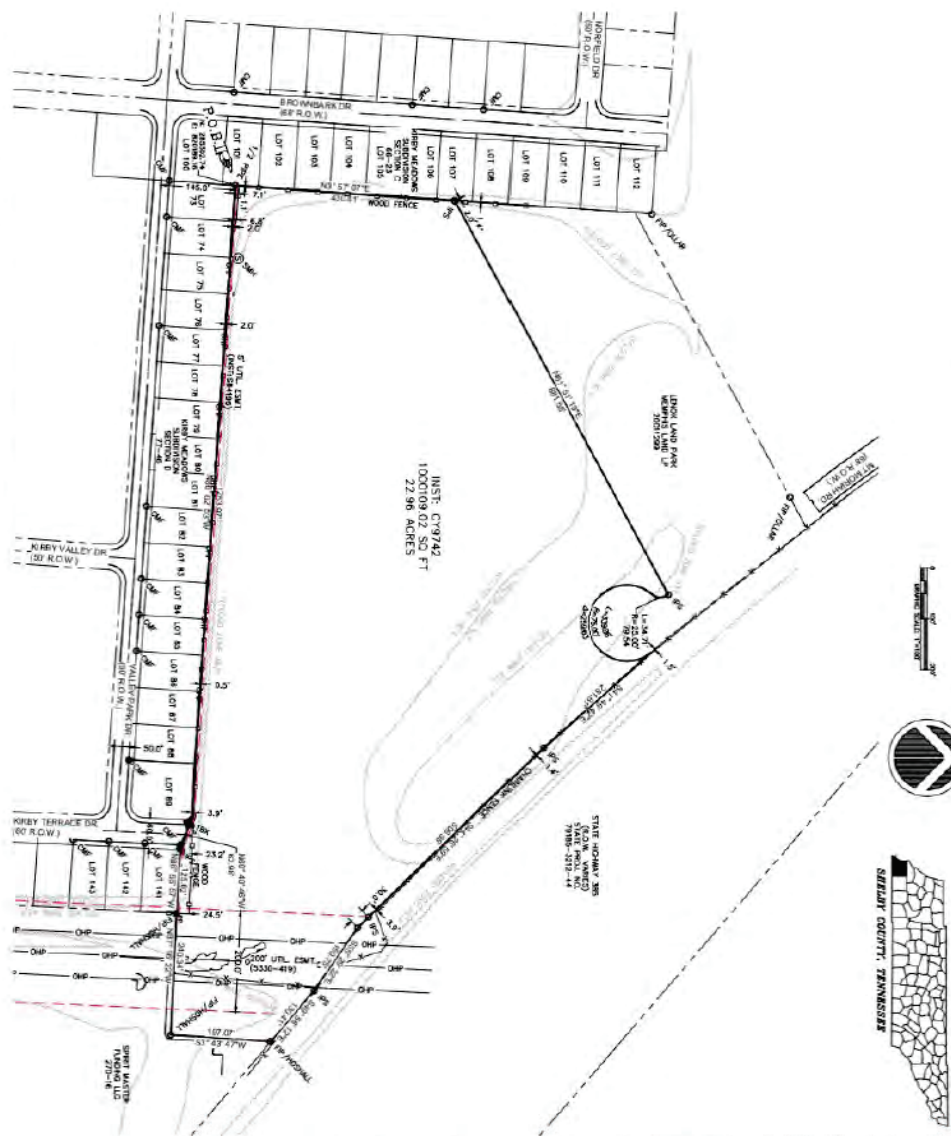
SECTION 2:

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.

PLOT PLAN



COURT REPORTER		COURT REPORTER	
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[illegible]

LEGAL DISORDER 13

[illegible]

1 SURVEY PREPARED FOR MR. NATHAN W. TOWELL

- [illegible]

STATEMENT:
HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE NATURE OF
PERMISSION OF THE UNDULATED SURVEY IS 1.0000 OR GREATER.
12/04/2000
46 NORTH DOWNTOWN, N.J.C.

[illegible]

www.ashworthengineering.com
ASHWORTH ENGINEERING, LLC
 70815 COLLEAVILLE ROAD, COLLEAVILLE TN 38017
 (615) 464-0727

0 MOUNT MORIAH
PARCEL ID#09350000627
MEMPHIS, SHELBY COUNTY

SCALE: 1" = 100' DATE: December 8, 2004

JCH No. 22114
SHEET NUMBER 1 OF 1

ATTEST:

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



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

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

February 14, 2025

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

Sent via electronic mail to: mimllcmemphis@gmail.com

Case Number: Z 2024-009
LUCB Recommendation: Rejection

Dear applicant,

On Thursday, February 13, 2025, the Memphis and Shelby County Land Use Control Board recommended **rejection** of your rezoning application located southeast of Mount Moriah Road Extension to be included in the Commercial Mixed-Use - 3 (CMU-3) Zoning District.

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

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

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

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

Respectfully,



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

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

CASE NUMBER: Z 2024-009

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

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

OWNER/APPLICANT: Prentiss Mitchell

REPRESENTATIVE: N/A

REQUEST: Rezoning of +/-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)

CONCLUSIONS

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

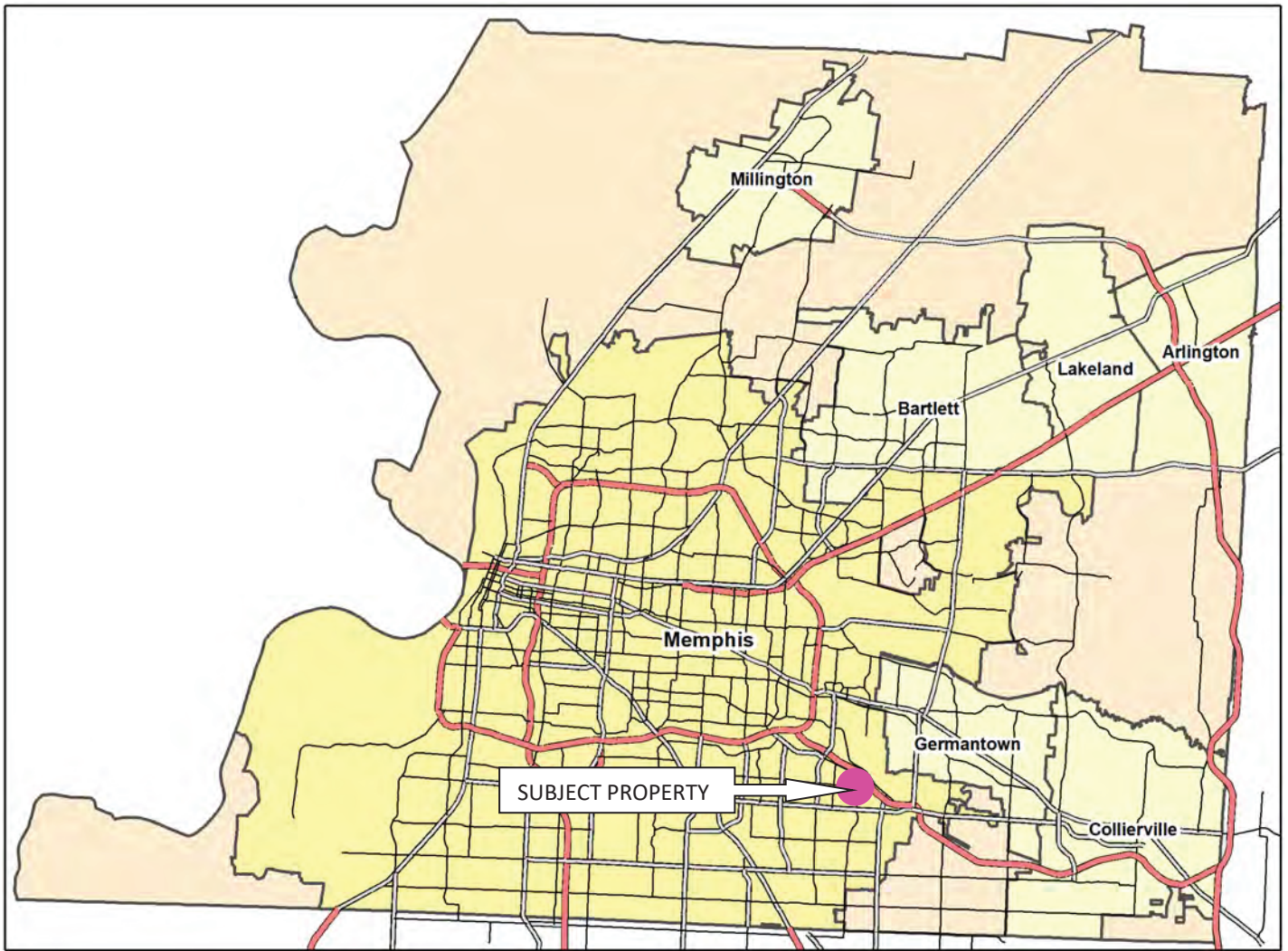
CONSISTENCY WITH MEMPHIS 3.0

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

RECOMMENDATION:

Rejection

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property outlined in red.

PUBLIC NOTICE DETAILS

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

NEIGHBORHOOD MEETING

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

AERIAL



Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

FEMA MAP



Subject property outlined in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS

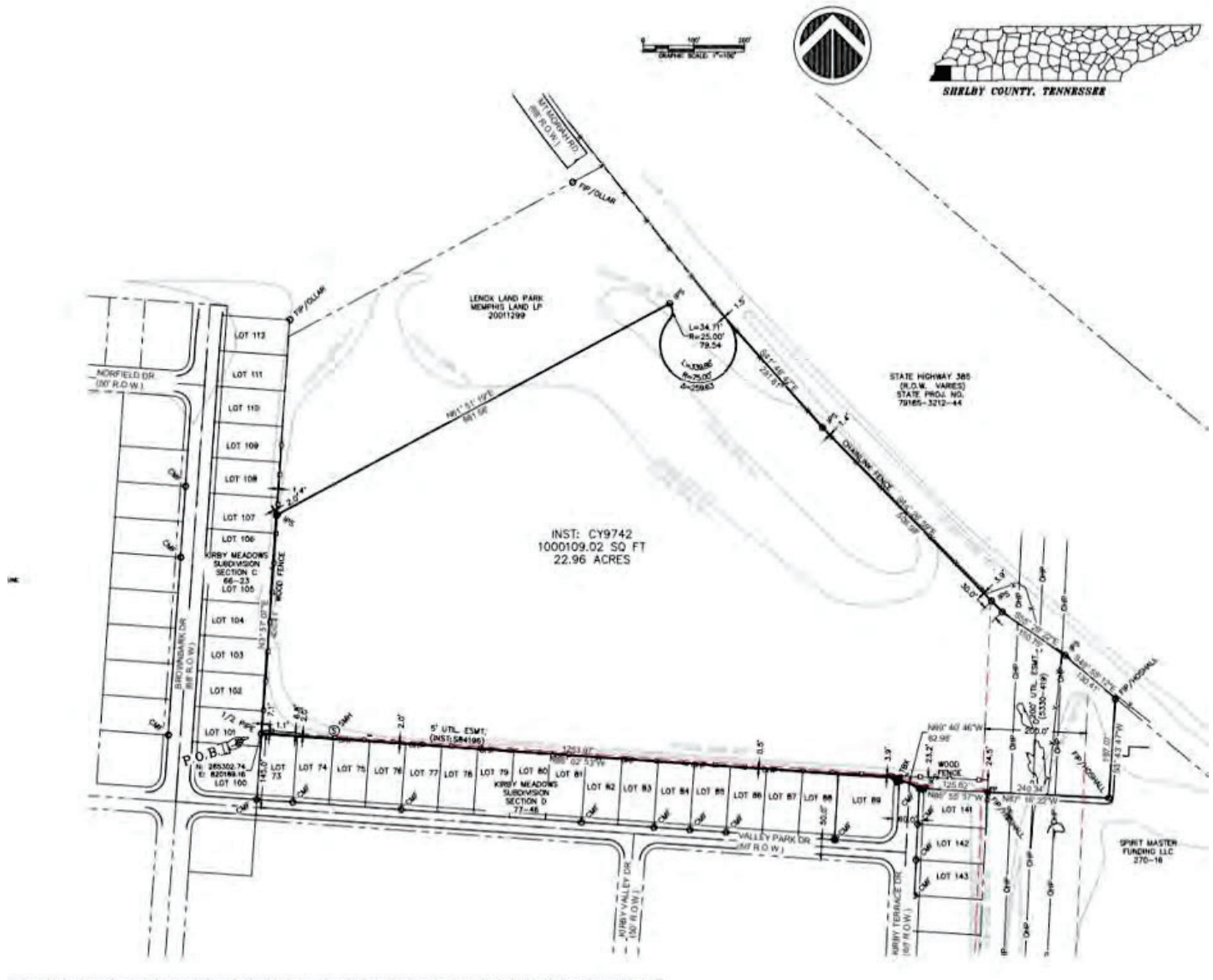


View of subject property from Kirby Terrace Drive looking north.



View of subject property from State Route 385 looking west.

PLOT PLAN



LEGAL DESCRIPTION

INST: CY9742

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 ½" IRON PIN WITH CAP AT A DISTANCE OF 2.0 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 881.58 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE IN A SOUTHERLY DIRECTION WITH A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 34.71 FEET, AND HAVING A CHORD BEARING OF S 01°00'38" W AND A CHORD DISTANCE OF 31.99 FEET TO A POINT; THENCE IN A EASTERLY DIRECTION WITH A REVERSE NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 339.86 FEET, AND HAVING A CHORD BEARING OF S 89°05'16" E AND A CHORD DISTANCE OF 115.21 FEET TO A POINT, SAID POINT BEING IN THE SOUTH LINE OF THE STATE HIGHWAY 385; THENCE ALONG THE SOUTH LINE OF THE STATE HIGHWAY 385 THE FOLLOWING FOUR (4) CALLS; THENCE, S 41°46'42" E FOR A DISTANCE OF 281.61 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, S 44°26'59" E PASSING A SET 1/2" IRON PIN WITH CAP AT A DISTANCE OF 476.98 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 506.98 FEET TO A POINT; THENCE, S 55°29'22" E FOR A DISTANCE OF 150.75 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, S 49°58'12" E FOR A DISTANCE OF 130.41 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, S 03°43'47" W ALONG A WEST LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 197.07 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE, N 87°16'22" W ALONG A NORTH LINE OF THE SPIRIT MASTER FUNDING LLC (270-16) TRACT FOR A DISTANCE OF 240.34 FEET TO A FOUND IRON PIN WITH A HOSHALL CAP; THENCE ALONG THE NORTH LINE OF THE KIRBY MEADOWS SECTION D (77-46) SUBDIVISION THE FOLLOWING THREE (3) CALLS; THENCE, N 86°55'57" W FOR A DISTANCE OF 125.62 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, N 69°40'46" W FOR A DISTANCE OF 62.98 FEET TO A SET 1/2" IRON PIN WITH CAP; THENCE, N 86°02'53" W FOR A DISTANCE OF 1253.97 FEET TO THE POINT OF BEGINNING CONTAINING 1000109.02 SQUARE FEET OR 22.96 ACRES MORE OR LESS.

CASE REVIEW

Request

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

Review Criteria

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

9.5.7B Review Criteria

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

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

Site Details

Address:

0 Mt. Moriah Ext.

Parcel ID:

093500 00627

Area:

+/-22.96 acres

Description:

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

Analysis

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

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

The site may also have a history of being used, at least in part, as a construction debris landfill. As of the release of this staff report, research to confirm this is 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)(1)(J) and 54-17-115(a)(1)(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:



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

MEMORANDUM

To: Chloe Christion, Planner I
From: Logan Landry, Planner I
Date: December 31, 2024
Subject: OSR Comments on Z 24-09: SOUTHEAST

General Comments & Analysis:

Located in Zone 1 and Zone 4 of the Resilience Zone Framework:

Zone 1 areas have the lowest level of development risk and conflict. These areas avoid high risk disaster zones, such as floodplains, and they also do not conflict with sensitive ecological areas. These areas are the most straightforward for development, and development would have the lowest impact on regional resilience. Consider incorporating the protection of ecological assets while balancing the promotion of low-impact site design and compact development typologies in appropriate areas.

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

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

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

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

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



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

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

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

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: Z 2024-009 Southeast

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

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

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

Street Type: NA

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

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



“OSN” Form & Location Characteristics

Conservation and recreational uses.

“OSN” Zoning Notes

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

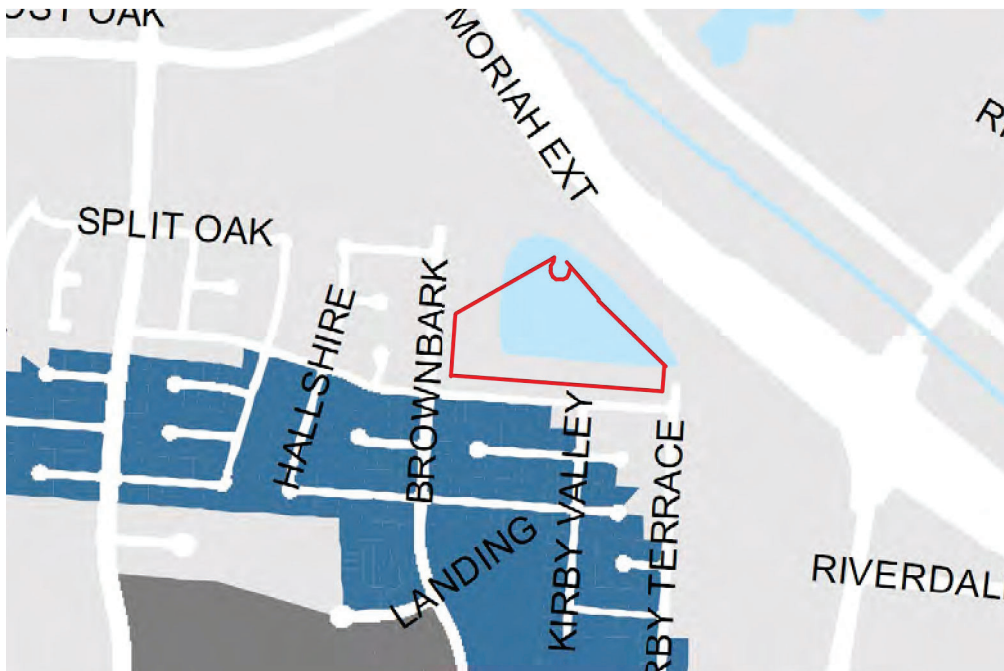
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, R-8

Adjacent Land Use and Zoning: Single-family Residential, Office, Commercial and Vacant, R-8, CA and FW

Overall Compatibility: This requested land use is not compatible with these adjacent land uses and zoning districts because there is no other CMU-3 district adjacent, and the creek serves as a natural barrier from the other commercial uses.

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 transitional uses at community edges, particularly where communities border environmental 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 natural features with a focus on preservation. This requested rezoning is not consistent with the goals of this Future Land use Category chiefly 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 transitional uses at community edges, particularly where communities border environmental 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 natural features with a focus on preservation. This requested rezoning is not consistent with the goals of this Future Land use Category chiefly 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 NOT CONSISTENT with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Christina Edingborough, Comprehensive Planning.

MAILED PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than **Thursday, January 2, 2025 at 8 AM.**

CASE NUMBER: Z 2024-009
ADDRESS: 0 Mt. Moriah Road
REQUEST: Rezoning of approx. 22.9 acres from RU-2 and R-6 to CMU-3
APPLICANT: Prentiss Mitchell

Meeting Details

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

Staff Planner Contact:

Chloe Christion
✉ chloe.christion@memphistn.gov
☎ (901) 636-7494



VICINITY MAP—SUBJECT PROPOERTY HIGHLIGHTED IN BLUE



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



190 Notices Mailed 12/17/2024

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Prentiss Mitchell, being duly sworn, depose and say that at 3:30 am/pm on the 12 day of December, 2024, I posted 1 Public Notice Sign(s) pertaining to Case No. 22024-009 at 0 MT Moriah, Memphis TN providing notice of a Public Hearing before the (check one):

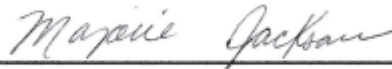
☒ Land Use Control Board
☐ Board of Adjustment
☐ Memphis City Council
☐ Shelby County Board of Commissioners

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

12/13/2024
Date

Subscribed and sworn to before me this 13th day of December, 2024.


Notary Public

My commission expires: May 17, 2027



APPLICATION



Memphis and Shelby County Division of Planning and Development

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

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

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Processing

Opened Date: September 12, 2024

Record Number: Z 2024-009

Expiration Date:

Record Name: Riverdale & HWY 385

Description of Work: REZONING

Parent Record Number:

Address:

38115

Owner Information

Primary Owner Name:

Y FARRELL PROPERTIES (PSO)

Owner Address:

2174 E PERSON AVE, MEMPHIS, TN 38114

Owner Phone:

Parcel Information

093500 00627

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Chloe Christian

Date of Meeting

10/07/2024

Pre-application Meeting Type

Phone

GENERAL INFORMATION

Have you held a neighborhood meeting?

No

Is this application in response to a citation from
Construction Code Enforcement or Zoning
Letter?

No

If yes, please provide additional information

-

GIS INFORMATION

GIS INFORMATION

Case Layer	-
Central Business Improvement District	No
Class	R
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	-
Overlay/Special Purpose District	-
Zoning	R-8
State Route	1
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	Yes
County Commission District	-
City Council District	-
City Council Super District	-

Data Tables

ADDRESS AND PARCEL LIST

Property Parcel Number: 093500 00627

Property Address: 0 Mount Moriah

Contact Information

Name

PRENTISS MITCHELL

Contact Type

APPLICANT

Address

Phone

(901)305-5000

Fee Information

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

Total Fee Invoiced: \$769.50

Total Balance: \$0.00

Payment Information

Payment Amount:	Method of Payment
\$769.50	Credit Card

OWNER AFFIDAVIT

**MEMPHIS AND
SHELBY COUNTY**  **DIVISION OF PLANNING
AND DEVELOPMENT**
City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

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

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

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

of the property located at 0 Mount Moriah
and further identified by Assessor's Parcel Number 09350 00627
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 7th day of Oct in the year of 2024

[Signature]
Signature of Notary Public



My Commission Expires Aug 3, 2026
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

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Chloe Christion

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PRENTISS MITCHELL

Contact Type

APPLICANT

Address**Phone**

(901)305-5000

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Method of Payment

Credit Card

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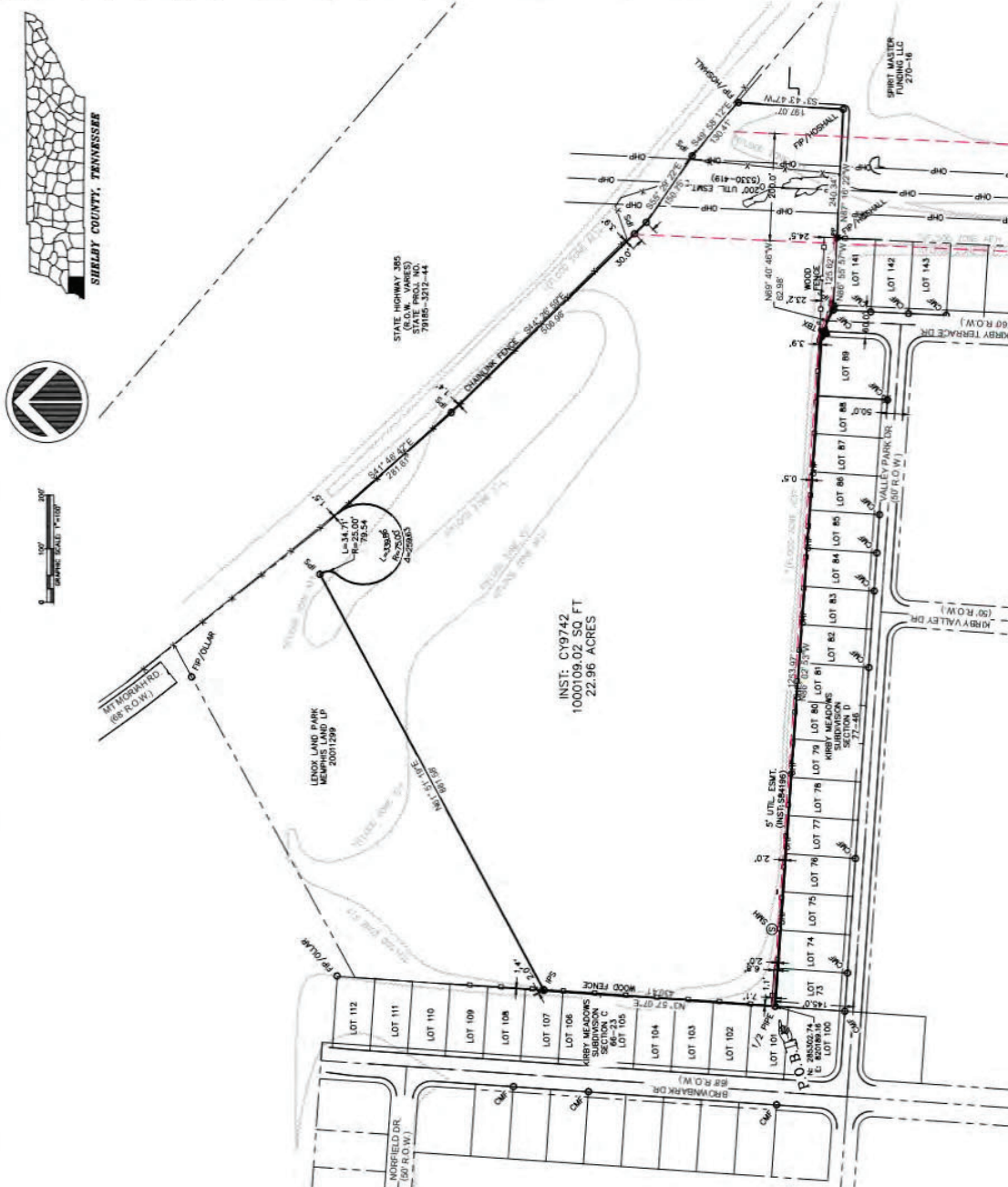
INST: CY9742

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 ½" 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.

[illegible]

POINT OF WATER LINE	—P—
WATER LINE	—W—
SEWER LINE	—S—
COLD WATER LINE	—C—
HEATED WATER LINE	—H—
UNDERGROUND ELECTRIC LINE	—E—
TELEPHONE LINE	—T—
SAFETY LINE	—SA—
RAILWAY LINE	—R—
RAIL LINE	—RA—
PIPE PROTECTION LINE	—PP—
FILL LINE	—F—
POLE LINE	—P—
ELECTRIC LINE	—E—
DRAINAGE LINE	—D—
CUT LINE	—C—
LOW LINE	—L—
COMMUNICATIONS LINE	—CO—
ADDITIONAL LINE	—AD—
OVERHEAD POWER LINE	—O—
OVERHEAD ELECTRIC LINE	—OE—
METAL FENCE LINE	—MF—
WOOD FENCE LINE	—WF—
EDGE OF PAVEMENT	—EP—
EDGE OF GRASS	—EG—
RAIL ROAD LINE	—RR—
FLOOD ZONE	—FZ—

EVALUATION OF THE EFFECTS OF THE 1997-1998 EL NIÑO ON THE TROPICAL RAIN FOREST OF THE AMAZON BASIN

[illegible]

- [illegible]

CERTIFICATE:
I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 OR GREATER.



BY _____
JOHN W. ASHWORTH III, RLS DATE _____
TENNESSEE CERTIFICATE NO. 1344

GPS HOTEL:

1. GPS WAS USED FOR A PORTION OF THE CONTROL POINTS AND FOR A PORTION OF OTHER PHYSICAL LOCATIONS.
2. A TOPCON HYPERION NETWORK ROVER WAS USED.
3. THE GPS SURVEY WAS PERFORMED USING REAL TIME KINEMATICS LINKED TO THE NET REFERENCE STATION NETWORK.
4. IT IS THE OPINION OF THIS SURVEYOR THAT THE PRECISION OF THE GPS SURVEY MEETS OR EXCEEDS THE RELATIVE POSITIONAL ACCURACY REQUIRED.



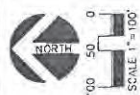
www.ashworthengineering.com
ASHWORTH ENGINEERING, PLLC
 10815 COLLIERVILLE ROAD, COLLIERVILLE TN 38017
 Ph: (901)414-8767

Ph. (901) 414.8767

0 MOUNT MORIAH
PARCEL ID#09350000627
MEMPHIS, SHELBY COUNTY

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

JOB No. 24111B
SHEET NUMBER 1 OF 1



CURVE	RADIUS	LENGTH	TANG ² /s	DELTA
C1	3745.98'	132.51'	66.26'	02°01.31"
C2	49.00'	66.18'	43.50'	94.46°06'
C3	859.00'	149.33'	74.80'	09.57°42'

L1	N55.4E19"E	14.83'
L2	S19.0E50"E	161.36'

LIBRARY
DATE
28 FEB 61
W B 7E1
MAY 2 JUN
TH.
RECORDING FEE
PLAT BOOK 1761 ACCEZ
NO 0-26977

CASE #: PD 95-318
FINAL PLAT
LENOX PARK EAST P.D.
PHASE 5 (DEDICATION OF
MT. MORIAH ROAD EXTENDED)
MEMPHIS, TENNESSEE
TOTAL AREA 2.11 Acres

WARD 2, BLOCK 30, PARCEL 272
WARD 2, BLOCK 41, PARCEL 404
WARD 2, BLOCK 30, PARCEL 217, 305, 308
100 YEAR FLOOD ELEV 284.5

OWNER/DEVELOPER
CLARK & CLARK
5050 Poplar Avenue, Suite 2200
Memphis, Tennessee 38157

PREPARED BY

IN CONSTRUCTION • ENGINEERING • LAND PLANNING • LANDSCAPE ARCHITECTURE

THE UNIVERSITY OF CHICAGO PRESS

14

THE

090-8611(4) • DOB - 07 JUL 1928 INDIANAPOLIS IN

DATE 11/5/98 ETR JOB # 95042-S2 SHT 1 of 3

100

1

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

DAVIDSON'S QUALIFIED

STREET NAME	S/W WIDTH	SIDE	LOCATION FROM CURBLINE
MT MORIAH ROAD EXTENDED	5'	WEST	MEANDERS
MT MORIAH ROAD EXTENDED	5'	EAST	4.5 GRASS STRIP

THE SIDE WALKS SHALL BE INSTALLED ACROSS THE FRONTS OF EACH LOT BY THE BUILDING PERMIT HOLDER PRIOR TO USE AND OCCUPANCY OF THE BUILDINGS. EXISTING SIDEWALKS SHALL BE REPAIRED AS NECESSARY BY THE BUILDING PERMIT HOLDER ACROSS THE LOT FRONTAGE PRIOR TO OCCUPANCY OF THE BUILDING.

1. SIDEWALKS ON MT MORIAH WEST SIDE SHALL BE INSTALLED WITH THE BUILDING PERMIT

2. SIDEWALKS ON MT MORIAH EAST SIDE SHALL BE INSTALLED BY THE DEVELOPER AS PART OF THE STANDARD IMPROVEMENT CONTRACT.

11 SIDEWALKS ON UT MORIAH EAST SIDE SHALL BE INSTALLED BY THE DEVELOPER AS PART

OF THE STANDARD IMPROVEMENT CONTRACT

NOTES: RESTRICTIVE COVENANTS AND SIMILAR DOCUMENTS ARE PRIVATE IN SCOPE AND NOT SUBJECT TO GOVERNMENTAL APPROVAL OR ENFORCEMENT

THE OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL PRIVATE DRIVES, PRIVATE SANITARY SEWER, AND PRIVATE DRAINAGE.

A PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN AS DESIGNATED BY FEMA COMMUNITY PANEL NUMBER 47157C 0230 E DECEMBER 2 1994

100 YR FLOOD ELEVATION = 284.50

10

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

We, G. Benjamin Clark, Nicholas G. Clark, and William B. Clark, CST FBO Nick Clark, hereby adopt this plat as our plan of development and dedicate the streets, right-of-way, and grant the easements as shown and/or described, to the public, and we, the undersigned, do hereby warrant that the property is not encumbered by any taxes (or mortgages) which have become due and payable.

S. B. Clark
SIGNATURE
G. Benjamin Clark
DATE 8/26/98

Nicholas G. Clark
SIGNATURE
Nicholas G. Clark
DATE 8/26/98

William B. Clark, CST FBO Nick Clark,
SIGNATURE
William B. Clark, Jr., Trustee
DATE Aug 26 1998

Owner's Certificate (Adjacent Property)

Before me, the undersigned, a Notary Public in and for the State of Tennessee, the undersigned, a Notary Public in and for the State of Tennessee, hereby certify that the plat and grant the easements as shown and/or described, to the public, and that said property is not encumbered by any taxes (or mortgages) which have become due and payable.

Notary Public
Signature
DATE Nov 24 1998

Notary's Certificate

Before me, the undersigned, a Notary Public in and for the State of Tennessee and Shelby County of Memphis, duly commissioned and qualified, personally appeared William B. Clark, CST FBO Nick Clark, to be owner, a resident of the Shelby County, Tennessee, the within named bargainer, and that they executed the foregoing instrument for the purpose herein contained in witness whereof, I have this 24th day of November, 1998.

Notary Public
Signature
My Commission expires Aug 23 2001



Engineer's Certificate

I hereby certify that this plat as hereon shown, is in conformity with the provisions of the Tennessee Code, the Subdivision Regulations and the specific conditions imposed on this development, and takes into account all applicable federal, state and local building laws and regulations.

By Michael J. Stradella (Seal) (Date)
Tennessee Certificate No. 23559
Director of Planning and Development

Office of Planning and Development Certificate

This final plat conforms with the planned development acted on by the Land Use Commission and the Planning Commission of the City of Memphis on September 5, 1998 and/or the Shelby County Board of Commissioners on August 28, 1998.

By William B. Clark
Director of Planning and Development
Date 12/2/98

City Engineer WNR County Engineer off

HY6720

SH-1
REGISTRY
59 DEC-3 1998

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

Before me, the undersigned, a Notary Public in and for the State of Tennessee, the undersigned, a Notary Public in and for the State of Tennessee, hereby certify that the plat and grant the easements as shown and/or described, to the public, and that said property is not encumbered by any taxes (or mortgages) which have become due and payable.

Notary Public
Signature
My Commission expires 8-26-98



Surveyor's Certificate

I hereby certify that this is a category I survey and that the precision of the undisturbed survey is 1/10,000 or greater, that this plat is in conformity with the survey prepared by me or under my supervision and approval, and that the plat is in conformity with the applicable State Laws and regulations, and that the plat is in conformity with the conditions imposed on this development relating to the practice of surveying.

By Douglas C. Swine, BLS (Seal) (Date)
Tennessee Certificate No. 1111
Older Surveyor
3050 Vasson Avenue
Suite 1
Memphis, TN 38118



CASE #: PD 95-310

FINAL PLAT

LENOX PARK EAST P.D.
PHASE 6 (DEDICATION OF
MT. MORIAH ROAD EXTENDED)
MEMPHIS, TENNESSEE

TOTAL AREA 2.11 Acres
W&O 2 BLOCK 30 PARCEL 272
W&O 2 BLOCK 30 PARCEL 273
W&O 2 BLOCK 30 PARCEL 273.506

100' YEAR FLOOD ELEV 284.5

OWNER/DEVELOPER
CLARK & CLARK
5050 Poplar Avenue, Suite 2200
Memphis, Tennessee 38157

PREPARED BY



DATE 8/26/98 ETN JCB #95042-52 SHT 3 of 3

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

OLLAR SURVEYING CO.

By: *[Signature]* (Seal) (Date)
DOUGLAS C. SWINK, RLS
Tennessee Certificate No. 1677

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



CASE #: PD 95-318

FINAL PLAT

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

MEMPHIS, TENNESSEE

TOTAL AREA: 2.11 Acres

WARD 2, BLOCK 30, PARCEL 222
WARD 2, BLOCK 41, PARCEL 404
WARD 2, BLOCK 30, PARCEL 217,305,308

100 YEAR FLOOD ELEV.: 284.5

OWNER/DEVELOPER:

CLARK & CLARK

5050 Poplar Avenue, Suite 2200
Memphis, Tennessee 38157

PREPARED BY:

ETI CORPORATION • ENGINEERING • LAND PLANNING • LANDSCAPE ARCHITECTURE

NO	<u>446710</u>
PLAT BOOK	<u>174</u> PAGE <u>2</u>
RECORDING FEE	<u>4500</u>
DP FEE	<u>200</u>
DATE	<u>DEC 3 1998</u>
TIME	<u>1:36 PM</u>
STAT. OF TENNESSEE SHAST COUNTY	

DATE: 8/26/98 ETI JOB #: 95042-52 SHT 3 of 3

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

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

HS 6059

4

QUIT CLAIM DEED

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

See Exhibit A attached hereto and made a part hereof.

This conveyance is made unto each grantee in the following percentages:

Nicholas G. Clark.....	18.37%
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 18th day of August, 1998.


A. Dwight Ferrell


Keith W. Ferrell


John P. Ferrell

STATE OF TENNESSEE
COUNTY OF SHELBY

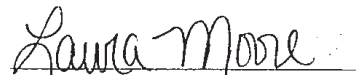
Personally appeared before me, a Notary Public in and for said county, **A. Dwight Ferrell**, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS MY HAND, at office, this 18th day of August, 1998.

NOTARY PUBLIC

My Commission Expires:

AUGUST 29, 2001


Laura Moore

HS 6059

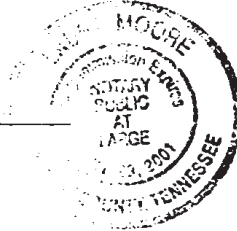
STATE OF TENNESSEE
COUNTY OF SHELBY

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

WITNESS MY HAND, at office, this 18th day of August, 1998.

NOTARY PUBLIC

My Commission Expires:

August 29, 2001Laura MooreSTATE OF TENNESSEE
COUNTY OF SHELBY

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

WITNESS MY HAND, at office, this 18th day of August, 1998.

NOTARY PUBLIC

My Commission Expires:

August 29, 2001Laura Moore

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 \$ 30,000.

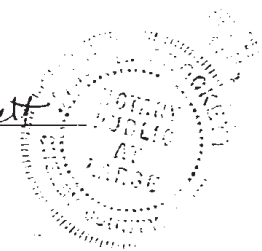
AFFIANT

Suzie Bear Clark

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

NOTARY PUBLIC

My Commission Expires:

9-6-99Mary L. Crockett

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

Chlorine Clark signed for
8/18/98

EXHIBIT A**HS 6059**

Commencing at the intersection of the south right-of-way line of Knight Arnold Road (108' right-of-way) and the common property line between Lenox Park East (P.B. 155, PG. 54) and Clark Realty (Instrument No. ET-3468); thence S 03° 20' 04" W along said common line, a distance of 1004.16' to a point, said point being the northwest corner of Kirby Meadows Subdivision, Section 'C' (P.B. 66, PG. 23); thence S 86° 05' 19" E along the north line of Kirby Meadows Subdivision, a distance of 751.38' to point in the east right-of-way line of Brownbark Drive; thence S 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; thence 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.

DATE

[illegible]

ET 1084: 35042--05

PAT No. 1 of 2 SHEET No. 1 of 1
DIVISION OF PUBLIC WORKS
LENOX PARK EAST P.D.
A PORTION OF THE FARRELL PROPERTY
MEMPHIS, TENNESSEE
SURVEY BY CLARA S. BENTLEY DATE: _____ BOOK: _____
DRAWN BY: E. J. COBB DATE: 3/17/99 SCALE: 1"=200'
APPROVED _____

APPROVED _____

DEPUTY CITY ENGINEER DATE _____

No.	HS 6059
D/C	2/28
Pgs.	24
Vol	30,000.00
STOCK	111.00
PLANT	1600
DEVELOP	1600
D.F. FILE	200
WATER	1600
TOTAL	1.4600

HS6059

SHELBY COUNTY
REGISTER OF DEEDS
98 AUG 26 PM 12: 22

EXHIBIT A

HS 6059

Commencing at the intersection of the south right-of-way line of Knight Arnold Road (108' right-of-way) and the common property line between Lenox Park East (P.B. 155, PG. 54) and Clark Realty (Instrument No. ET-3468); thence S 03° 20' 04" W along said common line, a distance of 1004.16' to a point, said point being the northwest corner of Kirby Meadows Subdivision, Section 'C' (P.B. 66, PG. 23); thence S 86° 05' 19" E along the north line of Kirby Meadows Subdivision, a distance of 751.38' to point in the east right-of-way line of Brownbark Drive; thence S 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; thence 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.

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

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

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

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

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

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

of the property located at 0 Mount Moriah
and further identified by Assessor's Parcel Number 09350 00627
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 7th day of Oct in the year of 2024

Sammy B. Patrick Moody
Signature of Notary Public



My Commission Expires
August 03, 2026

Aug 3, 2026
My Commission Expires

**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, 2025 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 +/-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, 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 _____, _____

FORD CANALE
CHAIRMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT
CITY COMPTROLLER

TO BE PUBLISHED:

MEMPHIS CITY OF
125 N MAIN ST #
MEMPHIS TN 38103

ANDERSON TERESA
6708 VALLEY PARK DR #
MEMPHIS TN 38115

HARPER JACQUELINE
6817 VALLEY PARK DR #
MEMPHIS TN 38115

STATE OF TENNESSEE
170 N MAIN ST #
MEMPHIS TN 38103

LOVE MARK
6790 VALLEY PARK DR #
MEMPHIS TN 38115

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

SHELBY COUNTY
160 N MAIN ST #
MEMPHIS TN 38103

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

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

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

TROTTER ORA
6882 VALLEY PARK DR #
MEMPHIS TN 38115

GASSAMA ABRAHAM
6808 KIRBY ARMS DR #
MEMPHIS TN 38115

HURLEY RONALD R
3385 BROWNBARK DR #
MEMPHIS TN 38115

SHAW STACEY
6723 VALLEY PARK DR #
MEMPHIS TN 38115

GONZALEZ FELICITO
6816 KIRBY ARMS DR #
MEMPHIS TN 38115

YOUNG MARCUS
6725 HALLSHIRE CV #
MEMPHIS TN 38115

FLOWERS BARON
6729 VALLEY PARK DR #
MEMPHIS TN 38115

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

BLACKMON LEON JR
3400 BROWNBARK DR #
MEMPHIS TN 38115

VILLALBA AURORA
3446 BROWNBARK DR #
MEMPHIS TN 38115

DORNING EDYTH
3467 KIRBY TERRACE DR #
MEMPHIS TN 38115

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

BUFORD ANDRE D
3448 HALLSHIRE DR #
MEMPHIS TN 38115

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

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

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

BARUTT AZIZA S
6739 BROWNBARK CV #
MEMPHIS TN 38115

MORRIS TERRY
3415 BROWNBARK DR #
MEMPHIS TN 38115

WINFREY JOHN T
PO BOX 192 #
EADS TN 38028

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

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

UNISON SOLUTION CAPITAL LLC
3611 CONNIE KAY WAY #
BLOOMINGTON IL 61704

WHITTED WINDELL M
3403 HALLSHIRE DR #
MEMPHIS TN 38115

PITTMAN ERIK L
6801 KIRBY ARMS DR #
MEMPHIS TN 38115

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

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

COOPER TAMARA
6821 KIRBY ARMS DR #
MEMPHIS TN 38115

WRIGHT SANDRA
3490 BROWNBARK DR #
MEMPHIS TN 38115

BONDOC EDWARD
3803 169TH ST #
LYNNWOOD WA 98037

ROBINSON SHARON D
6829 KIRBY ARMS DR #
MEMPHIS TN 38115

SANCHEZ MARIA D
6794 GREENBARK DR #
MEMPHIS TN 38115

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

JOHNSON WILLIE G
6855 KIRBY ARMS DR #
MEMPHIS TN 38115

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

ROBINSON YVONNE
3373 HALLSHIRE DR #
MEMPHIS TN 38115

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

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

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

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

BEVERIDGE NANCY A
192 ATLANTIC AVE #
NORTH HAMPTON NH 03862

DOYLE BRITANI A
6832 VALLEY PARK DR #
MEMPHIS TN 38115

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

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

COLLINS CLINTON
6838 VALLEY PARK DR #
MEMPHIS TN 38115

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

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

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

DREAM HIGHER INVESTMENTS LLC
101 JULIA LOOP #
DANVILLE CA 94506

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

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

MCGEE CINDY A
6721 NORFIELD DR #
MEMPHIS TN 38115

CANTU MARLENE
6750 NORFIELD DR #
MEMPHIS TN 38115

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

PRATCHER RAY A
3373 BROWNBARK DR #
MEMPHIS TN 38115

STATE OF TENNESSEE
170 N MAIN ST #
MEMPHIS TN 38103

HOLLY TINA V
6726 HALLSHIRE CV #
MEMPHIS TN 38115

NOVEMBER ASSET MANAGEMENT LLC
2315 TOMPIRO DR #
ALBUQUERQUE NM 87120

RS RENTAL III-A LLC
3352 BROWNBARK DR #
MEMPHIS TN 38115

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

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

HILL JOHN L JR
6715 NORFIELD DR #
MEMPHIS TN 38115

WAKEFIELD TAURA M
6730 HALLSHIRE CV #
MEMPHIS TN 38115

CLARK VIRGINIA
6731 BROWNBARK CV #
MEMPHIS TN 38115

RIVERA CIPRIANO R
3360 BROWNBARK DR #
MEMPHIS TN 38115

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

STERN TOM
1528 TRENTWOOD PL #
ATLANTA GA 30319

BECKMAN FRED
6729 NORFIELD DR #
MEMPHIS TN 38115

BRANCH JOYCE V
3381 HALLSHIRE DR #
MEMPHIS TN 38115

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

EVANS SHONTANIQUE
6735 NORFIELD DR #
MEMPHIS TN 38115

BROWN LEIGHTON M
7662 BROOKBRIAR CV #
MEMPHIS TN 38125

MEMPHIS CITY OF
125 N MAIN ST #
MEMPHIS TN 38103

BAILEY TIMOTHY
3365 BROWNBARK DR #
MEMPHIS TN 38115

MARTINEZ JULIO
3386 BROWNBARK DR #
MEMPHIS TN 38115

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

RANDOLPH DEBRA L
3366 BROWNBARK DR #
MEMPHIS TN 38115

PALMER-WILLIAMS PAMELA
6731 HALLSHIRE CV #
MEMPHIS TN 38115

CENTER HARBOR CHRISTIAN CHURCH
PO BOX 361 #
AMISSVILLE VA 20106

PAYNE BRIAN
P O BOX 1849 #
OLIVE BRANCH MS 38654

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

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

GEORGE FLORENCE
3418 VALLEY PARK CV #
MEMPHIS TN 38115

P FIN VII MEM LLC
3525 PIEDMONT BLDG 5 RD #900
ATLANTA GA 30305

UPSHAW ALONDRIA
3393 BROWNBARK DR #
MEMPHIS TN 38115

WILLIAMS MILDRED
3425 VALLEY PARK CV #
MEMPHIS TN 38115

GUPTA GYAN
14757 HOLLY TREE LN #
FRISCO TX 75035

KRIDEL FAMILY TRUST
1019 PINE ST #
SANTA MONICA CA 90405

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

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

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

CASTRO LEONARDO
3422 BROWNBARK DR #
MEMPHIS TN 38115

KCM INVESTMENTS LLC
PO BOX 280 #
CORDOVA TN 38088

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

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

EMIGDIO RODRIGO C
6890 VALLEY PARK DR #
MEMPHIS TN 38115

MARTINEZ JULIO
3415 VALLEY PARK CV #
MEMPHIS TN 38115

YOUNG DINA
3429 BROWNBARK DR #
MEMPHIS TN 38115

BANAH LLC
66 TIMBER RIDGE RD #
NORTH BRUNSWICK NJ 08902

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

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

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

WILLIAMS MAE H
3412 VALLEY PARK CV #
MEMPHIS TN 38115

HOOD CONNIE
6782 VALLEY PARK DR #
MEMPHIS TN 38115

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

HERNANDEZ LUIS D
3854 GIVEN AVE #
MEMPHIS TN 38122

COOK JERRI S
6796 VALLEY PARK DR #
MEMPHIS TN 38115

BANKS MINNISHA L
6745 VALLEY PARK DR #
MEMPHIS TN 38115

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

MEDINA IRIS V
6609 POLK ST #
WEST NEW YORK NJ 07093

AMOR ANTONIO
1904 CLINTONVILLE ST #
WHITESTONE NY 11357

LUMPKIN DIANNA M
3440 KIRBY TERRACE DR #
MEMPHIS TN 38115

LBJ HOLDINGS LLC
990 VIA GANDALFI #
HENDERSON NV 89011

HERNANDEZ ARIADNA
6788 KIRBY ARMS DR #
MEMPHIS TN 38115

WRIGHT SANDRA A
6795 VALLEY PARK DR #
MEMPHIS TN 38115

GONZALEZ TOMAS R
1407 GREEN AVE #1
BROOKLYN NY 11237

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

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

FLEMING WALTER J
3448 KIRBY TERRACE DR #
MEMPHIS TN 38115

GOMEZ CELINA
3454 KIRBY TERRACE DR #
MEMPHIS TN 38115

GRACE SOL JR
6823 VALLEY PARK DR #
MEMPHIS TN 38115

WEBB SANDRA T
3453 BROWNBARK DR #
MEMPHIS TN 38115

WALKER ANGELA R
6802 KIRBY ARMS DR #
MEMPHIS TN 38115

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

HAMPTON TARSHA C
3451 KIRBY TER #
MEMPHIS TN 38115

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

LI JIAWEN
667 CONGRESS ST #201
PORTLAND ME 04101

HERRERA JESUS R
6722 BROWNBARK CV #
MEMPHIS TN 38115

BROAD ST LLC
2595 BROAD ST #
MEMPHIS TN 38112

DOBBINS SHERETTA L
6716 BROWNBARK CV #
MEMPHIS TN 38115

SMITH JANET L
6728 BROWNBARK CV #
MEMPHIS TN 38115

SUE ALAN
1 KEAHOLE PL #3308
HONOLULU HI 96825

FELTON DYNASTY A
3450 KIRBY VALLEY DR #
MEMPHIS TN 38115

COSBY CATHERINE O
6736 BROWNBARK CV #
MEMPHIS TN 38115

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

CSMA BLT LLC
1850 PARKWAY PL #900
MARIETTA GA 30067

ASEFUABA MAAME A
365 KNICKERBOCKER RD #
ENGLEWOOD NJ 07631

HAVENWOOD ALTI LLC
13217 JAMBOREE RD #215
TUSTIN CA 92782

MIRAGLIA PROPERTY MANAGEMENT LLC LLC
1 BROWN AVE #87
LAKEHURST NJ 08733

LEAVY ROBERT L & TERRESA
6784 KIRBY ARMS DR #
MEMPHIS TN 38115

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

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

ARROYO JOAQUIN
472 CROFT RD #
BYHALIA MS 38611

MORENO GLADYS M H
6772 GREENBARK DR #
MEMPHIS TN 38115

JONES KERESIA L
6780 KIRBY ARMS DR #
MEMPHIS TN 38115

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

TEJEDA INGRIS N T
6780 GREENBARK DR #
MEMPHIS TN 38115

KNIGHT CARLA
6870 KIRBY ARMS DR #
MEMPHIS TN 38115

REI NATION LLC
PO BOX 381887 #
GERMANTOWN TN 38183

THOMPSON CURTIS L
6800 GREENBARK DR #
MEMPHIS TN 38115

HENDERSON ELLA M
6874 KIRBY ARMS DR #
MEMPHIS TN 38115

411 INVESTMENTS LLC
5524 RIVERDALE RD #
MEMPHIS TN 38141

MATTHEWS TERESA M
6808 GREENBARK #
MEMPHIS TN 38115

STEWART LAZE JR
3462 KIRBY TERRACE DR #
MEMPHIS TN 38115

HERNANDEZ MIGUEL
6835 KIRBY ARMS DR #
MEMPHIS TN 38115

6814 GREENBARK TRUST
PO BOX 650715 #
STERLING VA 20165

GAINES MELONEE
3468 BROWNBARK DR #
MEMPHIS TN 38115

OUSLEY ARNEDTHA L
3476 KIRBY TERRACE DR #
MEMPHIS TN 38115

ORELLANA JOSE P
3489 KIRBY TERRACE DR #
MEMPHIS TN 38115

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

MORGAN WAURINE C
6875 KIRBY ARMS DR #
MEMPHIS TN 38115

WILLIAMS GLORIA
6822 GREENBARK DR #
MEMPHIS TN 38115

ISBY PATRICIA M
6725 BROWNBARK CV #
MEMPHIS TN 38115

CASTILLO CANDELARIO
8090 CENTER HILL RD #
OLIVE BRANCH MS 38654

HARDY EDWARD & FREDDIE
6854 GREENBARK DR #
MEMPHIS TN 38115

QUINONEZ ROSA M
3477 BROWNBARK DR #
MEMPHIS TN 38115

SCHUMACHER FAMILY TRUST
26121 CALLE CRESTA #
MISSION VIEJO CA 92692

HENDERSON CHARLES
6862 GREENBARK DR #
MEMPHIS TN 38115

PHILLIPS JOYCE A
6783 KIRBY ARMS DR #
MEMPHIS TN 38115

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

BRADSHAW NOEL
4701 SUMMER AVE #
MEMPHIS TN 38122

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

BEVERIDGE NANCY
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
20500 TOWN CENTER LN #270
CUPERTINO CA 95014

STEWART JESSICA D
3380 BROWNBARK DR #
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

Planning & Development
DIVISION

Planning & Zoning COMMITTEE: 03/25/25

DATE

PUBLIC SESSION: 04/08/25

DATE

ITEM (CHECK ONE)

X ORDINANCE RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on 7073, 7093, 7105 and 7117 Stage Road. By taking the land out of the Conservation Agriculture (CA) Use District and including it in the Commercial Mixed-Use – 2 (CMU-2) Use District, known as case number Z 2025-001

CASE NUMBER: Z 2025-001

LOCATION: 7073, 7093, 7105 and 7117 Stage Road

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

OWNER/APPLICANT: Greg Glaser, Franklin Land Association

REPRESENTATIVES: Brenda Shackelford, CSDG

REQUEST: Rezoning of +/-7.24 acres from Conservation Agriculture (CA) to Commercial Mixed-Use – 2 (CMU-2)

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

RECOMMENDED COUNCIL ACTION: Public Hearing Required

Set date for first reading – March 18, 2025

Second reading – March 25, 2025

Third reading – April 8, 2025

PRIOR ACTION ON ITEM:

(1)
02/13/2025
(1) Land Use Control Board

APPROVAL - (1) APPROVED (2) DENIED
DATE
ORGANIZATION - (1) BOARD / COMMISSION
(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2)
\$
\$

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

SOURCE AND AMOUNT OF FUNDS

\$
\$
\$

OPERATING BUDGET
CIP PROJECT #
FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

Chloe Christian

DATE

3/10/2025

POSITION

PLANNER II

DEPUTY ADMINISTRATOR

Brett Regadole

3/10/2025

ADMINISTRATOR

DIRECTOR (JOINT APPROVAL)

COMPTROLLER

FINANCE DIRECTOR

CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2025-001

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

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

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER:	Z 2025-001
LOCATION:	7073, 7093, 7105 and 7117 Stage Road
COUNCIL DISTRICT(S):	District 1, Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Greg Glaser, Franklin Land Association
REPRESENTATIVE:	Brenda Shackleford, CSDG
REQUEST:	Rezoning of +/-7.26 acres from Conservation Agriculture (CA) to Commercial Mixed-Use – 2 (CMU-2)

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

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

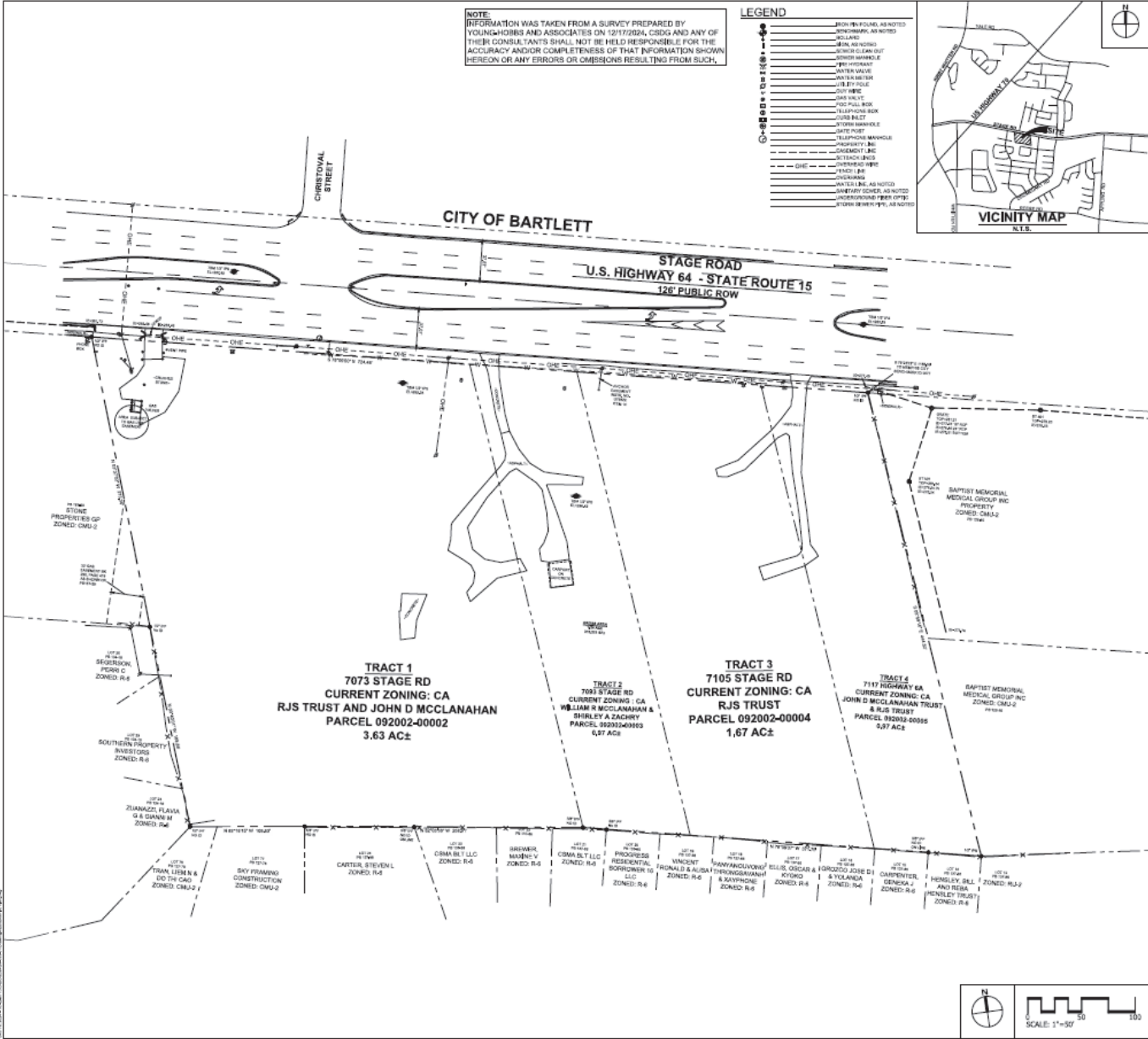
Respectfully,



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

Cc: Committee Members
File

PLOT PLAN



ORDINANCE NO: _____

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

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2025-001**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE CONSERVATION AGRICULTURE (CA) USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED-USE – 2 (CMU-2) USE DISTRICT.

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

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

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

SECTION 2:

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

SECTION 3:

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

[illegible]TRACTOR SUPPLY CO
ZONING CHANGE

ZONING CHANGE

[illegible]

PLOT PLAN

ATTEST:

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

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

CASE NUMBER: Z 2025-001

LOCATION: 7073 – 7117 Stage Road

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

OWNER/APPLICANT: Greg Glaser, Franklin Land Association

REPRESENTATIVE: Brenda Shackleford, CSDG

REQUEST: Rezoning of +/-7.24 acres from Conservation Agriculture (CA) to Commercial Mixed-use – 2 (CMU-2)

CONCLUSIONS

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

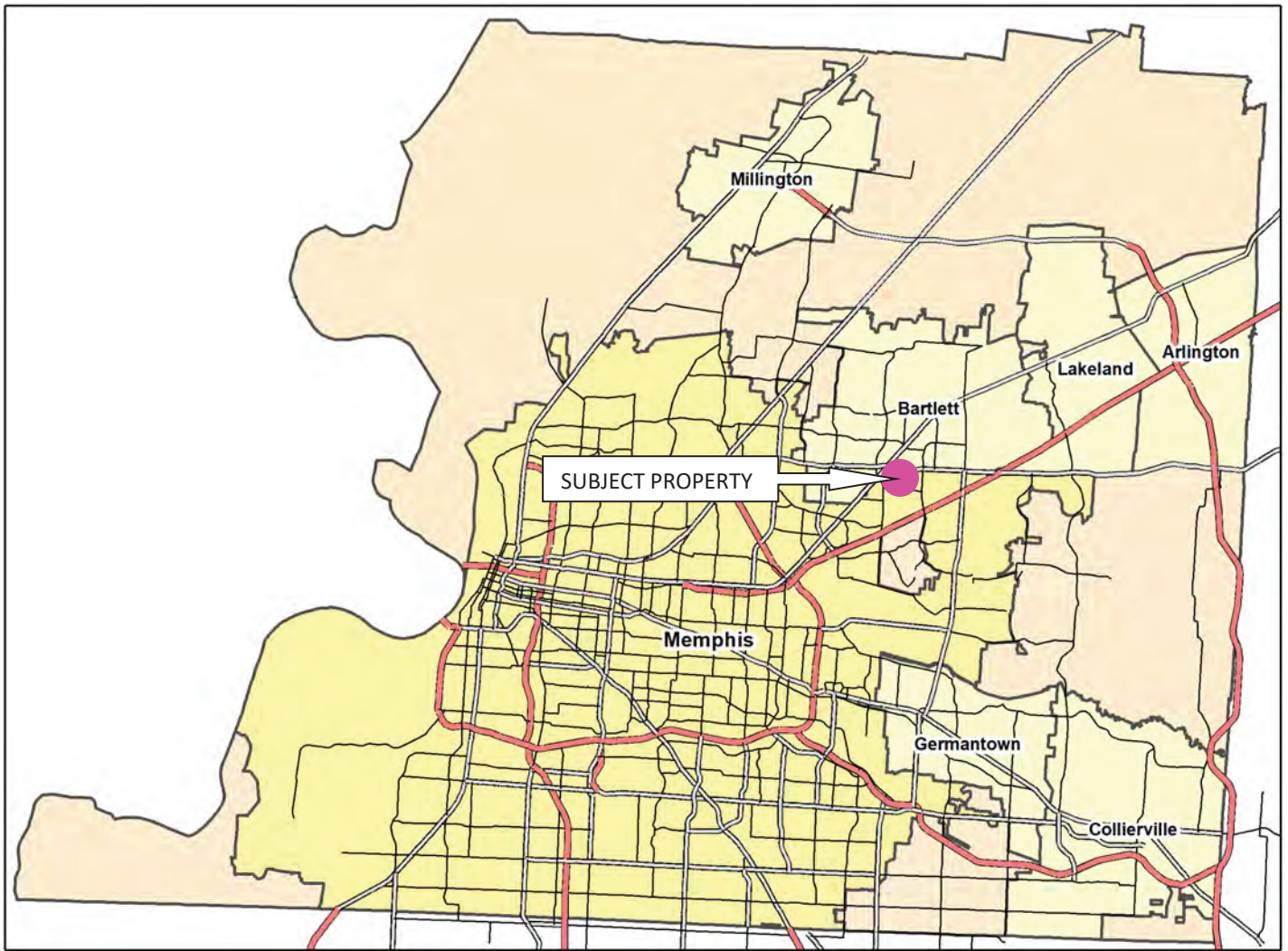
CONSISTENCY WITH MEMPHIS 3.0

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

RECOMMENDATION:

Approval

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property outlined in red

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 228 notices were mailed on January 24, 2025, see pages 21-22 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 23 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

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

AERIAL



Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from Stage Road facing southwest.



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

NOTE:
 INFORMATION WAS TAKEN FROM A SURVEY PREPARED BY
 THE ENGINEER AND SHALL BE USED ON THE BASIS OF THE
 ACCURACY AND/OR CADD EVIDENCE OF THAT INFORMATION SHOWN
 HEREON OR ANY ERRORS OR OMISSIONS RESULT THEREFROM.

LEGEND

1" = 100'	1" = 200'	1" = 300'	1" = 400'	1" = 500'	1" = 600'	1" = 700'	1" = 800'	1" = 900'	1" = 1000'
1" = 1100'	1" = 1200'	1" = 1300'	1" = 1400'	1" = 1500'	1" = 1600'	1" = 1700'	1" = 1800'	1" = 1900'	1" = 2000'
1" = 2100'	1" = 2200'	1" = 2300'	1" = 2400'	1" = 2500'	1" = 2600'	1" = 2700'	1" = 2800'	1" = 2900'	1" = 3000'
1" = 3100'	1" = 3200'	1" = 3300'	1" = 3400'	1" = 3500'	1" = 3600'	1" = 3700'	1" = 3800'	1" = 3900'	1" = 4000'
1" = 4100'	1" = 4200'	1" = 4300'	1" = 4400'	1" = 4500'	1" = 4600'	1" = 4700'	1" = 4800'	1" = 4900'	1" = 5000'
1" = 5100'	1" = 5200'	1" = 5300'	1" = 5400'	1" = 5500'	1" = 5600'	1" = 5700'	1" = 5800'	1" = 5900'	1" = 6000'
1" = 6100'	1" = 6200'	1" = 6300'	1" = 6400'	1" = 6500'	1" = 6600'	1" = 6700'	1" = 6800'	1" = 6900'	1" = 7000'
1" = 7100'	1" = 7200'	1" = 7300'	1" = 7400'	1" = 7500'	1" = 7600'	1" = 7700'	1" = 7800'	1" = 7900'	1" = 8000'
1" = 8100'	1" = 8200'	1" = 8300'	1" = 8400'	1" = 8500'	1" = 8600'	1" = 8700'	1" = 8800'	1" = 8900'	1" = 9000'
1" = 9100'	1" = 9200'	1" = 9300'	1" = 9400'	1" = 9500'	1" = 9600'	1" = 9700'	1" = 9800'	1" = 9900'	1" = 10000'

VICINITY MAP

TRACT 1
 7073 STAGE RD
 CURRENT ZONING: CA
 RUS TRUST AND JOHN D MCCLANAHAN
 PARCEL 092002-00002
 3.63 AC

TRACT 2
 7105 STAGE RD
 CURRENT ZONING: CA
 RUS TRUST
 PARCEL 092002-00004
 1.67 AC

TRACT 3
 7111 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00005
 0.91 AC

TRACT 4
 7113 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00006
 0.91 AC

TRACT 5
 7115 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00007
 0.91 AC

TRACT 6
 7117 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00008
 0.91 AC

TRACT 7
 7119 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00009
 0.91 AC

TRACT 8
 7121 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00010
 0.91 AC

TRACT 9
 7123 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00011
 0.91 AC

TRACT 10
 7125 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00012
 0.91 AC

TRACT 11
 7127 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00013
 0.91 AC

TRACT 12
 7129 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00014
 0.91 AC

TRACT 13
 7131 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00015
 0.91 AC

TRACT 14
 7133 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00016
 0.91 AC

TRACT 15
 7135 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00017
 0.91 AC

TRACT 16
 7137 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00018
 0.91 AC

TRACT 17
 7139 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00019
 0.91 AC

TRACT 18
 7141 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00020
 0.91 AC

TRACT 19
 7143 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00021
 0.91 AC

TRACT 20
 7145 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00022
 0.91 AC

TRACT 21
 7147 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00023
 0.91 AC

TRACT 22
 7149 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00024
 0.91 AC

TRACT 23
 7151 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00025
 0.91 AC

TRACT 24
 7153 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00026
 0.91 AC

TRACT 25
 7155 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00027
 0.91 AC

TRACT 26
 7157 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00028
 0.91 AC

TRACT 27
 7159 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00029
 0.91 AC

TRACT 28
 7161 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00030
 0.91 AC

TRACT 29
 7163 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00031
 0.91 AC

TRACT 30
 7165 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00032
 0.91 AC

TRACT 31
 7167 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL 092002-00033
 0.91 AC

TRACT 32
 7169 STAGE RD
 CURRENT ZONING: CA
 JOHN D MCCLANAHAN TRUST
 PARCEL

EXHIBIT "A"

LEGAL DESCRIPTION

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

ORIGINAL MARY MCCLANAHAN 24.60 ACRE TRACT:

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

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

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

LESS AND EXCEPT FIRST CONVEYANCE:

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

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

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

LESS AND EXCEPT SECOND CONVEYANCE:

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

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

LESS AND EXCEPT THIRD CONVEYANCE:

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

TEMPORARY CONTRUCTION EASEMENT

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

Containing 0.029 acres.

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

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

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

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

LESS AND EXCEPT FIRST DEVISE:

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

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

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

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

CASE REVIEW

Request

The request is a rezoning of +/-7.24 acres from Conservation Agriculture (CA) to Commercial Mixed-use – 2 (CMU-2).

Review Criteria

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

9.5.7B Review Criteria

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

- 9.5.7B(1) Consistency with any plans to be 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:

7073, 7093, 7105 & 7117 Stage Road

Parcel ID:

092002 00002, 092002 00003, 092002 00004 and 092002 00005

Area:

+/-7.24 acres

Description:

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

Analysis

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

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

therefore staff recommends approval of this request.

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

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

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

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

CASE 11: Z-25-001

NAME: 7073 Stage Road

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

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

Sewers:

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

General Notes:

6. Development is greater than 1 acre is located within a sensitive drainage basin.
7. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
8. All connections to the sewer shall be at manholes only.
9. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.
10. Required landscaping shall not be placed on sewer or drainage easements.



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

MEMORANDUM

To: Chloe Christion, Planner I
From: Logan Landry, Planner I
Date: January 20, 2025
Subject: OSR Comments on Z 2025-001: CORDOVA

General Comments & Analysis:

Located in Zone 3 of the Resilience Zone Framework:

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

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

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



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

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

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

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

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

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: **Z 2025-001**

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

Overlay District/Historic District/Flood Zone: Not in an Overlay District, Historic District, or Flood Zone—though is located in a sensitive Memphis Aquifer recharge zone.

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

Street Type: Parkway/Highway

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

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



“CSL” Form & Location Characteristics

Commercial and services uses, 1-4 stories height

“CSL” Zoning Notes

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

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, Parking; CA

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

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

Degree of Change Map



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

3. Degree of Change Description

N/A

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

N/A

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

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

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

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

Consistency Analysis Summary

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

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

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

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

MAILED PUBLIC NOTICE

237 Notices Mailed on 2/24/2025



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

NOTICE OF PUBLIC HEARING

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

CASE NUMBER: Z 2025-001
LOCATION: 7073 Stage Road
(SEE PLOT PLAN ON REVERSE SIDE)
APPLICANT: Tractor Supply Company
REQUEST: Rezoning from Conservation Agriculture (CA) to Commercial Mixed-Use – 1 (CMU-1)

THE PUBLIC MEETING WILL BE HELD:

DATE: Thursday, February 13, 2025
TIME: 9:00 AM
LOCATION: Council Chambers on the First Floor of City Hall, 125 N. Main Street

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

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

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



SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Brenda Shackelford, being duly sworn, depose and say that at 11:22 am pm
on the 16th day of January, 2025, Under my direction, Tech Plus posted 1 Public Notice Sign(s)
pertaining to Case No. Z 2025-001 at 7073 Stage Road, Memphis, TN 38133
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.

Brenda Shackelford
Owner, Applicant or Representative
Brenda Shackelford, CSDG

February 1, 2025

Date

Subscribed and sworn to before me this 1st day of February, 2025.

Kelley A. Watts
Notary Public

My commission expires: 9/16/28



APPLICATION



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

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

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: December 17, 2024

Record Number: Z 2025-001

Expiration Date:

Record Name: Rezoning for Tractor Supply Company, Stage Road

Description of Work: The proposed project consists of 4 parcels to be rezoned for future use as a Tractor Supply Company retail store. The 4 parcels are on the south side of Stage Road (7073, 7093, 7105, and 7117 Stage Road) directly across Highway 64, Stage Road, from Cristoval Street. Parcel ID's are 092002 00002, 092002 00003, 092002 00004, and 092002 00005.

Parent Record Number:

Address:

7073 STAGE RD, MEMPHIS 38133

Owner Information

Primary Owner Name

Y RJS TRUST AND JOHN D MCCLANAHAN

Owner Address

29 NORMANDY CIR, MEMPHIS, TN 38111

Owner Phone

Parcel Information

092002 00002

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Alexis Longstreet

Date of Meeting

11/25/2024

Pre-application Meeting Type

Virtual

GENERAL INFORMATION

Have you held a neighborhood meeting?

No

Is this application in response to a citation from
Construction Code Enforcement or Zoning

No

GENERAL INFORMATION

Letter?	
If yes, please provide additional information	N/A
GIS INFORMATION	
Case Layer	-
Central Business Improvement District	No
Class	R
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	CA
State Route	1
Lot	6
Subdivision	W O CRUMP
Planned Development District	-
Wellhead Protection Overlay District	Yes
County Commission District	-
City Council District	-
City Council Super District	-

Data Tables

ADDRESS AND PARCEL LIST

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

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

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

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

AREA INFORMATION

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

Contact Information

Name
GREG GLASER

Contact Type
APPLICANT

Address

Phone
(615)370-0670

Name
BRENDA SHACKLEFORD

Contact Type
ARCHITECT / ENGINEER /
SURVEYOR

Address

Phone
(615)479-2427

Name
BRENDA SHACKLEFORD

Contact Type
REPRESENTATIVE

Address

Phone
(615)479-2427

Fee Information

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

Total Fee Invoiced: \$1,261.98

Total Balance: \$0.00

Payment Information

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

OWNER AFFIDAVIT



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, WILLIAM R. McCLANAHAN William R. McClanahan, state that I have read the definition of
(Print Name) (Sign Name)

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

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

of the property located at 7073 – 7117 Stage Road, Memphis, TN 38133
and further identified by Assessor's Parcel Number 092-002-00002, 092-002-00003, 092-002-00004, & 092-002-00005
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 9th day of December in the year of 2024.

Tonya Annear
Signature of Notary Public



May 5, 2027
My Commission Expires

LETTER OF INTENT



December 19, 2024

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

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

To whom it may concern:

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

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

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

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

Sincerely,
CSDG

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

CSDG No. 24-093-01

LETTERS RECEIVED

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



Z-2025-001: Letter Against Proposal

From Debbie Long <debinuna@gmail.com>
Date Sat 2/1/2025 1:42 PM
To Christion, Chloe <Chloe.Christion@memphistn.gov>

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

Good Afternoon Chloe,

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

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

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

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

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

Thank you for your time and consideration of my concerns.

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



CASE # Z 2025-001

From JOHN STRANGE <jtsk@bellsouth.net>

Date Wed 1/29/2025 5:22 PM

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

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

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

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

[Sent from AT&T Yahoo Mail on Android](#)



Case Number Z 2025-001

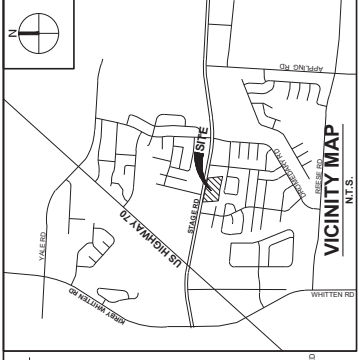
From Shaun Strange <srstrange24@gmail.com>

Date Thu 1/30/2025 4:11 PM

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

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

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



- LEGEND**
- IRON PIN FOUND, AS NOTED
 - CONCRETE FOUND, AS NOTED
 - SEWER CLEAN OUT
 - SEWER MANHOLE
 - FIRE HYDRANT
 - WATER VALVE
 - UTILITY POLE
 - UTILITY POLE
 - FOG PULL BOX
 - STORM MANHOLE
 - PROPERTY LINE
 - SETBACK LINES
 - OVERHANG, AS NOTED
 - UNDERGROUND FIBER OPTIC
 - STORM SEWER, AS NOTED
 - STORM SEWER PIPE, AS NOTED

NOTE:
INFORMATION WAS TAKEN FROM A SURVEY PREPARED BY
YOUNG-HOBBS AND ASSOCIATES ON 12/17/2024. CSDG AND ANY OF
THEIR CONSULTANTS SHALL NOT BE HELD RESPONSIBLE FOR THE
ACCURACY AND/OR COMPLETENESS OF THAT INFORMATION SHOWN
HEREON OR ANY ERRORS OR OMISSIONS RESULTING FROM SUCH.



TRACTOR SUPPLY CO
ZONING CHANGE
STAGE RD
ISSUE SET
DATE: 12.20.24
BY: [Signature]
CHECKED BY: [Signature]

NO.	DESCRIPTION	DATE
1	ISSUE SET	12.20.24
2	BY: [Signature]	
3	CHECKED BY: [Signature]	
4	DATE: 12.20.24	
5	BY: [Signature]	
6	CHECKED BY: [Signature]	
7	DATE: 12.20.24	
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9	CHECKED BY: [Signature]	
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93	CHECKED BY: [Signature]	
94	DATE: 12.20.24	
95	BY: [Signature]	
96	CHECKED BY: [Signature]	
97	DATE: 12.20.24	
98	BY: [Signature]	
99	CHECKED BY: [Signature]	
100	DATE: 12.20.24	

PLOT PLAN
SCALE: 1"=50'
100'



Memphis and Shelby County Division of Planning and Development

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

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

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: December 17, 2024

Record Number: Z 2025-001

Expiration Date:

Record Name: Rezoning for Tractor Supply Company, Stage Road

Description of Work: The proposed project consists of 4 parcels to be rezoned for future use as a Tractor Supply Company retail store. The 4 parcels are on the south side of Stage Road (7073, 7093, 7105, and 7117 Stage Road) directly across Highway 64, Stage Road, from Cristoval Street. Parcel ID's are 092002 00002, 092002 00003, 092002 00004, and 092002 00005.

Parent Record Number:

Address:

7073 STAGE RD, MEMPHIS 38133

Owner Information

Primary Owner Name

Y RJS TRUST AND JOHN D MCCLANAHAN

Owner Address

29 NORMANDY CIR, MEMPHIS, TN 38111

Owner Phone

Parcel Information

092002 00002

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Alexis Longstreet

Date of Meeting

11/25/2024

Pre-application Meeting Type

Virtual

GENERAL INFORMATION

Have you held a neighborhood meeting?

No

Is this application in response to a citation from

No

Construction Code Enforcement or Zoning

GENERAL INFORMATION

Letter?

If yes, please provide additional information

N/A

GIS INFORMATION

Case Layer

-

Central Business Improvement District

No

Class

R

Downtown Fire District

No

Historic District

-

Land Use

VACANT

Municipality

MEMPHIS

Overlay/Special Purpose District

-

Zoning

CA

State Route

1

Lot

6

Subdivision

W O CRUMP

Planned Development District

-

Wellhead Protection Overlay District

Yes

County Commission District

-

City Council District

-

City Council Super District

-

Data Tables**ADDRESS AND PARCEL LIST**

Property Address: 7073 Stage Road

Property Parcel Number: 092002 00002

Property Address: 7093 Stage Rd

Property Parcel Number: 092002 00003

Property Address: 7105 Stage Rd

Property Parcel Number: 092002 00004

Property Address: 7117 Highway 64

Property Parcel Number: 092002 00005

AREA INFORMATION

Name: Area A

Size (Acres): 7.24

Existing Use of Property: Vacant

Requested Use of
Property: Retail**Contact Information**

Name
GREG GLASER

Contact Type
APPLICANT

Address

Phone
(615)370-0670

Name
BRENDA SHACKLEFORD

Contact Type
ARCHITECT / ENGINEER /
SURVEYOR

Address

Phone
(615)479-2427

Name
BRENDA SHACKLEFORD

Contact Type
REPRESENTATIVE

Address

Phone
(615)479-2427

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1615539	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	01/02/2025
1615539	Non-Residential Rezoning - each additional acre or fraction above 5	2	230.00	INVOICED	0.00	01/02/2025
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Total Fee Invoiced: \$1,261.98

Total Balance: \$0.00

Payment Information

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

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


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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, WILLIAM R. McCLANAHAN
(Print Name)


(Sign Name)

state that I have read the definition of


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

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

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

of the property located at 7073 – 7117 Stage Road, Memphis, TN 38133
and further identified by Assessor's Parcel Number 092-002---00002, 092-002---00003, 092-002---00004, & 092-002---00005,
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 9th day of December in the year of 2024.


Signature of Notary Public



May 5, 2027
My Commission Expires



THE RJS TRUST DATED MARCH 8, 1999

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

***** ARTICLE ONE *****
RECITALS

A. **Effective Date of Trust.** The effective date of this trust shall be March 8, 1999.

B. **Name of Trust.** This trust shall be referred to as the RJS TRUST DATED MARCH 8, 1999 (hereinafter referred to as this "Trust").

C. **Name of Trust Agreement.** This trust agreement shall be named for identification purposes the RJS TRUST AGREEMENT DATED MARCH 8, 1999 (hereinafter referred to as this "Agreement").

D. **Grantors.** The Grantors of this Trust are JOHN D. McCLANAHAN, SR., and MARGARETE HASEN McCLANAHAN (hereinafter referred to as the "Grantors" .) Grantors are residents of Memphis, Shelby County, Tennessee. The mailing address of the Grantors is: 7073 Highway 64 or Stage Road, Memphis, Tennessee 38133.

E. **Primary Trustee.** The Primary Trustee is Grantors' child, WILLIAM RICHARD McCLANAHAN (hereinafter referred to as the "Trustee."). The Trustee is a resident of Memphis, Shelby County, Tennessee. The mailing address of the Trustee is: 29 Normandy Circle, Memphis, Tennessee 38111.

F. **Successor Trustee.** The Successor Trustee is Grantors' son-in-law, JOHN ZACHRY (hereinafter referred to as the "Successor Trustee."). The Successor Trustee is a resident of Cheverly, Maryland. The mailing address of the Successor Trustee is: 2708 Belleview, Cheverly, Maryland 20785.

G. **First Alternate Successor Trustee.** The First Alternate Successor Trustee is FIRST TENNESSEE BANK, N.A., of Memphis, Tennessee (hereinafter referred to as the "First Alternate Successor Trustee."). The First Alternate Successor Trustee is a financial institution. The mailing address of the trust department of the First Alternate Successor Trustee is: 4385 Poplar Avenue, Memphis, Tennessee 38117.

H. **Beneficiaries.** This Trust is exclusively for the benefit of the Grantors' present and after-born natural children and issue (hereinafter referred to generically in the

LAND USE OWNERSHIP DISCLOSURE

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

	NAMES	ADDRESSES
<u>CURRENT OWNERS</u>	<u>WILLIAM R. McCLANAHAN</u>	<u>29 NORMANDY CIRCLE MFS, TN. 38111</u>
	<u>SHIRLEY A. ZACHRY</u>	<u>57 THOMAS DR. CHELMSFORD MA. 01824</u>
	<u>RJS TRUST</u>	<u>29 NORMANDY CIRCLE MFS TN. 38111</u>
	<u>JOHN D. McCLANAHAN JR</u>	<u>6543 OAK PARK MFS TN. 38134</u>

CONTRACT
OWNERS/BUYERS

_____	_____
_____	_____
_____	_____
_____	_____

NON-INSTITUTIONAL
LENDERS INCLUDING
SELLER(S) IF THE
PENDING SALE IS
OWNER FINANCED

_____	_____
_____	_____
_____	_____
_____	_____



December 19, 2024

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

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

To whom it may concern:

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

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

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

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

Sincerely,
CSDG

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


CSDG No. 24-093-01



Tom Leatherwood

Shelby County Register

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

	
11007606	
01/21/2011 ~ 12:38 PM	
4 PGS	
MARYF	B12849-11007606
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	22.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

Return to:
FNTG

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

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

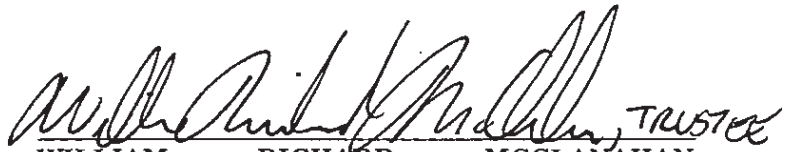
QUIT CLAIM DEED

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

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

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

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


WILLIAM RICHARD MCCLANAHAN,
SUCCESSOR TRUSTEE FOR MARGARETE
HASEN MCCLANAHAN UNDER AGREEMENT
DATED DECEMBER 28, 1989

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

TRUSTEE ACKNOWLEDGMENT

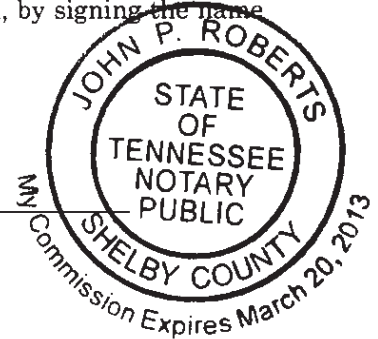
**STATE OF TENNESSEE
COUNTY OF SHELBY**

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

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

My Commission Expires: 03/20/2013


Notary Public



MAIL TAX STATEMENTS TO:

**WILLIAM RICHARD MCCLANAHAN, TRUSTEE
THE RJS TRUST DATED MARCH 8, 1999
29 NORMANDY CIRCLE
MEMPHIS, TN 38111**

PROPERTY ADDRESS:

**7073 U.S. HIGHWAY 64
MEMPHIS, TN 38133**

OWNER & ADDRESS:

**WILLIAM RICHARD MCCLANAHAN, TRUSTEE
THE RJS TRUST DATED MARCH 8, 1999
29 NORMANDY CIRCLE
MEMPHIS, TN 38111**

TAX PARCEL I.D.#:

092-002-00002

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

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


Affiant

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


Notary Public

My Commission Expires: 03/20/2011

RETURN TO:

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

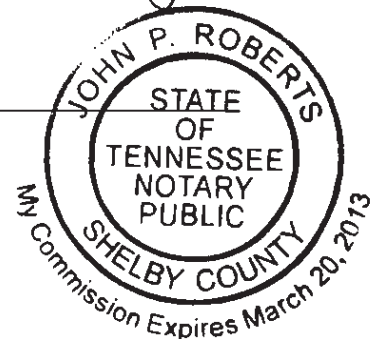


EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

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

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

LESS AND EXCEPT the following described property:

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

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

PARCEL 2:

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

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

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

LESS AND ESCEPT the following described property:

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

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

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



Tom Leatherwood

Shelby County Register

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

08095612	
07/21/2008 - 09:55 AM	
2 PGS : R - WARRANTY DEED	
MICHELLE 586020-8095612	
VALUE	130680.00
MORTGAGE TAX	0.00
TRANSFER TAX	483.52
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	496.52
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

THIS INSTRUMENT PREPARED BY:

JOHN P. ROBERTS, ATTORNEY
 6399 Stage Road
 Bartlett, Tennessee 38134
 (901) 382-8088

WARRANTY DEED

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

by and between

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

party of the first part,

and

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

party of the second part,

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

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

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

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

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

any subdivision restrictions in Book 3892, Page 531;

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

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

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

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

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

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

THE MARGARET MAYES MCCLANAHAN TRUST
 DATED MARCH 23, 1998

BY: 

WILLIAM RICHARD MCCLANAHAN
 SUCCESSOR TRUSTEE

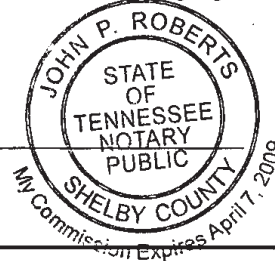
BY: _____

TRUSTEE ACKNOWLEDGMENT

STATE OF TENNESSEE
COUNTY OF SHELBY

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

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


Notary Public


My Commission Expires: 04/07/09

MAIL TAX BILLS TO:

WILLIAM R. MCCLANAHAN
29 NORMANDY CR
MEMPHIS, TN 38111

PROPERTY ADDRESS:

7093 HIGHWAY 64
MEMPHIS, TN 38133

PROPERTY OWNER'S NAME & ADDRESS:

WILLIAM R. MCCLANAHAN &
SHIRLEY A. ZACHRY
29 NORMANDY CR.
MEMPHIS, TN 38111

FILE #: 08-06164

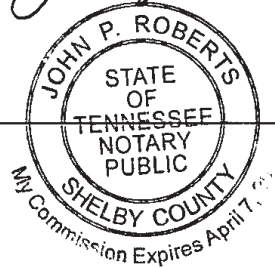
T.G.#:

TAX PARCEL I.D#: 92-2-3

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


Affiant

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


Notary Public


My Commission Expires: 04/07/09

RETURN TO:

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



Tom Leatherwood
Shelby County Register

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

11007618	
01/21/2011 - 12:42 PM	
2 PGS	
MARYF 812857-11007618	
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
OF FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	12.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

Return to:

Chicago Title Insurance Company
6060 Poplar Avenue, Suite 200
Memphis, TN 38119

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


QUIT CLAIM DEED

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

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

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

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


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

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

TRUSTEE ACKNOWLEDGMENT

**STATE OF TENNESSEE
COUNTY OF SHELBY**

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

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

My Commission Expires: 03/20/2013


Notary Public



MAIL TAX STATEMENTS TO:

**WILLIAM RICHARD MCCLANAHAN, TRUSTEE
THE RJS TRUST DATED MARCH 8, 1999
29 NORMANDY CIRCLE
MEMPHIS, TN 38111**

PROPERTY ADDRESS:

**7105 HIGHWAY 64
MEMPHIS, TN 38133**

OWNER & ADDRESS:

**WILLIAM RICHARD MCCLANAHAN, TRUSTEE
THE RJS TRUST DATED MARCH 8, 1999
29 NORMANDY CIRCLE
MEMPHIS, TN 38111**

TAX PARCEL I.D.#:

092-002-00004

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

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


Affiant

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


Notary Public

My Commission Expires: 03/20/2011

RETURN TO:

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





Tom Leatherwood

Shelby County Register

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

11014755	
02/11/2011 - 08:59 AM	
5 PGS	
MAX	818233-11014755
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	27.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

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

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

QUIT CLAIM DEED

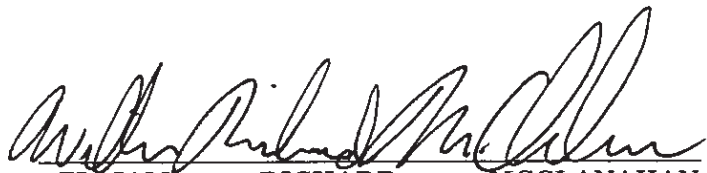
KNOW ALL MEN BY THESE PRESENTS, That WILLIAM RICHARD MCCLANAHAN, SUCCESSOR TRUSTEE FOR JOHN D. MCCLANAHAN UNDER AGREEMENT DATED DECEMBER 28, 1989, for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged,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

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

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

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

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


WILLIAM RICHARD MCCLANAHAN,
SUCCESSOR TRUSTEE FOR JOHN D.
MCCLANAHAN UNDER AGREEMENT DATED
DECEMBER 28, 1989

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

TRUSTEE ACKNOWLEDGMENT

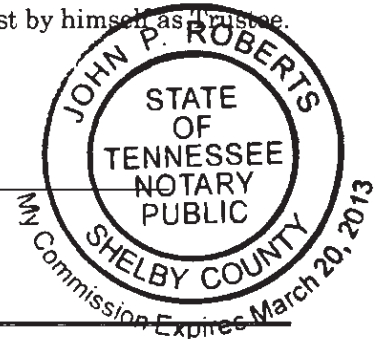
**STATE OF TENNESSEE
COUNTY OF SHELBY**

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

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

My Commission Expires: 03/20/2013


Notary Public



MAIL TAX STATEMENTS TO:

**WILLIAM RICHARD MCCLANAHAN, TRUSTEE
THE RJS TRUST DATED MARCH 8, 1999
29 NORMANDY CIRCLE
MEMPHIS, TN 38111**

PROPERTY ADDRESS:

**7117 U.S. HIGHWAY 64
MEMPHIS, TN 38133**

OWNER & ADDRESS:

**WILLIAM RICHARD MCCLANAHAN, TRUSTEE
THE RJS TRUST DATED MARCH 8, 1999
29 NORMANDY CIRCLE
MEMPHIS, TN 38111**

TAX PARCEL I.D.#:

092-002-00005

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

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


Affiant

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


Notary Public

My Commission Expires: 03/20/2011

RETURN TO:

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

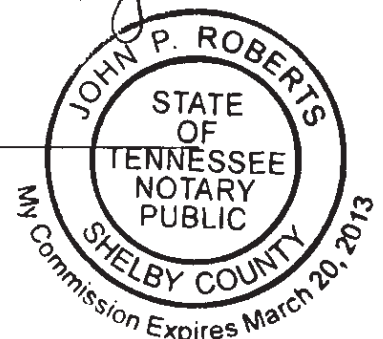


EXHIBIT "A"

LEGAL DESCRIPTION

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

ORIGINAL MARY MCCLANAHAN 24.60 ACRE TRACT:

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

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

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

LESS AND EXCEPT FIRST CONVEYANCE:

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

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

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

LESS AND EXCEPT SECOND CONVEYANCE:

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

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

LESS AND EXCEPT THIRD CONVEYANCE:

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

TEMPORARY CONTRUCTION EASEMENT

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

Containing 0.029 acres.

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

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

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

LESS AND EXCEPT FIRST DEVISE:

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

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

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

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



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

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

February 14, 2025

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

Sent via electronic mail to: BrendaS@csdqtn.com

Case Number: Z 2025-001
LUCB Recommendation: Approval

Dear applicant,

On Thursday, February 13, 2025, the Memphis and Shelby County Land Use Control Board recommended **approval** of your rezoning application located at 7073-7117 Stage Road to be included in the Commercial Mixed-Use - 2 (CMU-2) Zoning District.

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

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

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

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

Letter to Applicant

Z 2025-001

Respectfully,

Chloe Christion

Chloe Christion

Planner II

Land Use and Development Services

Division of Planning and Development

Cc: Caleb Neal, CSDG

File

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

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, April 8, 2025 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 2025-001
LOCATION: 7073, 7093, 7105 and 7117 Stage Road
COUNCIL DISTRICTS: District 1 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT: Greg Glaser, Franklin Land Association
REPRESENTATIVE: Brenda Shackleford, CSDG
REQUEST: Rezoning of +/-7.24 acres from Conservation Agriculture (CA) to Commercial Mixed-Use – 2 (CMU-2)

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: *A o*

Memphis and Shelby County Land Use Control Board: *A o*

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.

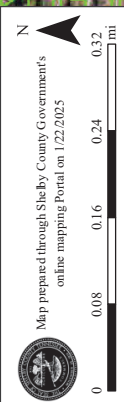
THIS THE _____, _____

FORD CANALE
CHAIRMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT
CITY COMPTROLLER

TO BE PUBLISHED: _____



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

BROOKS DAVID B FAMILY TRUST
12057 CRANSTON DR #
ARLINGTON TN 38002

WELCH WILBUR L & RUBENA B REVOCABLE
2926 CHRISTOVAL ST #
MEMPHIS TN 38133

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

SMITH WEI L
8659 MEMPHIS ARLINGTON DR #
BARTLETT TN 38133

MCELVAIN JONNY
7185 LAMESA LN #
BARTLETT TN 38133

MOORE DEBORAH L
2954 CHRISTOVAL ST #
MEMPHIS TN 38133

RODRIGUEZ ALFREDO E & MIRIAM J B MACIAS
7192 LAMESA LN #
MEMPHIS TN 38133

MALHOTRA SUHAIL
41 WALLER ST #205
AUSTIN TX 78702

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

CHIN M BERNICE
7181 LAMESA LN #
MEMPHIS TN 38133

LOWRIGHT CHRISTOPHER J & JOHANNAH
2920 CHRISTOVAL ST #
MEMPHIS TN 38133

BIGGER TIMOTHY J & AGNES O
2941 CHRISTOVAL ST #
MEMPHIS TN 38133

LAMBERT CRAIG A
7196 LAMESA LN #
MEMPHIS TN 38133

BREWER JOANN L
7195 LAMESA LN #
MEMPHIS TN 38133

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

STAGECOACH COLLECTION BACELINE LLC
511 BROADWAY #
DENVER CO 80203

POWELL MATTHEW & JENNIFER HARDEE-POWELL
2907 CHRISTOVAL ST #
MEMPHIS TN 38133

POPE JOSEPH D & MADISON
2946 CROWELL ST #
MEMPHIS TN 38133

COOK GREGORY B AND DOUGLAS B COOK (RS)
7200 LAMESA LN #
MEMPHIS TN 38133

DUONG DUNG
7029 LAURA CIR #
BARTLETT TN 38133

GASKINS ARTHUR W
7174 LAMESA LN #
BARTLETT TN 38133

CGW ENTERPRISES LLC
2881 WHITTEN RD #
BARTLETT TN 38134

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

DUNN KEVIN M
2939 CROWELL ST #
BARTLETT TN 38133

YU DIANE
3695 STONETRACE CIR #
BARTLETT TN 38135

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

THEISEN COLLEEN
2935 CHRISTOVAL ST #
MEMPHIS TN 38133

MONTOYA THERESA
2921 CHRISTOVAL ST #
MEMPHIS TN 38133

BRITTON DOUGLASS L
6988 DEBRA CV #
MEMPHIS TN 38133

CRUTCHFIELD CHRISTOPHER A &
6992 DEBRA CV #
MEMPHIS TN 38133

BANUELOS JONATHAN A L
6997 DEBRA CV #
MEMPHIS TN 38133

HESTER TRAVIS L
6982 JUANITA CIR #
MEMPHIS TN 38133

ODOM ROBERT K
6998 DEBRA CV #
MEMPHIS TN 38133

SOUTHERN PROPERTY INVESTORS
PO BOX 342707 #
MEMPHIS TN 38184

UTLEY CAROLYN L
6988 JUANITA CIR #
MEMPHIS TN 38133

BAPTIST MEMORIAL MEDICAL GROUP INC
350 N HUMPHREYS BLVD #
MEMPHIS TN 38120

MATA ROSA & CESAR L DOMINGUEZ
7003 DEBRA CV #
MEMPHIS TN 38133

VU HAI
2667 LAKESIDE DR #
MEMPHIS TN 38133

CRUZ IRMA B AND NANCY B CRUZ
142 TIMBER CREEK DR #
CORDOVA TN 38018

BAPTIST MEMORIAL MEDICAL GROUP INC
350 N HUMPHREYS BLVD #
MEMPHIS TN 38120

TRAN LIEM N & DO THI CAO
7048 LAURA CIR #
MEMPHIS TN 38133

COUNTRYSIDE CENTER LLC
PO BOX 491817 #
LOS ANGELES CA 90049

RAYFORD SHANIQUA
7021 DEBRA CV #
MEMPHIS TN 38133

WILLIAMS MOE CONSTRUCTION CO INC
7050 LAURA CIR #
MEMPHIS TN 38133

COUNTRYSIDE CENTER LLC
PO BOX 491817 #
LOS ANGELES CA 90047

HERNANDEZ FRANCISCO A
7025 DEBRA CV #
MEMPHIS TN 38133

LEFEVER BETH J
7002 JUANITA CIR #
MEMPHIS TN 38133

SEGERSON PERRI C
7040 DEBRA CV #
MEMPHIS TN 38133

MCDONALD-MARTIN DONNA
7031 DEBRA CV #
MEMPHIS TN 38133

CARTER STEVEN L
7086 MARYLAND CT #
MEMPHIS TN 38133

CONNOLLY THERESA N
6979 DEBRA CV #
MEMPHIS TN 38133

ZUANAZZI FLAVIA G & GIANNI M
7045 DEBRA CV #
MEMPHIS TN 38133

CSMA BLT LLC
1850 PARKWAY PL #900
MARIETTA GA 30067

FLEMING JESSE K
6983 DEBRA CV #
MEMPHIS TN 38133

VATTER DAVID W AND KRISTY E SMITH (RS)
6978 JUANITA CIR #
MEMPHIS TN 38133

BREWER MAXINE V
7094 MARYLAND CT #
MEMPHIS TN 38133

NGUYEN MICHAEL A & TANIA T
6987 DEBRA CV #
MEMPHIS TN 38133

GOLDSTAR HOMES LLC
3840 WINCHESTER RD #
MEMPHIS TN 38118

JORDAN BRIANNA M
7020 LAURA CIR #
MEMPHIS TN 38133

PROGRESS RESIDENTIAL BORROWER 16 LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

CSMA BLT LLC
1850 PARKWAY PL #900
MARIETTA GA 30067

MURPHY ANITA R (ESTATE OF)
7039 LAURA CIR #
MEMPHIS TN 38133

BELLE PROPERTIES GROUP LLC
PO BOX 341381 #
MEMPHIS TN 38184

PERLSEN NATHAN AND TERRANCE E DAVIS (RS)
2829 VAN LEER DR #
MEMPHIS TN 38133

SHORT MARZEE L
2819 MARYLAND CIR #
MEMPHIS TN 38133

MILLER JAMES A & DENA R
7028 LAURA CIR #
MEMPHIS TN 38133

SZIMANOUSS CHRISTOPHER
6991 JUANITA CIR #
MEMPHIS TN 38133

SHIELDS RICKY D
6988 JUANITA CV #
MEMPHIS TN 38133

PANYANOUVONG THRONGSAVANH & XAYPHONE
7112 MARYLAND CT #
MEMPHIS TN 38133

ERAZO WENDY Y & JUAN RODRIGUEZ
6999 JUANITA CIR #
MEMPHIS TN 38133

ALVARADO MARICELA
2814 LAURA CIR #
BARTLETT TN 38133

RILEY PEARLIE
7040 LAURA CIR #
MEMPHIS TN 38133

MULUPURU JAYARAM & SRIMANI
24127 NE 1ST PL #
SAMMAMISH WA 98074

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

MITCHELL BRUCE
39483 RIDGE PARK DR #
SEVERANCE CO 80610

SAETHIA AKE & ERIKA WONG
753 EHRHORN AVE #8
MOUNTAIN VIEW CA 94041

FKH SFR C2 LP
1850 PARKWAY PL #900
MARIETTA GA 30067

OROZCO JOSE D & YOLANDA
7120 MARYLAND CT #
MEMPHIS TN 38133

RUIZ EDUARDO S
7029 LAURA CIR #
MEMPHIS TN 38133

TOVAR JOSE S V & BERTHA R MIRANDA
7000 JUANITA CV #
MEMPHIS TN 38133

HENSLEY BILL AND REBA HENSLEY TRUST
784 ROCKY POINT RD #
CORDOVA TN 38018

RAYO JOSE O & PATRICIA VERGARA
7178 RANSDORP DR #
MEMPHIS TN 38133

ALLEN VICTOR A
2808 LAURA CIR #
MEMPHIS TN 38133

STARNES CHRISTOPHER K
7132 MARYLAND CT #
MEMPHIS TN 38133

RUIZ SANDRA
6183 GUFFIN CV #
BARTLETT TN 38135

CERVANTES JUAN J
2808 VAN LEER DR #
MEMPHIS TN 38133

EDINBURGH WANZY G
6985 JUANITA CV #N
MEMPHIS TN 38133

WALKER WILLIAM R
401 UTAH DR #H
PETALUMA CA 94952

ERAZO DAVID & SARAH FRIZZELL
7173 RANSDORP DR #
MEMPHIS TN 38133

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

NOBLE FAMILY TRUST
2745 PARK CREST CV #
CORDOVA TN 38016

DIXON JOSEPH S & A CHRISTINE
2774 VAN LEER DR #
MEMPHIS TN 38133

KING DAVID JR & TANJA
2802 LAURA CIR #
MEMPHIS TN 38133

DUONG DUNG P
7029 LAURA CIR #
MEMPHIS TN 38133

RICE MARY L
2962 CHRISTOVAL ST #
BARTLETT TN 38133

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

CHRISTIAN SOPHIA G AND YOHAN K RATHOD
2792 VAN LEER DR #
MEMPHIS TN 38133

HARDIN RANDLE D & LORENZA S
2947 CHRISTOVAL ST #
MEMPHIS TN 38133

GLASS KELLY
2801 LAURA CIR #
BARTLETT TN 38133

FLORES KIMBERLY D
7172 VOLENDAM CV #
MEMPHIS TN 38133

WHEETLEY NICOLE D
7187 LAMESA LN #
BARTLETT TN 38133

STRANGE JOHN R & TRISH RUTH LANDON
2803 MARYLAND CIR #
MEMPHIS TN 38133

GATERE SOPHIAH M
700 STONEFIELD CIR #727
MAUSTON WI 53948

SHOOK PATRICIA A
7189 LAMESA LN #
MEMPHIS TN 38133

CSMA BLT LLC
1850 PARKWAY PL #900
MARIETTA GA 30067

FAUST LISA C
2776 VAN DER VEER DR #
MEMPHIS TN 38133

SUAREZ JOSE S
7199 LAMESA LN #
MEMPHIS TN 38133

ISOM LARRY E & PATRICIA A
1430 RABBIT RIDGE RD #
RED BANKS MS 38661

JACKSON LUTHER E & PEGGY J
2786 VAN LEER DR #
MEMPHIS TN 38133

LI XINGCHEN
743 E MANDEVILLA WAY #
AZUSA CA 91702

MENDEZ J SANTOS & CLARA
7003 JUANITA CV #
MEMPHIS TN 38133

HARRELL SHANNON D
7095 MARYLAND CIR #
MEMPHIS TN 38133

POWERS DAVID M
7209 LAMESA LN #
MEMPHIS TN 38133

GARCETE OSCAR & LIDA BAZAN
7178 VOLENDAM CV #
MEMPHIS TN 38133

AUTIN DONEL C JR
451 BAXTER RD #
LOVELAND OH 45140

SMITH KATELYN R AND ZACKERY B EVANS (RS)
2914 CHRISTOVAL ST #
BARTLETT TN 38133

CHU DANNY W
385 FARLEY CMN #
FREMONT CA 94539

KOPPE ROBERT W & CAROLYN
217 HERITAGE POINTE #
WILLIAMSBURG VA 23188

GOINSPLACES LLC
1519 UNION AVE #397
MEMPHIS TN 38104

DAVENPORT MARILYN
2906 CHRISTOVAL ST #
MEMPHIS TN 38133

SOLIMAN AHMED
7041 DEBRA CV #
MEMPHIS TN 38133

SPENCER STEPHANIE AND RICKY KING (RS)
7041 LAURA CIR #
MEMPHIS TN 38133

NNN REIT INC
450 S ORANGE AVE #900
ORLANDO FL 32801

LAVARIAS KAREN E
7034 LAURA CIR #
MEMPHIS TN 38133

KRUPINSKI ROBERT J
2815 MARYLAND CIR #
MEMPHIS TN 38133

SHERWIN-WILLIAM DEV CORP
101 W PROSPECT AVE #
CLEVELAND OH 44115

ELLIS OSCAR & KYOKO
7116 MARYLAND CT #
MEMPHIS TN 38133

PHILLIPS THELMA & TERRY
7010 JUANITA CV #
MEMPHIS TN 38133

STONE PROPERTIES GP
PO BOX 11553 PL #
MEMPHIS TN 38111

MILFORD ANNIE M
7136 MARYLAND CT #
MEMPHIS TN 38133

HOWELL WILLIAM W SR
2810 MARYLAND CIR #
MEMPHIS TN 38133

OROX LLC
PO BOX 1104 #
CULVER CITY CA 90232

BRADFORD JENNIFER AND JIMMY E BRADFORD A
2825 MARYLAND CIR #
MEMPHIS TN 38133

PEEPLS-DICOCCO LIVING TRUST
3455 COUNTY ROAD 751 #
JONESBORO AR 72405

RUSSELL DEDRICK D
6984 DEBRA CV #
MEMPHIS TN 38133

FIELDS ZANE
7003 JUANITA CIR #
MEMPHIS TN 38133

SLAUGHTER CHRISTOPHER L & DEMETRIA R
2811 MARYLAND CIR #
MEMPHIS TN 38133

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

ORELLANA GISELLE E
7162 RANSDORP DR #
MEMPHIS TN 38133

WALKER SHIRLEY
7030 LAURA CIR #
MEMPHIS TN 38133

VONGPHRACHANH PHIENGMAN Y & SOMJIT
7032 DEBRA CV #
MEMPHIS TN 38133

COOPER ARNETTA AND JOHN E HUGHES (RS)
2820 MARYLAND CIR #
BARTLETT TN 38133

PARNELL BRUCE
7034 LAURA CIR #
MEMPHIS TN 38133

DAVIE WILLIAM S SR AND MARY A CHASTAIN
2869 ASPEN GLADE CV #
CORDOVA TN 38016

BOGEN DONALD
2823 VAN LEER DR #
MEMPHIS TN 38133

LINK MARGARET M
7179 RANSDORP DR #
MEMPHIS TN 38133

MURAYA JENNIFER M
6993 DEBRA CV #
MEMPHIS TN 38133

JOHNSON EQUITY GROUP INC AND ROBERT J
1661 INTERNATIONAL DR #400
MEMPHIS TN 38120

LONG DEBORAH L
2807 MARYLAND CIR #
MEMPHIS TN 38133

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

CEREZO SANDRA L
2768 VAN LEER DR #
MEMPHIS TN 38133

GALVAN REBECCA L
7116 MARKIM DR #
MEMPHIS TN 38133

REDD MARTHA M
2795 VAN DER VEER DR #
MEMPHIS TN 38133

SPECIALIZED IRA SERVICES FBO HARRIER
PO BOX 3587 #
ALBUQUERQUE NM 87190

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

OLYMPUS BORROWER LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

HALE CAROLYN A
2760 VAN LEER DR #
MEMPHIS TN 38133

SCHULER INVESTMENTS LLC
1707 STILLWIND LN #
COLLIERVILLE TN 38017

BRYAN MATTHEW
6915 FOX CHASE DR #
SOUTHAVEN MS 38671

AG AIM MEMPHIS RE HOLDINGS LLC
7007 STAGE RD #
BARTLETT TN 38133

LAPUH ALLEN J
2803 VAN LEER DR #
MEMPHIS TN 38133

PARNELL BRYAN
7184 VOLENDAM CV #
MEMPHIS TN 38133

CARPENTER GENEKA J
7124 MARYLAND CT #
MEMPHIS TN 38133

JONES DESHONDA
2804 MARYLAND CIR #
MEMPHIS TN 38133

RODRIGUEZ JOAQUIN
2791 VAN DER VEER DR #
MEMPHIS TN 38133

DAVENPORT MARILYN A
2906 CHRISTOVAL ST #
MEMPHIS TN 38133

DAVIS LATONYA
2802 MARYLAND CIR #
MEMPHIS TN 38133

KING DAVID S & PENNY
7198 VOLENDAM CV #
MEMPHIS TN 38133

STAGECOACH COLLECTION BACELINE LLC
511 BROADWAY #
DENVER CO 80203

NAPA HOMES LLC
10023 NW 53RD CT #
CORAL SPRINGS FL 33076

ML GROUP PROPERTIE LLC
1741 TROON CV #
GERMANTOWN TN 38139

CRAIG TERRI L
7125 MARYLAND CIR #
BARTLETT TN 38133

EPPERSON CHARLIE L JR AND JANET M
PO BOX 11346 #
MEMPHIS TN 38111

IVY WILLIE F & TRACY M
2779 VAN DER VEER DR #
MEMPHIS TN 38133

WARD DERRICK
7102 MARKIM DR #
MEMPHIS TN 38133

COOPER SMORI P
2793 MARYLAND CIR #
MEMPHIS TN 38133

GODMAN SHERRY B AND ANTHONY ROGERS (RS)
7178 DEVENTER CV #
MEMPHIS TN 38133

LAM DANG H
7108 MARKIM DR #
MEMPHIS TN 38133

HAMMETT JAMES F III & SAMANTHA B
7083 MARYLAND CIR #
MEMPHIS TN 38133

STOLTZ ELIZABETH
500 WESTOVER DR #10747
SANFORD NC 27330

MCCLANAHAN JOHN D TRUST (1/2%) AND RJS
29 NORMANDY CIR #
MEMPHIS TN 38111

VSM FAMILY TRUST
PO BOX 1209 #
TRAVIS AFB CA 94535

CARIOTA DONALD J & JOANN
7185 VOLENDAM CV #
MEMPHIS TN 38133

RJS TRUST AND JOHN D MCCLANAHAN
29 NORMANDY CIR #
MEMPHIS TN 38111

CRUZ MARCOS I
2775 VAN LEER DR #
COLLIERVILLE TN 38017

STAGECOACH COLLECTION BACELINE LLC
511 BROADWAY #
DENVER CO 80203

MCCLANAHAN WILLIAM R AND SHIRLEY A
29 NORMANDY CIR #
MEMPHIS TN 38111

VRH MARKIM TRUST
75 CANYON RD #
SANDIA PARK NM 87047

NFH2 G P
5858 RIDGEWAY CENTER PKWY #
MEMPHIS TN 38120

RJS TRUST
29 NORMANDY CIR #
MEMPHIS TN 38111

CHAVES JORGE E & AMELIA M
7072 MARKIM DR #
MEMPHIS TN 38133

DAEDALUS INNOVATIONS
950 HARBOR VIEW DR #
MEMPHIS TN 38103

WOODARD GARY L AND AMY D CHRISTIAN (RS)
2954 CROWELL ST #
MEMPHIS TN 38133

REYES JOSE J
7078 MARKIM DR #
MEMPHIS TN 38133

HOOMAN OKTAEI INC
5644 BARFIELD RD #
MEMPHIS TN 38120

GEORGE JOSEPH A
7173 LAMESA LN #
BARTLETT TN 38133

TORRES ELIEZER & ROXANNA Y
7086 MARKIM DR #
MEMPHIS TN 38133

6975 STAGE ROAD LLC
2424 RIDGE RD #
ROCKWALL TX 75087

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

BELL KIMBERLY L
7092 MARKIM DR #
MEMPHIS TN 38133

SHAW LAWRENCE E & MARIE L
7004 DEBRA CV #
MEMPHIS TN 38133

WILKS KIMBERLY
7188 LAMESA LN #
MEMPHIS TN 38133

SMITH MATTHEW R & STEPHANIE
2771 VAN LEER DR #
MEMPHIS TN 38133

CSMA BLT LLC
1850 PARKWAY PL #900
MARIETTA GA 30067

STAFFORD ROBIN
3554 BLUE SLATE CV #
BARTLETT TN 38133

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

VINCENT RONALD & ALISA
70 FOREST EDGE DR #
EADS TN 38028

WILSON CAROLYN D
8936 LUDGATE PL #
CORDOVA TN 38016

WITHERS CAROLYN REVOCABLE LIVING TRUST
7122 MARKIM DR #
MEMPHIS TN 38133

SEU MI AND HUNG PICH
7128 MARKIM DR #
MEMPHIS TN 38133

LE KIEN T
2806 MARYLAND CIR #
MEMPHIS TN 38133

MARTINEZ MARIA A
2791 MARYLAND CIR #
MEMPHIS TN 38133

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

MUTCHLER PHILLIP E
2803 MARYLAND CIR #
MEMPHIS TN 38133

SALAS RUBEN A & CLAUDIA S
2790 MARYLAND CIR #
MEMPHIS TN 38133

COUNTRYSIDE CENTER LLC
PO BOX 491817 #
LOS ANGELES CA 90047

PINE GROVE RESIDENTIAL FUNDING I LLC
1999 BRYAN ST #13
DALLAS TX 75201

HARRIS LARESHA
7079 MARYLAND CIR #
MEMPHIS TN 38133

GASCA MARCO
7190 RANSDORP DR #
MEMPHIS TN 38133

PRYOR GEORGE L
1319 FAIRFIELD ST #
GLENDALE CA 91201

HEMENWAY JEFFREY N
3534 MARTIN DR #
SAN MATEO CA 94402

CHUANG FUKAI L & VICKY TSENG
20661 WALNUT CIR #
PORTER RANCH CA 91326

ALVARADO CALIXTO
7058 MARKIM DR #
BARTLETT TN 38133

STEPHENS DONALD O
7099 MARYLAND CIR #
MEMPHIS TN 38133

ROGERS GARRY & SYLVIA
7206 RANSDORP DR #
MEMPHIS TN 38133

EGBERT JAMES
7033 LAURA CIR #
MEMPHIS TN 38133

KOONCE RONALD D & IDALINA M
7103 MARYLAND CIR #
MEMPHIS TN 38133

CARROLL JACKIE
7115 MARYLAND CT #
MEMPHIS TN 38133

LEGOLVAN JOSEPH H
2424 S ORCHARD ST #
DENVER CO 80228

FKH SFR C2 LP
1850 PARKWAY PL #900
MARIETTA GA 30067

DEVILLE HOLLY Y & JACK M
2809 VAN LEER DR #
MEMPHIS TN 38133

PROGRESS RESIDENTIAL BORROWER 17 LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

LEYVA JOHN AND JOHN O LEYVA SR (RS)
7107 MARYLAND CIR #
MEMPHIS TN 38133

NAPA HOMES LLC
10023 NW 53RD CT #
CORAL SPRINGS FL 33076

ACENCIO JUAN J AND EMILIA PALMA
2794 MARYLAND CIR #
MEMPHIS TN 38133

RAMIREZ JESSICA M
2786 MARYLAND CIR #
MEMPHIS TN 38133

IGIELSKI JANICE
2808 MARYLAND CIR #
MEMPHIS TN 38133

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

JEDI INVESTMENTS LLC
6388 HUNTINGTON DR #
CARLSBAD CA 92009

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

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

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

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

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

ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS

Planning & Development
DIVISION

Planning & Zoning COMMITTEE: 04/22/2025

DATE

PUBLIC SESSION: 05/06/2025

DATE

ITEM (CHECK ONE)

X ORDINANCE _____ RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM CAPTION:

Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the north side of East Shelby Drive – approximate 300 feet west of Lamar Avenue. By taking the land out of the Commercial Mixed Use – 3 (CMU-3) Use District and including it in the Employment (EMP) Use District, known as case number Z 25-002

CASE NUMBER:

Z 25-002

LOCATION:

North side of East Shelby Drive – approximate 300 feet west of Lamar Avenue

COUNCIL DISTRICTS:

District 3 and Super District 8

OWNER/APPLICANT:

Moheeb Nasser

REPRESENTATIVES:

David Gean Bray, The Bray Firm

REQUEST:

Rezoning of +/-1.702 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP)

RECOMMENDATION:

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**

Set date for first reading – April 8, 2025

Second reading – April 22, 2025

Third reading – May 6, 2025

PRIOR ACTION ON ITEM:

(1) _____
03/13/2025
(1) Land Use Control Board

APPROVAL - (1) APPROVED (2) DENIED

DATE

ORGANIZATION - (1) BOARD / COMMISSION

(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____
\$ _____
\$ _____

REQUIRES CITY EXPENDITURE - (1) YES (2) NO

AMOUNT OF EXPENDITURE

REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____
\$ _____
\$ _____

OPERATING BUDGET

CIP PROJECT # _____

FEDERAL/STATE/OTHER _____

ADMINISTRATIVE APPROVAL:

Nabanita Nira

DATE

POSITION

3/25/25

PLANNER II

DEPUTY ADMINISTRATOR

3/25/25

ADMINISTRATOR

DIRECTOR (JOINT APPROVAL)

COMPTROLLER

FINANCE DIRECTOR

CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 25-002

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED NORTH SIDE OF EAST SHELBY DRIVE – APPROXIMATE 300 FEET WEST OF LAMAR AVENUE. BY TAKING THE LAND OUT OF THE COMMERCIAL MIXED USE – 3 (CMU-3) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 25-002

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

LAND USE CONTROL BOARD RECOMMENDATION

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

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

The following spoke in support of the application: None

The following spoke in opposition of the application: None

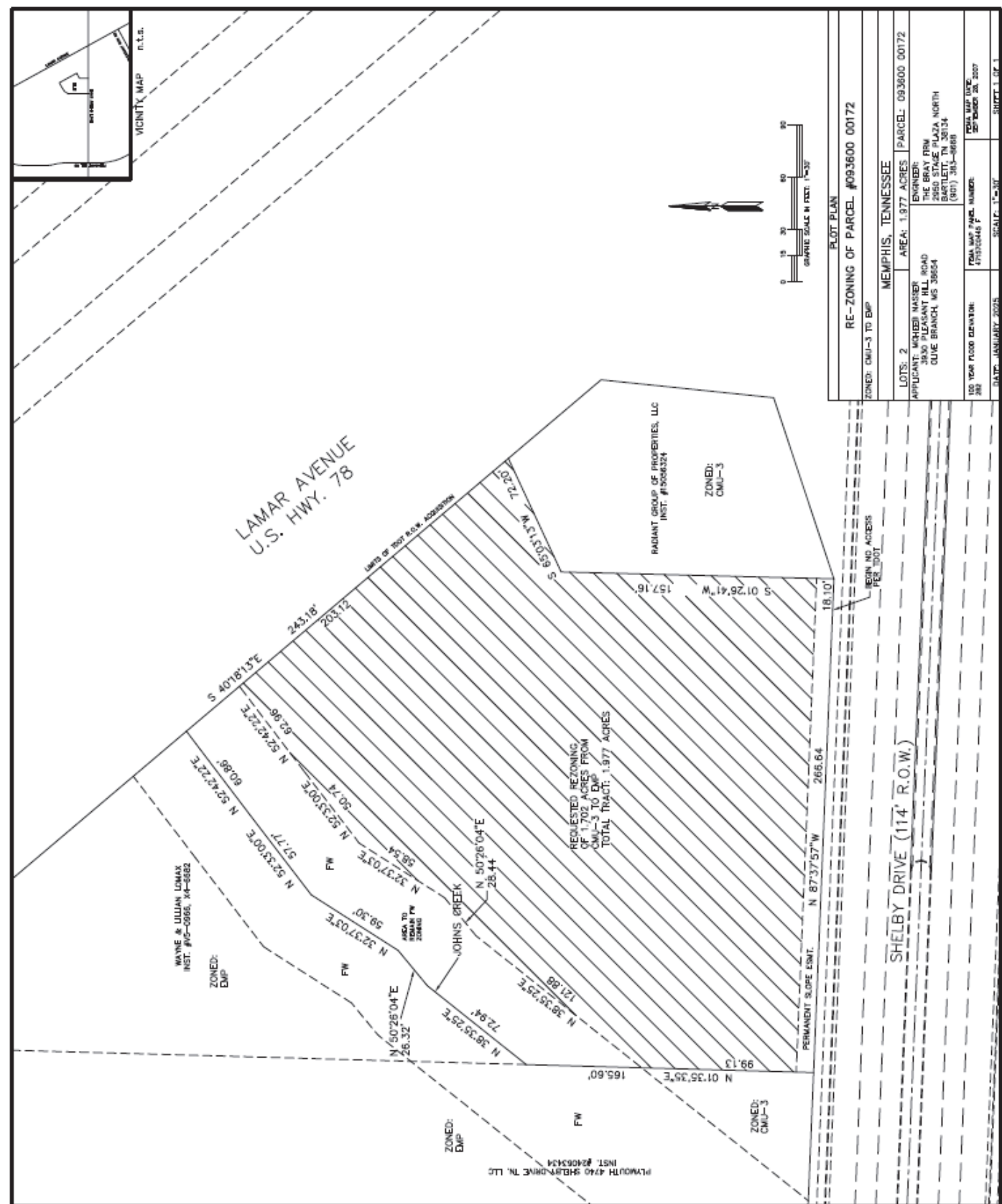
The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application.

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

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

Cc: Committee Members
File

PLOT PLAN



ORDINANCE NO: _____

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

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2025-002**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE COMMERCIAL MIXED USE – 3 (CMU-3) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT.

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

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

continuing N87°37'57"W along said Shelby Drive ROW a distance of 266.64' to a ½ rebar (FOUND) at station 21+65.33 68 Left; thence N01°35'35"E departing said Shelby Drive along the East line of the Plymouth 4740 Shelby Drive TN, LLC property as recorded by Instrument 24063434 a distance of 99.13' to a point at the limits of the floodway along Johns Creek; thence Northeastwardly along said floodway of Johns Creek the following courses: N38°35'25"E a distance of 121.88', N50°26'014"E a distance of 28.44', N32°37'03"E a distance of 58.54', N52°33'00"E a distance of 50.74' to a point; thence N52°42'22 E a distance of 62.96' to a point in the South Right of Way line of Lamar Avenue (State Route 4, NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) as determined by Instrument 20039691; thence S40°18'13"E along said Lamar Ave. Right of Way line a distance of 203.12' to a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 2442.17 Left, said point being in the North line of the Radiant Group of Properties, LLC tract as recorded by Instrument 21108855; thence S65°03'13"W along said Radiant Group of Properties tract a distance of 72.20' to a ½" rebar (FOUND) at station 24+47.53 225.14 Left; thence S01°26'41"W along said Radiant Group of Properties tract a distance of 157.16' to the point of beginning, having an area of 74156 square feet, 1.702 acres.

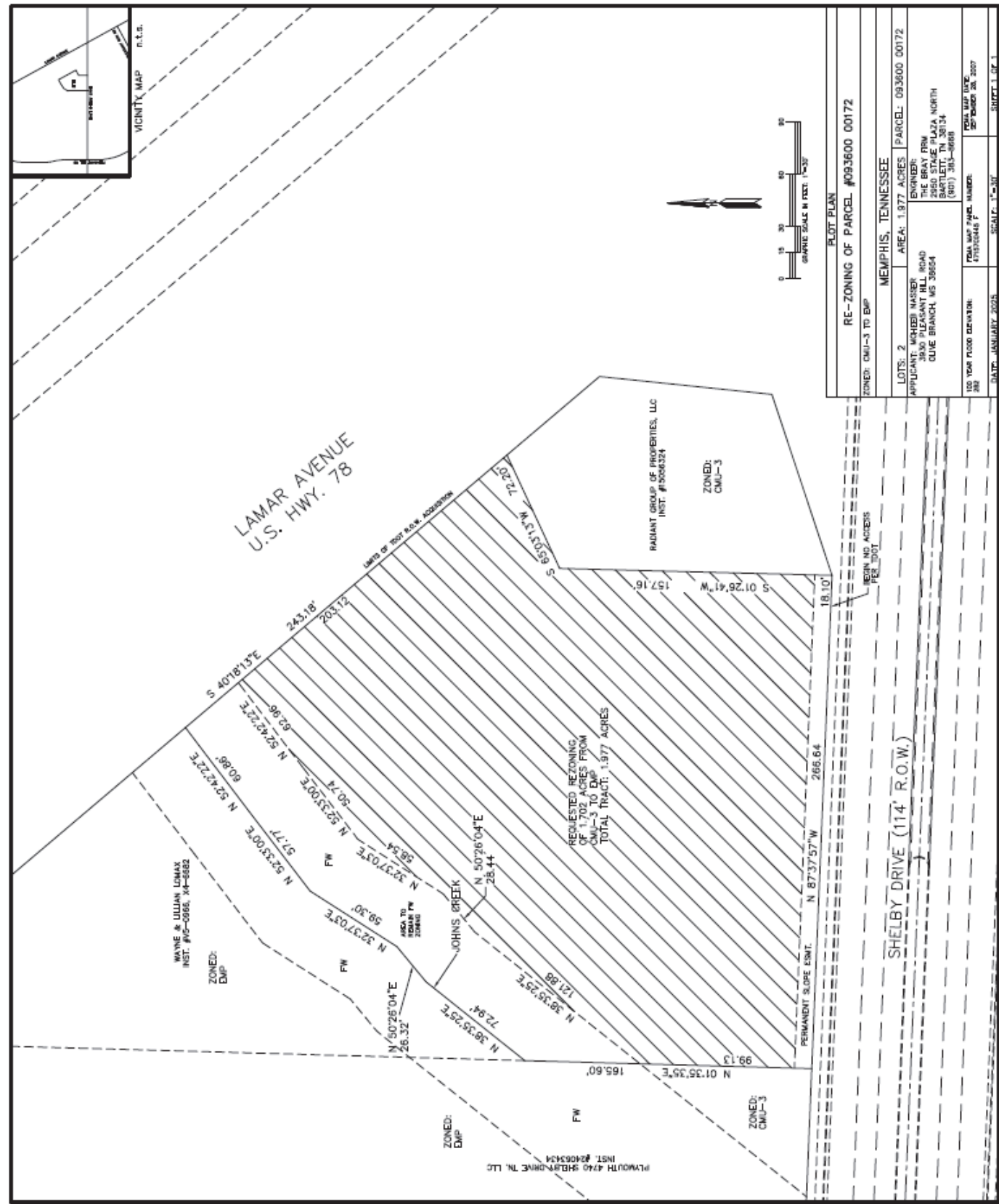
SECTION 2:

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

SECTION 3:

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

PLOT PLAN



PLOT PLAN			
RE-ZONING OF PARCEL #093600 00172			
ZONED: CMU-3 TO DMP			
MEMPHIS, TENNESSEE			
LOTS: 2	AREA: 1.977 ACRES	PARCEL: 093600 00172	
APPLICANT'S REGISTERED ADDRESS		OWNER'S ADDRESS	
3540 PLEASANT HILL ROAD		THE BRAY FIRM	
CUMING BRANCH, MS 38954		2460 STAGE PLAZA NORTH	
		BARTLETT, TN 38134	
		(615) 383-9888	
100 YEAR FLOOD ELEVATION:	FORM MAP NUMBER:	FORM MAP DATE:	
382	171010446 F	25 FEBRUARY 2007	
DATE: JANUARY 2024	SCALE: 1"=30'	SHEET 1 OF 1	

ATTEST:

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

AGENDA ITEM: 17 **L.U.C.B. MEETING:** March 13, 2025

CASE NUMBER: Z 2025-002

LOCATION: 4890 East Shelby Drive

COUNCIL DISTRICT: District 3 and Super District 8

APPLICANT: Moheeb Nasser

REPRESENTATIVE: David Gean Bray, The Bray Firm

REQUEST: Rezoning of +/-1.702 acres from Commercial Mixed Use – 3 (CMU-3) District to Employment (EMP) District

CONCLUSIONS

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

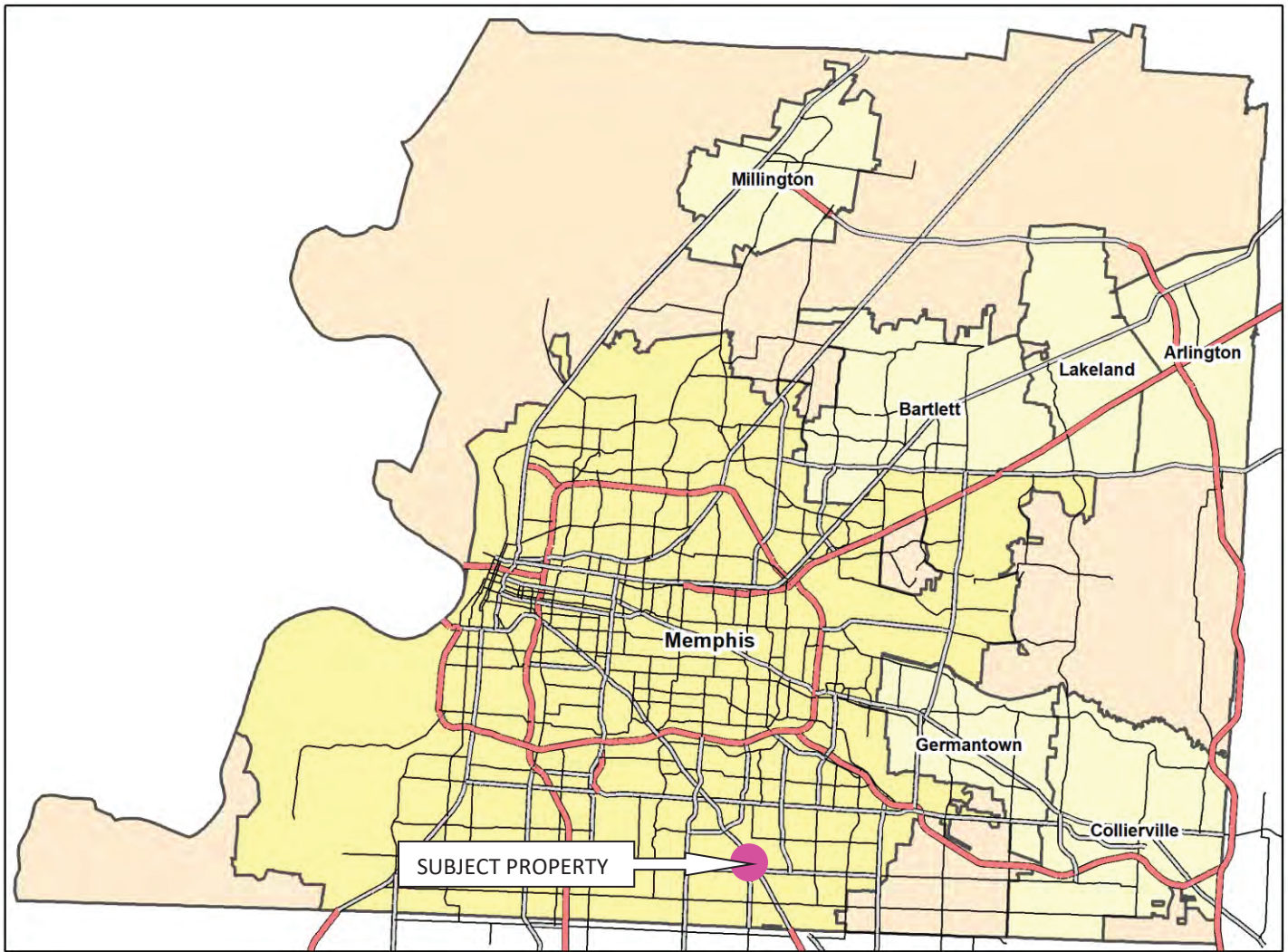
CONSISTENCY WITH MEMPHIS 3.0

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

RECOMMENDATION:

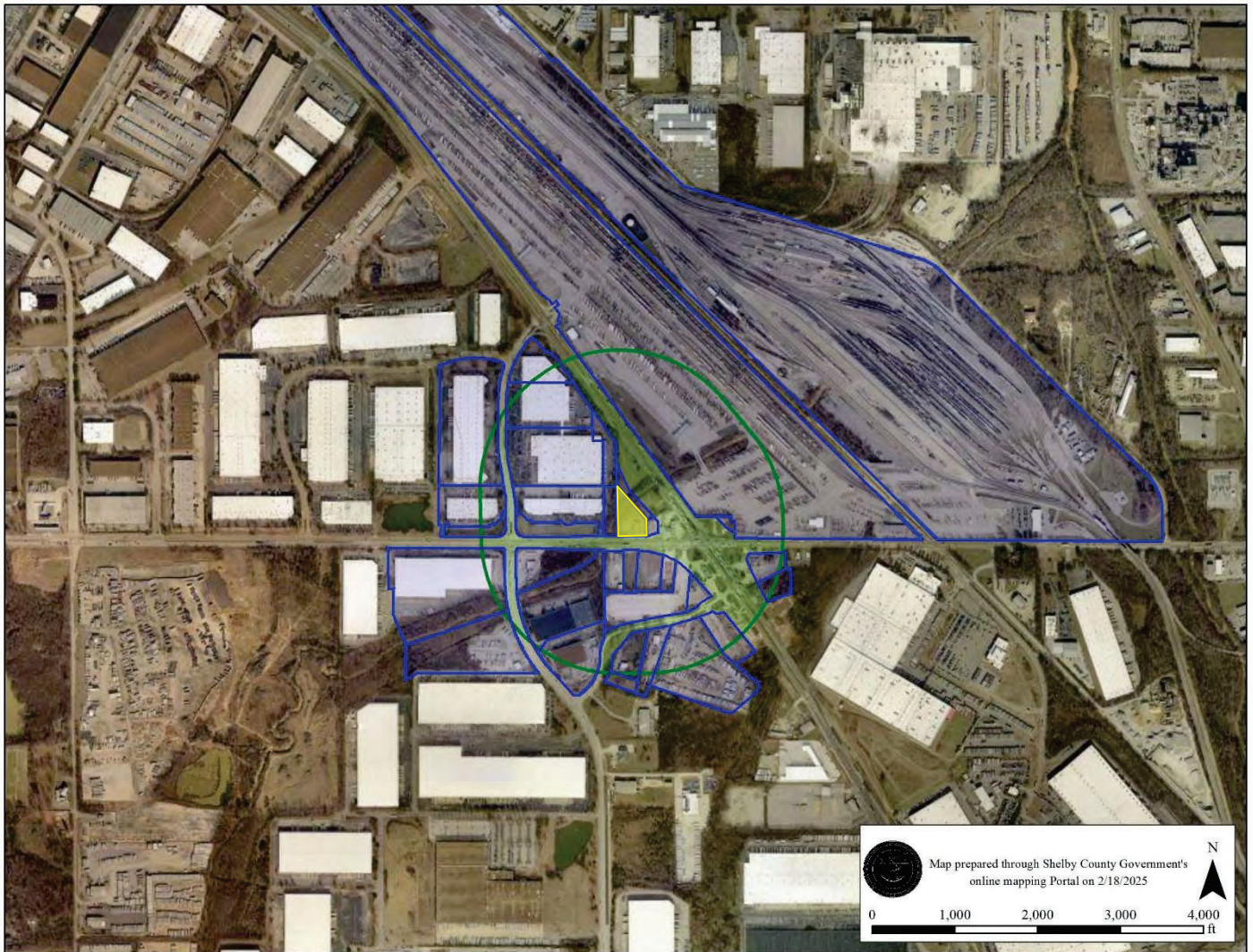
Approval

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 26 notices were mailed on February 18, 2025, see page 21 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 22-23 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

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

AERIAL

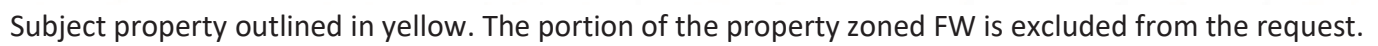


Subject property outlined in yellow, imagery from 2023. The portion of the property zoned FW is excluded from request

ZONING MAP



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



LAND USE MAP



Subject property indicated by a yellow star

SITE PHOTOS



View of subject property from East Shelby Drive looking northwest



View of subject property from East Shelby Drive looking northeast



View of subject property from East Shelby Drive looking north

LEGAL DESCRIPTION

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

Commencing and beginning at a concrete right of way marker to be set per said TDOT project plans at Station 24+50.07 68 Left (set 60p) in the North Right of Way line of Shelby Drive (NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) and, said point having a Tennessee Department of Transportation coordinate of North 273,476.28, East 800,917.73 and being the true point of beginning; thence N87°37'57"W along said North Right of Way line of said Shelby Drive as established by Instrument 20056387 a distance of 18.10' to a point at station 24+31.97 68 Left (End of No Access); thence continuing N87°37'57"W along said Shelby Drive ROW a distance of 266.64' to a ½ rebar (FOUND) at station 21+65.33 68 Left; thence N01°35'35"E departing said Shelby Drive along the East line of the Plymouth 4740 Shelby Drive TN, LLC property as recorded by Instrument 24063434 a distance of 99.13' to a point at the limits of the floodway along Johns Creek; thence Northeastwardly along said floodway of Johns Creek the following courses: N38°35'25"E a distance of 121.88', N50°26'014"E a distance of 28.44', N32°37'03"E a distance of 58.54', N52°33'00"E a distance of 50.74' to a point; thence N52°42'22"E a distance of 62.96' to a point in the South Right of Way line of Lamar Avenue (State Route 4, NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) as determined by Instrument 20039691; thence S40°18'13"E along said Lamar Ave. Right of Way line a distance of 203.12' to a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 2442.17 Left, said point being in the North line of the Radiant Group of Properties, LLC tract as recorded by Instrument 21108855; thence S65°03'13"W along said Radiant Group of Properties tract a distance of 72.20' to a ½" rebar (FOUND) at station 24+47.53 225.14 Left; thence S01°26'41"W along said Radiant Group of Properties tract a distance of 157.16' to the point of beginning, having an area of 74156 square feet, 1.702 acres.

CASE REVIEW

Request

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

Review Criteria

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

9.5.7B Review Criteria

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

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

Site Details

Address:
4890 E Shelby Dr.

Parcel ID:
093600 00172

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

Description:

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

Analysis

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

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

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

RECOMMENDATION

Staff recommends approval.

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

DEPARTMENTAL COMMENTS

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

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

CITY ENGINEER COMMENTS

CITY ENGINEERING COMMENTS TRC: 27 Feb 25 & LUCB:13 Mar 25 DATE:25 Feb 2025

CASE 13: Z-25-002

NAME: 4890 Shelby; Request to rezone 1.977 acres from CMU-3 to EMP

Basin/Lot/CD: JOHN'S CREEK; 10-B/1.9711AC/3

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

Sewers:

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

Drainage:

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

OFFICE OF SUSTAINABILITY AND RESILIENCE COMMENTS



Touss Abuosi
Sustainability and Resilience Intern
Office of Sustainability and Resilience
125 N. Main St., Memphis, TN 38103
Touss.Abuosi@memphishgtn.gov

MEMORANDUM

To: Nabanita Nira, Planner II

From: Touss Abuosi, Sustainability and Resilience Intern

Date: February 25, 2025

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

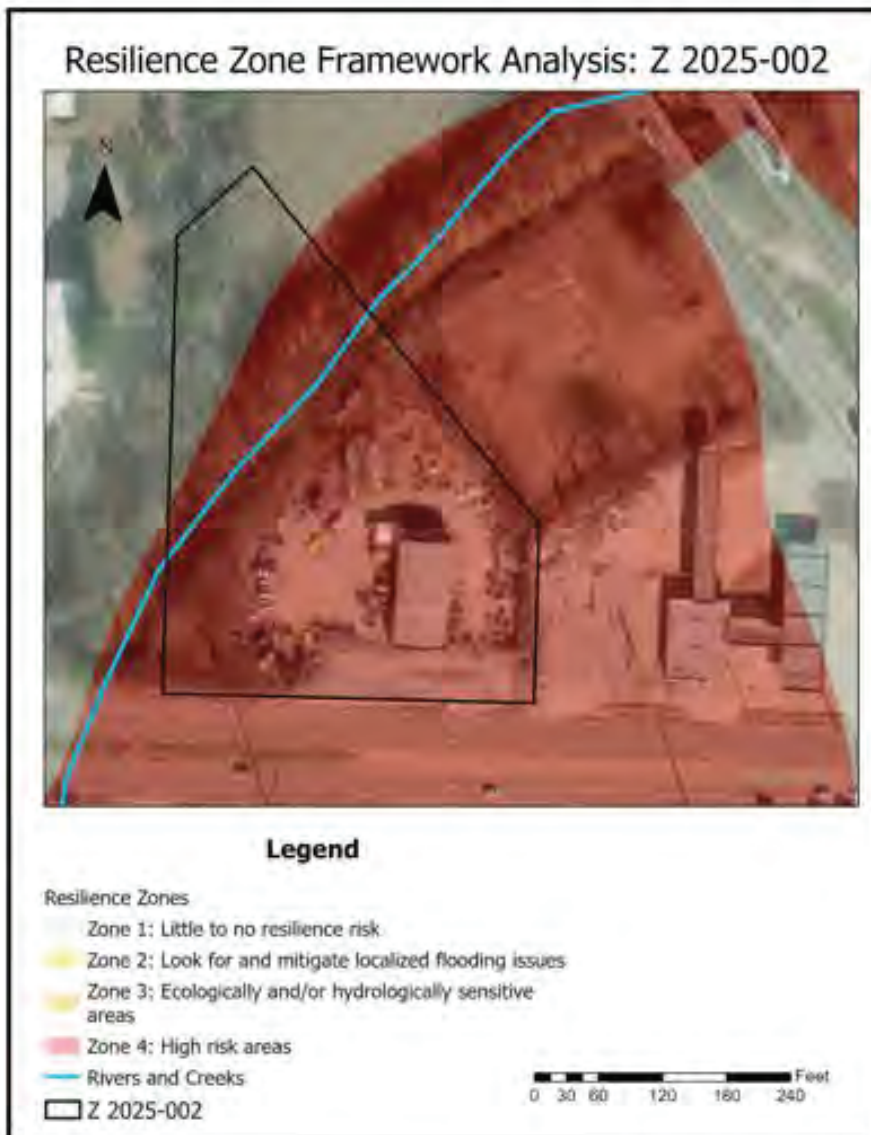
General Comments & Analysis:

Located in Zones 1 and 4 of the Resilience Zone Framework:

Zone 1 areas have the lowest level of development risk and conflict. These areas avoid high risk disaster zones, such as floodplains, and they also do not conflict with sensitive ecological areas. These areas are the most straightforward for development, and development would have the lowest impact on regional resilience. Consider incorporating the protection of ecological assets while balancing the promotion of low-impact site design and compact development typologies in appropriate areas.

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

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



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

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

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

Recommendation: Staff recommends denial of this rezoning request.

OFFICE OF COMPREHENSIVE PLANNING COMMENTS

Comprehensive Planning Review of Memphis 3.0 Consistency

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

Site Address/Location: 4890 E Shelby Dr.

Overlay District/Historic District/Flood Zone: It is in flood zone but not in overlay district or historic district.

Future Land Use Designation: High Intensity Commercial & Services (CSH)

Street Type: N/A

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

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



"CSH" Form & Location Characteristics

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

"CSH" Zoning Notes

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

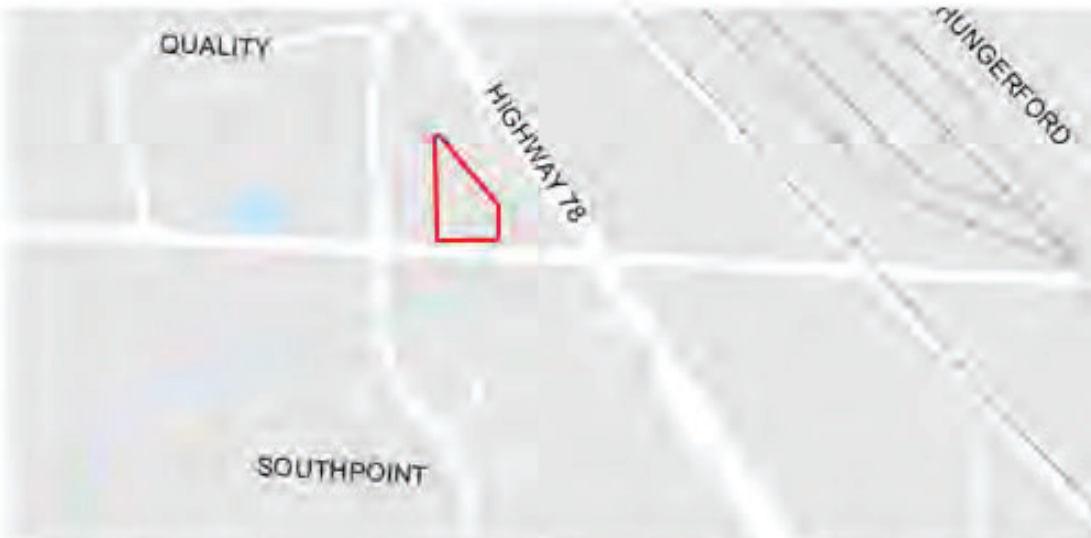
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, CMU-3

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

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

Degree of Change Map



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

3. Degree of Change Description

N/A

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

N/A

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

N/A

Consistency Analysis Summary

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

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

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

Summary Compiled by: Negin Hamidi, Comprehensive Planning.

MAILED PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than **Thursday, March 6, 2025 at 8 AM.**

CASE NUMBER: Z 2025-002
ADDRESS: 4890 E Shelby Dr
REQUEST: Rezoning of approx. 1.97 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP)
APPLICANT: Moheeb Nasser

Meeting Details

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

Staff Planner Contact:

Nabanita Nira
✉ nabanita.nira@memphistn.gov
☎ (901) 636-7406

MEMPHIS AND
SHELBY COUNTY DIVISION OF PLANNING
AND DEVELOPMENT

VICINITY MAP



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



26 Notices Mailed 2/18/2025

SIGN AFFIDAVIT

Shelby County
State of Tennessee

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

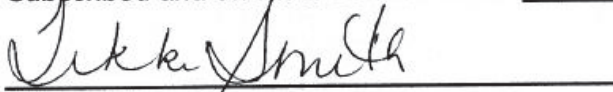
for consideration of a proposed land use action, a photograph of said sign(s) being
attached hereon and a copy of the sign purchase receipt or rental contract attached
hereto.



Owner, Applicant or Representative

2.27.25
Date

Subscribed and sworn to before me this 27th day of February, 2025.



Notary Public

My commission expires: 06/28/2027





APPLICATION



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

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

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: January 31, 2025

Record Number: Z 2025-002

Expiration Date:

Record Name: 4890 Shelby - Rezoning of Parcel 093600 00172

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

Parent Record Number:

Address:

4890 E SHELBY DR, MEMPHIS 38118

Owner Information

Primary Owner Name

Y ROBINSON WILLIAM C JR AND CYNTHIA R COLE

Owner Address

4890 E SHELBY DR, MEMPHIS, TN 38118

Owner Phone

Parcel Information

093600 00172

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Chip Saliba

Date of Meeting

12/03/2024

Pre-application Meeting Type

Phone

GENERAL INFORMATION

Have you held a neighborhood meeting?

No

Is this application in response to a citation from
Construction Code Enforcement or Zoning
Letter?

No

If yes, please provide additional information

n/a

GIS INFORMATION

GIS INFORMATION

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

Contact Information

Name
MOHEEB NASSER

Contact Type
APPLICANT

Address

Phone
-

Name
THE BRAY FIRM

Contact Type
ARCHITECT / ENGINEER /
SURVEYOR

Address
2950 STAGE PLAZA NORTH,

Phone
(901)487-2425

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1621622	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	01/31/2025
1621622	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	01/31/2025

Total Fee Invoiced: \$1,026.00 Total Balance: \$0.00

Payment Information

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

OWNER AFFIDAVIT



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Moheeb Nassor
(Print Name)

[Signature]
(Sign Name)

, state that I have read the definition of

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

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

of the property located at _____
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 29 day of January in the year of 2025.

Elizabeth R Street
Signature of Notary Public



1-18-25
My Commission Expires

LETTER OF INTENT



Telephone 901-383-8668

2950 Stage Plaza North
Bartlett, Tennessee 38134

January 30, 2025

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

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

Mr. Ragsdale:

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

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

Sincerely,

David Gean Bray, P.E.

LETTERS RECEIVED

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



Memphis and Shelby County Division of Planning and Development

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

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

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: January 31, 2025

Record Number: Z 2025-002

Expiration Date:

Record Name: 4890 Shelby - Rezoning of Parcel 093600 00172

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

Parent Record Number:

Address:

4890 E SHELBY DR, MEMPHIS 38118

Owner Information

Primary Owner Name

Y ROBINSON WILLIAM C JR AND CYNTHIA R COLE

Owner Address

4890 E SHELBY DR, MEMPHIS, TN 38118

Owner Phone

Parcel Information

093600 00172

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner	Chip Saliba
Date of Meeting	12/03/2024
Pre-application Meeting Type	Phone

GENERAL INFORMATION

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

GIS INFORMATION

GIS INFORMATION

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

Contact Information

Name
MOHEEB NASSER

Contact Type
APPLICANT

Address

Phone

-

Name
THE BRAY FIRM

Contact Type
ARCHITECT / ENGINEER /
SURVEYOR

Address
2950 STAGE PLAZA NORTH,

Phone
(901)487-2425

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1621622	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	01/31/2025
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Total Fee Invoiced: \$1,026.00

Total Balance: \$0.00

Payment Information

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

MEMPHIS AND SHELBY COUNTY

DIVISION OF PLANNING AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Moheeb Nassor
(Print Name)

[Signature]
(Sign Name)

, state that I have read the definition of

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

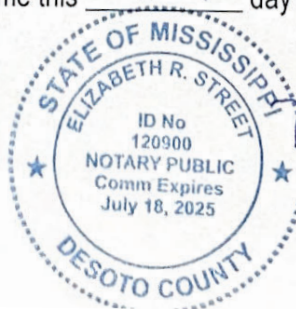
☐ I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate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

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

of the property located at _____
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 29 day of January in the year of 2025.

Elizabeth R Street
Signature of Notary Public



11-18-25
My Commission Expires



Telephone 901-383-8668

2950 Stage Plaza North
Bartlett, Tennessee 38134

January 30, 2025

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

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

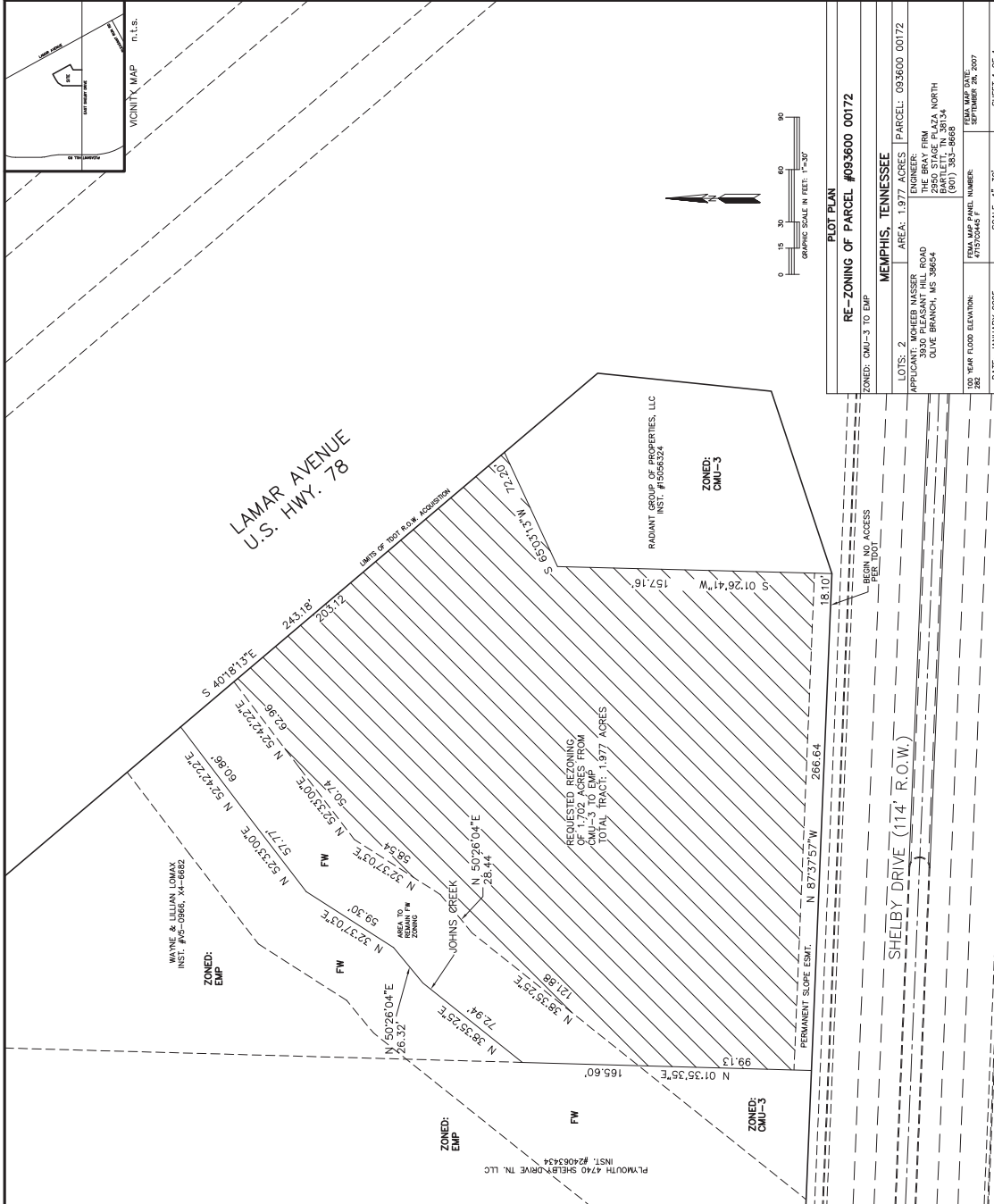
Mr. Ragsdale:

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

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

Sincerely,

David Gean Bray, P.E.



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

Commencing and beginning at a concrete right of way marker to be set per said TDOT project plans at Station 24+50.07 68 Left (set 60p) in the North Right of Way line of Shelby Drive (NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) and, said point having a Tennessee Department of Transportation coordinate of North 273,476.28, East 800,917.73 and being the true point of beginning; thence N87°37'57"W along said North Right of Way line of said Shelby Drive as established by Instrument 20056387 a distance of 18.10' to a point at station 24+31.97 68 Left (End of No Access); thence continuing N87°37'57"W along said Shelby Drive ROW a distance of 266.64' to a ½ rebar (FOUND) at station 21+65.33 68 Left; thence N01°35'35"E departing said Shelby Drive along the East line of the Plymouth 4740 Shelby Drive TN, LLC property as recorded by Instrument 24063434 a distance of 99.13' to a point at the limits of the floodway along Johns Creek; thence Northeastwardly along said floodway of Johns Creek the following courses: N38°35'25"E a distance of 121.88', N50°26'014"E a distance of 28.44', N32°37'03"E a distance of 58.54', N52°33'00"E a distance of 50.74' to a point; thence N52°42'22 E a distance of 62.96' to a point in the South Right of Way line of Lamar Avenue (State Route 4, NO ACCESS, TDOT project #79020-2252-14-R-NH-4(11) as determined by Instrument 20039691; thence S40°18'13"E along said Lamar Ave. Right of Way line a distance of 203.12' to a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 2442.17 Left, said point being in the North line of the Radiant Group of Properties, LLC tract as recorded by Instrument 21108855; thence S65°03'13"W along said Radiant Group of Properties tract a distance of 72.20' to a ½" rebar (FOUND) at station 24+47.53 225.14 Left; thence S01°26'41"W along said Radiant Group of Properties tract a distance of 157.16' to the point of beginning, having an area of 74156 square feet, 1.702 acres.

Robinson residue.

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

Subject to the city of Memphis Subdivision and zoning regulations.

Subject to any easements for utilities.

Subject to road right of way.

Lomax to Robinson.

Survey and description of a 0.35 acre tract in the city of Memphis, Shelby County, Tennessee, being part of the Wayne and Lillian Lomax property as recorded by Instruments V5-0966 and X4-6682 in the Shelby County Register of Deeds office, being the part of the Lomax property between Johns Creek and the Radiant Group of Properties, LLC property as recorded by Instrument 21108855 being North of Shelby Drive along the South Right of Way line of Lamar Avenue (State Route 4, TDOT project #79020-2252-14-R-NH-4(11)) and being more particularly described as: Commencing and beginning at a concrete right of way marker to be set per said TDOT project plans at Station 432+20.2 242.17 Left (set 60p), said point having a Tennessee Department of Transportation coordinate of North 273,663.84, East 800,987.16 and being the true point of beginning; thence S 65°03'13" W along said Radiant Group of Properties LLC tract a distance of 72.20' to a ½" rebar (FOUND) at station 24+47.53 225.14 Left being in the Northeast line of the William C Robinson, Jr and Cynthia Robinson Cole property as recorded by Instrument 21131498; thence N 38°04'24" W along said Robinson property a distance of 227.42' to a point in Johns Creek (Chainlink fence corner set in concrete 18 feet back online); thence N 52°42'22" E along a new line being along said Johns Creek a distance of 60.86' to a point in said Lamar Avenue (State Route 4) South Right of Way line; thence S 40°18'13" E along said Lamar Avenue South Right of Way line as defined by Instrument 20039691 a distance of 243.18' to the point of beginning, having an area of 15384.9 square feet, 0.35 acres. The bearings in this description are based on the Tennessee State Plane coordinate system NAD83. This property was land locked by the ROW acquisition to TDOT, and is intended to be added to the Robinson property.

Subject to the city of Memphis Subdivision and zoning regulations.

Subject to any easements for utilities.

Subject to road right of way.

Robinson to Lomax

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

Subject to the city of Memphis Subdivision and zoning regulations.

Subject to any easements for utilities.

Subject to road right of way.



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

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

21131498

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

4 PGS

ALONZO 2323139-21131498

VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	0.00
EFILE FEE	2.00
TOTAL AMOUNT	24.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

Prepared by and Return to:

**Hugh H. Armistead, Attorney
Armistead Law, PLLC
8925 Goodman Road
Olive Branch, MS 38654
662-895-4844**

New Property Owner/Send Tax Bills:

**William Clifford Robinson, Jr. and
Cynthia Robinson Cole
4890 East Shelby Drive, Memphis, TN 38118
901-366-4995**

Property Address and Tax Parcel Number:

**4890 East Shelby Drive, Memphis, TN 38118
093-6000-0-00172-0**

QUITCLAIM DEED

THIS INSTRUMENT, made and entered into this the 14th day of October, 2021, by and between

WILLIAM C. ROBINSON and wife, PEGGIE M. ROBINSON, of the first part,

and

WILLIAM CLIFFORD ROBINSON, JR. and CYNTHIA ROBINSON COLE,

as Tenants in Common, of the second part,

WITNESSETH: That for and in consideration of ONE and 00/100 DOLLAR (\$1.00), the said party of the first part does hereby bargain, sell, remise, release, quit claim and convey unto the said party of the second part all of its right, title and interest in and to the following described real estate, situated and being in the City of Memphis, County of Shelby, State of Tennessee, to-wit:

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

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

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

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

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

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

IN TESTIMONY WHEREOF, the Grantors have executed this instrument this the 14th day of October, 2021.

William C. Robinson

WILLIAM C. ROBINSON

Peggie M. Robinson

PEGGIE M. ROBINSON

STATE OF MISSISSIPPI

COUNTY OF DESOTO

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

WITNESS my hand and Notarial Seal at office this 14th day of October, 2021.


NOTARY PUBLIC

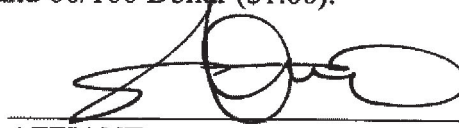
My Commission Expires:



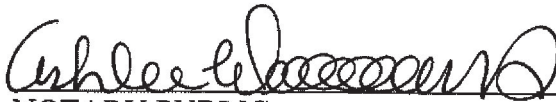
STATE OF MISSISSIPPI

COUNTY OF DESOTO

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


AFFIANT

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


NOTARY PUBLIC

My Commission Expires:

Tennessee Certification of Electronic Document

I, Hugh H. Armistead, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on 10.14.2021 (date of document).

[Signature]
Affiant Signature

10.18.2021
Date

State of Mississippi

County of Desoto

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

[Signature]
Notary's Signature

MY COMMISSION EXPIRES: 10.18.2024

NOTARY'S SEAL





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

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

March 13, 2025

David Gean Bray
2950 Stage Plaza North
Bartlett, TN 38134

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

Case Number: Z 2025-002
LUCB Recommendation: Approval

Dear applicant,

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

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

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

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

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

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

Cc: Moheeb Nasser
File

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

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

CASE NUMBER: Z 25-002

LOCATION: North side of East Shelby Drive – approximate 300 feet west of Lamar Avenue

COUNCIL DISTRICTS: District 3 and Super District 8

OWNER/APPLICANT: Moheeb Nasser

REPRESENTATIVE: David Gean Bray, The Bray Firm

REQUEST: Rezoning of +/-1.702 acres from Commercial Mixed Use – 3 (CMU-3) to Employment (EMP)

RECOMMENDATIONS:

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

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

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

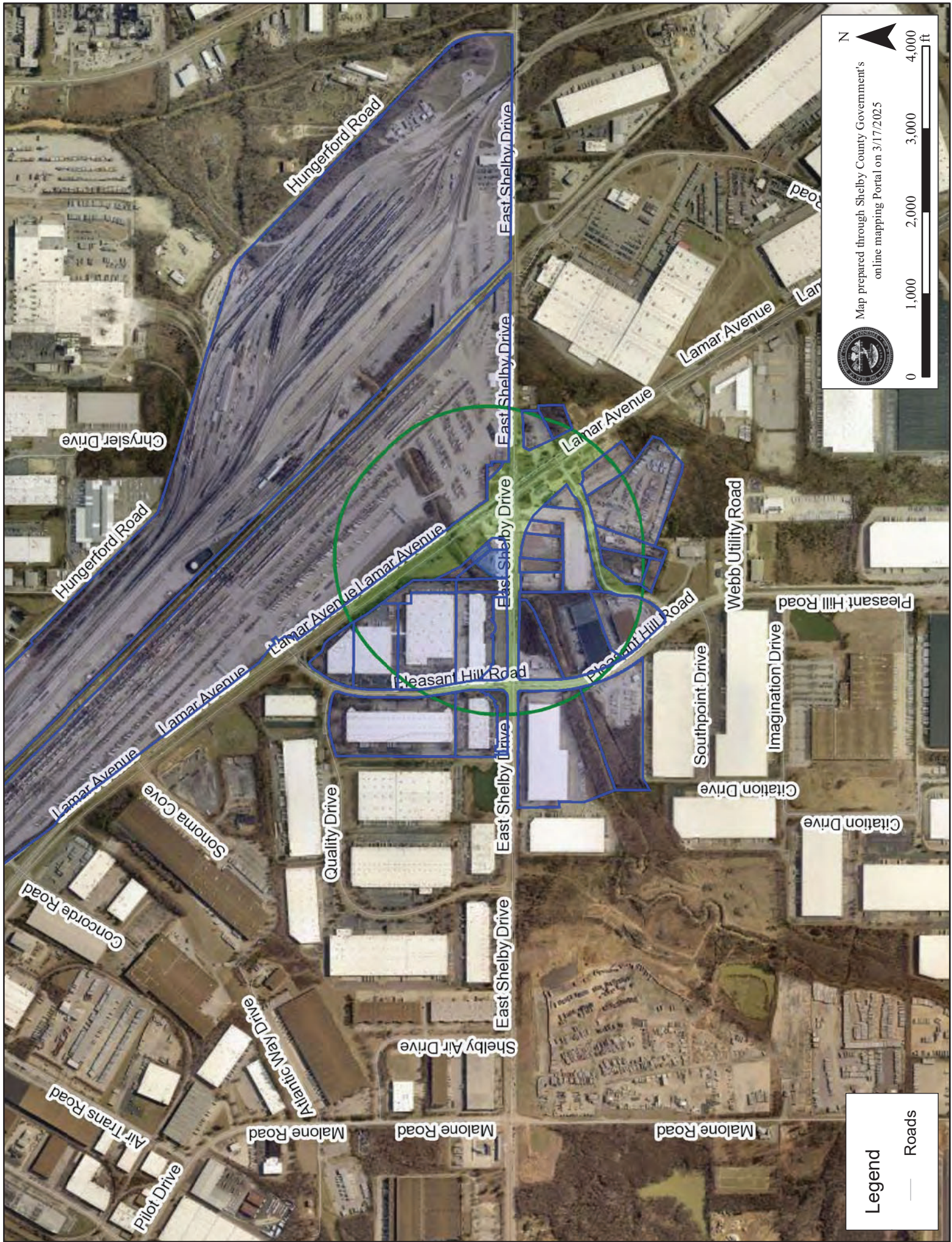
THIS THE _____, _____

FORD CANALE
CHAIRMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT
CITY COMPTROLLER

TO BE PUBLISHED:



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

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

STATE OF TENNESSEE
300 BENCHMARK PL #
JACKSON TN 38301

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

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

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

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

LOMAX WAYNE E & LILLIAN P
3763 HATCHER CIR #
MEMPHIS TN 38118

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

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

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

RMRM INC
1121 POPLAR VIEW LN #1
COLLIERVILLE TN 38017

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

NUVASIVE INC
7475 LUSK BLVD #
SAN DIEGO CA 92121

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

MEMPHIS BAX L P (60.0%) AND JES MEMPHIS
100 S WACKER DR #950
CHICAGO IL 60606

ROBINSON WILLIAM C JR AND CYNTHIA R COLE
4890 E SHELBY DR #
MEMPHIS TN 38118

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

STATE OF TENNESSEE
505 DEADERICK ST #700
NASHVILLE TN 37243

BALLENTINE HUBERT & BETTY
PO BOX 18567 #
MEMPHIS TN 38181

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

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

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

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

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

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

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

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

STATE OF TENNESSEE
300 BENCHMARK PL #
JACKSON TN 38301

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

REAL PROPERTY RESERVE LLC
800 HIGHWAY 98 BYP #
COLUMBIA MS 39429

TRANSPORT PROPERTIES LLC
800 HIGHWAY 98 BYP #
COLUMBIA MS 39429

RADIANT GROUP OF PROPERTIES LLC
384 DISTRIBUTION #
COLLIERVILLE TN 38017



City Council Item Routing Sheet



Division: ENGINEERING

Committee: FULL COUNCIL

Agenda Date: April 22, 2025

District: _____

Super District: 8

☐ Ordinance

☒ Resolution

☐ Grant Acceptance

☐ Budget Amendment

☐ Commendation

☐ Other:

Item Description: **RESOLUTION accepting public improvements for Hyatt Centric at One Beale - Phase 2 (PD 18-10) [CR#5290 & CR#5290AM] and releasing Bond**

Resolution accepts public improvements for **Hyatt Centric at One Beale - Phase 2 (PD 18-10) [CR#5290 & CR#5290AM]**, in the present limits of the City of Memphis, and located at the southwest corner of the Beale Street and South Front intersection in Memphis, Tennessee.

Resolution also releases **Fidelity and Deposit Company of Maryland** Performance Bond No. **9299032**, in the amount of **\$ 105,300.00**, held as project security.

City Engineer recommends approval

Recommended Council Action: **ADOPT THE RESOLUTION**

Describe previous action taken by any other entity (*i.e. board, commission, task force, council committee, etc.*) and date of any action taken: **CR#5290** (*April 2, 2019*) / **CR#5290AM** (*February 18, 2020*) [*original CRs included*]

Does this item require city expenditure?

No

Source and Amount of Funds:

N/A

Approvals

Director _____

Date _____

Division Chief _____

Date _____

Budget Manager _____

Date _____

Chief Financial Officer _____

Date _____

Chief Operating Officer

_____ Date _____

Council Committee Chair

_____ Date _____



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Engineering

3. State whether this is a change to an existing ordinance or resolution, if applicable.

Resolution accepts public improvements for **Hyatt Centric at One Beale - Phase 2 (PD 18-10) [CR#5290 & CR#5290AM]** and releases **Performance Bond No. 9299032**, in the amount of **\$105,300.00**, held as project security.

4. State whether this will impact specific council districts or super districts.

District 7 and Super District 8

5. State whether this requires a new contract, or amends an existing contract, if applicable.

CR#5290 (April 2, 2019) / **CR#5290AM** (February 18, 2020) [original CRs included]

6. State whether this requires an expenditure of funds/requires a budget amendment

No

7. If applicable, please list the MWBE goal and any additional information needed

N/A

PLEASE NOTE: Developer Has Requested Same-Night Minutes **Please.**



R S T N acceptin pu lic impro ements for
Hyatt Centric at One Beale - Phase 2 (PD 18-10) [CR#5290 & CR#5290AM]
and releasing Bond

R AS, **33 Beale Street Hotel Company, LLC.** is the e eloper of a certain propert within the present limits of Memphis, as reflected on the final plat, located at the southwest corner of the Beale Street and South Front intersection in Memphis, Tennessee.

and

R AS, all of the pu lic impro ements, re uired the Standard mpro ement Contract for the pro ect, are completed

and

N , T R F R , B T R S the Council of the Cit of Memphis that the en ineerin plans for **Hyatt Centric at One Beale - Phase 2 (PD 18-10) [CR#5290 & CR#5290AM]** , and the completion of the pu lic impro ements therein, are and the same, are here accepted the Cit .

B T F RT R R S , that the **Fidelity and Deposit Company of Maryland** Performance Bond No. **9299032**, in the amount of \$ **105,300.00**, and held as pro ect securit , is hereby ordered released.

RESOLUTION SUMMARY

- 1. Short title description – Contract No. 12588 – Tripwire Enterprise (formerly Contract No. C2386)**
- 2. Funded Amount - \$57,671.46**
- 3. Award Duration – Three (3) years (May 22, 2025 through May 21, 2028)**
- 4. Type of Bid – Sole Source**
- 5. Awarded to – Tripwire, Inc.**
- 6. LSB/MWBE Goal Assigned/Committed – 0%**
- 7. Plain Language Description – This contract is to renew support and maintenance for the Tripwire software. Tripwire is a software package that SCADA uses to meet NERC CIP (North American Electric Reliability Corporate Critical Infrastructure Protection) compliance requirements. The software is used to perform software baselines, logging, and alerting.**
- 8. Impact – MLGW needs the software to meet NERC CIP requirements.**

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved Change No. 6 to Contract No. 12588 (*formerly Contract No. C2386*), Tripwire Enterprise with Tripwire, Inc. to renew the current contract in the funded amount of \$57,671.46, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide software package that monitors the SCADA system for unauthorized changes. This software is used to meet MLGW's NERC Compliance by performing whitelisting for baselines, central log collection, and alerting. This project was originally procured under Requisition #5063397.

WHEREAS, this change is to renew the annual support and maintenance of Tripwire Enterprise for the three (3) year period covering May 22, 2025 through May 21, 2028, at a discounted price in the amount of \$57,671.46. This Sole Source complies with all applicable laws and policies. The new contract value will be \$243,608.67; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 6 to Contract No. 12588 (*formerly Contract No. C2386*), Tripwire Enterprise with Tripwire, Inc. to renew the current contract in the funded amount of \$57,671.46 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 6 to Contract No. 12588 (*formerly Contract No. C2386*), Tripwire Enterprise with Tripwire, Inc. to renew the current contract in the funded amount of \$57,671.46.

The project scope is to provide software package that monitors the SCADA system for unauthorized changes. This software is used to meet MLGW's NERC Compliance by performing whitelisting for baselines, central log collection, and alerting. This project was originally procured under Requisition #5063397.

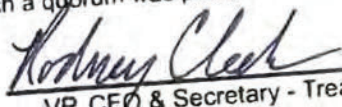
This change is to renew the annual support and maintenance of Tripwire Enterprise for the three (3) year period covering May 22, 2025 through May 21, 2028, at a discounted price in the amount of \$57,671.46. This Sole Source complies with all applicable laws and policies. The new contract value will be \$243,608.67

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 6 to Contract No. 12588 (*formerly Contract No. C2386*), Tripwire Enterprise with Tripwire, Inc. to renew the current contract in the funded amount of \$57,671.46, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
20 25 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12180 - Professional Engineering Services for Water Engineering
2. **Funded Amount** - \$550,000.00
3. **Award Duration** – January 27, 2026 through January 26, 2027
4. **Type of Bid** – RFQ
5. **Awarded to** – HDR Engineering, Inc.
6. **LSB/MWBE Goal Assigned/Committed** – 25% assigned. The actual participation is 8.3% MBE - Geodesy Professional Services, LLC, 8.3% MBE - Innovative Engineering Services, LLC, and 8.3% MBE - Jamnu H. Tahiliani & Associates, LLC.
7. **Plain Language Description** – This contract is needed for engineering professional services to perform water model calibration/modifications, water treatment plant condition assessments, water master plan creation and any other services necessary. Some of these projects include: Lead Copper Rule Revisions (LCRR) Phase, completion of Pump Station Condition Assessments, and Master Planning.
8. **Impact** – This is needed to complete the last condition assessments involving three (3) pumping stations, a formal creation of a water master plan and to complete lead service replacement planning services. This contract has provided Water Engineering with a comprehensive analysis carried out of most station assets in the system. This provided an accurate and functional water model to model new and existing loading scenarios. Also, a system wide capital improvement plan is being developed as a result of the condition assessments being completed on water pumping station assets.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved Change No. 2 to Contract No. 12180, Engineering Services for Water Engineering with HDR Engineering, Incorporated to extend the current contract in the funded amount of \$550,000.00, and is now recommending to the Council of the City of Memphis that it approves said extension as approved; and

WHEREAS, the project scope is to provide professional services on an as-needed basis in connection with miscellaneous projects for the Memphis Light, Gas and Water Division. This award was based on the Request for Qualifications ("RFQ") selection process.

WHEREAS, this change is to extend the current contract for an additional one (1) year term for the period covering January 27, 2026 through January 26, 2027 in the funded amount of \$550,000.00, with no increase in rates from the previous term. This extension is due to several projects needing to be completed during the extended term. Some of these projects include: Lead Copper Rule Revisions (LCRR) Phase, completion of Pump Station Condition Assessments, and Master Planning. This extension complies with all applicable laws and policies. The new contract value is \$2,700,000.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No, 2 to Contract No. 12180, Engineering Services for Water Engineering with HDR Engineering, Incorporated to extend the current contract in the funded amount of \$550,000.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12180, Engineering Services for Water Engineering with HDR Engineering, Incorporated to extend the current contract in the funded amount of \$550,000.00.

The project scope is to provide professional services on an as-needed basis in connection with miscellaneous projects for the Memphis Light, Gas and Water Division. This contract award was based on the Request for Qualifications ("RFQ") selection process.

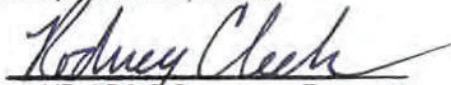
This change is to extend the current contract for an additional one (1) year term for the period covering January 27, 2026 through January 26, 2027 in the funded amount of \$550,000.00, with no increase in rates from the previous term. This extension is due to several projects needing to be completed during the extended term. Some of these projects include: Lead Copper Rule Revisions (LCRR) Phase, completion of Pump Station Condition Assessments, and Master Planning. This extension complies with all applicable laws and policies. The new contract value is \$2,700,000.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 12180, Engineering Services for Water Engineering with HDR Engineering, Incorporated to extend the current contract in the funded amount of \$550,000.00, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Extension.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12190 – Professional Engineering Services for Gas Engineering and Operations
2. **Funded Amount** – \$410,000.00
3. **Award Duration** – December 23, 2024 through December 22, 2025
4. **Type of Bid** – RFQ
5. **Awarded to** – CHI Engineering Services, Inc.
6. **LSB/MWBE Goal Assigned/Committed** - None
7. **Plain Language Description** – This change request is to increase the cumulative contract value from \$465,000.00 to \$875,000.00. In addition, this change is for the ratification of an invoice payment for emergency services performed on February 10, 2025. The contract expiration date will remain December 22, 2025.
8. **Impact** - The need exists to cover costs of LNG Plant 2025 projects which include: Re-Gen Heater (emergency), Tank Painting Inspection, Plant-wide Evaluation, and Fire Protection Inspection.
 - a. Without this change order, MLGW will not have enough money in the contract with CHI Engineering to continue necessary work at the LNG Plant.

RESOLUTION

WHEREAS, the board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved Change No. 5 to Contract No. 12190, Professional Engineering Services for Gas Engineering and Operations with CHI Engineering Services, Inc. to ratify an invoice payment for emergency services and increase the contract value in the funded amount of \$410,000.00, and is now recommending to the Council of the City of Memphis that it approves said ratification and change as approved; and

WHEREAS, the project scope is to provide professional engineering services for the Gas Engineering and Operations Department on an as-needed basis. The contract award was based on the Request for Qualifications ("RFQ") evaluation process.

WHEREAS, this change is to ratify an invoice payment for emergency services and add additional funds to the existing contract in the amount of \$410,000.00 to support several engineering projects required for the LNG Plant in 2025 with \$10,000.00 of this increase used as emergency funds for work performed at the LNG Plant on February 10, 2025. An additional \$400,000.00 is being required to complete the following projects: 1) Re-Gen Heater Commissioning Support (\$16,300); 2) 3rd Party Painting Inspection (\$50,000.00); 3) Plant-wide evaluation (\$280,000.00); and 4) Fire Study required by TN Public Utility (\$40,000.00). MLGW is requesting contingency funds in the amount of \$13,700.00 for any unforeseen circumstances. This request is necessary to continue the necessary work at the LNG Plant. The term of the contract will remain December 23, 2024 through December 22, 2025. This ratification and change complies with all applicable laws and policies. The new contract value is \$875,000.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 5 to Contract No. 12190, Professional Engineering Services for Gas Engineering and Operations with CHI Engineering Services, Inc. to ratify an invoice payment for emergency services and increase the contract value in the funded amount of \$410,000.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 5 to Contract No. 12190, Professional Engineering Services for Gas Engineering and Operations with CHI Engineering Services, Inc. to ratify an invoice payment for emergency services and increase the contract value in the funded amount of \$410,000.00.

The project scope is to provide professional engineering services for the Gas Engineering and Operations Department on an as-needed basis. The contract award was based on the Request for Qualifications ("RFQ") evaluation process.

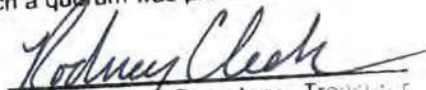
This change is to ratify an invoice payment for emergency services and add additional funds to the existing contract in the amount of \$410,000.00 to support several engineering projects required for the LNG Plant in 2025 with \$10,000.00 of this increase used as emergency funds for work performed at the LNG Plant on February 10, 2025. An additional \$400,000.00 is being required to complete the following projects: 1) Re-Gen Heater Commissioning Support (\$16,300); 2) 3rd Party Painting Inspection (\$50,000.00); 3) Plant-wide evaluation (\$280,000.00); and 4) Fire Study required by TN Public Utility (\$40,000.00). MLGW is requesting contingency funds in the amount of \$13,700.00 for any unforeseen circumstances. This request is necessary to continue the necessary work at the LNG Plant. The term of the contract will remain December 23, 2024 through December 22, 2025. This ratification and change complies with all applicable laws and policies. The new contract value is \$875,000.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, the approval of Change No. 5 to Contract No. 12190, Professional Engineering Services for Gas Engineering and Operations with CHI Engineering Services, Inc. to ratify an invoice payment for emergency services and increase the contract value in the funded amount of \$410,000.00 as outlined in the foregoing preamble, is approved; and further,

THAT, the President, or his designated representative is authorized to execute the Ratification and Change.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
2022 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12522 (formerly C2728)
Solarwinds HCO and Supporting Modules
2. **Funded Amount** - \$142,754.95
3. **Award Duration** – 1st of four (4) renewals (June 8, 2025 through June 7, 2026)
4. **Type of Bid** – Sealed Bid
5. **Awarded to** – Insight Public Sector, Incorporated
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – To renew the current contract for Solarwinds' Hybrid Cloud Observability (HCO), a monitoring tool of our IT environment (*includes 1600 devices*) that provides visibility into networks, servers, applications and databases, helping to ensure all things are running with no issues.
8. **Impact** – Without this tool, MLGW faces the risk of prolonged IT problem increases which can affect productivity and business continuity. We will also lose visibility into the performance and health of our IT infrastructure, leading to undetected issues and downtime that are relative to servers for the call center, switches for the substations, or applications for GIS and maps.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved Change No. 1 to Contract No. 12522 (*formerly Contract No. C2728*) Solarwinds' Enterprise HCO and supporting modules with Insight Public Sector, Incorporated to renew the current contract in the funded amount of \$142,754.95, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide license renewals for Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules. SolarWinds' Enterprise Hybrid Cloud Observability (HCO) is a software deployed in the Datacenter environment that helps MLGW to manage the network, servers, and our entire Information Technology Infrastructure. This software is utilized to quickly detect, diagnose, and resolve network/server performance problems and outages. It provides the Enterprise Server and Storage (ESS) and the Network Teams with unified monitoring, observability, and service management in one platform. Some features that the software allows include are: Network Performance Monitoring, Server and Application Monitoring, System/Network Availability, IP Address Management, Log Analysis, VOIP (Voice Over IP) and Network Management, Application and System Alerting, and Virtualization Management. The contract award was based on the lowest and best bid using the Sealed Bid process.

WHEREAS, This change is to renew the current contract for the first of four (4) annual renewal terms for the period covering June 8, 2025 through June 7, 2026 in the amount of \$142,754.95, with no increase in rates from the initial term. This renewal complies with all applicable laws and policies. The new contract value is \$293,058.19; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12522 (*formerly Contract No. C2728*) Solarwinds' Enterprise HCO and supporting modules with Insight Public Sector, Incorporated to renew the current contract in the funded amount of \$142,754.95 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12522 (*formerly Contract No. C2728*), Solarwinds' Enterprise HCO and supporting modules with Insight Public Sector, Incorporated to renew the current contract in the funded amount of \$142,754.95.

The project scope is to provide license renewals for Solarwinds' Enterprise Hybrid Cloud Observability (HCO) and Supporting Modules. SolarWinds' Enterprise Hybrid Cloud Observability (HCO) is a software deployed in the Datacenter environment that helps MLGW to manage the network, servers, and our entire Information Technology Infrastructure. This software is utilized to quickly detect, diagnose, and resolve network/server performance problems and outages. It provides the Enterprise Server and Storage (ESS) and the Network Teams with unified monitoring, observability, and service management in one platform. Some features that the software include are: Network Performance Monitoring, Server and Application Monitoring, System/Network Availability, IP Address Management, Log Analysis, VOIP (Voice Over IP) and Network Management, Application and System Alerting, and Virtualization Management. The contract award was based on the lowest and best bid using the Sealed Bid process.

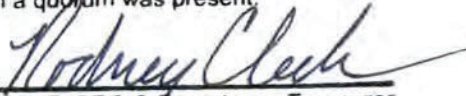
This change is to renew the current contract for the first of four (4) annual renewal terms for the period covering June 8, 2025 through June 7, 2026 in the amount of \$142,754.95, with no increase in rates from the initial term. This renewal complies with all applicable laws and policies. The new contract value is \$293,058.19.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12522 (*formerly Contract No. C2728*), Solarwinds' Enterprise HCO and supporting modules with Insight Public Sector, Incorporated to renew the current contract in the funded amount of \$142,754.95, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
2025 at which a quorum was present.


VP. CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12524 - Outdoor Wireless Network – North Service Center (NSC)
2. **Funded Amount** - \$231,366.91
3. **Award Duration** – Five (5) years from the date of the Notice to Proceed with five (5) years license and support and three (3) years provision for maintenance and support services.
4. **Type of Bid** – Sealed Bid
5. **Awarded to** – Logicalis, Inc.
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – This project will enhance inventory management at the North Service Center by providing outdoor wireless coverage, enabling real-time data collection with mobile scanners. This improvement will streamline processes, reduce errors, and minimize manual data entry, increasing overall efficiency.
8. **Impact** – Without this project, inventory management will remain inefficient, with increased errors, delays, and reliance on manual data entry. This could lead to tracking issues, higher labor costs, and resource mismanagement, impacting MLGW's operational efficiency.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting April 2, 2025 awarded Contract No. 12524, Outdoor Wireless Network – North Service Center (NSC) to Logicalis, Inc. in the funded amount of \$231,366.91, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope of work is to purchase hardware and software, perform a site survey and the installation of Outdoor Wireless Network Services at MLGW's North Service Center, 1060 Tupelo Street, Memphis, TN 38108.

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on October 25, 2024. MLGW solicited ten (10) bids; of which, six (6) Contractors attended the Mandatory Site Visits held on November 4 and 5, 2024 and were deemed qualified to bid on the project. Two (2) bids were received on December 3, 2024. The lowest bid received was from Logicalis, Inc. in the funded amount of \$192,805.76. MLGW is requesting contingency funds in the amount of \$38,561.15. The total funded amount for the award is \$231,366.91. The term of this contract is five (5) years from the date of the Notice to Proceed with five (5) years license and support and three (3) years provision for maintenance and support services. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12524, Outdoor Wireless Network – North Service Center (NSC) to Logicalis, Inc. in the funded amount of \$231,366.91 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12524, Outdoor Wireless Network – North Service Center (NSC) to Logicalis, Inc. in the funded amount of \$231,366.91.

The project scope of work is to purchase hardware and software, perform a site survey and the installation of Outdoor Wireless Network Services at MLGW's North Service Center, 1060 Tupelo Street, Memphis, TN 38108.

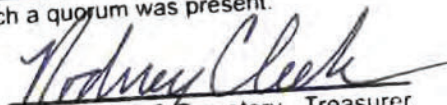
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NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12524, Outdoor Wireless Network – North Service Center (NSC) to Logicalis, Inc. in the funded amount of \$231,366.91, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
2025, at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12587 - Armis Asset Intelligence Management (formerly Contract No. C2679)
2. **Funded Amount** - \$104,013.00
3. **Award Duration** – First of four (4) annual renewal terms (for the period covering May 20, 2025 through May 19, 2026)
4. **Type of Bid** – Sealed Bid
5. **Awarded to** – Unico Technology, LLC
6. **LSB/MWBE Goal Assigned/Committed** – No goal assigned.
7. **Plain Language Description** – Renewing the license and support helps in maintaining uninterrupted cyber security monitoring and ensures that devices and digital assets remain protected against evolving threats. It provides access to critical security updates, threat intelligence, and technical support, helping to mitigate vulnerabilities and maintain compliance with security policies.
8. **Impact** – Without this renewal, devices may become exposed to new threats without security updates. Reduced monitoring could lead to undetected breaches. Renewing ensures continued protection, proactive threat detection, and access to critical security updates.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved Change No. 1 to Contract No. 12587 (*formerly Contract No. C2679*) Armis Asset Intelligence Management with Unico Technology, LLC to renew the current contract in the funded amount of \$104,013.00, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide license and support renewal for MLGW's Armis Asset Intelligence Management. Armis Asset Intelligence Management is a cyber security tool that helps organizations gain visibility into assets, and track devices and digital assets such as computers, smartphones, tablets, and other connected gadgets. Amris Asset Intelligence Management provides tools to monitor these devices, making sure they are secure and functioning properly. This helps businesses ensure their technology is safe from cyber threats and running efficiently. The contract award was selected based on the lowest and best bid received using the Sealed bid process.

WHEREAS this change is to renew the current contract for the first of four (4) annual renewal terms for the period covering May 20, 2025 through May 19, 2026 in the funded amount of \$104,013.00, which reflects a negotiated 4.99% increase in rates for one (1) year renewal from the previous term due to increased infrastructure costs that is consistent with the US Bureau of Labor Statistics and the Consumer Price Index (CPI). This renewal complies with all applicable laws and policies. The new contract value is \$203,084.21; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12587 (*formerly Contract No. C2679*), Armis Asset Intelligence Management with Unico Technology, LLC., to renew the current contract in the funded amount of \$104,013.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12587 (*formerly Contract No. C2679*), Armis Asset Intelligence Management with Unico Technology, LLC to renew the current contract in the funded amount of \$104,013.00.

The project scope is to provide license and support renewal for MLGW's Armis Asset Intelligence Management. Armis Asset Intelligence Management is a cyber security tool that helps organizations gain visibility into assets, and track devices and digital assets such as computers, smartphones, tablets, and other connected gadgets. Armis Asset Intelligence Management provides tools to monitor these devices, making sure they are secure and functioning properly. This helps businesses ensure their technology is safe from cyber threats and running efficiently. The contract award was selected based on the lowest and best bid received using the Sealed bid process.

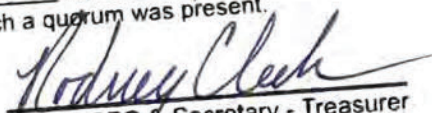
This change is to renew the current contract for the first of four (4) annual renewal terms for the period covering May 20, 2025 through May 19, 2026 in the funded amount of \$104,013.00, which reflects a negotiated 4.99% increase in rates for one (1) year renewal from the previous term due to increased infrastructure costs that is consistent with the US Bureau of Labor Statistics and the Consumer Price Index (CPI). This renewal complies with all applicable laws and policies. The new contract value is \$203,084.21.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12587 (*formerly Contract No. C2679*), Armis Asset Intelligence Management with Unico Technology, LLC to renew the current contract in the funded amount of \$104,013.00, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 27th day of April
2025 at which a quorum was present.


VP. CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Class 7 Bucket Trucks to Ratify Purchase Order #7065965
2. **Requested Funding** – \$1,420,600.00
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Utilizing Sourcewell Contract Number 110421-ALT
5. **Awarded To** – Altec Industries Incorporated
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – A quantity of five, class 7 bucket trucks that will replace old equipment based on age, operational usage, and frequency of repair costs. The equipment was readily available at Altec Industries Incorporated.
8. **Impact** – The class 7 bucket trucks are needed for crews to complete job assignments.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved the ratification of Purchase Order Number 7065965 for class 7 bucket trucks and is now recommending to the Council of the City of Memphis that it approves said ratification; and

WHEREAS, the class 7 bucket trucks will be used by Division crews to maintain the electric, gas, and water systems. Purchase Order Number 7065965 was issued to secure immediate delivery and approval is needed to ratify the purchase. In accordance with Tennessee Code Annotated §12-3-1205, Cooperative purchasing agreements; MLGW is allowed to make purchases through cooperative purchasing agreements for the procurement of any goods, supplies, or equipment with one or more other governmental entities outside of this state to the extent the laws of the other state permit the joint purchasing authority. This ratification complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved ratification of Purchase Order Number 7065965 to Altec Industries Incorporated in the amount of \$1,420,600.00 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approves the ratification of Purchase Order Number 7065965 to Altec Industries Incorporated for class 7 bucket trucks in the amount of \$1,420,600.00.

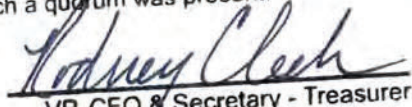
The class 7 bucket trucks will be used by Division crews to maintain the electric, gas, and water systems. Purchase Order No. 7065965 was issued to secure immediate delivery and approval is needed to ratify the purchase. In accordance with Tennessee Code Annotated §12-3-1205, Cooperative purchasing agreements; MLGW is allowed to make purchases through cooperative purchasing agreements for the procurement of any goods, supplies, or equipment with one or more other governmental entities outside of this state to the extent the laws of the other state permit the joint purchasing authority. This ratification complies with all applicable laws and policies.

The 2025 budgeted amount for Transportation - Vehicle Acquisition and Training is \$7,558,000.00; the amount spent year-to-date is \$11,358.89; leaving a balance available of \$7,546,641.11; of which \$1,420,600.00 was spent in 2025; leaving a balance available of \$6,126,041.11 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, approve the ratification of Purchase Order Number 7065965 with Altec Industries Incorporated for five class 7 bucket trucks are approved as outlined in the foregoing preamble.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 2nd day of April 2025, at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Class 5 Crew Cabs with Enclosed Bodies
2. **Requested Funding** – \$182,962.00
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Sealed Bid
5. **Awarded To** – Chuck Hutton Chevrolet Company
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – A quantity of two, class 5 crew cabs with enclosed bodies will be used by crews to maintain the electric, gas and water systems and for various customer service functions.
8. **Impact** – These trucks will replace existing class 5 crew cab trucks with enclosed bodies that will be retired from service.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved the purchase of class 5 crew cabs with enclosed bodies and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the class 5 crew cabs with enclosed bodies will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs; and

WHEREAS, bids were opened on February 12, 2025. Notice to Bidders was advertised. Four bids were solicited, and two bids were received with the lowest and best complying bidder being the firm of Chuck Hutton Chevrolet Company. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of two class 5 crew cabs with enclosed bodies from Chuck Hutton Chevrolet Company in the amount of \$182,962.00 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order for class 5 crew cabs with enclosed bodies to Chuck Hutton Chevrolet Company in the amount of \$182,962.00.

The class 5 crew cabs with enclosed bodies will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs.

Bids were opened on February 12, 2025. Notice to Bidders was advertised. Four bids were solicited, and two bids were received with the lowest and best complying bidder being the firm of Chuck Hutton Chevrolet Company. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Transportation – Vehicle Acquisition and Training is \$3,773,000.00; the amount spent year-to-date is \$891,962.18; leaving a balance available of \$2,881,037.82; of which \$182,962.00 will be spent on this purchase order in 2025; leaving a balance available of \$2,698,075.82 after award; and

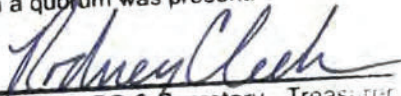
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, awards a purchase order to Chuck Hutton Chevrolet Company is approved for furnishing:

2 – Latest model crew cab and chassis, 84-inch cab-to-axle (CA) dimension, and dual rear wheels with a twelve-foot enclosed body, all in accordance with Division Specification No. TCC-25-5014;

Totaling \$182,962.00; f.o.b. Memphis, Tennessee; our dock; transportation prepaid; said price being firm; delivery in two weeks; terms net 30 days.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 2nd day of APRIL 2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Half-Ton Pickup Trucks to Ratify Purchase Order #7067172
2. **Requested Funding** – \$481,518.00
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Utilizing State of Tennessee Contract Number 84711
5. **Awarded To** – Lonnie Cobb Ford LLC
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – A quantity of eleven, half-ton pickup trucks that will be used by crews to maintain the electric, gas and water systems and for various customer service functions.
8. **Impact** – These trucks are needed for recently created positions and will replace existing half-ton pickup trucks that will be retired from service.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved the ratification of Purchase Order Number 7067172 for half-ton pickup trucks and is now recommending to the Council of the City of Memphis that it approves said ratification; and

WHEREAS, the half-ton pickup trucks will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs. Purchase Order Number 7067172 was issued to secure vehicles for immediate delivery and approval is needed to ratify the purchase. This ratification complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved ratification of Purchase Order Number 7067172 to Lonnie Cobb Ford LLC in the amount of \$481,518.00 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approves the ratification of Purchase Order Number 7067172 to Lonnie Cobb Ford LLC for half-ton pickup trucks in the amount of \$481,518.00.

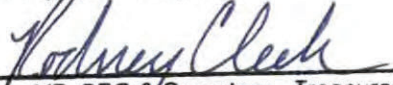
The half-ton pickup trucks will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs. Purchase Order Number 7067172 was issued to secure vehicles for immediate delivery and approval is needed to ratify the purchase. This ratification complies with all applicable laws and policies.

The 2025 budgeted amount for Transportation – Vehicle Acquisition and Training is \$5,683,000.00; the amount spent year-to-date is \$722,206.44; leaving a balance available of \$4,960,793.56; of which \$481,518.00 will be spent on this purchase order in 2025; leaving a balance available of \$4,479,275.56 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, approves the ratification of Purchase Order Number 7067172 with Lonnie Cobb Ford LLC for eleven, half-ton pickup trucks are approved as outlined in the foregoing preamble.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 2nd day of April 2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Three-Fourth-Ton Pickup Trucks to Ratify Purchase Order #7067150
2. **Requested Funding** – \$155,145.00
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – N/A, To Ratify the Purchase
5. **Awarded To** – Chuck Hutton Chevrolet Company
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – A quantity of three, three-fourth-ton pickup trucks will be used by crews to maintain the electric, gas and water systems and for various customer service functions.
8. **Impact** – These trucks will replace existing three-fourth-ton pickup trucks that will be retired from service.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved the ratification of Purchase Order Number 7067150 for three-fourth-ton pickup trucks and is now recommending to the Council of the City of Memphis that it approves said ratification; and

WHEREAS, the three-fourth-ton pickup trucks will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs. Purchase Order Number 7067150 was issued to secure vehicles for immediate delivery and approval is needed to ratify the purchase. This ratification complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved ratification of Purchase Order Number 7067150 to Chuck Hutton Chevrolet Company in the amount of \$155,145.00 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it approves the ratification of Purchase Order Number 7067150 to Chuck Hutton Chevrolet Company for three-fourth-ton pickup trucks in the amount of \$155,145.00.

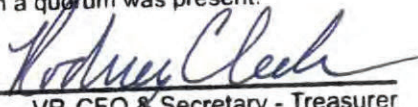
The three-fourth-ton pickup trucks will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs. Purchase Order Number 7067150 was issued to secure vehicles for immediate delivery and approval is needed to ratify the purchase. This ratification complies with all applicable laws and policies.

The 2025 budgeted amount for Transportation – Vehicle Acquisition and Training is \$7,985,000.00; the amount spent year-to-date is \$1,808,123.19; leaving a balance available of \$6,176,876.81; of which \$155,145.00 will be spent on this purchase order in 2025; leaving a balance available of \$6,021,731.81 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, approves the ratification of Purchase Order Number 7067150 with Chuck Hutton Chevrolet Company for three, three-fourth-ton pickup trucks is approved as outlined in the foregoing preamble.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 2nd day of April, 2022 at which a quorum was present.


VP. CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Class 8 Cab and Chassis Trucks
2. **Requested Funding** – \$800,005.00
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Sealed Bid
5. **Awarded To** – Rush Truck Centers of Tennessee, Inc.
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – A quantity of nine, class 8 cab and chassis trucks that will be used to maintain the electric, gas and water systems and for various customer service functions.
8. **Impact** – These trucks will replace existing class 8 cab and chassis trucks that will be retired from service.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved the purchase of class 8 cab and chassis trucks and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the class 8 cab and chassis trucks will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs; and

WHEREAS, bids were opened on February 26, 2025. Notice to Bidders was advertised. Four bids were solicited, and three bids were received with the lowest and best complying bidder being the firm of Rush Truck Centers of Tennessee, Inc. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of nine, class 8 cab and chassis trucks from Rush Trucks Centers of Tennessee, Inc. in the amount of \$800,005.00 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order for class 8 cab and chassis trucks to Rush Truck Centers of Tennessee, Inc. in the amount of \$800,005.00.

The class 8 cab and chassis trucks will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These vehicles will replace existing equipment that will be retired from service based on age, actual operational usage, projected usage, repair cost and frequency, parts availability, and effectiveness to meet the Division's needs.

Bids were opened on February 26, 2025. Notice to Bidders was advertised. Four bids were solicited, and three bids were received with the lowest and best complying bidder being the firm of Rush Truck Centers of Tennessee, Inc. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Transportation – Vehicle Acquisition and Training is \$7,985,000.00; the amount spent year-to-date is \$1,809,216.37; leaving a balance available of \$6,175,783.63; of which \$800,005.00 will be spent in 2025; leaving a balance available of \$5,375,778.63 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

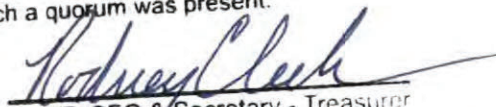
THAT, subject to the consent and approval of the Council of the City of Memphis, awards a purchase order to Rush Truck Centers of Tennessee, Inc., is approved for furnishing:

2 – Latest model cab and chassis having at least 35,000 lb. GVWR, two-wheel drive with 84-inch CA, all in accordance with Division Specification No. TCC-25-1293;

7 - Latest model crew cab and chassis having at least 35,000 lb. GVWR, two-wheel drive with 102-inch CA, all in accordance with Division Specification No. TCC-25-1320;

Totaling \$800,005.00; f.o.b. Memphis, Tennessee; our dock; transportation prepaid; said prices being firm; delivery in 9-16 weeks; terms net 30 days.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 2nd day of April 2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Service Bodies for Two-Ton Cabs and Chassis
2. **Requested Funding** – \$302,346.00
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Sealed Bid
5. **Awarded To** – ML Utilities and Scruggs Equipment Company
6. **LSB/MWBE Goal Assigned/Committed** – Scruggs Equipment Company is a certified LSB and MBE.
7. **Plain Language Description** – We are purchasing nine, service bodies for two-ton cabs & chassis. These will be used to maintain the electric, gas and water systems, as well as for various customer service functions.
8. **Impact** – The new service bodies will replace the existing service bodies for two-ton cabs and chassis that are being retired from service.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved the purchase of service bodies for two-ton cabs and chassis and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the service bodies for two-ton cabs and chassis will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These service bodies will replace existing equipment that will be retired from service due to factors such as age, actual operational usage, projected usage, repair costs and frequency, parts availability, and overall effectiveness to meet the Division's needs; and

WHEREAS, bids were opened on February 26, 2025. Notice to Bidders was advertised. Three bids were solicited, and two bids were received with the lowest and best complying bidders being the firms of ML Utilities and Scruggs Equipment Company. These awards comply with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of two, service bodies for two-ton cabs and chassis from ML Utilities in the amount of \$37,466.00 and seven, service bodies for two-ton cabs and chassis from Scruggs Equipment Company in the amount of \$264,880.00 chargeable to MLGW's 2026 fiscal year budget contingent upon approval.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards two purchase orders for service bodies for two-ton cabs and chassis to ML Utilities in the amount of \$37,466.00 and Scruggs Equipment Company in the amount of \$264,880.00.

The service bodies for two-ton cabs and chassis will be used by Division crews to maintain the electric, gas and water systems and for various customer service functions. These service bodies will replace existing equipment that will be retired from service due to factors such as age, actual operational usage, projected usage, repair costs and frequency, parts availability, and overall effectiveness to meet the Division's needs.

Bids were opened on February 26, 2025. Notice to Bidders was advertised. Three bids were solicited, and two bids were received with the lowest and best complying bidders being the firms of ML Utilities and Scruggs Equipment Company. These awards comply with all applicable laws and policies.

The 2025 budgeted amount for Transportation – Vehicle Acquisition and Training is \$7,985,000.00; the amount spent year-to-date is \$1,816,829.19; leaving a balance available of \$6,168,170.81; of which \$302,346.00 will be spent contingent upon approval of the 2026 fiscal year budget; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis,

awards a purchase order to ML Utilities is approved for furnishing:

2 – All steel utility bodies suitable for mounting on two-ton cabs and chassis having a cab-to-axle dimension of approximately 84 inches, all in approximate accordance to Division drawing number GM-515TS, in accordance with MLGW Specification No. TUB-25-2169;

Totaling \$37,466.00; f.o.b. Memphis, Tennessee; our dock; transportation prepaid; said price being firm; delivery in 43 weeks; terms net 30 days.

THAT, subject to the consent and approval of the Council of the City of Memphis, awards a purchase order to Scruggs Equipment Company is approved for furnishing:

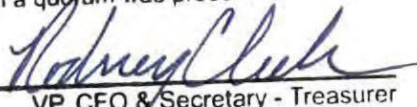
1 – All steel utility body suitable for mounting on two-ton crew cab and chassis having a cab-to-axle dimension of approximately 102 inches, all in approximate accordance to Division drawing number GM-524, in accordance with MLGW Specification No. TUB-25-2193;

6 – All steel utility bodies suitable for mounting on two-ton crew cabs and chassis having a cab-to-axle dimension of approximately 102 inches, all in approximate accordance to Division drawing number GM-525, in accordance with MLGW Specification No. TUB-25-2196;

Totaling \$264,880.00; f.o.b. Memphis, Tennessee; our dock; transportation prepaid; said prices being firm; delivery in 43 weeks; terms net 30 days.

The total of both awards amounts to \$302,346.00.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
20 25 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Community and Crisis Response Vehicle
2. **Requested Funding** – \$425,929.44
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Utilizing Sourcewell Contract #080922-SAF
5. **Awarded To** – Safeware, Inc.
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – We will purchase one mobile response vehicle that will function as an emergency command center and for community engagement. This purchase cost of \$425,929.44 is offset by TVA funds in the amount of \$300,000.00 resulting in a net purchase cost of \$125,929.44. The vehicle will be outfitted with other information technology equipment upon delivery to MLGW
8. **Impact** – The purpose of the community and crisis response vehicle is for community engagement, to empower neighborhoods through proactive outreach, and to serve as a mobile command center during emergencies to address urgent needs.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved the purchase of a community and crisis response vehicle and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the community and crisis response vehicle will be used for community engagement, to empower neighborhoods through proactive outreach, and to serve as a mobile command center during emergencies to address urgent needs. In accordance with Tennessee Code Annotated §12-3-1205, Cooperative purchasing agreements; MLGW is allowed to make purchases through cooperative purchasing agreements for the procurement of any goods, supplies, or equipment with one or more other governmental entities outside of this state to the extent the laws of the other state permit the joint purchasing authority. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of one, community and crisis response vehicle from Safeware, Inc. in the amount of \$425,929.44 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order for a community and crisis response vehicle to Safeware, Inc. in the amount of \$425,929.44.

The community and crisis response vehicle will be used for community engagement, to empower neighborhoods through proactive outreach, and to serve as a mobile command center during emergencies to address urgent needs. In accordance with Tennessee Code Annotated §12-3-1205, Cooperative purchasing agreements; MLGW is allowed to make purchases through cooperative purchasing agreements for the procurement of any goods, supplies, or equipment with one or more other governmental entities outside of this state to the extent the laws of the other state permit the joint purchasing authority. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Transportation – Vehicle Acquisition and Training is \$3,463,000.00; the amount spent year-to-date is \$155,524.58; leaving a balance available of \$3,307,475.42; of which \$425,929.44 will be spent on this purchase in 2025; leaving a balance available of \$2,881,545.98 after award; and

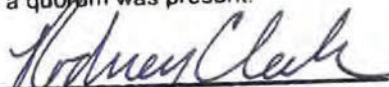
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, awards a purchase order to Safeware, Inc. is approved for furnishing:

1 – Latest model class A integrated coach type vehicle, all in accordance with Division Specification No. TIC-25-5250;

Totaling \$425,929.44; f.o.b. Memphis, Tennessee; our dock; transportation prepaid; said price being firm; delivery in 43 weeks; terms net 30 days.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 2nd day of April, 2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

- 1. Short title description – Contract No. 12193 - Grounds Maintenance and Landscaping Services**
- 2. Funded Amount - \$155,845.23**
- 3. Award Duration – Fourth and final Renewal and Extension (May 3, 2025 through December 31, 2026)**
- 4. Type of Bid – Sealed Bid**
- 5. Awarded to – Rotolo Consultants Inc.**
- 6. LSB/MWBE Goal Assigned/Committed - Yes, a 25% Supplier Diversity goal was assigned; however, the actual participation is 28.4% MBE Rotolo Consultants, Incorporated.**
- 7. Plain Language Description – Turf Management for various MLGW facilities providing supplemental day workers.**
- 8. Impact - Assist with the turf management and landscape of various MLGW facilities.**

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved Change No. 5 to Contract No. 12193, Grounds Maintenance and Landscaping Service with Rotolo Consultants, Incorporated to renew and extend the current contract in the funded amount of \$155,845.23, and is now recommending to the Council of the City of Memphis that it approves said ratification, renewal and extension as approved; and

WHEREAS, the project scope is to perform mowing, weed-eating, trimming, irrigation services, fertilizing, mulching and other grounds maintenance services at the following MLGW locations: 220 South Main Street; 245 South Main Street; 1665 Whitten Road; 4949 Raleigh LaGrange Road; 2425 Covington Pike; and the vacant lot south of 1665 Whitten Road (all work listed for 1665 Whitten Road is to be performed on Saturdays). The contract award was selected based on the lowest and best bid received using the Sealed Bid process; and

WHEREAS, this change is to ratify and renew the current contract for the fourth and final renewal term for the period covering May 3, 2025 through May 2, 2026 and extend the contract term to December 31, 2026 in the amount of \$150,845.23. The extension will allow MLGW to align multiple grounds maintenance contracts for future consolidation, with no increase in rates from the previous renewal. MLGW is also requesting contingency funds in the amount of \$5,000.00 for any unforeseen circumstances. The total amount of this ratification, renewal and extension is \$155,845.23. This ratification, renewal and extension complies with all applicable laws and policies. The new contract value is \$688,806.32; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 5 to Contract No. 12193, Grounds Maintenance and Landscaping Service with Rotolo Consultants, Incorporated to ratify, renew and extend the current contract in the funded amount of \$155,845.23 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 5 to Contract No. 12193, Grounds Maintenance and Landscaping Service with Rotolo Consultants, Incorporated to ratify, renew and extend the current contract in the funded amount of \$155,845.23.

The project scope is to perform mowing, weed-eating, trimming, irrigation services, fertilizing, mulching and other grounds maintenance services at the following MLGW locations: 220 South Main Street; 245 South Main Street; 1665 Whitten Road; 4949 Raleigh LaGrange Road; 2425 Covington Pike; and the vacant lot south of 1665 Whitten Road (all work listed for 1665 Whitten Road is to be performed on Saturdays). The contract award was selected based on the lowest and best bid received using the Sealed Bid process.

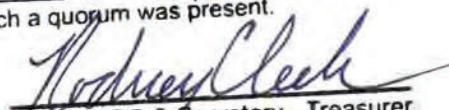
This change is to ratify and renew the current contract for the fourth and final renewal term for the period covering May 3, 2025 through May 2, 2026 and extend the contract term to December 31, 2026 in the amount of \$150,845.23. The extension will allow MLGW to align multiple grounds maintenance contracts for future consolidation, with no increase in rates from the previous renewal. MLGW is also requesting contingency funds in the amount of \$5,000.00 for any unforeseen circumstances. The total amount of this ratification, renewal and extension is \$155,845.23. This ratification, renewal and extension complies with all applicable laws and policies. The new contract value is \$688,806.32.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 5 to Contract No. 12193, Grounds Maintenance and Landscaping Service with Rotolo Consultants, Incorporated to ratify, renew and extend the current contract in the funded amount of \$155,845.23, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Ratification, Renewal and Extension.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12409- Trash Removal Services
2. **Funded Amount** - \$428,255.55
3. **Award Duration** – 2nd of four (4) annual renewals covering the period July 13, 2025 through July 12, 2026
4. **Type of Bid** – Sealed Bid
5. **Awarded to** – BFI Waste Services, LLC DBA Republic Services
6. **LSB/MWBE Goal Assigned/Committed** - 0%
7. **Plain Language Description** – Trash removal services for various MLGW facilities.
8. **Impact** – Regular pickups help control pest populations and reduce the spread of diseases associated with accumulated garbage. Improves the overall cleanliness and aesthetics of facilities.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved Change No. 2 to Contract No. 12409, Trash Removal Services with BFI Waste Services, LLC dba Republic Services of Memphis to renew the current contract in the funded amount of \$428,255.55, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to furnish all supervision, labor, transportation, and equipment to provide dumpsters at various MLGW properties for non-hazardous waste materials and trash disposal by the same Contractor. The contract award was selected based on the lowest and best bid received using the Sealed Bid process; and

WHEREAS, this change is to renew the current contract for the second of four (4) annual renewal terms for the period covering July 13, 2025 through July 12, 2026 in the amount of \$383,055.55, which reflects a negotiated 9.9% increase from the previous renewal due to CPI and cost for disposal. MLGW is requesting contingency funds in the amount of \$45,200.00 for any unforeseen circumstances. The total amount of this renewal is \$428,255.55. This renewal complies with all applicable laws and policies. The new contract value is \$1,124,720.19; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12409, Trash Removal Services with BFI Waste Services, LLC dba Republic Services of Memphis to renew the current contract in the funded amount of \$428,255.55 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12409, Trash Removal Services with BFI Waste Services, LLC dba Republic Services of Memphis to renew the current contract in the funded amount of \$428,255.55.

The project scope is to furnish all supervision, labor, transportation, and equipment to provide dumpsters at various MLGW properties for non-hazardous waste materials and trash disposal by the same Contractor. The contract award was selected based on the lowest and best bid received using the Sealed Bid process.

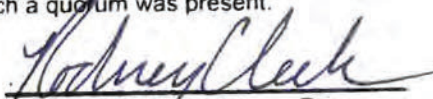
This change is to renew the current contract for the second of four (4) annual renewal terms for the period covering July 13, 2025 through July 12, 2026 in the amount of \$383,055.55, which reflects a negotiated 9.9% increase due to CPI and cost for disposal. MLGW is requesting contingency funds in the amount of \$45,200.00 for any unforeseen circumstances. The total amount of this renewal is \$428,255.55. This renewal complies with all applicable laws and policies. The new contract value is \$1,124,720.19.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 12409, Trash Removal Services with BFI Waste Services, LLC dba Republic Services of Memphis to renew the current contract in the funded amount of \$428,255.55 as outlined in the above preamble, is approved; and further,

THAT, the President, or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
2020 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short title description** – Contract No. 12414 - Electrical Substations Grounds Maintenance
2. **Funded Amount** - \$264,662.18
3. **Award Duration** – 2nd of four (4) renewals with a five (5) months extension (August 1, 2025 through December 31, 2026)
4. **Type of Bid** – Sealed Bid
5. **Awarded to** – Rotolo Consultants, Inc.
6. **LSB/MWBE Goal Assigned/Committed** - 20% Assigned / 21.2% - MBE/LSB Committed – Premier Lawnsapes.
7. **Plain Language Description** – Grounds Maintenance of Electric Substations. Improving the overall aesthetics of MLGW Electric substations grounds areas.
8. **Impact** – Upkeep and improve the contracted electric substations' grounds area's overall aesthetics.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved Change No. 2 to Contract No. 12414, Electrical Substations Grounds Maintenance with Rotolo Consultants, Inc. to renew and extend the current contract in the funded amount of \$264,662.18, and is now recommending to the Council of the City of Memphis that it approves said renewal and extension as approved; and

WHEREAS, the project scope is to furnish all required supervision, labor, materials, transportation, equipment, chemicals, and tools necessary to perform spraying, trimming, limb removal, weed-eating, brush clearing, fence clearing, mowing, removing debris and discarded items and other grounds maintenance duties at the referenced MLGW's Electric Substations locations listed in the Specifications within Shelby County, Tennessee. The work shall be done in strict accordance as outlined in the Contract Documents and Specifications. The contract award was selected based on the lowest and best bid received using the sealed bid process; and

WHEREAS, this change is to renew the current contract for the second of four (4) annual renewal terms for the period covering August 1, 2025 through July 31, 2026 in the amount of \$171,674.56. In addition, this change is to extend the contract for an additional five (5) months through December 31, 2026 in the amount of \$68,987.62. MLGW is requesting contingency funds in the amount of \$24,000.00. The extension is needed to allow MLGW to align multiple grounds maintenance contracts to the same expiration date, with the anticipation of consolidating these services in a future solicitation. The total of this renewal and extension is \$264,662.18. This renewal and extension complies with all applicable laws and policies. The new contract value is \$564,434.86; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 2 to Contract No. 12414, Electrical Substations Grounds Maintenance with Rotolo Consultants, Inc. to renew and extend the current contract in the funded amount of \$264,662.18 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 2 to Contract No. 12414, Electrical Substations Grounds Maintenance with Rotolo Consultants, Inc. to renew and extend the current contract in the funded amount of \$264,662.18.

The project scope is to furnish all required supervision, labor, materials, transportation, equipment, chemicals, and tools necessary to perform spraying, trimming, limb removal, weed-eating, brush clearing, fence clearing, mowing, removing debris and discarded items, and other grounds maintenance duties at the referenced MLGW's Electric Substations locations listed in the Specifications within Shelby County, Tennessee. The work shall be done in strict accordance as outlined in the Contract Documents and Specifications. The contract award was selected based on the lowest and best bid received using the sealed bid process.

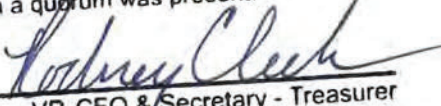
This change is to renew the current contract for the second of four (4) annual renewal terms for the period covering August 1, 2025 through July 31, 2026 in the amount of \$171,674.56. In addition, this change is to extend the contract for an additional five (5) months through December 31, 2026 in the amount of \$68,987.62. MLGW is requesting contingency funds in the amount of \$24,000.00. The extension is needed to allow MLGW to align multiple grounds maintenance contracts to the same expiration date, with the anticipation of consolidating these services in a future solicitation. The total of this renewal and extension is \$264,662.18. This renewal and extension complies with all applicable laws and policies. The new contract value is \$564,434.86.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 2 to Contract No. 12414, Electrical Substations Grounds Maintenance with Rotolo Consultants, Inc. to renew and extend the current contract in the funded amount of \$264,662.18, as outlined in the above preamble, is approved; and further,

THAT, the President, or his designated representative is authorized to execute the Renewal and Extension.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular meeting
held on 2nd day of April
2025 at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. **Short Title Description** – Class 8 Dump Trucks
2. **Requested Funding** – \$224,368.00
3. **Award Duration** – One-Time Purchase
4. **Type of Bid** – Sealed Bid
5. **Awarded To** – Rush Truck Centers of Tennessee, Inc.
6. **LSB/MWBE Goal Assigned/Committed** – N/A
7. **Plain Language Description** – We are purchasing two class 8 dump trucks that will be used by crews to deliver materials and keep our facility well-maintained.
8. **Impact** – These trucks are vital for crews to complete job assignments.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of April 2, 2025 approved the purchase of class 8 dump trucks and is now recommending to the Council of the City of Memphis that it approves said purchase; and

WHEREAS, the class 8 dump trucks will be used by Division crews to support MLGW's electric, gas and water systems, to deliver material and keep MLGW'S facilities clean. These vehicles will replace existing equipment that is being retired from service due to factors such as age, actual operational usage, projected usage, repair cost and frequency, parts availability, and overall effectiveness to meet the Division's needs; and

WHEREAS, bids were opened on February 26, 2025. Notice to Bidders was advertised. Four bids were solicited, and three bids were received with the lowest and best complying bidder being the firm of Rush Truck Centers of Tennessee, Inc. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of two class 8 dump trucks from Rush Truck Centers of Tennessee, Inc. in the amount of \$224,368.00 chargeable to the MLGW 2025 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order for class 8 dump trucks to Rush Truck Centers of Tennessee, Inc. in the amount of \$224,368.00.

The class 8 dump trucks will be used by Division crews to support MLGW's electric, gas and water systems, to deliver material and keep MLGW'S facilities clean. These vehicles will replace existing equipment that is being retired from service due to factors such as age, actual operational usage, projected usage, repair cost and frequency, parts availability, and overall effectiveness to meet the Division's needs.

Bids were opened on February 26, 2025. Notice to Bidders was advertised. Four bids were solicited, and three bids were received with the lowest and best complying bidder being the firm of Rush Truck Centers of Tennessee, Inc. This award complies with all applicable laws and policies.

The 2025 budgeted amount for Transportation – Vehicle Acquisition and Training is \$3,463,000.00; the amount spent year-to-date is \$153,324.90; leaving a balance available of \$3,309,675.10; of which \$224,368.00 will be spent on this purchase order in 2025; leaving a balance available of \$3,085,307.10 after award; and

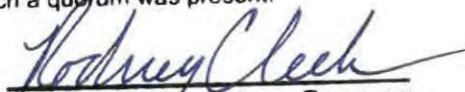
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, awards a purchase order to Rush Truck Centers of Tennessee, Inc. is approved for furnishing:

2 – Latest model cab and chassis with a twelve-foot stake dump body having at least a 35,000-pound GVW rating with 102-inch cab-to-axle dimension all in accordance with Division Specification No. TCC-25-5044;

Totaling \$224,368.00; f.o.b. Memphis, Tennessee, our dock; transportation prepaid; said price being firm; delivery in 8-13 weeks; terms net 30 days.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 2nd day of April, 2025, at which a quorum was present.


VP, CFO & Secretary - Treasurer

RESOLUTION SUMMARY

1. Description of the Item

Resolution approving a schedule of rates for outside legal services that amends prior Resolutions setting specific rates for legal services.

2. Additional Information

The Vice President and General Counsel submits for Board approval a schedule of rates for outside legal services that amends prior Resolutions setting specific rates for individual attorneys and law firms, for legal services rendered on a variety of legal matters, including tort and contract litigation, labor and employment, arbitrations, environmental, regulatory, construction, transactional, pension, trademark, bankruptcy, and other legal matters uniquely related to the utility industry.

Depending on the complexity of the services provided, the Vice President and General Counsel recommends that hourly rates for outside legal counsel, to be employed on an "as needed" basis, be in the following ranges:

Partner/Lead Counsel: \$300 - \$525

Associate: \$225 - \$345

Paralegal: \$100 - \$125

RESOLUTION

WHEREAS, MLGW has a need for legal services rendered on a variety of matters, including tort and contract litigation, labor and employment, arbitrations, environmental, regulatory, construction, transactional, pension, trademark, bankruptcy, and other legal matters uniquely related to the utility industry; and

WHEREAS, the Board of Light, Gas and Water Commissioner in their meeting on April 2, 2025 has recommended to the Council of the City of Memphis approved hourly rates for outside legal counsel on an "as needed" basis, and based on the complexity of the services provided, as follows:

Partner/Lead Counsel: \$300 - \$525

Associate: \$225 - \$345

Paralegal: \$100 - \$125

WHEREAS, the schedule of rates for outside legal services approved by the Board amends prior Resolutions setting hourly rates for individual attorneys and law firms, on an "as needed" basis.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that MLGW's General Counsel is authorized to employ outside legal counsel on an "as needed basis," at the hourly rates set forth herein, and that any outside counsel rates previously approved by this Council and not in conflict with these approved rates may remain in effect.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 2, 2025

The Vice President and General Counsel submits for Board approval a schedule of rates for outside legal services that amends prior Resolutions setting specific rates for individual attorneys and law firms, for legal services rendered on a variety of legal matters, including tort and contract litigation, labor and employment, arbitrations, environmental, regulatory, construction, transactional, pension, trademark, bankruptcy, and other legal matters uniquely related to the utility industry.

Depending on the complexity of the services provided, the Vice President and General Counsel recommends that hourly rates for outside legal counsel, to be employed on an "as needed" basis, be in the following ranges:

Partner/Lead Counsel: \$300 - \$525

Associate: \$225 - \$345

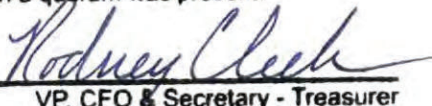
Paralegal: \$100 - \$125

NOW THEREFORE, BE IT RESOLVED BY THE Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the City Council, the General Counsel, in her/his discretion based on the complexity of the services provided, shall be permitted to employ outside counsel on an "as needed" basis at the hourly rates set forth in the foregoing preamble, and

BE IT FURTHER RESOLVED THAT any outside counsel rates previously approved by this Board and not in conflict with these approved rates may remain in effect.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 2nd day of April, 2025, at which a quorum was present.


VP, CFO & Secretary - Treasurer

Joint Ordinance

**JOINT ORDINANCE OF SHELBY COUNTY GOVERNMENT AND THE CITY OF MEMPHIS
TO CONTINUE A PROGRAM FOR A HIGH-QUALITY EARLY CHILDHOOD PRE-
KINDERGARTEN ("PRE-K") FOR ALL**

WHEREAS, The City of Memphis is one of the most impoverished metropolitan statistical areas in the country, and according to the University of Memphis Poverty Fact Sheet 2024, the poverty rate in the City is 22.6%; and

WHEREAS, In the City of Memphis and surrounding areas, 17.7% of the population lives below the poverty line, a number that is higher than the national average of 11%; and

WHEREAS, in the City of Memphis and surrounding areas, the average cost of childcare is \$1,000 per month and businesses face increased hiring and retention costs due to childcare needs ;

WHEREAS, High-quality early childhood education is essential to combat poverty and crime and increases workforce participation opportunities; and

WHEREAS, For every dollar invested in early childhood education, there is a thirteen-dollar return yielded to the economy; and

WHEREAS, Pre-K instruction improves the odds of a child graduating from high school; and

WHEREAS, According to 2021-2022 Memphis Shelby County Schools data, only 32% of kindergarten students arrive at kindergarten ready to learn; and

WHEREAS, Memphis Shelby County System has a goal of having 90% of students arrive to kindergarten ready to learn; and

WHEREAS, Approximately 6,500 students receive Pre-K instruction each year under the Tennessee Voluntary Pre-K Act and Federal Head Start programs; and

WHEREAS, The City of Memphis and Shelby County desire to establish the need to support other publicly funded Pre-K programs.

WHEREAS, Approximately 1,000 low-income Pre-K students are wait-listed for entry in the State of Tennessee's Voluntary Pre-K program; and

WHEREAS, Over 75% of Tennessee school districts have wait lists for Pre-K.

WHEREAS, The City of Memphis and Shelby County Governments have adopted Resolutions in support of Pre-K education; and

WHEREAS, The City of Memphis and Shelby County Governments need an integrated and aligned strategy that will govern the delivery of Pre-K services and

WHEREAS, The City of Memphis and Shelby County Governments desire to have a coordinated program that governs the distribution of City and County funds for the, benefit of funding high-quality Pre-K in Memphis and Shelby County; and

WHEREAS, It is the desire of both the City of Memphis, and Shelby County Governments to establish a funding structure for a high-quality early childhood Pre-K for All program for the children of Shelby County; and

WHEREAS, The administration and funding structure for such a high-quality Pre-K program must be overseen by a fiscal agent; and

WHEREAS, The City of Memphis and Shelby County Governments desire to jointly exercise their powers to ensure all children have a means to achieve a successful start to their education.

NOW, THEREFORE, BE IT ORDAINED BY THE MEMPHIS CITY COUNCIL AND SHELBY COUNTY BOARD OF COMMISSIONERS, that the following Early Childhood Education, High-Quality Pre-Kindergarten for All Funding Ordinance be adopted as follows:

Early Childhood Education

Pre-Kindergarten Education Funding

Section 1. Purpose of Ordinance

The purpose of this Ordinance is to continue an integrated strategy and the mechanism and oversight for joint City of Memphis and Shelby County funding for a high-quality Pre-K for All program for Shelby County children.

Section 2. Definitions and Rules of Construction

In the construction of this Chapter, the following definitions and rules of construction shall be observed, unless inconsistent with the manifest intent of the City Council and County Commission or the context clearly requires otherwise.

Board. The terms "the board" or "board" shall refer to the board of the Fiscal Agent as described herein.

City. The terms "the city" or "this city" mean the City of Memphis, in the County of Shelby and State of Tennessee.

City Council. The term "City Council" means the legislative branch of the City Government of

Memphis, Tennessee.

County. The terms "the county" or "this county" mean Shelby County, Tennessee.

County Commission. The term "County Commission" means the legislative branch of the County Government of Shelby County, Tennessee,

Pre-K student. The term "Pre-K student" means any three (3) to four-year-old (4) preschool-aged child in Memphis and Shelby County, including any such children that qualify for Pre-K under the Tennessee Voluntary Pre-K Act of 2005 and the Head Start Act of 2007. and that comes from families (or guardians) with incomes that would qualify them for reduced or free lunch consistent with 42 United States Code, Section 1771 (Federal School Lunch Program).

Pre-K for All. The term "Pre-K for All" means a high-quality program dedicated to preparing all Memphis and Shelby County students for lifelong success.

Fiscal Agent. The term "fiscal agent" shall refer to First 8 Memphis, LLC which has been previously selected by the City and the County to oversee and administer the funds designated for Pre-K education.

Mayoral appointee. The term "mayoral appointee" shall mean an appointee of the City or County Mayor, and shall refer to a resident of Shelby County, consistent with Section 6, who is representative of parents of students along the Pre-K to third grade education continuum.

Mayoral liaison. The term "Mayoral liaison" shall refer to a representative of the City or County Mayor who represents the City or County Administration.

Generational Approach. This term refers to creating opportunities for and addressing the needs of both children and adults in their lives together, including non-academic factors that impact classroom performance.

Section 3. Delegation of authority.

The authority to distribute funds and oversight of the overall program for a high-quality Pre-K for All program and to provide wraparound and support to pre-existing Pre-K Programs is hereby granted to a fiscal agent as described herein below and such authority shall be renewed every school year by the City and County Mayors with such renewal occurring not later than prior to the start of the school year for which City and/or County funds will be utilized

Section 4. Selection of Fiscal Agent

The Mayor of the City of Memphis and the Mayor of Shelby County shall jointly select the authorized fiscal agent.

Section 5. Term

The fiscal agent shall serve for a period of three (3) years. The City and the County shall have the contractual right to terminate the fiscal agent.

Section 6. Fiscal Agent Board

The selected fiscal agent shall create or maintain a Fiscal Agent Board to act as its governing body. The board will include City and County mayoral appointees and appointees made by the City and County legislative bodies, as set forth below. These appointees shall comprise 25 percent of the overall board.

- (A) Membership. The board shall include an equal share of Mayoral appointees appointed by the City Mayor and County Mayor.
- (B) The Memphis City Council and the Shelby County Commission shall each appoint one (1) member of the board.
- (C) Qualifications. All Mayoral-appointed board members shall have been residents of the City or the County for a period of one (1) year prior to the start of his/her term.
- (D) Term. The Mayoral appointed board members shall serve a term of three (3) years, expiring with the calendar year.
- (E) Compensation and Expenses. All Mayoral appointed board members shall serve without pay. All said members shall be entitled to reimbursement for any actual reasonable expenses incurred in connection with such membership, provided the same was authorized in advance by the city and county chief administrative officers. Such administrative expenses shall not exceed seven percent (7%) of overall grant funding secured by the fiscal agent.
- (F) Vacancy. Vacancy created by any cause shall be filled for the unexpired term in the same manner and by the same authority as made the original appointment.
- (G) Duties and Responsibilities. The board shall provide oversight and guidance to the Fiscal Agent. The board shall review and approve the fiscal agent's annual report prior to its submission to the Mayors, City Council, and County Commission.

Section 7. Responsibilities of the Fiscal Agent

- (A) General Duties. With the guidance of its board, the Fiscal Agent shall provide and maintain such health, development, early enrichment, parenting and advocacy services as are needed for improving "kindergarten readiness" for the children of Shelby County. The Fiscal Agent shall provide a written description of the activities, services and opportunities to be provided to the children along with the anticipated schedule for providing same. The description should include the following: agreements made with community organizations and all public and private agencies; details of all outreach efforts to provide services for children; the strategy for interagency coordination to maximize existing resources; procedures for early identification of children and individualized family needs; strategy for ensuring equitable distribution of classrooms throughout Shelby County to maximize opportunities for all Pre-K students to receive Pre-K instruction; and the manner in which the Fiscal Agent will seek funding for unmet needs.

(B) Finances. The Fiscal Agent shall manage and allocate the moneys dedicated to this project by the City and the County, The Fiscal Agent is empowered to seek loans, grants from state, federal and local agencies and to accept loans, grants or donations from public and private sources provided that a clear accounting of each revenue stream is maintained and provided that the City and County are in no way obligated to contribute money beyond that approved by their respective legislative bodies. A detailed budget shall be provided as part of the Annual Report which shall be presented to the Council and Commission not later than April preceding the fiscal year.

(C) Data and Research. The Fiscal Agent shall collect information and statistical data and conduct research to assist the City and the County in meeting the needs of the children of the county. The Fiscal Agent shall provide technical expertise in education data management. The Fiscal Agent shall use data for continuous improvement of programs and fiscal management of public funds. All student data shall be collected and maintained in compliance with the Family Educational Rights and Family Act of 1974.

(D) Consultation and Coordination. The Fiscal Agent shall consult and coordinate with other agencies dedicated to child welfare and shall provide programmatic expertise for key indicators of success in early childhood education. The Fiscal Agent shall serve as the accountability agent for community partners in the delivery of Pre-K services.

(E) Quality and Standards. The Fiscal Agent shall be charged with establishing and enforcing quality standards for all Pre-K classrooms funded under this Ordinance. The minimum standard shall be as follows:

- (1) Curriculum, approved by the Fiscal Agent, that focuses on the main categories of child development which may include, but not be limited to physical (fine & gross motor skills), cognitive (foundational literacy skills and approaches to learning), language (expressive & receptive communication skills), and social-emotional (including child well being), a curriculum aligned with the Head Start Early Learning Outcomes Framework (or similar) and/or consistent with Tennessee Voluntary Pre-K and Tennessee Department of Education early education standards including, but not limited to, the requirements for programs set forth in Tennessee Code Annotated, Section 49-6-104 which is incorporated herein by reference;
- (2) a focus on classrooms with teachers holding credentials in early childhood education ; and
- (3) a focus on classrooms that offer two-generational support programs.

(F) Quarterly Reports. The Fiscal Agent shall provide quarterly reports to the Board, the City, and the County which shall include, but are not limited to, the following:

- (1) The number of three and four year old children in City and County provided classrooms;

- (2) Pre-K testing outcomes including the number and percentage of children considered "kindergarten ready" as that term is defined by the State of Tennessee. The data shall include specific information relating to the children participating in Pre-K services;
 - (3) Financial report detailing the use of public funds; and,
 - (4) A report detailing parent and community engagement on placement of classrooms, delivery of services and alignment for the type (i.e. STEM, Montessori, traditional college track, etc.) of K-12 instruction.
- (G) Annual Report. The Fiscal Agent shall provide the Mayors, City Council and County Commission with an annual report in April after it is approved by the Board of each year of its activities and findings regarding the needs of children the extent to which those needs are being met. It shall also include recommendations as to strategies for meeting any unmet needs. Recommendations regarding pending legislation or needed legislation shall be brought to the attention of the Mayors, City Council and County Commission at appropriate times during the year and shall be included in the annual report.

Section 8. Amendments and Severability

This section may from time to time require amendment to remain in compliance with statutory requirements for early childhood education and shall be amended accordingly. If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected by such Invalidity.

Section 9. Effective Date

This Ordinance shall become effective upon _

BE IT FURTHER ORDAINED, That terms providing for the selection of a Fiscal Agent for joint services described above is hereby permitted by Shelby County Charter, Article III, Section 3.03(E).

BE IT FURTHER ORDAINED, That the Mayor of Shelby County is hereby authorized to execute an agreement securing the fiscal agent.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect fifteen (15) days after its passage on the third and final reading, the public welfare requiring it.

SPONSOR:
Jana Swearengen-Washington
VICE-CHAIRWOMAN

J. Ford Canale
CHAIRMAN

Ordinance No: _____

AN ORDINANCE TO AMEND Title 9- Chapter 16 – Health and Sanitation OF THE CITY OF MEMPHIS CODE OF ORDINANCES RELATIVE TO THE ASSESSMENT OF FEES TO PROPERTY OWNERS WITH AN ABANDONED OR VACANT PROPERTY OR PROPERTIES WITHIN THE CITY OF MEMPHIS LIMITS

WHEREAS, the City of Memphis has ordinances in place and has adopted property maintenance codes to regulate building standards for the exterior of structures and conditions of properties as a whole; and

WHEREAS, the City observes the conditions of properties within the City limits and assesses fees for services rendered to properties for reasons such as weed cutting, grass mitigation, environmental billing, boarding and securing properties, demolition of properties due to condemnation, clearing sidewalk obstructions and sanitation including, but not limited to, cleanup of yard waste composting and household waste that may be hazardous; and

WHEREAS, the City of Memphis as the authority under Tennessee Code § 6-54-113 to assess fees for the removal of debris, trash, litter, or garbage from properties where such conditions endanger the health, safety, or welfare of citizens, and to recover the costs incurred through an assessment against the property owner, including placing a lien on the property for unpaid costs; and

WHEREAS, the City also incurs a cost and must employ multiple divisions to maintain or care for abandoned properties and vacant properties to include, but not limited to:

(1) Staff time, resources, monetary costs, and opportunity costs incurred by the City, including but not limited to public safety officers addressing unlawful occupancy, illegal activities, or hazards in abandoned buildings; receiving and addressing complaints; reviewing, investigating, documenting, and issuing warnings or citations; cleaning, clearing, and removing refuse or illegally dumped items; patrolling properties; addressing pest control or similar issues; and repairing City infrastructure and structures damaged due to vagrancy or other activities on such properties; and

(2) administrative costs

WHEREAS, the purpose of this ordinance is to address illegal or unwanted dumping and abandoned or vacant properties by assessing a fee to the owners of abandoned or vacant properties;

WHEREAS, another purpose of this ordinance is to hold out-of-state and absentee property owners accountable for neglecting properties that fall into disrepair, causing safety hazards, reduced property values, and other quality-of-life concerns for entire neighborhoods.

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

SECTION 1. Title 9- Chapter~~(00)~~ 16 –Health and Sanitation– of the Code of Ordinances of Memphis, Tennessee is hereby amended to add sections 16-506 – 16-511 to read as follows:

Sec. 16-506 Purpose and Intent.

It is declared to be the purpose and intent of Chapter 16, Section 16-506 – 16-511 that all owners of abandoned or vacant properties within the limits of the City of Memphis are hereby assessed an annual deeper property in order to remediate the cost effects to the City of Memphis caused by illegal dumping at abandoned or vacant properties.

Sec. 16-507 Definitions.

The following words and terms shall have the meanings herein, except where otherwise specifically indicated.

- (a) Abandoned Real Property means any real property, commercial or residential, that is vacant, is subject to unauthorized occupancy and, has been determined abandoned by evidence of an affidavit by an agent or officer of the City of Memphis Housing Code Enforcement. Bulky Refuse means discarded appliances such as stoves, refrigerators, water tanks, washing machines, and discarded furniture or similar materials having a weight greater than 75 pounds and/or volume greater than 35 gallons.
- (b) Evidence of Vacancy means any condition that, on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; electricity, water or other utilities turned off, stagnant swimming pool; or statement by neighbors, passers-by, delivery agents or government agents.
- (c) Garbage includes every accumulation of both animal and vegetable matter, liquid or otherwise, that attends the preparation, use of cooking, dealing in storage of meat, fish, fowl, fruits, or vegetables, cans or other containers originally used for foodstuffs.

- (d) Hazardous Waste means a hazardous waste as defined in T.C.A. § 68-46-104.
- (e) Industrial Waste means solid waste produced in, or generated by, industrial or manufacturing processes. The term does not include commercial or domestic waste as defined in T.C.A. § 68-211-802(a)(10)(E).
- (f) Owner means any person who alone, jointly, or severally with others:
 - i. Has legal title to the property, with or without accompanying actual possession thereof;
 - ii. Has charge, care or control of the property as owner or agent of the owner or an executor, administrator, trustee or guardian of the estate of the owner; or
 - iii. Is the agent or the owner for the purpose of managing, controlling the property or collecting rents, or is any other person managing or controlling the property or is any person entitled to the control or direction of the management or disposition of the property. This ordinance definition excludes Real Estate Listing Agents when acting exclusively in that capacity.
- (g) Property means any real, residential, commercial, industrial property, or portion thereof, located within the City of Memphis, including buildings or structures situated on the property.
- (h) Refuse is a comprehensive term meaning any worthless leaving to be discarded; including, but not limited to, garbage, bulky refuse, rubbish, and industrial and hazardous waste.
- (i) Rubbish/trash includes all non-putrescible solid waste except building material, bulky refuse, hazardous waste, and industrial waste.
- (j) Vacant means any building or structure that is not lawfully occupied or inhabited as evidenced by the conditions set forth in the definition of “Evidence of Vacancy” in Sec. 16-507(c) and as defined in § T.C.A. 13-21-202.

Sec. 16-508 Determination of Abandoned or Vacant Properties.

(a) Annual Compilation of the List -Each year, no later than January 31, the Division of Public Works shall compile a list of abandoned or vacant properties within the City of Memphis limits. The determination of whether a property is considered abandoned or vacant shall be in accordance with the definitions outlined in this section.

(b) Composition of the List- The list shall include properties identified as abandoned or vacant during the current calendar year. The list may also include properties from previous years that have retained their abandoned or vacant designation due to the property owner's failure to remediate the conditions. The final determination of whether a property is included on the list shall be made by the Division of Public Works.

(c) Estimated Cost of Remediation- The list shall include, for each property, an estimated cost to remediate the conditions that led to the property being identified as abandoned or vacant. The Division of Public Works may, at its discretion, maintain an itemized estimation of costs based on the types of services required, such as the removal and mitigation of refuse.

(d) Additions to the List- The Division of Public Works may make additions to the list of abandoned or vacant properties throughout the year. When such additions occur, the provisions of Section 16-509 – Notice to the Owners of Abandoned or Vacant Properties shall apply.

(e) Collaboration with Memphis Light, Gas and Water (MLGW)-The Division of Public Works may collaborate with Memphis Light, Gas, and Water (MLGW) to identify properties that have previously had utility service but have remained without electricity or water for over six (6) months, as this may indicate the property is vacant.

Sec. 16-509 Notice to the Owners of Abandoned or Vacant Properties.

- (a) Provision of Notice –** The Division of Public Works shall provide notice to the owner of an abandoned or vacant property or properties as defined herein to remedy the condition immediately if it is determined that the owner has created, maintained or permitted to be maintained on such property the accumulation of refuse, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens or to encourage the infestation of rats and other harmful animals.
- (b) Method of Notice –** The Division of Public Works shall publish the notice in a newspaper of general circulation in the City of Memphis where the property sits for no less than two (2) consecutive issues or personally deliver the notice to the owner of record when the required attempt at notification by United States mail addressed to the last known address of the owner fails or no valid last known address exists for the owner of record.
- (c) Content of Notice –** The notice shall state that the owner of the property is entitled to a hearing and shall also include, but not be limited to, the following:

- (1) A brief statement of this section, which shall contain the consequences of failing to remedy the noted condition; and
 - (2) The person, office, address, and telephone number of the Division of Public Works as the issuer of the notice; and
 - (3) The list of abandoned or vacant properties created by the Office of Neighborhood Improvement within the Division of Public Works; and
 - (4) A cost estimate for remedying the noted condition; and
 - (5) A place where the property owner may return a copy of the notice, within fourteen (14) business days of receipt, indicating the desire for a hearing/meeting of consideration regarding fees; and
 - (6) The rules for hearings/meetings of consideration regarding abandoned or vacant property fees, as determined by the Division of Public Works.
- (d) **Receipt of Notice** – Receipt of notice shall be considered effective on the date of the second consecutive publication of the notice in a newspaper of general circulation in the county where the property sits and immediately upon delivery when the notice is by personal delivery.

Sec. 16-510 Fee for Abandoned or Vacant Properties.

(a) Fee Assessment

- i. **Yearly Fee** - The City of Memphis shall assess a fee each year of \$300 per property to the owners of abandoned and vacant properties situated within the limits of the City of Memphis that are included on the list of abandoned and vacant properties for that year.
- ii. **Monthly Fee** - The City of Memphis may in its discretion, instead of a yearly fee of \$300, assess a fee each month of \$25 per property to the owners of abandoned and vacant properties situated within the limits of the City of Memphis if the property owner demonstrates hardship.
- iii. **Hearing/Meeting of Consideration Regarding Fees** - The Division of Public Works shall determine and provide rules for hearings/meetings of consideration regarding abandoned or vacant property fees. These rules shall be included within the notice sent to the property owner and shall also be made available to any person requesting a hearing/meeting of consideration regarding fees, either by providing a physical copy upon request at the Division of Public Works office, by mail, or electronically via email or a designated online portal.

(b) Billing of Fees

- i. The Division of Public Works shall create and provide to the Office of the City of Memphis Treasurer a bill outlining the fee assessed and the requirement to pay for the owner of each property on the abandoned or vacant property list. The bill shall be included as an insert with the City of Memphis tax bill but not included on the bill as a tax or fee associated with the collection of taxes for the year.
- ii. The Division of Public Works may, in lieu of providing the bill insert to the Office of the Treasurer, directly provide the bill to the owner of each property on the abandoned or vacant property list. The bill shall reflect the fee amount determined by the results of the hearing conducted by the Division of Public Works, which may be either a one-time payment of \$300 or a \$25 monthly payment for a period of twelve (12) months. Any changes to the structure or frequency of billing shall be included in the notice for abandoned or vacant properties for the subsequent year.

(c) Method of Receiving Payment – The owner of each property on the abandoned or vacant property list shall render payment of the fee directly to the Division of Public Works Office of Neighborhood Improvement. The funds shall be collected through the Finance Division and shall be accounted on the appropriations statement for Code Enforcement. Within thirty (30) days of collection, the funds shall then be placed in the City of Memphis General Fund.

(d) Failure of a Property Owner to Pay the Abandoned or Vacant Property Fee – The City of Memphis shall have the option to place a lien against any property owner who fails to pay the required abandoned or vacant property fee.

(e) Allocation of Collected Fees

- i. The first \$200,000 collected annually from the abandoned and vacant property fees shall be allocated exclusively to the Shelby County Environmental Court Foundation to assist senior citizens in addressing issues related to blighted properties. Assistance shall not exceed \$25,000 per property, and these funds may not be used for any purpose other than assisting senior citizens with blighted property remediation.
- ii. The Shelby County Environmental Court must submit an annual written report detailing the usage of these funds to the Memphis City Council no later than January 31st of each year. This report must include the total

amount distributed, the number of senior citizens assisted, and a record of the priority given to local Minority and Women-Owned Business Enterprises (MWBE) for these projects.

- iii. Additionally, the report must be accompanied by an in-person presentation delivered by the presiding judge or an appointed representative of the Environmental Court at the last Council meeting in January of each year. This ensures accountability and transparency regarding the allocation and usage of these funds.

Sec. 16-511 Standard Provisions for Fees Not Associated with the Abandoned or Vacant Property Fee.

- (a) The owners of properties who receive notice under this section, for which a City of Memphis division, office, or area renders or causes to be rendered services to a property on the abandoned or vacant properties list, shall be charged the single \$300 fee. This fee will be collected by the Division of Public Works or the Office of the Treasurer.
- (b) The \$300 fee covers the initial cost of services rendered under this section; however, if the total cost of services performed by the City exceeds this amount, the property owner may be billed for the full cost of services rendered at the discretion of the Division of Public Works. Additionally, if the property is later brought into compliance and subsequently falls back into non-compliance, the Division of Public Works may assess a new fee as deemed necessary.
- (c) If the property owner does not resolve the issues defined in Section 16-507, as outlined in the official notice, within ten (10) days of receiving it, the appropriate city department will arrange for the necessary remediation or removal of the condition at a cost that reflects fair and standard rates for such services.
- (d) Each City of Memphis Division rendering services to an abandoned or vacant property may provide a record of the services it provides to the properties on the abandoned or vacant properties list and the cost for such services to the Division of Public Works by the last day of each month. The Division of Public Works shall retain this information for its records.

SECTION 2. BE IT FURTHER ORDAINED, That the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED, That as amended the remaining provisions of CHAPTER 16 remain in full force and effect.

SECTION 4. BE IT FURTHER ORDAINED, That this ordinance amends Chapter 16 of the Official City Code. The City has authorized the Municipal Code Corporation to provide a republication of the City's Ordinances in the Official City Code, as amended from time to time, for the convenience of the public. The Official City Code and the official version of all new, amending, repealing and clarifying ordinances adopted by the City Council are maintained by the City's Comptroller in the Office of Council Records.

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect after having been passed by City Council, signed by the Chair of Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and becomes effective as otherwise provided by law and shall remain effective and operative unless and until the City Council alters, amends clarifies or repeals it by a superseding, amending, clarifying or codifying ordinance.

SPONSOR:
Jerri Green

J. Ford Canale
CHAIRMAN

SUBSTITUTE SUPPLEMENTAL ADOPTING ORDINANCE
ORDINANCE NO. 5934

***An Ordinance Supplementing and Amending the 2021 Memphis
Municipal Code of Ordinances of the City of Memphis,
Tennessee relative to Alcoholic Beverages; Providing for
the Repeal of Certain Ordinances Not Included herein; and
Providing when such Amendments to the Code and this
Ordinance Shall Become Effective***

WHEREAS, the Council of the City of Memphis, as the City's legislative body, has the full power and authority under the Charter of the City to codify, revise and collect in the form of a code of ordinances of a general nature, and in doing so has the full power, to amend, alter, repeal or modify any ordinance of a general nature other than contract ordinances to conform such ordinances to the legislative intent of the Council before inclusion in said code;

WHEREAS, on February 15, 2022 the Council adopted a new Code of Ordinances, consisting of Titles 1 through 15, each inclusive, and the errata thereto, as the "2021 Code of Ordinances, City of Memphis, Tennessee" (the "2021 Code").

WHEREAS, due to the volume of ordinances to be considered and codified and the need to provide clear guidance to the City and its citizens, the City Attorney and the Council's Attorney the City Attorney and the Council's Attorney have only presented for codification four (4) Titles, namely "Title 1-General Provisions, Title 4-Pension and Retirement System, Title 6-Chapter 6-32-Horse Drawn Carriages and Title 8 Animals.

WHEREAS, the Council has delegated to the City Attorney and the Council's Attorney the responsibility of making a thorough review of new and amending ordinances adopted by the Council since September 1, 1985 for the purpose of producing for adoption by the City Council a new Official Code of Ordinances that accurately reflects the state of law of the City as of the date(s) of adoption by the City Council.

WHEREAS, the City Attorney and the Council's Attorney have been authorized and directed to periodically provide for adoption by the Council of supplementary codification ordinances to supplement the codification approved in Ordinance No. 5669.

WHEREAS, the Council desires to supplement the 2021 Code by adopting and codifying Title 7-Alcoholic Beverages.

Be It Ordained by the Council of the City of Memphis That

Section 1. A Supplement to the 2021 Code of Ordinances, consisting of Title 7, and the errata thereto, is hereby adopted and enacted. Title 7 as proposed for adoption are attached hereto and incorporated herein by reference.

Section 2. Upon adoption of this Supplemental Ordinance the titles and chapters of the 2021 Code so approved hereby shall supersede and replace all then existing general and permanent ordinances of the City to the extent included in such codified titles and chapters or to the extent such ordinances are inconsistent with the provisions of the titles and chapters so codified.

Section 3. All provisions of the Titles and Chapters of this Supplement to the 2021 Code adopted and codified by this ordinance shall be in full force and effect from and after this ordinance becomes effective, and all conflicting codes, provisions, chapters, sections, paragraphs and sentences of ordinances of a general and permanent nature in existence or enacted on final passage on or before the effective date of this ordinance, and not included in the 2021 Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this Ordinance.

Section 5. The codification of any ordinances pursuant to the Adopting Ordinance and this Supplemental Adopting Ordinance are required by the City's Charter to be recorded in a well-bound book kept by the City Comptroller.

Section 6. Any such codified ordinances as maintained by the City Comptroller may be relied on by the City or any person and may be read in evidence in any court of this State, unless there is a bona fide dispute as to the meaning of any such ordinance being consistent with the Council's intent. In any such case, the City Attorney shall present such ordinance(s) to the Council for a determination of the consistency of the ordinance(s) with the Council's intent as appearing in the record of its proceedings and for any further action that the Council deems appropriate in accordance with its authority under City Charter § 361.

Section 7. Three (3) copies of the 2021 Code, as supplemented hereby, shall be kept on file in the office of the comptroller preserved in loose-leaf form, or in such other form as the comptroller may consider most expedient. The comptroller is also authorized to contract with a nationally recognized legal code publication company for the official publication of the 2021 Code and supplements as approved by the Council. The comptroller is also authorized to contract with a nationally recognized legal code publication company for the unofficial republication in electronic format of City ordinances adopted by the Council for informational purposes only.

Section 8. It shall be the express duty of the comptroller or someone authorized by him or her to insert in such copies and in their designated places all amendments or ordinances which the council has specifically codified and approved, from time to time, to be to made a part of the 2021 Code when the same have been printed or reprinted in page form, and to extract from such copies all provisions which may be from time to time repealed by the Council. Such copies shall be available for inspection in accordance with law by all persons desiring to examine the same.

Section 9. The provisions the 2021 Code as approved by the Council or any copy thereof which purports to be

published and maintained, in written or electronic form, by authority of the Council of the City of Memphis shall be conclusively held to be evidence of the law of the City of Memphis from and after the times of their passage, with respect to any subject or provisions contained therein, and no person shall be permitted to impeach any such code provision on the ground that it was not duly and regularly passed in accordance with the laws existing at the time of its passage. Any prior and subsequent uncodified republications of ordinances of the City with respect to any subject or provisions contained in the 2021 or 1985 Code shall not be read and accepted in evidence from and after the adoption of the Adopting Ordinance and any Supplemental Adopting Ordinances.

Section 10. The provisions the 2021 Code as approved by the Council, or any copy thereof which has been certified by the City Comptroller, may be read and accepted in evidence in any court in this State without further proof of its passage.

Section 11. Chapter 4 of the 1985 City Code is hereby expressly repealed and replaced. All other ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

Section 12. Severability. The provisions of this Ordinance are hereby declared to be severable. If any

of the sections, amendments, provisions, sentences, clauses, phrases, or parts hereof are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Section 13. Effective Date. The provisions of this Ordinance shall 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 Mayor in writing by the comptroller and become effective as otherwise provided by law.

SPONSOR:
Spinosa

J. FORD CANALE
CHAIRMAN

Title 7

ALCOHOLIC BEVERAGES¹

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CHAPTER 7-1. ALCOHOLIC BEVERAGES GENERALLY

Sec. 7-1-1. Definitions.

"Alcoholic beverage" or "beverage," as used in this title, means and includes alcohol, spirits, liquor, wine and every liquid containing alcohol, spirits, wine and capable of being consumed by a human being, other than patent medicine, or beer where the latter contains an alcoholic content of five percent by weight or less.

"Retail food store" is defined as an establishment that is open to the public that derives at least 20% of its sales from the retail sale of food and food ingredients for human consumption taxed at the rate provided in Tennessee Code Ann. § 67-6-228(a) and has retail floor space of at least 1,200 square feet, or as otherwise defined by Tennessee law

"Wine" means the product of the normal alcoholic fermentation of the juice of fresh, sound, ripe grapes, with the usual cellar treatment and necessary additions to correct defects due to climatic, saccharine and seasonal conditions, including champagne, sparkling and fortified wine of an alcoholic content not to exceed eighteen percent (18%) by volume. No other product shall be called "wine" unless designated by appropriate prefixes descriptive of the fruit or other product from which the same was predominately produced, or an artificial or imitation wine. "Wine" does not mean alcohol derived from wine that has had substantial changes to the wine due to the addition of flavorings and additives.

Nothing in this ordinance shall be construed to allow wine sales at retail food stores for on premises consumption, including by the drink or by the pour, nor shall this ordinance be construed to allow the sale of liquor or spirits other than wine or beer at a food retail store.

All zoning districts referenced in this title shall include those zoning districts reflected on the City of Memphis and Shelby County Zoning District Map, as well as the areas in approved planned developments that are designated for those zoning districts or their preceding equivalent zoning districts according to the Memphis and Shelby County Unified Development Code.

(Code 1967, § 5-1; Code 1985, § 4-1; Ord. No. 3507, § 1, 11-5-1985; Ord. No. 5459, § 4, 7-17-2012)

Sec. 7-1-2. Manufacture and sale legalized—Compliance with state law and chapter.

It shall be lawful to engage in the business of manufacturing, selling, storing, transporting, and distributing alcoholic beverages within the corporate limits of the city. The manufacture, sale, receipt, possession, storage, transportation,

distribution, or in any manner dealing in alcoholic beverages within the corporate limits of the city shall be regulated in accordance with the provisions of T.C.A. title 57, the rules and regulations adopted by the Commissioner of Revenue of the state, and in accordance with the provisions of this title.

(Code 1967, § 5-2; Code 1985, § 4-2)

Sec. 7-1-3. Certificate of good moral character required of applicants for state license.

- A. Each applicant for the certificate of good moral character required prior to the issuance or renewal of a state alcoholic beverage license shall make application to the alcohol commission created by section 2-82-1 on forms to be approved by the mayor. Such applications shall be transmitted by the alcohol commission to the mayor for his or her approval or disapproval.
- B. The mayor shall have authority to prepare, in accordance with state law, and have printed a form of certificate to be issued in certifying to the Commissioner of Revenue of the state the good moral character of applicants for such certificate.
- C. No such certificate of good moral character will be issued in any case where the location of the proposed retail liquor store has been disapproved by the mayor.

(Code 1967, § 5-7; Code 1985, § 4-3; Ord. No. 117, § 1, 2-20-1968)

State law reference(s)—Certificates of moral character, T.C.A. §§ 57-3-208, 57-4-201.

Sec. 7-1-4. Area within which retail sale permitted.

It shall be lawful to sell at retail any alcoholic beverages within the corporate limits of the city, provided the retail liquor store is located in compliance with section 7-1-5.

(Code 1985, § 4-4; Ord. No. 188, §§ 1, 2, 6-11-1968; Ord. No. 286, § 1, 9-17-1968)

Sec. 7-1-5. Manufacture and sale near churches, schools or other public or private institutions or residential areas.

- A. No alcoholic beverages shall be manufactured, distilled, rectified, sold or stored on any premises located within one thousand five hundred (1,500) feet (as measured along the center line of the street or streets as defined further herein and applying to retail liquor stores located on either side of such street or streets) from

any church (defined as property owned and used by a church having regular attendance at its meetings and whose property is exempt from taxation by the property assessor); school (defined as duly accredited public, private, or parochial school for grades one through twelve (12), or any other division of such grades); park (defined as public park upon which children usually play); library (defined as tax supported public library) or any other retail liquor store, or within a five hundred (500) foot radius in any other direction from any such church, school, park, library, or any other retail liquor store or in any area in violation of the zoning ordinances.

B. The one thousand five hundred (1,500) feet limitation shall be measured from a point in the center line of the public or private street (private street being defined to be a private passageway for vehicles in a multi-establishment commercial area of at least two (2) acres in size) on which the liquor store fronts, such point being directly opposite the center of the threshold of the wall of the liquor store if the threshold faces the street and if not, then at the midpoint of the liquor store building; thence along the center line of the street and the center line of intersecting street or streets to a point in the center line of the street opposite the nearest point to the property line of such church, school, park, library, or other liquor store which faces the public or private street. Such five hundred (500) foot restriction shall be measured from the center of the threshold of the store to the nearest point in the property line of such church, school, park, library, or other liquor store, it being the intent that no part of the property of such church, school, park, library, or other liquor store shall be within a radius of five hundred (500) feet from the point in the center of the threshold of the liquor store. The measurements set forth herein shall apply only to liquor store locations after September 17, 1986. For clarification as to location and continuous use for liquor stores receiving a permit before September 17, 1968, such business may continue as long as:

- (1) The store remains at the same location;
- (2) It is a continuing business without any intervening use; and
- (3) Any transfer of ownership to subsequent or succeeding owners occurs within a one-day period (twenty-four (24) hours) without the depletion of inventories.

C. At any time a license is surrendered, all prior existing rights are nullified. In addition to the above set forth restrictions on location due to measurement to such school, church, park or library, or any other liquor store, no liquor store may be located where any part of any residential property zoned R-15, R-10, R-8, R-6, RU-1, or RU-2 shall be within a radius of 200 feet from the point in the center of the threshold of the wall of the liquor store if the threshold faces the street and if not, then at the midpoint of the liquor store building. Liquor stores having received permits before September 17, 1968 shall be allowed to remain so long as they otherwise meet the ordinances. The subsequent location of a church, school, park or library nearer to the liquor store than the prescribed distance shall not of itself cause the removal of the liquor store so

long as the liquor store remains at the same location. Likewise, should any real property be already zoned or which is rezoned R-15, R-10, R-8, R-6, RU-1, or RU-2 within the radius of such 200 feet above described, such zoning or rezoning shall not of itself cause the removal of the liquor store as long as the liquor store remains in the same location.

- D. The foregoing provisions of this section shall not apply to the relocation of any retail dealer who is compelled to relocate as the direct result of the actions of a governmental body or agency thereof, and such dealer can relocate his or her business within a radius of 1,500 feet as measured from the center of the front door of his or her business, provided the new location is approved by the alcohol commission subject to appeal to the council.
- E. Upon a clear showing by a liquor dealer, whose property has been taken through governmental action so that it is impossible to relocate the store within the 1,500 feet prescribed distance, such liquor dealer shall be allowed to relocate within the prohibited distance from parks, playgrounds, churches, schools or libraries if such location is approved by the city council after a hearing and recommendation by the alcohol commission.
- F. The location restriction (as defined in subsection A of this section) shall not apply to a qualified "retail food store wine license" applicant, that as of December 31, 2015, holds any off-premises beer permit, or upon application for a retail food store wine license, qualifies for any off-premises beer sales permit under chapter 7-2 of this Title.

(Code 1967, § 5-9; Code 1985, § 4-5; Ord. No. 188, § 3, 6-11-1968; Res. of 8-6-1968; Ord. No. 286, § 1, 9-17-1968; Ord. No. 649, § 1, 2-3-1970; Ord. No. 694, § 1, 5-12-1970; Ord. No. 836, § 1, 12-22-1970; Ord. No. 1683, § 1, 4-10-1973; Ord. No. 3606, § 1, 9-23-1986; Ord. No. 5615, § 2, 5-3-2016; Ord. No. 5459, § 5, 7-17-2012)

State law reference(s)—Location restrictions authorized, T.C.A. § 57-3-208.

Sec. 7-1-6. Relocation of liquor stores.

Owners of retail liquor licenses issued for a specific location shall not be allowed to relocate their liquor stores until at least 24 months have passed since the granting of the original license at that location, unless the location is lost through condemnation, loss of lease or unanticipated hardship.

(Code 1967, § 5-11; Code 1985, § 4-6)

Sec. 7-1-7. Limitation on number of retail outlets.

In no event shall the number of retail liquor stores, premises or outlets for the sale of alcoholic beverages exceed 177.

(Code 1967, § 5-10; Code 1985, § 4-6.1; Ord. No. 127, § 1, 5-8-1951; Ord. No. 96, § 1, 12-19-1980)

State law reference(s)—Numerical limitation on licenses authorized, T.C.A. § 57-3-208.

Sec. 7-1-8. Sale to certain persons prohibited—Drinking in or on premises of retail liquor stores prohibited—Penalty.

- A. No retailer shall sell any alcoholic beverages to any person who is drunk, nor shall any retailer selling alcoholic beverages sell to any person accompanied by a person who is drunk.
- B. No retailer shall sell any alcoholic beverages to a person known to be a minor and no person under the age of 21 years old is allowed in a retail liquor store unless accompanied by a parent, legal guardian or spouse.
- C. No retail liquor package store operator, licensee, or his or her employee shall consume any alcoholic beverage nor permit any alcoholic beverage to be consumed within the licensed premises at any time, nor shall any licensee, operator, or his or her employee engage in the sale of alcoholic beverages while under the influence of intoxicants or drugs.
- D. It is unlawful for any other person to consume alcoholic beverages while upon the premises of a retail liquor package store or any parking lot under control of the store. Retail liquor package store operators or licensees shall post a sign on painted wood or metal or on the glass show window with black lettering on white background, two feet by three feet in size, lettering not less than three inches in height, containing the following language:

"The consumption of alcoholic beverages upon these premises is prohibited by law."

These signs shall be posted in a conspicuous and readily visible place, and not less than one sign shall be posted within the sales area, and not less than one sign shall be posted within the parking area, if any.

(Code 1967, § 5-12(a)—(c); Code 1985, § 4-7; Ord. No. 1509, § 1, 11-14-1972; Ord. No. 5413, § 1, 9-20-2011)

State law reference(s)—Alcohol and underage persons, T.C.A. §§ 57-3-406, 57-3-412.

Sec. 7-1-9. Hours of sale at retail.

No retail liquor store or retail food store shall sell, give away, or otherwise dispense alcoholic beverages except between the hours of 8:00 a.m. and 11:00 p.m. Monday through Saturday and between 10:00 a.m. and 11:00 p.m. on Sunday.

(Code 1967, § 5-13; Code 1985, § 4-8; Ord. No. 5720, § 1(A.), 1-22-2019)

State law reference(s)—Hours of sale, T.C.A. § 57-3-406.

Sec. 7-1-10. Inducement to purchase prohibited.

No licensee under state law shall give away, sell, or in any manner whatsoever deal in premiums, tokens, or other articles by means of which inducements are held out to persons to purchase any alcoholic beverages.

(Code 1967, § 5-14; Code 1985, § 4-9)

Sec. 7-1-11. Inspection of sales premises.

The duly authorized representatives of the city shall have the right to inspect the premises of any business licensed for the sale of alcoholic beverages during the hours when such establishment is open for the conduct of business.

(Code 1967, § 5-16; Code 1985, § 4-10)

**Sec. 7-1-12. Possession or consumption in Liberty Bowl Memorial Stadium.
REPEALED**

Sec. 7-1-13. Time of appeal from alcohol commission to the city council.

Notice of appeals from the action of the alcohol commission to the city council shall be filed in writing with the comptroller no later than ten days after the final decision of the alcohol commission. Otherwise, such decision shall be deemed and considered to be final.

(Code 1967, § 5-18; Code 1985, § 4-12; Ord. No. 279, § 1, 9-10-1968)

Sec. 7-1-14. Investigations by city for violations under state law regarding sexual and pornographic conduct.

All regularly employed, full-time employees of the police services division, when assigned by the director or his or her designee, shall have authority to conduct investigations into alleged violations of T.C.A. § 57-4-204, relating to prohibited sexual or pornographic conduct, and upon completion of their investigation shall report any such violation to the city alcohol commission for their appropriate action. The commission shall have the power to suspend or revoke such licenses, upon determining such violations exist, relating to establishments selling beer and malt beverages, and the commission shall recommend to the state alcoholic beverage commission its findings as they relate to establishments selling liquor by the drink for on-premises consumption.

(Code 1967, § 5-21; Code 1985, § 4-13; Ord. No. 3029, § 1, 7-8-1980)

Sec. 7-1-15. Open containers and consumption of alcoholic beverages prohibited in certain public places.

- A. It is unlawful for any person or persons, while in or on any streets, sidewalks, alleyways, parking areas, bus and trolley stops and shelters, or other open areas operated and controlled by the city within the central business improvement district, defined in sections 12-32-2 and 12-44-2, to consume any alcoholic beverage as defined in section 7-1-1, or to possess for the purpose of consumption any such alcoholic beverage, unless such beverage remains commercially sealed.
- B. Possession of any alcoholic beverage in an open container not permitted in subsection A of this section shall be prima facie evidence of having the beverage for the purpose of consumption.
- C. This section shall not apply to the following:
 - 1. Patrons of premises licensed for on-premises consumption while the patrons are in or upon such premises;
 - 2. Patrons of premises licensed for on-premises consumption where attendance may be controlled by the owner or lessee;
 - 3. Patrons of premises that have been granted a special event permit as set forth in section 7-8-21 of this Code;
 - 4. The Beale Street Historic District as set forth in section 7-8-23, and other such districts within the Central Business Improvement District as may hereafter be designated by state or local authorities.
- D. Subsection C of this section may include outdoor areas.

(Code 1985, § 4-14; Ord. No. 4828, § 1, 11-21-2000)

State law reference(s)—Open containers of alcohol in motor vehicles, T.C.A. § 55-10-416.

CHAPTER 7-2. BEER AND LIGHT ALCOHOLIC BEVERAGES²

GENERAL PROVISIONS

Sec. 7-2-1. Application of chapter.

²State law reference(s)—Beer and alcoholic beverages containing less than five percent alcohol, T.C.A. § 57-5-101 et seq.; local regulatory ordinances, T.C.A. § 57-5-101 et seq.

Except as otherwise specifically provided, the provisions of this chapter shall apply to beer with an alcoholic content of not more than five percent by weight and any other beverage of like alcoholic content.

(Code 1967, § 5-70; Code 1985, § 4-51)

Sec. 7-2-2. Transportation and sale legalized—Compliance required.

It is lawful to transport, store, sell, distribute, possess, receive or manufacture beverages mentioned in section 7-2-1 within the corporate limits of the city, subject to all of the regulations, limitations and restrictions provided by the laws of the state and this chapter, and subject to all of the laws of the state and this chapter, and subject to the rules and regulations enacted by authorized public officials or boards.

(Code 1967, § 5-71; Code 1985, § 4-52)

Sec. 7-2-3. Hours of sale.

No retail liquor store or retail food store governed by this article shall sell, give away, or otherwise dispense alcoholic beverages except between the hours of 7:00 a.m. to 3:00 a.m. Monday through Saturday and between 10:00 a.m. and 11:00 p.m. on Sunday.

(Code 1967, § 5-72; Code 1985, § 4-53; Ord. No. 636, § 1, 1-27-1970; Ord. No. 2411, § 1, 6-8-1976; Ord. No. 5720, § 1(B.), 1-22-2019)

Sec. 7-2-4. Purchase by minors.

- A. It is unlawful for any minor to purchase or attempt to purchase any beer or other beverage governed by this chapter and it is unlawful for any minor to possess any such beverage upon the premises of an on-premises licensee.
- B. It is unlawful for any minor to present or offer to any licensee, or his or her agent or employee, any written evidence of his or her age which is false, fraudulent or not actually his or her own, for the purpose of purchasing or attempting to purchase or otherwise procuring or attempting to procure any beverage governed by this chapter.
- C. Any minor who acts in violation of any one or more of the provisions of this section shall be guilty of a misdemeanor, and if 19 years of age, or more, shall upon conviction be subject to punishment as provided in section 1-24-1 of this Code; if 18 years of age, or less, he or she shall be taken before the juvenile court for appropriate disposition.

(Code 1967, § 5-73; Code 1985, § 4-54)

State law reference(s)—Alcohol and underage persons, T.C.A. §§ 57-3-406, 57-5-301.

Sec. 7-2-5. Wholesale beer tax.

Pursuant to the authority contained in T.C.A. § 57-6-103, there is imposed on the sale of beer at wholesale within the city a tax of 17 percent of the wholesale price.

(Code 1967, § 5-74; Code 1985, § 4-55)

LICENSES TO STORE, SELL, DISTRIBUTE OR MANUFACTURE

Sec. 7-2-6. Required.

No person shall engage in the storing, selling, distributing or manufacturing of beer or any other beverage referred to in section 7-2-1 within the corporate limits of the city until he or she receives approval from the alcohol commission and purchases a license from the city treasurer, or his or her designee.

(Code 1967, § 5-80; Code 1985, § 4-66; Ord. No. 117, § 1, 2-20-1968; Ord. No. 4352, § 1, 8-15-1995)

Sec. 7-2-7. Application—Generally.

Each applicant for a license under this article shall file with the alcohol commission a sworn petition in writing, establishing the following facts, which are made conditions of any license issued thereunder, and the violation of any such statements of fact shall be sufficient cause for the revocation of such license:

- A. That the applicant will not engage in the sale of such beverages except at the place for which the alcohol commission has issued a license to such applicant;
- B. That no sale of such beverages will be made except in accordance with the license granted;
- C. That, if the license is to sell for consumption on the premises, the licensee will make no sale except where meals, consisting of no less than one meat and a vegetable, are prepared on premises with adequate kitchen facilities, as provided in chapter 9-52, and are regularly served at tables with a menu provided for selection by the customers;
- D. That, if the application is for a license to sell at hotels, sales for consumption on the premises will be made only where meals or lunches are served at tables to persons seated at tables, and to persons in guests' rooms;
- E. That, if the application is for a license for a club or lodge, such applicant is a regularly incorporated club or lodge operating under a charter and by-laws, in which the officers were elected by a regular membership which is

composed of persons who must pay a substantial initiation fee, and whose purpose of organization and existence is other than the sale of beverages covered by this chapter;

- F. That, if the application is for a license to sell, not for consumption on the premises, that no sales will be made for consumption on the premises, no consumption will be allowed on the premises or on the sidewalks, streets or property within the immediate premises (building and parking lot) of any off-premises location selling beer, and that no such beverages will be kept for sale in such premises except in the original packages or containers; except that an off-premise licensee may offer complimentary samples of the products it sells for tastings to be held on the premises of the off-premise licensee. Such tastings shall be for sales, education and promotional purposes;
- G. That no sale shall be made to minors; and that applicant will not permit minors or disorderly or disreputable persons heretofore connected with the violation of the liquor laws to loiter around or frequent his or her place of business; that applicant will not allow gambling or gambling devices on his or her premises; provided that, the provisions of this section relative to the frequenting of his or her place of business shall not apply to minors 18 years of age, who are under contract to provide entertainment in the field of music or vocal entertainment. This exception is in effect only during the actual hours of the minors' employment. Such minors must have the written consent of their parents or guardian, sworn to before a notary public. The owner or operator shall keep the written consent on file at all times during the employment of such minor, and same shall be available for inspection by officers of the city police department. A duplicate of such written consent shall be forwarded to the director of police of the city. The provisions herein shall not apply to disorderly or disreputable persons;
- H. That neither the applicant nor any persons employed or to be employed by him or her in such distribution or sale of such beverage has been convicted of any violation of the law against prohibition, sale, manufacture or transportation of intoxicating liquor, or of any crime involving moral turpitude, within the past ten years;
- I. That the applicant will conduct the business in person, for himself or herself, or, if he or she is acting as agent, the applicant shall state the person, firm, corporation, syndicate, association or joint stock company for whom, and only for whom, the applicant intends to act;
- J. That the applicant or licensee providing musical entertainment in his or her business establishment, including but not limited to jukeboxes, live bands, with or without vocalists, and utilizing amplifiers, loudspeakers or other equipment for the reproduction or amplification of sound, shall not permit the noise, sound or vibration created, emitted or transmitted by

such jukeboxes, bands, vocalists or sound equipment to be audible to persons on any public street, highway or upon any adjoining residential or commercial premises, to the extent that it is detrimental to the life or health of any individual or disturbs the public peace and welfare.

(Code 1967, § 5-81; Code 1985, § 4-67; Ord. No. 2080, § 1, 7-18-1967; Ord. No. 117, § 1, 2-20-1968; Ord. No. 346, § 1, 12-26-1968; Ord. No. 1848, §§ 1—3, 10-2-1973; Ord. No. 2694, § 1, 2-13-1979; Ord. No. 3248, §§ 1, 2, 11-9-1982; Ord. No. 5472, § 1, 11-20-2012)

Sec. 7-2-8. Application—Citizens' certificate to accompany.

There shall be attached to each application for a license under this article a certificate signed by at least ten reputable citizens residing or doing business in the ward in which the petitioner seeks to do business, stating the residence or place of business of each person, and certifying the length of time that such persons have been acquainted with the petitioner, and if petitioner is a corporation or association, the length of time they have been acquainted with its officers or members, and that they have good reason to believe that all of the statements contained in the petition are true, and that they join in the prayer of the petitioner for the granting of the license prayed for.

(Code 1967, § 5-82; Code 1985, § 4-68)

Sec. 7-2-9. Prohibited sexual or pornographic conduct.

- A. In addition to the other duties imposed under this title, the city alcohol commission is authorized to enforce provisions of subsections B, C and D of this section, as same relates to selling beer and other beverages governed by this chapter; and upon violation of such subsections by any person, firm or corporation licensed under the provisions of this title, the commission shall revoke the privilege license of such violator.
- B. The following acts or conduct on licensed premises are deemed contrary to public policy, and therefore no license shall be held at any premises where such conduct or acts occur:
 - 1. To employ, use or allow any person in the sale or service of beer or other beverages governed by this chapter in or upon the licensed premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals;
 - 2. To employ, use or allow the services of any host, hostess or other person to mingle with the patrons while such host, hostess or other person is unclothed or in such attire, costume or clothing as described in subsection (B)(1) of this section;

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3. For any person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person;
 4. For any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion thereof.
- C. Additional acts prohibited.
1. Acts or conduct on licensed premises in violation of this subsection are deemed contrary to public policy, and therefore no license shall be held at any premises where such conduct or acts occur.
 2. Live entertainment is permitted on any licensed premises, except that:
 - a. No person shall perform acts of or acts which simulate:
 - i. Sexual intercourse, masturbation, sodomy, bestiality, cunnilingus, fellatio, flagellation or any sexual acts which are prohibited by law;
 - ii. The touching, caressing or fondling of the breast, buttocks, anus or genitals; or
 - iii. The displaying of the pubic hair, anus, vulva or genitals.
 - b. Subject to the provisions of subsection (C)(2)(a) of this section, any entertainer who is employed in whole or in part, whether directly or as independent contractor or agent, by the licensee to dance at such licensee's premises shall perform only upon a stage at least 18 inches above the immediate floor level and removed at least 12 inches from the nearest patron.
 3. No person shall use artificial devices or inanimate objects to depict any of the prohibited activities described above.
- D. The following acts or conduct on licensed premises are deemed contrary to public policy, and therefore no license shall be held at any premises where such conduct or acts occur:
1. Engaging in sexual activity or any sexual relations as a business or loitering at a licensed premises for the purpose of being hired to engage in sexual activity or any sexual relations;
 2. a. Soliciting or hiring another person with the intent that the other person engage in prostitution, defined as those activities described in subsection (D)(1) of this section, or
 - b. Soliciting a person to do those things described in subsection (C)(2)(a) of this section;
 3. Procuring a prostitute for a patron; or

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4. Soliciting, receiving, or agreeing to receive any benefit for engaging in any of the activities defined in subsections (D)(1) through (3) of this section.

(Code 1967, § 5-83; Code 1985, § 4-69; Ord. No. 3958, § 1(1), 5-8-1990)

Sec. 7-2-10. Issuance or refusal generally.

The alcohol commission shall consider all applications filed under this article and grant or refuse the license according to its best judgment under all of the facts and circumstances, and the action of the commission in granting or refusing a license shall be final, except as same is subject to review at law.

(Code 1967, § 5-85; Code 1985, § 4-70; Ord. No. 117, § 1, 2-20-1968)

Sec. 7-2-11. General restrictions on issuance.

- A. No license shall be issued to sell any beverage coming within the provisions of this chapter:
 1. In violation of any provision of state law;
 2. In violation of the Unified Development Code;
 3. Where such sale will cause congestion of traffic or interference with schools, churches or other places of public gathering, or otherwise interfere with public health, safety and morals, and the judgment of the alcohol commission on such matters shall be final, except as same is subject to review at law;
 4. Unless it is necessary for the accommodation of the public that such place should be licensed, and the judgment of the alcohol commission on such matters shall be final except as same is subject to review at law; provided, however, that nothing herein contained shall prevent the issuance of a license for the sale of beer upon private property next and adjacent to regularly licensed and operated sandwich shops, eating houses or restaurants, or to prevent the sale of beer for consumption in automobiles or other vehicles parked upon such premises; provided that, such beverages shall be consumed while such automobiles are parked upon such premises, but no beer or such beverages shall be served or consumed while such automobiles are parked upon a public street, alley or other public place.
- B. Where the sale shall be for on-premise, and food sales shall consist of less than 40 percent of gross sales, the business establishment shall be located no less than 500 feet (as measured along the center line of the street or streets as defined further herein) or not less than within a 250-foot radius in any other direction from the property line of any single-family or duplex residential property zoned R-15, R-10, R-8, R-6, R-3, or RU-1, any church (defined as property owned and used by a church having regular attendance at its meetings

and whose property is exempt from taxation by the property assessor) or school (defined as fully accredited public, private, or parochial school for grades one through 12 or any other division of such grades). The 500 feet shall be measured from a point in the center line of the public or private street adjacent to the threshold (private street being defined to be a private passageway for vehicles in a multi-establishment commercial area of at least two acres in size) on which the beer establishment fronts, such point being directly opposite the center of the threshold of the wall of the establishment if the threshold faces the street and if not, then at the midpoint of the establishment building; thence along the intersecting street or streets to a point on the center line of the street opposite the nearest point to the property line of the residence, church or school. Such 250-foot restriction shall be measured from the center of the threshold of the store to the nearest point in the property line of such residence, church, or school, it being the intent of the restriction that no part of the property of such residence, church or school shall be within a radius of 250 feet from the point in the center of the threshold herein shall apply only to beer establishment locations after the effective date of this section. Further, T.C.A. § 57-5-103(5) states "a business can sell beer for both on-premises and off premises consumption at the same location pursuant to one (1) permit." Where the business establishment does not meet the distance requirements set above, percentage of food sales notwithstanding, sale of more than two 16-ounce sealed containers, for off-premise consumption, per customer is not permitted per this section. This section shall not prohibit the sale and transfer of the assets, goodwill, equipment and fixtures of any on-going business to a new owner to continue the operation of such business, however, such new owner must comply with all the provisions of this section.

- C. Where the sale shall be for off-premises consumption, the business establishment shall be located no less than 500 feet (as measured along the center line of the street or streets and such measurement is defined further herein by reference to subsection B above) or not less than within a 250-foot radius in any other direction from the property line of any residential property zoned R-E, R-15, R-10, R-8, R-6, R-3 or RU-1, any church (as defined in subsection B above) or school (as defined in subsection B above) except establishments located along interstate, U.S. and state highways. Said 500 feet and 250-foot radius restrictions shall be measured in the same manner as that set out in subsection B above with regard to on-premise sales. This location restriction is intended to and shall apply only to new beer establishment locations that make application for off-premises sales after the effective date of this subsection. This location restriction shall apply to any existing beer establishment location licensed for off-premises sales that ceases to sell, distribute or manufacture beer at that location during any continuous six-month period after the effective date of this subsection. The distance requirements of this paragraph do not apply to an establishment where less than ten percent of its gross sales consists of alcohol sales.

D. The location restriction (as defined in subsection C of this section) shall not apply to a qualified "retail food store wine license" applicant, that as of December 31, 2015, holds any off-premises beer permit, or upon application for a retail food store wine license, qualifies for any off-premises beer sales permit under this chapter 7-2.

(Code 1967, § 5-86; Code 1985, § 4-71; Ord. No. 117, § 1, 2-20-1968; Ord. No. 3246, § 1, 11-9-1982; Ord. No. 5000, 5-20-2003; Ord. No. 5134, § 1, 2005; Ord. No. 5223, § 1, 2007; Ord. No. 5343, 1-26-2010; Ord. No. 5615, § 3, 5-3-2016; Ord. No. 5459, §§ 6, 7, 7-17-2012).

Sec. 7-2-12. Issuance to specialty or convenience stores, service or filling stations.

A beer permit for off-premises consumption may be issued to any convenience store, grocery store, sundry store, service or filling station having a minimum inventory of \$2,000.00 in stock, not including equipment, fixtures or petroleum products, subject to the location restriction set out in section 7-2-11(C).

(Code 1967, § 5-87; Code 1985, § 4-72; Ord. No. 2410, § 1, 6-8-1976; Ord. No. 2507, § 1, 10-5-1976; Ord. No. 2694, § 2, 2-13-1979; Ord. No. 5000, 5-20-2003)

Sec. 7-2-13. Issuance to hotels and clubs.

It is lawful for the alcohol commission to issue licenses for the sale of any beverage coming within the provisions of this chapter in hotels, clubs or lodges, subject to all of the limitations and restrictions contained in the state law and the rules and regulations promulgated thereunder, and subject to all of the limitations and restrictions contained in the license and in this chapter.

(Code 1967, § 5-88; Code 1985, § 4-73; Ord. No. 117, § 1, 2-20-1968)

Sec. 7-2-14. Display.

The license required by this article shall be framed under glass and placed so that it is conspicuous and may be easily read at all times.

(Code 1985, § 4-74; Code 1967, § 5-89)

Sec. 7-2-15. Licensee's employees.

Before a person is employed to dispense beer, said person shall provide proof acceptable by the permits office of the City of Memphis that such person is not in violation of T.C.A. § 57-5-301.

(Code 1967, § 5-90; Code 1985, § 4-75; Ord. No. 3958, § 1(2), 5-8-1990; Ord. No. 4112, § 1, 6-16-1992; Ord. No. 5459, § 8, 7-17-2012)

Sec. 7-2-16. Revocation.

- A. All licenses issued under this article shall be revocable in the discretion of the alcohol commission, and whenever it shall be brought to the attention of the alcohol commission that any declaration of fact contained in the application is false, or that there has been any violation thereof, or that the limitations and conditions of the license have been violated, or that the licensee permits minors to frequent or loiter around his or her place of business or permits gambling or gambling devices thereon, or permits drunken, disreputable or disorderly persons, or persons heretofore connected with the violation of liquor laws to make it a customary place of visitation or resort, or otherwise violates any of the provisions or restrictions of the state law or of this chapter, the alcohol commission shall revoke such license. Such revocation shall become final after five days, unless the licensee, within five days, demands a hearing before the alcohol commission, at which hearing the burden shall be upon the licensee to show that he or she has not violated the declaration of fact or statements contained in his or her application, or the limitations or restrictions upon his or her license, and that he or she has not violated the state law or the provisions of this chapter. The action of the alcohol commission at such hearing in affirming or setting aside the revocation of such license shall be final, except as same is subject to review at law.
- B. Three violations of the provisions or restrictions of state law or city ordinances during a two-year period by any licensee shall result in the automatic revocation of the licensee's license in accordance with the rules and procedures otherwise established by this ordinance and state law.
- C. Any licensee whose license is revoked shall not be eligible to receive a license for three years from the date of revocation.
- D. No permit for off-premises consumption will be issued for any subsequent applicant for a location where a license has been revoked under this chapter for three years from the date of revocation.

(Code 1967, §5-92; Code 1985, § 4-76; Ord. No. 117, § 1, 2-20-1968; Ord. No. 2694, § 3, 2-13-1979; Ord. No. 5223, § 2, 2007)

Sec. 7-2-17. Records to be kept—List of licenses to be filed with collector of licenses and privileges and director of police.

The secretary of the alcohol commission shall preserve a complete record of applications received and licenses granted and refused under this article and all protests and hearings held by the commission. Such secretary shall file with the collector of licenses and privileges and with the director of police a complete list of licenses issued by the commission, giving the name, place and nature of the license.

(Code 1967, § 5-93; Code 1985, § 4-77; Ord. No. 117, § 1, 2-20-1968)

Sec. 7-2-18. Beer or alcoholic beverage sales in McCarver Stadium—Park commission's authority to permit. REPEALED

Sec. 7-2-19. Beer or alcoholic beverage sales in Coliseum—Board's authority to permit. REPEALED

Sec. 7-2-20. Beer or alcoholic beverage sales in Liberty Bowl Memorial Stadium—Park commission's authority to permit. REPEALED

Sec. 7-2-21. Permit for special event.

A beer permit for a special event may be issued for a specific location for a period not to exceed 30 days, upon the following conditions:

- A. Application is made stating the dates and time permit will be used during the 30-day period;
- B. Application is made setting out the purpose upon forms supplied by the secretary of the alcohol commission, the application to be approved at any regular or special meeting of the alcohol commission;
- C. Approval is received from the city and county health department, the city building department, the city fire department, the police services division, the board of supervisors of public solicitation of funds, and/or any other affected governmental agencies;
- D. Exemption has been granted by the city council of the conditions as set forth in section 12-84-20 of this Code;
- E. The required business or other necessary licenses and permits have been issued for the event.

(Code 1967, § 5-98; Code 1985, § 4-81; Ord. No. 2694, § 4, 2-13-1979; Ord. No. 3067, § 1, 10-21-1980)

Sec. 7-2-22. Prohibited sexual or pornographic conduct—Penal provisions.

In any location holding a valid license to store, sell, distribute or manufacture beer or any beverage with an alcoholic content of not more than five percent by weight and any other beverage of like alcoholic content, the following acts or conduct on licensed premises are deemed contrary to public policy and shall be subject to all penal provisions provided by law:

- A. Live entertainment is permitted on any licensed premises, except that:
 - 1. No person shall perform acts of or acts which simulate:

-
- a. Sexual intercourse, masturbation, sodomy, bestiality, cunnilingus, fellatio, flagellation or any sexual acts which are prohibited by law;
 - b. The touching, caressing or fondling of the breasts, buttocks, anus or genitals; or
 - c. The displaying of the pubic hair, anus, vulva or genitals.
2. Subject to the provisions of subsection A of this section, any entertainer who is employed in whole or in part, whether directly or as independent contractor or agent, by the licensee to dance at such licensee's premises shall perform only upon a stage at least 18 inches above the immediate floor level and the edge of the stage must be at least 12 inches from the nearest patron.
- B. No person shall use artificial devices or inanimate objects to depict any of the prohibited activities described in subsection A of this section.

(Code 1985, § 4-82; Ord. No. 4049, § 1, 7-2-1991)

Sec. 7-2-23. Sales in the Beale Street Historic District.

- A. Notwithstanding any other provisions of this chapter to the contrary, the alcohol commission is authorized and empowered in its discretion to permit the sale of beer and alcoholic beverages for consumption outside the clubs, but within the Beale Street Historic District at such times and events and under such terms, conditions, rules and regulations as such commission may establish for the district.
- B. Outside bars cannot be more than ten feet from the business establishments which use these bars for beverage sales.
- C. No beverages, alcoholic or nonalcoholic, will be permitted in glass or metal containers outside of the business establishments within the Beale Street Historic District.

(Code 1985, § 4-83; Ord. No. 4187, § 1, 6-22-1993)

Sec. 7-2-24. Sales for off-premises consumption by beer manufacturers operating as restaurants.

Notwithstanding any other provisions of this chapter, or any rule or regulation of the City of Memphis Alcohol Commission to the contrary, any manufacturer of beer operating as a restaurant and licensed to sell beer for consumption therein shall have the right to sell beer to go, provided that such beer is manufactured within the premises of the restaurant and is sold unopened and in the original container.

(Ord. No. 5276, § 1, 10-21-2008)

Sec. 7-2-25. Caterer's permit.

Notwithstanding any other provisions of this chapter, or any rule or regulation of the City of Memphis Alcohol Commission to the contrary, any brewery meeting the exemption requirements set forth in T.C.A. § 57-5-101(c)(1)(A) that does not also operate as a restaurant as defined in section 9-52-1 of this Code ("brewery"), shall be subject to the following provisions and restrictions:

- A. *Legislative intent.* The intent of this section is to recognize the distinction between breweries with tasting rooms and other establishments that sell alcoholic beverages, specifically that a brewery tasting room is an adjunct to the primary business of manufacture and sale to wholesale or retail establishments. It being the intent of this section to encourage the growth of local business and tourism while protecting the public welfare and morals.
- B. *Permit required.* Each brewery with a tasting room in which beer is to be manufactured and sold must apply for a beer permit through the City of Memphis Alcohol Commission in conformity with section 7-2-7 above. Such permit application shall make reference to the fact that the application is for a brewery with a tasting room. The permit application shall conform to all on-premises permit requirements if the brewery intends to allow the consumption of beer in its tasting room, but so long as the application is accompanied by a sworn petition indicating that the restrictions of subsection D of this section are met, then there shall be no requirement for a brewery with a tasting room to maintain kitchen facilities or serve food.
- C. *On and off premises consumption allowed.* So long as the tasting room of the brewery conforms with the requirements of subsection D below, breweries with tasting rooms shall be authorized to sell beer manufactured on premises for on-premises consumption or off-premises consumption (off-premises consumption shall include beer sold to licensed wholesalers or retail establishments) so long as all beer sold for off-premises consumption is in the original, sealed container.
- D. *No food requirement—Restrictions.* No brewery with a tasting room shall be required to serve food, maintain kitchen facilities or conform to any requirement relating to the percentage of sales attributable to food so long as it:
 - 1. Does not engage in the sale of any alcoholic beverage other than beer manufactured on premises;
 - 2. Does not derive more than 25 percent of its gross annual income from the sale of beer for consumption on premises;
 - 3. Does not open to the public for any period between the hours of 12:00 a.m. and 12:00 p.m.;
 - 4. Does offer water or other non-alcoholic beverages at no cost to its patrons;

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5. If located within a 500-foot radius or 250-foot radius of a church, *a school or certain enumerated residential zoning districts* as set forth in section 7-2-11(B) above, shall *not open to the public on Sundays before 12:00 p.m.* and shall close to the public each *Sunday* through Thursday no later than 10:00 p.m., this section being intended to prevent traffic congestion, to reduce noise and to protect the public welfare and morals of the community.

(Ord. No. 5490, § 1, 1-22-2013; Ord. No. 5459, § 9, 7-17-2012; Ord. No. 5823, § 3, 7-17-2012).

CHAPTER 7-3. TAX ON RETAIL SALES OF ALCOHOL FOR ON-PREMISES CONSUMPTION

Sec. 7-3-1. Definitions.

As used in this chapter:

Club means a nonprofit corporation organized and existing under the laws of the State of Tennessee, which has been in existence at least two years prior to the application for a license hereunder having at least 100 members regularly paying dues, organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earning of which inures to the benefit of any shareholder or member and owning, hiring or leasing a building or space therein for the reasonable use of its members with suitable kitchen and dining room space and equipment and maintaining and using a sufficient number of employees for cooking, preparing and serving meals for its members and guests; provided that no member or officer, agent or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation, any profits from the sale of spirituous liquors, wines, champagnes or malt beverages beyond the amount of such salary as may be fixed by its members at an annual meeting or by its governing body of the general revenue of the club. For the purpose of this section, tips which are added to the bills under club regulations shall not be considered as profits hereunder. The alcohol commission shall have specific authority through rules and regulations to define with specificity the terms used herein and to impose additional requirements upon applicants seeking a club license not inconsistent with this definition.

Common carrier includes any mode of transportation, by train, plane, ship, boat, or other vehicle operating under certificates of public convenience and necessity issued by the appropriate federal or state agency, with adequate facilities and equipment for serving passengers, on regular schedules, or charter trips, while moving through any county of the state, but not while any such common carrier is stopped in a county or municipality that has not legalized such sales.

Hotel (motel) means every building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers

and guests, whether transient, permanent, or residential, in which 50 or more rooms are used for the sleeping accommodations of such guests and having one or more public dining rooms, with adequate and sanitary kitchen and a seating capacity of at least 75 at tables, where meals are regularly served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or in separate buildings or structures used in connection therewith that are on the same premises and are a part of the hotel operation. Motels meeting the qualifications set out herein for hotels shall be classified in the same category as hotels. Hotels shall have the privilege of granting franchises for the operation of a restaurant on their premises and the holder of such franchise shall be included in the definition of hotel hereunder, and property contiguous to a hotel.

Restaurant means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served, without sleeping accommodations, such place being provided with adequate and sanitary kitchen and dining room equipment and seating capacity of at least 75 people at tables, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. At least one meal per day shall be served at least five days a week, with the exception of holidays, vacations and periods of redecorating, and the serving of such meals shall be the principal business conducted.

(Code 1967, § 5-111; Code 1985, § 4-116; Ord. No. 604, § 1, 12-16-1969)

Sec. 7-3-2. Tax imposed—Amount—Term.

A. There is levied and imposed a privilege tax to be paid to the collector of licenses and privileges of the city in the amounts and in accordance with the terms and conditions herein stated upon each person, firm, corporation, partnership or association who may be authorized to engage in the business of selling at retail alcoholic beverages for consumption on the premises within the city. The amount of privilege tax levied and imposed shall be as follows:

1. Private club \$300.00
2. Hotel and motel \$1,000.00
3. Restaurant, according to seating capacity, on licensed premises:

75—125 seats \$600.00

126—175 seats \$750.00

176—225 seats \$800.00

226—275 seats \$900.00

276 seats and over \$1,000.00

B. The amount of privilege tax aforesaid shall be for the period of one year commencing January 1 of each year and expiring on December 31 of each year,

and shall be paid upon receipt of a license from the state authorizing the business of selling at retail alcoholic beverages for consumption on the premises. The original payment of the privilege tax shall be prorated for the remaining quarters or portions thereof, of that calendar year. This tax shall be effective from and after January 1, 1970.

(Code 1967, § 5-110; Code 1985, § 4-117; Ord. No. 604, § 2, 12-16-1969)

CHAPTER 7-4. INSPECTION FEES³

Sec. 7-4-1. Definitions.

For the purposes of this chapter the following definitions shall apply:

Alcoholic beverages shall have the same meaning as ascribed by section 7-1-1.

Retailer means a person who sells alcoholic beverages for consumption and not for resale.

Wholesaler means a person who sells alcoholic beverages to retailers, and shall include distributors, distillers, or any person making sales to retailers.

(Code 1985, § 4-131; Ord. No. 3508, § 2, 11-5-1985)

³State law reference(s)—Municipal inspection fees, T.C.A. § 57-3-501 et seq.

Sec. 7-4-2. Fee levied on retailers—Computation.

- A. For the purpose of providing a means of regulating the liquor business in the city and pursuant to the authority granted the city by Chapter 87 of the Public Acts of the General Assembly of Tennessee for 1969, there is levied and imposed against retailers an inspection fee at the rate of five percent on all purchases of alcoholic beverages made by such retailers from wholesalers. The fee shall be measured by the wholesale price of the alcoholic beverage sold by the wholesaler and paid by the retailer to the wholesaler, and shall be five percent of such wholesale price.
- B. The fee levied by this chapter shall be added by the wholesaler to each invoice for alcoholic beverages sold to each retailer within the city and shall be collected by the wholesaler at the time of the sale or at the time the retailer makes payment for the delivery of the alcoholic beverages.

(Code 1985, § 4-132; Ord. No. 3508, § 1, 11-5-1985)

Sec. 7-4-3. Wholesalers.

- A. *Monthly reports; collection and remittance of fee.* Each wholesaler making sales to retailers within the city, shall furnish to the city treasurer a report monthly which report shall contain a list of alcoholic beverages sold to each retailer within the city, the wholesale price of the alcoholic beverages sold to each retailer, the amount of tax due, and such other information as shall be required by the city treasurer. The monthly report shall be furnished to the city treasurer not later than the 20th day of the month following which the sales were made, and the inspection fees collected by the wholesaler from the retailer shall be paid to the city treasurer at the time the monthly report is made.
- B. *Reimbursement.* Wholesalers collecting and remitting the above inspection fee to the city shall be entitled to reimbursement for this collection service, a sum equal to five percent of the total amount of inspection fees collected and remitted, such reimbursement to be deducted and shown on the monthly report to the city treasurer.
- C. *Penalties.* Failure to collect or timely report and/or pay the inspection fee collected shall result in a penalty of ten percent of the fee due the city which shall be paid to the city treasurer.
- D. *Access to wholesalers' records.* The city treasurer and his or her authorized representative shall have access to the pertinent records and books of all wholesalers at reasonable times for the purpose of ascertaining and verifying the taxes due under the provisions of this chapter.

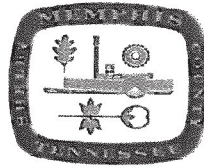
(Code 1985, § 4-133; Ord. No. 3508, § 3, 11-5-1985)

Sec. 7-4-4. Enforcement.

The city treasurer is authorized and empowered to take any and all steps necessary to enforce the payment of any inspection fees due under the provision of this chapter.

(Code 1985, § 4-134; Ord. No. 3508, § 4, 11-5-1985)

T-305



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

RESOLUTION TO ACCEPT, ALLOCATE, AND APPROPRIATE
CONFERENCE SPONSORSHIPS, DONATIONS, AND REGISTRATION
FEES COLLECTED FOR THE STATE OF MEMPHIS HOUSING SUMMIT

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

The Division of Housing and Community Development

3. State whether this is a change to an existing ordinance or resolution, if applicable.

n/a

4. State whether this will impact specific council districts or super districts.

City-wide

5. State whether this requires a new contract, or amends an existing contract, if applicable.

New contracts and contract amendments will be required.

6. State whether this requires an expenditure of funds/requires a budget amendment

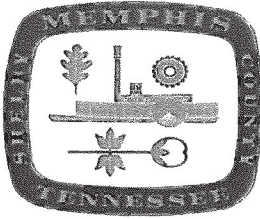
Expenditure of funds will be required.

7. If applicable, please list the MWBE goal and any additional information needed

n/a

T305

Resolution-Division of Housing and Community Development



RESOLUTION TO ACCEPT, ALLOCATE, AND APPROPRIATE CONFERENCE SPONSORSHIPS, DONATIONS, AND REGISTRATION FEES COLLECTED FOR THE STATE OF MEMPHIS HOUSING SUMMIT 2025 IN THE AMOUNT OF UP TO \$25,000.00.

WHEREAS, the City of Memphis' Division of Housing and Community Development (HCD) hosted its 5th Annual Housing Summit February 21, 2025. The theme was "Housing for Tomorrow Preservation and Development". The event brought in funds during the conference for sponsorships, donations, and registration fees and funds for donations and sponsorships are continuing to come in; and

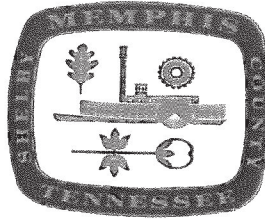
WHEREAS, HCD maintains the spirit of helping our communities become stronger by coordinating a day-long event to provide context and analysis on the issues affecting the housing market in the City of Memphis; and

WHEREAS, the participants included neighborhood and civic leaders, as well as representatives from businesses and philanthropic agencies. The event served as an opportunity to provide useful information about the housing market in the City of Memphis as well as explore national and local strategies for improving and transforming communities of all sizes.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the funds received up to the amount of \$25,000 by the Division of Housing and Community Development for the State of Memphis Housing Summit 2025 be accepted, allocated, and appropriated *to the Operating Budget* *for FY2025.*

Resolution-Division of Housing and Community Development

T-298



1. Description of the Item (Resolution, Ordinance, etc)

A RESOLUTION AMENDING THE FY25 HOUSING AND COMMUNITY DEVELOPMENT OPERATING BUDGET TO ACCEPT, ALLOCATE, AND APPROPRIATE ADDITIONAL REVENUE COLLECTED IN THE AMOUNT OF \$23,132.14 FROM THE 2024 A TASTE OF MEMPHIS EVENT HELD AT TIGER LANE

2. Initiating Party (e.g. Public Works at request of City Council, etc)
The Division of Housing and Community Development.

3. This is an amendment.

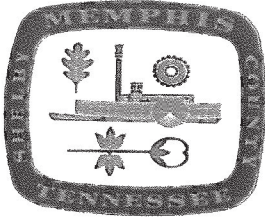
4. State whether this will impact specific council districts or super districts.
City-wide

5. State Whether this requires a new contract, or amends an existing contract, if applicable.
New contracts and contract amendments will be required.

6. State whether this requires an expenditure of funds/requires a budget amendment
Expenditure of funds will be required.

7. If applicable, please list the MWBE goal and any additional information needed
Not applicable to MWBE.

Resolution – Division of Housing and Community Development



A RESOLUTION AMENDING THE FY25 HOUSING AND COMMUNITY DEVELOPMENT OPERATING BUDGET TO ACCEPT, ALLOCATE, AND APPROPRIATE ADDITIONAL REVENUE COLLECTED IN THE AMOUNT OF \$23,132.14 FROM THE 2024 A TASTE OF MEMPHIS EVENT HELD AT TIGER LANE.

WHEREAS, the City of Memphis hosted the 2024 A Taste of Memphis at Tiger Lane on September 19, 2024, a community celebration designed to share the unique qualities and accomplishments of local neighborhoods and highlight the efforts of indigenous leaders working to make Memphis a better place to live, work, and play; and

WHEREAS, revenue for the event was generated through sponsorships, donations, and registration and exhibit fees; and

WHEREAS, the initial FY2025 budget projected event revenue at \$20,000, however, the event exceeded projections by generating an additional \$23,132.14 bringing the total collected revenue to \$43,132.14; and

WHEREAS it is necessary to amend the FY2025 Operating Budget to accurately reflect the additional revenue received and to appropriately increase the corresponding expense accounts to support event-related costs.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Memphis that the additional revenue generated from A Taste of Memphis event is hereby accepted, allocated and appropriated in the amount of \$23,132.14 in the FY 25 Housing and Community Development operating budget.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This is a Resolution to transfer an appropriation of \$260,000.00 from Contract Constructions to Architecture and Engineering in Repair 14 Bridges Sam Cooper, Project Number PW01253 to fund increased CEI costs.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Initiating party is Public Works with Engineering administering the project.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

NA

4. State whether this will impact specific council districts or super districts.

Council Districts 2 and 5. Super Districts 9.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

NA

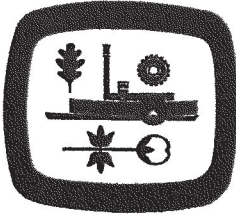
6. State whether this requires an expenditure of funds/requires a budget amendment

This requires an expenditure of funds.

7. If applicable, please list the MWBE goal and any additional information needed

8% DBE goal.

P099



This is a Resolution to transfer an appropriation of \$260,000.00 from Contract Constructions to Architecture and Engineering in Repair 14 Bridges Sam Cooper, Project Number PW01253 to fund increased CEI costs.

WHEREAS, the City of Memphis accepted grant funds in the amount of \$9,841,163.20 from the Tennessee Department of Transportation (TDOT) approved for Repair 14 Bridges Sam Cooper, Project Number PW01253; and

WHEREAS, the Council of the City of Memphis approved Repair 14 Bridges Sam Cooper, Project Number PW01253 as part of the Fiscal Year 2025 Capital Improvement Budget; and

WHEREAS, it was necessary to transfer an appropriation in the amount of \$260,000.00 from Contract Constructions to Architecture and Engineering in Repair 14 Bridges Sam Cooper, Project Number PW01253. Eighty percent federal funds in the amount of \$208,000.00 and the required grant award project match of 20% in the amount of \$52,000.00 funded by GO Bond for the purpose as stated above.

NOW, THEREFORE, BE IT RESOLVED, that the Memphis City Council to transfer and appropriate of \$260,000.00 from Contract Construction to Architecture and Engineering funded by 80% federal funds (\$208,000.00) and 20% GO Bonds (\$52,000.00) in Repair 14 Bridges Sam Cooper, Project PW01253 for the purpose as stated above.

BE IT FURTHER RESOLVED that the Fiscal Year 2024 Public Works Budget be and is hereby amended by a transfer and appropriation of \$260,000.00 from Contract Construction to Architecture and Engineering funded by 80% federal funds (\$208,000.00) and 20% GO Bonds (\$52,000.00) in Repair 14 Bridges Sam Cooper, Project PW01253 for the purpose as stated above.