# CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL | ONLY STAPLED | TO DOCUMENTS Planning & Development DIVISION

Planning & Zoning COMMITTEE: 07/08/2025

DATE

PUBLIC SESSION:

07/22/2025 DATE

ITEM (CHECK ONE) ORDINANCE	X RESOLUTION	REQUEST FOR	PUBLIC HEARING
ITEM DESCRIPTION:			mphis and Shelby County Unified Development Code approving ated at 5536 Summer Avenue, known as case number SUP 2025-
CASE NUMBER:	SUP 2025-010		
LOCATION:	5536 Summer Ave	nue	
COUNCIL DISTRICTS:	District 1 and Supe	er District 9 – Positions 1, 2	s, and 3
OWNER/APPLICANT:	Jairo Lopez-Amigo	os Auto Sales LLC	
REPRESENTATIVE:	Jessenia Rivas		
REQUEST:	To allow used vehi	cle sales	
AREA:	+/-41,164 square fe	eet	
RECOMMENDATION:		anning and Development re trol Board Recommended	ecommended Approval with conditions Approval with conditions
RECOMMENDED COUN	CIL ACTION: Pub	olic Hearing Not Required	
PRIOR ACTION ON ITEM (1) 06/12/2025 (1) Land Use Control Board  FUNDING: (2) \$ \$ SOURCE AND AMOUNT (5) \$ \$ \$		(2) GOV'T. ENTITY (	) BOARD / COMMISSION 3) COUNCIL COMMITTEE PENDITURE - (1) YES (2) NO DITURE CEIVED
ADMINISTRATIVE APPR	OVAL:	<u>DATE</u>	<u>POSITION</u>
makson Studies	~	June 16,2-25	STAFF PLANNER
But Pyr		6/16/25	DEPUTY ADMINISTRATOR  ADMINISTRATOR  DIRECTOR (JOINT APPROVAL)  COMPTROLLER  FINANCE DIRECTOR  CITY ATTORNEY
			CHIEF ADMINISTRATIVE OFFICER COMMITTEE CHAIRMAN



# Memphis City Council Summary Sheet

# **SUP 2025-010**

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 5536 SUMMER AVENUE, KNOWN AS CASE NUMBER SUP 2025-10.

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

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 5536 SUMMER AVENUE, KNOWN AS CASE NUMBER SUP 2025-010

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, Jairo Lopez-Amigos Auto Sales LLC filed an application with the Memphis and Shelby County Division of Planning and Development to allow used vehicle sales; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on June 12, 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.

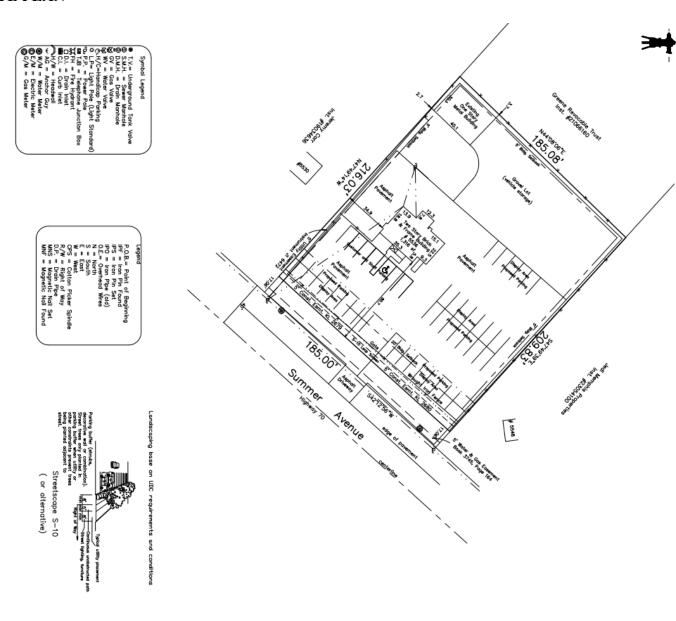
**BE IT FURTHER RESOLVED,** that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed 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. Streetscape Plate Type S-10 or an equivalent approved by the Division of Planning and Development shall be provided along Summer Avenue.
- 2. Any proposed fencing and gating shall meet the locational and material requirements of the Unified Development Code. No razor wire or barbed wire is permitted.
- 3. Lighting for outdoor vehicle sales shall be arranged/positioned to prevent direct glare onto any public right-of-way or private property.
- 4. All parking spaces shall be painted with striping.
- 5. A final site plan shall be provided that demonstrates site plan compliance including, but not limited to: landscaping, screening, parking, compliance with building setback and height requirements, lighting, and any other development standards that are applicable according to Article 4 of the Unified Development Code.

# **SITE PLAN**





39,388.2 Sq Ft 0.90 ACRES AREA VICINITY MAP (NTS)

2 minus.

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SITE DATA

Lots 1. Lots 1. Lond Area 39,405.5 SqFt 0.90 cores 20ning CMU-3. Use Retail Automative Soles Office Size 1,316 sf Accesary Building Size 1,200 sf Parking Spaces:
Display 37 Customer and Staff 7 Customer and Staff 7 Total=45 spaces



# Site Plan

		ro	ę,	Sheet 1	Zoning CMU-3 Sheet 1 of 2	ning C	Zo			
ō	ω			SCALE 1' = 30'		2025	,6	MAY	DATE: MAY 6, 2025	
		₹	٣.	Count	Memphis, Shelby County, TN	phis,	en en	2		
				00018	Tax ID 088067 00018	ĕ	₫			
		æ	ã	Ave	5536 Summer Avenue	36	ŏ	(B		

Campbell Surveying Company

1023 South Yates Road

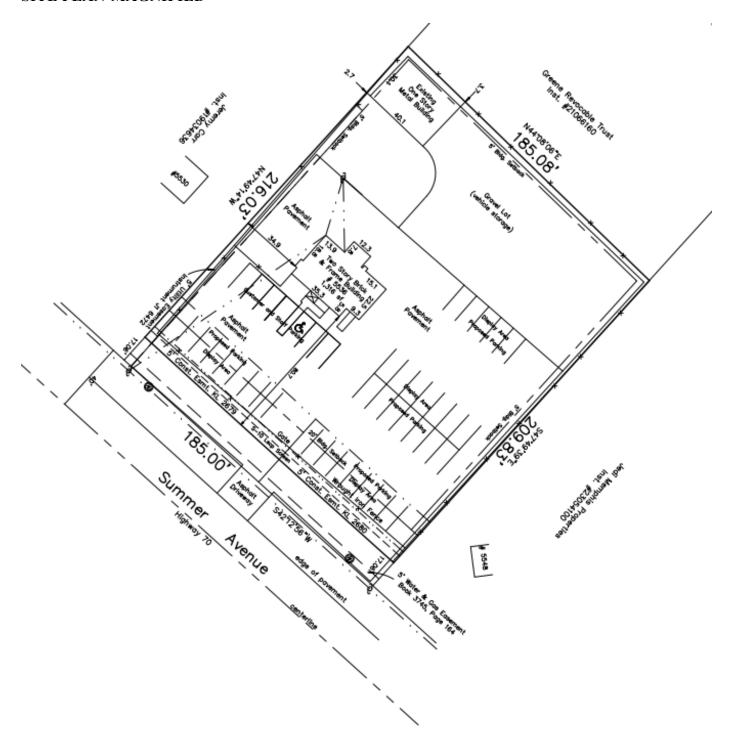
Memphis, TN 38119

(901) 683-9114

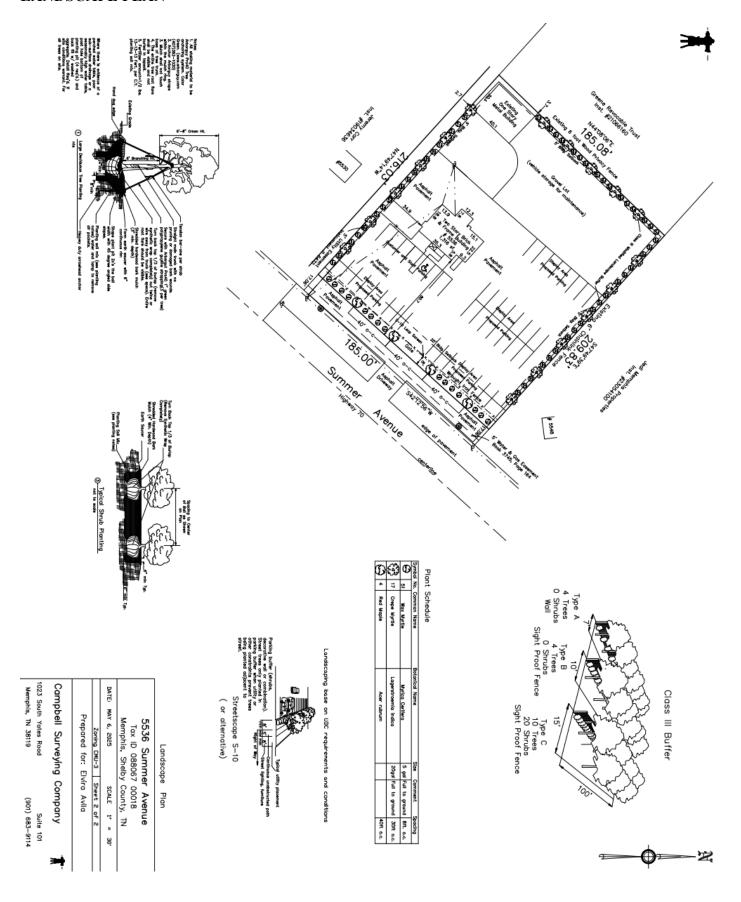


Prepared for: Elvira

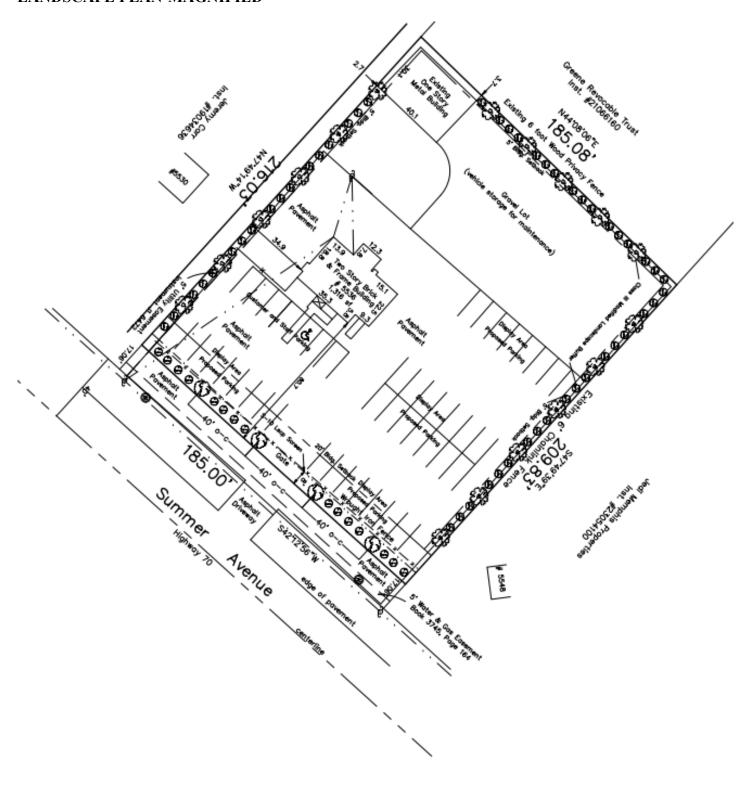




# LANDSCAPE PLAN



# LANDSCAPE PLAN-MAGNIFIED



ATTEST:

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

### LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, June 12, 2025*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 2025-010

**LOCATION:** 5536 Summer Avenue

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

OWNER/APPLICANT: Jairo Lopez-Amigos Auto Sales LLC

**REPRESENTATIVE:** Jessenia Rivas

**REQUEST:** To allow a used vehicle sales

**EXISTING ZONING:** Commercial Mixed Use-3 (CMU-3), Fletcher Creek Overlay

AREA: +/-41,164 square feet

The following spoke in support: None

The following spoke in opposition: None

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

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

Respectfully,

Planner II

Land Use & Development Services

Mahsan Ostadnia

Cc: Committee Members

File

# SUP 2025-010 CONDITIONS

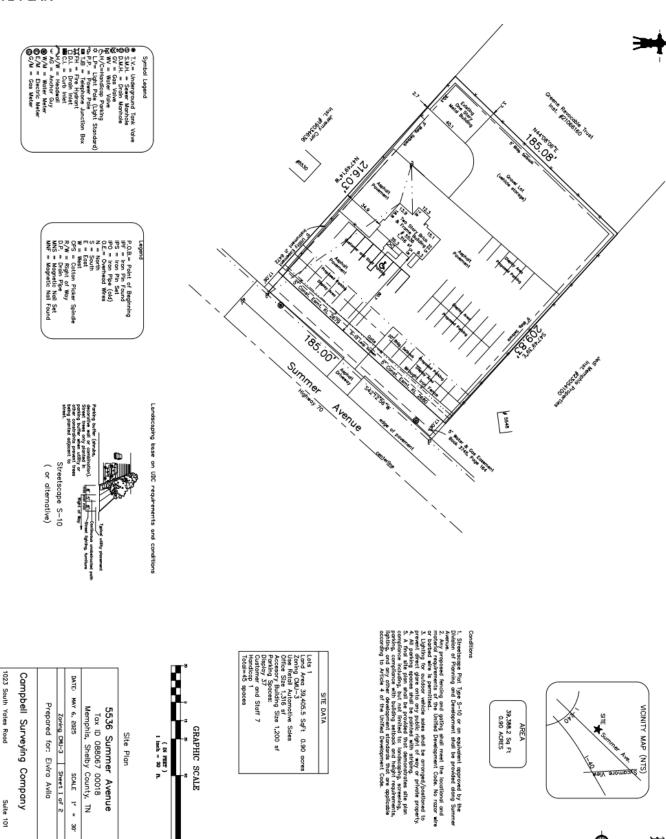
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- 4. All parking spaces shall be painted with striping.
- 5. A final site plan shall be provided that demonstrates site plan compliance including, but not limited to: landscaping, screening, parking, compliance with building setback and height requirements, lighting, and any other development standards that are applicable according to Article 4 of the Unified Development Code.

### **SITE PLAN**

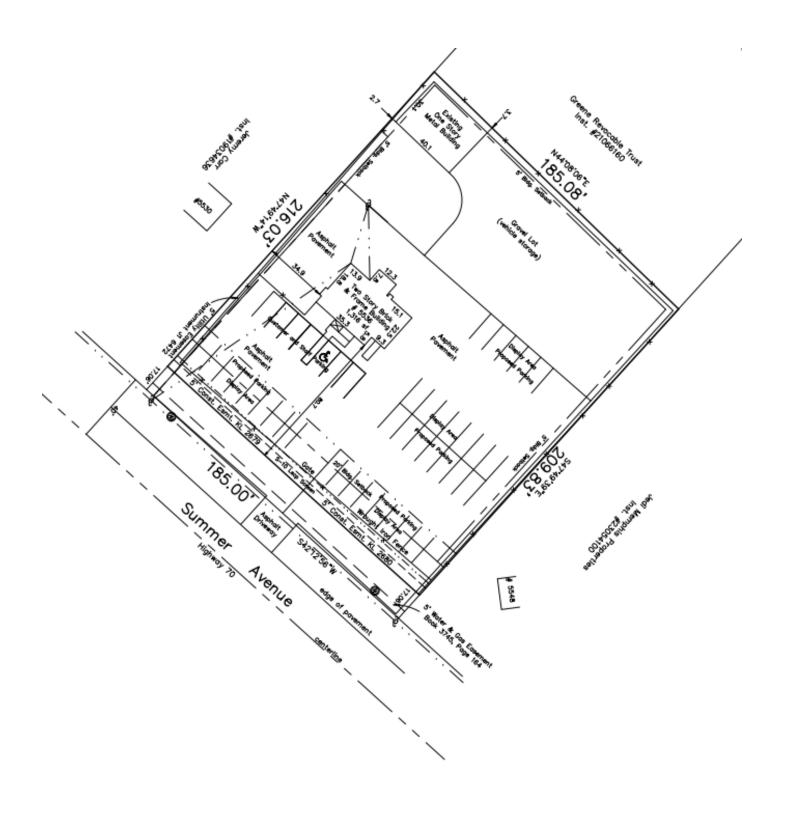
Memphis, TN 38119

(901) 683-9114

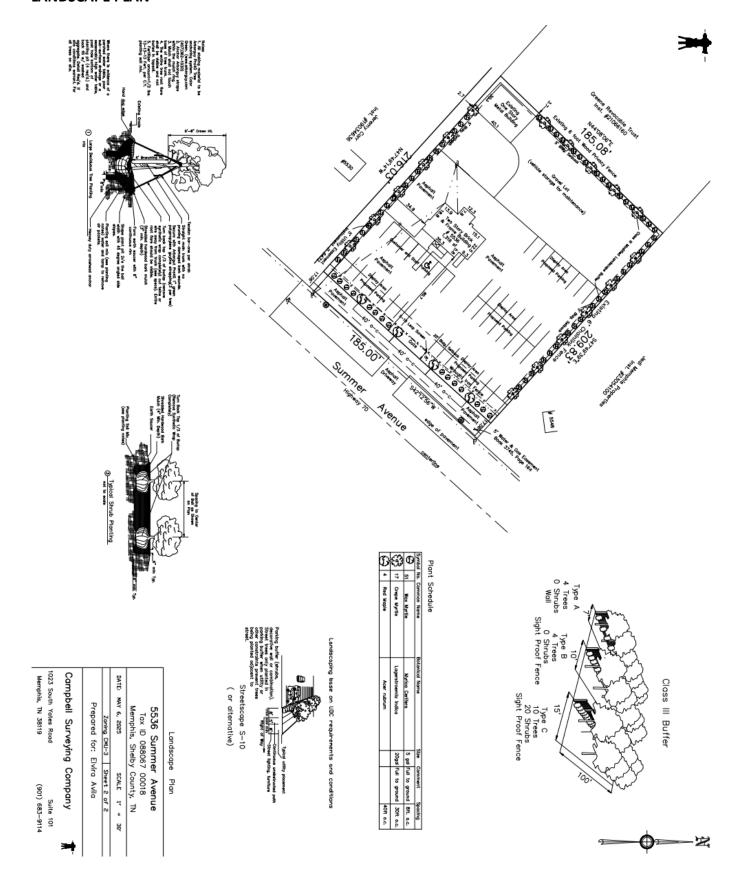
30′



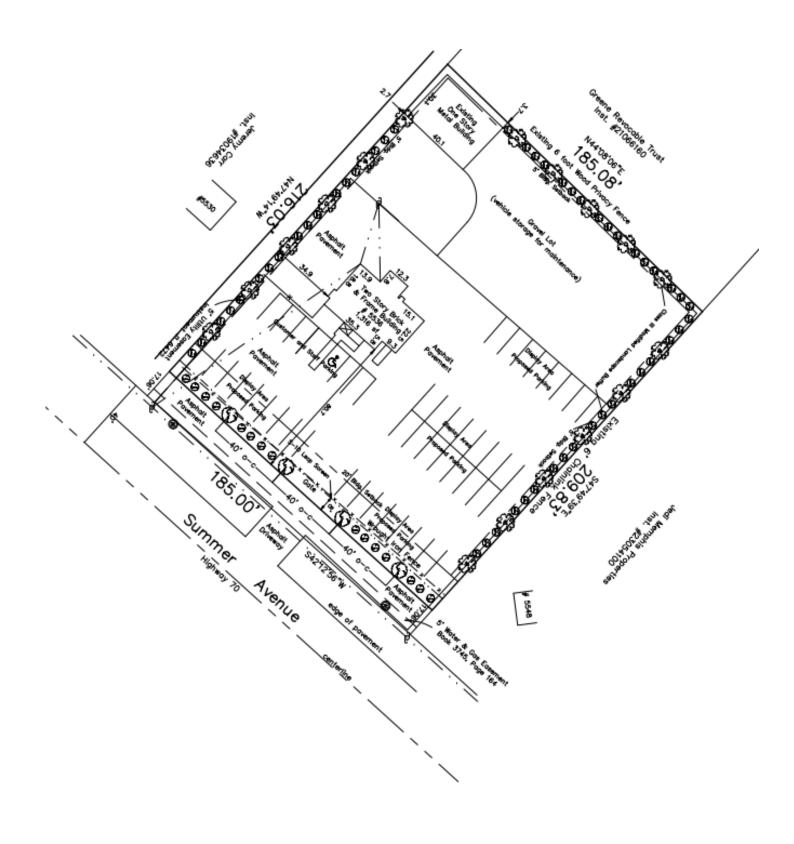
# SITE PLAN-MAGNIFIED



### LANDSCAPE PLAN



# LANDSCAPE PLAN-MAGNIFIED



AGENDA ITEM: 7 L.U.C.B. MEETING: June 12, 2025

CASE NUMBER: SUP 2025-010

**LOCATION:** 5536 Summer Avenue

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

**OWNER/APPLICANT:** Jairo Lopez-Amigos Auto Sales LLC

**REPRESENTATIVE:** Jessenia Rivas

**REQUEST:** Special use permit to allow used vehicle sales

**EXISTING ZONING:** Commercial Mixed Use-3 (CMU-3), Fletcher Creek Overlay

### **CONCLUSIONS**

- 1. The applicant is requesting a special use permit to allow used vehicle sales on the subject property, known as the K Williamson subdivision. The site encompasses approximately 41,164 square feet and is zoned Commercial Mixed Use-3 (CMU-3) within the Fletcher Creek Overlay District. The existing principal structure on the property was built in 1950 and totals 1,848 square feet. Surrounding land uses include a mix of office, commercial, and vacant lots, consistent with the diverse character of the area.
- 2. The property features approximately 185 feet of frontage on Summer Avenue, with side lot lengths of about 216 feet to the west, 209 feet to the east, and a rear boundary near 185 feet. Vehicular ingress and egress are provided via a single curb cut on Summer Avenue to facilitate site access.
- 3. The site includes about 35 parking spaces, one of which is ADA-accessible and located near the main entrance. Parking is primarily situated along the front and side of the building and finished with asphalt surfacing. To comply with zoning and overlay guidelines, the property incorporates fencing and landscaping buffers, including Type B and Type C buffers with privacy fencing and plantings. Street frontage landscaping follows S-10 overlay standards with Crepe Myrtles and a planted strip, while Wax Myrtles along the side property lines provide consistent evergreen coverage and help visually separate the site from adjacent uses.
- 4. 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

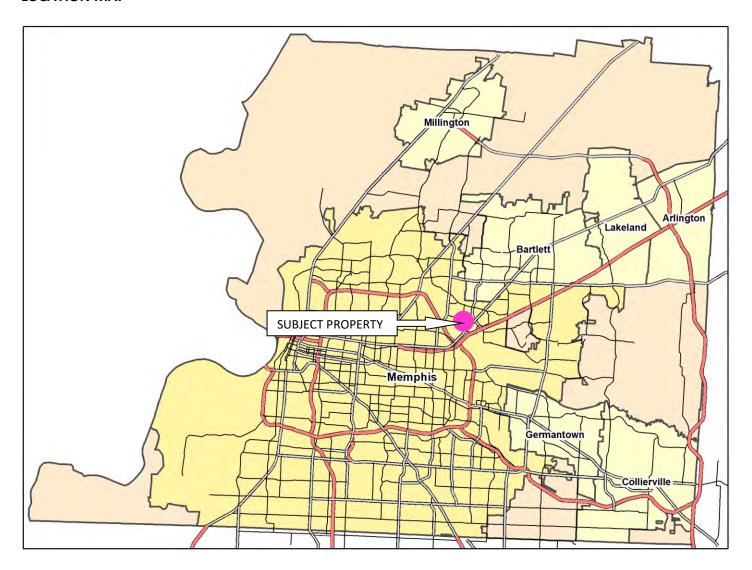
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 20-22 of this report.

### **RECOMMENDATION:**

**Approval with conditions** 

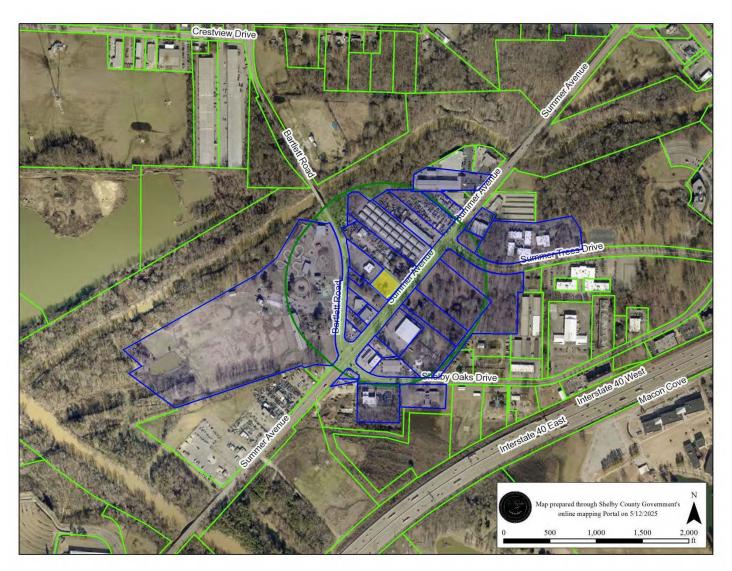
Staff Writer: Mahsan Ostadnia E-mail: mahsan.ostadnia@memphistn.gov

# **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 28 notices were mailed on May 13, 2025, see page 23 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see pages 24-25 of this report for a copy of the sign affidavit.

### **NEIGHBORHOOD MEETING**

The meeting was held at 4:00 PM on Friday, May 30, 2025, at 5536 Summer Ave, Memphis TN 38134.

# **AERIAL**



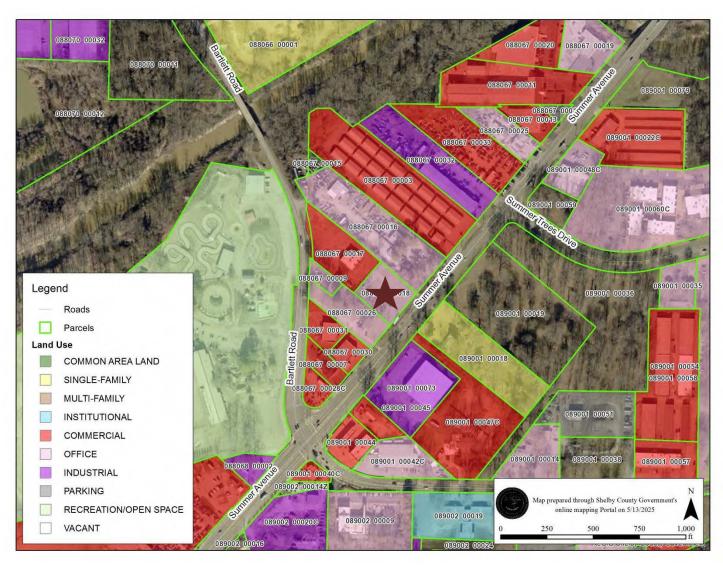
Subject property outlined in yellow.

# **ZONING MAP**



Subject property highlighted in yellow.

### **LAND USE MAP**



Subject property indicated by a dark red star.

# **SITE PHOTOS**



View of subject property from Summer Avenue.



View of subject property from Summer Avenue (Looking East).

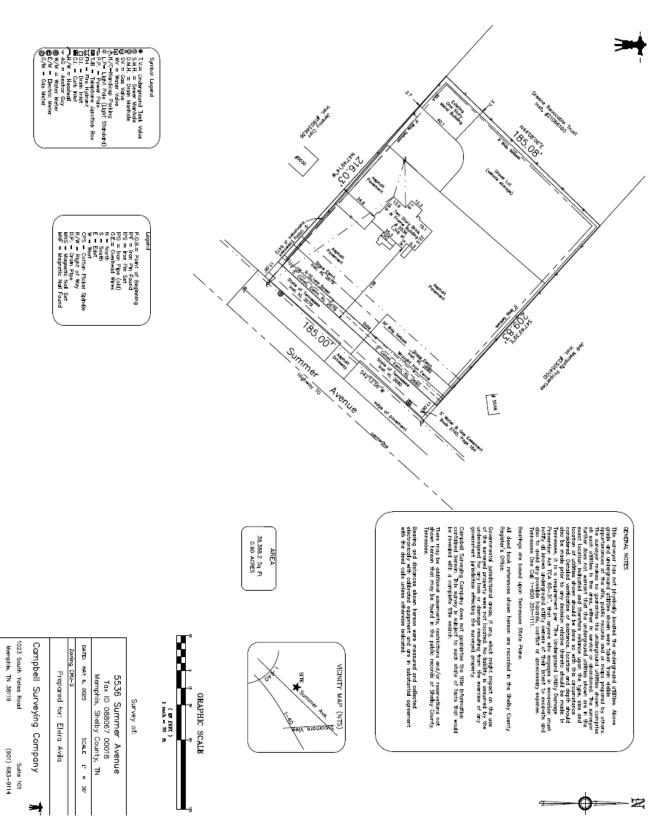


View of subject property from above.

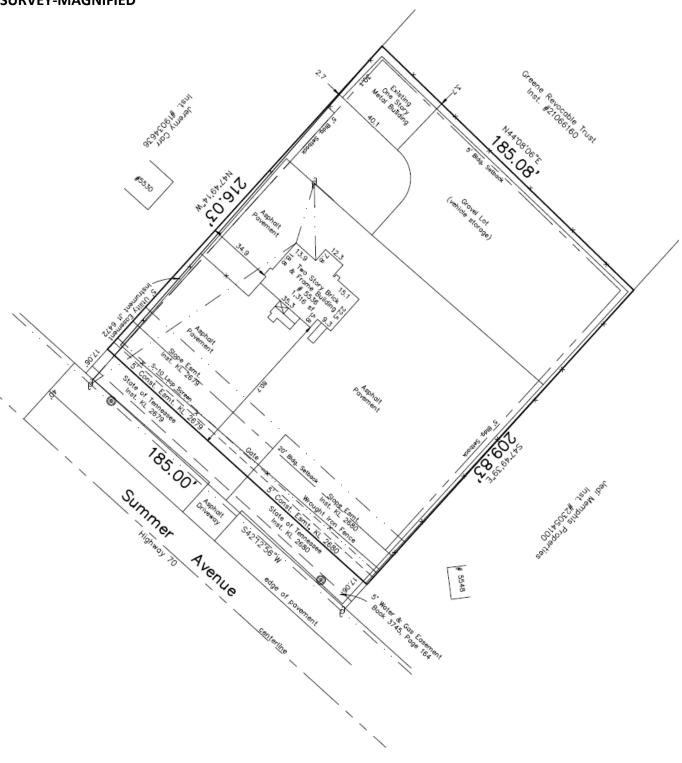


View of subject property from above.

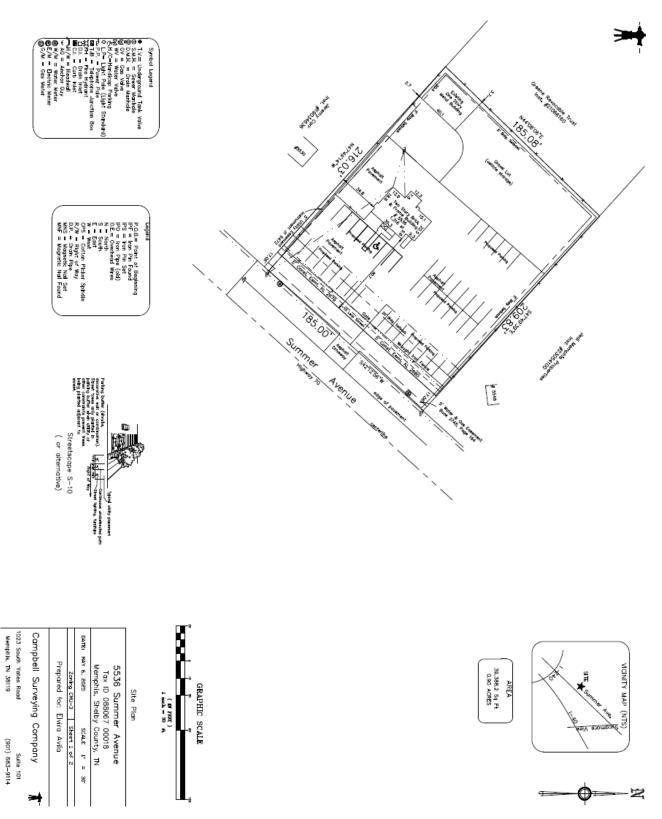
# **SURVEY**



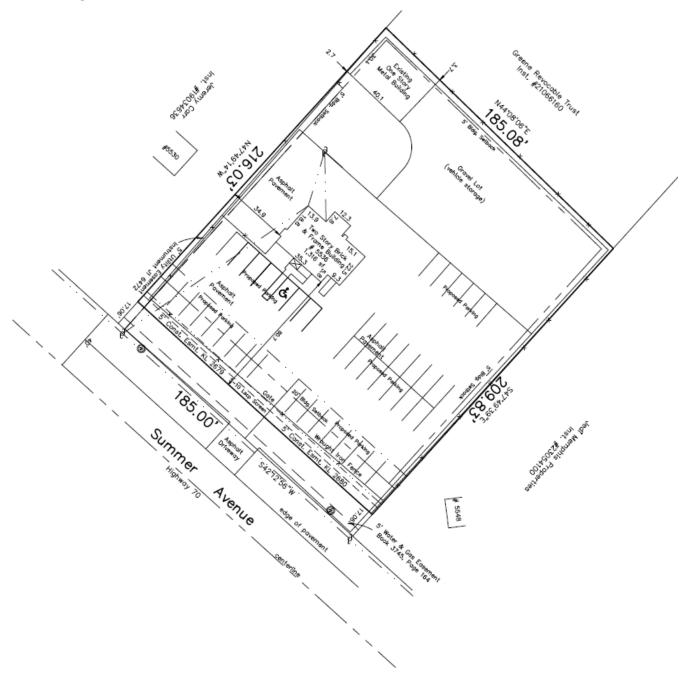
# SURVEY-MAGNIFIED



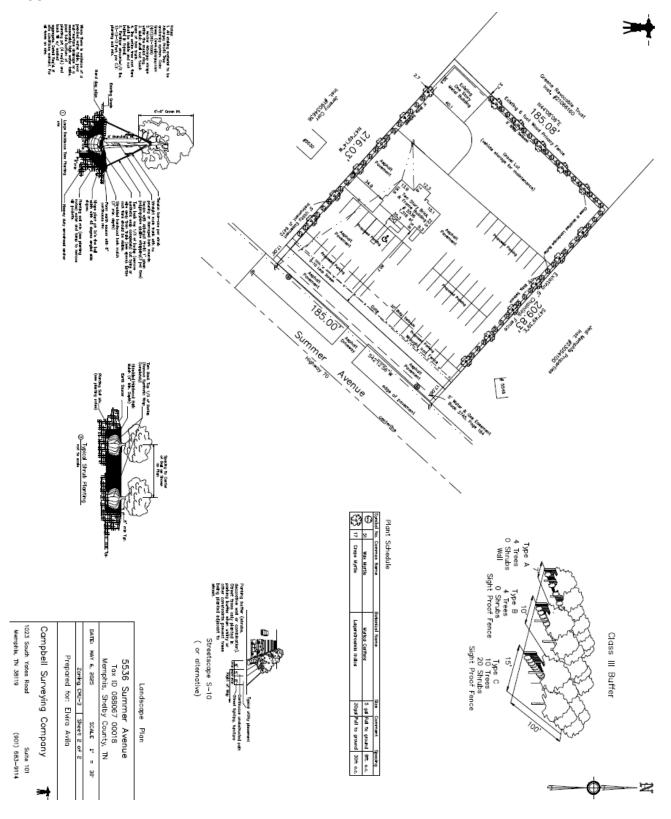
# **SITE PLAN**



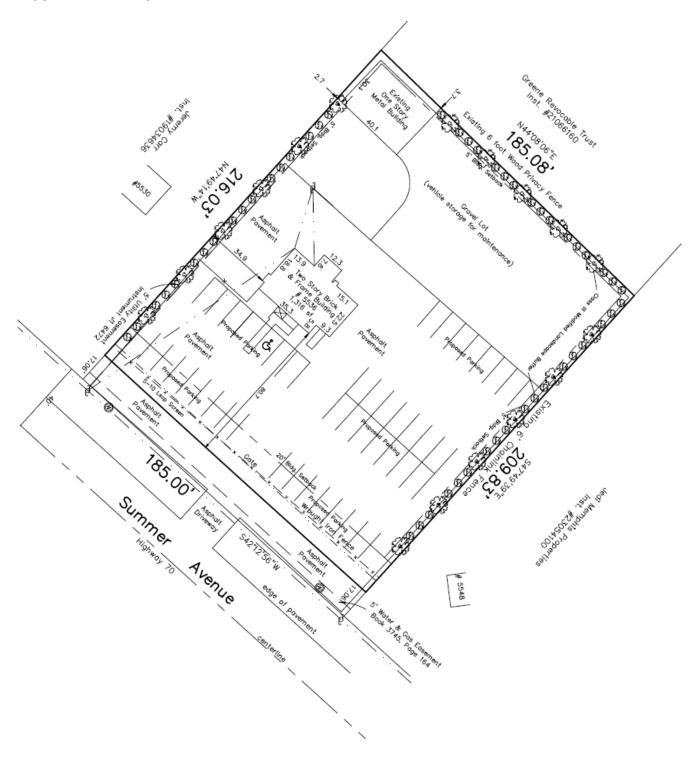
# SITE PLAN – MAGNIFIED



# LANDSCAPE PLAN



# LANDSCAPE PLAN-MAGNIFIED



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#### **CASE REVIEW**

### **Request**

The request is a special use permit to allow used vehicle sales.

### **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

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.
- Any decision to deny a special use permit request to place, construct, or modify personal wireless 9.6.9H service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.

# **Site Details**

Address:

5536 Summer Avenue

Parcel ID: 088067 00018

Area:

+/-41,164 square feet

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#### Description:

The subject property is known as K Williamson subdivision with a zoning of Commercial Mixed Use-3 (CMU-3) which is also located in Fletcher Creek overlay district. Per the Assessor's website, the principal structure on the site was built in 1950 with a total area of 1,848 square feet and the surrounding land uses are a mixture of office, commercial, and vacant lots. Additionally, this lot has one street frontage.

#### **Site Plan Review**

The property has direct frontage on Summer Avenue, a commercial corridor with access to existing public utilities such as gas, water, and sewer.

The site offers 185 feet of frontage along Summer Avenue, with side property lines measuring approximately 216 feet to the west and 209 feet to the east. The rear property line is approximately 185 feet.

The site provides approximately 35 parking spaces, including one ADA-accessible space located close to the main entrance. Parking areas are located at the front and side of the building and surfaced with asphalt. A single curb cut along Summer Avenue provides direct vehicle access, with internal circulation designed for easy navigation and turning.

The site utilizes various landscaping and fencing elements to meet zoning and streetscape requirements. A Type B buffer, comprised of trees and a sight-proof fence, is provided along the rear to ensure privacy. The eastern boundary features a Type C buffer with additional trees, shrubs, and a sight-proof fence to enhance screening from adjacent properties. An existing chain-link fence encloses a small vehicle storage area in the northwest corner of the site. Along Summer Avenue, the site complies with S-10 overlay standards by incorporating Crepe Myrtles and a landscaped strip. Wax Myrtles are planted along the sides to provide continuous evergreen coverage.

#### **Analysis**

The applicant is requesting a special use permit to allow used vehicle sales on the subject property, known as the K Williamson subdivision. The site encompasses approximately 41,164 square feet and is zoned Commercial Mixed Use-3 (CMU-3) within the Fletcher Creek Overlay District. The existing principal structure on the property was built in 1950 and totals 1,848 square feet. Surrounding land uses include a mix of office, commercial, and vacant lots, consistent with the diverse character of the area.

The property features approximately 185 feet of frontage on Summer Avenue, with side lot lengths of about 216 feet to the west, 209 feet to the east, and a rear boundary near 185 feet. Vehicular ingress and egress are provided via a single curb cut on Summer Avenue to facilitate site access.

The site includes about 35 parking spaces, one of which is ADA-accessible and located near the main entrance. Parking is primarily situated along the front and side of the building and finished with asphalt surfacing. To comply with zoning and overlay guidelines, the property incorporates fencing and landscaping buffers, including Type B and Type C buffers with privacy fencing and plantings. Street frontage landscaping follows S-10 overlay standards with Crepe Myrtles and a planted strip, while Wax Myrtles along the side property lines provide consistent evergreen coverage and help visually separate the site from adjacent uses.

The granting of this special use permit will not cause substantial detriment to the public good, nor will it

Staff Report June 12, 2025 SUP 2025-010 Page 17

substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC.

#### RECOMMENDATION

Staff recommends approval with conditions.

### **Conditions**

- 1. Streetscape Plate Type S-10 or an equivalent approved by the Division of Planning and Development shall be provided along Summer Avenue.
- 2. Any proposed fencing and gating shall meet the locational and material requirements of the Unified Development Code. No razor wire or barbed wire is permitted.
- 3. Lighting for outdoor vehicle sales shall be arranged/positioned to prevent direct glare onto any public right-of-way or private property.
- 4. All parking spaces shall be painted with striping.
- 5. A final site plan shall be provided that demonstrates site plan compliance including, but not limited to: landscaping, screening, parking, compliance with building setback and height requirements, lighting, and any other development standards that are applicable according to Article 4 of the Unified Development Code.

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#### **DEPARTMENTAL COMMENTS**

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

### **City Engineer:**

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

#### **Sewers:**

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

#### Roads:

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

### **Traffic Control Provisions:**

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

#### **Curb Cuts/Access:**

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

10. Will require engineering ASPR.

### **Drainage:**

- 11. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
- 12. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
- 13. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- 14. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
- 15. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.
- 16. Development is located within a sensitive drainage basin.
- 17. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- 18. All connections to the sewer shall be at manholes only.
- 19. 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.
- 20. Required landscaping shall not be placed on sewer or drainage easements.

### **City Fire Division:**

 All design and construction shall comply with the 2021 edition of the International Fire Code (as locally amended) and referenced standards. Staff Report June 12, 2025 SUP 2025-010 Page 20

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

City Real Estate: No comments received.

**County Health Department:** No comments received.

**Shelby County Schools:** No comments received.

**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:

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: SUP 2025-010

Site Address/Location: 5536 SUMMER AVE, MEMPHIS 38134 Overlay District/Historic District/Flood Zone: Fletcher Creek Overlay Future Land Use Designation: High Intensity Commercial & Services (CSH)

Street Type: Parkway

The applicant is seeking a special use permit to allow a used car dealership.

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

### 1. Future Land Use Planning Map



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

### 2. Land Use Description/Intent

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



#### "CSH" Form & Location Characteristics

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

### "CSH" Zoning Notes

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

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

Existing Land Use and Zoning: Office and CMU-3

Adjacent Land Use and Zoning: Office, Commercial, Industrial and Single-Family and CMU-3

**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.

# **Degree of Change Map**



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

3. Degree of Change Description

N/A

- 4. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities N/A
- 5. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations  $\ensuremath{\text{N/A}}$

## **Consistency Analysis Summary**

The applicant is seeking a special use permit to allow a used car dealership.

As the proposed use is auto-oriented commercial within the CSH future land use designation, this requested use is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning.

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

## **MAILED PUBLIC NOTICE**

Mahsan Ostadnia Staff Planner Contact:

☐ mahsan.ostadnia@memphistn.gov

(901) 636-7181

# NOTICE OF PUBLIC HEARING

speak for or against this application. You may also submit a letter property that is near the site of a development application to be You have received this notice because you own or reside on a Wednesday, June 4, 2025 at 8 AM of comment to the staff planner listed below no later than attend this hearing, but you are invited to do so if you wish to Shelby County Land Use Control Board. You are not required to considered at an upcoming public hearing of the Memphis and

CASE NUMBER: SUP 2025-010

REQUEST:

**Used Vehicle Sales** 5536 Summer Avenue

ADDRESS:

APPLICANT:

Jairo Lopez/Amigos Auto Sales LLC

Time: 9:00 AM

Location: Council Chambers

City Hall 1st Floor 125 N Main St.

Date:

**Meeting Details** 

Thursday, June 12, 2025 28 Notices Mailed 05/13/2025

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



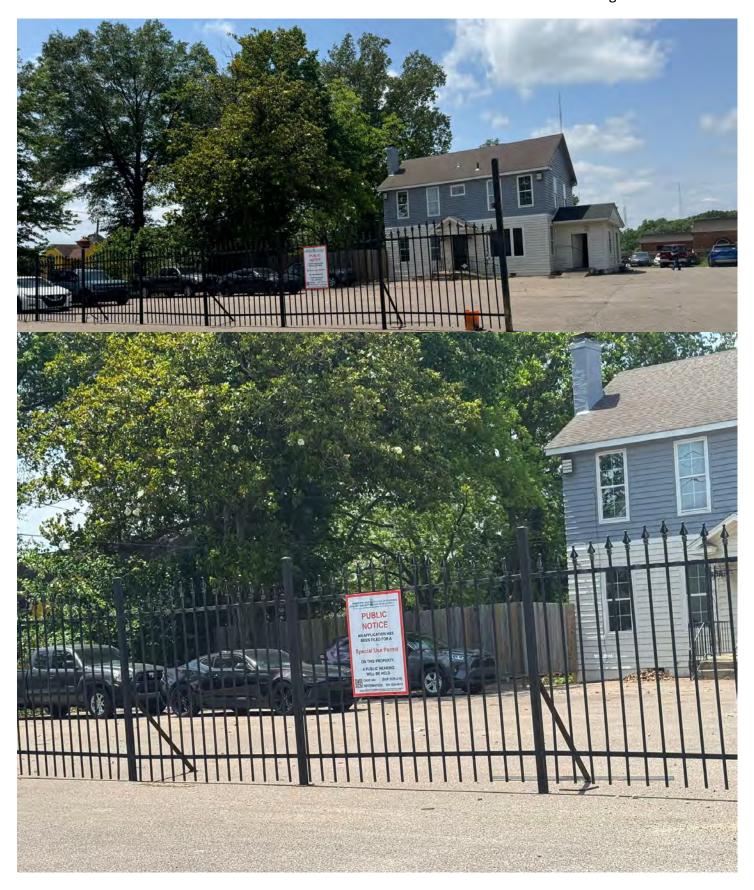


SHELBY COUNTY AND DEVELOPMENT

23

# **SIGN AFFIDAVIT**

	AFFIDAVIT		
Shelby County			
State of Tennessee			
on the 13 day of _ pertaining to Case No.	Avila, being duly sworn, de May , 20 25 Suf-2025 00 at 5536 S	Ummer Ave Memphi	: Notice Sign(s)
	ublic Hearing before the (che	ck one):	
Land Use Cont			
Board of Adjust Memphis City C			
	Board of Commissioners		
attached hereon and a hereto.	Avika	5 - 13	-2025
Owner, Applicant or Re	presentative	Date	
Subscribed and sworn	before me this13da	y of May	, 20 <u>25</u> .
Notary Public	My Commission Expires April 29, 2026	SENIA RAQUEL RILL	
My commission expires		STATE OF TENNESSEE NOTARY PUBLIC	The state of the s



## **APPLICATION**



# Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis,

Tennessee 38134

Downtown Service Center: 125 N. Main Street;

Memphis, Tennessee 38103

website: www.develop901.com

# Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit Record Status: Pending

Opened Date: April 25, 2025

Record Number: SUP 2025-010 Expiration Date:

Record Name: special used for a car used dealer

Description of Work: special used for a car used dealer

Parent Record Number:

Address:

5536 SUMMER AVE, MEMPHIS 38134

**Owner Information** 

Primary Owner Name

Y AVILA ELIVIRA E

Owner Address
Owner Phone

3865 OAK BRANCH CIRW, BARTLETT, TN 38135 9015034240

Parcel Information

088067 00018

#### **Data Fields**

PREAPPLICATION MEETING

Name of DPD Planner uknown

Date of Meeting - Pre-application Meeting Type -

GENERAL PROJECT INFORMATION

Application Type New Special Use Permit (SUP)

List any relevant former Docket / Case

Number(s) related to previous applications on

his site

Is this application in response to a citation, stop

work order, or zoning letter

Yes

Page 1 of 3 SUP 2025-010

#### GENERAL PROJECT INFORMATION

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

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

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

 UDC Sub-Section 9.6.9C
 YES

 UDC Sub-Section 9.6.9D
 NO

 UDC Sub-Section 9.6.9E
 YES

 UDC Sub-Section 9.6.9F
 NO

 GIS INFORMATION
 NO

Case Layer Central Business Improvement District No
Class Downtown Fire District No
Historic District Land Use Municipality Overlay/Special Purpose District -

Zoning - State Route - Lot - Subdivision - Planned Development District - Wellhead Protection Overlay District No County Commission District - City Council District - -

### **Contact Information**

City Council Super District

Name
JESSENIA RIVAS

APPLICANT

## Address

Phone (901)503-4240

Page 2 of 3 SUP 2025-010

NO

NO

Fee Inform	nation					
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1644139	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	04/25/2025
1644139	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	04/25/2025

Total Fee Invoiced: \$513.00 Total Balance: \$0.00

# **Payment Information**

Payment Amount \$513.00 Method of Payment Credit Card

Page 3 of 3 SUP 2025-010

## **OWNER AFFIDAVIT**



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

# Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Elvira Avila (Print Name)	(Sign Name)	, state that I have read the definition of
C. Carrie Continue	and Shelby County Unified Developmen	t Code Section 12.3.1 and hereby state
that (select applicable box):		
holder of record as shown in t	nown on the current tax rolls of the count he mortgage records of the county Regis lee in possession; or I have a freehold or	ter of Deeds; purchaser under a land
	of the premises as trustee, agent, execuincluded documentation with this affidav	
of the property located at5_and further identified by Assessor's	Parcel Number 088067	60018 NT 38134
	de to the Division of Planning and Devel	April in the year of
Signature of Notary Public	COUNT My	OH- 29-2026 Commission Expires

## **LETTER OF INTENT**

# LETTER OF INTENT FOR NEW BUSINESS

April 1, 2025

# To Whom It May Concern:

I am writing this letter on behalf of AMIGOS AUTO SALES, LLC to express our intent to set up a new business, a car-used dealership.

I, Elvira Avila, owner of this land, want to open a Used Car Dealership at this address 5536 Summer Ave Memphis TN 38134.

Can you please give me permission to open this Dealership at this address please.

Thank you,

Elvira Avila

Staff Report SUP 2025-010 June 12, 2025 Page 31

# **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

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Primary Owner Name

Y AVILA ELIVIRA E

Owner Address Owner Phone
3865 OAK BRANCH CIRW, BARTLETT, TN 38135 9015034240

**Parcel Information** 

088067 00018

#### **Data Fields**

PREAPPLICATION MEETING

Name of DPD Planner uknown

Date of Meeting

Pre-application Meeting Type -

**GENERAL PROJECT INFORMATION** 

Application Type New Special Use Permit (SUP)

List any relevant former Docket / Case

Number(s) related to previous applications on

this site

Is this application in response to a citation, stop

work order, or zoning letter

Yes

Page 1 of 3 SUP 2025-010

#### **GENERAL PROJECT INFORMATION**

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

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

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

UDC Sub-Section 9.6.9C YES
UDC Sub-Section 9.6.9D NO
UDC Sub-Section 9.6.9E YES
UDC Sub-Section 9.6.9F NO

**GIS INFORMATION** 

Case Layer Central Business Improvement District No
Class Downtown Fire District No
Historic District Land Use Municipality Overlay/Special Purpose District Zoning -

State Route Lot Subdivision -

Planned Development District Wellhead Protection Overlay District No
County Commission District -

City Council Super District

# **Contact Information**

City Council District

Name
JESSENIA RIVAS

APPLICANT

#### Address

# **Phone** (901)503-4240

Page 2 of 3 SUP 2025-010

NO

NO

Fee Information						
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1644139	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	04/25/2025
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Total Fee Invoiced: \$513.00 Total Balance: \$0.00

# **Payment Information**

Payment Amount Method of Payment \$513.00 Credit Card

Page 3 of 3 SUP 2025-010

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

# **Property Owner's Affidavit**

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

Memphis and Shelby County Unified Development Code Section 12.3.1

Signature of Notary Public

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, <u>Elvira Avika</u> <u>Saura avila</u>, state that I have read the definition of (Sign Name) "Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box): I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit) of the property located at and further identified by Assessor's Parcel Number \_\_ for which an application is being made to the Division of Planning and Development. Subscribed and sworn to (or affirmed) before

My Commission Expires

# LETTER OF INTENT FOR NEW BUSINESS

April 1, 2025

# To Whom It May Concern:

I am writing this letter on behalf of AMIGOS AUTO SALES, LLC to express our intent to set up a new business, a car-used dealership.

I, Elvira Avila, owner of this land, want to open a Used Car Dealership at this address 5536 Summer Ave Memphis TN 38134.

Can you please give me permission to open this Dealership at this address please.

Thank you,

Elvira Avila

Site Plan Pending



# Shelby County Tennessee

# Shelandra Y Ford

Shelby County Register

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



20000531

01/03/2020 - 08:17:29 AM

225000.00
0.00
832.50
10.00
2.00
1.00
845.50

SHELANDRA Y FORD REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

# THE BRADLEY LAW FIRM, PLLC

3107 East Corporate Edge Drive Germantown, Tennessee 38138 (901)682-2030 / (901)624-2684 (fax)

# WARRANTY DEED

FOR AND IN CONSIDERATION OF Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and legal sufficiency of all of which are hereby acknowledged,

# RALPH LUNATI, married and JOE LUNATI, married ("Grantor"),

has this day bargained and sold and by these presents does bargain, sell, transfer and convey unto

# ELIVIRA ELIZABETH AVILA, an unmarried woman ("Grantee")

the following described property being situated in Shelby County, Tennessee, to wit:

Part of Lots 5 and 6 of the K.K. WILLIAMSON SUBDIVISION (unrecorded), being part of the property described in Warranty Deed recorded under Register's No. H7 7566, in the Register's Office of Shelby County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the Northwesterly sideline of Summer Avenue (U.S. Highway 70) a distance of 649.60 feet Northeastwardly, as measured along said sideline from it's intersection with the present center line of Bartlett Road; thence, North 52 degrees 33 minutes 04 seconds West, along a line which is parallel to the line between Lots 5 and 6 a distance of 22.50 feet Southwest therefrom a distance of 190.00 feet to a point; thence, North 37 degrees 49 minutes 37 seconds East a distance of 85.00 feet to a point; thence, South 52 degrees 33 minutes 04 seconds East a distance of 190.00 feet to a point in the Northwesterly sideline of Summer Avenue; thence, South 37 degrees 49 minutes 37 seconds West, along said sideline a distance of 85.00 feet to a point of beginning.

Being the same property conveyed to Ralph Lunati and Joe Lunati by Personal Representative's Quit Claim Deed of record at Instrument No. 2000538, in the Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all appurtenances and hereditaments thereunto appertaining unto Grantee, his/her/their heirs, successors and assigns in fee simple forever.

Grantor covenants that Grantor is lawfully seized and possessed of said real estate, has full power and lawful authority to sell and convey the same; that the title thereto is free, clear and unencumbered except as follows:

Subdivision Restrictions, Building Lines & Easements of record at:

Easements of record at: 3595-342;3745-164;JI-6472;

Declaration of Covenants, Conditions & Restrictions of record at:

and except for the following, and all subsequent years', taxes: 2020 Shelby County taxes, not yet due and payable;

and Grantor will forever warrant and defend the same against the claims of all persons whomsoever.

The mondy Construent of Construe that facility about a bout only and an arranged and a construent that he are an an an arranged to the construent of the con

Ralph Lunati while Livat Silse, attorney in Jac.

STATE OF TENNESSEE

COUNTY OF SHELBY

On this 20th day of December, 2019, before me personally appeared MICHELE LUNATI SILSBE, to me known (or proved to me upon the basis of satisfactory evidence) to be the person who executed the foregoing instrument in behalf of RALPH LUNATI and JOE LUNATI and acknowledged that she executed the same as the free act and deed of the said RALPH LUNATI and JOE LUNATI.

Witness my hand, at office this 20th day of December, 2019.

TOMMISSION E

My commission expires: TENNTAR NOTAR NOTAR

Elvira Elizabeth Avila 3865 Oak Branch Circle West Bartlett, Tennessee 38135

Property Address:

5536 Summer Avenue Memphis, Tennessee 38134

Send Tax Bills To:

Elvira Elizabeth Avila 3865 Oak Branch Circle West Bartlett, Tennessee 38135

Tax Parcel ID Number:

08806700018

Return To:

The Bradley Law Firm, PLLC 3107 East Corporate Edge Drive Germantown, Tennessee 38138 (901) 682-2030

Valuation Affidavit:

I hereby swear or affirm that to the best of my knowledge, information and belief, the actual consideration for the transfer or the value of the property transferred, whichever is greater, is \$225,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair an voluntary sale.

Subscribed and sworn to before me this 20th day of December, 2019.

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

ONE ORIGINAL ONLY STAPLED Planning & Zoning COMMITTEE: TO DOCUMENTS

Planning & Development DIVISION

07/08/2025 DATE

		PUBLIC	C SESSION:	<u>07/22/2025</u> DATE		
ORDINANCE	X RESOLUTION	ON RE	EOUEST FOR PU	JBLIC HEARING		
ITEM DESCRIPTION:	X RESOLUTION REQUEST FOR PUBLIC HEARING  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 60 North Second Street, known as case number SUP 2024-040					
CASE NUMBER:	SUP 2024-040					
LOCATION:	60 North Second Street					
COUNCIL DISTRICTS:	District 7 and Super District 8 – Positions 1, 2, and 3					
OWNER/APPLICANT:	Adam Airman, Safebox Storage, LLC					
REPRESENTATIVE:	Adam Airman, Safebox Storage, LLC					
REQUEST:	Special use perm	nit to allow a c	ommercial parkir	ng lot		
AREA:	+/-27,168 square	e feet				
RECOMMENDATION:	The Division of Planning and Development recommended <i>Rejection</i> The Land Use Control Board recommended <i>Approval with conditions</i>					
RECOMMENDED COUN	CIL ACTION: F	<b>ublic Hearing</b> Iearing – <u>July</u>	<b>Not Required</b> 22, 2025	· · · · · · · · · · · · · · · · · · ·		
### PRIOR ACTION ON ITEM:  (1)		DATE ORGAN (2) GOV REQUII AMOUN REVEN OPERA CIP PRO	APPROVAL - (1) APPROVED (2) DENIED			
	*			FINANCE DIRECTOR		
		er ender green en er en		CHEFADMINISTRATIVE OFFICER		

COMMITTEE CHAIRMAN



# Memphis City Council Summary Sheet

# **SUP 2024-040**

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 60 NORTH SECOND STREET, KNOWN AS CASE NUMBER SUP 2024-040

- This item is a resolution with conditions for a special use permit to allow a commercial surface parking lot; and
- The item may require future public improvement contracts.

# LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: SUP 2024-040

**LOCATION:** 60 North Second Street

**COUNCIL DISTRICT(S):** District 7 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Adam Airman, Safebox Storage, LLC

**REPRESENTATIVE:** Adam Airman, Safebox Storage, LLC

**REQUEST:** To allow a commercial surface parking lot

**EXISTING ZONING:** Central Business District (CBD)

**AREA:** +/- 27, 168 square feet

The following spoke in support: Adam Airman, David Harris, and Josh Lawhead

The following spoke in opposition: None

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

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

Respectfully,

Alexis Longstreet

Alexis Longstreet

Planner

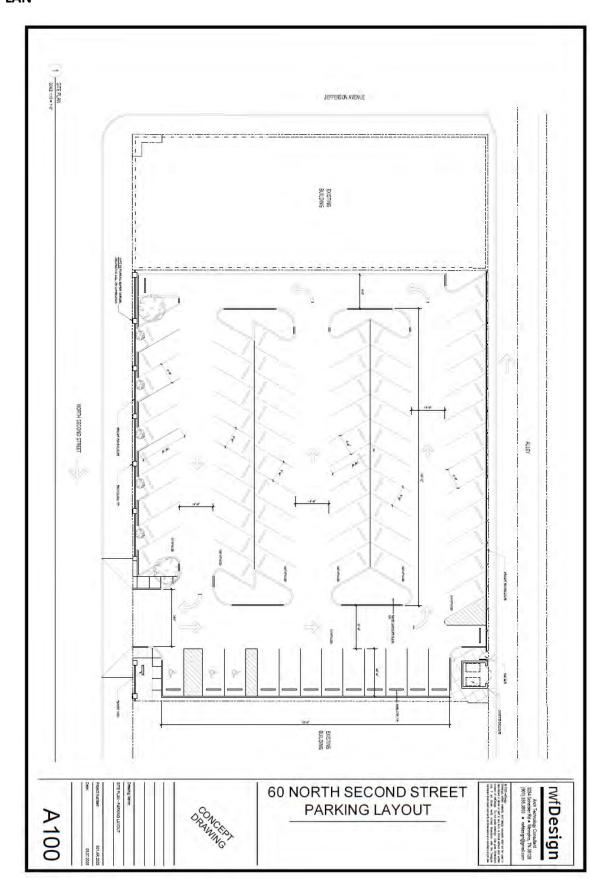
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members

File

# SUP 2024-040 CONDITIONS

- 1. A lighting plan detailing the location, height, style, direction, etc. of all outdoor lighting and a photometric plan shall be submitted for administrative review and approval by the Division of Planning and Development.
- 2. A landscaping and screening plan shall be provided that provides a streetscape along North Second Street and interior landscaped parking lot islands. The parking lot shall follow the design standards in UDC Section 4.5.5.
- 3. Any access control device such as a gate, card reader or guardhouse shall follow the design requirements in UDC Section 4.4.8.
- 4. This approval shall expire and become void on December 12, 2029, at which time the applicant may return to the Land Use Control Board for a time extension or another proposal.



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 60 NORTH SECOND STREET, KNOWN AS CASE NUMBER SUP 2024-040

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, Adam Airman, Safebox Storage, LLC filed an application with the Memphis and Shelby County Division of Planning and Development to allow a commercial surface parking lot; and

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

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

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

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

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

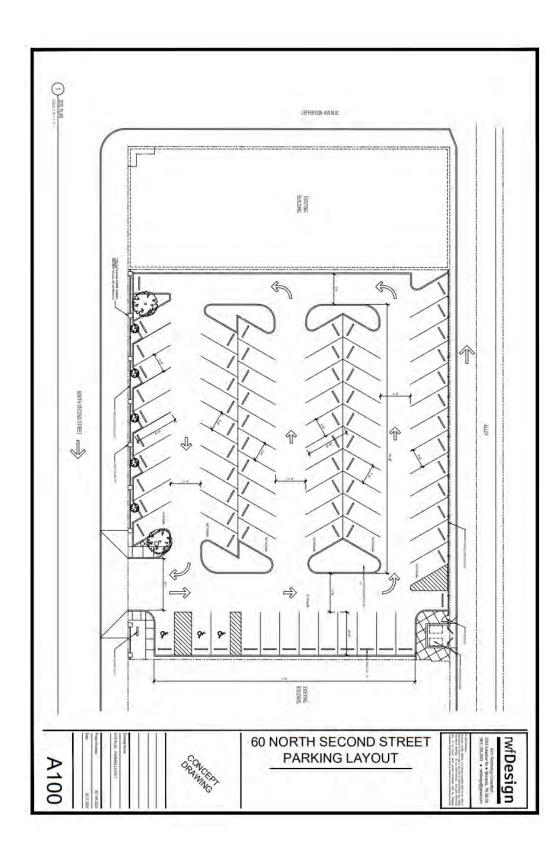
**BE IT FURTHER RESOLVED,** that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed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

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

# **CONDITIONS**

- 1. A lighting plan detailing the location, height, style, direction, etc. of all outdoor lighting and a photometric plan shall be submitted for administrative review and approval by the Division of Planning and Development.
- 2. A landscaping and screening plan shall be provided that provides a streetscape along North Second Street and interior landscaped parking lot islands. The parking lot shall follow the design standards in UDC Section 4.5.5.
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# **SITE PLAN**



# **ATTEST:**

CC:

- Division of Planning and Development Land Use and Development Services
- Office of Construction Enforcement

AGENDA ITEM: 7 L.U.C.B. MEETING: December 12, 2024

CASE NUMBER: SUP 2024-040

**LOCATION:** 60 North Second Street

**COUNCIL DISTRICT:** District 7 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Adam Airman, Safebox Storage, LLC

**REPRESENTATIVE:** Adam Airman, Safebox Storage, LLC

**REQUEST:** Special use permit to allow a commercial parking lot

**EXISTING ZONING:** Central Business District (CBD)

## **CONCLUSIONS**

1. The subject property is currently vacant.

- 2. The proposed commercial parking lot will be subscription based.
- 3. The lot is located within the downtown area adjacent from Court Square.
- 4. CBD Zoning is intended to promote vertical mixed use (residential/nonresidential) projects that contain active ground-floor uses. A surface commercial parking lot is contrary to this.
- 5. The granting of this special use permit will cause substantial detriment to the public good, it will substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), it will be injurious to the neighborhood and the general welfare, and it will not be in harmony with the purpose and intent of the UDC.

## **CONSISTENCY WITH MEMPHIS 3.0**

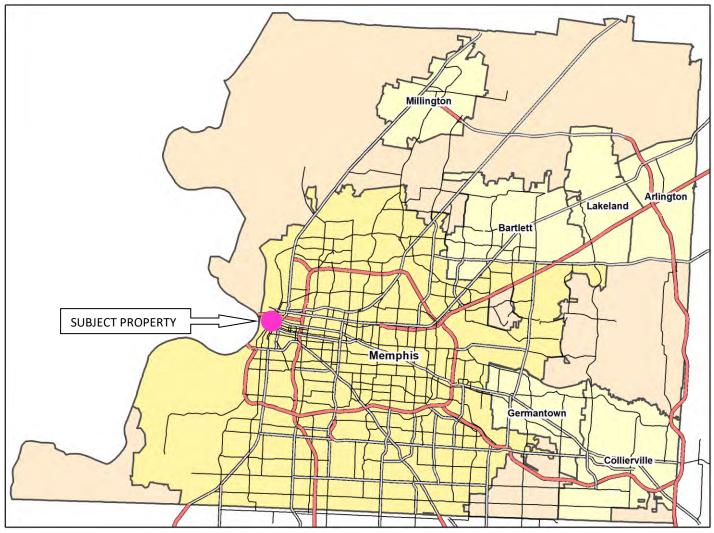
This proposal is inconsistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 16-18 of this report.

## **RECOMMENDATION:**

Rejection

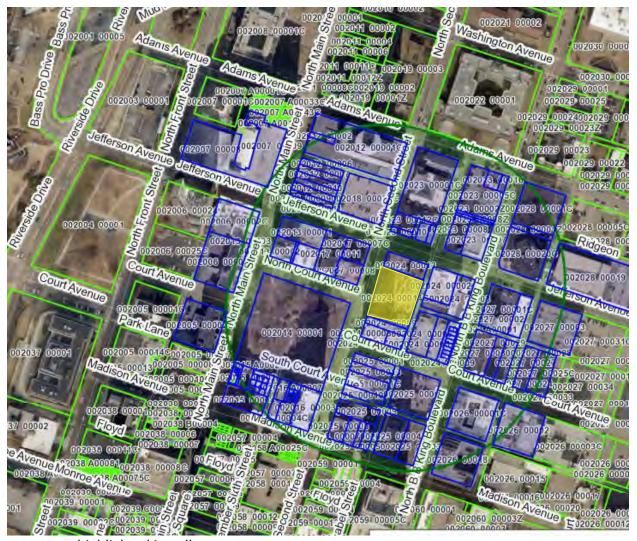
Staff Writer: Alexis Longstreet E-mail: alexis.longstreet@memphistn.gov

# **LOCATION MAP**



Subject property located within the pink circle

## **PUBLIC NOTICE VICINITY MAP**



Subject property highlighted in yellow

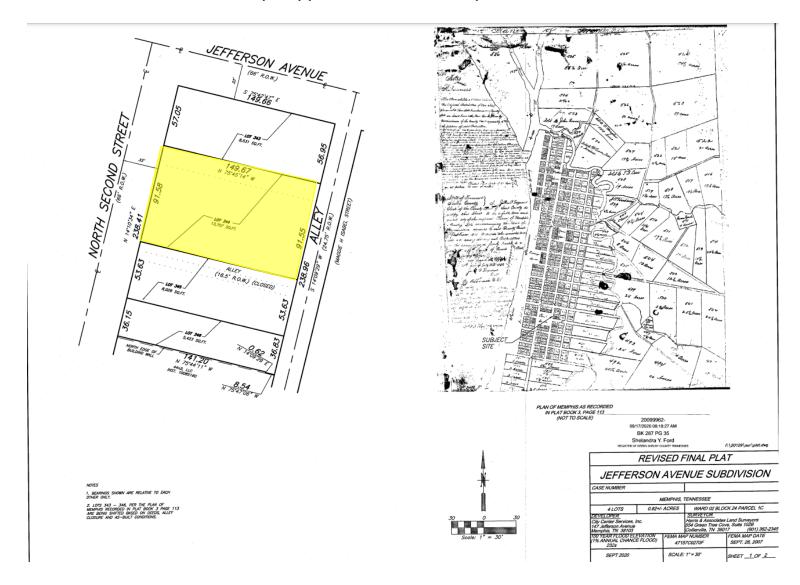
# **PUBLIC NOTICE DETAILS**

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 75 notices were mailed on October 22, 2024, see page 19 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see page 20 of this report for a copy of the sign affidavit.

## **NEIGHBORHOOD MEETING**

The meeting was held at 12:00 PM on Thursday, October 23, 2024, at 60 North 2<sup>nd</sup> Street.

# JEFFERSON AVENUE SUBDIVISION (2020) (PLAT BOOK 287 PAGE 35)



Subject property highlighted in yellow

# **AERIAL**



Subject property outlined in yellow

# **V ZONING MAP**



Subject property highlighted in yellow

## **LAND USE MAP**

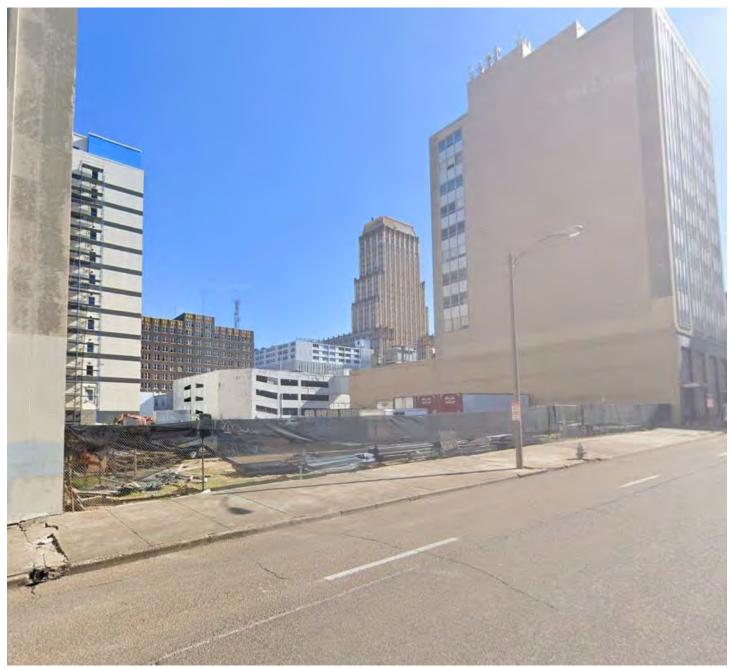


Subject property indicated by a pink star

# **SITE PHOTOS**

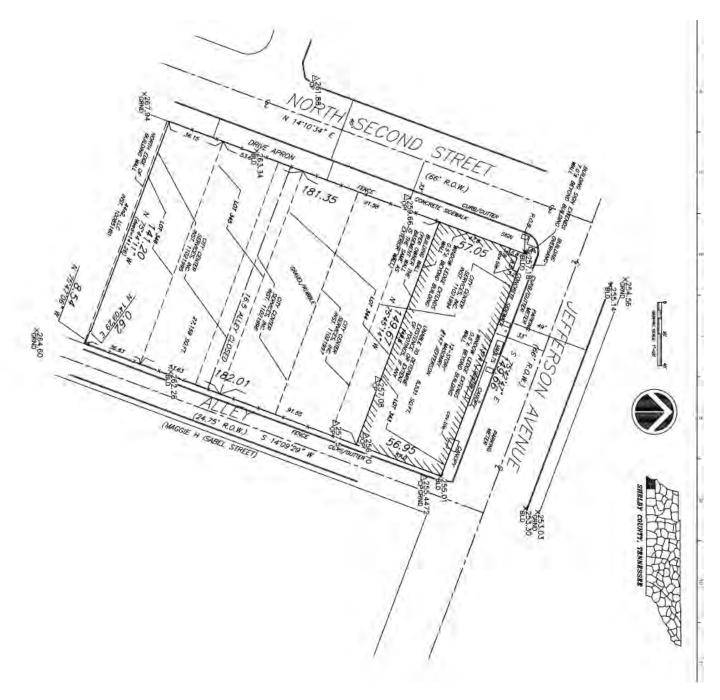


View of subject property from North Second Street looking northwest.

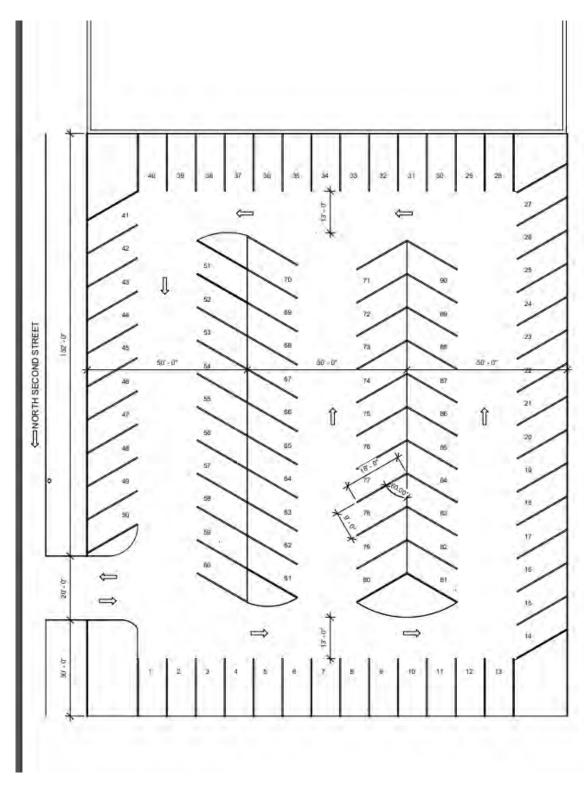


View of subject property from North Second Street looking southeast

#### **SURVEY**



#### SITE PLAN



December 12, 2024 Page 12

#### **CASE REVIEW**

#### Request

The request is a special use permit to allow a commercial parking lot.

#### **Approval Criteria**

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

#### 9.6.9 Approval Criteria

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

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

Staff Report SUP 2024-040 December 12, 2024 Page 13

#### **Site Details**

Address:

60 North Second Street

Parcel ID:

002024 00014C

Area:

+/-27,168 square feet

#### Description:

The subject property is currently vacant and has a commercial land designation per the Assessor's page. The lot has two street frontages: North Second Street and Maggie H. Isabel Street.

#### **Site Plan Review**

- There are 90 parking spaces being proposed.
- There is one (1) 20-foot curb cut located +/- 132 feet south of North Second Street.
- There aren't any landscaping or fencing details provided.
- There aren't any lighting details or elements provided.

#### **Analysis**

The subject property has a vacant land use designation and is surrounded by a mix of office and commercial land uses. The proposed motor vehicle parking lot is located within proximity of the historic Court Square. On street paid parking is available located on the west side of North Second street directly across from the subject property. There are a total of three parking structures located within 0.2 miles of the subject property.

The approval of the proposed parking structure would contribute to an oversaturation of parking lots/structures within the area. The District Intent Statement for the CBD Zoning District found in UDC Sub-Section 2.2.2C stated, in part, that the district is intended to accommodate high-intensity office, employment and residential uses within downtown. The district promotes vertical mixed use (residential/nonresidential) projects that contain active ground-floor uses. A surface commercial parking lot is contrary to this and should not be supported.

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

#### RECOMMENDATION

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

#### **Conditions**

1. A lighting plan detailing the location, height, style, direction, etc. of all outdoor lighting and a photometric plan shall be submitted for administrative review and approval by the Division of Planning

- and Development.
- 2. A landscaping and screening plan shall be provided that provides a streetscape along North Second Street and interior landscaped parking lot islands. The parking lot shall follow the design standards in UDC Section 4.5.5.
- 3. Any access control device such as a gate, card reader or guardhouse shall follow the design requirements in UDC Section 4.4.8.

#### **DEPARTMENTAL COMMENTS**

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

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.

#### Roads:

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

#### **Traffic Control Provisions:**

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

#### **Curb Cuts/Access:**

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

#### **Drainage:**

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

City Fire Division:

City Real Estate:

No comments received.

Office of Comprehensive Planning: See pages 16 -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>SUP 2040-040 Core City</u>

Site Address/Location: 60 N Second St

Overlay District/Historic District/Flood Zone: The property is located in the Central Business Improvement

District. The property is not in a flood zone or in an historic district

Future Land Use Designation: Urban Core/Downtown (A-DT)

Street Type: Avenue

The applicant is requesting a special use permit to create a designated self-parking and or valet parking for the surrounding buildings.

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





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

#### 2. Land Use Description/Intent

Urban Core/Downtown (A-DT) is the walkable anchor for the City of Memphis. It is characterized by multi-story buildings with a vertical mix of uses and civic and institutional buildings that attract people from the entire region. Graphic portrayal of A-DT is to the right.



#### "A-DT" Form & Location Characteristics

#### **ACCELERATE**

Buildings primarily attached, Block-scale buildings, Mix of uses, High-rise, Multiple blocks of extent

#### "A-DT" Zoning Notes

Generally compatible with the following zone districts CBD and SE in accordance with Form and characteristics listed above.

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

Existing Land Use and Zoning: Vacant, CBD

Adjacent Land Use and Zoning: Office, Recreation/open Space, Commercial, institutional, CBD

**Overall Compatibility:** This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use does not meet the criteria in form, scale, or use in the CBD Zoning District.

#### 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.

The proposed application is a private investment and does not promote pedestrian-oriented infill development or attract retail and service uses that cater to larger-scale markets. The proposed use would de-intensify the existing pattern of buildings.

#### Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities

The requested use is not consistent with Objective 1.5 – Strengthen neighborhood commercial districts, Action 1.5.9 – Improve walkability and multimodal access within and around community and Citywide anchors to

promote local economies and connect neighborhood residents and local businesses. The proposed use of a parking lot is dependent upon automobiles and does not promote walkability or multimodal access of the Citywide anchor.

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

The Anchor- Urban Core/ Downtown Land Use Recommends Primarily attached Block-scale high-rise Buildings. A parking lot would interupt future land use.

#### **Consistency Analysis Summary**

The applicant is requesting a special use permit to create a designated self-parking and or valet parking for the surrounding buildings.

This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use does not meet the criteria in form, scale, or use in the CBD Zoning District.

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.

The proposed application is a private investment and does not promote pedestrian-oriented infill development or attract retail and service uses that cater to larger-scale markets. The proposed use would de-intensify the existing pattern of buildings.

The requested use is not consistent with Objective 1.5 – Strengthen neighborhood commercial districts, Action 1.5.9 – Improve walkability and multimodal access within and around community and Citywide anchors to promote local economies and connect neighborhood residents and local businesses. The proposed use of a parking lot is dependent upon automobiles and does not promote walkability or multimodal access of the Citywide anchor.

The Anchor- Urban Core/ Downtown Land Use Recommends Primarily attached Block-scale high-rise Buildings. A parking lot would interupt future land use.

Based on the information provided, the proposal is  $\underline{\mathsf{NOT}\ \mathsf{CONSISTENT}}$  with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Christina Edingbourgh, Comprehensive Planning.

#### **MAILED PUBLIC NOTICE**

#### NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than Wednesday, November 6, 2024 at 8 AM.

CASE NUMBER: SUP 2024-0040 ADDRESS: 60 North 2nd Street

REQUEST: Special Use Permit: Allow commercial parking lot

APPLICANT: Adam Airman, Safebox Storage, LLC

**Meeting Details** 

Location: Council Chambers

City Hall 1st Floor

125 N Main St. Date:

Time: 9:00 AM

Thursday, Nov. 14, 2024

DIVISION OF PLANNING AND DEVELOPMENT MEMPHIS AND



#### Staff Planner Contact:

Alexis Longstreet

☐ alexis.longstreet@memphistn.gov

(901) 636-7120

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



#### **SIGN AFFIDAVIT**

	AFFIDAVIT
Shelby County	
State of Tenness	ee
1. 1	
The second secon	being duly sworn, depose and say that at 🗗 🗀 am/p
on the 19 da	y of October, 2024, I posted Public Notice Sign
pertaining to Cas	SE NO. SUPZOZY-CYPAL O NI Znd St. Memphis 210
providing notice	of a Public Hearing before the (check one):
Land Use	Control Board
Board of	Adjustment
Memphis	City Council
	ony country
Shelby C	ounty Board of Commissioners
Shelby C for consideration	ounty Board of Commissioners of a proposed land use action, a photograph of said sign(s) being
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Shelby C for consideration	ounty Board of Commissioners of a proposed land use action, a photograph of said sign(s) being
Shelby C for consideration attached hereon	ounty Board of Commissioners of a proposed land use action, a photograph of said sign(s) being and a copy of the sign purchase receipt or rental contract attached
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Shelby C for consideration attached hereon hereto. Allens Owner, Applican	ounty Board of Commissioners of a proposed land use action, a photograph of said sign(s) believed and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of 19-20-24  tor Representative Date  Date  Sworn to before me this 19 day of October , 20-4
Shelby C for consideration attached hereon hereto. Allens Owner, Applican	ounty Board of Commissioners of a proposed land use action, a photograph of said sign(s) believed and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of 19.2024  The second of the sign purchase receipt or rental contract attached and a copy of 19.2024  The second of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of 19.2024  The second of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached and a copy of the sign purchase receipt or rental contract attached attached and a copy of the sign purchase receipt or rental contract attached attached attached attached attache

#### **APPLICATION**



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

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

Memphis, Tennessee 38103

website: www.develop901.com

#### Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Pending

Opened Date: August 25, 2024

Record Number: SUP 2024-040

**Expiration Date:** 

Record Name: Park it here

Description of Work: Create a designated self parking and or valet parking for the surrounding budlings.

Parent Record Number:

Address:

60 N SECOND ST, Memphis 38103

Owner Information

**Owner Name** 

SAFEBOX STORAGE LLC

Owner Address PO BOX 3021, MEMPHIS, TN 38173 Owner Phone

9016793818

Parcel Information

002024 00014C

#### **Data Fields**

PREAPPLICATION MEETING

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

ALexis Longstreet 08/22/2024 In Person

Application Type

New Special Use Permit (SUP) N/A

List any relevant former Docket / Case

Number(s) related to previous applications on

No

Is this application in response to a citation, stop

work order, or zoning letter

SUP 2024-040 Page 1 of 3

#### GENERAL PROJECT INFORMATION

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

None

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

no affect

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

yes.

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

Downtown Fire District Historic District Land Use Municipality

Overlay/Special Purpose District

Zoning State Route

Lot

Subdivision

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

project will utilize all available public facilities as

required. agree. yes.

No

No

no affects on adjacent properties.

No

#### **Data Tables**

#### AREA INFORMATION

PARK IT HERE Name:

Size (Acres): 0.6237

VACANT LAND Existing Use of Property: SURFACE PARKING Requested Use of

Property:

SUP 2024-040 Page 2 of 3

Cantant	1-		
Contact		rorma	tion

Name ADAM AIRMAN

**Contact Type** 

APPLICANT

Address

0 PO BOX 3021, MEMPHIS, TN, MEMPHIS, TN, 38103

Phone (901)679-3818

Name ADAM AIRMAN

Contact Type

PROPERTY OWNER OF RECORD

Address 0 PO BOX 3021, MEMPHIS, TN, MEMPHIS, TN, 38103

Phone (901)679-3818

Inform	

	1444						
Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	
1597642	Special Use Permit Fee -	1	500.00	INVOICED	0.00	10/06/2024	
	5 acres or less (Base Fee)						
1597642	Credit Card Use Fee (.026	1	13.00	INVOICED	0.00	10/06/2024	
	x fee)						

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

#### **Payment Information**

Payment Amount

Method of Payment

\$513.00

Credit Card

SUP 2024-040 Page 3 of 3

#### **OWNER AFFIDAVIT**



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

#### Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

Deve	Sophiem Code Section 12.5.1.
6_	Adam Airman BWW state that I have read the definition of (Print Name)
*Own	ner" 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 th	e property located at 60 N. 2nd St. Memphis, 38103
and	further identified by Assessor's Parcel Number 002024 000 14C
	which an application is being made to the Division of Planning and Development.
Subs	scribed and sworn to (or affirmed) before me this 24th day or September in the year of 2004
2	Autorota Yours My Commission Expires April 4, 2027
Sign	nature of Notary Public My Commission Expires

#### **LETTER OF INTENT**

#### Letter of Intent for Special Use Permit

September 30rd, 2024

Division of Planning and land Development Department City of Memphis, TN.

RE: Special Use Permit to allow for vehicle parking on North 2<sup>nd</sup> street vacant land.

#### To Whom It May Concern:

As the Managing Director of Safebox Storage, LLC DBA Park it Here, I am submitting this letter of intent for a Special Use Permit to allow the use of my company owned land located at 60 N. 2<sup>nd</sup> St. Memphis, 38103 as a designated parking lot to support the surrounding buildings parking needs.

Thank you for your support,

Adam Lionan

Adam Airman

Safebox Storage, LLC, DBA Park it Here PO Box 3021, Memphis, TN 38173

901.679.3818

safeboxstoragellc@gmail.com

#### **LETTERS RECEIVED**

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

#### SUP 2024-040

From Virginia McLean <vmclean2@comcast.net>

Date Wed 10/16/2024 5:17 PM

To Longstreet, Alexis <Alexis.Longstreet@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.

#### Alexis -

As a long-time supporter of downtown and historic preservation, I was discouraged to see the request for a special use permit to allow a commercial parking lot at 60 N. Second Street. There would appear to be more than enough parking lots in the area, and another one, especially adjacent to Court Square in a historic district, would I suspect have a negative impact on all the ongoing efforts to encourage good development in the core of downtown. As you know, parking lots, although sometimes necessary, are not attractive and inviting additions in urban areas...

I hope you will carefully consider and reject this proposal.

Sincerely,

Virginia McLean



December 2, 2024

RE: SUP 2024 - 040 (new parking lot at 60 N Second St.)

To members of the Memphis & Shelby County Land Use Control Board,

The Downtown Memphis Commission (DMC) opposes the application for a Special Use Permit (SUP 2024-040) that would allow a commercial parking lot to be located at 60 N Second Street. The DMC believes the proposed new surface parking lot would be detrimental to the continued development of downtown Memphis, and that approval of a special use permit in this case would engrain a land use that is incompatible with the future land use goals set forth in the Memphis 3.0 comprehensive plan.

Downtown Memphis is the city's urban core, with some of the highest density of development and most walkable neighborhoods in the region. The Downtown Core is experiencing a renaissance of large-scale redevelopment projects with Tom Lee Park recently completed and other projects like 100 N Main and the Memphis Art Museum set to break ground in the next year. The success of these developments hinges on Memphis' ability to continue building compact critical mass within the urban core. This will not be accomplished by supporting the development of surface lot parking that monopolizes the limited amount of urban space for a highly inefficient use. The DMC recognizes the importance of parking to the continued success of our Downtown; The 100 N Main redevelopment and Memphis Art Museum will both incorporate structured parking within their development plans. It vital to supply new parking, as needed, by incorporating it within existing development plans rather than as a standalone land use. Highly walkable downtowns are possible when people, not the storage of vehicles, are placed first.

The proposed parking lot use also does not conform to the Memphis 3.0 Comprehensive Plan, which designates the parcel at 60 N Second Street as an Anchor — Urban Core/Downtown and an Accelerate anchor. The Urban Core/Downtown future land has the goals of supporting continued reinvestment and intensification of the Downtown core, housing choice and economic development. If approved, this application would entrench a low intensity use, detracting from the overall walkability of the area. The Land Use Control Board, as one of the adopters of this plan, should not support this application.

In conclusion, we urge the Land Use Control Board to deny this application, as it would hamstring the future development of the neighborhood and contribute to a less walkable city. If Memphis truly intends to build up, not out, nowhere is that mandate more necessary than downtown.

Regards,

Brett Roler, AICP, LPM, CDP

Chief Operating Officer, Downtown Memphis Commission

(901) 575-0574 direct

rolen@downtownmemphis.com

DOWNTOWN MEMPHIS COMMISSION 114 N. MAIN STREET, MEMPHIS, TN 38103



#### 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: August 25, 2024

Record Number: SUP 2024-040 Expiration Date:

Record Name: Park it here

Description of Work: Create a designated self parking and or valet parking for the surrounding budlings.

**Parent Record Number:** 

Address:

60 N SECOND ST, Memphis 38103

**Owner Information** 

Primary Owner Name

Y SAFEBOX STORAGE LLC

 Owner Address
 Owner Phone

 PO BOX 3021, MEMPHIS, TN 38173
 9016793818

**Parcel Information** 

002024 00014C

#### **Data Fields**

PREAPPLICATION MEETING

Name of DPD Planner ALexis Longstreet

Date of Meeting 08/22/2024
Pre-application Meeting Type In Person
GENERAL PROJECT INFORMATION

Application Type New Special Use Permit (SUP)

List any relevant former Docket / Case N/A

Number(s) related to previous applications on

this site

Is this application in response to a citation, stop

work order, or zoning letter

No

Page 1 of 3 SUP 2024-040

#### **GENERAL PROJECT INFORMATION**

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

None

**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

no affect

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

yes.

project will utilize all available public facilities as

UDC Sub-Section 9.6.9C

required. UDC Sub-Section 9.6.9D agree.

UDC Sub-Section 9.6.9E yes.

UDC Sub-Section 9.6.9F no affects on adjacent properties.

**GIS INFORMATION** 

Case Layer Central Business Improvement District No Class

Downtown Fire District No **Historic District** Land Use Municipality Overlay/Special Purpose District Zoning

State Route Lot Subdivision

Planned Development District Wellhead Protection Overlay District No **County Commission District** City Council District

City Council Super District

#### **Data Tables**

#### AREA INFORMATION

PARK IT HERE Name:

Size (Acres): 0.6237

**VACANT LAND** Existing Use of Property:

SURFACE PARKING Requested Use of

Property:

SUP 2024-040 Page 2 of 3

#### **Contact Information**

Name <u>Contact Type</u>

ADAM AIRMAN APPLICANT

**Address** 

0 PO BOX 3021, MEMPHIS, TN, MEMPHIS, TN, 38103

Phone

(901)679-3818

Name
ADAM AIRMAN

Contact Type

PROPERTY OWNER OF RECORD

Address
0 PO BOX 3021, MEMPHIS, TN, MEMPHIS, TN, 38103

**Phone** (901)679-3818

**Fee Information** Invoice # Fee Item Quantity Fees Status Balance **Date Assessed** 1597642 Special Use Permit Fee -500.00 10/06/2024 1 INVOICED 0.00 5 acres or less (Base Fee) 1597642 Credit Card Use Fee (.026 1 13.00 **INVOICED** 0.00 10/06/2024 x fee)

Total Fee Invoiced: \$513.00 Total Balance: \$0.00

**Payment Information** 

Payment Amount Method of Payment \$513.00 Credit Card

Page 3 of 3 SUP 2024-040

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

Subscribed and sworn to (or affirmed) before me this

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

My Commission Expires April 4, 2027

My Commission Expires

24th day or September in the year of 2004

#### Letter of Intent for Special Use Permit

September 30<sup>rd</sup>, 2024

Division of Planning and land Development Department City of Memphis, TN.

RE: Special Use Permit to allow for vehicle parking on North 2<sup>nd</sup> street vacant land.

#### To Whom It May Concern:

As the Managing Director of Safebox Storage, LLC DBA Park it Here, I am submitting this letter of intent for a Special Use Permit to allow the use of my company owned land located at 60 N. 2<sup>nd</sup> St. Memphis, 38103 as a designated parking lot to support the surrounding buildings parking needs.

Thank you for your support,

Adam Lionan

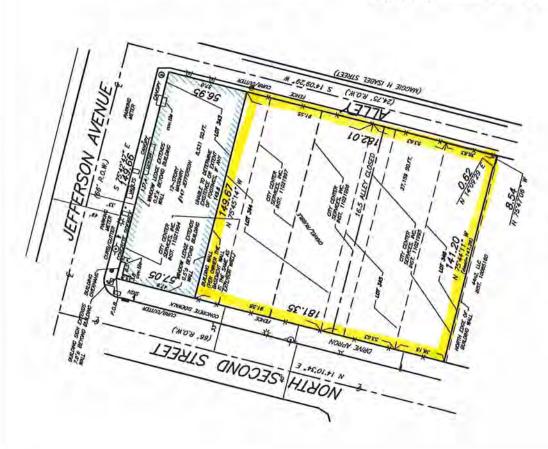
Adam Aırman

Safebox Storage, LLC, DBA Park it Here

PO Box 3021, Memphis, TN 38173

901.679.3818

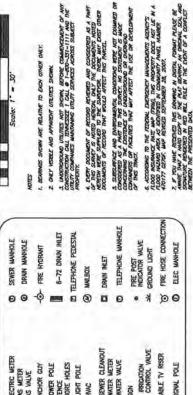
safeboxstoragellc@gmail.com



SURVEY OF LOTS 343, 344, 345,
AND 346, REVISED FINAL PLAT,
JEFFERSON AVENUE SUBDIVISION
AS RECORDED IN PLAT BOOK 287
PAGE 35 IN MEMPHIS, SHELBY
COUNTY, TENNESSEE

## LEGEND

© SEWER MANHOLE	© DRAIN MANHOLE	OF FIRE HIDRANT	6-72 DRAIN INLET	IN TELEPHONE PEDESTAL	MALBOX	T DRAIN INLET	O TELEPHONE MANHOLE	PRE POST	MOICATOR VALVE	O FIRE HOSE CONNECTION	(D) ELEC MANHOLE
ELECTRIC METER	GAS WETER	ANCHOR GUY	POWER POLE	BONE HOLES	HVAC	SEWER CLEANOUT	WATER VALVE	SIGN	IRRICATION CONTROL VALVE	CABLE TV RISER	SIGNAL POLE
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A THE UNMUTHORIZED DISTURBUTION OF THIS PLAT OF SURVEY MAY CONSTITUTE A COPPRIGHT INTRINSIADA.

reperty description of Lot 344, finded find Plot, Jefferson Avenue blothinion on monded in Plot Book 387 Pays 35 being pert of the City anter Services, Inc. property as described in instrument 11021994 in

HANNE & ASSOCIATES LAND SURVEYORS, LLC

SUMPTION LODING FIRE

Litta 344, 345, port of Lot 346, Revised Plate Pett, Jeffenson America Soldiniste an recorded in Prof. Bod. 357 Page 12, and sheep the City Charles Services. Bo, properly as described in instruments (TIZZ)954, TIZZ)954, (TIZZ)959, and part of instrument (TIZZ)954, an instrument (TIZZ)954, Solvey Centry, Invesses.

RENGED TO RETLECT THE NEW LOT LINES PER THE RECORDED PLAT (PLAT BOOK 28) PAGE 35)

# HARRIS & ASSOCIATES LAND SURVEYORS, LLC 554 Greater Gove, Suite 1928 - Collective, Tennesses, 38017 - (801)352-2345

PLAT BOOK 287 PAGE 35 DATE : June 25, 2020 SOME: 1 = 30

Adam Airman

DRAWN BY: IN/I'M

F) 100120 (aur) 20120 aug Plantec Dec CG, 2020 – 304pm Osgyright: 2020 Harrishkaodeline Land Sumpors, LLC



#### 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.



22135068

12/16/2022 - 12:17:52 PM

2 PGS	
ANGELA 2527947 - 22135068	
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

#### **QUIT CLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS that CITY CENTER SERVICES, INC., a Tennessee corporation, "Grantor", for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, the receipt and sufficiency of which is hereby acknowledged, does hereby bargain, sell, remise, release, quit claim and convey unto SAFEBOX STORAGE, LLC., a Tennessee limited liability company, "Grantee", all right, title and interest in and to that certain real estate located in the County of Shelby, State of Tennessee, which is more particularly described as follows, to-wit:

Lots 344, 345 and 346, JEFFERSON AVENUE SUBDIVISION, as shown on plat of record in Plat Book 287, Page 35, 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 Grantor by Quit Claim Deeds recorded at Instrument Nos. 11021995, 11021996, 11021997 in the Register's Office of Shelby County, Tennessee.

This Quit Claim Deed is prepared with information provided by the parties and without the benefit of a title search or examination pursuant to the parties request.

IN TESTIMONY WHEREOF, the undersigned has executed this instrument as Grantor this the \_/5\_ day of December, 2022.

CITY CENTER SERVICES, INC. a Tennessee corporation

y: Basse Muwam President BASIL AIRMAN, President

STATE OF TENNESSEE) COUNTY OF SHELBY )

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared BASIL AIRMAN, with whom I am personally acquainted, and who, upon oath, acknowledged herself to be the President for CITY CENTER SERVICES, INC., a Tennessee corporation, the within named bargainor, a corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Corporation by himself as such President.

WITNESS my hand and Notarial Seal at office this 2 day of December, 2022.

Notary Public

My Commission expires:

0 N Second St

Memphis, Tennessee 38103

6/15/25

Tax Parcel Nos.:

Property Address:

002-024-00014C

Mail Tax Bills to and name and address of New Property Owner:

Safebox Storage, LLC P.O. Box 3021 Memphis, Tennessee 38173

#### STATE OF TENNESSEE) COUNTY OF SHELBY

I hereby swear or affirm that the actual consideration for this transfer is \$0.00.

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of December, 2022.

Notary Public

My commission expires:

Prepared By and Return To:

GRIFFIN, CLIFT, EVERTON & MASCHMEYER, PLLC

Attn: William N Griffin, Jr. 6489 Quail Hollow, Suite 100 Memphis, Tennessee 38120-1305

File No. FF-11474



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

December 30, 2024

Sent via electronic mail to:

Case Number: SUP 2024-040

LUCB Recommendation: Approval with conditions as amended

Dear applicant,

On Thursday, December 12, 2024, the Memphis and Shelby County Land Use Control Board recommended *approval* of your special use permit application to allow a commercial parking lot subject to the following conditions:

- 1. A lighting plan detailing the location, height, style, direction, etc. of all outdoor lighting and a photometric plan shall be submitted for administrative review and approval by the Division of Planning and Development.
- 2. A landscaping and screening plan shall be provided that provides a streetscape along North Second Street and interior landscaped parking lot islands. The parking lot shall follow the design standards in UDC Section 4.5.5.
- 3. Any access control device such as a gate, card reader or guardhouse shall follow the design requirements in UDC Section 4.4.8.
- 4. This approval shall expire and become void on December 12, 2029, at which time the applicant may return to the Land Use Control Board for a time extension or another proposal.

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

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

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

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

Letter to Applicant SUP 2024-040

Alexis Longstreet

Respectfully,

Alexis Longstreet

Planner

Land Use and Development Services Division of Planning and Development

Cc: File

ALLEY WROUGHT IRON ENCLOSURE DUMPSTER ENCLOSURE 125'-11/2" (10) SPACES WHEEL STOP, TYP. ----- RAISED LANDSCAPE ISLAND, 14'-0" 18'-*0*" (10) SPACES (II) SPACES **EXISTING EXISTING** BUILDING BUILDING (IP) SPACES 24'-0" TYPE S-8 PARKING BUFFER (SHRUBS), \_ DECORATIVE WALL OR COMBINATION WROUGHT IRON ENCLOSURE — BRICK COLUMN, TYP. PAYMENT KIOSK NORTH SECOND STREET

SITE PLAN

## rwfDesign

Arch Technology Consultant 3254 Scheibler Rd ● Memphis, TN 38128 (901) 355.3803 • rwfdesign@gmail.com

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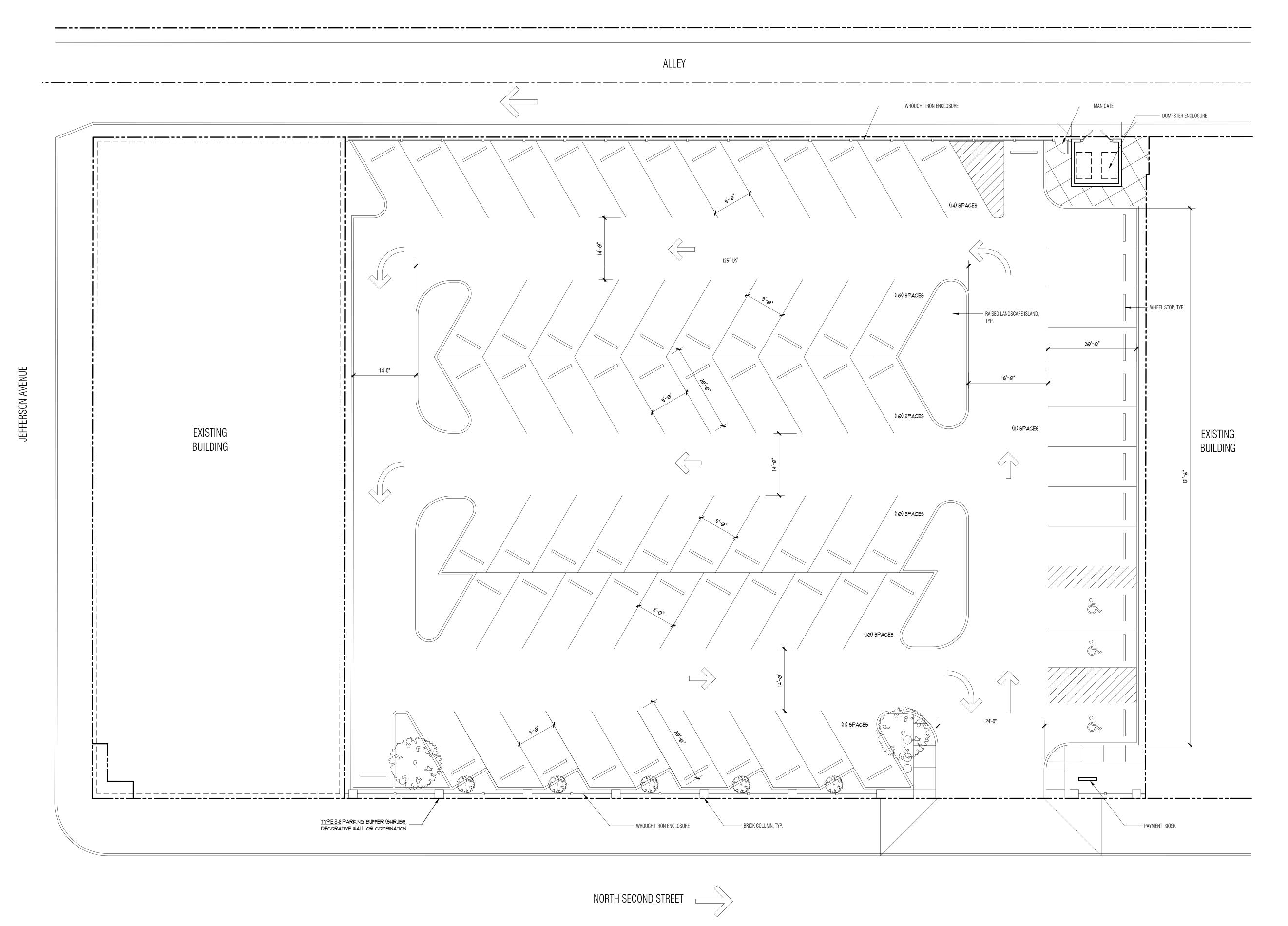
## OND RKING NORTH 9

Drawing Name:

SITE PLAN - PARKING LAYOUT

001.AR.2025 Project Number:

05.27.2025



SITE PLAN

### rwfDesign

Arch Technology Consultant 3254 Scheibler Rd ● Memphis, TN 38128 (901) 355.3803 • rwfdesign@gmail.com

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## OND RKING NOR 9

Drawing Name:

SITE PLAN - PARKING LAYOUT

001.AR.2025 Project Number:

05.27.2025

#### CITY OF MEMPHIS

COUNCIL AGENDA CHECK OFF SHEET ONE ORIGINAL Planning & Development ONLY STAPLED DIVISION TO DOCUMENTS Planning & Zoning COMMITTEE: 07/08/2025 DATE PUBLIC SESSION: 07/22/2025 ITEM (CHECK ONE) X ORDINANCE RESOLUTION X REQUEST FOR PUBLIC HEARING ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located 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 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) RECOMMENDATION: The Division of Planning and Development recommended Approval The Land Use Control Board recommended Approval RECOMMENDED COUNCIL ACTION: Public Hearing Required Set date for first reading - 06/24/2025 Second reading -07/08/2025Third reading - 07/22/2025 PRIOR ACTION ON ITEM: APPROVAL - (1) APPROVED (2) DENIED 05/08/2025 DATE Land Use Control Board ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE **FUNDING:** REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED SOURCE AND AMOUNT OF FUNDS OPERATING BUDGET CIP PROJECT # FEDERAL/STATE/OTHER **POSITION PLANNER** DEPUTY ADMINISTRATOR > ADMINISTRATOR DIRECTOR (JOINT APPROVAL) COMPTROLLER

> CHIEF ADMINISTRATIVE OFFICER COMMITTEE CHAIRMAN

FINANCE DIRECTOR CITY ATTORNEY



#### 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** 

Planner

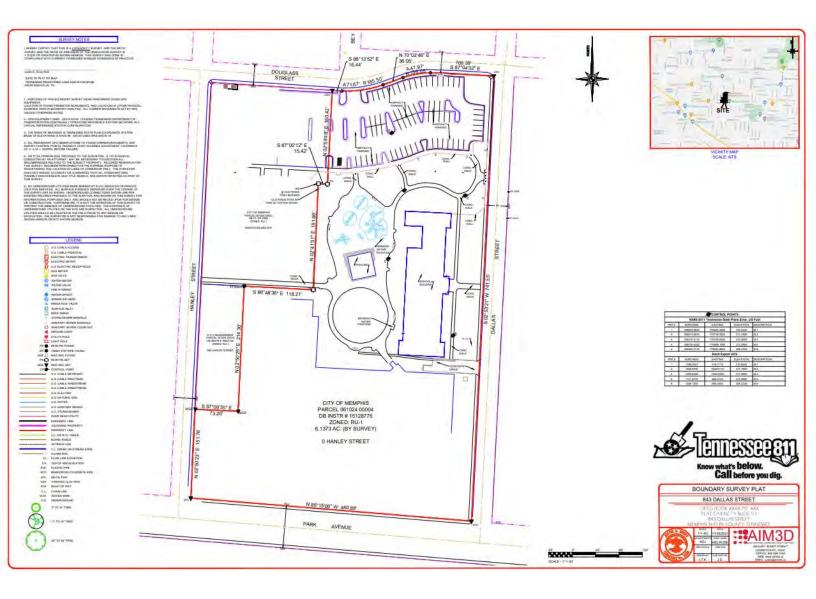
Land Use and Development Services
Division of Planning and Development

Ülexis Longstreet

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.

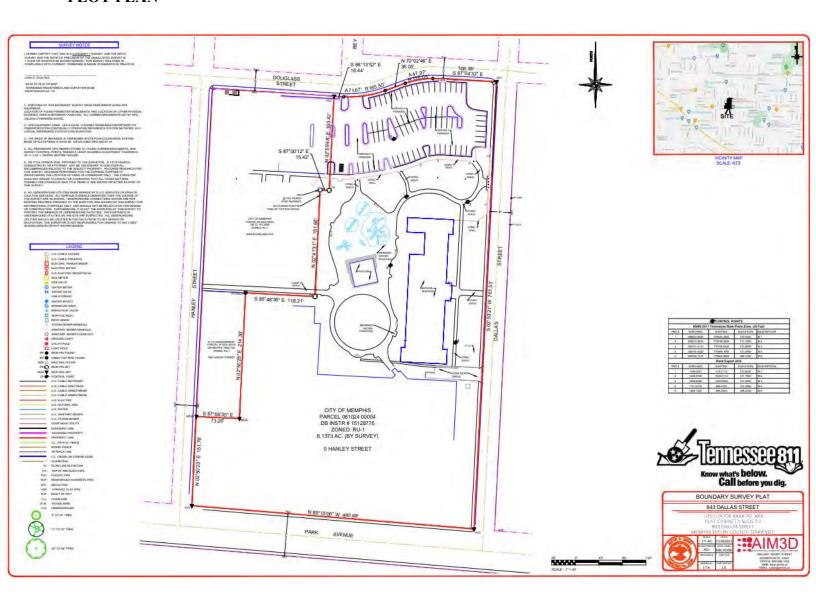
# **SECTION 2:**

**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:** 

Division of Planning and Development

– Land Use and Development Services CC:

- Office of Construction Enforcement

**Shelby County Assessor** 



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 – 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)

# **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**

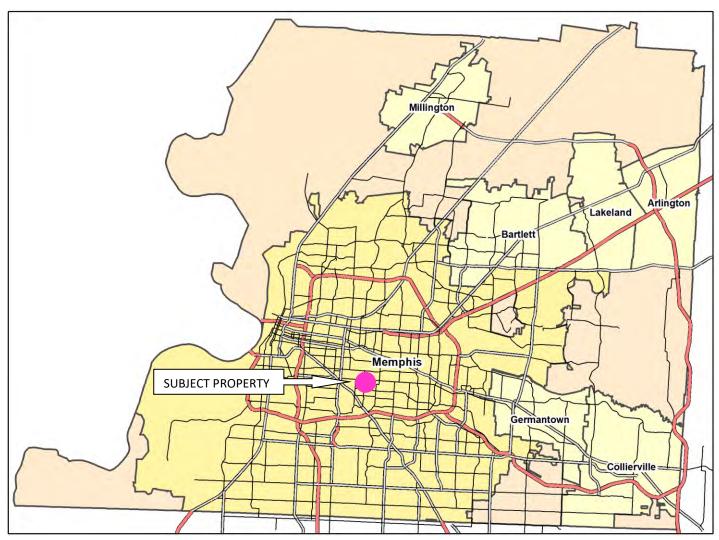
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 18 – 20 of this report.

#### **RECOMMENDATION:**

**Approval** 

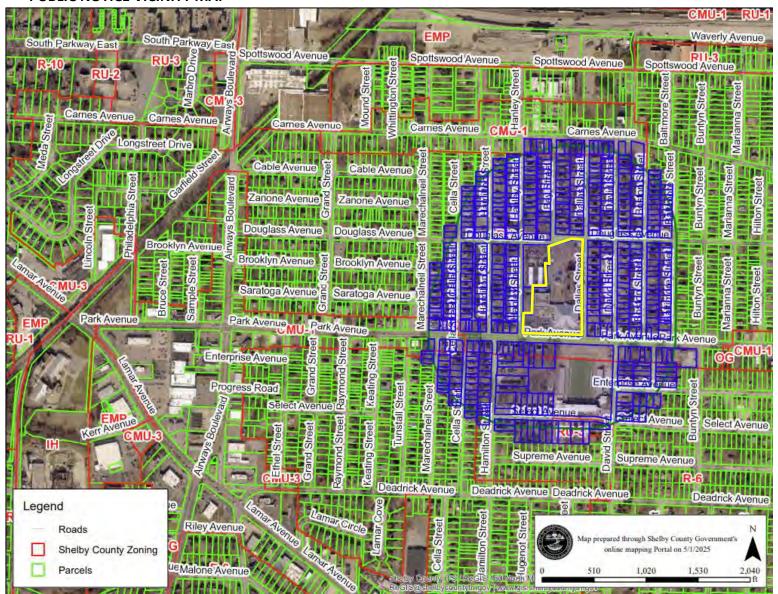
Staff Writer: Alexis Longstreet E-mail: alexis.longstreet@memphistn.gov

# **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)**

Star of Timere

# **AERIAL**



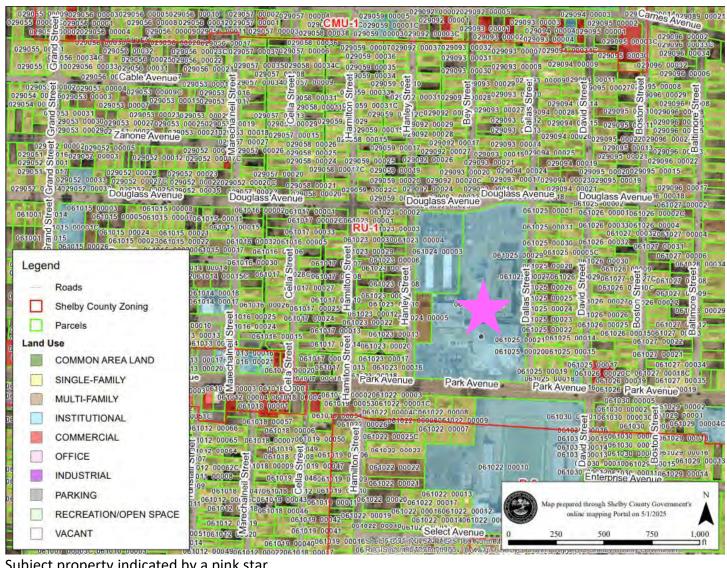
Subject property outlined in yellow

#### **ZONING MAP**



Subject property highlighted in yellow

#### LAND USE MAP

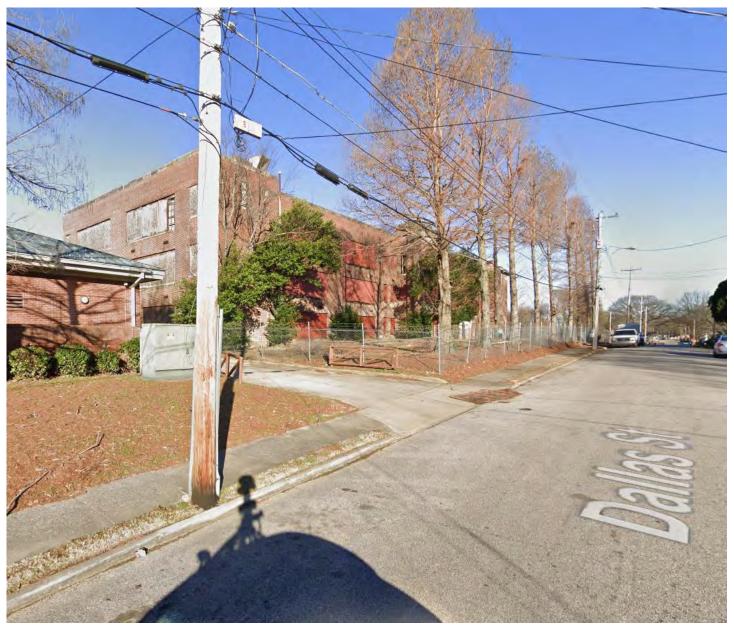


Subject property indicated by a pink star

# **SITE PHOTOS**



View of subject property from Park Avenue looking northeast



View of subject property from Dallas Street looking northeast

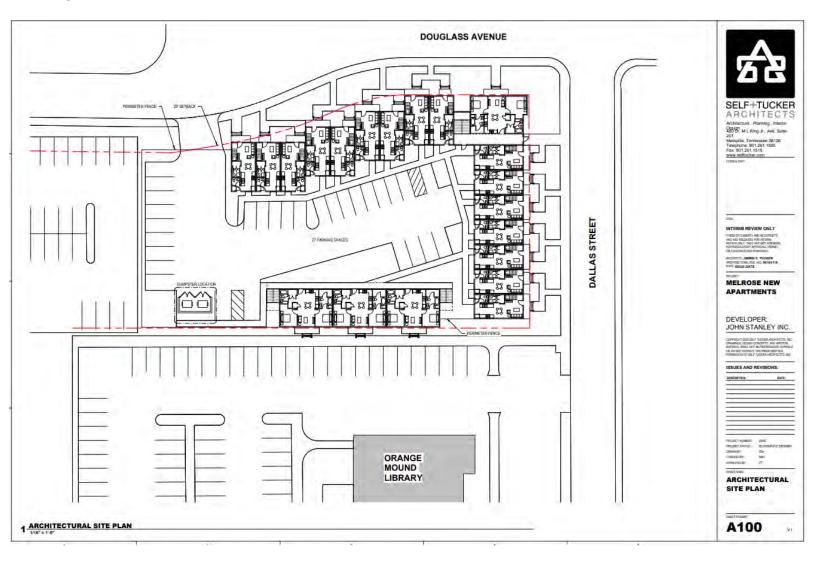


View of subject property from Douglass Avenue looking southeast



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

# **PLOT PLAN**



# 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 plo	ans to be considered (	see Chapter 1.9);

9.5.7B(2)	Compatibility with the present zoning (including any residential corridor overlay district) and
	conforming uses of nearby property and with the character of the neighborhood;

9.5.7B(3)	Suitability of the subject property for uses permitted by the current versus the proposed district;	
-----------	---	--

9.5.7B(4)	Whether the proposed change tends to improve the balance of uses, or meets a specific demand
	in the City or County: and

9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.

# **Site Details**

Address:

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.

Staff Report Z 2025-004

May 8, 2025 Page 16

# **Analysis**

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:** No comments received. **City Fire Division:** No comments received. **City Real Estate:** No comments received. **County Health Department:** No comments received. **Shelby County Schools:** No comments received. **Construction Code Enforcement:** No comments received. Memphis Light, Gas and Water: No comments received. Office of Sustainability and Resilience: No comments received. Office of Comprehensive Planning: See pages 16 – 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 $\ensuremath{\mathsf{N/A}}$

## **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.

Staff Report Z 2025-004 May 8, 2025 Page 20

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.

#### **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 Time: 9:00 AM

City Hall 1st Floor

125 N Main St. Date: Thursday, May 8, 2025

MEMPHIS AND DIVISION OF PLANNING SHELBY COUNTY AND DEVELOPMENT



#### Staff Planner Contact:

Alexis Longstreet

☐ alexis.longstreet@memphistn.gov

(901) 636-7120

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



451 Notices Mailed 04/16/2025

# **SIGN AFFIDAVIT**

# **AFFIDAVIT**

I, Dakota McMullen , being duly sv	vorn, depose and say that at 1-25 am/pm
on the 24th day of April .	2025 , I posted 3 Public Notice Sign(s)
pertaining to Case No. Z 2025-004 at 2	
providing notice of a Public Hearing before t	he (check one):
X Land Use Control Board	
Board of Adjustment	18.70
Memphis City Council	Also and a second
Shelby County Board of Commission	
그렇게 하고싶어 하는데 하는데 가지 않아 하는데 하는데 되었다. 그 바라지만 그 바다 하는데	action, a photograph of said sign(s) being
	urchase receipt or rental contract attached
hereto.	
//// 17.	
Dalota Mulm	04/24/2005
Dalota Mul	04/24/2025
Owner, Applicant or Representative	04/241202F
Owner, Applicant or Representative	W. 4 12
- 11	W. 4 12
Owner, Applicant or Representative  Subscribed and sworn to before me this 2	W. 4 12

#### **APPLICATION**



# Memphis and Shelby County Division of Planning and Development

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

website: www.develop901.com

# **Record Summary for Rezoning**

Record Detail Information

Record Type: Rezoning

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

**Expiration Date:** 

Record Name: Melrose

Record Number: Z 2025-004

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:

#### Address:

2572 PARK AVE, MEMPHIS 38114

#### Owner Information

Primary Owner Name

Y CITY OF MEMPHIS

125 N MAIN ST, MEMPHIS, TN 38103

Owner Phone

9016367364

Parcel Information

061024 00004

Owner Address

**Data Fields** 

PREAPPLICATION MEETING

Page 1 of 3 Z 2025-004

Address TN,

Phone (901)636-7364

PROPERTY OWNER OF RECORD

Name of DPD Planner	N/A	
Date of Meeting	1.5	
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	2	
Central Business Improvement District	No	
Class	2	
Downtown Fire District	No	
Historic District		
Land Use	4	
Municipality		
Overlay/Special Purpose District	12)	
Zoning	4)	
State Route	-	
Lot	-	
Subdivision	-	
Planned Development District		
Wellhead Protection Overlay District	No	
County Commission District	2.0	
City Council District		
City Council Super District	-	
Contact Information		
Name SAKI S MIDDLETON		Contact Type APPLICANT
Address		
Phone (213)687-2327		
Name SAKI MIDDLETON		Contact Type CONTACT
Address		
Phone (310)801-7633		
Name AMANDA OMEARA		Contact Type PROPERTY OWNER OF

Z 2025-004 Page 2 of 3

# Comments

Date

Comment

03/19/2025

MISSING DOCUMENTS:

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

WILL SEND A PROPERTY OWNER AFFIDAVIT TO BE COMPLETED BY APPLICANT

Page 3 of 3 Z 2025-004

# **OWNER AFFIDAVIT**



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

# Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

Deve	siopment code Section 12.3.1.	C -	
I. <u>Sa</u>	ki S. Middleton (Print Name)	(Sign Name)	state that I have read the definition of
"Owr	er" as outlined in the Memphis an	d Shelby County Unified Develop	ment Code Section 12.3.1 and hereby state
that (	select applicable box):		state seems that the troopy state
	holder of record as shown in the	mortgage records of the county R	ounty Assessor of Property; the mortgage Register of Deeds; purchaser under a land or lesser estate in the premises
х	I have charge, care or control of guardian or lessee (and have inc	the premises as trustee, agent, ex luded documentation with this affi	xecutor, administrator, assignee, receiver, idavit)
and fo	property located at 2572 Park urther identified by Assessor's Par nich an application is being made to	cel Number See Attached	, Memphis_TN 38114 evelopment
Subst	cribed and sworn to (or affirmed) b		of February in the year of 2025
Signa	ture of Notary Public	HAYEEN GHAN Notary Public - California Los Angeles County Commission # 1446107 My Comm. Expires May 2, 2028	05/02/2028 Ny Commission Expires

#### LETTER OF INTENT



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 2<sup>nd</sup> and 3<sup>nd</sup> floor of the Historic Melrose High School building, which includes a recently completed City of Memphis public Library and Genealogy center on the 1<sup>st</sup> 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.

Project Name: Melrose # of Units: 51 units

Bedroom Mix: 24 - 1bdrm/1bath stacked flat units and 27 2bdrm/1.5 bath townhomes

Location: 843 Dallas Street, Memphis, TN 38114

Type of Development: 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) 697-2127 phone - (213) 496-6066 fee - www.johnstanleyinc.com

Letter of Intent Page 2 of 2

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 y

Saki S. Middleton

President

Staff Report Z 2025-004 May 8, 2025 Page 29

# **LETTERS RECEIVED**

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



# Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis,

Tennessee 38134

Downtown Service Center: 125 N. Main Street;

Memphis, Tennessee 38103

website: www.develop901.com

# **Record Summary for Rezoning**

**Record Detail Information** 

Record Type: Rezoning Record Status: Additional Info Required

Opened Date: February 28, 2025

Record Number: Z 2025-004 Expiration Date:

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Parent Record Number:

### Address:

2572 PARK AVE, MEMPHIS 38114

# **Owner Information**

Primary Owner Name

Y CITY OF MEMPHIS

Owner Address Owner Phone

125 N MAIN ST, MEMPHIS, TN 38103 9016367364

#### **Parcel Information**

061024 00004

# **Data Fields**

PREAPPLICATION MEETING

Page 1 of 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		
		Contact Type
SAKI S MIDDLETON		APPLICANT
Address		74 1 2107441
<b>Phone</b> (213)687-2327		
Name SAKI MIDDLETON		Contact Type CONTACT
Address		
<b>Phone</b> (310)801-7633		
Name AMANDA OMEARA		<u>Contact Type</u> PROPERTY OWNER OF
Address TN,		RECORD
Phone (901)636-7364		

Page 2 of 3 Z 2025-004

#### **Comments**

Date

Comment

03/19/2025

MISSING DOCUMENTS:

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

WILL SEND A PROPERTY OWNER AFFIDAVIT TO BE COMPLETED BY APPLICANT

Page 3 of 3 Z 2025-004



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

## Property Owner's Affidavit

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

Memphis and Shelby County Unified Development Code Section 12.3.1

Signature of Notary Public

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 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) 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
05/62/2028

My Comm. Expires May 2, 2028 My Commission Expires

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 truthfulness, accuracy, or validity of that document.

State of <b>CALIFORN</b>	IA ]		
County of LOS ANG	ELES }		
on 02/28	ZO25 before me,	NAYEEM KHA	N, NOTARY PUBLIC
Qa	nia		and Title of the Officer
personally appeared	SAKi S.	Middle	TON
		Name(s) of Signansi	
their authorized capace entity upon behalf of v	laws of the	ed to me that he/she/they	y executed the same in his/he trument the person(s), or the
Place Notary Seal and	Signature d/or Stamp Above	17092	eal.
Aithough the informs	ation in this section is and and used to be		emoval and regitachment of the
malum to the	to an unauthorized document and may	w it could prevent fraudulent a prove useful to persous relyin	g on the attached (locument
	ached Decument		
Description of Att	ached Document	DINNERS 1	10
<b>Description of Att</b> Title or Type of Docu	ached Document	OWNERS A	Hidavit.
Description of Att Title or Type of Docu Document Date:	ment: Property	OWNERS A	Hodavit,
Description of Att Title or Type of Docu Document Date: Signer(s) Other Than	ment: Property  Named Above:	OWNERS A	Haut
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Description of Att Title or Type of Docu Document Date: Signer(s) Other Than Capacity(ies) Clair Signer's Name:	n Named Above: med by Signer(s)  Title(s):	Signer's Name:	□ None
Description of Att Title or Type of Docu Document Date: Signer(s) Other Than Capacity(ies) Clair Signer's Name: Corporate Officer Partner - Limite	n Named Above: med by Signer(s)  Title(s): ed  General	Signer's Name:  ☐ Corporate Officer - 1	□ None
Description of Att Title or Type of Docu Document Date: Signer(s) Other Than Capacity(ies) Clair Signer's Name: Corporate Officer- Partner - Limite Individual	n Named Above: med by Signer(s)  Title(s): ded \( \text{General} \) Attorney in Fact	Signer's Name:  Corporate Officer - 1 Partner - Limited Individual	□ None
Description of Att Title or Type of Docu Document Date: Signer(s) Other Than Capacity(ies) Clair Signer's Name: Corporate Officer Partner - Limite Individual Trustee	n Named Above: med by Signer(s)  Title(s): ed  General	Signer's Name:  Corporate Officer - 1 Partner - Limited Individual Trustee	□ None  Title(s): □ General
Description of Att	n Named Above: med by Signer(s)  Title(s): ded General derivation Attorney in Fact derivation Guardian or Conservator	Signer's Name:  Corporate Officer - 1 Partner - Limited Individual	□ None  Title(s): □ General □ Attorney in Fact □ Guardian or Conservator

#### 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 multigenerational 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.

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

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

Federal EDI (Cohen) Grant	Feb 2023 (\$3M)	Phase 3 (Senior Housing)

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

Ashley Cash, Director



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:

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Letter of Intent Page 2 of 2

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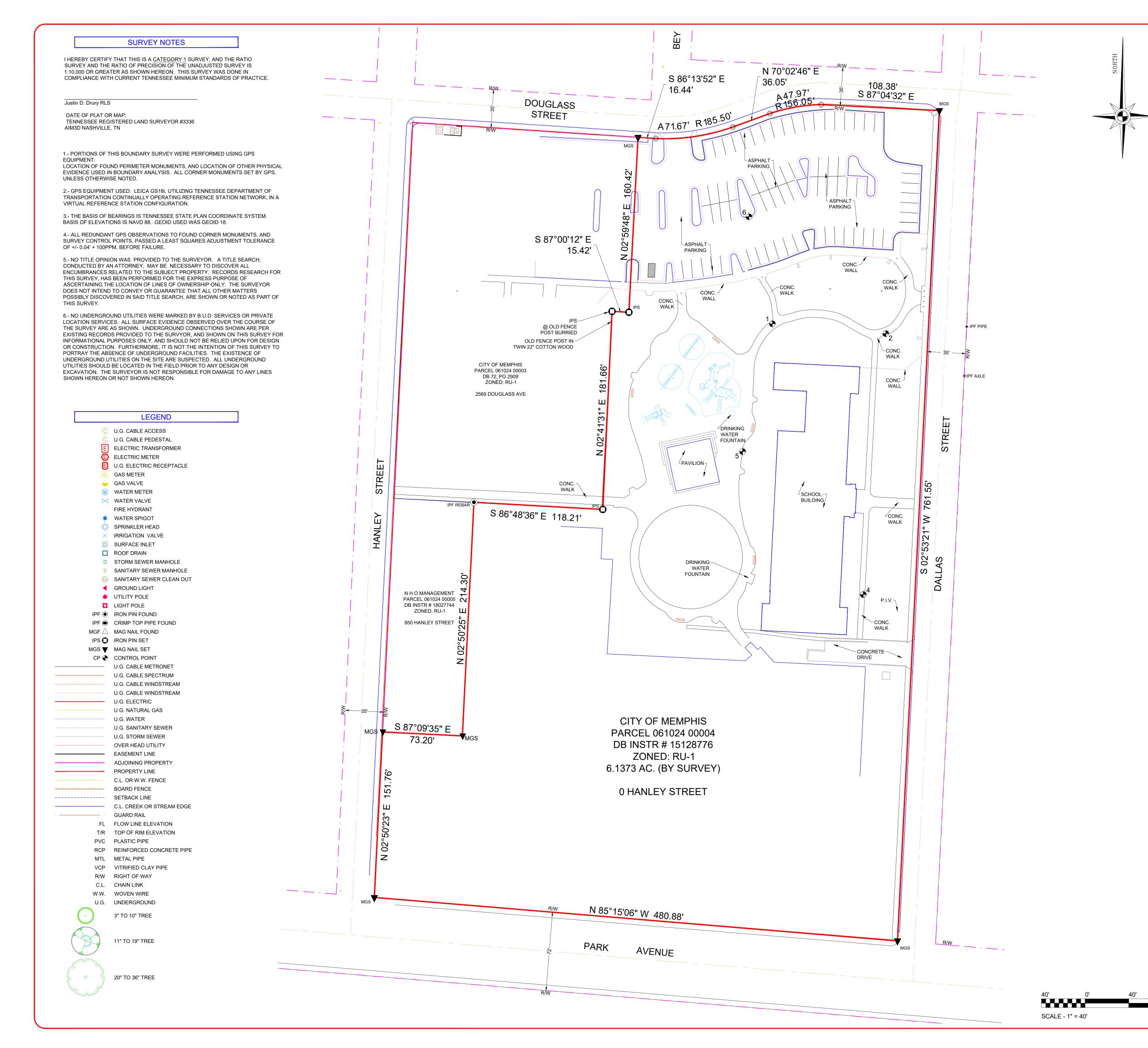
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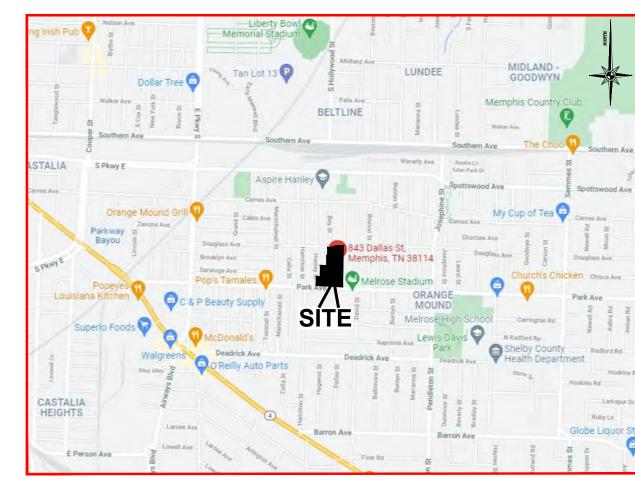
Should you have any questions or need any additional information please don't hesitate to contact me at 213.687.2327.

Sincerely,

Saki S. Middleton

President





**VICINITY MAP** SCALE: NTS

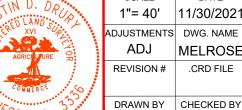
	CONTROL POINTS			
NSRS 2011 Tennessee State Plane Zone, US Foot				
PNT#	NORTHING	EASTING	ELEVATION	DESCRIPTION
1	306822.6630	779626.3460	310.9450	M-1
2	306813.6810	779730.2460	311.7950	M-2
4	306574.6110	779709.6350	313.9990	M-4
5	306705.6320	779599.1090	313.2950	M-5
6	306920.7410	779604.8800	308.3320	M-6
Revit Export 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



# **BOUNDARY SURVEY PLAT**

# 843 DALLAS STREET

DEED BOOK XXXX PG. XXX PLAT CABINET 9 SLIDE 93 843 DALLAS STREET



اد داا ا	ILLDI C	$\mathcal{O}\mathcal{O}$
SCALE	DATE	
"= 40'	11/30/2021	•
JSTMENTS	DWG. NAME	•
ADJ	MELROSE	
VISION#	.CRD FILE	

J.T.K.

MEMPHIS SHELBY COUNTY, TENNESSE LEXINGTON KY, 40507 OFFICE: 859-268-1044 WEB: www.aim3d.us

EMAIL: justin@aim3d.us

#### DESCRIPTIONS - HISTORIC MELROSE SCHOOL PROJECT

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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.



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

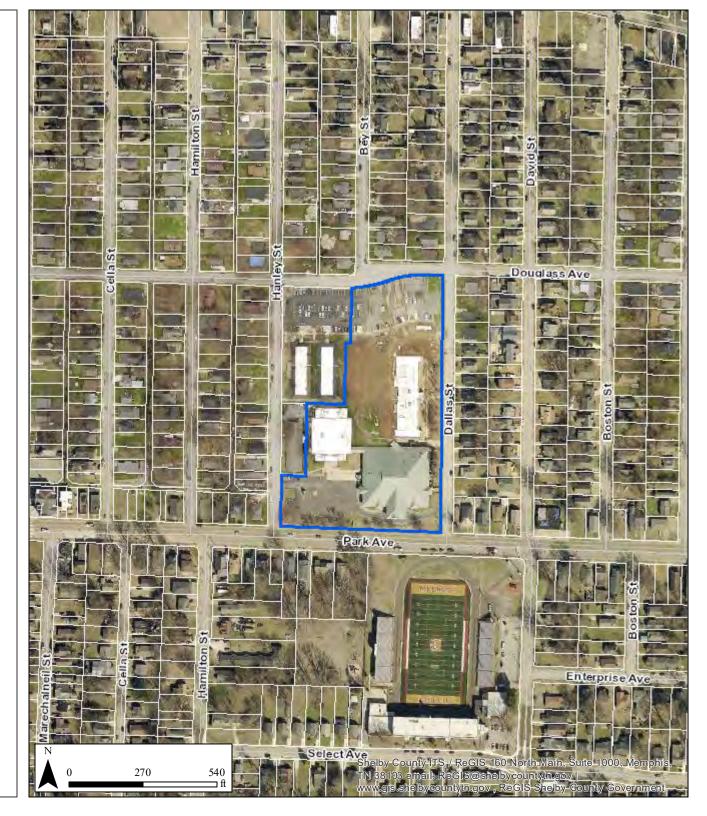
Dimensions: 6.224AC

Total Acres: 6.224

Owner Address: 125 N MAIN ST STE 336

**MEMPHIS TN** 

38103 2030





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 OI				
Property Owner of Record:  170 North Main Street  Mailing Address:  Property Owner Email Address:  Address	Phone #:	Phone #: 901-636-7364		
Mailing Address: 170 North Main Street	City/State: Memphis, TN	Zip: 38103		
Property Owner Email Address:	Phone #: 2	13-687-2327		
Applicant: John Stanley Inc/Saki S. Middleton  Mailing Address: 655 Deep Valley Drive Suite 325-B  Applicant Email Address: smiddleton@Johnstanleyinc.com	Phone #:  Rolling Hills Estates, CA  City/State:	Zip: 90274		
Applicant Email Address:Smiddleton@JonnstanleyInc.com	<u> </u>			
Representative:	Phone #:			
Mailing Address:	City/State:	Zip:		
Representative Email Address:				
Architect/Engineer/Surveyor:	Phone #:			
Mailing Address:	City/State:	Zip:		
Architect/Engineer/Surveyor Email Address:				
<b>PREMISES LOCATION</b> (Describe by street address & directional 2572 Park Av of Johnson Street, 100 feet east of Brown Street):	location description, e.g. 200 Johnso enue; Approximately 45,200 sq.ft. or 1			
and the first and secod floor of the existing Melrose buildin	g comproxied of approx. 26,766 so	٦.ft.		
Parcel ID: 061024 00004				
Melrose Project Name:				
See attached Project Description:				
Did you have a pre-application meeting with the Division of Pl	anning and Development (DPD)?			
Planner:	Date of Meeting:			

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\ cr	25.	Area A 1.03 acres	Area B	Area C
Acre		RU1		<del></del>
Existing Zoning:  Existing Use of Property:  Requested Use of Property:		Vacant		<del></del>
		Multifamily		
		RU3		
•	uested Zoning:		No	
	nis application in response to a	•	or zoning letter?	(yes or no)
•	N/A	the citation, stop work		ter along with any other relevant
	TIEW CRITERIA (UDC Sub-Section	•		
In m	naking recommendations, the L	and Use Control Board sh	all consider the following  Attached	matters:
1)	Consistency with any plans to	o be considered (see Chap	oter 1.9):	
2)			A tto ob o d	ay district) and conforming uses of
	nearby property and with the	e character of the neighbo	orhood:	
	-			
_,				Attached
3)	Suitability of the subject pro	perty for uses permitted b	by the current versus the p	oroposed district:
4)	Whether the proposed char County:	nge tends to improve the	balance of uses, or mee	ts a specific demand in the City or

Revised 10.09.2023 2

5)	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 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 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

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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: <a href="mailto:smiddleton@johnstanleyinc.com">smiddleton@johnstanleyinc.com</a>, <a href="mailto:amanda.omeara@memphistn.gov">amanda.omeara@memphistn.gov</a>

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 8<sup>th</sup> 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 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:

•	1
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	y Division of Planning and Development: Approval
Memphis and Shelby County	y Land Use Control Board: Approval
Street, Memphis, Tennessee remonstrance's or protests mail be present if you wish to	phis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main 38103 to hear remonstrance's or protests against the making of such changes; such that be by personal appearances, or by attorneys, or by petition, and then and there you be remonstrate or protest against the same.
THIS THE	
ATTEST:	JB SMILEY, JR. CHAIRMAN OF COUNCIL
KAMETRIS WYATT CITY COMPTROLLER	

TO BE PUBLISHED:

