WHEREAS the Memphis City Council has historically recognized individuals who have made lasting and significant contributions to our city, and Mr. Roosevelt Hancock—an accomplished educator, trailblazing coach, and steadfast community leader—is undeniably worthy of such recognition and honor; and

WHEREAS, born on February 24, 1941, in Memphis, Tennessee, Mr. Roosevelt Hancock is a proud graduate of Hamilton High School, Class of 1959; he earned a Bachelor of Science in Physical Education from Fisk University in 1963 and a Master of Science in Education from the University of Arkansas in 1971; and he is a devoted husband, father of seven, grandfather of ten, and great-grandfather of one; and

WHEREAS, Mr. Roosevelt Hancock's 41-year career with Memphis-Shelby County Schools is a testament to his unwavering commitment to the development of our youth; from teaching physical education at Hamilton High School (1963–1988), to serving as Assistant Principal at Hillcrest High (1988–2000) and Kirby High (2000–2005), his impact on education and school leadership is immeasurable; and

WHEREAS, as Head Football Coach at Hamilton High School from 1977–1988, Mr. Roosevelt Hancock led the Wildcats to unprecedented success—earning 101 wins and 17 losses, the most wins of any coach in the district's history; his leadership resulted in nine playoff appearances, a State 4A Runner-Up title in 1984, five city championships, and nine conference and district titles; and

WHEREAS, Coach Hancock's mentorship extended beyond the field; under his guidance, 197 student-athletes earned athletic scholarships, 122 of whom completed their college degrees, and 26 players went on to compete professionally in the World Football League, Canadian Football League, or the NFL; and

WHEREAS, beyond his educational and athletic achievements, Mr. Roosevelt Hancock has served the Hamilton Alumni Association faithfully, receiving the Meritorious Award in 2018 and previously serving as Membership Chairperson Emeritus; and

WHEREAS, his talents also extend to videography, where for over 50 years he has documented important life moments for clients, family, and friends with professionalism and care; and

WHEREAS, Mr. Roosevelt Hancock is respected not only for his accomplishments, but also for his character an embodiment of excellence, responsibility, humility, and community pride; he continues to be a role model and a pillar of the Hamilton High School community and the City of Memphis.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that Cincinnati Road between Person Avenue and Dunn Avenue be designated as

Roosevelt Hancock Street

in lasting tribute to a man whose legacy has uplifted generations and whose example continues to inspire.

BE IT FURTHER RESOLVED that the City Engineer is requested to affix suitable signs designating this public road, effective with the passage of this resolution.

Adopted May 20, 2025

Given by my hand and under the great seal of the City of Memphis this 8th day of May 2025.

ana Swearengton Washington

Jana Swearengen-Washington Vice-Chairwoman Memphis City Council

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development DIVISION

Planning & Zoning COMMITTEE: 03/18/2025 DATE 03/25/2025 PUBLIC SESSION: DATE

ONE ORIGINAL

ONLY STAPLED

TO DOCUMENTS

ITEM (CHECK ONE)ORDINANCE	X_RESOLU	TION	REQUEST FOR	PUBLIC HEARING			
ITEM DESCRIPTION:	a special use p	permit at the	hapter 9.6 of the Mer subject property loca ber SUP 2024-039	nphis and Shelby County Unified Development Code approving ated at the southeast corner of S Mendenhall Road and Fox Plaza			
CASE NUMBER: SUP 2024-039							
LOCATION:	TION: 2730 S Mendenhall			enhall and Fox Plaza)			
COUNCIL DISTRICTS: District 4 and Super			ict 8				
OWNER/APPLICANT: Beruk Construction							
REPRESENTATIVE:	N/A						
REQUEST:	Special Use P	ermit to allo	w a convenience sto	re with gas pumps			
AREA:	+/-1.005 acres	6					
RECOMMENDATION:	The Division of Plan The Land Use Contro			commended <i>Rejection</i> ejection			
RECOMMENDED COUN	CIL ACTION:		aring Not Required March 25, 2025				
PRIOR ACTION ON ITEM: (2) 12/12/2024 (1) Land Use Control Board		DA OR	APPROVAL - (1) APPROVED (2) DENIED DATE ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE				
FUNDING: (2) \$ \$ SOURCE AND AMOUNT OF FUNDS \$ \$ \$ \$ \$		AM RE OP CIF	REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED OPERATING BUDGET CIP PROJECT # FEDERAL/STATE/OTHER				
ADMINISTRATIVE APPR	OVAL:	areititet	DATE	POSITION			
take 1	in		3-10-25	PLANNER II			
	0			DEPUTY ADMINISTRATOR			
Bitthe	1.0		3/10/20	> ADMINISTRATOR			
- Drug . a	/		-1-1	DIRECTOR (JOINT APPROVAL)			
			_	COMPTROLLER			
			-				
				FINANCE DIRECTOR			
				CITY ATTORNEY			
				CHIEF ADMINISTRATIVE OFFICER			
				COMMITTEE CHAIRMAN			



Memphis City Council Summary Sheet

SUP 2024-039

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT THE SOUTHEAST CORNER OF S MENDENHALL ROAD AND FOX PLAZA DRIVE, KNOWN AS CASE NUMBER SUP 2024-039

- This item is a resolution with conditions for a special use permit to allow a convenience store with gasoline sales.
- This item was heard at the December 2024 meeting of the Land Use Control Board. Between this meeting and the present (March 2025), the applicant has worked with DPD staff to improve the site design. The improved site design is included in the attached resolution.
- Nevertheless, DPD staff recommends *rejection* for three major reasons:
 - $\circ\,$ Inconsistency with the intent of the UDC's design standards for gas stations.
 - Ecological concerns related to the site's location in an aquifer recharge zone.
 - Inconsistency with the Memphis 3.0 Comprehensive Plan
- The Land Use Control Board also voted to recommend *rejection* at its December 2024 meeting.
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, December 12, 2024,* the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SUP 2024-039	
LOCATION:	2730 S Mendenhall Rd.	
COUNCIL DISTRICT(S):	District 4 and Super District 8	
OWNER/APPLICANT:	Beruk Construction	
REPRESENTATIVE:	N/A	
REQUEST:	Special Use Permit to allow a convenience store with gasoline sales.	
EXISTING ZONING:	Commercial Mixed Use – 1 (CMU-1)	
AREA:	+/-1.005 acres	

The following spoke in support of the application: Aaron Robinson

The following spoke in opposition the application: Asad Sojwani

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

The motion failed by a vote of 0-9 on the regular agenda.

Respectfully,

ichden h

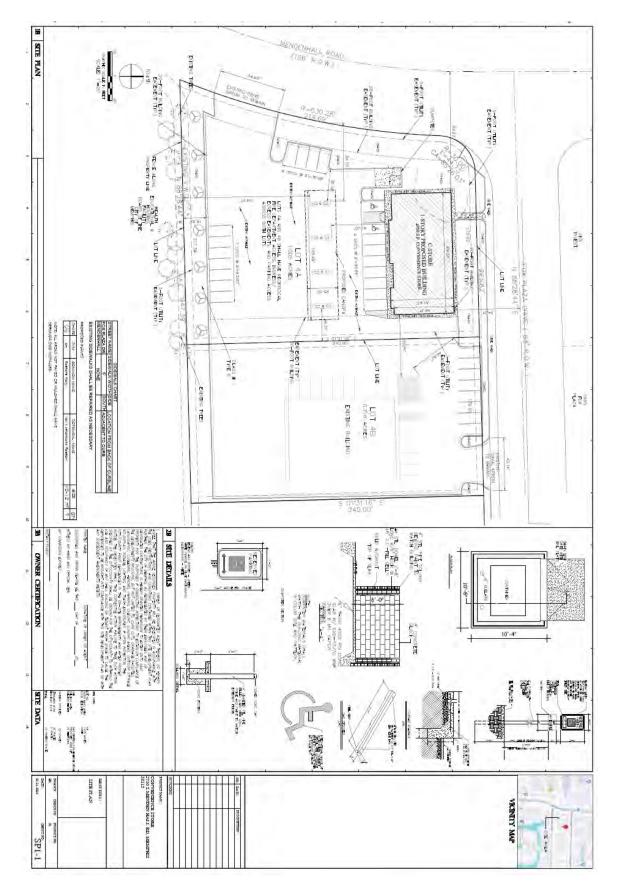
Nicholas Wardroup Planner II Land Use and Development Services Division of Planning and Development

Cc: Committee Members File

SUP 2024-039 CONDITIONS

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

- 1. The applicant shall submit a revised site plan and elevations to the Zoning Administrator for administrative review and approval prior to the granting of any building permits. The granting of this Special Use Permit shall not be construed to waive any requirements of the UDC related to landscaping, bicycle or vehicular parking, or any other standard.
- 2. At least 3 electric vehicle (EV) charging stations shall be provided. The applicant may eliminate vehicular parking spaces as necessary to meet this requirement.
- 3. The principal structure shall feature at least 30% transparency on its western façade. The Zoning Administrator may, at their discretion, reduce this requirement after the submission of elevations. No window graphics or window signs shall be permitted on the western façade.



RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT THE SOUTHEAST CORNER OF S MENDENHALL ROAD AND FOX PLAZA DRIVE, KNOWN AS CASE NUMBER SUP 2024-039

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

WHEREAS, Beruk Construction filed an application with the Memphis and Shelby County Division of Planning and Development to allow a convenience store with gasoline sales; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on December 12, 2024, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

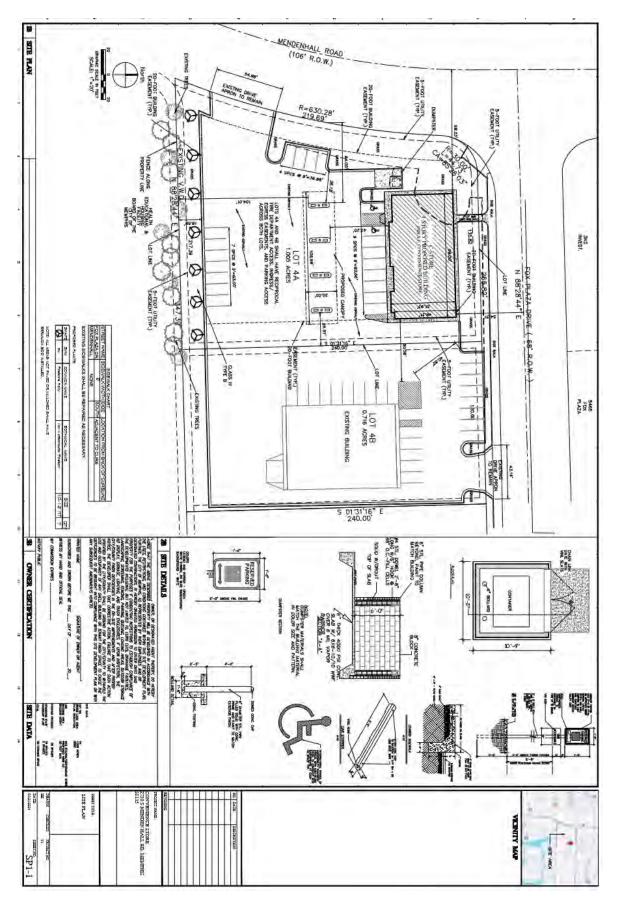
NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted for the request use in accordance with the attached conditions.

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

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

CONDITIONS

- 1. The applicant shall submit a revised site plan and elevations to the Zoning Administrator for administrative review and approval prior to the granting of any building permits. The granting of this Special Use Permit shall not be construed to waive any requirements of the UDC related to landscaping, bicycle or vehicular parking, or any other standard.
- 2. At least 3 electric vehicle (EV) charging stations shall be provided. The applicant may eliminate vehicular parking spaces as necessary to meet this requirement.
- 3. The principal structure shall feature at least 30% transparency on its western façade. The Zoning Administrator may, at their discretion, reduce this requirement after the submission of elevations. No window graphics or window signs shall be permitted on the western façade.



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

dpd MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT
AGENDA ITEM:	14	L.U.C.B. MEETING:	December 12, 2024
CASE NUMBER:	SUP 2024-0039		
LOCATION:	2730 S. Mendenhall Road		
COUNCIL DISTRICT:	District 4 and Super District 8		
OWNER/APPLICANT:	Beruk Construction (Fasil Kabede)		

REQUEST: Special use permit to allow a convenience store with gas pumps

EXISTING ZONING: Commercial Mixed Use 1 – (CMU-1)

CONCLUSIONS

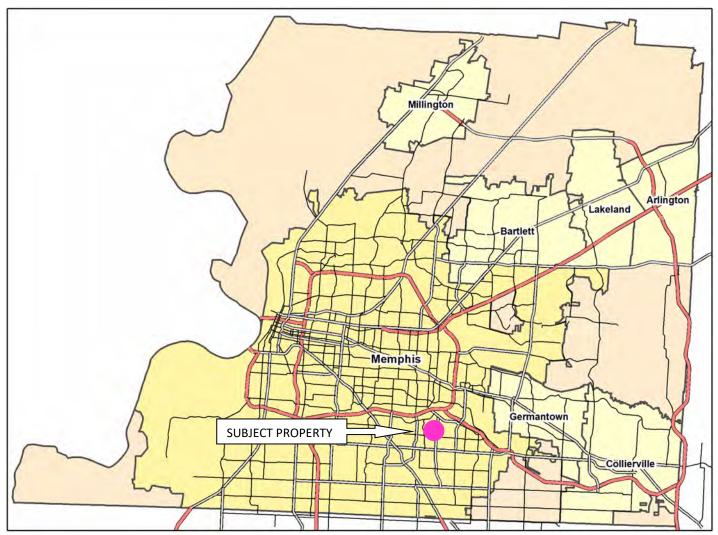
- 1. The applicant proposes to construct a new convenience store and associated 4-pump canopy on a property which served as a parking lot for a Hertz car rental until 2022.
- 2. Staff recommends *rejection* of the application for three major reasons:
 - a. Inconsistency with the UDC's design standards for gas stations, which are intended to encourage more urban and pedestrian-oriented site designs, particularly important on sites (such as the subject property) in close proximity to multifamily housing.
 - b. Ecological concerns related to the site's location in an aquifer recharge zone and subsequent inconsistency with the Mid-South Region Resilience Master plan.
 - c. Inconsistency with the Memphis 3.0 Comprehensive Plan.
- 3. The granting of this special use permit will cause substantial detriment to the public good, it will substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), it will be injurious to the neighborhood and the general welfare, and it will not be in harmony with the purpose and intent of the UDC.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is *inconsistent* with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 20-23 of this report.

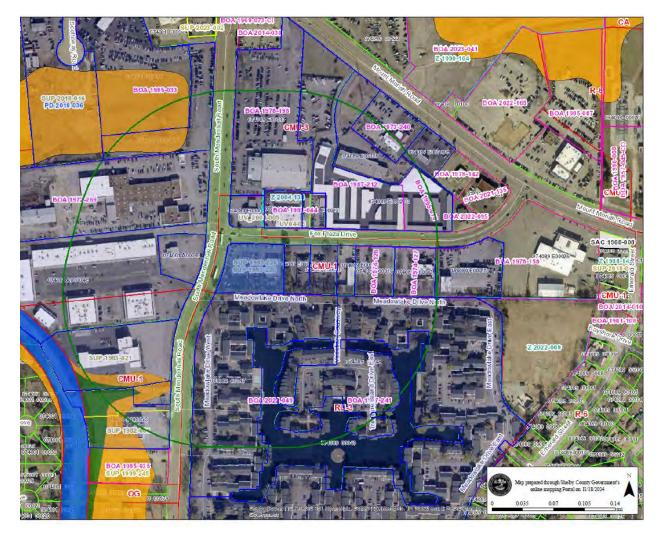
RECOMMENDATION:

Rejection



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



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 27 notices were mailed on November 19, 2024, see page 24 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 25 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Tuesday, November 26, 2024, at 2734 S Mendenhall Rd, Memphis, TN 38115.

Causewa

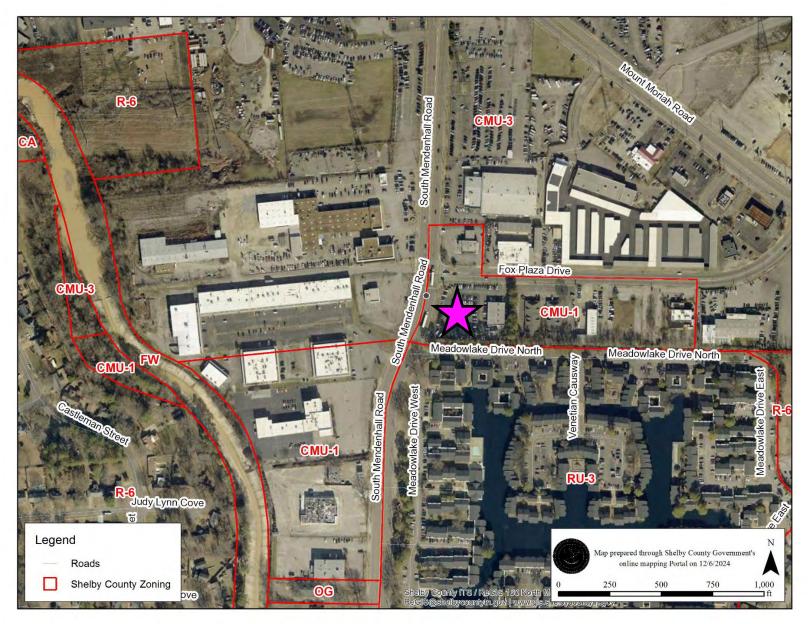
AERIAL Fox Plaza Dr 0.00 DI S Mendenhall Rd S Mendenhall Rd The Cathedral Of Prayer Cogic 222002002090209 00 1 The Wax Lounge & Spa 💽 6 600 A BEE Next Level Studios 🙆 ANEY IS CALLOCELE Aspire Event Center Matthews 6:33 (1) Meadowlake Dr N Meadowlake Dr N Amarshay Beauty Bar (a) S Mandenhall Rd Meadowlake Dr N Lakeview Mendenhall Center Papa Johns Pizza enhall Rd je. 000

Subject property outlined in yellow, imagery via Google, 2024

Google

ZONING MAP

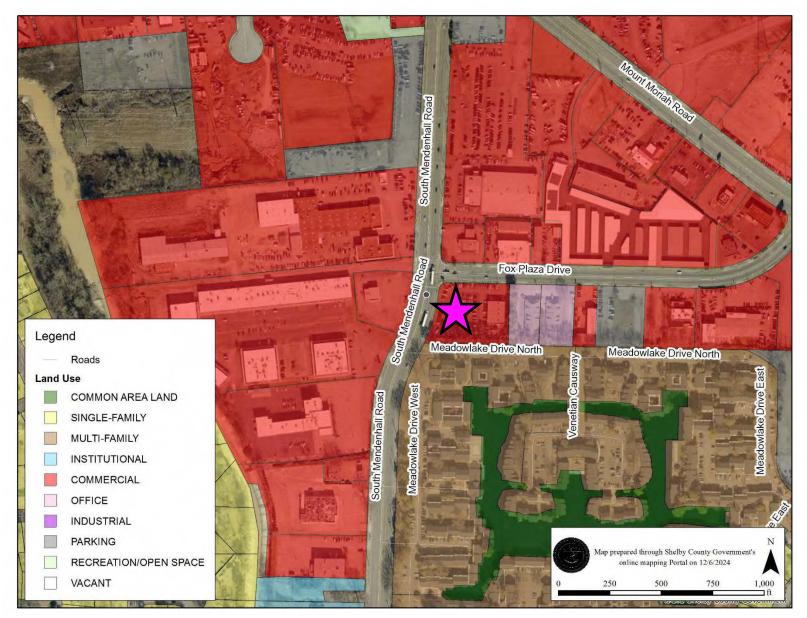
December 12, 2024 Page 5



Subject property indicated by pink star

LAND USE MAP

December 12, 2024 Page 6



Subject property indicated by a pink star

December 12, 2024 Page 7

SITE PHOTOS



View of subject property from Fox Plaza looking west



View of subject property from S Mendenhall and looking west

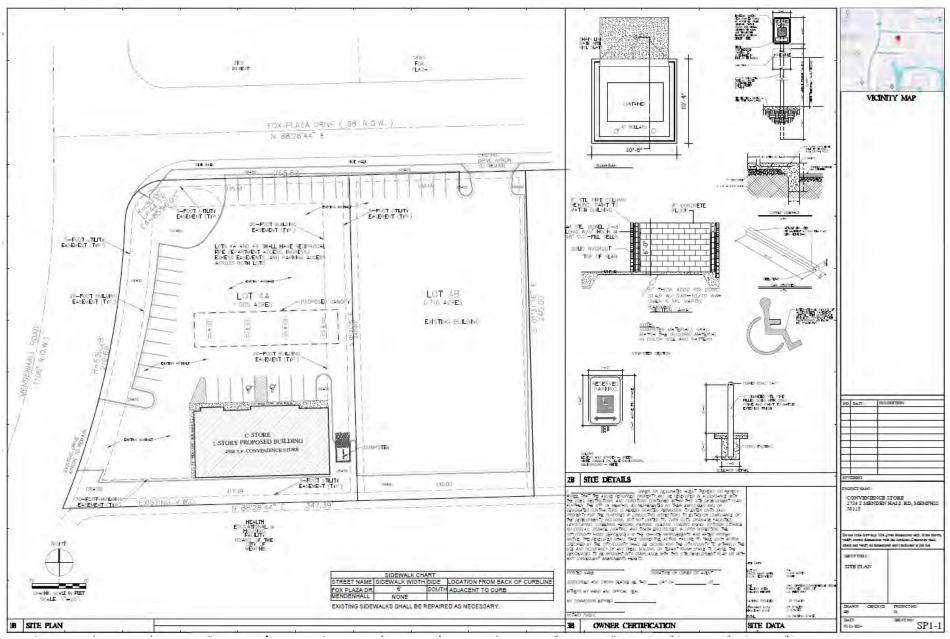


View of subject property from S Mendenhall looking North

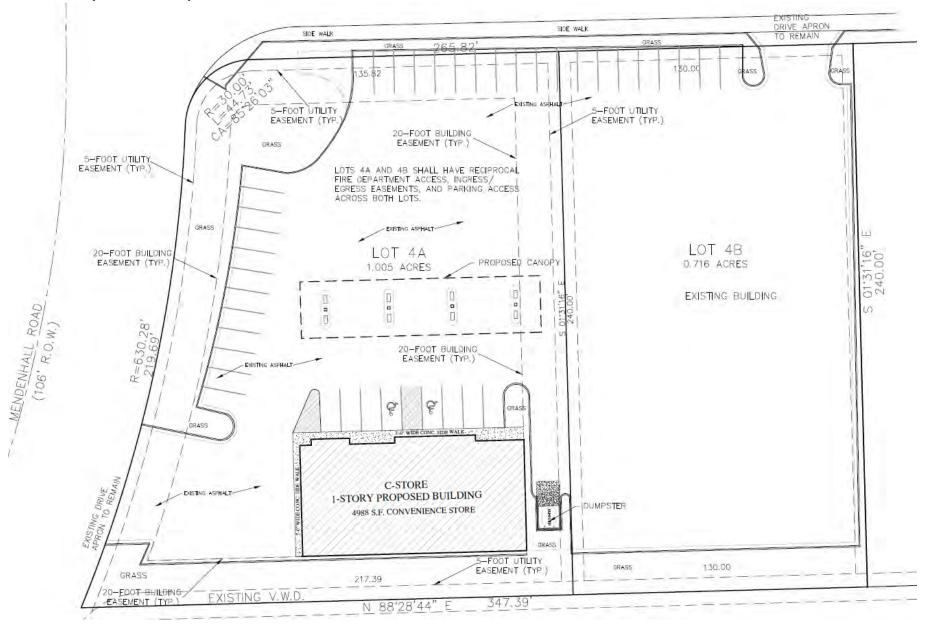


View of subject property from S Mendenhall looking Southeast

SITE PLAN

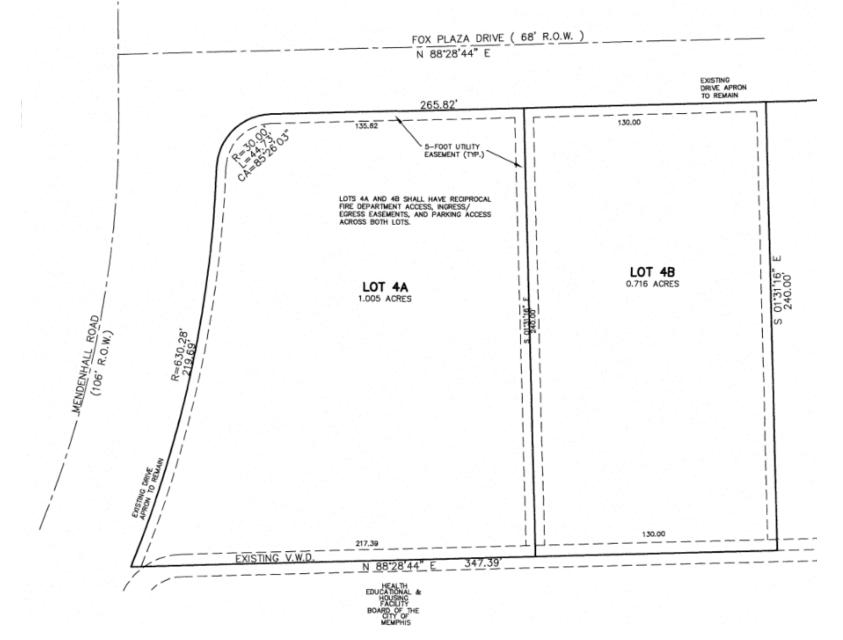


SITE PLAN (MAGNIFIED)



December 12, 2024 Page 11

FOX GATE PLAZA SUBDIVISION (2024, Plat Book 306, Pg. 34)



CASE REVIEW

<u>Request</u>

The request is a special use permit to allow a convenience store with gas sales

Approval Criteria

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

9.6.9 Approval Criteria

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

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

<u>Site Details</u>

Address: 2730 S. Mendenhall

Parcel ID: 074089 E00006

Area: +/1.005 acres

Description:

The subject property is known as Lot 4A of the 2024 Fox Gate Plaza subdivision and hosts a vacant parking lot. It is a distinct lot from that of the commercial structure to the east (Lot 4B). The site occupies the entire block width between Fox Plaza Dr. and Meadowlake Dr. at their intersection with S Mendenhall Rd. It is served by one curb cut on S Mendenhall at the southern extreme of the property. The recorded plat also grants shared use of the curb cut on lot 4B along Fox Plaza Dr.

Site Zoning History

A 1993 special use permit (SUP 1993-220) approved vehicle sales at this site, which has hosted a Hertz car rental facility as recently as 2022 (the UDC considers vehicle sales and rental to be the same use). Documents from that SUP application indicate that the site had been used as a restaurant prior to the vehicle sales approval. In 2023, the site was subdivided, with the principal structure and the parking lot being separated into distinct lots (see plat page 11). The subject property is lot 4A, the former Hertz parking lot.

Site Plan Review

The applicant proposes to construct a +/- 4,988 sq. ft. convenience store along the southern edge of the property, as well as a canopy with four gasoline pumps to the north. The proposed site design does not meet the standards for an SUP waiver under UDC Sub-Item 2.6.3J(2)(d)(ii), necessitating the subject SUP application.

Analysis

Staff recommends *rejection* of this application for three major reasons: 1) its inconsistency with the intent of the UDC's design standards for gas stations, 2) ecological concerns related to the site's location in an aquifer recharge zone, and 3) its inconsistency with the Memphis 3.0 comprehensive plan.

Sub-section 2.6.3J of the UDC establishes design standards for gas stations intended to encourage more pedestrian-friendly urban design. In short, these standards exempt proposed gas stations from the SUP requirement if they place the pumps to the rear or side of the building and provide an architecturally compatible or physically integrated canopy. Given the site's proximity to a multifamily neighborhood, staff finds it appropriate to strictly enforce these standards in this case.

We also note the proposal's inconsistency with the Mid-South Regional Resilience Master Plan and the Memphis 3.0 Comprehensive Plan. More information regarding these determinations can be found on pages 19-20 and 21-23, respectively.

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

RECOMMENDATION

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

Conditions

- 1. The applicant shall submit a revised site plan and elevations to the Zoning Administrator for administrative review and approval prior to the granting of any building permits. The granting of this Special Use Permit shall not be construed to waive any requirements of the UDC related to landscaping, bicycle or vehicular parking, or any other standard.
- 2. At least 3 electric vehicle (EV) charging stations shall be provided. The applicant may eliminate vehicular parking spaces as necessary to meet this requirement.
- 3. The principal structure shall feature at least 30% transparency on its western façade. The Zoning Administrator may, at their discretion, reduce this requirement after the submission of elevations. No window graphics or window signs shall be permitted on the western façade.

DEPARTMENTAL COMMENTS

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

City Engineering:	See Next Page
City Fire:	See page 18.
City Real Estate:	No comments received.
County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Office of Sustainability and Resilience:	See pages 19-20.
Office of Comprehensive Planning:	See pages 21-23

CITY ENGINEERING COMMENTS

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

Sewers:

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

3. A sanitary sewer service connection plan is required to be submitted (via 901 portal) to the City Land Development Office for review and approval.

4. All required design plans and potential traffic control plan must be prepared in accordance with the City's Standard Requirements and must be stamped by a Professional Engineer registered in the State of Tennessee.

5. A Sewer Development fee may be required per the City of Memphis Sewer Use Ordinance.

Roads:

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

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

Traffic Control Provisions:

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

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

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

Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

December 12, 2024 Page 17

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

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

13. Will require engineering ASPR.

Drainage:

14. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.

15. 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.

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

17. 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.

18. 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.



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

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

Case Number: SUP 2024-039 Date Reviewed: 12/6/24 Reviewed by: J. Stinson Address or Site Reference: 2730 S Mendenhall

- All design and construction shall comply with the 2021 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503.
- Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- IFC 510 In-building two-way emergency responder communication coverage shall be provided in all new and existing buildings. Buildings and structures that cannot support the required level of coverage shall be equipped with systems and components to enhance signals and achieve the required level of communication coverage.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

OFFICE OF SUSTAINABILITY AND RESILLIENCE COMMENTS

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

MEMORANDUM

To: Latonya Hull, Planner I

From: Logan Landry, Planner I

Date: November 4, 2024

Subject: OSR Comments on SUP 24-039: PARKWAY VILLAGE

General Comments & Analysis:

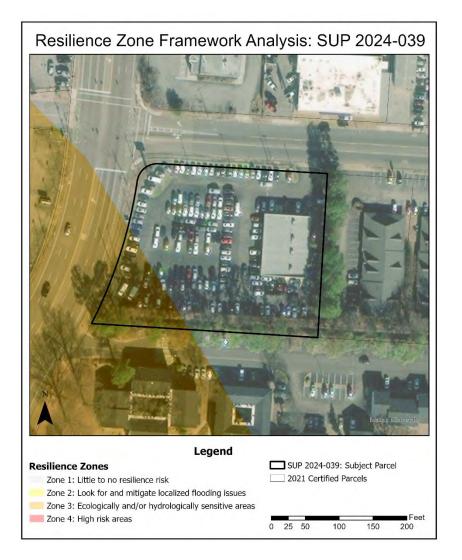
Located in Zones 1 and 3 of the Resilience Zone Framework:

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 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 Zone 3 designation is due to the aquifer recharge zone located in the southwest portion of the parcel.

The applicant is requesting a special use permit to construct a convenience store with gas sales on the subject parcel.



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

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 proposed development in the aquifer recharge zone contradicts section 2.2.2 – Aquifer Conservation and Recharge. The nature of the proposed development would increase the hazard of contaminants generated at gas stations to seep into and contaminate the aquifer's water supply.

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

Recommendations: Staff recommends rejection.

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: <u>SUP 2024-039</u>

Site Address/Location: 2730 S Mendenhall Rd, Memphis 38155 Overlay District/Historic District/Flood Zone: Not in an Overlay District, Historic District, or Flood Zone Future Land Use Designation: Low Intensity Commercial and Services (CSL) Street Type: Avenue & Parkway

The applicant is requesting a special use permit to create a convenience store with gas sales. 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.

December 12, 2024 Page 22

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 below.



"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: Commercial; CMU-1

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

Overall Compatibility: The requested use is not compatible with the land use description/intent, form & location characteristics, and zoning notes. While a convenience store is compatible with land use intent, the expectation of gas pumps will lead to a more intense usage that is more appropriate for CSH. The requested use is not compatible with existing, adjacent land use and zoning. The intended use of gas pumps is too intense for adjacent multi-family homes zoned as RU-3.

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 requesting a special use permit to create a convenience store with gas sales. The requested use is not compatible with the land use description/intent, form & location characteristics, and zoning notes. While a convenience store is compatible with land use intent, the expectation of gas pumps will lead to a more intense usage that is more appropriate for CSH. The requested use is not compatible with existing, adjacent land use and zoning. The intended use of gas pumps is too intense for adjacent multi-family homes zoned as RU-3.

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

Summary Compiled by: Isaac Bacon, Comprehensive Planning.

MAILED PUBLIC NOTICE

NOTICE OF PUBLIC HEARING	MEMPHIS AND DIVISION OF PLANNIN SHELBY COUNTY AND DEVELOPMENT
You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than Wednesday, December 4, 2024 at 8 AM.	
CASE NUMBER: SUP 2024-039 ADDRESS: 2730 S. Mendenhall Road REQUEST: Special Use Permit to allow a connivence store with gas pumps APPLICANT: Beruk Properties, Inc	
Meeting Details Location: Council Chambers Time: 9:00 AM City Hall 1st Floor 125 N Main St. Date: Thursday, Dec. 12, 2024	
Staff Planner Contact: LaTonya Hull ☑ latonya.hull@memphistn.gov ६ (901) 636-7179	To learn more about this proposal, contact the staff planner or use the QR code to view the full application.

SIGN AFFIDAVIT

December 12, 2024 Page 25

AFFIDAVIT

Shelby County State of Tennessee

I, FASIL KEBEDE , being duly sworn, depose and say that at 2:30 am/pm 2024, I posted 2 Public Notice Sign(s) on the 15_ day of NOVEMBER 2730 S MENDEN HALL RD MEMPH pertaining to Case No. SUP 202 38115 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 day of here Subscribed and sworn to before me this STATE AND THEFT TENNESSEE Notary Public NOTARY My commission expires:

COMMUSSION EXPRES

APPLICATION

	Memphis and Shelby County Division of Planning and Development
	Training 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 Summa	ry for Special Use Permit
Record Detail Information	
Record Type: Special Use Permit	Record Status: Pending
	Opened Date: September 16, 2024
Record Number: SUP 2024-039	Expiration Date:
Record Name: 2730 S MENDENHALL RD, Memphis	38115
Description of Work: C-Store with Gas sales	
Stor sector Monthly and the	Parent Record Number:
2730 S MENDENHALL RD, Memphis 38115 Owner Information	
Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address	Owner Phone
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125	Owner Phone
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address	Owner Phone.
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125 Parcel Information 074089 E00006	Owner Phone.
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125 Parcel Information 074089 E00006	Owner Phone
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125 Parcel Information 074089 E00006 Data Fields PREAPPLICATION MEETING Name of DPD Planner	Owner Phone
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125 Parcel Information 074089 E00006 Data Fields PREAPPLICATION MEETING Name of DPD Planner Date of Meeting	
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125 Parcel Information 074089 E00006 Data Fields PREAPPLICATION MEETING Name of DPD Planner	
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2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125 Parcel Information 074089 E00006 Data Fields PREAPPLICATION MEETING Name of DPD Planner Date of Meeting Pre-application Meeting Type GENERAL PROJECT INFORMATION Application Type List any relevant former Docket / Case Number(s) related to previous applications on this site Is this application in response to a citation, stop	Lucas Skinner -
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125 Parcel Information 074089 E00006 Data Fields PREAPPLICATION MEETING Name of DPD Planner Date of Meeting Pre-application Meeting Type GENERAL PROJECT INFORMATION Application Type List any relevant former Docket / Case Number(s) related to previous applications on this site	Lucas Skinner - - New Special Use Permit (SUP) -
2730 S MENDENHALL RD, Memphis 38115 Owner Information Primary Owner Name Y BERUK PROPERTIES INC Owner Address 3264 W SARAZENS CIR, MEMPHIS, TN 38125 Parcel Information 074089 E00006 Data Fields PREAPPLICATION MEETING Name of DPD Planner Date of Meeting Pre-application Meeting Type GeneraL PROJECT INFORMATION Application Type List any relevant former Docket / Case Number(s) related to previous applications on this site Is this application in response to a citation, stop	Lucas Skinner - - New Special Use Permit (SUP) -

age 2 of 3		SUP 2024-039
hone 01)327-5800		
ddress		
ASIL KEBEDE		Contact Type APPLICANT
Contact Information		
City Council District City Council Super District	2	
County Commission District		
Wellhead Protection Overlay District	No	
Planned Development District	No	
Subdivision	2	
Lot	2	
State Route		
Zoning	2	
Overlay/Special Purpose District	(f)	
Municipality	19 I.	
Land Use		
Historic District	-	
Downtown Fire District	No	
Class	10 A	
Central Business Improvement District	No	
Case Layer	201	
GIS INFORMATION		
UDC Sub-Section 9.6.9F	yes	
UDC Sub-Section 9.6.9E	yes	
UDC Sub-Section 9.6.9D	yes	
UDC Sub-Section 9.6.9C	yes	
regulations		
accordance with the applicable district		
development and use of adjacent property in		
immediate vicinity and not interfere with the		
operated so as to be compatible with the		
B) The project will be constructed, arranged and	yes	
welfare		
affecting the public health, safety, and general		
parking, utility facilities and other matters		
character of the neighborhood, traffic conditions,		
undue adverse effect upon adjacent property, the		
A) The project will not have a substantial or	ves	
APPROVAL CRITERIA		
work order, and/or zoning letter along with any other relevant information		
If yes, please provide a copy of the citation, stop		

Fee Inform						
Invoice # 1594920	Fee Item Credit Card Use Fee (.026 x fee)	Quantity 1	Fees 0.00	Status INVOICED	Balance Date Assessed 0.00 09/24/202	
		Total Fee Invo	iced: \$0.00	Total Ba	lance: \$0.00	
Page 3 of 3					SUP 2024	1.03

December 12, 2024 Page 29

Sign Postings





OWNER AFFIDAVIT

MEMPHIS AND SHELBY COUNTY AND DEVELOPMENT City Hall - 125 N. Main Street, Suite 468 - Memphis, Tennessee 38103 - (901) 636-6619 **Property Owner's Affidavit** Memphis and Shelby County Unified Development Code Section 12.3.1 OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1 KEBEN state that I have read the definition of (Print Name) "Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box): I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, -1 guardian or lessee (and have included documentation with this affidavit) of the property located at 2730 S MENDEN HALL RD and further identified by Assessor's Parcel Number 074089 500006 for which an application is being made to the Division of Planning and Development. and the second second STATE OF Subscribed and swom to (or affirmed) before me this 20 C in the year of 2020 TENNESSEE NOTARY PUBLIC Commission Expires Signature of Notary Public ONEXPIRE

LETTER OF INTENT



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 Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Number: SUP 2024-039

Record Name: 2730 S MENDENHALL RD, Memphis 38115 Description of Work: C-Store with Gas sales

Parent Record Number:

Record Status: Pending

Opened Date: September 16, 2024

Expiration Date:

Owner Phone

Address:

2730 S MENDENHALL RD, Memphis 38115

Owner Information

Primary Owner Name

Y BERUK PROPERTIES INC

Owner Address

3264 W SARAZENS CIR, MEMPHIS, TN 38125

Parcel Information

074089 E00006

Lucas Skinner
-
-
New Special Use Permit (SUP)
-
No

GENERAL PROJECT INFORMATION
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information APPROVAL CRITERIA
A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general

welfare

B) The project will be constructed, arranged and yes operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations UDC Sub-Section 9.6.9C yes

yes

UDC Sub-Section 9.6.9D yes UDC Sub-Section 9.6.9E yes UDC Sub-Section 9.6.9F yes GIS INFORMATION

GIS INFORMATION	
Case Layer	-
Central Business Improvement District	No
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	-
State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No
County Commission District	-
City Council District	-
City Council Super District	-
Contract Information	

Contact Information

Name FASIL KEBEDE

Address

Phone (901)327-5800 APPLICANT

SUP 2024-039

Contact Type

Fee Inform	nation					
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1594920	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	09/24/2024

Total Fee Invoiced: \$0.00

Total Balance: \$0.00

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

Development Code Section 12.3.1.

diel & AS'L KEBED ____, state that I have read the definition of (Print Name)

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

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

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

of the property located at 2730 S MENDEN HALL RD and further identified by Assessor's Parcel Number 074089 E00006 for which an application is being made to the Division of Planning and Development. Subscribed and sworn to (or affirmed) before me this QU embe (in the year of 2024. Signature of Notary Public Commission Expires



Letter of Intent

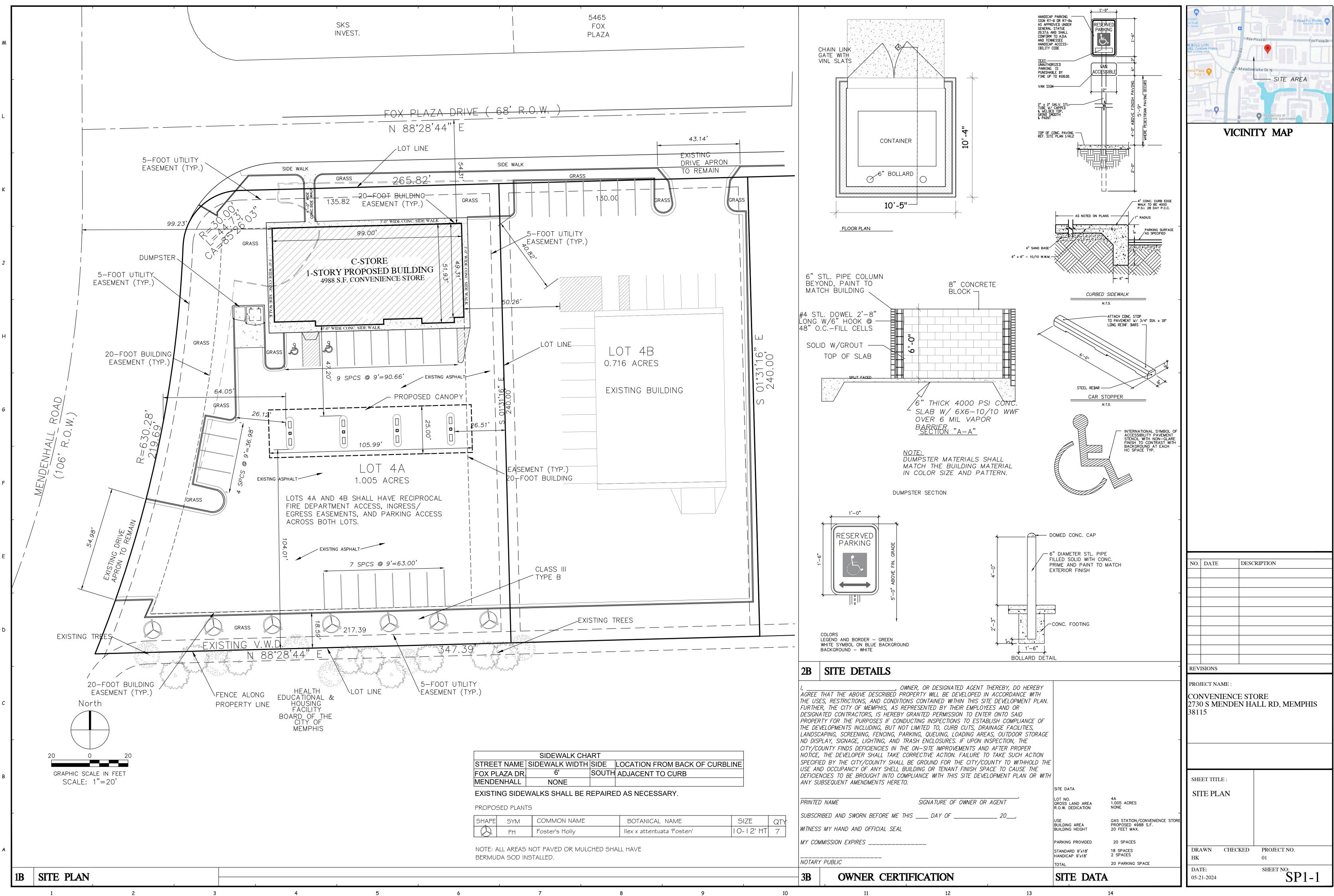
Re: 2730 S Mendenhall RD, Memphis 38115

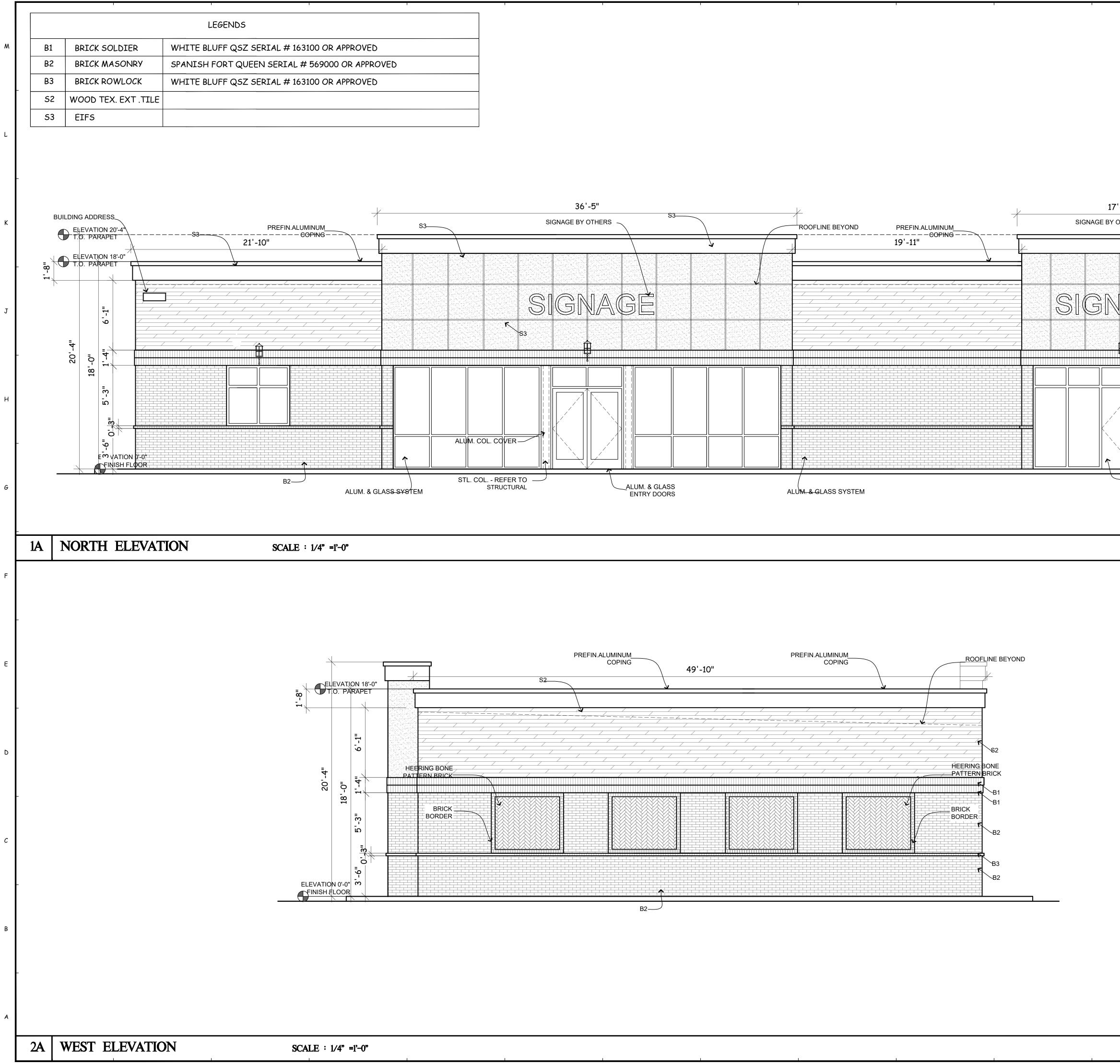
Beruk Construction Inc is intending to construct a 4,988 Sq.ft Convenience store with gas sales on 2730 S Mendenhall RD, Memphis 38115

If you have additional questions, please feel free to contact us at 901-327-5800.

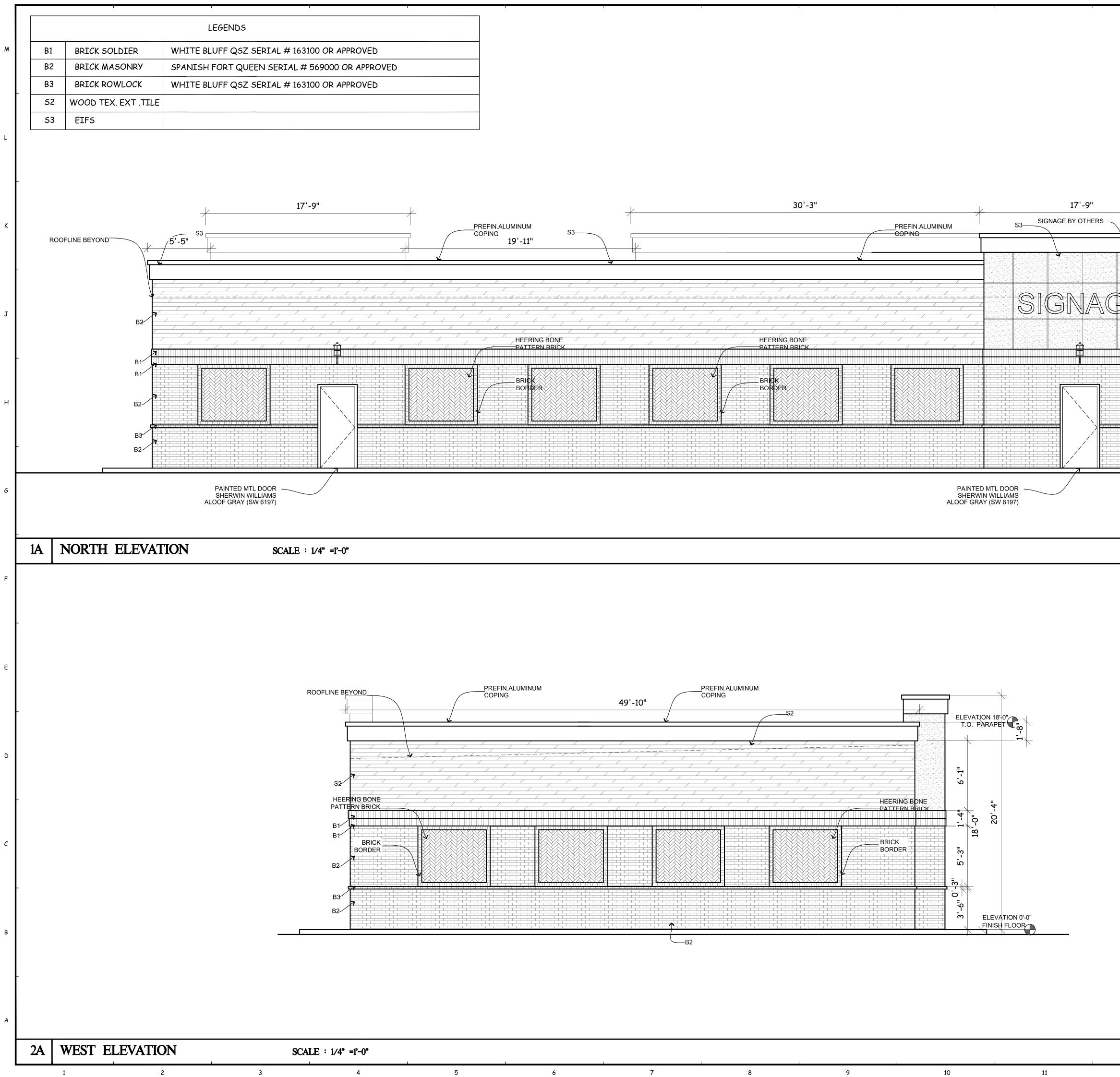
Sil Kelede Signed By

Fasil Kebede, President Beruk Construction Inc

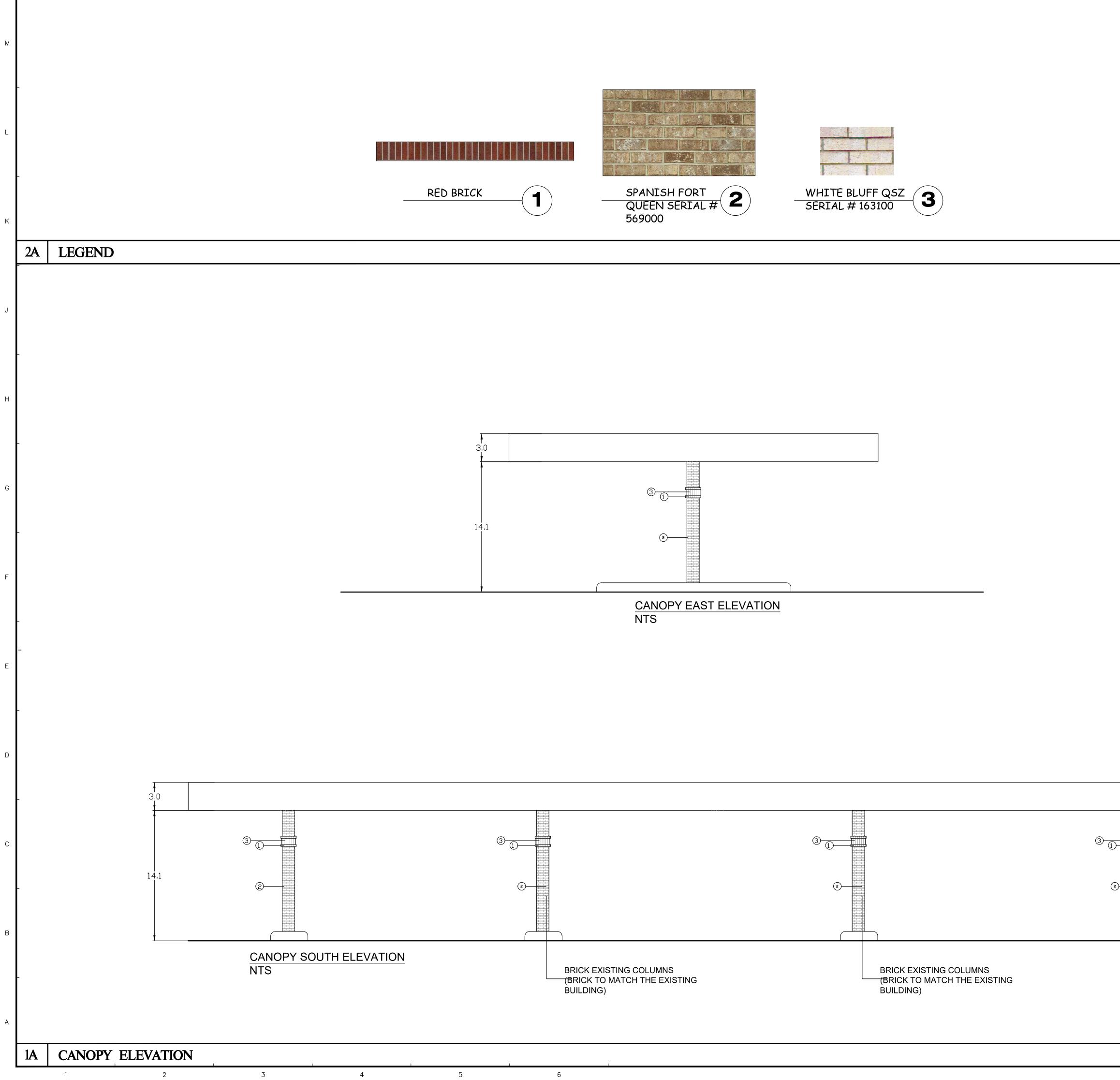




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ALUM. & GLASS					
ENTRY DOORS					
	NO.	DATE	DESCR	RIPTION	
	REVI	ISIONS			
	CC 27 38 Do no verify	B115 ot scale drawings v correct dimensi	DEN E	ΓORE HALL RD M en dimensions onl the Architect.Cont s and conditions at	y. if not shown, ractor shall
	SHE	ET TITLE : EVATION		PROJECT NO.	-
	HK DAT			01 SHEET NO:	A- 5



9'-10"	
	NO. DATE DESCRIPTION I I IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII
12 13 14	DRAWN CHECKED PROJECT NO. HK 01 DATE: SHEET NO: 08-28-2024 A-6



1

	NO. DATE DESCRIPTION
	PROJECT NAME : CONVENIENCE STORE
	2730 S MENDENHALL RD, Memphis 38115
	Do not scale drawings. Use given dimensions only. if not shown, verify correct dimensions with the Architect.Contractor shall check and verify all dimensions and conditions at job site
BRICK EXISTING COLUMNS	SHEET TITLE : CANOPY DESIGN
BRICK TO MATCH THE EXISTING BUILDING)	
	DRAWN CHECKED PROJECT NO. HK 23011 DATE: 09-18-2024 SHEET NO: SP-2



Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

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



23101579

12/01/2023 - 02:47:04 PM

2 PGS	
CEPEDRA 2646193 - 23101579	
VALUE	585000.00
MORTGAGE TAX	0.00
TRANSFER TAX	2164.50
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	2177.50

WILLIE F. BROOKS JR REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

1075 Mullins Station, Suite W165 ~ Memphis, Tennessee 38134 (901) 222-8100

Website: www.register.shelby.tn.us Email: register@shelbycountytn.gov

Willie F. Brooks Jr Shelby County Register of Deeds: Instrument# 23101579 Page 1 of 2

WARRANTY DEED

day of OCOGER

THIS INDENTURE made and entered into this <u>M</u> day of <u>COMPA</u> 2023 by and between SOUTHBAY PROPERTIES LLC, a Tennessee limited liability company, party of the first part, and BERUK PROPERTIES, INC., a Tennessee corporation, party(ies) of the second part.

WITNESSETH: That for and in consideration of \$10.00, cash in hand paid, and other good and valuable considerations, 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.

LOT 4, FOX GATE PLAZA SUBDIVISION, as shown on plat of record in Plat Book 56, Page 50, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Parcel No. 074-089E-00006

Property known as: 2734 S. Mendenhall Road, Memphis, TN 38115

Being the same property conveyed in Quit Claim Deed to Southbay Properties, LLC, a Tennessee limited liability company, from Andrews Properties, LLC, a Tennessee limited liability company recorded in the Shelby County, Tennessee Register's Office in Instrument No. 04107679.

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, their heirs and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said parties of the second part that it is lawfully seized in fee of the above described real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except for Plat Book 56, page 50,; Plat Book 54, Page 38; Book 5769, Page 338; Instrument Nos. HZ 7994 and E2 6893 and all other subdivision restrictions, covenants, conditions, restrictions, building lines, and easements and all other matters of record in the Register's Office of Shelby County Tennessee, and 2024 City of Memphis and Shelby County real estate taxes not yet due and payable; and that the title and quiet possession thereto it will warrant and defend against the lawful claims of all persons.

WITNESS the signature of the said party of the first part the day and year first above written.

Bart Thomas

General Manager

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, a Notary Public of the state and county aforesaid, personally appeared BART THOMAS, with whom I am personally acquainted. and who. upon oath. acknowledged himself to be the General Manager of Southbav Properties.

LLC, the within named bargainor, and that he as such General Manager, being authorized so to do, executed the foregoing for the purpose therein contained, by signing the name of Southbay Properties, LLC by himself as its General Manager.

WITNESS my hand an Official Seal this day of 2023. ΡΰΒLΙC OF ENNESSFE NOTARY STATE OF TENNESSEE COUNTY OF SHELBY

I hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$585,000.00, which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

st New Merel AFFIANT MARK 2023. Subscribed and sworr his the to be Ô۵ 0 ଏନ My Comm. Exp. 5-17-2026 NOTARY

Property Address:

2734 S. Mendenhall Road Memphis, TN 38115

New Owner and Mail Tax Bills to:

Beruk Properties, Inc.

<u>3264 W Sarazens Circle</u>

Memphis, TN 38125

This instrument prepared by: CRISLIP, PHILIP & ROYAL James A. Crislip, Jr. 5170 Sanderlin Ave., Ste. 201 Memphis, TN 38117 (901) 525-2427

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development DIVISION

Planning & Zoning COMMITTEE: 05/20/2025 DATE PUBLIC SESSION: 06/10/2025 DATE

ONE ORIGINAL

TO DOCUMENTS

		FUBLIC SESSIO	IN:	DATE	
ITEM (CHECK ONE) ORDINANCE	X RESOLUTIO	ON REQUEST	FOR I	PUBLIC HEARING	
ITEM DESCRIPTION:				nphis and Shelby County Unified Development Code approvin ated at 4222 James Rd., known as case number SUP 2025-009	
CASE NUMBER:	SUP 2025-009				
LOCATION:	4222 James Rd.				
COUNCIL DISTRICTS:	District 1 and Super District 9				
OWNER/APPLICANT:	Aguilar Construction				
REPRESENTATIVE:	N/A				
REQUEST:	To allow contract	ctor's storage			
AREA:	+/-26,136 sq. ft.	(+/- 0.6 acres)			
RECOMMENDATION:		Planning and Developme Control Board recommend		commended Approval with conditions	
RECOMMENDED COUN		Public Hearing Not Req Hearing – June 10, 2025	uired		
(1) 05/08/2025 (1) Land Use Control Board FUNDING: (2)		DATE ORGANIZATION (2) GOV'T. ENTI' REQUIRES CITY	N - (1) TY (3) EXPH	ROVED (2) DENIED BOARD / COMMISSION) COUNCIL COMMITTEE ENDITURE - (1) YES (2) NO	
S SOURCE AND AMOUNT (S S	OF FUNDS	AMOUNT OF EX REVENUE TO BE OPERATING BUI CIP PROJECT #_	E REC	EIVED	
8		FEDERAL/STATE	E/OTH	IER	
ADMINISTRATIVE APPR Hubbl Butt Ny	OVAL:	<u>DATE</u> 5-8 5/8/	725	POSITION PLANNER II DEPUTY ADMINISTRATOR ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR CITY ATTORNEY	
				CHIEF ADMINISTRATIVE OFFICER COMMITTEE CHAIRMAN	



Memphis City Council Summary Sheet

SUP 2025-009

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED 4222 JAMES ROAD KNOWN AS CASE NUMBER SUP 2025-009

- This item is a resolution with conditions for a special use permit to allow contractor's storage.
- The applicants intend to renovate an existing structure, previously used for auto repair, for office and storage uses.
- If approved, activities on-site would include the storage of general materials (flooring, cabinets, etc.) and the dispatching of commercial vehicles to job sites.
- The UDC calls the proposed use "contractor's storage," which requires a special use permit in the CMU-3 zoning district.
- Staff finds that the approval of this request would not impede the envisioned "Neighborhood Main Street" along the nearby stretch of Old Austin Peay Hwy. As such, both staff and the Land Use Control Board recommend *approval with conditions.*
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, May 8, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SUP 2025-009	
LOCATION:	4222 James Rd.	
COUNCIL DISTRICT(S):	District 1 and Super District 9	
OWNER/APPLICANT:	Aguilar Construction	
REPRESENTATIVE:	N/A	
REQUEST:	To allow contractor's storage	
EXISTING ZONING:	Commercial Mixed-Use – 3 (CMU-3)	
AREA:	+/- 26,136 sq. ft. (+/- 0.6 acres)	

The following spoke in support of the application: None

The following spoke in opposition the application: None

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

The motion passed by a vote of 10-0 on the consent agenda.

Respectfully,

whole

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

Cc: Committee Members File

SUP 2025-009 CONDITIONS

- 1. No commercial vehicles shall be stored on site overnight.
- 2. Any parking spaces between the principal facades and the right-of-way shall be oriented in a way to allow vehicles to exit the site in a forward motion onto James Rd. A final site plan showing this orientation shall be submitted for administrative review.
- 3. No storage shall be permitted in front of the principal structures.
- 4. An appropriate streetscape plate, or equivalent alternative, shall be installed along James Rd. subject to the approval of the Zoning Administrator. A final landscape plan shall be provided for administrative review and approval.
- 5. All fencing shall be removed from the public right-of-way.

Note that no site plan is included in this document as the recommended conditions would require the submission of final site and landscape plans for administrative review and approval.

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED 4222 JAMES ROAD, KNOWN AS CASE NUMBER SUP 2025-009

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

WHEREAS, Aguilar Construction filed an application with the Memphis and Shelby County Division of Planning and Development to allow contractor's storage; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on May 8, 2025, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

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

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

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

CONDITIONS

- 1. No commercial vehicles shall be stored on site overnight.
- 2. Any parking spaces between the principal facades and the right-of-way shall be oriented in a way to allow vehicles to exit the site in a forward motion onto James Rd. A final site plan showing this orientation shall be submitted for administrative review.
- 3. No storage shall be permitted in front of the principal structures.
- 4. An appropriate streetscape plate, or equivalent alternative, shall be installed along James Rd. subject to the approval of the Zoning Administrator. A final landscape plan shall be provided for administrative review and approval.
- 5. All fencing shall be removed from the public right-of-way.

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

dod MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT
AGENDA ITEM:	15	L.U.C.B. MEETING:	May 8, 2025
CASE NUMBER:	SUP 2025-009		
LOCATION:	4222 James Rd.		
COUNCIL DISTRICT:	District 1 and Super District 9		
OWNER/APPLICANT:	Aguilar Construction		
REPRESENTATIVE:	N/A		
REQUEST:	Special use permit to allow contr	actor storage	
EXISTING ZONING:	Commercial Mixed Use – 3 (CML	I-3)	

CONCLUSIONS

- 1. The applicant proposes to reuse a former auto repair site for contractors' office and storage, storing general materials (flooring, cabinets, etc.) and dispatching commercial vehicles to job sites. The UDC classifies this use as "contractor's storage", necessitating the subject Special Use Permit request.
- 2. The proposed use is appropriate due to the site's location along Austin Peay Hwy, which separates it from residential uses to the west and north. Finding that the proposed use is consistent with the intent of the CMU-3 zoning district and compatible with the properties in the vicinity, staff recommends *approval with conditions.*
- 3. The granting of this special use permit will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC.

CONSISTENCY WITH MEMPHIS 3.0

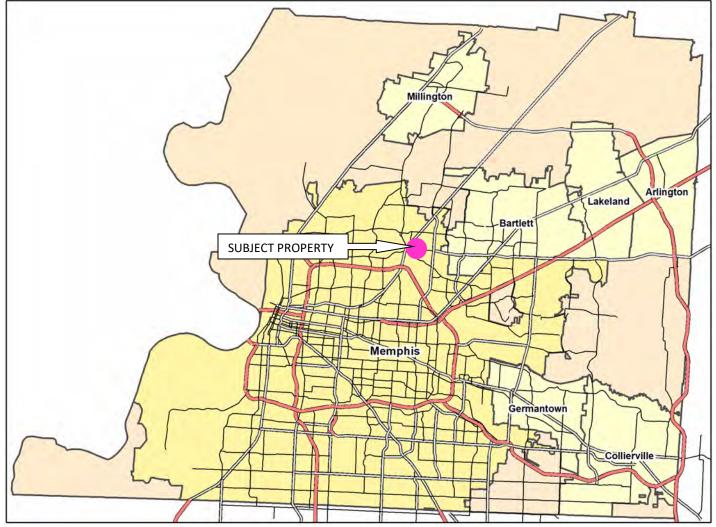
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. Specifically, it is consistent with the intent of the James Road/Old Raleigh anchor. See further analysis page 11.

RECOMMENDATION:

Approval with conditions

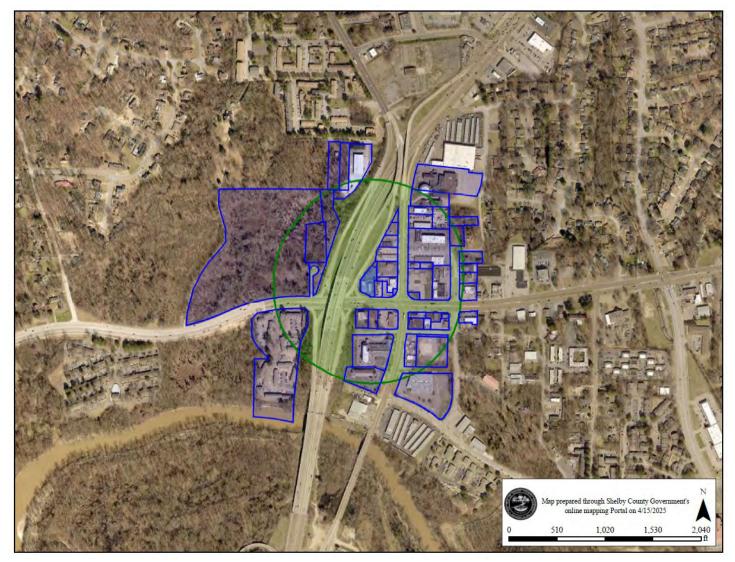
Staff Writer: Nicholas Wardroup

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Notice mailed to owners of properties outlined in blue.

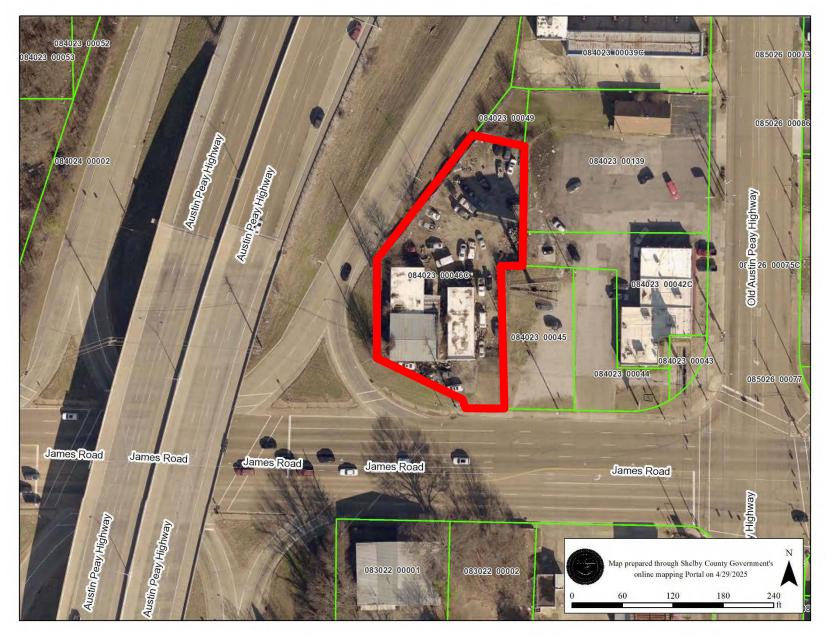
PUBLIC NOTICE DETAILS

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 40 notices were mailed on April 16, 2025, see page 14 of this report for a copy of said notice. Additionally, two signs were posted at the subject property, see page 15 of this report for a copy of the sign affidavit and page 16 for photos of the posted sign.

NEIGHBORHOOD MEETING

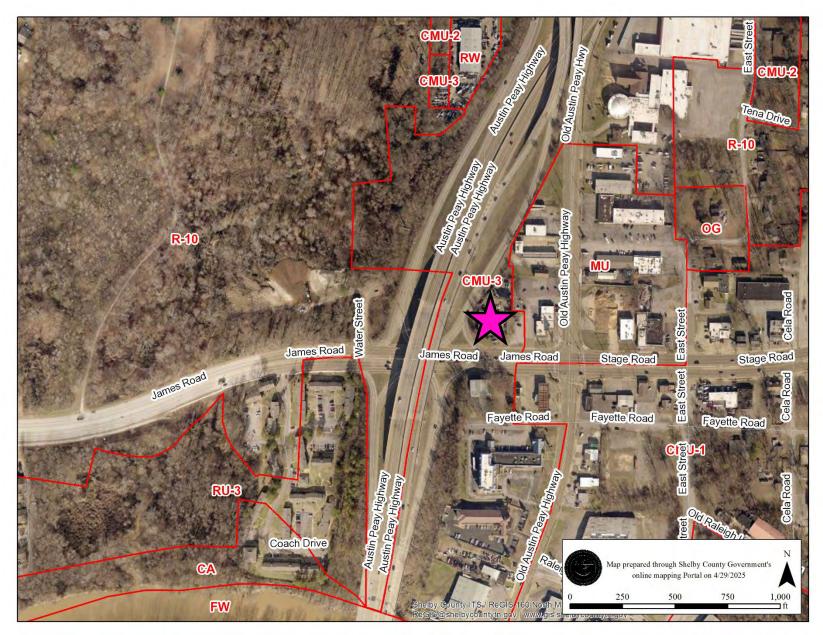
The meeting was held at 5:00 PM on Monday, April 28, 2025, at the subject property.

SITE AERIAL



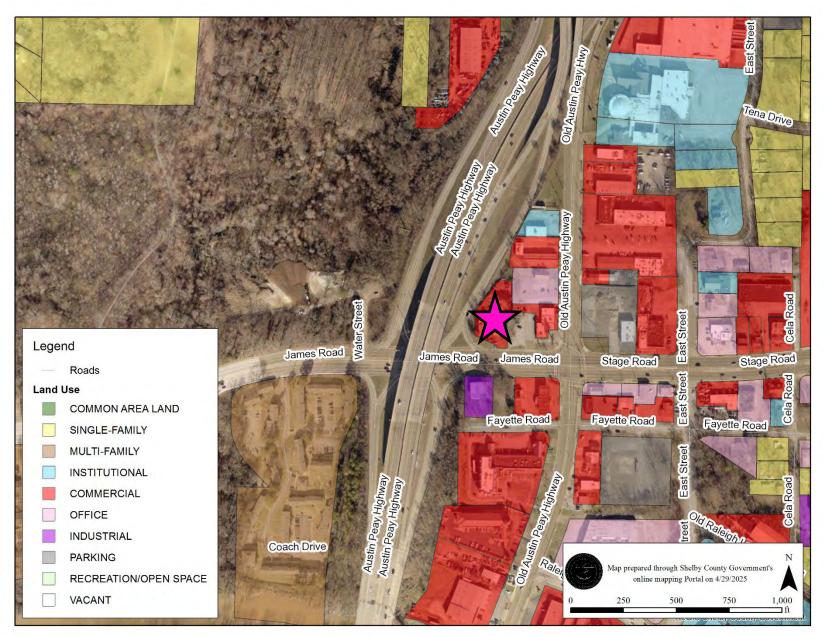
ZONING MAP

May 8, 2025 Page 5



LAND USE MAP

May 8, 2025 Page 6



SITE PHOTOS (via Google Maps)



View of subject property looking north from James Rd.



View of subject property and metal panel fence looking east from ramp associated with Austin Peay Hwy.

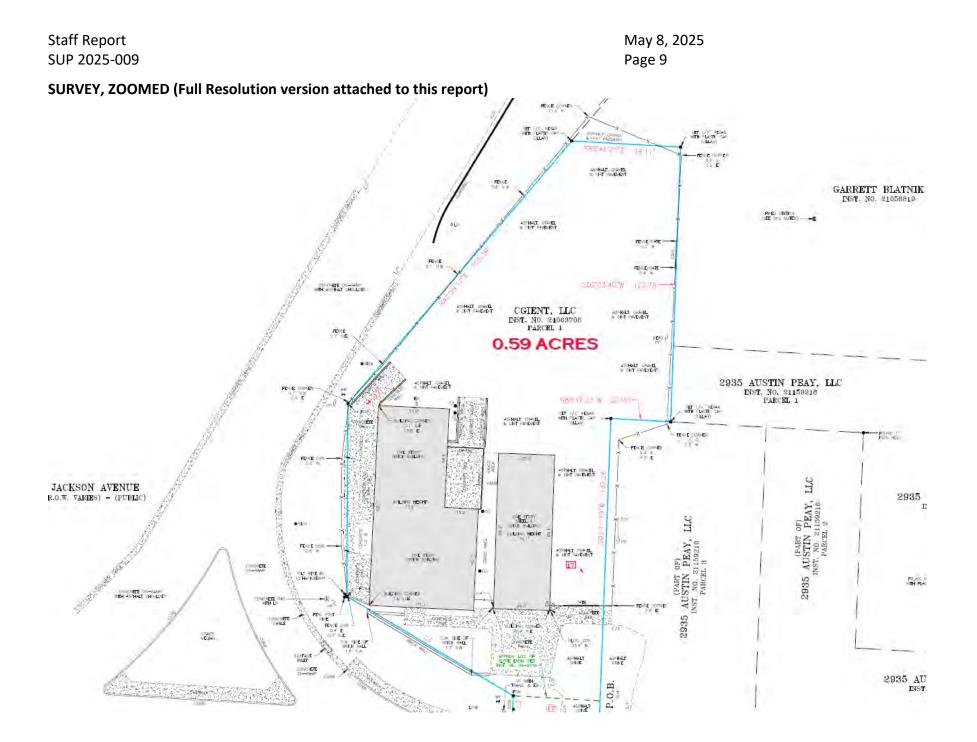
SITE PHOTOS (via Zoning Enforcement, ENF 2024-02669)



Front of site looking west along James Rd.



Eastern site boundary looking east from neighboring property.



CASE REVIEW

The request is a special use permit to allow contractor storage

Approval Criteria

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

9.6.9 Approval Criteria

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

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

Staff Report SUP 2025-009

<u>Site Details</u> Address: 4222 James Rd.

Parcel ID: 084023 00046C

Area: +/-26,136 sq. ft. (+/- 0.59 acres)

Site Plan Review

The applicant proposes limited exterior modifications to the site, instead planning to renovate the existing structures to facilitate a contractor storage use, including office space. They have installed a metal panel fence, for which an Administrative Deviation is currently pending with our office (AD 2025-003). Our recommended conditions would ensure that adequate space is provided to exit the site on a forward motion, as well as that adequate landscaping is installed along James Rd.

<u>Analysis</u>

The subject property, due to its location along Austin Peay Hwy and subsequent separation from the residential uses in the vicinity, is appropriate to host the requested use. The CMU-3 zoning district is intended to accommodate more intense commercial uses than would be appropriate in the CMU-1 or -2 districts, particularly near and along major highways (as is the case here). The surrounding transportation infrastructure separates the site from the residential uses to the west of Austin Peay Hwy, thereby preventing injury to the surrounding neighborhood.

The proposed use, strictly speaking, is not consistent with the Memphis 3.0 future land use designation of Anchor Neighborhood – Mix of Building Types. However, the intent of this designation is to complement the James Road/Old Raleigh anchor, which envisions a more urban, walkable character for the properties along Old Austin Peay Hwy. The establishment of the proposed use on the subject property will not injure this intent. The subject property, unlike the those to the east, is wedged along the ramp associated with Austin Peay Hwy. Even if the goals of the James Road/Old Raleigh anchor are met, the subject property is unlikely to be integrated into the envisioned neighborhood main street. If development which supports the future neighborhood main street is to occur, it will likely do so to the east and south. The proposed project will not make this development less likely to occur, nor otherwise impede the intent of the future land use designation.

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

May 8, 2025 Page 11

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

- 1. No commercial vehicles shall be stored on site overnight.
- 2. Any parking spaces between the principal facades and the right-of-way shall be oriented in a way to allow vehicles to exit the site in a forward motion onto James Rd. A final site plan showing this orientation shall be submitted for administrative review.
- 3. No storage shall be permitted in front of the principal structures.
- 4. An appropriate streetscape plate, or equivalent alternative, shall be installed along James Rd. subject to the approval of the Zoning Administrator. A final landscape plan shall be provided for administrative review and approval.
- 5. All fencing shall be removed from the public right-of-way.

DEPARTMENTAL COMMENTS

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

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

11.





Return Service Requested

CITY OF MEMPHIS 125 N MAIN ST # MEMPHIS TN 38103

NOTICE OF PUBLIC HEARING

SIGN AFFIDAVIT

AFFIDAVIT Shelby County State of Tennessee 1. Samuel Aguilar being duly swom, depose and say that at <u>3*35</u> am/m on the <u>26</u> day of <u>April</u> 2025, I posted <u>2</u> Public Notice Sign(s) pertaining to Case No. <u>SUP 2025-009</u> at <u>4222</u> James Rd. Memphis TN, 38128 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. 04/28/25 Date Owner, Applicant or Representative Subscribed and sworn to before me this 28th day of April 2075 Card L Notary Public My commission expires: 7 February 2027

Staff Report SUP 2025-009

POSTED NOTICE SIGN



May 8, 2025 Page 16



MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

Shoaib Quresh (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)

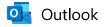
of the property located at <u>4222</u> James Rd and further identified by Assessor's Parcel Number O8L	
and further furthing by Assessor's Farcer Number	102000100
for which an application is being made to the Division of Plann	ing and Development.
Subscribed and sworn to (or affirmed) before me this $\underline{\int}$	day of <u>becen by</u> in the year of the the
Mr	PUBLEY CONTRACTOR
Signature of Notary Public	My Commission Expires

LETTERS RECEIVED

Staff received one letter of support prior to this report's completion, which is attached.

Additionally attached are a full-resolution survey and the completed application, which serves as a letter of intent.

Finally, comments provided by City Engineering are attached.



Special Permit for 4222 James Rd

From NORMA LESTER <lester4139@bellsouth.net>

Date Wed 4/30/2025 1:30 PM

- To Wardroup, Nicholas <Nicholas.Wardroup@memphistn.gov>
- **Cc** Logan, Rhonda <Rhonda.Logan@memphistn.gov>; Gary McNeal <beech222@gmail.com>; Kathy Paul Porter <k-and-p@att.net>; Jim Garts <gartsjim@gmail.com>; NORMA LESTER <lester4139@bellsouth.net>; project@aguilarconstruction901.com <project@aguilarconstruction901.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.

Mr. Nicholas Wardroup

C/O Memphis/Shelby County Office of Planning and Development

Dear Mr. Wardroup,

Myself and several members of Lakewood Hills Neighborhood Association met with Mr. Sam Aguilar regarding a special permit to house an office for Aguilar Construction on the corner of James Road and Austin Peay in Raleigh.

Mr. Aguilar provided a thorough review of grounds and facility and assured us his company is strictly residential construction and as such there will not be any hideous heavy duty equipment on the property nor heavy trafficking.

We were overly impressed with efforts already undertaken including metal fencing. Absolutely more attractive than what previously existed! We stressed importance of esthetics and he shared a mutual concern.

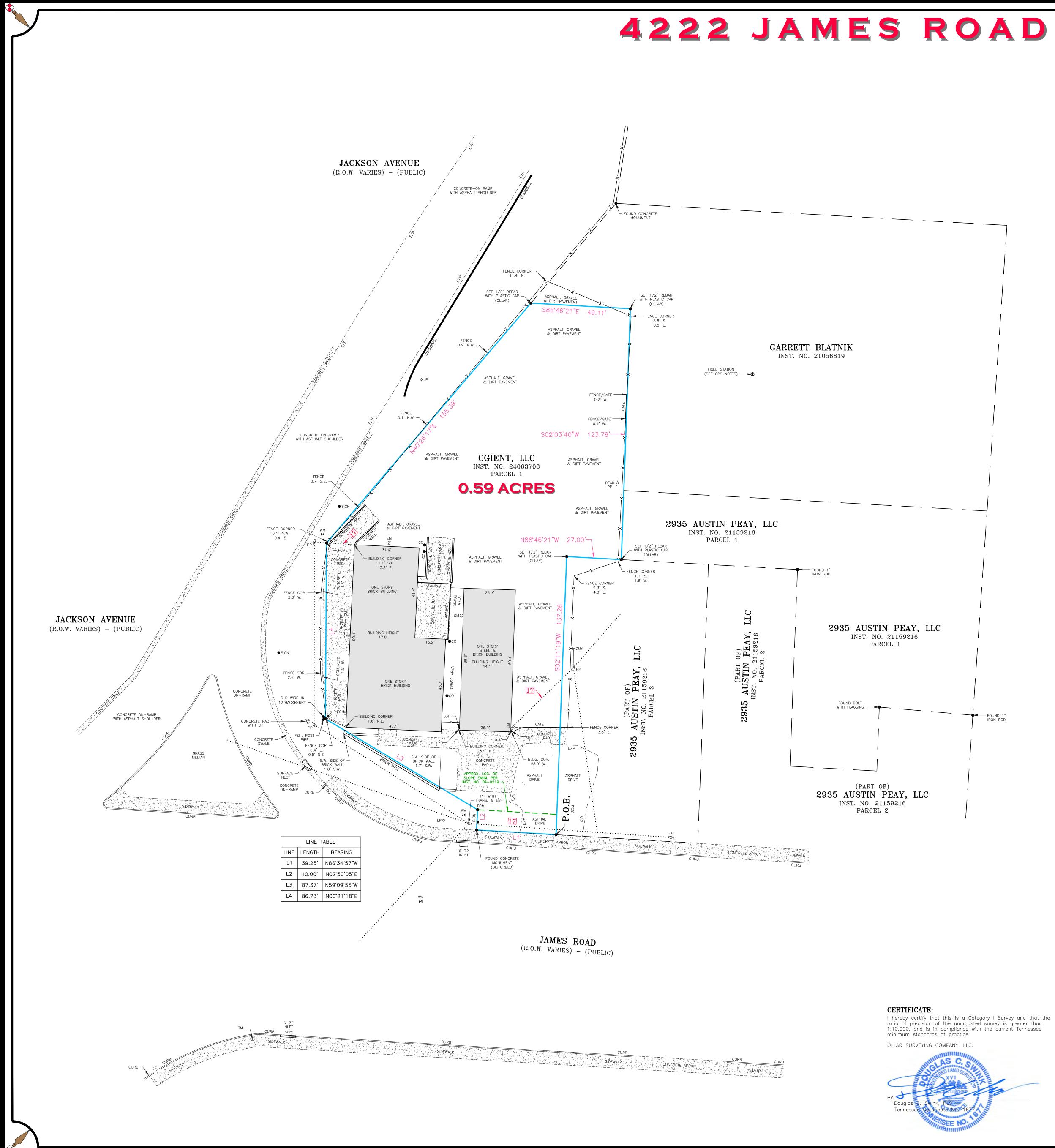
As tenured residents of the largest adjacent neighborhood, it is without reservation that we support approval of the Aguilar Construction Special permit. Please share comments before full committee and subsequently City Council.

Feel free to contact me as warranted.

Respectfully, Norma Lester Member of Lakewood Hills Neighborhood Association

cc: Councilwoman Rhonda Logan Gary McNeal, LHPOA Pres. Jim Garts, Member Paul & Kathy Porter, Mbrs Sam Aguilar, Ops. Manager (901)484-7767 cell Lester4139@bellsouth.net Sent from my iPhone

This email is intended only for intended recipient(s). Contents within are not to be shared or used for any purpose unless by consent of author. If received in error kindly return to sender.



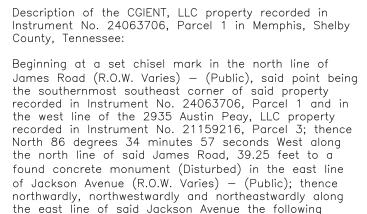


NOTES: 1. Survey prepared for Samuel Aquilar.

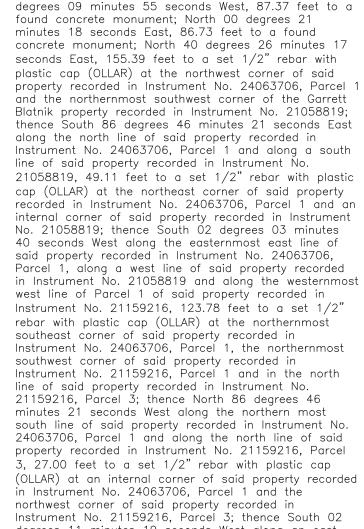
- 2. Bearings are relative to TCS 1983 as defined by TCA 66-6-101,103. Coordinates shown hereon (i applicable) are grid coordinates expressed in U.S.
- 3. This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of this property.
- 4. No deeds, easements, etc. were provided to Ollar Surveying Company, LLC. We have provided our own research and do not guarantee same as to accuracy or completeness.
- 5. Adjoining property owners' and deed references and street information were provided by Ollar Surveying Company, LLC. and are not guaranteed as to accuracy or completeness.
- 6. Adjoining property lines as shown were not surveyed at this time, unless noted by location of property corners. Adjoining property lines derived using deeds as shown.
- 7. There may be visible/non-visible structures located on this property that were obstructed or not visible on the date of the survey and are not shown.
- 8. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- 9. Subsurface and environmental conditions were not examined or considered as a part of this survey.
- 10. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- 11. If this survey plat is provided in electronic form (AutoCad Drawing file), said copy must be compared to the original survey issued (either sealed hard copy or digitally sealed Adobe PDF) to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on said AutoCad Drawing file transmitted unless first compared to the original sealed document issued at the time of the survey.
- 12. Ollar Surveying Company, LLC. will provide, if requested, printed versions of this survey and will have the original seal of surveyor. Additionally, a digitally sealed Adobe PDF version of this survey will be provided to the party(ies) listed in Note #1 as well as any party(ies) listed in the survey certification.
- 13. This survey has been prepared for the party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification. Said survey, either sealed hard copy or digitally sealed Adobe PDF is the property of Ollar Surveying Company, LLC. and those party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification.
- Except for the party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification, this survey may not be copied, reproduced or distributed, nor shall any alteration be made to this survey in whole or in part, without the expressed written permission of Ollar Surveying Company, LLC.
- Further, this survey, either digitally sealed Adobe PDF, photocopied replication or the like, may not be used by any person/company other than those listed in Note #1 and/or the party(ies) listed in the survey certification i.e. attorney(ies), real estate agent(s), surveying company(ies) or similar type company(ies) for the facilitation of future transactions involving this surveyed property without the expressed written permission of Ollar Surveying Company, LLC.
- 14. I/We have not reviewed nor do we express any opinion as to if this property lies within a Special Flood Hazard Area.
- 15. Reference is hereby made to Warranty Deed recorded in Instrument No. 24063706. 16. For the purpose of this survey, interior improvements (if shown) which have dimensions to
- the exterior boundary line(s) as shown hereon can be definitively relied upon. Non-dimensioned interior improvement locations (if shown) are graphic representations and should not be used for design purposes.
- **17** There is a possibility that the existing overhead lines shown hereon lie within existing easements. A title search of this property may provide documentation for these apparent easements.

GPS NOTES:

- 1. For boundary and topographic (if applicable) aspects of this survey, RTK GPS positional data was observed on the date of 12-31-2024. 2. A Trimble R8s dual frequency receiver was used.
- 3. The grid coordinates of the Fixed Station shown were derived using a VRS network of CORS stations referenced to NAD 83
- (2011) (Epoch 2010), Geoid 18. 4. Positional accuracy of the GPS vectors does not exceed:
- Horizontal 0.05' Vertical 0.10'. 5. Combined Grid Factor: 1.0000024817 centered on Fixed
- Station as shown hereon. 6. It is the opinion of this surveyor that the precision of the GPS survey meets or exceeds the unadjusted survey minimum accuracy standards for a Category I Survey.

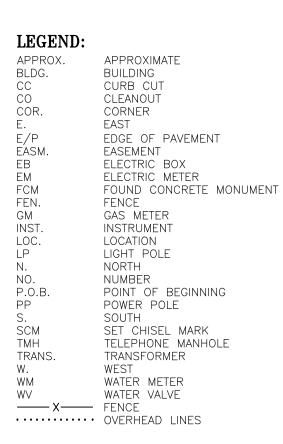


DESCRIPTION:



degrees 11 minutes 19 seconds West along an east line of said property recorded in Instrument No. 24063706, Parcel 1 and along the west line of said property recorded in Instrument No. 21159216, Parcel 3, 137.26 feet to the POINT OF BEGINNING and containing 0.59 acres of land. All bearings are based on the Tennessee Coordinate

System of 1983.

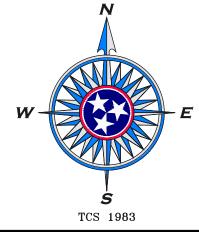


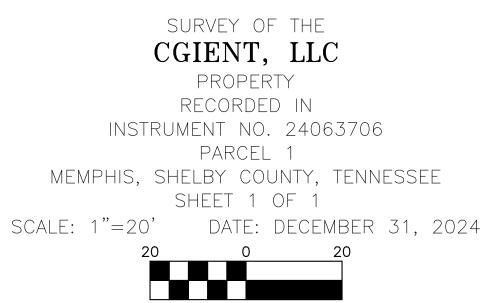
FENCE NOTE: The fence that is located around the perimeter of the



SHELBY COUNTY, TENNESSEE







Scale: 1'' = 20'

calls: North 02 degrees 50 minutes 05 seconds East. 10.00 feet to a found concrete monument; North 59

SUBJECT property is a 7' tall metal panel fence.



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

LAND USE CONTROL BOARD SPECIAL USE PERMIT APPLICATION TO FILE ONLINE USE THE <u>DEVELOP 901 CITIZEN PORTAL</u>

Date: <u>03-17-25</u>	03-17-25 Previous Case/Docket #:			
	PLEASE TYPE OR PRINT			
Property Owner of Record: <u>CGIENT LLC</u>		Phone #: <u>(901) 273-5340</u>		
Mailing Address: <u>4222 JAMES RD.</u>	City/State: MEMPHIS	Zip: <u>38128</u>		
Property Owner Email Address: aguilarconstruction	on901@gmail.com			
Applicant: SAMUEL AGUILAR		Phone #: (901) 273-5340		
Mailing Address: <u>4222 JAMES RD</u>	City/State: MEMPHIS	Zip: <u>38128</u>		
Applicant Email Address: aguilarconstruction901@	@gmail.com			
Representative: SAMUEL AND BRENDA AGUILAR	Phone <u>#</u>	<u>t: (901) 273-5340</u>		
Mailing Address: <u>4222 JAMES RD</u>	City/State: MEMPHIS	Zip: <u>38128</u>		
Representative Email Address: aguilarconstruction	n901@gmail.com			
Architect/Engineer/Surveyor: OLLAR SURVEYING	COMPANY	Phone #: (901) 273-5340		
Mailing Address: <u>3157 HWY 64, STE 250</u> C	City/State: <u>EADS, TN</u> Zip:	38028		
Architect/Engineer/Surveyor Email Address:				
PREMISES LOCATION (Describe by street address	& directional location descrip	tion, e.g. 200 Johnson Street, North side		
of Johnson Street, 100 feet east of Brown Street):				
Parcel ID: 08402300046c				
Project Name: AGUILAR CONSTRUCTION				
Project Description: This building is being renovat	ted to accommodate an office s	space in the interior front of the building		
and a warehouse for storage of jobsite materials i	n the interior back of the buildi	ng (contractor storage). This building will		
also have a break room, meeting room, and bath	room. The exterior of the prop	perty will include parking for visitors and		
company vehicles. Company vehicles will not be p	arked here overnight. The jobs	ite materials stored inside of the building		
will be pre-ordered items that will be installed in a	our customer's house, such as t	ile, vanities, cabinets, flooring, and other		
general materials. Outdoor storage will be minima	al and will be in the rear of the	building.		
Did you have a pre-application meeting with the	Division of Planning and Deve	lopment (DPD)?		
Planner:	Date of Meeting	g:		

Type of Special Use Permit (SUP) (check one)? 🛛 New SUP 🗌 Amendment to Existing SUP

	Area A	Area B	Area C
Acres:			
Existing Use of Property:			
Requested Use of Property:			
Is this application in response to a citation	on, stop work order	, or zoning letter? <u>no</u>	_ (yes or no)
If yes, please provide a copy of the c	itation, stop work	order, and/or zoning letter	along with any other relevant
information: <u>na</u>			

APPROVAL CRITERIA (UDC Section 9.6.9)

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

- A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare: <u>The proposed contractor storage for the project has been carefully designed to ensure that it will not have a substantial or undue adverse effect on adjacent properties or the surrounding area. Key considerations have been taken into account, including:</u>
 - 1. <u>Impact on Adjacent Property: The storage area will be adequately screened to minimize visibility and ensure it</u> <u>does not negatively impact the aesthetics or property values of nearby properties. Additionally, the proposed</u> <u>storage facility will be designed with appropriate setbacks to prevent interference with neighboring land uses.</u>
 - 2. <u>Character of the Neighborhood: The proposed storage is consistent with the intended land use of the area and aligns with the existing zoning regulations. Its design and function are compatible with the neighborhood's character, and the activity levels associated with the storage will not disrupt the peaceful enjoyment of nearby properties.</u>
 - 3. <u>Traffic Conditions: Traffic flow will be efficiently managed to prevent congestion or undue burden on local</u> roadways. The storage facility will be accessed via designated routes that do not interfere with residential areas or high-traffic zones. The project will also include proper signage and possibly traffic control measures to ensure smooth ingress and egress.
 - 4. <u>Parking: Adequate parking spaces will be provided for both contractors and any visitors or employees, ensuring</u> that there will be no spillover onto adjacent streets. The parking plan is designed to keep traffic circulation <u>orderly and prevent any parking-related disturbances in the area.</u>
 - 5. <u>Utility Facilities: The project will make use of existing utility infrastructure, with no anticipated strain on water,</u> sewer, or electricity services. Any required upgrades or adjustments will be coordinated with the local utility providers to ensure that there is no adverse impact on the public utility system.
- 6. <u>Public Health, Safety, and General Welfare: The storage facility will be designed with safety features, such as</u> proper fencing, lighting, and security measures, to prevent unauthorized access and maintain a safe Revised 10.09.2023 2

environment. Additionally, the site will comply with all relevant building codes and regulations to ensure the safety of workers, nearby residents, and the public. The project has also been evaluated for environmental concerns, and necessary mitigation measures will be implemented to avoid any negative effects. In conclusion, the proposed contractor storage facility will be a well-integrated part of the neighborhood, with minimal impact on surrounding properties, traffic, and public infrastructure, thus maintaining the public health, safety, and general welfare.

- B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations: <u>The proposed contractor storage will be designed, organized, and operated in a manner that is compatible with the surrounding area and will not disrupt the development or use of adjacent properties, in compliance with the relevant district regulations.</u>
- C) The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services: <u>The proposed contractor storage will be properly supported by essential public facilities and services, including streets, parking, drainage, waste disposal, fire protection, emergency services, water, and sewer systems; or the applicant will ensure that adequate provisions are made for these services.</u>

D) The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance: <u>The proposed contractor storage and office building will be</u> <u>developed with careful consideration for the surrounding environment and in compliance with all relevant</u> <u>regulations. There will be no destruction, loss, or damage to any features of significant natural, scenic, or historic importance, ensuring that the project does not adversely impact the area's valuable resources.</u>

F) The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties: <u>The contractor storage and office use will not negatively</u> <u>impact any plans outlined in Chapter 1.9, nor will it conflict with the character or established development</u> <u>standards for adjacent properties.</u>

CITY ENGINEERING COMMENTS TRC: 24 April & LUCB: 8 May 2025 DATE: 22 April 2025 CASE 21: SUP-25-009

NAME: 4222 JAMES RD, MEMPHIS 38128; 084023 00046C; Building Renovation Basin/Lot/CD: Raleigh, 8-L/.6AC/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. City sanitary sewers are available to serve this development.
- 3. If the developer is upsizing the water meter size, a sewer development fee is required.

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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



Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Processing Opened Date: April 14, 2025

Record Number: SUP 2025-009

Expiration Date:

Record Name: CGIENT, LLC

Description of Work: THIS BUILDING IS BEING RENOVATED TO ACCOMMODATE AN OFFICE SPACE IN THE INTERIOR FRONT OF THE BUIDLING. A WAREHOUSE FOR STORAGE OF JOBSITE MATERIALS IN THE REAR OF THE BUILDING. THIS BUILDING WILL CONTAIN A BREAK ROOM, MEETING ROOM, AND BATHROOM. EXTERIOR OF THE PROPERTY WILL INCLUDE PARKING FOR VISITORS AND COMPANY VEHICLES. COMPANY VEHICLES WILL NOT BE PARKING OVERNIGHT. CONTRACTOR MATERIALS WILL BE STORED INSIDE THE WAREHOUSE FOR CONTRACTOR USE. ANY OUTSIDE STORAGE WILL BE MINIMAL.

Parent Record Number:

Address: 4222 JAMES RD, MEMPHIS 38128 **Owner Information** Primary **Owner Name** Y CGIENT LLC **Owner Address Owner Phone** 3433 FOREST HILL IRENE RD, GERMANTOWN, TN 38138 Parcel Information 084023 00046C **Data Fields** PREAPPLICATION MEETING Name of DPD Planner NICHOLAS WARDROUP 04/14/2025 Date of Meeting Pre-application Meeting Type **GENERAL PROJECT INFORMATION**

GENERAL PROJECT INFORMATION

Application TypeNew Special Use Permit (SUP)List any relevant former Docket / Case-Number(s) related to previous applications on
this site-Is this application in response to a citation, stop
work order, or zoning letterNoIf yes, please provide a copy of the citation, stop
work order, and/or zoning letter along with any
other relevant information
APPROVAL CRITERIA-

APPROVAL CRITERIA

A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare: The proposed contractor storage for the project has been carefully designed to ensure that it will not have a substantial or undue adverse effect on adjacent properties or the surrounding area. Key considerations have been taken into account, including:

1.Impact on Adjacent Property: The storage area will be adequately screened to minimize visibility and ensure it does not negatively impact the aesthetics or property values of nearby properties. Additionally, the proposed storage facility will be designed with appropriate setbacks to prevent interference with neighboring land uses.

2.Character of the Neighborhood: The proposed storage is consistent with the intended land use of the area and aligns with the existing zoning regulations. Its design and function are compatible with the neighborhood's character, and the activity levels associated with the storage will not disrupt the peaceful enjoyment of nearby properties.

3.Traffic Conditions: Traffic flow will be efficiently managed to prevent congestion or undue burden on local roadways. The storage facility will be accessed via designated routes that do not interfere with residential areas or high-traffic zones. The project will also include proper signage and possibly traffic control measures to ensure smooth ingress and egress.

4.Parking: Adequate parking spaces will be provided for both contractors and any visitors or employees, ensuring that there will be no spillover onto adjacent streets. The parking plan is designed to keep traffic circulation orderly and prevent any parking-related disturbances in the area.

5.Utility Facilities: The project will make use of existing utility infrastructure, with no anticipated strain on water, sewer, or electricity services. Any required upgrades or adjustments will be coordinated with the local utility providers to ensure that there is no adverse impact on the public utility system.

6.Public Health, Safety, and General Welfare: The storage facility will be designed with safety features, such as proper fencing, lighting, and security

B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations UDC Sub-Section 9.6.9C

UDC Sub-Section 9.6.9D

UDC Sub-Section 9.6.9E UDC Sub-Section 9.6.9F

GIS INFORMATION

Case Layer Central Business Improvement District Class Downtown Fire District Historic District Land Use Municipality measures, to prevent unauthorized access and maintain a safe

environment. Additionally, the site will comply with all relevant building codes and regulations to ensure the

safety of workers, nearby residents, and the public. The project has also been evaluated for environmental concerns, and necessary mitigation measures will be implemented to avoid any negative effects.

In conclusion, the proposed contractor storage facility will be a well-integrated part of the neighborhood, with minimal impact on surrounding properties, traffic, and public infrastructure, thus maintaining the public health, safety, and general welfare.

The proposed contractor storage will be designed, organized, and operated in a manner that is compatible with the surrounding area and will not disrupt the development or use of adjacent properties, in compliance with the relevant district regulations.

The proposed contractor storage will be designed, organized, and operated in a manner that is compatible with the surrounding area and will not disrupt the development or use of adjacent properties, in compliance with the relevant district regulations.

The proposed contractor storage will be designed, organized, and operated in a manner that is compatible with the surrounding area and will not disrupt the development or use of adjacent properties, in compliance with the relevant district regulations.

NOT LISTED

The contractor storage and office use will not negatively impact any plans outlined in Chapter 1.9, nor will it conflict with the character or established development standards for adjacent properties.

BOA1971-009 No C No -COMMERCIAL MEMPHIS

GIS INFOR	MATION					
Overlay/	Special Purpose District		-			
Zoning			CMU-3			
State Ro	ute		1			
Lot			2,4,& 5			
Subdivis			RALEIGH BI	LK C		
	Development District		-			
	d Protection Overlay District		No			
	Commission District		-			
	ncil District		-			
-	ncil Super District		-			
Contact Ir	nformation					
Name					Contac	<u>ct Type</u>
SAMUEL AGU	JILAR				APPLICA	NT
Address TN,						
Phone (901)273-534	0					
Name					Contac	<u>ct Type</u>
OLLAR SUR	EYING COMPANY					
	EYING COMPANY				ARCHITE SURVEY	ECT / ENGINEER / 'OR
OLLAR SUR						
OLLAR SURV Address TN, Phone (901)273-534	0					
OLLAR SURV Address TN, Phone	0	Quantity	Fees	Status		
OLLAR SURV Address TN, Phone (901)273-534 Fee Inform	0 nation	Quantity 1	Fees 500.00	Status INVOICED	SURVEY	'OR
OLLAR SURV Address TN, Phone (901)273-534 Fee Inform Invoice #	o nation Fee Item Special Use Permit Fee -				SURVEY	OR Date Assessed
OLLAR SURV Address TN, Phone (901)273-534 Fee Inform Invoice #	0 nation Fee Item				SURVEY	OR Date Assessed
OLLAR SURV Address TN, Phone (901)273-534 Fee Inform Invoice # 1640065	o nation Fee Item Special Use Permit Fee - 5 acres or less (Base Fee) Credit Card Use Fee (.026 x fee)	1	500.00	INVOICED	SURVEY Balance 500.00	OR Date Assessed 04/14/2025 04/14/2025
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OLLAR SURV Address TN, Phone (901)273-534 Fee Inform Invoice # 1640065 1640065	0 nation Fee Item Special Use Permit Fee - 5 acres or less (Base Fee) Credit Card Use Fee (.026 x fee) To s Comment	1 1 otal Fee Invo	500.00 13.00 viced: \$513.00	INVOICED	SURVEY Balance 500.00 13.00	OR Date Assessed 04/14/2025 04/14/2025

LETTER OF INTENT NOT PROVIDED - HANDWIRTTEN APPLICATION WAS SUBSTITUTED FOR THE LETTER OF INTENT.

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

Shoaib Qureshi (Print Name)

V

(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):

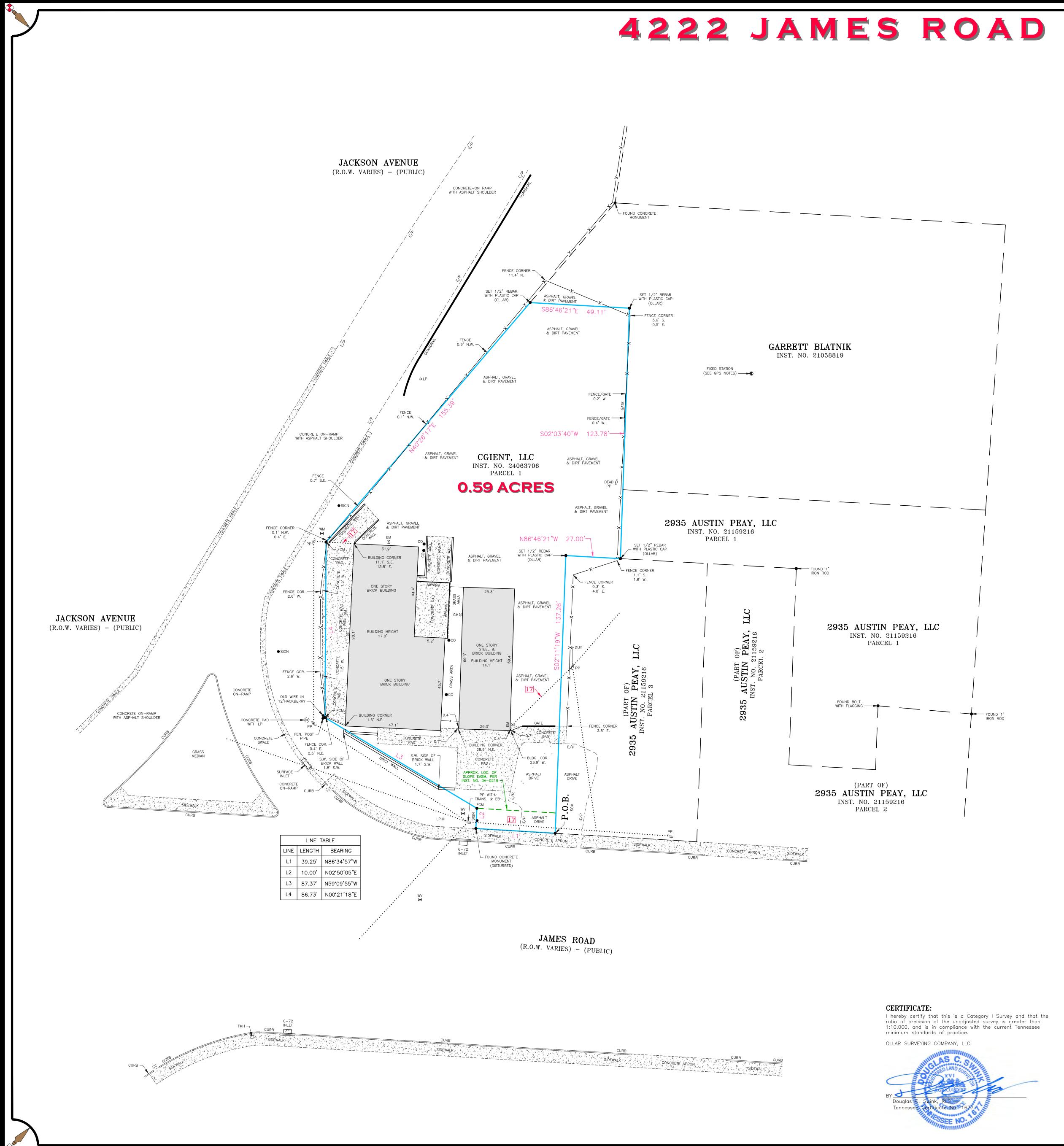
I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in 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 <u>4222</u> James Rd. Memphis, TN 38 and further identified by Assessor's Parcel Number <u>084023 00046C</u>	3128
	,
for which an application is being made to the Division of Planning and Development.	WARD WARD
rt n 1	STATE OZI
Subscribed and sworn to (or affirmed) before me this day of fecen here in the	vear of Lest 4 z
	EZ TENOTAHIC ASS
	HUNELBY COMMAN
	My Comm. Exp. 05

Signature of Notary Public

My Commission Expires



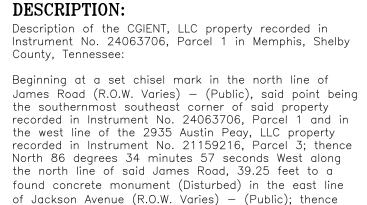


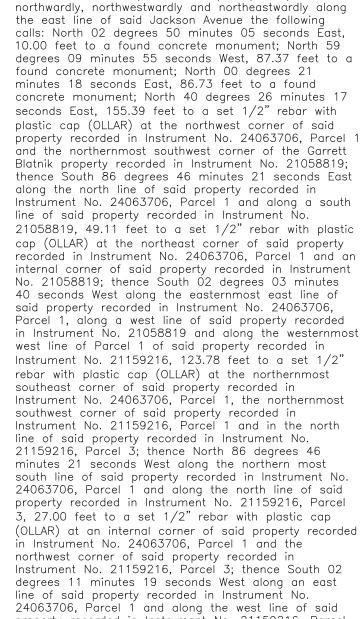
NOTES: 1. Survey prepared for Samuel Aquilar.

- 2. Bearings are relative to TCS 1983 as defined by TCA 66-6-101,103. Coordinates shown hereon (i applicable) are grid coordinates expressed in U.S.
- 3. This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of this property.
- 4. No deeds, easements, etc. were provided to Ollar Surveying Company, LLC. We have provided our own research and do not guarantee same as to accuracy or completeness.
- 5. Adjoining property owners' and deed references and street information were provided by Ollar Surveying Company, LLC. and are not guaranteed as to accuracy or completeness.
- 6. Adjoining property lines as shown were not surveyed at this time, unless noted by location of property corners. Adjoining property lines derived using deeds as shown.
- 7. There may be visible/non-visible structures located on this property that were obstructed or not visible on the date of the survey and are not shown.
- 8. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- 9. Subsurface and environmental conditions were not examined or considered as a part of this survey.
- 10. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- 11. If this survey plat is provided in electronic form (AutoCad Drawing file), said copy must be compared to the original survey issued (either sealed hard copy or digitally sealed Adobe PDF) to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on said AutoCad Drawing file transmitted unless first compared to the original sealed document issued at the time of the survey.
- 12. Ollar Surveying Company, LLC. will provide, if requested, printed versions of this survey and will have the original seal of surveyor. Additionally, a digitally sealed Adobe PDF version of this survey will be provided to the party(ies) listed in Note #1 as well as any party(ies) listed in the survey certification.
- 13. This survey has been prepared for the party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification. Said survey, either sealed hard copy or digitally sealed Adobe PDF is the property of Ollar Surveying Company, LLC. and those party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification.
- Except for the party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification, this survey may not be copied, reproduced or distributed, nor shall any alteration be made to this survey in whole or in part, without the expressed written permission of Ollar Surveying Company, LLC.
- Further, this survey, either digitally sealed Adobe PDF, photocopied replication or the like, may not be used by any person/company other than those listed in Note #1 and/or the party(ies) listed in the survey certification i.e. attorney(ies), real estate agent(s), surveying company(ies) or similar type company(ies) for the facilitation of future transactions involving this surveyed property without the expressed written permission of Ollar Surveying Company, LLC.
- 14. I/We have not reviewed nor do we express any opinion as to if this property lies within a Special Flood Hazard Area.
- 15. Reference is hereby made to Warranty Deed recorded in Instrument No. 24063706. 16. For the purpose of this survey, interior improvements (if shown) which have dimensions to
- the exterior boundary line(s) as shown hereon can be definitively relied upon. Non-dimensioned interior improvement locations (if shown) are graphic representations and should not be used for design purposes.
- **17** There is a possibility that the existing overhead lines shown hereon lie within existing easements. A title search of this property may provide documentation for these apparent easements.

GPS NOTES:

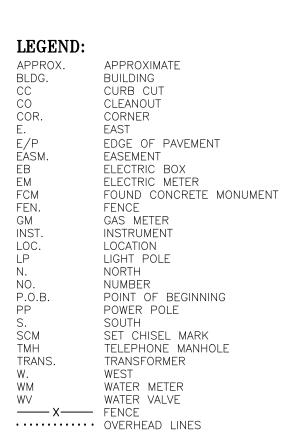
- 1. For boundary and topographic (if applicable) aspects of this survey, RTK GPS positional data was observed on the date of 12-31-2024. 2. A Trimble R8s dual frequency receiver was used.
- 3. The grid coordinates of the Fixed Station shown were derived using a VRS network of CORS stations referenced to NAD 83
- (2011) (Epoch 2010), Geoid 18. 4. Positional accuracy of the GPS vectors does not exceed:
- Horizontal 0.05' Vertical 0.10'. 5. Combined Grid Factor: 1.0000024817 centered on Fixed
- Station as shown hereon. 6. It is the opinion of this surveyor that the precision of the GPS survey meets or exceeds the unadjusted survey minimum accuracy standards for a Category I Survey.





All bearings are based on the Tennessee Coordinate System of 1983.

containing 0.59 acres of land.

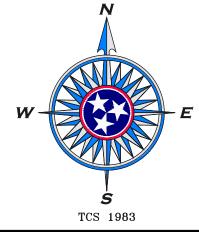


FENCE NOTE: The fence that is located around the perimeter of the



SHELBY COUNTY, TENNESSEE

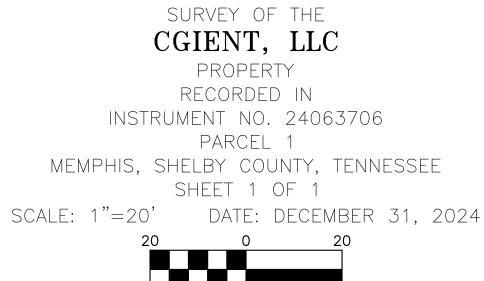




Scale: 1'' = 20'

property recorded in Instrument No. 21159216, Parcel 3, 137.26 feet to the POINT OF BEGINNING and

SUBJECT property is a 7' tall metal panel fence.





Shelby County Tennessee Willie F. Brooks, Jr.

Shelby County Register

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

07/26/2024 = 11:27:3	U AM
4 PGS	
ALLYSON 2731997-24063706	
VALUE	200000.00
MORTGAGE TAX	0.00
TRANSFER TAX	740.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	765.00

24063706 07/26/2024 - 11:27:30 AM

WILLIE F. BROOKS JR REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

WARRANTY DEED

THIS INDENTURE, made and entered into this 23rd day of July, 2024, by and between

TERESA L. JONES BRITT AND ROBERT BRYON JONES, TRUSTEES OF THE VIRGINIA A. JONES FAMILY TRUST, DATED NOVEMBER 17, 2019, party of the first part, and CGIENT, LLC, A Tennessee Limited Liability Company, 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 considerations, 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 **Memphis**, County of **Shelby**, State of **Tennessee**, to wit:

Parcel 1

South 100 feet of Lot 4, Block C, Town of Raleigh, in Shelby County, Tennessee: Beginning at a point, the intersection of the north line of James Road or North Street with the east line of High Street; thence eastwardly with said north line of James Road or North Street 87 feet to a point; thence northwardly parallel with High Street 100 feet to a point; thence westwardly parallel with James Road or North Street 87 feet to a point in the east line of High Street; thence southwardly with said east line of High Street 100 feet to the point of beginning.

The south 122 feet of Lot 2, Block C, of the Plat of the Town of Raleigh (unrecorded) more described as follows: Beginning at a point in the east line of High Street (90) feet wide at the corner of Lot 4 of said Block C, which point is 150 feet north of the north line of James Road as measured along the said east line of High Street, and which said point of beginning is the southwest corner of said Lot 2 of said Block C, and which point of beginning is the northwest corner of the parcel conveyed to Robert H. Jones et ux by the Warranty Deed of record in Book 5797, Page 1 of the Shelby County Register's Office, and from said point of beginning running thence north 122 feet along the east line of High Street to a point; thence turning and running westwardly and parallel to James Road a distance of 174 feet to a point in the east line of said Lot 2 of said Block C, which said point is also the northeast corner of Lot 5 of said Block C, which said point is also the northeast corner of Lot 5, Block C, thence turning and running westwardly along the north lines of said Lots 5 and 4 of said Block C, a distance of 174 feet to a point in the east line of High Street, the point of basis corner of Lot 5, Block C, thence turning and running westwardly along the north lines of said Lots 5 and 4 of said Block C, a distance of 174 feet to a point in the east line of High Street, the point of basis 5 and 4 of said Block C, a distance of 174 feet to a point in the east line of High Street, the point of basis 5 and 4 of said Block C, a distance of 174 feet to a point in the east line of High Street, the point of basis 5 and 4 of said Block C, a distance of 174 feet to a point in the east line of High Street, the point of basis 5 and 4 of said Block C, a distance of 174 feet to a point in the east line of High Street, the point of basis 5 and 4 of said Block C, a distance of 174 feet to a point in the east line of High Street, the point of basis 5 and 4 of said Block C, a distance of 174 feet to a point in the east line of High S

The west 60 feet of Lot 5, Block C, of the Town Plan of Raleigh, Tennessee, more particularly described as follows: Beginning at a point in the North line of James Road (North Street) 87 feet eastwardly from the east line of High Street, said point being the southwest corner of Lot 5; thence eastwardly with the north line of James Road 60 feet; thence northwardly parallel to the east line of High Street 150 feet; thence westwardly parallel to the north line of James Road 60 feet; thence northwardly parallel to the east line of High Street 150 feet; thence westwardly parallel to the north line of James Road 60 feet; thence southwardly 150 feet to the point of beginning. LESS AND EXCEPT: part of the property as described in Deed recorded as Instrument Number F5 4867 in the Register's Office of Shelby County, Tennessee, being more particularly described as follows: Beginning at a point of intersection of the present north right-of-way line of James Road with the present east right-of-way line of High Street; running thence northwardly along the said east right-of-way line a distance of 20.77 feet to a point of tangency in the present north right-of-way line of James Road; thence westwardly along the said present north right-of-way line of James Road; thence westwardly along the said present north right-of-way line of 19.5 feet to the point of beginning.

ALL OF PARCEL 1 LESS AND EXCEPT THE PORTIONS CONVEYED UNDER REGISTER'S NO. DA 0219, in said Register's Office.

and N8 6612

Being part of the same property conveyed to the party of the first part by Quit Claim Deed of record under Register's No. 20046892 and Corrected Quit Claim Deed recorded under Register's No. 24062558, in the Register's Office of Shelby County, Tennessee, as to Parcel 1.

Parcel 2 & 3:

Being a part of Lots I and 2 of the Town of Raleigh Subdivision as recorded by Plat Bk. F, Page 63 in the Register's Office of Shelby County, said property located in Memphis, Shelby County, Tennessee and more particularly described as follows:

Beginning at a point in the west R.O.W. of Austin Peay Highway (R.O.W. varies) 300.79' northwardly from a concrete R.O.W. marker in the north line R.O.W. of James Road (R.O.W. varies) as measured along said west R.O.W., said point also lying in the line south line of said Virginia Jones property and the north line of the City of Memphis property (inst.# P2 7965); thence N16°23'40"E along said west R.O.W. a distance of 368.85' to a R.O.W. marker; thence continuing along said west R.O.W. N35 degrees 25 minutes 23 seconds W a distance of 109.88' to a R.O.W. marker; thence N01 degrees 17 minutes 05 seconds W along said west R.O.W. and along the west line of the Roberts/Simmons P.O. (Bk. 196, Pg.89) a distance of 175.35' to a point in the south line of the Fred R. and Myra H. Key property (inst.# 19 6494); thence S88 degrees 50 minutes 52 seconds W along said south line and the south line of Billie Frances Roberts Jones Tract (inst.# LF 0622) a distance of 95.42' to a found iron pin, said iron pin also being a Northwest corner of said Virginia Jones tract and a northeast corner of the Georgia Fulenwider tract (W.D. 1741-118); thence S10 degrees 37 minutes 42 seconds E along the divisional line of said Virginia Jones and Georgia Fulenwider tracts a distance of 289.69' to an angle point; thence S85 degrees 14 minutes 46 seconds W along said divisional line a distance of 168.19' to a found iron pin; thence S00 degrees 09 minutes 32 seconds W along said divisional line a distance of 320.00' to an angle point; thence N89 degrees 23 minutes 28 seconds E along said divisional line and along the north line of the said City of Memphis property a distance of 173.89' to the point of Beginning.

Being the same property conveyed to the party of the first part by Quit Claim Deed of record under Register's No. 24042081, as corrected in Correction Quit Claim Deed of record under Register's No. 24062557 , in the Register's Office of Shelby County, Tennessee, as to Parcels 2 & 3.

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 party of the second part, his 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 he is lawfully seized in fee of the aforedescribed real estate; that he has a good right to sell and convey the same; that the same is unencumbered, except for 2024 City of Memphis taxes and 2024 Shelby County taxes, both not yet due and payable, and except for any and all subdivision restrictions, covenants, building lines and easements of record, if any, including, but not limited to subdivision restrictions, building lines and easements of record in Plat Book F, Page 463, and Easements of record under Register's Nos. DA 0219 and 08139301, as to Parcel 1 and R4 1435, 09072904 and DA 0218, as to Parcels 2 & 3, all references to recording being made to the Register's Office of Shelby County, Tennessee;

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

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

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

TERESA L. JONES BRITT, TRUSTEE OF THE VIRGINIA A. JONES FAMILY TRUST, DATED NOVEMBER 17, 2019 ROBERT BRYON JONES, TRUSTEE OF THE VIRGINIA A. JONES FAMILY TRUST/DATED NOVEMBER 17, 2019

STATE OF TENNESSEE COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared TERESA L. JONES BRITT AND ROBERT BRYON JONES, TRUSTEES OF THE VIRGINIA A. JONES FAMILY TRUST, DATED NOVEMBER 17, 2019, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and notarial seal at office this 18th day of July, 2024.

Notary Public

ALINESSEE STATULE AEL arrented that are STATE <u>ک</u>لا WESSER WOTARY

My Commission Expires: 09/26/2027

TAX PARCEL NUMBER: 084023 00046C, 084023 00052 & 084023 00053 M PROPERTY ADDRESS: 4228 James Rd, 0 Spring St., 0 Spring St. Memphis, TN 38128 Mail TAX Bills and OWNER'S NAME AND MAILING ADDRESS: CGIENT, LLC, A Tennessee Limited Liability Company 3433 Forest Hill Irene German fown TN 38138

TG File #: **11824550** MD&W File #: **240252** MAIL TAX BILLS TO: CGIENT LLC, A Tennessee Limited Liability Company

THIS INSTRUMENT PREPARED BY: J. Michael Murphy, Attorney Murphy, DeZonia & Webb 6389 N. Quail Hollow Road, Ste. 102 Memphis, TN 38120

RETURN TO: Michael M. Wardlow, Attorney Titan Title Company, LLC. 7500 Capital Dr., Germantown, TN 38138

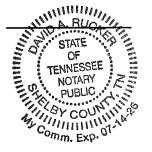
I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred whichever is greater is *******\$200,000.00*******, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

AFFIANT

Subscribed and sworn to before me this 244 day of July, 2024

Notary Public

My Commission Expires:



Certification of Electronic Document

I, Michael Wardlow, do hereby make the oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Michael Wardlow

STATE OF TENNESSEE COUNTY OF SHELBY

Sworn and subscribed before me, David A. Rucker, a notary public for this county and state, Michael Wardlow, who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.



My Commission Expires:

Notary Public

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development DIVISION

Planning & Zoning COMMITTEE: 05/20/2025 DATE

ONE ORIGINAL

ONLY STAPLED |

TO DOCUMENTS

PUBLIC SESSION: 06/10/2025 DATE **ITEM (CHECK ONE)** X RESOLUTION X REQUEST FOR PUBLIC HEARING ORDINANCE **ITEM DESCRIPTION:** Resolution approving the appeal of Dr. Lynnette P. Williams on behalf of the Acklena Lakeview Gardens CDC, Inc. seeking to overturn the action of the Memphis and Shelby County Land Use Control Board approving a resubdivision of a portion of Lot 1 of the Save-A-Lot subdivision to create lot 3, made up of 0.82 acres on the north end at the subject property located at 4696 S Third St. known as case number S 2025-010 **CASE NUMBER:** S 2025-010 **DEVELOPMENT:** LOCATION: 4696 S Third St **COUNCIL DISTRICTS:** District 6 and Super District 8 Dr. Lynnette P. Williams, Acklena Lakeview Gardens CDC, Inc. **APPELLANT: REPRESENTATIVE:** Wesley Woolridge, The Renaissance Group Overturn a decision of the Land Use Control Board **REQUEST: AREA:** +/-0.82**RECOMMENDATION:** The Division of Planning and Development recommended Approval with conditions The Land Use Control Board recommended Approval with conditions **RECOMMENDED COUNCIL ACTION: Public Hearing Required** Add to consent agenda requesting public hearing – May 20, 2020 Public hearing – June 10, 2025 _____ **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED (1)04/10/2025 DATE ORGANIZATION - (1) BOARD / COMMISSION (1) Land Use Control Board (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> **POSITION** Travian Smith 05/07/2025 PLANNER I DEPUTY ADMINISTRATOR Broth Rypdols 05/08/2025 ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR CITY ATTORNEY CHIEF ADMINISTRATIVE OFFICER **COMMITTEE CHAIRMAN**



Memphis City Council Summary Sheet

S 2025-010

RESOLUTION APPROVING THE APPEAL OF DR. LYNNETTE P. WILLIAMS ON BEHALF OF THE ACKLENA LAKEVIEW GARDENS CDC INC. SEEKING TO OVERTURN THE ACTION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD APPROVING A RE-SUBDIVISION OF A PORTION OF LOT 1 OF THE SAVE-A-LOT SUBDIVISION TO CREATE LOT 3, MADE UP OF 0.82 ACRES ON THE NORTH END AT THE SUBJECT PROPERTY LOCATED AT 4696 S THIRD ST, KNOWN AS CASE NUMBER S 2025-010.

- This item is a resolution to appeal the Land Use Control Board's approval of a major re-subdivision of a portion of Lot 1 of the Save-A-Lot subdivision to create lot 3, made up of 0.82 acres on the north end at the subject property; and
- The Land Use Control Board held a public hearing on April 10, 2025, and approved the aformentioned request subject to one (1) condition; and
- Wesley Woolridge of The Renaissance Group appeared at the aforementioned public hearing on behalf of the appellant; and
- An appeal of the Land Use Control Board decision was filed on April 16, 2025, by Dr. Lynnette P. Williams on behalf of the Acklena Lakeview Gardens CDC, requesting the Memphis City Council overturn the action of the Land Use Control Board; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, April 10, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	S 2025-010
LOCATION:	4696 S. Third St
COUNCIL DISTRICT(S):	District 6 and Super District 8
OWNER/APPLICANT:	David Dale
REPRESENTATIVE:	Wesley Woolridge, The Renaissance Group
REQUEST:	Re-subdivision of Lot 1 of Save-A-Lot Subdivision to create a 0.82 Acres Lot 3 on the North End
EXISTING ZONING:	Commercial Mixed Use – 3 (CMU-3)
AREA:	+/-0.82 acres

The following spoke in support of the application: Wesley Woolridge

The following spoke in regards to the application: Jakiya Shaw, and Dr. Lynnette Williams

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

The motion passed by a vote of 4-3 on the regular agenda.

Respectfully,

Travian Smith Planner I Land Use and Development Services Division of Planning and Development

Cc: Committee Members File

S 2025-010 Preliminary Plan



CONDITIONS

1. No curb cut access is allowed on Shelby Drive.

RESOLUTION APPROVING THE APPEAL OF DR. LYNNETTE P. WILLIAMS ON BEHALF OF THE ACKLENA LAKEVIEW GARDENS CDC INC. SEEKING TO OVERTURN THE ACTION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD APPROVING A RE-SUBDIVISION OF A PORTION OF LOT 1 OF THE SAVE-A-LOT SUBDIVISION TO CREATE LOT 3, MADE UP OF 0.82 ACRES ON THE NORTH END AT THE SUBJECT PROPERTY LOCATED AT 4696 S THIRD ST, KNOWN AS CASE NUMBER S 2025-010.

WHEREAS, The Renaissance Group filed an application with the Memphis and Shelby County Division of Planning and Development to re-subdivide a portion of Lot 1 of the Save-A-Lot subdivision to create lot 3, made up of 0.82 acres on the north end at the subject property; and

WHEREAS, the Memphis and Shelby County Division of Planning and Development reviewed the application in accordance with the standards and regulations of Memphis and Shelby County Unified Development Code and submitted its findings and recommendation to the Memphis and Shelby County Land Use Control Board; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on April 10, 2025, and said Board approved the request of the applicant subject to one (1) condition.

WHEREAS, Dr. Lynnette P. Williams, filed an appeal on April 16, 2025, on behalf of the Acklena Lakeview Gardens CDC, Inc. with the Memphis and Shelby County Division of Planning and Development requesting that the Council of the City of Memphis overturn the action of the Memphis and Shelby County Land Use Control Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the appeal of the appellant, Dr. Lynnette P. Williams on behalf of the Acklena Lakeview Gardens CDC, Inc., is granted and the action of the Memphis and Shelby County Land Use Control Board on April 10, 2025, is hereby overturned.

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

PRELIMINARY PLAN:



CONDITIONS:

1. No curb cut access is allowed on Shelby Drive.

ATTEST:

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

April 23, 2025

Councilwoman Jana Swearengen-Washington Chair, Planning and Zoning Committee

Councilman J. Ford Canale Chair, Memphis City Council

Councilman Edmund Ford, Sr. City Council District 6

Re: Letter of Appeal for Case# S 2025-010

Dear City Council Members,

We officially Appeal the Land Use Board Decision on April 10, 2025 for approval of the Land Subdivision for an Oil Changing Facility at 4696 S. Third Street, located in a Wellhead Overlay District. We understand the Board's Ruling, however, there were no site plans presented to the public or shared at the Neighborhood Meeting for any building construction options for Proposed Lot 3. We believe this information was only privy to Mr. David Dale, Commercial Property Owner, ECK-FAY, LLC, Applicant, Mr. Khalid Mothanna, a local Multiple Gas Station and Oil Changing Facility Owner, Mr. Wesley Wooldridge, P.E., ISACA, Renaissance Group and Mr. Brett Ragsdale, Zoning Administrator and his staff. Mr. Wooldridge did not submit any details of the Neighborhood Meeting or Minutes to be included in the Staff Report compiled by Mr. Travian Smith. These would have revealed very strong Public Opposition to Land Subdivision with no architectural renderings. There was no consideration, recognition, or documentation about the environmental concerns mentioned by the meeting attendees, no construction timelines given, and no regard for the special nuances of the neighborhood or mutually beneficial alternative business ideas or even the needs of our community were not discussed with the owner or conveyed to him. The Board decision was made without accurate information and without regard to the health, welfare or safety of our citizenry. We will submit specific facts, evidence, and documentary challenges at the Public Hearing to support our DISAGREEMENT with the LAND USE BOARD DECISION. This project will provide no economic or health-related benefits to our immediate neighborhood or community. On behalf of your fellow Memphians, please reverse this decision for the sake of the future well-being our community as well as the business currently occupying Lot 1 on the property, the Save-A-Lot Supermarket, our local neighborhood grocery.

We thank you for your consideration with this matter as well as your support, and service.

Respectfully,

Lynnette P. Williams, MD, Community Spokesperson and Organizer Executive Director, Acklena Lakeview Gardens CDC, Inc.

ddd MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT
AGENDA ITEM:	9	L.U.C.B. MEETING:	April 10, 2025
CASE NUMBER:	S 2025-010		
LOCATION:	4696 S Third Rd		
OWNER/APPLICANT:	David Dale		
REPRESENTATIVE:	Wesley Wooldridge, Renaissance (Group	
REQUEST:	Re-subdivision of Lot 1 of Save-A-I North End	Lot Subdivision to create a	0.82 Acres Lot 3 on the
EXISTING ZONING:	Commercial Mixed Use – 3 (CMU-3	3)	

CONCLUSIONS

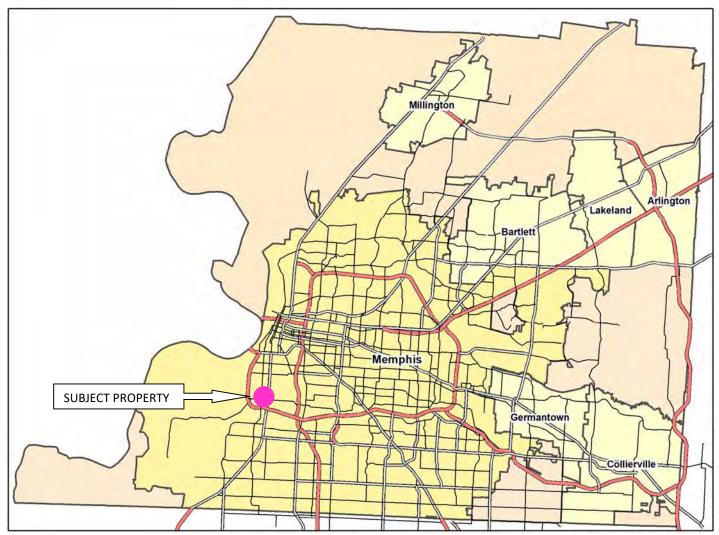
- 1. The applicant is requesting a commercial lot major re-subdivision. The proposed preliminary plan subdivides the north side of Lot 1 into two lots creating Lot 3. Lot 1 will be reduced from 140,322 sq. feet (3.221 acres) to 103,993 sq. feet (2.3 acres). Lot 2 will remain the same. Lot 3 will be created on the north end of the parcel making up 35,885 sq. feet (0.82 acres).
- 2. The proposed lots meet the bulk regulations of the Commercial Mixed Use 3 (CMU-3) District.
- 3. The proposed preliminary plan is compatible with and in character with the existing development pattern of the neighborhood.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is not subject with the Memphis 3.0 General Plan.

RECOMMENDATION:

Approval with conditions



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow

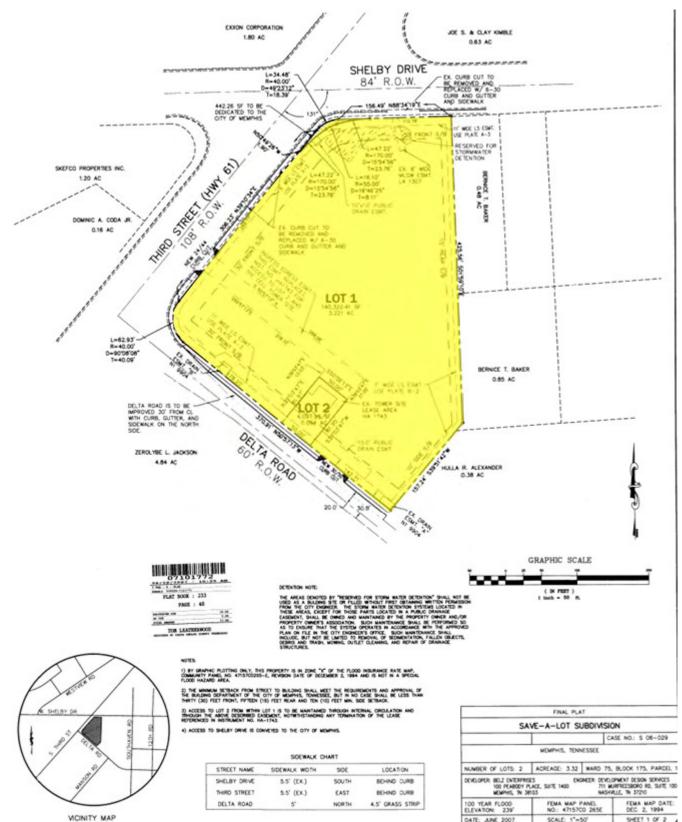
PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed. A total of 73 notices were mailed on March 20, 2025, see page 17 of this report for a copy of said notice.

NEIGHBORHOOD MEETING

The meeting was held at 2:30 PM on Saturday, March 29, 2025, at the Whitehaven Library Raines-Finley Park, 4318 Graceland Dr.

SAV-A-LOT SUBDIVISION (2007) (PLAT BOOK 233 PAGE 48)

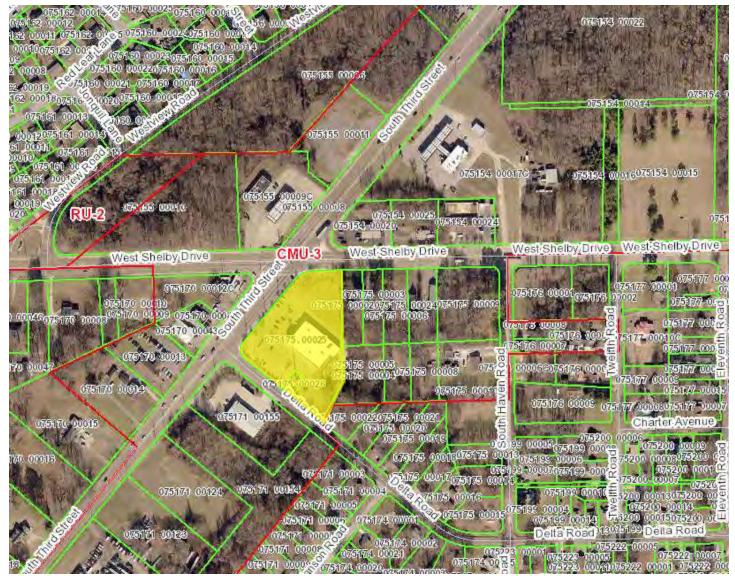


Subject property highlighted in yellow



Subject property outlined in yellow, imagery from 2024

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from S Third Street looking Northeast



View of subject property from S Third Street looking Northeast

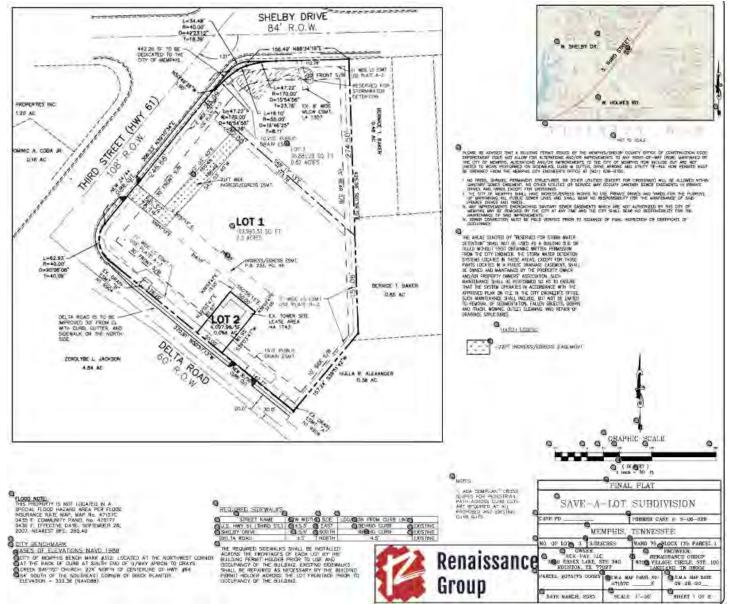


View of subject property from the corner of S Third Street and Delta Road looking East



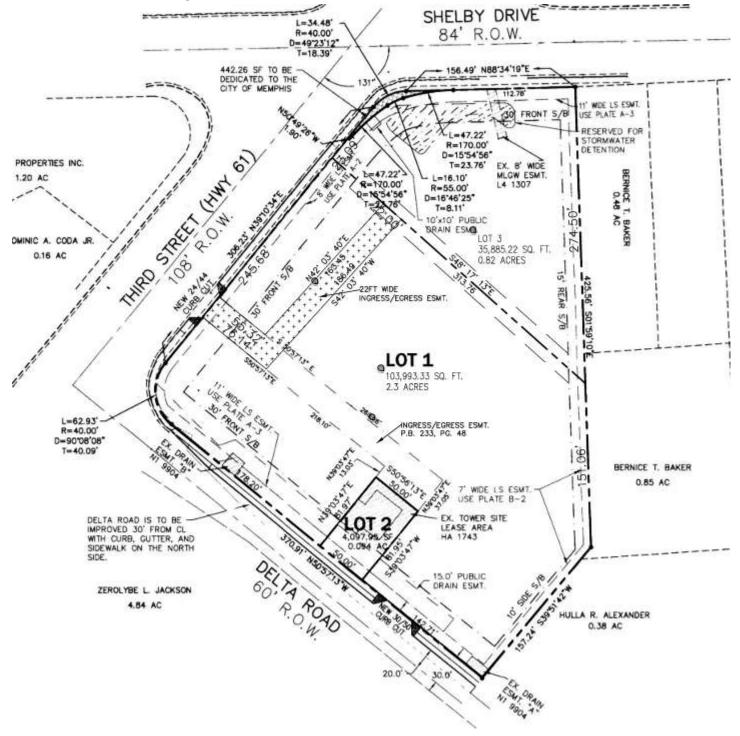
View of subject property from Delta Road looking East

PRELIMINARY PLAN



April 10, 2025 Page 11

PRELIMINARY PLAN – MAGNIFIED



CASE REVIEW

<u>Request</u>

The request is a re-subdivision of Lot 1 to create a 0.82 acres Lot 3 on the north end.

Review Criteria

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

9.7.7H Approval Criteria

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

Site Details

Address: 4696 S Third Street

Parcel ID: 075175 00025

Area: +/-144,619 square feet (3.32 acres)

Description:

The subject property is known as the Save-A-Lot Subdivision, located in an CMU-3 zoning district. The subject property has two street frontages as it is located on the corner of Third Street and Delta Road covering approximately 3.32 acres. Each street frontage has landscaping consisting of trees and shrubs that surrounds the subject property. It is located less than five miles from Interstate 55. Lot 1 is currently occupied by Save-A-Lot Shopping Center and surface level parking making up 103,993 square feet (2.3 acres). Lot 2 is occupied by a cell tower making up 4,097.95 square feet (.094 acres). Per the Shelby County Assessor's office, the subject property was developed in 2008 and is characterized as a supermarket making up 16,456 square feet.

Site Zoning History

On August 27, 1997, the Board of Adjustment approved Docket BOA 1997-071 for a variance to allow a PCS monopole communications tower, with antennas and equipment cabinet; with further variations to allow a tower heigh of one hundred forty (140) feet; and to allow more than one main structure on a lot (Parcel ID: 075175 00026), see page 22 for BOA 1997-071 Notice of Disposition.

Relevant Unified Development Code Clauses

9.7.7 - Major Preliminary Plan Review

H. Approval Criteria

2. The LUCB or governing body(s) may reject a preliminary plan if it is determined that the proposed subdivision is not in keeping with the character of development in the neighborhood. The LUCB or governing body(s) shall consider the following in the determination of the character of the development in the neighborhood.

- a. Building setback lines of all principal structures that lie within 500 feet of the proposed subdivision.
- b. Size and width of all lots within 500 feet of the proposed subdivision.
- c. Proximity of arterial and connector streets within 500 feet of the proposed subdivision.
- d. Diversity of land uses within 500 feet of the proposed subdivision.

Preliminary Plan Review

The proposed preliminary plan subdivides the north side of Lot 1 into two lots creating Lot 3. Lot 1 will be reduced from 140,322 sq. feet (3.221 acres) to 103,993 sq. feet (2.3 acres). Lot 2 will remain the same. Lot 3 will be created on the north end of the parcel making up 35,885 sq. feet (0.82 acres). The newly created Lot 3 will have frontage on S Third Street and Shelby Drive with a 30' setback that will be reserved for stormwater retention. An ingress/egress easement across Lot 1 will be created to grant access from the parking lot of the Save-A-Lot supermarket.

<u>Analysis</u>

April 10, 2025 Page 14

The proposed re-subdivision converts an existing parcel made up of Lot 1 and Lot 2 into a 3-parcel lot with Lot 1 being reduced from 140,322 sq. feet (3.221 acres to 103,993 sq. feet (2.3 acres). Lot 2 will remain the same. Lot 3 will be created on the north end of the parcel making up 35,885 sq. feet (0.82 acres). Proposed Lot 3 has street frontage of S third Street and Shelby Drive. An ingress/egress easement across Lot 1 will be created to grant access from the parking lot of the Save-A-Lot supermarket. The lot meets the required regulations per the Unified Development Code (UDC).

RECOMMENDATION

Staff recommends approval with conditions

Conditions

1. Any change or deviation from the site plan upon the determination of the Zoning Administrator shall be submitted to the Land Use Control Board for review and approval or administrative review and approval by the Division of Planning and Development.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

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

Sewers:

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 availability of sewer capacity.

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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

Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

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

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

Drainage:

- 14. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
- 15. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
- Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- 17. 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.
- 18. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

General Notes:

- 19. Development is greater than 1 acre requires detention.
- No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 21. All connections to the sewer shall be at manholes only.
- 22. 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.
- 23. Required landscaping shall not be placed on sewer or drainage easements.

S 2025-010			
City/County Fire Division:	No comments received.		
City Real Estate:	No comments received.		
County Health Department:	No comments received.		
Shelby County Schools:	No comments received.		
Construction Code Enforcement:	No comments received.		
Memphis Light, Gas and Water:	No comments received.		
Office of Sustainability and Resilience:	No comments received.		
Office of Comprehensive Planning:	No comments received.		

MAILED PUBLIC NOTICE

You have received this notice because you own or reside on a property that is near the site of a development application to be			
considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than Wednesday, April 2, 2025 at 8 AM.	West, Streetly, Cirve W		
CASE NUMBER: S 2025-010 ADDRESS: 4696 S. Third St REQUEST: Re-subdivision of Lot 2 of Save-A-Lot Subdivision to create a 0.82 Acres Lot 3 on the North End APPLICANT: David Dale	10 Point Poi		
Meeting Details Location: Council Chambers Time: 9:00 AM City Hall 1st Floor 125 N Main St. Date: Thursday, April 10, 2025			

APPLICATION

April 10, 2025 Page 19



Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

Record Summary for Subdivision

Record Detail Information

Record Type: Subdivision

Record Status: Pending Opened Date: February 27, 2025

Record Number: S 2025-010

Record Name: SAVE-A-LOT SUBDIVISION Description of Work: RE-SUBDIVION OF LOT 2 OF SAVE-A-LOT SUBDIVION TO CREATE A 0.82 ACRE LOT 3 ON THE NORTH END.

Parent Record Number:

Address:

4696 S THIRD RD, MEMPHIS, TN 38109

Owner Information

Primary Owner Name Y ECK-FAY LLC

Owner Address

3900 ESSEX LN, HOUSTON, TX 77027

Parcel Information

075175 00025

Data Fields

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

Type of Subdivision Type of Preliminary Plan Name of Subdivision Number of lots Acres LUCAS SKINNER 11/12/2024 Email

Major Standard SAVE-A LOT 3 3.32

Page 1 of 3

S 2025-010

Owner Phone

9018335917

Expiration Date:

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S-06-029	
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APPLICANT

Address

Phone (713)529-4244 Name WESLEY WOOLDRIDGE

Address

Phone (901)219-8651

Page 2 of 3

Contact Type

ARCHITECT / ENGINEER / SURVEYOR

S 2025-010

state that I have read the definition of

OWNER AFFIDAVIT

MEMPHIS AND DIVISION OF PLANNING

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.

Eck FAY,LLC By: 1. Bruch W. MANASSEMPERSON

(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

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 4696 5 THIRD ST MEMPHIS TH 38109 - 6281 and further identified by Assessor's Parcel Number 075175 00025 for which an application is being made to the Division of Planning and Development.

Subscribed and swom to (or affirmed) before me this ______ day of ______ day of _______

	2110
Signature of N	otary Public

100	DAVID DALE HOL 2	5 - 2025
	ID #129278544 Com	mission Expires
S	Junuary 25, 2025	

LETTER OF INTENT

April 10, 2025 Page 22



February 26, 2025

RE: Major Subdivision Application - Save-a-Lot Subdivision

Mr. Brett Ragsdale City of Memphis, Division of Planning & Dev. 125 N. Main, Room #477 Memphis TN 38103

Mr. Ragsdale,

Please accept this application for a Major Subdivision for the modification of the existing Save-A-Lot Subdivision at the southeast corner of the Third Street (Hwy 61) and Shelby Drive intersection.

The intent of this project is to create a third lot, 0.82 acres, on the north end. Lot 1 will reduce to 2.30 acres, Lot 2 will not be changed.

The newly created Lot 3 will have frontage on Third Street and Shelby Drive, but no new curb cuts are proposed, instead, access will be granted via an ingress/egress easement across Lot 1. The easement will center on an existing drive aiste for the Save-A-Lot supermarket.

Sanitary sewer and public water are available to the site.

Again, on behalf of the landowner and applicant, we are pleased to bring forward this application. As the engineers associated with this proposal, the Renaissance Group is available should you have any questions or concerns related to this request. Please feel free to contact me at 901-332-5533.

Respectfully Waly Wool

J. Wesley Wooldridge, P.E., Partner Renaissance Group, Inc.

Renaissance Group Inc. 9700 Village Circle, Suite 100 Lakeland, TN 38002 Phone 901.332.5533 www.rgroup.biz

April 10, 2025 Page 23

BOA 1997-071 Notice of Disposition



MEMFHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT

ROOM 18-09 CITY HALL +125 NORTH MID AMERICA MALL MEMPHIS, TENNESSEE 38103

NOTICE OF DISPOSITION

DATE: August 29, 1997

TO: SprintCom, Inc. Suite 301 35 Union Avenue Memphis, TN 38103

> RE: DOCKET 97-71 City LOCATION: 4698 South Third Street, (at the northeasterly corner of South Third Street and Delta Road)

On <u>August 27, 1997</u>, the MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT <u>approved</u> your application, as submitted, requesting a variation from the Zoning Regulations to allow a PCS monopole communications tower, with antennas and equipment cabinet; with further variations to allow a tower height of one hundred forty (140) feet; and to allow more than one main structure on a lot; subject to the following condition:

 The revised plan is the approved plan and is to be so marked and made a part of the records of this case. Such approval is based in part upon the Board's evaluation and conclusion that the plan, as approved, eliminates or minimizes the potentially harmful characteristics or impact upon surrounding properties. <u>Any</u> change or deviation from this plan, including installation or placement of temporary and portable signs, is to be resubmitted to the Board for its review and reaffirmation of the approval hereby granted.

ALL APPEALS AND APPLICATIONS <u>GRANTED</u> ARE EXPRESSLY CONDITIONED UPON THE APPLICANT OBTAINING THE PERMIT REQUESTED OR OTHER ORDER WITHIN ONE (1) YEAR FROM THE DATE OF THE DECISION OF THE BOARD OF ADJUSTMENT.

The resolution of the Board is subject to your inspection at the office of the Board of Adjustment.

Respectfully,

Anita Forrester, Secretary Board of Adjustment

xc: Homer B. Branan, III, Attorney

LETTERS RECEIVED

4 letters of opposition and a petition were received at the time of completion of this report and have subsequently been attached.

Outlook		
4696 s third st S 2025-010		

From horn lake <hornlake4691@gmail.com> Date Tue 4/1/2025 12:14 AM To Smith, Travian <Travian.Smith@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.

1 wellhead are protection area which could be very dangerous to the water there is a daycare 200 feet from the save lot. kids drink water from fountain machines that come from that area oil change will spill drop and pollution the water and air also will hurt residents 2 third st Is a highway which cause many driver to drive fast plus you have Shelby dr terrfic adding another bussiness there will make more

terffic even there is no new cut curb it will add terffic

We pray that you save our neighborhood and save our kids god bless you

Sent from my iPhone

Sent from my iPhone

My name khalid haimed I reject the save lot subdivision for 2 reasons



Sav a lat subdivision case 52025-010

From esam Al-zamzami <esam415@myyahoo.com> Date Tue 4/1/2025 12:58 AM To Smith, Travian <Travian.Smith@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 Esam Alzamzami I reject the save lot subdivision for 2 reasons

1- wellhead are protection area which could be very dangerous to the water there is a daycare 200 feet from the save lot. kids drink water from fountain machines that come from that area oil change will spill drop and pollution the water and air also will hurt residents 2- third st Is a highway which cause many driver to drive fast plus you have Shelby dr terrfic adding another bussiness there will make more terffic even there is no new cut curb it will add terffic

We pray that you save our neighborhood and save our kids god bless you

Esam Alzamzami 4672 s third st

Memphis tn 38109

April 10, 2025 Page 26

April 1, 2025

Travian Smith, Case Manager Office of Planning and Development

Land Use Board Members and Staff,

This letter is written in OPPOSITION to building an Oil Changing Facility in the Save-A-Lot Supermarket Parking Lot. (Case# S 2025-010) This project as presented appears to be a threat to the health, safety, and well-being of our community. We have three main reasons for not supporting this land subdivision. First, the property at 4696 S. Third St. is located in the Wellhead Protection Area or Overlay District. A toxic chemical type business provides a significant risk for ground water contamination or pollution of our drinking water. Secondly, safety concerns with an increase in traffic at a very busy accident prone intersection. And finally, the property is owned by ECK-FAY, LLC., a commercial property management company and not a food company. With the recent Save-A-Lot closure in Memphis, this project appears to be a threat to the viability and future of the grocery store at this location. We are in a food desert and our community can not afford to lose a supermarket in our area. Our Neighborhood Meeting was poorly attended due misinformation and the meeting was not held in our neighborhood. Concerned citizens and residents as well as business owners signed 1 of 2 petitions within 750 feet of the project and beyond of over 300 signatures to show solidarity and support for our **opposition** to this project. It provides no economic investment or environmental benefit to our community.

Respectfully,

Lynnette P. Williams, MD Executive Director, Acklena Lakeview Gardens CDC, Inc. Community Organizer/Spokesperson

Attached Petitions Neighborhood Meeting Agenda/Minutes

From Fill Save <fill.n.save@gmail.com> Date Tue 4/1/2025 7.17 PM To Smith, Travian <Travian.Smith@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.

To Whom It May Concern,

My name is Samer Alkabsh, and my address is 4670 South Third Street. I am writing to express my strong opposition to the proposed Save Lot subdivision under Case 2025-010 for the following reasons:

1. Risk to Public Health and Water Safety:

The proposed development is within a wellhead protection area, which is critical for keeping our groundwater clean and safe. There is a daycare just 200 feet from the site, and the children there rely on water from this system. A gas station or oil change service increases the risk of oil spills and chemical runoff, which could contaminate our water supply and harm the air guality—putting both children and residents at serious risk.

2. Traffic and Safety Hazards:

South Third Street already handles high-speed traffic and significant congestion, especially near Shelby Drive. Adding another business will worsen traffic conditions and create more safety concerns. With no new curb cut or traffic management plan, the situation could become dangerous for both drivers and pedestrians.

3. Oversaturation of Gas Stations - What We Really Need Is a Grocery Store:

There are already several gas stations on South Third Street. The community does not need another one. What we do need is a grocery store. Many residents—especially those without reliable transportation—have to travel long distances just to access fresh food and everyday necessities. A grocery store would be a meaningful improvement to the area and better serve the daily needs of families and individuals.

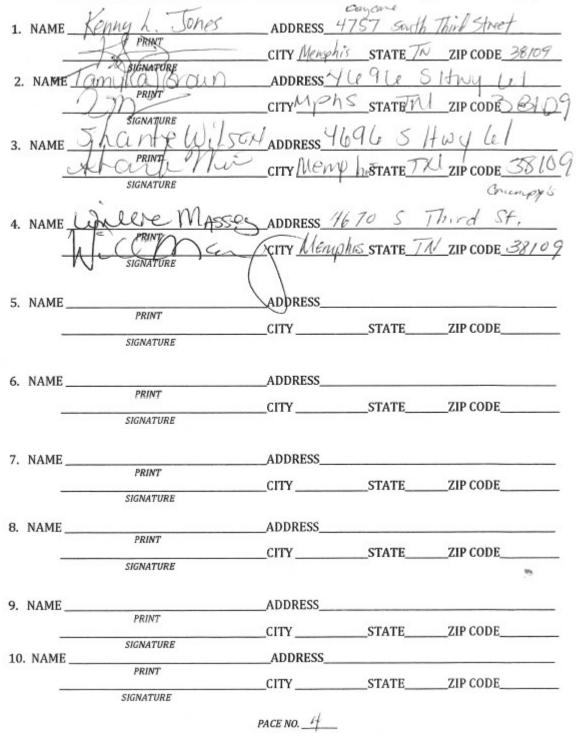
Please consider the long-term impact of this proposal. We urge you to protect our neighborhood, our children, and prioritize developments that truly serve the community.

Sincerely, Samer Alkabsh 4670 South Third Street Sent from my iPhone

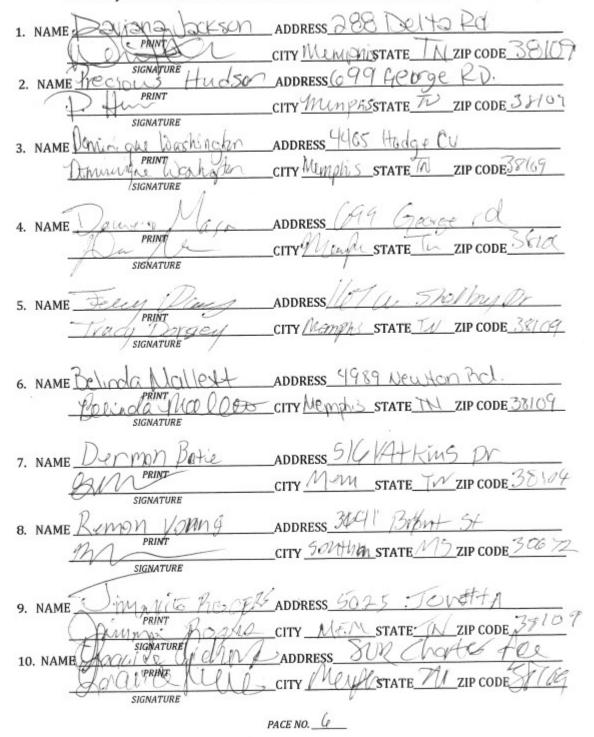
1. NAME Robert Stevenson	ADDRESS 669 West Shelby Drive
1. NAME THE ALE ARD	_CITY Menythis STATE TN ZIP CODE 38109
2. NAMERON ROBERT FLANNAGA	ADDRESS
SIGNATURE	<u>CITY Myths STATE IN ZIP CODE 38109</u> MADDRESS 663 W. Shelby Dr. <u>CITY Memphis</u> STATE TN ZIP CODE 38109
4. NAME Everling Jenes Everling Jenes Everling Jenes	_ADDRESS_ 4757 Sour Third A
5. NAME Gloria hucas PRINT SIGNATURE	_ADDRESS_4757_South_Thin! St _CITY_Memples_STATE_TN_ZIPCODE_38/09
6. NAME Sarade White Pan White SIGNATURE	_ADDRESS_4757 South Third St. CITY/Nemphis_STATE_TVZIP CODE_38/09
7. NAME Kyn Guin Kyn Guin Kyn Juin Kyn Guin SIGNATURE	_ADDRESS_4757 South Third St. CITY_Mphy,STATE_TNZIP CODE_38109_
8. NAME Drate Serint SIGNATURE	_ADDRESS 4757 South Third St CITY_MPHSSTATEZIP CODES109
9. NAME Phenda Walker PRINT STGNATURE 10. NAME Carlos Berry PRINT SIGNATURE	ADDRESS 4757 S. Third Sh
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2. NAME Samer Alkabah	ADDRESS \$670 Sauly third St
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	ADDRESS 4711 South Third ST
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(pro Johes ADDRESS Street 1. NAME PRINT STATE IN ZIP CODE 3 В CITY Mer SIGNATURE 2. NAME ADDRESS PRINT 58109 STATE ZIP CODE CITY/ SIGNATURE m 4mi all ADDRESS 46 72 Third St 2 1 3. NAME PRINT CPTY Memohis STATE 38109 / N ZIP CODE SIGNATURE ADDRESS OS2 Delta Rol ille Nch 4. NAME PRINT STATE TN ZIP CODE 3 4100 CITY Mendis SIGNATURE Gle Delta R. 3 Whi ADDRESS 5. NAME PRINT ZIP CODE_38109 CITY Mendy STATE SIGNATURE Delta Rel 1.80 ADDRESS maine Nest 6. NAME PRINT CITY Memphistate TN ZIP CODE 38109 SIGNATURE KPIK 308 Hewle 7. NAME lon 6 ADDRESS PRINT ZIP CODE 38/07 CITY Me STATE SIGNATURE Hewlett Rd 8. NAME lone ADDRESS 5 7 PRINT STATE IN ZIP CODE 32/09 CITY Memph C SIGNATURE MK 691 ADDRESS 9. NAME CITY STATE ZIP CODE SIGNATURE ADDRESS 4705 Mansor 10. NAME_ PRINT WAM STATE 09 ma-Km IN ZIP CODE 58 CITY SIGNATURE A PACE NO. 3



OPPOSITION PETITION TO BUILDING AN OIL CHANGING FACILITY/?GAS STATION AND MAJOR SUBDIVISION OF THE SAVE-A-LOT PARKING LOT (Case# S2025-010) 0 0 GLE ADDRESS 1. NAMEK ha PRINT 5 2109 P CODE STATE CITYM-emp SIGNATURE ADDRESS 10 7 0 2. NAME in PRINT Memplis 38100 ZIP CODE STATE CITY SIGNATURE 13 Reache ADDRESS 20 Davis 3. NAME PRINT CITY IN_ZIP CODE his STATE april SIGNATURE ADDRESS UST & BURNESS anor 4. NAME PRINT CITY/fraught N ZIP CODE 380 STATE SIGNATURE 329 Charter Are ADDRESS 5. NAME PRINT 38109 ZIP CODE CITY STATE Cele SIGNATURE ADDRESS 43 H 18 CT'SA 6. NAME ZIP CODE 3809 PRINT CITY TALS STATE TKI SIGNATURE ADDRESS 4 Wara S 11, 7. NAME aci PRINT STATE JA _ZIP CODE_38109 CITY Mind X SIGNATURE 4. Butiola ADDRESS / > BIN CV 8. NAME ZIP CODE QUE PRINT CITY N SIGNATURE 9. NAME Dezarius Flemina 4930 F 2 670 ADDRESS PRINT ZIP CODE 38179 STATE MM CITY CNIDA SIGNATURE (it e. hampa ADDRESS 10. NAME PRINT 6.6 an 6 STATE IN ZIP CODE CITY SIGNATURE PACE NO. _ 3



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2.	NAME	Fictoric Smith	ADDRESS_29	53 Chart	er Ave
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1. NAME Chester White ADDRESS 3800 Masterson St
CITY Murchis STATE TN ZIP CODE 35/09
2. NAME Ismael Zandan, ADDRESS 4770 Horn lake Ho.
CITY Memphis STATE TN ZIP CODE 38109
3. NAME Maturan A Shegara ADDRESS 76 e windsor Rd.
SIGNATURE CITY Memphis STATE TN ZIP CODE 38109
4. NAME ANTHONY Kibbler ADDRESS 126 CHAMPA NUE.
anthony Ribble city Memphis STATE TO ZIP CODE 38109
5. NAME Carlos fifer ADDRESS 4878 norn Lake Rd
Carlos FPFCR CITY Memphis STATE TO ZIP CODE 38/09
6. NAME TERRY halmon ADDRESS B23 Delta Rd
SIGNATURE CITY MEMORINS STATE IN ZIP CODE 38109
7. NAME Lin & Horn ADDRESS 260 Delt 2 Rd.
Eric PRINT Horne CITY MEMP_STATE / ZIP CODE 39109
8. NAME TOWNIE VALCATADDRESS 126 Chrampt AV
8. NAME TO CITY MEMPILE STATE TV ZIP CODE 38/09
SIGNATUŘE
9. NAME ALEX BOWN ADDRESS 397 DELLA Rd
Nex brown CITY Memphis STATE TO ZIP CODE 35/09
10 NAME LOGUND LOGUND ADDRESS ddd Vertel Rd
LASTINE CITY Memphis STATE TO ZIP CODE 3869
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OPPOSITION PETITION TO BUILDING AN OIL CHANGING FACILITY/?GAS STATION AND MAJOR SUBDIVISION OF THE SAVE-A-LOT PARKING LOT (Case# S2025-010)

Para marcinis	ADDRESS 462 Bradwood Ave
1. NAME Bang PRINT	CITY Memphis STATE TD ZIP CODE 35109
SIGNATURE	ADDRESS 415 Mc Farlant Dr
2. NAME Paul Roy PRINT	CITY Memphi STATE TN ZIP CODE 3869
D. B. SIGNATURE	
3. NAME Joshua Freeman	ADDRESS SIOY Atkins drive 38109
Ashin Freeman	CITY Met phis STATE TO ZIP CODE 38/09
SIGNATURE	
4. NAME Airaelyon A	ADDRESS Hill brocks
Hirgel Yan	CITY MONTAIS STATE TIN ZIP CODE BELOG
SIGNATURE	
5. NAME Cortez Wilson	ADDRESS ING Source Haven Dr
S. NAME	CITY Memphis STATE TA ZIP CODE 3869
SIGNATURE	
6. NAME HEAVY Wesley	ADDRESS 215 Howard dr
6. NAME	CITY MennissTATE TN ZIP CODE 35/64
SIGNATURE	201 2 COL 20 7
7. NAME ANTING beneon	ADDRESS 521 Detta Rd
7. NAME THE PRINT	CITY Memphis STATE TO ZIP CODE 05669
SIGNATURE	1
8. NAME TOE POWERS	ADDRESS 270 Washburns
ad Dowers	CITY Memphis STATE TO ZIP CODE 25104
SIĜNATURE	
9. NAME Kendric Taylor	ADDRESS 344 washburn
PRINT Kenter Tryles	CITY Memphis STATE TN ZIP CODE 158109
10. NAME Space Perfect	ADDRESS 5024 HorneyerRD
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OPPOSITION PETITION TO BUILDING AN OIL CHANGING FACILITY/?GAS STATION AND MAJOR SUBDIVISION OF THE SAVE-A-LOT PARKING LOT (Case# S2025-010)

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OPPOSITION PETITION TO BUILDING AN OIL CHANGING FACILITY/?GAS STATION AND MAJOR SUBDIVISION OF THE SAVE-A-LOT PARKING LOT (Case# S2025-010)

1. NAME LAWIENCE CIEMONS ADDRESS 47595H; 11 brook
1. NAME Lawrence Clemons ADDRESS 775 DIL, 11 Brook
Queering Omes CITY MEHARSTATE TY ZIP CODE 38/09
2 NAME SAMMY PRIME ADDRESS 4786 FILLERCOLLCOL
Sam the CITY Mem MESTATE IN ZIP CODE 15004
SIGNATIDE
3. NAME Levou Choleman ADDRESS 186 Barwood
Jenaic Monthomery CITY Memphis STATE IN ZIP CODE 3869
4. NAME broda lesure Address 302 Vetta Rd
4. NAME DIOGU JUNE desnu CITY Meuphis STATE TN ZIP CODE 38/09
SIGNATORE
5. NAME TEORG Bryant ADDRESS 4516 Appleville St.
Leona PRINT CITY Mengin > STATE TAL ZIP CODE 38109
Leona Bond CITY Mengi = STATE IA) ZIP CODE 5810 9
6. NAME Darius Head ADDRESS 2430 SPARKS RD
6. NAME DURING TIEDON ADDRESS CTO PRINTY CITY MEMPHS STATE TN ZIP CODE 38106
SIGNATURE
7. NAME SAMUELCHRISTANADDRESS 4885 Hilbrook
7. NAME SAMUELCHRISTANADDRESS 4885 HIBROOK
SIGNATURE
8. NAME LOGY F M. ADDRESS DO TO GONGOVANCA CO RINT CITY May ph 7 STATE TN ZIP CODE < 8116
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All 2 / 1 TI FINANDER
9. NAME Ali Zandani ADDRESS 76 E Windson 39/109
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10. NAME AR OS BUTTER ADDRESS 3133 Gill RA
Carles Karl CITY CAPPOS STATE R. ZIP CODE 5810
SIGNATURE
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OPPOSITION PETITION TO BUILDING AN OIL CHANGING FACILITY/?GAS STATION AND MAJOR SUBDIVISION OF THE SAVE-A-LOT PARKING LOT (Case# S2025-010) MEMDER(S ADDRESS 5245 Genstonewall 1. NAME RONNE J. WCM CITY MEMORIES STATE TN ZIP CODE 58/89 PRINT mern SIGNATURE harter 298. ADDRESS Ina 16 2. NAME 1N ZIP CODE 3 PRINT UM M STATE CITY SIGNATURE Gold ADDRESS (5 W 3. NAME -STATE TN_ZIP CODE 78109 CITY MAL SIGNATURE ADDRESS 173 Westhison RNEH 4. NAME CITYMEM, STATE JEAN ZIP CODE 38109 SIGNATURE ADDRESS_ 5. NAME PRINT ZIP CODE STATE CITY____ SIGNATURE ADDRESS_ 6. NAME PRINT ZIP CODE STATE CITY _____ SIGNATURE ADDRESS____ 7. NAME PRINT CITY _____STATE____ ZIP CODE SIGNATURE ADDRESS____ 8. NAME PRINT CITY _____STATE____ ZIP CODE____ SIGNATURE ADDRESS 9. NAME PRINT CITY _____ STATE____ZIP CODE___ SIGNATURE ADDRESS 10. NAME PRINT CITY ______STATE ____ZIP CODE_____ SIGNATURE PACE NO. 13

NAME	ADDRESS	IN FAVOUR OF
Carl Bell	5081 Andouer Da	Reject
ahaysha Smith	1168 Stwance ed	Rolet
mich house	3096 HIMARIL	Reject
	Une 691 Honderpy Rd	Resect
JAMEEL Ahmed	4617 CIMMArON	reject
Ju d'highe	759 Hawkeye (v	
aprevs Howar		VI CL
Methune	4106 Montana ev	TReport
emond Shite	1352 North Or	TREES
TOUR UNEWO	420 Waratalet	TWEET
out hamilton	4600 S. Third	Exercet
a Cavis, Titurerald	3680 Marson Rd	T. reject
nurphy Thead	3455 Grann Purk	I Re Jeut
Mushall Washot g		IRciect
emand Backrashim	4383 melwood	Freject
higures Amothomy	- 5256 Blucelamond	Fretcel
Matalic Maure	4222 Burwood dr	Treject
huls Thompson	3781 Masteron St	Freject
hinly Thompson	3781 Masterson St	Frelect
inothy pyton	5035 S. Third St	I reject.
A A	471 Marlowe	Triquet
J.C. Russel	1930 nine tig tusker	T Respect
Levis Whiten	2430 LAtropre Drive	Reject
Late - It Maria	243 Atrobe Drive	Reject
Transfor Jackenen	2 lay Holmes	Resert
Ubnet Vackson	4195 WaratahSt	reject
ı	33/09 Del+a	Lelect
Lez Smith		
John Lowson	5 3153 Park 100	REJECT
ndrea Tentini	& 3153 Parknose	BERCE
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Wellhead Protection Area Neighborhood Opposition List To The Subdivision At South Third Street & W Shelby DR.

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Wellhead Protection Area Neighborhood Opposition List To The Subdivision At South Third Street & W Shelby DR.

NAME	ADDRESS	IN FAVOUR OF
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Kanneth Mitcho		med al
Achman SAmi		Regert
Kin Walker	3947 Ever 2	tained
JOHN WAYNES	, 4331 LORAL CO	A Reject
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eum terron	458 May 600	C. P. ert
Dey Gallovay	1663 MINUN Creet GI Sid	HREAT T
DOERLISSHA Equine	5 39410AKShie	ereiert
Andria Stopes	3 1711 Donablakee	
CALPH BANKSTO		reject
Kanden Clark	2084 Benford St	
Sherrod Holst	482 Tonolwonda cv	reject
Hourtney brun	9182 Flacon Pr	
Boseph Wilsom	4409 Ford	Reject
KEG JIE TURNE		
ephyvin Allen	893-drainarD	rejuet
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ica Criev	3954 HAMMETT DR	
lyde Flowers	GII BORITA DY	RaJak
artuner	461 Tanto	Raject
enneth Turner	489 10,40	Reject
20 haQuntk Newson	1272 Ashle Yhurst Ia	Reject
sharrie Dando ka	830 W Shelby Dr	Reject
	The mental we	" Reject

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Wellhead Protection Area Neighborhood Opposition List To The Subdivision At South Third Street & W Shelby DR.

NAME	ADDRESS	IN FAVOUR OF
JAMES Davis	1325 FORD RD	Rejal-
No Monta Skinner	63 W Mallory ave	The Race
Zedrijck Gladne	1 -187 Hollywood St	
Ashler Maddox	5657 Lagrange RP	RyJact
Vertis Bland	1841 OliVER ave	Resect
Andre JERUAN	3800 SPOTTS Wad are	the second se
Donald Clark	2900 FRANCES PL	RETECT
Harold Scott	65 Larchmont DR	
Brittany Clark	8946 PhilaDelphiag	
Jarico Holst	6043 Harvest Hill CY	
JOEANNA DAVIS	1898 Young ave	
Aaron Jones	1600 EState DR	-
· Ma cage	ZEO MCIERIA QUI	
Shavla Gibbs	4947 Dec RD	
Montell Beverh	634 Golpen Parka	2
Wanda Norman	1824 felix ave	
EVERETT JAMES	ZAZI FRANCIS PI	
conter fore	71 Clark pl	
Lazay Stelly	958 MayRy St	-
Deraick James	605 SFRONTST	
Joe PAYNe	5141 Warney grove	RD.
Shaylashype	4202 New Willow RI	
JORDAN DAVIS	1575 Vinton ave	
E Bill Scutt	1012 HUNTERS POINT 0	V V
thacy stanford	340 5 THIRA St	Rester
Sim Boyo	8542 Shady Elmoe	RETART
TAYOR GiBBS	4936 KinBall ave	ROJACT
Takeon Hill	1991 Felix ave	Reflet
Ciemarrie Black	4411 NORMONY R.D	Refeet
Roy Robinson	1799 Foster QUE	Rajet
Vesha Moore	2 3556 NORTHWOOD RD	Rejal
BResha Sims	1210 Chippy MIL NO	Reject
Donte Blockstor	3532 Minosa Ave	Reject

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Wellhead Protection Area Neighborhood Opposition List To The Subdivision At South Third Street & W Shelby DR.

NAME	ADDRESS	IN FAVOUR OF
haven Riggie	203 Vapa ave.	NEGECT
TerranceCox	149 E. Shelby pr.	reject
Junesma West	Cypressound Apt	Reject
Engle Shuds	4995 John drill	Defect
Patricia Griggs	4700 HILADIDOK	Reject Reject Riject
Brandon Tier	4796 Braddford	Reject
Form Edwards	5284 HillBrook RD	Reject
Dowprid Elliott	4782 HICKNOK	a lat -
MRI PA	1201 Ded The	Relect
Derrin parwell	5006301110c 586 Hew Jett rd	REJECT
Antonio Moody	SEG Hewlett rd	
loyee ElAnne Newsone	500 Loraine Road	Reject
Minnie Spann	753 Honduras	Reject
Robergt !!	11	18
Durched	116 Hoduers	Rayaek
mberly Wieder	714 George St	Reject
Joris Allen	714 George St	Beject
Taros Hardaway	4867 Southowenes	Reject
Andy GROSS 1	12 W PAXton La	leicet 1
HOPL Gray	382 Washpumpr	RE EC
AL BACKETHOS	C'4885 Hillbrook	REJect
Edon Washington	154 Golf Ulub Circle.	Riject
uthony Hicson	05- E Shally Dr	reject
Juni Leythe	210 Satiste	Achent
michael trong	Un christ me	report
Quanda Kurri	205 Cypressilled CV.	REJECT
The man-	497Chante Aire	Reject
uca ph	1195 firestone Ave	Beject
hilardie Thomas	298 BIUSLINGCOLE	Reject
re Jones	4717 Fyirley rd	Reject
RAMIS DRUMMER	56 otsege DR	Resect
manice Butler	596 Deita	Reject
10RRis Dickson	5732 Beushwood	legat

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Staff Report S 2025-010

Wellhead Protection Area Neighborhood Opposition List To The Subdivision At South Third Street & W Shelby DR.

NAME	ADDRESS	IN FAVOUR OF
Shalid Haim.	et 4697 Horn Lulee Re) resect
BERNARd J.	790 Honduras	
CATSFACI YAH	H. Ilbrook BD	ReJect
Tyler T.	29 229 Elmer Ave.	Rejec +
CATISC HARDRIC		Reject
Uisty C	4938 Jonetha St	reject
kitton Jones	42 ofsequi Dr	Deject
Freddid Bachu	94 Parton	reject
HALDIDATKINS	480 George Rd	Te ject
CARLOS ATE -		rect
Michael Atkins	349 McFarlandpe	Vesect reject Reject Reject
Peggy Kibbler	126 CHAMPA AVE.	reject
WILLE BASSEH	53 W Falls	REJECT
Delbis Methu	ne, 4106 Montanas	I Reject
Kentrell 61ds	5 2178 Meadow	JE (Shall)
Remate Smot	- Decomparton	Jejeut
David Baylon	A 41 Mc Furdend St	Reject
Kohat PAHE	5 Magheredit,	10jet
Phaket	TR 4544 ALDRIGE	Teject
Presidesons	Ry3 Piltar	
Jameion Rayner	258 cupressuped call	Reject
Ronald Rodsers	120 Petitle CV	Bjeck
Volench Own		Reject
Aakermi Taylo	ASGOLIADetter	Reject Paycet
Nicele Arise	H260 Leaberter W	raycet
	- 643 Hewlett	15tect
Laury Shaw	5082 Attins	Reyert
Tangship Brown	1482 Birch Ld	Keyet
DY BLACKIEDE	4987 RADENSQUAR	Resport
Nicholas Strong KS	5313 Brad Cliff	Reject
partie tothen	MOG Hillsrook	Rejeat
AckardelBien	297 Deltard. U884 or sie	REFECT
Cortez Wilson	41884 or sie	Reject

5

(18)

Staff Report S 2025-010

Wellhead Protection Area Neighborhood Opposition List To The Subdivision At South Third Street & W Shelby DR.

NAME	ADDRESS	IN FAVOUR OF
Calvin Ezell	4750 Jonetla	NO
Jean Ezell	4750 Jonetto	
Carolyn Ezell	342 Charter	
Marilyn Ezell	342 Charler	No
Terry Gipson	536 De Ha	reject
CHELSTOPHER CONNER	543 DEITH	reject
JOAM WRIGHT	579 Delta	Reteret
Penstur	4706 FordRI	ha
BAY BIBBE	4/14 10Bd PC	NO
LOUIS myers	4810 CHERSHALO dr	no
Herd Jones	464 George Rd C. & West Jalls	Reject
Deshonder Reel	Le West talls	reject
Kenya Richardas	15 W. Annation	Rejest
DANHY Willies	332 Dect 4	les
Thu to pruganty	5183 Horn Lake Nd	HO
Pearlie Stuckey	5183 Honey: lake Rol	NO
D'Venta Daughenty	5/93 How Like Rel	No
Engall pauphing in	2. 5183 Hornstakend	RETERT
C. Monly J	4973 Es ha	
Le Terry Thosen	550 South Parkway 4879 Peace St	Resect,
Demonte Thompson Samuel Gurry	573 Chayter,	Re Jeet
NatastiNapors	326 GTO BOG	Batat
Man Li Ridit	MUY Wirston Dr.	React
Dethel Green	371 Washberg CV	1 Dect
Mare R.E	377 MCFAR HAND	PRECT
Sundra Bell	343 Bonita DR.	Reject
Arnold ELIANS	371 Fitzgerald	Reject
labug load	DIZI AKINSDY	Resect
Annobelle Jones	52 W. Armstrong Rd	Regret
Lang Alta	305 Seulet per	Reget
Keth Vaues	415 DeHa Rd	Reject
RILLEY WARE	sully per m	RUJECT

6

(19)

Staff Report S 2025-010

Wellhead Protection Area Neighborhood Opposition List To The Subdivision At South Third Street & W Shelby DR.

NAME	ADDRESS	IN FAVOUR OF
EMMA SACK	son 790 Houden	RAS RIEECT
antonio Viela	326 HEW/lett	PESECT
Samuel Christin	IN 545 Hillbrook	REJect
hous ALEXANDO	TO SST Mc Farley	W CRIPEN
EMEST MASSEL	9516 Mawood	, Resect
MODIE SONE	6 602 DOHAR	1 reject.
Hus + Ino A 200	+ US3DELLIE	1 Policet
James Jone	3636005160	Kast ANY O
ADRIL LUCI	IS 4720 BERTH	REJECT
- part acco		1 1 1 2 3 2 2 7

7

(20)



Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

Record Summary for Subdivision

Record Detail Information

Record Type: Subdivision

Record Status: Pending Opened Date: February 27, 2025

Record Number: S 2025-010

Expiration Date:

Record Name: SAVE-A-LOT SUBDIVISION

Description of Work: RE-SUBDIVION OF LOT 2 OF SAVE-A-LOT SUBDIVION TO CREATE A 0.82 ACRE LOT 3 ON THE NORTH END.

Parent Record Number:

Address:

4696 S THIRD RD, MEMPHIS, TN 38109

Owner Information

Primary Owner Name

Y ECK-FAY LLC

Owner Address

3900 ESSEX LN, HOUSTON, TX 77027

Parcel Information

075175 00025

Data Fields

PREAPPLICATION MEETING

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

Type of Subdivision Type of Preliminary Plan Name of Subdivision Number of lots Acres LUCAS SKINNER 11/12/2024 Email

Major Standard SAVE-A LOT 3 3.32 Owner Phone

9018335917

GENERAL INFORMATION

List any relevant former Docket / Case	S-06-029
Number(s) related to previous applications on	
this site	
Access to Public Water	Yes
Access to Public Sewer	Yes
Waiver	No
If yes, please cite the specific Article 5, Chapter	-
4.3, or Section 3.9.2 waiver(s) requested and	
provide the justification for the request	
Is this application in response to a citation, stop	No
work order, or zoning letter	
If yes, please provide a copy of the citation, stop	-
work order, and/or zoning letter along with any	
other relevant information	
GIS INFORMATION	
Central Business Improvement District	No
Case Layer	BOA1997-071, BOA1997-071
Class	C
Downtown Fire District	No
Historic District	-
Land Use	COMMERCIAL
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	CMU-3
State Route	1
Lot	1
Subdivision	SAVE-A-LOT
Planned Development District	-
Wellhead Protection Overlay District	Yes
County Commission District	-
City Council District	-
City Council Super District	-
Contact Information	

Name

DAVID DALE

Address

Phone (713)529-4244

Name WESLEY WOOLDRIDGE

Address

Phone (901)219-8661

Contact Type

APPLICANT

Contact Type

ARCHITECT / ENGINEER / SURVEYOR

Fee Inform	nation					
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1627423	Credit Card Use Fee (.026 x fee)	1	12.74	INVOICED	0.00	02/27/2025
1627423	Per Lot Fee	3	90.00	INVOICED	0.00	02/27/2025
1627423	Prelminary Plan Fee	1	400.00	INVOICED	0.00	02/27/2025
		Total Fee Invoiced: \$502.74		Total Ba	lance: \$0.0	00

Payment Information

Payment Amount	Method of Payment
\$502.74	Credit Card



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 Unified Development Code Section 12.3.1.

ECK-FAYLLC an



state that I have read the definition of

(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

Let 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 _	4696	5	THIRD	ST	MEMPHIS T	TN 38109-6281	
and further identified by Ass	sessor's Parc	el Nu	mber 07	517	5 00025		_,
for which an application is b	peing made to	the D	Division of Pl	anning	and Development.		

Subscribed and sworn to (or affirmed) before me this _	9H	day of DECEMBER	in the user of 0.074
Subscribed and sworn to (or animied) before me this _	1	_ day of	in the year of <u>2>24</u>

Signature of Notary Public





February 26, 2025

RE: Major Subdivision Application – Save-a-Lot Subdivision

Mr. Brett Ragsdale City of Memphis, Division of Planning & Dev. 125 N. Main, Room #477 Memphis TN 38103

Mr. Ragsdale,

Please accept this application for a Major Subdivision for the modification of the existing Save-A-Lot Subdivision at the southeast corner of the Third Street (Hwy. 61) and Shelby Drive intersection.

The intent of this project is to create a third lot, 0.82 acres, on the north end. Lot 1 will reduce to 2.30 acres, Lot 2 will not be changed.

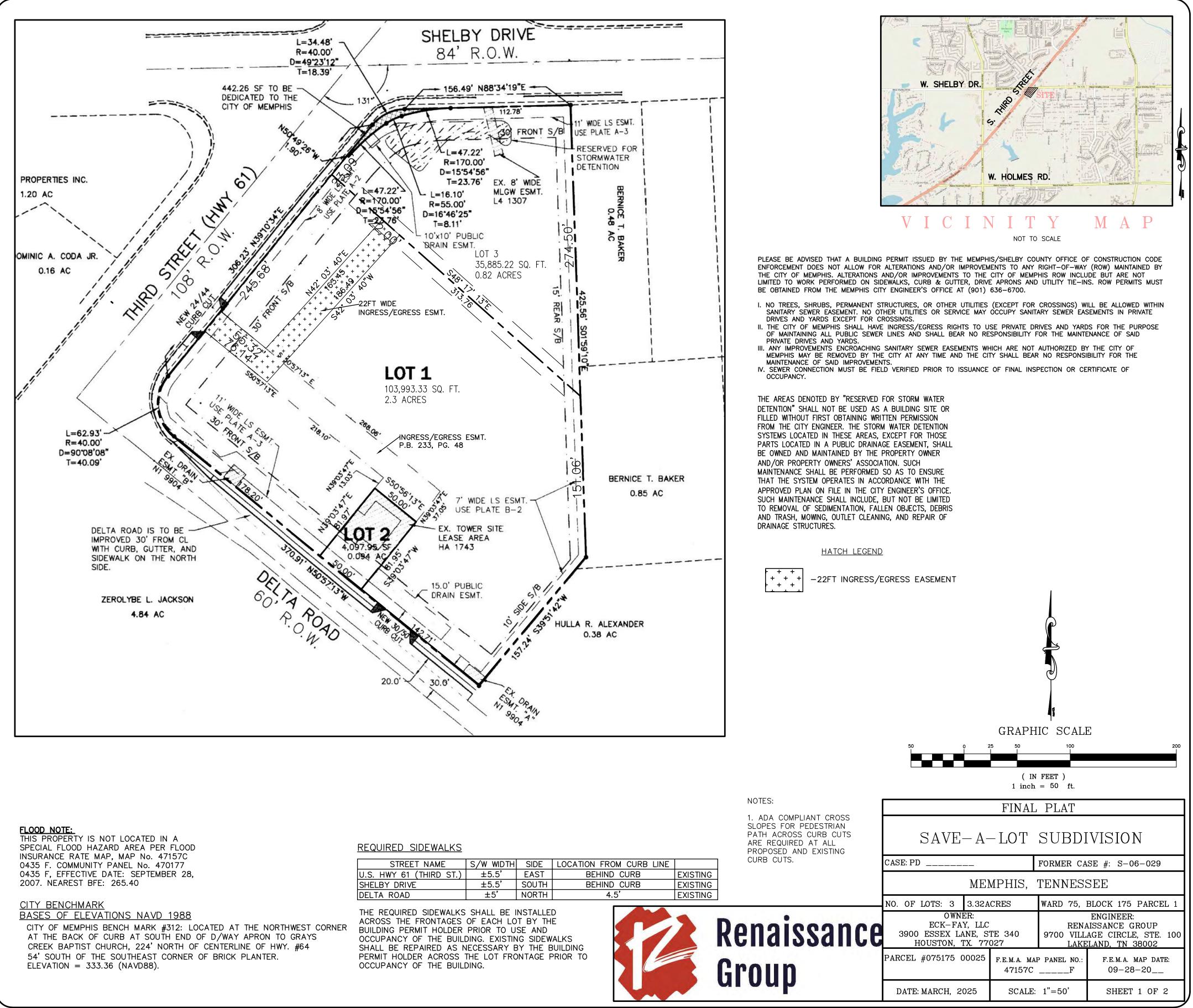
The newly created Lot 3 will have frontage on Third Street and Shelby Drive, but no new curb cuts are proposed, instead, access will be granted via an ingress/egress easement across Lot 1. The easement will center on an existing drive aisle for the Save-A-Lot supermarket.

Sanitary sewer and public water are available to the site.

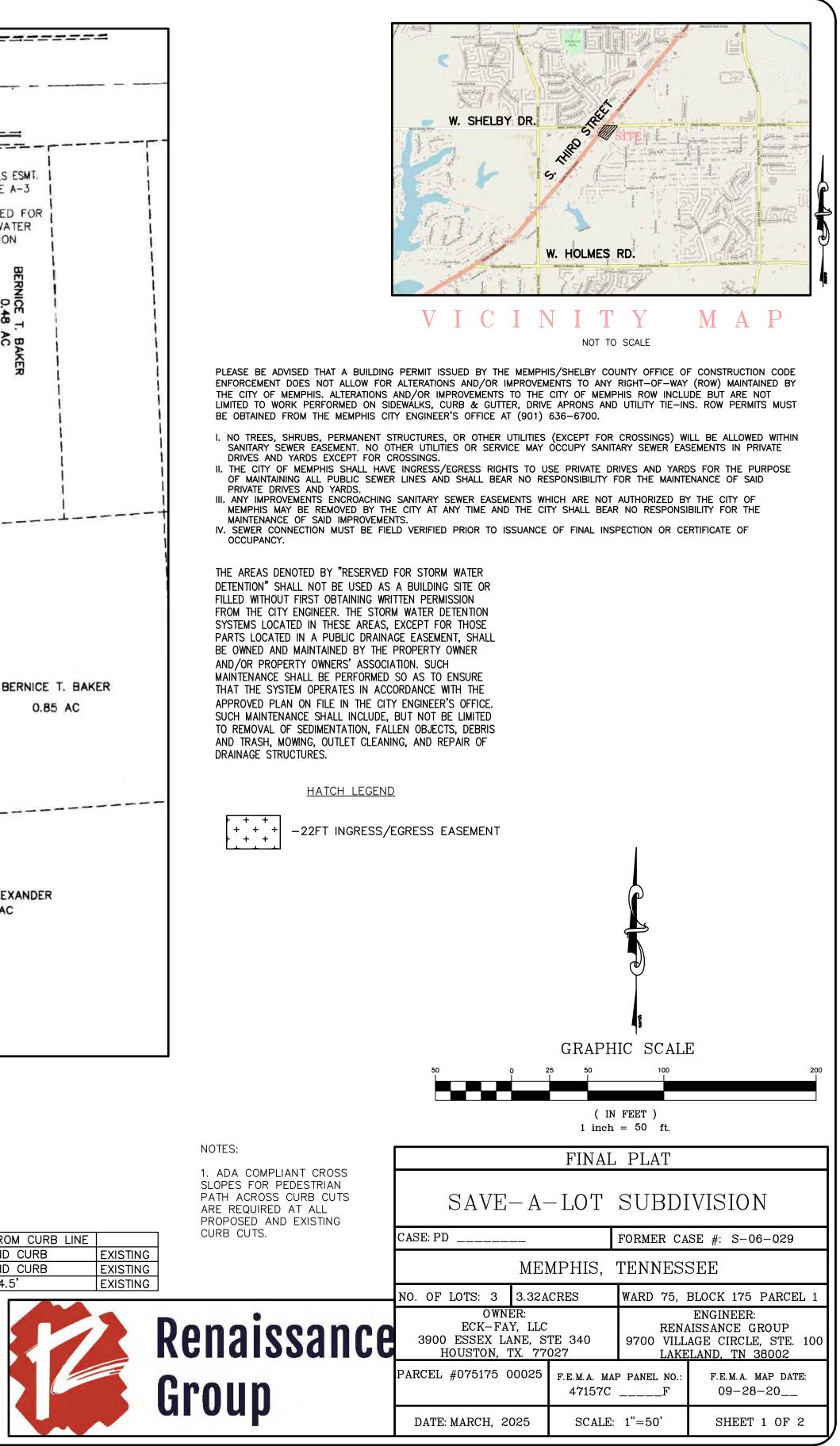
Again, on behalf of the landowner and applicant, we are pleased to bring forward this application. As the engineers associated with this proposal, the Renaissance Group is available should you have any questions or concerns related to this request. Please feel free to contact me at 901-332-5533.

Respectfully . Wely Wool

J. Wesley Wooldridge, P.E., Partner Renaissance Group, Inc.



STREET NAME	S/W WIDTH	SIDE	LOCATION FROM
U.S. HWY 61 (THIRD ST.)	±5.5'	EAST	BEHIND C
SHELBY DRIVE	±5.5'	SOUTH	BEHIND C
DELTA ROAD	±5'	NORTH	4.5'

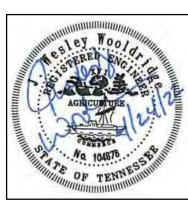


RGI. INC. PROJ. #24155

<u>Owner's Certificate</u>					
We,, the undersigned owner o property shown, hereby adopt this plat as my plan of development and dedicate th	of the	<u> Surveyor's Certificate — (Perimeter only)</u>			
property shown, hereby adopt this plat as my plan of development and dedicate the right-of-ways, and grant the easements as shown and/or described to public use We certify that we are the owner of Said Property in fee simple, duly authorized to that said property is not encumbered by any taxes which have become due and pa	forever. o act, and	It is hereby certified that this is a <u>Category 1</u> survey and that the precision of the unadjusted is 1: or greater; that this plat has been prepared by me or under my individual supe and conforms with applicable state laws and local zoning ordinances, subdivision regulations and specific conditions imposed on this development relating to the practice of surveying.			
		BY: Date:	(seal)		
 Owner Date		Tennessee Certificate No			
Notary Certificate State of County of					
Before me, the undersigned a notary public in and for the State and County afores commissioned and qualified personally appeared,	said, duly with	Engineering Certificate			
whom I am personally acquainted and who, upon oath acknowledged himself to be owner of, and he as such representative executed the foregoing instrument for the purpose therein contained.	e the h	It is hereby certified that this plat is true design requirements of the Zoning Ordinar specific conditions imposed on this develo	nce, the Subdivision Regulations and the presence of the prese		
In witness whereof, I hereunto set out by hand and affix my seal this c , 2025.	day of _	applicable Federal, State and local building			
, 2020.		BY: Date:	(seal)		
(NOTARY PUBLIC)		Tennessee Certificate No.: 104878			
MY COMMISSION EXPIRES:			STERED EVO		
			AGRICONTORS		
Mortgagee's Certificate					
We, the undersigned,, (printer name of martgagee), mortgagee of the property shown, hereby agree to this plan subdivision and dedicate the streets, rights—of—way, easements, and rights of accesshown to the public use forever, and hereby certify that we are the mortgagee du authorized so to act and that said property is unencumbered by any taxes which become due and payable.	of ess as Jy		THE OF TENNESSIM		
 Mortgagee (signature Date	ac Cit	ted on by the Land Use Control Board on Aug y of Memphis on September 7, 2021	This final plat conforms to the Planned Development gust 12, 2021 and approved by the Council of the		
Notary Certificate	By Zo	:Administrator	Date:		
State of County of					
Before me, the undersigned a notary public in and for the State and County afore	esaid,	y Engineer:	Date:		
duly commissioned and qualified personally appeared	to be LU	DS:	Date:		
owner of, and he as successful the foregoing instrument for the purpose therein contained	ch d.				
In witness whereof, I hereunto set out by hand and affix my seal this	day				
of, 2025.					
(NOTARY PUBLIC)					
MY COMMISSION EXPIRES:					
			FINAL		

		F	INAL	PLAT	
	SAVE	- A- L	OT S	SUBDI	VISION
	CASE: PD		F	FORMER CA	SE #: S-06-029
		MEMPH	HIS, 7	TENNESS	SEE
	NO. OF LOTS: 3	3.32ACRES	5	WARD 75, 1	BLOCK 175 PARCEL 1
Renaissance	OWN ECK-FA 3900 ESSEX LA HOUSTON, T	Y, LLC NE, STE 3	340	9700 VILL	ENGINEER: AISSANCE GROUP AGE CIRCLE, STE. 100 LAND, TN 38002
Group	PARCEL #075175 C			PANEL NO.: F	F.E.M.A. MAP DATE: 09-28-20
ur vu p	DATE: MARCH, 20	025	SCALE:	1"=50'	SHEET 2 OF 2

survey ervision



RGI. INC. PROJ. #24155



Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

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



23055671

.....

07/07/2023 - 11:51:59 AM

4 PGS	
JENNIFER 2597237 - 23055671	
VALUE	900000.00
MORTGAGE TAX	0.00
TRANSFER TAX	3330.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	3353.00

WILLIE F. BROOKS JR REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

1075 Mullins Station, Suite W165 ~ Memphis, Tennessee 38134 (901) 222-8100 Website: www.register.shelby.tn.us Email: register@shelbycountytn.gov

WARRANTY DEED

THIS INDENTURE, made and entered into this day of July, 2023, by and between **MORAN FOODS**, LLC, a Missouri limited liability company, party of the first part, and ECK-FAY, LLC, a Georgia limited liability company, party of the second part.

WITNESSETH: That for the consideration hereinafter expressed 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:

Lot 1, SAVE-A-LOT Subdivision, as shown on final plat of record in <u>Plat</u> <u>Book 233 Page 48</u>, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property; being the same property conveyed to party of the first party by Warranty Deed of record at Instrument No. 07107644, 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, ECK-FAY, LLC, a Georgia limited liability company heirs and assigns in fee simple forever.

And the said party of the first part does hereby covenant with the said party of the second part that it is lawfully seized in fee of the aforedescribed real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except for the matters described in Exhibit A, attached hereto and made a part hereto for all purposes.

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

THE CONSIDERATION for this conveyance is as follows: Ten (\$10.00) Dollars cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged.

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 of the said party of the first part the day and year first above written.

MORAN FOODS, LLC a Missouri limited liability company

Mark E. Hutchens, CFO

STATE OF Missouri	
COUNTY OF <u>St. Louis</u>	

Before me, a Notary Public of the state and county aforesaid, personally appeared MARK E. HUTCHENS with whom I am personally acquainted and who, upon oath, acknowledged himself to be Chief Financial Officer of Moran Foods, LLC, a Missouri limited liability company, the within named bargainor, and that he as such he, executed the foregoing instrument for the purposes therein contained, by signing the name of the said Moran Foods, LLC, a Missouri limited liability company, by himself as Chief Financial Officer.

WITNESS my hand and seal, this	June s <u>29</u> day of July , 2023.	

My commission expires: 4/19/26	
STATE OF Missouri	My Commission Expires Apr 19, 2026
COUNTY OF <u>St. Louis</u>	

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 \$900,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Mark E. Hutchens, Affiant

Subscribed and sworn to before me this the **29** day of fully, 2023.

My commission expires: 4/19/26

Bell elis MELISSA A. BELL Notary Public - Notary Seal St Louis County - State of Missouri Commission Number 13546938 My Commission Expires Apr 19, 2026

(SPACE BELOW THIS LINE FOR STATISTICAL AND RECORDING DATA ONLY)

PROPERTY ADDRESS: 4696 US-61, Memphis, Tennessee

MAIL TAX NOTICES TO: (Name/Address)

Eck-Fay, LLC Attention: Will Derrick 3900 Essex Lane, Suite 340 Houston, Texas 77027

NAME AND ADDRESS OF PROPERTY OWNERS:

Eck-Fay, LLC Attention: Will Derrick 3900 Essex Lane, Suite 340 Houston, Texas 77027

· ...

THIS INSTRUMENT PREPARED BY:

John R. Krugh 1800 Bering Drive, Suite 350 Houston, Texas 77057

RETURN TO:

John R. Krugh 1800 Bering Drive, Suite 350 Houston, Texas 77057

MT#:_____

TAX PARCEL NO.: 075-175-00025

STATE TAX: \$____

REGISTER'S FEE: \$_____

 RECORDING FEE:
 \$_____

 TOTAL:
 \$______

EXHIBIT A

TITLE MATTERS

- 1. City of Memphis Taxes for the year 2023, a lien, now due, but not yet payable and Shelby County Taxes for the year
- 2. All matters affecting subject property as shown on Plat of record in Plat Book 10, Page 26, in the Register's Office of Shelby County, Tennessee.
- 3. All matters affecting subject property as shown on Plat of record Plat Book 233 Page 48, in the Register's Office of Shelby County, Tennessee. Building lines and easements as shown on survey prepared by Bryan A. Shirley, TN License No. 2085, for Blew & Associates, dated August 31, 2019, last revised October 1, 2019, Blew Job No. #19- 4767, (said Survey), as follows:
 - •11' LS easement;
 - •20.0' setback;
 - •5' and 8' MLGW easements;
 - •10' x 10' drainage easement;
 - •30' front setback;
 - •7' LS easement;
 - •15' rear setback;
 - •Ingress/egress easement;
 - •8' LS easement;
 - •15' x 15' drainage easement;
 - •15' public drain easement;
 - •10' side setback; and
 - •10'x20' drainage easement.
- 4. Easement Contract in favor of the City of Memphis, acting through Memphis Light, Gas and Water Division, dated July 1, 1976, of record at Instrument No. L4 1307, in the aforesaid Register's Office, and as shown on said Survey.
- 5. Easements in favor of the City of Memphis, dated February 13, 1978, of record at Instrument No. N1 9904, in the aforesaid Register's Office, and as shown on said Survey.
- 6. Easement Contract in favor of the City of Memphis, acting through Memphis Light, Gas and Water Division, dated August 11, 1989, of record at Instrument No. CK 4050, in the aforesaid Register's Office, and as sown on said Survey.
- 7. Grant of Easement in favor of Global Signal Acquisitions IV LLC, a Delaware limited liability company, dated October 5, 2017, of record at Instrument No. 17110180, in the aforesaid Register's Office, and as shown on said Survey.

BOBO GEQUAIS K 2794 MADISON AVE #7 MEMPHIS TN 38111

KILPATRICK-JONES CORRETTA 5188 S SUNNY AUTUMN LN # MEMPHIS TN 38125

SOURCE INVESTMENTS LLC 1739 W HOLMES RD # MEMPHIS TN 38109

LPG PROPERTIES LLC 1040 TWINKLETOWN RD # MEMPHIS TN 38116

JOHNSON KENNETH L 4695 SOUTHAVEN RD # MEMPHIS TN 38109

BAKER BERNICE T 5508 KENTWOOD DR # HORN LAKE MS 38637

BRIGHT OSCAR L & RUBY L 4715 S HAVEN RD # MEMPHIS TN 38109

FIELDS AMOS & EVERLENA 4710 SOUTHAVEN RD # MEMPHIS TN 38109

PARAGON LYT TN LLC 2000 WALKER AVE #1 MEMPHIS TN 38104

FLOW CREATIVE PROPERTY SOLUTIONS LLC PO BOX 892 # TWIN PEAKS CA 92391 SHELBY COUNTY TAX SALE 11.01 PO BOX 2751 # MEMPHIS TN 38101

RHODES KATRINA AND TERRANCE RHODES 5534 SHADE CV # MEMPHIS TN 38125

WAGNER JASON G & MICHELE A 21979 JETTERS LN # SAUGUS CA 91350

JACKSON MINNIE J 662 DELTA RD # MEMPHIS TN 38109

SHELBY COUNTY TAX SALE 19.04 PO BOX 2751 # MEMPHIS TN 38101

REINVESTMENT COMPANY LLC 4756 SOUTHAVEN RD # MEMPHIS TN 38109

BAGGETTES FAMILY TRUST 4728 SPOTTSWOOD AVE ## 122 MEMPHIS TN 38117

ADAMS TYRONE & SYLVIA 4066 MICKEY DR # MEMPHIS TN 38116

> MONTGOMERY MARLON C 1440 E SHORE CV # MEMPHIS TN 38109

RICHARDSON PAULA 5847 FOXDALE RD # MEMPHIS TN 38115 GAMBLE BARBARA S 651 DELTA RD # MEMPHIS TN 38109

STEVISON LONZO 4787 SOUTHAVEN RD # MEMPHIS TN 38109

JONES EDDIE L 4809 MANSON RD # MEMPHIS TN 38109

MALONE FLORENE 4794 MANSON RD # MEMPHIS TN 38109

WIGGINS LETRICIA 5358 ABBEYCREST DR # MEMPHIS TN 38109

STEVISON ILLEAN 674 HEWLETT RD # MEMPHIS TN 38109

SIMMONS KAREN D 670 HEWLETT RD # MEMPHIS TN 38109

GREEN LATRELL 5154 BRUSHWOOD DR # MEMPHIS TN 38109

AL ZAMZAMI ESAM M 4672 S 3RD ST # MEMPHIS TN 38109

RINGMASTER LLC 10501 HAYWOOD DR # LAS VEGAS NV 89135 FREEMAN JAMES L 1139 BRIDGEWATER RD # MEMPHIS TN 38018

AL ZAMZAMI ESAM M 4672 S 3RD ST # MEMPHIS TN 38109

MYERS ELBERT L & SHIRLEY A AND BARBARA D P O BOX 9038 # MEMPHIS TN 38190

BAKER BERNICE T 5508 KENTWOOD DR # HORN LAKE MS 38637

VASCONEZ WILSON 5368 AIRVIEW RD # MEMPHIS TN 38109

GREATER FAITH C 0 G I C DEVELIVERANCE ALBANO MICHAEL & DENISE 669 W SHELBY DR # MEMPHIS TN 38109

FLANNAGAN ROBERT L 5073 BRUSHWOOD DR # MEMPHIS TN 38109

COKER JASON J 4510 S WACO AVE # TULSA OK 74107

HALL MATTIE M 4706 SOUTHAVEN RD # MEMPHIS TN 38109

BRIGHT OSCAR L & RUBY L 4715 S HAVEN RD # MEMPHIS TN 38109

HALLEN JEFFERY K AND NING HALLEN LIVING 686 DELTA RD # MEMPHIS TN 38109

HEROD PATRICK 680 DELTA RD # MEMPHIS TN 38109

HAMMOND MARTHA AND ARTHUR HAMMONDS JR 11484 BRIAN LAKES DR # JACKSONVILLE FL 32221

RHODES KATRINA AND TERRANCE RHODES 5534 SHADE CV # MEMPHIS TN 38125

ECHOLS MARKESHA D 1433 BONNIE DR # MEMPHIS TN 38116

68 WOODLOT RD # RIDGE NY 11961

PEGASUS PROPERTIES LLC 3052 RIVERVIEW WAY # HOLLISTER CA 95023

SHELBY COUNTY TAX SALE 18.02 PO BOX 2751 # MEMPHIS TN 38101

HOLLOWAY BOOKER AND BETINA HOLLOWAY 5042 EASTSHORE DR # MEMPHIS TN 38109

JRI LLC 6000 POPLAR AVE #250 MEMPHIS TN 38119

HODGE DARRIUS 4775 MANSON RD # MEMPHIS TN 38109

ISAIAH INVESTMENTS LLC 3098 E RAINES RD # MEMPHIS TN 38118

JRI LLC 6000 POPLAR AVE #250 MEMPHIS TN 38119

SPENCER JINNIE L 4791 MANSON RD # MEMPHIS TN 38109

BRYANT WILLIE M AND RAY BRYANT (RS) 4774 MANSON RD # MEMPHIS TN 38109

PUGH CATHY AND RUDELL PUGH JR 4797 MANSON RD # MEMPHIS TN 38109

DENTON BARBARA A 665 HEWLETT RD # MEMPHIS TN 38109

ESTER PEARL AND ODEL ESTER 4788 MANSON RD # MEMPHIS TN 38109

HYMON LUTHER 5063 LAUREL LAKE DR # MEMPHIS TN 38125

STEVISON JERRY D 680 HEWLETT RD # MEMPHIS TN 38109

UNDERWOOD ODELL & MARY L DUNCAN FRANCIS 688 HEWLETT RD # MEMPHIS TN 38109

2282 DRAKE # MEMPHIS TN 38106

P AND P CLEANERS

MEMPHIS TN 38109

4711 S 3RD ST #

HUDSON ETHEL M 698 HEWLETT RD # MEMPHIS TN 38109

MEMPHIS TN 38109

WESTWOOD MANOR INC CODA DOMINIC A III 620 PARKROSE AVE # 4707 S 3RD ST # MEMPHIS TN 38109

PRIDE PROPERTY LLC 4670 S 3RD ST # MEMPHIS TN 38109

WRIGHT LARNCE 4597 S 3RD ST # MEMPHIS TN 38109

BAKER BERNICE T 5508 KENTWOOD DR # HORN LAKE MS 38637

BRIGHT OSCAR L & RUBY L 4715 SOUTH HAVEN RD # MEMPHIS TN 38109

SKEFOS JAMES J (1/2%) AND CATHERINE H SHELBY COUNTY TAX SALE 18.01 3981 WALNUT GROVE RD # MEMPHIS TN 38111

PO BOX 2751 # MEMPHIS TN 38101

SHELBY COUNTY TAX SALE 17.03 PO BOX 2751 # MEMPHIS TN 38101

REALTY INCOME PROPERTIES 30 LLC 11995 EL CAMINO REAL # SAN DIEGO CA 92130

SKEFCO PROPERTIES INC 2884 WALNUT GROVE RD # MEMPHIS TN 38111

HIGHWAY 61 CENTER LLC P O BOX 1565 # LAWRENCEVILLE GA 30046

CATHERDRAL OF PRAISE MINISTRIES INC ECK-FAY LLC 4725 S THIRD ST # 3900 ESSEX LN # MEMPHIS TN 38109 HOUSTON TX 77027

WRIGHT LARNCE 4597 S 3RD ST # MEMPHIS TN 38109

DUNCAN FRANCIS A 815 W SHELBY DR # MEMPHIS TN 38109



CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

Planning & Development

ONE ORIGINAL DIVISION | ONLY STAPLED | TO DOCUMENTS Planning & Zoning COMMITTEE: 5/20/2025 DATE **PUBLIC SESSION:** 6/10/2025 DATE ITEM (CHECK ONE) ORDINANCE X_RESOLUTION ___ REQUEST FOR PUBLIC HEARING Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving **ITEM DESCRIPTION:** a planned development at the subject property located at 751 S. Willett St, known as case number PD 2025-005 CASE NUMBER: PD 25-005 York Place Planned Development **DEVELOPMENT:** 751 South Willett Street LOCATION: District 6 and Super District 8 - Positions 1, 2, and 3 **COUNCIL DISTRICTS:** 1251 Properties-East, LLC **OWNER/APPLICANT: REPRESENTATIVE:** Josh Whitehead 9-lot residential single-family planned development **REOUEST: AREA:** +/-1.095 acres The Division of Planning and Development recommended Approval with outline plan conditions **RECOMMENDATION:** The Land Use Control Board recommended Approval with outline plan conditions **RECOMMENDED COUNCIL ACTION:** Public Hearing Not Required Hearing - June 10, 2025 ____________ **PRIOR ACTION ON ITEM:** APPROVAL - (1) APPROVED (2) DENIED (1)05/08/2025 DATE ORGANIZATION - (1) BOARD / COMMISSION (1) Land Use Control Board (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE ------_____ FUNDING: REOUIRES CITY EXPENDITURE - (1) YES (2) NO (2)AMOUNT OF EXPENDITURE \$ **REVENUE TO BE RECEIVED** S SOURCE AND AMOUNT OF FUNDS **OPERATING BUDGET** \$ CIP PROJECT # \$ FEDERAL/STATE/OTHER <u>\$</u> POSITION ADMINISTRATIVE APPROVAL: DATE **URBAN DESIGN & PRESERVATION PLANNER** DEPUTY ADMINISTRATOR ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER FINANCE DIRECTOR CITY ATTORNEY CHIEF ADMINISTRATIVE OFFICER COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

PD 25-005

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 751 SOUTH WILLETT STREET, KNOWN AS CASE NUMBER PD 25-005

- This item is a resolution with conditions to allow a 9-lot residential single-family planned development; and
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, May 8, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	PD 25-005
DEVELOPMENT:	York Place Planned Development
LOCATION:	751 South Willett Street
COUNCIL DISTRICT(S):	District 6 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	1251 Properties-East, LLC
REPRESENTATIVE:	Josh Whitehead
REQUEST:	9-lot residential single-family planned development
EXISTING ZONING:	Residential Single-Family – 8 (R-8)H in the Central Gardens Historic District
AREA:	+/-1.095 acres

The following spoke in support: None

The following spoke in opposition: None

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

The motion passed by a unanimous vote of 10-0 on the consent agenda.

Respectfully,

Harget FPagne

Margot Payne Preservation Outreach & Grant Coordinator Land Use and Development Services Division of Planning and Development

Cc: Committee Members File

PD 25-005 CONDITIONS Outline Plan Conditions

I. PERMITTED USES

A. Uses permitted in the R-8 residential district, excluding the following:

- 1. Manufactured, modular home
- 2. Personal care home for the elderly
- 3. Senior living facility
- 4. Police, fire, EMS substation
- 5. School, public or private (K-12)
- 6. Reservoir, control structure, water supply, water well
- 7. Places of worship

II. BULK REGULATIONS

- A. A maximum of nine (9) lots shall be permitted.
- B. The bulk regulations shall be in conformance with the R-8 residential district, with the following exceptions:
 - 1. The minimum lot size shall be 3500 square feet.
 - 2. The minimum front yard setback shall be five (5) feet, except for as follows:
 - a. Lot 9 shall have a minimum front yard setback along S. Willett St. of 30 feet.
 - 3. The minimum side and rear yard setbacks shall be three (3) feet, six (6) inches, except for as follows:
 - a. Lot 1 shall have a minimum eastern side yard setback along S. Willett St. of ten (10) feet.
 - b. Lot 9 shall have a minimum northern side yard setback along the private drive of three (3) feet, six (6) inches.
 - 4. All building setbacks along the private drive shall be measured from the edge of the private drive.

III. CIRCULATION, ACCESS AND PARKING

- A. Permit one (1) point of full movement vehicular access along S. Willett Street in the general location illustrated on the Outline/Final Plan.
- B. The internal drive shall be private, owned and maintained by a homeowners association.
- C. All lots shall contain at least two (2) parking spaces.
- D. Trash collection shall be private.

IV. ARCHITECTURAL, FENCING AND SIGN GUIDELINES

- A. Front-loaded garages shall be prohibited on Lots 3, 4, 5, 6, 7 and 9. On Lots 1, 2 and 8, frontloaded garages shall be recessed a minimum of five (5) feet from the primary front façade of the homes. The garage on Lot 4 may face south and the garage on Lot 5 may face north so long as the homes on those lots face east.
- B. No more than two (2) of the lots may contain houses with painted brick façades; these houses shall not be within view of any adjacent public right-of-way.
- C. A sight-proof fence with a maximum height of nine (9) feet shall be provided along the south property line of the site. A sight-proof fence with a maximum height of six (6) feet shall be

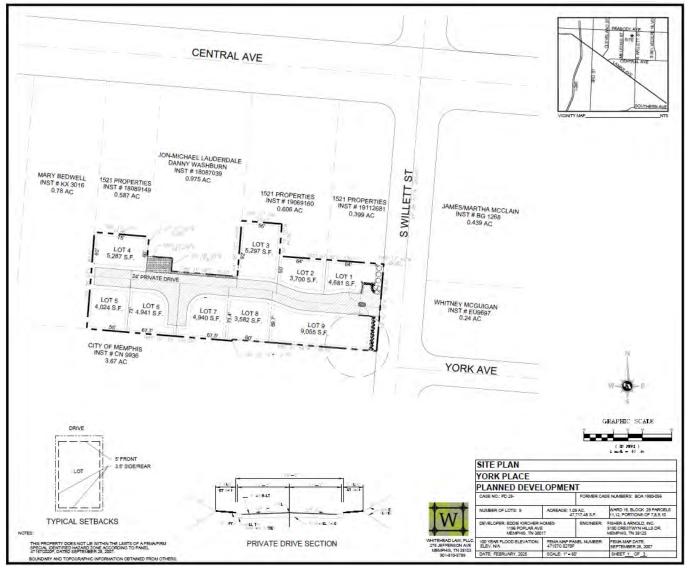
provided along the west and north property lines of the site, except along the northern property line of Lot 1. A decorative metal fence with a maximum height of six (6) feet may be provided along the S. Willett St. frontage of Lots 1 and 9. The decorative metal fence on Lot 1 shall be recessed a minimum of three (3) feet from the eastern façade of the home on Lot 1. The decorative metal fence on Lot 9 shall be set back a minimum of twenty (20) feet from the S. Willett St. right-of-way. The perimeter fencing shall not require masonry support columns.

- D. A minimum 3.5-foot landscaped buffer shall be provided where the private drive and guest parking areas abut adjacent single-family lots.
- E. One (1) subdivision entrance feature sign shall be permitted along Willett Street measuring 42 inches tall by 30 inches wide.
- F. The entrance gate to the development shall be constructed of decorative metal.
- G. A landscape plan shall be submitted showing all required buffers and landscaped areas.

V. SITE PLAN REVIEW PROCESS

- A. A Final Plan shall be filed within five (5) years of the approval of the general plan. The Land Use Control Board may grant extensions at the request of the applicant.
- B. Any Final Plan is subject to the administrative approval of DPD and shall include the following:
 - 1. The Outline Plan Conditions
 - 2. The location and dimensions of all drives, building setbacks, parking areas and any other common elements.
 - 3. The location and ownership, whether public or private, of any easement.
- C. Minor Deviations from this Outline Plan may be administratively approved by the Zoning Administrator pursuant to UDC Para. 9.6.11D(3).

CONCEPT PLAN



RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 751 SOUTH WILLETT STREET, KNOWN AS CASE NUMBER PD 25-005

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

WHEREAS, the 1251 Properties-East LLC filed an application with the Memphis and Shelby County Division of Planning and Development to allow a 9-lot residential single-family planned development; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on May 8, 2025, and said Board has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Council of the City of Memphis; and

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

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

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

BE IT FURTHER RESOLVED, that the requirements of said aforementioned clause of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.

OUTLINE PLAN CONDITIONS

I. PERMITTED USES

- A. Uses permitted in the R-8 residential district, excluding the following:
 - 1. Manufactured, modular home
 - 2. Personal care home for the elderly
 - 3. Senior living facility
 - 4. Police, fire, EMS substation
 - 5. School, public or private (K-12)
 - 6. Reservoir, control structure, water supply, water well
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II. BULK REGULATIONS

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IV. ARCHITECTURAL, FENCING AND SIGN GUIDELINES

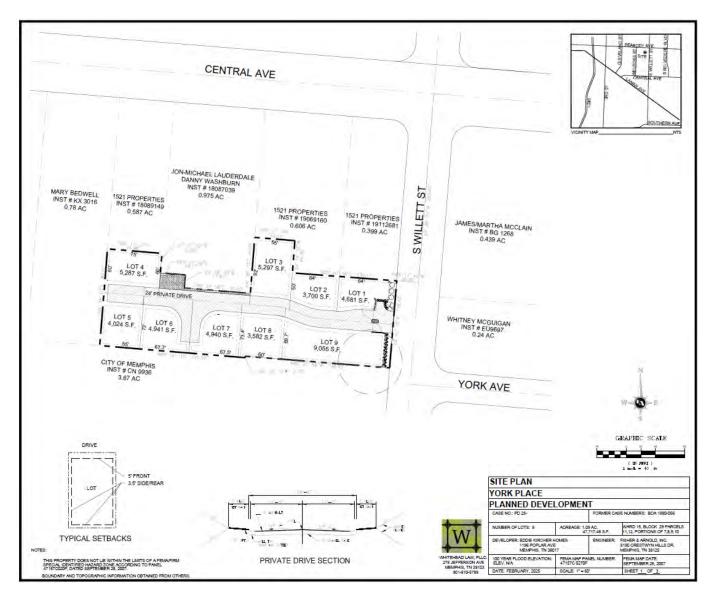
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- C. Minor Deviations from this Outline Plan may be administratively approved by the Zoning Administrator pursuant to UDC Para. 9.6.11D(3).

CONCEPT PLAN



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

STAFF REPOR AGENDA ITEM: 8 L.U.C.B. MEETING: May 8, 2025 CASE NUMBER: PD 2025-005 **DEVELOPMENT:** York Place LOCATION: 751 South Willett Street **COUNCIL DISTRICT:** District 6 and Super District 8 – Positions 1, 2, and 3 **OWNER/APPLICANT:** 1251 Properties-East, LLC **REPRESENTATIVE:** Josh Whitehead Residential planned development to allow nine single-family lots **REQUEST:**

EXISTING ZONING: Residential Single-Family – 8 (R-8)H in the Central Gardens Historic District

CONCLUSIONS

- 1. The applicant is requesting a 9-lot infill residential development in the Central Gardens neighborhood in Midtown.
- 2. Access to the development is through one gated entrance to a private drive off South Willett Street. The proposed lots range from 3600 to 9100 square feet. The new development is largely invisible from the street and buffered by larger historic homes and lots along Central Avenue.
- 3. All new homes and site improvements visible from the public right of way must meet the Central Gardens Historic District design guidelines and be reviewed and approved by the Memphis Landmarks Commission. The demolition and replacement of the existing home at 751 South Willett (ca. 1955) and new entrance gate was reviewed and approved by the MLC on March 27, 2025 (COA 2025-025).
- 4. Staff supports the request subject to the outline plan conditions found on pages 19-20 of this report.
- 5. The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

CONSISTENCY WITH MEMPHIS 3.0

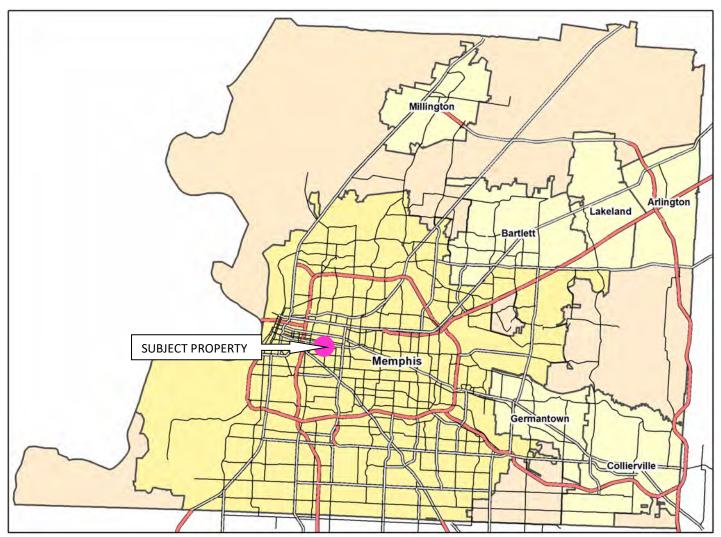
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 23-26 of this report.

RECOMMENDATION:

Approval with conditions

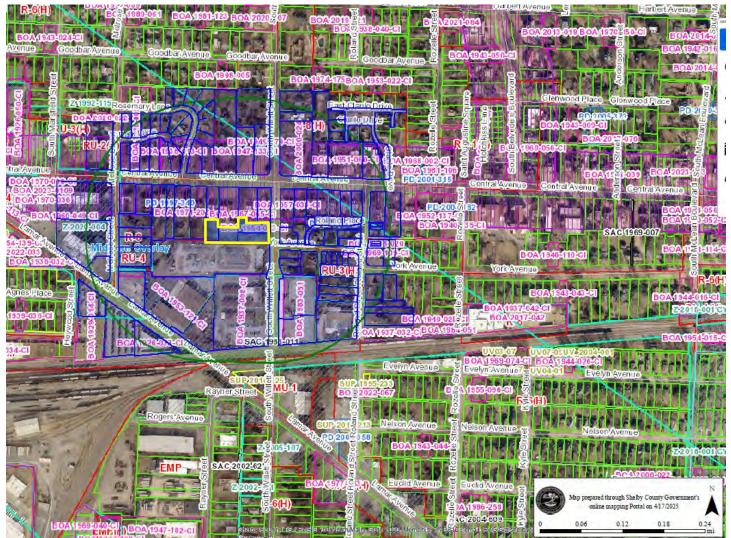
LOCATION MAP

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Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow

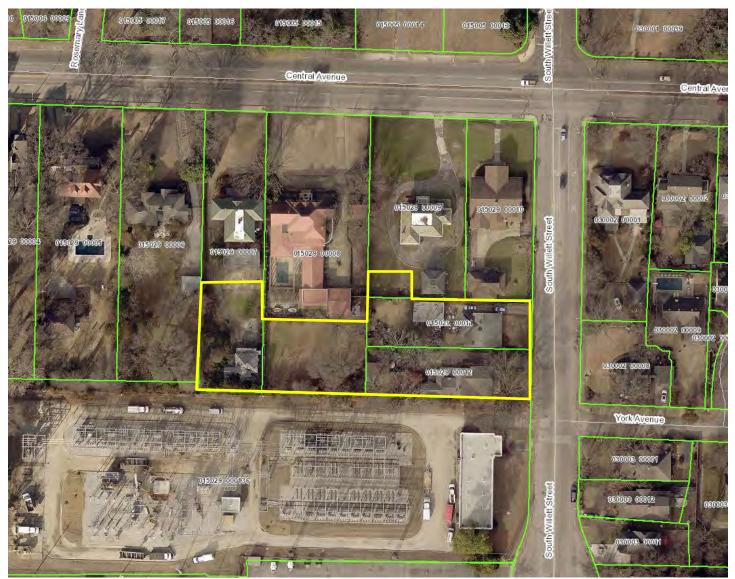
PUBLIC NOTICE DETAILS

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 110 notices were mailed on April 17, 2025, see page 27 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 28 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

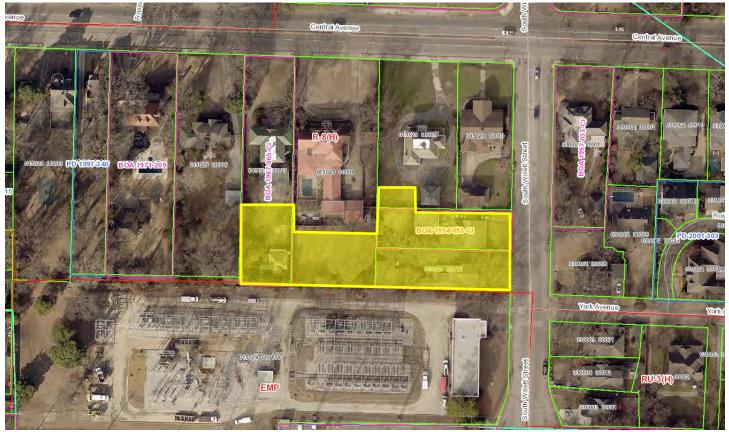
The meeting was held at 5:30 PM on Monday, February 3, 2025, at 1521 Central Avenue.

AERIAL



Subject property outlined in yellow, imagery from 2017

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from South Willett Street looking east

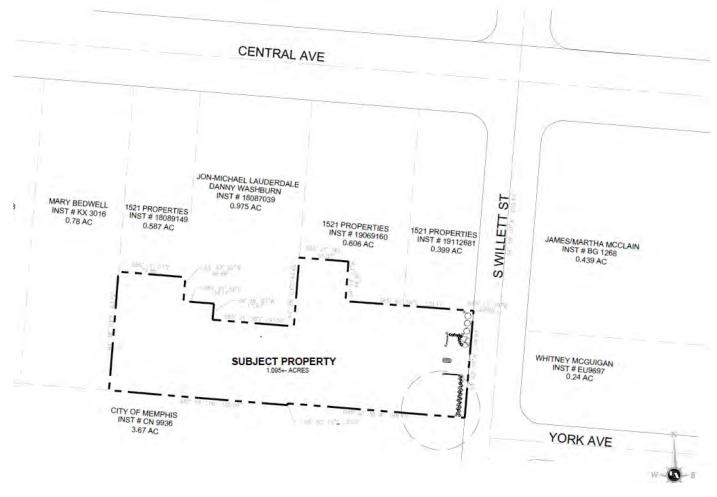


View of subject property from South Willett Street looking northeast

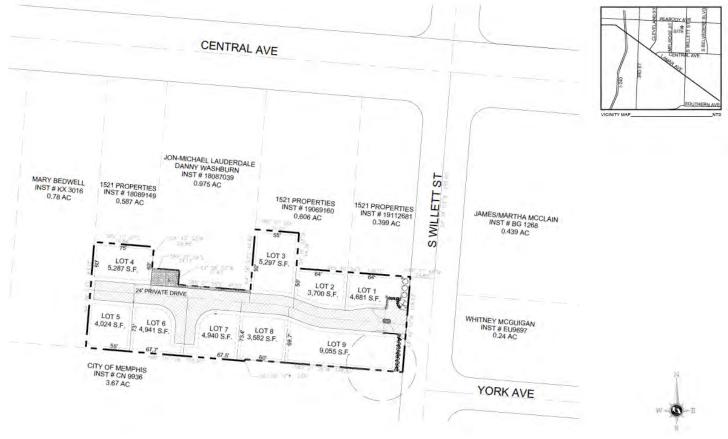


View of subject property from South Willett Street looking southeast

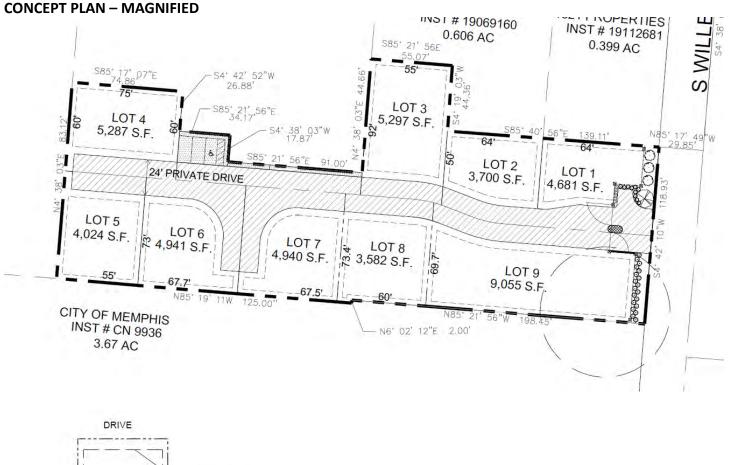
OUTLINE PLAN

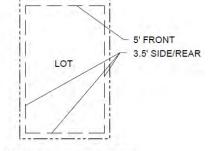


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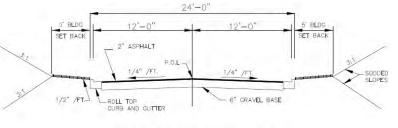




TYPICAL SETBACKS

NOTES:

THIS PROPERTY DOES NOT LIE WITHIN THE LIMITS OF A FEMA/FIRM SPECIAL IDENTIFIED HAZARD ZONE ACCORDING TO PANEL 47157C020F, DATED SEPTEMBER 28, 2007.

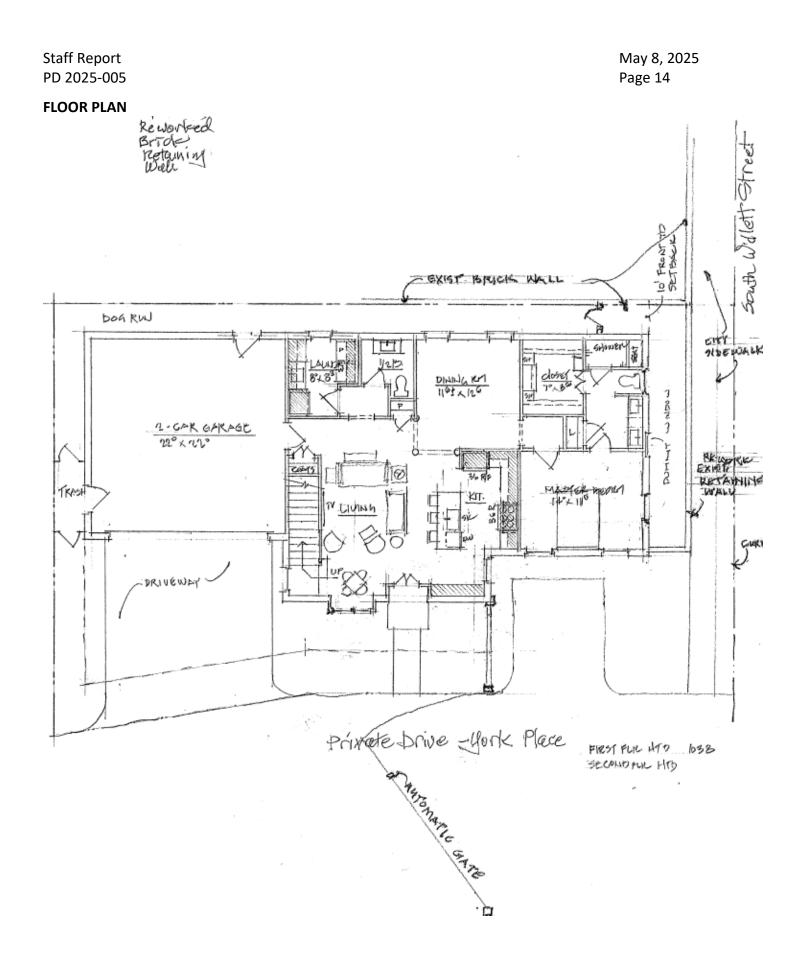


PRIVATE DRIVE SECTION



BRICK COLUMN AND METAL FENCE





CASE REVIEW

Request

The request is a residential planned development to allow nine single-family lots

Applicability

Staff agrees the applicability standards and criteria as set out in Section 4.10.2 of the Unified Development Code are or will be met.

4.10.2 Applicability

The governing bodies may, upon proper application, grant a special use permit for a planned development (see Chapter 9.6) for a tract of any size within the City or for tracts of at least three acres in unincorporated Shelby County to facilitate the use of flexible techniques of land development and site design, by providing relief from district requirements designed for conventional developments, and may establish standards and procedures for planned developments in order to obtain one or more of the following objectives:

- A. Environmental design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property.
- B. Diversification in the uses permitted and variation in the relationship of uses, structures, open space and height of structures in developments intended as cohesive, unified projects.
- C. Functional and beneficial uses of open space areas.
- D. Preservation of natural features of a development site.
- E. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.
- F. Rational and economic development in relation to public services.
- *G.* Efficient and effective traffic circulation, both within and adjacent to the development site, that supports or enhances the approved transportation network.
- *H.* Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.
- *I.* Revitalization of established commercial centers of integrated design to order to encourage the rehabilitation of such centers in order to meet current market preferences.
- J. Provision in attractive and appropriate locations for business and manufacturing uses in well-designed buildings and provision of opportunities for employment closer to residence with a reduction in travel time from home to work.
- K. Consistency with the Memphis 3.0 General Plan.

General Provisions

Staff agrees the general provisions standards and criteria as set out in Section 4.10.3 of the Unified Development Code are or will be met.

4.10.3 General Provisions

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations of the Land Use Control Board and the Zoning Administrator which shall be forwarded pursuant to provisions contained in this Chapter.

A. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the

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current development policies and plans of the City and County.

- B. An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.
- C. The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.
- D. Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.
- E. Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.
- *F.* Lots of record are created with the recording of a planned development final plan.

Residential Criteria

Staff agrees the additional planned residential development criteria as set out in Section 4.10.4 of the Unified Development Code are or will be met.

4.10.4 Planned Residential Developments

In addition to the standards and criteria set forth in Section 4.10.3, planned residential developments shall comply with the standards and criteria set forth below:

A. Formal Open Space

A minimum of 0.6% of the total land area of a planned residential development of 15 acres or more shall be subject to the formal open space requirements of Section 6.2.3. No open area may be delineated or accepted as formal open space under the provisions of this Chapter unless it meets the standards of Chapter 6.2, Open Space.

B. Accessibility of Site

All proposed streets, alleys and driveways shall be adequate to serve the residents, occupants, visitors or other anticipated traffic of the planned residential development. The location of the entrance points of the streets, alleys and driveways upon existing public roadways shall be subject to the approval of the City or County Division of Public Works.

C. Off-Street Parking

Off-street parking shall be conveniently accessible to all dwelling units and other uses. Where appropriate, common driveways, parking areas, walks and steps may be provided, maintained and lighted for night use. Screening of parking and service areas shall be required through use of trees, shrubs and/or hedges and screening walls.

D. Pedestrian Circulation

The pedestrian circulation system and its related walkways shall be separated, whenever feasible, from the vehicular street system in order to provide an appropriate degree of separation of pedestrian and vehicular movement.

E. Privacy

The planned residential development shall provide reasonable visual and acoustical privacy for dwelling units within and adjacent to the planned residential development. Protection and enhancement of property and the privacy of its occupants may be provided by the screening of objectionable views or uses and reduction of noise through the use of fences, insulation, natural foliage, berms and landscaped barriers. High-rise buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining low rise buildings.

F. Distance Requirements

Where minimum distance requirements are provided between single family residential zoning districts and certain stipulated uses in this Code, the single-family residential areas of planned developments shall be considered zoned residential.

Approval Criteria

Staff agrees the approval criteria as set out in Section 9.6.9 of the Unified Development Code are being met.

9.6.9 Approval Criteria

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

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

Site Details

Address: 751 South Willett Street

Parcel ID: 015029 00012, and portions of 015029 00008, 015029 00007, and 015029 00009

Area: +/-1.095 acres

Description:

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The subject property is known as portions of Lots 1-6 of the Central Heights Subdivision and zoned Residential Single-Family – 8 (R-8)H in the Central Gardens Historic District. Per the Assessor's website, the site has a one-story single-family principal dwelling structure constructed circa 1955 with a ground floor area of 1,682 square feet at 751 South Willett Street (to be demolished per COA 2025-025). There is also a one-story single-family principal dwelling structure circa 1922 with a ground floor area of 2,312 square feet at 755 South Willett Street that will remain as Lot 9 of the development.

Concept Plan Review

This is a proposal for a 9-lot infill residential development in the Central Gardens Historic District in Midtown. The proposed lots range from 3600 to 9100 square feet. The typical setbacks are 5-ft front yard setbacks and 3.5-ft side and rear setbacks. Access to the development is through one gated entrance to a private drive off South Willett Street. All new homes and site improvements visible from the public right of way must meet the Central Gardens Historic District design guidelines and be reviewed and approved by the Memphis Landmarks Commission.

<u>Analysis</u>

The preliminary plan is in keeping with the intent of the Unified Development Code. Though the proposed lots are smaller than neighboring lots and the setbacks are narrower than the R-8 standards, the proposed infill development would provide high quality infill housing that is largely invisible from the street and buffered by larger historic homes and lots along Central Avenue. There are many nearby examples of similar developments in the neighborhood that have been developed behind historic homes on large lots. Demolition and design approval of Lot 1, as well as materials and design of the entrance gate, have already been reviewed and approved by the Memphis Landmarks Commission (COA 2025-025). Staff is recommending approval based on these attributes.

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

RECOMMENDATION

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Staff recommends approval with outline plan conditions.

Outline Plan Conditions

I. PERMITTED USES

- A. Uses permitted in the R-8 residential district, excluding the following:
 - 1. Manufactured, modular home
 - 2. Personal care home for the elderly
 - 3. Senior living facility
 - 4. Police, fire, EMS substation
 - 5. School, public or private (K-12)
 - 6. Reservoir, control structure, water supply, water well
 - 7. Places of worship

II. BULK REGULATIONS

- A. A maximum of nine (9) lots shall be permitted.
- B. The bulk regulations shall be in conformance with the R-8 residential district, with the following exceptions:
 - 1. The minimum lot size shall be 3500 square feet.
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III. CIRCULATION, ACCESS AND PARKING

- A. Permit one (1) point of full movement vehicular access along S. Willett Street in the general location illustrated on the Outline/Final Plan.
- B. The internal drive shall be private, owned and maintained by a homeowners association.
- C. All lots shall contain at least two (2) parking spaces.
- D. Trash collection shall be private.

IV. ARCHITECTURAL, FENCING AND SIGN GUIDELINES

- A. Front-loaded garages shall be prohibited on Lots 3, 4, 5, 6, 7 and 9. On Lots 1, 2 and 8, frontloaded garages shall be recessed a minimum of five (5) feet from the primary front façade of the homes. The garage on Lot 4 may face south and the garage on Lot 5 may face north so long as the homes on those lots face east.
- B. No more than two (2) of the lots may contain houses with painted brick façades; these houses shall not be within view of any adjacent public right-of-way.

- C. A sight-proof fence with a maximum height of nine (9) feet shall be provided along the south property line of the site. A sight-proof fence with a maximum height of six (6) feet shall be provided along the west and north property lines of the site, except along the northern property line of Lot 1. A decorative metal fence with a maximum height of six (6) feet may be provided along the S. Willett St. frontage of Lots 1 and 9. The decorative metal fence on Lot 1 shall be recessed a minimum of three (3) feet from the eastern façade of the home on Lot 1. The decorative metal fence on Lot 9 shall be set back a minimum of twenty (20) feet from the S. Willett St. right-of-way. The perimeter fencing shall not require masonry support columns.
- D. A minimum 3.5-foot landscaped buffer shall be provided where the private drive and guest parking areas abut adjacent single-family lots.
- E. One (1) subdivision entrance feature sign shall be permitted along Willett Street measuring 42 inches tall by 30 inches wide.
- F. The entrance gate to the development shall be constructed of decorative metal.
- G. A landscape plan shall be submitted showing all required buffers and landscaped areas.

V. SITE PLAN REVIEW PROCESS

- A. A Final Plan shall be filed within five (5) years of the approval of the general plan. The Land Use Control Board may grant extensions at the request of the applicant.
- B. Any Final Plan is subject to the administrative approval of DPD and shall include the following:
 - 1. The Outline Plan Conditions
 - 2. The location and dimensions of all drives, building setbacks, parking areas and any other common elements.
 - 3. The location and ownership, whether public or private, of any easement.
- C. Minor Deviations from this Outline Plan may be administratively approved by the Zoning Administrator pursuant to UDC Para. 9.6.11D(3).

DEPARTMENTAL COMMENTS

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

City Engineer:

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

Sewers:

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

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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

- 13. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter, and sidewalk.
- 14. Will require engineering ASPR.

Drainage:

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

City Fire Division:

- Fire apparatus access shall comply with section 503.
- Ensure minimum 12' clear width on either side of the divided entry.
- Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into
 or within the jurisdiction is more than 500 feet (122 m) from a hydrant on a fire apparatus access road,
 as measured by an approved route around the exterior of the facility or building, on-site fire hydrants
 and mains shall be provided where required by the fire code official.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.

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

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning:

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services Department in their recommendation: <u>PD 2025-005</u>

Site Address/Location: 0 Wilson (Parcel ID: 06176 00170)

Overlay District/Historic District/Flood Zone: Not in a Floodplain; Within the Central Gardens historic overlay district.

Future Land Use Designation: Anchor Neighborhood-Primarily Single-Unit (AN-S) and Primarily Single-Unit Neighborhood (NS)

Street Type: Avenue

Applicant is seeking approval for an infill development of 9 single-family residential lots.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

Anchor Neighborhood-Primarily Single-Unit (AN-S) are walkable neighborhoods within a 5 – 10-minute walk of a Community Anchor. These neighborhoods are made up of single-unit and duplex housing. Graphic portrayal of AN-S is to the right.

"AN-S" Form & Location Characteristics

NURTURE

Primarily detached, single-family residences. Attached single-family residences permitted on parcels within 100 feet of an anchor. Height: 1-2 stories. Scale: house-scale.

SUSTAIN

Primarily detached, single-family residences. Attached single-family residences permitted on parcels within 100 feet of an anchor and along avenues, boulevards and parkways as identified in the Street Types Map. Height: 1-3 stories. Scale: house-scale.

ACCELERATE

Primarily detached, single-family residences. Attached single-family, duplexes, triplexes and quadplexes permitted on parcels within 100 feet of an anchor; at intersections where the presence of such housing type currently exists at the intersection and along avenues, boulevards and parkways as identified in the Street Types Map. Height: 1-3 stories. Scale: house-scale

"AN-S" Zoning Notes

Generally compatible with the following zone districts: R-15, R-10, R-8, R-6, R-3, RU-1, MDR in accordance with Form and characteristics listed above.

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Single-Family, R-8(H)

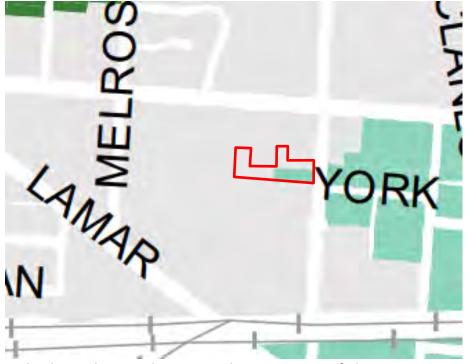
Adjacent Land Use and Zoning: Single-Family, Multi-Family, Industrial, Office, Commercial; R-8(H), RU-3(H), EMP.

Overall Compatibility: The requested development is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning. The AN-S use designation permits the house-scale type developments outlined in the application.



May 8, 2025 Page 24

3. Degree of Change Map



Red polygon denotes the proposed site in Degree of Change area. One parcel, which will remain unchanged according to the application, is NURTURE. The rest of the parcels have NO Degree of Change.

4. Degree of Change Description

Nuture areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place. *The proposed development is a private investment and infill development contextually compatible with the anchor neighborhood (pp. 65 – 67).*

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

The proposed development is consistent with <u>Objective 1.2</u> – Promote a high standard of design and build upon unique characteristics of communities when promoting new development <u>Action 1.2.5</u> – to study transitions in height, density, and massing between residential and mixed-use zones to ensure building forms promote more dense forms of infill in a manner that is compatible with existing development. The proposed infill development would be consistent with the characteristics of the neighborhood.

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

N/A

Consistency Analysis Summary

Applicant is seeking approval for an infill development of 9 single-family residential lots. The requested development is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning. The AN-S use designation permits the house-scale type developments outlined in the application.

Nuture areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place. *The proposed development is a private investment and infill development contextually compatible with the anchor neighborhood (pp. 65 – 67).*

The proposed development is consistent with <u>Objective 1.2</u> – Promote a high standard of design and build upon unique characteristics of communities when promoting new development <u>Action 1.2.5</u> – to study transitions in height, density, and massing between residential and mixed-use zones to ensure building forms promote more dense forms of infill in a manner that is compatible with existing development. The proposed infill development would be consistent with the characteristics of the neighborhood.

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

Summary Compiled by: Grayson Vincent, Graduate Intern, 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, May 1, 2025 at 8 AM.**

CASE NUMBER:	PD 2025-005
ADDRESS:	751 S Willet St
REQUEST:	Residential planned development to allow nine single- family lots located at 751 S Willett St
APPLICANT:	1521 Properties-East, LLC / Josh Whitehead

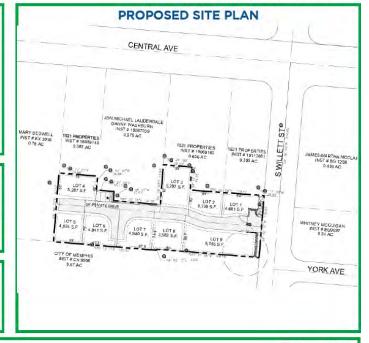
Time:

Date:

9:00 AM

Thursday, May 8, 2025

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT



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



110 Notices Mailed 04/17/2025

Staff Planner Contact: Margot Payne

Location: Council Chambers

City Hall 1st Floor

125 N Main St.

margot.payne@memphistn.gov

(901) 636-7184

SIGN AFFIDAVIT

May 8, 2025 Page 28

AFFIDAVIT

Shelby County State of Tennessee

 I, Josh Whitehead
 , being duly sworn, depose and say that at 7:38 (am/pm)

 on the 9th
 day of April
 , 20²⁵
 , I posted 1
 Public Notice Sign(s)

 pertaining to Case No. PD 2025-05
 at 751 S. Willett
 , 2012
 , 2012
 , 2012

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

X 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.

day

Owner, Applicant or Representative

Subscribed and sworn to before me this

Notary Public

My commission expires. 07. 10.2020



4/9/202

Date

APPLICATION

May 8, 2025 Page 29



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

Expiration Date:

website: www.develop901.com

Record Summary for Planned Development

Record Detail Information

Record Type: Planned Development

Record Status: Pending Opened Date: March 28, 2025

Record Number: PD 2025-005

Record Name: York Place

Description of Work: 9-lot residential infill development south of the southwest corner of Central and Willett.

Parent Record Number:

Address:

751 S WILLETT ST, MEMPHIS 38104

Owner Information

Primary **Owner Name** Y 1521 PROPERTIES-EAST LLC

Owner Address

1521 CENTRAL AVE, MEMPHIS, TN 38104

Parcel Information

015029 00011

Data Fields

PREAPPLICATION MEETING	
Name of DPD Planner	Margot Payne
Date of Meeting	11/14/2024
Pre-application Meeting Type GENERAL PROJECT INFORMATION	In Person
Planned Development Type	New Planned Development (PD)
Previous Docket / Case Number	N/A
Medical Overlay / Uptown	No
If this development is located in unincorporated	N/A
Shelby County, is the tract at least three acres? (Note a tract of less than three acres is not	

Page 1 of 3

PD 2025-005

Owner Phone

May 8, 2025 Page 30

GENERAL PROJECT INFORMATION	
eligible for a planned development in	
unincorporated Shelby County) Is this application in response to a citation, stop	No
work order, or zoning letter	NO
If yes, please provide a copy of the citation, stop	141
work order, and/or zoning letter along with any	
other relevant information	
APPROVAL CRITERIA	
UDC Sub-Section 9.6.9A	Correct.
UDC Sub-Section 9.6.9B	Correct.
UDC Sub-Section 9.6.9C	Correct.
UDC Sub-Section 9.6.9D	Correct.
UDC Sub-Section 9.6.9E	Yes.
UDC Sub-Section 9.6.9F	Correct.
GENERAL PROVISIONS	
UDC Sub-Section 4.10.3A	Correct.
B) An approved water supply, community waste	Yes.
water treatment and disposal, and storm water	
drainage facilities that are adequate to serve the	
proposed development have been or will be	
provided concurrent with the development	Var
C) The location and arrangement of the	Yes.
structures, parking and loading areas, walks, lighting and other service facilities shall be	
compatible with the surrounding land uses, and	
any part of the proposed development not used	
for such facilities shall be landscaped or	
otherwise improved except where natural	
features are such as to justify preservation	
D) Any modification of the district standards that	Correct.
would otherwise be applicable to the site are	
warranted by the design of the outline plan and	
the amenities incorporated therein, and are not	
inconsistent with the public interest	1.00
E) Homeowners' associations or some other	Yes.
responsible party shall be required to maintain	
any and all common open space and/or common	
elements F) Lots of record are created with the recording	Yes.
of a planned development final plan	Tes.
GIS INFORMATION	
Case Layer	1.1
Central Business Improvement District	No
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-

Page 2 of 3

PD 2025-005

Payment Ame		Method of Pa	umant				
Tota Payment Information			otal Fee Invo	biced: \$1,539.00	Total Ba	lance: \$0,	00
1636162	Planned Develop acres or less		1	1,500.00	INVOICED	0.00	03/28/2025
	x fee)			4 505 00			00/00/00000
1636162	Credit Card Use F	ee (.026	1	39.00	INVOICED	0.00	03/28/2025
Invoice #	Fee Item		Quantity	Fees	Status	Balance	Date Assessed
Fee Inform	nation		_			Contract of Contract	
Phone (901)810-578	9					_	
D							
Address							
Name JOSH WHITEHEAD					Conta APPLIC/	ct Type	
	nformation						
-							
Propert	ted Use of	Single-fa	amily resider	ual			
	Use of Property:		amily resider				
	the second se		milu maidar	atial			
Size (A	eroe).	1.1	ue .				
Name:		York Pla	co				
AREA INFOR	MATION						
Data Table	es						
City Cou	ncil Super District			7			
10 C C C C C C C C C C C C C C C C C C C	ncil District						
	Commission District	and the second		-			
Subdivision Planned Development District Wellhead Protection Overlay District				No			
				5			
Lot	ion			-			
State Ro	oute			÷ .			
Zoning				-			
	Special Purpose Di	strict					
Municipa							

PD 2025-005

OWNER AFFIDAVIT



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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12:3.1

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

Sherby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

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

of the property located at <u>751 S. Willett St., 755 S. Willett St., 1531 Central Ave., 1521 Central Ave., and 1511 Central Ave., and 1511 Central Ave., and 1511 Central Ave., and 1511 Central Ave., and further identified by Assessor's Parcel Number <u>015029 00011, 015029 00012, 015029 00009, 015029 00008</u> and 015029 00007, for which an application is being made to the Division of Planning and Development.</u>

Subscribed and swom to (or affirmed) before me this 14 th day of tebruary in the year of SAY WWITER annell Signature of Notary Public My Commission Expires November My Commission Expires SELF COM November 29, 2027 On behalf of (if owned by a corporation)

LETTER OF INTENT

May 8, 2025 Page 33

Josh Whitehead Managing Fartner (901) 810-5789 josh@joshwhiteheadlaw.com



Whitehead Law 275 Jefferson Avenue Memphis, Tenn, 38103

Miloš Mikić Chief Operating Officer (901) 810-5706 milos@jostwhiteheadlaw.com

March 18, 2025

Brett Ragsdale, AIA Zoning Administrator Memphis and Shelby County Division of Planning and Development Mary W. Sharp Chair, and Members Memphis and Shelby County Land Use Control Board

RE: York Place Planned Development

Mr. Ragsdale, Madam Chair and Members of the Board,

Please find attached plans for a 9-lot infill residential development in the Central Gardens neighborhood we have coined "York Place." York Place will be built to the rear of the four existing homes at the southwest corner of Central Avenue and Willett Place (please see photographs of the project attached to this letter as Exhibit "A" and "B").

During its regular meeting on March 27, 2025, the Memphis Landmarks Commission is scheduled to take the first few steps on the realization of this project with the approval of the demolition of the non-contributing house addressed as 751 S. Willett Street, the design of the home to replace it and site improvements for York Place including the entrance features of the private drive into the development.

We have modeled York Place after other nearby infill developments, some of which were approved after the creation of the Central Gardens Historic Overlay (Landmarks) District, some before (see photographs of these developments attached as Exhibits "C," "D," "E," "F," "G," "H," "I," and "K," as well as a comparison between their lot sizes and those proposed within York Place attached as Exhibit "L"). As an example, the proposed lots with York Place will range in size from 3600 to 9100 square feet, similar to the Roland Place Planned Development approximately 215 feet to its east which features lot sizes between 3900 and 9200 square feet. Like York Place, Roland Place is buffered from Central Avenue by larger lots.

Interestingly, York Place will represent a return to the segment of York Avenue that appears to have once existed west of Willett Street (please see excerpt from 1907 city map attached as Exhibit "M").

Thank you for your consideration,

Josh Whitehead

EXHIBIT A

Aerial photograph of site



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EXHIBIT B

Aerial photograph of site with dimensions of proposed York Place superimposed



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EXHIBIT C

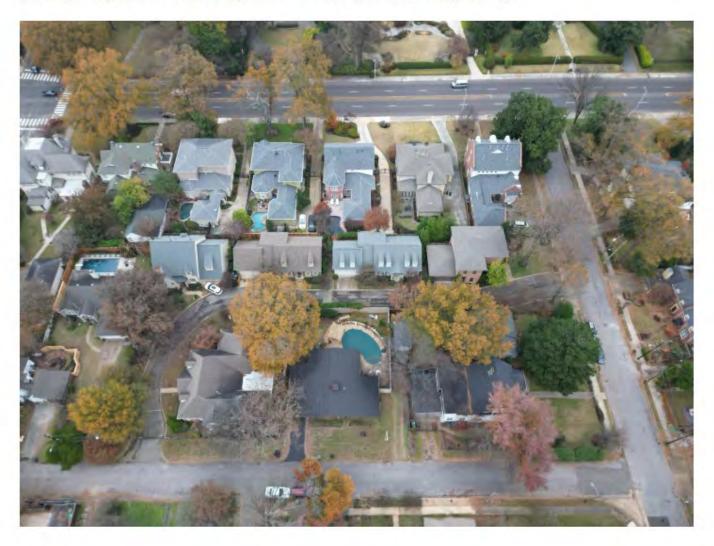
Aerial photograph of Roland Place Planned Development (looking south)



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EXHIBIT D

Aerial photograph of Roland Place Planned Development (looking north)



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EXHIBIT E

Aerial photograph of Roland Place Planned Development (looking west)



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EXHIBIT F

Photograph of entrance of Roland Place Planned Development



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EXHIBIT G

Aerial photograph of Roland Place Planned Development, reflecting proximity of subject site (in background)

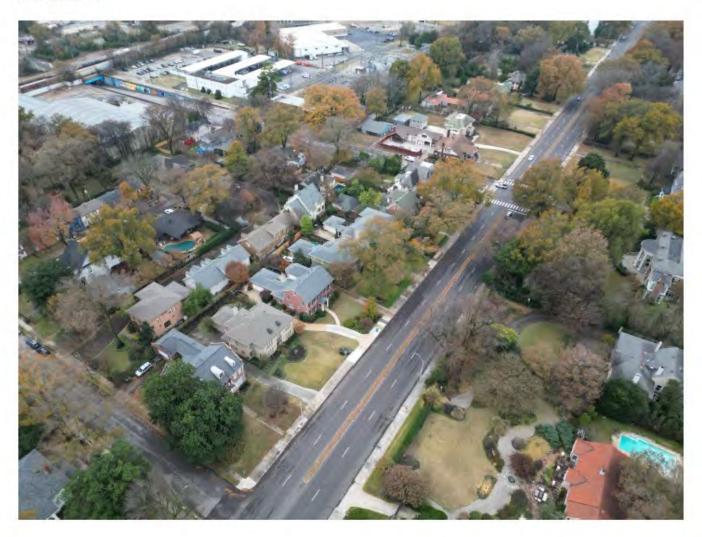


EXHIBIT H

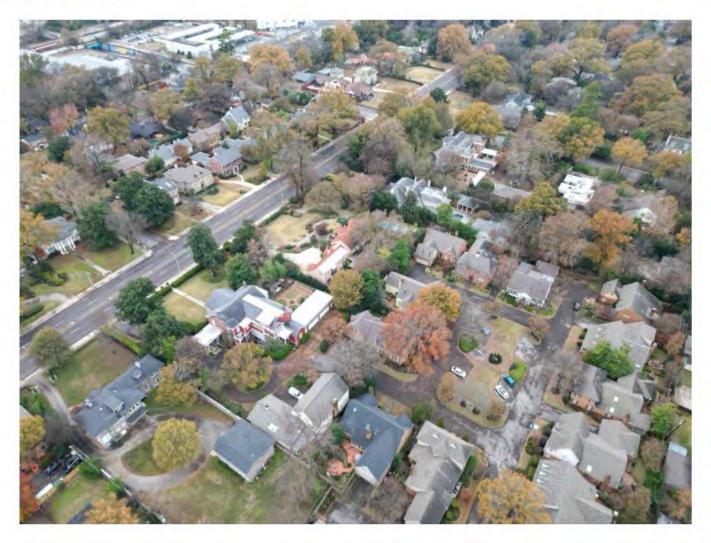
Photograph of Clanlo Planned Development



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EXHIBIT I

Aerial photograph of Roland Place and Clanlo Planned Developments, as well proposed York Place in the background



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EXHIBIT J

Aerial photograph of Roland Place and Clanlo Planned Developments, as well proposed York Place in the background (with labels of each)



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EXHIBIT K

Photograph of subject site with light industrial land uses to its south



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EXHIBIT L

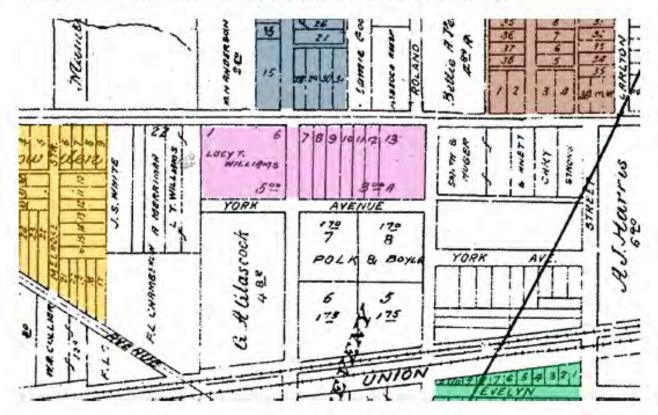
Lot size comparison



approx. 3600-9100 sq. ft. lots

EXHIBIT M

Excerpt from "The New Wiliamson Map of Greater Memphis and Suburbs," 1907



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LETTERS RECEIVED

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



Central Gardens Association

April 17, 2025

Brett Ragsdale Margot Payne Land Use Control Board Memphis and Shelby County Division of Planning and Development

Re: PD 2025-005 York Place

To Brett Ragsdale and Margot Payne,

I am writing this letter to extend Central Gardens Association Landmarks Committee's support for the York Place PUD. Throughout the process the owners have reached out to our committee to make sure they are staying within the guidelines for this development. We have appreciated the openness of collaboration and their consistency to be aware of their neighbors and of the uniqueness of this project within a historical neighborhood.

We do have some questions that we would like answered and a few questions that also lead to some suggestions that we would appreciate the Technical Review Committee and the owners to consider.

- Lot 1: Is the fence positioned in front of the home facing Willett, or does the side façade of the home link two separate fences? If the fence is in front, what is its distance between the home and will it be 3' feet back from the sidewalk (SI 5 CGA Architural Guidelines)? Also is lot 9 behind the fence as well? CGA LM would like the developers to consider (if they are not already) installing the fence so that the side facades of the two homes are in front of the fence and that the fence is set back 6' from the street facing "front" wall of the home (not including porch) (SI 3.a).
- In a meeting with the owners we did discuss having rear or side garages. We
 realized in looking at the plat that some lots there would be no way to
 achieve that. Are they still trying to make an effort for side or rear garages
 on the lots that would be able to allow that easily?
- Are the homes going to be custom or spec houses?
- Is the side turn around at the front gate deep enough that a car in that space is not blocking the gate? Just wanted to make them aware in case it is not.
- What is the entrance gate going to look like? What material will it be made of? Will it match the fence and be open to see through or will it be solid?
- GCA LM would like to request that no houses that are brick be painted in the subdivision.

sepP. O. Box 41382 • Memphis, Tennessee 38174-1382



Central Gardens Association

Thank you for keeping these questions and suggestions in mind while going through the review process. We understand that since this is a gated community that each residence will not necessarily have to adhere to all the Central Gardens guidelines but we are hoping that with conscientious design that they will try to stick to the guidelines the best they can.

Thank you and please reach out to me if you have any questions.

Best Regards,

Lauren Wiuff CGA Landmarks Chair 901-859-3565

SEPP. O. Box 41382 • Memphis, Tennessee 38174-1382



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 Planned Development

Record Detail Information

Record Type: Planned Development

Record Status: Pending Opened Date: March 28, 2025

Record Number: PD 2025-005

Expiration Date:

Record Name: York Place

Description of Work: 9-lot residential infill development south of the southwest corner of Central and Willett.

Parent Record Number:

Margot Payne 11/14/2024

New Planned Development (PD)

In Person

N/A

No N/A

Address:

751 S WILLETT ST, MEMPHIS 38104

Owner Information

Primary Owner Name

Y 1521 PROPERTIES-EAST LLC

Owner Address

1521 CENTRAL AVE, MEMPHIS, TN 38104

Parcel Information

015029 00011

Data Fields

PREAPPLICATION MEETING

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

Planned Development Type Previous Docket / Case Number Medical Overlay / Uptown If this development is located in unincorporated Shelby County, is the tract at least three acres? (Note a tract of less than three acres is not **Owner Phone**

GENERAL PROJECT INFORMATION

eligible for a planned development in unincorporated Shelby County) Is this application in response to a citation, stop No work order, or zoning letter If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information APPROVAL CRITERIA UDC Sub-Section 9.6.9A Correct. UDC Sub-Section 9.6.9B Correct. UDC Sub-Section 9.6.9C Correct. UDC Sub-Section 9.6.9D Correct.

UDC Sub-Section 9.6.9E UDC Sub-Section 9.6.9F **GENERAL PROVISIONS**

UDC Sub-Section 4.10.3A

B) An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development C) The location and arrangement of the structures, parking and loading areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation D) Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest E) Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements F) Lots of record are created with the recording Yes. of a planned development final plan **GIS INFORMATION** Case Laver No **Central Business Improvement District** Class

Correct. Correct.

Yes.

Yes.

Yes.

Correct.

Yes.

No

Historic District

Downtown Fire District

GIS INFORMATION

Municipality	-
Overlay/Special Purpose District	-
Zoning	-
State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No
County Commission District	-
City Council District	-
City Council Super District	-

Data Tables

AREA INFORMATION

Name:	York Place
Size (Acres):	1.1
Existing Use of Property:	Single-family residential
Requested Use of	Single-family residential
Property:	

Contact Information

Name	Contact Type		
JOSH WHITEHEAD	APPLICANT		

Address

Phone (901)810-5789

Fee Information						
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1636162	Credit Card Use Fee (.026 x fee)	1	39.00	INVOICED	0.00	03/28/2025
1636162	Planned Development - 5 acres or less	1	1,500.00	INVOICED	0.00	03/28/2025
		Total Fee Invo	biced: \$1,539.00	Total Ba	lance: \$0.0	00
Payment	Information					

Payment Amount	Method of Payment
\$1,539.00	Credit Card

MEMPHIS AND DIVISION OF PLANNING

Oty Hall - 125 N. Main Street, Suite 468 - Memphils, 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 Sheiby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Sheiby County Unified Development Code Section 12.3.1.

Sheby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

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

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

of the property located at 751 S. Willett St., 755 S. Willett St., 1531 Central Ave., 1521 Central Ave. and 1511 Central Ave., and further identified by Assessor's Parcel Number 015029 00011, 015029 00012, 015029 00009, 015029 00008 and 015029 00007, for which an application is being made to the Division of Planning and Development.

Subscribed and swom to (or affirmed) before me this 14th day of February ACTIVITY SAY WINTER Signature of Notary Public My Commission Expines On behalf of (It owned by a corporation) November 29, 2027 My Commission Expires ELBY CON



Miloš Mikić Chief Operating Officer (901) 810-5706 milos@joshwhiteheadlaw.com

March 18, 2025

Brett Ragsdale, AIA Zoning Administrator Memphis and Shelby County Division of Planning and Development Mary W. Sharp Chair, and Members Memphis and Shelby County Land Use Control Board

RE: York Place Planned Development

Mr. Ragsdale, Madam Chair and Members of the Board,

Please find attached plans for a 9-lot infill residential development in the Central Gardens neighborhood we have coined "York Place." York Place will be built to the rear of the four existing homes at the southwest corner of Central Avenue and Willett Place (please see photographs of the project attached to this letter as Exhibit "A" and "B").

During its regular meeting on March 27, 2025, the Memphis Landmarks Commission is scheduled to take the first few steps on the realization of this project with the approval of the demolition of the non-contributing house addressed as 751 S. Willett Street, the design of the home to replace it and site improvements for York Place including the entrance features of the private drive into the development.

We have modeled York Place after other nearby infill developments, some of which were approved after the creation of the Central Gardens Historic Overlay (Landmarks) District, some before (see photographs of these developments attached as Exhibits "C," "D," "E," "F," "G," "H," "I," "J," and "K," as well as a comparison between their lot sizes and those proposed within York Place attached as Exhibit "L"). As an example, the proposed lots with York Place will range in size from 3600 to 9100 square feet, similar to the Roland Place Planned Development approximately 215 feet to its east which features lot sizes between 3900 and 9200 square feet. Like York Place, Roland Place is buffered from Central Avenue by larger lots.

Interestingly, York Place will represent a return to the segment of York Avenue that appears to have once existed west of Willett Street (please see excerpt from 1907 city map attached as Exhibit "M").

Thank you for your consideration,

Josh Whitehead

EXHIBIT A



EXHIBIT B

Aerial photograph of site with dimensions of proposed York Place superimposed



EXHIBIT C Aerial photograph of Roland Place Planned Development (looking south)



EXHIBIT D

Aerial photograph of Roland Place Planned Development (looking north)



EXHIBIT E

Aerial photograph of Roland Place Planned Development (looking west)



EXHIBIT F Photograph of entrance of Roland Place Planned Development



EXHIBIT G

Aerial photograph of Roland Place Planned Development, reflecting proximity of subject site (in background)



EXHIBIT H

Photograph of Clanlo Planned Development

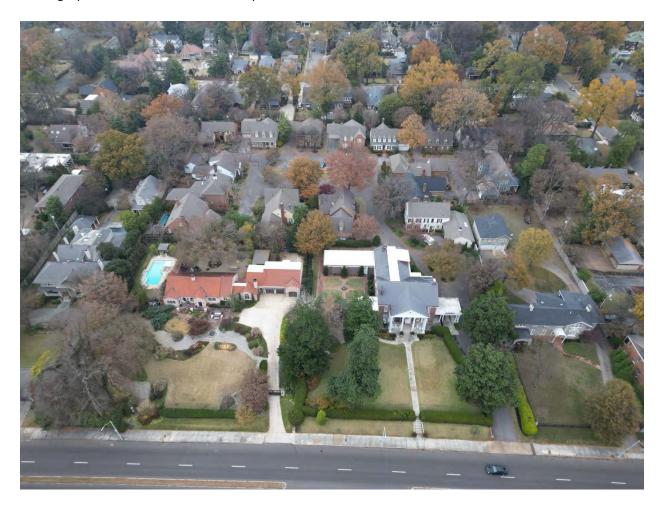


EXHIBIT I

Aerial photograph of Roland Place and Clanlo Planned Developments, as well proposed York Place in the background



EXHIBIT J

Aerial photograph of Roland Place and Clanlo Planned Developments, as well proposed York Place in the background (with labels of each)



EXHIBIT K

Photograph of subject site with light industrial land uses to its south



EXHIBIT L

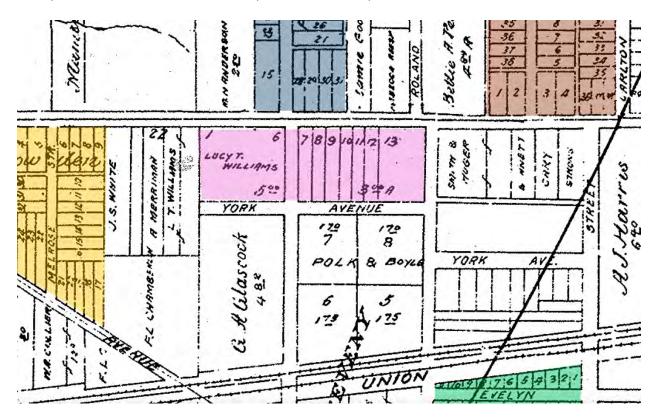
Lot size comparison

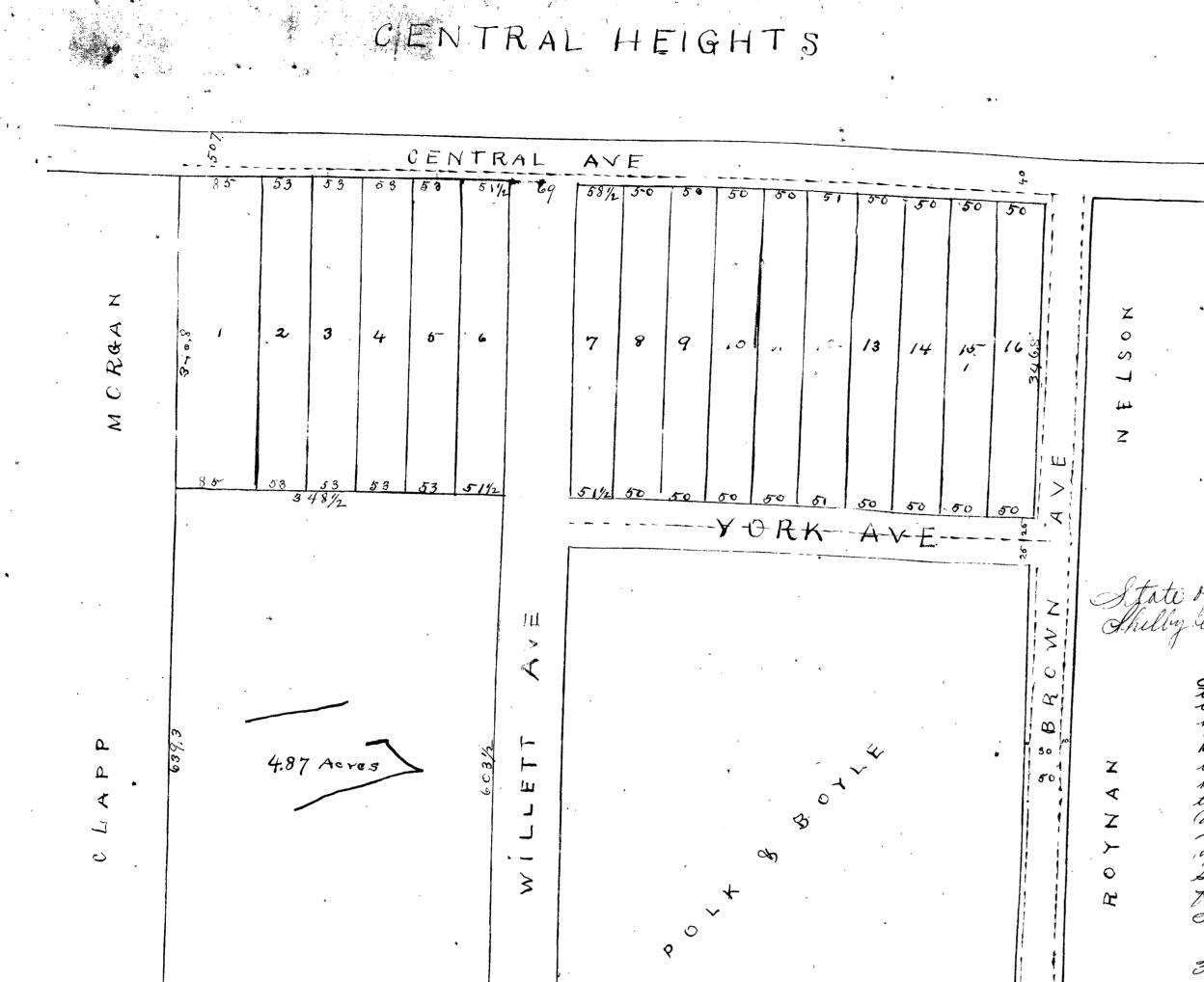


approx. 3600-9100 sq. ft. lots

EXHIBIT M

Excerpt from "The New Wiliamson Map of Greater Memphis and Suburbs," 1907

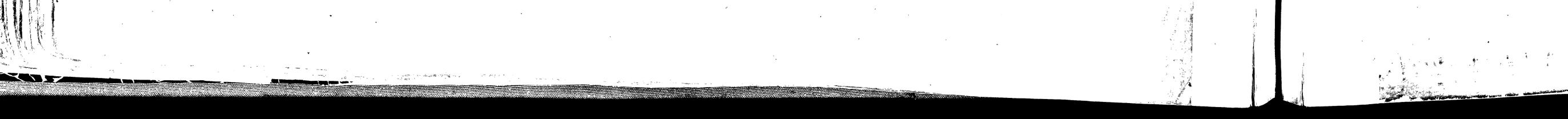


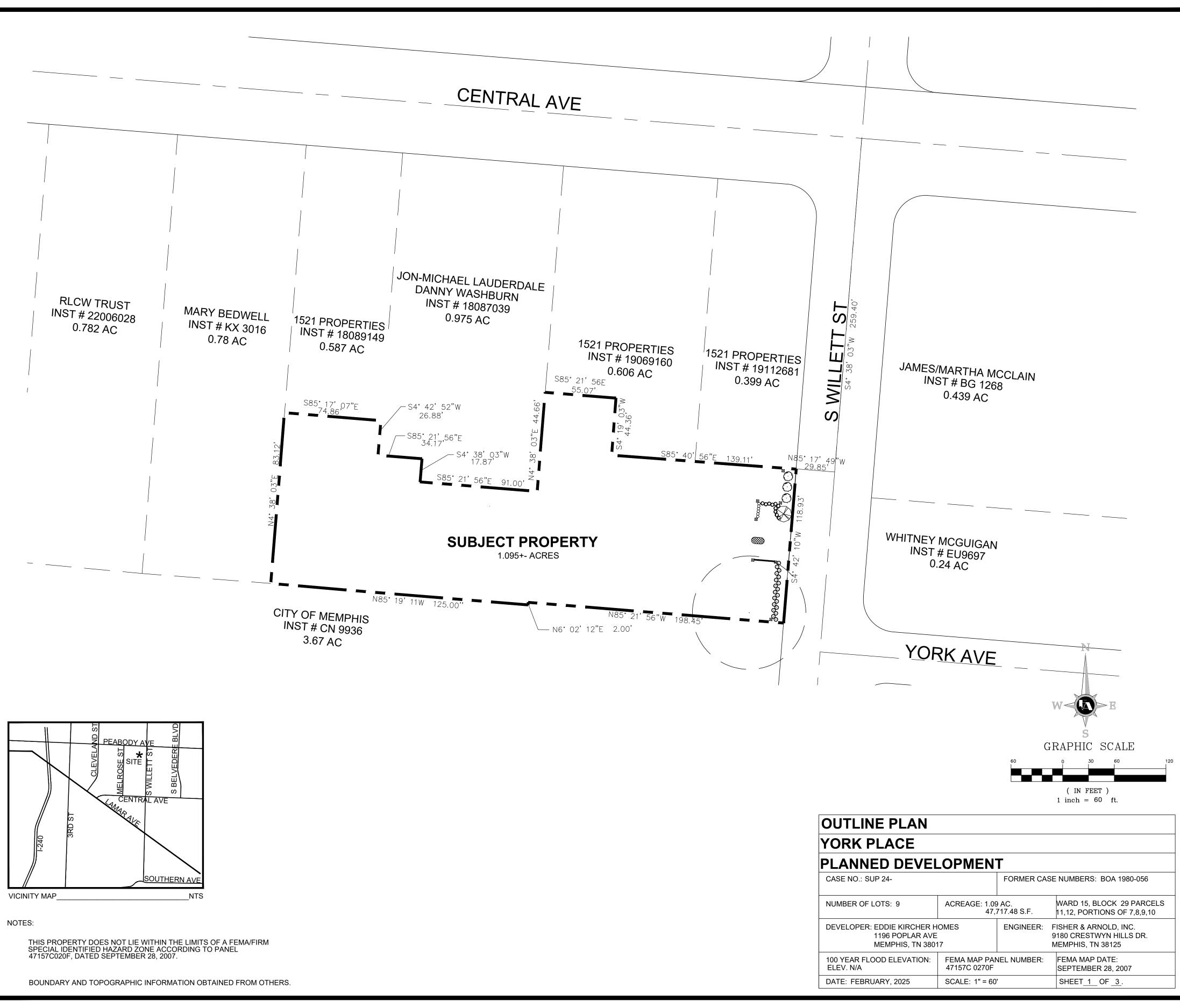


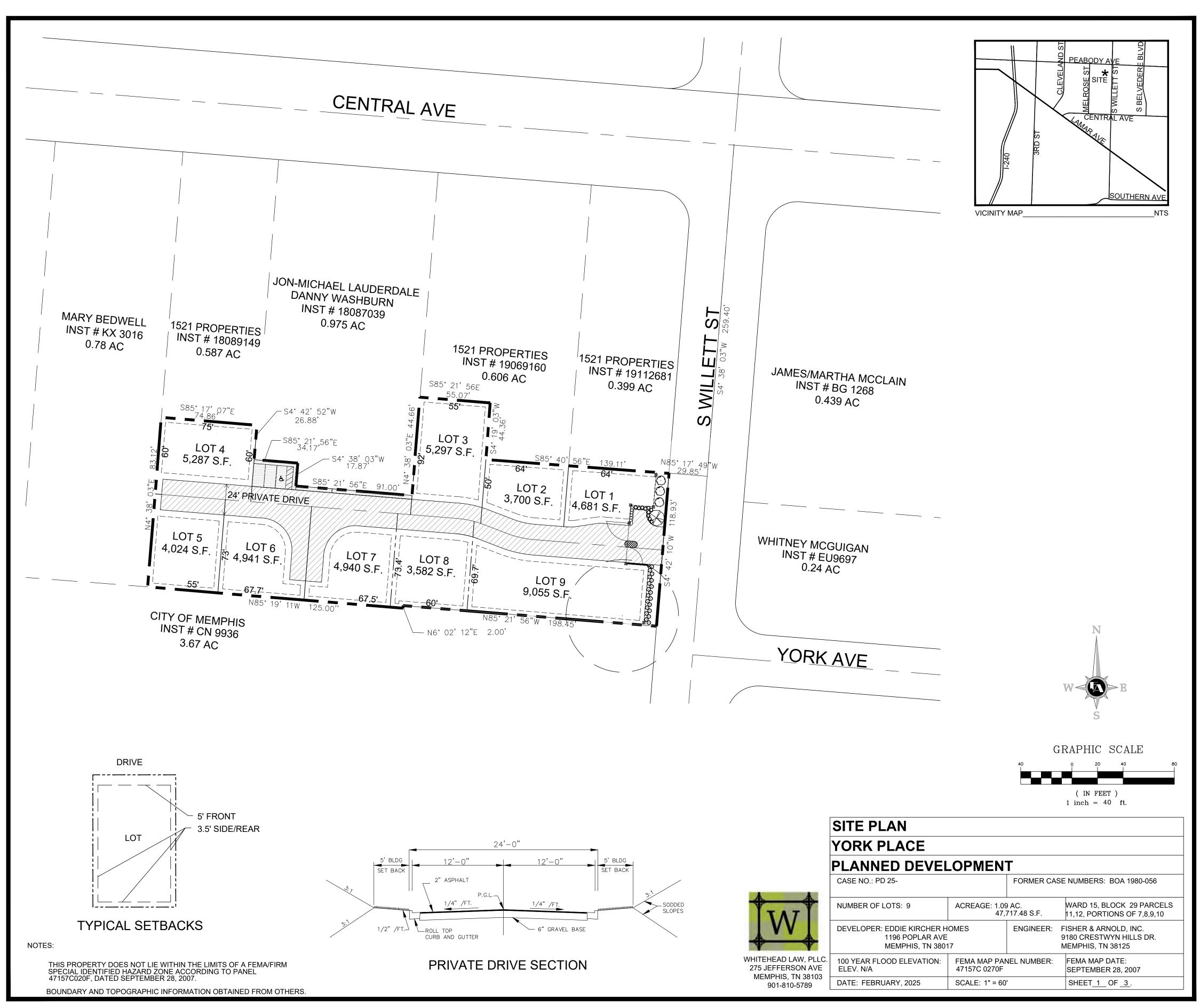
84

fully appear by reference to accompanying plat of "Central. Arights", which is hereby made a part of this agreened Witness our hands at Memphis Tenn. This it? 3 = day of June 1899.

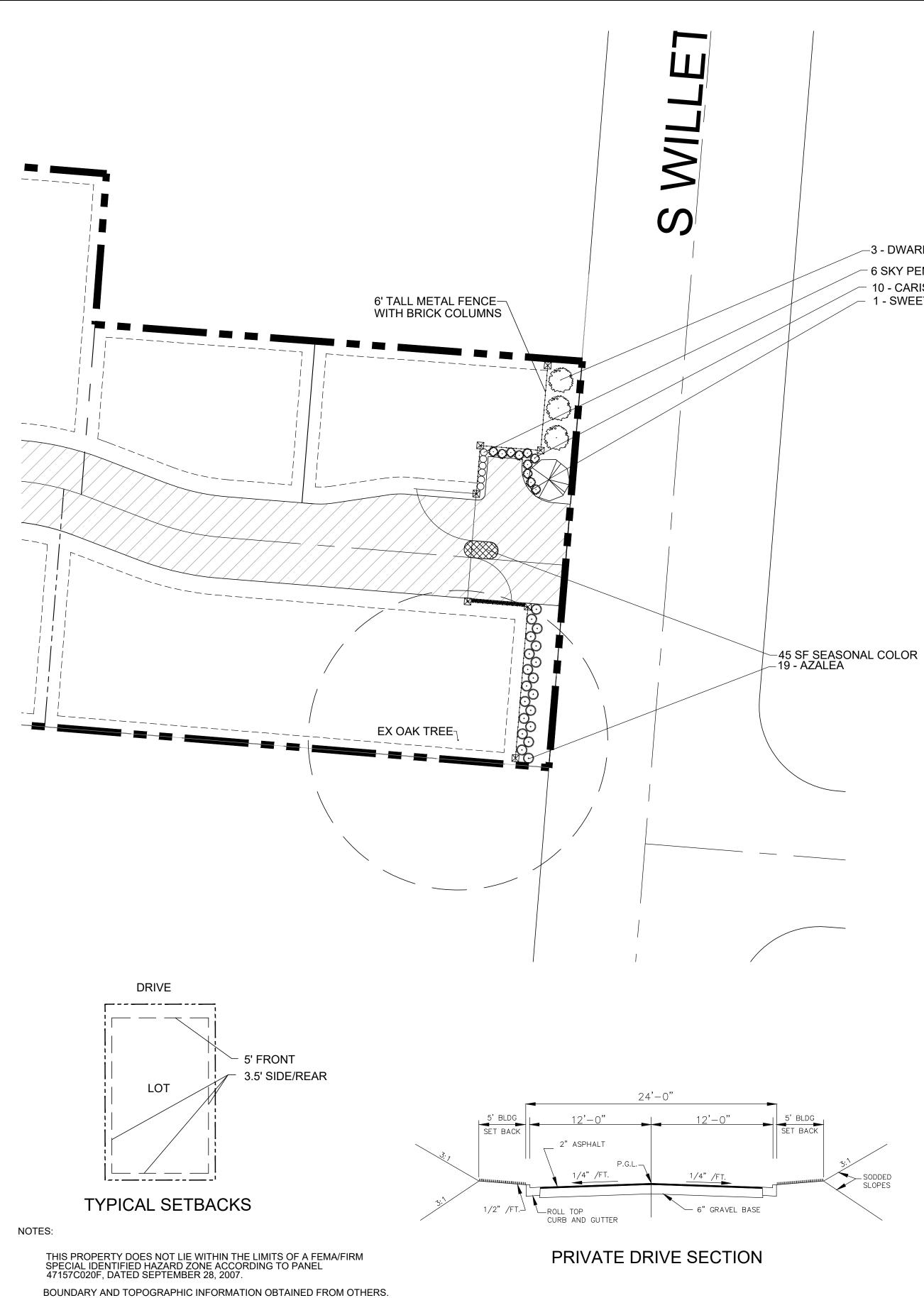
IM. J. Boyle 64 N.C. XST.L.H.F State of Tennesser, State of Termenen This plat of Central Heights-being) Kirsonally appeared refore me Shelley County) a Subdivision into 14 Lots of farth of Low of the Royal Treat: 5 a ones of Douglass. Shelly County N.T. avery a Wotary Public in and for said States and Robinson's furt of the Rozell tract, and Set 12 of N.D. Brown Subdivision, in the Rozell track-velin Shelby County duly commissioned and qualified & acting, C.B. Solk. County Tennessee. I hereby accept and adapt the within flat and deducate the street as thown thereon to the public * mfBoyle widow, The within named bargamors, 1010 ac knowledged they executed the within instrument for the Jurreyed Och 1897 Witness my hand this the 19th day of november 1894 Junposes there contained 14 Hunchbrup C.E. Frederick . Prelton Matness my hand and notarial deal at Memphis Lenn This ik 3rd day of June 1844. State of Hinors 2 Work County Revenally uppeared more me HEnry H Burgerse state of Missideffepil Dr. T. avery Edeal Mushington Countynotary Public the within named bargamon, with whom I am personally State of Jennessee acquainted and who acknowledged that he executed the within !! M.C. aldridge ling the owner if Shelly County - ... S Filed for registration instrument for the purposes therein contained Writness mig hand que notarial seal an chicage Illinois this the 19 day of "may 1899 certain lats in above subdivision, tierchy accept said Subdivision with June 5th 1899 Lat 10° oclock a.M. and noted structs laid app as shown therein; Kenny & Burnett & deal 3 in Note Book No. 16 Juge 176 and was Watness my hand this - day of may 1899. notary Public recorded June 14th 1899. AV.C. Aldridge my com. Expires Feb 26-1901 State of Mississippi) Robt F. Malone. Marington County -- I Tersonally appeared before me Register H. Robt a holary Rublic in and for said By E. M. Douglass. State florinity duly commissioned und qualified and acting W.C. aldridge the within named bargamont which who and an perior all neguainted , who acknowledged That he executed the within instrument for the purposes Therein contained. Willies my have and notarial seal at enervield Miss. This the Eyd day of may 1849. En. 2 my Com. Expires Dec 1/44 · the nobl Motary Public



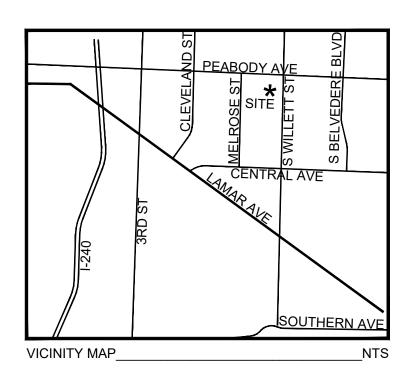


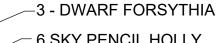


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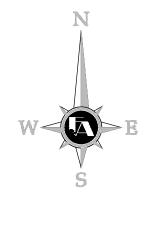


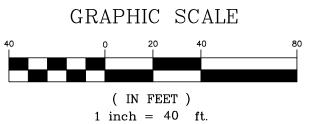


	0 SKT PENCIL HULLT
_	10 - CARISSA HOLLY
<u> </u>	1 - SWEETBAY MAGNOLIA



BRICK COLUMN AND METAL FENCE





LANDSCAPE PLAN				
YORK PLACE				
PLANNED DEVELOPMENT				
CASE NO.: PD 25-		FORMER CASE NUMBERS: BOA 1980-056		
NUMBER OF LOTS: 9	ACREAGE: 1.09 AC. 47,717.48 S.F.		WARD 15, BLOCK 29 PARCELS 11,12, PORTIONS OF 7,8,9,10	
DEVELOPER: EDDIE KIRCHER HOMES 1196 POPLAR AVE			FISHER & ARNOLD, INC. 9180 CRESTWYN HILLS DR.	



WHITEHEAD LAW, PLLC. 275 JEFFERSON AVE MEMPHIS, TN 38103 901-810-5789

		47,7	717.48 S.F.	11,12, PORTIONS OF 7,8,9,10	
	DEVELOPER: EDDIE KIRCHER H 1196 POPLAR AVE MEMPHIS, TN 3801		ENGINEER: FISHER & ARNOLD, INC. 9180 CRESTWYN HILLS DR. MEMPHIS, TN 38125		
:.	100 YEAR FLOOD ELEVATION: ELEV. N/A	FEMA MAP PANEL NUMBER: 47157C 0270F		FEMA MAP DATE: SEPTEMBER 28, 2007	
	DATE: FEBRUARY, 2025	SCALE: 1" = 60		SHEET_1_OF_3.	

York Place Planned Development Outline Plan Conditions PD 2024-XX

I. PERMITTED USES

- A. Uses permitted in the R-8 residential district, excluding the following:
 - 1. Manufactured, modular home
 - 2. Personal care home for the elderly
 - 3. Senior living facility
 - 4. Police, fire, EMS substation
 - 5. School, public or private (K-12)
 - 6. Reservoir, control structure, water supply, water well
 - 7. Places of worship

II. BULK REGULATIONS

- A. A maximum of nine (9) lots shall be permitted.
- B. The bulk regulations shall be in conformance with the R-8 residential district, with the following exceptions:
 - 1. The minimum lot size shall be 3500 square feet.
 - 2. The minimum front yard setback shall five (5) feet, except for as follows:
 - a. Lot 9 shall have a minimum front yard setback along S. Willett St. of 30 feet.
 - The minimum side and rear yard setbacks shall be three (3) feet, six
 (6) inches, except for as follows:
 - a. Lot 1 shall have a minimum eastern side yard setback along S. Willett St. of ten (10) feet.
 - b. Lot 9 shall have a minimum northern side yard setback along the private drive of three (3) feet, six (6) inches.
 - 4. All building setbacks along the private drive shall be measured from the edge of the private drive.

III. CIRCULATION, ACCESS AND PARKING

- A. Permit one (1) point of full movement vehicular access along S. Willett Street in the general location illustrated on the Outline/Final Plan.
- B. The internal drive shall be private, owned and maintained by a homeowners association.
- C. All lots shall contain at least two (2) parking spaces.
- D. Trash collection shall be private.

IV. ARCHITECTURAL, FENCING AND SIGN GUIDELINES

- A. Front-loaded garages shall be prohibited on Lots 6, 7 and 9. On all other lots, front-loaded garages shall be recessed a minimum of five (5) feet from the primary front façade of the homes.
- B. A sight-proof fence with a maximum height of nine (9) feet shall be provided along the south property line of the site. A sight-proof fence with a maximum height of six (6) feet shall be provided along the west and north property lines of the site, except along the northern property line of Lot 1. A decorative metal fence with a maximum height of six (6) feet may be provided along the S. Willett St. frontage of Lots 1 and 9. The perimeter fencing shall not require masonry support columns.
- C. A minimum 3.5-foot landscaped buffer shall be provided where the private drive and guest parking areas abut adjacent single-family lots.
- D. One (1) subdivision entrance feature sign shall be permitted along Willett Street measuring 42 inches tall by 30 inches wide.

V. SITE PLAN REVIEW PROCESS

- A. A Final Plan shall be filed within five (5) years of the approval of the general plan. The Land Use Control Board may grant extensions at the request of the applicant.
- B. Any Final Plan is subject to the administrative approval of DPD and shall include the following:
 - 1. The Outline Plan Conditions
 - 2. The location and dimensions of all drives, building setbacks, parking areas and any other common elements.
 - 3. The location and ownership, whether public or private, of any easement.
- C. Minor Deviations from this Outline Plan may be administratively approved by the Planning Director pursuant to UDC Para. 9.6.11D(3).

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL ONLY STAPLED TO DOCUMENTS	Planning & Z	oning COMMITTE PUBLIC SESSION:	DATE	Planning & Development DIVISION
ITEM (CHECK ONE)ORDINANCE	X_RESOLUTION	REQUEST FO	R PUBLIC HEARI	NG
ITEM DESCRIPTION:	Resolution pursuant	to Chapter 9.6 of the M at the subject property	lemphis and Shelby located at 2925 Ba	County Unified Development Code approving askin Street, known as case number SUP 2025-
CASE NUMBER:	SUP 2025-007			
LOCATION:	2925 Baskin Street			
COUNCIL DISTRICTS:	District 6 and Super	District 8 - Positions 1,	, 2, and 3	
OWNER/APPLICANT:	Sherry Jackson			
REPRESENTATIVE:	N/A			
REQUEST:		allow a child care cent	ter	
AREA:	+/-21,649 square fee			
RECOMMENDATION:	The Division of Plan	ning and Development ol Board recommended		
RECOMMENDED COUN		c Hearing Not Requir c hearing – June 10, 20		
PRIOR ACTION ON ITEM (1) 05/08/2025 (1) Land Use Control Board FUNDING: (2) \$ \$ SOURCE AND AMOUNT \$ \$ ADMINISTRATIVE APPR CHENE CHA BATT KA		APPROVAL - (1) AF DATE ORGANIZATION - ((2) GOV'T. ENTITY REQUIRES CITY EX AMOUNT OF EXPE REVENUE TO BE R OPERATING BUDG CIP PROJECT # FEDERAL/STATE/C \underline{DATE} 5/12/2	(1) BOARD / COM (3) COUNCIL CO EXPENDITURE - (1) ENDITURE ECCIVED GET DTHER <u>POSITION</u> S PLANNER II DEPUTY AD 25 ADMINISTR	IMISSION DMMITTEE) YES (2) NO I DMINISTRATOR (JOINT APPROVAL) LER IRECTOR
				AINISTRATIVE OFFICER SE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2025-007

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 2925 BASKIN STREET, KNOWN AS CASE NUMBER SUP 2025-007

- This item is a resolution with conditions for a special use permit to allow a child care center; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, May 8, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SUP 2025-007
LOCATION:	2925 Baskin Street
COUNCIL DISTRICT(S):	District 6 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Sherry Jackson
REPRESENTATIVE:	N/A
REQUEST:	Special use permit to allow a child care center
EXISTING ZONING:	Residential Single-Family – 6 (R-6)
AREA:	+/-21,649 square feet

The following spoke in support of the application: Sherry Jackson, Dorothy Maclin, Tyrone Maclin

The following spoke in opposition to the application: Peggy Boyd, Edith O'Donnell, Anne M. Adams, Deloris Marable, Marvis Rodgers, James Itson

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

The motion passed by a vote of 10-0.

Respectfully,

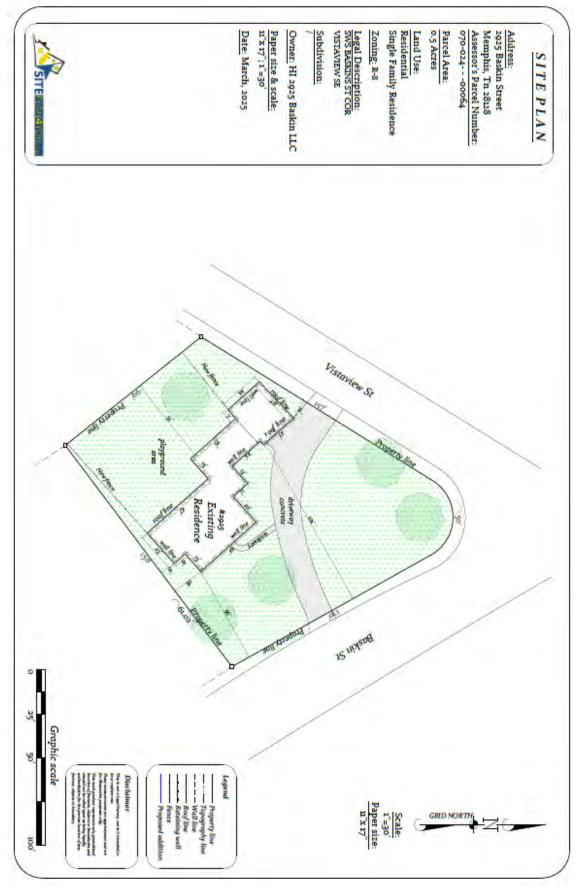
Chloe Christian

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

Cc: Committee Members File

SUP 2025-007 CONDITIONS

- 1. A maximum of 32 children may be on site at any given time.
- 2. The existing curb cut on Baskin Street must be closed. Excess driveway pavement related to the curb cut closure shall be removed.
- 3. A new curb cut shall be installed on Baskin Street that shall be exit only. The Vista View curb cut shall be enter only.
- 4. The residential character and scale of the structure shall be maintained.
- 5. The applicant shall submit a detailed landscape plan with Class III Buffer or an alternative along property lines abutting residential uses subject to administrative review by the Division of Planning and Development review and approval.
- 6. The applicant shall submit a final site plan subject to administrative review and approval by the Division of Planning and Development.



SITE PLAN

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 2925 BASKIN STREET, KNOWN AS CASE NUMBER SUP 2025-007

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

WHEREAS, Sherry Jackson filed an application with the Memphis and Shelby County Division of Planning and Development to allow a child care center; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on May 8, 2025, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

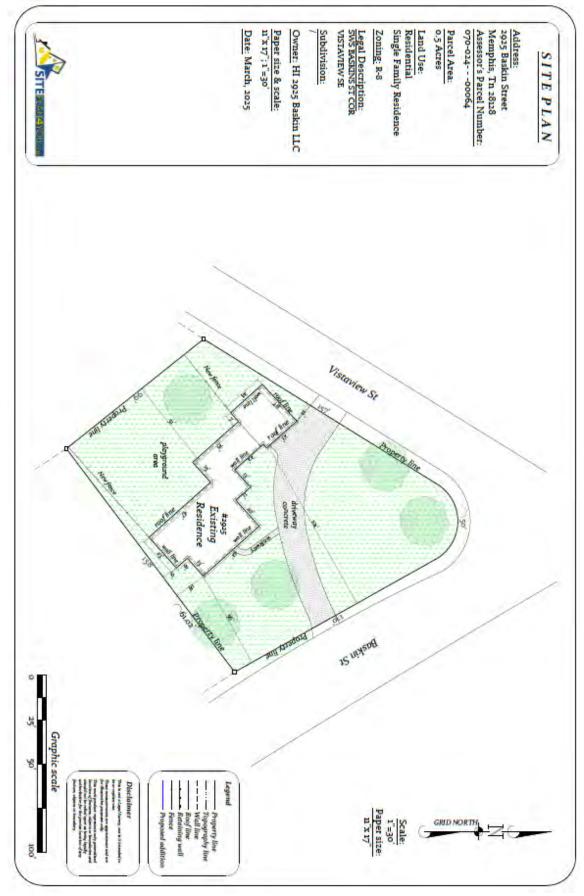
NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted for the request use in accordance with the attached conditions.

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

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

CONDITIONS

- 1. A maximum of 32 children may be on site at any given time.
- 2. The existing curb cut on Baskin Street must be closed. Excess driveway pavement related to the curb cut closure shall be removed.
- 3. A new curb cut shall be installed on Baskin Street that shall be exit only. The Vista View curb cut shall be enter only.
- 4. The residential character and scale of the structure shall be maintained.
- 5. The applicant shall submit a detailed landscape plan with Class III Buffer or an alternative along property lines abutting residential uses subject to administrative review by the Division of Planning and Development review and approval.
- 6. The applicant shall submit a final site plan subject to administrative review and approval by the Division of Planning and Development.



SITE PLAN

ATTEST:

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

dpd MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT		
AGENDA ITEM:	13	L.U.C.B. MEETING:	May 8, 2025		
CASE NUMBER:	SUP 2025-007				
LOCATION:	2925 Baskin Street				
COUNCIL DISTRICT:	District 6 and Super District 8 – Positions 1, 2, and 3				
OWNER/APPLICANT:	Sherry Jackson				
REPRESENTATIVE:	N/A				
REQUEST:	Special use permit to allow a child care center				
EXISTING ZONING:	Residential Single-Family – 6 (R-6	5)			

CONCLUSIONS

- 1. The request is a special use permit to allow a child care center. Staff supports the request with a condition to accommodate no more than 32 children.
- 2. The site plan proposes two access points to the site on either frontage along Baskin and Vista View Streets. A new fence is proposed to the rear of the structure with space allotted for a playground area. While no landscape plan was submitted with this application, staff is including a condition of approval which will require a landscape plan in accordance with UDC Section 2.6.2 which requires a landscape buffer on property lines abutting residential uses.
- 3. The granting of this special use permit will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC.

CONSISTENCY WITH MEMPHIS 3.0

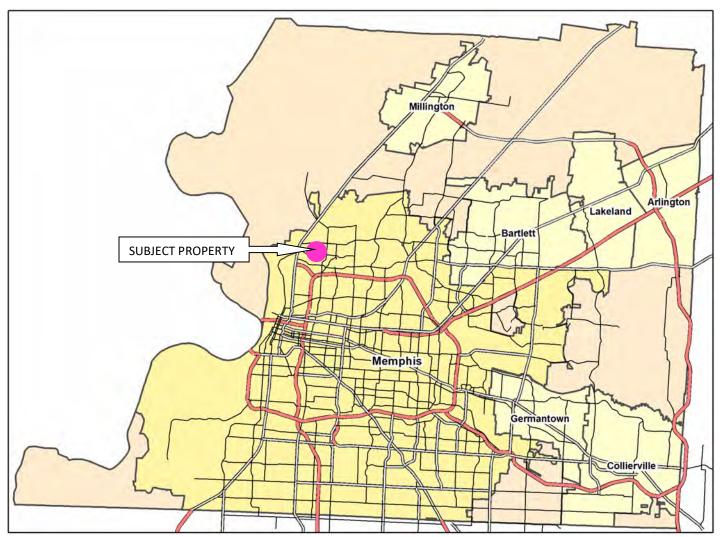
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 19-21 of this report.

RECOMMENDATION:

Approval with conditions

LOCATION MAP

May 8, 2025 Page 2



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 78 notices were mailed on April 17, 2025 see page 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 5:00 PM on Sunday, April 27, 2025, at 2925 Baskin Street.



Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



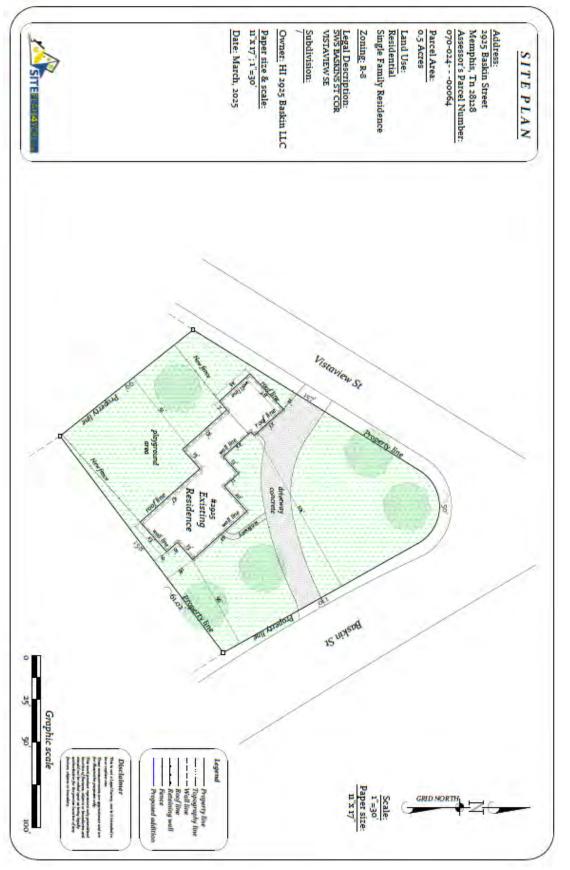
Subject property indicated by a pink star



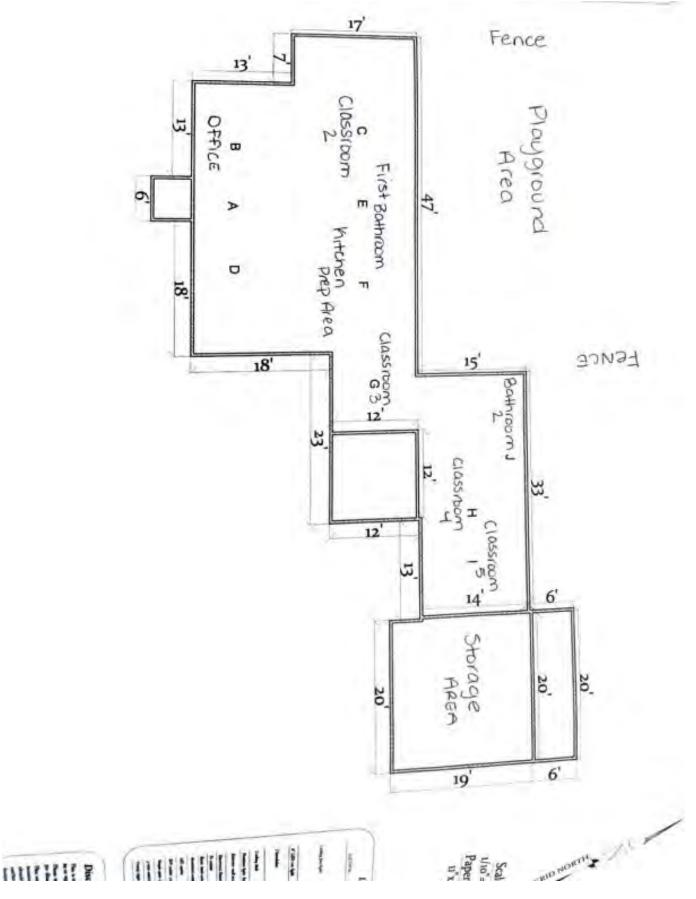
View of subject property from the intersection of Baskin Street and Vista View Street (Google Street view, 2023).



View of proposed entry point on subject property from Vista View Street (Google Street view, 2019).



FLOOR PLAN



CASE REVIEW

The request is a special use permit to allow a child care center.

Approval Criteria

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

9.6.9 Approval Criteria

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

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

<u>Site Details</u> Address: 2925 Baskin Street

Parcel ID: 070024 00064

Area: +/-21,649.32 square feet

Description:

The subject property is not located within any known recorded subdivisions or planned developments. It is zoned Residential Single-Family – 8 (R-8). Per the Assessor's website, the principal structure on the site was built in 1955 and is a one-story structure with a ground floor area of 1,856 square feet. The surrounding land uses are predominantly single-family, however there are civic land uses north of the subject property including Whitney Elementary School and Porter-Leath Early Childhood Academy. Additionally, this lot is a corner lot with two street frontages.

Site Plan Review

The site plan proposes two access points to the site on either frontage along Baskin and Vista View Streets. A new fence is proposed to the rear of the structure with space allotted for a playground area. While no landscape plan was submitted with this application, staff is including a condition of approval which will require a landscape plan in accordance with UDC Section 2.6.2 which requires a landscape buffer on property lines abutting residential uses. Due to the decreased side setback on the eastern property line, a landscaping alternative may be approved by staff.

Analysis

Overall, staff supports the request to allow a daycare at the subject property. Given its location on a corner lot, staff encourages the applicant to utilize the Vista View curb cut for entry only. Due to its proximity to the intersection of Baskin and Vista View, the existing concrete apron on Baskin Street will be closed. Upon the request of staff, the applicant has proposed a new curb cut to be installed on Baskin Street further south from the end of the curb radius to accommodate the volume of vehicles. Staff recommends that this access point would be exit-only, in order for traffic to flow in from Vista View and out onto Baskin Street. Per UDC Sub-Section 2.6.2A, City Engineering must approve the off-street passenger loading area.

Staff recommends the above changes to the proposed site plan in order to address concerns regarding traffic and accessibility. If approved, this new curb cut would be subject to the review and approval of City Engineering during the curb cut permitting process.

The Civic Use Standards of UDC Item 2.6.2B(3)(b) stipulate that the distance from the closest existing child care center to proposed child care center shall be at least 1,320 feet when measured along the most direct roadway route between the two sites. The images on page 13 of this report illustrate that when measured along the centerline of Baskin Road from the exit of one facility to the entrance of the other facility, in both

May 8, 2025 Page 11

instances the distance measured is over 1,320 feet from the existing Porter-Leath Early Childhood Academy, thus in compliance with the UDC.

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

DISTANCE CALCULATIONS PER UDC ITEM 2.6.2B(3)(b)



+/- 1,349 feet: Exit of proposed childcare center to entrance of existing childcare center



+/- 1,483 feet: Exit of existing childcare center to entrance proposed childcare center

May 8, 2025 Page 13

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

- 1. A maximum of 32 children may be on site at any given time.
- 2. The existing curb cut on Baskin Street must be closed. Excess driveway pavement related to the curb cut closure shall be removed.
- 3. A new curb cut shall be installed on Baskin Street that shall be exit only. The Vista View curb cut shall be enter only.
- 4. The residential character and scale of the structure shall be maintained.
- 5. The applicant shall submit a detailed landscape plan with Class III Buffer or an alternative subject to administrative review by the Division of Planning and Development review and approval along property lines abutting residential uses.
- 6. The applicant shall submit a final site plan subject to administrative review and approval by the Division of Planning and Development.

DEPARTMENTAL COMMENTS

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

City Engineer:	See pages 16-17.
City Fire Division:	See page 18.
City Real Estate:	No comments received.
County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Office of Sustainability and Resilience:	No comments received.
Office of Comprehensive Planning:	See pages 19-21.

CASE 18: SUP-25-007

NAME: 2925 BASKIN STREET; HONEY'S PRESCHOOL ACADEMY

BASIN/LOT/CD: NORTH WOLF RIVER, 8-A/.497AC /7

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

Sewers:

- 2. City sanitary sewers are available to serve this development.
- 3. If the MLGW assigned a new mater meter for upsizing the existing water meter size, The sewer Development fee is required.

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

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

May 8, 2025 Page 17

Site Plan Notes:

- 11. An adequate review cannot be made without knowing the maximum number of children at the Daycare Center.
- 12. Provide a continuous, one-way, on-site traffic pattern or a paved, circular turn-around that will provide for exit by forward motion without any on-site backing of vehicles.
- 13. Locate the pick-up/discharge area as far as possible from the entrance as practical to maximize on-site queue space for vehicles between the right-of-way and the pick-up/discharge point.
- 14. Provide a paved and curbed pick-up/discharge area that does not cause children to walk between parked cars or across traffic aisles.
- 15. All parking areas and driving aisles to be paved with asphalt or concrete.
- 16. Required landscaping shall not be placed on sewer or drainage easements.



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

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

Case Number: SUP 2025-007 Date Reviewed: 5/1/25 Reviewed by: J. Stinson Address or Site Reference: 2925 Baskin

- This facility will be classified as an Educational occupancy based on the following information provided: No more than 5 children under the age of 2 ½ years will be cared for. The room in which these children will be cared for has a door leading directly to the exterior.
- Contact the State Fire Marshals office to determine if a Manual fire alarm will be required.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services Department in their recommendation: <u>SUP 2025-007: Frayser</u>

Site Address/Location: 2925 Baskin St.

Overlay District/Historic District/Flood Zone: Not located in a Residential Corridor, Flood Zone or Historic District Future Land Use Designation: Primarily Single-Unit Neighborhood (NS) Street Type: Avenue

The applicant is requesting a special use permit to allow a day care / preschool in residential single-family district. The following information about the land use designation can be found on pages 76 – 122:

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

May 8, 2025 Page 20

Primarily Single-Unit Neighborhood (NS) are residential neighborhoods consisting primarily of single-unit houses that are a Community Anchor. Graphic portrayal of NS is to the right.



"NS" Form & Location Characteristics

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

"NS" Zoning Notes

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

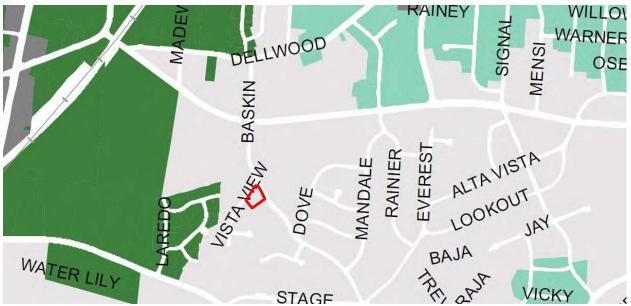
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Single-Family; R-8

Adjacent Land Use and Zoning: Single-Family, Multi-family, Institutional, Vacant; R-8, RU-1, CMU-2

Overall Compatibility: This requested use is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed building is a day care / preschool in residential single-family district.

3. Degree of Change Map



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

4. Degree of Change Description

N/A

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

N/A

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

May 8, 2025 Page 21

N/A

Consistency Analysis Summary

The applicant is requesting a special use permit to allow a day care / preschool in residential single-family district. This requested use is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed building is a day care / preschool in residential single-family district.

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

Summary Compiled by: Negin Hamidi, Comprehensive Planning.

MAILED PUBLIC NOTICE

NOTICE OF P	UBLIC HEARING	SHELBY COUNTY AND DEVELOPMENT
considered at an upcoming pul Shelby County Land Use Contro attend this hearing, but you are	f a development application to be olic hearing of the Memphis and ol Board. You are not required to a invited to do so if you wish to ation. You may also submit a letter er listed below no later than	VICINITY MAP
CASE NUMBER: SUP 2025-007 ADDRESS: 2925 Baskin St REQUEST: Special Use pe APPLICANT: Sherry Jackson	rmit to allow a daycare/pre-school	
<u>Meeting Details</u> Location: Council Chambers City Hall 1st Floor 125 N Main St.	Time: 9:00 AM Date: Thursday, May 8, 2025	171624 6060 271624 6060 271624 6060 271624 6060
Staff Planner Contact: Chloe Christion ☑ chloe.christion@memphist € (901) 636-7494	n.gov	To learn more about this proposal, contact the staff planner or use the QR code to view the full application.

AFFIDAVIT

Shelby County State of Tennessee

I, <u>Shimi Jackson</u>, being duly sworn, depose and say that at <u>10,18</u> am/pm on the <u>124</u> day of <u>14ppil</u>, 20<u>25</u>, I posted <u>Public Notice Sign(s)</u> pertaining to Case No<u>Sup 2025-b07</u> at <u>2925</u> <u>Buskin</u> 54

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 of Representative

Subscribed and sworn to before me this 12th day of Apr. 1 2025.

dary Public

My commission expires: 04/15/2028



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

Expiration Date:

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Pending Opened Date: March 25, 2025

Record Number: SUP 2025-007

Record Name: Honey's Preschool Academy

Description of Work: Honey's Preschool Academy is a nurturing educational environment for young children, focusing on play-based learning and holistic development. Our mission is to inspire a love for learning through interactive that promote social, emotional, cognitive, and physical growth. We will offer tailored programs for ages 2 to 5 years of age, emphasizing creativity and collaboration. Our experienced educators provide personalized attention while encouraging family involvement through workshops and events. Honey's Preschool Academy aims to lay a strong foundation for lifelong learning in a safe and inclusive atmosphere.

Parent Record Number:

Address: 2925 BASKIN ST, MEMPHIS 38127

Owner Information

Primary Owner Name Y HI 2925 BASKIN LLC Owner Address 0 P.O. BOX 238, EADS, TN 38028

Parcel Information

070024 00064

Data Fields

PREAPPLICATION MEETING

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

Page 1 of 3

Chloe Christion 03/04/2025 Phone

SUP 2025-007

Owner Phone

GENERAL PROJECT INFORMATION

Application Type

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

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

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

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

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

UDC Sub-Section 9.6.9C

UDC Sub-Section 9.6.9D

UDC Sub-Section 9.6.9E

UDC Sub-Section 9.6.9F

GIS INFORMATION

Case Layer Central Business Improvement District Class Downtown Fire District Historic District Land Use Municipality Overlay/Special Purpose District Zoning New Special Use Permit (SUP) REC25-00000-009R2

No

n/a

The project will be evaluated to ensure it does not negatively impact adjacent properties, neighborhood character, traffic, parking, utility services, or overall public health, safety, and welfare.

The project will be designed and operated to ensure compatibility with the surrounding area, adhering to district regulations and minimizing any interference with the any interference with the development and use of adjacent properties.

The project will be adequately supported by essential public facilities and services, including streets, parking, drainage, waste disposal, fire protection, emergency services, and water and sewer systems, or the applicant and or owner will provide these services.

The project will be designed to prevent the destruction, loss or damage of any features deemed significant for their natural, scenic,or historic importance by governing bodies.

The project will adhere to all additional standards required by specific provisions that authorize its use. The request will not negativity impact any existing plans or violate the character of development standards for adjacent properties.

Page 2 of 3

No

No

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MEMPHIS AND DIVISION OF PLANNING

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.

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

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

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

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

of the property located at 2925 Back in St Memphrs, TN 38127 and further identified by Assessor's Parcel Number 07.0024 00064 for which an application is being made to the Division of Planning and Development.

Subscribed and swom to (or affirmed) before me this 23 day of April in the year of 2025 ERMAN My Commission Expires March 6, 2027 Signature of Notary Public My Commission Expires

Staff Report SUP 2025-007

LETTER OF INTENT

Sherry Jackson Honey's Preschool Learning Academy 2925 Baskin St Memphis, TN 38127 sherryjackson2373@gmail.com 901-825-3450 March 1, 2025

[Recipient's Name] [Recipient's Organization] [Recipient's Address] [City, State, ZIP Code]

Subject: Letter of Intent for Honey's Preschool Learning Academy

Dear [Recipient's Name],

I am pleased to submit this Letter of Intent on behalf of Honey's Preschool Learning Academy, expressing our strong interest in utilizing the property located at [Property Address] for the establishment of our early childhood education center.

About Honey's Preschool Learning Academy

Honey's Preschool Learning Academy is dedicated to providing high-quality early childhood education for children aged 2 to 5 years old. Our mission is to foster a nurturing, engaging, and stimulating environment that promotes cognitive, social, and emotional development. Our curriculum is designed to prepare young learners for kindergarten and beyond, with a strong emphasis on creativity, literacy, and hands-on learning experiences.

Intent and Use of the Property

We propose to utilize the existing 1,856 sq. ft. main building as the core instructional and activity space, with designated classrooms tailored to different age groups. The 380 sq. ft. carport will be converted into a covered outdoor play area or a parent drop-off zone, ensuring convenience and safety. Additional areas such as the utility space (120 sq. ft.) will be used for storage, and the 144 sq. ft. patio will serve as an outdoor learning environment for interactive lessons and creative activities.

Our goal is to transform this space into a safe, inclusive, and enriching preschool that will serve approximately 55 to 60 children, providing them with an excellent foundation for

May 8, 2025 Page 28

lifelong learning.

Next Steps

We welcome the opportunity to discuss this proposal further and provide any additional documentation required. Please feel free to contact me at your earliest convenience to arrange a meeting.

Thank you for your time and consideration. We look forward to collaborating and making a positive impact on the community through early childhood education.

Sincerely,

Sherry Jackson Owner Honey's Preschool Learning Academy

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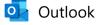
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May 8, 2025 Page 29 Staff Report SUP 2025-007

LETTERS RECEIVED

May 8, 2025 Page 30

Six (6) letters of opposition have been received at the time of completion of this report.



SUP-2025-007

From Edith ODonnell <edieodonnell@att.net>

Date Wed 4/23/2025 1:18 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.

Edith O'Donnell 2923 Baskin St Memphis, TN 38127 edieodonnell@att.net 901-493-2938 4/23/2025

To Whom It May Concern,

Case Number: SUP-2025-007

Adress: 2925 Baskin Street

Request: Special Use permit to allow a daycare/preschool

I am writing as a resident of this community to express my strong opposition to the proposed preschool/daycare development at 2925 Baskin St. While I fully support access to quality early childhood education, placing a facility of this nature within our quiet, residential community raises several serious concerns.

First and foremost, increased **traffic and congestion** will significantly disrupt our neighborhood. Our streets were not designed to handle the volume of daily drop-offs and pick-ups that a daycare or preschool would generate. The additional traffic poses safety risks, particularly to children who currently walk, bike, and play in the neighborhood. My grand-children and I frequently play outside and walk to and from my house at 2923 Baskin St. to 2943 Vistaview street. The increased traffic poses safety concerns for this. Also, Vistaview Street, where the house sits at the corner, is a small street barely wide enough for traffic to flow through if a vehicle is parked on the street. We frequently have drivers that drive too fast down Baskin and Vistaview as it is. Also, if there is a wreck along any of the major streets surrounding this neighborhood (Hwy 51 or Stage) Baskin gets backed up from Whitney to Stage.

Additionally, the **noise levels** associated with a preschool/daycare operation — including outdoor play, deliveries, and daily comings and goings — are incompatible with the peaceful environment that residents have chosen and expect. Many of us moved here precisely because of the quiet, residential nature of the neighborhood.

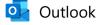
This proposal also sets a concerning precedent of introducing **commercial operations** into a strictly residential zone. Approving this facility could open the door for further non-residential developments, which would fundamentally change the character and cohesion of our community.

We believe that while the intentions behind the proposed facility may be good, the location is not appropriate. There are more suitable sites in commercially zoned areas that can support the traffic and operational needs of a preschool/daycare without disrupting a residential community.

We respectfully urge the planning board, zoning committee, and relevant decision-makers to **deny** this proposal and protect the integrity and residential character of our neighborhood.

Thank you for your time and consideration.

Sincerely, Edith O'Donnell



SUP-205-007

From Cornelius O'Donnell <cornelius12990@gmail.com>Date Wed 4/23/2025 12:50 PMTo 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.

Cornelius ODonnell

2943 Vistaview St Memphis, TN 38127 4/23/2025

To Whom It May Concern,

Case Number: SUP-2025-007

Adress: 2925 Baskin Street

Request: Special Use permit to allow a daycare/preschool

I am writing as a resident of this community to express my strong opposition to the proposed preschool/daycare development at 2925 Baskin St. While I fully support access to quality early childhood education, placing a facility of this nature within our quiet, residential community raises several serious concerns.

First and foremost, increased **traffic and congestion** will significantly disrupt our neighborhood. Our streets were not designed to handle the volume of daily drop-offs and pick-ups that a daycare or preschool would generate. The additional traffic poses safety risks, particularly to children who currently walk, bike, and play in the neighborhood. My children and I frequently play outside and walk to and from my parents house at 2923 Baskin St. The increased traffic poses safety concerns for this. Also Vistaview Street, where the house sits at the corner, is a small street barely wide enough for traffic to flow through if a vehicle is parked on the street. We frequently have drivers that drive too fast down Baskin and Vistaview as it is. Also, if there is a wreck along any of the major streets surrounding this neighborhood (Hwy 51 or Stage) Baskin gets backed up from Whitney to Stage.

Additionally, the **noise levels** associated with a preschool/daycare operation — including outdoor play, deliveries, and daily comings and goings — are incompatible with the peaceful environment that residents have chosen and expect. Many of us moved here precisely because of the quiet, residential nature of the neighborhood.

This proposal also sets a concerning precedent of introducing **commercial operations** into a strictly residential zone. Approving this facility could open the door for further non-residential developments, which would fundamentally change the character and cohesion of our community.

We believe that while the intentions behind the proposed facility may be good, the location is not appropriate. There are more suitable sites in commercially zoned areas that can support the traffic and operational needs of a preschool/daycare without disrupting a residential community.

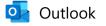
We respectfully urge the planning board, zoning committee, and relevant decision-makers to **deny** this proposal and protect the integrity and residential character of our neighborhood.

Thank you for your time and consideration.

Sincerely, Cornelius ODonnell

--

Cornelius T. O'Donnell IV



SUP-2025-007

From Danielle O'Donnell <daniodonnell@gmail.com>
Date Wed 4/23/2025 12:44 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.

Patricia Danielle O'Donnell 2943 Vistaview St Memphis, TN 38127 daniodonnell2gmail.com 901-493-2159 4/23/2025

To Whom It May Concern,

Case Number: SUP-2025-007

Adress: 2925 Baskin Street

Request: Special Use permit to allow a daycare/preschool

I am writing as a resident of this community to express my strong opposition to the proposed preschool/daycare development at 2925 Baskin St. While I fully support access to quality early childhood education, placing a facility of this nature within our quiet, residential community raises several serious concerns.

First and foremost, increased **traffic and congestion** will significantly disrupt our neighborhood. Our streets were not designed to handle the volume of daily drop-offs and pick-ups that a daycare or preschool would generate. The additional traffic poses safety risks, particularly to children who currently walk, bike, and play in the neighborhood. My children and I frequently play outside and walk to and from my parents house at 2923 Baskin St. The increased traffic poses safety concerns for this. Also Vistaview Street, where the house sits at the corner, is a small street barely wide enough for traffic to flow through if a vehicle is parked on the street. We frequently have drivers that drive too fast down Baskin and Vistaview as it is. Also, if there is a wreck along any of the major streets surrounding this neighborhood (Hwy 51 or Stage) Baskin gets backed up from Whitney to Stage.

Additionally, the **noise levels** associated with a preschool/daycare operation — including outdoor play, deliveries, and daily comings and goings — are incompatible with the peaceful environment that residents have chosen and expect. Many of us moved here precisely because of the quiet, residential nature of the neighborhood.

This proposal also sets a concerning precedent of introducing **commercial operations** into a strictly residential zone. Approving this facility could open the door for further non-residential developments,

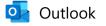
which would fundamentally change the character and cohesion of our community.

We believe that while the intentions behind the proposed facility may be good, the location is not appropriate. There are more suitable sites in commercially zoned areas that can support the traffic and operational needs of a preschool/daycare without disrupting a residential community.

We respectfully urge the planning board, zoning committee, and relevant decision-makers to **deny** this proposal and protect the integrity and residential character of our neighborhood.

Thank you for your time and consideration.

Sincerely, Patricia Danielle O'Donnell



SUP-2025-007

From Raianna Parker <raparker137@gmail.com>
Date Wed 4/23/2025 1:53 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.

Raianna Parker 2923 Baskin St Memphis, TN 38127 <u>raparker137@gmail.com</u> 901-531-0712 4/23/2025

To Whom It May Concern,

Case Number: SUP-2025-007

Address: 2925 Baskin Street

Request: Special Use permit to allow a daycare/preschool

I am writing as a resident of this community to express my strong opposition to the proposed preschool/daycare development at 2925 Baskin St. While I fully support access to quality early childhood education, placing a facility of this nature within our quiet, residential community raises several serious concerns.

First and foremost, increased **traffic and congestion** will significantly disrupt our neighborhood. Our streets were not designed to handle the volume of daily drop-offs and pick-ups that a daycare or preschool would generate. The additional traffic poses safety risks, particularly to children who currently walk, bike, and play in the neighborhood. I frequently walk and run outside from my house, 2923 Baskin St., and down Vistaview street. The increased traffic poses safety concerns for this. Also, Vistaview Street, where the house sits at the corner, is a small street barely wide enough for traffic to flow through if a vehicle is parked on the street. We frequently have drivers that drive too fast down Baskin and Vistaview as it is. Also, if there is a wreck along any of the major streets surrounding this neighborhood (Hwy 51 or Stage) Baskin gets backed up from Whitney to Stage.

Additionally, the **noise levels** associated with a preschool/daycare operation — including outdoor play, deliveries, and daily comings and goings — are incompatible with the peaceful environment that residents have chosen and expect. Many of us moved here precisely because of the quiet, residential nature of the neighborhood.

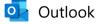
This proposal also sets a concerning precedent of introducing **commercial operations** into a strictly residential zone. Approving this facility could open the door for further non-residential developments, which would fundamentally change the character and cohesion of our community.

We believe that while the intentions behind the proposed facility may be good, the location is not appropriate. There are more suitable sites in commercially zoned areas that can support the traffic and operational needs of a preschool/daycare without disrupting a residential community.

We respectfully urge the planning board, zoning committee, and relevant decision-makers to **deny** this proposal and protect the integrity and residential character of our neighborhood.

Thank you for your time and consideration.

Sincerely, Raianna Parker

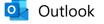


Case # SUP 2025-007 2925 Baskin Street, Memphis TN

From Lisa Wilkins < Imariewilkins@gmail.com>
Date Mon 4/28/2025 12:57 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 morning. My name is Lisa Wilkins and I reside at 1253 VistaView Cove. I have lived at this address for 29 years. My home is located in the cove right behind 2925 Baskin Street. I am writing to speak AGAINST application for a daycare at the location on Baskin. The corner in which the daycare will be located has absolutely no parking space for parents picking up and dropping off. It's located in a corner street that is already congested. The only available street to turn on is the street that leads to my cove. Which means all of the daycare traffic will have to come down in our cove just to turn around. The traffic alone will be too disruptive for our cove. This is a residential area and is not fit to have a business operating in this space. The street that would require the kids to be dropped off on is a two lane street with very limited view and cannot be parked on. So any car sitting there would be a visibility hazard. Please do not allow this application to pass. It would severely disrupt our already crowded street surrounding our cove. Thank you for your time.



Letter of Comment for Case #: SUP 2025-007 (2925 Baskin Street, Memphis TN)

From Andrea Wilkins <andreamariewilkins@gmail.com>Date Mon 4/28/2025 9:11 PMTo Christion, Chloe <Chloe.Christion@memphistn.gov>

1 attachment (67 KB) Letter of Comment Case # SUP 2025-007.pdf;

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

Hello,

My name is Andrea Wilkins, and I live with my mother at 1253 Vistaview Cove, Memphis, TN, 38127. I have attached a letter of comment opposing the special use permit for the address 2925 Baskin St (case number: SUP 2025-007). I have also copied the contents of the letter below.

Thank you for your time and attention to this matter.

Sincerely, Andrea Wilkins Resident at 1253 Vistaview Cove, Memphis, TN, 38127

To Whom It May Concern,

I am writing to express my opposition to the proposed special use permit for Honey's Preschool Academy to be located at the corner of 2925 Baskin St. As a resident of this neighborhood, I have serious concerns regarding the impact this project would have on the safety, functionality, and character of our community.

First and foremost, <u>parking and traffic congestion</u> are major issues. The street where the preschool is proposed is already narrow and serves as the <u>only point of access in and out</u> of the cove where I live. Adding the daily influx of parents, staff, and visitors will create significant congestion, especially during morning and afternoon pick-up and drop-off times. In an emergency situation, such congestion could be life-threatening, as it would delay or block critical access for first responders.

Additionally, there is already a school located nearby. Introducing another school-related facility will <u>exacerbate existing traffic congestion</u> and create unnecessary safety hazards for students, parents, workers, and residents alike. The streets were not designed to handle the volume of traffic that would result from two schools operating in such close proximity.

Mail - Christion, Chloe - Outlook

Beyond the immediate safety concerns, the establishment of a commercial preschool in a neighborhood comprised entirely of single-family homes would be <u>substantially adverse to adjacent properties</u> and to the residential character of the area as a whole. Residents here value a quiet environment, and the introduction of a business would fundamentally disrupt that quality of life.

Furthermore, approving this special use permit could set a <u>dangerous precedent</u> for future commercial operations to move into the neighborhood, gradually eroding the residential integrity that zoning laws are specifically designed to protect.

For these reasons, I respectfully urge you to deny the special use permit for this preschool. The safety and well-being of the residents and the integrity of the neighborhood must come first.

Thank you for your consideration.

Land Use Control Board

04/29/2025

c/o Division of Planning and Development

125 N. Main Street

Memphis, TN 38103

Subject: Comments on Special Use Permit Case No. SUP 2025-007 – 2925 Baskin Street (Applicant: Sherry Jackson)

Dear Members of the Land Use Control Board,

We are writing as community members to submit formal comments regarding **Special Use Permit Case No. SUP 2025-007**, submitted by **Sherry Jackson** to allow the operation of a **daycare center/preschool** at **2925 Baskin Stree.t We have serious concerns regarding the **compatibility** of the proposed use with the surrounding residential neighborhood and the potential **impacts** it could have on the community.

Neighborhood Compatibility:

 The area surrounding 2925 Baskin Street is composed of single-family homes and is characterized by quiet residential living. Introducing a commercial daycare center into this context would disrupt the established character of the neighborhood. The proposed use is fundamentally incompatible with the existing land uses, zoning, The south side of the structure is barely 10ft from the property line and the adjacent House is just a little over the width of their driveway from the property line.

Traffic and Safety Impact:

A daycare center will significantly increase vehicle traffic during critical morning and afternoon drop off and pick up periods because of the traffic congestion that already exists from Whitney Elementary school which is to the immediate North side of proposed daycare/ preschool center. during these times traffic is backed all the way back to Baskin Street at Vista View, which is the corner where the proposed center will be. The children who walk to school must cross at that intersection and there is no crossing guard. Both Vista View Cove - a dead end and Baskin Street are 2 lane streets. The congestion during these times often makes it difficult for the residents on Vista View to get out (their only way out). These are unsafe conditions for children and pedestrians. Children walk past the congested intersection at Vista view Cove at Baskin Street - the corner where the center will be. At this corner where there are already traffic safety issues, the center would add to the safety risks because the center will be dropping off and picking off up to 20 + children. (their maximum capacity).

Noise and Operational Impact:

Daily operations, outdoor play, and vehicular movements associated with a daycare center would result in a sustained increase in noise levels, disrupting the peaceful environment that current residents rely on.

Property Values and Residential Stability:

Allowing a commercial daycare/ preschool center in a purely residential setting may negatively impact property values and undermine neighborhood stability by introducing incompatible land use pressures.

Given these concerns, we respectfully urge the Land Use Control Board to **deny** Special Use Permit Case No. SUP 2025-007.

Thank you for your attention to this matter. I appreciate the opportunity to participate in this important public process. A petition list is also submitted.

Sincerely, Concerned Resident

PETITION OF OPPOSITION

Special Use Permit Case No. SUP 2025-007

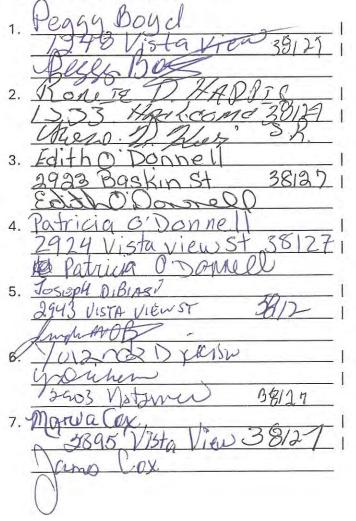
Address: 2925 Baskin Street, Memphis, TN

Applicant: Sherry Jackson

04/28/2025

We, the undersigned residents and stakeholders of the surrounding community, oppose the approval of Special Use Permit SUP 2025-007 to allow a daycare center/preschool at 2925 Baskin Street. We believe the proposed use is incompatible with the residential character of the neighborhood and will negatively impact traffic, safety, noise levels, and property values.

Printed Name | Address | Signature



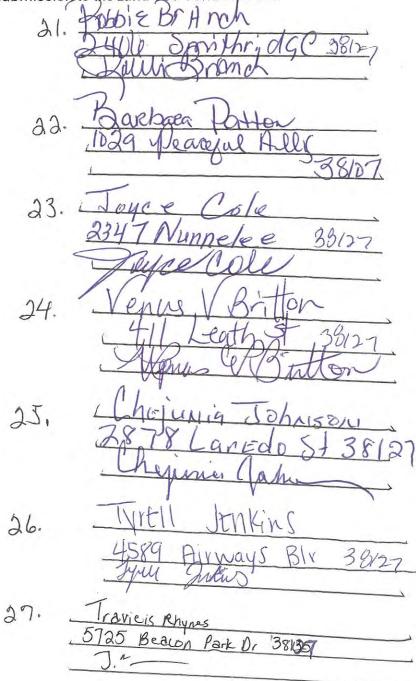
8 9. New quys 10. C.P EW 381 11. 3 38127 1251 Vista View 12. Anne M. Adams 1251 lierd CU. 3812 Uno m 13. AlVin MCENTIR 1240 Vista Vien 1 Cove alin miento Lisa Wilkins 14. Vistaliew Cove 1253 Memphis TH 38127 Dusall Andrea WILKINS 15. 3812 e VISTAVIELA 1253 andreas milki 381 F Memphis, TN 16._ Fouric COVE 38117 VISTOVIEND Luestere 17. 5 vista VIEW Cobe 18.-PROASE 879 eresa Garres 19. KAtherine Ware 2914 UistAView 3812 Kather ucu

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Instructions: Please complete all fields clearly. Return completed petition sheet for submission to the Land Use Control Board.





Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Pending Opened Date: March 25, 2025

Record Number: SUP 2025-007

Expiration Date:

Record Name: Honey's Preschool Academy

Description of Work: Honey's Preschool Academy is a nurturing educational environment for young children, focusing on play-based learning and holistic development. Our mission is to inspire a love for learning through interactive that promote social, emotional, cognitive, and physical growth. We will offer tailored programs for ages 2 to 5 years of age, emphasizing creativity and collaboration. Our experienced educators provide personalized attention while encouraging family involvement through workshops and events. Honey's Preschool Academy aims to lay a strong foundation for lifelong learning in a safe and inclusive atmosphere.

Parent Record Number:

Address:

2925 BASKIN ST, MEMPHIS 38127

Owner Information

Primary Owner Name Y HI 2925 BASKIN LLC Owner Address

0 P.O. BOX 238, EADS, TN 38028

Parcel Information

070024 00064

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Date of Meeting Pre-application Meeting Type GENERAL PROJECT INFORMATION Chloe Christion 03/04/2025 Phone **Owner Phone**

GENERAL PROJECT INFORMATION

Application Type

List any relevant former Docket / Case

Number(s) related to previous applications on this site

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

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

APPROVAL CRITERIA

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

B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations UDC Sub-Section 9.6.9C

UDC Sub-Section 9.6.9D

UDC Sub-Section 9.6.9E

UDC Sub-Section 9.6.9F

GIS INFORMATION

Case Layer
Central Business Improvement District
Class
Downtown Fire District
Historic District
Land Use
Municipality
Overlay/Special Purpose District
Zoning

New Special Use Permit (SUP) REC25-00000-009R2

n/a

The project will be evaluated to ensure it does not negatively impact adjacent properties, neighborhood character, traffic, parking, utility services, or overall public health, safety, and welfare.

The project will be designed and operated to ensure compatibility with the surrounding area, adhering to district regulations and minimizing any interference with the any interference with the development and use of adjacent properties.

The project will be adequately supported by essential public facilities and services, including streets, parking, drainage, waste disposal, fire protection, emergency services, and water and sewer systems, or the applicant and or owner will provide these services.

The project will be designed to prevent the destruction, loss or damage of any features deemed significant for their natural, scenic,or historic importance by governing bodies.

The project will adhere to all additional standards required by specific provisions that authorize its use. The request will not negativity impact any existing plans or violate the character of development standards for adjacent properties.

No

No

GIS INFORMATION

State Route	-
Lot	-
Subdivision	-
Planned Development District	-
Wellhead Protection Overlay District	No
County Commission District	-
City Council District	-
City Council Super District	-

Contact Information

Name SHERRY JACKSON

Address

Phone

(901)825-3450

Fee Information						
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1634710	Child Care Center (13+ children)	1	250.00	INVOICED	250.00	03/25/2025
1634710	Credit Card Use Fee (.026 x fee)	1	6.50	INVOICED	0.00	03/25/2025
		4 . L 🗖 L		TALD		0.00

Total Fee Invoiced: \$256.50

Total Balance: \$250.00

Contact Type

Payment Information

Payment AmountMethod of Payment\$6.50Credit Card

AFFIDAVIT OF OWNERSHIP

STATE OF TENNESSEE COUNTY OF SHELBY

BEFORE ME, the undersigned authority, personally appeared Andre Skiendziel, who, being duly sworn, deposes and states as follows:

1. Affiant: My name is Andre Skiendziel, and I am over the age of eighteen (18), competent to testify, and have personal knowledge of the facts set forth herein.

2. **Property Ownership**: I am the manager of **Heland Investments**, **LLC**, a duly formed and existing Series Limited Liability Company under the laws of the State of Tennessee. **Heland Investments**, **LLC**, through its designated Series **HI 2925 Baskin LLC**, a series **LLC of Heland Investments**, **LLC**, is the legal owner of the real property located at:

2925 Baskin St, Memphis, TN 38127, Tennessee.

3. Authority: As manager of Heland Investments, LLC, I have the full legal authority to execute this affidavit on behalf of the entity and affirm its ownership of the property.

4. Management: The property is managed, by contract, by Heland Services, LLC.

5. Verification: I affirm that the information provided in this affidavit is true and correct to the best of my knowledge.

FURTHER AFFIANT SAYETH NOT.

Andre Skiendziel Manager Heland Investments, LLC

Sworn to and subscribed before me this 2^{Th} day of <u>MAVCh</u>, 2025, by Andre Skiendziel, who is personally known to me or who has produced <u>Diversity Cons</u> identification.

Notary Public, State of Tennessee My Commission Expires: 08/07/2027





Property Management Division

Memphis, 03/07/2025

To Whom It May Concern,

I am writing to confirm that we, Heland Services, LLC, by a management agreement with the owner, manage the property located at 2925 Baskin St, Memphis, TN 38127. According to our policies and the owner's approval, we provide permission to <u>Honey Preschool Academy</u> to use the above building as a preschool once the lease agreement is signed and the legal authorities approve its use for that regard.

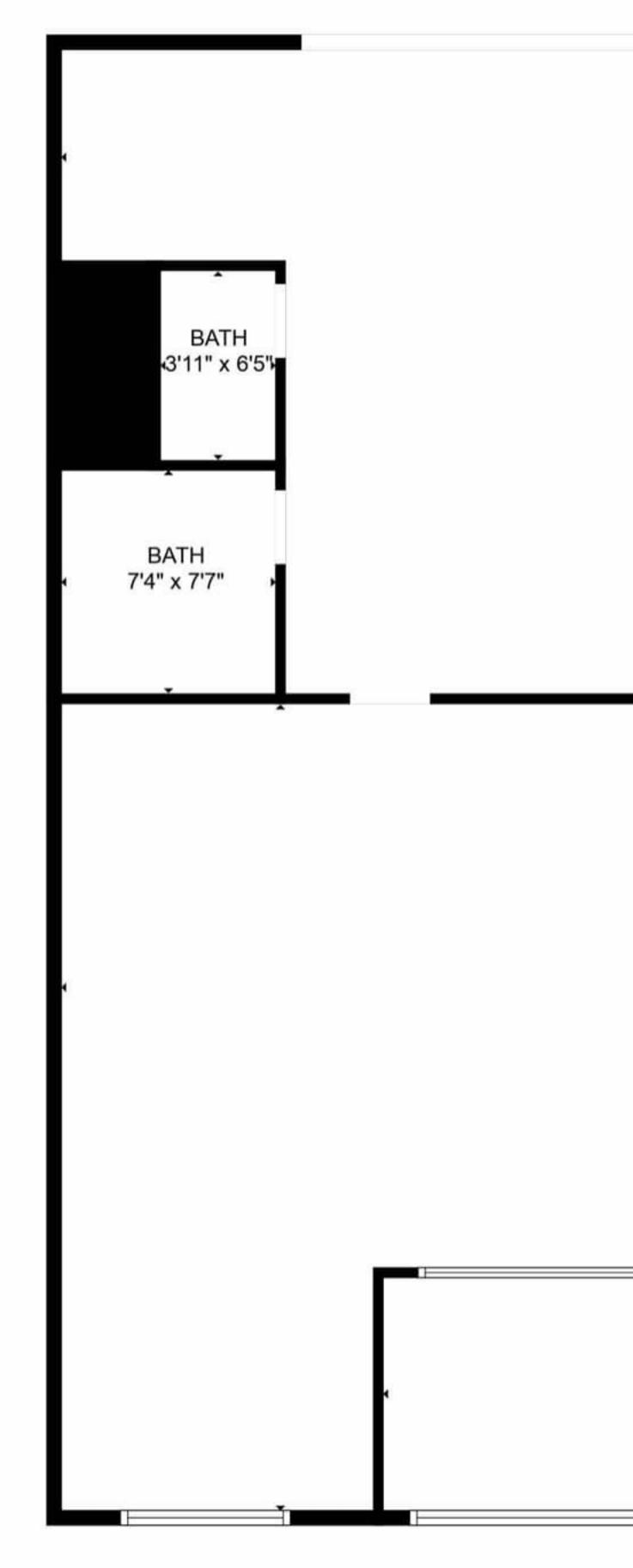
With nothing further at this time,

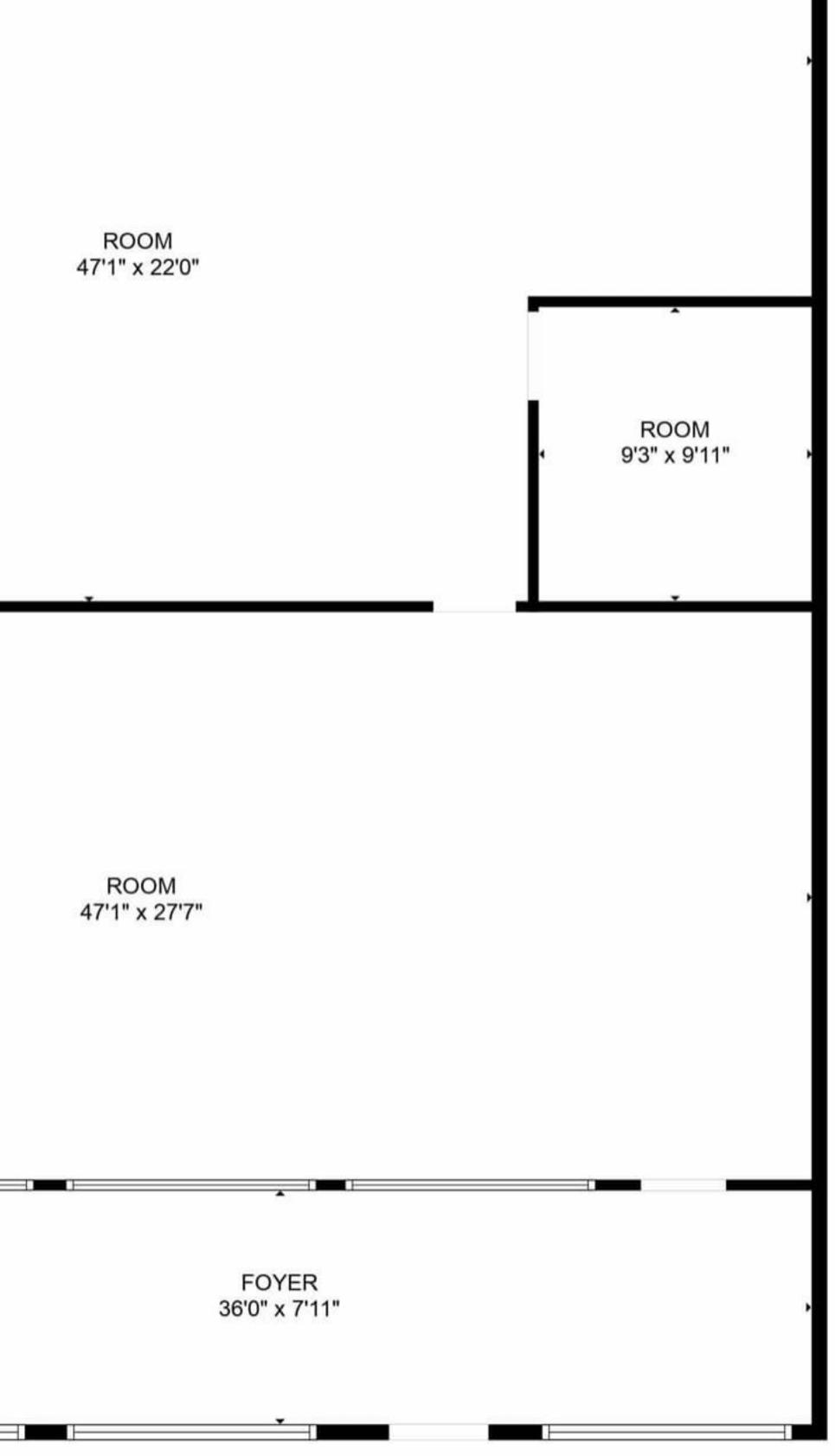
Sincerely,

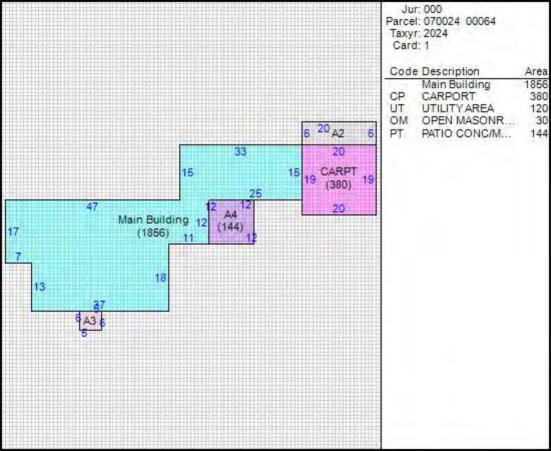
Andre Skiendziel

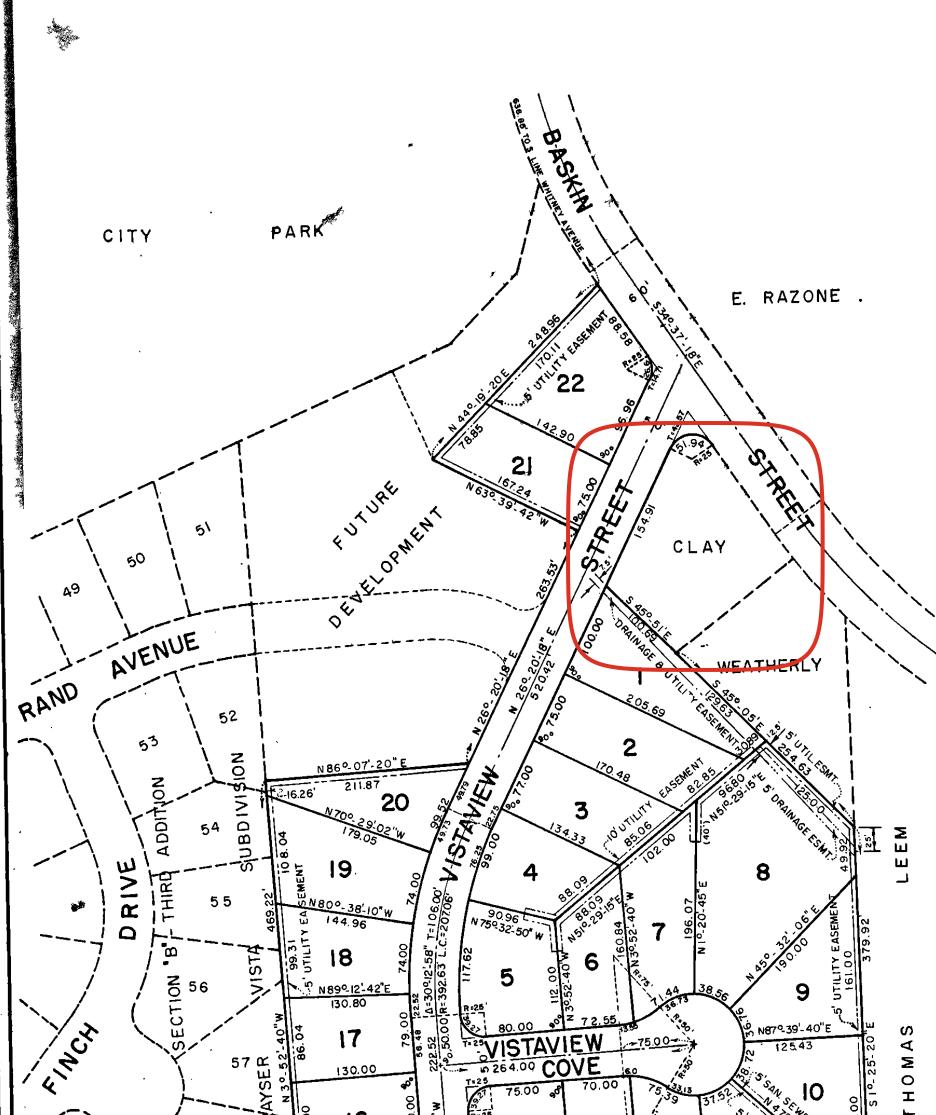
Manager Heland Services, LLC











BUILDI & RESTRÍ TIONS:

The covenants limitations and retrictions rethted on in a solution of the solu

If he parties he to or any of them or ter is or ign hall vio a emitter vio t ny of the covenen, limitations, or titi reir i be awful for any oth r person r per ons owning real estate situt in the ub v o t rosecue ny proce ings at law or in equity against the erso o on vio ating rettem tin to violate any such covenants, limitations, or restri n it r revent him or them from so doing or to recover damages or other dues fr u h violation

Invalidation of any one of these covenants, limitat ons or restrictions by ju gm nt or court order, shall in no wise affect any other provisions it has shall remain in full force and offer t

- 1. All lots in this subdivision shall be known and use a residential lots.
- 2. No structure shall be erected a tered, placed, or permitted to remain on any 1 th rein other than a one-fam ly dwe ling, not to ex eed two stori s in height, nd a private gara e for not more than two cars, and any other outbuild incidental to residential use of the lot.
- 3. All dwelling erected in this subdivision shall corform to minimum building setback lines as tablish d by the City of M mphis Building Deca ment, but in no cale shall the building setback line be less than 30 feet from the street. No building may be located ne rer than five (5) feet to any side lot line.
- 4. Easements for draimage and utilities are reserved in the locations shown on this plat.
- 5. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become a nuisan or annoyance to the neighborhood.
- 6. No trailer, tent, shack, garage, barn, or other out uilding erected in this suddivision shall at any time be used as a residence, either temporary y or permanently, nor shall any structure of a temporary nature be used as a residence.
- 7. No residence having a ground floor area of less than 900 square feet in the main building, exclusive of open porches and garages, shall be erected in this subdivision.
- g. Fences will not be permitted on the street side of the building setback line, except in the case of side streets on the corner lots only.

CERTIFICATE OF SURVEY:

This is to certify that we have surveyed the parcels of land as shown hereon, and that this plat correctly represents the survey thereof, and that same is true and correct.

RICHARDSON ENGINEERING COMPANY

Engi esr. (Tennessee Certificate No. 2026)

STATE OF TENNESSEE COUNTY OF SHELBY

I hereby certify that the foregoing is a true copy and that said document was approved by the Board of Commissioners of the City of Memphis, in regular session on the <u>how</u> day of <u>Market</u> 1966.

16 Comptroller. Centre les 130.00 APPROVED BY THE MEMPHIS AND SHELBY COUNTY PLANNING COMMISSION: 58 60 15 Jerrold A Moore 59 Date NOV. 18, 1965 SUTILITY ESMI Director. SECITION 42.80 30,1 237.40-S 88°- 30'- 50"W NORTHVIEW LANE WALTER CY RAT TSUBDIVISION 'HALCOMB NORVELL 12 ر. ^{م.} MAY 10 STATE OF TENNESSEE COUNTY OF SHELBY We, the undersigned, Fine Homes, Inc., owners of the property shown hereon, hereby adopt this as our plan of subdivision, and dedicate the 2 49.3 8 6 streets as shown to the public use forever. We hereby certify that we are the owners, duly authorized so to act, and that said property IN ESSE is not encumbered by any mortgages or taxes which have become due and payable. FINE HOMES. INC. Attest <u>hancy L. Grant</u> NOTE: BEARINGS AS SHOWN ARE RELATIVE ONLY. STATE OF TENNESSES, COUNTY OF SHELBY Before me, the undersigned, a Notary Public, in and for said state and County at semphis, duly commissioned and qualified, personally appeared Carl J. Grant, with whom 1 am personally acquainted and who upon his oath acknowledged himself to be President of Fine Homes, Inc., the within named bargainor, and that he as such President, b ing authorized so to do, executed the foregoing instrument for the purpose therein contained by subscribing thereto the name of the corporation by himself as President, and causing the corporate seal to be affixed thereto, and attested by its secretary. In witnes whereof, I have hereunto set my hand and affixed my Notarial Seal at my office in SCALE IN FEET Memphis, this th 14th ay of Canuarus, 1966. GRAPHIC 0 Pot Johnson , 1 + My commission ex ires Oct. 18, 1969 FINE HOMES INC.'S Pub ic. SECTION "A" - FOURTH ADDITION VISTA SUBDIVISION FRAYSER TENNESSEE MEMPHIS, SCALE: IINCH = 100 FEET **JANUARY, 1966** ENGINEERING CO. RICHARDSON ZONED RI-A 8_≠06 ACRES



Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

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



23016229

03/01/2023 - 01:41:13 PM

1 PGS	
JENNIFER 2547935 - 23016229	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	12.00

WILLIE F. BROOKS JR REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

1075 Mullins Station, Suite W165 ~ Memphis, Tennessee 38134 (901) 222-8100 Website: www.register.shelby.tn.us Email: register@shelbycountytn.gov Willie F. Brooks Jr Shelby County Register of Deeds: Instrument# 23016229 Page 1 of 1 This Instrument prepared by: Andre Skiendziel PD Bx 238 Back TN 38028 QUIT CLAIM DEED KNOW ALL MEN BY THESE PRESENTS, that HELAND INVESTMENTS, LLC on this the 28th day of February 2023, for and in consideration of the sum of One Dollar (\$1), do(es) hereby bargain, sell, release, remise, quit claim and convey unto HI 2925 Baskin, a series LLC of Heland Investments, LLC all 100% right, title and interest in and to the property identified by Parcel ID 0700240000640, more commonly know as 2925 Baskin St, Memphis, TN 38127 with a legal description as follows: The Lot labeled CLAY bordering Section "A", Fourth Addition to Frayser Vista Subdivision, as per plat recorded in Plat Book 31, Page 60, of the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular, description of said property. Said Lot lies directly between Lot I of said subdivision and Baskin Street, and containing .497 acres, more or less. The above description is the same as found in the prior deed of record as a boundary line survey was not done at the time of this conveyance. LDOR-17069593 IN TESTIMONY WHEREOF I/we have hereunto set my/our hand(s) this wetherety LL STATE OF TENNESSEE COUNTY OF SHELBY Before me, the undersigned Notary Public in and for the County and State aforesaid, personally appeared Andre Skiendziel, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged to be person(s) within named and that he executed the foregoing instrument for the purpose therein contained. Witness my hand and seal this to day of www, 2023 Usinan Dulliary Notary Public My commission expires: fiant's knowledge, information, and belief, the actual consideration I, or we, hereby swear or after for this transfer is \$1.00. Condre Cfor L Martin Affiant STATE OF TENNESSEE COUNTY OF Shelp Subscribed and sworn before me this the kir day of WWW 2023. Lasnana Winians Notary Public My commission expires: ENNESSEE NOTARY The following information is not a part of this Deed PUBLIC 2925 Baskin Property Address: W. EXP. SET Merphistor 38122 HI 2925 Baskin, a series LLC of Heland Investments, LLC Owner's Name and Address 5810 Shelby Oaks Dr B, Ste B, Memphis, TN 38134 Parcel Number 0700240000640

Mail Tax Bills to:

Heland Investments, LLC

PO Box 238, Eads, TN 38028



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

May 9, 2025

Sherry Jackson Honey's Preschool Learning Academy 2925 Baskin Street Memphis, TN 38127

Sent via electronic mail to: sherryjackson2373@gmail.com

Case Number: SUP 2025-007 LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, May 8, 2025, the Memphis and Shelby County Land Use Control Board recommended *approval* of your special use permit application to allow a childcare center at 2925 Baskin Street subject to the following conditions:

- 1. A maximum of 32 children may be on site at any given time.
- 2. The existing curb cut on Baskin Street must be closed. Excess driveway pavement related to the curb cut closure shall be removed.
- 3. A new curb cut shall be installed on Baskin Street that shall be exit only. The Vista View curb cut shall be enter only.
- 4. The residential character and scale of the structure shall be maintained.
- 5. The applicant shall submit a detailed landscape plan with Class III Buffer along property lines abutting residential uses or an alternative subject to administrative review by the Division of Planning and Development.
- 6. The applicant shall submit a final site plan subject to administrative review and approval by the Division of Planning and Development.

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

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

If for some reason you choose to withdraw your application, a letter should be mailed to the Land

Letter to Applicant SUP 2025-007

Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

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

Respectfully,

Chloe Christion

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

Cc:

File

CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

	000		NOT SHLL	1
ONE ORIGINAL				Planning & Development
ONLY STAPLED TO DOCUMENTS	Planning & !	Zoning COMMITTEE:	05/06/2025	DIVISION
		DUDI IC SESSION.	DATE 05/20/2025	
		PUBLIC SESSION:	<u>05/20/2025</u> DATE	
ITEM (CHECK ONE)				
ORDINANCE		REQUEST FOR P		
ITEM DESCRIPTION:	Resolution approving known as case num		of Shasta Ave.,	Tupelo St., Houck Ave., and N Bingham St.,
CASE NUMBER:	SAC 2025-001			
LOCATION:	Near existing MLG	W North Service Center fac	ility, 1130 and 1	060 Tupelo St.
COUNCIL DISTRICTS:	Districts 5 and 7, Su	per Districts 8 and 9		
OWNER/APPLICANT:	MLGW			
REPRESENTATIVES:	N/A			
REQUEST:		rtions of Shasta Ave., Tupel xpansion of MLGW north s		e., and N Bingham St. east of N Hollywood St.
AREA:	+/-2.69 acres			
RECOMMENDATION:		nning and Development record rol Board recommended <i>Ap</i>		
RECOMMENDED COUN			- - · ·	
		ing – May 20, 2025		
PRIOR ACTION ON ITEM				
(1)		APPROVAL - (1) APPR	OVED (2) DEN	IED
<u>03/13/2025</u> (1) Land Use Control Board		DATE ORGANIZATION - (1) I	BOARD / COM	MISSION
		(2) GOV'T. ENTITY (3)		
FUNDING:				
(2)		REQUIRES CITY EXPE	. ,	YES (2) NO
<u>\$</u>	<u>1</u> "	AMOUNT OF EXPEND REVENUE TO BE REC		
SOURCE AND AMOUNT C	OF FUNDS			
<u>\$</u>		OPERATING BUDGET		
<u>\$</u> \$		CIP PROJECT # FEDERAL/STATE/OTH	ER	
ADM4NISTRATIVE APPRO	OVAL:	DATE	POSITION	
ntille	R		SPLANNER II	
11ann Da	nar			
n al n		1/22/20		MINISTRATOR
britty		405/05	ADMINISTRA	ATOR
V			DIRECTOR (J	OINT APPROVAL)
			COMPTROLL	ER
			FINANCE DIF	RECTOR
			CITY ATTOR	NEY
			CHIEF ADMI	NISTRATIVE OFFICER
Eq			COMMITTEE	CHAIRMAN



Memphis City Council Summary Sheet

SAC 2025-001

RESOLUTION APPROVING THE CLOSURE OF PORTIONS OF SHASTA AVE., TUPELO ST., HOUCK AVE., AND N BINGHAM ST., KNOWN AS CASE NUMBER SAC 2025-001

- This item is a resolution with conditions to allow the physical closure of three public rights-of-way near the existing MLGW North Service Center.
- The applicant, MLGW, seeks to close these streets in order to facilitate the future expansion of the North Service Center. Note that the subject application is only the street closures, not the North Service Center expansion itself.
- MLGW has, between 2017 and the present, acquired all the property abutting the subject rights-of-way. As such, staff finds that the requested closure will not negatively affect pedestrian or vehicular circulation and access in the vicinity.
- Both DPD staff and the Land Use Control Board recommend *approval with conditions*.
- This item may require a future public improvement contract.

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:	SAC 2025-001
LOCATION:	Near existing MLGW North Service Center, 1130 and 1060 Tupelo St.
COUNCIL DISTRICT(S):	Districts 5 and 7, Super Districts 8 and 9
OWNER/APPLICANT:	MLGW
REPRESENTATIVE:	N/A
REQUEST:	Close and vacate portions of Shasta Ave., Tupelo St., Houck Ave., and N Bingham St. east of N Hollywood St. to facilitate future expansion of MLGW north service center.
EXISTING ZONING:	Employment (EMP) and Residential Urban – 1 (RU-1)
AREA:	+/- 2.69 Acres

The following spoke in support of the application: Angel Bailey, MLGW (for the applicant)

The following spoke in opposition to the application: Melvin McCoy, Randy Wade

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

The motion passed by a unanimous vote of 7-0 on the regular agenda.

Respectfully,

ichden Waln

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

Cc: Committee Members File

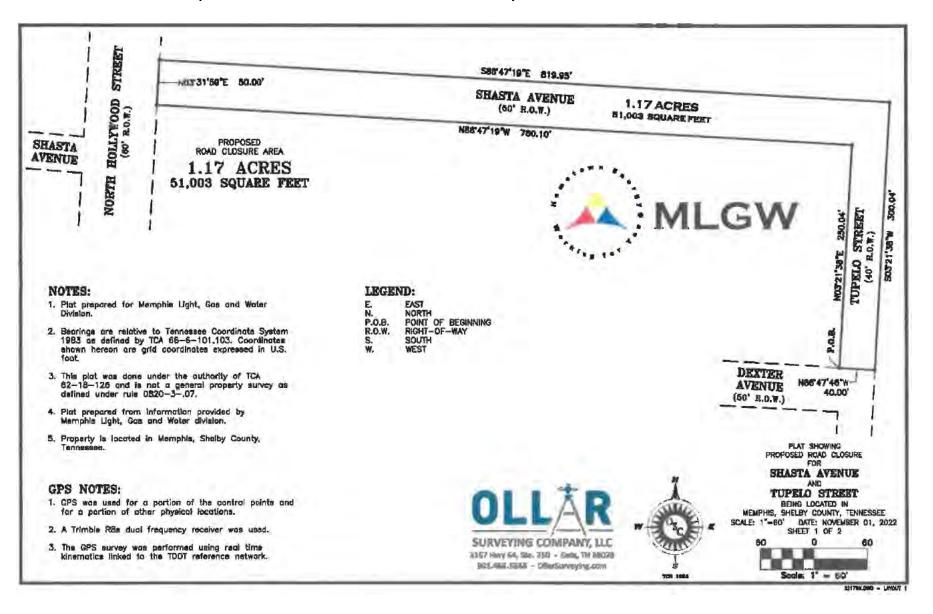
SAC 2025-001 CONDITIONS

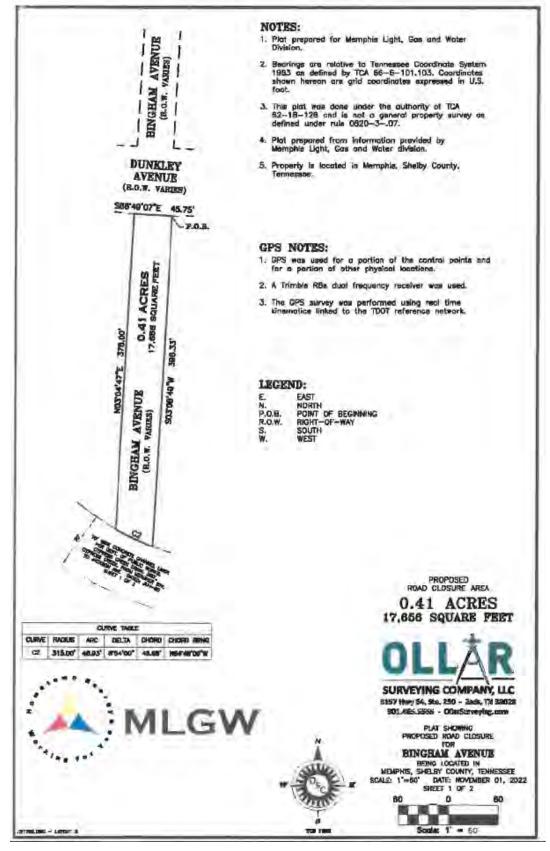
- 1. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure subject to review and approval by the City Engineer. If the City Engineer approves access, the applicant shall construct a city standard curb cut across the closure, to the satisfaction of the City Engineer.
- 2. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
- 3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis. The Land Use Control Board may grant extensions to this date as Major Modifications as outlined in Section 9.8.6 of the UDC.

SAC 2025-001

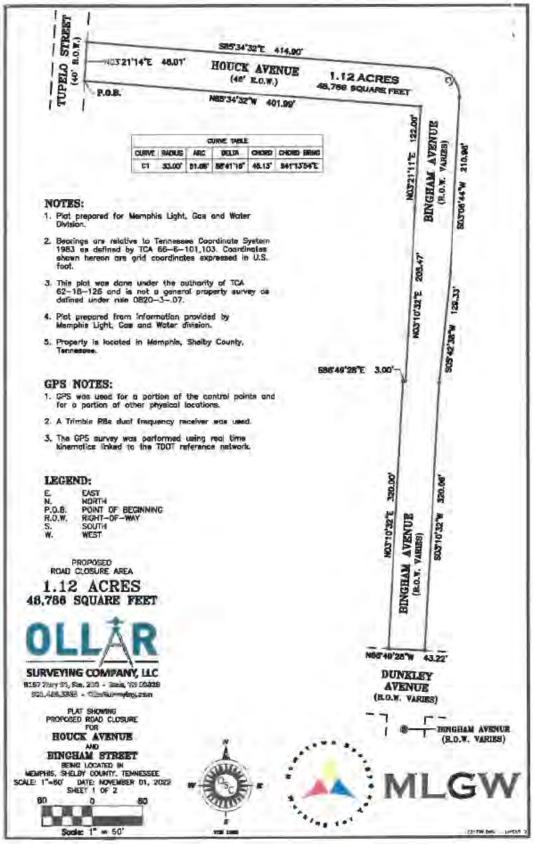
Closure Plats

CLOSURE #1: Shasta Ave. and Tupelo St. north of Dexter Ave. and east of N Hollywood St.





CLOSURE #3: Houck Ave. and N Bingham St. north of Dunkley Ave. and east of Tupelo St.





RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF PORTIONS OF SHASTA AVE., TUPELO ST., HOUCK AVE., AND N BINGHAM ST., KNOWN AS CASE NUMBER SAC 2025-001

WHEREAS, the City of Memphis is the owner of three (3) pieces of real property known

as 1) Shasta Ave. and Tupelo St. north of Dexter Ave. and east of N Hollywood St., 2) N Bingham

St. south of Dunkley Ave., and 3) Houck Ave. and N Bingham St. north of Dunkley Ave. and east

of Tupelo St.

in Memphis, Tennessee and being more particularly described as follows:

Closure Description – Location #1, Shasta Ave. and Tupelo St.

Beginning at a point at the intersection of the west line of Tupelo Street (40' R.O.W.) and the north line of Dexter Avenue (50' R.O.W.); thence North 03 degrees 21 minutes 38 seconds East along the west line of said Tupelo Street, 250.04 feet to a point in the south line of said Shasta Avenue; thence North 86 degrees 47 minutes 19 seconds West along the south line of said Shasta Avenue, 780.10 feet to a point in the east line of North Hollywood Street; thence North 03 degrees 31 minutes 59 seconds East along the east line of said North Hollywood. Street, 50.00 feet to a point in the north line of said Shasta Avenue; thence South 86 degrees 47 minutes 19 seconds East along the north line of said Shasta Avenue; thence South 86 degrees 47 minutes 19 seconds East along the north line of said Shasta Avenue; 819.95 feet to a point in the east line of said Tupelo Street; 300.04 feet to a point in the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46 seconds West along the north line of said Dexter Avenue; 40.00 feet to the POINT OF BEGINNING and containing 51,003 square feet or 1.17 acres of land.

Closure Description – Location #2, N Bingham St.

Beginning at a point at the intersection of the east line of Bingham Avenue (R.O.W. Varies) and the south line of Dunkley Avenue (R.O.W. Varies); thence South 03 degrees 08 minutes 49 seconds West along the east line of said Bingham Avenue, 396.33 feet to a point in the northeast line of a 70' Wide Concrete Channel Liner per Department of Public Works, Cypress Creek Drainage District, Cypress Creek, from Meagher Street to Jackson Avenue, Dated: June 1960, Sheet 1 of 2; thence northwestwardly along the northwest line of said 70' Wide Concrete Channel Liner per Department of Public Works, Cypress Creek Drainage District, Cypress Creek, from Meagher Street to Jackson Avenue, Dated: June 1960, Sheet 1 of 2; thence northwestwardly along the northwest line of said 70' Wide Concrete Channel Liner per Department of Public Works, Cypress Creek Drainage District, Cypress Creek, from Meagher Street to Jackson Avenue, Dated: June 1960, Sheet 1 of 2 and along a curve to the right having a radius of 315.00 feet, delta angle of 08 degrees 54 minutes 00 seconds, chord bearing of North 64 degrees 48 minutes 09 seconds West, chord distance of 48.88 feet and a curve distance of 48.93 feet to a point in the west line of said Bingham Avenue; thence North 03 degrees 04 minutes 47 seconds East along the west line of said Bingham Avenue, 378.00 feet to a point in the south

line of said Dunkley Avenue; thence South 86 degrees 49 minutes 07 seconds East along the south line of said Dunkley Avenue, 45.75 feet to the POINT OF BEGINNING and containing 17,656 square feet or 0.41 acres of land.

Closure Description - Location #3, Houck Ave. and N Bingham St.

Beginning at a point at the intersection of the south line of Houck Avenue (46' R.O.W.) and the east line of Tupelo Street (40' R.O.W.); thence North 03 degrees 21 minutes 14 seconds East along the east line of said Tupelo Street, 46.01 feet to a point in the north line of said Houck Avenue; thence southeastwardly along the north line of said Houck Avenue the following calls: South 85 degrees 34 minutes 32 seconds East, 414.90 feet to a point; southeastwardly along a curve to the right having a radius of 33.00 feet, delta angle of 88 degrees 41 minutes 16 seconds, chord bearing of South 41 degrees 13 minutes 54 seconds East, chord distance of 46.13 feet and a curve distance of 51.08 feet to a point in the east line of Bingham Avenue (R.O.W. Varies); thence southwestwardly along the east line of said Bingham Avenue the following calls: South 03 degrees 06 minutes 44 seconds West, 210.98 feet to a point; South 05 degrees 42 minutes 38 seconds West, 129.33 feet to a point; South 03 degrees 10 minutes 32 seconds West, 320.06 feet to a point in the north line of Dunkley Avenue (R.O.W. Varies); thence North 86 degrees 49 minutes 28 seconds West along the north line of said Dunkley Avenue; 43.22 feet to a point in the west line of said Bingham Avenue; thence northeastwardly and southeastwardly along the west line of said Bingham Avenue the following calls: North 03 degrees 10 minutes 32 seconds East, 320.00 feet to a point; South 86 degrees 49 minutes 28 seconds East, 3.00 feet to a point; North 03 degrees 10 minutes 32 seconds East, 205.47 feet to a point; North 03 degrees 21 minutes 11 seconds East, 122.00 feet to a point in the south line of said Houck Avenue; thence North 85 degrees 34 minutes 32 seconds West along the south line of said Houck Avenue, 401.99 feet to the POINT OF BEGINNING and containing 48,786 square feet or 1.12 acres of land.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use

Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby

County Land Use Control Board on March 13, 2025, and said Board has submitted its findings

and recommendation to the Council of the City of Memphis subject to the following conditions:

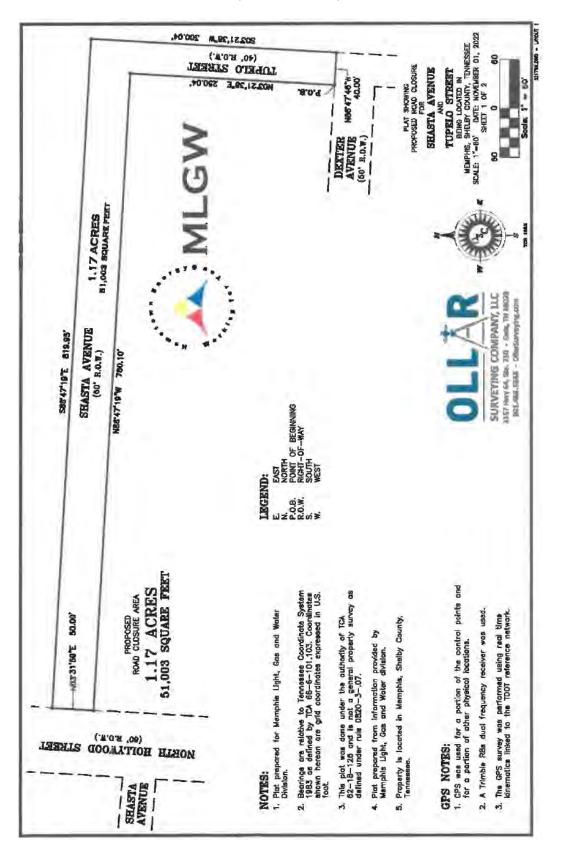
- 1. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure subject to review and approval by the City Engineer. If the City Engineer approves access, the applicant shall construct a city standard curb cut across the closure, to the satisfaction of the City Engineer.
- 2. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.

3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis. The Land Use Control Board may grant extensions to this date as Major Modifications as outlined in Section 9.8.6 of the UDC.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above-described public right-of-way be and is hereby closed for public use, subject to the aforementioned conditions.

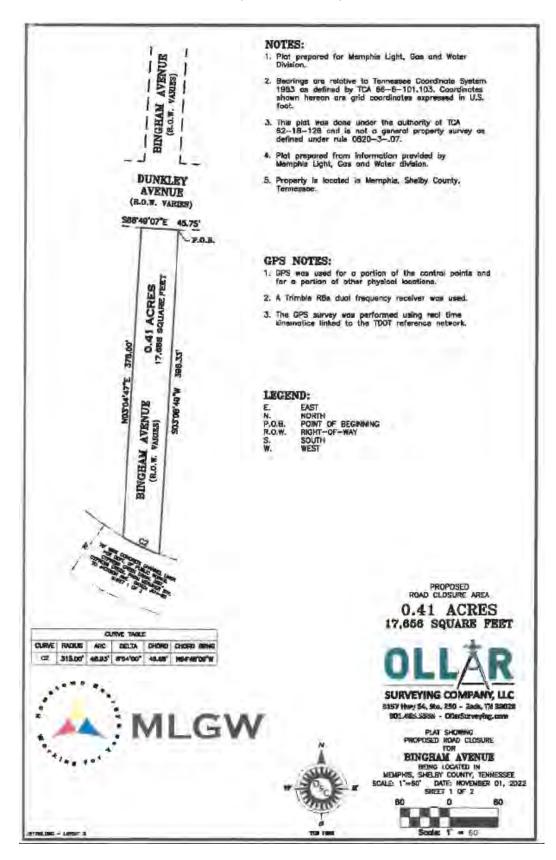
BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deed(s) to the owners of the properties abutting on the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company and the Shelby County Property Assessor's Office.

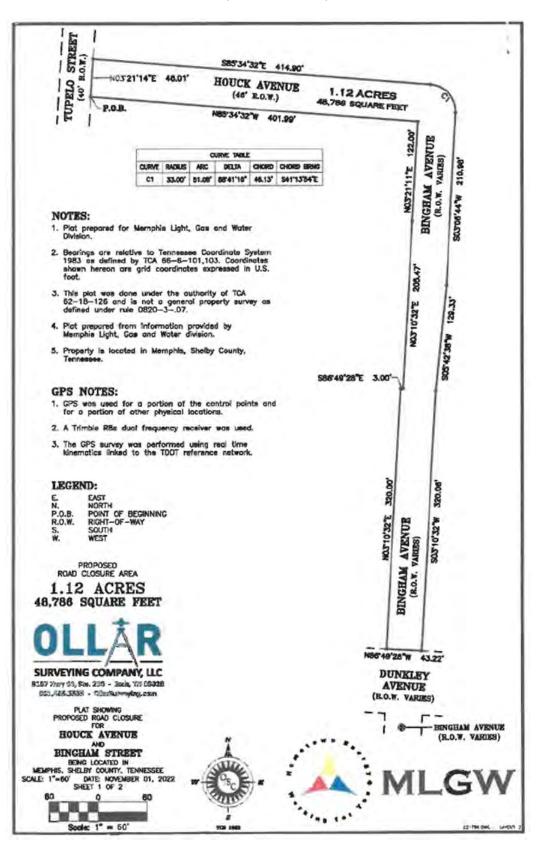


RIGHT-OF-WAY VACATION PLAT (CLOSURE #1)

RIGHT-OF-WAY VACATION PLAT (CLOSURE #2)



RIGHT-OF-WAY VACATION PLAT (CLOSURE #3)



	TAFF	REP	ORT	
AGENDA ITEM:	14	L.U.C.B. MEETING:	March 13, 2025	
CASE NUMBER:	SAC 2025-001			
LOCATION:	Near existing MLGW North Service Center facility, 1130 and 1060 Tupelo St.			
COUNCIL DISTRICT:	Districts 5 and 7, Super Districts 8 and 9			
OWNER/APPLICANT:	MLGW			
REPRESENTATIVE:	N/A			
REQUEST:	Close and vacate portions of Sha east of N Hollywood St. to facilita	· · ·	, 0	
EXISTING ZONING:	Employment (EMP) and Resident	ial Urban – 1 (RU-1)		

CONCLUSIONS

- 1. The future expansion itself will almost certainly require future governing body approval through a separate zoning entitlement. The subject application, therefore, concerns only the proposed street closures.
- 2. The only properties to which access will be negatively impacted have already been acquired by MLGW and their residential structures demolished. It is difficult to see, therefore, any way in which the closures of the subject streets would negatively impact pedestrian and vehicular circulation.
- 3. The closure of the subject right-of-way will not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

CONSISTENCY WITH MEMPHIS 3.0

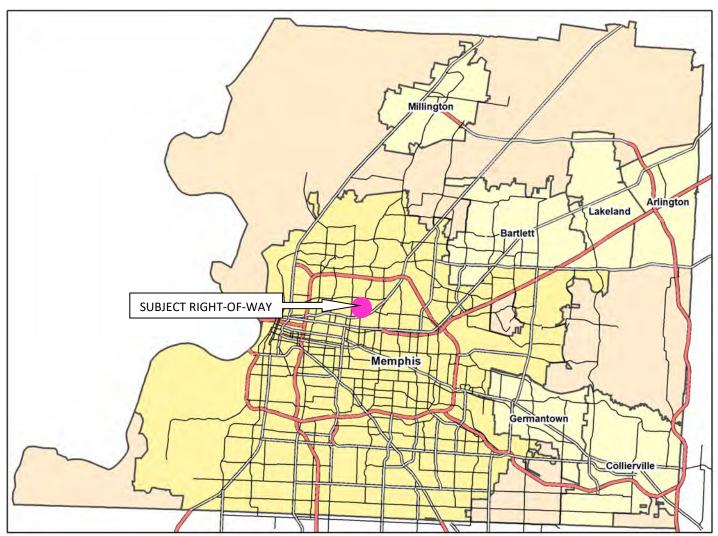
This application is not subject to Memphis 3.0 consistency review.

RECOMMENDATION:

Approval with conditions

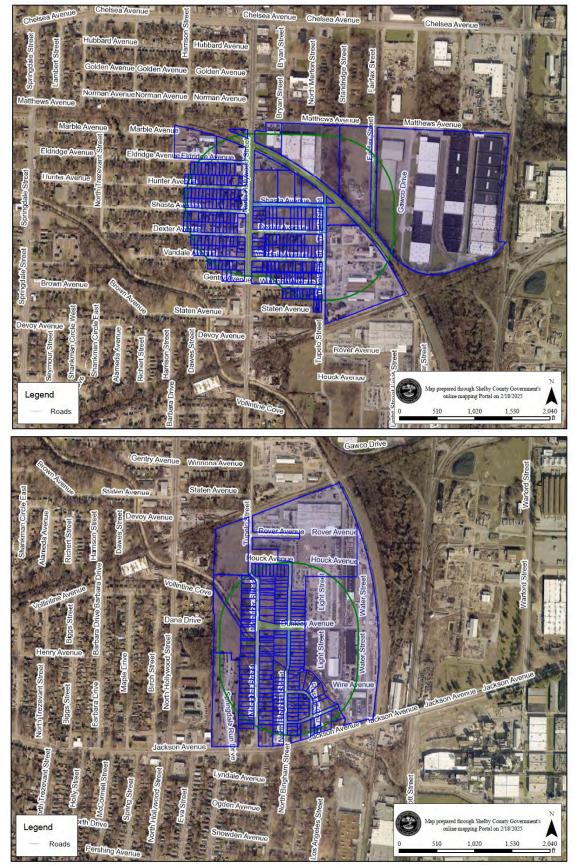
Staff Writer: Nicholas Wardroup

LOCATION MAP



Subject right-of-way located within the pink circle

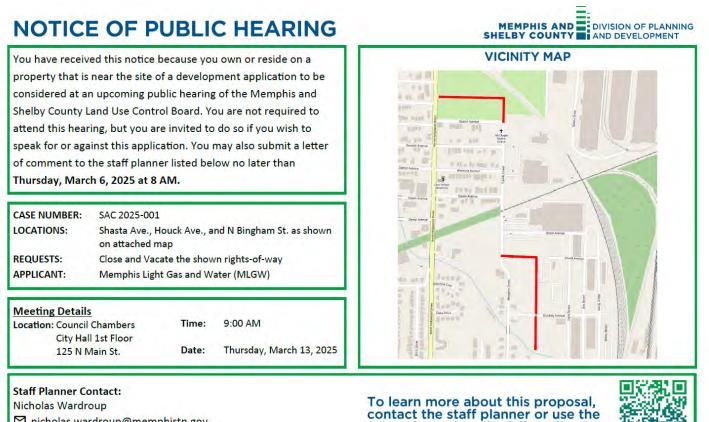
PUBLIC NOTICE VICINITY MAPS



March 13, 2025 Page 4

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 312 notices were mailed on February 18, 2025, see below for a copy of said notice. Additionally, a total of 6 signs were posted, one at each end of the subject right-of-way, see page 21 of this report for a copy of the sign affidavit.



☑ nicholas.wardroup@memphistn.gov (901) 636-7398

312 Notices Mailed 02/18/2025

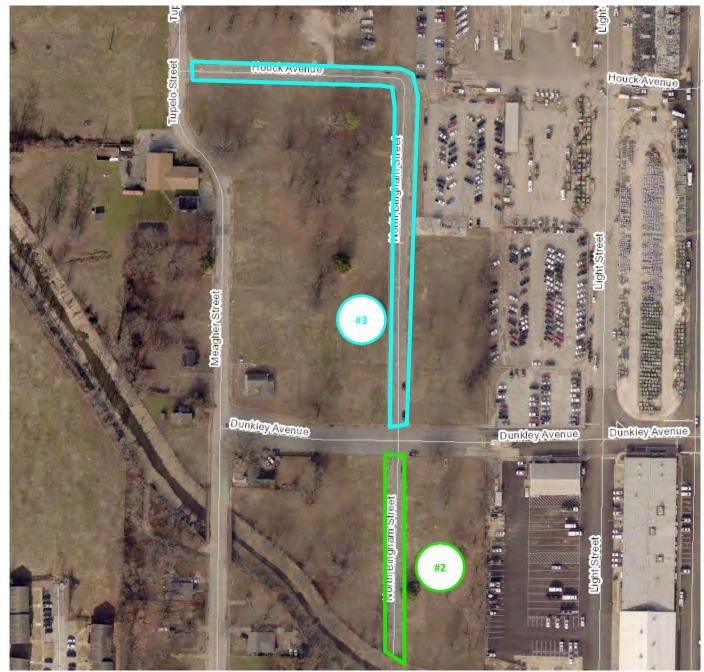
QR code to view the full application.

AERIAL (PROPOSED SHASTA AVE./TUPELO ST. CLOSURE, CLOSURE #1)



Right-of-way to be closed outlined in pink.

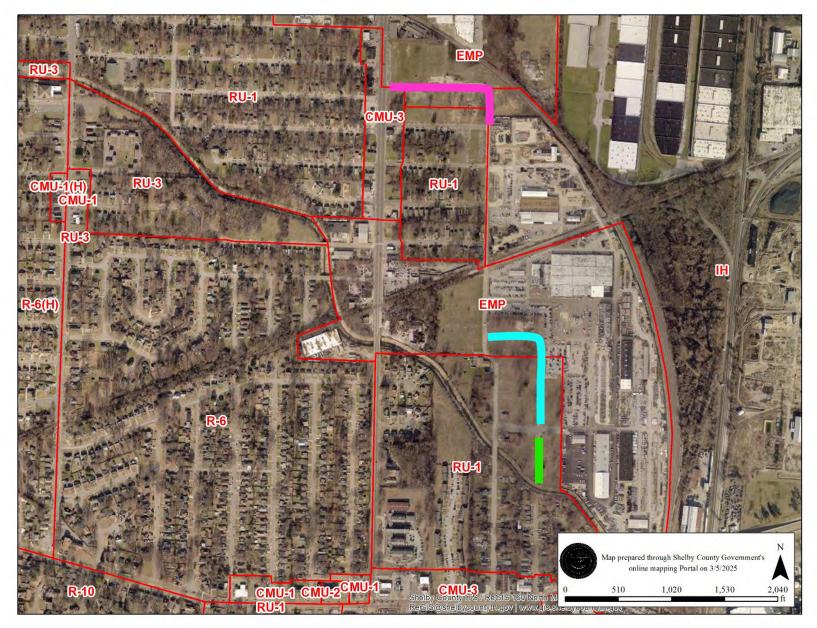
AERIAL (PROPOSED HOUCK AVE./N BINGHAM ST. CLOSURE, CLOSURES #2 and #3)



Right-of-way to be closed outlined, closure #2 in green and #3 in blue

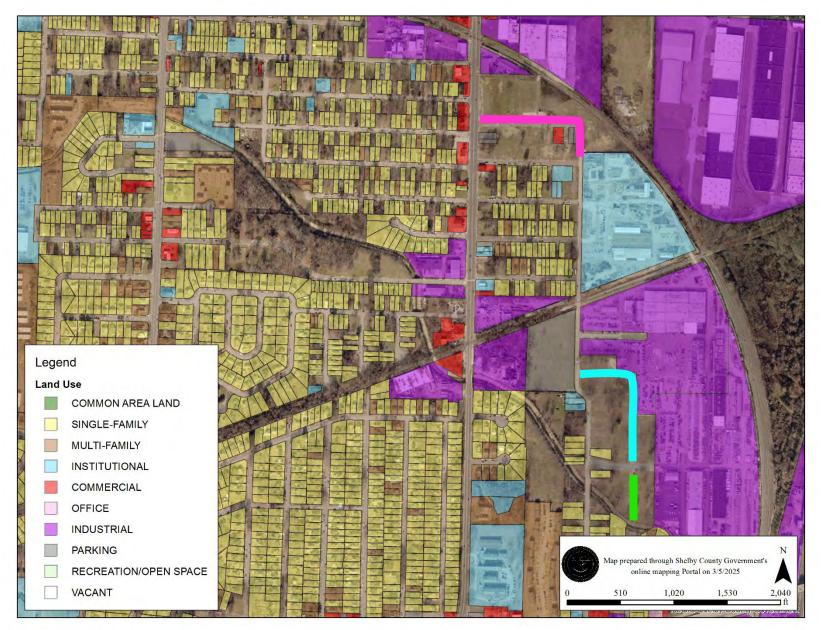
March 13, 2025 Page 7

ZONING MAP (Subject ROW indicated by color-coded lines)



LAND USE MAP

March 13, 2025 Page 8





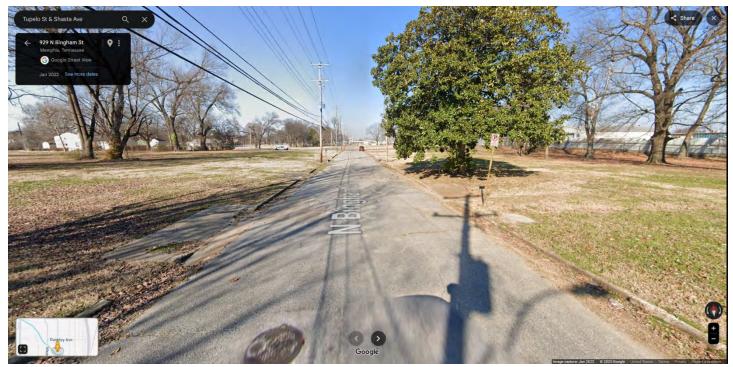
Subject section of Shasta Ave., looking east from its intersection with N Hollywood St.



Subject section of Tupelo St., looking north from its intersection with Dexter Ave.



Subject section of N Bingham St. south of Dunkley Ave., looking south.

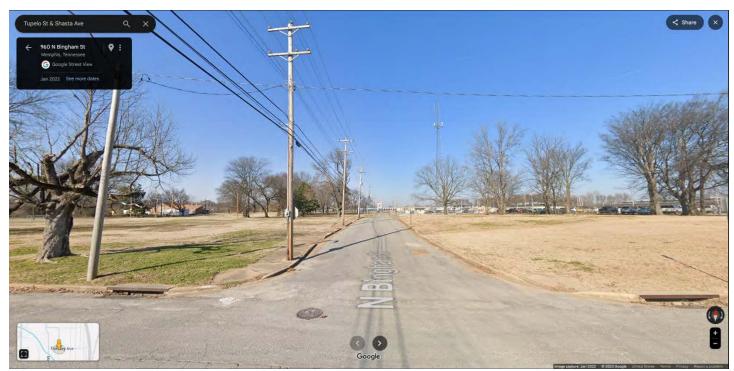


Southern extreme of ROW to be closed looking north along N Bingham St.

SITE PHOTOS (CLOSURE 3)



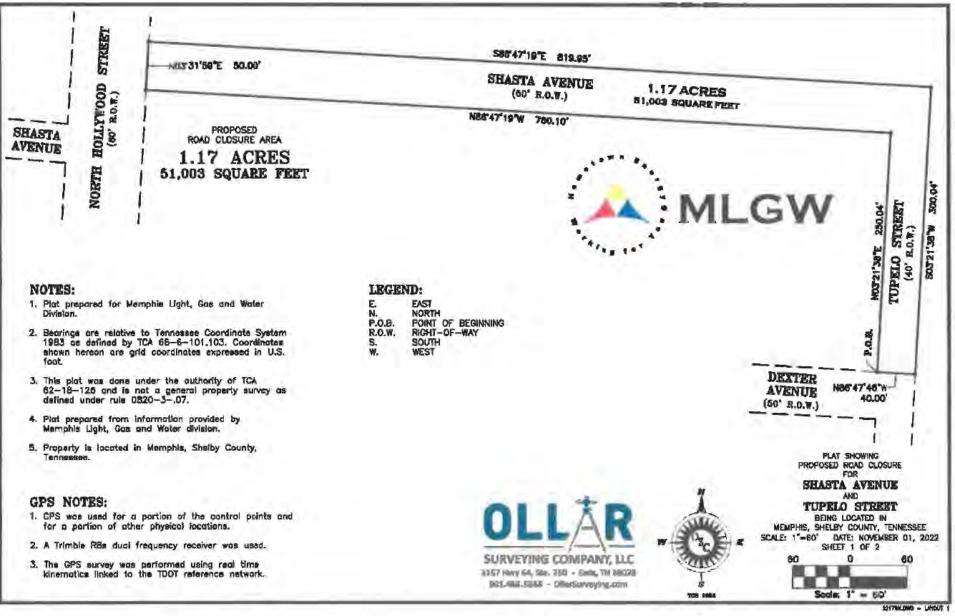
Subject section of Houck St., looking east from its intersection with Tupelo St.



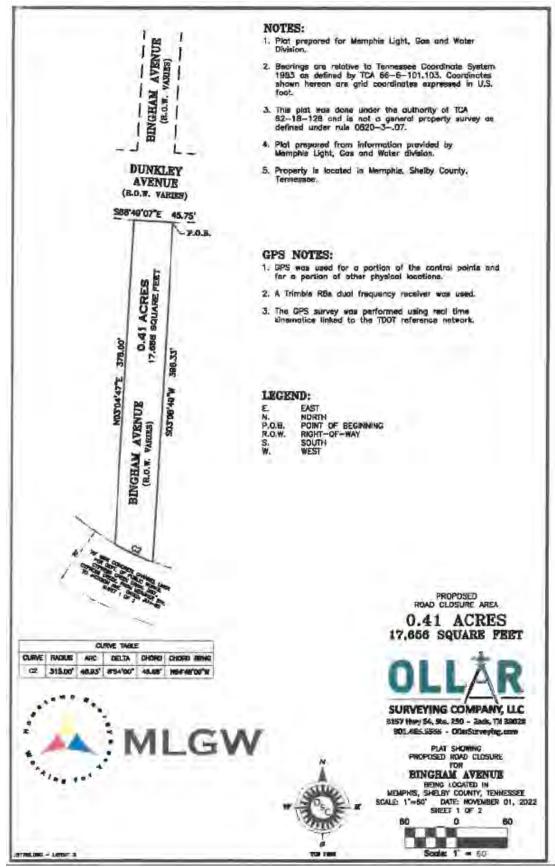
Subject section of N Bingham St. north of Dunkley Ave., looking north.

March 13, 2025 Page 12

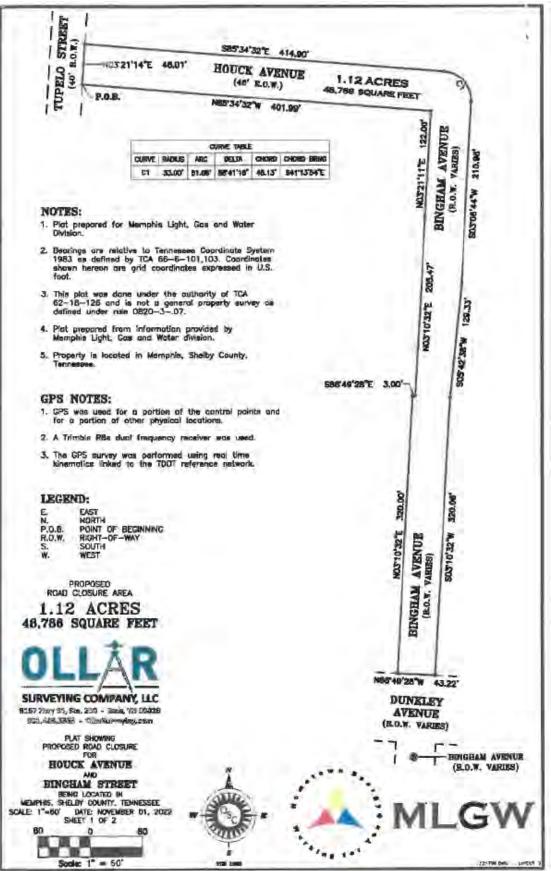
RIGHT-OF-WAY VACATION PLAT (LOCATION #1, SHASTA AND TUPELO)



RIGHT-OF-WAY VACATION PLAT (LOCATION #2, N BINGHAM SOUTH OF DUNKLEY)



RIGHT-OF-WAY VACATION PLAT (LOCATION #3, HOUCK AND N BINGHAM NORTH OF DUNKLEY)



LEGAL DESCRIPTIONS

All bearings are based on the Tennessee Coordinate System of 1983.

LOCATION 1

Beginning at a point at the intersection of the west line of Tupelo Street (40' R.O.W.) and the north line of Dexter Avenue (50' R.O.W.); thence North 03 degrees 21 minutes 38 seconds East along the west line of said Tupelo Street, 250.04 feet to a point in the south line of said Shasta Avenue; thence North 86 degrees 47 minutes 19 seconds West along the south line of said Shasta Avenue, 780.10 feet to a point in the east line of North Hollywood Street; thence North 03 degrees 31 minutes 59 seconds East along the east line of said North Hollywood. Street, 50.00 feet to a point in the north line of said Shasta Avenue; thence South 86 degrees 47 minutes 19 seconds East along the north line of said Shasta Avenue, 819.95 feet to a point in the east line of said Tupelo Street; thence South 03 degrees 21 minutes 38 seconds West along the east line of said Tupelo Street. 300.04 feet to a point in the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46 seconds West along the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46 seconds West along the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46 seconds West along the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46 seconds West along the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46 seconds West along the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46 seconds West along the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46 seconds West along the north line of said Dexter Avenue; thence North 86 degrees 47 minutes 46

LOCATION 2

Beginning at a point at the intersection of the east line of Bingham Avenue (R.O.W. Varies) and the south line of Dunkley Avenue (R.O.W. Varies); thence South 03 degrees 08 minutes 49 seconds West along the east line of said Bingham Avenue, 396.33 feet to a point in the northeast line of a 70' Wide Concrete Channel Liner per Department of Public Works, Cypress Creek Drainage District, Cypress Creek, from Meagher Street to Jackson Avenue, Dated: June 1960, Sheet 1 of 2; thence northwestwardly along the northwest line of said 70' Wide Concrete Channel Liner per Department of Public Works, Cypress Creek Drainage District, Cypress Creek, from Meagher Street to Jackson Avenue, Dated: June 1960, Sheet 1 of 2; thence northwestwardly along the northwest line of said 70' Wide Concrete Channel Liner per Department of Public Works, Cypress Creek Drainage District, Cypress Creek, from Meagher Street to Jackson Avenue, Dated: June 1960, Sheet 1 of 2 and along a curve to the right having a radius of 315.00 feet, delta angle of 08 degrees 54 minutes 00 seconds, chord bearing of North 64 degrees 48 minutes 09 seconds West, chord distance of 48.88 feet and a curve distance of 48.93 feet to a point in the west line of said Bingham Avenue; thence North 03 degrees 04 minutes 47 seconds East along the west line of said Bingham Avenue, 378.00 feet to a point in the south line of said Dunkley Avenue; thence South 86 degrees 49 minutes 07 seconds East along the south line of said Dunkley Avenue; thence South 86 degrees 49 minutes 07 seconds East along the south line of said Dunkley Avenue; 45.75 feet to the POINT OF BEGINNING and containing 17,656 square feet or 0.41 acres of land.

LOCATION 3

Beginning at a point at the intersection of the south line of Houck Avenue (46' R.O.W.) and the east line of Tupelo Street (40' R.O.W.); thence North 03 degrees 21 minutes 14 seconds East along the east line of said Tupelo Street, 46.01 feet to a point in the north line of said Houck Avenue; thence southeastwardly along the north line of said Houck Avenue the following calls: South 85 degrees 34 minutes 32 seconds East, 414.90 feet to a point; southeastwardly along a curve to the right having a radius of 33.00 feet, delta angle of 88 degrees 41 minutes 16 seconds, chord bearing of South 41 degrees 13 minutes 54 seconds East, chord distance of 46.13 feet and a curve distance of 51.08 feet to a point in the east line of Bingham Avenue (R.O.W. Varies); thence southwestwardly along the east line of said Bingham Avenue the following calls: South 03 degrees 06 minutes 44 seconds West, 210.98 feet to a point; South 05 degrees 42 minutes 38 seconds West, 129.33 feet to a point; South 03 degrees 10 minutes 32 seconds West, 320.06 feet to a point in the north line of Dunkley Avenue (R.O.W. Varies); thence North 86 degrees 49 minutes 28 seconds West along the north line of said Dunkley Avenue; 43.22 feet to a point in the west line of said Bingham Avenue; thence northeastwardly and southeastwardly along the west line of said Bingham Avenue the following calls: North 03 degrees 10 minutes 32 seconds East, 320.00 feet to a point; South 86 degrees 49 minutes 28 seconds East, 3.00 feet to a point; North 03 degrees 10 minutes 32 seconds East, 205.47 feet to a point; North 03 degrees 21 minutes 11 seconds East, 122.00 feet to a point in the south line of said Houck Avenue; thence North 85 degrees 34 minutes 32 seconds West along the south line of said Houck Avenue, 401.99 feet to the POINT OF BEGINNING and containing 48,786 square feet or 1.12 acres of land.

CASE REVIEW

Request

Close and vacate portions of Shasta Ave., Tupelo St., Houck Ave., and N Bingham St. east of N Hollywood St. to facilitate future expansion of MLGW north service center.

Site Details

Location:

Near existing MLGW North Service Center facility, 1130 and 1060 Tupelo St.

Area:

+/-2.69 acres (+/-117,245 sq. ft.)

Description:

The subject property consists of three distinct public rights-of-way: 1) Shasta Ave. and Tupelo St. north of Dexter Ave. (+/- 1030' in length), 2) N Bingham St. south of Dunkley Ave. (+/- 378'), and 3) Houck Ave. and N Bingham St. between Tupleo St. and Dunkley Ave. (+/- 1050'). In recent years, MLGW has acquired all of the abutting property and, where necessary, demolished the previous homes in preparation for their planned North Service Center expansion.

Analysis

First, staff would like to note that the planned expansion itself is not under review as part of this application. Due to the EMP/RU-1 split-zoned nature of the surrounding property, the expansion will almost certainly require governing body approval through a future zoning entitlement. Any planning concerns regarding the expansion, then, can be addressed as part of this future review.

Secondly, we note that MLGW has already acquired all the abutting properties and demolished their former residential structures. These properties, planned to be part of the future North Service Center footprint, are the only properties to which accessibility will be negatively impacted by the approval of the subject application. It is difficult to see, then, how the closure of the subject streets would negatively impact the remaining residential properties, which will continue to be accessible via the existing street system.

The closure of the subject right-of-way will not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

- 1. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure subject to review and approval by the City Engineer. If the City Engineer approves access, the applicant shall construct a city standard curb cut across the closure, to the satisfaction of the City Engineer.
- 2. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
- 3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis. The Land Use Control Board may grant extensions to this date as Major Modifications as outlined in Section 9.8.6 of the UDC.

DEPARTMENTAL COMMENTS

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

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

CITY ENGINEERING COMMENTS

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

Sewers:

2. Dedicate 15' sewer easement for the existing sewer line in Alley.

Street Closures:

- 3. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
- 4. City sanitary sewers/drainage facilities are located within the proposed closure area.
- 5. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
- 6. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
- 7. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
- 8. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

General Notes:

- 9. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 10. 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.
- 11. Required landscaping shall not be placed on sewer or drainage easements.

AFFIDAVIT

Shelby County State of Tennessee

 I, Angel Balley, Representative of MLGW
 being duly sworn, depose and say that at 12:30 pm am/pm on the 28 day of February
 2025
 I posted 6
 Public Notice Sign(s)

 pertaining to Case No. SAC 2025-001
 at
 Shasta, Houck & Bingham

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

X Land Use Control Board

Board of Adjustment

X 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

dav

Owner, Applicant of Representative

Date

Subscribed and sworn to before me this

Notary Public

My commission expires:



OWNER AFFIDAVIT

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, <u>MLGW</u> <u>Memphis Light, Gas & Water Division</u>, state that I have read the definition of (Sign Name) Angel Bailey

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

MLGW is

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

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

of the property located at	See Attached List of Parc	els	_
and further identified by Asses	sor's Parcel Number	(See Attached List of Parcels)	
for which an application is bein	ng made to the Division of Plan	ining and Development.	

Subscribed and sworn to (or affirmed) before me to in the year of STATE OF TENNESSEE NOTARY My Commission Expires Signature of Notary Public

LETTERS RECEIVED

March 13, 2025 Page 23

Staff received no letters of support nor opposition prior to the completion of this report.

The applicant's letter of intent is attached to this document.



January 27, 2025

Mr. Lucus Skinner City of Memphis, Land Use and Development Services Division of Planning and Development 125 N. Main, Ste. 468 Memphis, TN 38103

RE:	Notice of Intent for Street Closure			
	Project Location:	N. Hollywood St @ Shasta Ave		
		Bingham Ave @ Dunkley Ave		
		Tupelo S @ Houck Ave		
	City Tax Map #:	115P		
	Record #:	25TMP002803		

Mr. Skinner:

The purpose of this letter is to notify the City of Memphis that Memphis Light, Gas and Water (MLGW) intends to permanently close the public roads at the above-mentioned locations. MLGW has taken possession of all parcels on either side of the proposed requested closure. The planned closure will be segmented within the expanding MLGW facility.

MLGW is a municipal utility operating as a Division of the City of Memphis, a municipal corporation organized under the laws of the State of Tennessee, and the County of Shelby, and provides utility services for Shelby County, Tennessee. MLGW is a self-insured, municipal utility governed by the provisions of the Tennessee Governmental Tort Liability Act (Tenn. Code Ann. § 29-20-101, et seq.), which establishes limits of liability under Tennessee Law.

Please provide me with site designation for additional forms necessary to request the closure of said roads.

After your review, if you have any questions, or if you would like to discuss this in more detail, you may reach me at 901.528.4186.

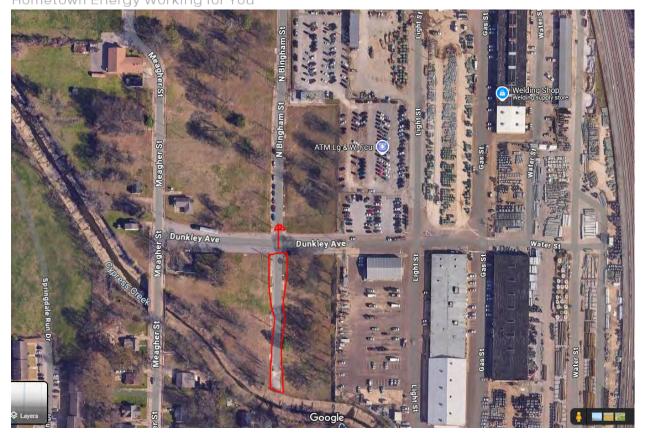
Respectfully Submitted, **MEMPHIS LIGHT, GAS & WATER DIVISION Angel Bailey**, Supervisor, Property Management Department





N. Hollywood St @ Shasta Ave Location 1





Bingham Ave @ Dunkley Ave Location 2





Tupelo S @ Houck Ave Location 3



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 Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of Way Vacation)

Record Status: Assignment

Opened Date: January 16, 2025

Record Number: SAC 2025-001

Expiration Date:

Record Name: MLGW North Service Center

Description of Work: Street and excess right-of-way closure for Shasta Avenue, Bingham Avenue and Houck Avenue to close for the expansion of MLGW's current North Service Center.

Parent Record Number:

Address:

Owner Information

Primary Owner Name

Owner Address

Owner Phone

Data Fields

PREAPPLICATION MEETING

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

Name of Street where closure will begin

Name of Street where closure will end

Lucus Skinner 02/17/2025 Email

East line of Tupelo Street and Houck Avenue, and east line of N. Hollywood Street northeast along Shasta to Tupelo Bingham at 70" wide concrete channel liner and Tupelo ending at Dexter Avenue

GENERAL INFORMATION	
What is the reason for the street closure?	MLGW owns all parcels on both sides of Houck and Bingham Avenue. MLGW owns all parcels on both sides of Shasta Avenue, as well as the east line of Tupelo Street
What is the total area of the right-of-way being closed?	117445
What is the overall length of the street closure? Name of Street/Alley/ROW	2591.59 Houck Avenue northeast to Bingham crossing Dunkley
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No
If yes, please provide additional information Is this application a time extension? RELATED CASE INFORMATION	- No
Previous Case Numbers GIS INFORMATION	N/A
Case Layer Central Business Improvement District Class	- No
Downtown Fire District Historic District Land Use	- No -
Municipality Overlay/Special Purpose District	
Zoning State Route	-
Lot Subdivision	-
Planned Development District Wellhead Protection Overlay District County Commission District	- No -
City Council District City Council Super District	-
Data Tables	
Property Owners	
Property Address: 1060 Tupelo St Property Owner Name: MLGW	

Property Address:	1130 Tupelo St
Note:	All parcels on both side of the road are owned by MLGW.
Email Address:	adabney@mlgw.org
different than property address):	
Mailing Address (if	220 S. Main Street
Property Owner Name:	MLGW
Property Address:	1060 Tupelo St

Property Owner Name:	MLGW			
Mailing Address (if different than property address):	220 S. Main Street			
Email Address:	adabney@mlgw.org			
Note:	All parcels on both side of the road are owned by MLGW.			
Property Address:	2666 Tupelo St			
Property Owner Name:	MLGW			
Mailing Address (if different than property address):	220 S. Main Street			
Email Address:	adabney@mlgw.org			
Note:	All parcels on both side of the road are owned by MLGW.			
Public Notification				
Name:	MLGW			
Contact Type:	Owner of Adjacent Properties			
Mailing Address:	220 S. Main Street			
Email Address:	adabney@mlgw.org			
Note:	All parcels on both side of the road are owned by MLGW.			
Contact Information				
Name Angel Bailey		Contact Type ADJACENT PROPERTY		
Address		OWNER OF RECORD		
Phone 901)528-7713				

Name ANGEL BAILEY

Address

Phone

(901)528-7713

Name ANGEL BAILEY

Address

Phone (901)528-7713

Contact Type APPLICANT

Contact Type REPRESENTATIVE

Fee Inforr	nation					
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1621311	Right of Way	3	1,200.00	INVOICED	0.00	01/30/2025
	Vacation/Closure Fee					
1621311	Credit Card Use Fee (.026	1	31.20	INVOICED	0.00	01/30/2025
	x fee)					
				T () D		
		Iotal Fee Invo	biced: \$1,231.20	Iotal Ba	lance: \$0.0	00
Payment	Information					

Payment Amount	Method of Payment
\$1,231.20	Credit Card