

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

**ONE ORIGINAL  
ONLY STAPLED  
TO DOCUMENTS**

**Planning & Development  
DIVISION**

**Planning & Zoning COMMITTEE: 7 December 2021**

**DATE**

**PUBLIC SESSION: 7 December 2021**

**DATE**

**ITEM (CHECK ONE)**

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

**ITEM DESCRIPTION:** A resolution approving a special use permit for a vehicle wash establishment

**CASE NUMBER:** SUP 21-26

**DEVELOPMENT:** Vehicle wash establishment within the Raleigh Plaza Shopping Center

**LOCATION:** Part of 4704 Yale Rd.

**COUNCIL DISTRICTS:** District 1 and Super District 9

**OWNER:** Myles Enterprises, Inc.

**APPLICANT:** Max Alley Investments, LLC

**REPRESENTATIVE:** Cindy Reaves of SR Consulting, LLC

**EXISTING ZONING:** Commercial Mixed Use – 2

**REQUEST:** 1) a special use permit for a vehicle wash establishment and 2) a modification to the Raleigh Plaza Shopping Center General Plan to remove a restriction on the number and size of detached signs  
*\*Note: The Land Use Control Board declined to forward the applicant's second request to the Council, pursuant to Section IV.D.4 of the Board's bylaws.*

**AREA:** 1.7 acres

**RECOMMENDATION:** The Division of Planning and Development recommends: **Rejection**  
 The Land Use Control Board recommends: **Rejection**

**RECOMMENDED COUNCIL ACTION:** **Public Hearing Not Required**

**PRIOR ACTION ON ITEM:**

(2) \_\_\_\_\_ APPROVAL - (1) APPROVED (2) DENIED  
 10 November 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>
_____	_____	MUNICIPAL PLANNER
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	<b>CHIEF ADMINISTRATIVE OFFICER</b>
_____	_____	<b>COMMITTEE CHAIRMAN</b>



## Memphis City Council Summary Sheet

### ***SUP 21-26***

A request for: 1) a special use permit for a vehicle wash establishment and 2) a modification to the Raleigh Plaza Shopping Center General Plan to remove a restriction on the number and size of detached signs.

- This item is a resolution to permit the first request, but not the second;
- The Land Use Control Board declined to forward the second request to the Council, pursuant to Section IV.D.4 of the Board's bylaws;
- The Division of Planning & Development sponsors this resolution at the request of the Owner: Myles Enterprises Inc.; Applicant: Max Alley Investments, LLC; and Representative: Cindy Reaves of SR Consulting, LLC;
- Both the Division of Planning and Development and the Land Use Control Board recommend rejection of this request.
- Approval of this special use permit would be reflected on the Memphis and Shelby County Zoning Atlas.

**RESOLUTION APPROVING A SPECIAL USE PERMIT FOR A VEHICLE WASH ESTABLISHMENT AT PART OF 4704 YALE RD., KNOWN AS CASE NUMBER SUP 21-26.**

---

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

**WHEREAS**, Max Alley Investments, LLC, filed an application with the Memphis and Shelby County Division of Planning and Development requesting a special use permit for a vehicle wash establishment; and

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

**WHEREAS**, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on November 10, 2021, and said Board has submitted its recommendation concerning the above application to the Council of the City of Memphis; and

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

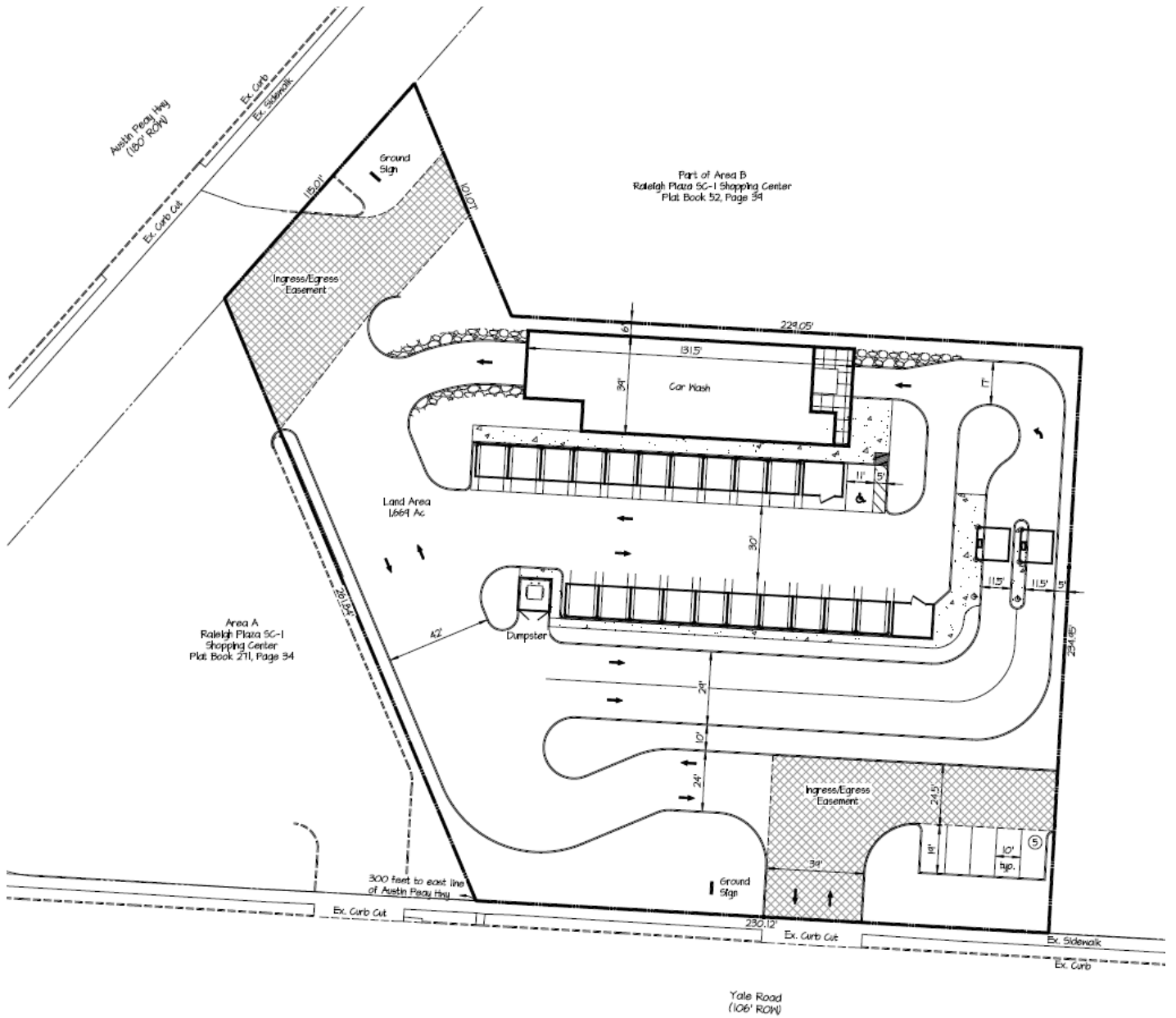
**WHEREAS**, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and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

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

**BE IT FURTHER RESOLVED**, that this permit merely authorizes the filing of applications to acquire a Certificate of Occupancy, a Building Permit, and other required permits and approvals.

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

# PROPOSED SITE PLAN



**ATTEST:**

**CC: Division of Planning and Development  
– Land Use and Development Services**

## **LAND USE CONTROL BOARD RECOMMENDATION**

At its regular meeting on **Thursday, November 10, 2021**, the Memphis and Shelby County Land Use Control Board conducted a public hearing on the following application:

**CASE NUMBER:** SUP 21-26

**LOCATION:** Part of 4704 Yale Rd.

**COUNCIL DISTRICTS:** District 1 and Super District 9

**OWNER:** Myles Enterprises, Inc.

**APPLICANT:** Max Alley Investments, LLC

**REPRESENTATIVE:** Cindy Reaves of SR Consulting, LLC

**REQUEST:**

1. Special use permit for a **vehicle wash establishment**
2. Modification of the Raleigh Plaza Shopping Center General Plan to regulate detached signage in accordance with the underlying zoning, whereas currently a maximum of one detached sign with a maximum area of 150 sq. ft. is permitted

**EXISTING ZONING:** Commercial Mixed Use – 2

**AREA:** 1.7 acres

---

**The following spoke in support of the application:** Cindy Reaves and Chris Herrington

**The following spoke in opposition the application:** No one

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

**The motion failed by a vote of 4-0-6.**

AGENDA ITEM: 12

**CASE NUMBER:** SUP 21-26 **L.U.C.B. MEETING:** 10 November 2021

**LOCATION:** Part of 4704 Yale Rd.

**COUNCIL DISTRICT:** District 1 and Super District 9

**OWNER:** Myles Enterprises, Inc.

**APPLICANT:** Max Alley Investments, LLC

**REPRESENTATIVE:** Cindy Reaves of SR Consulting, LLC

**REQUEST:**

- Special use permit for a **vehicle wash establishment**
- Modification of the Raleigh Plaza Shopping Center General Plan to regulate detached signage in accordance with the underlying zoning, whereas currently a maximum of one detached sign with a maximum area of 150 sq. ft. is permitted

**AREA:** 1.7 acres

**EXISTING ZONING:** Commercial Mixed Use – 2

## CONCLUSIONS (p. 20)

Please see page 20 for staff conclusions, as they did not fit on this page.

## CONSISTENCY WITH MEMPHIS 3.0 (pp. 23-25)

Per the Dept. of Comprehensive Planning, this proposal is **inconsistent** with the Memphis 3.0 Comprehensive Plan.

## RECOMMENDATION (p. 20)

**Rejection**

**GENERAL INFORMATION**

<b>Street Frontage:</b>	Austin Peay Highway Yale Road	(Principal Arterial) (Minor Arterial)	115 linear feet 230 linear feet
<b>Zoning Atlas Page:</b>	1740		
<b>Parcel ID:</b>	Part of 087001 00040		
<b>Existing Zoning:</b>	Commercial Mixed Use – 2		

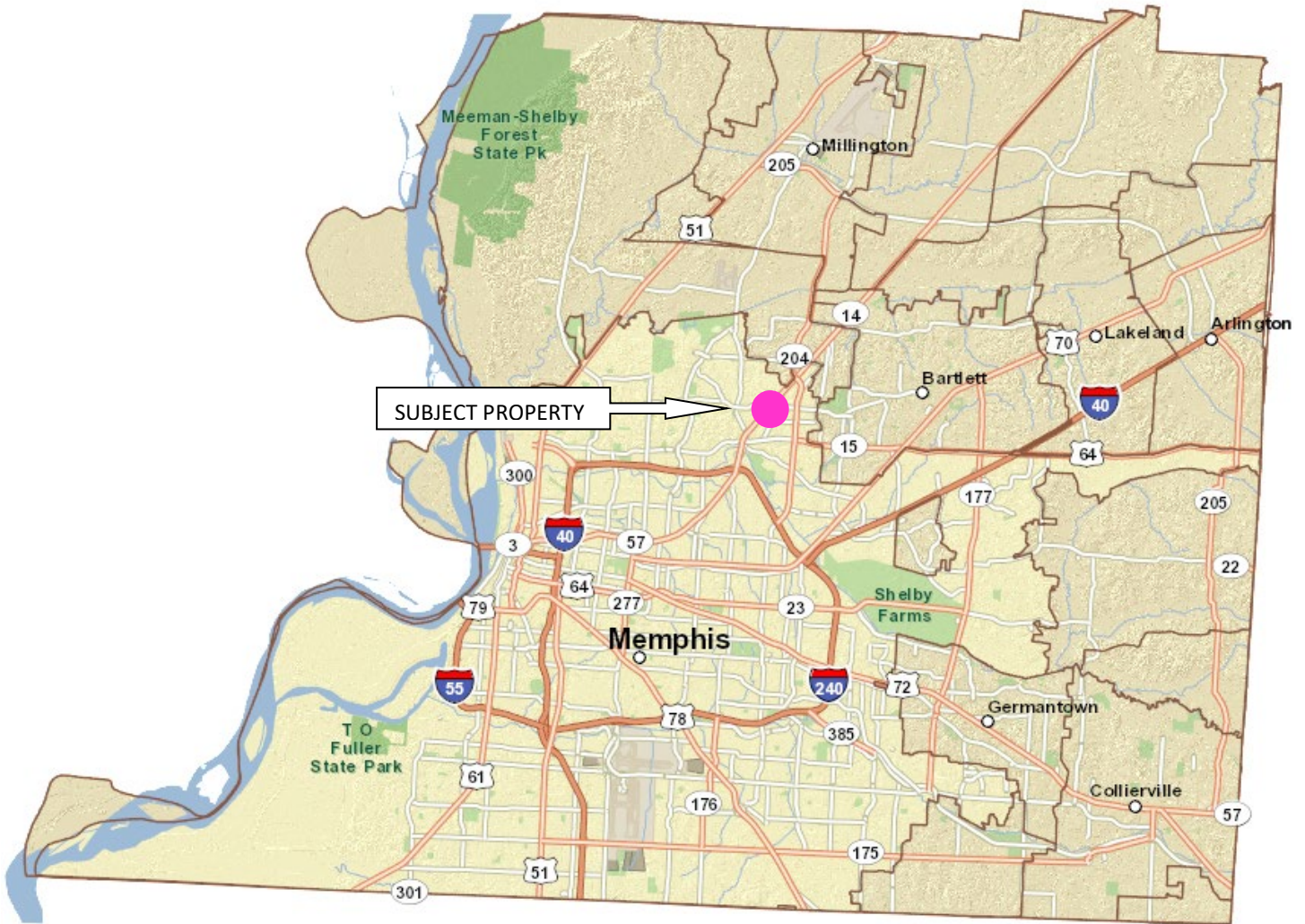
**NEIGHBORHOOD MEETING**

The required neighborhood meeting was held via Zoom at 5:30 p.m. on Monday 4 October 2021.

**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 posted. 41 notices were mailed on 29 October 2021, and two signs posted at the subject property. The sign affidavit has been added to this report.

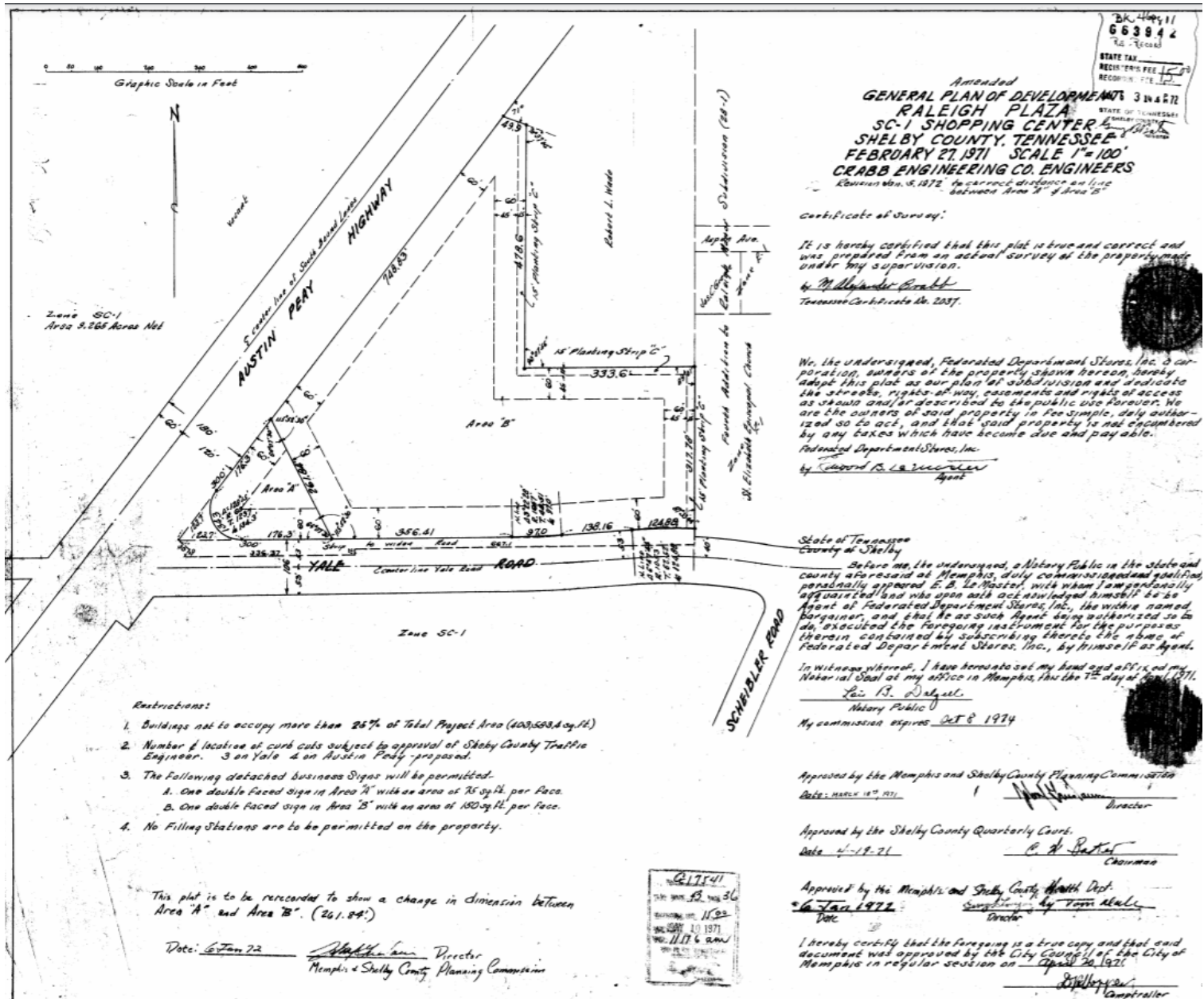
**LOCATION MAP**



Subject property located in Raleigh



**RALEIGH PLAZA SHOPPING CENTER, GENERAL PLAN (RE-RECORDED 1972)**



Subject site located in Area B.

The applicant has requested the removal of general plan condition 3, which would revert the regulation of detached signage to the underlying zoning.

RALEIGH PLAZA SHOPPING CENTER, FINAL PLAN OF PHASE 3 OF AREA B (1973)

Approved by the Memphis and Shelby County Planning Commission.  
Date: 3/18/71 By: Robert M. Holliman, City Engineer

Amended to Show Phase 3 of Buildings G.H.  
FINAL PLAN - SECTION B, PHASE  
RALEIGH PLAZA  
SC-1 SHOPPING CENTER  
SHELBY COUNTY, TENNESSEE  
JAN 31, 1972 SCALE: 1" = 100'  
CRABB ENGINEERING CO. - CIVIL ENGRS.

Certificate of Survey:  
It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made under my supervision.  
by Michael P. Crabb, Tennessee Certificate No. 2602.

We, the undersigned, The Acee Company, a corporation of the State of Tennessee, hereby adopt this plan as our plan of subdivision and dedicate the streets, rights of way, easements and rights of access as shown and/or described to the public use thereof. We are the owners of said property in fee simple, duly authorized so to act, and that said property is not encumbered by any taxes which have become due and payable.

The Acee Company  
by Robert Holliman, Agent

State of Tennessee  
County of Shelby  
Before me the undersigned, a Notary Public in the State and County aforesaid of Memphis, duly commissioned and qualified, personally appeared Robert E. Holliman with whom I am personally acquainted and who upon oath acknowledged himself to be Agent of The Acee Company, the within named corporation, and that he as such agent being authorized so to do, executed the foregoing instrument for the purposes therein contained by and for the said party through the name of The Acee Company, by himself as Agent.

In witness whereof, I have hereunto set my hand and official Notarial Seal at my office in Memphis, this the 23rd day of March, 1972.  
Elizabeth Jenkins, Notary Public  
My commission expires July 30, 1972.

Approved by the Memphis and Shelby County Health Dept.  
Date: 23 Mar 1972 by: Tom Hale, Director

I hereby certify that the foregoing is a true copy and that said document was approved by the City Council of the City of Memphis in regular session on March 20, 1972.  
R. E. Quinn, Comptroller

Restrictions: Area B (Section B)  
1. Buildings not to occupy more than 25% of Total of Area B, (371,636 sq. ft.)  
2. Following detached business Sign will be permitted:  
a. one double faced sign in Area B with an area of 150 sq. ft. per face  
b. No service stations are to be permitted on the property.

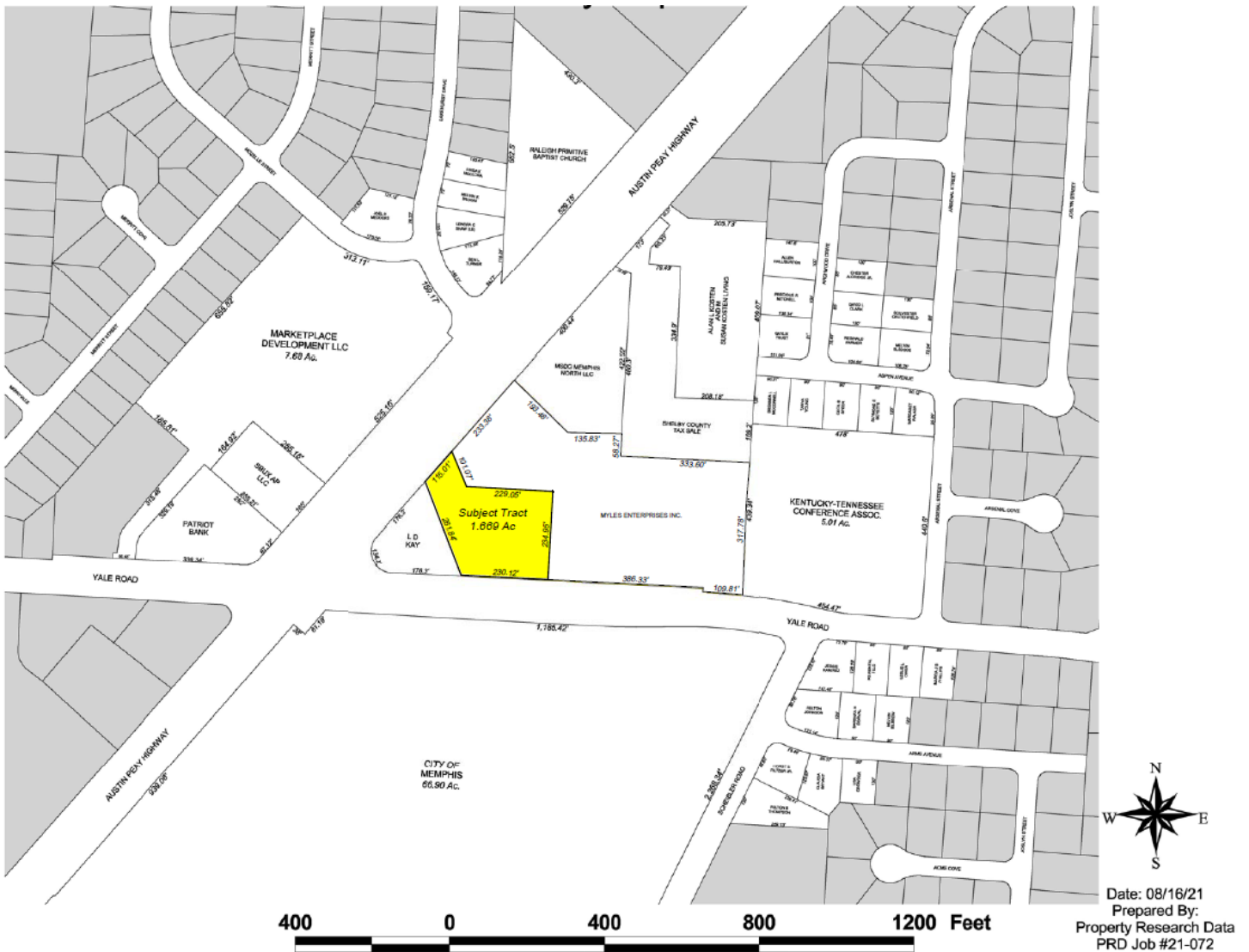
Re-Recorded  
Plat 32 723-39  
H85921  
STATE TAX  
REGISTERS FOR  
RECORDING FEE \$7.00  
Mar 20 1972  
STATE OF TENNESSEE  
MEMPHIS

PLANTING STRIP BETWEEN RESIDENTIAL AND COMMERCIAL RATE C

G7887  
% 72  
1500  
122020.

This final plan, which shows Area B as a single lot of record, was invalidated by the recording of a final plan of Phase 4 of Area B that subdivided Area B into one lot of record and a second parcel that consisted of remaining land. The subject request would subdivide the latter parcel into Area B's second lot of record and a third parcel that consisted of remaining land.

**VICINITY MAP**



*Note: This vicinity map highlights in white all properties within 500 feet of the existing parcel, rather than of the proposed lot, which is smaller. All highlighted property owners received a notice of public hearing.*

**AERIAL PHOTO WITH ZONING**



Subject land *approximately* outlined in blue

**Existing Zoning:** Commercial Mixed Use – 2

**Surrounding Zoning**

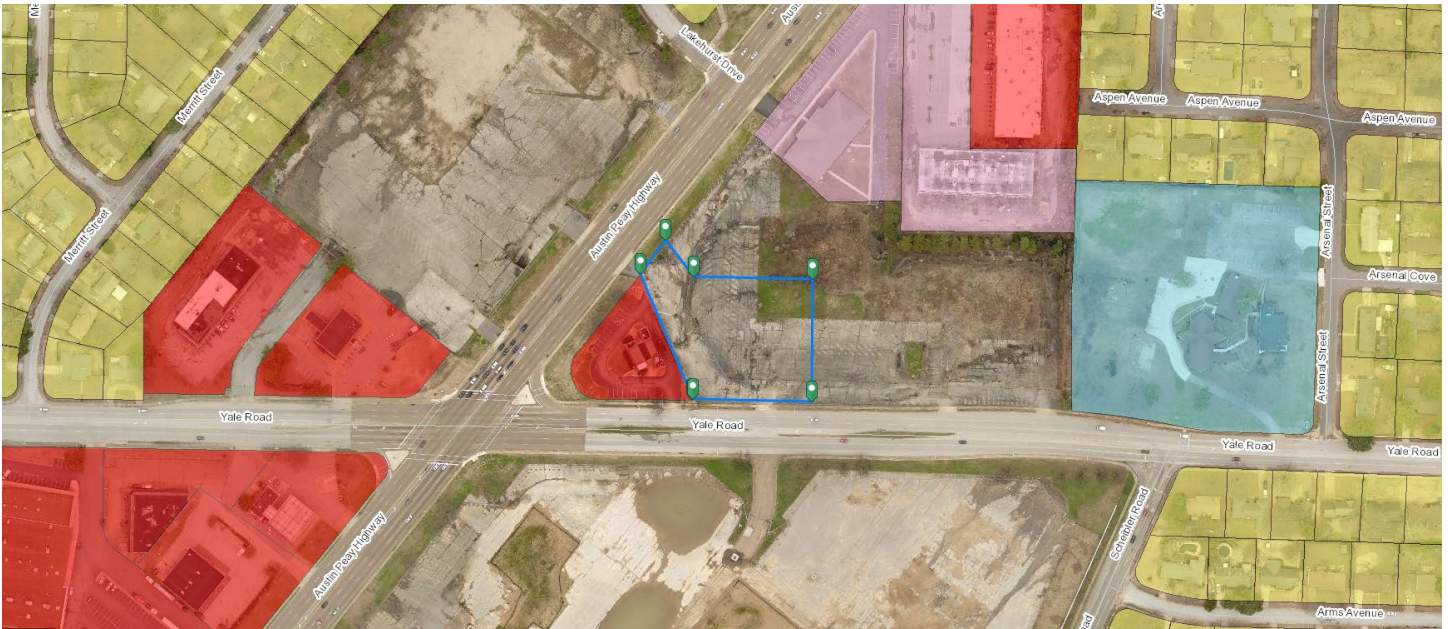
**North:** Commercial Mixed Use – 2, then Residential – 10

**East:** Commercial Mixed Use – 2, then Residential – 10

**South:** Commercial Mixed Use – 2

**West:** Commercial Mixed Use – 2

**LAND USE MAP**



Subject land *approximately* outlined in blue

- COMMON AREA LAND
- SINGLE-FAMILY
- MULTI-FAMILY
- INSTITUTIONAL
- COMMERCIAL
- OFFICE
- INDUSTRIAL
- PARKING
- RECREATION/OPEN SPACE
- VACANT

**SITE PHOTOS**



View of site from Yale



Alternative view of site from Yale



View of site from Austin Peay



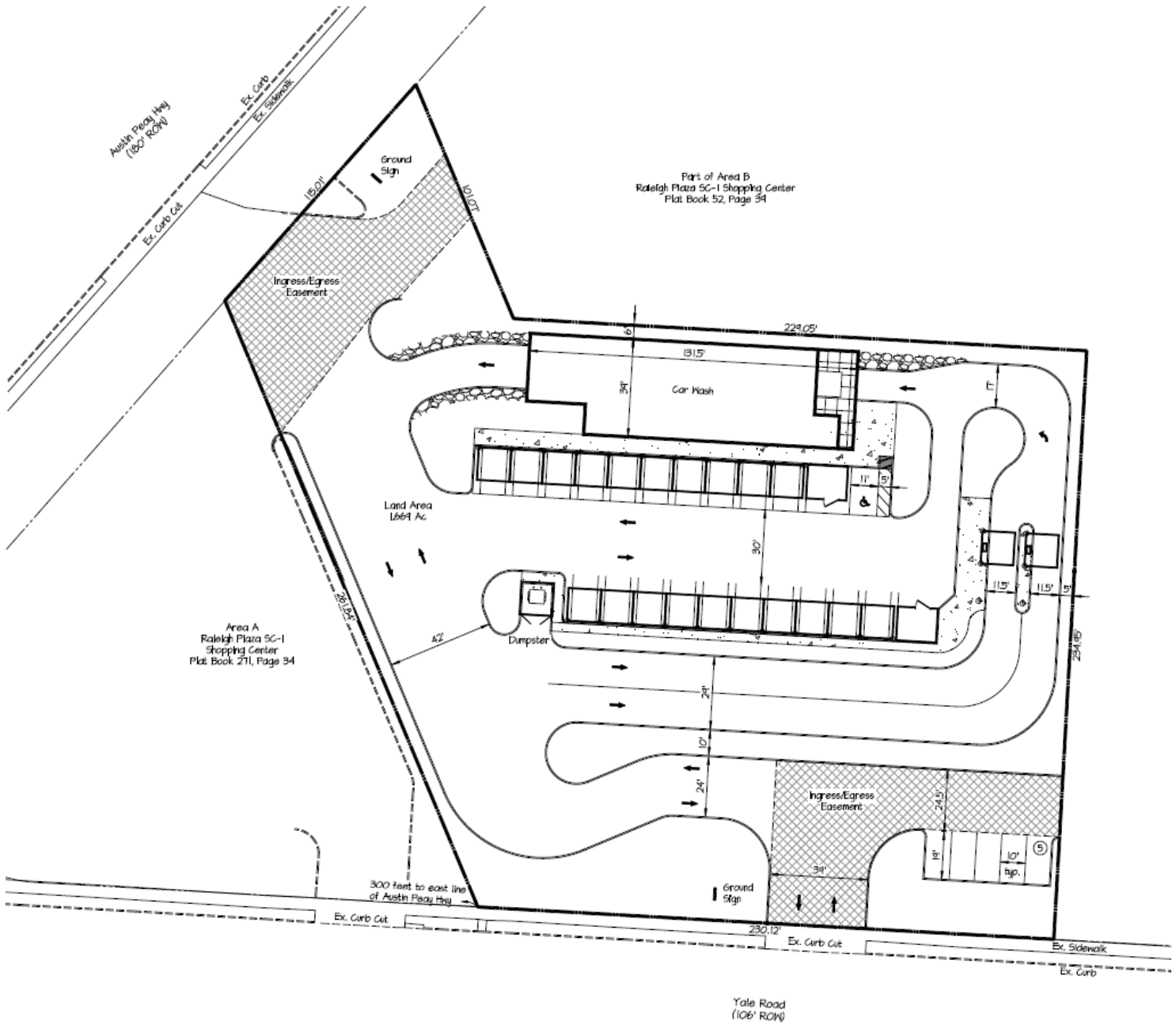


View west down Yale

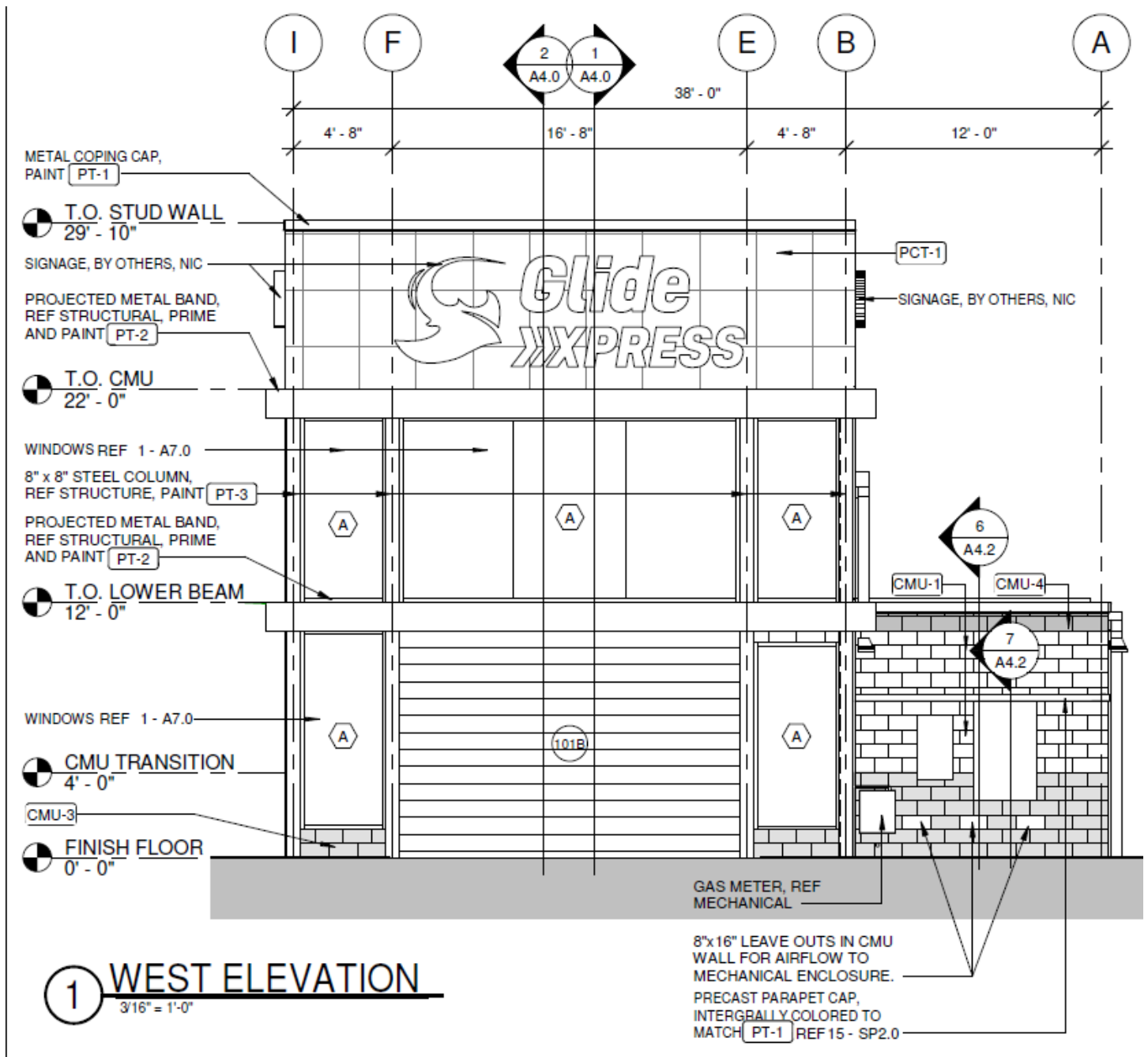


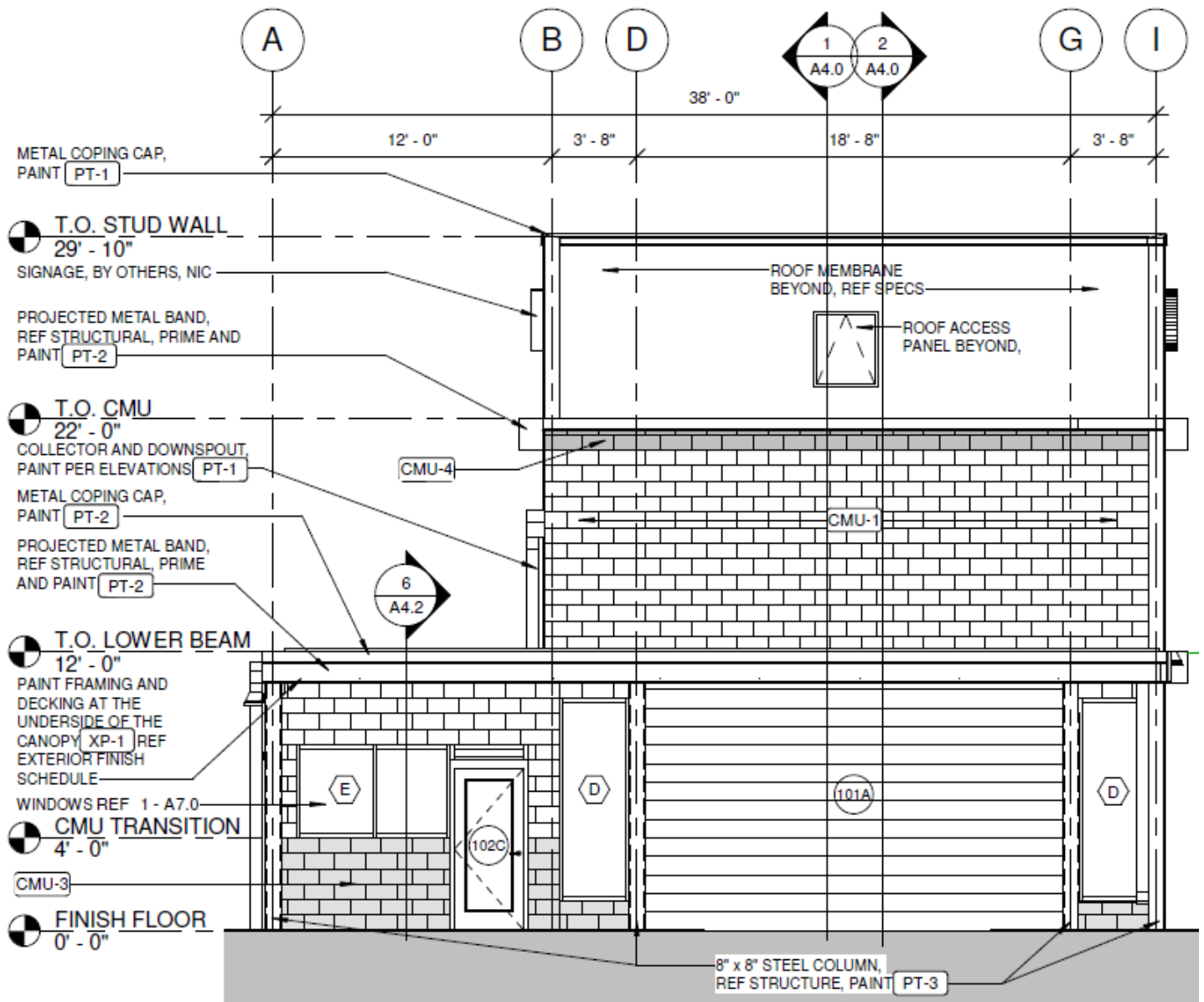
View southwest down Austin Peay

PROPOSED LOT AND SITE PLAN

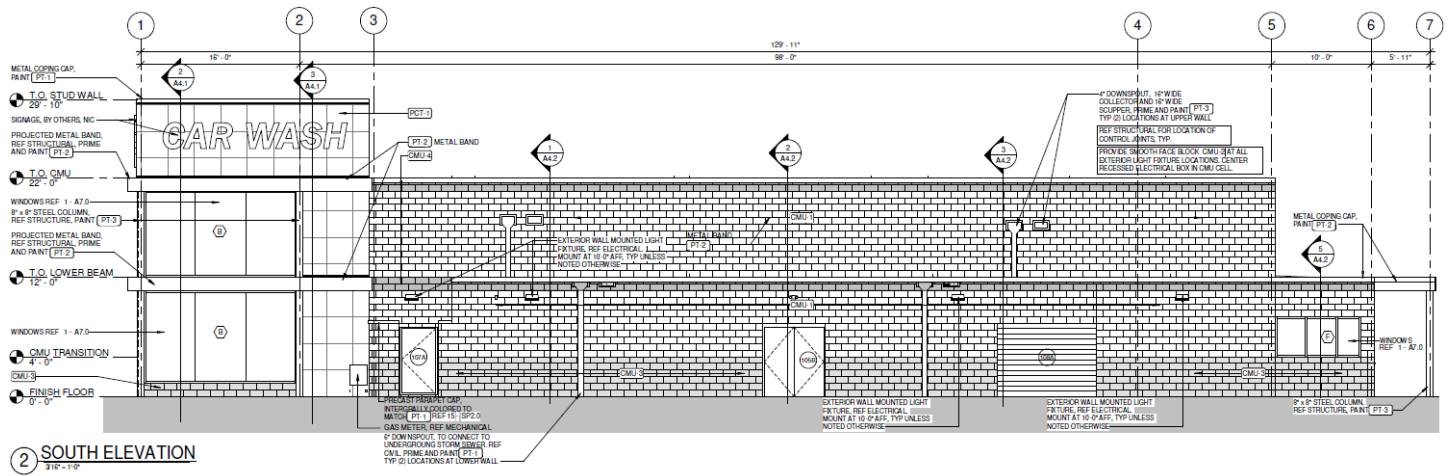
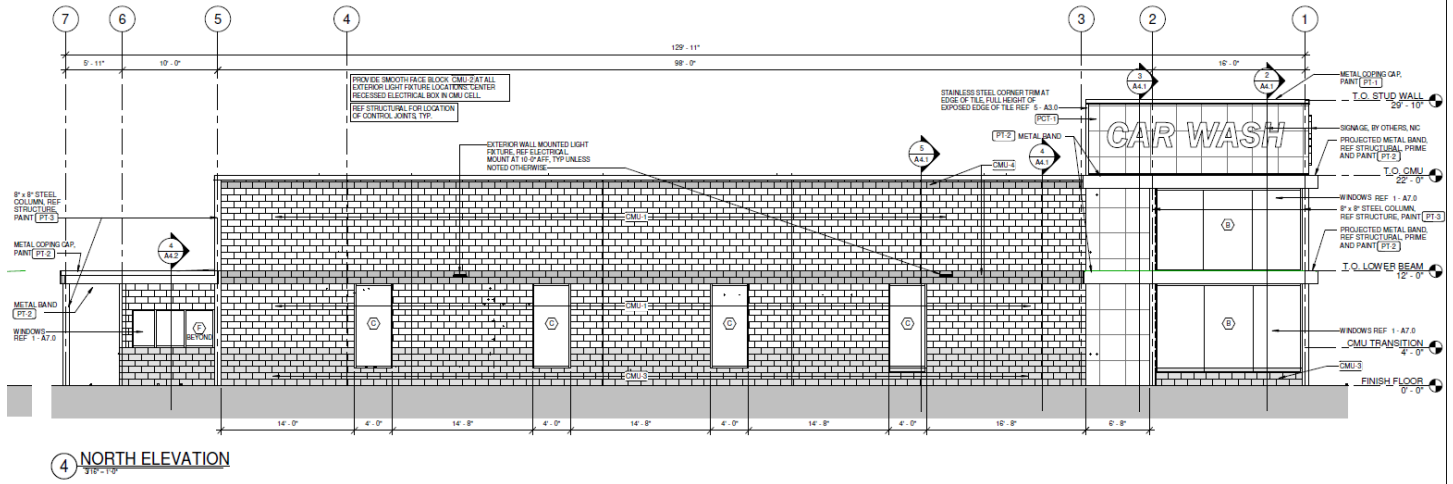


**PROPOSED ELEVATIONS**





**3 EAST ELEVATION**  
 3/16" = 1'-0"



## STAFF ANALYSIS

### Request

The request is for:

- A special use permit for a vehicle wash establishment; and
- The modification of the Raleigh Plaza Shopping Center General Plan to regulate detached signage in accordance with the underlying zoning, whereas currently a maximum of one detached sign with a maximum area of 150 sq. ft. is permitted.

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

### Approval Criteria

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

#### *9.6.9 Approval Criteria*

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

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

### Site Description

The proposed lot consists of 1.7 acres of the existing parcel known as 4704 Yale Road. As proposed, the lot would have a double frontage, with 115 linear feet of frontage on Austin Peay Highway and 230 linear feet of frontage on Yale Road. Both frontages have a sidewalk and grass strip without overhead utilities. The existing parcel is vacant.

### Zoning History

An anachronistic conditional zoning district known as the Raleigh Plaza Shopping Center governs this site.

The original Raleigh Plaza Shopping Center General Plan was approved by the Memphis City Council in 1971. This development plan created two areas, each of which permitted one detached size subject to size restrictions; established minimum setbacks; capped the total building footprint; and prohibited “filling stations.” That general plan was re-recorded in 1972 to correct a typo.

The final plan of Phase 1 of Area B was recorded in 1972. The final plan of Phase 2 of Area B was recorded later that year to reflect a building addition. The final plan of Phase 3 of Area B was recorded the following year to reflect a change to the site plan of the addition approved as Phase 2. The structures approved as Phases 1 – 3 of Area B were at some point demolished. The final plan of Phase 4 of Area B was recorded in 2004. Until this point, all of Area B was one lot; this latter final plan subdivided Area B into two parcels, one of which was a lot of record.

A 2020 application requesting a special use permit for a convenience store with gas sales at this site was **rejected** by the Memphis City Council.

### Site Plan Review

A full site plan review will be conducted, if approved, during final plan review.

### Small Area Plan of the Raleigh Town Center Anchor Neighborhood (2019)

#### **A Mixed-Use Infill**

- Active ground floor provides attractive frontage along Austin Peay Hwy. and Yale Rd.
- Larger buildings block some road noise from nearby neighborhoods.

#### **B New Parks**

- Create a sense of place for new developments.
- Provide transition between existing neighborhoods and new development.

#### **C Office and Larger-Format Retail**

- Primary entrances at front of lot.
- New linear park creates attractive address.

#### **D Transition with Live/Work**

- Live/Work buildings create transition from mixed-use environment to residential neighborhood environment.
- Provide space for small businesses, artist galleries, and startups.

#### **E Variety of Housing Types**

- Transitions to existing residential neighborhoods
- Provide additional housing types not currently available in Raleigh.



*Live/work neighborhood in northwest*



### **Conclusions**

Max Alley Investments, LLC, has applied for a special use permit for a vehicle wash establishment at part of 4704 Yale Road in the Raleigh Town Center.

The Unified Development Code (UDC) permits vehicle wash establishments by right only if located at the corner of a major intersection.

The applicant has additionally requested a modification to the Raleigh Plaza Shopping Center General Plan to remove a restriction on the number and size of detached signs. The general plan permits a maximum of one detached sign with a maximum area of 150 sq. ft.; whereas the underlying zoning would permit a maximum of two detached signs, one on Austin Peay (maximum area of 207 sq. ft.) and the other on Yale (maximum area 103 sq. ft.)

The small area plan of this anchor calls for mixed-use infill along the subject site's Austin Peay frontage and offices and larger-format retail along its Yale frontage. In this vision, active ground floor uses provide attractive frontages and primary entrances are at the front of lots. The proposal fails to meet any of these objectives, nor does it contribute to a more walkable urban center.

The proposed lot has a reverse frontage on Yale; in other words, the rear of the building would face a major street across from the Raleigh Springs Mall site. This layout is generally proscribed by the UDC, and it would prevent the activation of both the Austin Peay and Yale frontages as specified by the plan.

Nearby private development includes a coffeeshop and planned restaurants directly across Austin Peay from this site, and nearby public investment includes a new library, police station, and park directly across Yale. The nearest single-family residential lot is within 400 feet of the site to the north.

Approval of this application would have an adverse impact on the character of the neighborhood and would interfere with the implementation of the Memphis 3.0 Comprehensive Plan. For these reasons, staff recommends the rejection of this application.

### **RECOMMENDATION**

Staff recommends *rejection*.

However, if approved, staff recommends not modifying the general plan's detached signage restriction as requested.

## **DEPARTMENTAL COMMENTS**

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

### **City Engineer:**

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

### **Sewers:**

2. The availability of City sanitary sewer is unknown at this time. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept., a determination can be made as to available sewer capacity.
3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

### **Roads:**

4. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
5. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.
6. No additional median breaks will be allowed on Yale Road.

### **Traffic Control Provisions:**

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

10. A Trip Generation Report will also be required for all future planned uses for the entire development.

**Curb Cuts/Access:**

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

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

13. Remove the existing center curb cut on Yale Road.

**Drainage:**

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

15. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.

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

17. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

18. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

**City Fire Division:**

Reviewed by: J. Stinson

Address or Site Reference: 4704 Yale

- All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).

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

**Department of Comprehensive Planning:**

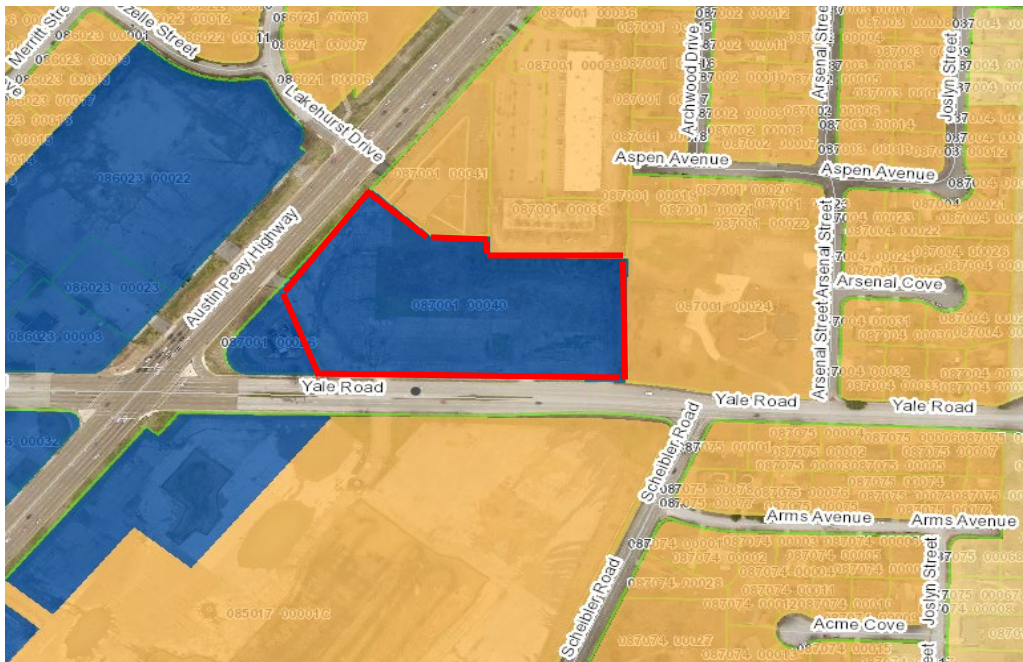
Site Address/location: 4704 Yale Road

Land Use Designation (see page 96 for details): Urban Center

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

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

**1. FUTURE LAND USE PLANNING MAP**



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

**2. Land use description & applicability:**

Urban Center anchors are characterized by attached buildings that continue for multiple blocks along a street. An Urban Center includes a vertical mix of uses, featuring civic and cultural institutions that serve many neighborhoods or the entire city and which may anchor the center. An Urban Center is a destination for walkable retail, service, and leisure, but accessible from across the city by multiple modes of transportation. Green space may be interspersed to provide community common space.



**“A-UC” Goals/Objectives:**

Support organization of services, amenities, opportunities, and housing choices in direct relationship to anchor neighborhoods, focusing investment toward areas that support plan goals and objectives.

**“A-UC” Form & Location Characteristics:**

Primarily, attached block-scale buildings with a mix of uses and one to twelve stories in height that extend several blocks.

*The applicant is requesting an amendment to a planned development to construct a car wash. The proposed use does not meet the criteria in form, scale, or use. Additionally, the proposed use is not a service that is walkable and will not serve many neighborhoods or the entire City. Therefore, the request is inconsistent.*

**3. Existing, Adjacent Land Use and Zoning**

The subject site is surrounded by the following land uses: Residential and Commercial. The subject site is surrounded by the following zoning districts: R-8, R-10, RU-2, CMU-2 and CMU-1. This requested land use is not compatible with the adjacent land use because *existing land uses surrounding the parcels is dissimilar in nature to the requested use.*

**4. Degree of Change map**



Red polygon denotes the proposed site. The degree of change is Accelerate.

## 5. Degree of Change Description

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

**Actions for Accelerate anchors and anchor neighborhoods are meant to:**

- Improve public realm and infrastructure
- Improve multi-modal transportation options
- Speed up development activity
- Increase density
- Increase mix of uses
- Promote and protect affordable housing

**Ways to Accelerate:**

- Increase building height
- Allow greater mix of uses
- Attract retail and service uses that cater to larger-scale markets
- Reduce building setbacks or establish build-to lines
- Construct new streets or pathways to increase connectivity within large sites
- Consolidate smaller lots into larger parcels that are more attractive for development
- Consider tax increment financing (TIF) districts
- Improve or create parks and civic assets
- Promote pedestrian-oriented infill development
- Reduce surface parking in favor of structured parking and parking demand management options

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

Summary Compiled by: Melanie Batke, Comprehensive Planning

<b>City Real Estate:</b>	No comments received.
<b>County Health Department:</b>	No comments received.
<b>County Schools:</b>	No comments received.
<b>Memphis Light, Gas and Water:</b>	No comments received.
<b>Dept. of Sustainability and Resilience:</b>	No comments received.
<b>Dept. of Construction Enforcement:</b>	No comments received.

**APPLICATION FORM**

*Note: This application was originally submitted to permit a planned development (known as PD 21-33), hence the 'planned development' application form below. On staff's recommendation and at the applicant's request, the application was converted to an SUP format prior to mailing notice of public hearing.*



*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 PLANNED DEVELOPMENT APPROVAL  
 (OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

Date: August 30, 2021 Case #: \_\_\_\_\_

PLEASE TYPE OR PRINT

Name of Development: Raleigh Plaza SC-1 Shopping Center, Section B

Property Owner of Record: Myles Enterprises Inc. Phone #: \_\_\_\_\_

Mailing Address: 2740 S. Wadsworth Blvd. Suite F City/State: Denver, CO Zip 80227

Property Owner E-Mail Address: \_\_\_\_\_

Applicant: Max Alley LLC Phone # 903-748-4000

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Applicant E-Mail Address: CH@maxalleyllc.com

Representative: SR Consulting, LLC (Cindy Reaves) Phone #: 901-373-0380

Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134

Representative E-Mail Address: cindy@srce-memphis.com

Engineer/Surveyor: SR Consulting, LLC Phone # 901-373-0380

Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134

Engineer/Surveyor E-Mail Address: cindy@srce-memphis.com

Street Address Location: 4704 Yale Road

Distance to nearest intersecting street: 300 feet to east line of Austin Peay Hwy

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>1.669</u>	_____	_____
Existing Zoning:	<u>SC-1</u>	_____	_____
Existing Use of Property	<u>Vacant Land</u>	_____	_____
Requested Use of Property	<u>Commercial</u>	_____	_____

**Medical Overlay District:** Per Section 8.2.2D of the UDC, no Planned Developments are permitted in the Medical Overlay District.

**Unincorporated Areas:** For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: \_\_\_\_\_ Bedrooms: \_\_\_\_\_

Expected Appraised Value per Unit: \_\_\_\_\_ or Total Project: \_\_\_\_\_

**Amendment(s):** Is the applicant applying for an amendment to an existing Planned Development?  
Yes  No

The following modifications to existing planned developments are considered amendments: 1) a change to the permitted uses in a planned development, except in situations where a use of a higher classification is proposed to be changed to a use of a lower classification; 2) a modification to conditions that phases the uses, and 3) a conversion of public streets. See Section 9.6.11E(1) of the UDC for further details.

#### **4.10.3 Planned Development General Provisions**

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations to the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in section 4.10.3:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

This development will be consistent with surrounding developments.

- An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

Adequate facilities will be designed for this development and will tie to existing facilities.

- The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses... (see UDC sub-section 4.10.3C)

The service facilities will be in accordance with the planned development requirements.

- Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.

The proposed development will be consistent with surrounding developments.

- Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.

The property owner will maintain common areas.

- Lots of records are created with the recording of a planned development final plan.

A final plat will be recorded.



**REQUIREMENTS PRIOR TO APPLICATION SUBMISSION**

**PRE-APPLICATION CONFERENCE** - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

**Pre-Application Conference held on:** \_\_\_\_\_ with \_\_\_\_\_

**NEIGHBORHOOD MEETING** – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2).

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

**SIGN POSTING** – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

I (we) hereby make application for the Planned Development 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.

<i>Myles Enterprises, Inc.</i>	DocuSigned by:	9/2/2021
<i>by: Ronald J. Myles, Pres.</i>	<i>Clint Herrington</i>	
Property Owner of Record	Date Applicant	Date

**GUIDE FOR SUBMITTING  
PLANNED DEVELOPMENT APPLICATION  
(OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

**A THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Outline and/or Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:

- 1) This application, 8.5"x11" Outline and/or Site/Concept Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Outline and/or Site/Concept Plan (folded), copy of Deed(s).
- 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

*(For additional information concerning these requirements contact Land Use Control Section at (901) 576-6601.)*

**LETTER OF INTENT**



Date: August 30, 2021

To: Office of Planning & Development

From: Cindy Reaves

Re: Raleigh Plaza SC-1 Shopping Center, Section B

Job #: 21-0098

**LETTER OF INTENT**

We are submitting an application for a PD Amendment to Raleigh Plaza SC-1 Shopping Center, Section B, located at 4704 Yale Road. We are requesting to allow a Glide Xpress Vehicle wash use in Section B. We would also need approval for it to not be located at the intersection of 2 streets. We are also requesting that the signs be regulated in accordance with the CMU-2 district.

Glide Xpress is not just a typical car wash like everyone is use to and they aren't even like the new car washes being built now. Their philosophy and team member culture is based on providing people the best experience and value possible. They know if they give great value to everyone and be kind, it will be successful. They have proven this with their first 4 washes being homeruns. They have approval for 3 more new locations in Collierville, Southaven and Memphis. It worked because they were able to educate the local government on Glide and what they are about...which was well received to say the least!

They also have an existing wash that recently opened at 723 Germantown Parkway and has been a huge success. It is a pleasure to work with someone so passionate about their business and I know it will be a great amenity for the neighborhood.

Below are a few key points the Glide Xpress owner, Clint Herrington, would like to add that separate them from the car wash stereotype and most other businesses:

1. Value: Unlike most other businesses, we are high quality and low prices. We provide people with the top industry-leading equipment and building design while offering a low price... 200%+ discount compared to all the Zips, Car Wash USA's and Century Wash's in the area. We price this way because everyone takes pride in a clean car and a clean space and we want everyone to be able to have that opportunity. The person with a 15-year-old car coming in next to the brand new Mercedes, both feel like they are getting value for something and are happy.

This type of relationship doesn't exist that much in the world today and we think this is important. We could increase the price 200%, still be the cheapest in town and wash cars and really increase revenue but that's not what we are set out to do.

Our project will cost around \$6 million and that is partly because we have the best equipment from all over the world and it truly makes for a one-of-a-kind experience. We also focus on experience and the design of our layouts, vacuum areas, canopies, and architectural design. We treat people to the experience that we would want, and people notice!

2. Investing in great people, building a culture: We want our team members to be motivated and enjoy working and see value in the effort they put in every day. We promote from within and every manager we have in our entire company since the first hire has been promoted from within. We pay above minimum wage for our entry level positions and have a bonus structure throughout the company...giving everyone motivation to treat this place like it's their own and get rewarded for hard work. This isn't a slow-paced job either and requires lots of training. We've been able to hire and promote amazing people so far and excited about expanding our team.
3. Clean, inviting, well-lit property: it's important to us we keep our property clean and safe. We typically have 18 spacious covered vacuum stalls with trash receptacles at each stall. We pick up trash and clean the parking lot daily and want our community to know that we will keep our sites clean of trash. We also power wash our parking lots every year and as needed. We have 25 security cameras around the property at all our washes and keep our parking lots well lit with city approved dark-sky compliant lights. We have 700-800 reviews across the brand and not one complaint about safety or cleanliness because that is important to us and to our customers.
4. New technology and looking toward the future: We have our own cleaning products that are environmentally friendly and we feature our RIDE THE GLIDE™ moving floor system. All you do is drive on to the dual conveyor and it moves...no more lining up your wheels on the track. This makes it easier for people to load and less stress of lining up your tire correctly. We also have license plate readers that allow single wash customers and member to come to the wash hands free without even rolling down the window. We have noise cancelling blower and vacuum technology that keeps the car wash operations relatively quiet and sounds doesn't protrude into neighboring businesses or neighborhoods. We are working to wash driverless cars as well and already implementing that into our washes. We are always thinking about where we are headed, not where we are.
5. Community Involvement: Not only is it our goal to provide the greatest car wash experience to all our customers, we also want to make a lasting impact in the community and help people. We are a small local business that will be involved in this community to make a difference. We want to help our team members grow

and we also want to help the community grow in the best capacity we are fit for. We are working on some new ideas but have several programs that we currently offer including:

- a. We wash all police cars for free...always. We support the good police officers that keep our community safe and together;
  - b. We will team up with local neighborhood schools to help them fundraise for special school programs;
  - c. On Veterans Day we will wash all Veterans cars for free; and,
  - d. Once we open, will always do a fundraiser for a family in the community that is struggling and in need. We will continue to look for those opportunities on an ongoing basis through churches, schools and city programs and through our online fundraiser submittal portal.
6. The little things: Customers have a great experience at Glide but aren't really aware of all the reasons why and it's the little things we do that aren't easily seen. For example, to cancel a membership, we have the cancel button very accessible on the user app and website. A large number of businesses that have memberships require the user to call a 1 800 number or email someone to cancel...which the goal is to make it hard for people to cancel and a large % won't bother with it for many months. People don't appreciate that kind of practice and we don't do it to our customers. You can cancel our membership anytime, zero notice. The app is very easy and simple. This is just one example of the things that we do and continue to improve on.

We are not like any other car wash in this area and our philosophy and strategy are unlike any we have seen in in the US. We are opening our 5<sup>th</sup> and 6<sup>th</sup> car wash in Collierville and Southaven this year and will also start construction on another site in Memphis. If given the opportunity, I know we will develop the best express car wash in Tennessee and one of the best express car washes in the world.

We greatly appreciate your consideration in this matter.

We appreciate your support with this request. Please contact me if you have any questions.

Thank you,

Cindy Reaves  
SR Consulting, LLC

**SIGN AFFIDAVIT**

**AFFIDAVIT**

Shelby County  
State of Tennessee

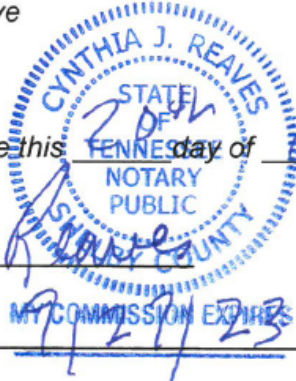
I, Raphael Shivers, being duly sworn, depose and say that at 3:30 pm on the 19th day of October, 2021 I posted two Public Notice Signs pertaining to Case No. SUP 21-26 one on of Austin Peay Highway and one in front of 4704 Yale Road providing notice of a Public Hearing before the November 10, 2021 Land Use Control Board for consideration of a proposed Land Use Action (Special Use Permit), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Raphael Shivers  
\_\_\_\_\_  
Owner, Applicant or Representative

10/20/2021  
\_\_\_\_\_  
Date

Subscribed and sworn to before me this 20<sup>th</sup> day of October, 2021.

Cynthia J. Reaves  
\_\_\_\_\_  
Notary Public  
My commission expires: 9/27/23



**LETTERS RECEIVED**

No letters were received by the time of publication of this report.

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

ONE ORIGINAL  
ONLY STAPLED  
TO DOCUMENTS

Planning & Development  
DIVISION

Planning & Zoning COMMITTEE: 12/7/2021  
DATE  
PUBLIC SESSION: 12/7/2021  
DATE

**ITEM (CHECK ONE)**

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

**ITEM DESCRIPTION:** A resolution approving a 2-lot residential single-family planned development  
**CASE NUMBER:** PD 21-37  
**DEVELOPMENT:** Poplar Ridgefield Planned Development  
**LOCATION:** 109 Ridgefield Road  
**COUNCIL DISTRICTS:** District 5 and Super District 9 – Positions 1, 2, and 3  
**OWNER/APPLICANT:** Goodwin Investments LLC  
**REPRESENTATIVE:** SR Consulting, LLC (Cindy Reaves)  
**EXISTING ZONING:** Residential Single-Family – 6 (R-6)  
**REQUEST:** 2-lot residential single-family planned development  
**AREA:** +/-0.486 acres  
**RECOMMENDATION:** The Division of Planning and Development recommended *Approval with conditions*  
The Land Use Control Board recommended *Approval with conditions*  
**RECOMMENDED COUNCIL ACTION:** **Public Hearing Not Required**  
First reading/hearing – December 7, 2021

**PRIOR ACTION ON ITEM:**

(1) \_\_\_\_\_ APPROVAL - (1) APPROVED (2) DENIED  
11/10/2021 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>
_____	_____	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	<b>CHIEF ADMINISTRATIVE OFFICER</b>
_____	_____	<b>COMMITTEE CHAIRMAN</b>



## Memphis City Council Summary Sheet

### ***PD 21-37 – Poplar Ridgefield Planned Development***

Resolution requesting a 2-lot residential single-family planned development at 109 Ridgefield Road:

- 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): Goodwin Investments LLC; Applicant(s): Goodwin Investments LLC; and Representative(s): SR Consulting, LLC (Cindy Reaves)
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.



**RESOLUTION APPROVING THE POPLAR RIDGEFIELD PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 109 RIDGEFIELD ROAD, KNOWN AS CASE NUMBER PD 21-37.**

---

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

**WHEREAS**, the Goodwin Investments LLC filed an application with the Memphis and Shelby County Division of Planning and Development to allow a 2-lot residential single-family planned development; and

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

**WHEREAS**, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on November 10, 2021, and said Board has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Council of the City of Memphis; and

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

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

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

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

***ATTEST:***

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

## POPLAR RIDGEFIELD PD OUTLINE PLAN CONDITIONS

### I. Uses Permitted

- A. A maximum of two (2) single family lots.
- B. Accessory uses as regulated by the residential single-family district.

### II. Bulk Regulations

- A. Except where further modified below, the bulk regulations of the R-6 district shall apply.
- B. Setbacks:
  - 1. The minimum front yard setback for Lot 1 along Poplar Avenue is forty (40) feet.
  - 2. The minimum rear yard setback shall be 10 feet.

### III. Access

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

### IV. Landscaping

- A. A Landscape Plate as shown on the site plan shall be installed along the Poplar Avenue frontage or an equivalent alternative approved by O.P.D.

- V. The Land Use Control Board may modify the bulk regulations, landscaping and sign requirements if equivalent alternatives are presented.

- VI. A final plat shall be submitted for the review and approval of the Division of Planning and Development and other appropriate reviewing bodies. In the event that the applicant and the Division of Planning and Development do not agree on the meaning and intent of any condition, an appeal may be filed with the Land Use Control Board.

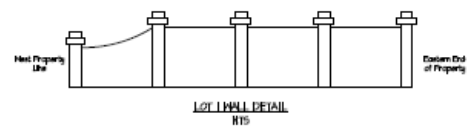
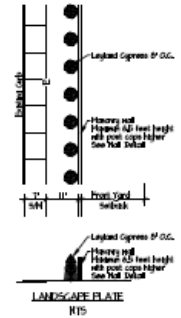
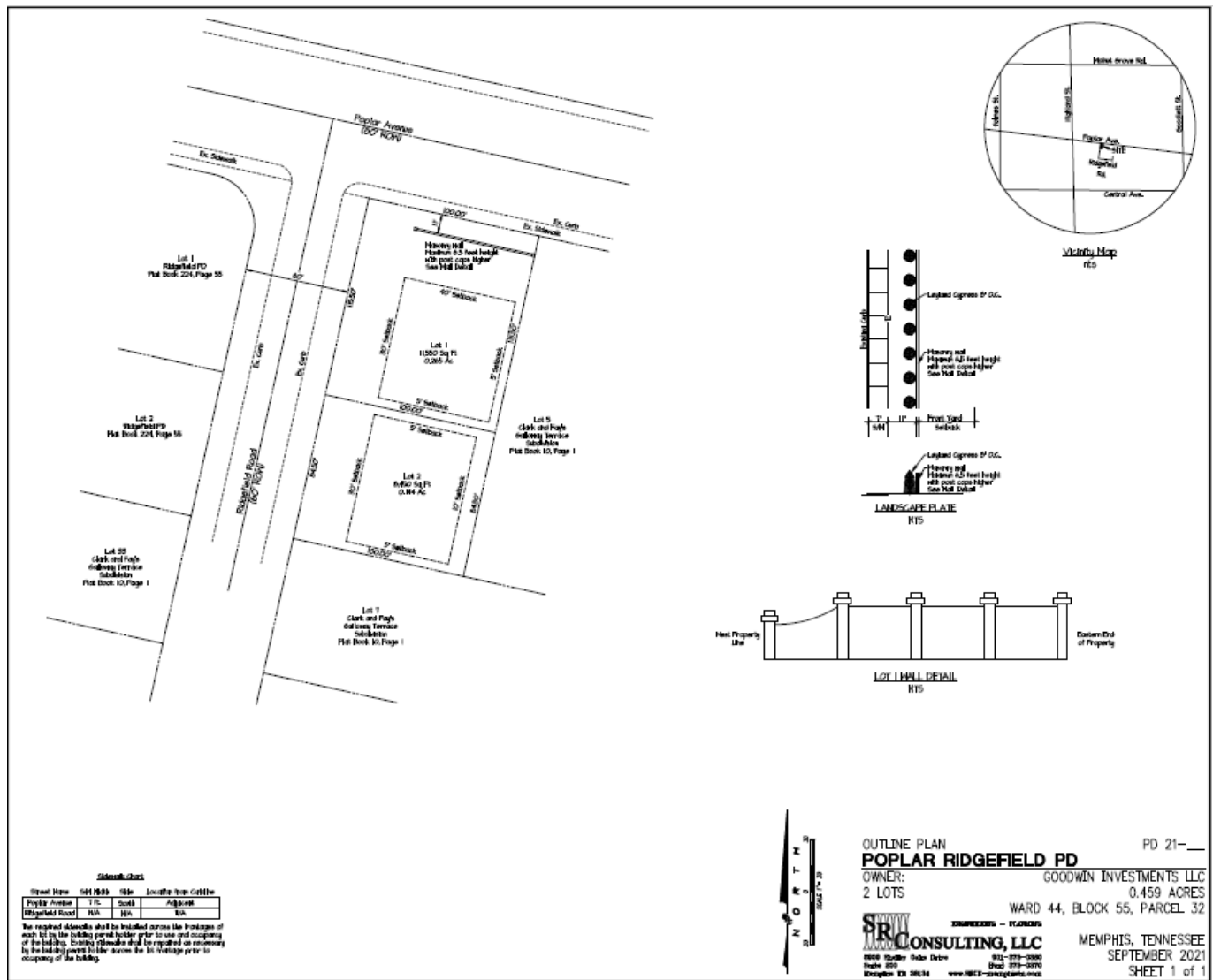
- VII. A final plat shall be filed within five years of approval of the outline plan. The Land Use Control Board may grant extensions at the request of the applicant.

### VIII. Any final plan shall include the following:

- A. The outline plan conditions.
- B. A standard subdivision contract as defined by the UDC for any needed public improvements.
- C. The location and ownership, whether public or private of any easement.

- D. The 100-year flood elevation.
- E. Both structures shall contain primarily brick (75% or more).
- F. The following note shall be placed on the final plat of any development requiring on-site storm water facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement shall be owned and maintained by the property owner and /or property owner's association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation; fallen objects; debris; trash; mowing; outlet cleaning; and repair of drainage structures.

# CONCEPT PLAN



Street Name 64' R/W 54' Adj. Location from Centerline

Street Name	R/W	Adj.	Location from Centerline
Poplar Avenue	100'	54'	Adjacent
Ridgefield Road	100'	54'	Adjacent

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 occupying of the building.

OUTLINE PLAN PD 21-  
**POPLAR RIDGEFIELD PD**  
 OWNER: GOODWIN INVESTMENTS LLC  
 2 LOTS 0.459 ACRES  
 WARD 44, BLOCK 55, PARCEL 32  
**SRC CONSULTING, LLC**  
 8000 Shelby Oaks Drive, Suite 300 Memphis, Tennessee 38120  
 Phone: 901-573-0380 Fax: 901-573-0370  
 Email: info@src-consulting.com www.src-consulting.com  
 SEPTEMBER 2021  
 SHEET 1 of 1

## **LAND USE CONTROL BOARD RECOMMENDATION**

At its regular meeting on **Wednesday, November 10, 2021**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

**CASE NUMBER:** PD 21-27

**DEVELOPMENT:** Poplar Ridgefield Planned Development

**LOCATION:** 109 Ridgefield, Southeast Corner of Ridgefield and Poplar

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

**OWNER/APPLICANT:** Goodwin Investments LLC

**REPRESENTATIVE:** SR Consulting, LLC (Cindy Reaves)

**REQUEST:** two-lot single-family residential planned development

**EXISTING ZONING:** Residential Single-Family – 6 (R-6)

**AREA:** +/-0.486 acres

---

**The following spoke in support of the application:** None

**The following spoke in opposition the application:** None

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

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

Respectfully,



Seth Thomas  
Municipal Planner  
Land Use and Development Services  
Division of Planning and Development

Cc: Committee Members  
File

**PD 21-37  
CONDITIONS**

**POPLAR RIDGEFIELD PD  
OUTLINE PLAN CONDITIONS**

I. Uses Permitted

- A. A maximum of two (2) single family lots.
- B. Accessory uses as regulated by the residential single-family district.

II. Bulk Regulations

- A. Except where further modified below, the bulk regulations of the R-6 district shall apply.
- B. Setbacks:
  - 1. The minimum front yard setback for Lot 1 along Poplar Avenue is forty (40) feet.
  - 2. The minimum rear yard setback shall be 10 feet.

III. Access

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

IV. Landscaping

- A. A Landscape Plate as shown on the site plan shall be installed along the Poplar Avenue frontage or an equivalent alternative approved by O.P.D.

V. The Land Use Control Board may modify the bulk regulations, landscaping and sign requirements if equivalent alternatives are presented.

VI. A final plat shall be submitted for the review and approval of the Division of Planning and Development and other appropriate reviewing bodies. In the event that the applicant and the Division of Planning and Development do not agree on the meaning and intent of any condition, an appeal may be filed with the Land Use Control Board.

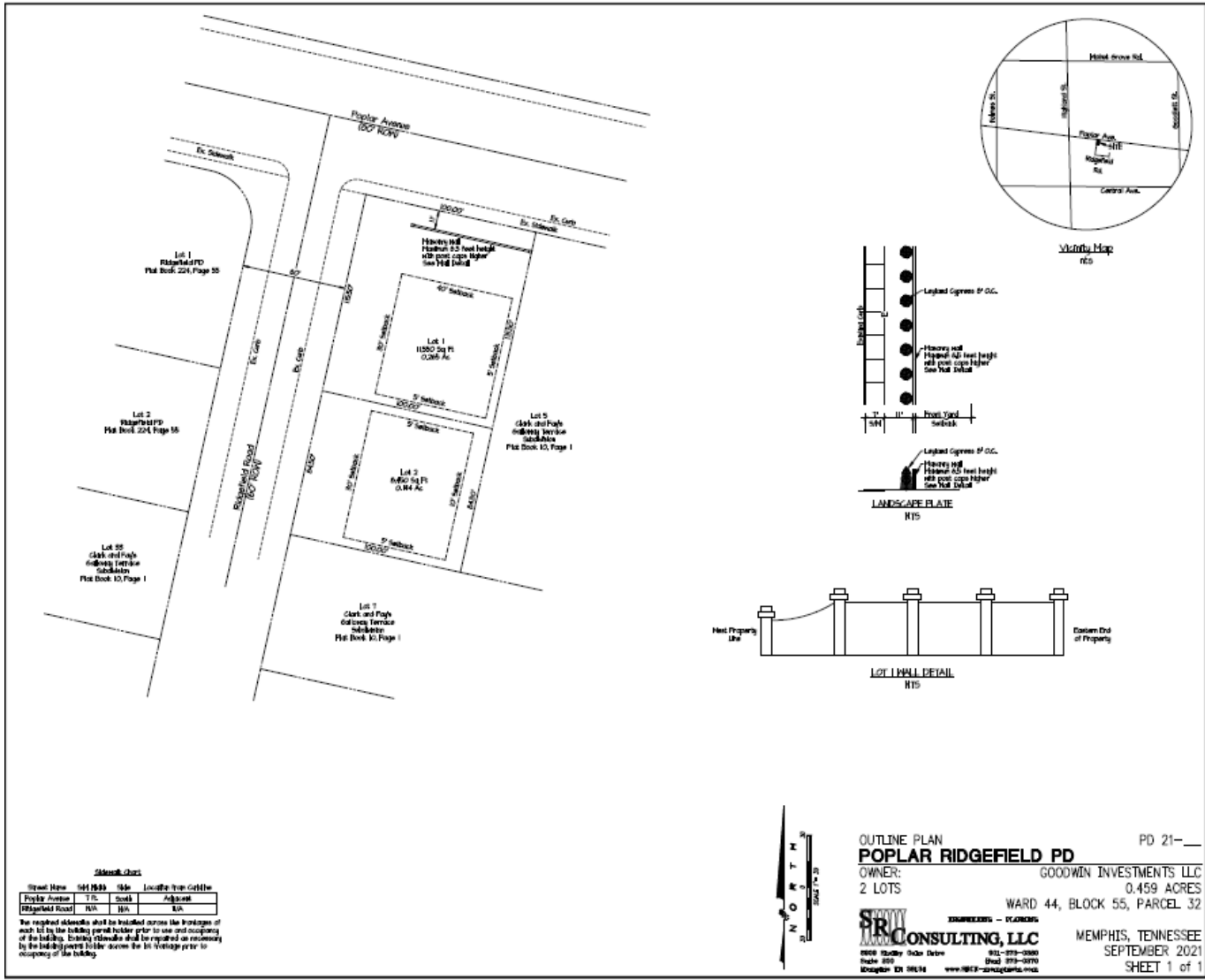
VII. A final plat shall be filed within five years of approval of the outline plan. The Land Use Control Board may grant extensions at the request of the applicant.

VIII. Any final plan shall include the following:

- A. The outline plan conditions.
- B. A standard subdivision contract as defined by the UDC for any needed public improvements.
- C. The location and ownership, whether public or private of any easement.
- D. The 100-year flood elevation.
- E. Both structures shall contain primarily brick (75% or more).
- F. The following note shall be placed on the final plat of any development requiring on-site storm water facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement shall be owned and maintained by the property owner and /or property owner's association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation; fallen objects; debris; trash; mowing; outlet cleaning; and repair of drainage structures.



# CONCEPT PLAN



**Setback Chart**

Street Name	Setback	Side	Locate from Center
Poplar Avenue	10'	Back	Adjacent
Ridgefield Road	10'	Front	10'

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

OUTLINE PLAN PD 21-  
**POPLAR RIDGEFIELD PD**  
 OWNER: GOODWIN INVESTMENTS LLC  
 2 LOTS 0.459 ACRES  
 WARD 44, BLOCK 55, PARCEL 32

**SR CONSULTING, LLC**  
 MEMPHIS, TENNESSEE  
 SEPTEMBER 2021  
 SHEET 1 of 1

AGENDA ITEM: 10

**CASE NUMBER:** PD 21-37 **L.U.C.B. MEETING:** November 10, 2021

**DEVELOPMENT:** Poplar Ridgefield

**LOCATION:** 109 Ridgefield Southeast Corner of Ridgefield and Poplar

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

**OWNER/APPLICANT:** Goodwin Investments LLC

**REPRESENTATIVE:** SR Consulting, LLC (Cindy Reaves)

**REQUEST:** two-lot single-family residential planned development

**AREA:** +/- .0486 acres

**EXISTING ZONING:** Residential Single-Family – 6 (R-6)

## CONCLUSIONS

1. The applicant is requesting a two-lot residential development in the R-6 districts
2. The two lots being created will be compatible with the overlaying zoning district.
3. The subject property is currently uninhabitable and vacant and the lot redesign will create a more desirable layout that is consistent with the existing lot across the street.
4. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.
5. The location and arrangement of the proposed lots and curb cuts are compatible with the surrounding land uses.

## 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 page3 15-17 of this report.

**RECOMMENDATION**  
*Approval with conditions*

**GENERAL INFORMATION**

<b>Street Frontage:</b>	Poplar Avenue Ridgefield Road	+/-100 linear feet +/-200 linear feet
<b>Zoning Atlas Page:</b>	2040	
<b>Parcel ID:</b>	044055 00032	
<b>Existing Zoning:</b>	Residential Single-Family – 6 (R-6)	

**NEIGHBORHOOD MEETING**

The meeting was held at 6:00 PM on Tuesday, October 27, 2021, through ZOOM

**PUBLIC NOTICE**

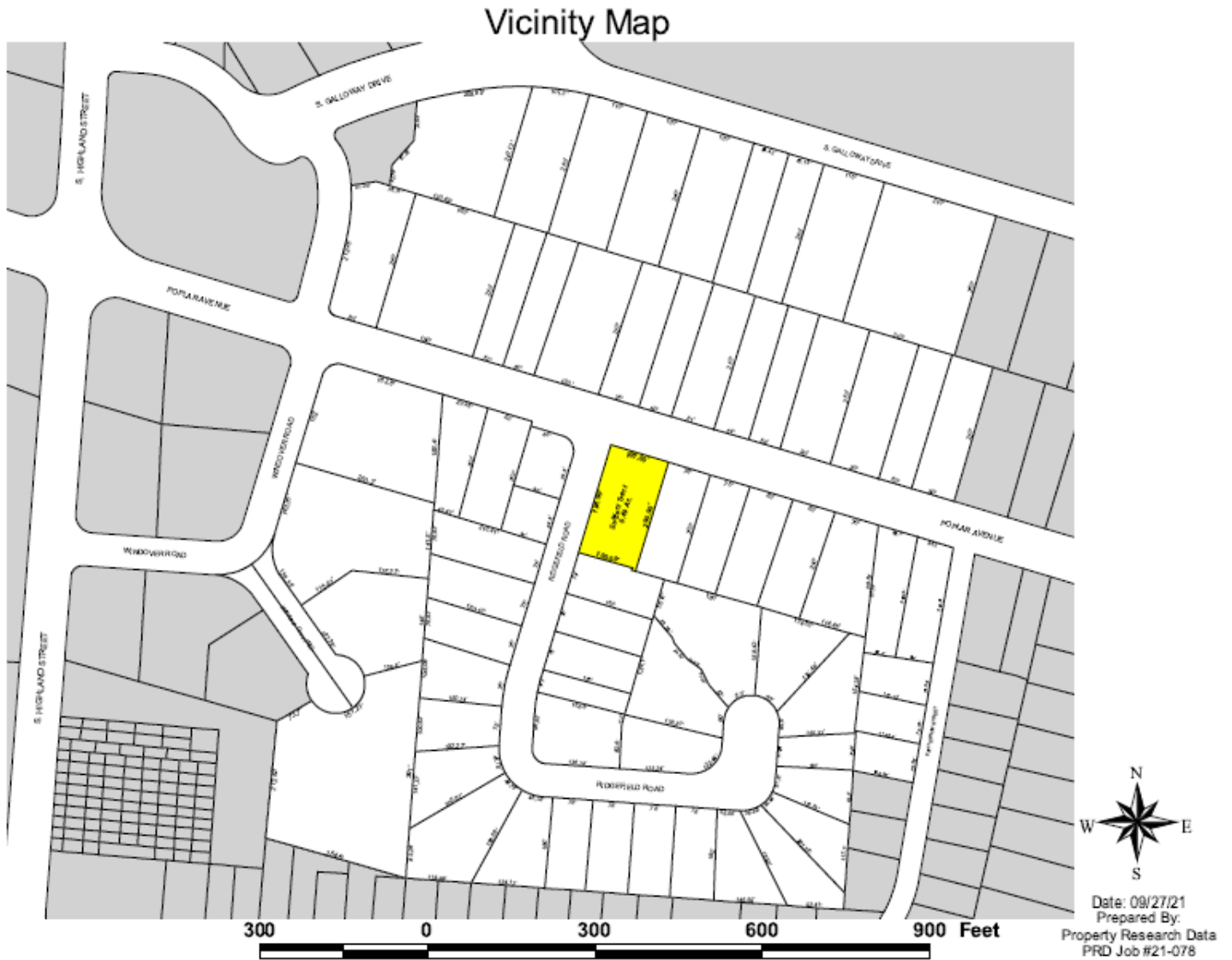
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 67 notices were mailed on October 26, 2021, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

**LOCATION MAP**



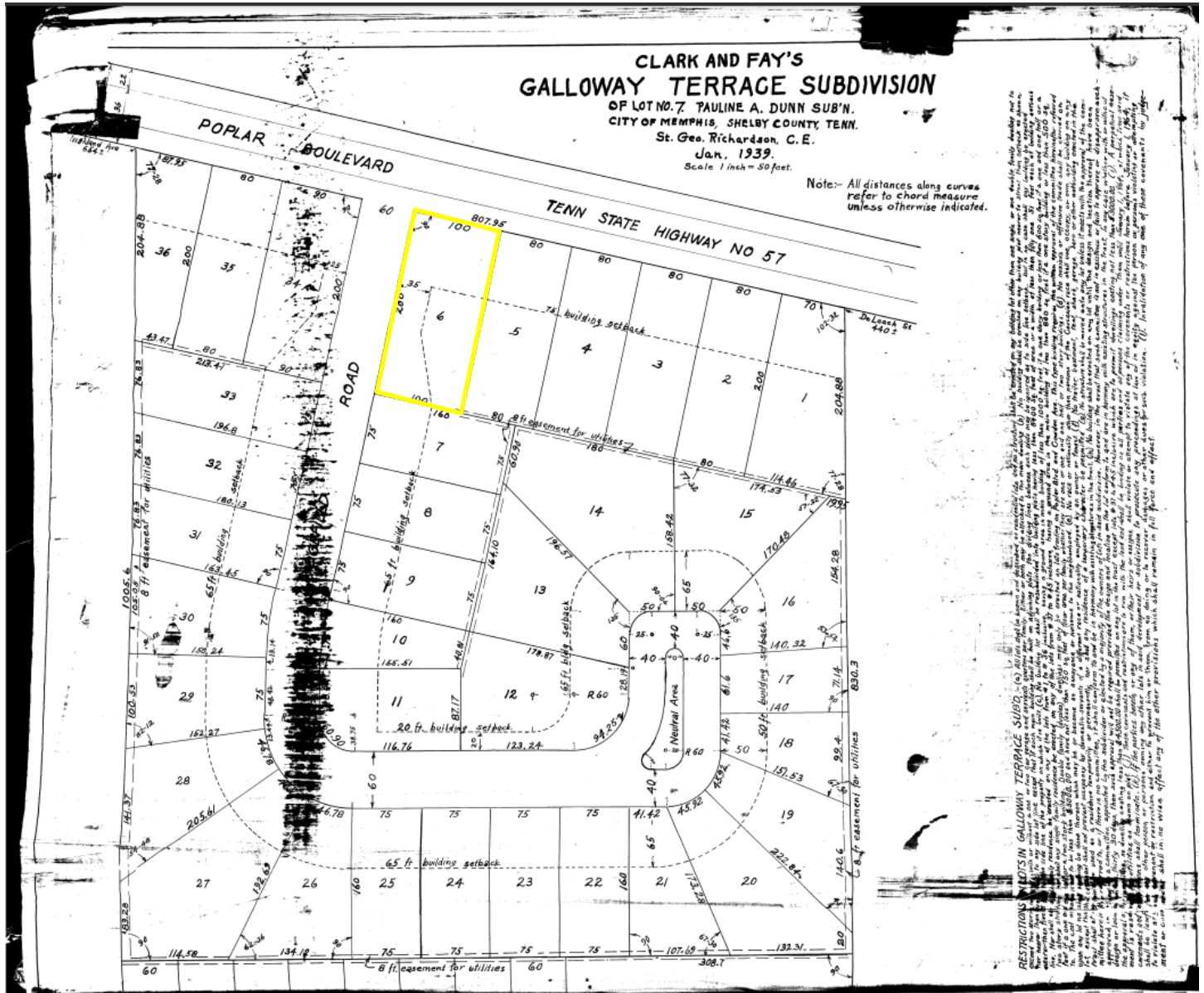
Subject property located within the pink circle

**VICINITY MAP**



Subject property highlighted in yellow

SUBDIVISION



**AERIAL**



Subject property outlined in yellow

**ZONING MAP**



Subject property highlighted in yellow

**Existing Zoning:** Residential Single-Family – 6 (R-6)

**Surrounding Zoning**

**North:** R-10

**East:** R-6

**South:** R-6










**West:** R-6 and PD 04-342



**LAND USE MAP**



**LandUse**

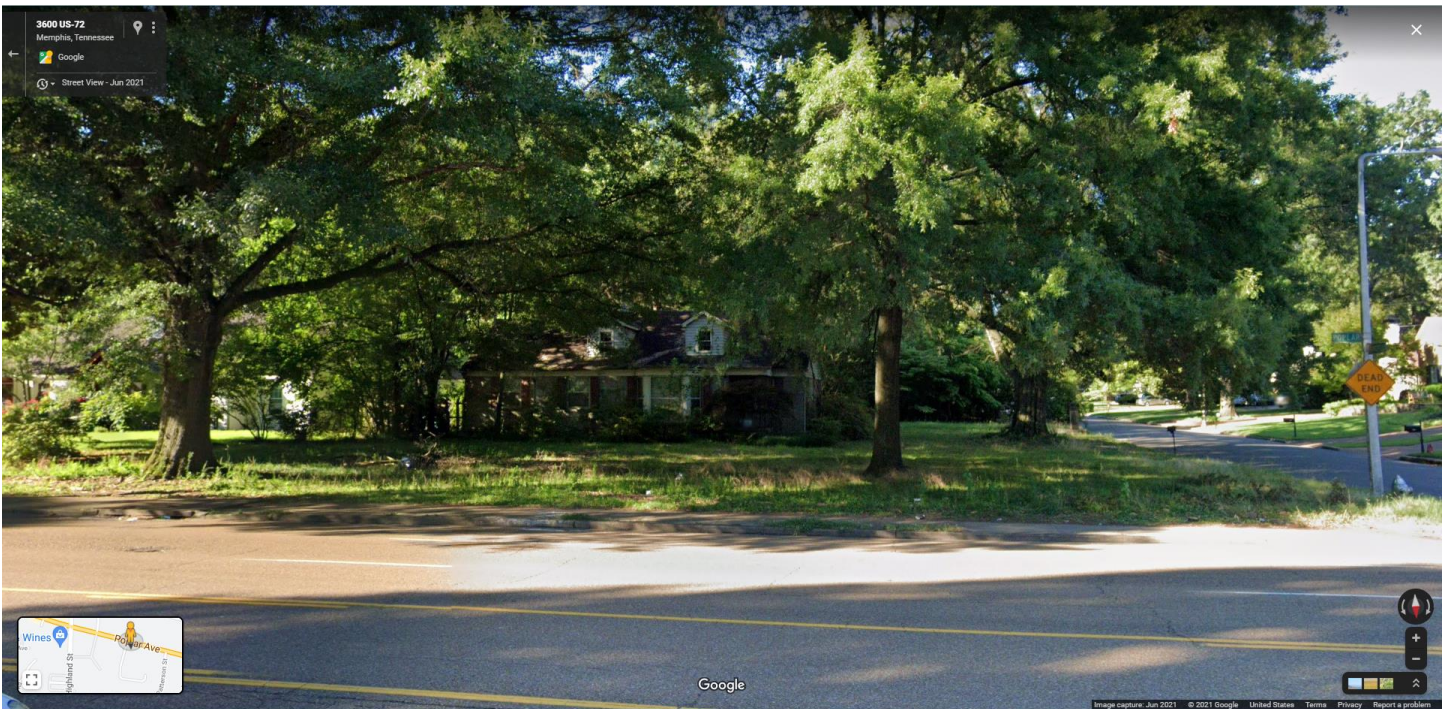
 SINGLE-FAMILY	 OFFICE
 MULTI-FAMILY	 INDUSTRIAL
 INSTITUTIONAL	 PARKING
 COMMERCIAL	 VACANT
 RECREATIONAL / OPEN SPACE	

Subject property outlined in electric blue

**SITE PHOTOS**



View of the center of the subject property from Ridgely Road facing southeast

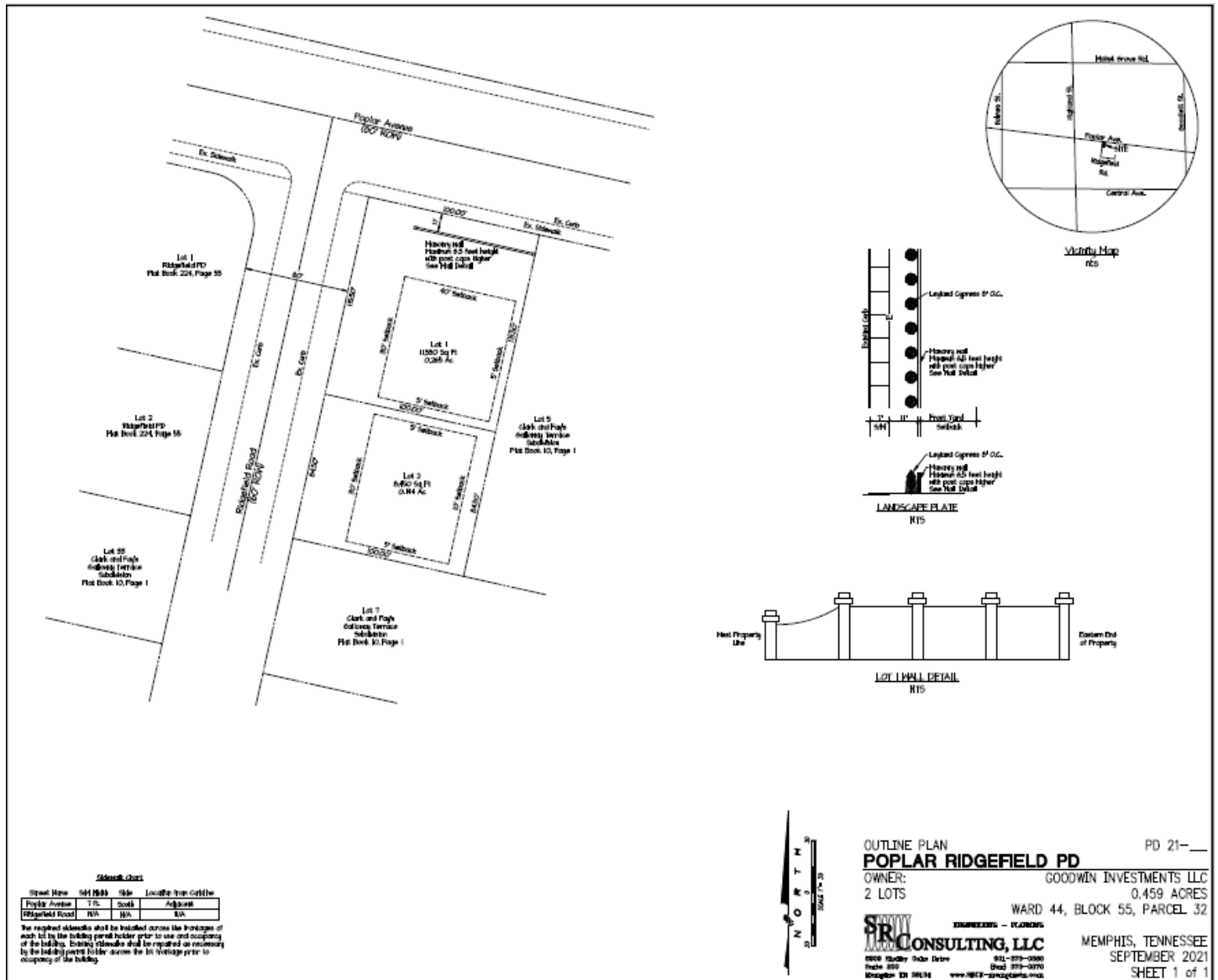


View of the southwest corner of the subject property from Poplar Avenue looking south



View of the southwest corner of the subject property from Ridgefield Road looking northeast

**OUTLINE PLAN**



## STAFF ANALYSIS

### Request

The application, planned development general provisions, and letter of intent have been added to this report.

The request is a 2-lot residential development.

### Applicability

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

#### *4.10.2 Applicability*

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

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

### General Provisions

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

#### *4.10.3 General Provisions*

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

- A. *The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.*
- B. *An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.*
- C. *The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.*
- D. *Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.*
- E. *Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.*
- F. *Lots of record are created with the recording of a planned development final plan.*

### **Residential Criteria**

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

#### **4.10.4 Planned Residential Developments**

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

- A. **Formal Open Space**  
*A minimum of 0.6% of the total land area of a planned residential development of 15 acres or more shall be subject to the formal open space requirements of Section 6.2.3. No open area may be delineated or accepted as formal open space under the provisions of this Chapter unless it meets the standards of Chapter 6.2, Open Space.*
- B. **Accessibility of Site**  
*All proposed streets, alleys and driveways shall be adequate to serve the residents, occupants, visitors or other anticipated traffic of the planned residential development. The location of the entrance points of the streets, alleys and driveways upon existing public roadways shall be subject to the approval of the City or County Division of Public Works.*
- C. **Off-Street Parking**  
*Off-street parking shall be conveniently accessible to all dwelling units and other uses. Where appropriate, common driveways, parking areas, walks and steps may be provided, maintained and lighted for night use. Screening of parking and service areas shall be required through use of trees, shrubs and/or hedges and screening walls.*
- D. **Pedestrian Circulation**  
*The pedestrian circulation system and its related walkways shall be separated, whenever feasible, from the vehicular street system in order to provide an appropriate degree of separation of pedestrian and vehicular movement.*
- E. **Privacy**  
*The planned residential development shall provide reasonable visual and acoustical privacy for dwelling units within and adjacent to the planned residential development. Protection and*

*enhancement of property and the privacy of its occupants may be provided by the screening of objectionable views or uses and reduction of noise through the use of fences, insulation, natural foliage, berms and landscaped barriers. High-rise buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining low rise buildings.*

**F. Distance Requirements**

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

**Approval Criteria**

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

**9.6.9 Approval Criteria**

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

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

**Site Description**

The subject property is +/-0.0459 acres located at the southeast corner of Ridgfield Road and Poplar Avenue. The site is lot 6 of the Clark and Fays Galloway Terrace Subdivision and is currently zoned R-6 (Residential – 6).

**Site Plan Review**

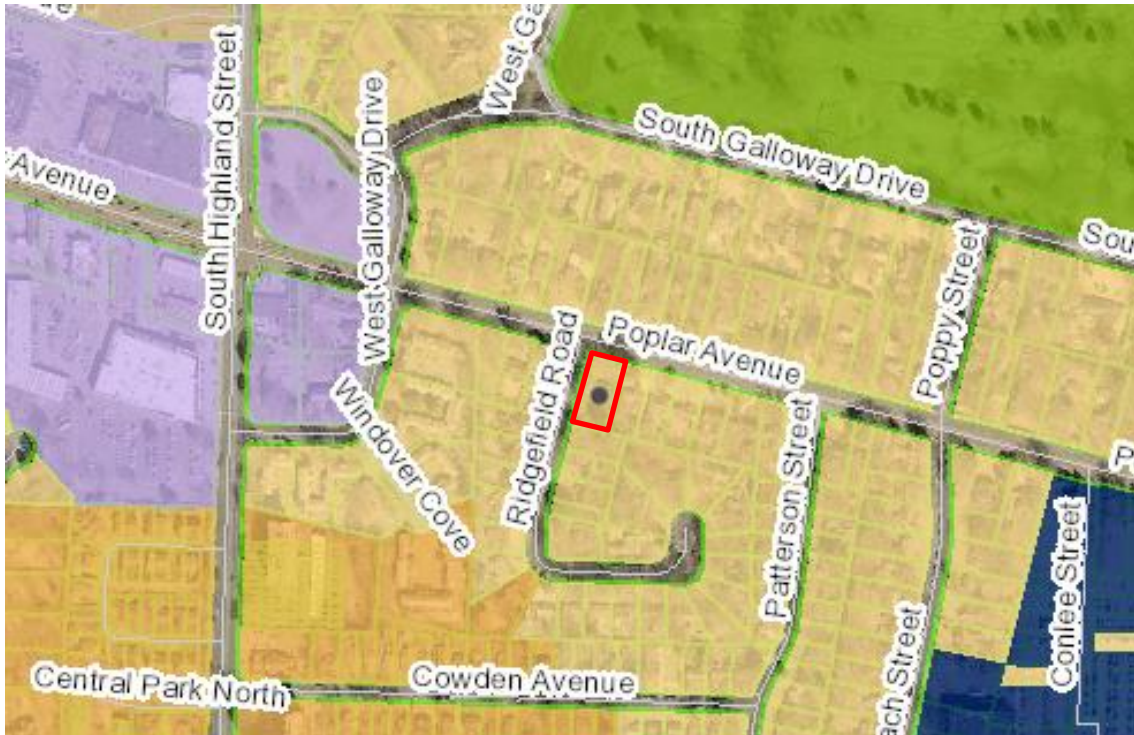
- Single family homes are permitted by right
- The lots are 11,550 square feet and 8,450 square feet

- The development will have a 30-foot front yard setback, 5-foot side yard setbacks, and a 10-foot rear yard setback

**Consistency with Memphis 3.0**

Staff uses the following criteria contained in Memphis 3.0 to determine consistency.

**1. FUTURE LAND USE PLANNING MAP**



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

**2. Land use description & applicability:**

Primarily Single-Unit Anchor Neighborhoods are characterized by house scale buildings between one and three stories high. A mixture of detached and semi-detached homes fills this residential designation around the anchor location, mostly consisting of single-family homes or duplexes. These neighborhoods are located within a 10-minute walk of the anchor, making residential more accessible for pedestrians to anchor amenities.



**“AN-S” Goals/Objectives:**

Preservation and stabilization of neighborhoods, focusing investment toward areas that support plan goals and objectives, locating housing near services and jobs, building up not out.

**“AN-S” Form & Location Characteristics:**

Primarily detached, single-family residences. Attached single-family residences permitted on parcels within 100 feet of an anchor and along avenues, boulevards and parkways as identified in the Street Types Map.



Height: 1-3 stories. Scale: house-scale.

*The applicant is seeking approval for a 2-lot residential planned development. The request meets the criteria of AN-S as the it will be a single-family residential use. The proposal will also preserve the neighborhood with infill development. Therefore, the request is consistent.*

### 3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land uses: Single-Family. The subject site is surrounded by the following zoning district: RU-3, R-6, and CMP-1. This requested land use is compatible with the adjacent land uses because *existing land uses surrounding the parcels is similar in nature to the requested use.*

### 4. Degree of Change map



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

### 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.**

Summary Compiled by: Andrea Jimenez, Comprehensive Planning.

### **Conclusions**

The applicant is requesting a two-lot residential development in the R-6 districts

The two lots being created will be compatible with the overlaying zoning district.

The subject property is currently uninhabitable and vacant and the lot redesign will create a more desirable layout that is consistent with the existing lot across the street.

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

The location and arrangement of the proposed lots and curb cuts are compatible with the surrounding land uses.

### **RECOMMENDATION**

Staff recommends approval with outline plan conditions.

**Outline Plan Conditions**

POPLAR RIDGEFIELD PD  
OUTLINE PLAN CONDITIONS

I. Uses Permitted

- A. A maximum of two (2) single family lots.
- B. Accessory uses as regulated by the residential single-family district.

II. Bulk Regulations

- A. Except where further modified below, the bulk regulations of the R-6 district shall apply.
- B. Setbacks:
  - 1. The minimum front yard setback for Lot 1 along Poplar Avenue is forty (40) feet.
  - 2. The minimum rear yard setback shall be 10 feet.

III. Access

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

IV. Landscaping

- A. A Landscape Plate as shown on the site plan shall be installed along the Poplar Avenue frontage or an equivalent alternative approved by O.P.D.

- V. The Land Use Control Board may modify the bulk regulations, landscaping and sign requirements if equivalent alternatives are presented.

- VI. A final plat shall be submitted for the review and approval of the Division of Planning and Development and other appropriate reviewing bodies. In the event that the applicant and the Division of Planning and Development do not agree on the meaning and intent of any condition, an appeal may be filed with the Land Use Control Board.

- VII. A final plat shall be filed within five years of approval of the outline plan. The Land Use Control Board may grant extensions at the request of the applicant.

- VIII. Any final plan shall include the following:

- A. The outline plan conditions.
- B. A standard subdivision contract as defined by the UDC for any needed public improvements.
- C. The location and ownership, whether public or private of any easement.
- D. The 100-year flood elevation.
- E. Both structures shall contain primarily brick (75% or more).
- F. The following note shall be placed on the final plat of any development requiring on-site storm water facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement shall be owned and maintained by the property owner and /or property owner's association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation; fallen objects; debris; trash; mowing; outlet cleaning; and repair of drainage structures.



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

**Curb Cuts/Access:**

9. The City Engineer shall approve the design, number and location of curb cuts.
10. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
11. No new curb cut will be allowed on Poplar Avenue.

**Drainage:**

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

<b>City/County Fire Division:</b>	No comments received.
<b>City Real Estate:</b>	No comments received.
<b>City/County Health Department:</b>	No comments received.
<b>Shelby County Schools:</b>	No comments received.
<b>Construction Code Enforcement:</b>	No comments received.
<b>Memphis Light, Gas and Water:</b>	No comments received.
<b>Office of Sustainability and Resilience:</b>	No comments received.

**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 PLANNED DEVELOPMENT APPROVAL  
 (OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

Date: September 23, 2021

Case #: \_\_\_\_\_

PLEASE TYPE OR PRINT

Name of Development: Poplar Ridgefield PD

Property Owner of Record: Goodwin Investments LLC Phone #: \_\_\_\_\_

Mailing Address: 214 Ridgefield Rd. City/State: Memphis, TN Zip 38111

Property Owner E-Mail Address: david@davidgoodwinjr.com

Applicant: Same as Owner Phone # \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Applicant E-Mail Address: \_\_\_\_\_

Representative: SR Consulting, LLC (Cindy Reaves) Phone #: 901-373-0380

Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134

Representative E-Mail Address: cindy@srce-memphis.com

Engineer/Surveyor: SR Consulting, LLC Phone # 901-373-0380

Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134

Engineer/Surveyor E-Mail Address: cindy@srce-memphis.com

Street Address Location: 190 Ridgefield

Distance to nearest intersecting street: At the southeast corner of Poplar & Ridgefield

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>0.486</u>	_____	_____
Existing Zoning:	<u>R-5</u>	_____	_____
Existing Use of Property	<u>Residential</u>	_____	_____
Requested Use of Property	<u>Residential</u>	_____	_____

Medical Overlay District: Per Section 8.2.2D of the UDC, no Planned Developments are permitted in the Medical Overlay District.

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: \_\_\_\_\_ Bedrooms: \_\_\_\_\_

Expected Appraised Value per Unit: \_\_\_\_\_ or Total Project: \_\_\_\_\_

Amendment(s): Is the applicant applying for an amendment to an existing Planned Development?

Yes  No

The following modifications to existing planned developments are considered amendments: 1) a change to the permitted uses in a planned development, except in situations where a use of a higher classification is proposed to be changed to a use of a lower classification; 2) a modification to conditions that phases the uses, and 3) a conversion of public streets. See Section 9.6.11E(1) of the UDC for further details.

#### 4.10.3 Planned Development General Provisions

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations to the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in section 4.10.3:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

This development will be consistent with surrounding developments.

- An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

Adequate facilities exist for this property.

- The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses... (see UDC sub-section 4.10.3C)

The service facilities will be in accordance with the planned development requirements.

- Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.

The proposed development will be consistent with surrounding developments.

- Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.

No common areas are proposed.

- Lots of records are created with the recording of a planned development final plan.

A final plat will be recorded.





**LETTER OF INTENT**



Date: September 23, 2021  
To: Office of Planning & Development  
From: Cindy Reaves  
Re: Poplar Ridgefield PD  
Job #: 21-0107

**LETTER OF INTENT**

We are submitting a Planned Development application for property at 190 Ridgefield Road, located at the southeast corner of Poplar Avenue and Ridgefield Road. The property is approximately 0.459 acres in size and is within the R-6 zoning district. We are requesting a 2-lot residential development similar to the adjacent Ridgefield PD to the west.

We would appreciate your support with this request. Please contact me if you have any questions.

**SIGN AFFIDAVIT**

AFFIDAVIT

Shelby County  
State of Tennessee

I, Cindy Reaves, being duly sworn, depose and say that at 2:01 pm on the 20th day of October, 2021 I posted two Public Notice Signs pertaining to Case No. PD 21-37 one in front of the property located at 190 Kingston and one on Poplar Ave. pursuant to notice of a Public Hearing before the November 10, 2021 Land Use Control Board for consideration of a proposed Land Use Action (Planned Development), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Cindy Reaves  
Owner, Applicant or Representative

10/26/2021  
Date

Subscribed and sworn to before me this 26<sup>th</sup> day of October, 2021

Robert M. Sweeney  
Notary Public  
My commission expires: 9/27/23





**LETTERS RECEIVED**

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



# 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 PLANNED DEVELOPMENT APPROVAL (OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)

Date: September 23, 2021

Case #: \_\_\_\_\_

PLEASE TYPE OR PRINT

Name of Development: Poplar Ridgefield PD

Property Owner of Record: Goodwin Investments LLC Phone #: \_\_\_\_\_

Mailing Address: 214 Ridgefield Rd. City/State: Memphis, TN Zip 38111

Property Owner E-Mail Address: david@davidgoodwinjr.com

Applicant: Same as Owner Phone # \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Applicant E- Mail Address: \_\_\_\_\_

Representative: SR Consulting, LLC (Cindy Reaves) Phone #: 901-373-0380

Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134

Representative E-Mail Address: cindy@srce-memphis.com

Engineer/Surveyor: SR Consulting, LLC Phone # 901-373-0380

Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134

Engineer/Surveyor E-Mail Address: cindy@srce-memphis.com

Street Address Location: 190 Ridgefield

Distance to nearest intersecting street: At the southeast corner of Poplar & Ridgefield

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	0.486	_____	_____
Existing Zoning:	R-6	_____	_____
Existing Use of Property	Residential	_____	_____
Requested Use of Property	Residential	_____	_____

**Medical Overlay District:** Per Section 8.2.2D of the UDC, no Planned Developments are permitted in the Medical Overlay District.

**Unincorporated Areas:** For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: \_\_\_\_\_ Bedrooms: \_\_\_\_\_

Expected Appraised Value per Unit: \_\_\_\_\_ or Total Project: \_\_\_\_\_

**Amendment(s):** Is the applicant applying for an amendment to an existing Planned Development?

Yes  No

The following modifications to existing planned developments are considered amendments: 1) a change to the permitted uses in a planned development, except in situations where a use of a higher classification is proposed to be changed to a use of a lower classification; 2) a modification to conditions that phases the uses, and 3) a conversion of public streets. See Section 9.6.11E(1) of the UDC for further details.

#### **4.10.3 Planned Development General Provisions**

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations to the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in section 4.10.3:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

This development will be consistent with surrounding developments.

- An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

Adequate facilities exist for this property.

- The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses... (see UDC sub-section 4.10.3C)

The service facilities will be in accordance with the planned development requirements.

- Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.

The proposed development will be consistent with surrounding developments.

- Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.

No common areas are proposed.

- Lots of records are created with the recording of a planned development final plan.

A final plat will be recorded.







ENGINEERING • PLANNING

5909 Shelby Oaks Drive  
Suite 200  
Memphis TN 38134

Tel: 901-373-0380  
Fax: 901-373-0370  
[www.SRCE-memphis.com](http://www.SRCE-memphis.com)

Date: September 23, 2021

To: Office of Planning & Development

From: Cindy Reaves

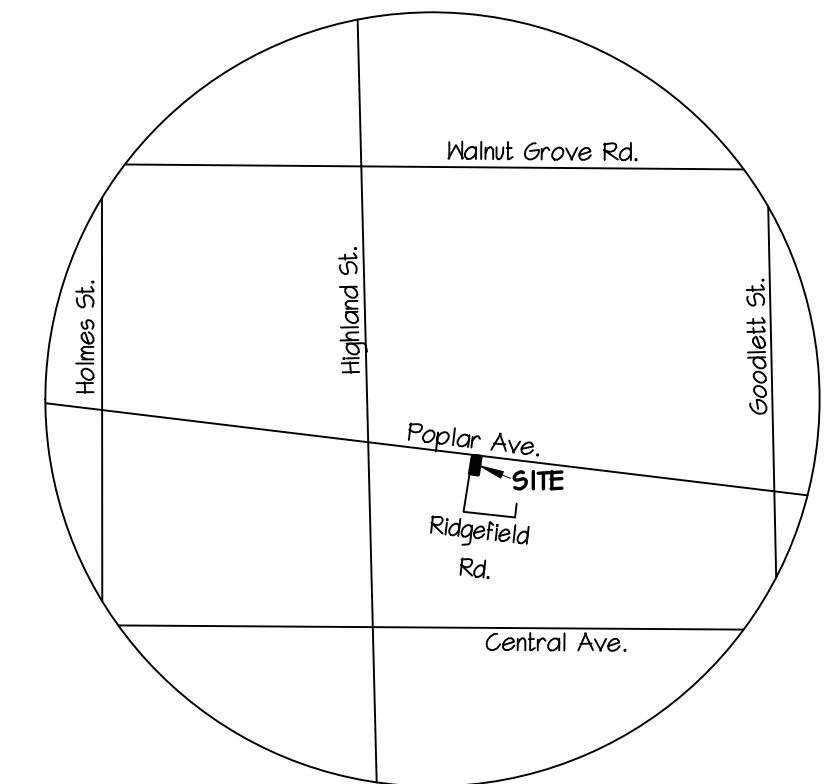
Re: Poplar Ridgefield PD

Job #: 21-0107

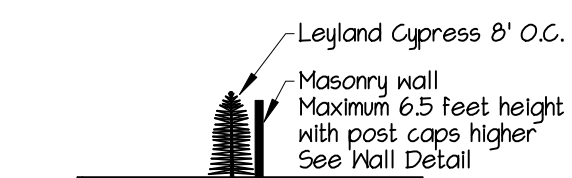
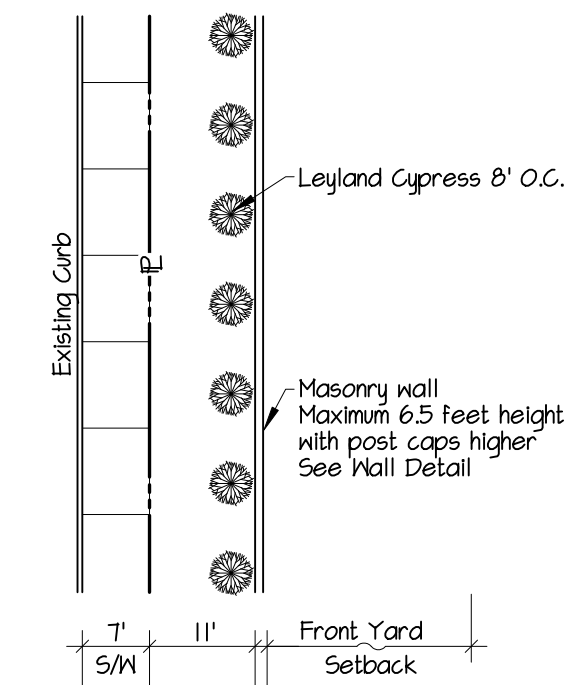
## **LETTER OF INTENT**

We are submitting a Planned Development application for property at 190 Ridgefield Road, located at the southeast corner of Poplar Avenue and Ridgefield Road. The property is approximately 0.459 acres in size and is within the R-6 zoning district. We are requesting a 2-lot residential development similar to the adjacent Ridgefield PD to the west.

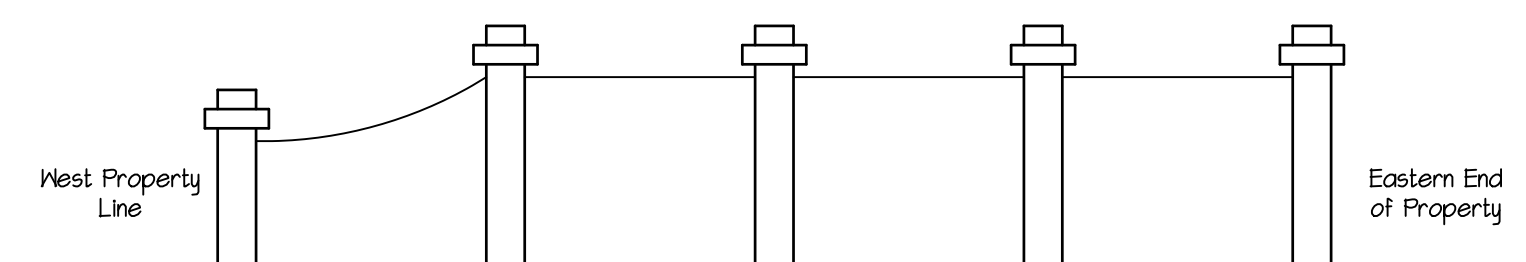
We would appreciate your support with this request. Please contact me if you have any questions.



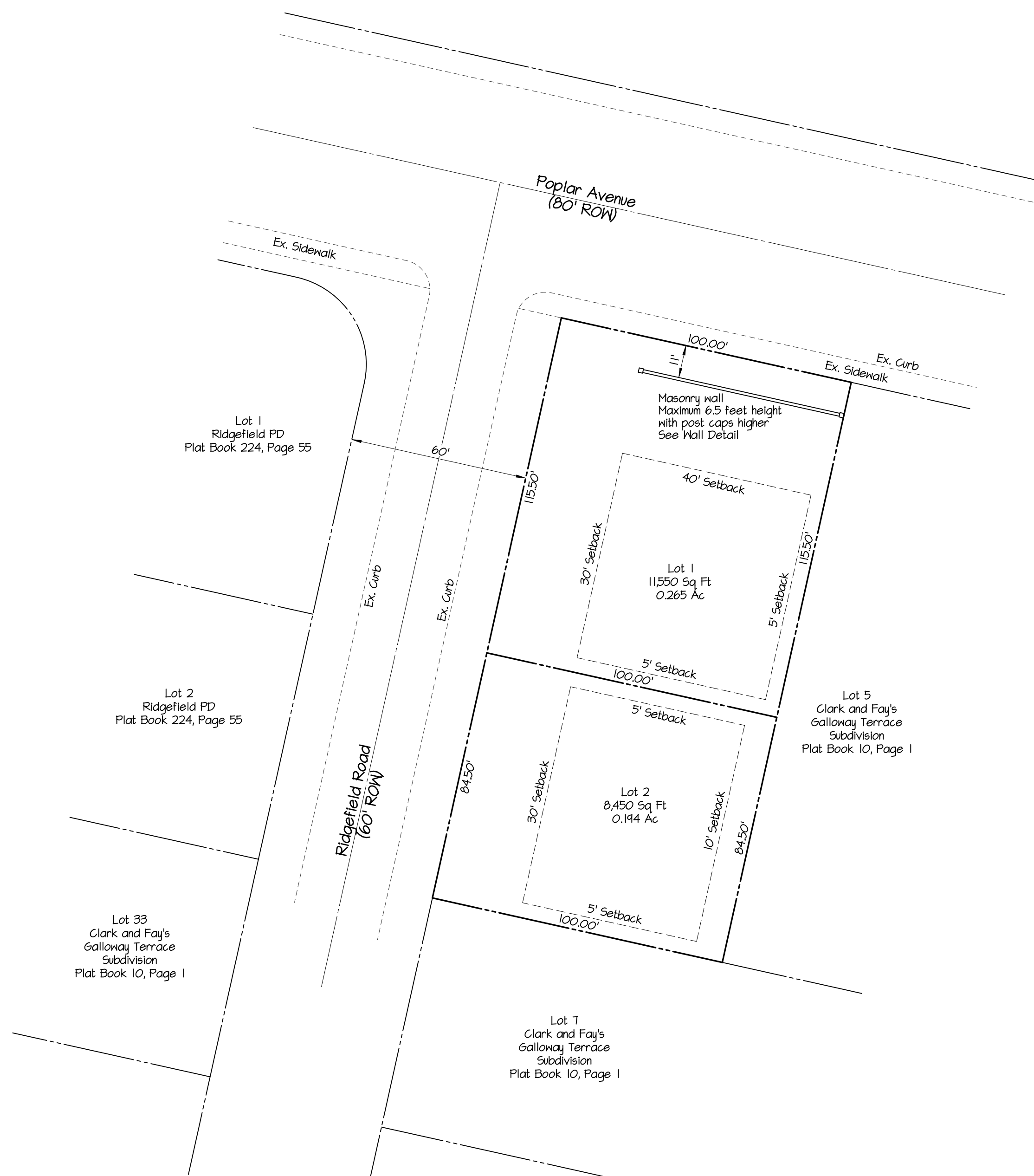
Vicinity Map  
nts



LANDSCAPE PLATE  
NTS



LOT 1 WALL DETAIL  
NTS



Lot 1  
Ridgefield PD  
Plat Book 224, Page 55

Lot 2  
Ridgefield PD  
Plat Book 224, Page 55

Lot 33  
Clark and Fay's  
Galloway Terrace  
Subdivision  
Plat Book 10, Page 1

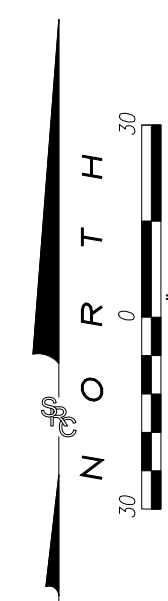
Lot 7  
Clark and Fay's  
Galloway Terrace  
Subdivision  
Plat Book 10, Page 1

Lot 5  
Clark and Fay's  
Galloway Terrace  
Subdivision  
Plat Book 10, Page 1

Sidewalk Chart

Street Name	S/W Width	Side	Location from Curbline
Poplar Avenue	7 ft.	South	Adjacent
Ridgefield Road	N/A	N/A	N/A

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.



OUTLINE PLAN  
**POPLAR RIDGEFIELD PD**

PD 21-\_\_

OWNER:  
2 LOTS

GOODWIN INVESTMENTS LLC  
0.459 ACRES

WARD 44, BLOCK 55, PARCEL 32

**SR CONSULTING, LLC**  
ENGINEERING - PLANNING

5909 Shelby Oaks Drive  
Suite 200  
Memphis TN 38134

901-373-0380  
(fax) 373-0370

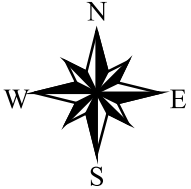
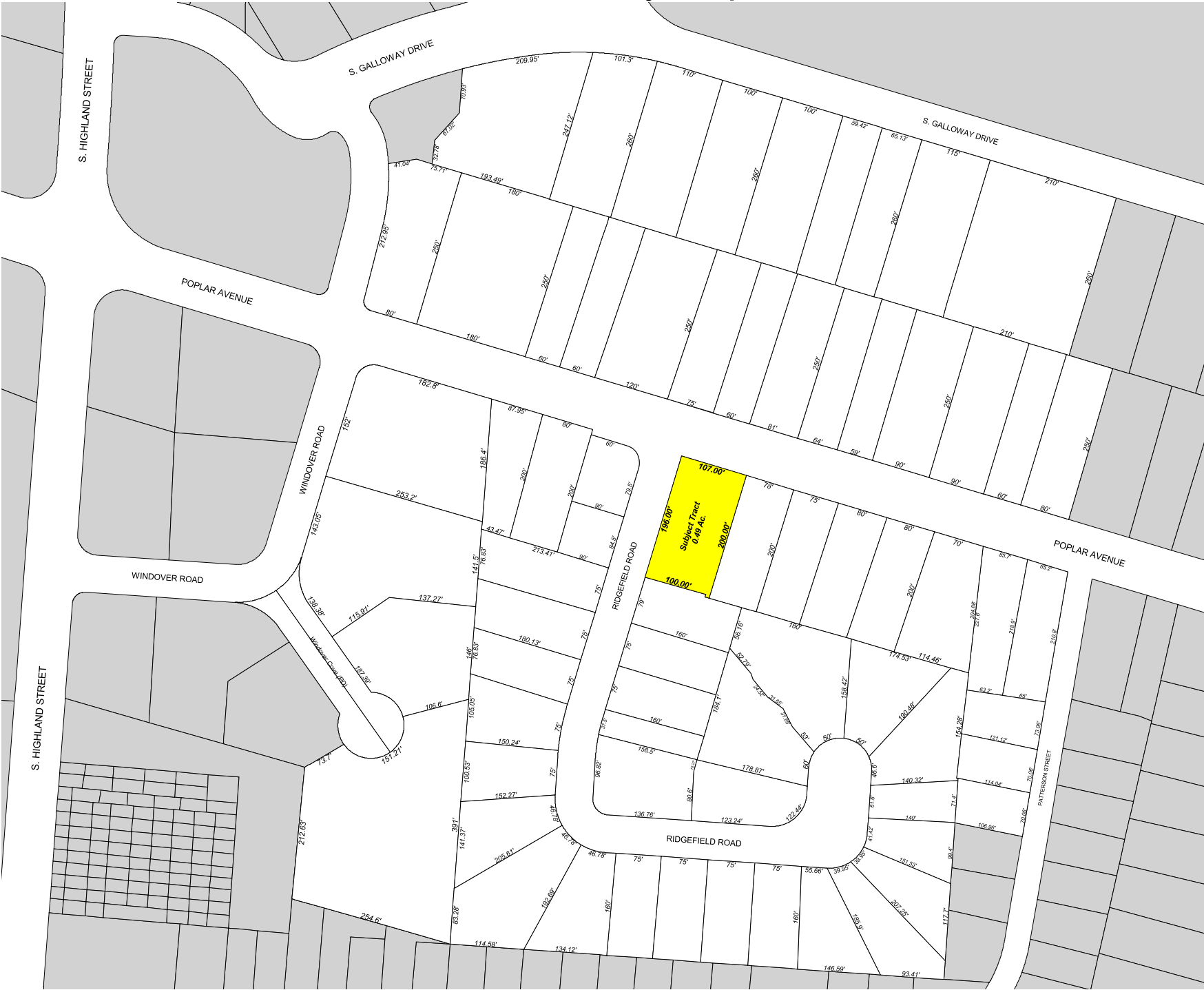
www.SRCE-memphistn.com

MEMPHIS, TENNESSEE  
SEPTEMBER 2021

SHEET 1 of 1

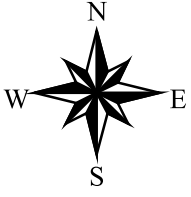
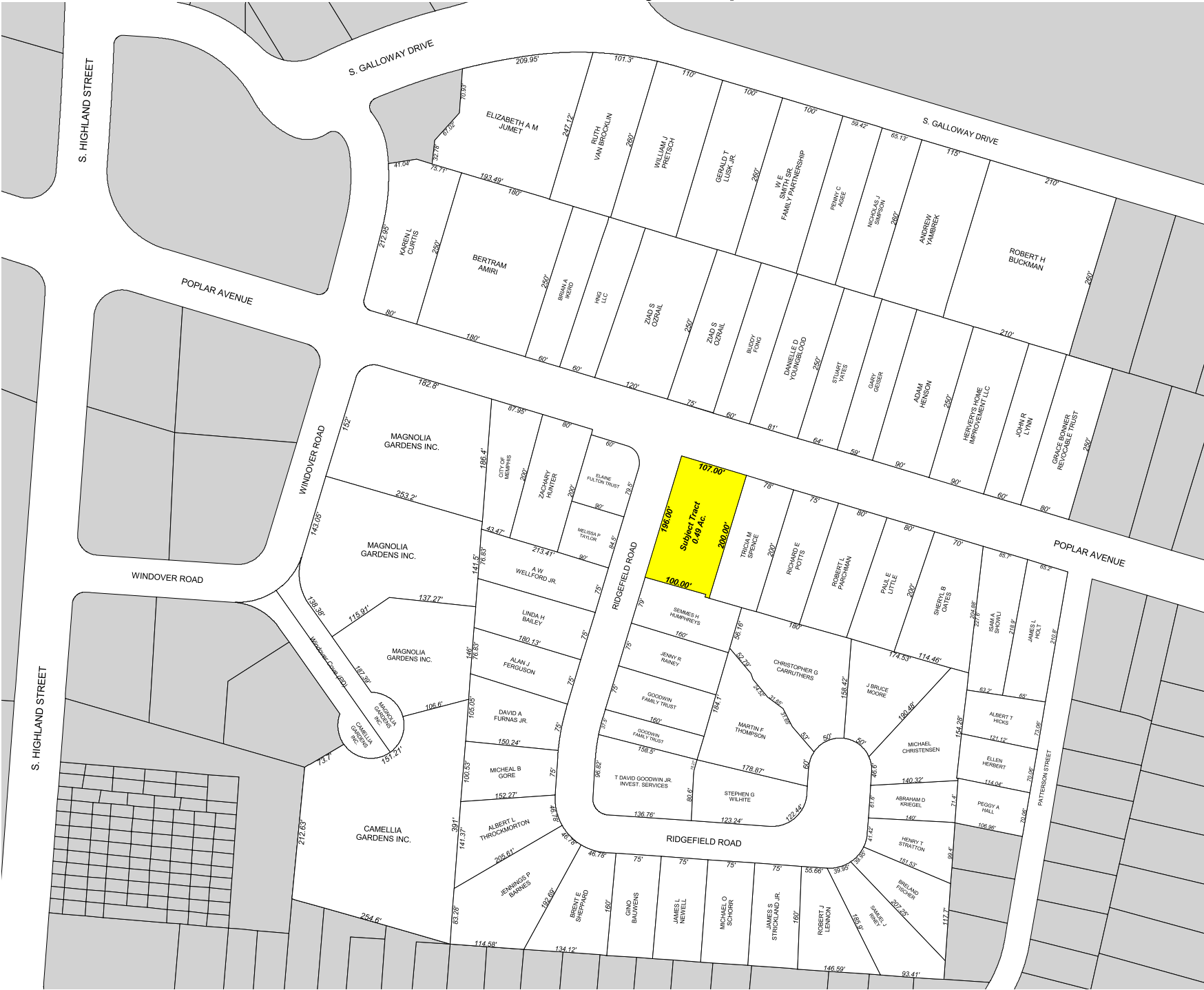
File: H:\2021\2021-0101 Poplar Ridgefield\Outline Plan\Sheet\OutlinePlan.dwg, Oct 01, 2021, 1:37pm

# Vicinity Map



Date: 09/27/21  
Prepared By:  
Property Research Data  
PRD Job #21-078

# Vicinity Map



Date: 09/27/21  
 Prepared By:  
 Property Research Data  
 PRD Job #21-078

Agee Penny C & Grady W Jr.  
3625 S. Galloway Drive  
Memphis, TN 38111-6835

Amiri Bertram & Ester  
700 N. Beverly Glen Boulevard  
Los Angeles, CA 90077-3102

Bailey Linda H  
205 Ridgefield Road  
Memphis, TN 38111-6034

Barnes Jennings P & James R  
235 Ridgefield Road  
Memphis, TN 38111-6034

Bauwens Gino & Diane F  
245 Ridgefield Road  
Memphis, TN 38111-6034

Bonner Grace Revocable Trust  
3658 Poplar Avenue  
Memphis, TN 38111-6030

Buckman Robert H  
3653 S. Galloway Drive  
Memphis, TN 38111-6835

Camellia Gardens Incorporated  
204 Windover Road, Ste. 17  
Memphis, TN 38111-6071

Carruthers Christopher G  
288 Ridgefield Road  
Memphis, TN 38111-6035

Christensen Michael And Roberta  
291 Ridgefield Road  
Memphis, TN 38111-6034

City Of Memphis  
125 N. Main Street, Room 568  
Memphis, TN 38103-2026

Curtis Karen L  
130 W. Galloway Drive  
Memphis, TN 38111-6818

Ferguson Alan J And Keri L Lowrey (RS)  
211 Ridgefield Road  
Memphis, TN 38111

Fischer Breland & Peter  
279 Ridgefield Road  
Memphis, TN 38111-6034

Fong Buddy  
1637 Linden Avenue  
Memphis, TN 38104-3840

Fulton Elaine Trust  
187 Ridgefield Road  
Memphis, TN 38111-6012

Furnas David A Jr. & Jynnifer L  
217 Ridgefield Road  
Memphis, TN 38111-6034

Geiser Gary  
3626 Poplar Avenue  
Memphis, TN 38111-6030

Goodwin Family Trust  
214 Ridgefield Road  
Memphis, TN 38111-6035

Goodwin T David Jr. Investment Services  
214 Ridgefield Road  
Memphis, TN 38111-6035

Gore Micheal B & Martha G  
225 Ridgefield Road  
Memphis, TN 38111-6034

Hall Peggy A  
227 Patterson Street  
Memphis, TN 38111-6011

Henson Adam & Lindsey  
3634 Poplar Avenue  
Memphis, TN 38111

Herbert Ellen R And Robert Peacock  
221 Patterson Street  
Memphis, TN 38111-6011

Herverys Home Improvement LLC  
4961 Shelter Cove  
Memphis, TN 38118-8169

Hicks Albert T & Hanora B  
215 Patterson Street  
Memphis, TN 38111-6011

HNG LLC  
111 Highland Street Ste. 369  
Memphis, TN 38111-4640

Holt James L  
201 Patterson Street  
Memphis, TN 38111

Humphreys Semmes H  
202 Ridgefield Road  
Memphis, TN 38111-6035

Hunter Zachary & Kasey  
3581 Poplar Avenue  
Memphis, TN 38111-6029

Ikerd Brian A And William D Lockwood  
3576 Poplar Avenue  
Memphis, TN 38111-6006

Jumet Elizabeth A M And Charles P E  
3571 S. Galloway Drive  
Memphis, TN 38111-6816

Kriegel Abraham D & Reva M  
287 Ridgefield Road  
Memphis, TN 38111-6034

Lennon Robert J And Kori L Lennon  
271 Ridgefield Road  
Memphis, TN 38111-6034

Little Paul E & Anna C  
3635 Poplar Avenue  
Memphis, TN 38111

Lusk Gerald T Jr. & Sloan S  
3605 S. Galloway Drive  
Memphis, TN 38111

Lynn John R & Scarlett L Bowlin-Lynn  
2645 Fox Hill Circle  
Germantown, TN 38139-6817

Magnolia Gardens Incorporated  
204 Windover Road  
Memphis, TN 38111-6071

Moore J Bruce & Elizabeth H  
292 Ridgefield Road  
Memphis, TN 38111-6035

Newell James L And Rebecca L Vaughn  
(RS)  
253 Ridgefield Road  
Memphis, TN 38111-6034

Oates Sheryl B  
3647 Poplar Avenue  
Memphis, TN 38111-6031

Ozrail Ziad S  
3588 Poplar Avenue  
Memphis, TN 38111-6006

Ozrail Ziad S And Ameen Z Ozrail  
440 Perkins Extended  
Memphis, TN 38117-3808

Parchman Robert L & Donna B  
3629 Poplar Avenue  
Memphis, TN 38111-6031

Potts Richard E & Laura K  
3623 Poplar Avenue  
Memphis, TN 38111-6031

Pretsch William J & Leslie  
3595 S. Galloway Drive  
Memphis, TN 38111-6816

Rainey Jenny R  
208 Ridgefield Road  
Memphis, TN 38111-6035

Riney Samuel J & Ashley B  
273 Ridgefield Road  
Memphis, TN 38111-6034

Schorr Michael O & Lauren P  
259 Ridgefield Road  
Memphis, TN 38111-6034

Sheppard Brent E & Emily M  
239 Ridgefield Road  
Memphis, TN 38111

Showli Isam A & Deanna K  
3653 Poplar Avenue  
Memphis, TN 38111-6031

Simpson Nicholas J And Amy B Simpson  
3629 S. Galloway Drive  
Memphis, TN 38111-6835

Smith W E Sr. Family Partnership  
3615 S. Galloway Drive  
Memphis, TN 38111

Spence Tricia M & Shawn E Herrington  
3613 Poplar Avenue  
Memphis, TN 38111-6031

Stratton Henry T & Andrea A  
283 Ridgefield Road  
Memphis, TN 38111-6034

Strickland James S Jr. & Melyne S  
267 Ridgefield Road  
Memphis, TN 38111-6034

Taylor Melissa P  
191 Ridgefield Road  
Memphis, TN 38111-6012

Thompson Martin F & Lisa F  
282 Ridgefield Road  
Memphis, TN 38111-6035

Throckmorton Albert L & Marinell  
231 Ridgefield Road  
Memphis, TN 38111

Van Brocklin Ruth  
3585 S. Galloway Drive  
Memphis, TN 38111-6816

Wellford A W Jr. & Karen L  
199 Ridgefield Road  
Memphis, TN 38111-6012

Wilhite Stephen G & Amy H  
276 Ridgefield Road  
Memphis, TN 38111-6035

Yambrek Andrew & Ana  
3639 S. Galloway Drive  
Memphis, TN 38111-6835

Yates Stuart  
3622 Poplar Avenue  
Memphis, TN 38111-6030

Youngblood Danielle D  
1068 S. Rembert Street  
Memphis, TN 38104-5625

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

SR Consulting Engineering  
5909 Shelby Oaks Drive, Suite 200  
Memphis TN 38134

Goodwin Investments LLC  
214 Ridgefield Road  
Memphis, TN 38111-6035

Goodwin Investments LLC  
214 Ridgefield Road  
Memphis, TN 38111-6035

Goodwin Investments LLC  
214 Ridgefield Road  
Memphis, TN 38111-6035

Goodwin Investments LLC  
214 Ridgefield Road  
Memphis, TN 38111-6035

Goodwin Investments LLC  
214 Ridgefield Road  
Memphis, TN 38111-6035





# 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.

21120582

09/28/2021 - 08:46:30 AM

---

3 PGS

---

MICHAEL 2308413-21120582

---

VALUE	201000.00
MORTGAGE TAX	0.00
TRANSFER TAX	743.70
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	763.70

---

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

Prepared by & Return to  
Once Recorded:  
Memphis Title Company  
7518 Enterprise Avenue  
Germantown, TN 38138  
File No. 2021080132

**WARRANTY DEED**

**THIS INDENTURE** is made and entered into this **20th day of September, 2021** between **Brent D. Truelove, an unmarried individual**, GRANTOR(s), and **T. David Goodwin, Jr., an unmarried individual as his sole personal property**, GRANTEE(s).

For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby bargain, sell, transfer and convey unto the Grantee, all of Grantor's right, title and interest in the following described property located in the city of Memphis, County of Shelby State of Tennessee, more particularly described as follows:

**Part of Lots 6 and 5, Galloway Terrace Subdivision, as recorded in Shelby County Register's Office in Plat Book 10, page 1, and being more particularly described as follows:**

**Beginning at a point of intersection with the southeast line of Ridgefield Road and the southwest line of Poplar Avenue; thence southwestwardly along said southeast line a distance of 196.0 feet to a point; thence southeastwardly parallel with the south line of Lot 5 a distance of 100.0 feet to a point; thence southwardly a distance of 4.0 feet to a point; thence southeastwardly 7.0 feet to a point; thence northeastwardly parallel with the line dividing Lots 5 and 6 a distance of 200.0 feet to a point in the southwest line of Poplar Avenue; thence northwestwardly along said southwest line a distance of 107 .0 feet to the point of beginning.**

**Being the same property conveyed to Brent D. Trulove, unmarried by Warranty Deed of record at Instrument No. KF 2693, dated 05/15/2000 and recorded 05/22/2000, in the Register's Office of Shelby County, Tennessee.**

**Property Address: 190 Ridgefield Road, Memphis, TN 38111**

**Parcel ID: 044-0550-0-00032-0**

The Grantor(s) does hereby covenant with the Grantee(s) that the Grantor(s) is lawfully seized in fee of the aforescribed real estate; that Grantor(s) has good right to sell and convey the same; that the same is unencumbered, except for any and all Subdivision Restrictions, Building Lines and Easements of record in said Register's Office including without limitation, those in Plat Book 10, Page 1, in the Register's Office of Shelby County, Tennessee, and except for 2022 Shelby County taxes and 2022 City of Memphis taxes, not yet due and payable.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, Grantee's heirs, successors and assigns forever. The Grantor does covenant and agree with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth herein, and that the title and quiet possession thereto Grantor will forever warrant and defend against the lawful claims of all persons whomsoever.

WITNESS my hand on the day and year first above written.

*Brent D. Truelove*

Brent D. Truelove

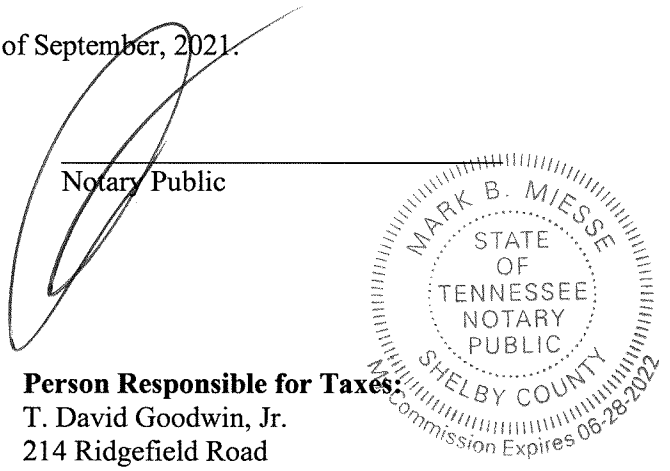
STATE OF TENNESSEE  
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Brent D. Truelove, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that Brent D. Truelove executed the same for the purposes therein contained and of his or her own free act and deed.

WITNESS my hand and notarial seal this 20th day of September, 2021.

Notary Public

My Commission Expires: \_\_\_\_\_



**Name and Address of Property Owner:**

T. David Goodwin, Jr.  
214 Ridgefield Road  
Memphis, TN 38111

**Person Responsible for Taxes:**

T. David Goodwin, Jr.  
214 Ridgefield Road  
Memphis, TN 38111

**Property Address:**

190 Ridgefield Road  
Memphis, TN 38111

**Parcel ID:** 044-0550-0-00032-0

**AFFIDAVIT OF VALUE**

STATE OF TENNESSEE  
COUNTY OF SHELBY

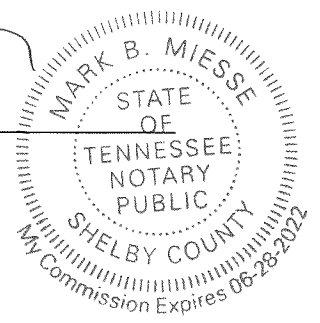
I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is \$201,000.00 which amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

*T. David Goodwin, Jr.*  
Affiant

Sworn to and subscribed before me, a Notary Public, this 20th day of September, 2021.

Notary Public

My Commission Expires: \_\_\_\_\_



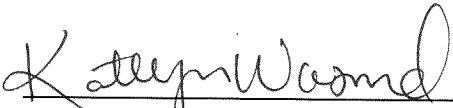
I, **Hannah Gillihan**, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

  
\_\_\_\_\_  
Hannah Gillihan

State of **TENNESSEE**

County of **SHELBY**

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

  
\_\_\_\_\_  
Notary's Signature



MY COMMISSION EXPIRES: