

WHEREAS, on occasion, the Memphis City Council has seen fit to name certain public roads to honor citizens and organizations who have devoted their lives to faith, service, and the betterment of our city, and **Pastor Elmer Shelton, Jr.** is certainly befitting of this great honor; and

WHEREAS, a proud Memphis native, **Pastor Elmer Shelton, Jr.** was born to MayBelle and Elmer Shelton, Sr., and raised in South Memphis, where his upbringing among many siblings shaped his foundation of faith, humility, and perseverance; and

WHEREAS, a 1969 graduate of Hamilton High School, **Pastor Elmer Shelton, Jr.** continued his education at Shelby State Community College, The Memphis School of Religion, and Crichton College, demonstrating a lifelong commitment to learning and spiritual growth; and

WHEREAS, in December 1992, **Pastor Elmer Shelton, Jr.** answered his divine calling to lead St. Stephen Missionary Baptist Church, where for more than three decades he has faithfully served with compassion, integrity, and unwavering faith; and

WHEREAS, **Pastor Elmer Shelton, Jr.** has been married for 54 years to Mrs. Rita Shelton, where together, they have raised three wonderful children, Elliot, Erica, and Elissa, and are blessed with numerous grandchildren and great-grandchildren; and

WHEREAS, before entering full-time ministry, **Pastor Elmer Shelton, Jr.** dedicated 30 years of service to FedEx Corporation, where he earned numerous awards and recognitions—including the prestigious Bravo Zulu Award—for his exceptional leadership, commitment, and excellence. He has also been a steadfast supporter of LeMoyne-Owen College and its mission to educate and empower future generations; and

WHEREAS, **Pastor Elmer Shelton, Jr.** has been an active and dedicated member of numerous faith-based organizations, including the Memphis Ministerial Association, the Tennessee Baptist Missionary & Educational Convention, the West Tennessee Congress of Christian Education, and the National Baptist Convention, USA, Inc. He has also served alongside the Women's Auxiliary of City Union Number 1 and other ministries, demonstrating steadfast leadership, unity, and a deep commitment to advancing the work of the church; and

WHEREAS, through his decades of service, **Pastor Elmer Shelton, Jr.** has been an active member of many faith-based and community organizations, mentored countless men and women of God, and inspired generations to live with purpose, leaving an enduring impact on the City of Memphis.

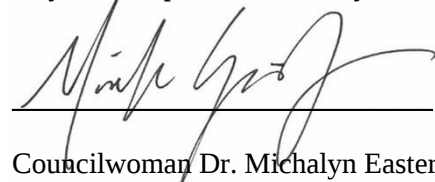
NOW THEREFORE, BE IT RESOLVED by the Memphis City Council that N. Third Street between Jackson Avenue and A.W. Willis Avenue be designated as

Pastor Elmer Shelton, Jr. Street

in recognition of his decades of faithful ministry, community service, and commitment to the spiritual and civic growth of the City of Memphis and its citizens.

BE IT FURTHER RESOLVED that the City Engineer is requested to affix suitable signs designating this public road.

Given by my hand under the great seal of the
City of Memphis, this 21st day of October 2025



Councilwoman Dr. Michalyn Easter-Thomas
Memphis City Council, District 7

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 10/07/2025

DATE

PUBLIC SESSION: 10/21/2025

DATE

ITEM (CHECK ONE)

 ORDINANCE X RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 2554 North Watkins Street, known as case number SUP 2024-037

CASE NUMBER: SUP 2024-037

LOCATION: 2554 North Watkins Street

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

OWNER/APPLICANT: Lidia Vanessa Guzman

REPRESENTATIVE: Raymond West, Ray West Home Design

REQUEST: Special use permit to allow used car sales

AREA: +/-22,841 square feet

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**
Hearing – October 21, 2025

PRIOR ACTION ON ITEM:

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

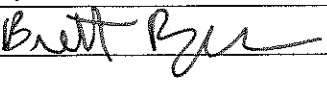
FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
	9/29/25	PLANNER
_____	_____	DEPUTY ADMINISTRATOR
	9/29/25	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2024-037

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 2554 NORTH WATKINS STREET, KNOWN AS CASE NUMBER SUP 2024-037

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

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER:	SUP 2024-037
LOCATION:	2554 North Watkins Street
COUNCIL DISTRICT(S):	District 7 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Lidia Vanessa Guzman
REPRESENTATIVE:	Raymond West, Ray West Home Design
REQUEST:	Special use permit to allow used car sales
EXISTING ZONING:	Commercial Mixed Use 3 – (CMU-3)
AREA:	+/-22,847 square feet

The following spoke in support: Ray West

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 regular public hearing agenda.

Respectfully,



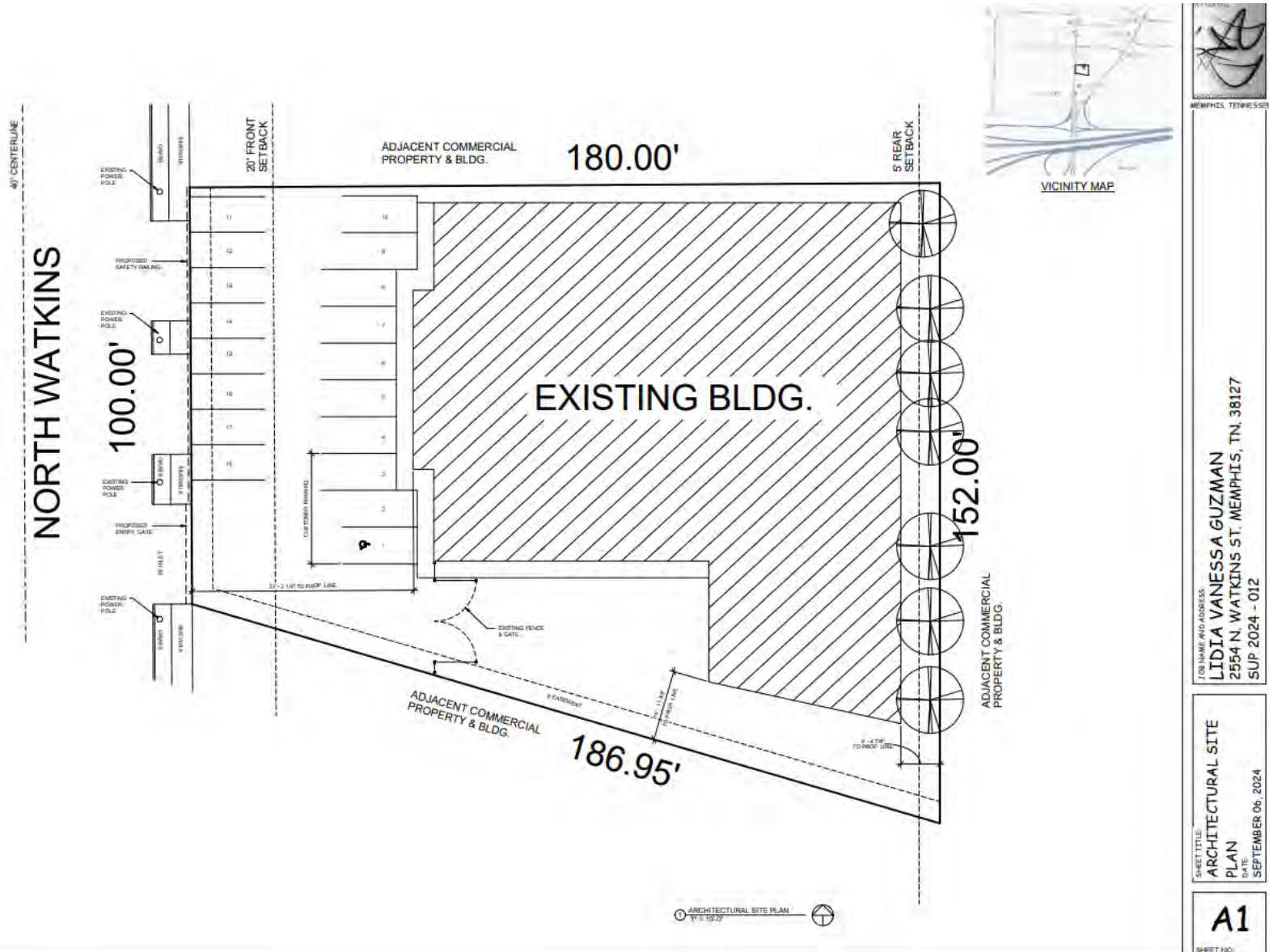
Alexis Longstreet
Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SUP 2024-037**CONDITIONS**

1. In compliance with UDC Sub-Item 2.6.3P(3)(e), an office space with a minimum of 288 square feet shall be provided within the principal structure.
2. In compliance with UDC Sub-item 2.6.3P(3)(f), bathroom facilities, in accordance with Building Code, shall be provided within the principal structure.
3. In compliance with Section 4.3.3, a S-10 Streetscape plate shall be installed along North Watkins Street.
4. The vehicle display area and customer parking area must be in compliance with UDC Sub-Section 4.5.5A and include a minimum of 15 vehicle sales display spaces and three dedicated spaces for customer parking per UDC Item 2.6.3P(3)(g).
5. In addition to the required streetscape plate, a raised curb shall be installed around the landscaping.
6. The applicant shall submit a final plan for the site that provides dimensions and detailed landscaping, to DPD prior to the case being heard at the Memphis City Council.

SITE PLAN



RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 2554 NORTH WATKINS STREET, KNOWN AS CASE NUMBER SUP 2024-037

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, Lidia Vanessa Guzman filed an application with the Memphis and Shelby County Division of Planning and Development to allow a special permit to allow used car 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 February 13, 2025, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

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

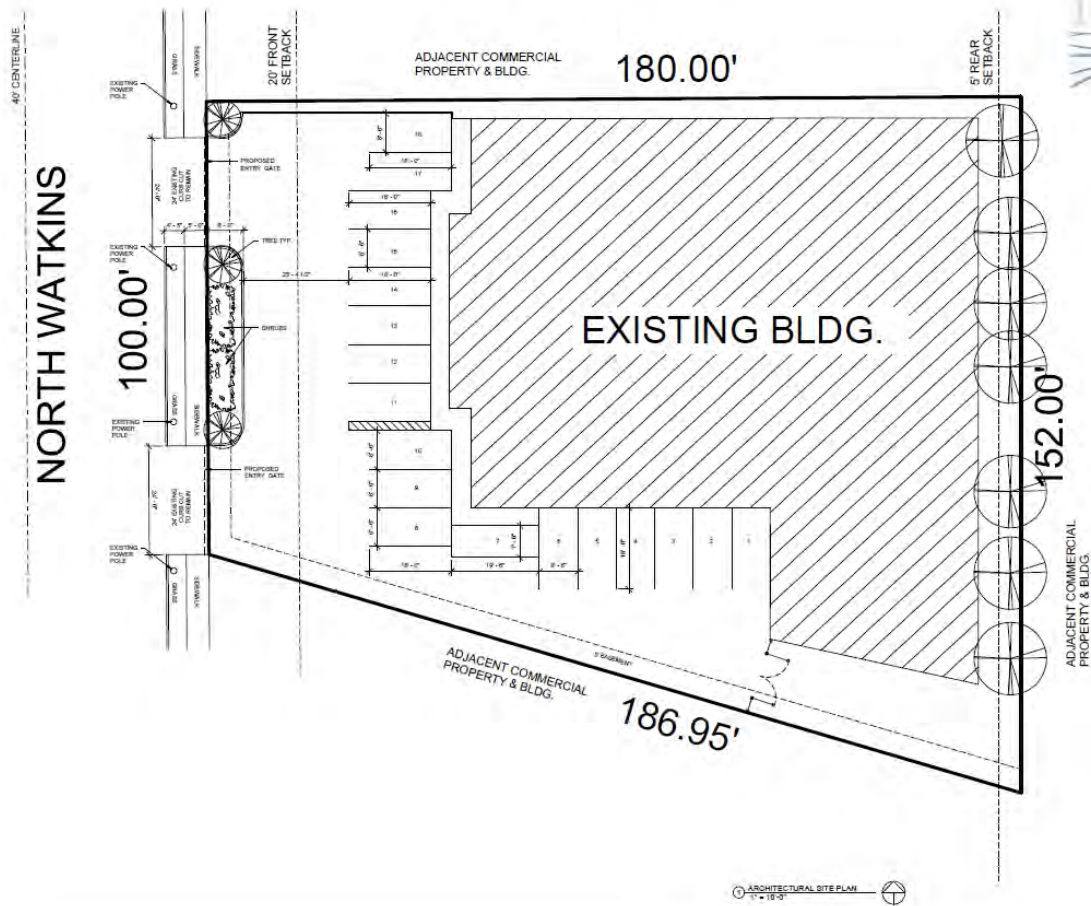
BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by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

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

CONDITIONS

1. In compliance with UDC Sub-Item 2.6.3P(3)(e), an office space with a minimum of 288 square feet shall be provided within the principal structure.
2. In compliance with UDC Sub-item 2.6.3P(3)(f), bathroom facilities, in accordance with Building Code, shall be provided within the principal structure.
3. In compliance with Section 4.3.3, a S-10 Streetscape plate shall be installed along North Watkins Street.
4. The vehicle display area and customer parking area must be in compliance with UDC Sub-Section 4.5.5A and include a minimum of 15 vehicle sales display spaces and three dedicated spaces for customer parking per UDC Item 2.6.3P(3)(g).
5. In addition to the required streetscape plate, a raised curb shall be installed around the landscaping.
6. The applicant shall submit a final plan for the site that provides dimensions and detailed landscaping, to DPD prior to the case being heard at the Memphis City Council.

SITE PLAN



MEMPHIS, TENNESSEE

308 NAME AND ADDRESS:
LIDIA VANESSA GUZMAN
2554 N. WATKINS ST. MEMPHIS, TN. 38127
SUP 2024 - 012

SHEET TITLE
ARCHITECTURAL SITE
PLAN
DATE
APRIL 10, 2025

A1

ATTEST:

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

AGENDA ITEM: 1 **L.U.C.B. MEETING:** February 13, 2025

CASE NUMBER: SUP 2024-037

LOCATION: 2554 N Watkins St.

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

OWNER/APPLICANT: Lidia Vanessa Guzman

REQUEST: Special use permit to allow used car sales

EXISTING ZONING: Commercial Mixed Use 3 – (CMU-3)

CONCLUSIONS

1. The applicant is proposing to utilize the existing principal structure for office space and restrooms. The display area for cars would be between the front of the building and North Watkins Street.
2. The Board of Adjustment previously approved BOA docket 1997-88 application to allow a rear yard setback encroachment of an addition to the principal structure.
3. The proposed site plan does not comply with the minimum parking space or drive aisle geometric requirements in the Unified Development Code. The proposed display and customer parking area is too small to accommodate the use while also adding required landscaping along North Watkins Street.
4. The granting of this special use permit will cause substantial detriment to the public good and will substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC) and will be injurious to the neighborhood or the general welfare, and it will not be in harmony with the purpose and intent of the UDC.

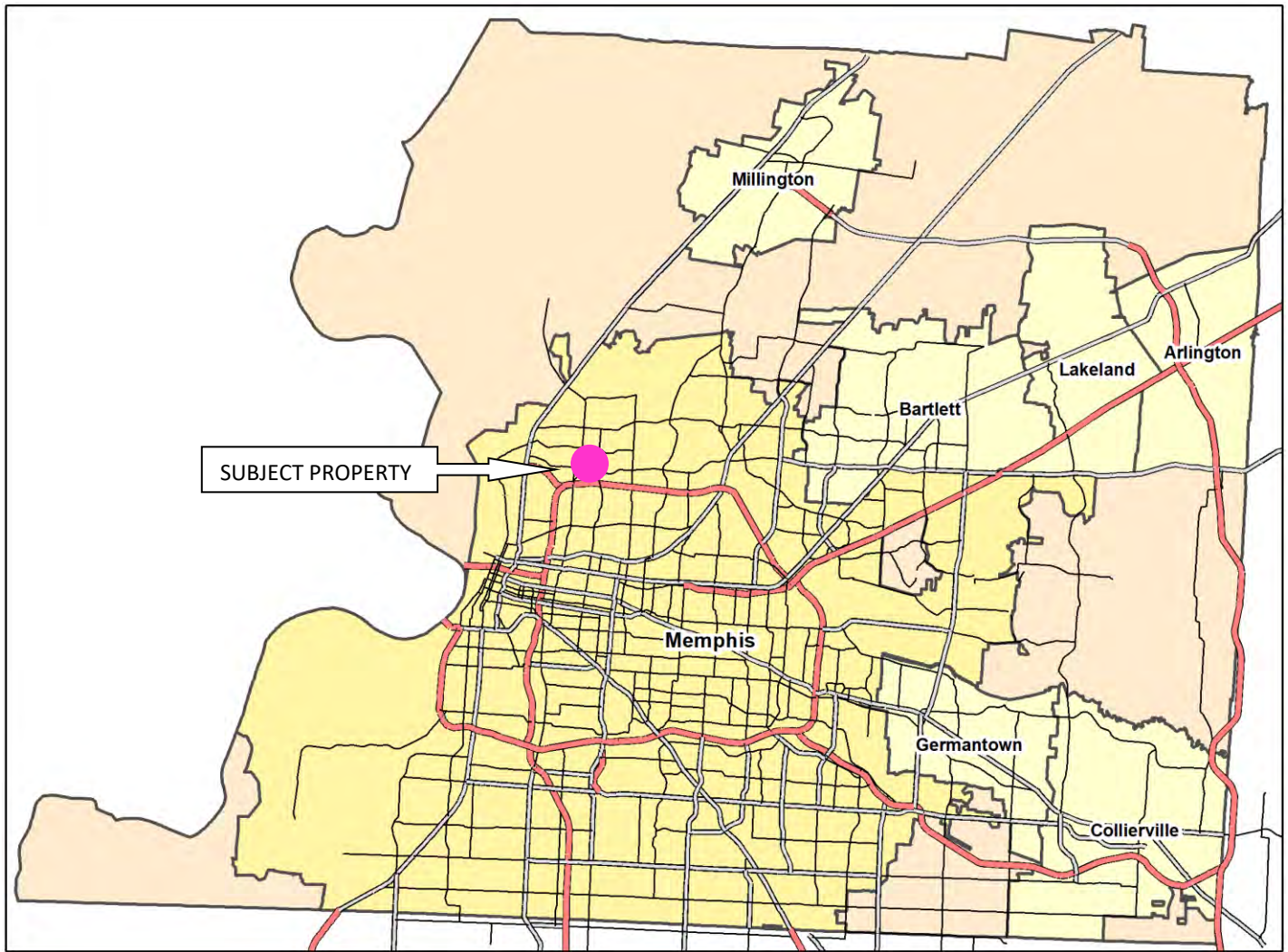
CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 17 – 19 of this report.

RECOMMENDATION:

Rejection

LOCATION MAP



Subject property located within the pink circle

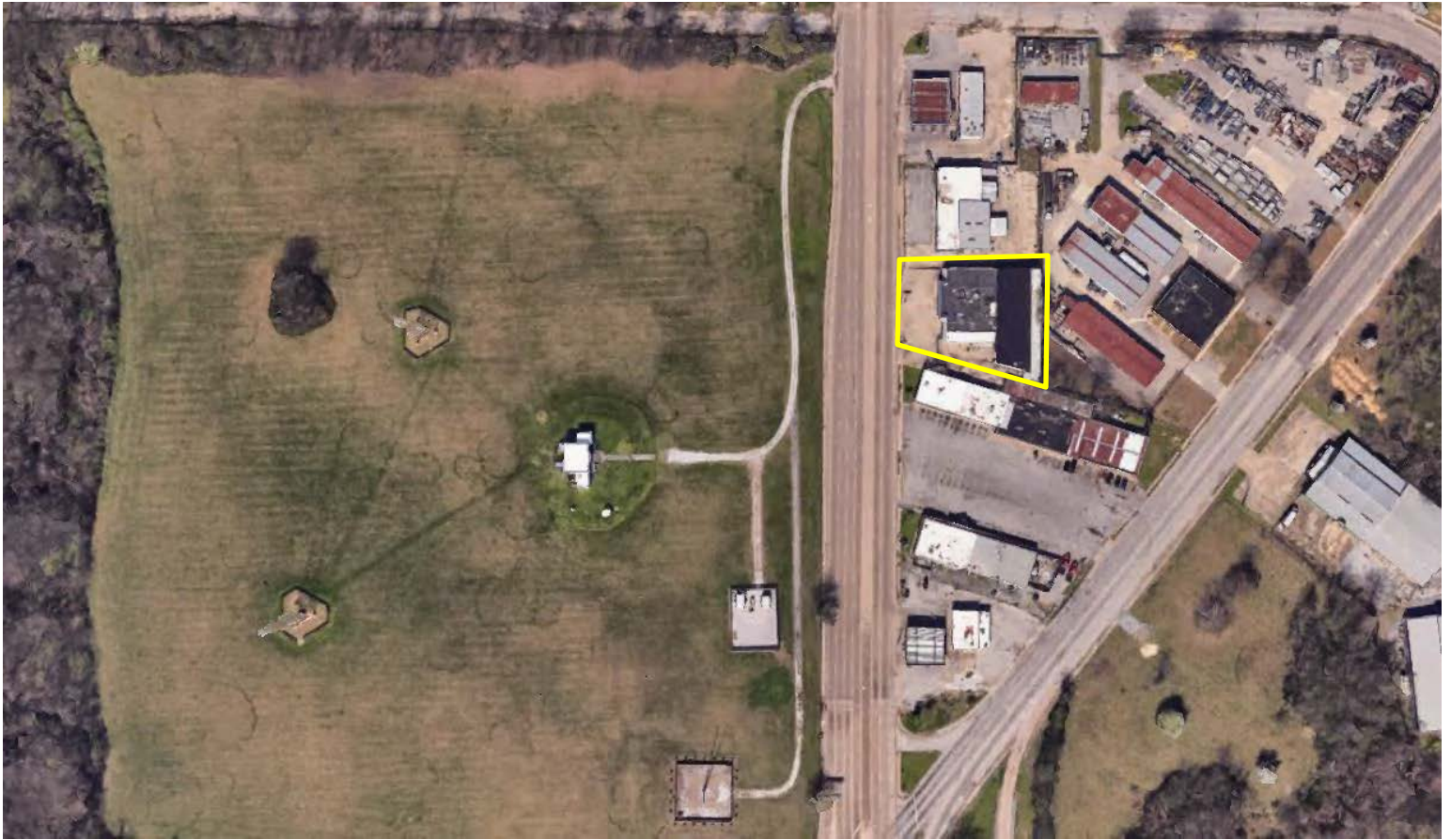
This aerial map displays the North Watkins Street area in St. Louis, Missouri. The map shows property boundaries, lot numbers, and street names. The streets shown are Dupont Avenue, Ontario Avenue, Overton Crossing Street, Windman Avenue, and North Watkins Street. A large green circle highlights a specific area, and a yellow rectangle highlights a specific lot. The lot numbers visible on the map include 070028 00014, 070028 00015, 070088 00014, 070088 00015, 070088 00016, 070088 00017, 070088 00018, 070088 00019, 070088 00020, 070088 00021, 070088 00022, 070088 00023, 070088 00024, 070088 00025, 070088 00026, 070088 00027, 070088 00028, 070088 00029, 070088 00030, 070088 00031, 070088 00032, 070088 00033, 070088 00034, 070088 00035, 070088 00036, 070088 00037, 070088 00038, 070088 00039, 070088 00040, 070088 00041, 070088 00042, 070088 00043, 070088 00044, 070088 00045, 070088 00046, 070088 00047, 070088 00048, 070088 00049, 070088 00050, 070088 00051, 070088 00052, 070088 00053, 070088 00054, 070088 00055, 070088 00056, 070088 00057, 070088 00058, 070088 00059, 070088 00060, 070088 00061, 070088 00062, 070088 00063, 070088 00064, 070088 00065, 070088 00066, 070088 00067, 070088 00068, 070088 00069, 070088 00070, 070088 00071, 070088 00072, 070088 00073, 070088 00074, 070088 00075, 070088 00076, 070088 00077, 070088 00078, 070088 00079, 070088 00080, 070088 00081, 070088 00082, 070088 00083, 070088 00084, 070088 00085, 070088 00086, 070088 00087, 070088 00088, 070088 00089, 070088 00090, 070088 00091, 070088 00092, 070088 00093, 070088 00094, 070088 00095, 070088 00096, 070088 00097, 070088 00098, 070088 00099, 070088 00100, 070088 00101, 070088 00102, 070088 00103, 070088 00104, 070088 00105, 070088 00106, 070088 00107, 070088 00108, 070088 00109, 070088 00110, 070088 00111, 070088 00112, 070088 00113, 070088 00114, 070088 00115, 070088 00116, 070088 00117, 070088 00118, 070088 00119, 070088 00120, 070088 00121, 070088 00122, 070088 00123, 070088 00124, 070088 00125, 070088 00126, 070088 00127, 070088 00128, 070088 00129, 070088 00130, 070088 00131, 070088 00132, 070088 00133, 070088 00134, 070088 00135, 070088 00136, 070088 00137, 070088 00138, 070088 00139, 070088 00140, 070088 00141, 070088 00142, 070088 00143, 070088 00144, 070088 00145, 070088 00146, 070088 00147, 070088 00148, 070088 00149, 070088 00150, 070088 00151, 070088 00152, 070088 00153, 070088 00154, 070088 00155, 070088 00156, 070088 00157, 070088 00158, 070088 00159, 070088 00160, 070088 00161, 070088 00162, 070088 00163, 070088 00164, 070088 00165, 070088 00166, 070088 00167, 070088 00168, 070088 00169, 070088 00170, 070088 00171, 070088 00172, 070088 00173, 070088 00174, 070088 00175, 070088 00176, 070088 00177, 070088 00178, 070088 00179, 070088 00180, 070088 00181, 070088 00182, 070088 00183, 070088 00184, 070088 00185, 070088 00186, 070088 00187, 070088 00188, 070088 00189, 070088 00190, 070088 00191, 070088 00192, 070088 00193, 070088 00194, 070088 00195, 070088 00196, 070088 00197, 070088 00198, 070088 00199, 070088 00200, 070088 00201, 070088 00202, 070088 00203, 070088 00204, 070088 00205, 070088 00206, 070088 00207, 070088 00208, 070088 00209, 070088 00210, 070088 00211, 070088 00212, 070088 00213, 070088 00214, 070088 00215, 070088 00216, 070088 00217, 070088 00218, 070088 00219, 070088 00220, 070088 00221, 070088 00222, 070088 00223, 070088 00224, 070088 00225, 070088 00226, 070088 00227, 070088 00228, 070088 00229, 070088 00230, 070088 00231, 070088 00232, 070088 00233, 070088 00234, 070088 00235, 070088 00236, 070088 00237, 070088 00238, 070088 00239, 070088 00240, 070088 00241, 070088 00242, 070088 00243, 070088 00244, 070088 00245, 070088 00246, 070088 00247, 070088 00248, 070088 00249, 070088 00250, 070088 00251, 070088 00252, 070088 00253, 070088 00254, 070088 00255, 070088 00256, 070088 00257, 070088 00258, 070088 00259, 070088 00260, 070088 00261, 070088 00262, 070088 00263, 070088 00264, 070088 00265, 070088 00266, 070088 00267, 070088 00268, 070088 00269, 070088 00270, 070088 00271, 070088 00272, 070088 00273, 070088 00274, 070088 00275, 070088 00276, 070088 00277, 070088 00278, 070088 00279, 070088 00280, 070088 00281, 070088 00282, 070088 00283, 070088 00284, 070088 00285, 070088 00286, 070088 00287, 070088 00288, 070088 00289, 070088 00290, 070088 00291, 070088 00292, 070088 0

PUBLIC NOTICE DETAILS

NEIGHBORHOOD MEETING

The meeting was held at 12:00 PM on Thursday, January 28, 2025, at Joann's Family Affair, 2550 North Watkins Street.

AERIAL



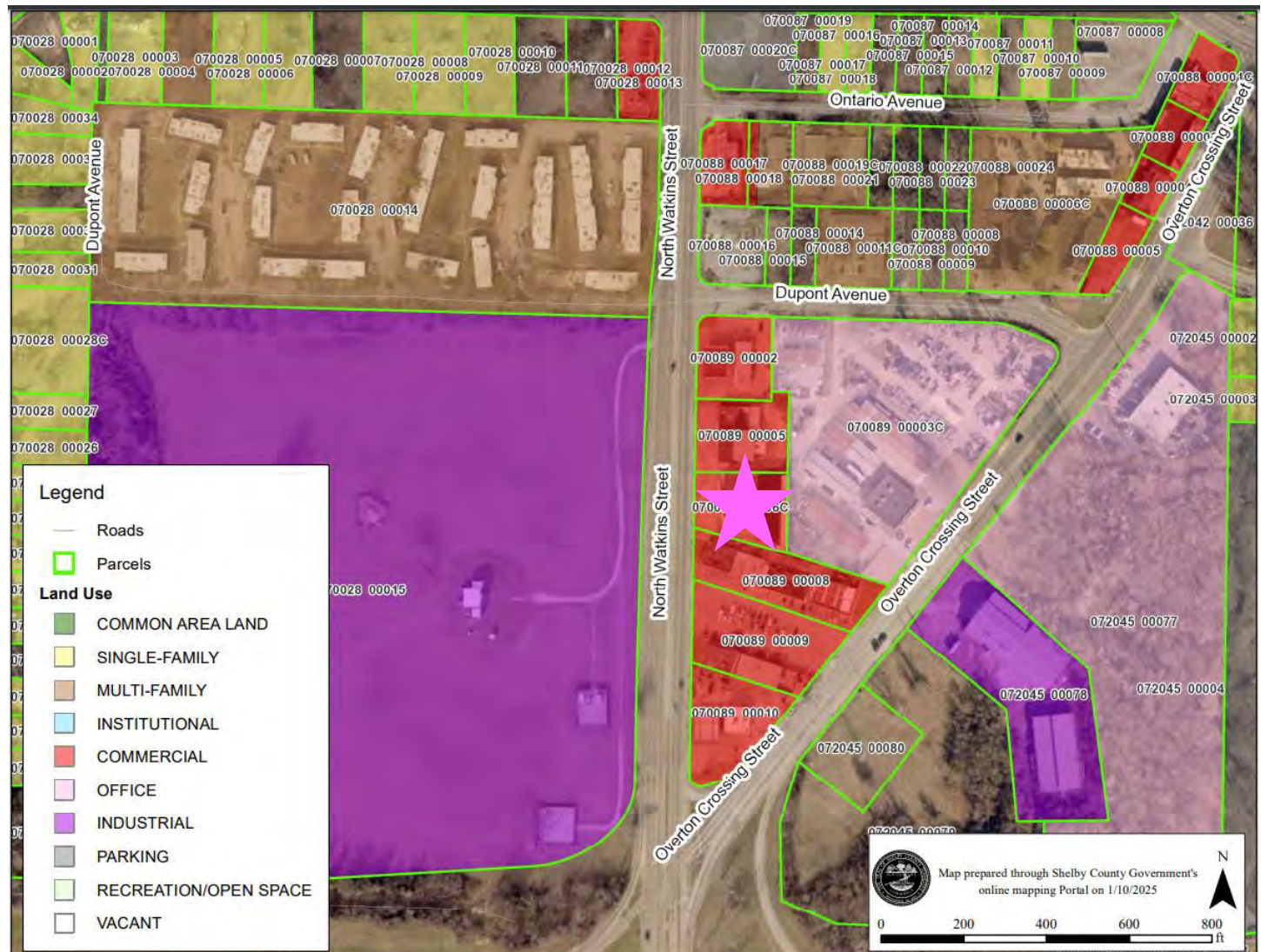
Subject property outlined in yellow

ZONING MAP



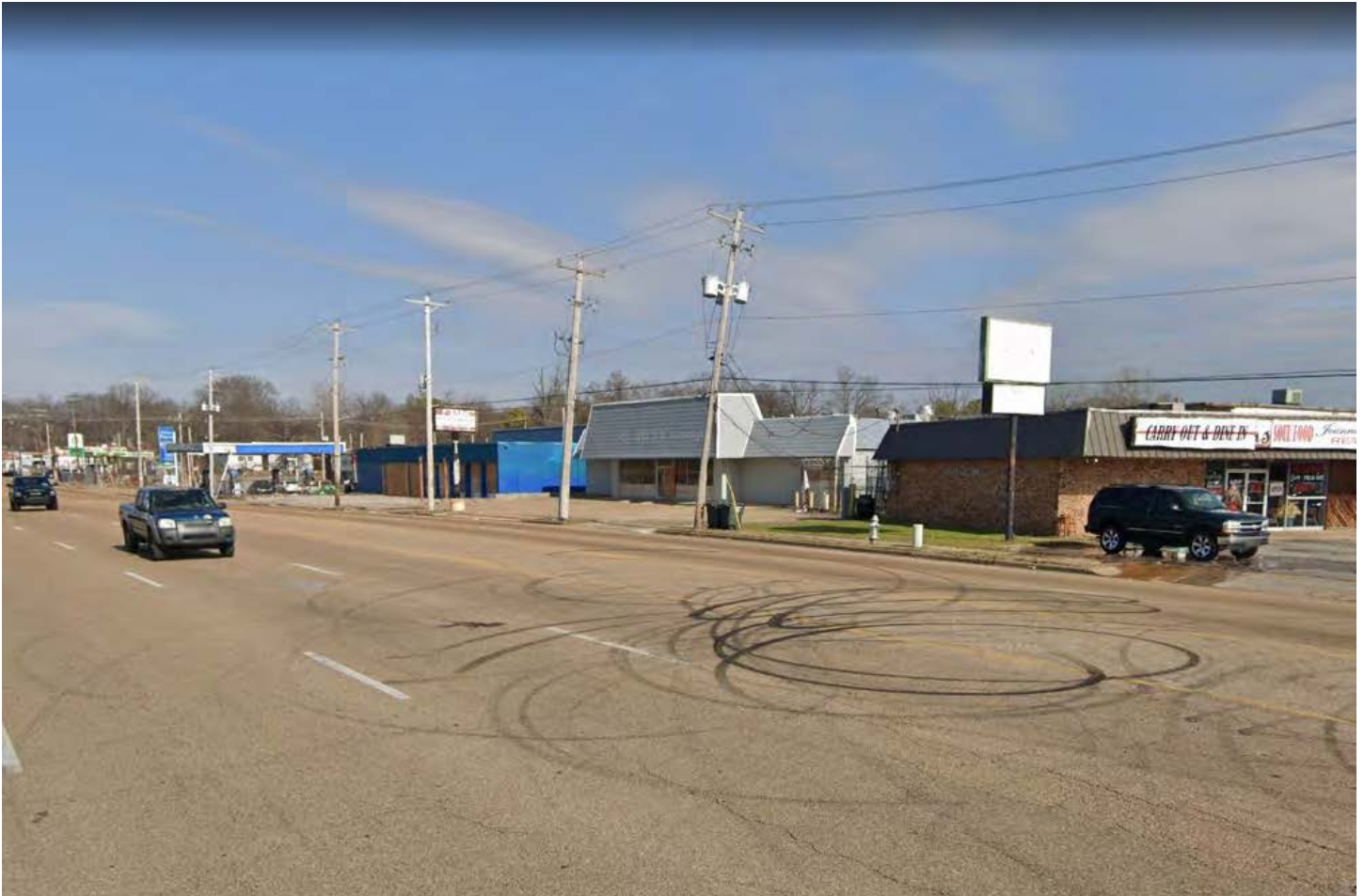
Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

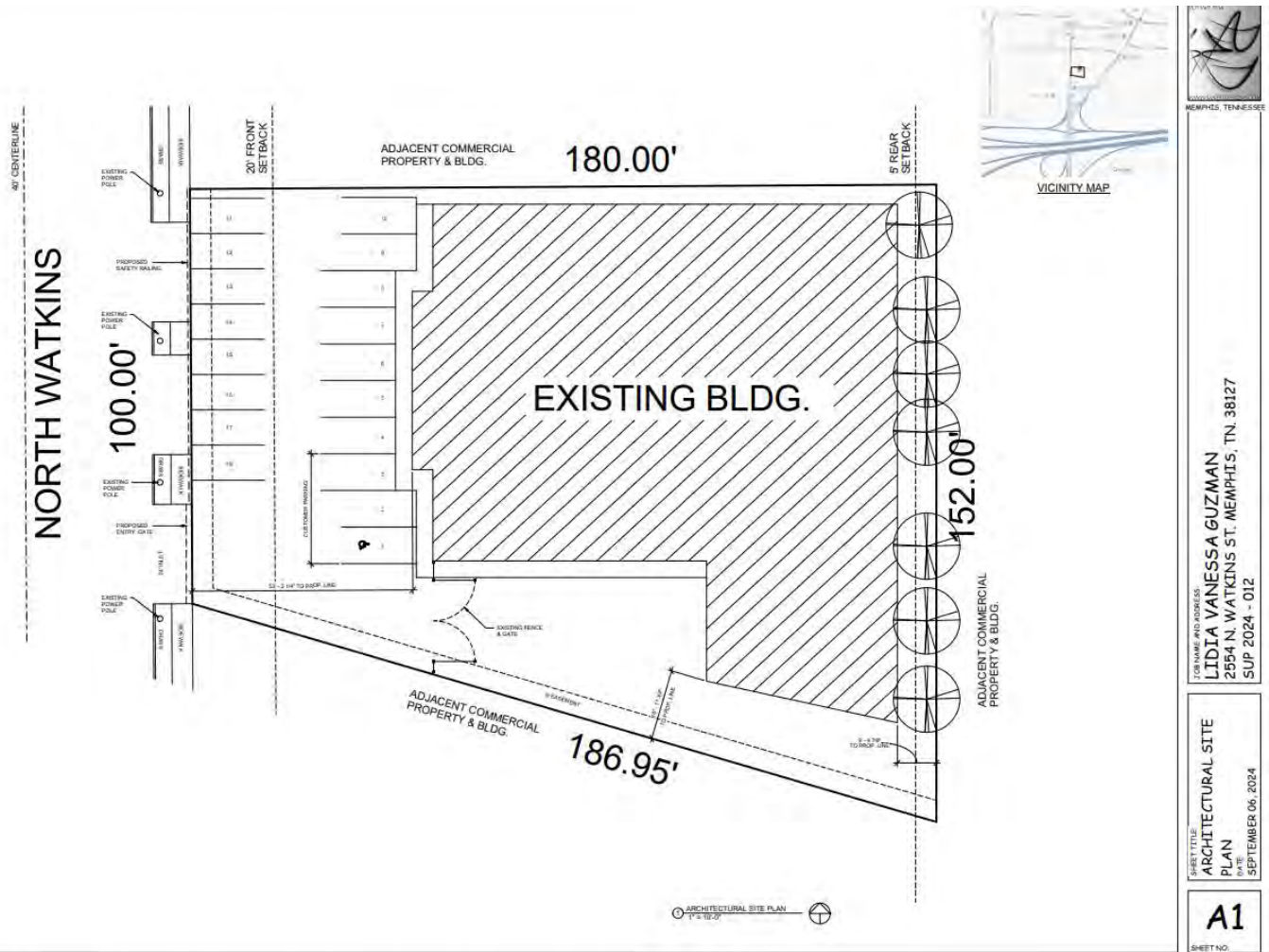
SITE PHOTOS



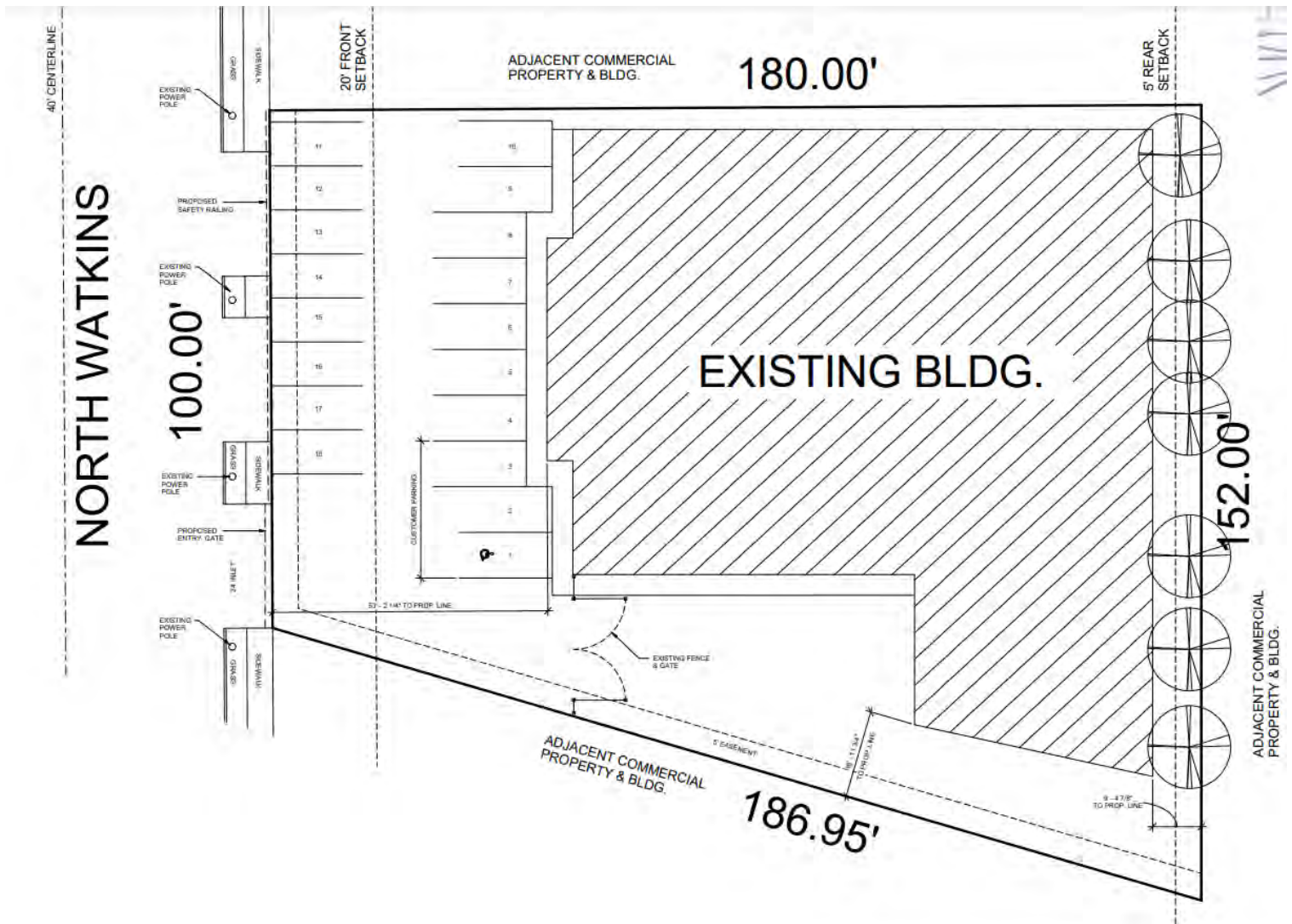
View of subject property from North Watkins looking Northwest



View of subject property from North Watkins looking Southeast



PROPOSED SITE PLAN – MAGNIFIED



CASE REVIEW

Request

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

Approval Criteria

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

9.6.9 Approval Criteria

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

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

Site Details

Address:

2554 North Watkins Street

Parcel ID:

070089 00006C

Area:

+/-22,847 square feet

Description:

The subject property is known as Section B of the Commercial Lands Subdivision. There has been one (1) approved structural addition to the principal structure, see page 25 for Notice of Disposition. Per the Assessor's website, the principal structure on the site was built in 1972 and currently is a one-story structure with a ground floor area of 12,295 square feet and the surrounding land uses are a mixture of commercial, industrial and residential. Additionally, this lot has single street frontage along North Watkins.

Site Zoning History

On November 19, 1997, the Board of Adjustment approved Docket BOA 1997-88 for variations to allow a reduction in the required rear yard setback for the construction of a cooler addition to an existing commercial building, see page 25 of this report for said notice of disposition.

Relevant Unified Development Code Clauses

Section 2.6.3 Provisions Related Specifically to Vehicle Sales and Leasing

- a. Road testing of vehicles may be restricted to nonresidential areas.*
- b. New car display shall not be artificially elevated above the general topography of the site.*
- c. If the automobile dealership ceases to operate, all attached and detached signs depicting the dealership shall be removed from the property.*
- d. Any vehicle sales, rental or leasing facility located in the CMU-3 zoning established after February 10, 2015, or reactivated after one year of discontinuance, shall require the issuance of a Special Use Permit.*
- e. A minimum of 288 square feet of office space shall be provided.*
- f. Functioning restroom facilities, in accordance with the Building Code, shall be provided.*
- g. For sites utilized for vehicle sales, there shall be room for 15 spaces for overnight service or repair storage, or on-going vehicle sales display and three dedicated spaces for customer parking. All spaces shall be clearly delineated.*
- h. Any vehicle sales facility that both requires the issuance of a Special Use Permit under this Code and is primarily or solely engaged in the sales of used vehicles shall require a major modification if the controlling interest of its ownership changes. During its review of the major modification request, the Land Use Control Board shall review whether the original conditions of approval, as well as the use standards contained in this Code, are being met. Furthermore, the Land Use Control Board may amend the conditions to ensure the approval criteria for special use permits contained in Section 9.6.9 of this Code are met. For the purpose of this section, the term "primarily or solely engaged in the sales of used vehicles" shall be defined as any car sales facility where the sales of used vehicles constitute 50% or more of its annual sales, measured by the most recent calendar year available.*

Sub-Section 4.5.5A

A. Minimum Parking Dimensions Parking spaces using geometric standards or configurations other than those specified below, such as for reverse-angle parking, may be approved subject to a determination by the City or County Engineer on a case-by-case basis.

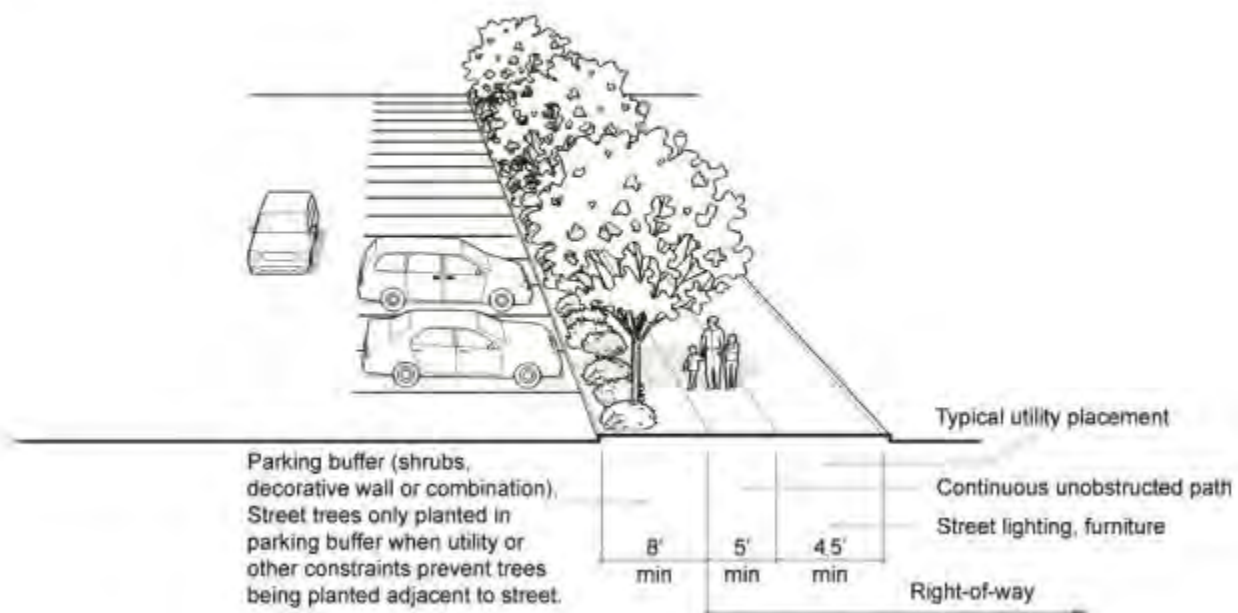
Angle	Minimum Stall Width*	Minimum Stall Depth (perpendicular to curb)*	Minimum Width of Adjacent Drive Aisle**	Maximum Curb or Wheel Stop Overhang
0°	7 feet	19 feet, 6 inches	11 (one way)	2 feet, 6 inches
45°	8 feet, 6 inches	17 feet	11 feet (one way)	2 feet
50°	8 feet, 6 inches	17 feet	12 feet (one way)	2 feet
55°	8 feet, 6 inches	17 feet, 6 inches	13 feet (one way)	2 feet
60°	8 feet, 6 inches	17 feet, 6 inches	14 feet (one way)	2 feet, 6 inches
65°	8 feet, 6 inches	18 feet	15 feet (one way)	2 feet, 6 inches
70°	8 feet, 6 inches	18 feet	16 feet (one way)	2 feet, 6 inches
75°	8 feet, 6 inches	18 feet	18 feet (one way)	2 feet, 6 inches
90°	8 feet, 6 inches	18 feet	22 feet (two way)	2 feet, 6 inches
90°	9 feet	18 feet	20 feet (two way)	2 feet, 6 inches

*stall width and stall depth may be reduced for compact vehicles

**minimum width of two-way drive aisles for stall angles of less than 90° shall be 20 feet; minimum width of for one-way drive aisles for stall angles of 90° may be reduced with approval by the City or County Engineer

Section 4.3.3

Type S-10



Site Plan Review

- The applicant intends to utilize the existing +/- 12,285 square foot structure for office space and restrooms.
- There are three (3) curb cuts shown but there are only two (2) curb cuts along North Watkins.
- The applicant is proposing to close the curb cut located north of the 24-foot inlet.
- There will be eighteen (18) parking spaces provided; 3 designated customer parking spaces and 15 designated used vehicle sale spaces.
- There is a noted width of 53 feet from the property line at the 24-foot curb cut to the front façade of the principal structure.
- There is a proposed entry gate located at the existing 24-foot inlet.
- The applicant is proposing safety railing along North Watkins Street.

Analysis

The applicant's proposal of used car sales is a special permitted use within the CMU-3 zoning district. The subject property has land square footage +/- 22,847 square feet and the principal structure is +/- 12,295 square feet. There is +/- 10,552 square feet of buildable area on the lot. A paved area exists between the front of the building and North Watkins Street where vehicles will be displayed.

Although the site plan submitted illustrates eighteen (18) parking spaces, the applicant does not have adequate space to install the required streetscaping, fifteen (15) parking spaces for vehicle sales display and/or customer parking based on the geometric parking design requirements for 90-degree parking spaces and the installation of a required Streetscape Type S-10 at 8 feet in width. A minimum width of 64 feet is needed for compliance. At its widest point as designed there is only 53 feet, 2 inches.

The granting of this special use permit will cause substantial detriment to the public good and will substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC) and will be injurious to the neighborhood or 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, the following conditions are recommended:

Conditions

1. In compliance with UDC Sub-Item 2.6.3P(3)(e), an office space with a minimum of 288 square feet shall be provided within the principal structure.
2. In compliance with UDC Sub-item 2.6.3P(3)(f), bathroom facilities, in accordance with Building Code, shall be provided within the principal structure.
3. In compliance with Section 4.3.3, a S-10 Streetscape plate shall be installed along North Watkins Street.
4. The vehicle display area and customer parking area must be in compliance with UDC Sub-Section 4.5.5A and include a minimum of 15 vehicle sales display spaces and three dedicated spaces for customer parking per UDC Item 2.6.3P(3)(g).
5. In addition to the required streetscape plate, a raised curb shall be installed around the landscaping.
6. The applicant shall submit a final plan for the site that provides dimensions and detailed landscaping, to DPD prior to the case being heard at the Memphis City Council.

DEPARTMENTAL COMMENTS

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

City Engineer:

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

Sewers:

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

Roads:

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

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

Traffic Control Provisions:

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

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

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

Curb Cuts/Access:

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

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

10. Will require engineering ASPR.

11. Close any unused curb cut with curb gutter, grass strip and sidewalk.

Drainage:

12. 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.

13. 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.

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

15. 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.

16. 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:	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 17 – 19.

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: SUP 2024-037: NORTH

Site Address/Location: 2554 N Watkins St.

Overlay District/Historic District/Flood Zone: Not in an Overlay District, Historic District, or Flood Zone.

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

Street Type: Avenue

The applicant is requesting a special use permit to allow used car sales.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



“CSL” Form & Location Characteristics

Commercial and services uses, 1-4 stories height

“CSL” Zoning Notes

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

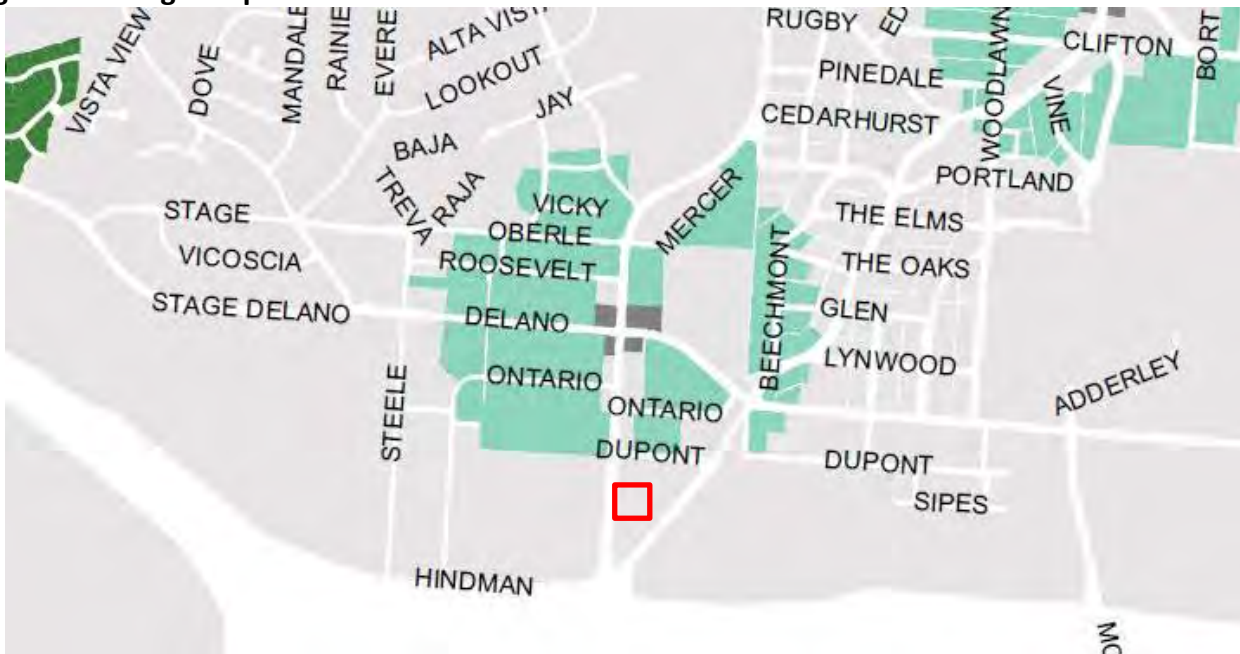
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial; CMU-3

Adjacent Land Use and Zoning: Commercial, Office, Industrial; R-6, RU-3, CMU-3, CMU-1

Overall Compatibility: *Although the requested use to allow used car sales is not compatible with the land use description/intent, form & location characteristics, zoning notes, it is compatible with the 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

N/A

Consistency Analysis Summary

The applicant is requesting a special use permit to allow used car sales.

Although the requested use to allow used car sales is not compatible with the land use description/intent, form & location characteristics, zoning notes, it is compatible with the existing, adjacent land use and zoning.

Based on the information provided, the proposal is CONSISTENT with the Memphis 3.0 Comprehensive Plan.
Summary Compiled by: Negin Hamidi, Comprehensive Planning.

MAILED PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

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

CASE NUMBER: SUP 2024-037
ADDRESS: 2554 N Watkins Street
REQUEST: Special Use Permit to allow used car sales
APPLICANT: Lidia Vanessa Guzman

Meeting Details

Location: Council Chambers
City Hall 1st Floor
125 N Main St.
Time: 9:00 AM
Date: Thursday, Nov. 14, 2024

Staff Planner Contact:

LaTonya Hull
✉ Latonya.hull@memphistn.gov
☎ (901) 636-7179



VICINITY MAP



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



32 Notices Mailed 10/22/2024

SIGN AFFIDAVIT

AFFIDAVIT

*Shelby County
State of Tennessee*

I, Ray West, being duly sworn, depose and say that at 2:30 pm am/pm
on the 3 day of January 17, 2025, I posted 1 Public Notice Sign(s)
pertaining to Case No. SUP 2024-037 at 2554 N. Watkins St., Memphis, Tn. 38127
providing notice of a Public Hearing before the (check one):

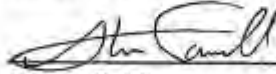
☒ Land Use Control Board
☐ Board of Adjustment
☐ Memphis City Council
☐ Shelby County Board of Commissioners

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


Owner, Applicant or Representative

1/21/25
Date

Subscribed and sworn to before me this 21 day of January, 2025.


Notary Public

My commission expires: 10/1/28



APPLICATION



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

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

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

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: September 6, 2024

Record Number: SUP 2024-037

Expiration Date:

Record Name: Used Car Sales

Description of Work: The intent of the SUP will allow for the owner to use the property as a Used Car Dealer. After the approval of the SUP the owner will then file a for a Building Alteration Permit to create the office spaces and restrooms required for the business.

Parent Record Number:

Address:

2554 N WATKINS ST, MEMPHIS 38127

Owner Information

Primary Owner Name

Y SRIVY

Owner Address

10520 LARSON BAY LN, COLLIERVILLE, TN 38017

Owner Phone

Parcel Information

070089 00006C

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Brett Ragsdale

Date of Meeting

09/06/2024

Pre-application Meeting Type

Phone

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

GENERAL PROJECT INFORMATION

Is this application in response to a citation, stop work order, or zoning letter No
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information -

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
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 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 BOA1997-088, BOA1997-088
Central Business Improvement District No
Class C
Downtown Fire District No
Historic District -
Land Use COMMERCIAL
Municipality MEMPHIS
Overlay/Special Purpose District -
Zoning CMU-3
State Route -
Lot 1-2
Subdivision COMMERCIAL LANDS SEC C
Planned Development District -
Wellhead Protection Overlay District No
County Commission District -
City Council District -
City Council Super District -

Data Tables

AREA INFORMATION

Name: Commercial Land
Size (Acres): 0.5245
Existing Use of Property: Office/Warehouse
Requested Use of Office/Warehouse

Property:

Contact Information

Name

LIDIA VANESSA GUZMAN

Contact Type

APPLICANT

Address

Phone

(901)921-2117

Name

RAYMOND WEST

Contact Type

ARCHITECT / ENGINEER /
SURVEYOR

Address

Phone

(901)949-3114

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1591121	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	09/06/2024
1591333	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	09/09/2024
1591333	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	09/09/2024

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

Payment Information

Payment Amount

\$513.00

Method of Payment

Credit Card

1997 BOA NOTICE OF DISPOSTION



MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT

ROOM 1B-09 CITY HALL • 125 NORTH MID AMERICA MALL
MEMPHIS, TENNESSEE 38103

NOTICE OF DISPOSITION

DATE: November 25, 1997

TO: Pak W. Lam
2554 North Watkins Street
Memphis, TN 38127

RE: DOCKET 97-88 City
LOCATION: 2554 North Watkins Street, (315 feet
south of DuPont Avenue)

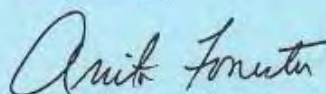
On November 19, 1997, the MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT approved your application, as submitted, requesting a variation from the Zoning Regulations to allow a reduction in the required rear yard setback for the construction of a cooler addition to an existing commercial building; subject to the following condition:

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

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

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

Respectfully,


Anita Forrester, Secretary
Board of Adjustment

xc: Homer B. Branan, III, Attorney

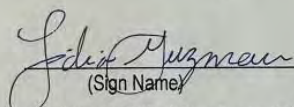
OWNER AFFIDAVIT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Lidia Vanessa Guzman , state that I have read the definition of
(Print Name) (Sign Name)

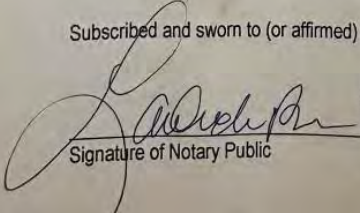
"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

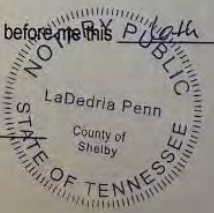
☒ I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate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

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

of the property located at 2554 N. Watkins St., Memphis, Tn. 38127
and further identified by Assessor's Parcel Number 070089 00006C
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 16th day of September in the year of 2024.

 Signature of Notary Public



06/02/2025
My Commission Expires

LETTER OF INTENT

Ray West Designs
3886 Inverness Drive Apt. 102
Memphis, TN. 38125
(o) 901.949.3114
(e) raywesthomes@aol.com

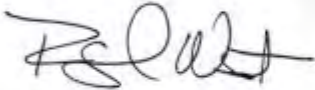
09/06/2024

To Whom It May Concern:

I, Ray West is writing this regarding a SUP application for the property located at 2554 North Watkins Street, Memphis, Tn. 38127.

The intent of the SUP will allow for the owner to use the property as a Used Car Dealer. After the approval of the SUP the owner will then file a for a Building Alteration Permit to create the office spaces and restrooms required for the business.

Sincerely,



WWW.RWESTDESIGNS.COM

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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Record Detail Information

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Expiration Date:

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Parent Record Number:

Address:

2554 N WATKINS ST, MEMPHIS 38127

Owner Information

Primary Owner Name

Y SRIVY

Owner Address

10520 LARSON BAY LN, COLLIERVILLE, TN 38017

Owner Phone

Parcel Information

070089 00006C

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Brett Ragsdale

Date of Meeting

09/06/2024

Pre-application Meeting Type

Phone

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

GENERAL PROJECT INFORMATION

Is this application in response to a citation, stop work order, or zoning letter No

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

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

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 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 BOA1997-088, BOA1997-088

Central Business Improvement District No

Class C

Downtown Fire District No

Historic District -

Land Use COMMERCIAL

Municipality MEMPHIS

Overlay/Special Purpose District -

Zoning CMU-3

State Route -

Lot 1-2

Subdivision COMMERCIAL LANDS SEC C

Planned Development District -

Wellhead Protection Overlay District No

County Commission District -

City Council District -

City Council Super District -

Data Tables**AREA INFORMATION**

Name: Commercial Land

Size (Acres): 0.5245

Existing Use of Property: Office/Warehouse

Requested Use of Office/Warehouse

Property: _____

Contact Information

Name
LIDIA VANESSA GUZMAN

Address

Phone
(901)921-2117

Contact Type
APPLICANT

Name
RAYMOND WEST

Address

Phone
(901)949-3114

Contact Type
ARCHITECT / ENGINEER /
SURVEYOR

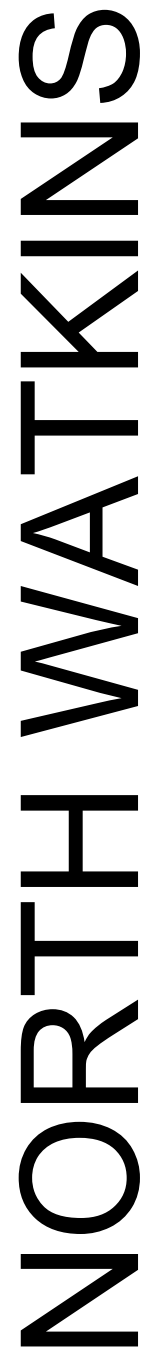
Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
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			Total Fee Invoiced: \$513.00	Total Balance: \$0.00		

Payment Information

Payment Amount
\$513.00

Method of Payment
Credit Card



Ray West Designs

3886 Inverness Drive Apt. 102

Memphis, TN. 38125

(o) 901.949.3114

(e) raywesthomes@aol.com

09/06/2024

To Whom It May Concern:

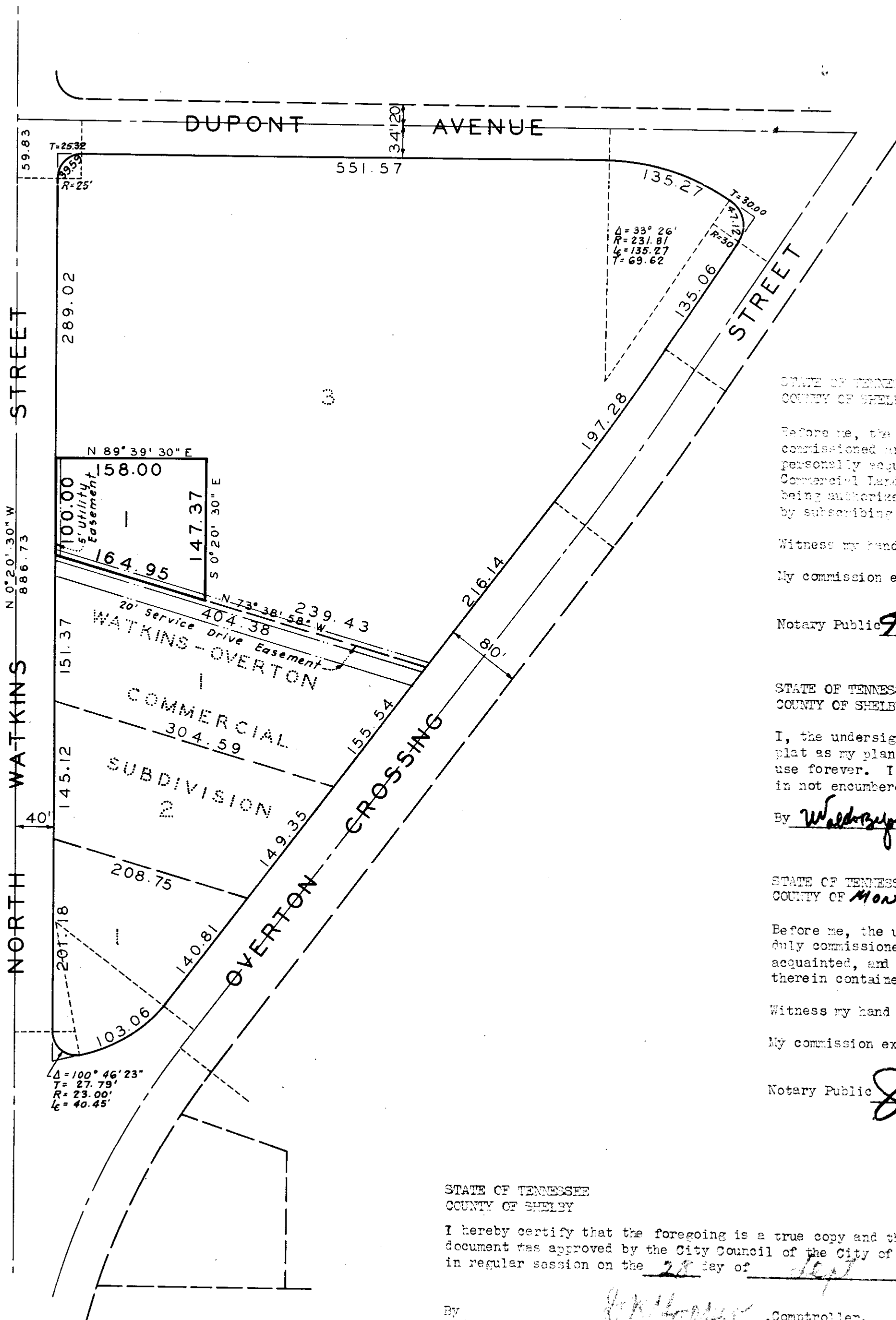
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Sincerely,



WWW.RWESTDESIGNS.COM



STATE OF TENNESSEE
COUNTY OF SHELBY

We, the undersigned, Commercial Lands, Inc., owners of the property shown hereon, hereby adopt this plat as our plan of subdivision and dedicate the street and easements as shown and/or described to the public use forever. We hereby certify that we are the owners, duly authorized so to act, and that said property is not encumbered by any taxes which have become due and payable.

COMMERCIAL LANDS, INCORPORATED

Robert M. Mitcalf, Jr. President Attest J. D. Pratt Secretary

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a notary public in and for said state and county at Memphis, duly commissioned and qualified, personally appeared Robert M. Mitcalf, Jr., with whom I am personally acquainted, and who upon his oath acknowledged himself to be President of Commercial Lands, Inc., the within named bargainor, and that he as such President being authorized so to do, executed the foregoing instrument for the purpose therein contained by subscribing thereto the name of Commercial Lands, Inc., by himself as such President.

Witness my hand and notarial seal this 15th day of April, 1971.

My commission expires July 1, 1972

Notary Public Thelaine U. Bigelow

STATE OF TENNESSEE
COUNTY OF SHELBY

I, the undersigned, Waldo B. Young, mortgagee of the property shown hereon, hereby adopt this plat as my plan of subdivision and dedicate the street and easements as shown or described to the public use forever. I hereby certify that I am the mortgagee, duly authorized so to act, and that said property is not encumbered by any taxes which have become due and payable.

By Waldo B. Young

STATE OF TENNESSEE
COUNTY OF MONTGOMERY

Before me, the undersigned, a notary public in and for said state and county at Clarksville, duly commissioned and qualified, personally appeared Waldo B. Young, with whom I am personally acquainted, and who upon his oath acknowledged that he executed the foregoing instrument for the purposes therein contained as his own free act and deed.

Witness my hand and notarial seal this 1st day of May, 1971.

My commission expires April 15, 1974

Notary Public Jamie Cunningham

STATE OF TENNESSEE
COUNTY OF SHELBY

I hereby certify that the foregoing is a true copy and that said document was approved by the City Council of the City of Memphis in regular session on the 28 day of Sept, 1971.

By J. H. Hopper, Comptroller.

APPROVED BY THE MEMPHIS AND SHELBY COUNTY PLANNING COMMISSION

Date March 18, 1971

By _____, Director.

STATE OF TENNESSEE
COUNTY OF SHELBY

We, the undersigned, Union Planters National Bank, mortgagee of the property shown hereon, hereby adopt this as our plan of subdivision and dedicate the street and easement as shown to the public use forever. We hereby certify that we are the mortgagee, duly authorized so to act, and that said property is not encumbered by any taxes which have become due and payable.

UNION PLANTERS NATIONAL BANK

By W. H. Hopper, President Date Sept 15, 1971

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a notary public in and for said state and county at Memphis, duly commissioned and qualified, personally appeared C. R. Watson, Jr., with whom I am personally acquainted and who upon his oath acknowledged himself to be Vice President of Union Planters National Bank, the within named bargainor, and that he as such Vice President being authorized so to do, executed the foregoing instrument for the purpose therein contained by subscribing thereto the name of said bank by himself as Vice President.

Witness my hand and notarial seal this 15th day of April, 1971.

My commission expires 6-4-73

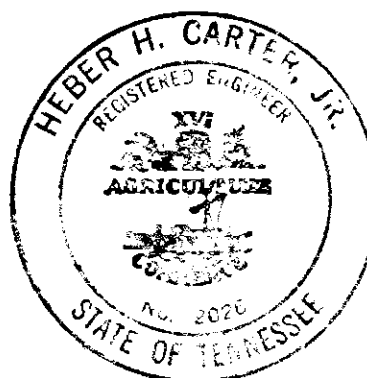
Notary Public Lester Lee Houston

CERTIFICATE OF SURVEY:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made under my supervision.

RICHARDSON ENGINEERING COMPANY

By Heber H. Carter, Jr., Engineer.
Tennessee Certificate No. 2026



NOTE: BEARINGS AS SHOWN ARE RELATIVE ONLY.

ZONED C-1
AREA IN SUBDIVISION =
0.45 ACRES

0 50 100 200 300
GRAPHIC SCALE IN FEET

884300
Plot Book 46 P. 16

OWNER TAX
REGISTER'S FEE
RECORDING FEE 1.00

200 3200

STATE OF TENNESSEE
SHELBY COUNTY

COMMERCIAL LANDS INC'S
SECTION "B"

COMMERCIAL LANDS SUBDIVISION
A RESUBDIVISION OF PART OF LOT 3
COMMERCIAL LANDS SUBDIVISION

MEMPHIS, SHELBY COUNTY, TENNESSEE

APRIL 1971 SCALE: 1" = 100 FEET

RICHARDSON ENGINEERING COMPANY



STATE OF TENNESSEE
DEPARTMENT OF
COMMERCE AND INSURANCE



PRIME AUTO SALE LLC
ID NUMBER 21222
LIC STATUS ACTIVE
EXPIRATION DATE June 30, 2025
TENNESSEE MOTOR VEHICLE COMMISSION
MOTOR VEHICLE DEALER

THIS IS TO CERTIFY THAT ALL REQUIREMENTS
OF THE STATE OF TENNESSEE HAVE BEEN MET

PRIME AUTO SALE LLC
1989 COVINGTON PIKE
MEMPHIS, TN 38128

State of Tennessee

13538283

89379

TENNESSEE MOTOR VEHICLE COMMISSION
MOTOR VEHICLE DEALER
PRIME AUTO SALE LLC
1989 COVINGTON PIKE
MEMPHIS, TN 38128

This is to certify that all requirements of the State of Tennessee have been met.

ID NUMBER 21222
LIC STATUS ACTIVE
EXPIRATION DATE June 30, 2025

USED MOTOR VEHICLE DEALER



IN-1313
DEPARTMENT OF
COMMERCE AND INSURANCE

HEALTH EDUCATION AND HOUSING FACILITY
65 UNION AVE #1120
MEMPHIS TN 38103

LIZARD PROPERTIES TN LLC
3410 DOWNING AVE #
GLENDALE CA 91208

SHELBY COUNTY TAX SALE 18.01
PO BOX 2751 #
MEMPHIS TN 38101

LIZARD PROPERTIES TN LLC
3410 W DOWNING AVE #
GLENDALE CA 91208

ESPINOZA JOSE L R
1381 DELLWOOD AVE #
MEMPHIS TN 38127

GODOLIYAS JUBILEE LLC
5409 SCARLET FIELDS DR #
ARLINGTON TN 38002

VERTICAL BRIDGE LANDCO LLC
2800 POST OAK BLVD #3700
HOUSTON TX 77056

SRIVY
10520 LARSON BAY LN #
COLLIERVILLE TN 38017

SRIVY
875 W POPLAR AVE #23-232
COLLIERVILLE TN 38017

MARS JAMES J
755 BERCLAIR RD #
MEMPHIS TN 38122

STRONG FAMILY TRUST (THE) AND WINIFRED
PO BOX 1450 #
SOUTHAVEN MS 38671

PEDIGO-OVERTON PROPERTIES L P
1711 OLD FORT PKWY #A
MURFREESBORO TN 37129

STRONG FAMILY TRUST (THE) AND WINIFRED
PO BOX 1450 #
SOUTHAVEN MS 38671

HARRISON SAMUEL S
2430 COUNTRYWOOD PKWY #
CORDOVA TN 38016

MARKWELL KENNETH JR
2750 WINDHAM PL #
BARTLETT TN 38134

DIAMOND JUBILEE PROPERTIES INC
2560 KING ARTHUR BLVD #124-77
LEWISVILLE TX 75056

TEKLEMARIAM GEBEYEHU & MARTA BETEW
2510 N WATKINS ST #
MEMPHIS TN 38127

DIAMOND JUBILEE PROPERTIES INC
2560 KING ARTHUR BLVD #124-77
LEWISVILLE TX 75056

MARKWELL KENNETH JR
3800 NEW GETWELL RD #
MEMPHIS TN 38118

DIAMOND JUBILEE PROPERTIES INC
2560 KING ARTHUR BLVD #124-77
LEWISVILLE TX 75056

MEMPHIS AND SHELBY COUNTY

DIVISION OF PLANNING AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Lidia Vanessa Guzman
(Print Name)

Lidia Guzman
(Sign Name)

state that I have read the definition of

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

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

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

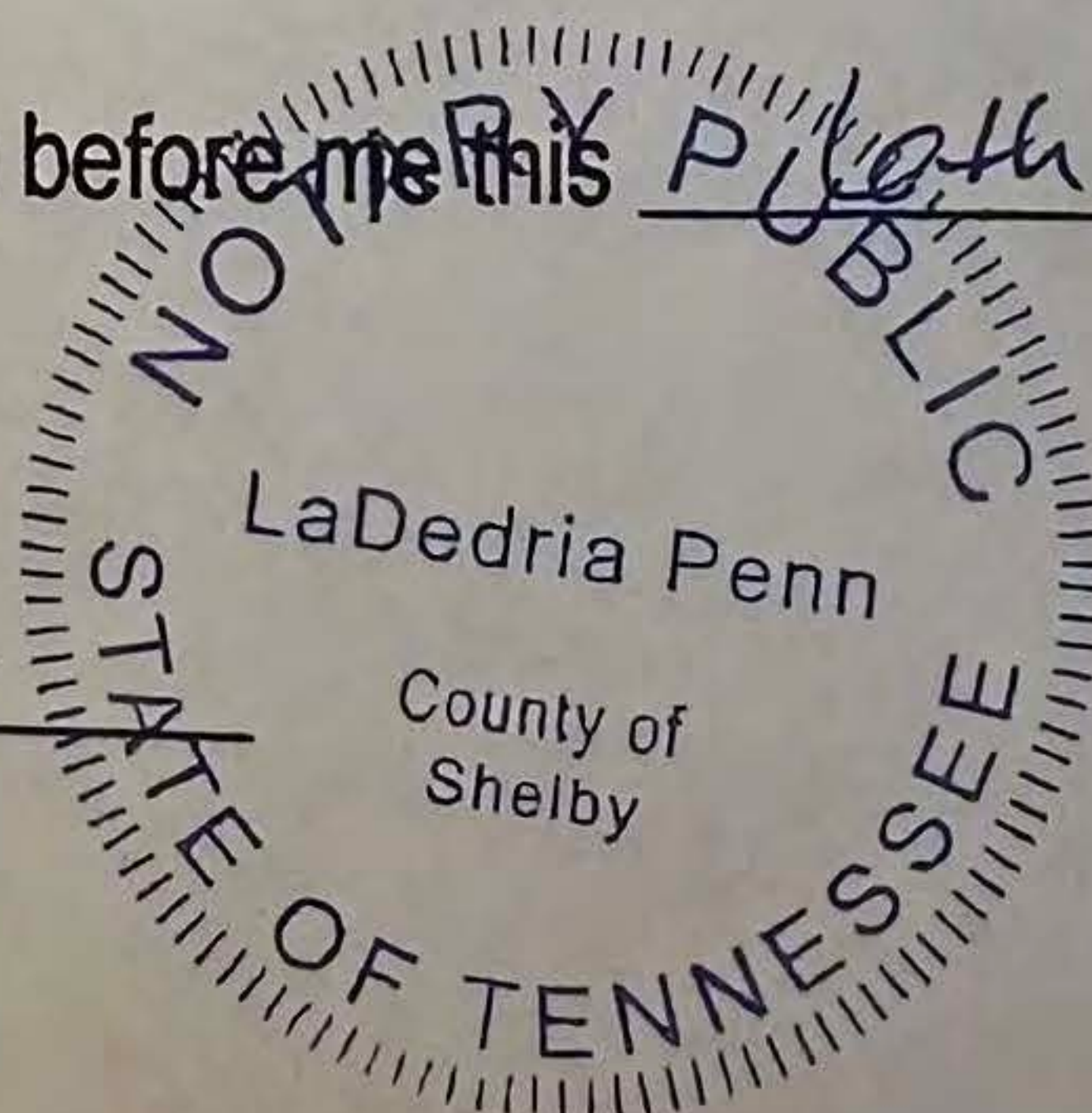
of the property located at 2554 N. Watkins St., Memphis, Tn. 38127

and further identified by Assessor's Parcel Number 070089 00006C

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

Subscribed and sworn to (or affirmed) before me this 16th day of September in the year of 2024.

Signature of Notary Public



06/02/2025
My Commission Expires

070028 00014 - HEALTH EDUCATION AND HOUSING FACILITY
070088 00009 - SHELBY COUNTY TAX SALE 18.01
070088 00008 - ESPINOZA JOSE L R
070028 00015 - VERTICAL BRIDGE LANDCO LLC
070089 00005 - SRIVY
070089 00008 - STRONG FAMILY TRUST (THE) AND WINIFRED
070089 00009 - STRONG FAMILY TRUST (THE) AND WINIFRED
072045 00079 - MARKWELL KENNETH JR
070089 00010 - TEKLEMARIAM GEBEYEHU & MARTA BETEW
072045 00080 - MARKWELL KENNETH JR
070088 00011C - LIZARD PROPERTIES TN LLC
070088 00010 - LIZARD PROPERTIES TN LLC
070089 00002 - GODOLIYAS JUBILEE LLC
070089 00006C - SRIVY
072045 00078 - MARS JAMES J
072045 00077 - PEDIGO-OVERTON PROPERTIES L P
070089 00003C - HARRISON SAMUEL S
070088 00015 - DIAMOND JUBILEE PROPERTIES INC
070088 00014 - DIAMOND JUBILEE PROPERTIES INC
070088 00016 - DIAMOND JUBILEE PROPERTIES INC

INSTALLMENT SALES CONTRACT OF REAL ESTATE

The Installment Sales Contract of Real Estate made and entered into as of the 2 day of August 2024, by and between SRIVY, a Tennessee General Partnership (Seller) and Lidia Vanessa Guzman (Buyer).

1. That the Seller agrees to sell and the Buyer agrees to buy the Property Located at 2554 N WATKINS ST, MEMPHIS TN 38127 together with all of the improvements thereon for the sum of THREE HUNDRED FIFTY THOUSAND AND NO/100 (\$350,000.00) Dollars (Purchase Price), payable on terms and conditions as follows:
 - A. Seller acknowledges that Buyer has paid down payment of THIRTY THOUSAND AND NO/100 (\$30,000.00) Dollars (Down Payment) with the signing of this Agreement; and
 - B. The Balance due of THREE HUNDRED TWENTY THOUSAND AND NO/100 (\$320,000.00) Dollars shall be paid in monthly installments of principal and interest calculated at Ten Percent (10%) yearly rate amortized over Fifteen (15) Years in the amount of THREE THOUSAND FOUR HUNDRED THIRTY EIGHT AND 74/100 (\$3,438.74) Dollars due and payable beginning on the 1st day of September, 2025, and a like amount on the 1st day of each and every month thereafter to and including August 1, 2040, when the entire remaining balance of the purchase price shall be due and payable. Buyers' payments shall be made to Seller at 875 W Poplar Ave Ste 23-232, Collierville TN 38017. Any Installment not received by the Seller within 5 days of the due date shall incur a late charge of \$300.00. Seller will be responsible for Property taxes, Property Insurance. Buyer will be responsible for reimbursing the Seller for such taxes, insurance and common area maintenance a fee of \$400.00 each month beginning September 1st, 2024. Buyer will be responsible for its own liability insurance on Buyer's Business Operation (for which Seller will be shown as an additional insured on such liability insurance policy), renters insurance on Buyer's personal property, personal property taxes on Buyer's Business Operation, and for all utilities and maintenance of the property.
2. The property which is the subject of this contract is more particularly described as follows:

Lot 3, Watkins Interchange Subdivision, as shown on plat of records in Plat Book 44, Page 2, and Plat Book 46, Page 16 in the Registrar's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Municipally described as 2554 N WATKINS STREET, MEMPHIS TN 38127 (Property).

This being the same property conveyed to Seller by Warranty Deed dated January 27, 2021 of record at Instrument No. 21010996 in the Register's Office of Shelby County, Tennessee.

3. The parties hereto understand and agree that the title to the above described property is in the Seller and is retained by it and shall remain in it, its heirs, successors or assigns until all the above described Purchase Price shall have been paid in full, and that the Seller hereby agrees and binds itself, its heirs, its successors, the aforesaid \$350,000.00 Purchase Price shall be fully paid and all the conditions herein provided shall be fully performed at the times and in the manner above specified, it will, on demand thereafter, cause to be executed and delivered to the buyer or their heirs or legal representatives a good and valid Warranty Deed conveying in fee simple the above described premises, free and clear of all legal liens and encumbrances except taxes and assessments levied or accruing subsequent to the date of such deed and easements and restrictions of record as of the date of this contract, and except for any liens or encumbrances created by the act or default of the Buyer. Buyer and Seller agree that the transfer of the Property will be on as "as-is" basis with no warranties express or implied made on the part of the Seller.
4. Buyer may not assign any interest in this Contract prior to the transference of title from Seller without prior written consent of Seller. Buyer is responsible for any and all maintenance to the property (interior and exterior), but may not make any alterations, additions, or other improvements to the property without first obtaining Seller's written permission, which Seller will not unreasonably withhold.
5. The Buyer reserves the right and privilege to pay the entire Purchase Price or to make prepayments toward the Purchase Price at any time.
6. It is distinctly agreed and understood by and between the parties hereto that if the Buyer shall fail to make (a) any of the installment payments of the Purchase Price; or (b) Fail to maintain the property in the condition existing as of the date of this contract, reasonable wear and tear excepted; or violate any of the covenants or restriction or record encumbering this Property; or violate any of the other terms or conditions herein contained, then this agreement shall be thenceforth terminated without any notice whatsoever, and the Buyer shall have no further right to the use and occupancy of said Property and Buyer agrees to immediately vacate the property upon receipt of written notice of default from Seller and any and all payments made by Buyer to Seller prior to the default will be retained by Seller as liquidated damages for Buyer's default.
7. Transfer of Title by Deed from Seller to Buyer will occur when Buyer has paid the \$350,000.00 in full, but no later than August 1st, 2040.

8. Seller will pay for Title Search and Seller's Closing Attorney Fee. Buyer will pay for all other closing costs and Buyer's closing attorney fee, including but not limited to recording the Warranty Deed, and the owner's title insurance premium.
9. If either party is forced is to seek legal help to enforce any of the terms herein, the prevailing party shall be reimbursed for all costs of enforcement, including reasonable attorney fees.

WITNESS the parties' signatures hereto as of the 2 day of August, 2024.

SELLER:

BUYER:

SRIVY

By: Harish

Harish Yakkala (Partner)

Lidia Vanessa Guzman
Lidia Vanessa Guzman

STATE OF TENNESSEE

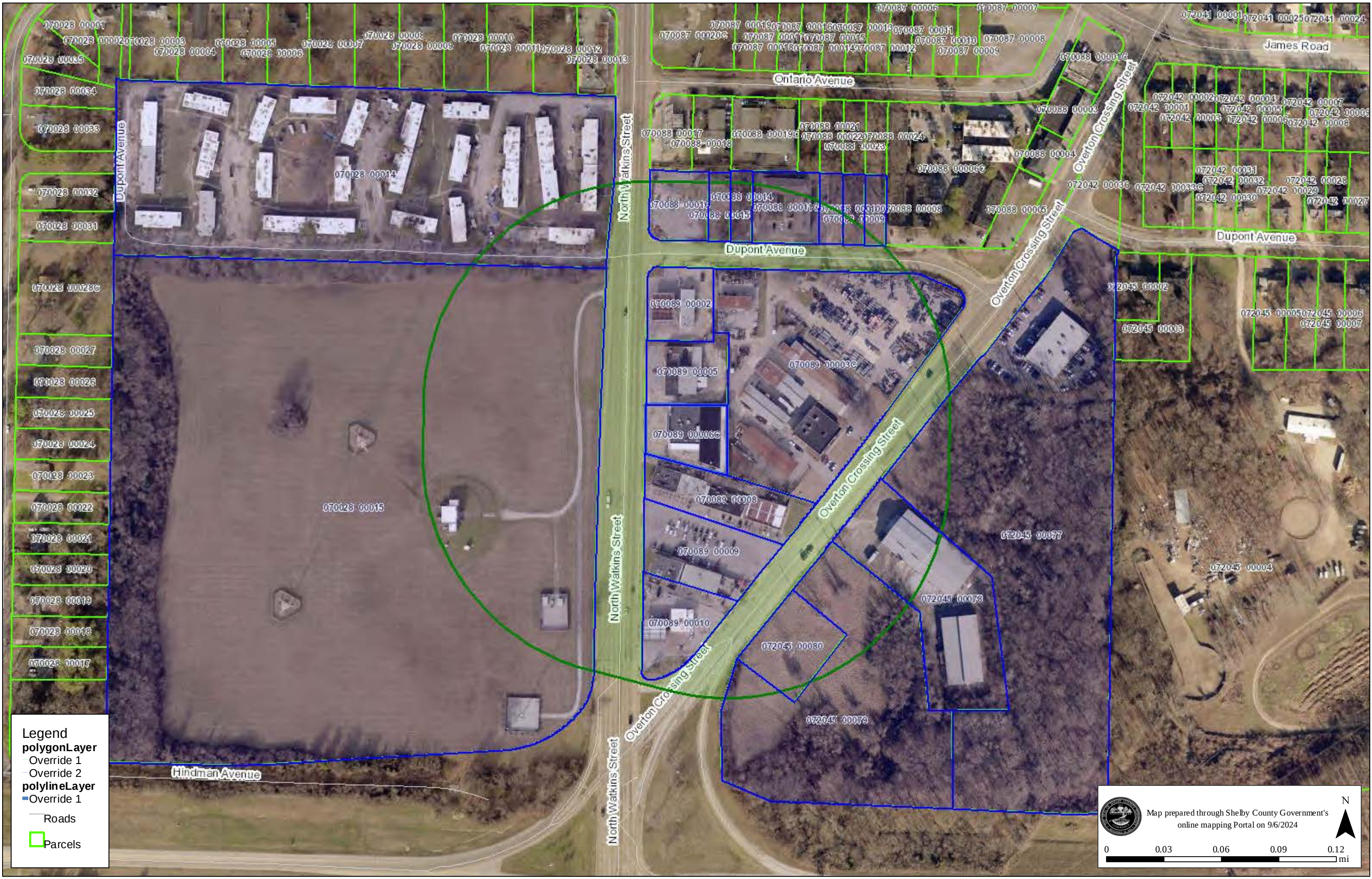
COUNTY OF SHELBY

Subscribed and sworn to before me this 2 day of August 2024

My Commission Expires: Feb 02 2026

Kuep
NOTARY PUBLIC





Legend

polygonLayer

- Override 1
- Override 2

polylineLayer

- Override 1

—Roads

□Parcels

 Map prepared through Shelby County Government's online mapping Portal on 9/6/2024

0 0.03 0.06 0.09 0.12 1mi

N



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.

21010996

01/27/2021 - 03:13:30 PM

6 PGS

KRISTIN 2163234-21010996

VALUE	150000.00
MORTGAGE TAX	0.00
TRANSFER TAX	555.00
RECORDING FEE	30.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	590.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

WARRANTY DEED

THIS INDENTURE, made and entered into as of the 25th day of January, 2021, by and between **Kwok Fu Lam, Yuet K. Lam, Gen Q. Lam, and Lisa Ann Lam**, party of the first part, and **SRIVY, a Tennessee general partnership**, party of the second part,

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

See Exhibit "A" attached hereto and made a part hereof by this reference.

Being the same property conveyed to the party of the first part by Warranty Deed of record at Instrument Number 09138976 rerecorded 10006670 in the Register's Office of **Shelby** County, **Tennessee**.

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

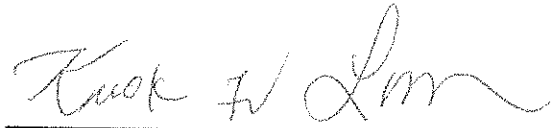
The said party of the first part does hereby covenant with the said party of the second part that they are lawfully seized in fee of the aforescribed real estate; they have a good right to sell and convey the same; that the same is unencumbered, EXCEPT

subdivision restrictions, building lines and easements of record in Plat Book 44, Page 2 and Plat Book 46, Page 16 and 2021 City of **Memphis** and 2021 **Shelby** County real estate taxes, not yet due and payable, which the party of the second part hereby assumes and agrees to pay;

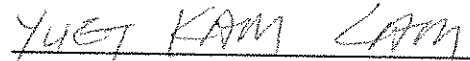
and that the title and quiet possession thereto they will warrant and forever defend against the lawful claims of all persons.

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

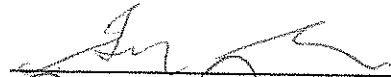
WITNESS the signature of the said party of the first part the day and year first above written.



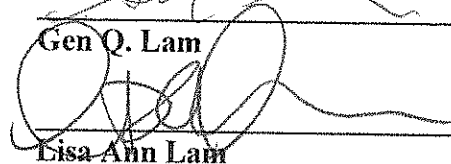
Kwok Fu Lam



Yuet K. Lam



Gen Q. Lam



Lisa Ann Lam

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Kwok Fu Lam, Yuet K. Lam and Gen Q. Lam**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument and who acknowledged that they executed the same as their free act and deed.

WITNESS my hand and Notarial Seal at office this 26th day of January, 2021.

My Commission expires: 5-17-2023

Notary Public



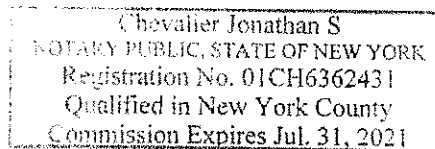
STATE OF New York
COUNTY OF Albany

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Lisa Ann Lam**, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument and who acknowledged that they executed the same as their free act and deed.

WITNESS my hand and Notarial Seal at office this 22 day of January, 2021.

My Commission expires: 07-31-2021

Notary Public



(FOR RECORDING DATA ONLY)

Property Address:
2554 N. Watkins St.
Memphis, TN 38127

Property Owner and Mail Tax Notices To:
SRIVY, a general partnership
10520 Larson Bay Lane
Collierville, TN 38017
Ward, Block & Parcel Number:
070-089-00006C

This instrument prepared by and return to:
Stanley & Rainey, P.C.
7515 Corporate Centre Drive
Germantown, TN 38138
20201261/9039222

Chicago Title Insurance Company #:9039222
Stanley & Rainey, P.C. #: 20201261

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is \$150,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

J. Vaughan Agent
Affiant

Subscribed and sworn to before me this
The 20th day of January, 2021

Linda Davis
Notary Public

My Commission Expires:

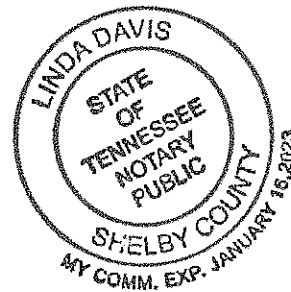


EXHIBIT "A"

PARCEL I: Part of Lot 3, Commercial Lands Subdivision, as shown on plat of record in Instrument No. E6 7874, more particularly described as follows: BEGINNING at the southwest corner of said Lot 3, being also the northwest corner of Lot 2 of said subdivision, said beginning point also being the northwest corner of the property conveyed to Rowlett W. Sneed and V. O. Sneed by Corrected Warranty Deed of record as Instrument #E6 1893; thence northwardly along the east line of North Watkins 100 feet to a point; thence eastwardly perpendicular to North Watkins Street 158 feet to a point; thence southwardly and parallel with the east line of North Watkins Street 147.37 feet to a point in the south line of said Lot 3, said point also being in the north line of the said Sneed property; thence northwestwardly along the dividing line between Lots 2 and 3, being also the north line of the said Sneed property 164.95 feet to the point of beginning, being the same property conveyed to Pamette Wilborn Groenendyke by Warranty Deed recorded in Instrument No. G1 8758.

PARCEL II: A strip of land 22 feet wide adjacent to and adjoining the east boundary line of the aforescribed property conveyed to Pamette Wilborn Groenendyke by Warranty Deed of record in Instrument No. G1 8758, said strip of land extends from a projection of the northern boundary line of the aforescribed property to the dividing line between Lots 2 and 3 of the said subdivision, said southern boundary line of the premises herein conveyed being also the northern property line of the Sneed property and being the same 22 foot strip described and leased to Grantor in G1 8764.

CERTIFICATION OF AN ELECTRONIC DOCUMENT

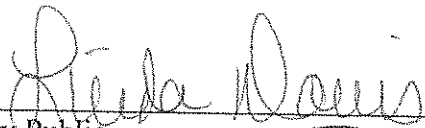
I, Timothy D. Rainey, do hereby make oath that I am a licensed attorney and/or custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original documented executed and authenticated according to law.



Timothy D. Rainey, Attorney

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me on the 26th day of January, 2021, the undersigned notary public for this county and state, Timothy D. Rainey, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary Public

My Commission Expires: _____



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

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

February 18, 2025

Lidia Guzman, Prime Auto Sales, LLC

Sent via electronic mail to: vannevala@hotmail.com, raywesthomes@aol.com

Case Number: SUP 2024-037

LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, February 13, 2025, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow used car sales, subject to the following conditions:

1. In compliance with UDC Sub-Item 2.6.3P(3)(e), an office space with a minimum of 288 square feet shall be provided within the principal structure.
2. In compliance with UDC Sub-item 2.6.3P(3)(f), bathroom facilities, in accordance with Building Code, shall be provided within the principal structure.
3. In compliance with Section 4.3.3, a S-10 Streetscape plate shall be installed along North Watkins Street.
4. The vehicle display area and customer parking area must be in compliance with UDC Sub-Section 4.5.5A and include a minimum of 15 vehicle sales display spaces and three dedicated spaces for customer parking per UDC Item 2.6.3P(3)(g).
5. In addition to the required streetscape plate, a raised curb shall be installed around the landscaping.
6. The applicant shall submit a final plan for the site that provides dimensions and detailed landscaping, to DPD prior to the case being heard at the Memphis City Council.

Per UDC Paragraph 9.6.8A this application will not be forwarded to the Council of the City of Memphis, until a final plan is submitted to DPD showing compliance with these conditions. If a final plan showing compliance is not received within 60 days of the LUCB hearing, April 14, 2025, the application will be forwarded, for final action, to the Council, with the deficiencies noted.

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.

Letter to Applicant
SUP 2024-037

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,

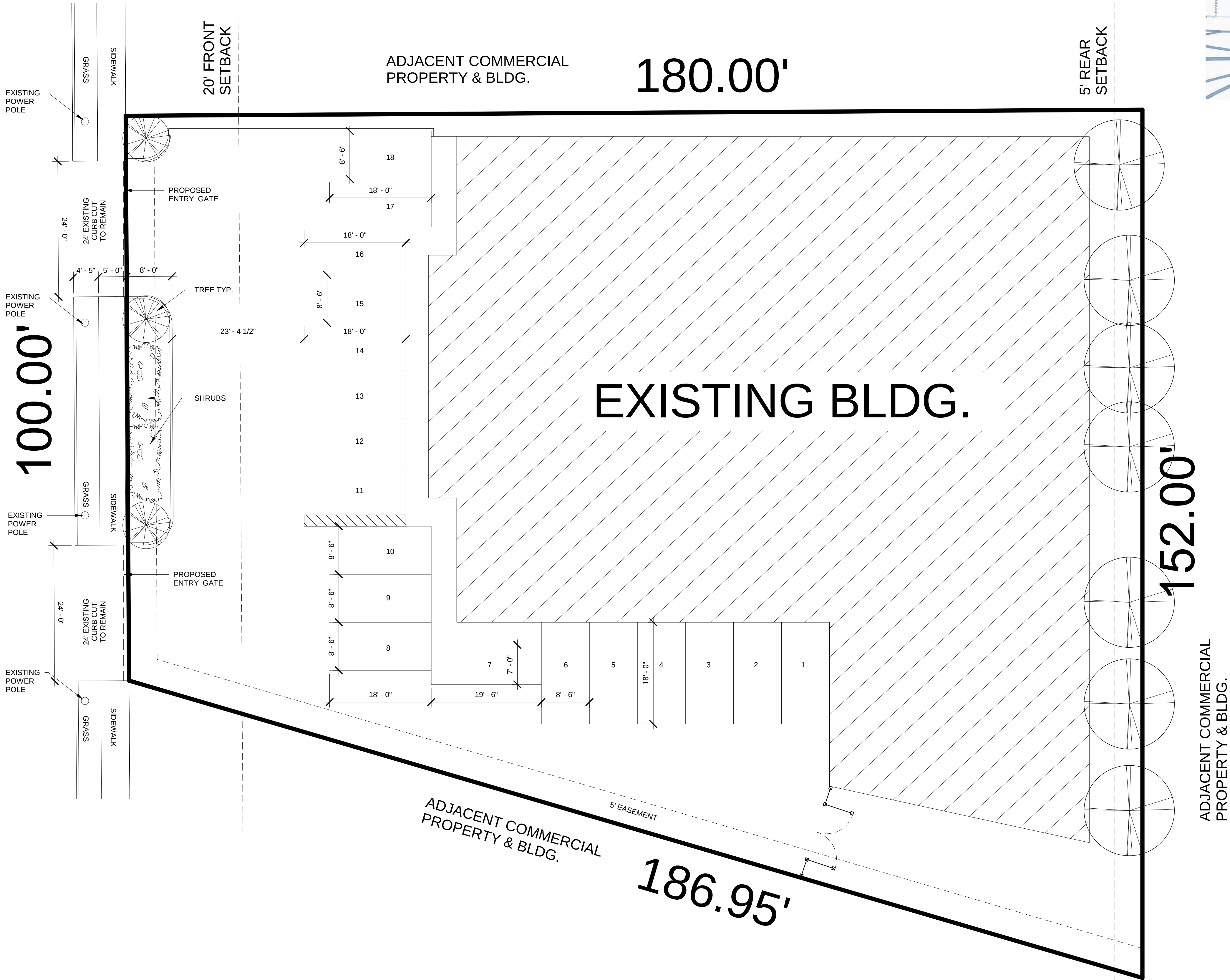
A handwritten signature in cursive script that reads "Alexis Longstreet".

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

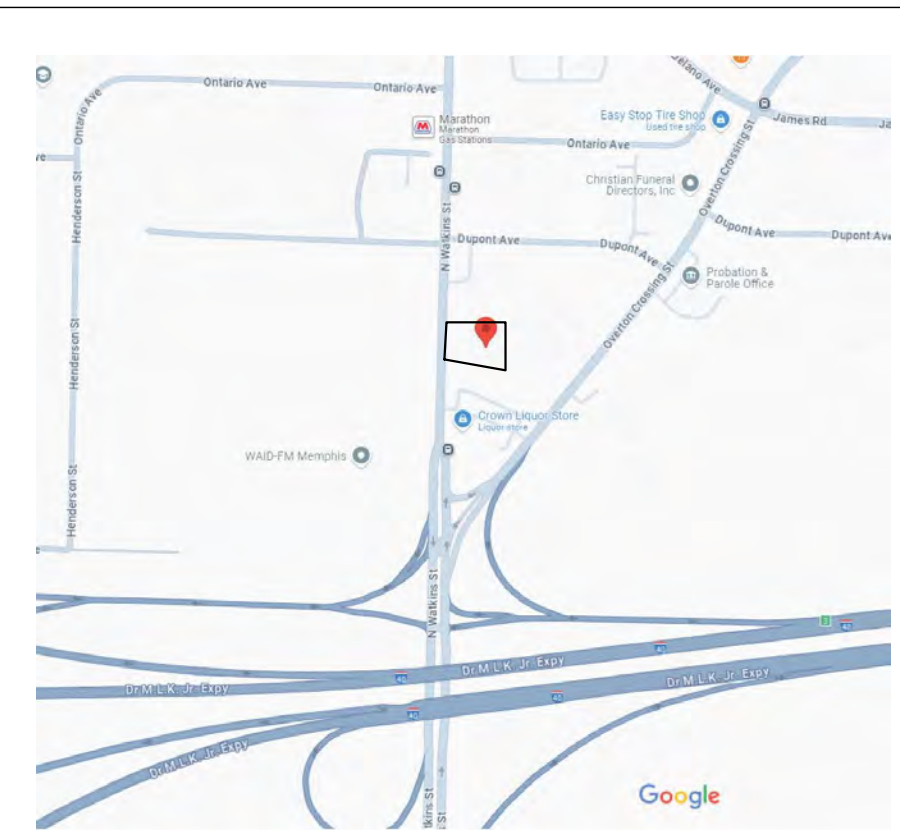
Cc: File

40' CENTERLINE

NORTH WATKINS



VICINITY MAP



JOB NAME AND ADDRESS:
LIDIA VANESSA GUZMAN
2554 N. WATKINS ST. MEMPHIS, TN. 38127
SUP 2024 - 012

SHEET TITLE:
**ARCHITECTURAL SITE
PLAN**
DATE:
APRIL 10, 2025

A1
SHEET NO:

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

**[ONE ORIGINAL]
[ONLY STAPLED]
[TO DOCUMENTS]**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 10/07/2025
DATE**

**PUBLIC SESSION: 10/21/2025
DATE**

ITEM (CHECK ONE)

_____ ORDINANCE X RESOLUTION _____ REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 1936 The Elms Ave, known as case number SUP 25-22

CASE NUMBER: SUP 25-22

LOCATION: 1936 The Elms Ave

COUNCIL DISTRICTS: District 7 and Super District 8

OWNER/APPLICANT: Tsrdr Holdings LLC / Dorothy Bailey

REPRESENTATIVE: N/A

REQUEST: To allow a group day care home

AREA: +/-9,583 square feet

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

RECOMMENDED COUNCIL ACTION: Public Hearing Not Required
Hearing – October 21, 2025

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
<u>00/11/2025</u>	DATE
(1) Land Use Control Board	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
<u>Nabanita Nira</u>	<u>9/19/2025</u>	PLANNER II
		DEPUTY ADMINISTRATOR
<u>Brett Kyr</u>	<u>9/23/25</u>	ADMINISTRATOR
		DIRECTOR (JOINT APPROVAL)
		COMPTROLLER
		FINANCE DIRECTOR
		CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 25-22

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 1936 THE ELMS AVE, KNOWN AS CASE NUMBER SUP 25-22

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, September 11, 2025**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SUP 25-22
LOCATION:	1936 The Elms Ave
COUNCIL DISTRICT(S):	District 7 and Super District 8
OWNER/APPLICANT:	Tsrsdr Holdings LLC/ Dorothy Baileyel
REPRESENTATIVE:	N/A
REQUEST:	To allow a group day care home
EXISTING ZONING:	Residential Single-Family – 6 (R-6)
AREA:	+/-9,583 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 10-0 on the consent agenda.

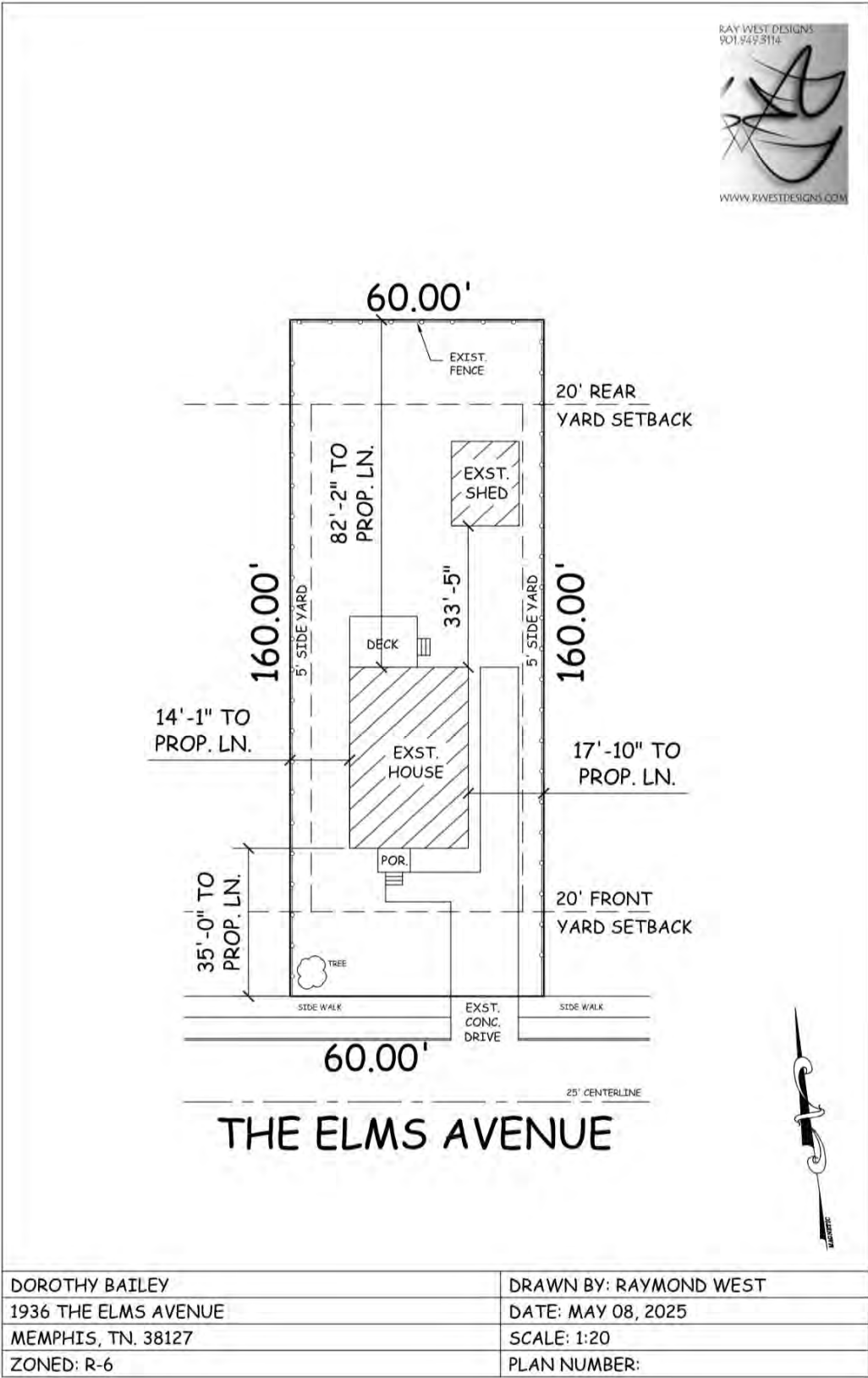
Respectfully,
Nabanita Nira
Planner II
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SUP 25-22
CONDITIONS

1. No parking shall be permitted in the front yard. All parking shall occur on the street or on the existing driveway.
2. No signage related to the daycare shall be permitted.
3. Any future improvements to the property (including but not limited to the installation of playground equipment) shall be submitted to the Division of Planning and Development for administrative review and approval. The Zoning Administrator may, at their discretion, impose additional landscaping requirements necessary to appropriately screen such improvements.
4. All fencing shall meet the standards the UDC and is subject to administrative review and approval by the Division of Planning and Development. Any existing non-conforming fencing shall be removed.

SITE PLAN



RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 1936 THE ELMS AVENUE, KNOWN AS CASE NUMBER SUP 25-22

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, Dorothy Baileyel filed an application with the Memphis and Shelby County Division of Planning and Development to allow a group day care home; 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 September 11, 2025, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

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

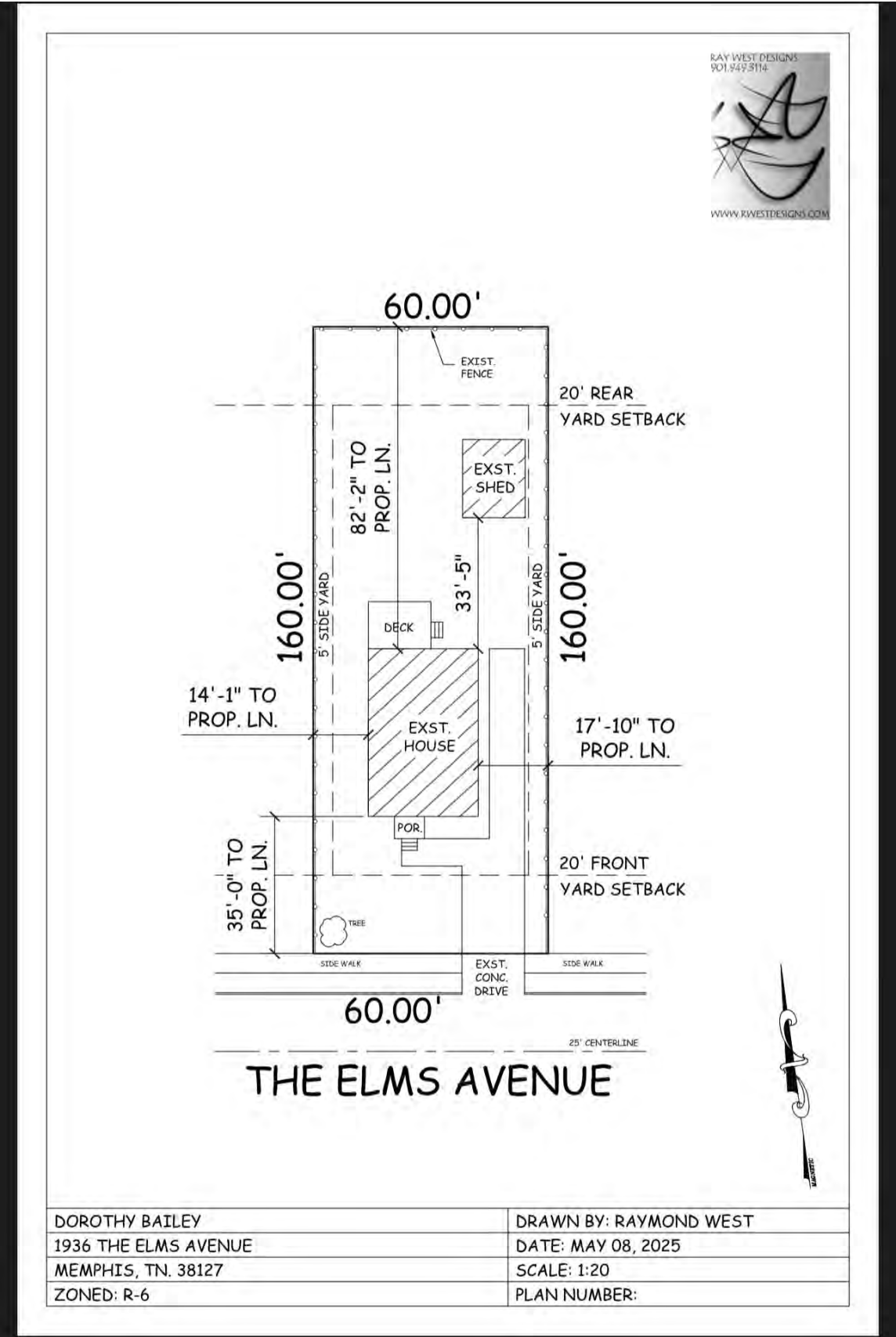
BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by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

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

CONDITIONS

1. No parking shall be permitted in the front yard. All parking shall occur on the street or on the existing driveway.
2. No signage related to the daycare shall be permitted.
3. Any future improvements to the property (including but not limited to the installation of playground equipment) shall be submitted to the Division of Planning and Development for administrative review and approval. The Zoning Administrator may, at their discretion, impose additional landscaping requirements necessary to appropriately screen such improvements.
4. All fencing shall meet the standards the UDC and is subject to administrative review and approval by the Division of Planning and Development. Any existing non-conforming fencing shall be removed.

SITE PLAN



ATTEST:

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

AGENDA ITEM: 11 **L.U.C.B. MEETING:** September 11, 2025
CASE NUMBER: SUP 2025-022
LOCATION: 1936 The Elms Ave
COUNCIL DISTRICT: District 7 and Super District 8
OWNER: Tsrdr Holdings LLC
APPLICANT: Dorothy Bailey
REQUEST: Special use permit to allow a group day care home
EXISTING ZONING: Residential Single-Family – 6 (R-6)

CONCLUSIONS

1. The subject property is a +/-9,583 sq. ft. lot that features a single-family residence of 1,204 sq. ft. constructed in 1950 and in which the applicant resides. It is served by a single curb cut and drive on The Elms Ave.
2. The Elms Ave being a minor street and more than 150 ft. (measured from property line) of an intersecting arterial, this site does not meet the standard of UDC Sub-Section 2.6.2B. On June 25, 2025, the BOA approved a variance to allow a group day care home on a minor street more than 150 feet of an intersecting arterial with conditions of expiring in twenty-four months and companion special use permit approval.
3. As the applicant resides on the subject property, she would be allowed to care for up to seven (7) children by-right as a home occupation (accessory use) and currently being lawfully conducted in such capacity. The subject application, if approved, would increase that limit to twelve (12). Note that the applicant received approval for twelve (12) children (4 children under the age of 2½ and 8 children over the age of 2½) by Division of Fire Prevention on June 4, 2025, see pages 34-35 of this report. If this application is approved, the applicant still needs to obtain approval for day care from the Shelby County Health Department as well.
4. Proposed daycare locations need to meet the minimum parking requirement found in UDC Chapter 4.5 (three spaces in this case) and the site meets the requirement. Also, the applicant has implemented drop-off and pick-up in the driveway where a designated staff member is stationed at each vehicle to assist with the safe transfer of children to the facility, see page 33 of this staff report.
5. The granting of this special use permit will not cause substantial detriment to the public good, nor will it substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), nor will it be injurious to the neighborhood or the general welfare, and it will be in harmony with the purpose and intent of the UDC.

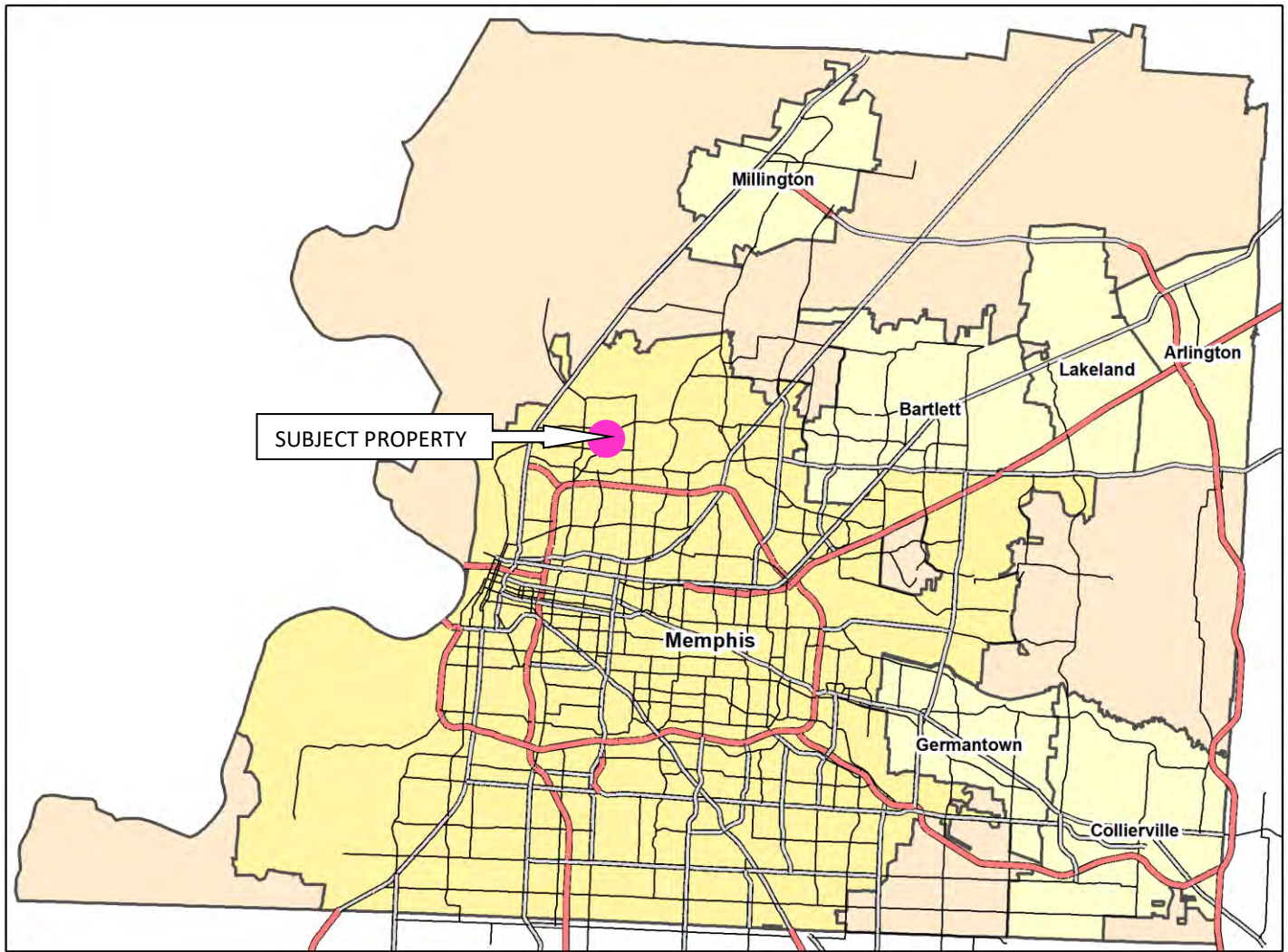
CONSISTENCY WITH MEMPHIS 3.0

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

RECOMMENDATION:

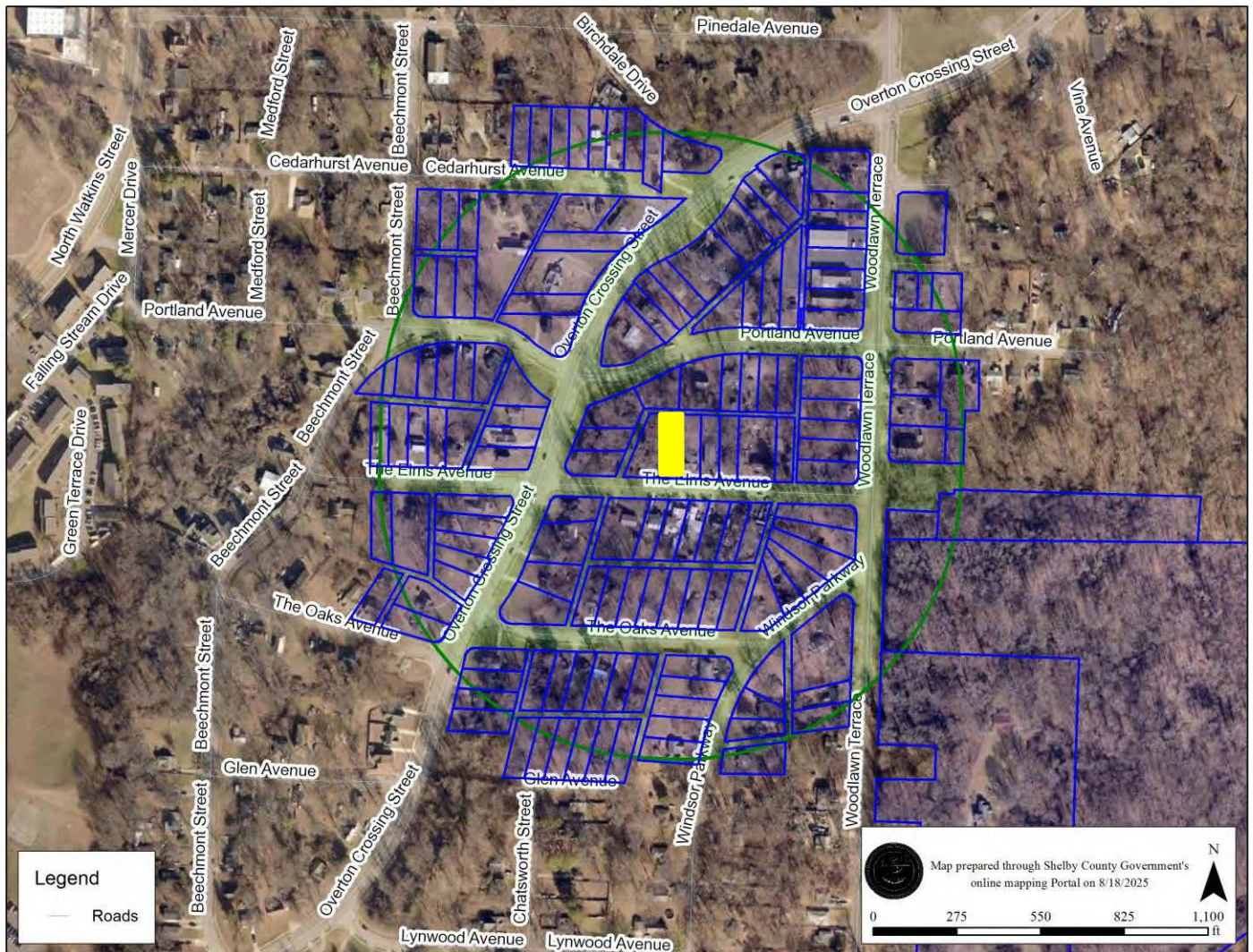
Approval with conditions

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 126 notices were mailed on August 20, 2025, see page 24 of this report for a copy of said notice. Additionally, one sign was posted at the subject property, see pages 25-26 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

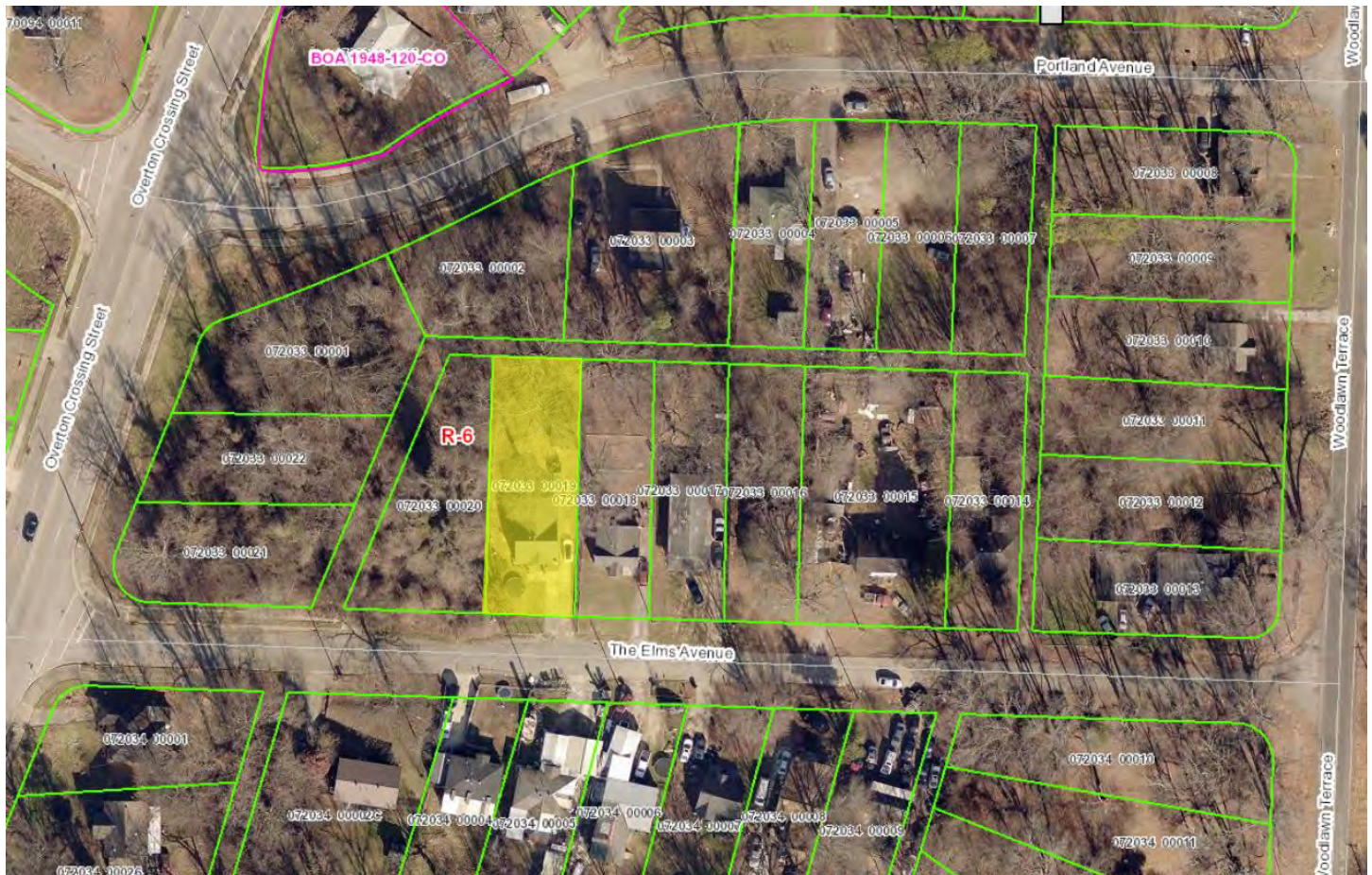
The meeting was held at 5:00 PM on Thursday, August 28, 2025, at 1936 The Elms Ave.

AERIAL



Subject property outlined in yellow, imagery from 2023

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS

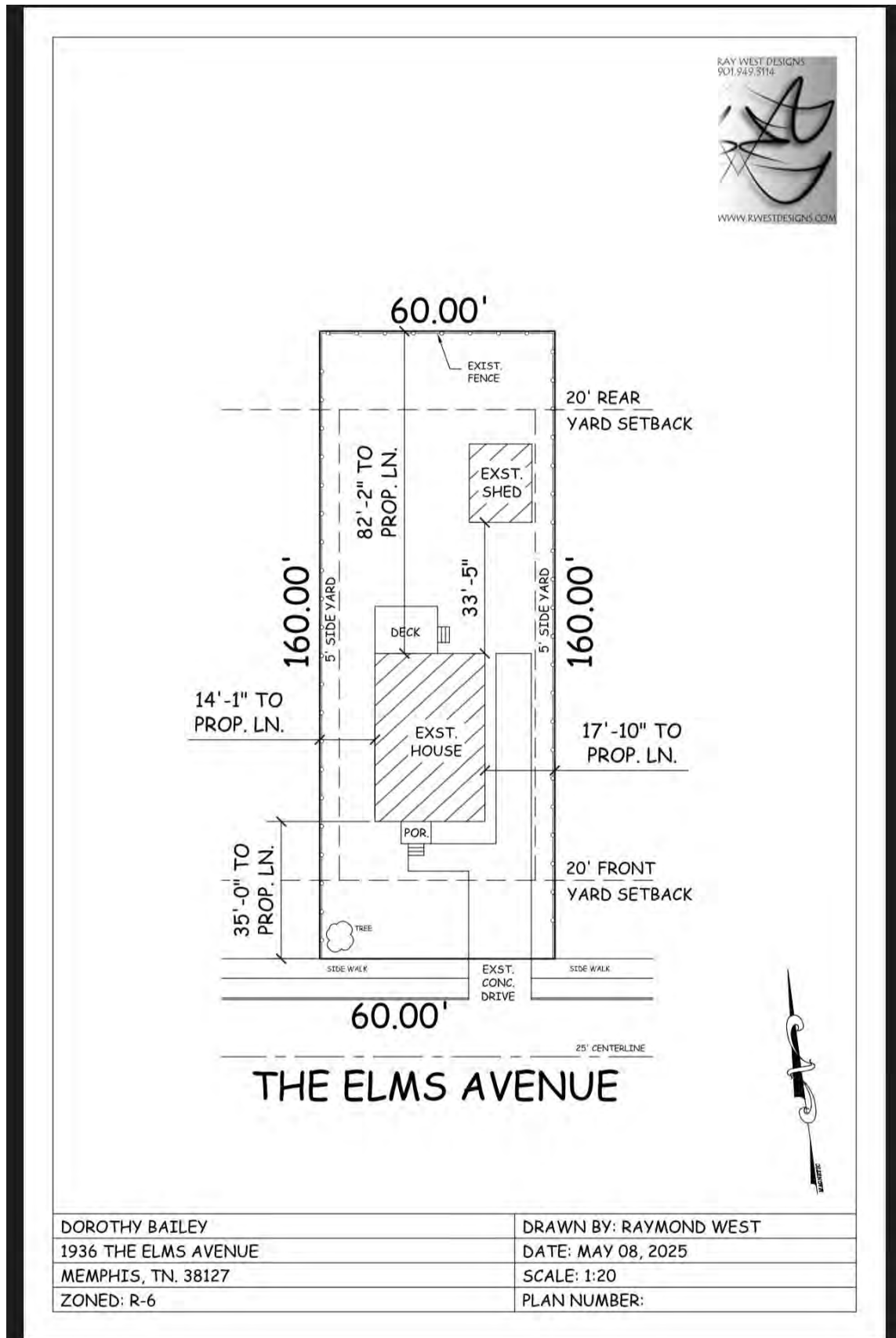


View of subject property from The Elms Avenue looking northeast

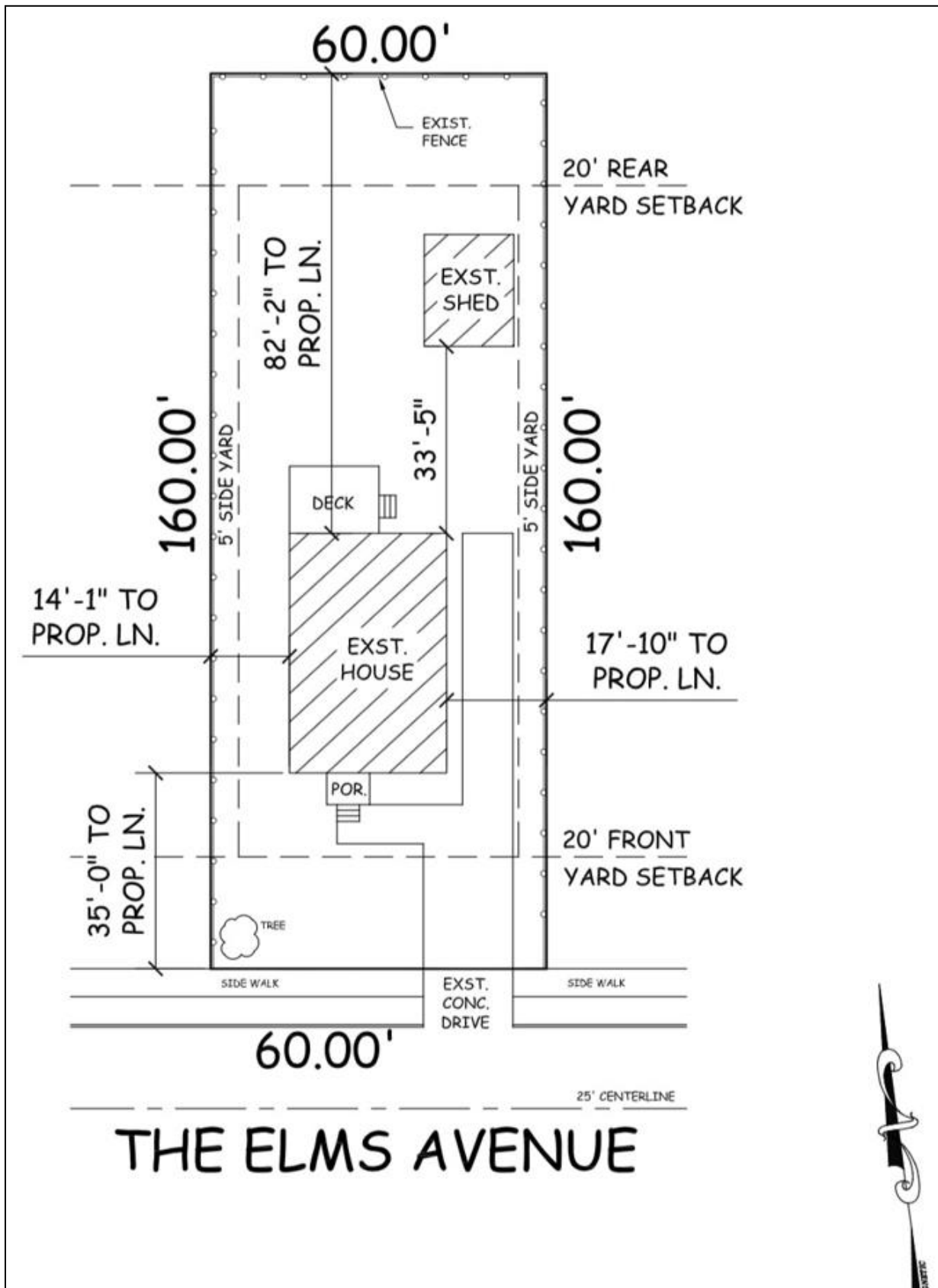


View of subject property from The Elms Avenue looking northwest

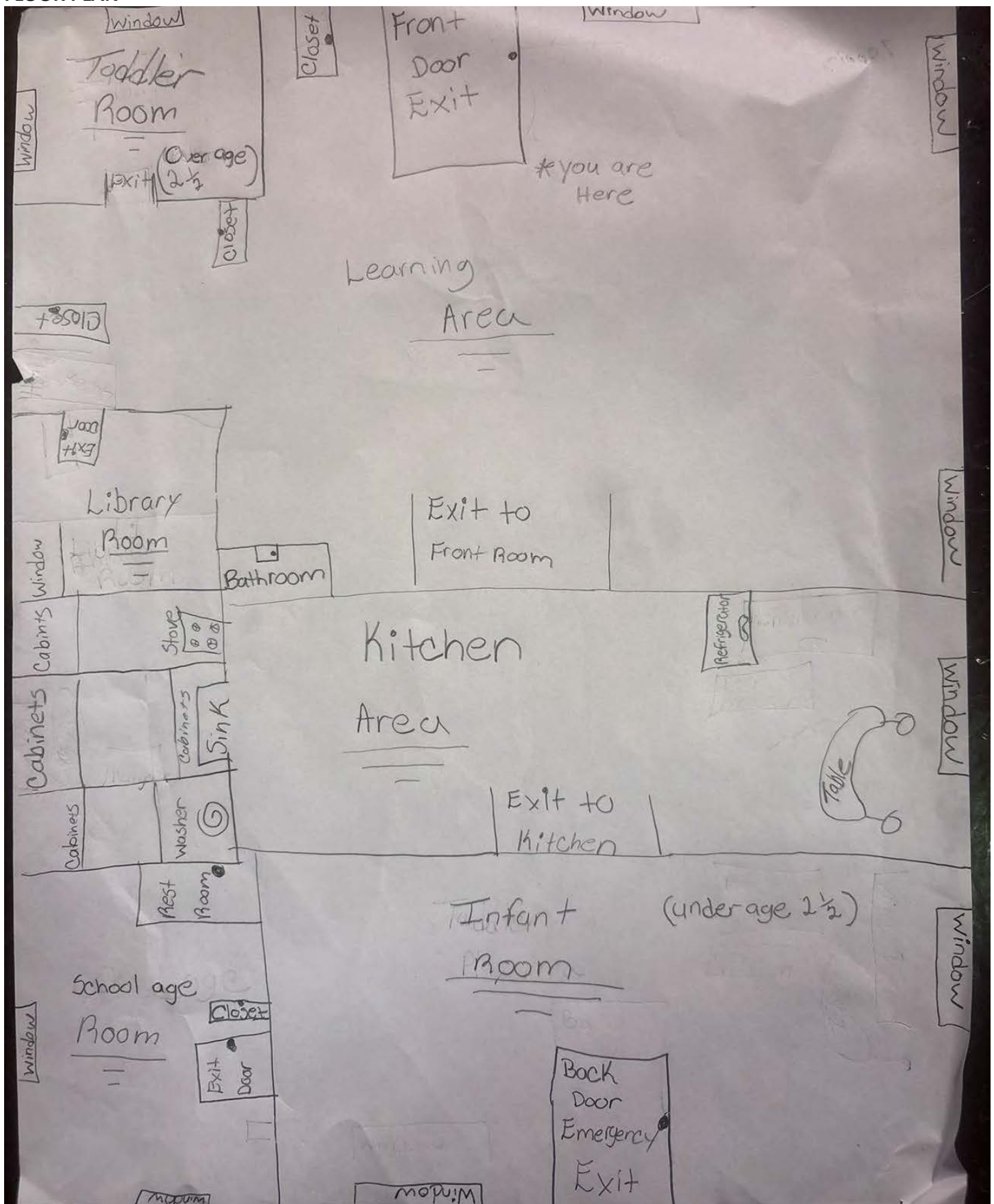
SITE PLAN



SITE PLAN – MAGNIFIED



FLOOR PLAN



CASE REVIEW

Request

The request is a special use permit to allow a group day care home in Residential Single-Family – 6 (R-6) district.

Approval Criteria

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

9.6.9 Approval Criteria

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

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

Site Details

Address:

1936 The Elms Avenue

Parcel ID:

072033 00019

Area:

+/-9,583 square feet

Description:

The subject property is known as Lot 0447 within the Rugby Third Addition subdivision and zoned Residential Single-Family – 6 (R-6). Per the Assessor’s website, the site has a one-story single-family structure of 1,204 square feet constructed in 1950 and a storage shed of 336 square feet constructed in 1978. The surrounding land uses are vacant and single-family.

Site Zoning History

On June 25, 2025, the Board of Adjustment approved Docket BOA 2025-0058 for a variation to allow a group day care home (5 to 12 persons) on a minor street more than 150 feet of an intersecting arterial and on a minor street that serves residential uses and a residential zoning district, see pages 14-15 of this report for said notice of disposition.

Relevant Unified Development Code Clauses

Section 2.5.2- Use Table Key

Key: Blank Cell = Not Permitted ■ = Permitted □ = Special Use Approval C = Conditional Use Permit + = Significant Neighborhood Structure Conditional Use Permit																															
USE CATEGORY	PRINCIPAL USE	P	OS	FW	CA	CIV	RMP	RE	R15	R10	R8	R6	R3	RU-1	RU-2	RU-3	RU-4	RU-5	RW	OG	MU*	CMU-1	CMU-2	CMU-3	CBD	CMP-1	CMP-2	EMP	WD	IH	Use Standard
Day Care (see 2.9.3B)	Adult day-care program					■																									
	Group Day Care Home (5 to 12 persons)					■																									2.6.2B
	Child Care Center (13+ persons)					■																									2.6.2B
	Drop-in Child Care Center (15+ persons)																														2.6.2B
	Nursery School, Preschool					■																									2.6.2B

Sub-Section 12.3.1(G)-General Definition

GROUP DAY CARE HOME: Any facility operated by a person, social agency, corporation or institution, or any other group which receives a minimum of five and a maximum of 12 children (and up to three additional school-age children who will only be present before and after school, on school holidays, on school snow days, and during school summer vacation) for less than 24 hours per day for care outside their own homes, without transfer of legal custody. Before a group day care home opens, fire safety and environmental inspectors must approve the facility.

Sub-Section 2.6.2B-Group Day Care Home of 5-12 persons

The property shall be located on a connector street, on an arterial, or on a minor street that serves only nonresidential uses or zoning districts, or on a minor street within 150 feet (measured from the property line) of an intersecting arterial.

Sub-Section 4.5.3B – Minimum Parking Ratios

Day Care (see 2.9.3B)	All uses	1 space for each 5 individuals accommodated, up to 50 individuals; for more than 50 individuals accommodated, 10 spaces plus 1 space per 10 individuals
---------------------------------	----------	---

Site Plan Review

The site plan shows the existing home of 1,204 sq. ft. and the existing shed of 336 sq. ft. The subject property has an existing concrete driveway to access to the site from The Elms Ave and existing fence on the side and rear of the property.

Analysis

The subject property is a +/-9,583 sq. ft. (+/-0.22 acres) lot that features a single-family residence constructed in 1950 and in which the applicant resides. It is served by a single curb cut and drive on The Elms Ave.

The Elms Ave being a minor street and more than 150 ft. (measured from property line) of an intersecting arterial, this site does not meet the standard of UDC Sub-Section 2.6.2B. On June 25, 2025, the BOA approved a variance to allow a group day care home on a minor street more than 150 feet of an intersecting arterial with conditions of expiring in twenty-four months and companion special use permit approval.

As the applicant resides on the subject property, she would be allowed to care for up to seven (7) children by-right as a home occupation (accessory use) and currently being lawfully conducted in such capacity. The subject application, if approved, would increase that limit to twelve (12). Note that the applicant received approval for twelve (12) children (4 children under the age of 2½ and 8 children over the age of 2½) by Division of Fire Prevention on June 4, 2025, see pages 34-35 of this report. If this application is approved, the applicant still needs to obtain approval for daycare from the Shelby County Health Department as well.

Proposed daycare locations need to meet the minimum parking requirement found in UDC Chapter 4.5 (three spaces in this case). and the site meets the requirement. Also, the applicant has implemented drop-off and pick-up in the driveway where a designated staff member is stationed at each vehicle to assist with the safe transfer of children to the facility, see page 33 of this staff report.

Per recent photos of the subject property provided by the applicant an illegal fence has been installed in the front yard that is not compliant with Section 4.6.7 of the UDC and said work was done without obtaining a building permit. Note that this illegal fencing must be removed.

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

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. No parking shall be permitted in the front yard. All parking shall occur on the street or on the existing driveway.
2. No signage related to the daycare shall be permitted.
3. Any future improvements to the property (including but not limited to the installation of playground equipment) shall be submitted to the Division of Planning and Development for administrative review and approval. The Zoning Administrator may, at their discretion, impose additional landscaping requirements necessary to appropriately screen such improvements.
4. All fencing shall meet the standards the UDC and is subject to administrative review and approval by the Division of Planning and Development. Any existing non-conforming fencing shall be removed.

NOTICE OF DISPOSITION BOA 2025-0058



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

BOARD OF ADJUSTMENT NOTICE OF DISPOSITION

TO: Dorothy Baileyel
1936 The Elms Ave

DATE: June 27, 2025
DOCKET: BOA 2025-0058
1936 The Elms Ave

Sent via electronic mail to: dorothyswonderland88@gmail.com

On June 25, 2025, the Memphis and Shelby County Board of Adjustment approved your application requesting variance from Paragraphs 2.6.2B(2) of the Memphis and Shelby County Unified Development Code to allow a group day care home (5 to 12 persons) on a minor street more than 150 feet of an intersecting arterial and on a minor street that serves residential uses and a residential zoning district, subject to the following conditions:

1. Any change or deviation from the site plan or elevations upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment for review and approval or administrative review and approval by the Division of Planning and Development.
2. Should no special use permit for a Group Day Care Home be approved by January 28, 2026, this variance shall be rendered null and void.
3. This variance shall expire and become null and void twenty-four (24) months from the date of this approval.

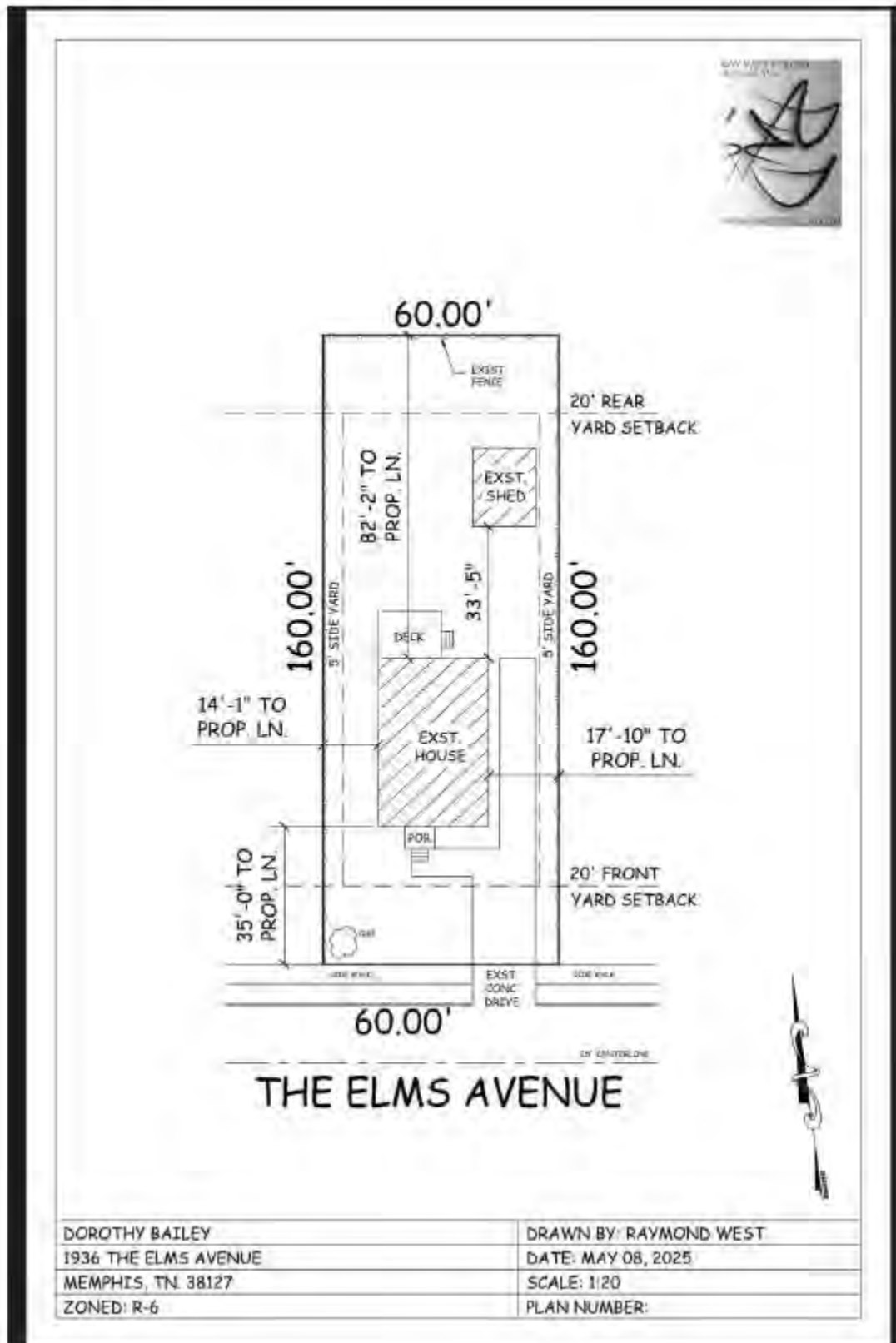
All appeals and applications granted are expressly conditioned upon the applicant obtaining the permit requested or other order within two years from the date of the decision of the Board of Adjustment, unless the Board explicitly provided a different time frame in its approval.

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

Cc: Chris Simmons – Zoning Enforcement
Antwone Smith – Zoning Enforcement

File

SITE PLAN



DEPARTMENTAL COMMENTS

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

City Engineer:	Comments received, see page 17-18 of this report.
City Fire Division:	Comments received, see page 19 of this report.
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:	Comments received, see page 20-23 of this report.

CITY ENGINEER COMMENTS

CITY ENGINEERING COMMENTS TRC: 27 Aug 25 & LUCB: 11 Sept 25 DATE: 4 August 2025

CASE 12: SUP-25-022

NAME: 1936 Elms Ave; group daycare home in RES-6

Basin/Lot/CD: North Wolf River; 8-B/ .22ac/ 7

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

Sewers:

2. If MLGW requires an upgrade in meter size, a Sewer Development fee is required per the City of Memphis Sewer Use Ordinance.
3. A sanitary sewer service connection plan may be required to be submitted (via 901 portal) to the City Land Development Office for review and approval.
4. All required design plans and potential traffic control plan must be prepared in accordance with the City's Standard Requirements and must be stamped by a Professional Engineer registered in the State of Tennessee.

Roads:

5. 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.
6. 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:

7. 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.
8. 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.
9. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

CITY ENGINEERING COMMENTS TRC: 27 Aug 25 & LUCB: 11 Sept 25 DATE: 4 August 2025

Curb Cuts/Access:

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

Site Plan Notes:

12. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
13. Residential lots with individual curb cuts to a collector street should provide adequate width and front yard depth to provide an on-site turn around area permitting egress by forward motion.
14. An adequate review cannot be made without knowing the maximum number of children at the Daycare Center.
15. Provide a continuous, one-way, on-site traffic pattern or a paved, circular turn-around that will provide for exit by forward motion without any on-site backing of vehicles.
16. Locate the pick-up/discharge area as far as possible from the entrance as practical to maximize on-site queue space for vehicles between the right-of-way and the pick-up/discharge point.
17. Provide a paved and curbed pick-up/discharge area that does not cause children to walk between parked cars or across traffic aisles.
18. All parking areas and driving aisles to be paved with asphalt or concrete.

CITY FIRE DIVISION COMMENTS



DIVISION OF FIRE SERVICES ❖ FIRE PREVENTION BUREAU

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

Case Number: SUP 2025 022

Date Reviewed: 9/5/25

Reviewed by: J. Stinson

Address or Site Reference: 1936 The Elms

- All design and construction shall comply with the 2021 edition of the International Fire Code (as locally amended) and referenced standards.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

OFFICE OF COMPREHENSIVE PLANNING COMMENTS

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: SUP 2025-022

Site Address/Location: 1936 The Elms

Overlay District/Historic District/Flood Zone: Not located in a Residential Corridor, Flood Zone or Historic District

Future Land Use Designation: Primarily Single-Unit Neighborhood (NS)

Street Type: N/A

The applicant is requesting a Special use Permit to allow a group daycare home in the Residential Single-Family -6 (R-6), District located at 1936 The Elms Ave.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



"NS" Form & Location Characteristics

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

"NS" Zoning Notes

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

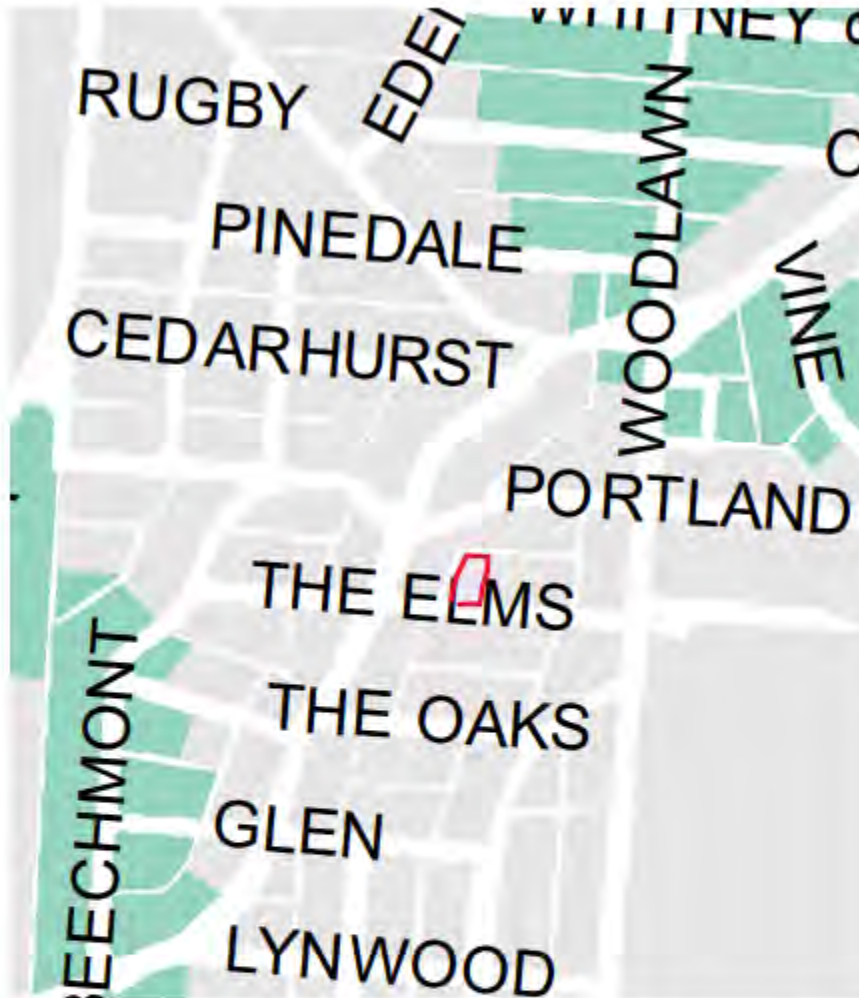
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: R-6, Single-Family

Adjacent Land Use and Zoning: Single-Family, R-6

Overall Compatibility: *This requested use is compatible with the future land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning. The requested use is compatible with Objective 6.4 Support growth of local and minority-owned businesses.*

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

NA – Include if applicable

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

NA – Include if applicable

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

Objective 6.4-Support growth and expansion of local and minority-owned businesses.

Consistency Analysis Summary

The applicant is requesting a Special use Permit to allow a group daycare home in the Residential Single-Family -6 (R-6), District located at 1936 The Elms Ave.

This requested use is compatible with the future land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning. The requested use also applies Objective 6.4 Support growth and expansion of local and minority-owned businesses.

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

Summary Compiled by: Justin Harris, Comprehensive Planning.

NOTICE OF PUBLIC HEARING

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

CASE NUMBER: SUP 2025-0222

ADDRESS: 1936 The Elms Avenue

REQUEST: To allow a group day care home in R-6

APPLICANT: Dorthy Baileyl

Meeting Details

Location: Council Chambers
City Hall 1st Floor
125 N Main St.

Time: 9:00 AM

Date: Thursday, Sep 11, 2025

Staff Planner Contact:

Nabanita Nira

✉ nabanita.nira@memphistn.gov

(901) 636-7406

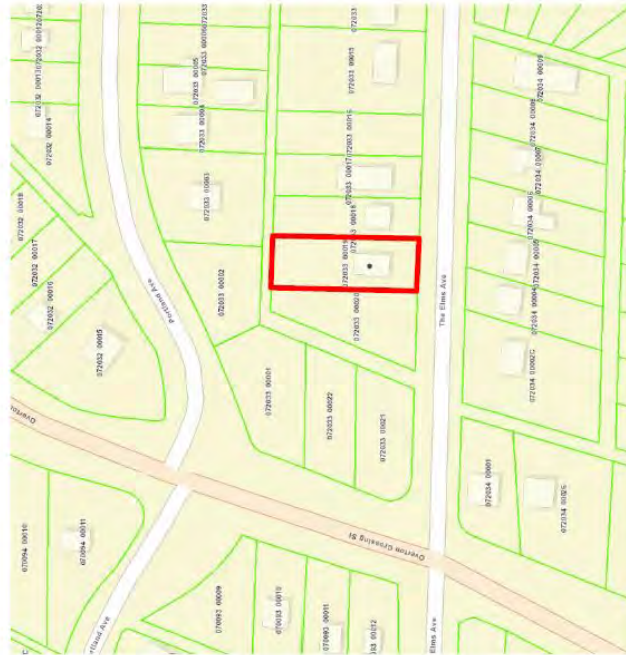


To learn more about this proposal, contact the staff planner or use the QR code to view the full application.

126 Notices Mailed 08/20/2025



VICINITY MAP



SIGN AFFIDAVIT

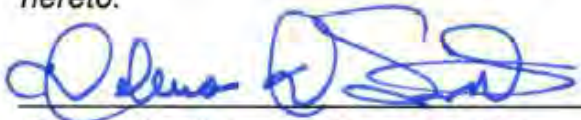
AFFIDAVIT

*Shelby County
State of Tennessee*

I, DELINOR SMITH, being duly sworn, depose and say that at 12:32 pm am/pm on the 11TH day of AUGUST, 2025, I posted ONE Public Notice Sign(s) pertaining to Case No. SUP-2025-022 at 1936 ELMS AVE., providing notice of a Public Hearing before the (check one):

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

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


Owner, Applicant or Representative

8.11.25
Date

Subscribed and sworn to before me this 11 day of August, 2025.


Notary Public

My commission expires: MY COMMISSION EXPIRES MAY 17, 2026





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: Assignment

Opened Date: July 28, 2025

Record Number: SUP 2025-022

Expiration Date:

Record Name: -

Description of Work: Daycare

Parent Record Number:

Address:

1936 THE ELMS AVE, MEMPHIS 38127

Owner Information

Primary Owner Name

Y TSRSRDR HOLDINGS LLC

Owner Address

3588 DONNA DR, MEMPHIS, TN 38127

Owner Phone

Parcel Information

072033 00019

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Nabanita Nara

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

No

GENERAL PROJECT INFORMATION

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

-

APPROVAL CRITERIA

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

It's not going to effect the neighborhood.

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

n/a

UDC Sub-Section 9.6.9C

Not going to be building anything at this home.

UDC Sub-Section 9.6.9D

n/a

UDC Sub-Section 9.6.9E

I already have the fire marshall approval for 12 kids.

UDC Sub-Section 9.6.9F

This will not adversely affect any plans.

GIS INFORMATION

Case Layer

-

Central Business Improvement District

No

Class

R

Downtown Fire District

No

Historic District

-

Land Use

SINGLE-FAMILY

Municipality

MEMPHIS

Overlay/Special Purpose District

-

Zoning

R-6

State Route

-

Lot

0447

Subdivision

RUGBY THIRD ADDITION

Planned Development District

-

Wellhead Protection Overlay District

No

County Commission District

-

City Council District

-

City Council Super District

-

Contact Information

Name

DORTHY BAILEYEL

Contact Type

APPLICANT

Address

Phone

(901)319-2800

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1666270	Child Care Center (8-12 Children)	1	100.00	INVOICED	0.00	07/28/2025
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Total Fee Invoiced: \$102.60

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$102.60	Credit Card

OWNER AFFIDAVIT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Stephen Bailey (Print Name) [Signature] (Sign Name), state that I have read the definition of "Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

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

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

of the property located at 936 The Elms Ave
and further identified by Assessor's Parcel Number _____
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 31 day of 7 in the year of 2025

[Signature]
Signature of Notary Public

3-11-26
My Commission Expires



LETTER OF INTENT

1936 The Elms Ave Memphis TN38127 

9013192800 

Dorothyswonderland88@gmail.com

dorothys-wonderland-fdh.ueniweb.com 

Dorothy's Wonderland Childcare

Dear [Recipient's of this application],

I am writing to express my excitement about the upcoming opening of Dorothy's Wonderland Childcare Group Day Home.

After careful planning and preparation, I am pleased to announce that this new daycare facility will be a valuable resource for families in our community.

Founded by myself, Dorothy BaileyEL, Dorothy's Wonderland Childcare Group Day Home is a home-based daycare that is rooted in my passion for early childhood education and my experience as a progressive parent.

Our primary objective is to create a nurturing, secure, and stimulating environment for young children, fostering their learning and growth in the most optimal manner. At Dorothy's Wonderland Childcare, our mission is to provide exceptional early care and foster a positive and influential impact on the children we serve. We are committed to excellence, ensuring that your child is not only prepared for school but also equipped for lifelong success. We firmly believe that when parents, children, and teachers collaborate effectively, a promising future awaits them.

To commemorate this significant milestone, I cordially request your approval. I have passed my state inspection from the fire marshal and the Department of Human Services, and I have recently passed my Board of Adjustment variance.

In anticipation of the opening of Dorothy's Wonderland Childcare Group Day Home, I have submitted an application for a Special Use Permit (SUP 2025-0058), which will be subject to review and approval. I kindly request your approval of my request. There are no safety concerns from the state that will keep me from operating at this time. : "I am filing this Special Use Permit Application for a Group Day Care

Home in accordance with Chapter 2.5 of the Unified Development Code (UDC) which requires Special Use Permit approval by virtue of my property being located in the R-6 Zoning District. On June 25, 2025, the Board of Adjustment approved my request (Docket #2025-0058) for a variance to the Group Day Care locational standards found in UDC Paragraph 2.6.2B(2)."

Enclosed is a map of the daycare location and the services we will offer.

Dorothy's Wonderland Childcare Group Home provides the following services:

- * Infant: Ages 6 months to 2 years
- * Toddler: Ages 2 to 3 years
- * Preschool: Ages 3 to 4 years
- * Pre-Kindergarten: Ages 4 to 5 years
- * After-School Care
- * With three teachers

Should you have any inquiries or require additional information, please do not hesitate to contact me at the provided contact details.

DAYCARE DROP-OFF AND PICK-UP PROCEDURES

Daycare Drop-Off and Pick-Up Procedures

To ensure a smooth and safe experience for all families, we've implemented the following procedures for child drop-off and pick-up:

Morning Drop-Off

A designated staff member will be stationed at each vehicle to assist with the safe transfer of children. Staff will use a tablet equipped with a specialized app to sign each child in. Once signed in, the staff member will safely escort the child into the daycare facility.

Afternoon Pick-Up

Each child will be assigned a unique number to streamline the pick-up process. A staff member inside the facility will communicate with outdoor staff via walkie-talkie. When a parent arrives, the staff will announce the child's name and number (e.g., "Journey, number one is coming outside"). The outdoor staff will then escort the child to the vehicle and ensure the child is signed out on the tablet.

Traffic Safety Reminders

Please do not block driveways or make turns in the driveways of neighboring homes. Follow staff directions and remain in your vehicle during drop-off and pick-up to maintain a steady traffic flow.

We appreciate your cooperation in helping us maintain a safe and efficient environment for all children and families.



Daycare Drop-Off & Pick-Up Procedures



Morning Drop-Off

- ✓ A staff member will be stationed at each vehicle.
- ✓ Children will be signed in using a tablet app.
- ✓ Staff will safely escort children into the facility.

Afternoon Pick-Up

- 1 Each child will be assigned a unique number.

 Staff inside will communicate vis walkie-talkie.
Example: "Journey, number one is coming outside."

 Staff outside will escort the child to the vehicle. 

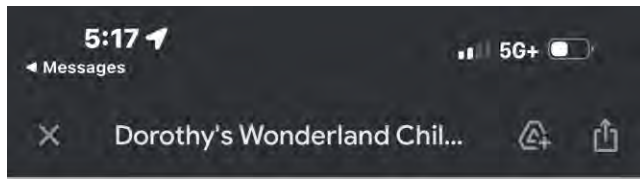
Parents will be signed out using the tablet. 

Traffic Safety Reminders

- ✗ Do not block driveways.
- ✗ Avoid turning around in neighbors' driveways.
- ✓ Follow staff directions and stay in your vehicle.

Thank you for helping us keep our children safe and our traffic flowing smoothly!

DIVISION OF FIRE PREVENTION APPROVAL



	Division of Fire Prevention Codes Enforcement Section 500 James Robertson Pkwy Nashville, TN 37241-1162
Inspection Date: Wednesday, June 4, 2025	
Inspector: James Gaither	
County: 79 - Shelby	
Inspection Type: DHS Group Homes	
TFM Number: 19318	
Document Type: Initial Inspection	

Building/Project Name: **Dorothy's Wonderland Childcare**

Street Address: **1936 The Elms Ave**

City: **Memphis** ZIP: **38127**

Contact Name: **Dorothy Bailey** Additional Contact: **Koreah Farris**
Email: **Koreah.Farris@tn.gov**

Street Address: **1936 The Elms Ave** Additional Contact: **Anita Green**
Email: **Anita.Green@tn.gov**

City: **Memphis** Additional Contact: **Ken Wilson**
ZIP: **38127** Email: **Kenneth.Wilson@tn.gov**

Phone: **(901) 319-2800**

Email: **dorothyswonderland88@gmail.com**

Additional Contact: **Lashall D. Johnson** Email: **lashall.d.johnson@tn.gov**

Additional Contact:

Additional Contact:

IBC Occupancy Type: E	DHS license: Children under the age of 2 1/2: 4
NFPA Occupancy Type: Daycare	DHS License: Children over the age of 2 1/2: 8
	Square Footage: 559
	Licensed Number of Clients: 12

Recommend Approval for Licensing? **Yes**

☒ No deficiencies found.

Notes:
06/04/2025: Inspector Ken Wilson, James Gaither and Lashall Johnson conducted the initial inspection at Dorothy's Wonderland Childcare.

The assessment found no deficiencies. Ms. Dorothy Bailey was in attendance during the inspection.

The inspection is under the 2012 code as a family home. Ms. Bailey is in the process of upgrading to a group home.

For additional questions or to arrange a follow-up inspection, please reach out to James Gaither at 901-589-0284 or via

19318 Page 1 of 2 06/04/2025

email at James.Gaither@tn.gov.



General Inspection Report 2023.07

79 - Shelby

19318

DHS Group Homes

Initial Inspection

06/04/2025

Dorothy's Wonderland Childcare

James Gaither

Email Distribution:

dorothyswonderland88@gmail.com

Koreah.Farris@tn.gov

Anita.Green@tn.gov

Kenneth.Wilson@tn.gov

lashall.d.johnson@tn.gov

	Division of Fire Prevention Codes Enforcement Section 500 James Robertson Pkwy Nashville, TN 37241-1162
Inspection Date: Wednesday, June 4, 2025	
Inspector: James Gaither	
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Inspection Type: DHS Group Homes	
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Building/Project Name: **Dorothy's Wonderland Childcare**

Street Address: **1936 The Elms Ave**

Additional Contact:
Additional Contact:
5:17
Messages

Email:
Email:

5G+
3 of 3

IBC Occupancy Type:	E	DHS license: Children under the age of 2 1/2:	4
NFPA Occupancy Type:	Daycare	DHS License: Children over the age of 2 1/2:	8
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Notes:
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For additional questions or to arrange a follow-up inspection, please reach out to James Gaither at 901-589-0284 or via
19318 Page 1 of 2 06/04/2025

email at James.Gaither@tn.gov.

Helpful Information:
The State Fire Marshal's Office will perform consultation inspections if requested by DHS. If you are interested in a building to use as a day care and want to know if upgrades are needed for code compliance, contact your DHS counselor to make the request. A State Fire Marshal's Office inspector will then contact you to set up an inspection.

Fire Safety Specialist Email: James.Gaither@tn.gov

James Gaither Digitally signed by James Gaither
Date: 2025.06.05 15:24:22 -05'00'

Fire Safety Specialist:

LETTERS RECEIVED

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

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

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

September 11, 2025

Dorothy Baileyel
1936 The Elms Ave
Memphis, TN 38127

Sent via electronic mail to: dorothiswonderland88@gmail.com

Case Number: SUP 2025-022

LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, September 11, 2025, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow a group day care home located at 1936 The Elms Ave, subject to the following conditions:

1. No parking shall be permitted in the front yard. All parking shall occur on the street or on the existing driveway.
2. No signage related to the daycare shall be permitted.
3. Any future improvements to the property (including but not limited to the installation of playground equipment) shall be submitted to the Division of Planning and Development for administrative review and approval. The Zoning Administrator may, at their discretion, impose additional landscaping requirements necessary to appropriately screen such improvements.
4. All fencing shall meet the standards the UDC and is subject to administrative review and approval by the Division of Planning and Development. Any existing non-conforming fencing shall be removed.

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.

Letter to Applicant
SUP 2025-022

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

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



Memphis and Shelby County Division of Planning and Development

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

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

website: www.develop901.com

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: July 28, 2025

Record Number: SUP 2025-022

Expiration Date:

Record Name: -

Description of Work: Daycare

Parent Record Number:

Address:

1936 THE ELMS AVE, MEMPHIS 38127

Owner Information

Primary Owner Name

Y TSRS DR HOLDINGS LLC

Owner Address

3588 DONNA DR, MEMPHIS, TN 38127

Owner Phone

Parcel Information

072033 00019

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Nabanita Nara

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

No

GENERAL PROJECT INFORMATION

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

APPROVAL CRITERIA

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

- It's not going to effect the neighborhood.

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

n/a

UDC Sub-Section 9.6.9C

Not going to be building anything at this home.

UDC Sub-Section 9.6.9D

n/a

UDC Sub-Section 9.6.9E

I already have the fire marshall approval for 12 kids.

UDC Sub-Section 9.6.9F

This will not adversely affect any plans.

GIS INFORMATION

Case Layer

-

Central Business Improvement District

No

Class

R

Downtown Fire District

No

Historic District

-

Land Use

SINGLE-FAMILY

Municipality

MEMPHIS

Overlay/Special Purpose District

-

Zoning

R-6

State Route

-

Lot

0447

Subdivision

RUGBY THIRD ADDITION

Planned Development District

-

Wellhead Protection Overlay District

No

County Commission District

-

City Council District

-

City Council Super District

-

Contact Information**Name**

DORTHY BAILEYEL

Contact Type

APPLICANT

Address**Phone**

(901)319-2800

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
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Total Fee Invoiced: \$102.60

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$102.60	Credit Card



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.

19117988

11/13/2019 - 09:53:30 AM

2 PGS

LACY 1943942-19117988

VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
EFILE FEE	2.00
TOTAL AMOUNT	14.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

THIS INSTRUMENT PREPARED BY AND RETURN TO:
MEMPHIS TITLE COMPANY
7518 Enterprise Ave.
Germantown, TN 38138

Scrivener's Affidavit

STATE OF TENNESSEE)
COUNTY OF SHELBY)

Comes, now Emily Rhea who is over eighteen (18) years of age and whose address is 7518 Enterprise Ave. Germantown, TN 38138 and would state as follows:

On or about September 12, 2019, an employee of Memphis Title Company prepared the below described **Warranty Deed**. One of their duties was to add the derivation clause to the Warranty Deed which was recorded at Instrument No. 18093973 in the Register's Office for Shelby County, TN. The error that appears of record is set forth as follows:

Derivation incorrectly list Kenneth Mitchell as deceased. As evidenced by his signature, this was not accurate.

This error was unintentional. The correct Derivation is as follows:

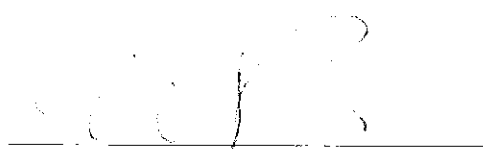
Being the same property conveyed by Warranty Deed to Kenneth Mitchell and Deborah Mitchell, husband and wife from Smart Money, LLC, a Nevada State Limited Liability Company, as recorded on the 14th day of June 2016, at Instrument No. 16059798, in the Register's Office of Shelby County, Tennessee.

A further description of said Warranty Deed is as follows:

Grantor: Deborah Mitchell and husband, Kenneth Mitchell
Grantee: Project Sky, LLC a Delaware Limited Liability Company
Property Address: 1936 The Elms Ave Memphis, TN 38127

This Affidavit is made of my personal knowledge to correct the error above describe.

Executed this 11 day of November, 2019



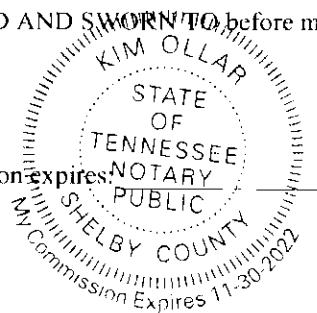
Affiant

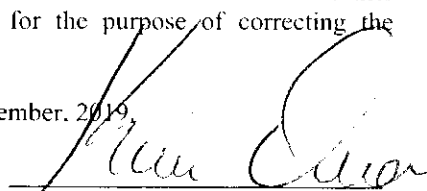
STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me the within named Affiant who made oath that he/she has read the forgoing Scrivener's Affidavit and the things and matter's contained therein are true. The Affiant did further acknowledge that he/she executed the within described document for the purpose of correcting the scrivener's error herein described.

SUBSCRIBED AND SWORN TO before me this 11th day of November, 2019.

My Commission Expires:





Notary Public

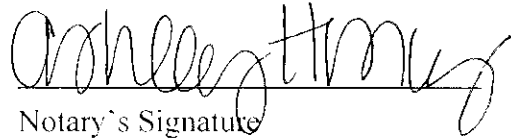
I, Kristina Ackerman, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.



Kristina Ackerman

State of Tennessee
County of Shelby

Personally, appeared before me a notary public for this county and state, Kristina Ackerman, who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.



Notary's Signature

MY COMMISSION EXPIRES:



1936 The Elms Ave Memphis TN38127 

9013192800 

Dorothyswonderland88@gmail.com

dorothys-wonderland-fdh.ueniweb.com 

Dorothy's Wonderland Childcare

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MEMPHIS AND SHELBY COUNTY



DIVISION OF PLANNING AND DEVELOPMENT

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

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I, Dorothy Bailey
(Print Name)

Dorothy L. Bailey
(Sign Name)

state that I have read the definition of

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

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

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

of the property located at 1936 The Elms Ave

and further identified by Assessor's Parcel Number _____

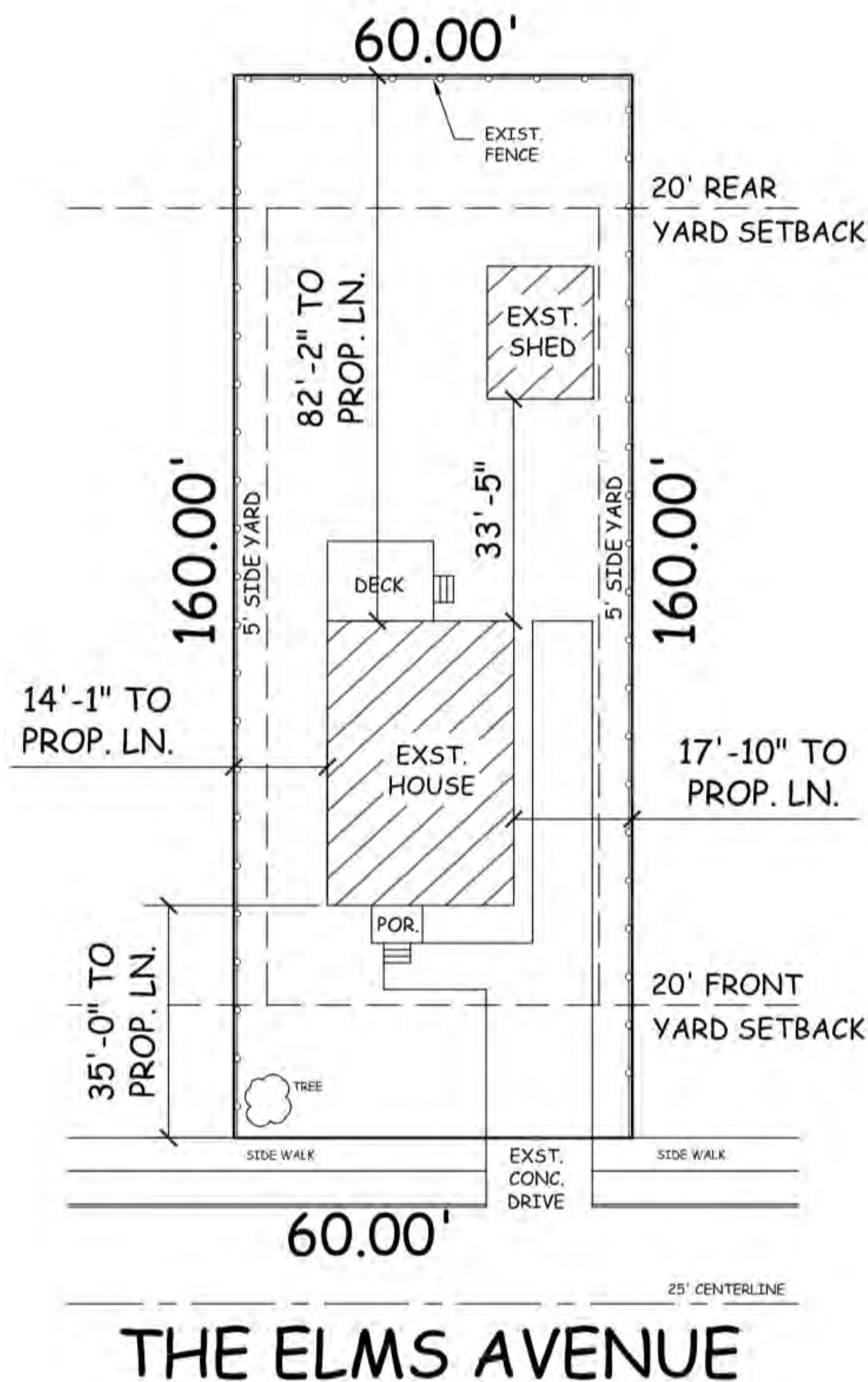
for which an application is being made to the Division of Planning and Development.



Subscribed and sworn to (or affirmed) before me this 31 day of 7 in the year of 2025

[Signature]
Signature of Notary Public

3-11-26
My Commission Expires



DOROTHY BAILEY	DRAWN BY: RAYMOND WEST
1936 THE ELMS AVENUE	DATE: MAY 08, 2025
MEMPHIS, TN. 38127	SCALE: 1:20
ZONED: R-6	PLAN NUMBER: