

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 08/17/2021

DATE

PUBLIC SESSION: 08/17/2021

DATE

ITEM (CHECK ONE)

ORDINANCE _____ CONDEMNATIONS _____ GRANT ACCEPTANCE / AMENDMENT
 _____ RESOLUTION _____ GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 _____ OTHER: _____

ITEM DESCRIPTION: An ordinance approving a zoning change
CASE NUMBER: Z 2021-05
DEVELOPMENT: Rezoning to single-family
LOCATION: 3535 Central Avenue (southeast corner of Central and Highland)
COUNCIL DISTRICTS: District 5 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT: Bobalu, LLC – Bob Berry
REPRESENTATIVES: Dedrick Brittenum of Brittenum Law, PLLC
EXISTING ZONING: Residential Urban – 3 (RU-3)
REQUEST: Residential Single-Family – 6 (R-6)
AREA: +/-2.46 acres
RECOMMENDATION: The Office of Planning and Development recommended *Approval*
 The Land Use Control Board recommended *Approval*
RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
 Set date for first reading – July 20, 2021
 Adopt on third Reading – August 17, 2021

PRIOR ACTION ON ITEM:

(1) _____ APPROVAL - (1) APPROVED (2) DENIED
 07/08/2021 _____ 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:

DATE POSITION

_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2021-05

Zoning Ordinance approving a zoning district reclassification for the subject property located at 3535 Central Avenue (southeast corner of Central and Highland):

- This item is an ordinance for reclassification from Residential Urban – 3 (RU-3) to Residential Single-Family – 6 (R-6) at the aforementioned location; and
- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby Counting Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, SO AS TO MAKE CERTAIN CHANGES IN THE USE DISTRICTS PROVIDED IN SAID ORDINANCE

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2021-05**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT.

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

LEGAL DESCRIPTION

Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:

Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the tangent intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45

minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence; north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning and containing 107,147 square feet or 2.460 acres of land.

This being the same property described in Schedule A of Chicago Title Insurance Company Commitment No. 8449992, dated May 27, 2020.

SECTION 2:

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

SECTION 3:

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

ATTEST:

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

//: ATTACHMENTS

NOTES:

- 1. Survey prepared for Babalu, LLC.
- 2. Bearings are relative only.
- 3. This survey was prepared from information contained in Commitment No. 8449922 Revision 1, Effective Date: May 27, 2020 at 8:00 AM by Chicago Title Insurance Company.
- 4. All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
- 5. This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map Map No. 4752C 0430 F. Community Panel No. 470177 0430 F. Effective Date: September 28, 2007.
- 6. There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
- 7. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- 8. Subsurface and environmental conditions were not examined or considered as part of this survey.
- 9. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- 10. Elevations shown hereon were taken on the ground using B.M. noted hereon.
- 11. Benchmark (B.M.): City of Memphis Benchmark No. 107 being a city monument located at the southeast corner of Central Ave. and Patterson St. at the back of sidewalk at or of sidewalk on Patterson side, 11.2' north of power pole #22067.
- 12. If this survey plot is also provided in electronic form, the electronic copy shall be compared to the original hard copy issued of the survey with its original seal to insure the accuracy of the data. No electronic copy shall be used for any other purpose or alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means as compared to the original sealed document issued at the time of the survey.
- 13. Survey is void unless if print has original seal of surveyor.
- 14. Underground utilities shown hereon were plotted from mapfiles by other and from maps provided by others. Wilestone Land Surveying, Inc. assumes no responsibility for the accuracy or completeness of said maps or markings.
- 15. At the time of this survey, there was no observed evidence of recent earth moving work, building construction or building additions.
- 16. At the time of this survey, there was no observed evidence of recent street or sidewalk construction or repairs.
- 17. At the time of this survey, there was no observed evidence of recent changes in street right-of-way lines.
- 18. To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
- 19. This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.

- 20. To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
- 21. This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.

- 22. To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
- 23. This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.
- 24. To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
- 25. This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.

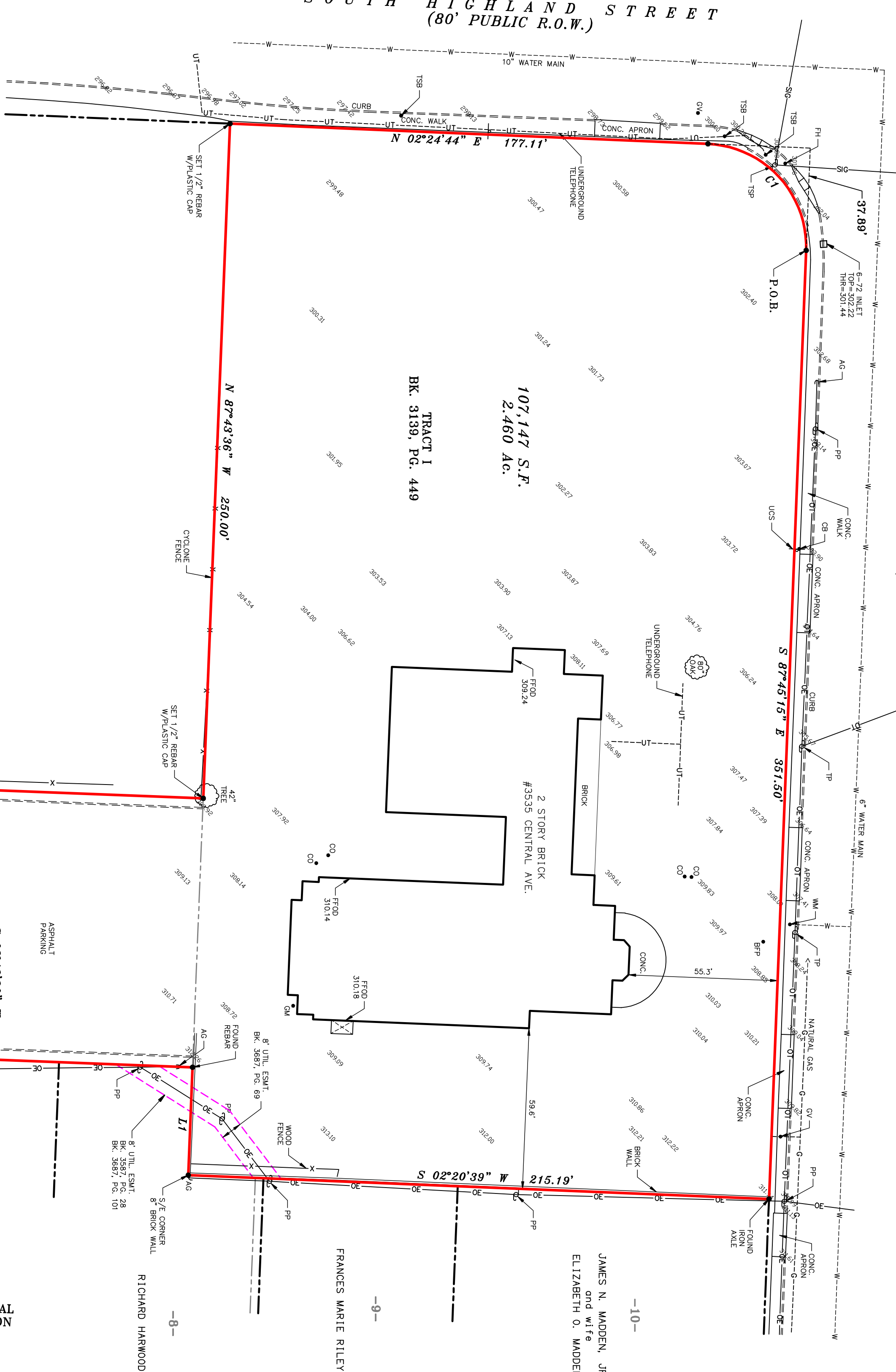
SCHEDULE B SECTION II EXCEPTIONS:

- 1. Debits, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching insured acquired for a purpose of record the estate or interests Morlogie thereon covered by the firm. (not a survey matter)
- 2. Any encumbrance, easement, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land (none of which we are aware)
- 3. Easements, or claims of easements, not shown by the public records (none of which we are aware)
- 4. Any lien or right to a lien, for services, labor or material hereafter or hereafter furnished, imposed by law and not shown by the public records. (not a survey matter)
- 5. The rights or claims of parties in possession not shown by the public records. (not a survey matter)
- 6. Torts or special assessments which are not shown as existing liens by the public records. (not a survey matter)
- 7. Any taxes or assessments not posted on the record of the taking subject to the public records, but not indicated on Supplemental Revised and/or corrected Assessments pursuant to T.C.A. Section 67-5-509 and 67-5-603 et seq. (not a survey matter)
- 8. Any taxes for past, present or future tax years which may become due and payable and not yet due and payable because of the date existing tax classification of the land as shown. (not a survey matter)
- 9. Any taxes for past, present or future tax years which may become due and payable and not yet due and payable because of the date existing tax classification of the land as shown. (not a survey matter)
- 10. Easement(s) of record in Book 1820, Page 32, Book 1711, Page 350 - Bk. 1820, Page 4124, Bk. 1820, Page 156, in the Register's Office of Shelby County, Tennessee.
- 11. Rights of tenants in possession, as tenants only, under unrecorded leases, if any. (not a survey matter)

- 12. To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
- 13. This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.
- 14. To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
- 15. This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.



CENTRAL AVENUE
(80' PUBLIC R.O.W.)



HIGHLAND TERRACE LIMITED
INST. NO. XI-4868

PROPERTY ADDRESS:
3330 CENTRAL AVENUE
MEMPHIS, TN 38111

- LEGEND:
- P.O.B. POINT OF BEGINNING
 - R.O.W. RIGHT-OF-WAY
 - BK. BOOK
 - P.L.R. PLAT BOOK
 - P.I. PLAT INSTRUMENT
 - No. NUMBER
 - AC. ACRES
 - S.F. SQUARE FEET
 - UTIL. UTILITY
 - ESMT. EASEMENT
 - ANCHOR ANCHOR
 - AC. ANCHOR GUY
 - OE. OVERHEAD ELECTRIC
 - OT. OVERHEAD TELEPHONE
 - PP. POWER POLE
 - TP. TELEPHONE POLE
 - TRAF. TRAFFIC SIGNAL POLE
 - TSSF. TRAFFIC SIGNAL SIGNAL BOX
 - TSB. TRAFFIC SIGNAL BOX
 - CM. GAS VALVE
 - CV. GAS VALVE
 - UCS. UNDERGROUND CABLE SIGN
 - TRF. TRAFFIC SIGNAL ELEVATION (OUTSIDE OF DRIVEWAY)
 - ST. STATION

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION
1	158.02	155.99	87.5010°	55.99	N 47°13'44\"
1	158.02	155.99	87.5010°	55.99	N 47°13'44\"

NUMBER	DIRECTION	DISTANCE
1	N 87°45'15\"	W 400.00'

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION
1	158.02	155.99	87.5010°	55.99	N 47°13'44\"
1	158.02	155.99	87.5010°	55.99	N 47°13'44\"



VICINITY MAP

EXHIBIT A DESCRIPTION:

Land situated in Shelby County, Tennessee: Parts of Lots 32, 33, 34, 37 and 38 of Burling Highlands Subdivision, being more particularly described as follows: BEGINNING at a point in the south line of Highland Street, as widened, thence southwardly along the east line of Central Avenue 390 feet; thence northwardly parallel with the east line of Highland Street 230 feet to the south line of Central Avenue; thence westwardly along the south line of Central Avenue 390 feet to the point of beginning.

AND

Tract II:

Parts of Lots 37 and 38, Burling Highlands Subdivision (unrecorded), being more particularly described as follows: BEGINNING at a point in the south line of Lot 38 of said Subdivision, 300 feet east of the east line of Highland Avenue and conveyed to Astris K. Chandler by the grantors herein by warranty deed recorded in Book 1882, page 284 in the Register's Office, Shelby County, Tennessee, thence westwardly along the south line of Lot 38 and 37 of said Subdivision, 100 feet to a point in the south line of Central Avenue; thence northwardly along the east line of Highland Street 237.84 feet to a point in the south line of the tract of land conveyed to the grantor herein by warranty deed recorded in Book 3239, page 449 in the Register's Office, Shelby County, Tennessee, thence southwardly along the west line of said Subdivision, 100 feet to a point in the south line of the tract of land conveyed to the grantor herein by warranty deed recorded in Book 3239, page 449 in the Register's Office, Shelby County, Tennessee, thence southwardly along the west line of said Astris K. Chandler Tract 237.84 feet to the point of beginning.

SURVEYOR'S DESCRIPTION:

Description of the Second Church of Christ, Scientist, of Memphis, Tennessee Property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee.

Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point east of the southeast intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet with the west line of said subdivision recorded in Plat Book 10, Page 24 of the following call: south 02 degrees 40 minutes 39 seconds west, 215.19 feet to the second call; south 02 degrees 40 minutes 39 seconds west, 215.19 feet to the following call: 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace limited subdivision, recorded in Instrument No. X1-4863, 200.00 feet to a set 1/2\"/>

CERTIFICATION: To Robert Berry, 266 Lefts, LLC, a Tennessee limited liability company; Berry/Smith Development, LLC, a Tennessee limited liability company; Boss, Berry & Samp Fdn, SMH and Smith Law Firm, and Chicago Title Insurance Company; This is to certify that this map or plat and the survey on which it is based were made in accordance with the Minimum Standard Detail Requirements for ALTA/NSPS Land Surveying, jointly established and adopted by ALTA and NSPS, and includes Item 10 of the Standard Detail, and Item 9 of the Standard Detail. The field work was completed on June 10, 2020.

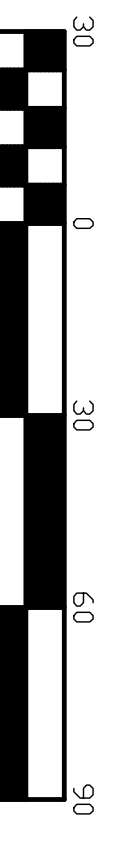
WILESTONE LAND SURVEYING, INC.

By *Meghan J. Ruse*, Registered Professional Surveyor
Rita T. Storck, Registered Professional Surveyor
Meghan J. Ruse, Registered Professional Surveyor
Rita T. Storck, Registered Professional Surveyor
Tennessee Certificate No. 4139
Tennessee Certificate No. 4139

ALTA/NSPS LAND TITLE SURVEY
OF THE
SECOND CHURCH OF CHRIST,
SCIENTIST, OF MEMPHIS,
TENNESSEE PROPERTY

RECORDED IN
MEMPHIS,
SHELBY COUNTY, TENNESSEE
BK. 3139, PG. 449 & BK. 3192, PG. 531
DATE: JUNE 10, 2020

Scale: 1\"/>



AGENDA ITEM: 11

CASE NUMBER: Z 2021-05 **L.U.C.B. MEETING:** July 8, 2021

LOCATION: 3535 Central Avenue (southeast corner of Central and Highland)

COUNCIL DISTRICT: District 5 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Bobalu, LLC – Bob Berry

REPRESENTATIVE: Dedrick Brittenum of Brittenum Law, PLLC

REQUEST: Rezoning of +/-2.46 acres from Residential Urban – 3 (RU-3) to Residential Single-Family – 6 (R-6)

AREA: +/-2.46 acres

EXISTING ZONING: Residential Urban – 3 (RU-3), University District Overlay, and Residential Corridor Overlay

CONCLUSIONS

1. This request is a companion case to RC-2021-01 and PD 2021-20.
2. The applicant has agreed to modify their original rezoning district request of Commercial Mixed Use – 2 (CMU-2) to Residential Single-Family – 6 (R-6), given that the underlying purpose of this request is to convert to a zoning district within the University District Overlay that allows for planned developments, of which the R-6 District is one.
3. Staff finds that this rezoning request is consistent with Sub-Section 9.5.7B of the Unified Development Code.

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 14-16 of this report.

RECOMMENDATION

Approval

GENERAL INFORMATION

Street Frontage:	Central Avenue	+/-381.29 curvilinear feet
	South Highland Street	+/-206.90 curvilinear feet
Zoning Atlas Page:	2140	
Parcel ID:	046001 00001C	
Existing Zoning:	Residential Urban – 3 (RU-3), University District Overlay, and Residential Corridor Overlay	

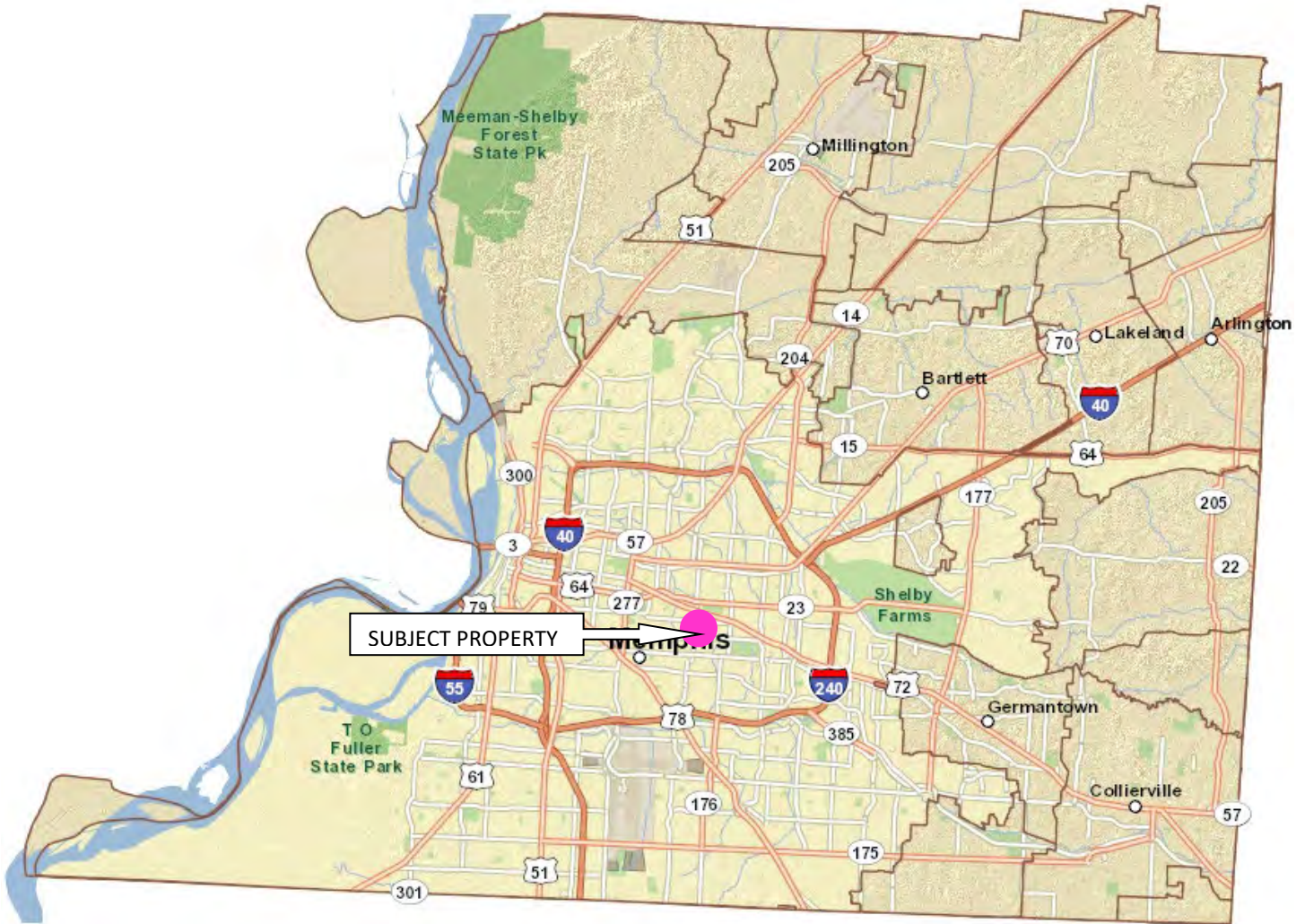
NEIGHBORHOOD MEETING

The meeting was held at 6:00 PM on Thursday, June 24, 2021, at the Third Church of Christ, Scientist, 3535 Central Avenue.

PUBLIC NOTICE

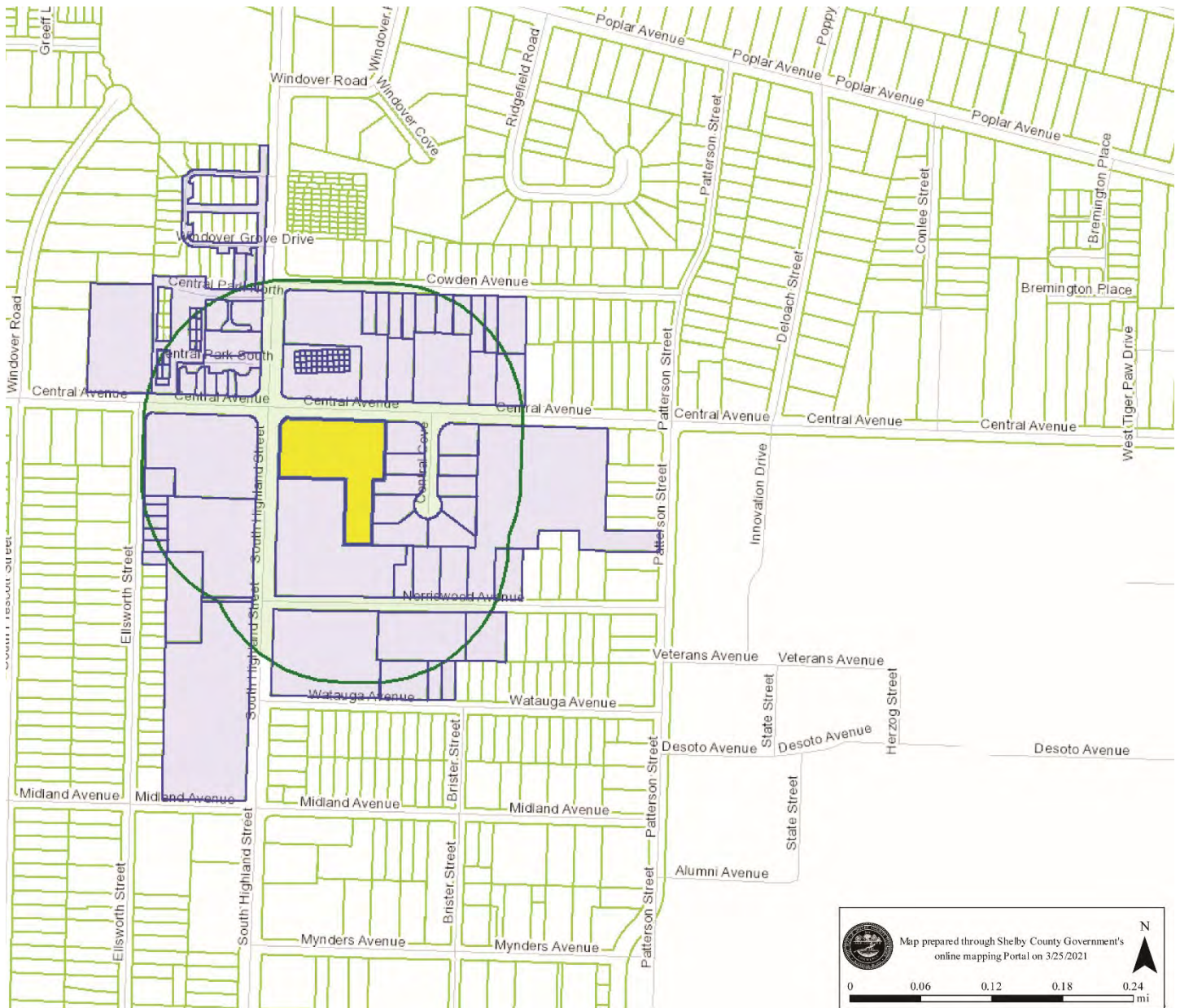
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 125 notices were mailed on June 22, 2021, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



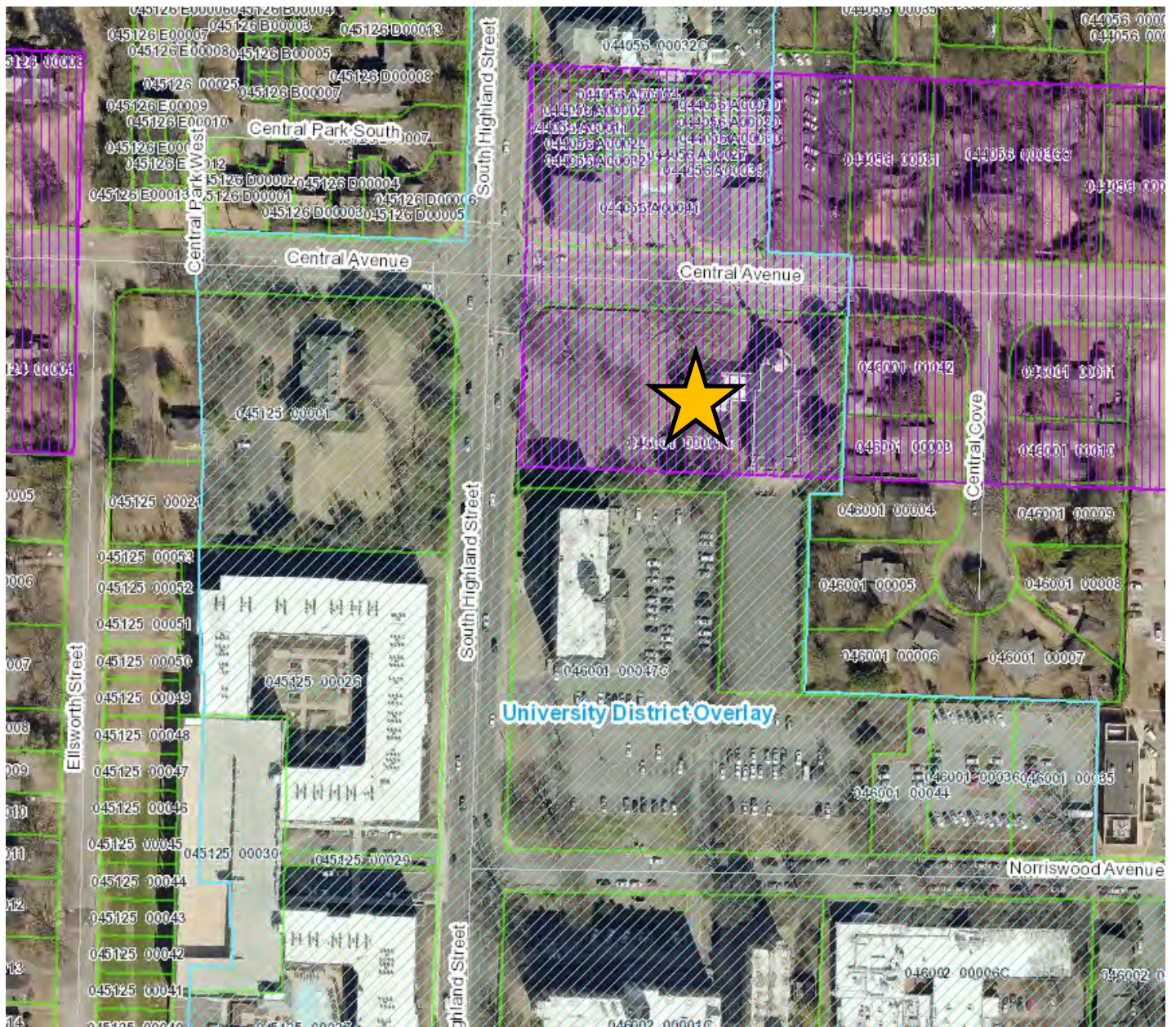
Subject property located within the pink circle, University District neighborhood

VICINITY MAP



Subject property highlighted in yellow

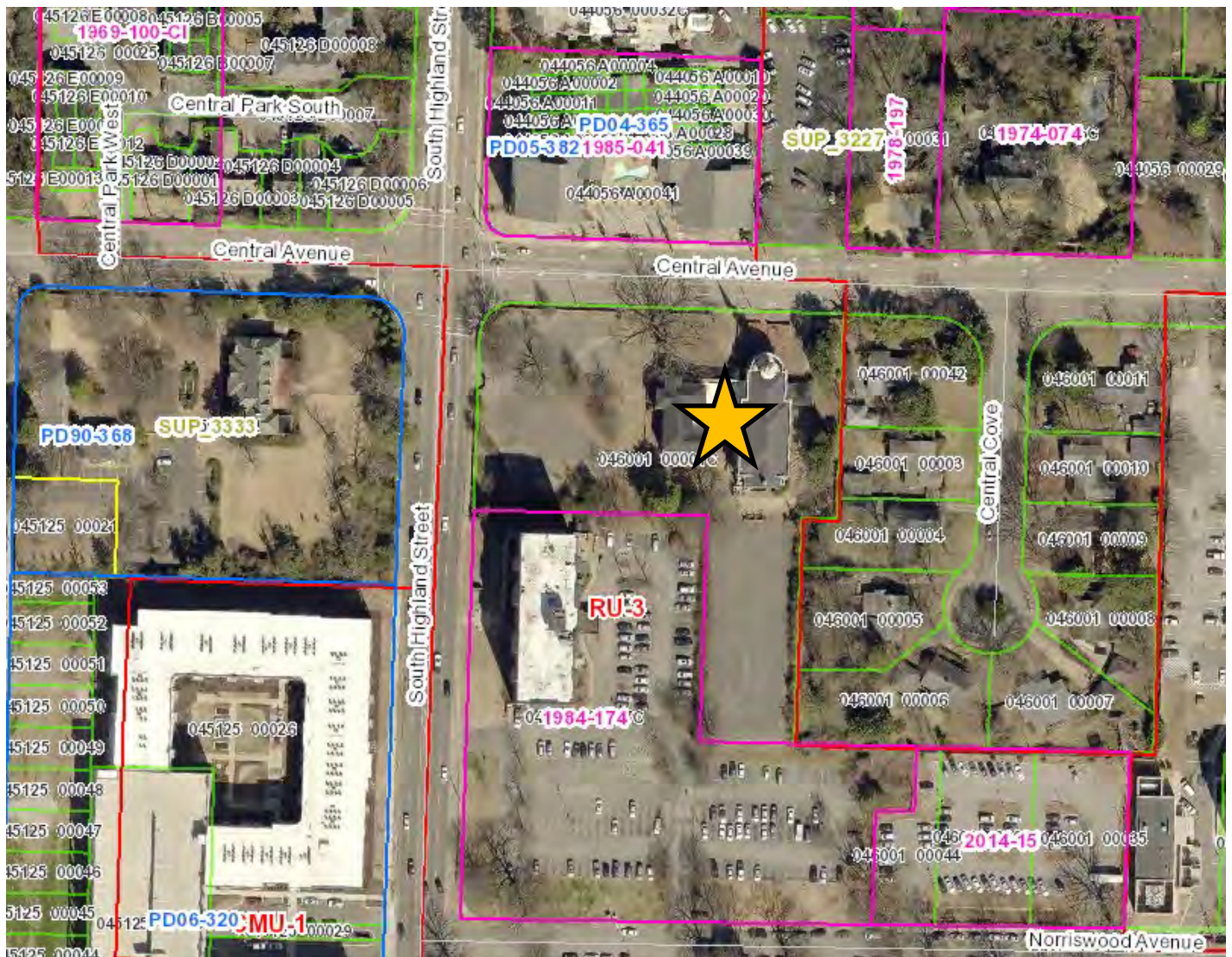
OVERLAY MAP



Subject property indicated by an orange star

Here we can see the subject property is fully within the University District Overlay (blue) and that the northern 200 feet of the property is within a Residential Corridor Overlay (purple).

ZONING MAP



Subject property indicated by an orange star

Existing Zoning: Residential Urban – 3 (RU-3)

Surrounding Zoning

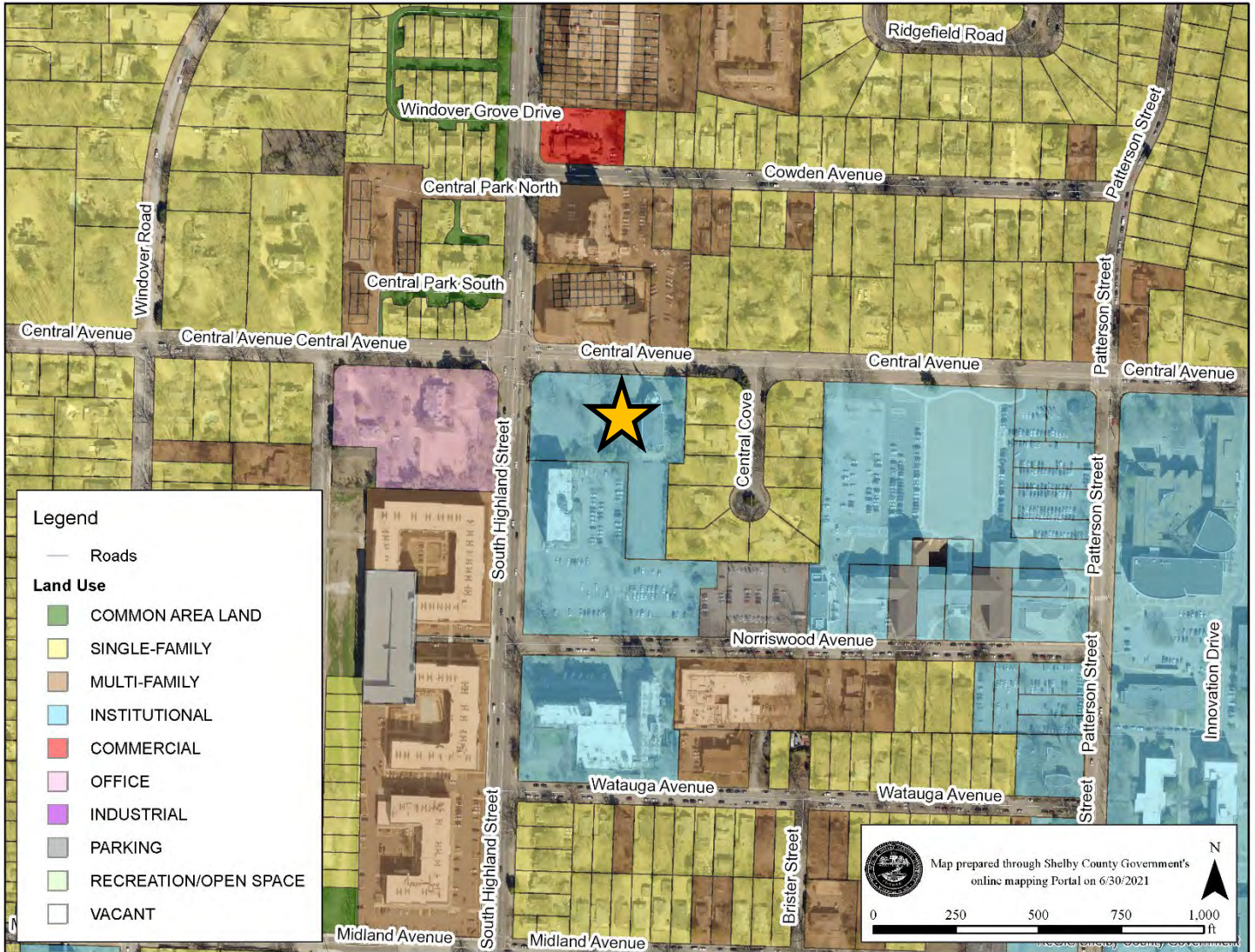
North: Residential Urban – 3 (RU-3) and Residential Single-Family – 6 (R-6)

East: Residential Single-Family – 6 (R-6)

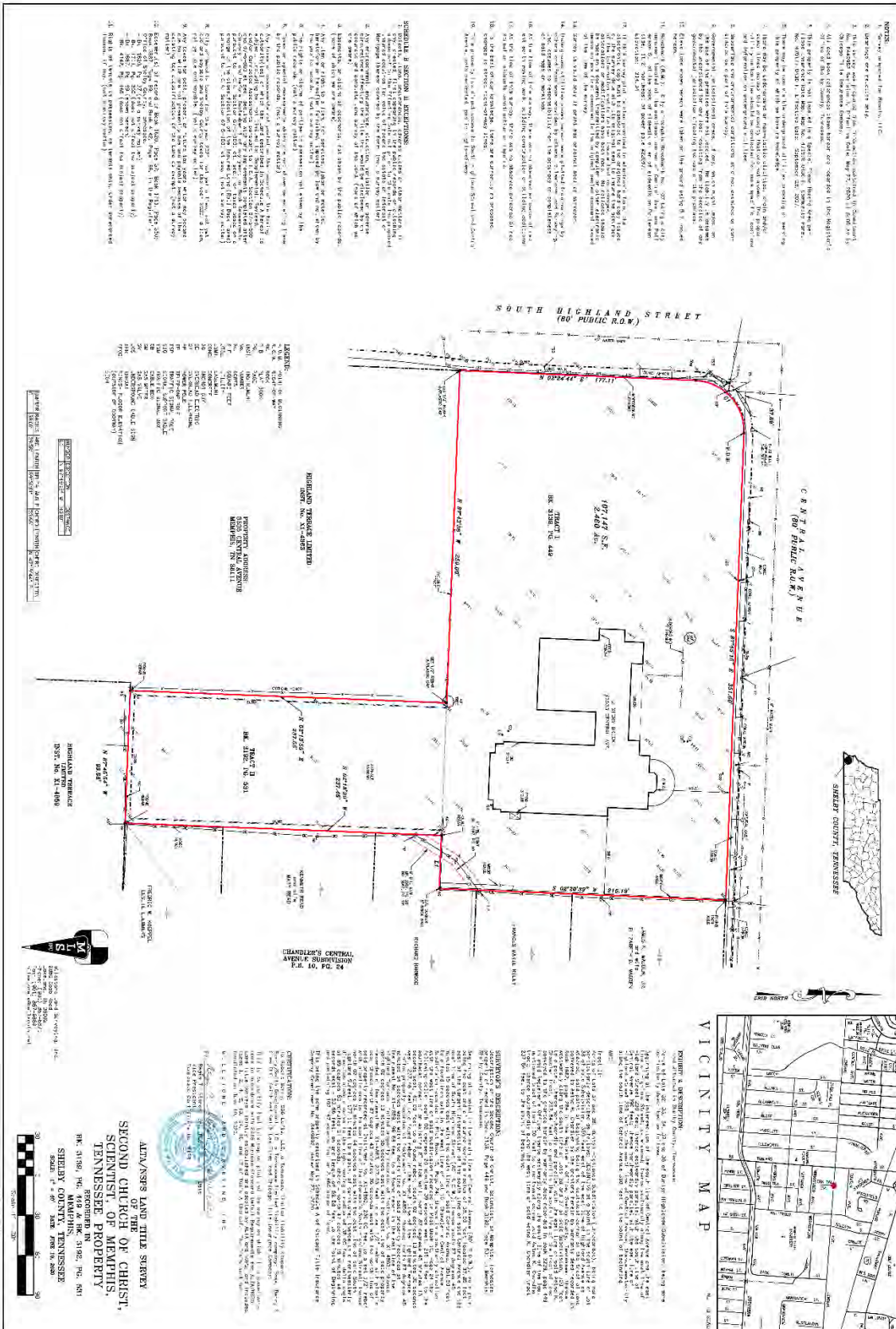
South: Residential Urban – 3 (RU-3)

West: Commercial Mixed Use – 1 (CMU-1) and Residential Single-Family – 6 (R-6)

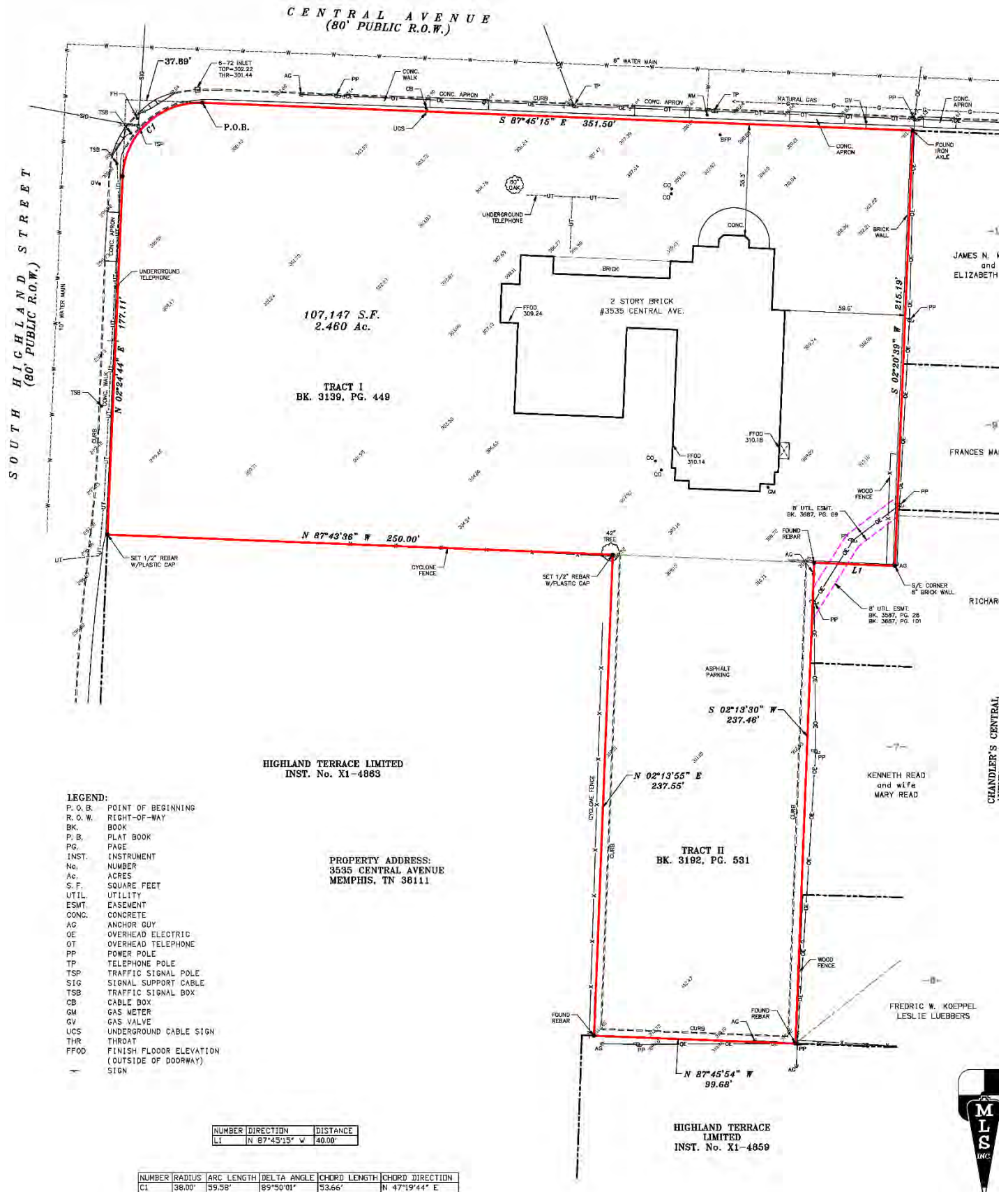
LAND USE MAP



Subject property outlined in electric blue and indicated by an orange star



SURVEY – ZOOMED



LEGAL DESCRIPTION

Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:

Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the tangent intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence; north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning and containing 107,147 square feet or 2.460 acres of land.

This being the same property described in Schedule A of Chicago Title Insurance Company Commitment No. 8449992, dated May 27, 2020.

SITE PHOTOS



View of subject property from Central Avenue looking south



View of subject property from Central Avenue looking south



View of subject property from the intersection of Central Avenue and South Highland Street looking southeast



View of subject property from South Highland Avenue looking east

STAFF ANALYSIS

Request

The application and letter of intent have been added to this report.

The request is to rezone +/-2.46 acres from Residential Urban – 3 (RU-3) to Residential Single-Family – 6 (R-6).

Review Criteria

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

9.5.7B Review Criteria

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

9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);

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

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

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

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

Site Description

The subject property is +/-2.46 acres, known as Parcel ID 046001 00001C, and located at 3535 Central Avenue—the southwest corner of Central Avenue and South Highland Avenue. The site is currently zoned Residential Urban – 3 and it is the site a former place of worship that was constructed circa 1957. Located along the Central avenue frontage of the site are overhead power lines. Additionally, the surrounding land uses are a mixture of institutional, single-family, multifamily, and office.

Conclusions

This request is a companion case to RC 2021-01 and PD 2021-20.

The applicant has agreed to modify their original rezoning district request of Commercial Mixed Use – 2 (CMU-2) to Residential Single-Family – 6 (R-6), given that the underlying purpose of this request is to convert to a zoning district within the University District Overlay that allows for planned developments, of which the R-6 District is one.

Staff finds that this rezoning request is consistent with Sub-Section 9.5.7B of the Unified Development Code.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

- 1. City sanitary sewers are available to support this change in zoning.

City/County Fire Division: No comments received.

City Real Estate: No comments received.

City/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.

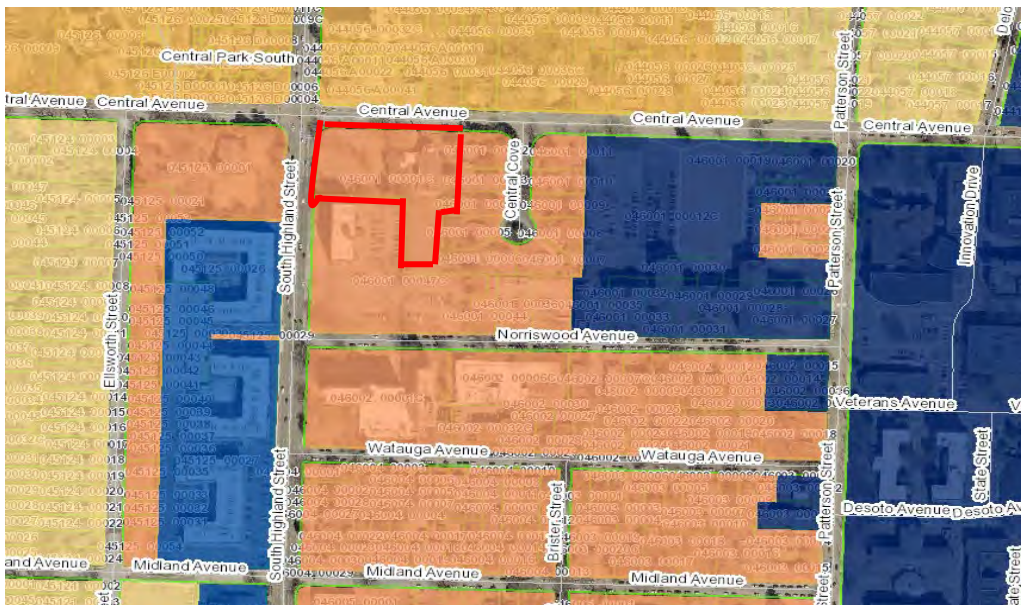
Office of Comprehensive Planning:

Site Address/location: Southeast corner of Central & Highland

Land Use Designation: Sustain Anchor Neighborhood – Urban (AN-U)

Based on the future land use and degree of change map the proposal **IS CONSISTENT** with the Memphis 3.0 Comprehensive Plan.

1. FUTURE LAND USE PLANNING MAP



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

2. Land use description & applicability:

Urban Anchor Neighborhoods are destinations for public and private amenities that are within walking distance to a Citywide Anchor. Most buildings are between three and seven stories with an occasional high rise and are a mixture of attached and unattached. The scale of buildings is largely at the block level with some multiplex footprints, making an Anchor Neighborhood – Urban a diverse living and shopping community surrounding a local anchor. Green space may be interspersed to provide community common space.



“AN-U” Goals/Objectives:

Support continued reinvestment and intensification of areas within walking distance to urban core and medical and educational anchors to support those anchors.

“AN-U” Form & Location Characteristics:

SUSTAIN: Buildings attached, semi-attached, and detached. Primarily block-scale with some house-scale. Residential, commercial, or mix of use that are one to eight stories in height with the potential for an occasional high-rise. Primarily within ¼ mile of a Citywide Anchor.

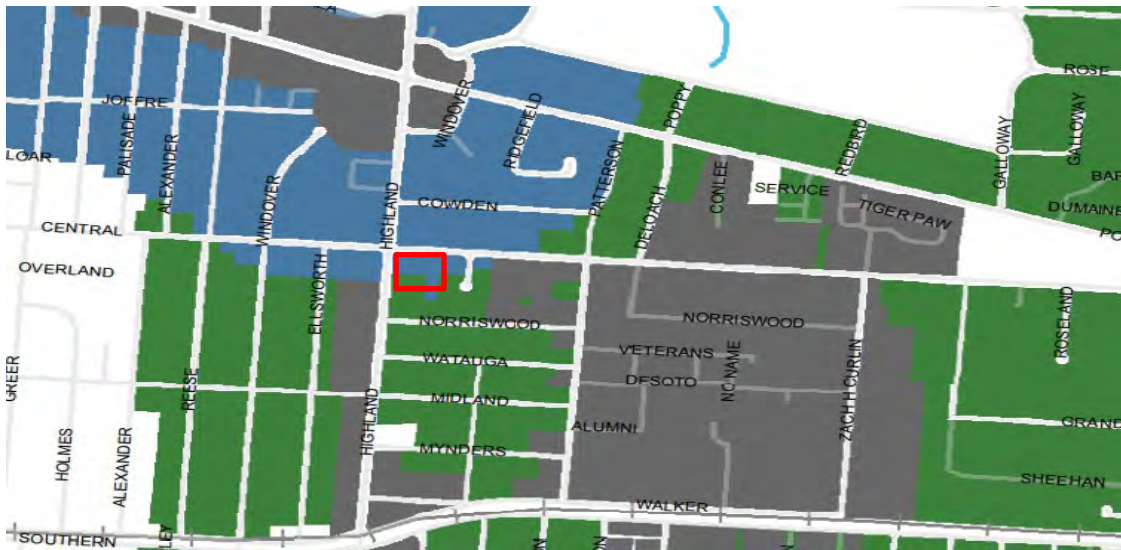
The applicant is seeking approval for a rezoning from RU-3 to CMU-2. The applicant intends to construct a mixed-used development. The development will contain two buildings. The first building will be seven stories in height with hotel rooms and a restaurant. The second building will be six stories in height with structured parking, an office, a pool, and apartments.

The request meets the criteria for height, form, and is adjacent to the University of Memphis, a Citywide Anchor. In addition, the proposed development promotes infill that is contextually compatible and intensifies the area within walking distance to the University of Memphis, a Citywide Anchor. Therefore, the proposal is consistent.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land use: Residential, Commercial, and Campus. The subject site is surrounded by the following zoning districts: R-6, CMU-1, CMP-1. This requested use is compatible with the adjacent land use because *existing land use surrounding the parcels is similar in nature to the requested use.*

4. Degree of Change map



Red polygon denotes the proposed site in a Sustain Degree of Change area.

5. Degree of Change Descriptions

Sustain areas rely on limited public support and private resources to maintain the existing pattern of a place.

Actions for Sustain anchors and anchor neighborhoods are meant to:

- Support existing market conditions
- Support maintenance of public realm and infrastructure
- Facilitate private investment and development that is contextually compatible
- Address building form with infill development

Ways to Sustain:

- Promote infill that is contextually compatible
- Maintain most existing zoning standards (not in conflict with future land use)
- Change street cross-sections to promote multi-modal transportation options
- Enhance connectivity to transit network
- Apply/Uphold historic overlay district overlays

- Address regulatory barriers to quality development
- Reduce number of curb cuts to improve pedestrian and cyclist safety (access management)
- Encourage "curb to door" pedestrian and ADA accommodations
- Construct new streets or pathways to increase connectivity within large sites
- Improve public access points (covered bus stops, benches)
- Improve public services (trash cleanup and collection)
- Control scale and frequency of signage
- Upgrade infrastructure to improve storm water runoff
- Improve existing parks and civic buildings and spaces
- Allow increased density and building height
- Allow a broader mix of uses

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

APPLICATION



Memphis and Shelby County
Office of Planning and Development
CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR REZONING APPROVAL

Date: May 6, 2021

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Bobalu, LLC Phone #: (901)529-0844

Mailing Address: 322 S. Hollywood St. City/State: Memphis/TN Zip 38117

Property Owner E-Mail Address: bberry@worlds-away.com

Applicant: Bob Berry Phone # (901)529-0844

Mailing Address: 322 S. Hollywood St. City/State: Memphis/TN Zip 38117

Applicant E-Mail Address: bberry@worlds-away.com

Representative: Dedrick Brittenum Phone #: (901)552-5994

Mailing Address: 3385 Airways Blvd, Unit 229 City/State: Memphis/TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: Milestone Land Surveying, Inc (Ted Storch, RLS) Phone # (901)867-8671

Mailing Address: 2880 Cobb Rd. City/State: Lakeland/TN Zip 38002

Engineer/Surveyor E-Mail Address: ted.milestonels@gmail.com

Street Address Location: 3535 Central Ave.

Distance to nearest intersecting street: Subject property is located at the south east corner of Central Ave. and S. Highland St.

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	2.460	_____	_____
Existing Zoning:	RU-3 (Univ. Overlay)	_____	_____
Existing Use of Property	Religious (Exempt)	_____	_____
Requested Use of Property	Mixed-Use	_____	_____
Requested Zoning	CMU-2	_____	_____

Pre-Application Conference held on: March 22, 2021 with Josh Whitehead

Neighborhood Meeting Requirement Met: Yes or Not Yet or Not Required (see below)
(If yes, documentation must be included with application materials)

I (we) hereby make application for the rezoning classification described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

[Signature] Property Owner of Record 4/21/21 Date [Signature] Applicant 4/21/21 Date

LETTER OF INTENT

Brittenum

Law pllc

ATTORNEY AT LAW
Airways Professional Center – Aerotropolis
3385 Airways Boulevard, Suite 229
Memphis, Tennessee 38116 USA
Telephone 901.347.3978
Facsimile 901.800.1927
db@brittenumlaw.com

3 June 2021

Josh Whitehead, AICP
Planning Director / Administrator
Memphis & Shelby County Office of Planning and Development
City Hall
125 North Main Street, Suite 468
Memphis, TN 38103

RE: 3535 Central Avenue Project
Application for Residential Corridor Revocation
Application for Rezoning Approval (RU-3 < CMU-2)
Application for Planned Development Approval

Dear Administrator Whitehead:

I represent Bobalu, LLC regarding the above referenced applications for a site on the southeast corner of the intersection of Central Avenue and Highland Street. The subject property is currently zoned RU-3 with the University District Overlay. The site is approximately 2.460 acres. The current use is institutional for the Third Church of Christ, Scientist which has assembled there for several decades. Bobalu LLC has owned the property since September 2020. You will find enclosed the three applications named above with supporting documents for staff review and recommendation, LUCB consideration and recommendation and City Council action. The applications are filed to be heard by the LUCB on Thursday, 8 July 2021.

The applicant is seeking approval for a concept to redevelop the above tract as a mixed-use hotel destination complex. Considering the proximity to the University of Memphis, the site is ideal for in demand use as hotel, offices and apartments in this University District neighborhood. The development consists of a seven-story hotel showing 115 rooms with restaurant / bar. The design has private offices (34,000 sq permitted) with a courtyard on level 3. The pool terrace is on Level 4. Levels 4-6 have 75 apartment units to accommodate 90 beds. Great attention is given to dedicated parking located on levels 1 and 2 of the structure and ground parking on the south of the site. The off-street parking will be accessible to the public. There are two access points, one located on Central Avenue and one on Highland Street as approved by the Memphis City Engineer.

The 35 Central development considers the Memphis 3.0 Comprehensive Plan for the University District area. Two of the district priorities are addressed by the planned re-use of the subject site and the ongoing efforts to revitalize the existing commercial uses along Highland Street. The mixed-use aspect of the project will contribute to the goal of a walkable environment within the existing multifamily neighborhood with the area commercial center on Highland Street just to the south. The hotel complex is in an anchor designation area and is planned to attract people from the neighborhood and all over Memphis as a center of high activity.

The existing uses in the vicinity are comprised of single-family residential east of the site, multifamily to the south along both sides of Highland Street, north across Central Avenue and townhouse use to the northwest. Situated between multifamily towers immediately to the north and south, the hotel provides a nice step-down appeal for this corner. The hotel building also recognizes contemporary urban design principals to achieve a sense of place. Overall, the University District planning standards are incorporated with Memphis 3.0 principles to achieve a development that conforms with the surrounding neighborhood. Upon completion, the 35 Central Hotel will become the talk of the nation as the place to stay in Memphis for top tier overnight lodging.

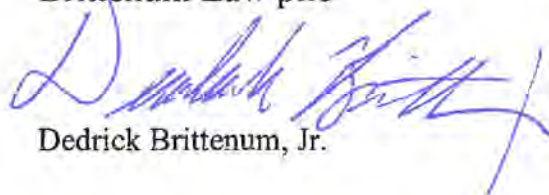
The professional consultants associated with the development are:

Fleming Architects, Memphis
Kimley-Horn, Memphis
Integrated Land Solutions, Collierville
Dr. Martin Lipinski, Memphis
Younger Associates, Memphis

The planning objective of the applicant provides world class accommodations in an area dedicated to instruction, learning, arts and culture for Memphis. The development blends with and enhances the mix of uses for people living in the area as well as those visitors drawn to the prime amenities of the University District. The applicant reviewed the various planning studies for the area in developing the concept for the hotel development. Finally, analysis shows a onetime construction economic impact over \$104 million, the annual operations economic impact is over \$14 million and the annual direct/ indirect jobs number is 234.

Thank you for the time to review the application and setting it for hearing before the LUCB. On behalf of the applicant and the entire development team, support for approval is requested for this application. Should you have questions or comments, please advise. I remain,

Very truly yours,
Brittenum Law pllc



Dedrick Brittenum, Jr.

enclosure

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Henry V. Smith, being duly sworn, depose and say that at _____ am/pm on the 21 day of June, 2021, I posted 2 Public Notice Sign(s) pertaining to Case No. _____ at Central & Highland, providing notice of a Public Hearing before the 8 Land Use Control Board, _____ Memphis City Council, _____ Shelby County Board of Commissioners for consideration of a proposed Land Use Action (_____ Planned Development, _____ Special Use Permit, _____ Zoning District Map Amendment, _____ Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

X H. Smith

Owner, Applicant or Representative

6-21-21

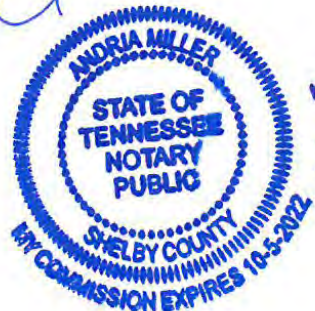
Date

Subscribed and sworn to before me this 21 day of June, 2021.

Andria Miller

Notary Public

My commission expires: 10/5/2022



LETTERS RECEIVED

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, July 8, 2021**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 2021-05

LOCATION: 3535 Central Avenue (southeast corner of Central and Highland)

COUNCIL DISTRICT(S): District 5, Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Bobalu, LLC – Bob Berry

REPRESENTATIVE: Dedrick Brittenum of Brittenum Law, PLLC

REQUEST: Residential Single-Family – 6 (R-6)

EXISTING ZONING: Residential Urban – 3 (RU-3)

AREA: +/-2.46 acres

The following spoke in support of the application: Dedrick Brittenum and Richard Wiggs

The following spoke in opposition of the application: Jenny Madden

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

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

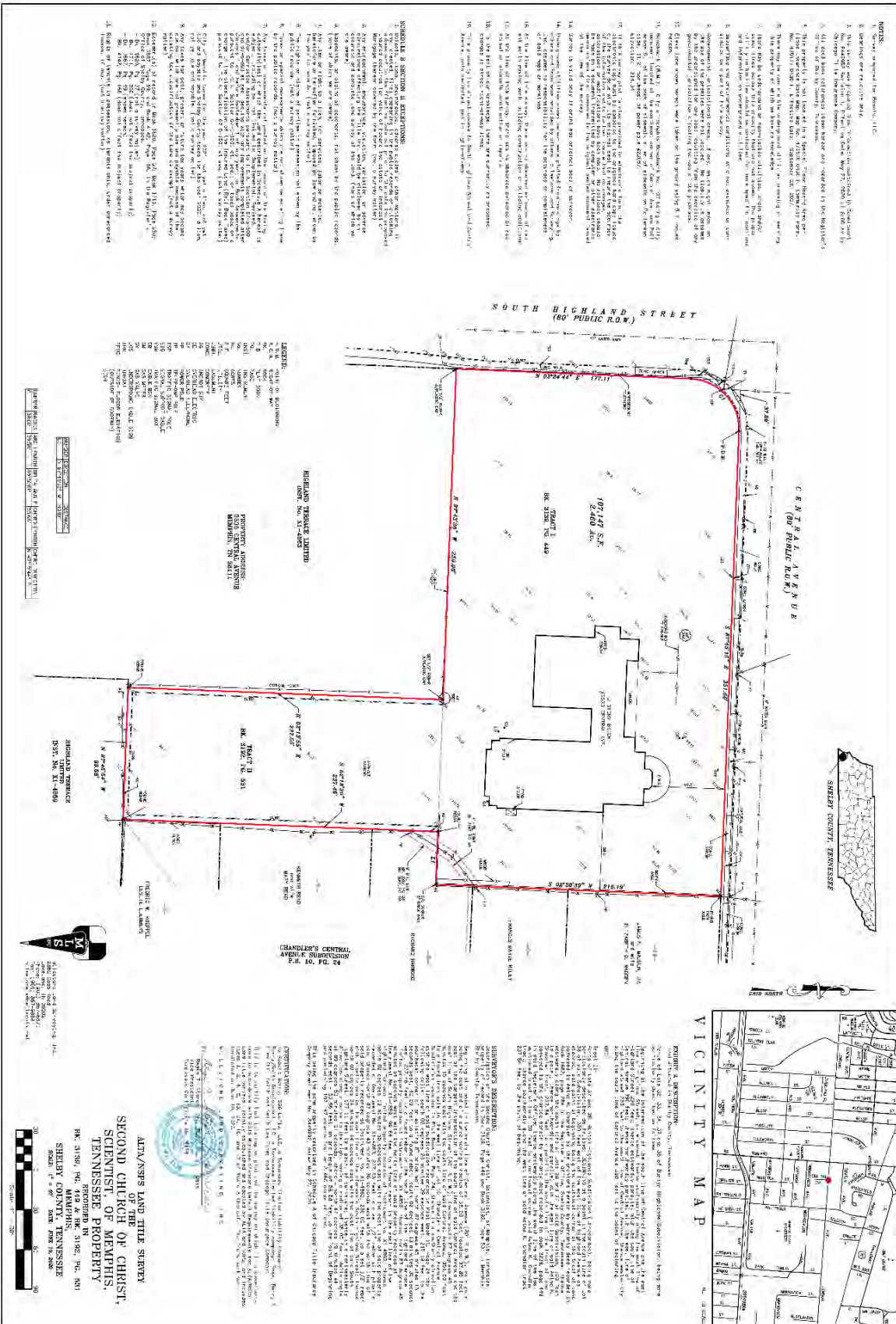
Respectfully,



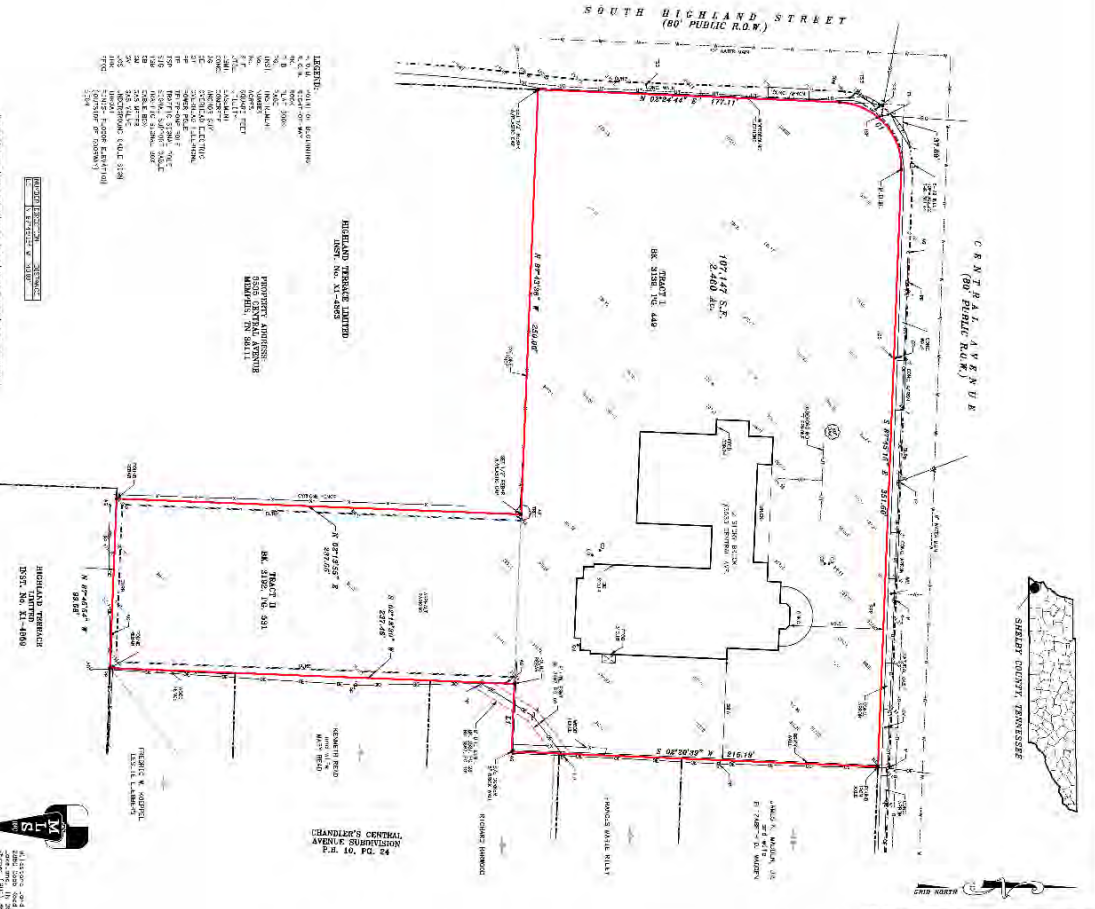
Jeffrey Penzes
Principal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

PLOT PLAN



- NOTES:**
1. Survey prepared by Sherborn, J.C.
 2. Survey and plat made in accordance with the laws of the State of Tennessee, Chapter 71, in the former country.
 3. All land shown of record is shown here and referred to by the Surveyor's name.
 4. This plat is a true and correct copy of the original as shown on the original survey and as shown on the original plat.
 5. The original is on file in the office of the Surveyor.
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SHERBORN'S DESCRIPTION:

That certain lot or parcel of land situated in the City of Memphis, Tennessee, bounded on the north by South Highland Street (100' Public R.O.W.), on the east by Sherman Avenue (100' Public R.O.W.), on the south by Highland Terrace Limited (100' Public R.O.W.), and on the west by the lot of the Second Church of Christ, Scientist of Memphis, Tennessee, containing the same as shown on the original survey and as shown on the original plat.

COMMISSIONER:

ALTA/SERS LAND TITLE SURVEY
 SECOND CHURCH OF CHRIST,
 SCIENTIST OF MEMPHIS,
 TENNESSEE PROPERTY
 RECORDED IN
 BK. 3186 PG. 104 & 105 REC. 3192, PG. 801
 SHERBORN COUNTY, TENNESSEE
 2008



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

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

July 9, 2021

Bobalu, LLC
322 South Hollywood Street
Memphis, TN 38117

Sent via electronic mail to (applicant's representative): db@brittenumlaw.com

Case Number: Z 21-05
LUCB Recommendation: Approval

Dear applicant,

On Thursday, July 8, 2021, the Memphis and Shelby County Land Use Control Board recommended **approval** of your rezoning application located at 3535 Central Avenue (southeast corner of Central and Highland) to be included in the Residential Single-Family – 6 (R-6).

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

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

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

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

Letter to Applicant
Z 2021-05

Respectfully,

A handwritten signature in blue ink, appearing to read 'JP', is positioned above the typed name.

Jeffrey Penzes
Principal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Dedrick Brittenum, Brittenum Law, PLLC
File



Memphis and Shelby County
Office of Planning and Development
 CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR REZONING APPROVAL

Date: May 6, 2021

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Bobalu, LLC Phone #: (901)529-0844

Mailing Address: 322 S. Hollywood St. City/State: Memphis/TN Zip 38117

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Applicant: Bob Berry Phone # (901)529-0844

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Applicant E- Mail Address: bberry@worlds-away.com

Representative: Dedrick Brittenum Phone #: (901)552-5994

Mailing Address: 3385 Airways Blvd, Unit 229 City/State: Memphis/TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: Milestone Land Surveying, Inc (Ted Storch, RLS) Phone # (901)867-8671

Mailing Address: 2880 Cobb Rd. City/State: Lakeland/TN Zip 38002

Engineer/Surveyor E-Mail Address: ted.milestonels@gmail.com

Street Address Location: 3535 Central Ave.

Distance to nearest intersecting street: Subject property is located at the south east corner of Central Ave. and S. Highland St.

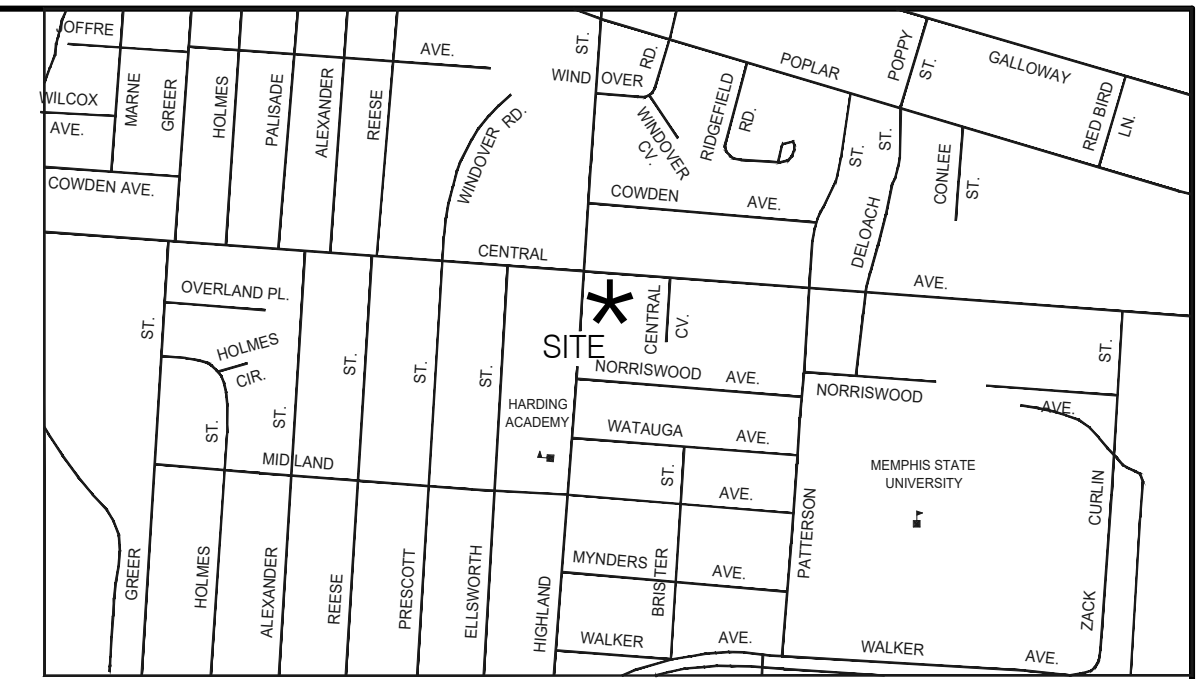
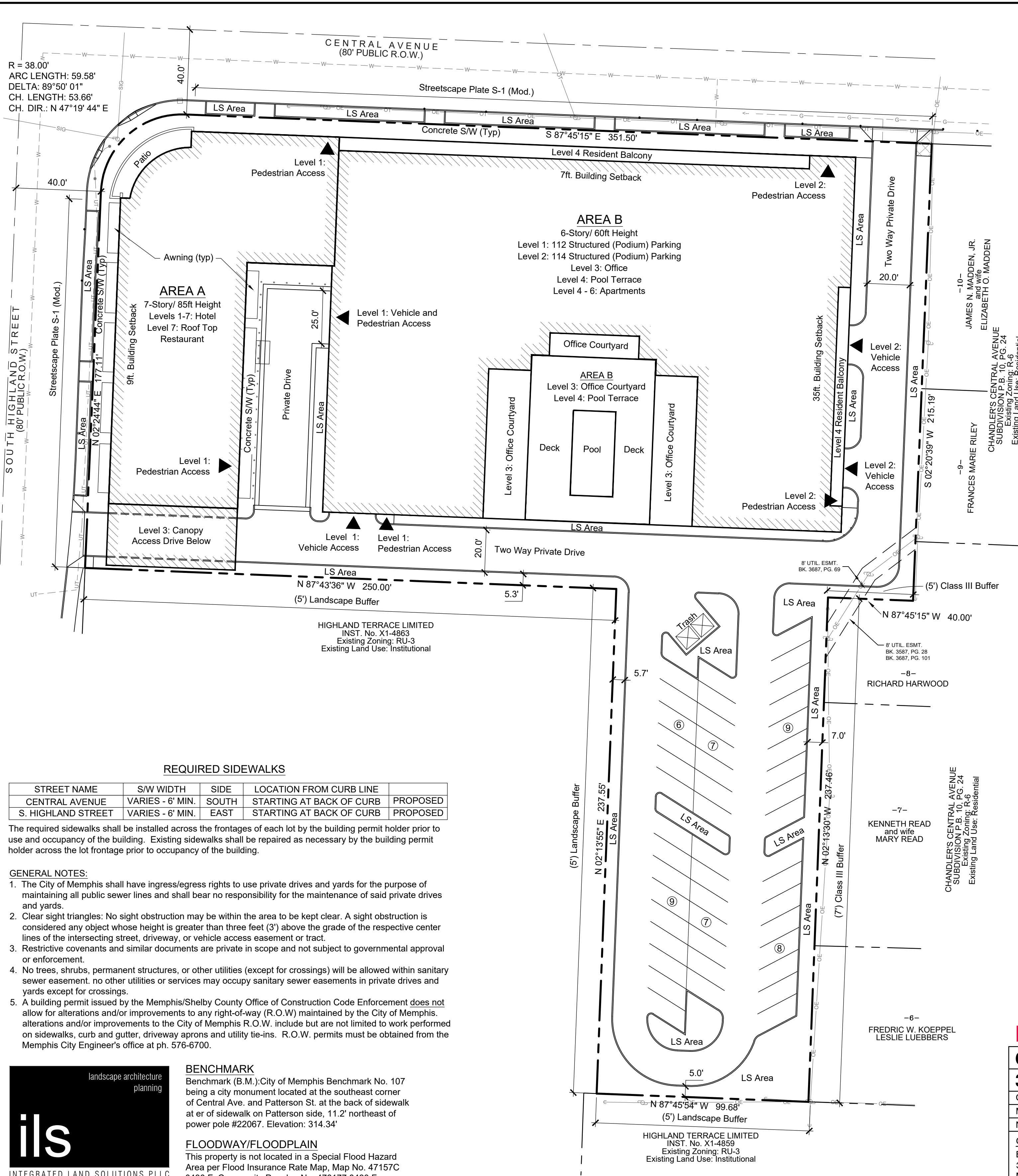
	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	2.460	_____	_____
Existing Zoning:	RU-3 (Univ. Overlay)	_____	_____
Existing Use of Property	Religious (Exempt)	_____	_____
Requested Use of Property	Mixed-Use	_____	_____
Requested Zoning	CMU-2	_____	_____

Pre-Application Conference held on: March 22, 2021 with Josh Whitehead

Neighborhood Meeting Requirement Met: Yes or Not Yet or Not Required (see below)
 (If yes, documentation must be included with application materials)

I (we) hereby make application for the rezoning classification described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

[Signature] Property Owner of Record 4/21/21 Date [Signature] Applicant 4/21/21 Date



BUILDING DATA			
BUILDING	USE	HEIGHT	GROSS SF
BLDG. A	HOTEL/RESTAURANT	7 STORY/85'	±78,500 SF
BLDG. B	OFFICE/RESIDENTIAL	6 STORY/60'	±145,000 SF

SITE DATA	
TOTAL SITE:	107,147 sf (2.46 ac)
EX. ZONING:	COMM. MIXED USE - 2 (CMU-2) UNIV. DISTRICT OVERLAY/ P.D.
PARKING REQUIRED:	UDC 8.3.10E
OFFICE USES (35,000sf)	None
HOTEL (115 Units @ 0.5/unit)	58
APARTMENTS (90 beds @ 0.5/bed)	45
BICYCLE	10
ADA ACCESSIBLE	7
TOTAL	120
PARKING PROVIDED:	
LEVEL 1 STRUCTURED PARKING	112 (4 ADA)
LEVEL 2 STRUCTURED PARKING	114 (3 ADA)
OFF-STREET SURFACE PARKING	49
BICYCLE	10
TOTAL	285
SETBACKS:	
FRONT:	
CENTRAL AVE:	7'
S. HIGHLAND ST:	9'
SIDE (east):	35' (UDC 8.3.8)
REAR (south):	0' (UDC 8.3.6D)
	*5' Minimum Bldg. Separation

REQUIRED SIDEWALKS

STREET NAME	S/W WIDTH	SIDE	LOCATION FROM CURB LINE	PROPOSED
CENTRAL AVENUE	VARIABLES - 6' MIN.	SOUTH	STARTING AT BACK OF CURB	PROPOSED
S. HIGHLAND STREET	VARIABLES - 6' MIN.	EAST	STARTING AT BACK OF CURB	PROPOSED

The required sidewalks shall be installed across the frontages of each lot by the building permit holder prior to use and occupancy of the building. Existing sidewalks shall be repaired as necessary by the building permit holder across the lot frontage prior to occupancy of the building.

- GENERAL NOTES:**
- The City of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives and yards.
 - Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or tract.
 - Restrictive covenants and similar documents are private in scope and not subject to governmental approval or enforcement.
 - No trees, shrubs, permanent structures, or other utilities (except for crossings) will be allowed within sanitary sewer easement. no other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
 - A building permit issued by the Memphis/Shelby County Office of Construction Code Enforcement does not allow for alterations and/or improvements to any right-of-way (R.O.W) maintained by the City of Memphis. alterations and/or improvements to the City of Memphis R.O.W. include but are not limited to work performed on sidewalks, curb and gutter, driveway aprons and utility tie-ins. R.O.W. permits must be obtained from the Memphis City Engineer's office at ph. 576-6700.

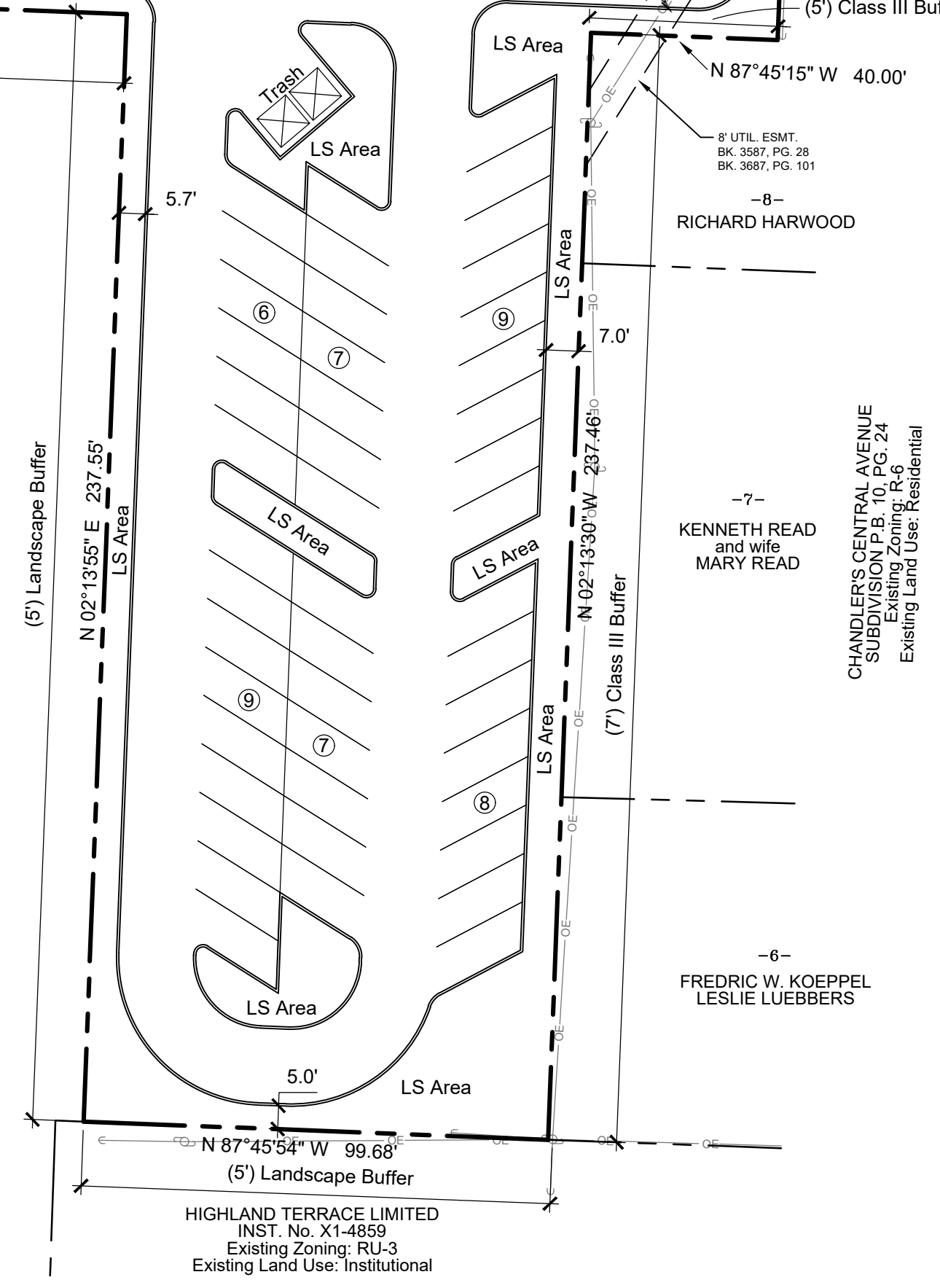
landscape architecture
planning

ils

INTEGRATED LAND SOLUTIONS, PLLC
9967 Bentwood Creek Cv. Collierville, Tn 38017
901.493.6996 corybrady@gmail.com

BENCHMARK
Benchmark (B.M.): City of Memphis Benchmark No. 107 being a city monument located at the southeast corner of Central Ave. and Patterson St. at the back of sidewalk at or of sidewalk on Patterson side, 11.2' northeast of power pole #22067. Elevation: 314.34'

FLOODWAY/FLOODPLAIN
This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C 0430 F, Community Panel No. 470177 0430 F, Effective Date: September 28, 2007.



DRAFT

CONCEPT PLAN

35 CENTRAL PLANNED DEVELOPMENT

CASE NUMBER: PD ###-###

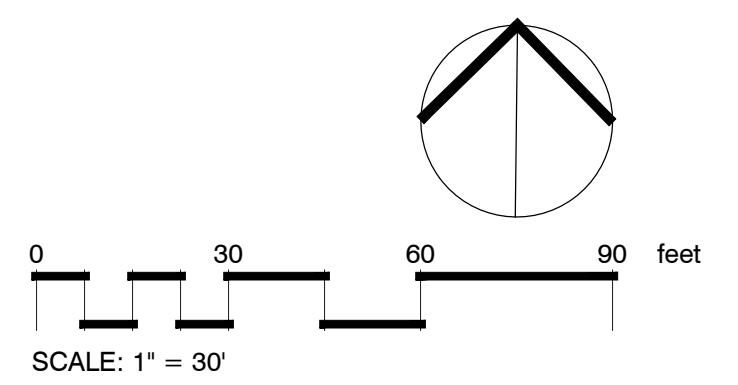
MEMPHIS, TENNESSEE

NUMBER OF LOTS: 1	ACREAGE: 2.46 ACRES	WARD 46, BLOCK 1, PARCEL 1c
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OWNERS/DEVELOPERS:
BOBALU LLC
322 S. HOLLYWOOD ST.
MEMPHIS, TN 38117

SURVEYOR:
MILESTONE LAND SURVEYING, INC.
2880 COBB ROAD
LAKELAND, TN 38002

100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL No. 470177 0430 F	FEMA MAP DATE: 9/28/2007
JUNE 2021	SCALE: 1" = 30'	SHEET 1 OF 7



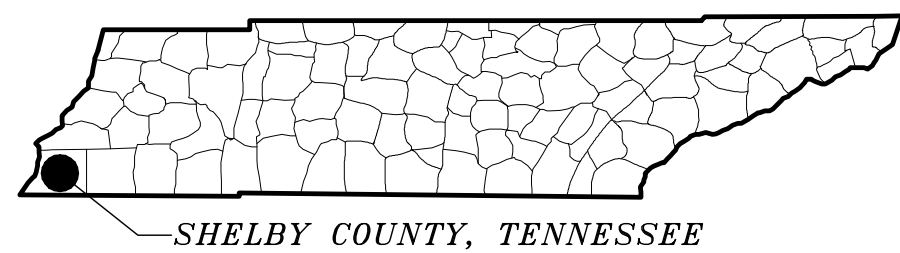
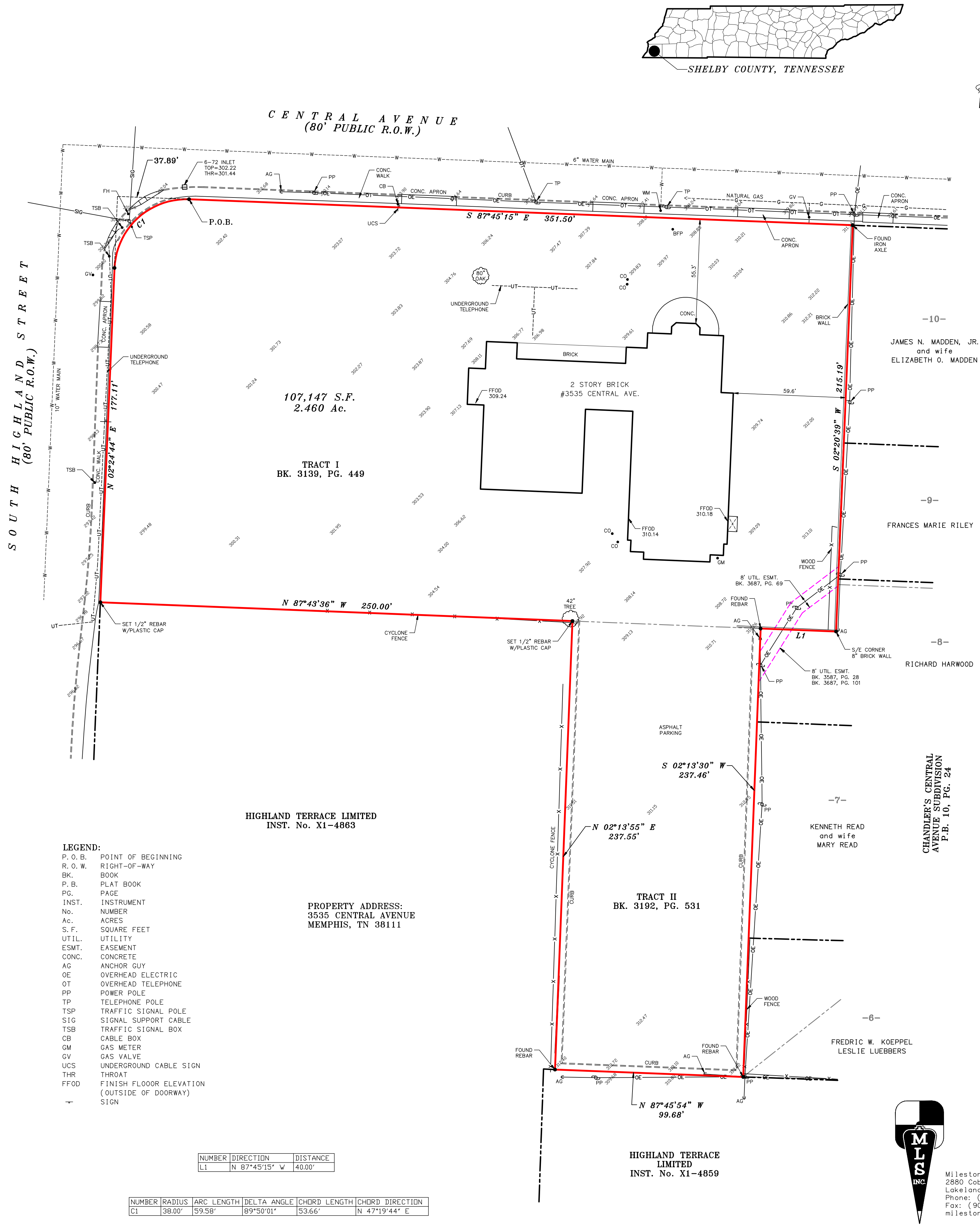
- NOTES:**
- Survey prepared for Bobalu, LLC.
 - Bearings are relative only.
 - This survey was prepared from information contained in Commitment No. 8449992 Revision 1, Effective Date: May 27, 2020 at 8:00 AM by Chicago Title Insurance Company.
 - All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
 - This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C 0430 F, Community Panel No. 470177 0430 F, Effective Date: September 28, 2007.
 - There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
 - There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
 - Subsurface and environmental conditions were not examined or considered as a part of this survey.
 - Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
 - Elevations shown hereon were taken on the ground using B.M. noted hereon.
 - Benchmark (B.M.): City of Memphis Benchmark No. 107 being a city monument located at the southeast corner of Central Ave. and Patterson St. at the back of sidewalk at or of sidewalk on Patterson side, 11.2' northeast of power pole #22067. Elevation: 314.34
 - If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
 - Survey is valid only if print has original seal of surveyor.
 - Underground utilities shown hereon were plotted from markings by others and from maps provided by others. Milestone Land Surveying, Inc. assumes no responsibility for the accuracy or completeness of said maps or markings.
 - At the time of this survey, there was no observed evidence of recent earth moving work, building construction or building additions.
 - At the time of this survey, there was no observed evidence of rec-street or sidewalk construction or repairs.
 - To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
 - This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.

- SCHEDULE B SECTION II EXCEPTIONS:**
- Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or Mortgage thereon covered by the form. (not a survey matter)
 - Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. (none of which we are aware)
 - Easements, or claims of easements, not shown by the public records. (none of which we are aware)
 - Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records. (not a survey matter)
 - The rights or claims of parties in possession not shown by the public records. (not a survey matter)
 - Taxes or special assessments which are not shown as existing liens by the public records. (not a survey matter)
 - Any taxes or assessments not posted on the record of the taxing authority(ies) of which the Land described in Schedule A hereof is subject, including but not limited to: Supplemental, Revised, and/or Corrected Assessments pursuant to T.C.A. Section 67-5-509 and 67-5-603 et seq. dealing with any improvements completed after January 1 and before September 1 of any year; or Back Assessments pursuant to T.C.A. Section 67-1-1001 et seq.; or taxes based on a change in the classification of the Insured Land (Roll Back Taxes) pursuant to T.C.A. Section 67-5-1001 et seq. (not a survey matter)
 - City of Memphis taxes for the year 2021, not yet a lien, not yet due and payable and Shelby County taxes for the year 2020, a lien, not yet due and payable. (not a survey matter)
 - Any taxes for past, present or future tax years which may become due but which are not presently due and payable because of the existing tax classification of the Land as exempt. (not a survey matter)
 - Easement(s) of record in Book 1620, Page 37; Book 1711, Page 350; Book 3687, Page 69; and Book 4142, Page 166, in the Register's Office of Shelby County, Tennessee.
 - Bk. 1620, Pg. 37 (not a survey matter)
 - Bk. 1711, Pg. 350 (does not affect the subject property)
 - Bk. 3687, Pg. 69 (shown hereon)
 - Bk. 4142, Pg. 166 (does not affect the subject property)
 - Rights of tenants in possession, as tenants only, under unrecorded leases, if any. (not a survey matter)

- LEGEND:**
- P.O.B. POINT OF BEGINNING
 - R.O.W. RIGHT-OF-WAY
 - BK. BOOK
 - P.B. PLAT BOOK
 - PG. PAGE
 - INST. INSTRUMENT
 - No. NUMBER
 - Ac. ACRES
 - S.F. SQUARE FEET
 - UTIL. UTILITY
 - ESMT. EASEMENT
 - CONC. CONCRETE
 - AG ANCHOR GUY
 - OE OVERHEAD ELECTRIC
 - OT OVERHEAD TELEPHONE
 - PP POWER POLE
 - TP TELEPHONE POLE
 - TSP TRAFFIC SIGNAL POLE
 - SIG SIGNAL SUPPORT CABLE
 - TSB TRAFFIC SIGNAL BOX
 - CB CABLE BOX
 - GM GAS METER
 - GV GAS VALVE
 - UCS UNDERGROUND CABLE SIGN
 - THR THROUGH
 - FFOD FINISH FLOOR ELEVATION (OUTSIDE OF DOORWAY)
 - SIGN SIGN

NUMBER	DIRECTION	DISTANCE
LI	N 87°45'15" W	40.00'

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION
C1	38.00'	59.58'	89°50'01"	53.66'	N 47°19'44" E



VICINITY MAP NOT TO SCALE

EXHIBIT A DESCRIPTION:
Land situated in Shelby County, Tennessee:
Parts of Lots 32, 33, 34, 37 and 38 of Buntn Highlans Subdivision, being more particularly described as follows:
Beginning at the intersection of the south line of Central Avenue and the east line of Highland Street, as widened; thence southwardly along the east line of Highland Street 230 feet; thence eastwardly parallel with the south line of Central Avenue 390 feet; thence northwardly parallel with the east line of Highland Street 230 feet to the south line of Central Avenue; thence westwardly along the south line of Central Avenue 390 feet to the point of beginning.

AND
Tract II:
Parts of Lots 37 and 38, Buntn Highlans Subdivision (Unrecorded), being more particularly described as follows: BEGINNING at a point in the south line of Lot 38 of said Subdivision, 350 feet east of the east line of Highland Avenue as widened; said point of beginning being the southwest corner of the tract of land conveyed to Aetna K. Chandler by the grantors herein by warranty deed recorded in Book 1682, page 284 in the Register's Office, Shelby County, Tennessee; thence westwardly along the south line of Lots 38 and 37 of said Subdivision, 100 feet to a point; thence northwardly and parallel with the east line of said Aetna K. Chandler tract, 237.84 feet to a point in the south line of the tract of land conveyed to the grantee herein by warranty deed recorded in Book 3239, page 449 in said Register's Office; thence eastwardly along the south line of the last mentioned tract of land 100 feet to a northwest corner said Aetna K. Chandler tract; thence southwardly along the west line of said Aetna K. Chandler tract 237.84 feet to the point of beginning.

SURVEYOR'S DESCRIPTION:
Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:
Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the longest intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning and containing 107,147 square feet or 2.460 acres of land.

This being the same property described in Schedule A of Chicago Title Insurance Company Commitment No. 8449992, dated May 27, 2020.

CERTIFICATION:
To Robert Berry; 266 Lofts, LLC, a Tennessee limited liability company;
Berry/Smith Development, LLC, a Tennessee limited liability company; Boss, Berry & Sims PLC; Smith and Smith Law Firm; and Chicago Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 5, 13, 14, 15, and 17 of Table A thereof. The field work was completed on June 10, 2020.

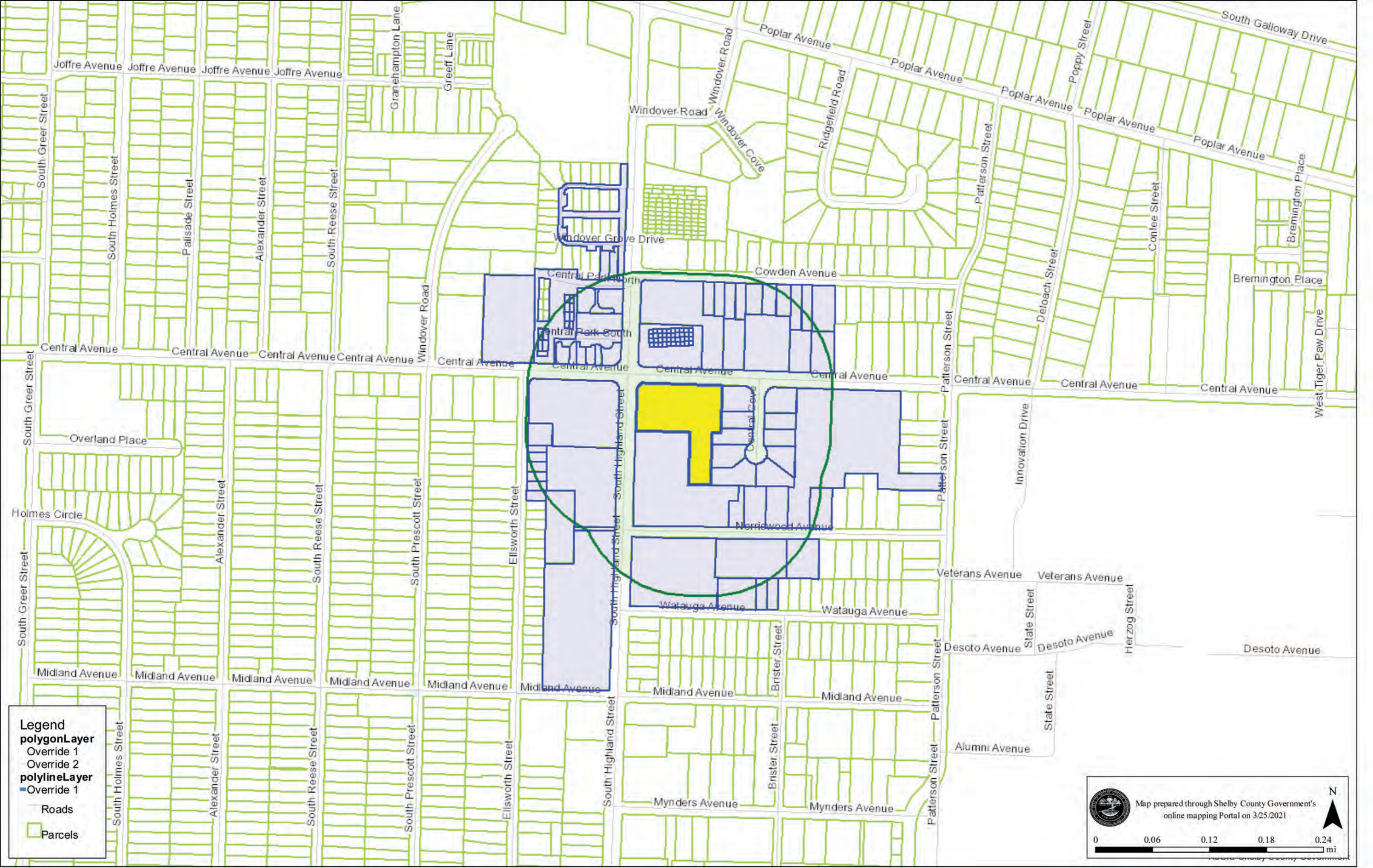
MILESTONE LAND SURVEYING, INC.
By *Regis T. Storck* [Signature] Date *June 10, 2020*
Regis T. Storck, JLS, RLS Date
Vice President
Tennessee Certificate No. 2138

ALTA/NSPS LAND TITLE SURVEY
OF THE
SECOND CHURCH OF CHRIST,
SCIENTIST, OF MEMPHIS,
TENNESSEE PROPERTY
RECORDED IN
BK. 3139, PG. 449 & BK. 3192, PG. 531
MEMPHIS,
SHELBY COUNTY, TENNESSEE
SCALE: 1" = 40' DATE: JUNE 10, 2020




Milestone Land Surveying, Inc.
2880 Cobb Road
Lakeland, TN 38002
Phone: (901) 867-8671
Fax: (901) 867-9889
milestones@ellsouth.net





Legend

- polygonLayer**
 - Override 1
 - Override 2
- polylineLayer**
 - Override 1
- Roads
- Parcels



Map prepared through Shelby County Government's online mapping Portal on 3/25/2021

0 0.06 0.12 0.18 0.24 mi

N

045126 A00002 - ROWE LESA M & ROBERT K
045126 D00009C - TAYLOR RALPH REVOCABLE LIVING TRUST AND
045126 D00013 - CENTRAL PARK PL NORTH HOMEOWNERS ASSN
045126 D00011C - MILLER ANNE W
044056 00007 - MCCOID SCOTT
044056 00011 - ANDERSON ELLIOTT
045126 B00003 - CHONOLLES MAC A
045126 D00008 - GILES GARY O & JENNIFER K
045126 E00009 - ROSS ROGER B AND LOWELL O WINSTON III
045126 E00010 - ROSS ROGER B AND LOWELL O WINSTON III
045126 D00007 - CENTRAL PARK PL SOUTH HOMEOWNERS ASSN
044056 00029 - BUCHNER C ANDREW AND MELISSA M BUCHNER
045126 D00006 - CRABTREE SUE H
046001 00042 - MADDEN JAMES N JR & ELIZABETH O
046001 00007 - HEEHS CHRISTOPHER J & MARY C
046001 00035 - MEM PARK 3 LLC
046002 00007C - BELL JOSH FAMILY LIMITED PARTNERSHIP
046002 00032C - TN MEMPHIS LAND 3 LLC
044056 00036C - GRAVES TERRY C
046001 00047C - HIGHLAND TERRACE LIMITED
044056 A00028 - DEAN PATRICK & MARY
044056 A00029 - BORAH SUMIT
044056 A00030 - NUNNERY FRED L & MARY J
044056 A00011 - WHITEHEAD DAVID E & LESLEY D
044056 A00012 - MORRIS PATRICK H

044056 A00013 - HAYS JAMES W III
044056 A00014 - HAJI SHOWKAT
044056 A00015 - GAMBLE WILLIAM B III & MELISSA CASH
044056 A00041 - LAURELS CONDOMINIUM OWNERS
045126 00025 - COUNCIL OF CO OWNERS OF CENTRAL PARK
045126 A00001 - PAZAR CHARLES E & JANICE P
044056 00003 - MINIMAX DESIGN LLC
044056 00004 - JMJL ENTERPRISES LLC
044056 00034 - ANDERSON PAUL B & ZOE A
044056 00035 - ANDERSON PAUL B AND ZOE ANDERSON
044056 00006 - STONEHOLLOW HOLDINGS II LLC
044056 00008 - PORTER RONNIE S & KATHERINE
044056 00009 - ISBELL JOHN M JR & LISA K
044056 00010 - MCCOID SCOTT & SARAH
045126 B00001 - THOMPSON JULIA A
045126 B00002 - ZAIDI SYED AND LARISSA BELYAK
045126 B00004 - BASEK JOHN & PAULA
045126 B00005 - CAI CAMELYTA & JINLIANG
045126 B00006 - RIDER DONALD R (99%) AND HALEY M RIDER
045126 B00007 - ROBISON RALPH M
045126 B00008 - JOHNSON ANNA M
044056 00031 - REARDON BENJAMIN R & JULIE
045126 E00011 - COX TIMOTHY A JR
045126 E00012 - GRESKO ADA AMD MICHAEL J GRESKO AND
044056 00028 - GOLWEN JOHN S & TAMMY P

045126 D00001 - HICKMAN PATRICIA W REVOCABLE TRUST

045126 D00002 - RHEA JULIA G & JOHN R

045126 D00003 - YOAKUM SUSAN D

045126 D00005 - SMART TERRY D

045126 D00004 - PATTERSON JAMIE J

045126 E00013 - JOHNSON REVOCABLE LIVING TRUST

045125 00001 - JUNIOR LEAGUE OF MEMPHIS

046001 00011 - SMITH STEPHEN F & PAMELA F

046001 00012C - UNIVERSITY OF TENNESSEE

046001 00003 - RILEY FRANCES M

046001 00010 - GREER THOMAS R & TIFFANEY J

045125 00021 - JUNIOR LEAGUE OF MEMPHIS

046001 00004 - HARWOOD EVAN R LIVING TRUST

046001 00009 - SCHMOLLER WANITA C

046001 00005 - READ KENNETH E & MARY C

046001 00008 - MUNN AARON W & LOUISA KRAMER

046001 00044 - MEM PARK 3 LLC

046001 00036 - MEM PARK 3 LLC

046001 00033 - BOARD OF REGENTS ETAL

046002 00001C - GMF-SERENITY TOWERS LLC

046002 00006C - TN MEMPHIS HOLDINGS LLC

046002 00031 - TN MEMPHIS HOLDINGS LLC

046002 00030 - PALISADE LLC

046001 00001C - SECOND CHURCH OF CHRIST

044056 00032C - ALPHA SOUTH HIGHLAND LLC

046001 00006 - KOEPEL FREDIC W AND LESLIE LUEBBERS (RS)
044056 A00031 - CHIZ MOLLY D
044056 A00032 - WHELESS JAMES W & ANNETTE C
044056 A00033 - SCOTT LUCINDA
044056 A00034 - SHARP GERALD C & MARY F
044056 A00035 - DRINAN DIANA E
044056 A00036 - LAUBSCHER ANDREAS & YIT C
044056 A00037 - KULHARYA ANITA S
044056 A00038 - RESIDUARY TRUST
044056 A00039 - HANSARD ALBERT L LIVING TRUST
044056 A00040 - DAVIS KYLIE
044056 A00021 - BOYD CORNELIUS D
044056 A00022 - CARTER APRIL D
044056 A00023 - PAGE JANE E
044056 A00024 - BAILEY ADRIENNE L
044056 A00025 - SELLERS CECIL G JR
044056 A00026 - KLOKER KEN & LYNN
044056 A00027 - MOORE FAMILY TRUST
044056 A00016 - BIGAM CAROL R AND ANNETTE DIVIRGILIO
044056 A00017 - HUBBERT CHARLES & MARGARET
044056 A00018 - MALONEY ANDREW M
044056 A00019 - TROUY MARY E AND KIMBERLY LEWIS (RS)
044056 A00020 - TAM JONATHAN P
044056 A00001 - RANDALL LEE A
044056 A00002 - SPENCE REGINALD

044056 A00003 - ASKEW BARBARA G
044056 A00004 - TUTOR R DEAN SR & ALEITA U
044056 A00005 - BRAND PETER J
044056 A00006 - BAUER PAUL & MARY B
044056 A00007 - MILNOR WALKER I & GREGG S
044056 A00008 - SHAPIRO MONICA P
044056 A00009 - JOHNSON EDWARD H JR & BETTY W
044056 A00010 - ABW REVOCABLE TRUST
045126 A00035 - WINDOVER GROVE HOMEOWNERS INC
045126 00008 - RIGGS HELEN T
045125 00029 - HIGHLAND ROW LLC
045125 00027 - HIGHLAND ROW LLC
045125 00026 - HIGHLAND ROW LLC
045125 00030 - MEMPHIS & SHELBY COUNTY COMMUNITY
045125 00048 - W & A INVESTMENTS GP
045125 00049 - W & A INVESTMENTS GP
045125 00050 - W & A INVESTMENTS GP
045125 00051 - W & A INVESTMENTS GP
045125 00052 - W & A INVESTMENTS GP
045125 00053 - W & A INVESTMENTS GP

ROWE LESA M & ROBERT K
265 WINDOVER GROVE DR
MEMPHIS TN 38111

TAYLOR RALPH REVOCABLE LIVING TRUST AND
427 CHERRY HALL PL
MEMPHIS TN 38117

CENTRAL PARK PL NORTH HOMEOWNERS ASSN
4990 POPLAR AVE
MEMPHIS TN 38117

MILLER ANNE W
3485 N CENTRAL PARK ST
MEMPHIS TN 38111

MCCOID SCOTT
10548 LATTING RD
CORDOVA TN 38016

ANDERSON ELLIOTT
3587 COWDEN AVE
MEMPHIS TN 38111

CHONOLLES MAC A
280 W CENTRAL PARK ST #3
MEMPHIS TN 38111

GILES GARY O & JENNIFER K
3481 N CENTRAL PARK ST
MEMPHIS TN 38111

ROSS ROGER B AND LOWELL O WINSTON III
2231 COURT AVE
MEMPHIS TN 38104

ROSS ROGER B AND LOWELL O WINSTON III
2231 COURT AVE
MEMPHIS TN 38104

CENTRAL PARK PL SOUTH HOMEOWNERS ASSN
4990 POPLAR AVE
MEMPHIS TN 38117

BUCHNER C ANDREW AND MELISSA M BUCHNER
3580 CENTRAL AVE
MEMPHIS TN 38111

CRABTREE SUE H
3486 CENTRAL AVE
MEMPHIS TN 38111

MADDEN JAMES N JR & ELIZABETH O
3551 CENTRAL AVE
MEMPHIS TN 38111

HEEHS CHRISTOPHER J & MARY C
348 CENTRAL CV
MEMPHIS TN 38111

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

BELL JOSH FAMILY LIMITED PARTNERSHIP
PO BOX 770207
MEMPHIS TN 38177

TN MEMPHIS LAND 3 LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

GRAVES TERRY C
3564 CENTRAL AVE
MEMPHIS TN 38111

HIGHLAND TERRACE LIMITED
1615 APPLING RD
CORDOVA TN 38016

DEAN PATRICK & MARY
10401 GROSVENOR PL #1701
ROCKVILLE MD 20852

BORAH SUMIT
3520 CENTRAL AVE #309
MEMPHIS TN 38111

NUNNERY FRED L & MARY J
3520 CENTRAL AVE #310
MEMPHIS TN 38111

WHITEHEAD DAVID E & LESLEY D
3520 CENTRAL AVE #201
MEMPHIS TN 38111

MORRIS PATRICK H
3520 CENTRAL AVE #202
MEMPHIS TN 38111

HAYS JAMES W III
3520 CENTRAL AVE #203
MEMPHIS TN 38111

HAJI SHOWKAT
3520 CENTRAL AVE #204
MEMPHIS TN 38111

GAMBLE WILLIAM B III & MELISSA CASH
3520 CENTRAL AVE #205
MEMPHIS TN 38111

LAURELS CONDOMINIUM OWNERS
1010 JUNE RD
MEMPHIS TN 38119

COUNCIL OF CO OWNERS OF CENTRAL PARK
8582 KATY FWY #202
HOUSTON TX 77024

PAZAR CHARLES E & JANICE P
267 WINDOVER GROVE DR
MEMPHIS TN 38111

MINIMAX DESIGN LLC
PO BOX 38343
GERMANTOWN TN 38183

JMJL ENTERPRISES LLC
1385 CORPORATE AVE
MEMPHIS TN 38132

ANDERSON PAUL B & ZOE A
11989 CAMPBELL ST
ARLINGTON TN 38002

ANDERSON PAUL B AND ZOE ANDERSON
PO BOX 243
ARLINGTON TN 38002

STONEHOLLOW HOLDINGS II LLC
4111 GWYNNE RD
MEMPHIS TN 38117

PORTER RONNIE S & KATHERINE
1754 POPLAR ESTATES PKWY
GERMANTOWN TN 38138

ISELL JOHN M JR & LISA K
3577 COWDEN AVE
MEMPHIS TN 38111

MCCOID SCOTT & SARAH
10548 LATTING RD
CORDOVA TN 38016

THOMPSON JULIA A
280 W CENTRAL PARK ST #1
MEMPHIS TN 38111

ZAIDI SYED AND LARISSA BELYAK
4765 DYLAN VALLEY DR
BARTLETT TN 38135

BASEK JOHN & PAULA
1544 VINTON AVE
MEMPHIS TN 38104

CAI CAMELYTA & JINLIANG
284 W CENTRAL PARK ST #1
MEMPHIS TN 38111

RIDER DONALD R (99%) AND HALEY M RIDER
465 ASHLEY LN
BRIGHTON TN 38011

ROBISON RALPH M
284 W CENTRAL PARK ST ## 3
MEMPHIS TN 38111

JOHNSON ANNA M
284 W CENTRAL PARK ST #4
MEMPHIS TN 38111

REARDON BENJAMIN R & JULIE
3550 CENTRAL AVE
MEMPHIS TN 38111

COX TIMOTHY A JR
295 W CENTRAL PARK ST #3
MEMPHIS TN 38111

GRESKO ADA AMD MICHAEL J GRESKO AND
295 W CENTRAL PARK ST #4
MEMPHIS TN 38111

GOLWEN JOHN S & TAMMY P
3590 CENTRAL AVE
MEMPHIS TN 38111

HICKMAN PATRICIA W REVOCABLE TRUST
3472 CENTRAL PARK S
MEMPHIS TN 38111

RHEA JULIA G & JOHN R
3474 CENTRAL AVE
MEMPHIS TN 38111

YOAKUM SUSAN D
3478 CENTRAL AVE
MEMPHIS TN 38111

SMART TERRY D
3484 CENTRAL AVE
MEMPHIS TN 38111

PATTERSON JAMIE J
3482 CENTRAL PARK S
MEMPHIS TN 38111

JOHNSON REVOCABLE LIVING TRUST
295 W CENTRAL PARK ST #5
MEMPHIS TN 38111

JUNIOR LEAGUE OF MEMPHIS
3475 CENTRAL AVE
MEMPHIS TN 38111

SMITH STEPHEN F & PAMELA F
3571 CENTRAL AVE
MEMPHIS TN 38111

UNIVERSITY OF TENNESSEE
3599 CENTRAL AVE
MEMPHIS TN 38111

RILEY FRANCES M
327 CENTRAL CV
MEMPHIS TN 38111

GREER THOMAS R & TIFFANEY J
6256 POPLAR AVE
MEMPHIS TN 38119

JUNIOR LEAGUE OF MEMPHIS
3475 CENTRAL AVE
MEMPHIS TN 38111

HARWOOD EVAN R LIVING TRUST
335 CENTRAL CV
MEMPHIS TN 38111

SCHMOLLER WANITA C
336 CENTRAL CV
MEMPHIS TN 38111

READ KENNETH E & MARY C
343 CENTRAL CV
MEMPHIS TN 38111

MUNN AARON W & LOUISA KRAMER
342 CENTRAL CV
MEMPHIS TN 38111

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

BOARD OF REGENTS ETAL
170 N MAIN ST
MEMPHIS TN 38103

GMF-SERENITY TOWERS LLC
65 GERMANTOWN CT #409
CORDOVA TN 38018

TN MEMPHIS HOLDINGS LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

TN MEMPHIS HOLDINGS LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

PALISADE LLC
PO BOX 17005
MEMPHIS TN 38187

SECOND CHURCH OF CHRIST
3535 CENTRAL AVE
MEMPHIS TN 38111

ALPHA SOUTH HIGHLAND LLC
44 ABELE RD #301
BRIDGEVILLE PA 15017

KOEPEL FREDIC W AND LESLIE LUEBBERS (RS
519 S GOODLETT
MEMPHIS TN 38117

CHIZ MOLLY D
P O BOX 657
BELZONI MS 39038

WHELESS JAMES W & ANNETTE C
7355 SPLINTER OAK CV
GERMANTOWN TN 38138

SCOTT LUCINDA
3520 CENTRAL AVE #403
MEMPHIS TN 38111

SHARP GERALD C & MARY F
3520 CENTRAL AVE ##404
MEMPHIS TN 38111

DRINAN DIANA E
3520 CENTRAL AVE #405
MEMPHIS TN 38111

LAUBSCHER ANDREAS & YIT C
3520 CENTRAL AVE #406
MEMPHIS TN 38111

KULHARYA ANITA S
3520 CENTRAL AVE #407
MEMPHIS TN 38111

RESIDUARY TRUST
2212 KIRBY RD
MEMPHIS TN 38119

HANSARD ALBERT L LIVING TRUST
4385 POPLAR AVE
MEMPHIS TN 38117

DAVIS KYLIE
3520 CENTRAL AVE #410
MEMPHIS TN 38111

BOYD CORNELIUS D
3520 CENTRAL AVE #301
MEMPHIS TN 38111

CARTER APRIL D
3520 CENTRAL AVE #302
MEMPHIS TN 38111

PAGE JANE E
3520 CENTRAL AVE #303
MEMPHIS TN 38111

BAILEY ADRIENNE L
765 W POPLAR AVE
COLLIERVILLE TN 38017

SELLERS CECIL G JR
3520 CENTRAL AVE #305
MEMPHIS TN 38111

KLOKER KEN & LYNN
3520 CENTRAL AVE #306
MEMPHIS TN 38111

MOORE FAMILY TRUST
3520 CENTRAL AVE #307
MEMPHIS TN 38111

BIGAM CAROL R AND ANNETTE DIVIRGILIO
3520 CENTRAL AVE ##206
MEMPHIS TN 38111

HUBBERT CHARLES & MARGARET
3520 CENTRAL AVE ##207
MEMPHIS TN 38111

MALONEY ANDREW M
3520 CENTRAL AVE #200
MEMPHIS TN 38111

TROUY MARY E AND KIMBERLY LEWIS (RS)
3520 CENTRAL AVE #209
MEMPHIS TN 38111

TAM JONATHAN P
3520 CENTRAL AVE #210
MEMPHIS TN 38111

RANDALL LEE A
717 S RIVERSIDE DR #1601
MEMPHIS TN 38103

SPENCE REGINALD
311 S POPPLETON ST
BALTIMORE MD 21230

ASKEW BARBARA G
3520 CENTRAL AVE #103
MEMPHIS TN 38111

TUTOR R DEAN SR & ALEITA U
3520 CENTRAL AVE #104
MEMPHIS TN 38111

BRAND PETER J
3520 CENTRAL AVE #105
MEMPHIS TN 38111

BAUER PAUL & MARY B
3520 CENTRAL AVE #106
MEMPHIS TN 38111

MILNOR WALKER I & GREGG S
3520 CENTRAL AVE #107
MEMPHIS TN 38111

SHAPIRO MONICA P
3520 CENTRAL AVE #108
MEMPHIS TN 38111

JOHNSON EDWARD H JR & BETTY W
3520 CENTRAL AVE #109
MEMPHIS TN 38111

ABW REVOCABLE TRUST
2896 NATCHEZ LN
MEMPHIS TN 38111

WINDOVER GROVE HOMEOWNERS INC
2195 S GERMANTOWN RD
GERMANTOWN TN 38138

RIGGS HELEN T
3438 CENTRAL AVE
MEMPHIS TN 38111

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

MEMPHIS & SHELBY COUNTY COMMUNITY
125 N MAIN ST #468
MEMPHIS TN 38103

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE BLVD
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

BOBALU, LLC
322 S HIGHLAND ST
MEMPHIS TN 38117

FLEMING ASSOC. ARCH, P.C. C/O SCOTT FLEMING
5101 WHEELIS DR. #215
MEMPHIS TN 38117

KIMLEY-HORN C/O MIKE HAMMOND
6750 POPLAR AVE. #600
MEMPHIS TN 38116

DEDRICK BRITTENUM
3385 AIRWAYS BLVD. 3 229
MEMPHIS TN 38139

INTEGRATED LAND SOLUTIONS, PLLC
9967 BENTWOOD CREEK CV.
COLLIERVILLE TN 38017

Brittenum

Law pllc

ATTORNEY AT LAW
Airways Professional Center – Aerotropolis
3385 Airways Boulevard, Suite 229
Memphis, Tennessee 38116 USA
Telephone 901.347.3978
Facsimile 901.800.1927
db@brittenumlaw.com

3 June 2021

Josh Whitehead, AICP
Planning Director / Administrator
Memphis & Shelby County Office of Planning and Development
City Hall
125 North Main Street, Suite 468
Memphis, TN 38103

RE: 3535 Central Avenue Project
Application for Residential Corridor Revocation
Application for Rezoning Approval (RU-3 < CMU-2)
Application for Planned Development Approval

Dear Administrator Whitehead:

I represent Bobalu, LLC regarding the above referenced applications for a site on the southeast corner of the intersection of Central Avenue and Highland Street. The subject property is currently zoned RU-3 with the University District Overlay. The site is approximately 2.460 acres. The current use is institutional for the Third Church of Christ, Scientist which has assembled there for several decades. Bobalu LLC has owned the property since September 2020. You will find enclosed the three applications named above with supporting documents for staff review and recommendation, LUCB consideration and recommendation and City Council action. The applications are filed to be heard by the LUCB on Thursday, 8 July 2021.

The applicant is seeking approval for a concept to redevelop the above tract as a mixed-use hotel destination complex. Considering the proximity to the University of Memphis, the site is ideal for in demand use as hotel, offices and apartments in this University District neighborhood. The development consists of a seven-story hotel showing 115 rooms with restaurant / bar. The design has private offices (34,000 sq permitted) with a courtyard on level 3. The pool terrace is on Level 4. Levels 4-6 have 75 apartment units to accommodate 90 beds. Great attention is given to dedicated parking located on levels 1 and 2 of the structure and ground parking on the south of the site. The off-street parking will be accessible to the public. There are two access points, one located on Central Avenue and one on Highland Street as approved by the Memphis City Engineer.

The 35 Central development considers the Memphis 3.0 Comprehensive Plan for the University District area. Two of the district priorities are addressed by the planned re-use of the subject site and the ongoing efforts to revitalize the existing commercial uses along Highland Street. The mixed-use aspect of the project will contribute to the goal of a walkable environment within the existing multifamily neighborhood with the area commercial center on Highland Street just to the south. The hotel complex is in an anchor designation area and is planned to attract people from the neighborhood and all over Memphis as a center of high activity.

The existing uses in the vicinity are comprised of single-family residential east of the site, multifamily to the south along both sides of Highland Street, north across Central Avenue and townhouse use to the northwest. Situated between multifamily towers immediately to the north and south, the hotel provides a nice step-down appeal for this corner. The hotel building also recognizes contemporary urban design principals to achieve a sense of place. Overall, the University District planning standards are incorporated with Memphis 3.0 principles to achieve a development that conforms with the surrounding neighborhood. Upon completion, the 35 Central Hotel will become the talk of the nation as the place to stay in Memphis for top tier overnight lodging.

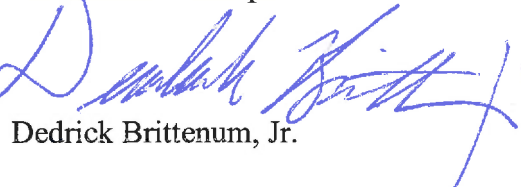
The professional consultants associated with the development are:

Fleming Architects, Memphis
Kimley-Horn, Memphis
Integrated Land Solutions, Collierville
Dr. Martin Lipinski, Memphis
Younger Associates, Memphis

The planning objective of the applicant provides world class accommodations in an area dedicated to instruction, learning, arts and culture for Memphis. The development blends with and enhances the mix of uses for people living in the area as well as those visitors drawn to the prime amenities of the University District. The applicant reviewed the various planning studies for the area in developing the concept for the hotel development. Finally, analysis shows a onetime construction economic impact over \$104 million, the annual operations economic impact is over \$14 million and the annual direct/ indirect jobs number is 234.

Thank you for the time to review the application and setting it for hearing before the LUCB. On behalf of the applicant and the entire development team, support for approval is requested for this application. Should you have questions or comments, please advise. I remain,

Very truly yours,
Brittenum Law pllc



Dedrick Brittenum, Jr.

enclosure



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.

20104894

09/28/2020 - 01:19:30 PM

7 PGS

KRISTIN 2095102-20104894

VALUE	3300000.00
MORTGAGE TAX	0.00
TRANSFER TAX	12210.00
RECORDING FEE	35.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	12250.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared**By:**

Stewart G. Austin, Jr.
 Glankler Brown, PLLC
 6000 Poplar Ave., Suite 400
 Memphis, Tennessee 38119

Name and Address of**Property Owner:**

Bobalu LLC
322 S. Hollywood
Memphis, TN 38104

Property Address:

3535 Central Avenue
 Memphis, Tennessee

Tax Parcel ID #:

46-01-01C

Return To:

Smith & Smith
 4917 William Arnold Road
 Memphis, TN 38117

Mail Tax Bills to:

Bobalu LLC
322 S. Hollywood
Memphis, TN 38117

WARRANTY DEED

THIS INDENTURE, made and entered into effective the 24th day of September, 2020, by and between **THIRD CHURCH OF CHRIST, SCIENTIST, MEMPHIS, TENNESSEE**, a Tennessee not for profit corporation (hereinafter the "Grantor"), and **BOBALU LLC**, a Tennessee limited liability company (the "Grantee").

WITNESSETH:

That for and in consideration of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto Grantee, the following described real estate located in the City of Memphis, County of Shelby, State of Tennessee, to-wit:

See **Exhibit A** attached hereto.

Being the same property conveyed to Second Church of Christ, Scientist by deeds of record at Book 3139, Page 449, and Book 3192, Page 531 in the Register's Office of Shelby County, Tennessee. Second Church of Christ, Scientist merged into Third Church of Christ, Scientist as evidenced by Articles of Merger of record at Instrument No. 07045651 in said Register's Office.

TO HAVE AND TO HOLD the Property with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Grantee, its successors and assigns in fee simple forever.

Grantor does hereby covenant with Grantee that it is lawfully seized in fee of the aforescribed real estate; that it has good right to sell and convey the same; that the same is unencumbered, except for matters shown on attached **Exhibit B** and that the title and quiet possession thereto it will forever warrant and defend against the lawful claims of all persons.

Additionally, Grantor hereby quitclaims to Grantee with no warranties of title the property described on attached **Exhibit C**, which property description was prepared by Milestone Land Surveying.

IN WITNESS WHEREOF, Grantor has caused this deed to be signed as of the day and year first above written.

**THIRD CHURCH OF CHRIST, SCIENTIST,
MEMPHIS, TENNESSEE
a Tennessee not for profit corporation**

By: John Elliott
Name: John Elliott
Title: Exec. Board Chairman

By: Margaret W. Grinder
Name: Margaret W. Grinder
Title: Board Vice-Chairman

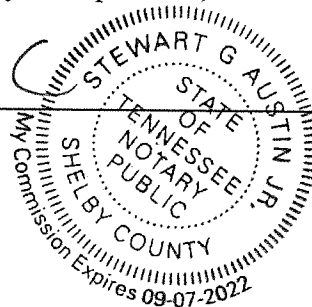
STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public of said County and State, personally appeared John Elliott, with whom I am personally acquainted, and who, upon oath, acknowledged him self to be the Executive Bd. Ch. of THIRD CHURCH OF CHRIST, SCIENTIST, MEMPHIS, TENNESSEE, a Tennessee not for profit corporation, the within named bargainor, and that he as such Exec. Bd. Chair, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Executive Bd Chair.

Witness my hand and seal, at Office, as of the 23rd day of September, 2020.

Stewart G. Austin Jr.
Notary Public

My Commission Expires: _____

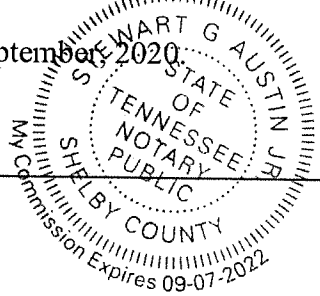


STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public of said County and State, personally appeared Margaret W. Grinker, with whom I am personally acquainted, and who, upon oath, acknowledged her self to be the Vice-Chair of THIRD CHURCH OF CHRIST, SCIENTIST, MEMPHIS, TENNESSEE, a Tennessee not for profit corporation, the within named bargainor, and that she as such Vice Chair, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by her self as Vice-Chair.

Witness my hand and seal, at Office, as of the 23rd day of September, 2020.

[Signature]
Notary Public



My Commission Expires: _____

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 \$3,300,000.00.

[Signature]
Affiant

Subscribed and sworn to before me this the 24 day of September, 2020.

[Signature]
Notary Public

My Commission Expires: _____

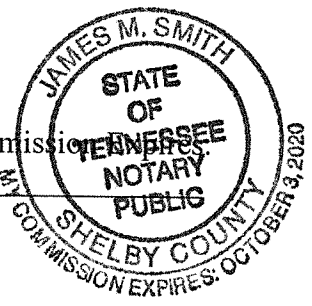


EXHIBIT A

Land situated in Shelby County, Tennessee:

Parcel 1:

Parts of Lots 32, 33, 34, 37 and 38 of Buntyn Highlands Subdivision, being more particularly described as follows:

Beginning at the intersection of the south line of Central Avenue and the east line of Highland Street, as widened; thence southwardly along the east line of Highland Street 230 feet; thence eastwardly parallel with the south line of Central Avenue 390 feet; thence northwardly parallel with the east line of Highland Street 230 feet to the south line of Central Avenue; thence westwardly along the south line of Central Avenue 390 feet to the point of beginning.

Parcel 2:

Parts of Lots 37 and 38, Buntyn Highlands Subdivision (Unrecorded), being more particularly described as follows:

BEGINNING at a point in the south line of Lot 38 of said Subdivision, 350 feet east of the east line of Highland Avenue (as widened), said point of beginning being the southwest corner of the tract of land conveyed to Aetna K. Chandler by the grantors herein by Warranty Deed recorded in Book 1682, Page 284 in the Register's Office, Shelby County, Tennessee; thence westwardly along the south line of Lots 38 and 37 of said Subdivision, 100 feet to a point; thence northwardly and parallel with the west line of the said Aetna K. Chandler tract, 237.84 feet to a point in the south line of the tract of land conveyed to the grantee herein by Warranty Deed recorded in Book 3139, Page 449 in said Register's Office; thence eastwardly along the south line of the last mentioned tract of land 100 feet to a northwest corner of said Aetna K. Chandler tract; thence southwardly along the west line of said Aetna K. Chandler tract 237.84 feet of the point of beginning.

EXHIBIT B

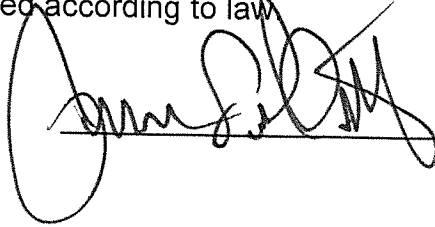
- 1) Easement(s) of record in the aforesaid Register's Office at Book 1620, Page 37 and Book 3687, Page 69. and as appears on
- 2) Location of underground telephone lines, cleanouts, backflow preventer, overhead electric lines, anchor guys and power poles, all as appear on survey prepared by Regis T. Storch, Jr., of Milestone Land Surveying, Inc., dated June 10, 2020, MLS Job No. 20112 (the "Survey").
- 3) Location of fences and brick walls inside and outside property lines, as appear on said Survey.

EXHIBIT C**(Quit Claimed Survey Description)**

Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:

Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the tangent intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence; north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning.

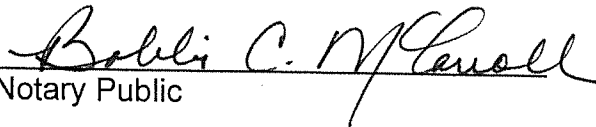
I, James M. Smith, Attorney, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law



A handwritten signature in black ink, appearing to read 'James M. Smith', is written over a solid horizontal line.

State of Tennessee
County of Shelby

Personally appeared before me, Bobbi C. McCarroll, a notary public for this county and state, James M. Smith, Attorney, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary Public

A handwritten signature in black ink, appearing to read 'Bobbi C. McCarroll', is written over a solid horizontal line. Below the line, the words 'Notary Public' are printed.

My Commission Expires:

OCT 16 2021



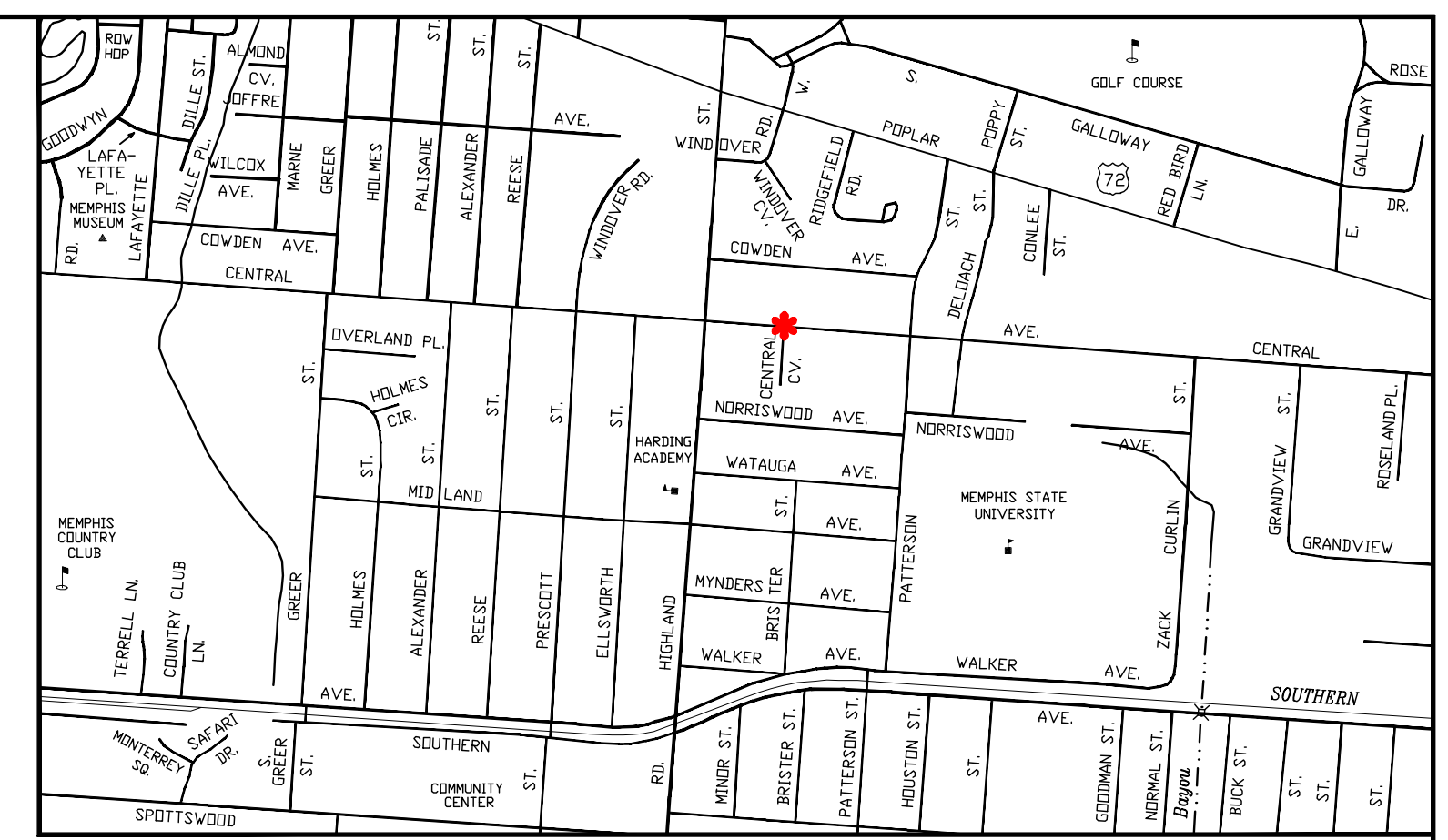
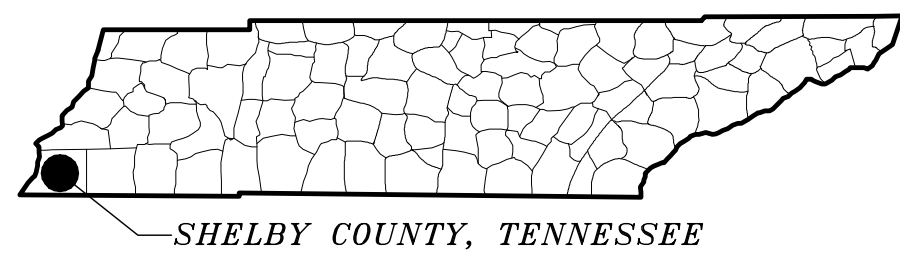
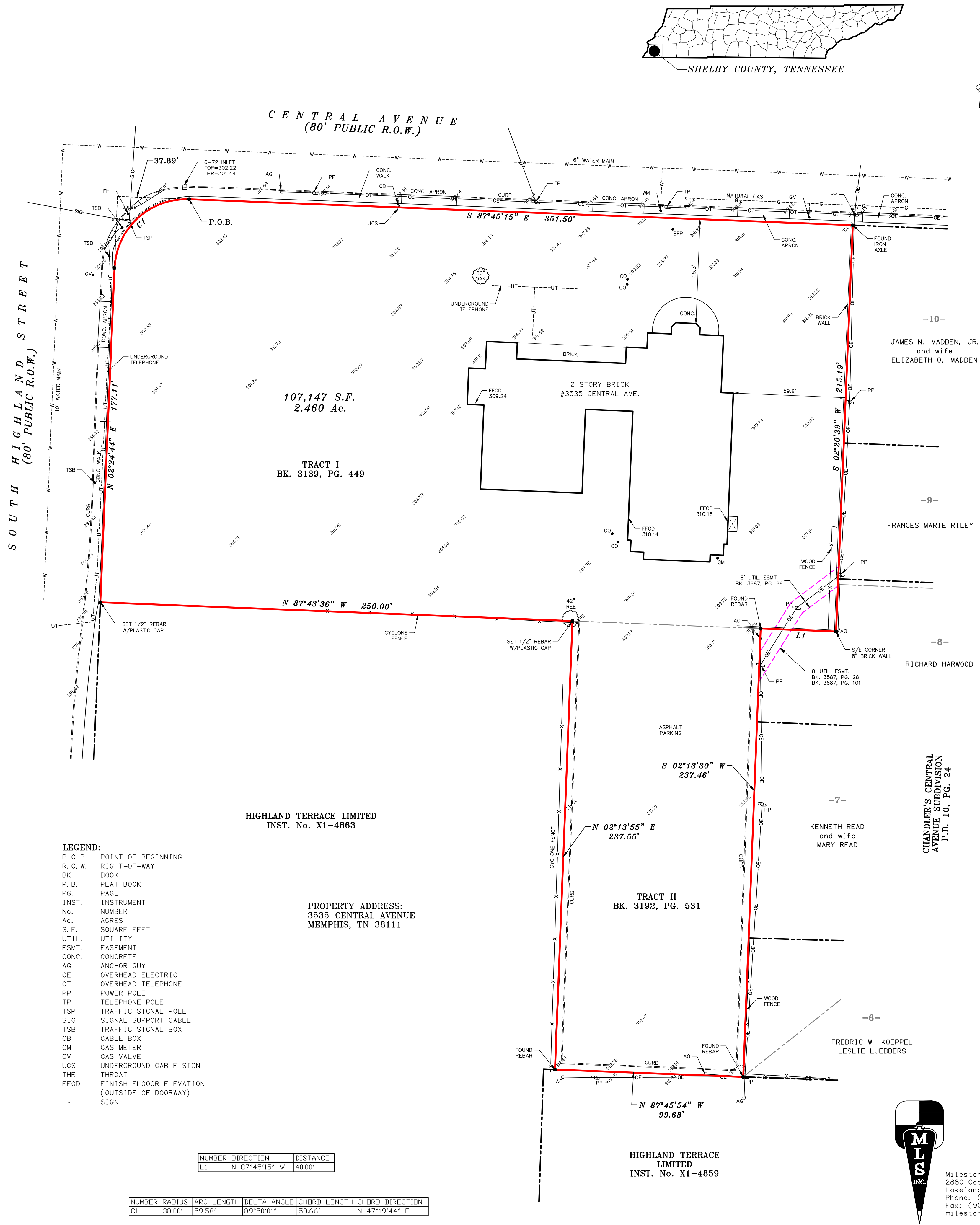
- NOTES:**
- Survey prepared for Bobalu, LLC.
 - Bearings are relative only.
 - This survey was prepared from information contained in Commitment No. 8449992 Revision 1, Effective Date: May 27, 2020 at 8:00 AM by Chicago Title Insurance Company.
 - All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
 - This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C 0430 F, Community Panel No. 470177 0430 F, Effective Date: September 28, 2007.
 - There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
 - There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
 - Subsurface and environmental conditions were not examined or considered as a part of this survey.
 - Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
 - Elevations shown hereon were taken on the ground using B.M. noted hereon.
 - Benchmark (B.M.): City of Memphis Benchmark No. 107 being a city monument located at the southeast corner of Central Ave. and Patterson St. at the back of sidewalk at or of sidewalk on Patterson side, 11.2' northeast of power pole #22067. Elevation: 314.34
 - If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
 - Survey is valid only if print has original seal of surveyor.
 - Underground utilities shown hereon were plotted from markings by others and from maps provided by others. Milestone Land Surveying, Inc. assumes no responsibility for the accuracy or completeness of said maps or markings.
 - At the time of this survey, there was no observed evidence of recent earth moving work, building construction or building additions.
 - At the time of this survey, there was no observed evidence of rec-street or sidewalk construction or repairs.
 - To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
 - This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.

- SCHEDULE B SECTION II EXCEPTIONS:**
- Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or Mortgage thereon covered by the form. (not a survey matter)
 - Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. (none of which we are aware)
 - Easements, or claims of easements, not shown by the public records. (none of which we are aware)
 - Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records. (not a survey matter)
 - The rights or claims of parties in possession not shown by the public records. (not a survey matter)
 - Taxes or special assessments which are not shown as existing liens by the public records. (not a survey matter)
 - Any taxes or assessments not posted on the record of the taxing authority(ies) of which the Land described in Schedule A hereof is subject, including but not limited to: Supplemental, Revised, and/or Corrected Assessments pursuant to T.C.A. Section 67-5-509 and 67-5-603 et seq. dealing with any improvements completed after January 1 and before September 1 of any year; or Back Assessments pursuant to T.C.A. Section 67-1-1001 et seq.; or taxes based on a change in the classification of the Insured Land (Roll Back Taxes) pursuant to T.C.A. Section 67-5-1001 et seq. (not a survey matter)
 - City of Memphis taxes for the year 2021, not yet a lien, not yet due and payable and Shelby County taxes for the year 2020, a lien, not yet due and payable. (not a survey matter)
 - Any taxes for past, present or future tax years which may become due but which are not presently due and payable because of the existing tax classification of the Land as exempt. (not a survey matter)
 - Easement(s) of record in Book 1620, Page 37; Book 1711, Page 350; Book 3687, Page 69; and Book 4142, Page 166, in the Register's Office of Shelby County, Tennessee.
 - Bk. 1620, Pg. 37 (not a survey matter)
 - Bk. 1711, Pg. 350 (does not affect the subject property)
 - Bk. 3687, Pg. 69 (shown hereon)
 - Bk. 4142, Pg. 166 (does not affect the subject property)
 - Rights of tenants in possession, as tenants only, under unrecorded leases, if any. (not a survey matter)

- LEGEND:**
- P.O.B. POINT OF BEGINNING
 - R.O.W. RIGHT-OF-WAY
 - BK. BOOK
 - P.B. PLAT BOOK
 - PG. PAGE
 - INST. INSTRUMENT
 - No. NUMBER
 - Ac. ACRES
 - S.F. SQUARE FEET
 - UTIL. UTILITY
 - ESMT. EASEMENT
 - CONC. CONCRETE
 - AG ANCHOR GUY
 - OE OVERHEAD ELECTRIC
 - OT OVERHEAD TELEPHONE
 - PP POWER POLE
 - TP TELEPHONE POLE
 - TSP TRAFFIC SIGNAL POLE
 - SIG SIGNAL SUPPORT CABLE
 - TSB TRAFFIC SIGNAL BOX
 - CB CABLE BOX
 - GM GAS METER
 - GV GAS VALVE
 - UCS UNDERGROUND CABLE SIGN
 - THR THROUGH
 - FFOD FINISH FLOOR ELEVATION (OUTSIDE OF DOORWAY)
 - SIG SIGN

NUMBER	DIRECTION	DISTANCE
LI	N 87°45'15" W	40.00'

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION
C1	38.00'	59.58'	89°50'01"	53.66'	N 47°19'44" E



VICINITY MAP NOT TO SCALE

EXHIBIT A DESCRIPTION:
Land situated in Shelby County, Tennessee:
Parts of Lots 32, 33, 34, 37 and 38 of Buntn Highlans Subdivision, being more particularly described as follows:
Beginning at the intersection of the south line of Central Avenue and the east line of Highland Street, as widened; thence southwardly along the east line of Highland Street 230 feet; thence eastwardly parallel with the south line of Central Avenue 390 feet; thence northwardly parallel with the east line of Highland Street 230 feet to the south line of Central Avenue; thence westwardly along the south line of Central Avenue 390 feet to the point of beginning.

AND
Tract II:
Parts of Lots 37 and 38, Buntn Highlans Subdivision (Unrecorded), being more particularly described as follows: BEGINNING at a point in the south line of Lot 38 of said Subdivision, 350 feet east of the east line of Highland Avenue as widened; said point of beginning being the southwest corner of the tract of land conveyed to Aetna K. Chandler by the grantors herein by warranty deed recorded in Book 1682, page 284 in the Register's Office, Shelby County, Tennessee; thence westwardly along the south line of Lots 38 and 37 of said Subdivision, 100 feet to a point; thence northwardly and parallel with the east line of said Aetna K. Chandler tract, 237.84 feet to a point in the south line of the tract of land conveyed to the grantee herein by warranty deed recorded in Book 3239, page 449 in said Register's Office; thence eastwardly along the south line of the last mentioned tract of land 100 feet to a northwest corner said Aetna K. Chandler tract; thence southwardly along the west line of said Aetna K. Chandler tract 237.84 feet to the point of beginning.

SURVEYOR'S DESCRIPTION:
Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:
Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the longest intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning and containing 107,147 square feet or 2.460 acres of land.

This being the same property described in Schedule A of Chicago Title Insurance Company Commitment No. 8449992, dated May 27, 2020.

CERTIFICATION:
To Robert Berry; 266 Lofts, LLC, a Tennessee limited liability company; Berry/Smith Development, LLC, a Tennessee limited liability company; Boss, Berry & Sims PLC; Smith and Smith Law Firm; and Chicago Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 5, 13, 14, 15, and 17 of Table A thereof. The field work was completed on June 10, 2020.

MILESTONE LAND SURVEYING, INC.
By *Regis T. Storck* [Signature] Date *June 10, 2020*
Regis T. Storck, JLS, RLS Date
Vice President of Surveying
Tennessee Certificate No. 2138

ALTA/NSPS LAND TITLE SURVEY
OF THE
SECOND CHURCH OF CHRIST,
SCIENTIST, OF MEMPHIS,
TENNESSEE PROPERTY
RECORDED IN
BK. 3139, PG. 449 & BK. 3192, PG. 531
MEMPHIS,
SHELBY COUNTY, TENNESSEE
SCALE: 1" = 40' DATE: JUNE 10, 2020

Milestone Land Surveying, Inc.
2880 Cobb Road
Lakeland, TN 38002
Phone: (901) 867-8671
Fax: (901) 867-9889
milestones@ellsouth.net



ROWE LESA M & ROBERT K
265 WINDOVER GROVE DR
MEMPHIS TN 38111

TAYLOR RALPH REVOCABLE LIVING TRUST AND
427 CHERRY HALL PL
MEMPHIS TN 38117

CENTRAL PARK PL NORTH HOMEOWNERS ASSN
4990 POPLAR AVE
MEMPHIS TN 38117

MILLER ANNE W
3485 N CENTRAL PARK ST
MEMPHIS TN 38111

MCCOID SCOTT
10548 LATTING RD
CORDOVA TN 38016

ANDERSON ELLIOTT
3587 COWDEN AVE
MEMPHIS TN 38111

CHONOLLES MAC A
280 W CENTRAL PARK ST #3
MEMPHIS TN 38111

GILES GARY O & JENNIFER K
3481 N CENTRAL PARK ST
MEMPHIS TN 38111

ROSS ROGER B AND LOWELL O WINSTON III
2231 COURT AVE
MEMPHIS TN 38104

ROSS ROGER B AND LOWELL O WINSTON III
2231 COURT AVE
MEMPHIS TN 38104

CENTRAL PARK PL SOUTH HOMEOWNERS ASSN
4990 POPLAR AVE
MEMPHIS TN 38117

BUCHNER C ANDREW AND MELISSA M BUCHNER
3580 CENTRAL AVE
MEMPHIS TN 38111

CRABTREE SUE H
3486 CENTRAL AVE
MEMPHIS TN 38111

MADDEN JAMES N JR & ELIZABETH O
3551 CENTRAL AVE
MEMPHIS TN 38111

HEEHS CHRISTOPHER J & MARY C
348 CENTRAL CV
MEMPHIS TN 38111

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

BELL JOSH FAMILY LIMITED PARTNERSHIP
PO BOX 770207
MEMPHIS TN 38177

TN MEMPHIS LAND 3 LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

GRAVES TERRY C
3564 CENTRAL AVE
MEMPHIS TN 38111

HIGHLAND TERRACE LIMITED
1615 APPLING RD
CORDOVA TN 38016

DEAN PATRICK & MARY
10401 GROSVENOR PL #1701
ROCKVILLE MD 20852

BORAH SUMIT
3520 CENTRAL AVE #309
MEMPHIS TN 38111

NUNNERY FRED L & MARY J
3520 CENTRAL AVE #310
MEMPHIS TN 38111

WHITEHEAD DAVID E & LESLEY D
3520 CENTRAL AVE #201
MEMPHIS TN 38111

MORRIS PATRICK H
3520 CENTRAL AVE #202
MEMPHIS TN 38111

HAYS JAMES W III
3520 CENTRAL AVE #203
MEMPHIS TN 38111

HAJI SHOWKAT
3520 CENTRAL AVE #204
MEMPHIS TN 38111

GAMBLE WILLIAM B III & MELISSA CASH
3520 CENTRAL AVE #205
MEMPHIS TN 38111

LAURELS CONDOMINIUM OWNERS
1010 JUNE RD
MEMPHIS TN 38119

COUNCIL OF CO OWNERS OF CENTRAL PARK
8582 KATY FWY #202
HOUSTON TX 77024

PAZAR CHARLES E & JANICE P
267 WINDOVER GROVE DR
MEMPHIS TN 38111

MINIMAX DESIGN LLC
PO BOX 38343
GERMANTOWN TN 38183

JMJL ENTERPRISES LLC
1385 CORPORATE AVE
MEMPHIS TN 38132

ANDERSON PAUL B & ZOE A
11989 CAMPBELL ST
ARLINGTON TN 38002

ANDERSON PAUL B AND ZOE ANDERSON
PO BOX 243
ARLINGTON TN 38002

STONEHOLLOW HOLDINGS II LLC
4111 GWYNNE RD
MEMPHIS TN 38117

PORTER RONNIE S & KATHERINE
1754 POPLAR ESTATES PKWY
GERMANTOWN TN 38138

ISELL JOHN M JR & LISA K
3577 COWDEN AVE
MEMPHIS TN 38111

MCCOID SCOTT & SARAH
10548 LATTING RD
CORDOVA TN 38016

THOMPSON JULIA A
280 W CENTRAL PARK ST #1
MEMPHIS TN 38111

ZAIDI SYED AND LARISSA BELYAK
4765 DYLAN VALLEY DR
BARTLETT TN 38135

BASEK JOHN & PAULA
1544 VINTON AVE
MEMPHIS TN 38104

CAI CAMELYTA & JINLIANG
284 W CENTRAL PARK ST #1
MEMPHIS TN 38111

RIDER DONALD R (99%) AND HALEY M RIDER
465 ASHLEY LN
BRIGHTON TN 38011

ROBISON RALPH M
284 W CENTRAL PARK ST ## 3
MEMPHIS TN 38111

JOHNSON ANNA M
284 W CENTRAL PARK ST #4
MEMPHIS TN 38111

REARDON BENJAMIN R & JULIE
3550 CENTRAL AVE
MEMPHIS TN 38111

COX TIMOTHY A JR
295 W CENTRAL PARK ST #3
MEMPHIS TN 38111

GRESKO ADA AMD MICHAEL J GRESKO AND
295 W CENTRAL PARK ST #4
MEMPHIS TN 38111

GOLWEN JOHN S & TAMMY P
3590 CENTRAL AVE
MEMPHIS TN 38111

HICKMAN PATRICIA W REVOCABLE TRUST
3472 CENTRAL PARK S
MEMPHIS TN 38111

RHEA JULIA G & JOHN R
3474 CENTRAL AVE
MEMPHIS TN 38111

YOAKUM SUSAN D
3478 CENTRAL AVE
MEMPHIS TN 38111

SMART TERRY D
3484 CENTRAL AVE
MEMPHIS TN 38111

PATTERSON JAMIE J
3482 CENTRAL PARK S
MEMPHIS TN 38111

JOHNSON REVOCABLE LIVING TRUST
295 W CENTRAL PARK ST #5
MEMPHIS TN 38111

JUNIOR LEAGUE OF MEMPHIS
3475 CENTRAL AVE
MEMPHIS TN 38111

SMITH STEPHEN F & PAMELA F
3571 CENTRAL AVE
MEMPHIS TN 38111

UNIVERSITY OF TENNESSEE
3599 CENTRAL AVE
MEMPHIS TN 38111

RILEY FRANCES M
327 CENTRAL CV
MEMPHIS TN 38111

GREER THOMAS R & TIFFANEY J
6256 POPLAR AVE
MEMPHIS TN 38119

JUNIOR LEAGUE OF MEMPHIS
3475 CENTRAL AVE
MEMPHIS TN 38111

HARWOOD EVAN R LIVING TRUST
335 CENTRAL CV
MEMPHIS TN 38111

SCHMOLLER WANITA C
336 CENTRAL CV
MEMPHIS TN 38111

READ KENNETH E & MARY C
343 CENTRAL CV
MEMPHIS TN 38111

MUNN AARON W & LOUISA KRAMER
342 CENTRAL CV
MEMPHIS TN 38111

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

BOARD OF REGENTS ETAL
170 N MAIN ST
MEMPHIS TN 38103

GMF-SERENITY TOWERS LLC
65 GERMANTOWN CT #409
CORDOVA TN 38018

TN MEMPHIS HOLDINGS LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

TN MEMPHIS HOLDINGS LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

PALISADE LLC
PO BOX 17005
MEMPHIS TN 38187

SECOND CHURCH OF CHRIST
3535 CENTRAL AVE
MEMPHIS TN 38111

ALPHA SOUTH HIGHLAND LLC
44 ABELE RD #301
BRIDGEVILLE PA 15017

KOEPEL FREDIC W AND LESLIE LUEBBERS (RS
519 S GOODLETT
MEMPHIS TN 38117

CHIZ MOLLY D
P O BOX 657
BELZONI MS 39038

WHELESS JAMES W & ANNETTE C
7355 SPLINTER OAK CV
GERMANTOWN TN 38138

SCOTT LUCINDA
3520 CENTRAL AVE #403
MEMPHIS TN 38111

SHARP GERALD C & MARY F
3520 CENTRAL AVE ###404
MEMPHIS TN 38111

DRINAN DIANA E
3520 CENTRAL AVE #405
MEMPHIS TN 38111

LAUBSCHER ANDREAS & YIT C
3520 CENTRAL AVE #406
MEMPHIS TN 38111

KULHARYA ANITA S
3520 CENTRAL AVE #407
MEMPHIS TN 38111

RESIDUARY TRUST
2212 KIRBY RD
MEMPHIS TN 38119

HANSARD ALBERT L LIVING TRUST
4385 POPLAR AVE
MEMPHIS TN 38117

DAVIS KYLIE
3520 CENTRAL AVE #410
MEMPHIS TN 38111

BOYD CORNELIUS D
3520 CENTRAL AVE #301
MEMPHIS TN 38111

CARTER APRIL D
3520 CENTRAL AVE #302
MEMPHIS TN 38111

PAGE JANE E
3520 CENTRAL AVE #303
MEMPHIS TN 38111

BAILEY ADRIENNE L
765 W POPLAR AVE
COLLIERVILLE TN 38017

SELLERS CECIL G JR
3520 CENTRAL AVE #305
MEMPHIS TN 38111

KLOKER KEN & LYNN
3520 CENTRAL AVE #306
MEMPHIS TN 38111

MOORE FAMILY TRUST
3520 CENTRAL AVE #307
MEMPHIS TN 38111

BIGAM CAROL R AND ANNETTE DIVIRGILIO
3520 CENTRAL AVE ##206
MEMPHIS TN 38111

HUBBERT CHARLES & MARGARET
3520 CENTRAL AVE ##207
MEMPHIS TN 38111

MALONEY ANDREW M
3520 CENTRAL AVE #200
MEMPHIS TN 38111

TROUY MARY E AND KIMBERLY LEWIS (RS)
3520 CENTRAL AVE #209
MEMPHIS TN 38111

TAM JONATHAN P
3520 CENTRAL AVE #210
MEMPHIS TN 38111

RANDALL LEE A
717 S RIVERSIDE DR #1601
MEMPHIS TN 38103

SPENCE REGINALD
311 S POPPLETON ST
BALTIMORE MD 21230

ASKEW BARBARA G
3520 CENTRAL AVE #103
MEMPHIS TN 38111

TUTOR R DEAN SR & ALEITA U
3520 CENTRAL AVE #104
MEMPHIS TN 38111

BRAND PETER J
3520 CENTRAL AVE #105
MEMPHIS TN 38111

BAUER PAUL & MARY B
3520 CENTRAL AVE #106
MEMPHIS TN 38111

MILNOR WALKER I & GREGG S
3520 CENTRAL AVE #107
MEMPHIS TN 38111

SHAPIRO MONICA P
3520 CENTRAL AVE #108
MEMPHIS TN 38111

JOHNSON EDWARD H JR & BETTY W
3520 CENTRAL AVE #109
MEMPHIS TN 38111

ABW REVOCABLE TRUST
2896 NATCHEZ LN
MEMPHIS TN 38111

WINDOVER GROVE HOMEOWNERS INC
2195 S GERMANTOWN RD
GERMANTOWN TN 38138

RIGGS HELEN T
3438 CENTRAL AVE
MEMPHIS TN 38111

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

MEMPHIS & SHELBY COUNTY COMMUNITY
125 N MAIN ST #468
MEMPHIS TN 38103

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE BLVD
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

BOBALU, LLC
322 S HIGHLAND ST
MEMPHIS TN 38117

FLEMING ASSOC. ARCH, P.C. C/O SCOTT FLEMING
5101 WHEELIS DR. #215
MEMPHIS TN 38117

KIMLEY-HORN C/O MIKE HAMMOND
6750 POPLAR AVE. #600
MEMPHIS TN 38116

DEDRICK BRITTENUM
3385 AIRWAYS BLVD. 3 229
MEMPHIS TN 38139

INTEGRATED LAND SOLUTIONS, PLLC
9967 BENTWOOD CREEK CV.
COLLIERVILLE TN 38017

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

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, _____ at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

- CASE NUMBER:** PD 2021-20, Z 2021-05, and RC 2021-01
- LOCATION:** 3535 Central Avenue (southeast corner of Central and Highland)
- COUNCIL DISTRICTS:** District 5 and Super District 9 – Positions 1, 2, and 3
- OWNER/APPLICANT:** Bobalu, LLC – Bob Berry
- REPRESENTATIVE:** Dedrick Brittenum of Brittenum Law, PLLC
- EXISTING ZONING:** Residential Urban – 3 (RU-3), University District Overlay, and Residential Corridor Overlay
- REQUESTS:** PD 2021-20 – mixed use planned development
Z 2021-05 – rezoning to Residential Single-Family – 6 (R-6)
RC 2021-01 – residential corridor deletion
- AREA:** +/-2.46 acres

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development:

PD 2021-020 – Approval with conditions Z 2021-05 – Approval RC 2021-01 – Approval

Memphis and Shelby County Land Use Control Board:

PD 2021-020 – Approval with conditions Z 2021-05 – Approval RC 2021-01 – Approval

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

This case will also be heard at the Planning and Zoning Committee on the same day with the specific time to be determined prior to the meeting date and posted on the City of Memphis’ website.

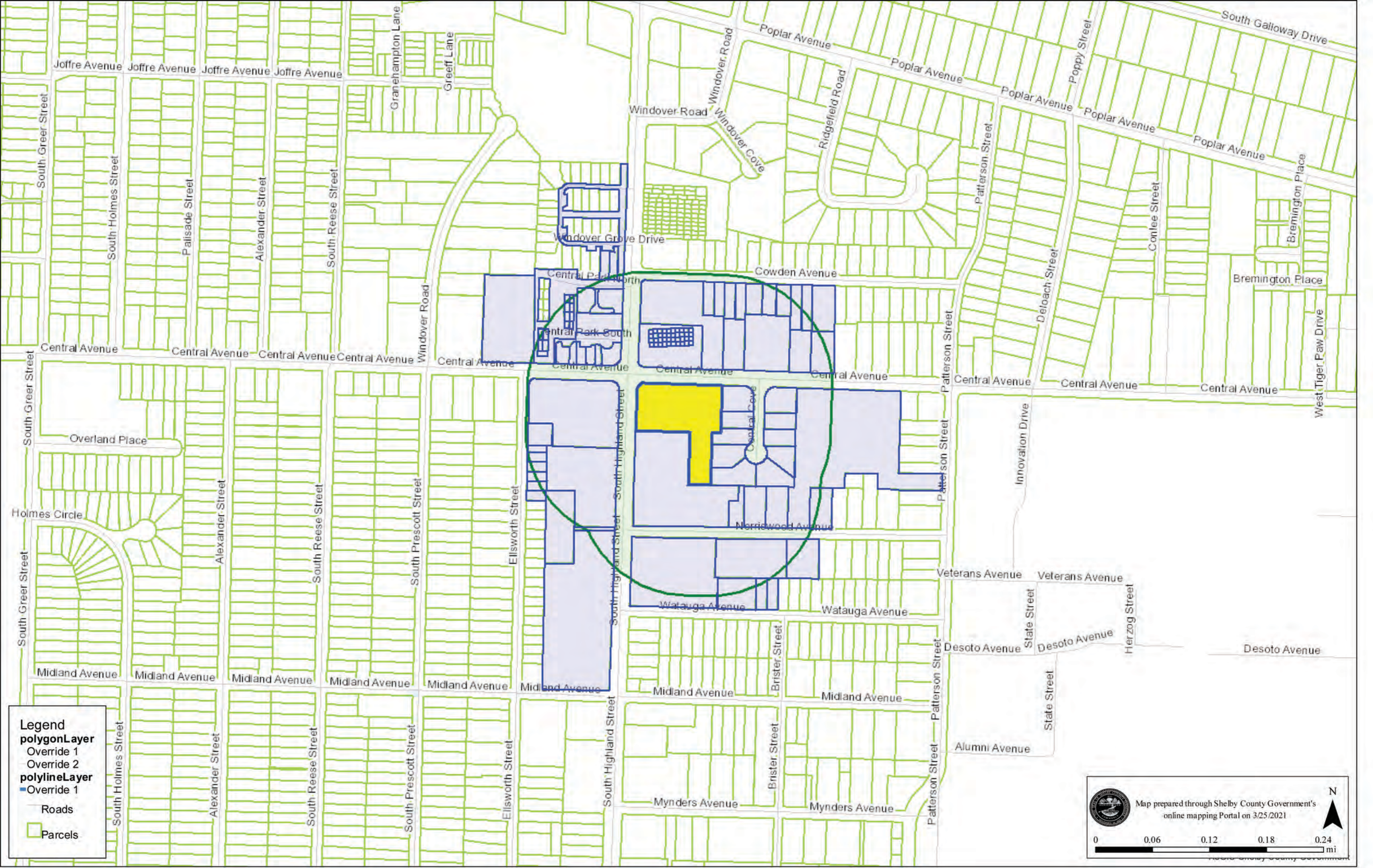
THIS THE _____, _____

FRANK COLVETT JR.
CHAIRMAN OF COUNCIL

ATTEST:

DYWUANA MORRIS
CITY COMPTROLLER

TO BE PUBLISHED:



Legend
polygonLayer
 Override 1
 Override 2
polylineLayer
 Override 1
 Roads
 Parcels

Map prepared through Shelby County Government's online mapping Portal on 3/25/2021

0 0.06 0.12 0.18 0.24 mi

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 08/17/2021
DATE
PUBLIC SESSION: 08/17/2021
DATE**

ITEM (CHECK ONE)

ORDINANCE _____ CONDEMNATIONS _____ GRANT ACCEPTANCE / AMENDMENT
 _____ RESOLUTION _____ GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 _____ OTHER: _____

ITEM DESCRIPTION: A ordinance approving a residential corridor overlay deletion
CASE NUMBER: RC 2021-05
DEVELOPMENT: Residential corridor deletion
LOCATION: 3535 Central Avenue (southeast corner of Central and Highland)
COUNCIL DISTRICTS: District 5 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT: Bobalu, LLC – Bob Berry
REPRESENTATIVE: Dedrick Brittenum of Brittenum Law, PLLC
EXISTING ZONING: Residential Urban – 3 (RU-3), University District Overlay, and Residential Corridor Overlay
REQUEST: Residential corridor deletion at 3535 Central Avenue
AREA: +/-2.46 acres
RECOMMENDATION: The Office of Planning and Development recommended *Approval with conditions*
 The Land Use Control Board recommended *Approval with conditions*
RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
 Set date for first reading – July 20, 2021
 Set date for third reading – August 17, 2021

PRIOR ACTION ON ITEM:

(1) _____ APPROVAL - (1) APPROVED (2) DENIED
 07/08/2021 _____ 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>
_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

RC 2021-01 – Residential Corridor Deletion

Resolution requesting the deletion of a residential corridor Overlay at 3535 Central Avenue (southeast corner of Central and Highland):

- This item is a resolution with conditions for a planned development to allow the above; and
- The Division of Planning & Development at the request of the Owner(s)/Applicant(s): Bobalu, LLC; and Representative(s): Dedrick Brittenum of Brittenum Law, PLLC; and
- This ordinance, if approved, will delete a portion of property from the Central Avenue Residential Corridor; and
- The item will not require future public improvement contracts.

ORDINANCE NO: _____

AN ORDINANCE AMENDING CHAPTER 8.5 OF ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO DELETE A SECTION OF THE CENTRAL AVENUE RESIDENTIAL CORRIDOR

WHEREAS, a proposed amendment to Chapter 8.5 of the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, to delete a section of a Residential Corridor Overlay District has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: RC 2021-01**; and

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

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

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

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

SECTION 1:

THAT, Chapter 8.5 of the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Residential Corridors, as follows:

BY TAKING THE FOLLOWING PROPERTY OUT OF THE CENTRAL AVENUE RESIDENTIAL CORRIDOR DESIGNATION

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

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

Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:

Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the tangent intersection of the south line of

said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence; north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning and containing 107,147 square feet or 2.460 acres of land.

This being the same property described in Schedule A of Chicago Title Insurance Company Commitment No. 8449992, dated May 27, 2020.

SECTION 2:

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

SECTION 3:

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

ATTEST:

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

//: ATTACHMENTS

AGENDA ITEM: 10

CASE NUMBER: RC 2021-01 **L.U.C.B. MEETING:** July 8, 2021
LOCATION: 3535 Central Avenue (southeast corner of Central and Highland)
COUNCIL DISTRICT: District 5 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT: Bobalu, LLC – Bob Berry
REPRESENTATIVE: Dedrick Brittenum of Brittenum Law, PLLC
REQUEST: Residential corridor deletion at 3535 Central Avenue
AREA: +/-2.46 acres
EXISTING ZONING: Residential Urban – 3 (RU-3), University District Overlay, and Residential Corridor Overlay

CONCLUSIONS

1. This request is a companion case to Z 2021-01 and PD 2021-20.
2. The land area of this proposed corridor deletion extends 200 feet into the subject property from its northern property line abutting Central Avenue.
3. The residential corridor serves as an additional layer of land use control which prohibits the approval of nonresidential developments within 200 feet on either side of a designated residential roadway. The land use exceptions are certain civic and institutional uses which may be permitted by filing a special use permit application. In this instance the applicants planned development request (PD 2021-20) to allow a mixed use planned development would not be permitted without the deletion of residential corridor from overlaying the subject property.
4. Ordinance No. 3077 was adopted on October 28, 1980, by the Council of the City of Memphis to establish the Residential Corridor Overlay on twenty-three specific segments of certain major roads within city limits. This overlay repealed, deleted, and replaced Ordinance No. 2070, adopted in July of 1974, which had established scenic drive designations on the same twenty-three specific segments of certain major roads within city limits.
5. Staff finds that this residential corridor overlay deletion request is consistent with Sub-Section 9.5.7B of the Unified Development Code.

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 14-16 of this report.

RECOMMENDATION

Approval

GENERAL INFORMATION

Street Frontage:	Central Avenue	+/-381.29 curvilinear feet
	South Highland Street	+/-206.90 curvilinear feet
Zoning Atlas Page:	2140	
Parcel ID:	046001 00001C	
Existing Zoning:	Residential Urban – 3 (RU-3), University District Overlay, and Residential Corridor Overlay	

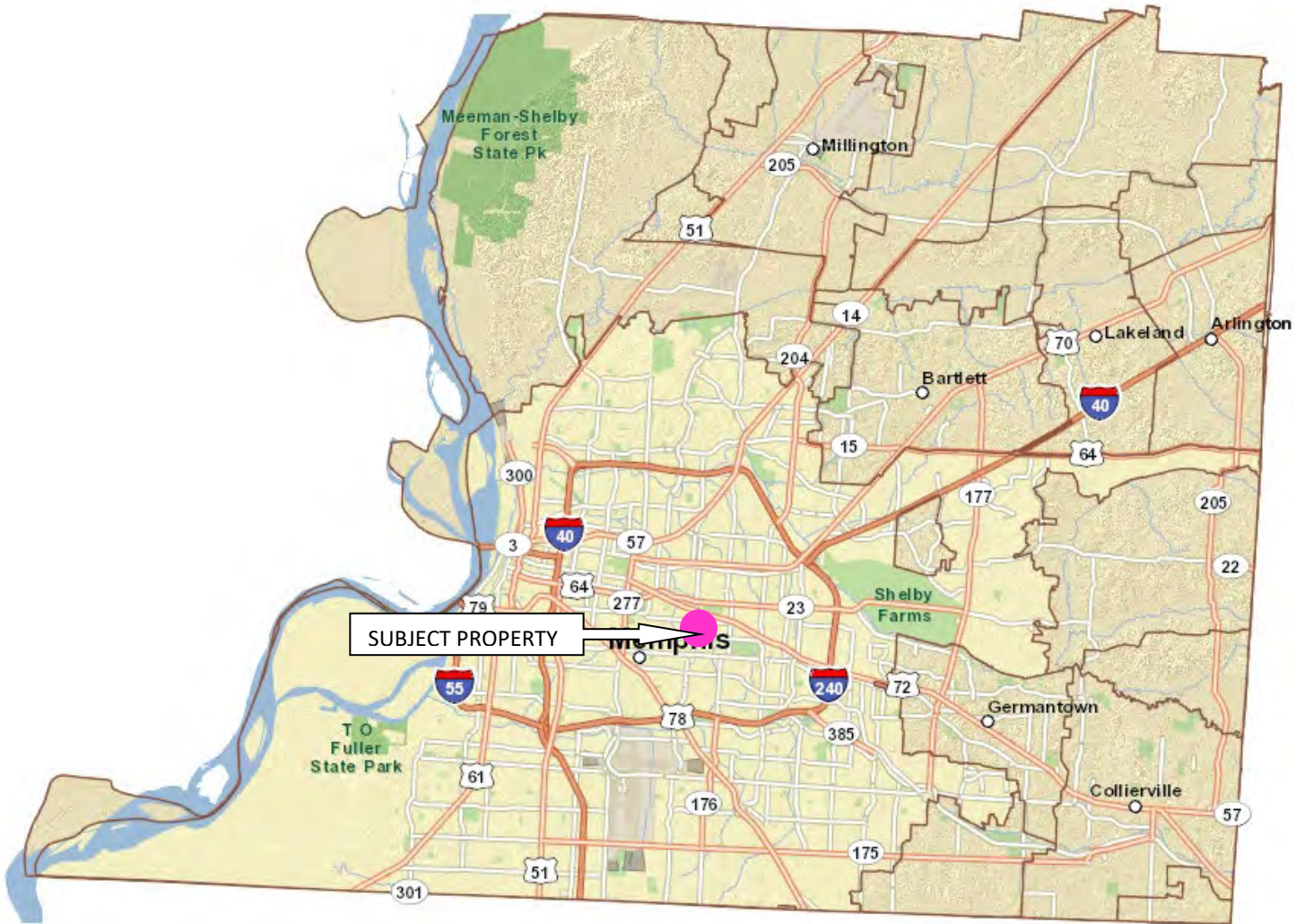
NEIGHBORHOOD MEETING

The meeting was held at 6:00 PM on Thursday, June 24, 2021, at the Third Church of Christ, Scientist, 3535 Central Avenue.

PUBLIC NOTICE

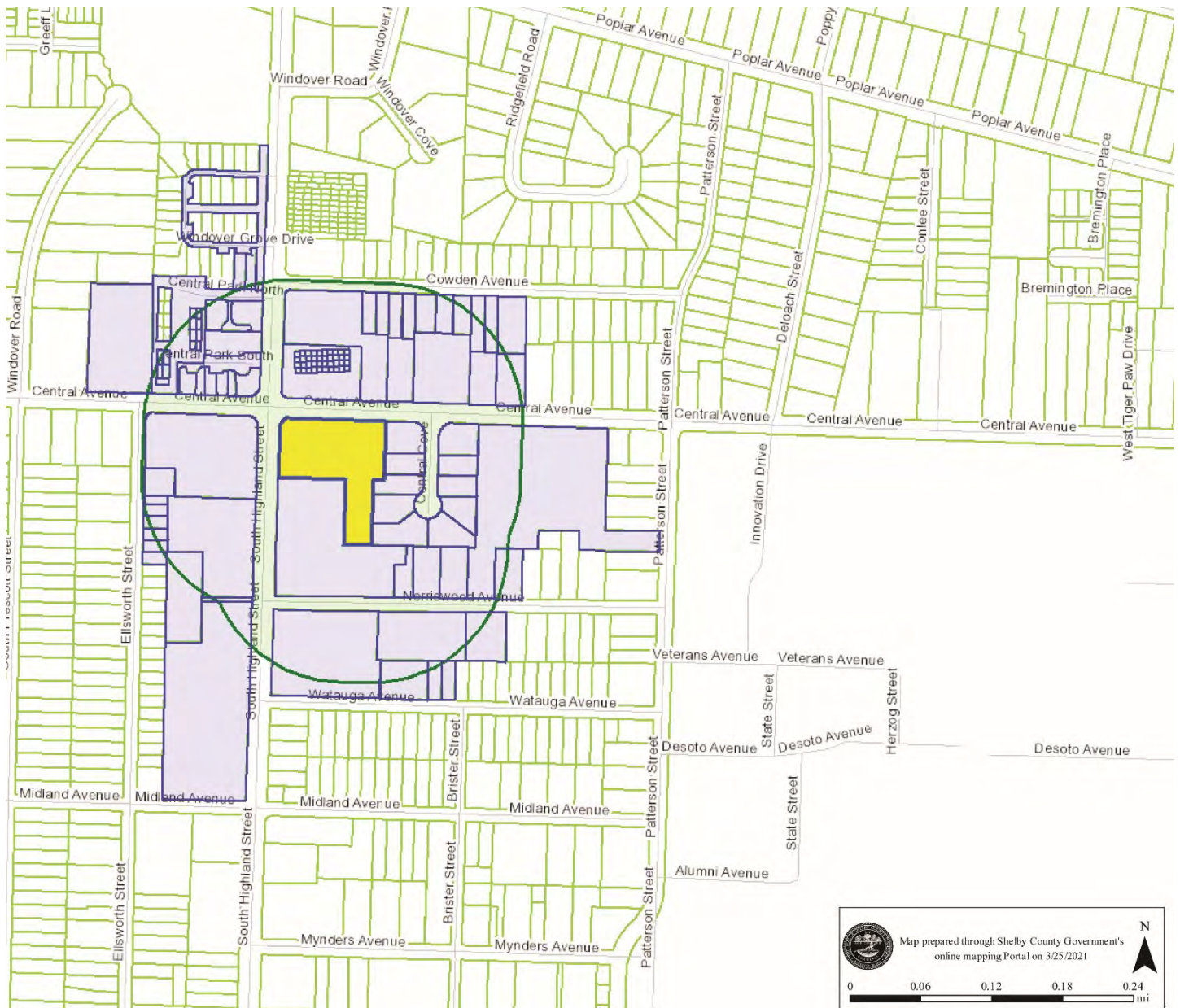
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 125 notices were mailed on June 22, 2021, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP

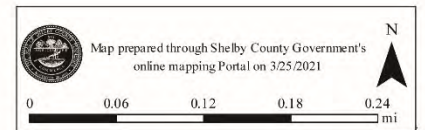


Subject property located within the pink circle, University District neighborhood

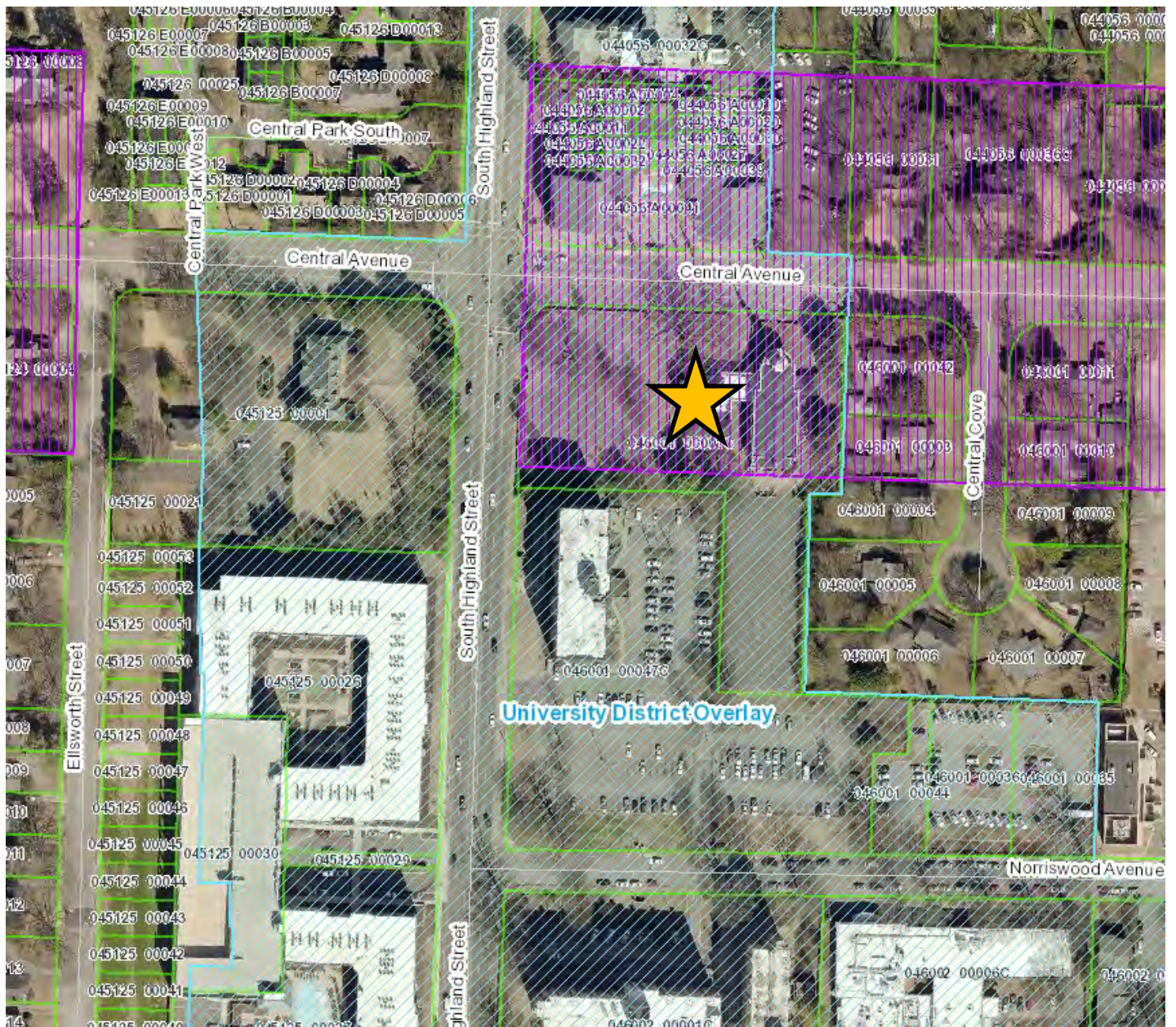
VICINITY MAP



Subject property highlighted in yellow



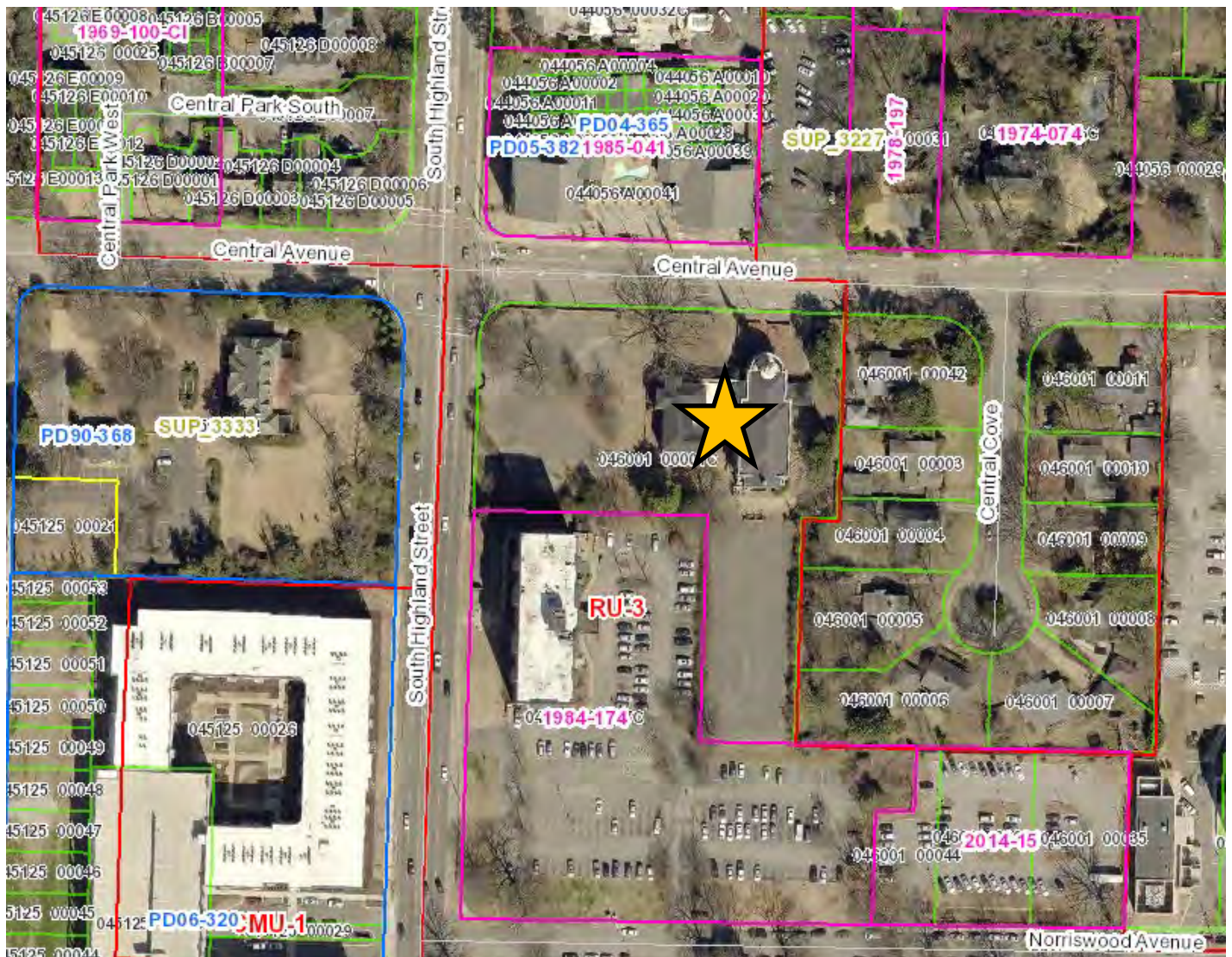
OVERLAY MAP



Subject property indicated by an orange star

Here we can see the subject property is fully within the University District Overlay (blue) and that the northern 200 feet of the property is within a Residential Corridor Overlay (purple).

ZONING MAP



Subject property indicated by an orange star

Existing Zoning: Residential Urban – 3 (RU-3)

Surrounding Zoning

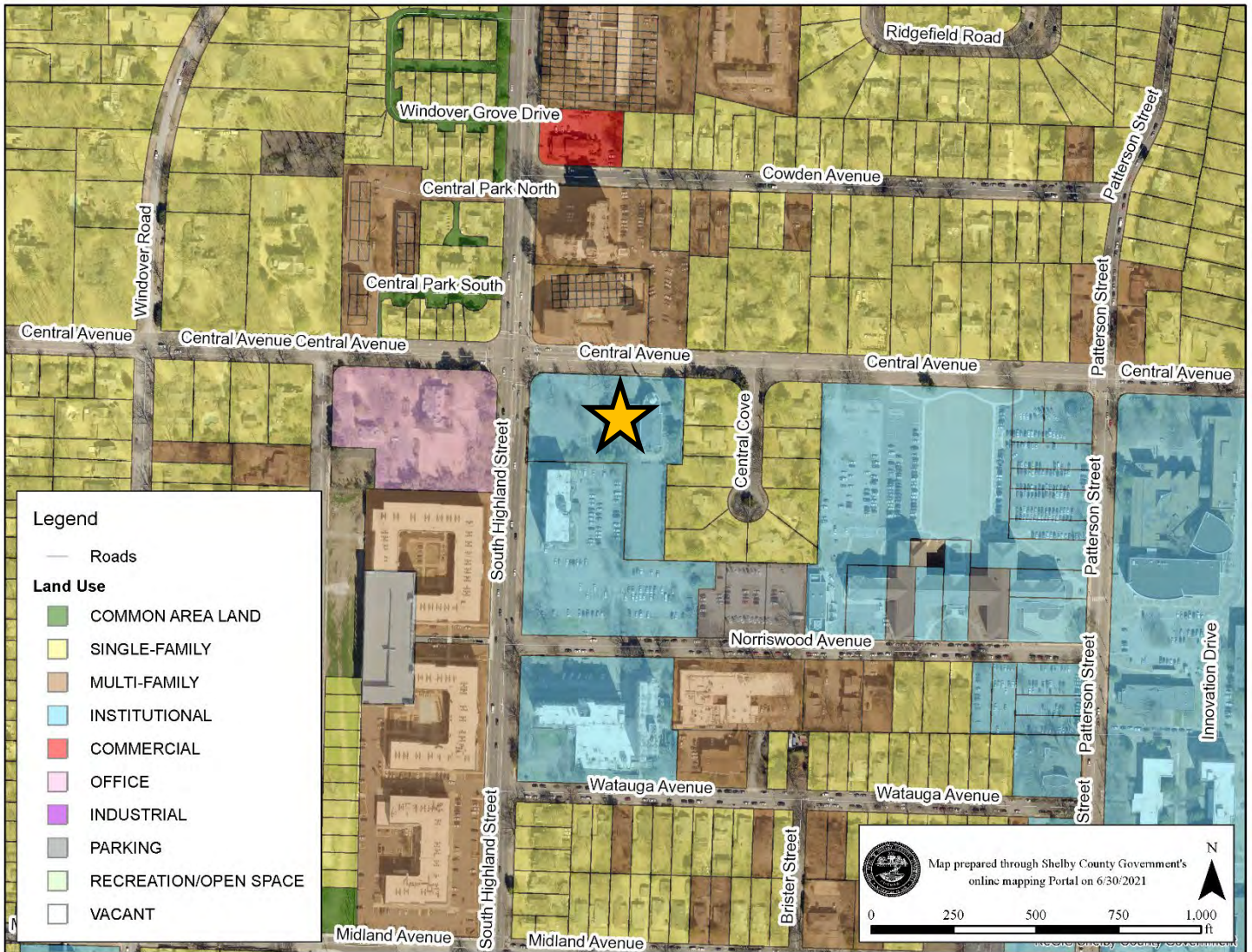
North: Residential Urban – 3 (RU-3) and Residential Single-Family – 6 (R-6)

East: Residential Single-Family – 6 (R-6)

South: Residential Urban – 3 (RU-3)

West: Commercial Mixed Use – 1 (CMU-1) and Residential Single-Family – 6 (R-6)

LAND USE MAP

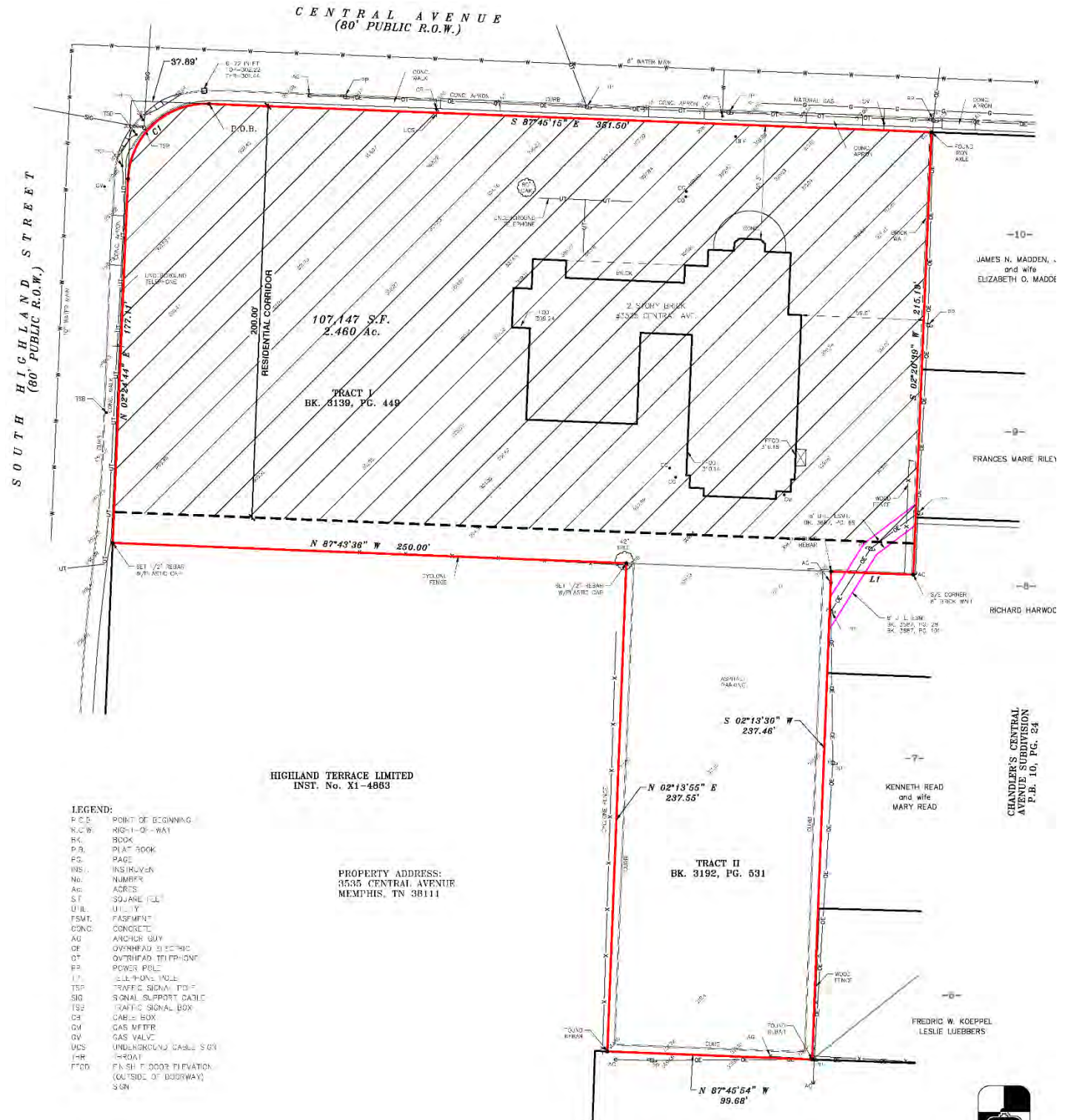


Subject property outlined in electric blue and indicated by an orange star



Residential Corridor Overlay indicated by hatching.

SURVEY – ZOOMED



Residential Corridor Overlay indicated by hatching.

LEGAL DESCRIPTION

Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:

Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the tangent intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence; north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning and containing 107,147 square feet or 2.460 acres of land.

This being the same property described in Schedule A of Chicago Title Insurance Company Commitment No. 8449992, dated May 27, 2020.

SITE PHOTOS



View of subject property from Central Avenue looking south



View of subject property from Central Avenue looking south



View of subject property from the intersection of Central Avenue and South Highland Street looking southeast



View of subject property from South Highland Avenue looking east

STAFF ANALYSIS

Request

The application and letter of intent have been added to this report.

The request is the deletion of the residential corridor overlay at 3535 Central Avenue.

Site Description

The subject property is +/-2.46 acres, known as Parcel ID 046001 00001C, and located at 3535 Central Avenue—the southwest corner of Central Avenue and South Highland Avenue. The site is currently zoned Residential Urban – 3 and it is the site a former place of worship that was constructed circa 1957. Located along the Central avenue frontage of the site are overhead power lines. Additionally, the surrounding land uses are a mixture of institutional, single-family, multifamily, and office.

Conclusions

This request is a companion case to Z 2021-01 and PD 2021-20.

The land area of this proposed corridor deletion extends 200 feet into the subject property from its northern property line abutting Central Avenue.

The residential corridor serves as an additional layer of land use control which prohibits the approval of nonresidential developments within 200 feet on either side of a designated residential roadway. The land use exceptions are certain civic and institutional uses which may be permitted by filing a special use permit application. In this instance the applicants planned development request (PD 2021-20) to allow a mixed use planned development would not be permitted without the deletion of residential corridor from overlaying the subject property.

Ordinance No. 3077 was adopted on October 28, 1980, by the Council of the City of Memphis to establish the Residential Corridor Overlay on twenty-three specific segments of certain major roads within city limits. This overlay repealed, deleted, and replaced Ordinance No. 2070, adopted in July of 1974, which had established scenic drive designations on the same twenty-three specific segments of certain major roads within city limits.

Staff finds that this residential corridor overlay deletion request is consistent with Sub-Section 9.5.7B of the Unified Development Code.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

- 1. Engineering has no comment.

City/County Fire Division: No comments received.

City Real Estate: No comments received.

City/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.

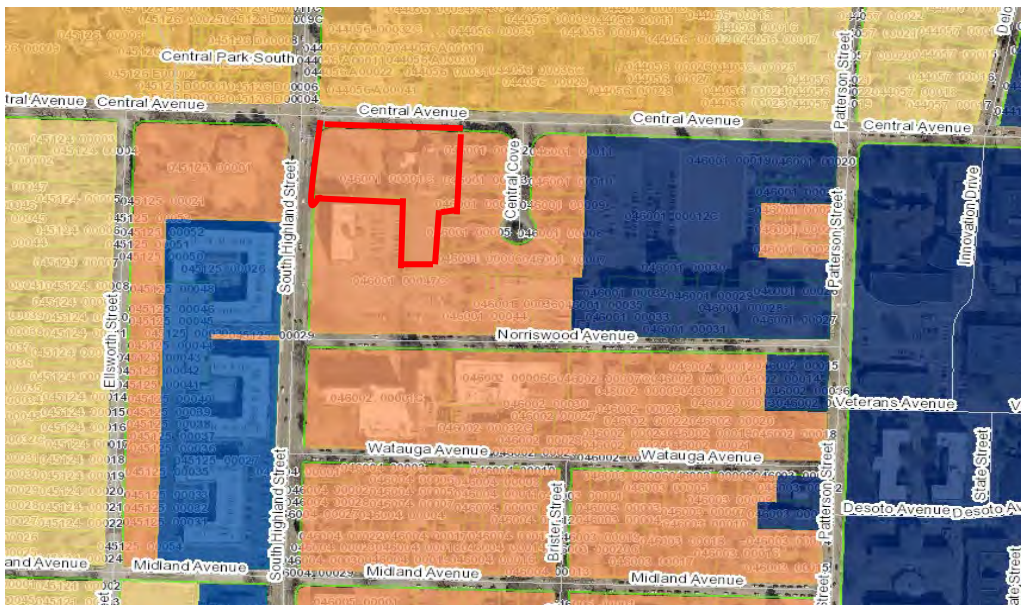
Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning:

Site Address/location: Southeast corner of Central & Highland
Land Use Designation: Sustain Anchor Neighborhood – Urban (AN-U)

Based on the future land use and degree of change map the proposal **IS CONSISTENT** with the Memphis 3.0 Comprehensive Plan.

1. FUTURE LAND USE PLANNING MAP



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

2. Land use description & applicability:

Urban Anchor Neighborhoods are destinations for public and private amenities that are within walking distance to a Citywide Anchor. Most buildings are between three and seven stories with an occasional high rise and are a mixture of attached and unattached. The scale of buildings is largely at the block level with some multiplex footprints, making an Anchor Neighborhood – Urban a diverse living and shopping community surrounding a local anchor. Green space may be interspersed to provide community common space.



“AN-U” Goals/Objectives:

Support continued reinvestment and intensification of areas within walking distance to urban core and medical and educational anchors to support those anchors.

“AN-U” Form & Location Characteristics:

SUSTAIN: Buildings attached, semi-attached, and detached. Primarily block-scale with some house-scale. Residential, commercial, or mix of use that are one to eight stories in height with the potential for an occasional high-rise. Primarily within ¼ mile of a Citywide Anchor.

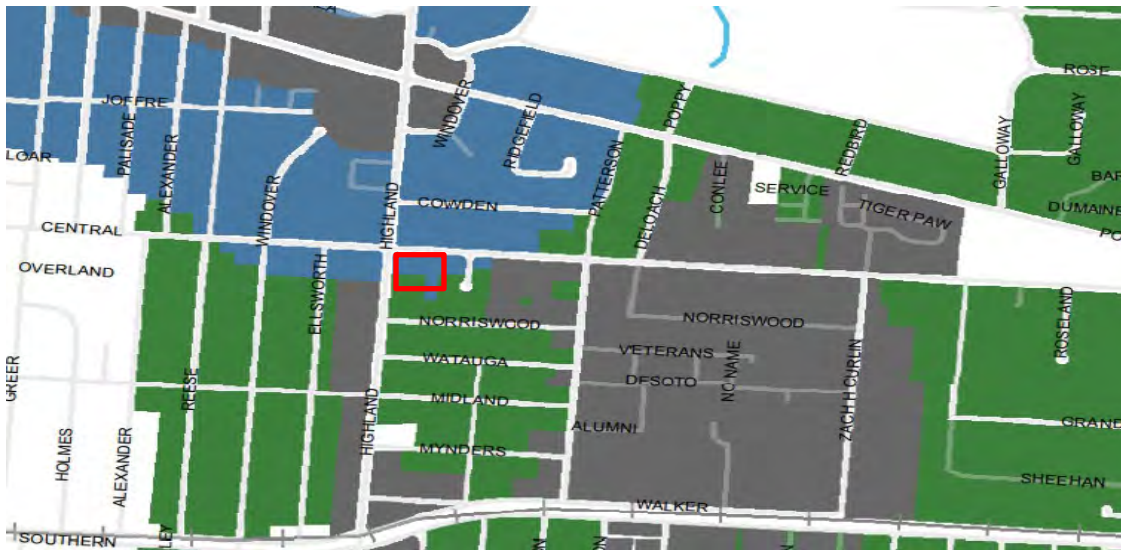
The applicant is seeking approval for a rezoning from RU-3 to CMU-2. The applicant intends to construct a mixed-used development. The development will contain two buildings. The first building will be seven stories in height with hotel rooms and a restaurant. The second building will be six stories in height with structured parking, an office, a pool, and apartments.

The request meets the criteria for height, form, and is adjacent to the University of Memphis, a Citywide Anchor. In addition, the proposed development promotes infill that is contextually compatible and intensifies the area within walking distance to the University of Memphis, a Citywide Anchor. Therefore, the proposal is consistent.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land use: Residential, Commercial, and Campus. The subject site is surrounded by the following zoning districts: R-6, CMU-1, CMP-1. This requested use is compatible with the adjacent land use because *existing land use surrounding the parcels is similar in nature to the requested use.*

4. Degree of Change map



Red polygon denotes the proposed site in a Sustain Degree of Change area.

5. Degree of Change Descriptions

Sustain areas rely on limited public support and private resources to maintain the existing pattern of a place.

Actions for Sustain anchors and anchor neighborhoods are meant to:

- Support existing market conditions
- Support maintenance of public realm and infrastructure
- Facilitate private investment and development that is contextually compatible
- Address building form with infill development

Ways to Sustain:

- Promote infill that is contextually compatible
- Maintain most existing zoning standards (not in conflict with future land use)
- Change street cross-sections to promote multi-modal transportation options
- Enhance connectivity to transit network
- Apply/Uphold historic overlay district overlays

- Address regulatory barriers to quality development
- Reduce number of curb cuts to improve pedestrian and cyclist safety (access management)
- Encourage "curb to door" pedestrian and ADA accommodations
- Construct new streets or pathways to increase connectivity within large sites
- Improve public access points (covered bus stops, benches)
- Improve public services (trash cleanup and collection)
- Control scale and frequency of signage
- Upgrade infrastructure to improve storm water runoff
- Improve existing parks and civic buildings and spaces
- Allow increased density and building height
- Allow a broader mix of uses

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

APPLICATION



Memphis and Shelby County
Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

**APPLICATION FOR RESIDENTIAL
CORRIDOR REVOCATION**

Date: May 6, 2021

Case #: _____

PLEASE TYPE OR PRINT

Name of Development: 35 Central

Property Owner of Record: Bobalu, LLC Phone #: (901)529-0844

Mailing Address: 322 S. Hollywood St. City/State: Memphis/TN Zip 38117

Property Owner E-Mail Address: bberry@worlds-away.com

Applicant: Bob Berry Phone # (901)529-0844

Mailing Address: 322 S. Hollywood St. City/State: Memphis/TN Zip 38117

Applicant E- Mail Address: bberry@worlds-away.com

Representative: Dedrick Brittenum Phone #: (901)552-5994

Mailing Address: 3385 Airways Blvd, Unit 229 City/State: Memphis/TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: Milestone Land Surveying, Inc (Ted Storch, RLS) Phone # (901)867-8671

Mailing Address: 2880 Cobb Rd. City/State: Lakeland/TN Zip 38002

Engineer/Surveyor E-Mail Address: ted.milestonels@gmail.com

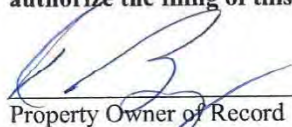
Street Address Location: 3535 Central Ave.

Distance to nearest intersecting street: Subject property is located at the south east corner of Central Ave. and S. Highland St.

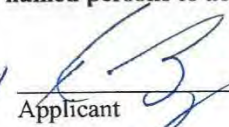
Pre-Application Conference held on: March 22, 2021 with Josh Whitehead

Neighborhood Meeting Requirement Met: Yes or No
(If yes, documentation must be included with application materials)

I (we) hereby make application for the Residential Corridor Revocation described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.


Property Owner of Record

4/21/21
Date


Applicant

4/21/21
Date

LETTER OF INTENT

Brittenum

Law pllc

ATTORNEY AT LAW
Airways Professional Center – Aerotropolis
3385 Airways Boulevard, Suite 229
Memphis, Tennessee 38116 USA
Telephone 901.347.3978
Facsimile 901.800.1927
db@brittenumlaw.com

3 June 2021

Josh Whitehead, AICP
Planning Director / Administrator
Memphis & Shelby County Office of Planning and Development
City Hall
125 North Main Street, Suite 468
Memphis, TN 38103

RE: 3535 Central Avenue Project
Application for Residential Corridor Revocation
Application for Rezoning Approval (RU-3 < CMU-2)
Application for Planned Development Approval

Dear Administrator Whitehead:

I represent Bobalu, LLC regarding the above referenced applications for a site on the southeast corner of the intersection of Central Avenue and Highland Street. The subject property is currently zoned RU-3 with the University District Overlay. The site is approximately 2.460 acres. The current use is institutional for the Third Church of Christ, Scientist which has assembled there for several decades. Bobalu LLC has owned the property since September 2020. You will find enclosed the three applications named above with supporting documents for staff review and recommendation, LUCB consideration and recommendation and City Council action. The applications are filed to be heard by the LUCB on Thursday, 8 July 2021.

The applicant is seeking approval for a concept to redevelop the above tract as a mixed-use hotel destination complex. Considering the proximity to the University of Memphis, the site is ideal for in demand use as hotel, offices and apartments in this University District neighborhood. The development consists of a seven-story hotel showing 115 rooms with restaurant / bar. The design has private offices (34,000 sq permitted) with a courtyard on level 3. The pool terrace is on Level 4. Levels 4-6 have 75 apartment units to accommodate 90 beds. Great attention is given to dedicated parking located on levels 1 and 2 of the structure and ground parking on the south of the site. The off-street parking will be accessible to the public. There are two access points, one located on Central Avenue and one on Highland Street as approved by the Memphis City Engineer.

The 35 Central development considers the Memphis 3.0 Comprehensive Plan for the University District area. Two of the district priorities are addressed by the planned re-use of the subject site and the ongoing efforts to revitalize the existing commercial uses along Highland Street. The mixed-use aspect of the project will contribute to the goal of a walkable environment within the existing multifamily neighborhood with the area commercial center on Highland Street just to the south. The hotel complex is in an anchor designation area and is planned to attract people from the neighborhood and all over Memphis as a center of high activity.

The existing uses in the vicinity are comprised of single-family residential east of the site, multifamily to the south along both sides of Highland Street, north across Central Avenue and townhouse use to the northwest. Situated between multifamily towers immediately to the north and south, the hotel provides a nice step-down appeal for this corner. The hotel building also recognizes contemporary urban design principals to achieve a sense of place. Overall, the University District planning standards are incorporated with Memphis 3.0 principles to achieve a development that conforms with the surrounding neighborhood. Upon completion, the 35 Central Hotel will become the talk of the nation as the place to stay in Memphis for top tier overnight lodging.

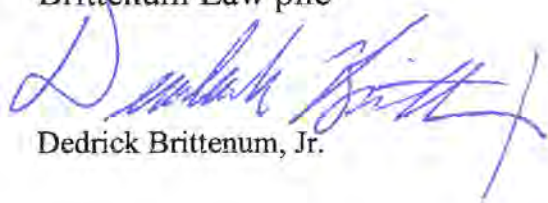
The professional consultants associated with the development are:

Fleming Architects, Memphis
Kimley-Horn, Memphis
Integrated Land Solutions, Collierville
Dr. Martin Lipinski, Memphis
Younger Associates, Memphis

The planning objective of the applicant provides world class accommodations in an area dedicated to instruction, learning, arts and culture for Memphis. The development blends with and enhances the mix of uses for people living in the area as well as those visitors drawn to the prime amenities of the University District. The applicant reviewed the various planning studies for the area in developing the concept for the hotel development. Finally, analysis shows a onetime construction economic impact over \$104 million, the annual operations economic impact is over \$14 million and the annual direct/ indirect jobs number is 234.

Thank you for the time to review the application and setting it for hearing before the LUCB. On behalf of the applicant and the entire development team, support for approval is requested for this application. Should you have questions or comments, please advise. I remain,

Very truly yours,
Brittenu Law pllc



Dedrick Brittenu, Jr.

enclosure

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Henry V. Smith, being duly sworn, depose and say that at _____ am/pm on the 21 day of June, 2021, I posted 2 Public Notice Sign(s) pertaining to Case No. _____ at Central & Highland providing notice of a Public Hearing before the 8 Land Use Control Board, _____ Memphis City Council, _____ Shelby County Board of Commissioners for consideration of a proposed Land Use Action (_____ Planned Development, _____ Special Use Permit, _____ Zoning District Map Amendment, _____ Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

X H. Smith
Owner, Applicant or Representative

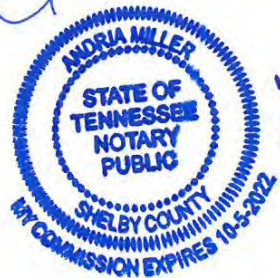
6-21-21
Date

Subscribed and sworn to before me this 21 day of June, 2021.

Andria Miller

Notary Public

My commission expires: 10/5/2022



LETTERS RECEIVED

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

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

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, _____ at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

- CASE NUMBER:** PD 2021-20, Z 2021-05, and RC 2021-01
- LOCATION:** 3535 Central Avenue (southeast corner of Central and Highland)
- COUNCIL DISTRICTS:** District 5 and Super District 9 – Positions 1, 2, and 3
- OWNER/APPLICANT:** Bobalu, LLC – Bob Berry
- REPRESENTATIVE:** Dedrick Brittenum of Brittenum Law, PLLC
- EXISTING ZONING:** Residential Urban – 3 (RU-3), University District Overlay, and Residential Corridor Overlay
- REQUESTS:** PD 2021-20 – mixed use planned development
Z 2021-05 – rezoning to Residential Single-Family – 6 (R-6)
RC 2021-01 – residential corridor deletion
- AREA:** +/-2.46 acres

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development:

PD 2021-020 – Approval with conditions Z 2021-05 – Approval RC 2021-01 – Approval

Memphis and Shelby County Land Use Control Board:

PD 2021-020 – Approval with conditions Z 2021-05 – Approval RC 2021-01 – Approval

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

This case will also be heard at the Planning and Zoning Committee on the same day with the specific time to be determined prior to the meeting date and posted on the City of Memphis’ website.

THIS THE _____, _____

FRANK COLVETT JR.
CHAIRMAN OF COUNCIL

ATTEST:

DYWUANA MORRIS
CITY COMPTROLLER

TO BE PUBLISHED:



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

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

July 9, 2021

Bobalu, LLC
322 South Hollywood Street
Memphis, TN 38117

Sent via electronic mail to (applicant's representative): db@brittenumlaw.com

Case Number: RC 2021-01
LUCB Recommendation: Approval

Dear applicant,

On Thursday, July 8, 2021, the Memphis and Shelby County Land Use Control Board recommended **approval** of your residential corridor revocation application to remove of a portion of land from the Residential Corridor Overlay District located at 3535 Central Avenue (southeast corner of Central and Highland).

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

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

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

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

**Letter to Applicant
RC 2021-01**

Respectfully,

A handwritten signature in blue ink, appearing to read 'JP', is positioned above the typed name.

Jeffrey Penzes
Principal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Dedrick Brittenum, Brittenum Law, PLLC
File



Memphis and Shelby County Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR RESIDENTIAL CORRIDOR REVOCATION

Date: May 6, 2021

Case #: _____

PLEASE TYPE OR PRINT

Name of Development: 35 Central

Property Owner of Record: Bobalu, LLC Phone #: (901)529-0844

Mailing Address: 322 S. Hollywood St. City/State: Memphis/TN Zip 38117

Property Owner E-Mail Address: bberry@worlds-away.com

Applicant: Bob Berry Phone # (901)529-0844

Mailing Address: 322 S. Hollywood St. City/State: Memphis/TN Zip 38117

Applicant E- Mail Address: bberry@worlds-away.com

Representative: Dedrick Brittenum Phone #: (901)552-5994

Mailing Address: 3385 Airways Blvd, Unit 229 City/State: Memphis/TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: Milestone Land Surveying, Inc (Ted Storch, RLS) Phone # (901)867-8671

Mailing Address: 2880 Cobb Rd. City/State: Lakeland/TN Zip 38002

Engineer/Surveyor E-Mail Address: ted.milestonels@gmail.com

Street Address Location: 3535 Central Ave.

Distance to nearest intersecting street: Subject property is located at the south east corner of Central Ave. and S. Highland St.

Pre-Application Conference held on: March 22, 2021 with Josh Whitehead

Neighborhood Meeting Requirement Met: Yes or No
(If yes, documentation must be included with application materials)

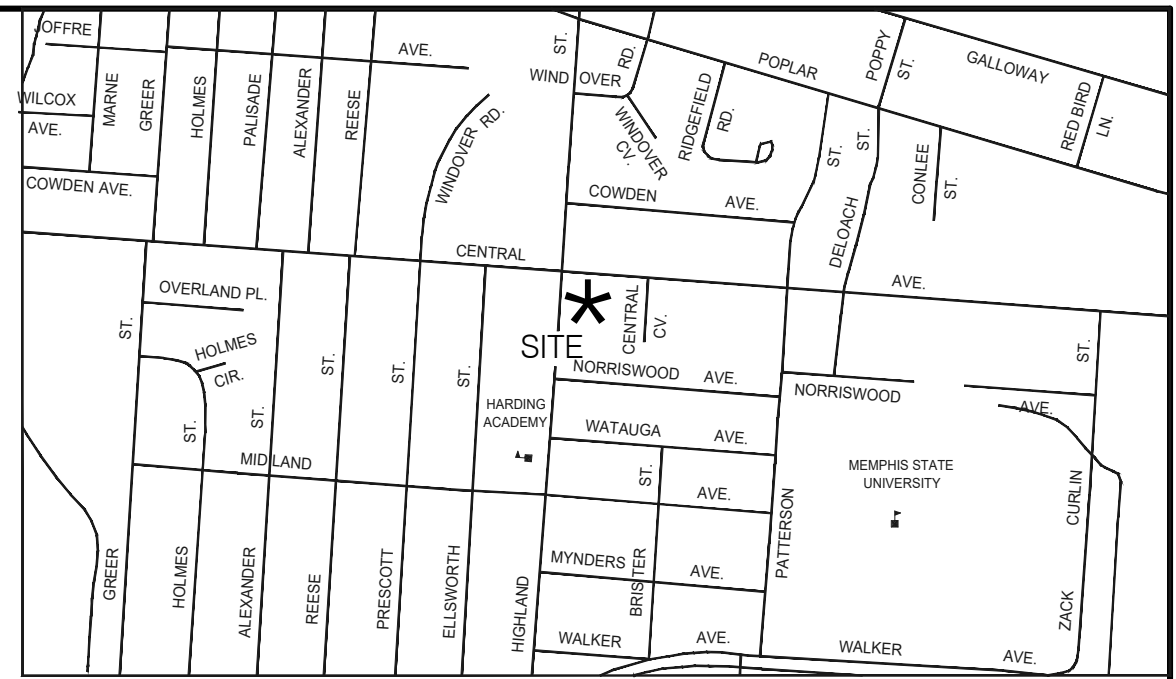
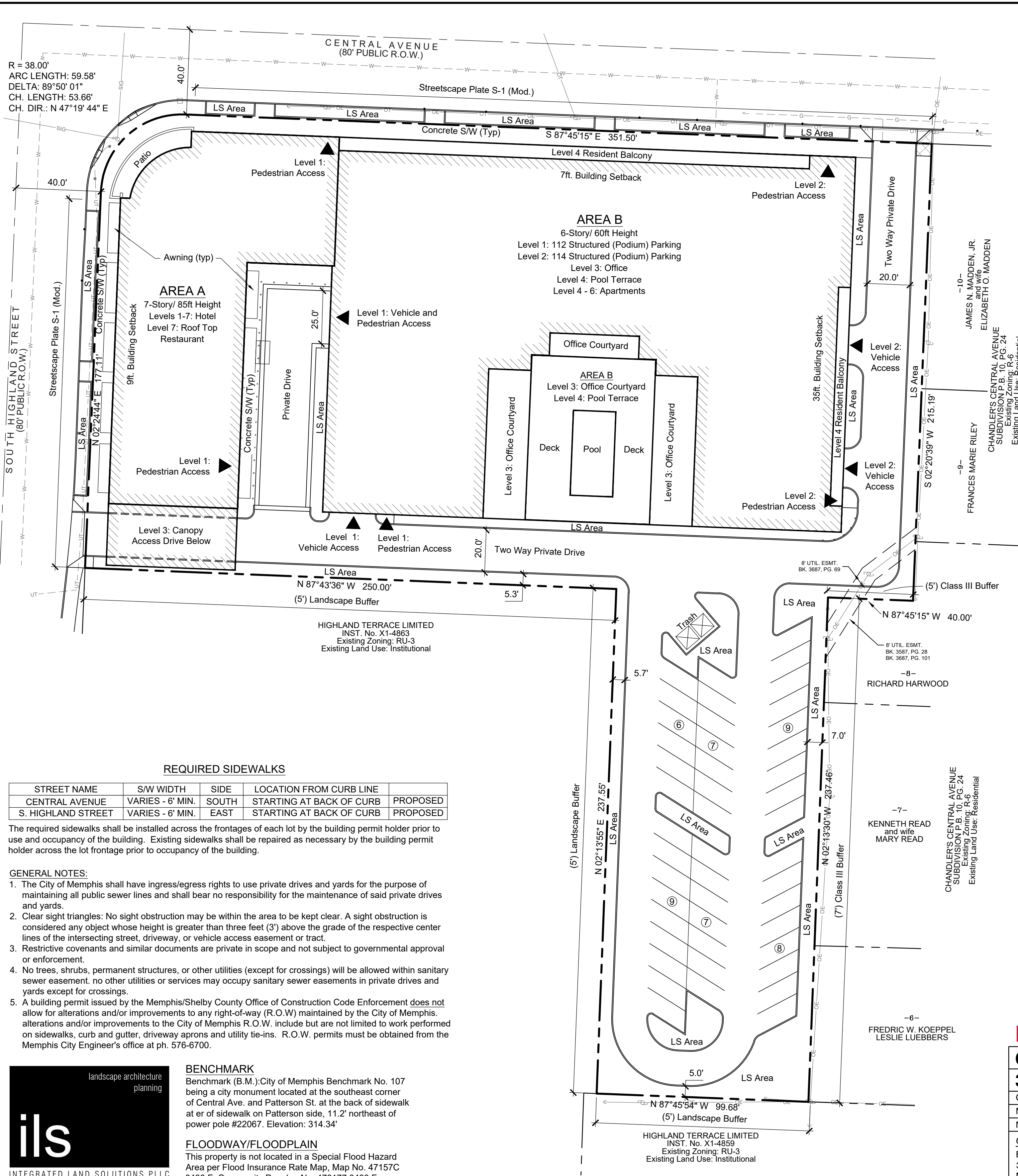
I (we) hereby make application for the Residential Corridor Revocation described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

[Signature]
Property Owner of Record

4/21/21
Date

[Signature]
Applicant

4/21/21
Date



BUILDING DATA			
BUILDING	USE	HEIGHT	GROSS SF
BLDG. A	HOTEL/RESTAURANT	7 STORY/85'	±78,500 SF
BLDG. B	OFFICE/RESIDENTIAL	6 STORY/60'	±145,000 SF

SITE DATA	
TOTAL SITE:	107,147 sf (2.46 ac)
EX. ZONING:	COMM. MIXED USE - 2 (CMU-2) UNIV. DISTRICT OVERLAY/ P.D.
PARKING REQUIRED:	UDC 8.3.10E
OFFICE USES (35,000sf)	None
HOTEL (115 Units @ 0.5/unit)	58
APARTMENTS (90 beds @ 0.5/bed)	45
BICYCLE	10
ADA ACCESSIBLE	7
TOTAL	120
PARKING PROVIDED:	
LEVEL 1 STRUCTURED PARKING	112 (4 ADA)
LEVEL 2 STRUCTURED PARKING	114 (3 ADA)
OFF-STREET SURFACE PARKING	49
BICYCLE	10
TOTAL	285
SETBACKS:	
FRONT:	
CENTRAL AVE:	7'
S. HIGHLAND ST:	9'
SIDE (east):	35' (UDC 8.3.8)
REAR (south):	0' (UDC 8.3.6D)
	*5' Minimum Bldg. Separation

REQUIRED SIDEWALKS

STREET NAME	S/W WIDTH	SIDE	LOCATION FROM CURB LINE	PROPOSED
CENTRAL AVENUE	VARIABLES - 6' MIN.	SOUTH	STARTING AT BACK OF CURB	PROPOSED
S. HIGHLAND STREET	VARIABLES - 6' MIN.	EAST	STARTING AT BACK OF CURB	PROPOSED

The required sidewalks shall be installed across the frontages of each lot by the building permit holder prior to use and occupancy of the building. Existing sidewalks shall be repaired as necessary by the building permit holder across the lot frontage prior to occupancy of the building.

GENERAL NOTES:

- The City of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives and yards.
- Clear sight triangles: No sight obstruction may be within the area to be kept clear. A sight obstruction is considered any object whose height is greater than three feet (3') above the grade of the respective center lines of the intersecting street, driveway, or vehicle access easement or tract.
- Restrictive covenants and similar documents are private in scope and not subject to governmental approval or enforcement.
- No trees, shrubs, permanent structures, or other utilities (except for crossings) will be allowed within sanitary sewer easement. no other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
- A building permit issued by the Memphis/Shelby County Office of Construction Code Enforcement does not allow for alterations and/or improvements to any right-of-way (R.O.W) maintained by the City of Memphis. alterations and/or improvements to the City of Memphis R.O.W. include but are not limited to work performed on sidewalks, curb and gutter, driveway aprons and utility tie-ins. R.O.W. permits must be obtained from the Memphis City Engineer's office at ph. 576-6700.

BENCHMARK
Benchmark (B.M.): City of Memphis Benchmark No. 107 being a city monument located at the southeast corner of Central Ave. and Patterson St. at the back of sidewalk at or of sidewalk on Patterson side, 11.2' northeast of power pole #22067. Elevation: 314.34'

FLOODWAY/FLOODPLAIN
This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C 0430 F, Community Panel No. 470177 0430 F, Effective Date: September 28, 2007.

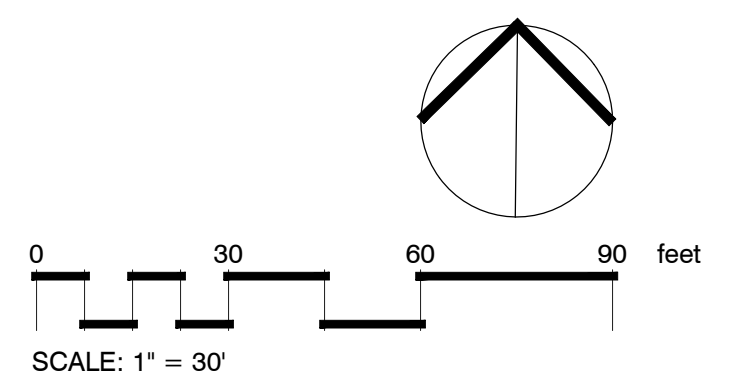
landscape architecture
planning

ils
INTEGRATED LAND SOLUTIONS, PLLC
9967 Bentwood Creek Cv. Collierville, Tn 38017
901.493.6996 corybrady@gmail.com

DRAFT

CONCEPT PLAN
35 CENTRAL PLANNED DEVELOPMENT

CASE NUMBER: PD ###-###		
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1	ACREAGE: 2.46 ACRES	WARD 46, BLOCK 1, PARCEL 1c
OWNERS/DEVELOPERS: BOBALU LLC 322 S. HOLLYWOOD ST. MEMPHIS, TN 38117		SURVEYOR: MILESTONE LAND SURVEYING, INC. 2880 COBB ROAD LAKELAND, TN 38002
100 YEAR FLOOD ELEV: N/A	FEMA MAP PANEL No. 470177 0430 F	FEMA MAP DATE: 9/28/2007
JUNE 2021	SCALE: 1" = 30'	SHEET 1 OF 7



NOTES:

- Survey prepared for Bobalu, LLC.
- Bearings are relative only.
- This survey was prepared from information contained in Commitment No. 844992 Revision 1, Effective Date: May 27, 2020 at 8:00 AM by Chicago Title Insurance Company.
- All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
- This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C 0430 F, Community Panel No. 470177 0430 F, Effective Date: September 28, 2007.
- There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
- There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- Subsurface and environmental conditions were not examined or considered as a part of this survey.
- Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- Elevations shown hereon were taken on the ground using B.M. noted hereon.
- Benchmark (B.M.): City of Memphis Benchmark No. 107 being a city monument located at the southeast corner of Central Ave. and Patterson St. at the back of sidewalk at er of sidewalk on Patterson side, 11.2' northeast of power pole #22067. Elevation: 314.34
- If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
- Survey is valid only if print has original seal of surveyor.
- Underground utilities shown hereon were plotted from markings by others and from maps provided by others. Milestone Land Surveying, Inc. assumes no responsibility for the accuracy or completeness of said maps or markings.
- At the time of this survey, there was no observed evidence of recent earth moving work, building construction or building additions.
- At the time of this survey, there was no observed evidence of re-street or sidewalk construction or repairs.
- To the best of our knowledge, there are currently no proposed changes is street right-of-way lines.
- This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.

SCHEDULE B SECTION II EXCEPTIONS:

- Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed insured acquires for value of record the estate or interest or Mortgage thereon covered by the form. (not a survey matter)
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. (none of which we are aware)
- Easements, or claims of easements, not shown by the public records. (none of which we are aware)
- Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records. (not a survey matter)
- The rights or claims of parties in possession not shown by the public records. (not a survey matter)
- Taxes or special assessments which are not shown as existing liens by the public records. (not a survey matter)
- Any taxes or assessments not posted on the record of the taxing authority(ies) of which the Land described in Schedule A hereof is subject, including but not limited to: Supplemental, Revised, and/or Corrected Assessments pursuant to T.C.A. Section 67-5-509 and 67-5-603 et seq. dealing with any improvements completed after January 1 and before September 1 of any year; or Back Assessments pursuant to T.C.A. Section 67-1-1001 et seq.; or taxes based on a change in the classification of the Insured Land (Roll Book Taxes) pursuant to T.C.A. Section 67-5-1001 et seq. (not a survey matter)
- City of Memphis taxes for the year 2021, not yet a lien, not yet due and payable and Shelby County taxes for the year 2020, a lien, not yet due and payable. (not a survey matter)
- Any taxes for past, present or future tax years which may become due but which are not presently due and payable because of the existing tax classification of the Land as exempt. (not a survey matter)
- Easement(s) of record in Book 1620, Page 37; Book 1711, Page 350; Book 3687, Page 69; and Book 4142, Page 166, in the Register's Office of Shelby County, Tennessee.
 - Bk. 1620, Pg. 37 (not a survey matter)
 - Bk. 1711, Pg. 350 (does not affect the subject property)
 - Bk. 3687, Pg. 69 (shown hereon)
 - Bk. 4142, Pg. 166 (does not affect the subject property)
- Rights of tenants in possession, as tenants only, under unrecorded leases, if any. (not a survey matter)

SOUTH HIGHLAND STREET
(80' PUBLIC R.O.W.)

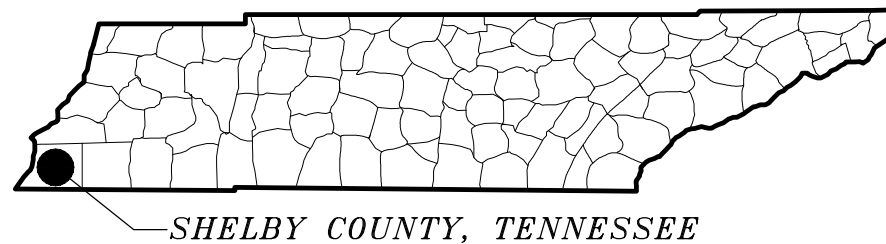
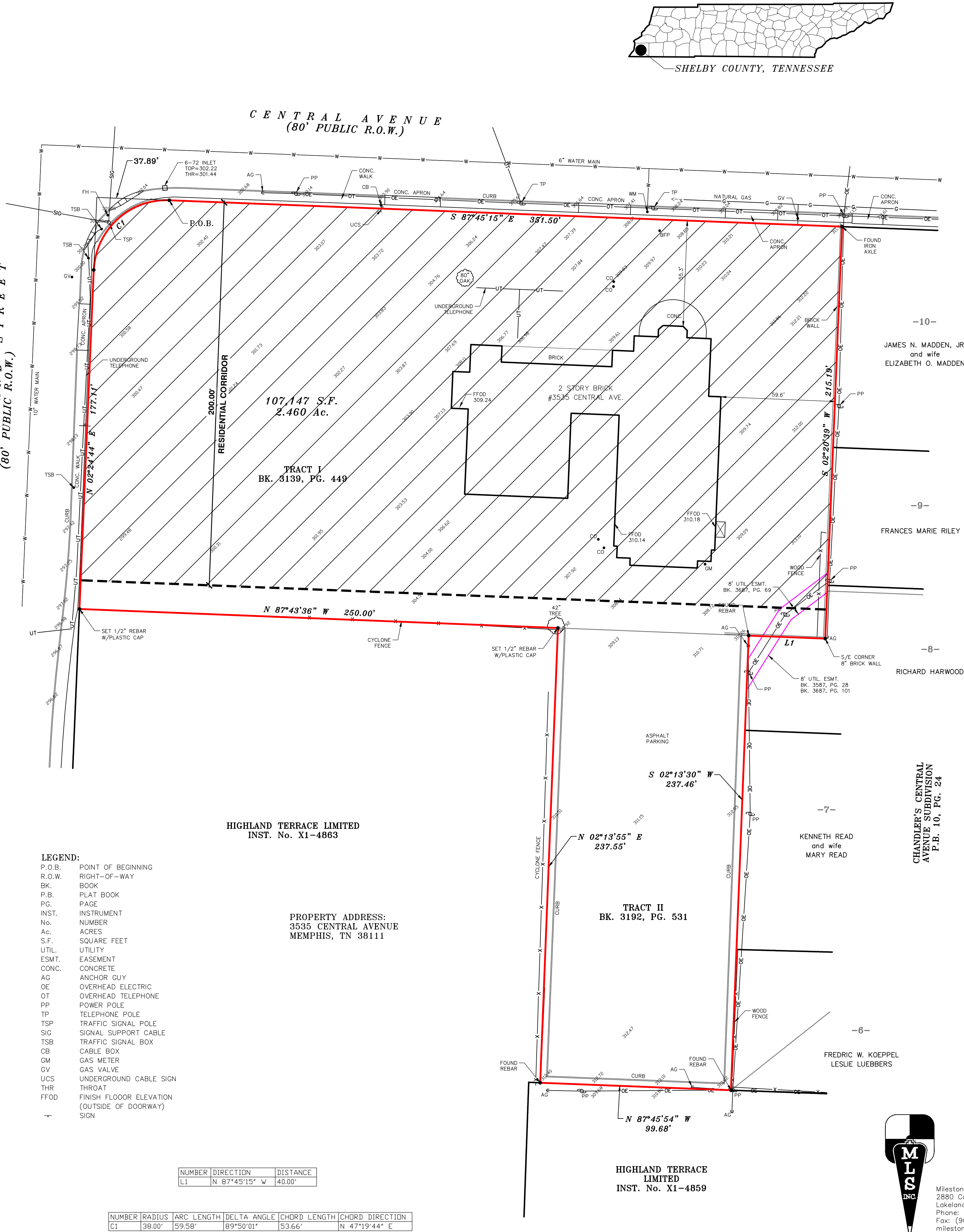


EXHIBIT A DESCRIPTION:

Land situated in Shelby County, Tennessee:
Parts of Lots 32, 33, 34, 37 and 38 of Buntyn Highlands Subdivision, being more particularly described as follows:
Beginning at the intersection of the south line of Central Avenue and the east line of Highland Street, as widened; thence southwardly along the east line of Highland Street 230 feet; thence eastwardly parallel with the south line of Central Avenue 390 feet; thence northwardly parallel with the east line of Highland Street 230 feet to the south line of Central Avenue; thence westwardly along the south line of Central Avenue 390 feet to the point of beginning.

AND
Tract II:
Parts of Lots 37 and 38, Buntyn Highlands Subdivision (Unrecorded), being more particularly described as follows: BEGINNING at a point in the south line of Lot 38 of said Subdivision, 350 feet east of the east line of Highland Avenue as widened, said point of beginning being the southwest corner of the tract of land conveyed to Aetna K. Chandler by the grantors herein by warranty deed recorded in Book 1682, page 284 in the Register's Office, Shelby County, Tennessee; thence westwardly along the south line of Lots 38 and 37 of said Subdivision, 100 feet to a point; thence northwardly and parallel with the east line of said Aetna K. Chandler tract, 237.84 feet to a point in the south line of the tract of land conveyed to the grantee herein by warranty deed recorded in Book 3239, page 449 in said Register's Office; thence eastwardly along the south line of the last mentioned tract of land 100 feet to a northwest corner said Aetna K. Chandler tract; thence southwardly along the west line of said Aetna K. Chandler tract 237.84 feet to the point of beginning.

SURVEYOR'S DESCRIPTION:

Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:
Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the tangent intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plot Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plot Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence, north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning and containing 107,147 square feet or 2.460 acres of land.

This being the same property described in Schedule A of Chicago Title Insurance Company Commitment No. 844992, dated May 27, 2020.

CERTIFICATION:

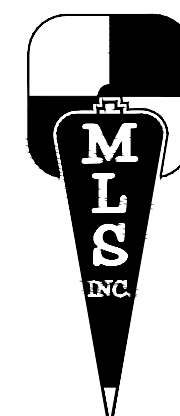
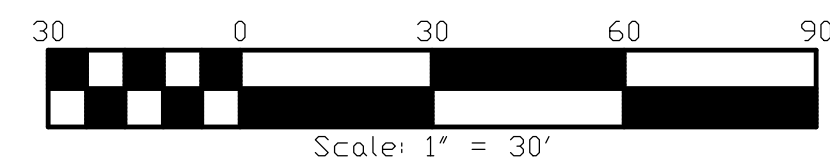
To Robert Berry, 266 Lofts, LLC, a Tennessee limited liability company; Berry/Smith Development, LLC, a Tennessee limited liability company; Bass, Berry & Sims PLC; Smith and Smith Law Firm; and Chicago Title Insurance Company.
This is to certify that this map or plat and the survey on which it is based were made in accordance with 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 5, 13, 14, 16, and 17 of Table A thereof. The field work was completed on June 10, 2020.

MILESTONE LAND SURVEYING, INC.

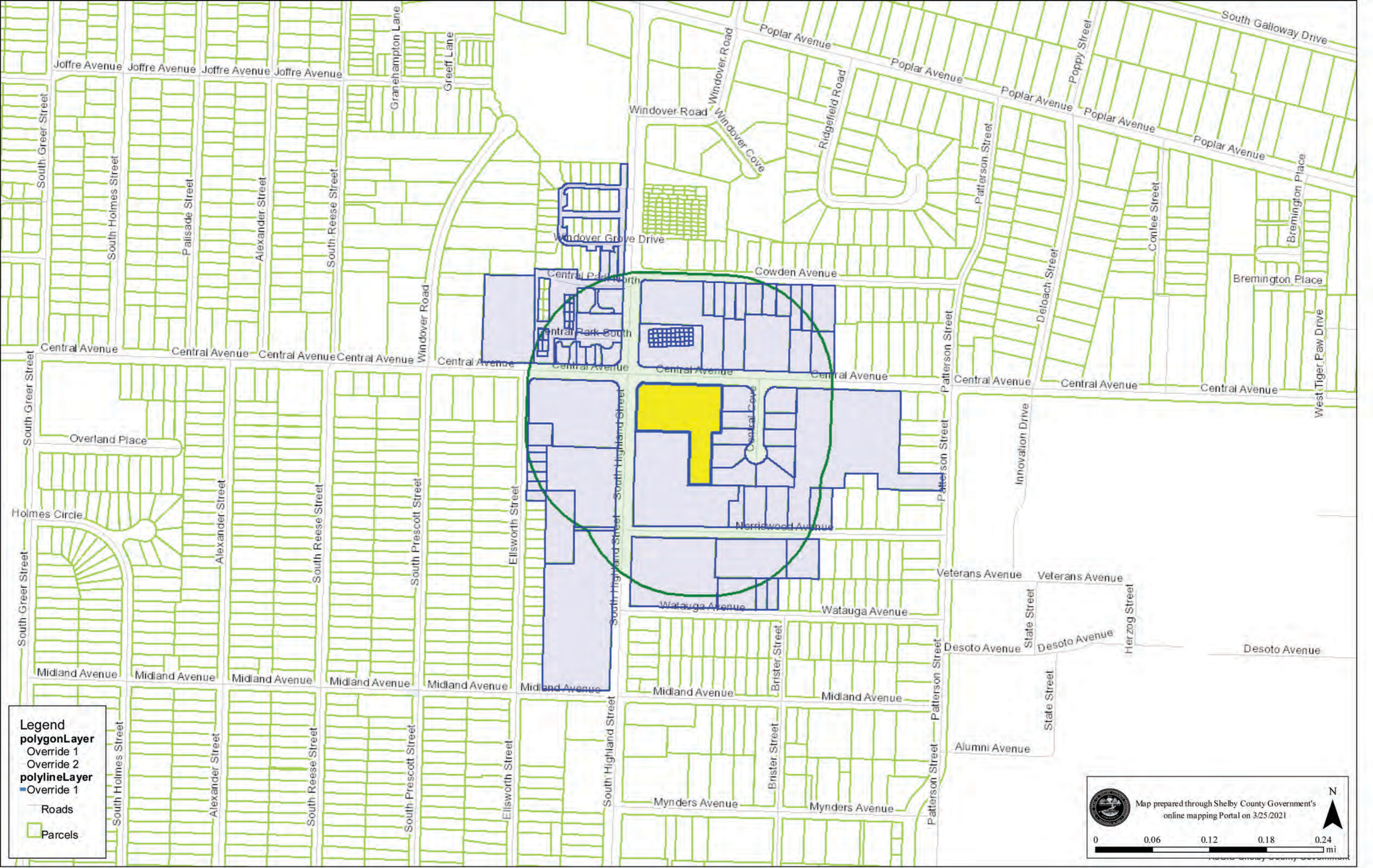
By
Regis T. Storch, Jr., RLS
Vice President
Tennessee Certificate No. 2138

**ALTA/NSPS LAND TITLE SURVEY
OF THE
SECOND CHURCH OF CHRIST,
SCIENTIST, OF MEMPHIS,
TENNESSEE PROPERTY
RECORDED IN
BK. 3139, PG. 449 & BK. 3192, PG. 531
MEMPHIS,
SHELBY COUNTY, TENNESSEE**

SCALE: 1" = 40' DATE: JUNE 10, 2020



Milestone Land Surveying, Inc.
2880 Cobb Road
Lakeland, TN 38002
Phone: (901) 867-8671
Fax: (901) 867-9859
milestonels@bellsouth.net



Legend
polygonLayer
 Override 1
 Override 2
polylineLayer
 Override 1
 Roads
 Parcels

Map prepared through Shelby County Government's online mapping Portal on 3/25/2021

0 0.06 0.12 0.18 0.24 mi

N

045126 A00002 - ROWE LESA M & ROBERT K
045126 D00009C - TAYLOR RALPH REVOCABLE LIVING TRUST AND
045126 D00013 - CENTRAL PARK PL NORTH HOMEOWNERS ASSN
045126 D00011C - MILLER ANNE W
044056 00007 - MCCOID SCOTT
044056 00011 - ANDERSON ELLIOTT
045126 B00003 - CHONOLLES MAC A
045126 D00008 - GILES GARY O & JENNIFER K
045126 E00009 - ROSS ROGER B AND LOWELL O WINSTON III
045126 E00010 - ROSS ROGER B AND LOWELL O WINSTON III
045126 D00007 - CENTRAL PARK PL SOUTH HOMEOWNERS ASSN
044056 00029 - BUCHNER C ANDREW AND MELISSA M BUCHNER
045126 D00006 - CRABTREE SUE H
046001 00042 - MADDEN JAMES N JR & ELIZABETH O
046001 00007 - HEEHS CHRISTOPHER J & MARY C
046001 00035 - MEM PARK 3 LLC
046002 00007C - BELL JOSH FAMILY LIMITED PARTNERSHIP
046002 00032C - TN MEMPHIS LAND 3 LLC
044056 00036C - GRAVES TERRY C
046001 00047C - HIGHLAND TERRACE LIMITED
044056 A00028 - DEAN PATRICK & MARY
044056 A00029 - BORAH SUMIT
044056 A00030 - NUNNERY FRED L & MARY J
044056 A00011 - WHITEHEAD DAVID E & LESLEY D
044056 A00012 - MORRIS PATRICK H

044056 A00013 - HAYS JAMES W III
044056 A00014 - HAJI SHOWKAT
044056 A00015 - GAMBLE WILLIAM B III & MELISSA CASH
044056 A00041 - LAURELS CONDOMINIUM OWNERS
045126 00025 - COUNCIL OF CO OWNERS OF CENTRAL PARK
045126 A00001 - PAZAR CHARLES E & JANICE P
044056 00003 - MINIMAX DESIGN LLC
044056 00004 - JMJL ENTERPRISES LLC
044056 00034 - ANDERSON PAUL B & ZOE A
044056 00035 - ANDERSON PAUL B AND ZOE ANDERSON
044056 00006 - STONEHOLLOW HOLDINGS II LLC
044056 00008 - PORTER RONNIE S & KATHERINE
044056 00009 - ISBELL JOHN M JR & LISA K
044056 00010 - MCCOID SCOTT & SARAH
045126 B00001 - THOMPSON JULIA A
045126 B00002 - ZAIDI SYED AND LARISSA BELYAK
045126 B00004 - BASEK JOHN & PAULA
045126 B00005 - CAI CAMELYTA & JINLIANG
045126 B00006 - RIDER DONALD R (99%) AND HALEY M RIDER
045126 B00007 - ROBISON RALPH M
045126 B00008 - JOHNSON ANNA M
044056 00031 - REARDON BENJAMIN R & JULIE
045126 E00011 - COX TIMOTHY A JR
045126 E00012 - GRESKO ADA AMD MICHAEL J GRESKO AND
044056 00028 - GOLWEN JOHN S & TAMMY P

045126 D00001 - HICKMAN PATRICIA W REVOCABLE TRUST

045126 D00002 - RHEA JULIA G & JOHN R

045126 D00003 - YOAKUM SUSAN D

045126 D00005 - SMART TERRY D

045126 D00004 - PATTERSON JAMIE J

045126 E00013 - JOHNSON REVOCABLE LIVING TRUST

045125 00001 - JUNIOR LEAGUE OF MEMPHIS

046001 00011 - SMITH STEPHEN F & PAMELA F

046001 00012C - UNIVERSITY OF TENNESSEE

046001 00003 - RILEY FRANCES M

046001 00010 - GREER THOMAS R & TIFFANEY J

045125 00021 - JUNIOR LEAGUE OF MEMPHIS

046001 00004 - HARWOOD EVAN R LIVING TRUST

046001 00009 - SCHMOLLER WANITA C

046001 00005 - READ KENNETH E & MARY C

046001 00008 - MUNN AARON W & LOUISA KRAMER

046001 00044 - MEM PARK 3 LLC

046001 00036 - MEM PARK 3 LLC

046001 00033 - BOARD OF REGENTS ETAL

046002 00001C - GMF-SERENITY TOWERS LLC

046002 00006C - TN MEMPHIS HOLDINGS LLC

046002 00031 - TN MEMPHIS HOLDINGS LLC

046002 00030 - PALISADE LLC

046001 00001C - SECOND CHURCH OF CHRIST

044056 00032C - ALPHA SOUTH HIGHLAND LLC

046001 00006 - KOEPEL FREDIC W AND LESLIE LUEBBERS (RS)
044056 A00031 - CHIZ MOLLY D
044056 A00032 - WHELESS JAMES W & ANNETTE C
044056 A00033 - SCOTT LUCINDA
044056 A00034 - SHARP GERALD C & MARY F
044056 A00035 - DRINAN DIANA E
044056 A00036 - LAUBSCHER ANDREAS & YIT C
044056 A00037 - KULHARYA ANITA S
044056 A00038 - RESIDUARY TRUST
044056 A00039 - HANSARD ALBERT L LIVING TRUST
044056 A00040 - DAVIS KYLIE
044056 A00021 - BOYD CORNELIUS D
044056 A00022 - CARTER APRIL D
044056 A00023 - PAGE JANE E
044056 A00024 - BAILEY ADRIENNE L
044056 A00025 - SELLERS CECIL G JR
044056 A00026 - KLOKER KEN & LYNN
044056 A00027 - MOORE FAMILY TRUST
044056 A00016 - BIGAM CAROL R AND ANNETTE DIVIRGILIO
044056 A00017 - HUBBERT CHARLES & MARGARET
044056 A00018 - MALONEY ANDREW M
044056 A00019 - TROUY MARY E AND KIMBERLY LEWIS (RS)
044056 A00020 - TAM JONATHAN P
044056 A00001 - RANDALL LEE A
044056 A00002 - SPENCE REGINALD

044056 A00003 - ASKEW BARBARA G
044056 A00004 - TUTOR R DEAN SR & ALEITA U
044056 A00005 - BRAND PETER J
044056 A00006 - BAUER PAUL & MARY B
044056 A00007 - MILNOR WALKER I & GREGG S
044056 A00008 - SHAPIRO MONICA P
044056 A00009 - JOHNSON EDWARD H JR & BETTY W
044056 A00010 - ABW REVOCABLE TRUST
045126 A00035 - WINDOVER GROVE HOMEOWNERS INC
045126 00008 - RIGGS HELEN T
045125 00029 - HIGHLAND ROW LLC
045125 00027 - HIGHLAND ROW LLC
045125 00026 - HIGHLAND ROW LLC
045125 00030 - MEMPHIS & SHELBY COUNTY COMMUNITY
045125 00048 - W & A INVESTMENTS GP
045125 00049 - W & A INVESTMENTS GP
045125 00050 - W & A INVESTMENTS GP
045125 00051 - W & A INVESTMENTS GP
045125 00052 - W & A INVESTMENTS GP
045125 00053 - W & A INVESTMENTS GP

ROWE LESA M & ROBERT K
265 WINDOVER GROVE DR
MEMPHIS TN 38111

TAYLOR RALPH REVOCABLE LIVING TRUST AND
427 CHERRY HALL PL
MEMPHIS TN 38117

CENTRAL PARK PL NORTH HOMEOWNERS ASSN
4990 POPLAR AVE
MEMPHIS TN 38117

MILLER ANNE W
3485 N CENTRAL PARK ST
MEMPHIS TN 38111

MCCOID SCOTT
10548 LATTING RD
CORDOVA TN 38016

ANDERSON ELLIOTT
3587 COWDEN AVE
MEMPHIS TN 38111

CHONOLLES MAC A
280 W CENTRAL PARK ST #3
MEMPHIS TN 38111

GILES GARY O & JENNIFER K
3481 N CENTRAL PARK ST
MEMPHIS TN 38111

ROSS ROGER B AND LOWELL O WINSTON III
2231 COURT AVE
MEMPHIS TN 38104

ROSS ROGER B AND LOWELL O WINSTON III
2231 COURT AVE
MEMPHIS TN 38104

CENTRAL PARK PL SOUTH HOMEOWNERS ASSN
4990 POPLAR AVE
MEMPHIS TN 38117

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3580 CENTRAL AVE
MEMPHIS TN 38111

CRABTREE SUE H
3486 CENTRAL AVE
MEMPHIS TN 38111

MADDEN JAMES N JR & ELIZABETH O
3551 CENTRAL AVE
MEMPHIS TN 38111

HEEHS CHRISTOPHER J & MARY C
348 CENTRAL CV
MEMPHIS TN 38111

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

BELL JOSH FAMILY LIMITED PARTNERSHIP
PO BOX 770207
MEMPHIS TN 38177

TN MEMPHIS LAND 3 LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

GRAVES TERRY C
3564 CENTRAL AVE
MEMPHIS TN 38111

HIGHLAND TERRACE LIMITED
1615 APPLING RD
CORDOVA TN 38016

DEAN PATRICK & MARY
10401 GROSVENOR PL #1701
ROCKVILLE MD 20852

BORAH SUMIT
3520 CENTRAL AVE #309
MEMPHIS TN 38111

NUNNERY FRED L & MARY J
3520 CENTRAL AVE #310
MEMPHIS TN 38111

WHITEHEAD DAVID E & LESLEY D
3520 CENTRAL AVE #201
MEMPHIS TN 38111

MORRIS PATRICK H
3520 CENTRAL AVE #202
MEMPHIS TN 38111

HAYS JAMES W III
3520 CENTRAL AVE #203
MEMPHIS TN 38111

HAJI SHOWKAT
3520 CENTRAL AVE #204
MEMPHIS TN 38111

GAMBLE WILLIAM B III & MELISSA CASH
3520 CENTRAL AVE #205
MEMPHIS TN 38111

LAURELS CONDOMINIUM OWNERS
1010 JUNE RD
MEMPHIS TN 38119

COUNCIL OF CO OWNERS OF CENTRAL PARK
8582 KATY FWY #202
HOUSTON TX 77024

PAZAR CHARLES E & JANICE P
267 WINDOVER GROVE DR
MEMPHIS TN 38111

MINIMAX DESIGN LLC
PO BOX 38343
GERMANTOWN TN 38183

JMJL ENTERPRISES LLC
1385 CORPORATE AVE
MEMPHIS TN 38132

ANDERSON PAUL B & ZOE A
11989 CAMPBELL ST
ARLINGTON TN 38002

ANDERSON PAUL B AND ZOE ANDERSON
PO BOX 243
ARLINGTON TN 38002

STONEHOLLOW HOLDINGS II LLC
4111 GWYNNE RD
MEMPHIS TN 38117

PORTER RONNIE S & KATHERINE
1754 POPLAR ESTATES PKWY
GERMANTOWN TN 38138

ISELL JOHN M JR & LISA K
3577 COWDEN AVE
MEMPHIS TN 38111

MCCOID SCOTT & SARAH
10548 LATTING RD
CORDOVA TN 38016

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280 W CENTRAL PARK ST #1
MEMPHIS TN 38111

ZAIDI SYED AND LARISSA BELYAK
4765 DYLAN VALLEY DR
BARTLETT TN 38135

BASEK JOHN & PAULA
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MEMPHIS TN 38111

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465 ASHLEY LN
BRIGHTON TN 38011

ROBISON RALPH M
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MEMPHIS TN 38111

JOHNSON ANNA M
284 W CENTRAL PARK ST #4
MEMPHIS TN 38111

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MEMPHIS TN 38111

COX TIMOTHY A JR
295 W CENTRAL PARK ST #3
MEMPHIS TN 38111

GRESKO ADA AMD MICHAEL J GRESKO AND
295 W CENTRAL PARK ST #4
MEMPHIS TN 38111

GOLWEN JOHN S & TAMMY P
3590 CENTRAL AVE
MEMPHIS TN 38111

HICKMAN PATRICIA W REVOCABLE TRUST
3472 CENTRAL PARK S
MEMPHIS TN 38111

RHEA JULIA G & JOHN R
3474 CENTRAL AVE
MEMPHIS TN 38111

YOAKUM SUSAN D
3478 CENTRAL AVE
MEMPHIS TN 38111

SMART TERRY D
3484 CENTRAL AVE
MEMPHIS TN 38111

PATTERSON JAMIE J
3482 CENTRAL PARK S
MEMPHIS TN 38111

JOHNSON REVOCABLE LIVING TRUST
295 W CENTRAL PARK ST #5
MEMPHIS TN 38111

JUNIOR LEAGUE OF MEMPHIS
3475 CENTRAL AVE
MEMPHIS TN 38111

SMITH STEPHEN F & PAMELA F
3571 CENTRAL AVE
MEMPHIS TN 38111

UNIVERSITY OF TENNESSEE
3599 CENTRAL AVE
MEMPHIS TN 38111

RILEY FRANCES M
327 CENTRAL CV
MEMPHIS TN 38111

GREER THOMAS R & TIFFANEY J
6256 POPLAR AVE
MEMPHIS TN 38119

JUNIOR LEAGUE OF MEMPHIS
3475 CENTRAL AVE
MEMPHIS TN 38111

HARWOOD EVAN R LIVING TRUST
335 CENTRAL CV
MEMPHIS TN 38111

SCHMOLLER WANITA C
336 CENTRAL CV
MEMPHIS TN 38111

READ KENNETH E & MARY C
343 CENTRAL CV
MEMPHIS TN 38111

MUNN AARON W & LOUISA KRAMER
342 CENTRAL CV
MEMPHIS TN 38111

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

BOARD OF REGENTS ETAL
170 N MAIN ST
MEMPHIS TN 38103

GMF-SERENITY TOWERS LLC
65 GERMANTOWN CT #409
CORDOVA TN 38018

TN MEMPHIS HOLDINGS LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

TN MEMPHIS HOLDINGS LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

PALISADE LLC
PO BOX 17005
MEMPHIS TN 38187

SECOND CHURCH OF CHRIST
3535 CENTRAL AVE
MEMPHIS TN 38111

ALPHA SOUTH HIGHLAND LLC
44 ABELE RD #301
BRIDGEVILLE PA 15017

KOEPEL FREDIC W AND LESLIE LUEBBERS (RS
519 S GOODLETT
MEMPHIS TN 38117

CHIZ MOLLY D
P O BOX 657
BELZONI MS 39038

WHELESS JAMES W & ANNETTE C
7355 SPLINTER OAK CV
GERMANTOWN TN 38138

SCOTT LUCINDA
3520 CENTRAL AVE #403
MEMPHIS TN 38111

SHARP GERALD C & MARY F
3520 CENTRAL AVE ##404
MEMPHIS TN 38111

DRINAN DIANA E
3520 CENTRAL AVE #405
MEMPHIS TN 38111

LAUBSCHER ANDREAS & YIT C
3520 CENTRAL AVE #406
MEMPHIS TN 38111

KULHARYA ANITA S
3520 CENTRAL AVE #407
MEMPHIS TN 38111

RESIDUARY TRUST
2212 KIRBY RD
MEMPHIS TN 38119

HANSARD ALBERT L LIVING TRUST
4385 POPLAR AVE
MEMPHIS TN 38117

DAVIS KYLIE
3520 CENTRAL AVE #410
MEMPHIS TN 38111

BOYD CORNELIUS D
3520 CENTRAL AVE #301
MEMPHIS TN 38111

CARTER APRIL D
3520 CENTRAL AVE #302
MEMPHIS TN 38111

PAGE JANE E
3520 CENTRAL AVE #303
MEMPHIS TN 38111

BAILEY ADRIENNE L
765 W POPLAR AVE
COLLIERVILLE TN 38017

SELLERS CECIL G JR
3520 CENTRAL AVE #305
MEMPHIS TN 38111

KLOKER KEN & LYNN
3520 CENTRAL AVE #306
MEMPHIS TN 38111

MOORE FAMILY TRUST
3520 CENTRAL AVE #307
MEMPHIS TN 38111

BIGAM CAROL R AND ANNETTE DIVIRGILIO
3520 CENTRAL AVE ##206
MEMPHIS TN 38111

HUBBERT CHARLES & MARGARET
3520 CENTRAL AVE ##207
MEMPHIS TN 38111

MALONEY ANDREW M
3520 CENTRAL AVE #200
MEMPHIS TN 38111

TROUY MARY E AND KIMBERLY LEWIS (RS)
3520 CENTRAL AVE #209
MEMPHIS TN 38111

TAM JONATHAN P
3520 CENTRAL AVE #210
MEMPHIS TN 38111

RANDALL LEE A
717 S RIVERSIDE DR #1601
MEMPHIS TN 38103

SPENCE REGINALD
311 S POPPLETON ST
BALTIMORE MD 21230

ASKEW BARBARA G
3520 CENTRAL AVE #103
MEMPHIS TN 38111

TUTOR R DEAN SR & ALEITA U
3520 CENTRAL AVE #104
MEMPHIS TN 38111

BRAND PETER J
3520 CENTRAL AVE #105
MEMPHIS TN 38111

BAUER PAUL & MARY B
3520 CENTRAL AVE #106
MEMPHIS TN 38111

MILNOR WALKER I & GREGG S
3520 CENTRAL AVE #107
MEMPHIS TN 38111

SHAPIRO MONICA P
3520 CENTRAL AVE #108
MEMPHIS TN 38111

JOHNSON EDWARD H JR & BETTY W
3520 CENTRAL AVE #109
MEMPHIS TN 38111

ABW REVOCABLE TRUST
2896 NATCHEZ LN
MEMPHIS TN 38111

WINDOVER GROVE HOMEOWNERS INC
2195 S GERMANTOWN RD
GERMANTOWN TN 38138

RIGGS HELEN T
3438 CENTRAL AVE
MEMPHIS TN 38111

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

MEMPHIS & SHELBY COUNTY COMMUNITY
125 N MAIN ST #468
MEMPHIS TN 38103

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE BLVD
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

BOBALU, LLC
322 S HIGHLAND ST
MEMPHIS TN 38117

FLEMING ASSOC. ARCH, P.C. C/O SCOTT FLEMING
5101 WHEELIS DR. #215
MEMPHIS TN 38117

KIMLEY-HORN C/O MIKE HAMMOND
6750 POPLAR AVE. #600
MEMPHIS TN 38116

DEDRICK BRITTENUM
3385 AIRWAYS BLVD. 3 229
MEMPHIS TN 38139

INTEGRATED LAND SOLUTIONS, PLLC
9967 BENTWOOD CREEK CV.
COLLIERVILLE TN 38017

Brittenum

Law pllc

ATTORNEY AT LAW
Airways Professional Center – Aerotropolis
3385 Airways Boulevard, Suite 229
Memphis, Tennessee 38116 USA
Telephone 901.347.3978
Facsimile 901.800.1927
db@brittenumlaw.com

3 June 2021

Josh Whitehead, AICP
Planning Director / Administrator
Memphis & Shelby County Office of Planning and Development
City Hall
125 North Main Street, Suite 468
Memphis, TN 38103

RE: 3535 Central Avenue Project
Application for Residential Corridor Revocation
Application for Rezoning Approval (RU-3 < CMU-2)
Application for Planned Development Approval

Dear Administrator Whitehead:

I represent Bobalu, LLC regarding the above referenced applications for a site on the southeast corner of the intersection of Central Avenue and Highland Street. The subject property is currently zoned RU-3 with the University District Overlay. The site is approximately 2.460 acres. The current use is institutional for the Third Church of Christ, Scientist which has assembled there for several decades. Bobalu LLC has owned the property since September 2020. You will find enclosed the three applications named above with supporting documents for staff review and recommendation, LUCB consideration and recommendation and City Council action. The applications are filed to be heard by the LUCB on Thursday, 8 July 2021.

The applicant is seeking approval for a concept to redevelop the above tract as a mixed-use hotel destination complex. Considering the proximity to the University of Memphis, the site is ideal for in demand use as hotel, offices and apartments in this University District neighborhood. The development consists of a seven-story hotel showing 115 rooms with restaurant / bar. The design has private offices (34,000 sq permitted) with a courtyard on level 3. The pool terrace is on Level 4. Levels 4-6 have 75 apartment units to accommodate 90 beds. Great attention is given to dedicated parking located on levels 1 and 2 of the structure and ground parking on the south of the site. The off-street parking will be accessible to the public. There are two access points, one located on Central Avenue and one on Highland Street as approved by the Memphis City Engineer.

The 35 Central development considers the Memphis 3.0 Comprehensive Plan for the University District area. Two of the district priorities are addressed by the planned re-use of the subject site and the ongoing efforts to revitalize the existing commercial uses along Highland Street. The mixed-use aspect of the project will contribute to the goal of a walkable environment within the existing multifamily neighborhood with the area commercial center on Highland Street just to the south. The hotel complex is in an anchor designation area and is planned to attract people from the neighborhood and all over Memphis as a center of high activity.

The existing uses in the vicinity are comprised of single-family residential east of the site, multifamily to the south along both sides of Highland Street, north across Central Avenue and townhouse use to the northwest. Situated between multifamily towers immediately to the north and south, the hotel provides a nice step-down appeal for this corner. The hotel building also recognizes contemporary urban design principals to achieve a sense of place. Overall, the University District planning standards are incorporated with Memphis 3.0 principles to achieve a development that conforms with the surrounding neighborhood. Upon completion, the 35 Central Hotel will become the talk of the nation as the place to stay in Memphis for top tier overnight lodging.

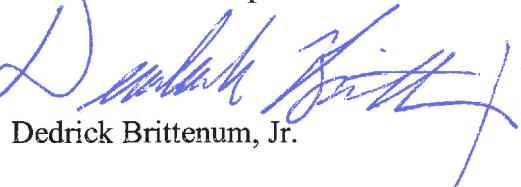
The professional consultants associated with the development are:

Fleming Architects, Memphis
Kimley-Horn, Memphis
Integrated Land Solutions, Collierville
Dr. Martin Lipinski, Memphis
Younger Associates, Memphis

The planning objective of the applicant provides world class accommodations in an area dedicated to instruction, learning, arts and culture for Memphis. The development blends with and enhances the mix of uses for people living in the area as well as those visitors drawn to the prime amenities of the University District. The applicant reviewed the various planning studies for the area in developing the concept for the hotel development. Finally, analysis shows a onetime construction economic impact over \$104 million, the annual operations economic impact is over \$14 million and the annual direct/ indirect jobs number is 234.

Thank you for the time to review the application and setting it for hearing before the LUCB. On behalf of the applicant and the entire development team, support for approval is requested for this application. Should you have questions or comments, please advise. I remain,

Very truly yours,
Brittenum Law pllc



Dedrick Brittenum, Jr.

enclosure



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.

20104894

09/28/2020 - 01:19:30 PM

7 PGS

KRISTIN 2095102-20104894

VALUE	3300000.00
MORTGAGE TAX	0.00
TRANSFER TAX	12210.00
RECORDING FEE	35.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	12250.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared**By:**

Stewart G. Austin, Jr.
Glankler Brown, PLLC
6000 Poplar Ave., Suite 400
Memphis, Tennessee 38119

Name and Address of**Property Owner:**

Bobalu LLC
322 S. Hollywood
Memphis, TN 38104

Property Address:

3535 Central Avenue
Memphis, Tennessee

Tax Parcel ID #:

46-01-01C

Return To:

Smith & Smith
4917 William Arnold Road
Memphis, TN 38117

Mail Tax Bills to:

Bobalu LLC
322 S. Hollywood
Memphis, TN 38117

WARRANTY DEED

THIS INDENTURE, made and entered into effective the 24th day of September, 2020, by and between **THIRD CHURCH OF CHRIST, SCIENTIST, MEMPHIS, TENNESSEE**, a Tennessee not for profit corporation (hereinafter the "Grantor"), and **BOBALU LLC**, a Tennessee limited liability company (the "Grantee").

WITNESSETH:

That for and in consideration of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto Grantee, the following described real estate located in the City of Memphis, County of Shelby, State of Tennessee, to-wit:

See **Exhibit A** attached hereto.

Being the same property conveyed to Second Church of Christ, Scientist by deeds of record at Book 3139, Page 449, and Book 3192, Page 531 in the Register's Office of Shelby County, Tennessee. Second Church of Christ, Scientist merged into Third Church of Christ, Scientist as evidenced by Articles of Merger of record at Instrument No. 07045651 in said Register's Office.

TO HAVE AND TO HOLD the Property with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto Grantee, its successors and assigns in fee simple forever.

Grantor does hereby covenant with Grantee that it is lawfully seized in fee of the aforescribed real estate; that it has good right to sell and convey the same; that the same is unencumbered, except for matters shown on attached **Exhibit B** and that the title and quiet possession thereto it will forever warrant and defend against the lawful claims of all persons.

Additionally, Grantor hereby quitclaims to Grantee with no warranties of title the property described on attached Exhibit C, which property description was prepared by Milestone Land Surveying.

IN WITNESS WHEREOF, Grantor has caused this deed to be signed as of the day and year first above written.

**THIRD CHURCH OF CHRIST, SCIENTIST,
MEMPHIS, TENNESSEE
a Tennessee not for profit corporation**

By: John Elliott
Name: John Elliott
Title: Exec. Board Chairman

By: Margaret W. Grinder
Name: Margaret W. Grinder
Title: Board Vice-Chairman

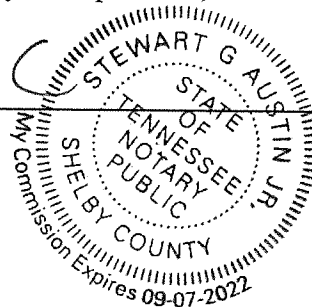
STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public of said County and State, personally appeared John Elliott, with whom I am personally acquainted, and who, upon oath, acknowledged him self to be the Executive Bd. Ch. of THIRD CHURCH OF CHRIST, SCIENTIST, MEMPHIS, TENNESSEE, a Tennessee not for profit corporation, the within named bargainor, and that he as such Exec. Bd. Chair, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Executive Bd Chair.

Witness my hand and seal, at Office, as of the 23rd day of September, 2020.

Stewart G. Austin Jr.
Notary Public

My Commission Expires: _____

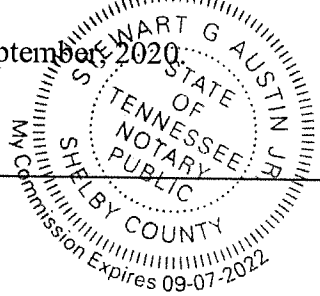


STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned, a Notary Public of said County and State, personally appeared Margaret W. Gruber, with whom I am personally acquainted, and who, upon oath, acknowledged her self to be the Vice-Chair of THIRD CHURCH OF CHRIST, SCIENTIST, MEMPHIS, TENNESSEE, a Tennessee not for profit corporation, the within named bargainor, and that she as such Vice Chair, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by her self as Vice-Chair.

Witness my hand and seal, at Office, as of the 23rd day of September, 2020.

[Signature]
Notary Public



My Commission Expires: _____

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 \$3,300,000.00.

[Signature]
Affiant

Subscribed and sworn to before me this the 24 day of September, 2020.

[Signature]
Notary Public

My Commission Expires: _____

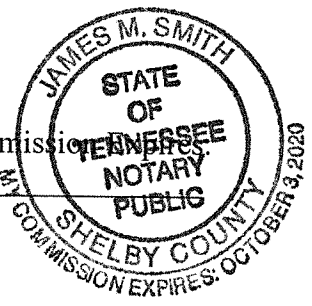


EXHIBIT A

Land situated in Shelby County, Tennessee:

Parcel 1:

Parts of Lots 32, 33, 34, 37 and 38 of Buntyn Highlands Subdivision, being more particularly described as follows:

Beginning at the intersection of the south line of Central Avenue and the east line of Highland Street, as widened; thence southwardly along the east line of Highland Street 230 feet; thence eastwardly parallel with the south line of Central Avenue 390 feet; thence northwardly parallel with the east line of Highland Street 230 feet to the south line of Central Avenue; thence westwardly along the south line of Central Avenue 390 feet to the point of beginning.

Parcel 2:

Parts of Lots 37 and 38, Buntyn Highlands Subdivision (Unrecorded), being more particularly described as follows:

BEGINNING at a point in the south line of Lot 38 of said Subdivision, 350 feet east of the east line of Highland Avenue (as widened), said point of beginning being the southwest corner of the tract of land conveyed to Aetna K. Chandler by the grantors herein by Warranty Deed recorded in Book 1682, Page 284 in the Register's Office, Shelby County, Tennessee; thence westwardly along the south line of Lots 38 and 37 of said Subdivision, 100 feet to a point; thence northwardly and parallel with the west line of the said Aetna K. Chandler tract, 237.84 feet to a point in the south line of the tract of land conveyed to the grantee herein by Warranty Deed recorded in Book 3139, Page 449 in said Register's Office; thence eastwardly along the south line of the last mentioned tract of land 100 feet to a northwest corner of said Aetna K. Chandler tract; thence southwardly along the west line of said Aetna K. Chandler tract 237.84 feet of the point of beginning.

EXHIBIT B

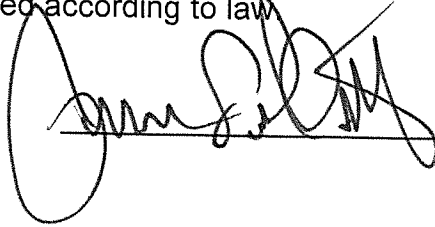
- 1) Easement(s) of record in the aforesaid Register's Office at Book 1620, Page 37 and Book 3687, Page 69. and as appears on
- 2) Location of underground telephone lines, cleanouts, backflow preventer, overhead electric lines, anchor guys and power poles, all as appear on survey prepared by Regis T. Storch, Jr., of Milestone Land Surveying, Inc., dated June 10, 2020, MLS Job No. 20112 (the "Survey").
- 3) Location of fences and brick walls inside and outside property lines, as appear on said Survey.

EXHIBIT C**(Quit Claimed Survey Description)**

Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:

Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the tangent intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence; north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning.

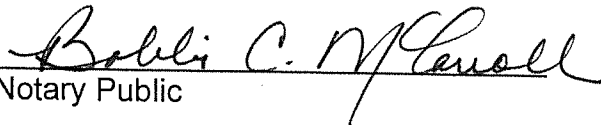
I, James M. Smith, Attorney, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law



A handwritten signature in black ink, appearing to read 'James M. Smith', is written over a solid horizontal line.

State of Tennessee
County of Shelby

Personally appeared before me, Bobbi C. McCarroll, a notary public for this county and state, James M. Smith, Attorney, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

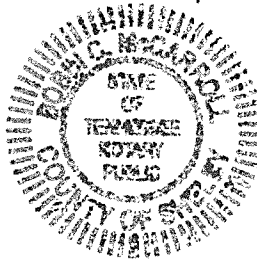


Notary Public

A handwritten signature in black ink, appearing to read 'Bobbi C. McCarroll', is written over a solid horizontal line. Below the line, the words 'Notary Public' are printed.

My Commission Expires:

OCT 16 2021



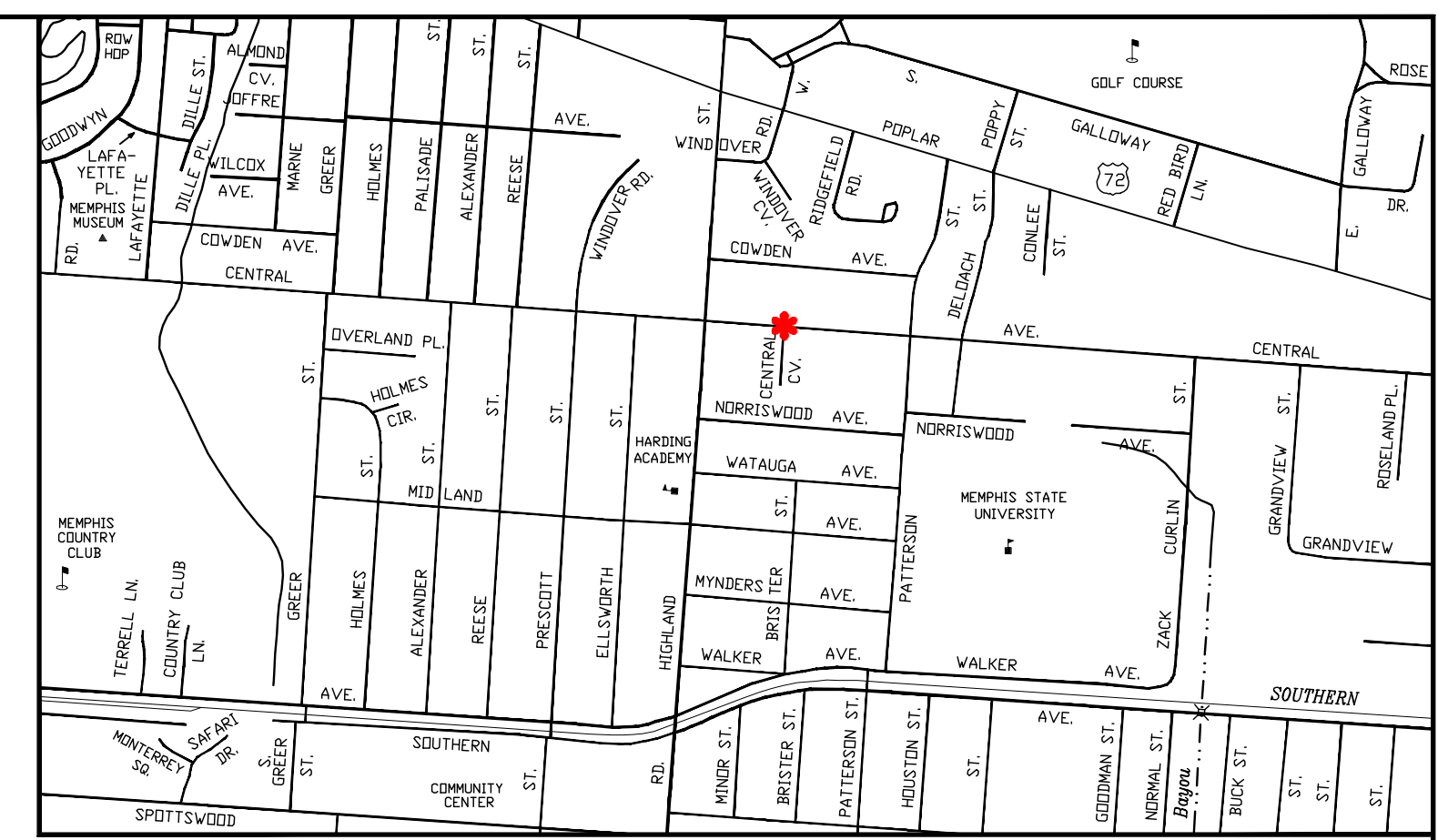
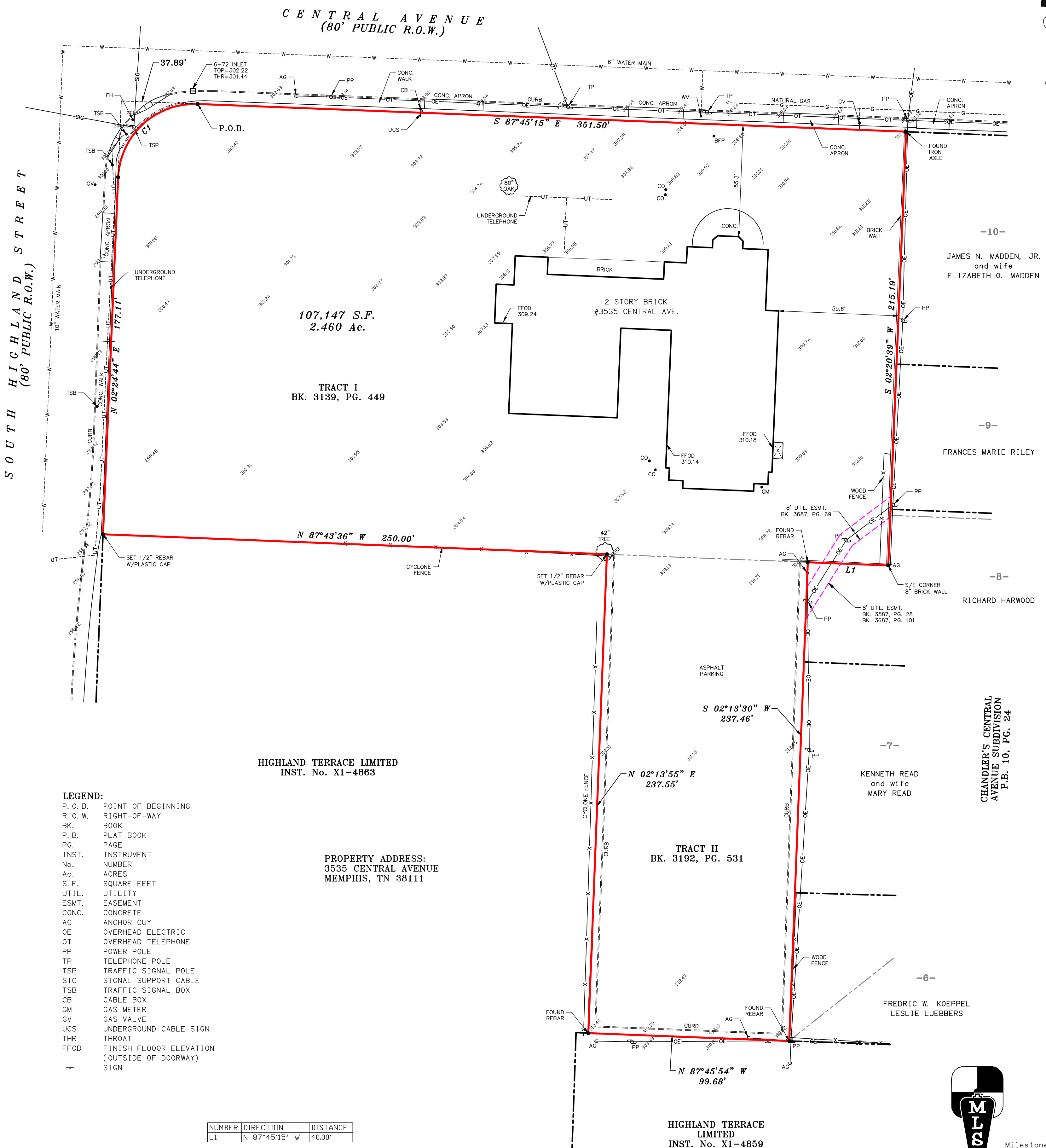
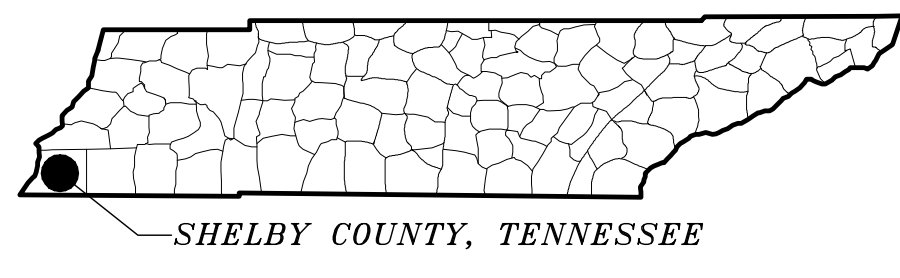
- NOTES:**
- Survey prepared for Bobalu, LLC.
 - Bearings are relative only.
 - This survey was prepared from information contained in Commitment No. 8449992 Revision 1, Effective Date: May 27, 2020 at 8:00 AM by Chicago Title Insurance Company.
 - All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
 - This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C 0430 F, Community Panel No. 470177 0430 F, Effective Date: September 28, 2007.
 - There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
 - There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
 - Subsurface and environmental conditions were not examined or considered as a part of this survey.
 - Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
 - Elevations shown hereon were taken on the ground using B.M. noted hereon.
 - Benchmark (B.M.): City of Memphis Benchmark No. 107 being a city monument located at the southeast corner of Central Ave. and Patterson St. at the back of sidewalk at or of sidewalk on Patterson side, 11.2' northeast of power pole #22067. Elevation: 314.34
 - If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
 - Survey is valid only if print has original seal of surveyor.
 - Underground utilities shown hereon were plotted from markings by others and from maps provided by others. Milestone Land Surveying, Inc. assumes no responsibility for the accuracy or completeness of said maps or markings.
 - At the time of this survey, there was no observed evidence of recent earth moving work, building construction or building additions.
 - At the time of this survey, there was no observed evidence of rec-street or sidewalk construction or repairs.
 - To the best of our knowledge, there are currently no proposed changes in street right-of-way lines.
 - This property has direct access to South Highland Street and Central Avenue, both dedicated, public rights-of-way.

- SCHEDULE B SECTION II EXCEPTIONS:**
- Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or Mortgage thereon covered by the form. (not a survey matter)
 - Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. (none of which we are aware)
 - Easements, or claims of easements, not shown by the public records. (none of which we are aware)
 - Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records. (not a survey matter)
 - The rights or claims of parties in possession not shown by the public records. (not a survey matter)
 - Taxes or special assessments which are not shown as existing liens by the public records. (not a survey matter)
 - Any taxes or assessments not posted on the record of the taxing authority(ies) of which the Land described in Schedule A hereof is subject, including but not limited to: Supplemental, Revised, and/or Corrected Assessments pursuant to T.C.A. Section 67-5-509 and 67-5-603 et seq. dealing with any improvements completed after January 1 and before September 1 of any year; or Back Assessments pursuant to T.C.A. Section 67-1-1001 et seq.; or taxes based on a change in the classification of the Insured Land (Roll Back Taxes) pursuant to T.C.A. Section 67-5-1001 et seq. (not a survey matter)
 - City of Memphis taxes for the year 2021, not yet a lien, not yet due and payable and Shelby County taxes for the year 2020, a lien, not yet due and payable. (not a survey matter)
 - Any taxes for past, present or future tax years which may become due but which are not presently due and payable because of the existing tax classification of the Land as exempt. (not a survey matter)
 - Easement(s) of record in Book 1620, Page 37; Book 1711, Page 350; Book 3687, Page 69; and Book 4142, Page 166, in the Register's Office of Shelby County, Tennessee.
 - Bk. 1620, Pg. 37 (not a survey matter)
 - Bk. 1711, Pg. 350 (does not affect the subject property)
 - Bk. 3687, Pg. 69 (shown hereon)
 - Bk. 4142, Pg. 166 (does not affect the subject property)
 - Rights of tenants in possession, as tenants only, under unrecorded leases, if any. (not a survey matter)

- LEGEND:**
- P.O.B. POINT OF BEGINNING
 - R.O.W. RIGHT-OF-WAY
 - BK. BOOK
 - P.B. PLAT BOOK
 - PG. PAGE
 - INST. INSTRUMENT
 - No. NUMBER
 - Ac. ACRES
 - S.F. SQUARE FEET
 - UTIL. UTILITY
 - ESMT. EASEMENT
 - CONC. CONCRETE
 - AG ANCHOR GUY
 - OE OVERHEAD ELECTRIC
 - OT OVERHEAD TELEPHONE
 - PP POWER POLE
 - TP TELEPHONE POLE
 - TSP TRAFFIC SIGNAL POLE
 - SIG SIGNAL SUPPORT CABLE
 - TSB TRAFFIC SIGNAL BOX
 - CB CABLE BOX
 - GM GAS METER
 - GV GAS VALVE
 - UCS UNDERGROUND CABLE SIGN
 - THR THROUGH
 - FFOD FINISH FLOOR ELEVATION (OUTSIDE OF DOORWAY)
 - SIG SIGN

NUMBER	DIRECTION	DISTANCE
L1	N 87°45'15" W	40.00'

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION
C1	38.00'	59.58'	89°50'01"	53.66'	N 47°19'44" E



VICINITY MAP
NOT TO SCALE

EXHIBIT A DESCRIPTION:
Land situated in Shelby County, Tennessee:
Parts of Lots 32, 33, 34, 37 and 38 of Buntn Highlans Subdivision, being more particularly described as follows:
Beginning at the intersection of the south line of Central Avenue and the east line of Highland Street, as widened; thence southwardly along the east line of Highland Street 230 feet; thence eastwardly parallel with the south line of Central Avenue 390 feet; thence northwardly parallel with the east line of Highland Street 230 feet to the south line of Central Avenue; thence westwardly along the south line of Central Avenue 390 feet to the point of beginning.

AND
Tract II:
Parts of Lots 37 and 38, Buntn Highlans Subdivision (Unrecorded), being more particularly described as follows: BEGINNING at a point in the south line of Lot 38 of said Subdivision, 350 feet east of the east line of Highland Avenue as widened; said point of beginning being the southwest corner of the tract of land conveyed to Aetna K. Chandler by the grantors herein by warranty deed recorded in Book 1682, page 284 in the Register's Office, Shelby County, Tennessee; thence westwardly along the south line of Lots 38 and 37 of said Subdivision, 100 feet to a point; thence northwardly and parallel with the east line of said Aetna K. Chandler tract, 237.84 feet to a point in the south line of the tract of land conveyed to the grantee herein by warranty deed recorded in Book 3239, page 449 in said Register's Office; thence eastwardly along the south line of the last mentioned tract of land 100 feet to a northwest corner said Aetna K. Chandler tract; thence southwardly along the west line of said Aetna K. Chandler tract 237.84 feet to the point of beginning.

SURVEYOR'S DESCRIPTION:
Description of the Second Church of Christ, Scientist, of Memphis, Tennessee property of record in Book 3139, Page 449 and Book 3192, Page 531 in Memphis, Shelby County, Tennessee:
Beginning at a point in the south line of Central Avenue (80' R.O.W.), said point being the east end of a curve having a radius of 38.00 feet located 37.89 feet east of the longest intersection of the south line of said Central Avenue and the east line of South Highland Street (80' R.O.W.); thence south 87 degrees 45 minutes 15 seconds east with the south line of said Central Avenue, 351.50 feet to a found iron axle in the west line of Lot 10, Chandler's Central Avenue Subdivision recorded in Plat Book 10, Page 24; thence in a southerly direction with the west line of said subdivision recorded in Plat Book 10, Page 24 the following calls: south 02 degrees 20 minutes 39 seconds west, 215.19 feet to the southeast corner of an existing 8" brick wall; north 87 degrees 45 minutes 15 seconds west, 40.00 feet to a found rebar; south 02 degrees 13 minutes 30 seconds west, 237.46 feet to a found rebar in the north line of the Highland Terrace Limited property recorded at Instrument No. X1-4859; thence north 87 degrees 45 minutes 54 seconds west with the north line of said property recorded at Instrument No. X1-4859, 99.68 feet to a found rebar in the east line of the Highland Terrace Limited property recorded at Instrument No. X1-4863; thence north 02 degrees 13 minutes 55 seconds east with the east line of said property recorded at Instrument No. X1-4863, 237.55 feet to a set 1/2" rebar with plastic cap; thence north 87 degrees 43 minutes 36 seconds west with the north line of said property recorded at Instrument No. X1-4863, 250.00 feet to a set 1/2" rebar with plastic cap in the east line of the aforesaid South Highland Street; thence north 02 degrees 24 minutes 44 seconds east with the east line of said South Highland Street, 177.11 feet to a point of curvature; thence in a northeasterly direction along a curve to the right having a radius of 38.00 feet, delta angle of 89 degrees 50 minutes 01 seconds, chord = north 47 degrees 19 minutes 44 seconds east - 53.66 feet, an arc length of 59.58 feet to the Point of Beginning and containing 107,147 square feet or 2.460 acres of land.

This being the same property described in Schedule A of Chicago Title Insurance Company Commitment No. 8449992, dated May 27, 2020.

CERTIFICATION:
To Robert Berry; 266 Lofts, LLC, a Tennessee limited liability company; Berry/Smith Development, LLC, a Tennessee limited liability company; Boss, Berry & Sims PLC; Smith and Smith Law Firm; and Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 5, 13, 14, 15, and 17 of Table A thereof. The field work was completed on June 10, 2020.

MILESTONE LAND SURVEYING, INC.
By *Regis T. Storck, Jr.* Date *6/10/2020*
Regis T. Storck, Jr., PLS, RLS Date
Vice President
Tennessee Certificate No. 2138

ALTA/NSPS LAND TITLE SURVEY
OF THE
SECOND CHURCH OF CHRIST,
SCIENTIST, OF MEMPHIS,
TENNESSEE PROPERTY
RECORDED IN
BK. 3139, PG. 449 & BK. 3192, PG. 531
MEMPHIS,
SHELBY COUNTY, TENNESSEE
SCALE: 1" = 40' DATE: JUNE 10, 2020

Milestone Land Surveying, Inc.
2880 Cobb Road
Lakeland, TN 38002
Phone: (901) 867-8671
Fax: (901) 867-9889
milestones@ellsouth.net

ROWE LESA M & ROBERT K
265 WINDOVER GROVE DR
MEMPHIS TN 38111

TAYLOR RALPH REVOCABLE LIVING TRUST AND
427 CHERRY HALL PL
MEMPHIS TN 38117

CENTRAL PARK PL NORTH HOMEOWNERS ASSN
4990 POPLAR AVE
MEMPHIS TN 38117

MILLER ANNE W
3485 N CENTRAL PARK ST
MEMPHIS TN 38111

MCCOID SCOTT
10548 LATTING RD
CORDOVA TN 38016

ANDERSON ELLIOTT
3587 COWDEN AVE
MEMPHIS TN 38111

CHONOLES MAC A
280 W CENTRAL PARK ST #3
MEMPHIS TN 38111

GILES GARY O & JENNIFER K
3481 N CENTRAL PARK ST
MEMPHIS TN 38111

ROSS ROGER B AND LOWELL O WINSTON III
2231 COURT AVE
MEMPHIS TN 38104

ROSS ROGER B AND LOWELL O WINSTON III
2231 COURT AVE
MEMPHIS TN 38104

CENTRAL PARK PL SOUTH HOMEOWNERS ASSN
4990 POPLAR AVE
MEMPHIS TN 38117

BUCHNER C ANDREW AND MELISSA M BUCHNER
3580 CENTRAL AVE
MEMPHIS TN 38111

CRABTREE SUE H
3486 CENTRAL AVE
MEMPHIS TN 38111

MADDEN JAMES N JR & ELIZABETH O
3551 CENTRAL AVE
MEMPHIS TN 38111

HEEHS CHRISTOPHER J & MARY C
348 CENTRAL CV
MEMPHIS TN 38111

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

BELL JOSH FAMILY LIMITED PARTNERSHIP
PO BOX 770207
MEMPHIS TN 38177

TN MEMPHIS LAND 3 LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

GRAVES TERRY C
3564 CENTRAL AVE
MEMPHIS TN 38111

HIGHLAND TERRACE LIMITED
1615 APPLING RD
CORDOVA TN 38016

DEAN PATRICK & MARY
10401 GROSVENOR PL #1701
ROCKVILLE MD 20852

BORAH SUMIT
3520 CENTRAL AVE #309
MEMPHIS TN 38111

NUNNERY FRED L & MARY J
3520 CENTRAL AVE #310
MEMPHIS TN 38111

WHITEHEAD DAVID E & LESLEY D
3520 CENTRAL AVE #201
MEMPHIS TN 38111

MORRIS PATRICK H
3520 CENTRAL AVE #202
MEMPHIS TN 38111

HAYS JAMES W III
3520 CENTRAL AVE #203
MEMPHIS TN 38111

HAJI SHOWKAT
3520 CENTRAL AVE #204
MEMPHIS TN 38111

GAMBLE WILLIAM B III & MELISSA CASH
3520 CENTRAL AVE #205
MEMPHIS TN 38111

LAURELS CONDOMINIUM OWNERS
1010 JUNE RD
MEMPHIS TN 38119

COUNCIL OF CO OWNERS OF CENTRAL PARK
8582 KATY FWY #202
HOUSTON TX 77024

PAZAR CHARLES E & JANICE P
267 WINDOVER GROVE DR
MEMPHIS TN 38111

MINIMAX DESIGN LLC
PO BOX 38343
GERMANTOWN TN 38183

JMJL ENTERPRISES LLC
1385 CORPORATE AVE
MEMPHIS TN 38132

ANDERSON PAUL B & ZOE A
11989 CAMPBELL ST
ARLINGTON TN 38002

ANDERSON PAUL B AND ZOE ANDERSON
PO BOX 243
ARLINGTON TN 38002

STONEHOLLOW HOLDINGS II LLC
4111 GWYNNE RD
MEMPHIS TN 38117

PORTER RONNIE S & KATHERINE
1754 POPLAR ESTATES PKWY
GERMANTOWN TN 38138

ISELL JOHN M JR & LISA K
3577 COWDEN AVE
MEMPHIS TN 38111

MCCOID SCOTT & SARAH
10548 LATTING RD
CORDOVA TN 38016

THOMPSON JULIA A
280 W CENTRAL PARK ST #1
MEMPHIS TN 38111

ZAIDI SYED AND LARISSA BELYAK
4765 DYLAN VALLEY DR
BARTLETT TN 38135

BASEK JOHN & PAULA
1544 VINTON AVE
MEMPHIS TN 38104

CAI CAMELYTA & JINLIANG
284 W CENTRAL PARK ST #1
MEMPHIS TN 38111

RIDER DONALD R (99%) AND HALEY M RIDER
465 ASHLEY LN
BRIGHTON TN 38011

ROBISON RALPH M
284 W CENTRAL PARK ST ## 3
MEMPHIS TN 38111

JOHNSON ANNA M
284 W CENTRAL PARK ST #4
MEMPHIS TN 38111

REARDON BENJAMIN R & JULIE
3550 CENTRAL AVE
MEMPHIS TN 38111

COX TIMOTHY A JR
295 W CENTRAL PARK ST #3
MEMPHIS TN 38111

GRESKO ADA AMD MICHAEL J GRESKO AND
295 W CENTRAL PARK ST #4
MEMPHIS TN 38111

GOLWEN JOHN S & TAMMY P
3590 CENTRAL AVE
MEMPHIS TN 38111

HICKMAN PATRICIA W REVOCABLE TRUST
3472 CENTRAL PARK S
MEMPHIS TN 38111

RHEA JULIA G & JOHN R
3474 CENTRAL AVE
MEMPHIS TN 38111

YOAKUM SUSAN D
3478 CENTRAL AVE
MEMPHIS TN 38111

SMART TERRY D
3484 CENTRAL AVE
MEMPHIS TN 38111

PATTERSON JAMIE J
3482 CENTRAL PARK S
MEMPHIS TN 38111

JOHNSON REVOCABLE LIVING TRUST
295 W CENTRAL PARK ST #5
MEMPHIS TN 38111

JUNIOR LEAGUE OF MEMPHIS
3475 CENTRAL AVE
MEMPHIS TN 38111

SMITH STEPHEN F & PAMELA F
3571 CENTRAL AVE
MEMPHIS TN 38111

UNIVERSITY OF TENNESSEE
3599 CENTRAL AVE
MEMPHIS TN 38111

RILEY FRANCES M
327 CENTRAL CV
MEMPHIS TN 38111

GREER THOMAS R & TIFFANEY J
6256 POPLAR AVE
MEMPHIS TN 38119

JUNIOR LEAGUE OF MEMPHIS
3475 CENTRAL AVE
MEMPHIS TN 38111

HARWOOD EVAN R LIVING TRUST
335 CENTRAL CV
MEMPHIS TN 38111

SCHMOLLER WANITA C
336 CENTRAL CV
MEMPHIS TN 38111

READ KENNETH E & MARY C
343 CENTRAL CV
MEMPHIS TN 38111

MUNN AARON W & LOUISA KRAMER
342 CENTRAL CV
MEMPHIS TN 38111

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

MEM PARK 3 LLC
777 SUNRISE HWY #202
LYNBROOK NY 11563

BOARD OF REGENTS ETAL
170 N MAIN ST
MEMPHIS TN 38103

GMF-SERENITY TOWERS LLC
65 GERMANTOWN CT #409
CORDOVA TN 38018

TN MEMPHIS HOLDINGS LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

TN MEMPHIS HOLDINGS LLC
548 CEDARWOOD DR
CEDARHURST NY 11516

PALISADE LLC
PO BOX 17005
MEMPHIS TN 38187

SECOND CHURCH OF CHRIST
3535 CENTRAL AVE
MEMPHIS TN 38111

ALPHA SOUTH HIGHLAND LLC
44 ABELE RD #301
BRIDGEVILLE PA 15017

KOEPEL FREDIC W AND LESLIE LUEBBERS (RS
519 S GOODLETT
MEMPHIS TN 38117

CHIZ MOLLY D
P O BOX 657
BELZONI MS 39038

WHELESS JAMES W & ANNETTE C
7355 SPLINTER OAK CV
GERMANTOWN TN 38138

SCOTT LUCINDA
3520 CENTRAL AVE #403
MEMPHIS TN 38111

SHARP GERALD C & MARY F
3520 CENTRAL AVE ##404
MEMPHIS TN 38111

DRINAN DIANA E
3520 CENTRAL AVE #405
MEMPHIS TN 38111

LAUBSCHER ANDREAS & YIT C
3520 CENTRAL AVE #406
MEMPHIS TN 38111

KULHARYA ANITA S
3520 CENTRAL AVE #407
MEMPHIS TN 38111

RESIDUARY TRUST
2212 KIRBY RD
MEMPHIS TN 38119

HANSARD ALBERT L LIVING TRUST
4385 POPLAR AVE
MEMPHIS TN 38117

DAVIS KYLIE
3520 CENTRAL AVE #410
MEMPHIS TN 38111

BOYD CORNELIUS D
3520 CENTRAL AVE #301
MEMPHIS TN 38111

CARTER APRIL D
3520 CENTRAL AVE #302
MEMPHIS TN 38111

PAGE JANE E
3520 CENTRAL AVE #303
MEMPHIS TN 38111

BAILEY ADRIENNE L
765 W POPLAR AVE
COLLIERVILLE TN 38017

SELLERS CECIL G JR
3520 CENTRAL AVE #305
MEMPHIS TN 38111

KLOKER KEN & LYNN
3520 CENTRAL AVE #306
MEMPHIS TN 38111

MOORE FAMILY TRUST
3520 CENTRAL AVE #307
MEMPHIS TN 38111

BIGAM CAROL R AND ANNETTE DIVIRGILIO
3520 CENTRAL AVE ##206
MEMPHIS TN 38111

HUBBERT CHARLES & MARGARET
3520 CENTRAL AVE ##207
MEMPHIS TN 38111

MALONEY ANDREW M
3520 CENTRAL AVE #200
MEMPHIS TN 38111

TROUY MARY E AND KIMBERLY LEWIS (RS)
3520 CENTRAL AVE #209
MEMPHIS TN 38111

TAM JONATHAN P
3520 CENTRAL AVE #210
MEMPHIS TN 38111

RANDALL LEE A
717 S RIVERSIDE DR #1601
MEMPHIS TN 38103

SPENCE REGINALD
311 S POPPLETON ST
BALTIMORE MD 21230

ASKEW BARBARA G
3520 CENTRAL AVE #103
MEMPHIS TN 38111

TUTOR R DEAN SR & ALEITA U
3520 CENTRAL AVE #104
MEMPHIS TN 38111

BRAND PETER J
3520 CENTRAL AVE #105
MEMPHIS TN 38111

BAUER PAUL & MARY B
3520 CENTRAL AVE #106
MEMPHIS TN 38111

MILNOR WALKER I & GREGG S
3520 CENTRAL AVE #107
MEMPHIS TN 38111

SHAPIRO MONICA P
3520 CENTRAL AVE #108
MEMPHIS TN 38111

JOHNSON EDWARD H JR & BETTY W
3520 CENTRAL AVE #109
MEMPHIS TN 38111

ABW REVOCABLE TRUST
2896 NATCHEZ LN
MEMPHIS TN 38111

WINDOVER GROVE HOMEOWNERS INC
2195 S GERMANTOWN RD
GERMANTOWN TN 38138

RIGGS HELEN T
3438 CENTRAL AVE
MEMPHIS TN 38111

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

HIGHLAND ROW LLC
460 VIRGINIA AVE
INDIANAPOLIS IN 46203

MEMPHIS & SHELBY COUNTY COMMUNITY
125 N MAIN ST #468
MEMPHIS TN 38103

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE BLVD
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

W & A INVESTMENTS GP
526 THORN RIDGE CV
MEMPHIS TN 38117

BOBALU, LLC
322 S HIGHLAND ST
MEMPHIS TN 38117

FLEMING ASSOC. ARCH, P.C. C/O SCOTT FLEMING
5101 WHEELIS DR. #215
MEMPHIS TN 38117

KIMLEY-HORN C/O MIKE HAMMOND
6750 POPLAR AVE. #600
MEMPHIS TN 38116

DEDRICK BRITTENUM
3385 AIRWAYS BLVD. 3 229
MEMPHIS TN 38139

INTEGRATED LAND SOLUTIONS, PLLC
9967 BENTWOOD CREEK CV.
COLLIERVILLE TN 38017

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, July 8, 2021**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	RC 2021-01
DEVELOPMENT:	Residential Corridor Deletion
LOCATION:	3535 Central Avenue (southeast corner of Central and Highland)
COUNCIL DISTRICT(S):	District 5 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT:	Bobalu, LLC – Bob Berry
REPRESENTATIVE:	Dedrick Brittenum of Brittenum Law, PLLC
REQUEST:	Residential corridor deletion at 3535 Central Avenue
EXISTING ZONING:	Residential Urban – 3 (RU-3), University District Overlay, and Residential Corridor Overlay
AREA:	+/-2.46 acres

The following spoke in support of the application: Dedrick Brittenum and Richard Wiggs

The following spoke in opposition of the application: Jenny Madden

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

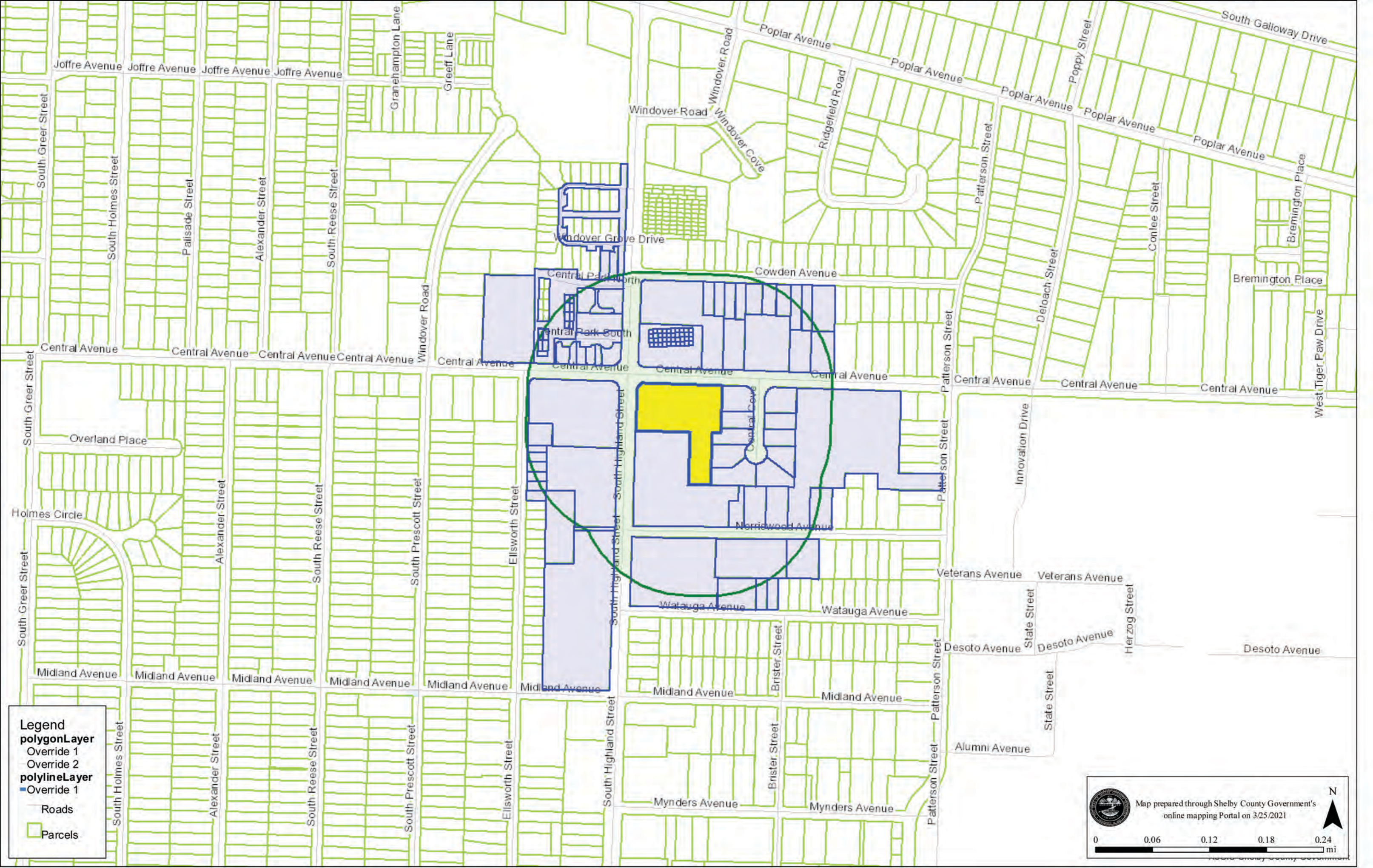
The motion passed by a unanimous vote of 8-0 on the regular agenda.

Respectfully,




Jeffrey Penzes
Principal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File



Legend

- polygonLayer
- Override 1
- Override 2
- polylineLayer
- Override 1
- Roads
- Parcels


 Map prepared through Shelby County Government's online mapping Portal on 3/25/2021

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 mi

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