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 Regodol 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 C	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.

13. 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	nve (S West Sheety One West
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.	
CASE NUMBER: 5 2025-010	in the second seco
CASE NUMBER: \$ 2025-010	
ADDRESS: 4696 S. Third St	
ADDRESS:4696 S. Third StREQUEST:Re-subdivision of Lot 2 of Save-A-Lot Subdivision to create a 0.82 Acres Lot 3 on the North End	
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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 Meeting Details	South France Page
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 Meeting Details Ventor Save-A-Lot Subdivision to create a Create Acres Lot 3 on the North End	Soft Prove Post
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 Meeting Details Location: Council Chambers Time: 9:00 AM City Hall 1st Floor	Boan trave Road
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 Meeting Details Location: Council Chambers Time: 9:00 AM City Hall 1st Floor 125 N Main St. Date: Thursday, April 10, 2025 Staff Planner Contact:	To learn more about this proposal contact
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 Meeting Details Location: Council Chambers Time: 9:00 AM City Hall 1st Floor	To learn more about this proposal, contact the staff planner or use the QR code to view

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

Expiration Date:

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

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	5.50
Is this application in response to a citation, stop work order, or zoning letter	No
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information GIS INFORMATION	5.80
Central Business Improvement District	No
Case Layer	BOA1997-071, BOA1997-071
Class	С
Downtown Fire District	No
Historic District	
Land Use	COMMERCIAL
Municipality	MEMPHIS
Overlay/Special Purpose District	19 4 1,
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	1944
City Council Super District	
ontact Information	

Name DAVID DALE

Address

Phone (713)529-4244

Name WESLEY WOOLDRIDGE

Address

Phone (901)219-8661

Page 2 of 3

Contact Type

APPLICANT

Contact Type

ARCHITECT / ENGINEER / SURVEYOR

S 2025-010

state that I have read the definition of

OWNER AFFIDAVIT

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

ECK-FAY,LLC By: 1. Brick W. Dapaik MANASSEMMERSON

(Sign Name)

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

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

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

of the property located at <u>4696</u> S THIRD ST MEMPHIS TN 38109 - 6281 and further identified by Assessor's Parcel Number <u>075175</u> 00025 for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 9^{4} day of Decerses in the year of 2224.

	110
Signature of N	otary Public

1000	DAVID DALE HOT	\$ 25 - 2025	
		mmission Expires	
	January 25, 2025		

LETTER OF INTENT



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 Welly Woold

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



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.



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

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

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
 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 quality—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

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 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 Sarode 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_Mphs,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
	PACE NO
1. NAME Hashin Altabah	ADDRESS 4670 South thind St
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3. NAME OMOR SIP	ADDRESS MA employ
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7. NAME D PANC	ADDRESS 4711 South Third St
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9. NAME TOIT INIC COPIZ	ADDRESS 4707 South 3RD
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10. NAME Delois MCthune	ADDRESS 400 CONTERE 4712S, Thin
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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) 0 0 GLE ADDRESS 1. NAME K 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 Celo SIGNATURE ADDRESS 43 H 28 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



1	NAME_	Canly Zones	ADDRESS 4	2196	leabrook
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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
PACE NO

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
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4. NAME Airaelyon A	ADDRESS Hill brocks
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5. NAME Cortez Wilson	ADDRESS ING Source Haven Dr
S. NAME	CITY Memphis STATE TA ZIP CODE 3869
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6. NAME HEAVY Wesley	ADDRESS 215 Howard dr
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7. NAME ANTING beneon	ADDRESS 521 Detta Rd
7. NAME THE PRINT	CITY Memphis STATE TO ZIP CODE 05669
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8. NAME TOR POWERS	ADDRESS 270 Washburns
ad Dowers	CITY Memphis STATE TO ZIP CODE 25104
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9. NAME Kendric Taylor	ADDRESS 344 washburn
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10. NAME Space Perfect	ADDRESS 5024 HorneyerRD
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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
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5. NAME TEORG Bryant ADDRESS 4516 Appleville St.
Leona PRINT CITY Mengin > STATE TAL ZIP CODE 38109
Leona Bonont CITY Mengri - STATE IN, ZIP CODE 5810 9 SIGNATURE
6. NAME Darius Head ADDRESS 2430 SPARKS RD
6. NAME DURING TIEDON ADDRESS CTO TALESS TATE TO ZIP CODE 38106
SIGNATURE
7. NAME SAMUELCHRISTANADDRESS 4885 Hilbrook
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9. NAME Ali Zandani ADDRESS 76 E Windson 39/109
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Carles Karl CITY CAPPOS STATE R. ZIP CODE 5810
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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 man 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
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aprevs Howar		VI CL
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emand Backrashim	4383 melwood	Freject
higures Amothomy	- 5256 Blucelamond	Fretcet
Matalic Maure	4222 Burwood dr	Treject
huls Thompson	3781 Masteron St	Freject
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A A	471 Martome	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
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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.

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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	ereject
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		
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King Cent Jewis		terect
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YBON HAPDIN	2964 INAULTER	Retact
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 QUL	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
Taxos 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 chine 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 Honeyilake 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 Honda	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	- CMIL 2
Zoning State Route	CMU-3
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 Invoi	iced: \$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 Code Section 12.3.1.

Eck-FAYLLC (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, U guardian or lessee (and have included documentation with this affidavit)

of the property located at _	4696	5	THIRD	ST	MEMPHIS	TN	38109 - 6281	
and further identified by As	sessor's Parce	el Nui	mber 07	517	5 00025	-		,
for which an application is b	eing made to	the D	Division of Pl	anning	and Developmen	it.		

Subscribed and sworn to (or affirmed) before me this _	94	day of DECEMBER	in the year of <u>2</u> >24
n na sana na kana na kana na kana na kana ka		- 1000 C	

Signature of Notary Public

DAVID DALE #01- 25 - 2025 ID #1292788# V Commission Expires Commission Expires January 25, 2025



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 Werly Woold

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 of the property shown, hereby adopt this plat as my plan of development and dedicate the streets,	<u>Surveyor's Certificate — (Perimeter only)</u>
property shown, hereby adopt this plat as my plan of development and dedicate the streets, right—of—ways, and grant the easements as shown and/or described to public use forever. We certify that we are the owner of Said Property in fee simple, duly authorized to act, and that said property is not encumbered by any taxes which have become due and payable.	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: (seal) Date:
 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 aforesaid, duly commissioned and qualified personally appeared	Engineering Certificate
whom I am personally acquainted and who, upon oath acknowledged himself to be the owner of, and he as such representative executed the foregoing instrument for the purpose therein contained.	It is hereby certified that this plat is true and correct, is in compliance with the design requirements of the Zoning Ordinance, the Subdivision Regulations and the specific conditions imposed on this development, and takes into account all
In witness whereof, I hereunto set out by hand and affix my seal this day of _	applicable Federal, State and local building laws and regulation.
, 2025.	BY:(seal) Date:
(NOTARY PUBLIC)	Tennessee Certificate No.: 104878
MY COMMISSION EXPIRES:	Summers ley Woold Hill
	AGRICUMTURE
<u>Mortgagee's Certificate</u>	
We, the undersigned,, (printed name of martgagee), mortgagee of the property shown, hereby agree to this plan of subdivision and dedicate the streets, rights—of—way, easements, and rights of access as shown to the public use forever, and hereby certify that we are the mortgagee duly authorized so to act and that said property is unencumbered by any taxes which have become due and payable.	OF TENNESSEN
 Mortgagee (signature Date	<u>Land Use and Development Services Certificate</u> This final plat conforms to the Planned Development acted on by the Land Use Control Board on August 12, 2021 and approved by the Council of the City of Memphis on September 7, 2021
Notary Certificate	By: Date: Zoning Administrator
State of County of	
Before me, the undersigned a notary public in and for the State and County aforesaid,	City Engineer: Date: Date:
duly commissioned and qualified personally appeared	LUDS: Date:
owner of, and he as such representative executed the foregoing instrument for the purpose therein contained.	
In witness whereof, I hereunto set out by hand and affix my seal this day	
of, 2025.	
(NOTARY PUBLIC)	
MY COMMISSION EXPIRES:	
	FINAI

		FINAL	PLAT	
	SAVE-	-A-LOT	SUBDI	VISION
	CASE: PD		FORMER CA	SE #: S-06-029
		MEMPHIS,	TENNES	SEE
	NO. OF LOTS: 3	3.32ACRES	WARD 75,	BLOCK 175 PARCEL 1
Renaissance	OWNE ECK-FAY 3900 ESSEX LAI HOUSTON, T	7, LLC NE, STE 340	9700 VILL	ENGINEER: AISSANCE GROUP AGE CIRCLE, STE. 100 CLAND, TN 38002
Group	PARCEL #075175 00		P PANEL NO.: F	F.E.M.A. MAP DATE: 09-28-20
	DATE: MARCH, 20	25 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 St. LOUIS	

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.

day of July , 2023.
•

My commiss	ion expires: 4/19/21_	MELISSA A. BELL Notary Public Notary Public - Notary Seal St Louis County - State of Missouri Commission Number 13546938
STATE OF _	Missouri	My Commission Expires Apr 19, 2026
	F C+ Louic	

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 elissa 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

ONE ORIGINAL	Planning &	Zoning COMMITTEE:		Planning & Development DIVISION
		PUBLIC SESSION:	DATE <u>06/10/2025</u> DATE	
ITEM (<i>CHECK ONE</i>) ORDINANCE	X RESOLUTION	I REQUEST FOR F	PUBLIC HEAR	ING
ITEM DESCRIPTION:	Resolution pursuar	nt to Chapter 9.6 of the Mem	phis and Shelb	y County Unified Development Code approving askin Street, known as case number SUP 2025-
CASE NUMBER:	SUP 2025-007			
LOCATION:	2925 Baskin Street	t.		
COUNCIL DISTRICTS:	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			
AREA:	+/-21,649 square feet			
RECOMMENDATION:	The Division of Planning and Development recommended <i>Approval with conditions</i> The Land Use Control Board recommended <i>Approval with conditions</i>			
RECOMMENDED COUN	CIL ACTION: Pul Put	blic Hearing Not Required blic hearing – June 10, 2025		
(1) Land Use Control Board	OF FUNDS	DATE	BOARD / CON) COUNCIL CO ENDITURE - (DITURE CEIVED HER <u>POSITION</u> PLANNER I DEPUTY A	MMISSION DMMITTEE 1) YES (2) NO II II DMINISTRATOR RATOR (JOINT APPROVAL) LLER DIRECTOR
				MINISTRATIVE OFFICER EE 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.



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 – Po	ositions 1, 2, and 3	
OWNER/APPLICANT:	Sherry Jackson		
REPRESENTATIVE:	N/A		
REQUEST:	Special use permit to allow a child	d care center	
EXISTING ZONING:	Residential Single-Family – 6 (R-6)	

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



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).

SITE PLAN



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

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

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.

May 8, 2025 Page 20



"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

	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, April 30, 2025 at 8 AM.	
CASE NUMBER: SUP 2025-007 ADDRESS: 2925 Baskin Street REQUEST: Special Use permit to allow a daycare/pre-school	
APPLICANT: Sherry Jackson	
APPLICANT: Sherry Jackson <u>Meeting Details</u> Location: Council Chambers City Hall 1st Floor 125 N Main St. Date: Thursday, May 8, 2025	11624 6060 areiga 6060 areiga 6064 areiga 6064 areiga 6064

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	New Special Use Permit (SUP) REC25-00000-009R2
Is this application in response to a citation, stop work order, or zoning letter	No n/a
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information APPROVAL CRITERIA	n/a
A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare	The project will be evaluated to ensure it does not negatively impact adjacent properties, neighborhood character, traffic, parking, utility services, or overall public health, safety, and 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	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
accordance with the applicable district regulations	use of adjacent properties.
UDC Sub-Section 9.6.9C	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.
UDC Sub-Section 9.6.9D	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.
UDC Sub-Section 9.6.9E	The project will adhere to all additional standards required by specific provisions that authorize its use.
UDC Sub-Section 9.6.9F	The request will not negativity impact any existing plans or violate the character of development standards for adjacent properties.
GIS INFORMATION	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Case Layer Central Business Improvement District Class	- No
Downtown Fire District	No
Historic District Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	-

	MATION					
State Ro	oute		-			
Lot			-			
Subdivis	sion		-			
Planned	Development District		-			
	d Protection Overlay District		No			
	Commission District		-			
City Cou	uncil District		-			
City Cou	uncil Super District		-			
Contact I	nformation					
Name					Conta	ct Type
SHERRY JA	CKSON				APPLIC/	ANT
Address						
Phone (901)825-348						
Phone (901)825-344 Fee Inform		Quantity	Fees	Status	Balance	Date Assessed
Phone (901)825-344 Fee Inform	mation Fee Item Child Care Center (13+	Quantity 1	Fees 250.00	Status INVOICED	Balance 250.00	Date Assessed 03/25/2025
Phone (901)825-348 Fee Inform Invoice #	mation Fee Item					Date Assessed 03/25/2025 03/25/2025
Phone (901)825-346 Fee Inform Invoice # 1634710	mation Fee Item Child Care Center (13+ children) Credit Card Use Fee (.026 x fee)	1	250.00	INVOICED	250.00	03/25/2025 03/25/2025
Phone (901)825-346 Fee Inforn Invoice # 1634710 1634710	mation Fee Item Child Care Center (13+ children) Credit Card Use Fee (.026 x fee)	1	250.00 6.50	INVOICED	250.00 0.00	03/25/2025 03/25/2025
Phone (901)825-346 Fee Inform Invoice # 1634710 1634710	mation Fee Item Child Care Center (13+ children) Credit Card Use Fee (.026 x fee) Information	1 1 Total Fee Invo	250.00 6.50	INVOICED	250.00 0.00	03/25/2025 03/25/2025



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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

1, Andre Skiendriel (Print Name) (Sign Name), state that I have read the definition of

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

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

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

of the property located at <u>2925</u> <u>Back in</u> <u>St. (Memphis, TN 38127</u> and further identified by Assessor's Parcel Number <u>070024</u> <u>00064</u> for which an application is being made to the Division of Planning and Development.

Subscribed and swom to (or affirmed) before me this _ 2 3 nd day of Apr: in the year of 2025 ERMAN My Commission Expires March 6, 2027 Signature of Notary Public My Commission Expires

LETTER OF INTENT

May 8, 2025 Page 28

phintelong fourning

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]

Marsonia

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
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

Cont (Recip arres Manne)

I am pleased to submit this Letter of Intent at benefi at Honey's freebool Learning Academy, orace show on strooppletelest in utilizing the stoppety located at Greporty Address) for the establishment of our coldy childhood adaption conten.

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Honey's Dresensol Losining Academy is dedicated to provide a high-quality party childhood edited into the children aged 2 to 5 years ald. Our mind an is to feature a numerican ongeging, and stimutating concentrate that distancing asynthics, acadet, and emotional development. Our our risultion is designed to proport young learners for Mindurgartum and by out, with a strong emotossis on creativity, literack, and hands-our is strong rook of more

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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.

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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



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Instructions: Please complete all fields clearly. Return completed petition sheet for submission to the Land Use Control Board.

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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	

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 $2^{\text{March}}_{\text{day of March}}$, 2025, by Andre Skiendziel, who is personally known to me or who has produced $\underline{D_{1}}$ as identification.

Notary Public, State of Tennessee My Commission Expires: <u>08/01/2</u>027







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 dentine on all rtis and all rons caiming under the until Janury latw the si c venant 1 tations and r t iction shall be telle r v year unles by vot of he ma origof hen own r t n thi bdiv lon it 1 agr d to chang said cov mant in woll or in r

If he parties he to or any of them or ter is or ign hall vio a ent to 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 rathem tin to violate any such covenants, limitations, or restri n it r revent him or them from so doing or to recover demages 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 i h shall remain in full f rce and effe 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 t h 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 subdivision shall at any time be used as a residence, either temporarily 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 ser. (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>name</u> day of <u>Manual</u> 1966.

16 Comptroller. and cut we was 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. SECTION 42.80 30,1 237.40-S 88°- 30'- 50"W NORTHVIEW LANE NALTER CY RRY 15UBDIVISION HALCOMB NORVELL 12 C. P. 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 R 61 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 INESSE is not encumbered by any mortgages or taxes which have become due and payable. FINE HOMES. INC. Attest <u>Nancy L. Hant</u> NOTE: BEARINGS AS SHOWN ARE RELATIVE ONLY. STATE OF TENNES JEE. 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 him elf to be Plesident 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 100 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 Canuary, 1966. GRAPHIC 0 Got 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: I INCH = 100 FEET **JANUARY, 1966** ENGINEERING CO. RICHARDSON ZONED RI-A 8.₀06 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 Beds 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 werthethe 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 <u>WWM</u>, 2023 Unsura Dulliang 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 \underline{kr} day of \underline{W} with 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: Merphister 38127 M. EXP. SET 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 MEMI GENDA CHEC	CK OFF SHEET	
ONE ORIGINAL ONLY STAPLED				Planning & Development	
TO DOCUMENTS	Planning	<u>t & Zoning</u>	COMMITTEE:		
		PUBL	IC SESSION:	DATE <u>07/22/2025</u> DATE	
ITEM (CHECK ONE) <u>X</u> ORDINANCE	RESOLUTI	ON <u>X</u>	_ REQUEST FOR	PUBLIC HEARING	
ITEM CAPTION:	Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located at 2572 Park Avenue. By taking the land out of the Residential Urban - 1 (RU-1) Use District and including it in the Residential Urban - 3 (RU-3) Use District, known as case number Z 2025-004				
CASE NUMBER:	Z 2025-004				
LOCATION:	2572 Park Aven	2572 Park Avenue			
COUNCIL DISTRICT:	District 4 and Su	District 4 and Super District 8 – Positions 1, 2, and 3			
OWNER/APPLICANT:	Amanda Omear	a, City of Me	mphis		
REPRESENTATIVE:	Saki Middleton,	John Stanley	, Inc.		
REQUEST:	Rezoning of app	orox. 6.13 acr	es from the Reside	ential Urban - 1 (RU-1) to the Residential Urban - 3 (RU-3)	
RECOMMENDATION:	The Division of	Planning and		ommended Approval	
PRIOR ACTION ON ITEM	T		g — <u>07/08/2025</u> — <u>07/22/2025</u>	***************************************	
(1)		APPRO	OVAL - (1) APPR	OVED (2) DENIED	
(1) 05/08/2025 (1) Land Use Control Board		_ DATE ORGA	NIZATION - (1) I	OVED (2) DENIED BOARD / COMMISSION COUNCIL COMMITTEE	
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Memphis City Council Summary Sheet

Z 2025-004

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 2572 PARK AVENUE. BY TAKING THE LAND OUT OF THE RESIDENTIAL URBAN - 1 (RU-1) AND INCLUDING IT IN THE RESIDENTIAL URBAN - 3 (RU-3) USE DISTRICT, KNOWN AS CASE NUMBER Z 2025-004

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, May 08,2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	Z 2025-004
LOCATION:	2572 Park Avenue
COUNCIL DISTRICT(S):	District 4, Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Amanda Omeara, City of Memphis
REPRESENTATIVE:	Saki Middleton, John Stanley, Inc.
REQUEST:	Rezoning of approx. 6.13 acres from the Residential Urban - 1 (RU-1) to the Residential Urban - 3 (RU-3)

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 of the application.

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

Respectfully,

Alexis Longstreet

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

Cc: Committee Members File

PLOT PLAN



ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 2572 PARK AVENUE BY TAKING THE LAND OUT OF THE RESIDENTIAL URBAN - 1 (RU-1) AND INCLUDING IT IN THE RESIDENTIAL URBAN - 3 (RU-3) USE DISTRICT, KNOWN AS CASE NUMBER Z 2025-004.

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2025-004**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL URBAN - 1 (RU-1) AND INCLUDING IT IN THE RESIDENTIAL URBAN - 3 (RU-3) USE DISTRICT.

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

Parcel 1

BEGINNING at the intersection of south line of Douglas Avenue and the west line of Dallas Street; thence southwardly along the west line of Dallas Street a distance of 197.3 feet; thence westwardly along a severance line across said property a distance of 56.1 feet; thence northwardly along said severance line a distance of 21.8 feet;

thence westwardly along said severance line a distance of 218.9 feet to a point in the west line of said property; thence northwardly along said west line a distance of 136.8 feet to the south line of Douglas Avenue;

thence eastwardly along the south line of Douglass Avenue a distance of 280.5 feet to the POINT OF BEGINNING and containing approximately 45,200 square feet or 1.03 acres of land.

Parcel 2

The second floor of the Historic Melrose High School building located on said City of Memphis property containing 13,383 square feet, more or less.

Parcel 3

The third floor of the Historic Melrose High School building located on said City of Memphis property containing 13,383 square feet, more or less.

SECTION 2:

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

SECTION 3:

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

PLOT PLAN


ATTEST:

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

C DC MEMPHIS AND SHELBY COUNTY	TAFF	REP	ORT
AGENDA ITEM:	16	L.U.C.B. MEETING:	May 8, 2025
CASE NUMBER:	Z 2025-004		
LOCATION:	2572 Park Avenue		
COUNCIL DISTRICT:	District 4 and Super District 8 – Po	ositions 1, 2, and 3	
OWNER/APPLICANT:	Amanda Omeara, City of Memph	is	
REPRESENTATIVE:	Saki Middleton, John Stanley, Inc.		
REQUEST:	Rezoning of approx. 6.13 acres fro Urban - 3 (RU-3)	m the Residential Urban - 1	(RU-1) to the Residential

CONCLUSIONS

- 1. The applicant is proposing to upzone the subject property from RU-1 to RU-3 to develop affordable intergenerational housing totaling fifty-one (51) units.
- 2. The applicant intends to utilize the existing principal structure also known as the Historic Melrose High School Building to develop affordable low-income housing. In addition to the rehabilitation of the existing structure, the applicant is proposing to construct a twenty-seven (27) unit structure.
- 3. The Historic Orange Mound Community Center is located south of the subject property.
- 4. Staff recommends approval as the proposal is in keeping with the surrounding neighborhood.

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 18 – 20 of this report.

RECOMMENDATION:

Approval

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property highlighted in yellow

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 451 notices were mailed on April 16, 2025, see page 21 of this report for a copy of said notice. Additionally, three signs were posted at the subject property, see page 22 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Wednesday, April 23, 2025, at the Historic Orange Mound Library, Meeting Room A, 843 Dallas Court.

MONTGOMERY PARK PLACE SUBDIVISION (1919) (PLAT BOOK 6 PAGE 52)



AERIAL



Subject property outlined in yellow

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS

May 8, 2025 Page 8



View of subject property from Park Avenue looking northeast



View of subject property from Dallas Street looking northeast



View of subject property from Douglass Avenue looking southeast



View of subject property from the corner of Dallas Street and Douglass Avenue

PLOT PLAN



May 8, 2025 Page 13

PLOT PLAN MAGNIFIED



LEGAL DESCRIPTION

DESCRIPTION OF 6.13 ACRES, BEING PART OF THE LAWRENCE SYDNEY PEEK PROPERTY RECORDED IN INSTRUMENT NUMBER 15128776 IN THE SHELBY COUNTY REGISTER'S OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Parcel 1

BEGINNING at the intersection of south line of Douglas Avenue and the west line of Dallas Street; thence southwardly along the west line of Dallas Street a distance of 197.3 feet; thence westwardly along a severance line across said property a distance of 56.1 feet; thence northwardly along said severance line a distance of 21.8 feet;

thence westwardly along said severance line a distance of 218.9 feet to a point in the west line of said property; thence northwardly along said west line a distance of 136.8 feet to the south line of Douglas Avenue; thence eastwardly along the south line of Douglass Avenue a distance of 280.5 feet to the POINT OF BEGINNING and containing approximately 45,200 square feet or 1.03 acres of land.

Parcel 2

The second floor of the Historic Melrose High School building located on said City of Memphis property containing 13,383 square feet, more or less.

Parcel 3

The third floor of the Historic Melrose High School building located on said City of Memphis property containing 13,383 square feet, more or less.

CASE REVIEW

Request

The request is a rezoning of approx. 6.13 acres from the Residential Urban - 1 (RU-1) to the Residential Urban - 3 (RU-3).

Review Criteria

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

9.5.7B Review Criteria

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

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

<u>Site Details</u>

Address: 2572 Park Avenue

Parcel ID: 061024 00004

Area: +/-6.224 acres

Description:

The subject property is known as Lots 271-293 of the Montgomery Park Place Subdivision (1919). The subject property has an Institutional land use designation and is surrounded by a mix of residential, institutional and commercial land use designations. The subject property has several lot frontages along Park Avenue, Douglass Avenue and Dallas Street.

May 8, 2025 Page 16

<u>Analysis</u>

The applicant is proposing to upzone the subject property from Residential Urban -1 (RU-1) to Residential Urban -3 (RU-3). The subject property is located north of the Historic Orange Mound Community Center. The applicant will be utilizing the existing principal structure, also known as the Historic Melrose High School Building, to develop a 51-unit affordable and low-income multi-family housing development. The existing structure has twenty-four (24) one-bedroom units. The applicant is proposing to construct a twenty-seven (27) two-bedroom two story townhome structure north of the Historic Melrose High School building. Staff finds the rezoning to be consistent with the nature of the surrounding neighborhood.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

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

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

May 8, 2025 Page 18

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services Department in their recommendation: <u>Z 2025-004: Lamar</u>

Site Address/Location: 2572 Park Ave,

Overlay District/Historic District/Flood Zone: Not located in a Residential Corridor, Flood Zone or Historic District Future Land Use Designation: Anchor Neighborhood Crossing (A-NC) Street Type: Avenue

The applicant is seeking approval to rezone from the Residential Urban - 1 (RU-1) to the Residential Urban - 3 (RU-3) 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

Anchor Neighborhood Crossings (A-NC) are small, walkable mixed-use centers comprised of house scale buildings embedded within otherwise residential neighborhoods. Graphic portrayal of A-NC is to the right.



"A-NC" Form & Location Characteristics

NURTURE, ACCELERATE, and SUSTAIN

Primarily detached, single-family residences and commercial and institutional uses. Attached single-family, duplexes, triplexes, quadplexes and large homes (defined in the UDC as those apartment buildings with up to 6 units), including those with active ground floor commercial uses (including live/work) along sidewalk, are also permitted. Height: 1-3 stories. Scale: house-scale.

"A-NC" Zoning Notes

Generally compatible with the following zone districts: RW and CMU-1 in accordance with Form and characteristics listed above.

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Institutional; RU-1

Adjacent Land Use and Zoning: Institutional, Single-Family, Multi-Family; RU-1 and R-6

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 request is rezoning from RU-1 to RU-3 for Melrose Project.

3. Degree of Change Map



Red polygon denotes the proposed site in Degree of Change area. The Degree of Change is Accelerate.

4. Degree of Change Description

Accelerate areas rely on a mix of primarily private and philanthropic resources along with some public resources to intensify the existing pattern of a place.

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

N/A

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

N/A

Consistency Analysis Summary

The applicant is seeking approval to rezone from the Residential Urban - 1 (RU-1) to the Residential Urban - 3 (RU-3) 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 request is rezoning from RU-1 to RU-3 for Melrose Project.

Accelerate areas rely on a mix of primarily private and philanthropic resources along with some public resources to intensify the existing pattern of a place.

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.

May 8, 2025 Page 21

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 **Wednesday, April 23, 2025 at 8 AM.**

CASE NUMBER:	Z 2025-004
ADDRESS:	2572 Park Avenue
REQUEST:	rezoning of approx. 6.13 acres from the Residential Urban - 1 (RU-1) to the Residential Urban - 3 (RU-3)
APPLICANT:	Saki Middleton, John Stanley, Inc.

Meeting Details

Location: Council Chambers City Hall 1st Floor 125 N Main St. Time: 9:00 AM
Date: Thursday, May 8, 2025

Staff Planner Contact:

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



G

451 Notices Mailed 04/16/202

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT

stary -

0

Douglass Ave

VICINITY MAP

In Ave

Douglas

May 8, 2025 Page 22

AFFIDAVIT

Shelby County State of Tennessee

/ Dakota McMullen ____, being duly sworn, depose and say that at 1:25 am/pm on the 24th day of April _, 20²⁵ _, I posted 3 ___ Public Notice Sign(s) at 2572 Park Avenue pertaining to Case No. Z 2025-004

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.

Owner, Applicant or Representative

Subscribed and sworn to before me this 244 day of

April

2025

4.5

SALIONA

Notary Public

My commission expires: 06.05



Date

APPLICATION



Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

Record Status: Additional Info Required Opened Date: February 28, 2025

Expiration Date:

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Number: Z 2025-004

Record Name: Melrose

Description of Work: The Melrose project is a 51 unit- affordable intergenerational project for low-income seniors and families. The project has two components which includes the adaptive reuse of the historic Melrose High School building. The rehabilitation of 24 one bedrooms located on the 2nd and 3rd floor of the Historic Melrose High School building, which includes a recently completed City of Memphis public Library and Genealogy center on the 1st floor. The project also includes the new construction of 27 2bdrm 2-story townhomes located on an existing parking lot adjacent to the Historic Melrose High School building.

The Melrose affordable housing project is component of the City of Memphis targeted economic investment, which includes the adaptive reuse of an abandoned historic building into master planned mixed-use development which includes affordable housing, a Public Library and Genealogy center located in the Orange Mound neighborhood in southeastern Memphis, TN.

Parent Record Number:

Addres	s:		
2572 PA	ARK AVE, MEMPHIS 38114		
Owner I	Information		
Primary	Owner Name		
Y	CITY OF MEMPHIS		
Owner Address 125 N MAIN ST, MEMPHIS, TN 38103		Owner Phone 9016367364	
061024	00004		
Data Fie	elds		
PREAPP	PLICATION MEETING		
Page 1 of 3	3	Z 2025-004	

Name of DPD Planner Date of Meeting	N/A	
Pre-application Meeting Type		
GENERAL INFORMATION		
Have you held a neighborhood meeting?	No	
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No	
If yes, please provide additional information GIS INFORMATION	-	
Case Layer	-	
Central Business Improvement District Class	No -	
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	-	
Contact Information		
Name		Contact Type
SAKI S MIDDLETON		APPLICANT
Address		
Phone (213)687-2327		
Name SAKI MIDDLETON		Contact Type
Address		
Phone (310)801-7633		
Name Amanda omeara		Contact Type PROPERTY OWNER OF
Address TN,		RECORD
Phone (901)636-7364		

Page 2 of 3

Z 2025-004

Comments

Date 03/19/2025

MISSING DOCUMENTS:

- EXECUTED PROPERTY OWNER AFFIDAVIT
- LEGAL DESCRIPTION IN WORD FORMAT

- PLOT PLAN

Comment

WILL SEND A PROPERTY OWNER AFFIDAVIT TO BE COMPLETED BY APPLICANT

Page 3 of 3

Z 2025-004

OWNER AFFIDAVIT



Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Saki S. Middleton

(Print Name)

(Sign Name)

state that I have read the definition of

*Owner" as outlined in the Memphis and Shelby dounty 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

X 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)

and further identified by Assessor's Parcel Number <u>See Attached</u> , for which an application is being made to the Division of Planning and Development.	
for which an application is being made to the Division of Planning and Development.	
Subscribed and sworn to (or affirmed) before me this <u>28</u> day of <u>February</u> in the year	ar of 2025
Signature of Notary Public NaYEEN KNAN Natary Public - California Los Angeles County Any Commission # 2486107 Ny Commission Expires Ny Commission Expires	2028

LETTER OF INTENT

May 8, 2025 Page 27

💾 John Stanley

February 28, 2025

City of Memphis and Shelby County Division of Planning and Development City Hall – 125 N. Main Street Suite 468 Memphis, TN 38103

Re: Proposed Affordable Housing Project 2572 Park Avenue Memphis, TN 38114 Parcel ID 061024 00004

To Whom it May Concern:

The Melrose project is a 51 unit- affordable intergenerational project for low-income seniors and families. The project has two components which includes the adaptive reuse of the historic Melrose High School building. The rehabilitation of 24 one bedrooms located on the 2nd and 3nd floor of the Historic Melrose High School building, which includes a recently completed City of Memphis public Library and Genealogy center on the 1st floor. The project also includes the new construction of 27 2bdrm 2-story townhomes located on an existing parking lot adjacent to the Historic Melrose High School building.

The Melrose affordable housing project is component of the City of Memphis targeted economic investment, which includes the adaptive reuse of an abandoned historic building into master planned mixed-use development which includes affordable housing, a Public Library and Genealogy center located in the Orange Mound neighborhood in southeastern Memphis, TN.

<u>Project Name</u>: Melrose <u># of Units</u>: 51 units <u>Bedroom Mix</u>: 24 – 1bdrm/1bath stacked flat units and 27 2bdrm/1.5 bath townhomes <u>Location</u>: 843 Dallas Street, Memphis, TN 38114 <u>Type of Development</u>: New Construction senior and families (both rehabilitation 42 units and new construction 27 townhomes); intergenerational.

John Stanley • 655 Deep Valley Drive Suite 325-8, Rolling Hills Estates, CA 90274 • (213) 687-2327 phone • (213) 406-8066 fax • www.johrstanleyinc.com

Letter of Intent	Page 2 of 2
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The project provide 24 units of senior housing on the 2nd and 3rd floor of the Historic Melrose building, which will complement the completed Library and Genealogy Center that is on the first floor. The Project amenities will include a gym, movie room and direct interior access to the Library and Genealogy Center. In addition, to the foregoing there will be community space reserved solely for the tenants. The senior housing component will provide housing to an aging community and access to the Orange Mound Community Center that is an anchor to the neighborhood's senior community. The seniors will have a access to a variety of services which include but are not limited to job placement, educational classes, art classes. In addition to the foregoing, the Project will provide 27 two-story 2bdrm townhomes for families that will be located on the adjacent parking lot. The townhomes will provide affordable housing to families in the community and the social services will be integrated with the Library and Genealogy center. The townhomes will be designed to look and feel like market rate townhomes and will fit with the existing the architectural theme of the community.

The finalized Project plan is designed per the input provided by the Orange Mound Stakeholders and the City of Memphis. The final plan reflects the goals and priorities of housing in support of in in connection with the completed Library and Genealogy Center; including the street improvements and social impact investments.

Should you have any questions or need any additional information please don't hesitate to contact me at 213.687.2327.

Since Saki S. Middleton

President

LETTERS RECEIVED

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



Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

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Parent Record Number:

Owner Information		
Primary Owner Name		
Y CITY OF MEMPHIS		
Dwner Address	Owner Phone	
125 N MAIN ST, MEMPHIS, TN 38103	9016367364	
arcel Information		
61024 00004		

. . .

N/A
-
-
No
No
-
-
No
- N 1
No
-
-
-
-
-
-
-
No
-
-
-

Contact Information

Name

SAKI S MIDDLETON

Address

Phone

(213)687-2327

Name SAKI MIDDLETON

Address

Phone (310)801-7633

Name AMANDA OMEARA

Address TN,

Phone (901)636-7364 Contact Type

APPLICANT

Contact Type

CONTACT

Contact Type

PROPERTY OWNER OF RECORD

Comments

Date 03/19/2025 Comment MISSING DOCUMENTS:

- EXECUTED PROPERTY OWNER AFFIDAVIT
- LEGAL DESCRIPTION IN WORD FORMAT
- PLOT PLAN

WILL SEND A PROPERTY OWNER AFFIDAVIT TO BE COMPLETED BY APPLICANT



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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Saki S. Middleton , state that I have read the definition of (Print Name) (Sign Name)

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

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

of the property located at 2572 Park Avenue Memphis and 2571 Dallas Street, Memphis, TN 38114 and further identified by Assessor's Parcel Number _____ See Attached for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this <u>28</u> day of <u>Fcbnuary</u> in the year of <u>2025</u> NAYEEM KHAN Notary Public - California Los Angeles County

Commission # 2486307

Signature of Notary Public

My Comm. Expires May 2, 2028 My Commission Expires

CALIFORNIA ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the

and no	of the truthfulness, accuracy, or validity of that document.
State of CALIFORNIA	
County of LOS ANGELES	
On 02/28/2025 before me,	NAYEEM KHAN, NOTARY PUBLIC
personally appeared SAKI S	Insert Name and Title of the Officer Middle for Name(s) of Signer(s)
who proved to me on the basis of satisfactory evider subscribed to the within instrument and acknowledg their authorized capacity(ies), and that by his/her/the entity upon behalf of which the person(s) acted, exer	ed to me that he/she/they executed the same in his/her
NATELM KHAN laws of t Notary Public - California paragrap Los Angeles County Commission # 2486307	under PENALTY OF PERJURY under the he State of California that the foregoing oh is true and correct. iS my hand and official seal.
Signature	7, ///
Place Notary Seal and/or Stamp Above	Signature of Notary Public
Although the information in this section is not required to 1	IONAL w. it could prevent fraudulent removal and reattachment of this prove useful to persons relying on the attached document.
Description of Attached Document	per care resping on the autoened document.
Title or Type of Document: <u><i>Plongerty</i></u>	OWNERS Attiday It
Document Date:	Number of Pages:
Signer(s) Other Than Named Above:	
Capacity(ies) Claimed by Signer(s)	□ None
Signer's Name:	Signer's Name:
Corporate Officer - Title(s): Partner - Limited General Individual Trustee Guardian or Conservator Other:	□ Corporate Officer - Title(s): □ Partner - □ Limited □ General □ Individual □ Attorney in Fact
Signer is Representing:	Signer is Representing:

Signer is Representing:

DESCRIPTIONS – HISTORIC MELROSE SCHOOL PROJECT

A tract of land situated in Memphis, Shelby County, Tennessee being part of the City of Memphis property of record recorded in Instrument Number 15128776 in the Shelby County Register's Office, identified as Parcel 061024 00004 and being more particularly described as follows:

Parcel 1

BEGINNING at the intersection of south line of Douglas Avenue and the west line of Dallas Street; thence southwardly along the west line of Dallas Street a distance of 197.3 feet; thence westwardly along a severance line across said property a distance of 56.1 feet; thence northwardly along said severance line a distance of 21.8 feet; thence westwardly along said severance line a distance of 218.9 feet to a point in the west line of said property; thence northwardly along said west line a distance of 136.8 feet to the south line of Douglas Avenue; thence eastwardly along the south line of Douglass Avenue a distance of 280.5 feet to the POINT OF BEGINNING and containing approximately 45,200 square feet or 1.03 acres of land.

Parcel 2

The second floor of the Historic Melrose High School building located on said City of Memphis property containing 13,383 square feet, more or less.

Parcel 3

The third floor of the Historic Melrose High School building located on said City of Memphis property containing 13,383 square feet, more or less.


PAUL A. YOUNG Mayor ASHLEY CASH HOUSING and COMMUNITY DEVELOPMENT

January 16, 2025

Felita Hamilton Allocations Manager Tennessee Housing Development Agency (THDA) 502 Deaderick St Nashville, TN 37243

Dear Ms. Hamilton:

Mayor Young of Memphis and the City of Memphis Division of Housing and Community Development (HCD) are pleased to support John Stanley Inc's application to the Tennessee Housing Development Agency (THDA) for selection as an Economic Development Area Set-Aside Project for the development of affordable senior housing as part of the Historic Melrose Revitalization. HCD is committed to making our City and our neighborhoods strong, healthy, and thriving, while improving the quality of life for every Memphian.

Since 2017, we have been directly engaged with the Orange Mound community to facilitate dialogue centered around the future of Historic Melrose High School. Through co-creation, the community and City partnered to preserve the historic building and transform it into a multi-generational public space that would be inviting for the community and a tool to improve the vitality of the neighborhood. In 2021, the City of Memphis committed \$10M of Accelerate Memphis Bonds to the project, as well as \$2.1M in Capital Improvement funds between FY2022 and FY2024. HCD has invested over \$4M of Community Development Block Grant funding into the first two phases of the project, repurposing the historic building into the community's first public library, including a genealogy center.

This third phase of the project which will add much needed affordable senior housing is the final piece of bringing the community's vision to life. Historic Melrose is the center of the culturally significant Orange Mound neighborhood and is neighbored by a community center, park, community health center and established, yet disinvested residential neighborhood. The successful development of this senior housing furthers HCD's vision for this historic neighborhood.

Budget Sources	Dates/Amounts	Project Phase
Accelerate Memphis Bonds	April 2021 (\$10M)	Phase 1/2
City of Memphis CIP	FY22 (\$500K); FY24 (\$1.6M)	Phase 1/2
CDBG	FY18-20, FY23-24 (\$4.15M)	Phase 1/2

This letter serves as verification of the below locally committed funding sources for the project:

170 North Main Street 3rd Floor • Memphis, Tennessee 38103-1877 • (901) 636-7300 • FAX (901) 636-9801

Federal FDI (Cohen) Grant	Eab 2022 (C284)	
Federal EDI (Cohen) Grant	Feb 2023 (\$3M)	Phase 3 (Senior Housing)
		(Schor Housing)

If additional information is required, feel free to contact me at 901-636-7308.

Sincerely, Ashley Cash, Director

170 North Main Street 3rd Floor • Memphis, Tennessee 38103-1877 • (901) 636-7300 • FAX (901) 636-9801

John Stanley

February 28, 2025

City of Memphis and Shelby County Division of Planning and Development City Hall – 125 N. Main Street Suite 468 Memphis, TN 38103

Re: Proposed Affordable Housing Project 2572 Park Avenue Memphis, TN 38114 Parcel ID 061024 00004

To Whom it May Concern:

The Melrose project is a 51 unit- affordable intergenerational project for low-income seniors and families. The project has two components which includes the adaptive reuse of the historic Melrose High School building. The rehabilitation of 24 one bedrooms located on the 2nd and 3rd floor of the Historic Melrose High School building, which includes a recently completed City of Memphis public Library and Genealogy center on the 1st floor. The project also includes the new construction of 27 2bdrm 2-story townhomes located on an existing parking lot adjacent to the Historic Melrose High School building.

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<u>Project Name</u>: Melrose
<u># of Units</u>: 51 units
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Should you have any questions or need any additional information please don't hesitate to contact me at 213.687.2327.

Sincer Saki S. Middleton

President







SCALE: NTS

		CONTROL P	OINTS	
	NSRS 2011	Tennessee State	e Plane Zone, U	S Foot
PNT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	306822.6630	779626.3460	310.9450	M-1
2	306813.6810	779730.2460	311.7950	M-2
4	306574.6110	779709.6350	313.9990	M-4
5	306705.6320	779599.1090	313.2950	M-5
6	306920.7410	779604.8800	308.3320	M-6
		Revit Expor	t UCS	
PNT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	1248.0521	916.7110	310.9450	M-1
2	1239.0700	1020.6110	311.7950	M-2
4	1000.0000	1000.0000	313.9990	M-4
5	1131.0210	889.4740	313.2950	M-5
6	1346.1300	895.2450	308.3320	M-6



DESCRIPTIONS – HISTORIC MELROSE SCHOOL PROJECT

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thence westwardly along said severance line a distance of 218.9 feet to a point in the west line of said property; thence northwardly along said west line a distance of 136.8 feet to the south line of Douglas Avenue;

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Parcel 3

The third floor of the Historic Melrose High School building located on said City of Memphis property containing 13,383 square feet, more or less.



Willie F. Brooks, Jr. Shelby County Register of Deeds

	CITY OF MEMPHIS
Owner:	
Parcel Address:	2572 PARK AVE
Parcel ID:	061024 00004
2025 Appraisal:	\$3,000
Tax District:	MEMPHIS
Year Built:	
Lot Number:	271-293
Subdivision:	MONTGOMERY PARK PLACE
Plat BK & PG:	6-52
Dimensions:	6.224AC
Total Acres:	6.224

Owner Address: 125 N MAIN ST STE 336

MEMPHIS TN

38103 2030

S amil ton Cella St Douglass Ave 2 400 Park Ave ----R ALE B Enterprise Ave **MIN** Select Ave by County ITS / ReGIS 160 North Main, Suite 1000 270 540 vcountwinterov @sheb

Map prepared on 3/19/2025



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

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

Date: 2/28/25

Previous Case/Docket #:

PLEASE TYPE OR PRIN	T	
Derty Owner of Record:Phone #:Phone #:Pho		-636-7364
170 North Main Street	Memphis, TN	38103 Zip:
Broperty Owner Email Address: amanda.omeara@memphistn.	gov	·p·
laha Ctanlay Ina/Calvi C. Middlatan	014	3-687-2327
Applicant:655 Deep Valley Drive Suite 325-B	Phone #: 213 Rolling Hills Estates, CA City/State:	90274
Applicant Email Address:smiddleton@Johnstanleyinc.com		
Representative:	Phone #:	
Mailing Address:	City/State:	Zip:
Representative Email Address:		
Architect/Engineer/Surveyor:	Phone #:	
Mailing Address:	City/State:	Zip:
Architect/Engineer/Surveyor Email Address:		
PREMISES LOCATION (Describe by street address & directional loca of Johnson Street, 100 feet east of Brown Street): and the first and secod floor of the existing Melrose building co	; Approximately 45,200 sq.ft. or 1.	03 acres
Parcel ID:		
Project Name:		
Project Name:		
Did you have a pre-application meeting with the Division of Planni	ng and Development (DPD)?	
	e of Meeting:	

Exist Requ Requ Is th	ing Zoning: ing Use of Property: uested Use of Property: uested Zoning: is application in response to a ci is, please provide a copy of th N/A	•	order, and/or zoning let	Area C	r relevant
REVI	EW CRITERIA (UDC Sub-Section	9.5.7B)			
In m 1)	aking recommendations, the La Consistency with any plans to	nd Use Control Board sha be considered (see Chapt	ter 1.9): <u>Attached</u>	matters:	
2)	Compatibility with the presen nearby property and with the			lay district) and conformi	ng uses of
3)	Suitability of the subject prope	erty for uses permitted by	y the current versus the	Attach	ed
4)	Whether the proposed chang Attached County:	e tends to improve the	balance of uses, or mee	ets a specific demand in t	he City or

5)	The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply
	Attached
	and stormwater drainage facilities for the proposed zoning:

LAND USE CONTROL BOARD REZONING APPLICATION GUIDE

To file online use the Develop 901 Citizen Portal: www.aca-prod.accela.com/SHELBYCO/Default

GENERAL INFORMATION

UNIFIED DEVELOPMENT CODE (UDC) REFERENCES FOR REZONINGS:

a) Zoning Change – UDC Chapter 9.5

PRE-APPLICATION MEETING – This is a meeting in which the Division of Planning and Development Land Use and Development Services discusses the procedures, standards, and regulations required of a request in accordance with the Unified Development Code with the applicant(s) and/or their representative(s), see Section 9.3.1 of <u>Unified Development</u> <u>Code</u> for additional information. To schedule a pre-application meeting please call Land Use and Development Services at (901) 636-6619.

APPLICATION REVIEW PROCESS – <u>Click here</u> to view a flowchart that explains the review process by application type, as well as the expected review time for each.

NEIGHBOORHOOD MEETING – At least ten (10) days, but not more than one hundred twenty (120) days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site, see Section 9.3.2 of the <u>Unified Development Code</u> for additional information, procedures, standards, and requirements.

APPLICATION DEADLINES – A link to the Applications Deadlines Calendar can be found on the Land Use and Development Services' <u>webpage</u>.

APPLICATION ASSISTANCE – <u>Click here</u> to view a list of firms and individuals who frequently provide assistance with the filing of applications with the Division of Planning and Development.

FILING FEE(S) – See the Fee Schedule. Make checks payable to "M/SC Division of Planning and Development"

POSTED NOTICE – Posting sign(s) may be required; refer to Sub-Sections 9.3.4A and 9.3.4C of the <u>Unified Development</u> <u>Code</u> for specific requirements. If posted notice is required, the sign <u>affidavit</u> and a photograph of each sign on the subject property are also mandatory. <u>Download</u> templates of the sign in a PowerPoint document. <u>Click here</u> for a list of companies that may be able to produce posted notice signs.

ZONING CHANGE REQUIREMENTS

A rezoning must meet the following requirements of Section 9.5.2 of the UDC:

A. A zoning change shall correspond with the boundary lines of existing tracts and lots, and with the centerline of any abutting streets or alleys. Where the boundaries of a zoning change request stop short of an exterior property line, it must be possible to subdivide and develop that portion of the property outside the proposed zoning change boundary in accordance with the existing zoning and other requirements of this development code.

B. All zoning requirements shall be met within the boundaries of the area being rezoned. If all of the requirements Revised 10.09.2023



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

May 12, 2025

Saki Middleton, John Stanley, Inc.

Sent via electronic mail to: smiddleton@johnstanleyinc.com, amanda.omeara@memphistn.gov

Case Number: Z 2025-004 LUCB Recommendation: Approval

Dear applicant,

On Thursday, May 08,2025, the Memphis and Shelby County Land Use Control Board recommended *approval* of your rezoning of approx. 6.13 acres from the Residential Urban - 1 (RU-1) to the Residential Urban - 3 (RU-3)

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

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

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

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

Respectfully,

Alexis Longstreet

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

Cc: File



Brett Ragsdale, AIA Zoning Administrator Land Use and Development Services

April 14, 2025

Felita Hamilton Allocations Manager Tennessee Housing Development Agency (THDA) 502 Deaderick St Nashville, TN 37243

Dear Ms. Hamilton:

The Division of Planning and Development for Memphis and Shelby County is pleased to provide this letter for evidence of zoning as outlined in the 2025 Qualified Allocation Plan Section 6(A)(3)(b) for John Stanley, Inc's Low-Income Housing Tax Credit application to the Tennessee Housing Development Agency (THDA) for the development of affordable senior and multifamily housing as part of the Historic Melrose Revitalization project.

The Historic Melrose Revitalization project located at 843 Dallas St, Memphis, TN 38114 will include construction of twenty-four (24) affordable senior apartment units on floors 2 & 3 of the existing historic building (Parcels 2 & 3), plus new construction of twenty-seven (27) affordable multifamily townhome and flat-style units at the corner of Dallas St and Douglass Ave (Parcel 1). The Zoning Approval process and timeline is approximately 4-5 months. The applicant submitted their application on February 28, 2025, and it is currently scheduled to be heard at the May 8th Land Use Control Board (LUCB) meeting. Once approved at the LUCB, it will be forwarded to the City Council for a final determination. A rezoning requires three readings at Council. The John Stanley, Inc team and I are working together to assure that the zoning application is moving through the review and approval process in a timely manner to be eligible for their THDA award.

If additional information is required, feel free to contact me at 901-636-6619.

Sincerely,

Brett Rysdole

901-636-6601

901-636-6619

Brett Ragsdale, AIA Zoning Administrator





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

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, <u>July 22, 2025</u> at 4:00 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

CASE NUMBER:	Z 2025-004
LOCATION:	2572 Park Avenue
COUNCIL DISTRICT:	District 4 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Amanda Omeara, City of Memphis
REPRESENTATIVE:	Saki Middleton, John Stanley, Inc.
REQUEST:	Rezoning of approx. 6.13 acres from the Residential Urban - 1 (RU-1) to the Residential Urban - 3 (RU-3)

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: Approval

Memphis and Shelby County Land Use Control Board: Approval

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

THIS THE _____, ____,

JB SMILEY, JR. CHAIRMAN OF COUNCIL

ATTEST:

