

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

**ONE ORIGINAL |
ONLY STAPLED |
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 12/07/2021
DATE
PUBLIC SESSION: 12/07/2021
DATE**

ITEM (CHECK ONE)

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

ITEM DESCRIPTION: A resolution approving a car wash establishment

CASE NUMBER: PD 2021-38

DEVELOPMENT: Houston Levee Trails Planned Development, Fifth Amendment

LOCATION: 0 Highway 64, +/- 1,676 feet east of Houston Levee Road

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

OWNER/APPLICANT: Gary D. Picket, Ellen K. Miller, and Mary Bowen Living Trust

REPRESENTATIVE: Cindy Reaves – SR Consulting

EXISTING ZONING: PD 11-309 approved outline plan conditions with underlying Conservation Agriculture (CA)

REQUEST: Car wash establishment

AREA: +/-1.13 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**

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>
_____ <i>Lucas Skinner</i> _____	_____ 11/29/2021 _____	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN

RESOLUTION APPROVING THE HOUSTON LEVEE TRAILS PLANNED DEVELOPMENT, FIFTH AMENDMENT AT THE SUBJECT PROPERTY LOCATED AT 0 HIGHWAY 64, +/- 1,676 FEET EAST OF HOUSTON LEVEE, KNOWN AS CASE NUMBER PD 2021-38.

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 Gary D. Picket, Ellen K. Miller, and Mary Bowen Living Trust filed an application with the Memphis and Shelby County Division of Planning and Development to allow a car wash establishment; 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 site 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.

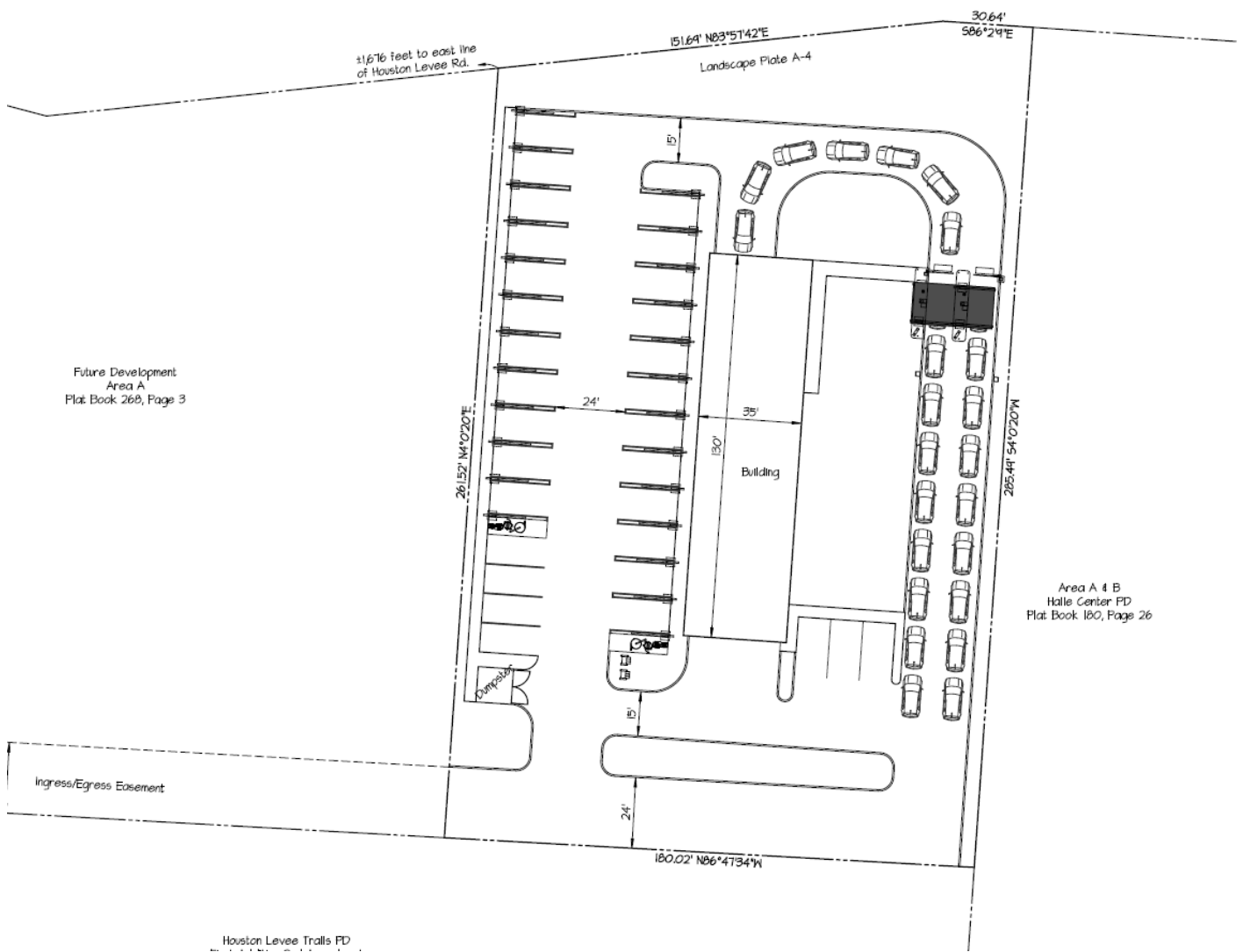
ATTEST:

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

SITE CONDITIONS

1. Prior to a final plat being recorded, the applicant shall submit a landscape plan to the Division of Planning and Development to ensure landscaping meets all applicable conditions.
2. Prior to a final plat being recorded, the applicant shall submit a lighting plan to the Division of Planning and Development to ensure lighting will not glare onto the adjacent residential property.
3. Sanitary sewer shall be provided by the private sewer line on the south side of the side of the site.

CONCEPT PLAN





Memphis City Council Summary Sheet

PD 2021-38 – Houston Levee Trails Planned Development, Fifth Amendment

Resolution requesting an amendment to the Houston Levee Trails Planned Development for a car wash at 0 Highway 64, +/- 1,676 feet east of Houston Levee 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) and Applicant(s): Gary D. Pickett, Ellen K. Miller, and Mary Bowen Living Trust; and Representative(s): Cindy Reaves – SR Consulting; and
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: PD 2021-38

DEVELOPMENT: Houston Levee Trails Planned Development, Fifth Amendment

LOCATION: 0 Highway 64, +/- 1,676 feet east of Houston Levee Road

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

OWNER/APPLICANT: Gary D. Picket, Ellen K. Miller, and Mary Bowen Living Trust

REPRESENTATIVE: Cindy Reaves – SR Consulting

REQUEST: Car wash establishment

EXISTING ZONING: PD 11-309 approved outline plan conditions with underlying Conservation Agriculture (CA)

AREA: +/-1.13 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 9-0 on the consent agenda.**

Respectfully,



Lucas Skinner
Municipal Planner
Land Use and Development Services
Division of Planning and Development

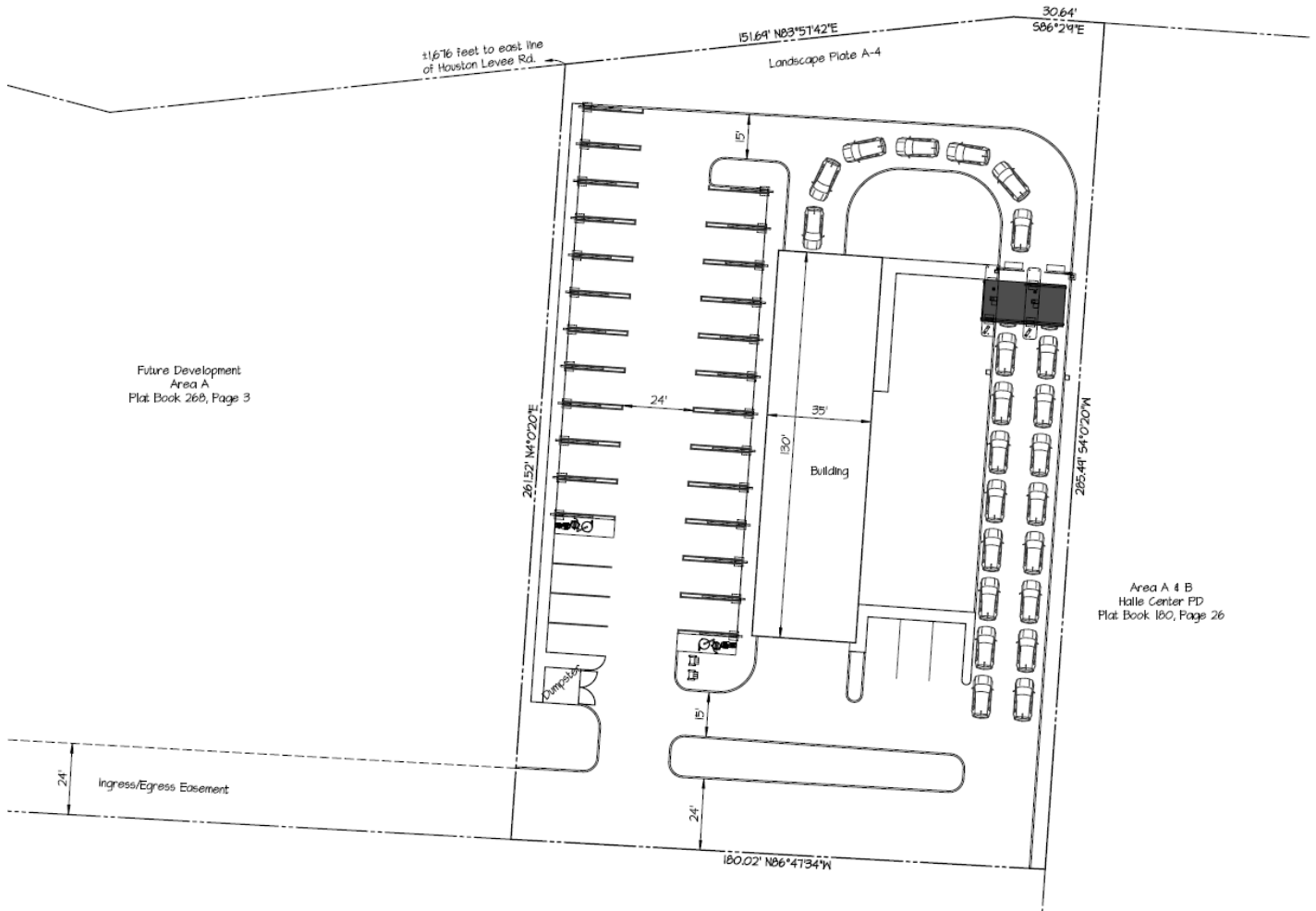
Cc: Committee Members
File

PD 2021-38

SITE CONDITIONS

1. Prior to a final plat being recorded, the applicant shall submit a landscape plan to the Division of Planning and Development to ensure landscaping meets all applicable conditions.
2. Prior to a final plat being recorded, the applicant shall submit a lighting plan to the Division of Planning and Development to ensure lighting will not glare onto the adjacent residential property.
3. Sanitary sewer shall be provided by the private sewer line on the south side of the side of the site.

CONCEPT PLAN



AGENDA ITEM: 12

CASE NUMBER: PD 2021-38 **L.U.C.B. MEETING:** November 10, 2021

DEVELOPMENT: Houston Levee Trails Planned Development, First Addition

LOCATION: 0 Highway 64, +/- 1,676 feet east of Houston Levee Road

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

OWNER/APPLICANT: Gary D. Picket, Ellen K. Miller, and Mary Bowen Living Trust

REPRESENTATIVE: Cindy Reaves – SR Consulting

REQUEST: Car wash establishment

AREA: +/-1.13 acres

EXISTING ZONING: PD 11-309 approved outline plan conditions with underlying Conservation Agriculture (CA)

CONCLUSIONS

1. The applicant is requesting an amendment to the Houston Levee Trails planned development to allow a car wash establishment in Area A.
2. Area A of the planned development allows for any use permitted by right in the CMU-2 district, however, new car washes must be located at the intersection of an arterial and a collector road. This site does not meet that requirement.
3. The site plan is in conformance with the outline plan conditions, and staff feels no changes to the outline plan conditions need to be made.
4. The subject property is currently vacant and staff feels this use is ideal and compatible with the other surrounding commercial uses.
5. 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.
6. The location and arrangement of the structures, parking areas, walks, lighting and other service facilities 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 pages 17-18 of this report.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: Internal Access Easement +/-24 linear feet

Zoning Atlas Page: 1860

Parcel ID: 096200 00029

Existing Zoning: PD 11-309 approved outline plan conditions with underlying Conservation Agriculture (CA)

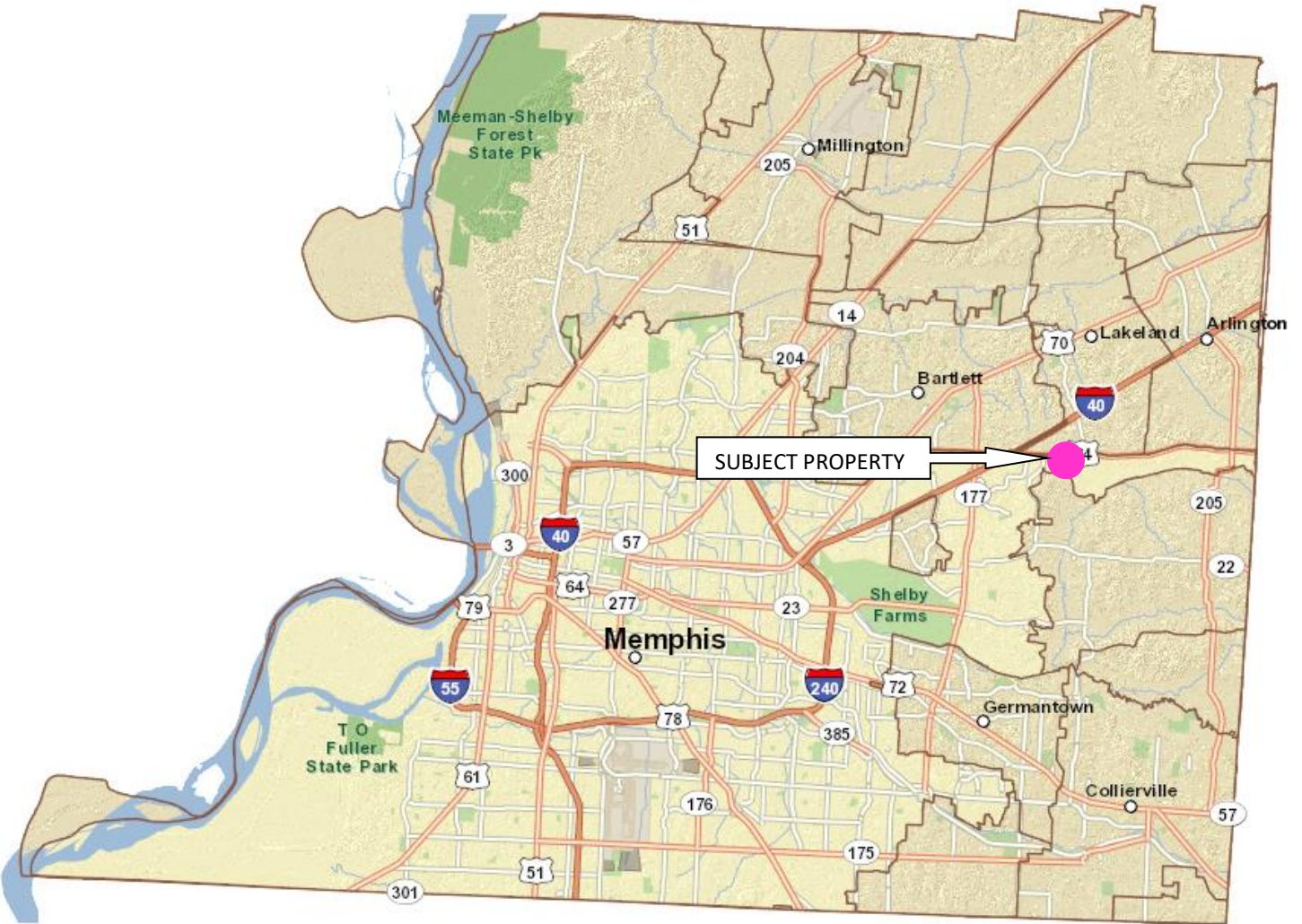
NEIGHBORHOOD MEETING

The meeting was held at 6:00 PM on Thursday, October 28, 2021, via Zoom.

PUBLIC NOTICE

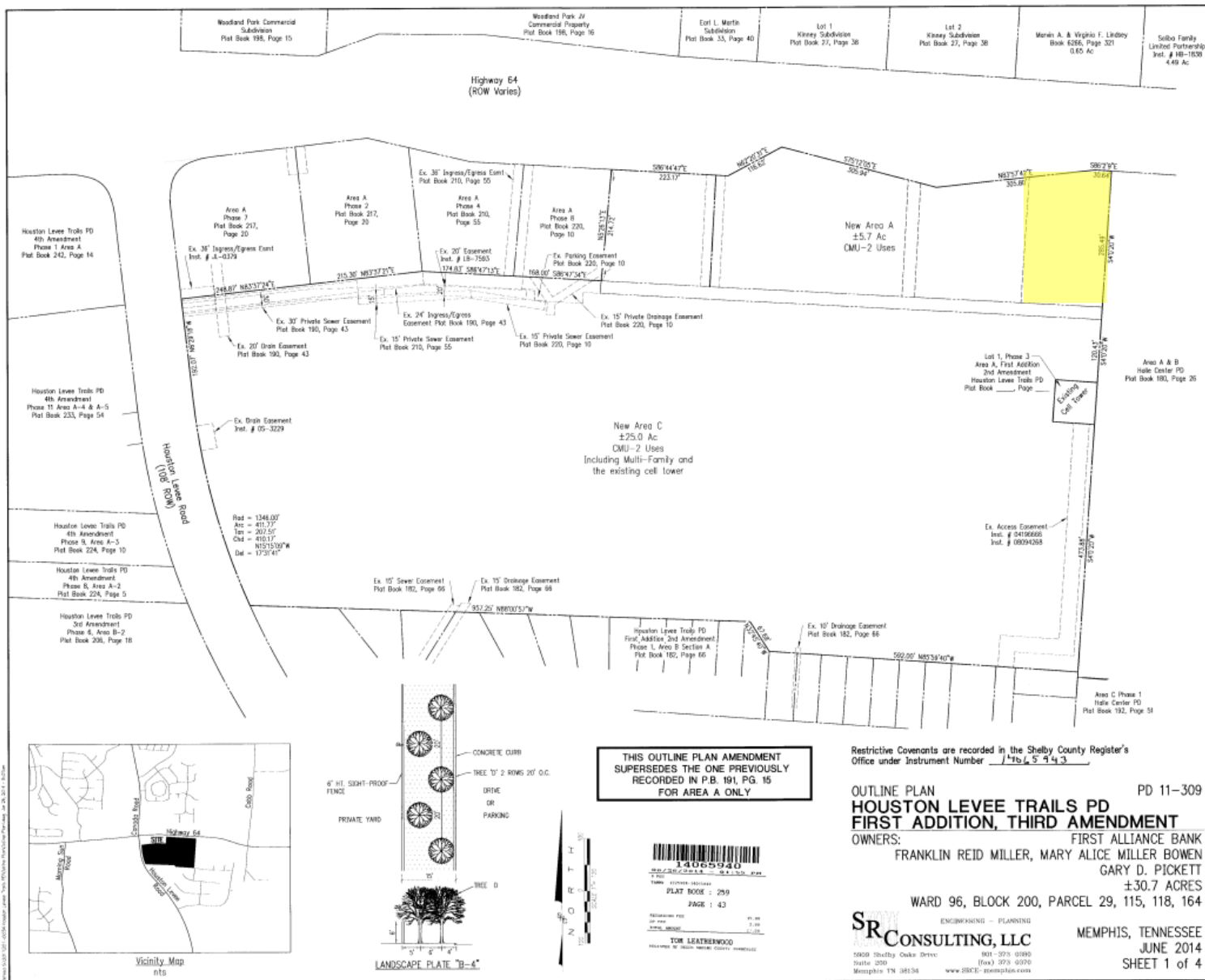
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 25 notices were mailed on October 27, 2021, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle, Cordova neighborhood

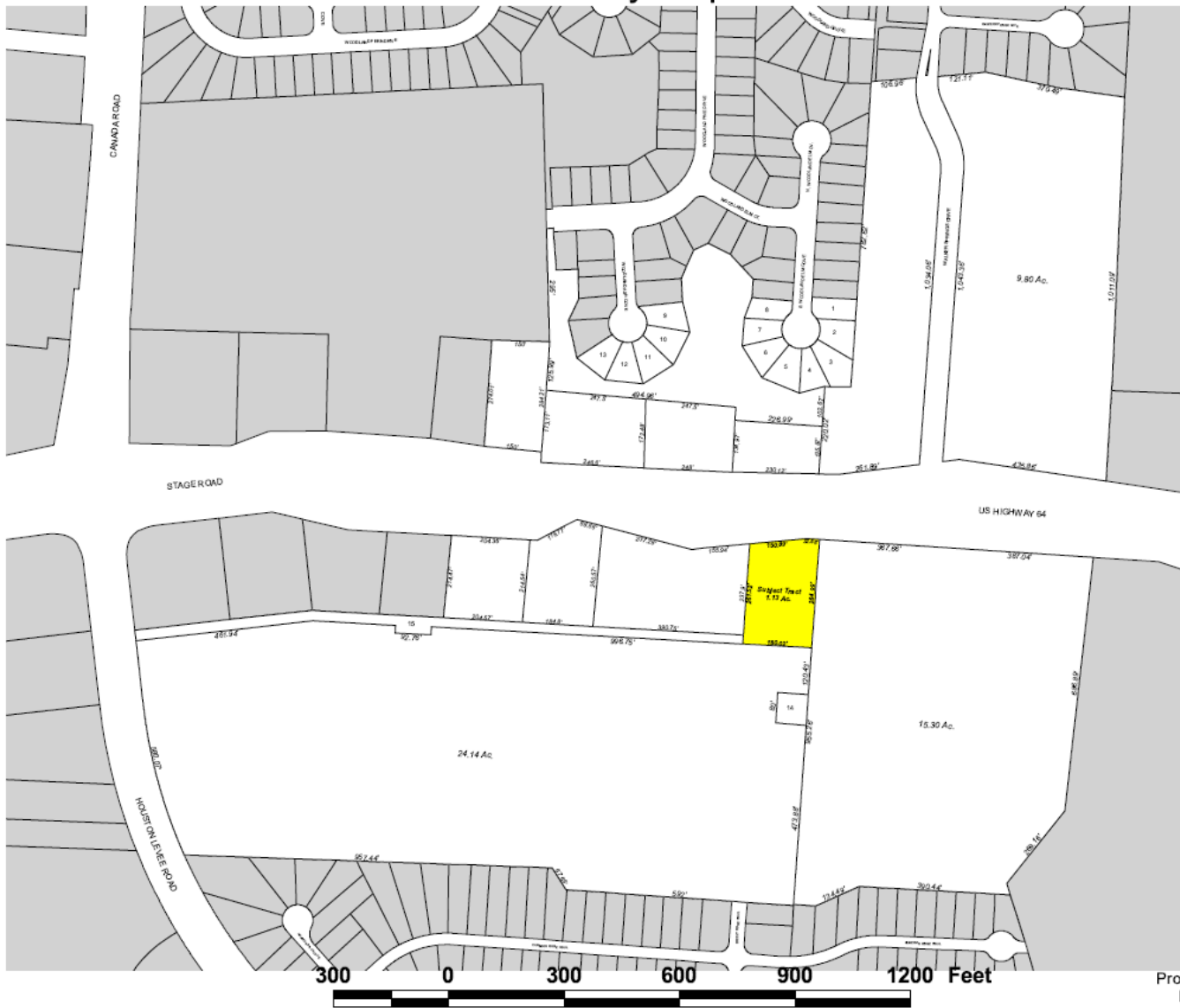
HOUSTON LEVEE TRAILS PD (2011)



Subject property highlighted in yellow, Area A

VICINITY MAP

Vicinity Map



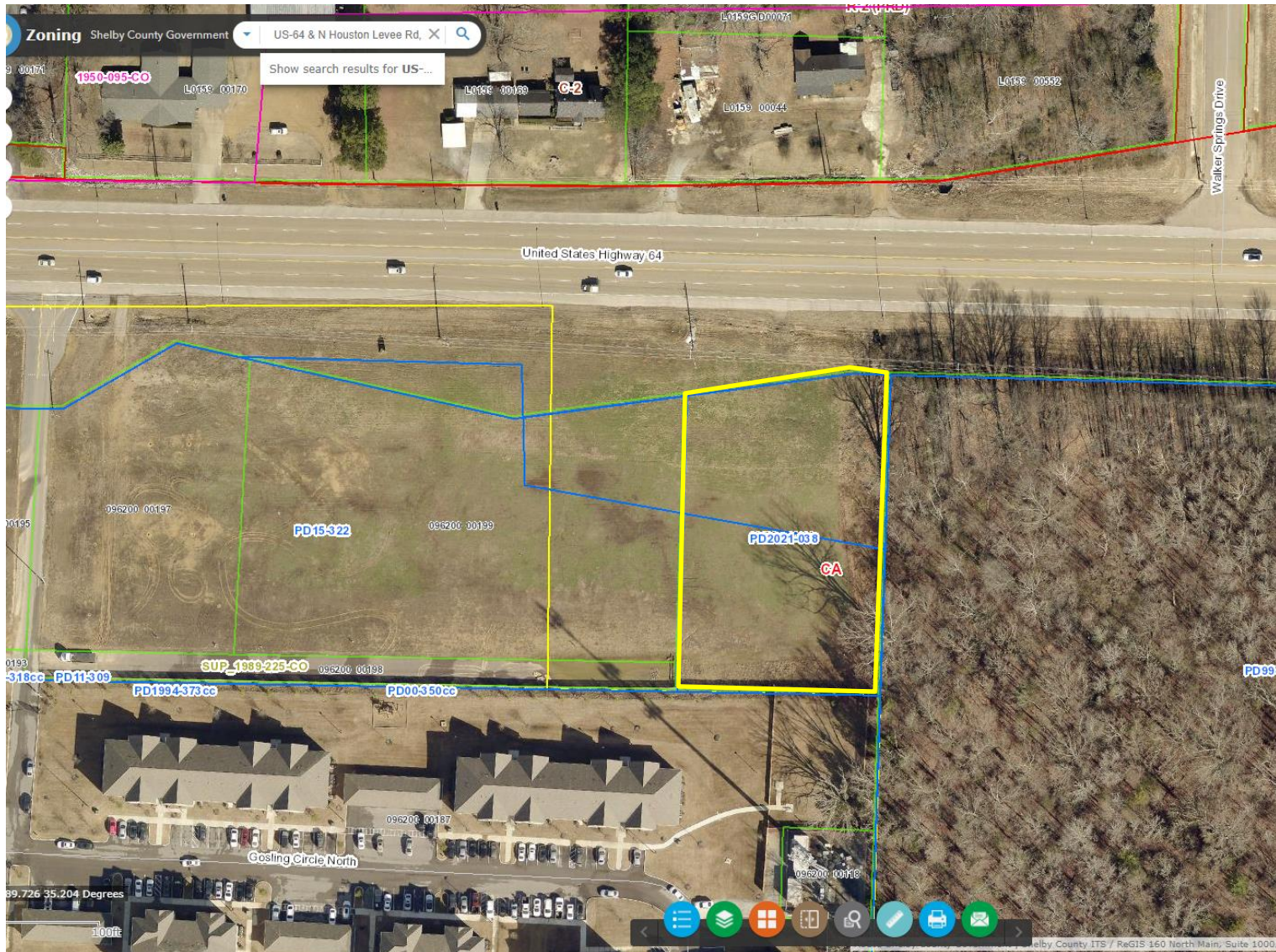
Subject property highlighted in yellow

AERIAL



Subject property outlined in yellow

ZONING MAP



Subject property highlighted in yellow

Existing Zoning: PD 11-309 approved outline plan conditions with underlying Conservation Agriculture (CA)

Surrounding Zoning

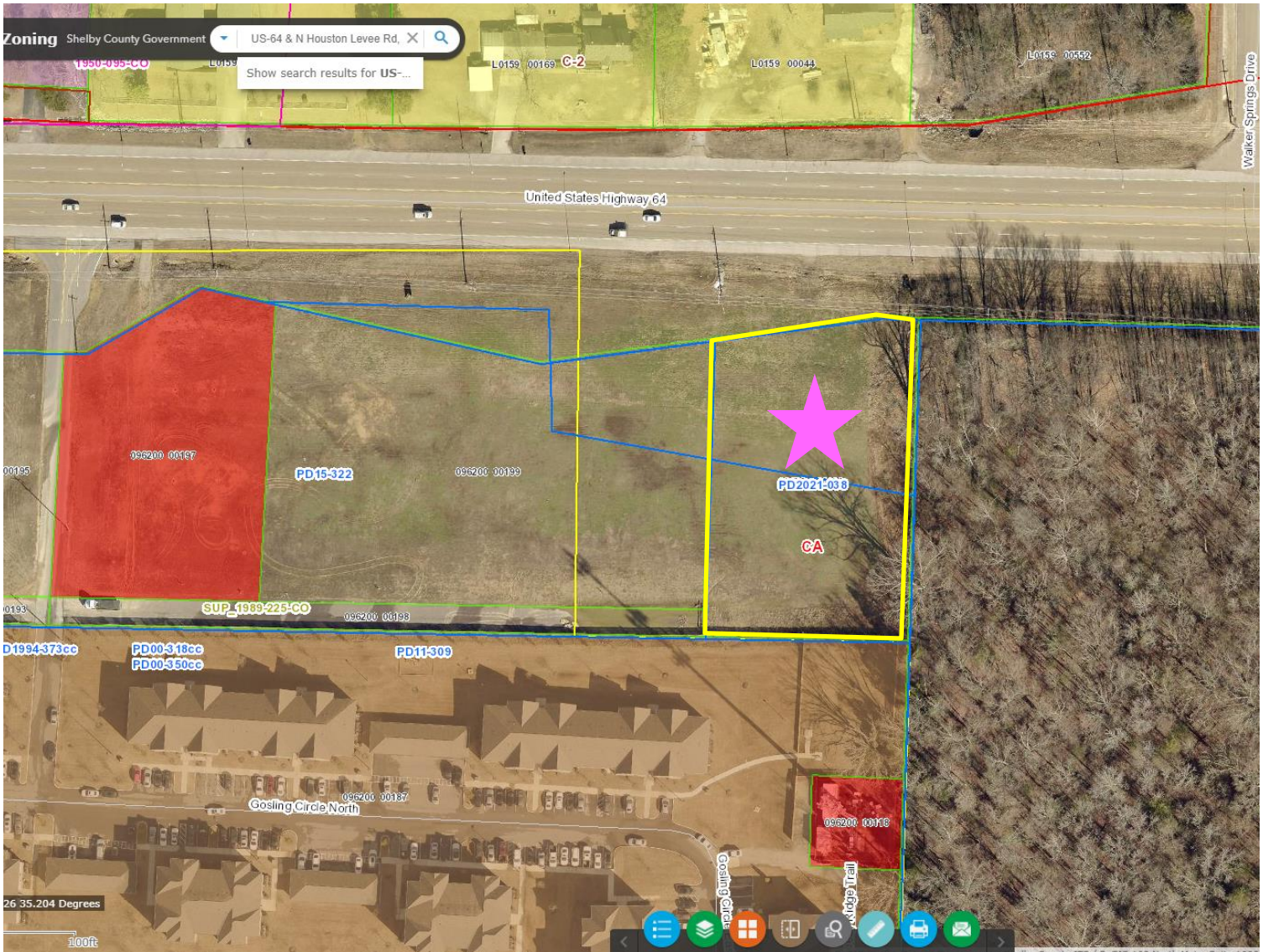
North: Lakeland

East: PD 99-305 cc










South: PD 11-309 Area C

West: PD 11-309 Area A

LAND USE MAP



LandUse

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

Subject property outlined in yellow indicated by a pink star

SITE PHOTOS



View of the subject property from Highway 64 looking south

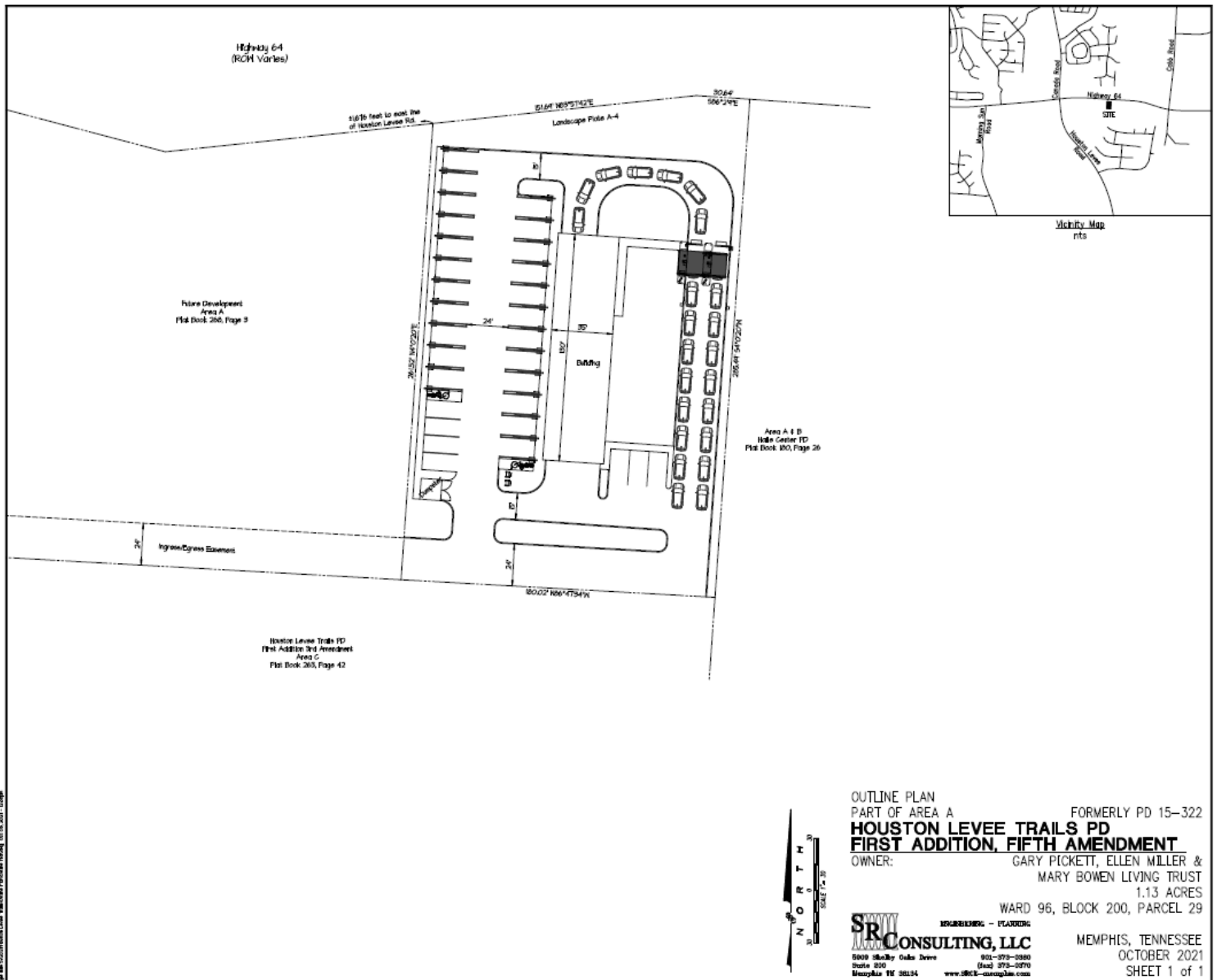


View of the public access to the broader site from Highway 64 looking southwest



View of the ingress/egress easement on the south side of the site looking east (site is at the end of this drive)

OUTLINE PLAN

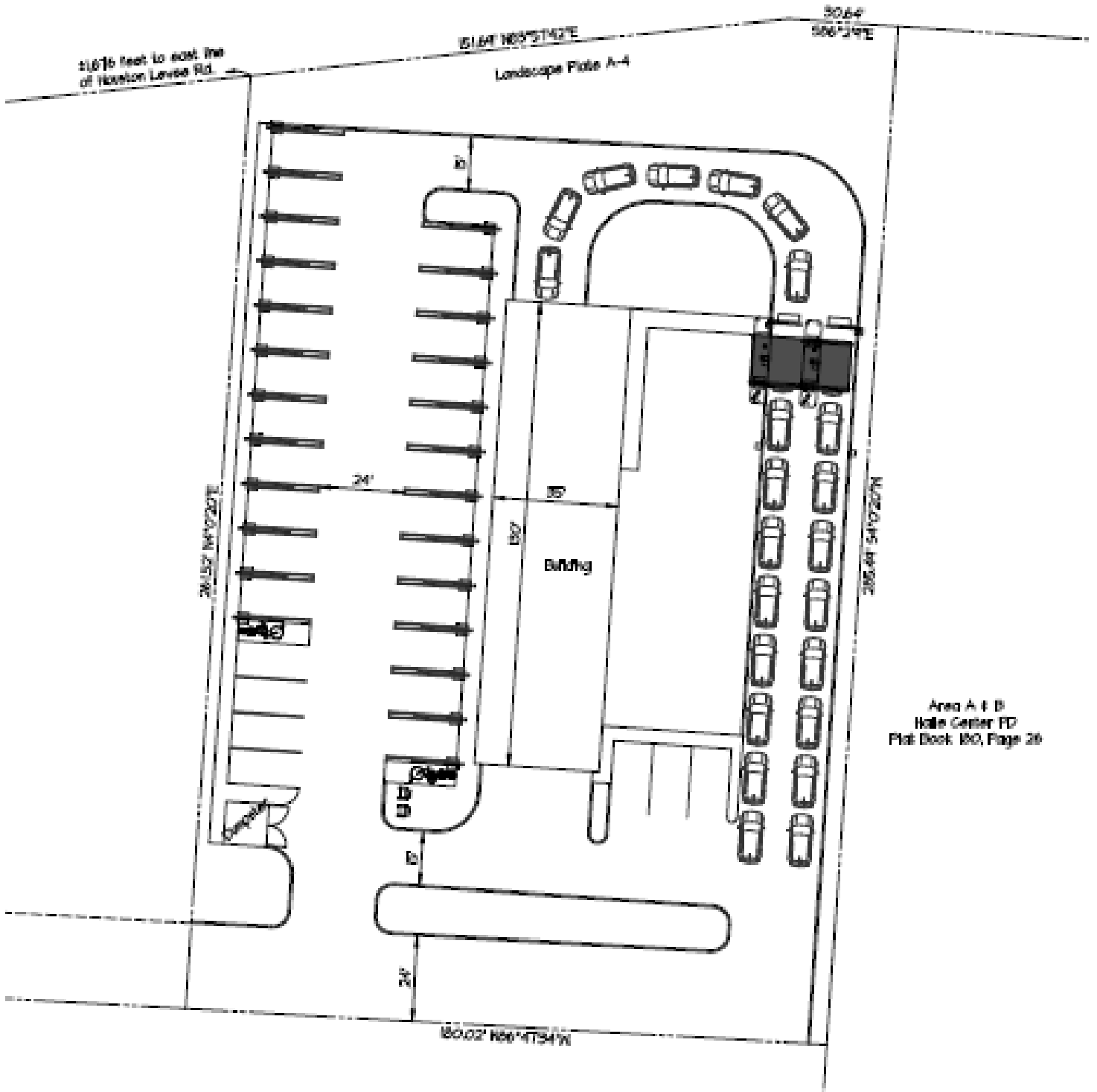


OUTLINE PLAN
 PART OF AREA A FORMERLY PD 15-322
HOUSTON LEVEE TRAILS PD
FIRST ADDITION, FIFTH AMENDMENT
 OWNER: GARY PICKETT, ELLEN MILLER & MARY BOWEN LIVING TRUST
 1.13 ACRES
 WARD 96, BLOCK 200, PARCEL 29

SR CONSULTING, LLC
 ENGINEERING - PLANNING
 5809 Sibley Oaks Drive 901-979-0380
 Suite 300 (Fax) 979-0070
 Memphis TN 38134 www.srcc-consulting.com

MEMPHIS, TENNESSEE
 OCTOBER 2021
 SHEET 1 of 1

OUTLINE PLAN (ZOOMED FOR CLARITY)



OUTLINE PLAN CONDITIONS

P.D. 11-308 formerly: P.D. 00-350 C.D. 99-376 C.D. P.D. 94-373 CC
Houston Levee Trails Planned Development, 1st Addition, 3rd Amendment

I. USES PERMITTED:

- A. Area "A" Any use permitted by right in the Commercial Mixed Use-2 (CMU-2) District. Other uses requiring a Special Use Permit are expressly prohibited.
- B. Area "B" Any use permitted by right in the Single Family Residential (SFR) District.
- C. Area "C" Any use permitted by right in the CMU-2 District including multiple family residential land use and a commercial communications tower.
- D. Churches and accessory uses thereon on any property of 1/2 acre or larger in size having collector or arterial road frontage.
- E. A temporary sales/information center/location subject to site plan review by the Land Use Control Board.
- F. Accessory uses within each area shall be permitted in accordance with the respective District as indicated in II. Bulk Regulations below.

II. BULK REGULATIONS:

- A. Area "A" The bulk regulations of the Commercial Mixed Use-2 (CMU-2) District shall apply and the maximum Floor Area Ratio shall be 0.25 F.A.R.
- B. Area "B" The bulk regulations of the Commercial Mixed Use-2 (CMU-2) District shall apply, except the minimum set back along the south property line shall be fifty (50) feet for commercial land use and one hundred (100) feet for residential land use. The maximum Floor Area Ratio shall be 0.25 F.A.R. The maximum height of a commercial communications tower shall be established at the time of site plan review.
- C. Area "B" The bulk regulations of the Single Family Residential (SFR) District shall apply, except that a 40 foot rear and front yard setback shall apply for all reverse frontage and corner lots which have frontage on Houston Levee Road.

III. ACCESS, PARKING AND CIRCULATION:

- A. All private drives shall be constructed to meet the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty two (22) feet exclusive of curb and gutter.
- B. Improve Houston Levee Road to 88 feet of pavement in accordance with the Subdivision Regulations and Shelby County Paving Policy along the Area "A" and Area "C" frontage. No improvements required along the frontage of Area "B".
- C. Dedicate 60 feet from the centerline of U.S. 64 and improve by adding a third roadway lane in accordance with Subdivision Regulations and Shelby County Paving Policy or as approved by the Tennessee Department of Transportation.
- D. Dedicate 3 centered rolls at the intersection of U.S. 64 and Houston Levee Road per Subdivision Regulations.
- E. Dedicate full corner radii at the intersection of alternate design streets with standard design streets.
- F. Dedicate and improve two major/minor local streets to intersect with Houston Levee Road and the Avenue J, Middlefield and David P. Hall, Jr. Streets. Existing stop of Brewery Ridge Lane shall be closed with a "Narrow-head" design per City Engineer's standards.
- G. The design and location of curb cuts on Highway 64 to be approved by the State through the City Engineer's Office. The design and location of curb cuts on Houston Levee Road to be approved by the City Engineer's Office.
- H. Permit one curb cut to Area "A" along the Houston Levee/Canada Road frontage beginning no closer than 350 feet from the centerline of U.S. 64. Permit an additional two (2) curb cuts to Area "C" along Houston Levee Road spaced at a minimum of 200' between cuts and 200' from the southernmost cut in area "A".
- I. Permit five (5) four curb cuts along the U.S. 64 frontage for Area "A". No curb cut along the U.S. 64 frontage shall begin closer than 300 feet from the centerline of Houston Levee/Canada Road.
- J. A joint use internal access easement for site circulation shall be provided for use by any tenant and their customers between all phases within Areas "A", and "C" in accordance with the Subdivision Regulations. Mutual ingress/egress easements shall be provided on each first plot.
- K. Parking shall be provided in accordance with Section 28 of the Zoning Ordinance.
- L. Access to Houston Levee Road from all residential lots shall be conveyed to the County. Lots shall sit 88 feet from main streets within the development.
- M. Private drive radiuses shall be set back a minimum of 10 feet from the public right of way line.
- N. Reverse frontage lots on Houston Levee Road shall be denied access to Houston Levee Rd and convey such access rights to Shelby County on the first plot.

D. A Traffic Study shall be prepared with the first final plot of either Area "A" or "C". Elements to be included in said study include trip generation, design hour volumes, trip distribution and assignment, existing and projected traffic volumes, level of service, capacity analysis, need for traffic signals, accident data, conclusions and recommendations.

IV. LANDSCAPING & SCREENING:

- A. Provide a landscape screen (Plant A 4 or equivalent) acceptable to the Office of Planning and Development for those lots which have frontage on U.S. Highway 64 and Houston Levee (Zone B Areas "A").
- B. Internal lot landscaping in Area "A" and "C", shall be provided at a minimum ratio of 300 square feet of landscaped area and one shade tree (Tree A) per every 10 parking spaces or fraction thereof. Landscaped areas shall not be less than 300 square feet in area in any single location and shall be located so that no parking space is further than 25 feet from a tree.
- C. Provide a landscape screen (Plant B 3 modified with gates or equivalent) acceptable to the Office of Planning and Development for those lots which have reverse and corner lot frontage on Houston Levee Road.
- D. Provide a landscape screen (Plant B 3/B 4 or equivalent) a minimum of thirty (30) feet in width acceptable to the Office of Planning and Development along the south property line of Area "C" which is adjacent to Area "B".
- E. Retain curbsides shall be completely screened from view from the public roads being located at the rear of buildings or within a service court area which serves several lots in Area "A".
- F. All conditioning heating, ventilation or other mechanical equipment including that located on roofs, which is visible from an adjacent street or residential lot, shall be screened with the use of architectural features of the building or by other means.
- G. Utility features such as electrical wiring, conduit and meters shall also be screened using architectural features or landscaping.
- H. All utility services to buildings and signs shall be underground conduit.
- I. Maximum height of light standards shall be 30 feet. Lighting shall be directed so as to not glare onto residential property.
- J. A detailed landscape and site lighting plan shall be provided with the first final plan detailing the type and size of all plants and light standards to be used in Area "A" and approved by the Office of Planning and Development prior to the issuance of any building permit in Area "A". Further, no final use and occupancy permit shall be issued without the express written certification by the Office of Planning and Development that the project is in conformance with the approved landscaping and site lighting plan.
- K. All required landscaping shall be provided exclusive of existing or proposed easements.
- L. Lot owners are responsible for the maintenance and replacement of all fences, trees, shrubs and lawn located within the landscape screen(s). Dead plants shall be replaced in kind with live plants. Any plant species substitutions require the approval of the Memphis & Shelby County Office of Planning and Development. Removal of live plants from the screen is prohibited.
- M. All associated areas as defined in the Houston Levee Trails PD shall adhere to the requirements of the Unified Development Code and its respective zoning district and as approved by ORD.

V. DRAINAGE:

- A. An overall drainage plan for the entire site shall be submitted to the City/County Engineers prior to approval of the first final plot.
- B. All drainage plans shall be submitted to the City and County Engineer's Offices for review.
- C. Drainage improvements, including possible on site detention, to be provided under contract in accordance with Subdivision Regulations and the City of Memphis Drainage Design Manual.
- D. This project must be evaluated by the Tennessee Department of Health and Environment regarding their jurisdiction over the wetlands on this site in accordance with the Water Quality Control Act of 1977 as amended (TCA 69-3-101 et seq.).
- E. A pro rata fee for major drainage improvements through this site may be required for phased development.
- F. The developer shall be aware of his obligation under 40 CFR 122.26 (b)(1)(4) 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.
- G. All grading and drainage plans shall show a minimum of 100 feet of topsoil at all sides in order to determine the effect of off site features on the subdivision under review or its effect on adjacent properties.
- H. Proper erosion control measures must be in place once clearing begins and regularly maintained throughout the construction phase until all areas are stabilized to the satisfaction of the Shelby County Engineer and the Tennessee Department of Environment and Conservation.
- I. All off site drainage out falls require a letter from affected property owner granting permission to allow discharge of concentrated flow onto property and to provide temporary erosion control measures.

VI. PUBLIC SEWER, WATER AND EASEMENTS:

- A. Provision of sanitary sewer service approved to all lots within the development is the responsibility of the City of Memphis.
- B. A gravity sanitary sewer system shall be designed and constructed, including dry sewer lines, if necessary, to provide adequate capacity for this development as well as all upstream properties, and so as to tie into the City's future Sags Creek Interceptor.
- C. A sewer development fee shall be paid to the City of Memphis at the time of each final plan approval.

D. A master Sewer Plan for the entire planned development shall be submitted to the City Engineer prior to the filing of the first final plot.

E. Off street sewer easements shall be a minimum of 15 feet wide.

F. Install fire hydrants 500 feet apart of 2000 gpm of 20 psi. Memphis Standard 4855 x 7

G. Provide a 3 foot utility easement along all front and rear end certain side property lines.

VII. SIGNS:

- A. Signs designating specific residential phases of the project may be permitted subject to the approval of the Office of Planning and Development.
- B. Commercial signs in Area "A" shall be in accordance with the Commercial Mixed Use-2 (CMU-2) District with the following exceptions:
 1. One (1) integrated center sign per roadway frontage shall be permitted.
 2. One (1) detached sign, a maximum of 150 square feet shall be permitted.
 3. No banners, streamers, balloons, portable, or temporary signs shall be permitted.
 4. No sign shall be located within 100 feet of any single family residential property line.
 5. The minimum sign setback from any property line shall be 15 feet.

VIII. SITE PLAN REVIEW:

- A. A final lot layout (final) plan shall be submitted for the review, comment and recommendation of the Office of Planning and Development (OPD) and appropriate City and County agencies subject to the approval of the Land Use Control Board prior to approval of any final plan in Area "C".
- B. The site plan shall be submitted to the final thirty five days prior to a Land Use Control Board meeting and shall:
 1. Illustrate the size and configuration of all lots, the street layout, classifications, and geometry of all streets, a drainage plan, building elevations, and landscape plan.
 2. Include any other information considered necessary by the staff.
 3. A traffic study pertaining to the development of Area "C".
- C. The site plan shall be reviewed based upon the following criteria:
 1. Conformance with the outline plan conditions and to the standards and criteria for commercial and residential planned developments contained in the Zoning and Subdivision Regulations.
 2. Adequacy of public facilities (streets, sewers, drainage, etc.).
 3. Elements of site design such as building orientation and setbacks, access and parking and internal site circulation, landscaping and lighting.
 4. Consistency between buildings in regard to consistency in a unified development theme in building elevations, materials used and signage.
 5. The Land Use Control Board may impose additional site design features at the time of the site plan review.

IX. OTHER:

- A. The Land Use Control Board may modify the building setback, building height, access, parking, landscaping, and sign requirements if equivalent alternatives are presented.
- B. No final plan for Area "B" shall be filed until such time as SUP 89 225 CD applies or if said use is discontinued evidence of such shall be provided to OPD.
- C. Create two Area C including contiguous parcels at the northern boundary of the subject site fronting along Highway 64, this land area will remain Area "A".
- D. Add 58 acres (all lower site) and area generally described as the north eastern quadrant of the subject site to the newly created Area C.

X. TIME LIMIT:

A final plot shall be filed within five (5) years of approval of the Outline Plan by the City Council and County Commission. Upon the request of the applicant, the Land Use Control Board may grant extensions, subject to additional conditions and standards, if any. A request for a time extension shall be filed a minimum of 60 days prior to the expiration date.

XI. FINAL PLAN REQUIREMENTS:

- A. The outline plan conditions,
- B. A standard subdivision contract as in accordance with the Subdivision Regulations and Shelby County Paving Policy for any needed public improvements.
- C. The exact location and dimensions including height, of all buildings or building area, parking areas and number of parking spaces, drives, and required landscaping.
- D. A rendering, including plan view and elevation, of any proposed development identification signs showing the height, dimensions, materials used and design theme.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plot of any development regarding in 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 or County Engineer, as applicable. 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 in File in the City/County Engineer's Office. Such maintenance shall include, but not be limited to: removal of sedimentation, debris objects, debris and trash, mowing, silted clearing, and repair of drainage structures.
- G. The 100 year flood elevation.
- H. Any site plan conditions imposed by the Land Use Control Board.
- I. Clear site areas shall be provided at the intersection of all streets in accordance with the Subdivision Regulations. The required site regarding clear site areas shall be placed on the final plot.
- J. Reflect the appropriate width pedestrian/bicyclist utility easement along both sides of all alternate design street frontages in accordance with Subdivision Regulations.
- K. All common, open areas, lakes, drainage detention facilities, private streets, private sewers, and private drainage shall be owned and maintained by a property owner's association. A statement to this effect shall appear on the final plot.
- L. All common areas owned by a Property Owners' Association shall be labeled "Inhabitable Open Space" and be given an alpha lot designation (at A).
- M. The following note shall be included in any restrictive covenants filed for this subdivision: In this subdivision, there is a five foot utility easement reserved along the frontage and rear of all lots, on both sides of the utilities of all corner lots, and additional easements as shown on the recorded plat. Within these easements, no construction of any kind shall be placed or permitted to remain which will in any way damage or interfere with the installation or maintenance of utilities.
- O. The Outline Plan shall be re-recorded to reflect the new boundaries of Area "A" including the deletion and modifications herein prior to the review and approval of any final plan for Area "A".

* On May 25, 2014, the Office of Planning & Development approved a minor modification to revise Condition III.J to permit 5 curb cuts along Highway 64.

THIS OUTLINE PLAN AMENDMENT
SUPERSEDES THE ONE PREVIOUSLY
RECORDED IN P.B. 91, PG. 15
FOR AREA A ONLY

OUTLINE PLAN PD 11-309
HOUSTON LEVEE TRAILS PD
FIRST ADDITION, THIRD AMENDMENT
 OWNERS: FIRST ALLIANCE BANK
 FRANKLIN REID MILLER, MARY ALICE MILLER BOWEN
 GARY D. PICKETT
 ±30.7 ACRES
 WARD 96, BLOCK 200, PARCEL 29, 115, 118, 164

ENGINEERING - PLANNING
SR CONSULTING, LLC
 MEMPHIS, TENNESSEE
 JUNE 2014
 SHEET 3 of 4

5880 Shelby Oaks Drive 901-373-0200
 Suite 200 (fax) 373-0370
 Memphis TN 38134 www.SRC-consulting.com



STAFF ANALYSIS

Request

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

The request is for a car wash establishment.

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.*

Commercial or Industrial Criteria

Staff agrees the additional planned commercial or industrial development criteria as set out in Section 4.10.5 of the Unified Development Code are or will be met.

4.10.5 Planned Commercial or Industrial Developments

Approval of a planned commercial or industrial development may be issued by the governing bodies for buildings or premises to be used for the retail sale of merchandise and services, parking areas, office buildings, hotels and motels and similar facilities ordinarily accepted as commercial center uses and those industrial uses which can be reasonably be expected to function in a compatible manner with the other permitted uses in the area. In addition to the applicable standards and criteria set forth in Section 4.10.3, planned commercial or industrial developments shall comply with the following standards:

- A. *Screening*
When commercial or industrial structures or uses in a planned commercial or industrial development about a residential district or permitted residential buildings in the same development, screening may be required by the governing bodies.
- B. *Display of Merchandise*
All business, manufacturing and processing shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way, provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.
- C. *Accessibility*
The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development.
- D. *Landscaping*
Landscaping shall be required to provide screening of objectionable views of uses and the reduction of noise. High-rise buildings shall be located within the development in such a way as to minimize any

adverse impact on adjoining low-rise buildings.

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 +/- 1.13 acres located on the south side of Highway 64 west of Houston Levee Road. The site is part of an existing development (PD 11-309) with other commercial spaces and some apartments as well. The site does not have access to Highway 64 and takes access from an access easement to the back of the property from Highway 64.

Site Zoning History

On November 15, 2011, the Council of the City of passed PD 11-309 which created the development which this site is a part of.

Consistency with Memphis 3.0

Site Address/location: US 64, East of Houston Levee

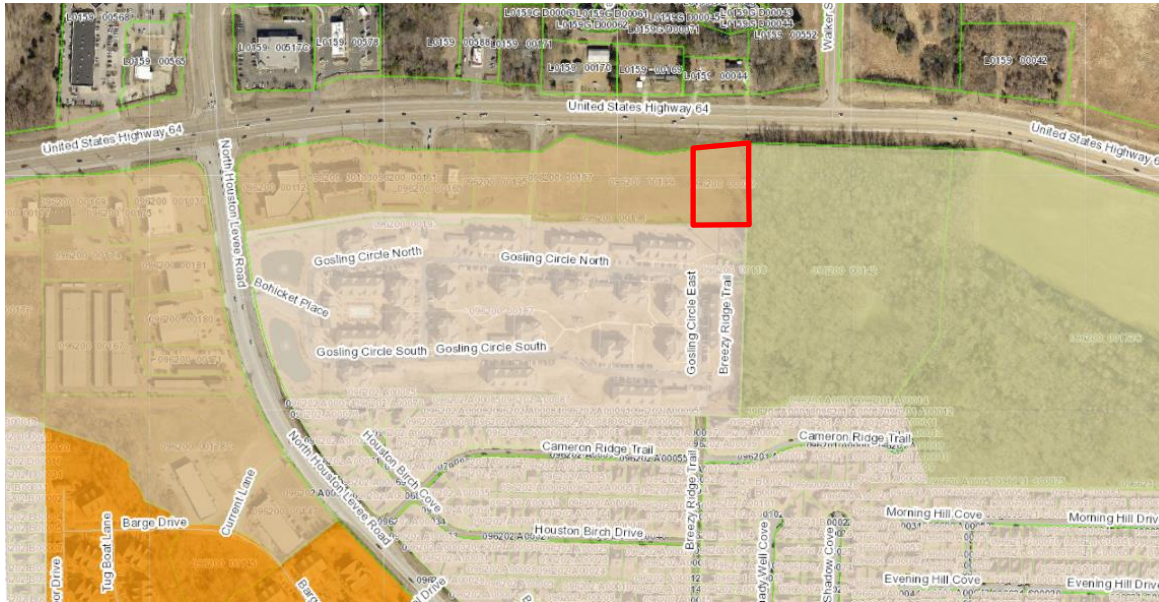
Land Use Designation (see page 102 for details): Low Intensity Commercial & Service (CSL)

Based on the future land use and existing adjacent land use the proposal IS CONSISTENT 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 sites on the Future Land Use Map.

2. Land use description & applicability:

Low Intensity Commercial and Service areas consist of low-rise buildings accessible mainly by a car and can encompass up to 5 acres of land for one building. These service areas are outside of the anchor boundary and are usually located along a corridor or within its own area of multiple commercial and service amenities.



“CSL” Goals/Objectives:

Improved development patterns along auto-oriented commercial corridors, revitalization

“CSL” Form & Location Characteristics:

Commercial and services uses. 1-4 stories height

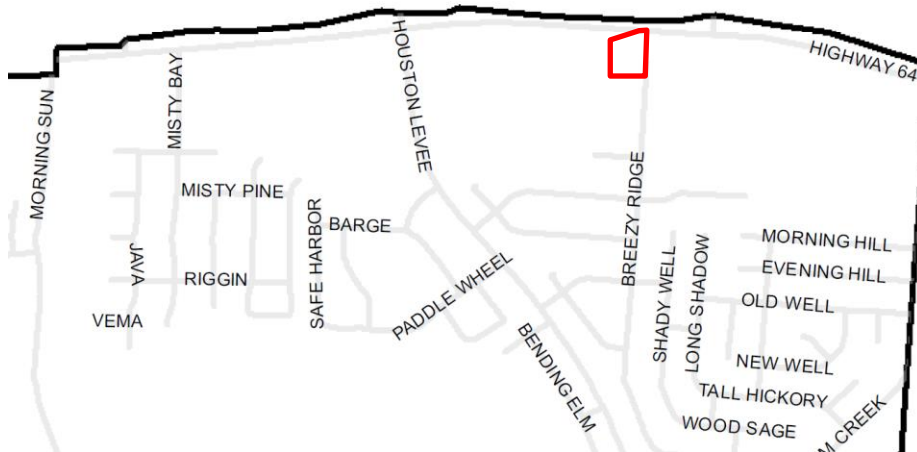
The applicant is seeking approval for a planned development amendment with the intention of developing a commercial use to include a vehicle wash.

The request meets the criteria of CSL as it will be a commercial use which is also in conformity with the goals/objectives of the future land use.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land uses: Multi-Family, Vacant, and Commercial. The subject site is surrounded by the following zoning district: CA. 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. There is no degree of change.

5. Degree of Change Descriptions

N/A

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

Summary Compiled by: Faria Army, Comprehensive Planning.

Conclusions

The applicant is requesting an amendment to the Houston Levee Trails planned development to allow a car wash establishment in Area A.

Area A of the planned development allows for any use permitted by right in the CMU-2 district, however, new car washes must be located at the intersection of an arterial and a collector road. This site does not meet that requirement.

The site plan is in conformance with the outline plan conditions, and staff feels no changes to the outline plan conditions need to be made.

The subject property is currently vacant and staff feels this use is ideal and compatible with the other surrounding commercial uses.

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 structures, parking areas, walks, lighting and other service facilities are compatible with the surrounding land uses.

RECOMMENDATION

Staff recommends approval with conditions.

Site Conditions

1. Prior to a final plat being recorded, the applicant shall submit a landscape plan to the Division of Planning and Development to ensure landscaping meets all applicable conditions.
2. Prior to a final plat being recorded, the applicant shall submit a lighting plan to the Division of Planning and Development to ensure lighting will not glare onto the adjacent residential property.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

CASE: PD-21-038 NAME: Houston Levee Trails PD, 5th Amendment

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

Sewers:

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

3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

4. A sewer extension of approximately 6,000 feet will be required to serve this development.

Roads:

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

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

7. The Developer shall widen and improve the shoulder on US 64 per TDOT standards.

Traffic Control Provisions:

8. 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.

9. 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.

10. 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.

Curbs 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.

Drainage:

13. 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.

14. 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.

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

16. 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.

17. 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/County Fire Division:

Date Reviewed: 11/5/21

Reviewed by: J. Stinson

Address or Site Reference: US HWY 64/ Houston Levee

- 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.

City Real Estate:	No comments received.
City/County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Office of Sustainability and Resilience:	No comments received.
Office of Comprehensive Planning:	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: October 5, 2021

Case #: _____

PLEASE TYPE OR PRINT

Name of Development: Houston Levee Trails PD 5th Amendment

Property Owner of Record: Gary D. Picket, Ellen K. Miller & Mary Bowen Living Trust Phone #: _____

Mailing Address: 5308 Bears Paw Cir City/State: Memphis, TN Zip 38120

Property Owner E-Mail Address: _____

Applicant: _____ 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: Highway 64

Distance to nearest intersecting street: 1,676± feet to east line of Houston Levee Road

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>1.139</u>	_____	_____
Existing Zoning:	<u>PD</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 similar 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 similar 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.

LETTER OF INTENT



Date: October 6, 2021

To: Office of Planning & Development

From: Cindy Reaves

Re: Houston Levee Trails PD, 5th Amendment

Job #:

LETTER OF INTENT

We are submitting an application for a PD Amendment to Houston Levee Trails PD, located on Highway 64 east of Houston Levee Road. We are requesting to allow a vehicle wash use in Area A. We would also need approval for it to not be located at the intersection of 2 streets.

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

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Raphael Shivers, being duly sworn, depose and say that at 2:30 pm on the 19th day of October, 2021 I posted one Public Notice Sign pertaining to Case No. PD 21-38 on of the property located on Highway 64 providing 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.

Raphael Shivers _____ 10/20/2021
Owner, Applicant or Representative Date

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

Cynthia J. Reeves
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** **DIVISION OF PLANNING
AND DEVELOPMENT**

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

November 10, 2021

Gary D Picket, Ellen K. Miller, and Mary Bowen Living Trust
5308 Bears Paw Circle
Memphis, TN 38120

Sent via electronic mail to: cindy@srce-memphis.com

Houston Levee Trails Planned Development
Case Number: PD 2021-38
LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, November 10, 2021, the Memphis and Shelby County Land Use Control Board recommended **approval** of your planned development amendment application for a car wash in the Houston Levee Trails Planned Development, subject to the attached conditions.

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

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

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

Letter to Applicant
PD 2021-38

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

Respectfully,

A handwritten signature in cursive script that reads "Lucas Skinner".

Lucas Skinner
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Cindy Reaves, SR Consulting, LLC
File

Letter to Applicant
PD 2021-38

Site Conditions

1. Prior to a final plat being recorded, the applicant shall submit a landscape plan to the Division of Planning and Development to ensure landscaping meets all applicable conditions.
2. Prior to a final plat being recorded, the applicant shall submit a lighting plan to the Division of Planning and Development to ensure lighting will not glare onto the adjacent residential property.
3. Sanitary sewer shall be provided by the private sewer line on the south side of the side of the site.

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 12/07/2021
DATE**

**PUBLIC SESSION: 12/07/2021
DATE**

ITEM (CHECK ONE)

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

ITEM DESCRIPTION: A resolution approving two large homes (quadplexes)

CASE NUMBER: SUP 2021-28

DEVELOPMENT: Two large homes (quadplexes)

LOCATION: 1368 and 1362 Monroe Avenue

COUNCIL DISTRICTS: District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: WO SFR, LLC – Cameron Ellis

REPRESENTATIVE: The Reaves Firm – Tim McCaskill

EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

REQUEST: Two large homes (quadplexes)

AREA: +/-0.35 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>
_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2021-28

Resolution requesting two large homes (quadplexes) at 1368 and 1362 Monroe Avenue:

- This item is a resolution with conditions for a special use permit to allow the above; and
- The Division of Planning & Development at the request of the Owner(s)/Applicant(s): WO SFR, LLC – Cameron Ellis and Representative(s): The Reaves Firm – Tim McCaskill; and
- Approval of this special use permit will be reflected on the Memphis and Shelby County Zoning Atlas; and
- The item may require future public improvement contracts.

**RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY
LOCATED AT 1368 AND 1362 MONROE AVENUE, KNOWN AS CASE NUMBER SUP 2021-
28.**

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, the WO SFR, LLC – Cameron Ellis filed an application with the Memphis and Shelby County Office of Planning and Development to allow two large homes (quadplexes); and

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

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

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

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

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

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

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

ATTEST:

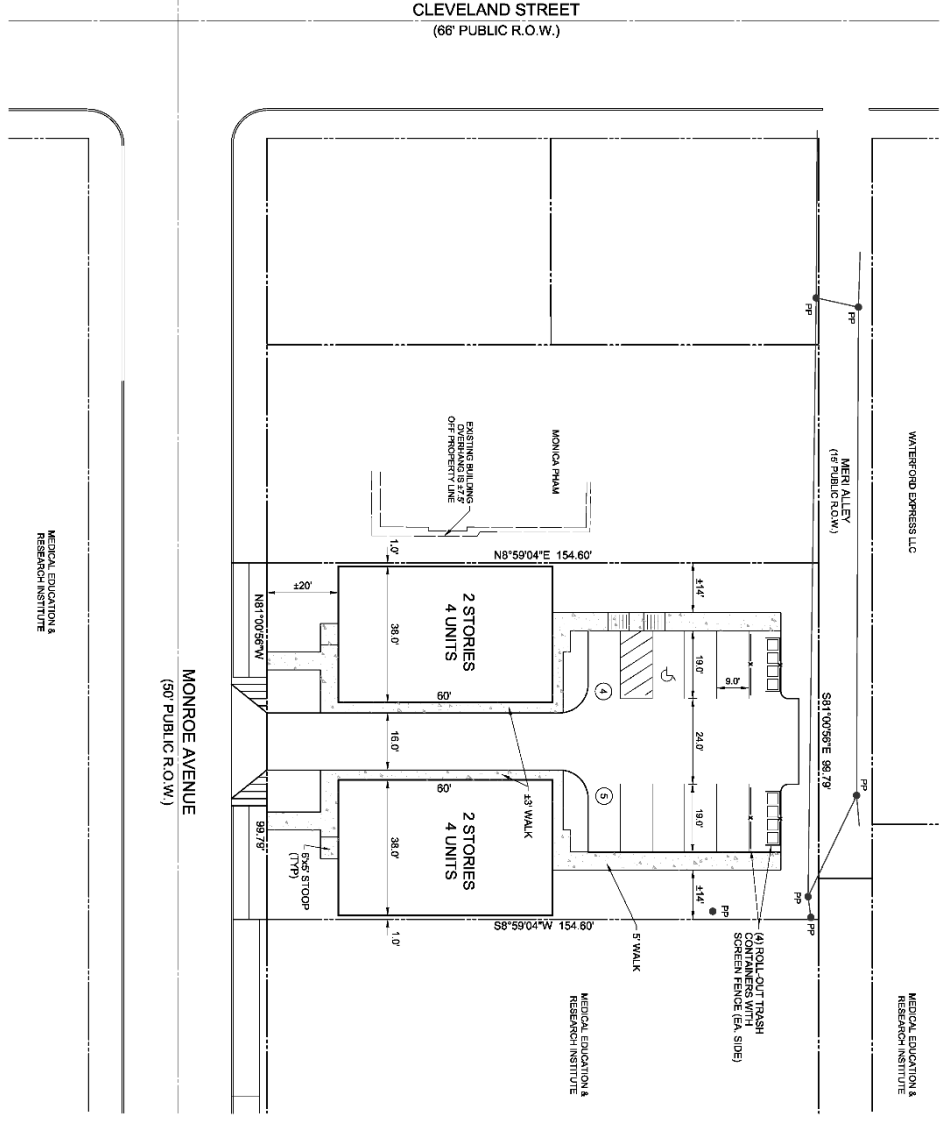
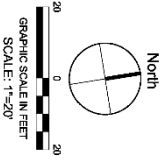
**CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement**

CONDITIONS

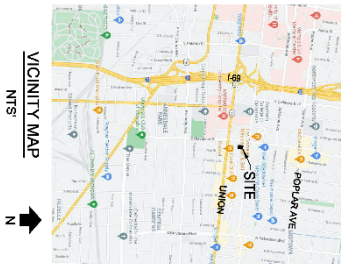
1. A final site plan, landscape plan, elevations, etc. shall be submitted for administrative review and approval by the Division of Planning and Development.
2. The front setback shall be a maximum of 20 feet.

SITE PLAN

key 20x24 2\1021\21-0171 1362 & 1368 Monroe\01 Special Use Permit\Site plan.dwg Oct 06, 2021 - 2:17pm



SITE DATA
 ZONING: CMU-3 w/ MO OVERLAY
 USE: LARGE HOME
 NUMBER OF UNITS: 8
PARKING REQUIRED:
 12 SPACES
 1.5 SPACES/UNIT
 25% REDUCTION ALLOWED IN M.O.
 TOTAL: 3 SPACES
PARKING PROVIDED:
 9 SPACES



SITE PLAN	
1362 & 1368 MONROE AVE	
CASE NUMBER: S.U.P. 21-	
MEMPHIS, TENNESSEE	
NUMBER OF LOTS: 1	0.38 ACRES
APPLICANT: CAMERON ELLIS W/O SFR LLC	PARCELS: 017014 00015 & 00016
OCTOBER 2021	ENGINEER: THE REEVES FIRM
	SHEET 1 OF 1

AGENDA ITEM: 13

CASE NUMBER: SUP 2021-28 **L.U.C.B. MEETING:** November 10, 2021

LOCATION: 1368 and 1362 Monroe Avenue

COUNCIL DISTRICT: District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: WO SFR, LLC – Cameron Ellis

REPRESENTATIVE: The Reaves Firm – Tim McCaskill

REQUEST: Two large homes (quadplexes)

AREA: +/-0.35 acres

EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

CONCLUSIONS

1. The applicant is seeking to allow two large homes (quadplexes) at 1368 and 1362 Monroe Avenue.
2. Note this request is similar to SUP 18-12, which was approved by the Council of the City of Memphis on August 28, 2018, to allow an eight-unit apartment building at 1368 Monroe Avenue. However, this approval has since expired under Sub-Section 9.6.14B of the Unified Development Code.
3. This proposal is located in an area mixed with multifamily, parking, commercial, institutional, and office uses and would not be out of character with the development of the neighborhood.
4. This 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.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 18-21 of this report.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: Monroe Avenue +/-99.79 linear feet
Zoning Atlas Page: 2030
Parcel ID: 017014 00016 and 017014 00017
Existing Zoning: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

NEIGHBORHOOD MEETING

The meeting was held at 5:30 PM on Thursday, October 28, 2021, on Zoom.com.

PUBLIC NOTICE

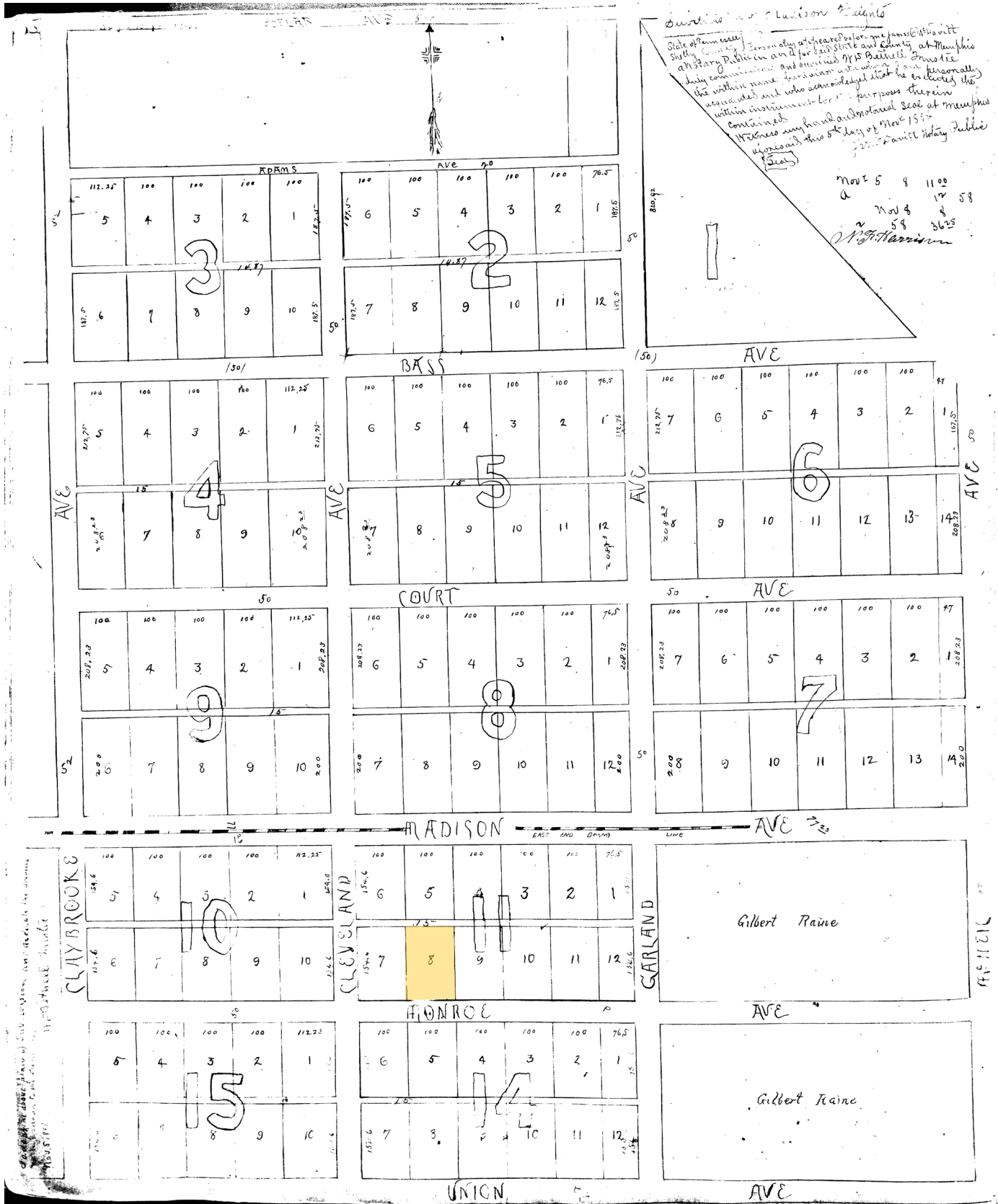
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 46 notices were mailed on October 25, 2021, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle, midtown neighborhood

MADISON HEIGHTS SUBDIVISION (1888)



Subject property highlighted in orange, Block 11 Lot 8

VICINITY MAP



Subject property highlighted in yellow



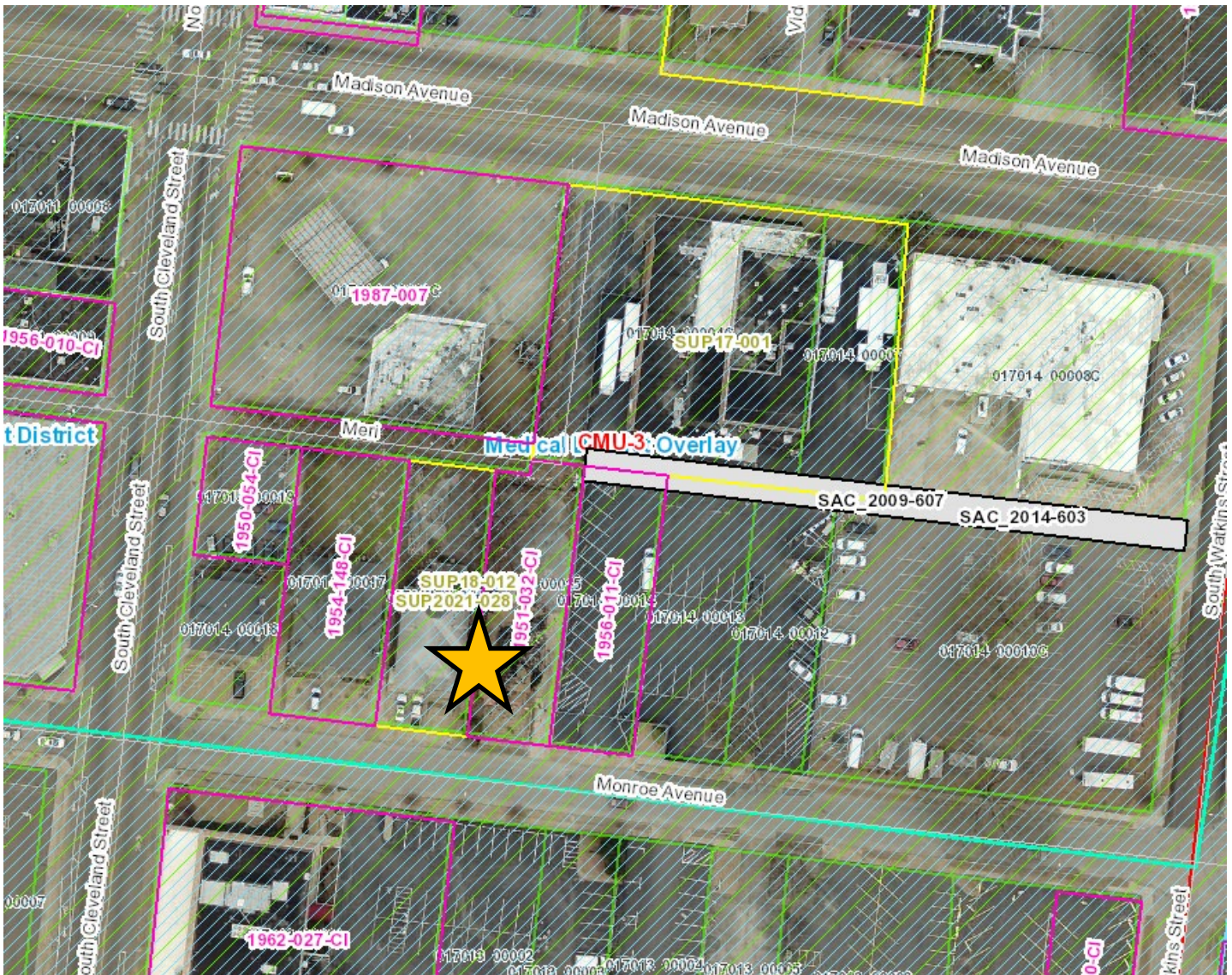
Date: 10/04/21
Prepared By:
Property Research Data
PRD Job #21-080

AERIAL



Subject property outlined in orange, imagery from 2020

ZONING MAP



Subject property indicated by an orange star

Existing Zoning: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

Surrounding Zoning

North: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

East: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

South: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

West: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

LAND USE MAP

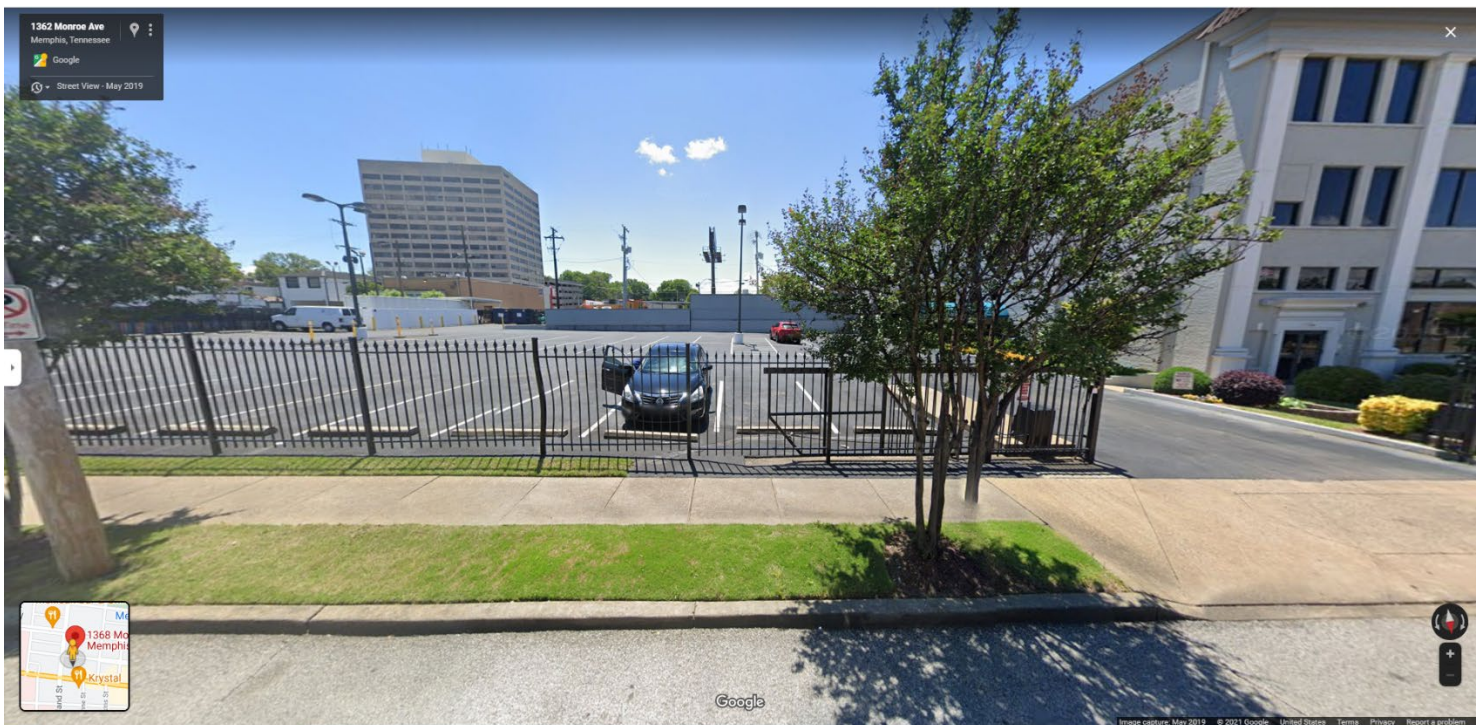


Subject property indicated by an orange star

SITE PHOTOS



View of subject property from Monroe Avenue looking north



View across Monroe Avenue from subject property looking south



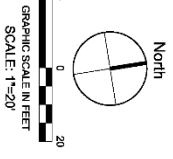
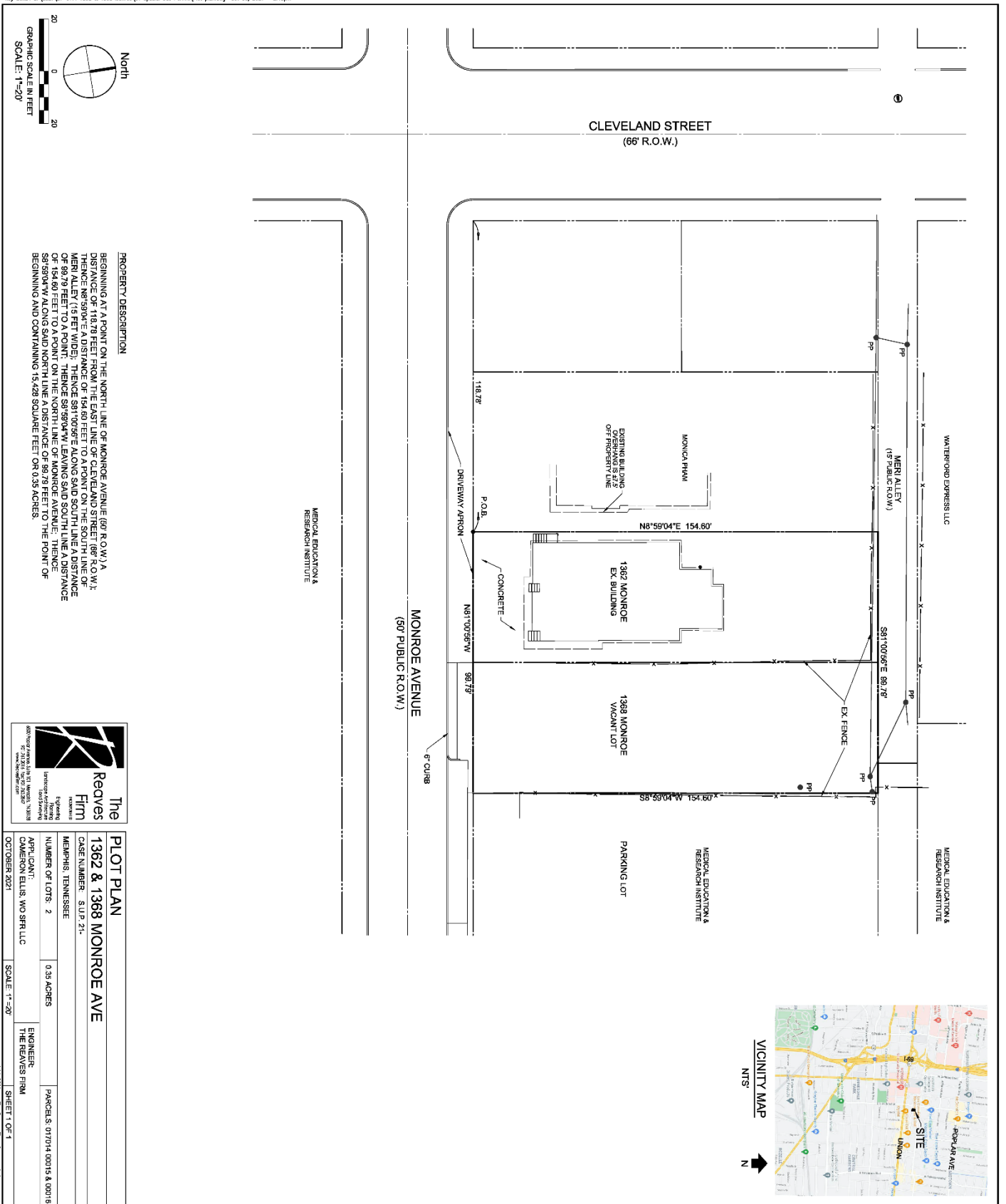
View from subject property down Monroe Avenue looking east



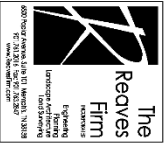
View from subject property down Monroe Avenue looking west

SURVEY

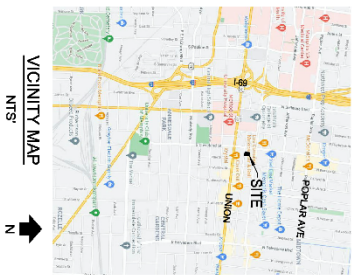
key 20x24 2:\2021\21-0171 1362 & 1368 Monroe\01 Special Use Permit\Plot plan.dwg Oct 06, 2021 - 2:12pm



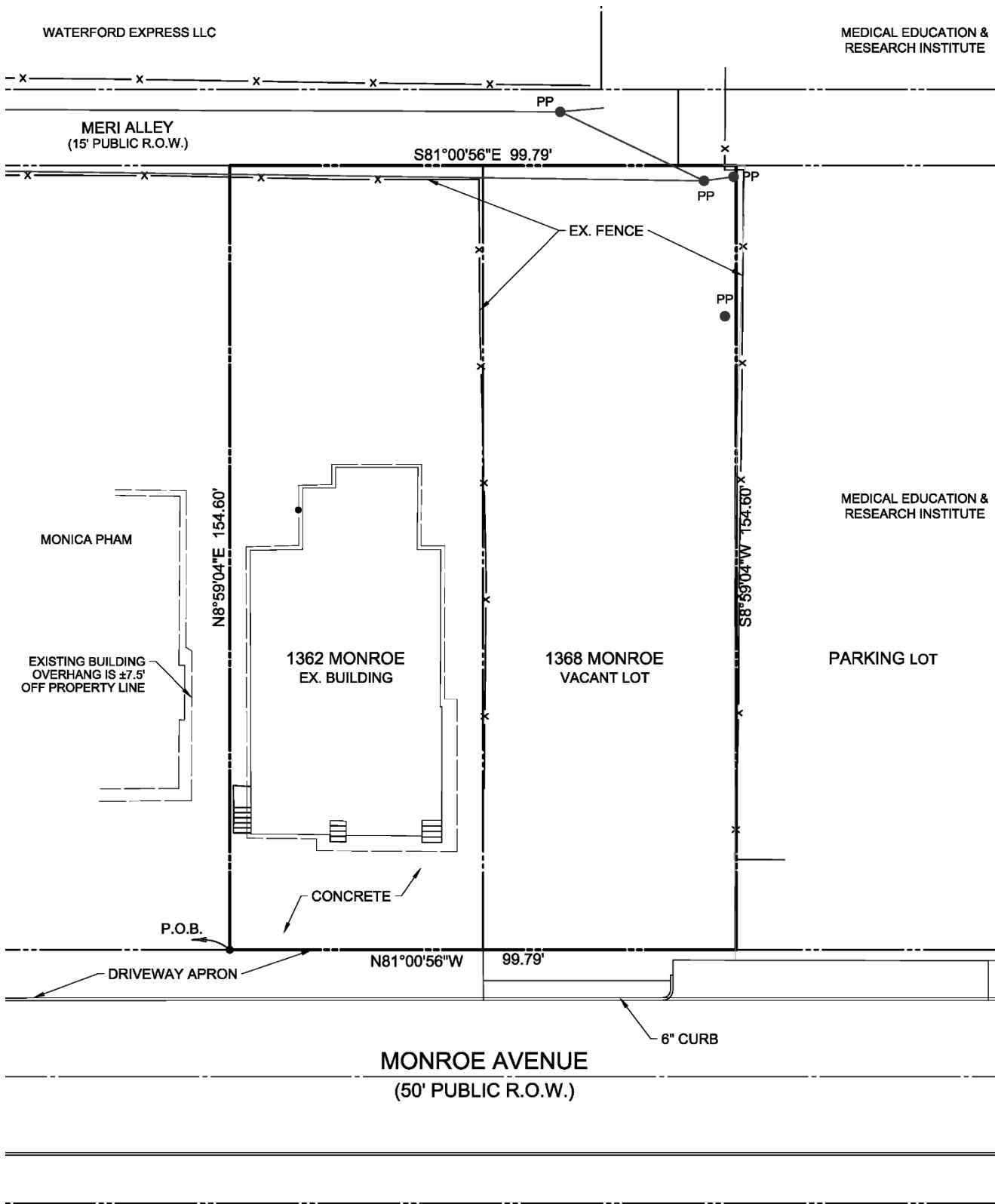
PROPERTY DESCRIPTION
 BEGINNING AT A POINT ON THE NORTH LINE OF MONROE AVENUE (50' R.O.W.), A DISTANCE OF 118.78 FEET FROM THE EAST LINE OF CLEVELAND STREET (66' R.O.W.); THENCE S89°59'04\"/>



PLOT PLAN	
1362 & 1368 MONROE AVE	
CASE NUMBER: SUP 21-	
MEMPHIS, TENNESSEE	
NUMBER OF LOTS: 2	0.35 ACRES
APPLICANT: CAMERON ELLIS, WO 9PH, LLC	
OCTOBER 2021	SCALE: 1" = 20'
ENGINEER: THE REAVES FIRM	PARCELS: 017014 00015 & 00016
SHEET 1 OF 1	



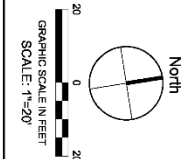
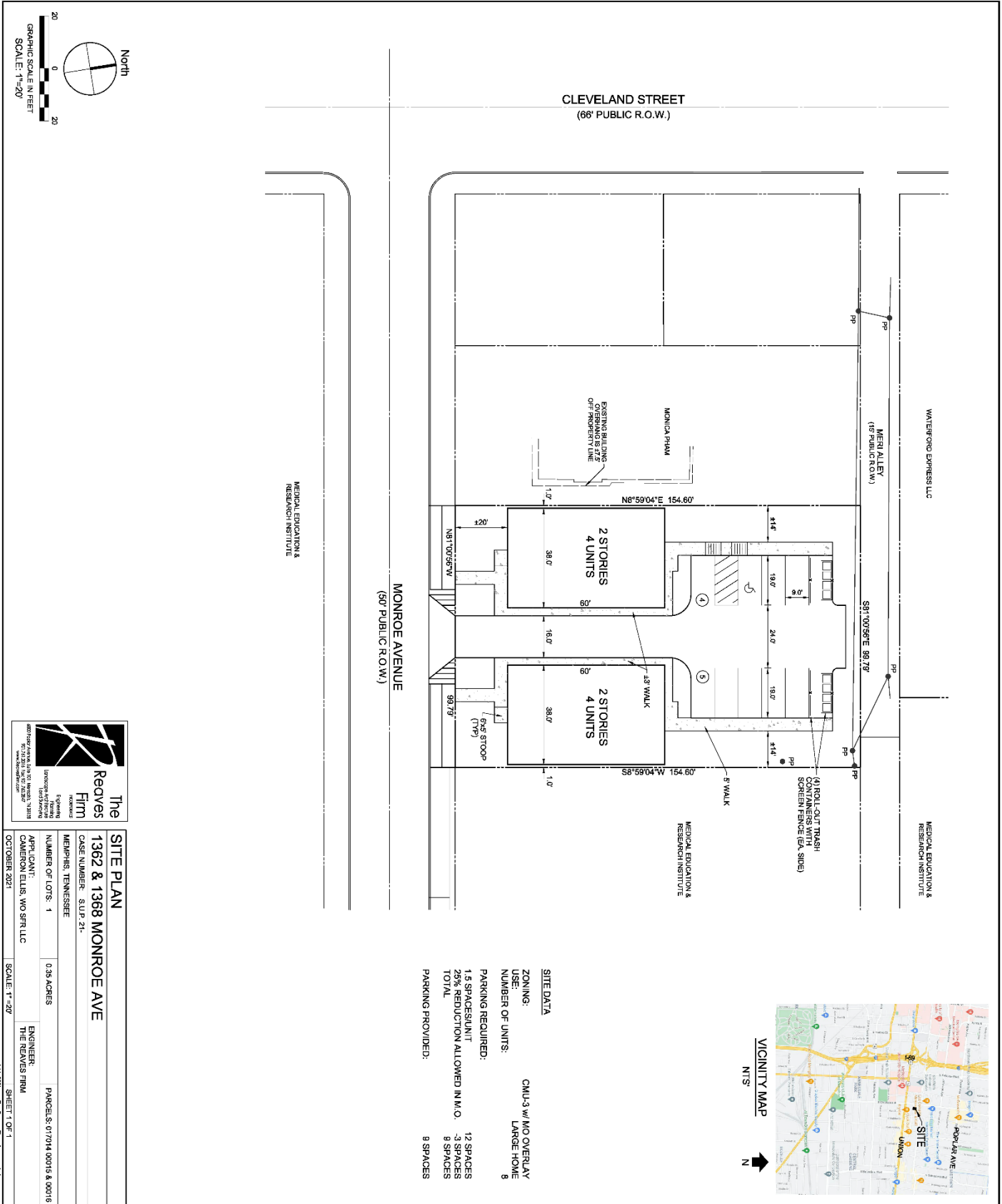
SURVEY – ZOOMED



MEDICAL EDUCATION &
RESEARCH INSTITUTE

SITE PLAN

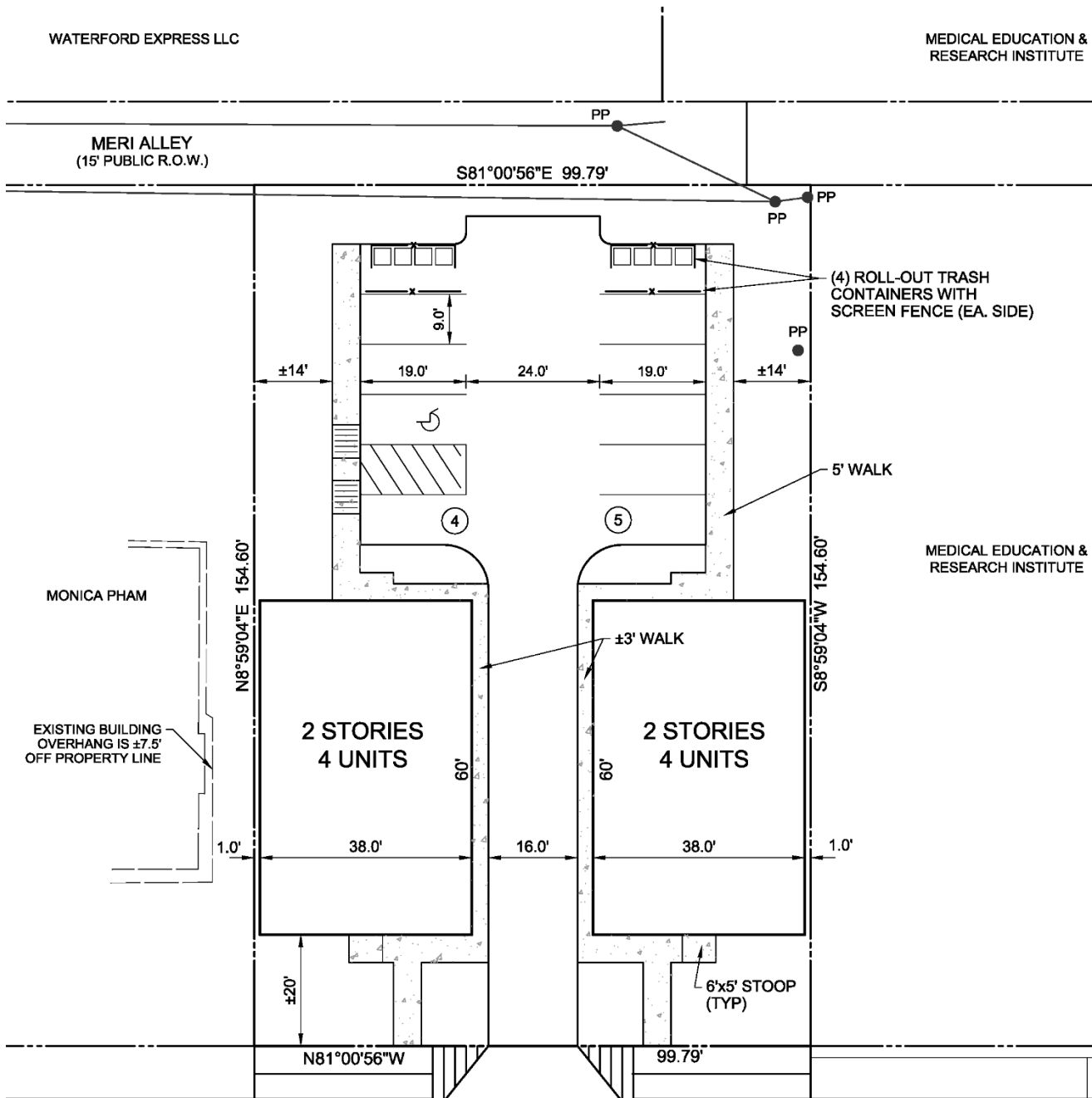
key 25/24 2:2021\21-0171 1362 & 1368 Monroe\01 Special Use Permit\Site plan.dwg Oct 06, 2021 - 2:17pm



The Reeves Firm
 ARCHITECTS
 1000 FIVE STAR BLVD, SUITE 200
 MEMPHIS, TN 38103
 (901) 527-1234
 www.reevesfirm.com

SITE PLAN
1362 & 1368 MONROE AVE
 CASE NUMBER: SUP 21-
 MEMPHIS, TENNESSEE
 NUMBER OF LOTS: 1
 0.38 ACRES
 APR. 10/21
 CAMERON ELLIS, WO SFR, LLC
 SCALE: 1"=20'
 ENGINEER:
 THE REEVES FIRM
 SHEET 1 OF 1
 OCTOBER 2021

SITE PLAN – ZOOMED



SITE DATA	
ZONING:	CMU-3 w/ MO OVERLAY
USE:	LARGE HOME
NUMBER OF UNITS:	8
PARKING REQUIRED:	
1.5 SPACES/UNIT	12 SPACES
25% REDUCTION ALLOWED IN M.O.	-3 SPACES
TOTAL	9 SPACES
PARKING PROVIDED:	9 SPACES

MONROE AVENUE
 (50' PUBLIC R.O.W.)

MEDICAL EDUCATION &
 RESEARCH INSTITUTE

STAFF ANALYSIS

Request

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

The request is for two large homes (quadplexes).

Approval Criteria

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

9.6.9 Approval Criteria

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

- 9.6.9A The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.*
- 9.6.9B The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.*
- 9.6.9C The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.*
- 9.6.9D The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.*
- 9.6.9E The project complies with all additional standards imposed on it by any particular provisions authorizing such use.*
- 9.6.9F The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.*
- 9.6.9G The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to 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 subject property is +/- 15,246 square feet and compromised of two parcels (017014 00016 and 017014 00017), located at 1368 and 1362 Monroe Avenue in the Midtown neighborhood, and zoned Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO). Per the Assessor’s Office, the surrounding land uses are a mixture of multifamily, parking, commercial, institutional, and office.

Site Zoning Entitlement History

On March 28, 1951, the City of Memphis Board of Adjustment approved Docket BOA 51-32 for a variation to allow the office use in the “B” Residential District at 1368 Monroe Avenue, see page 22 of this report for said

copy of the minutes.

On August 28, 2018, the Council of the City of Memphis approved a resolution granting a special use permit (SUP 18-12) for an eight-unit apartment building at 1368 Monroe Avenue, see pages 23-26 of this report for said resolution. However, note this approval has since expired under Sub-Section 9.6.14B of the Unified Development Code. Note that the subject property is now comprised of 1368 and 1362 Monroe Avenue and the request is for two quadplexes instead of one eight-unit apartment building.

Conclusions

The applicant is seeking to allow two large homes (quadplexes) at 1368 and 1362 Monroe Avenue.

Note this request is similar to SUP 18-12, which was approved by the Council of the City of Memphis on August 28, 2018, to allow an eight-unit apartment building at 1368 Monroe Avenue. However, this approval has since expired under Sub-Section 9.6.14B of the Unified Development Code.

This proposal is located in an area mixed with multifamily, parking, commercial, institutional, and office uses and would not be out of character with the development of the neighborhood.

This 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.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. A final site plan, landscape plan, elevations, etc. shall be submitted for administrative review and approval by the Division of Planning and Development.
2. The front setback shall be a maximum of 20 feet.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

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

Sewers:

2. City sanitary sewers are available to serve this development.
3. 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.

Traffic Control Provisions:

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

Curb Cuts/Access:

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. All gated entries shall comply with UDC 4.4.8 Guardhouses and Gates. All vehicles must be able to leave site by forward motion.
12. On street parking is not guaranteed.

Drainage:

13. 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.

City/County Fire Division:

- 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.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning:

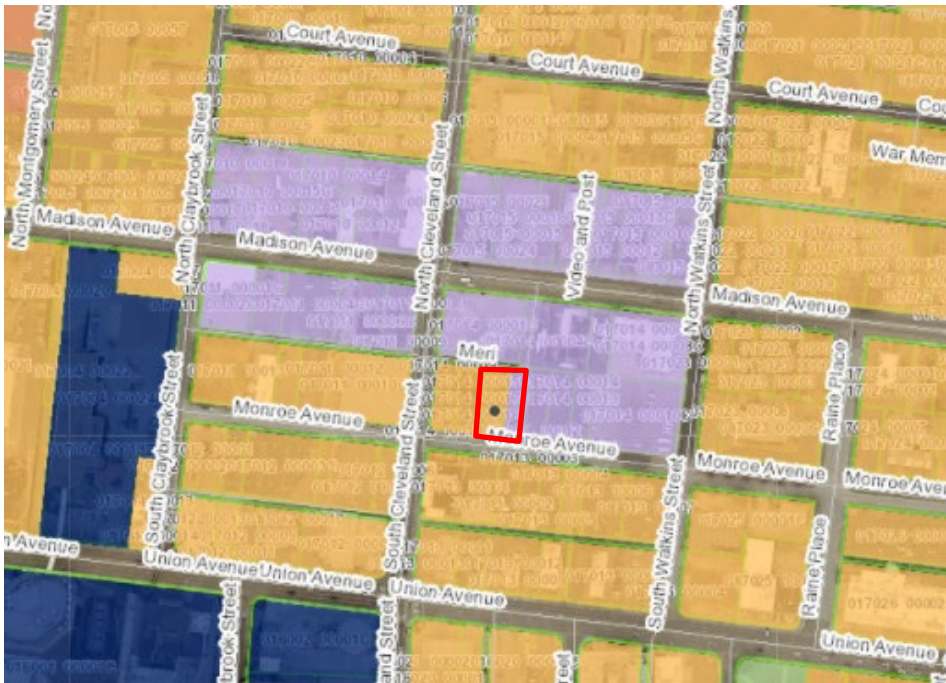
Site Address/location: 1362 and 1368 Monroe Avenue

Land Use Designation: Anchor Neighborhood – Mix of Building Types (A-NM) & Anchor – Neighborhood Main Street (A-NMS)

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

Comprehensive Plan.

1. FUTURE LAND USE PLANNING MAP



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

2. Land use description & applicability:

Mix of Building Types Anchor Neighborhoods are a combination of one to three-story house-scale buildings with building scale large home and apartments of up to four stories close to anchors and along corridors. In these neighborhoods is a mix of attached, semi-detached, and detached residential, all located within a 10-minute walk from the anchor destination. Any mixed-use is along corridors, allowing shopping destinations to connect between mixed-use and residential neighborhoods.



“AN-M” Goals/Objectives:

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

“AN-M” Form & Location Characteristics:

ACCELERATE: Primarily detached, single-family house-scale residences of 1-3 stories in height. Attached, house-scale single-family, duplexes, triplexes and quadplexes of 1-3 stories in height permitted on parcels within 200 feet of an anchor and at intersections where the presence of such housing type currently exists. Building-scale large homes and apartments of 2-4 stories in height permitted on parcels within 100 feet of an anchor; at intersections where the presence of such housing type currently exists at the intersection. Other housing and commercial types along avenues, boulevards and parkways as identified in the Street Types Map where same types exist on one or more adjacent parcels.

Land use description & applicability:

Neighborhood Main Street anchors are characterized by attached and detached mixed-use buildings that line the perimeter of the block along a street and may span several adjacent blocks. Neighborhood Main Streets provide retail and services to the surrounding neighborhoods. They serve as walkable or bikeable destinations where community members can meet multiple daily needs in a single trip. When thriving, they are nodes of activity that enliven a neighborhood.



“A-NMS” Goals/Objectives:

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

“A-NMS” Form & Location Characteristics:

ACCELERATE: Detached and attached single-family, duplexes, triplexes, quadplexes, large homes and apartments, including those with active ground floor commercial uses (including live/work) along sidewalk, as well as commercial and institutional uses. Height: 1-5 stories. Scales: house-scale and block-scale.

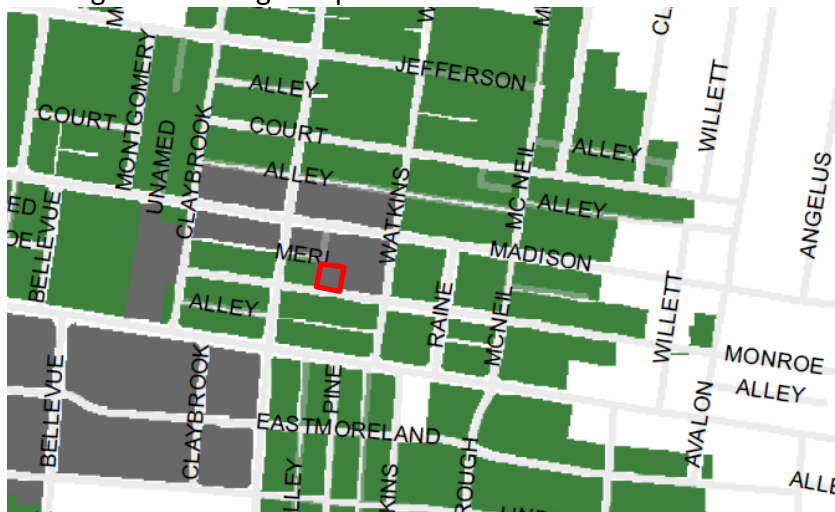
The applicant is seeking for a special use permit with the intension of developing two quadplexes (large homes) on Monroe Ave., east of South Cleveland St.

The request meets the criteria as the quadplexes will be two-stories detached large homes, which are in conformity with the form and locational characteristics of AN-M and A-NMS to support preservation, stabilization, and/or intensification of the neighborhood and to focus investment towards the neighborhood.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land uses: Single-Family, Multi-Family, Office, Parking, Vacant, and Commercial. The subject site is surrounded by the following zoning district: CMU-3. This requested land use is compatible with the adjacent land use 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 Accelerate Degree of Change area.

5. Degree of Change Descriptions

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

The proposed application is congruent with the degree of change designation as it will increase density and building height, speed up developmental activity in the proposed request, and consolidate smaller lots into larger parcels that are more attractive for development.

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

CITY OF MEMPHIS BOA 51-32 MINUTES

356

DOCKET NO. 51-32

APPLICANT - Wallace Witmer

SUBJECT - Application for variation from the requirements of the Zone Ordinance so as to permit conversion of residence into office in "B" Residential District on the grounds specified in the typewritten statement filed herein.

PREMISES AFFECTED - 1368 Monroe Avenue

APPEARANCES - All of the witnesses who testified in this case were sworn.

For Applicant: WALLACE WITMER & MR. RALPH WILSON

For Opposition: MRS. A.F. ALLEN, MR. & MRS. J. MCQUIRTER,
L. M. EVANS, E. V. LAWRENCE, MR. & MRS.
S. L. TODD

For Bldg. Dept: C. H. SLOVER

ACTION OF THE BOARD - Application granted.

THE RESOLUTION -

WHEREAS, Wallace Witmer filed, March 14, 1951, an application for variation from the requirements of the Zone Ordinance so as to permit conversion of residence into office at 1368 Monroe Avenue, and,

WHEREAS, A public hearing was held on this application before the Board of Adjustment at its meeting held March 28, 1951, after due notice, the Board having heard the sworn testimony of both proponents and opponents to the granting of this application, and,

WHEREAS, The Commissioner of Public Service rejected an application for a use and occupancy permit, March 12, 1951, because said premises were in "B" Residential District, and,

WHEREAS, The Board is of the opinion and finds from the sworn testimony of witnesses, the records on file and the report of its Technical Adviser that the property in question is surrounded by commercial uses, that to deny the application would prove an undue hardship and that, therefore, the application should be granted;

NOW, THEREFORE, BE it resolved that the application be and it hereby is granted and that the decision of the Commissioner of Public Service be and it hereby is overruled. Provided, however, that this variation is granted for the specific purpose herein specified and shall not otherwise be deemed to vary or modify any of the provisions of the Zone Ordinance applicable to these premises nor to any future use or development of said property and provided further that a use and occupancy permit in conformity herewith be obtained from the Commissioner of Public Service within sixty (60) days from the granting of this application.

THE VOTE TO GRANT -

Affirmative	-	Chairman Harsh, Messrs. Furbringer, Martin, Palmer, McGregor, W. B. Smith & Earl Smith....	7
Negative	-	None.....	0
Absent	-	None.....	0

SUP 18-12 ATTESTED RESOLUTION

**RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY
LOCATED AT 1368 MONROE AVENUE, KNOWN AS CASE NUMBER SUP 18-12.**

WHEREAS, Article 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 Weoffer LLC filed an application with the Memphis and Shelby County Office of Planning and Development on June 29, 2018, to allow an eight (8) -unit apartment building; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on August 9, 2018, and said Board recommended approval of the request of the applicant subject to conditions 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; 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 Office of Planning and Development; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that this planned development is hereby granted in accordance with the attached outline plan conditions; and

BE IT FURTHER RESOLVED, that the requirements of said aforementioned section of the Unified Development Code shall be deemed to have been complied with; that the site 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.

#3 - OPD

ATTEST:

**CC: Office of Planning and Development – Land Use Controls ✓
Office of Construction Code Enforcement**

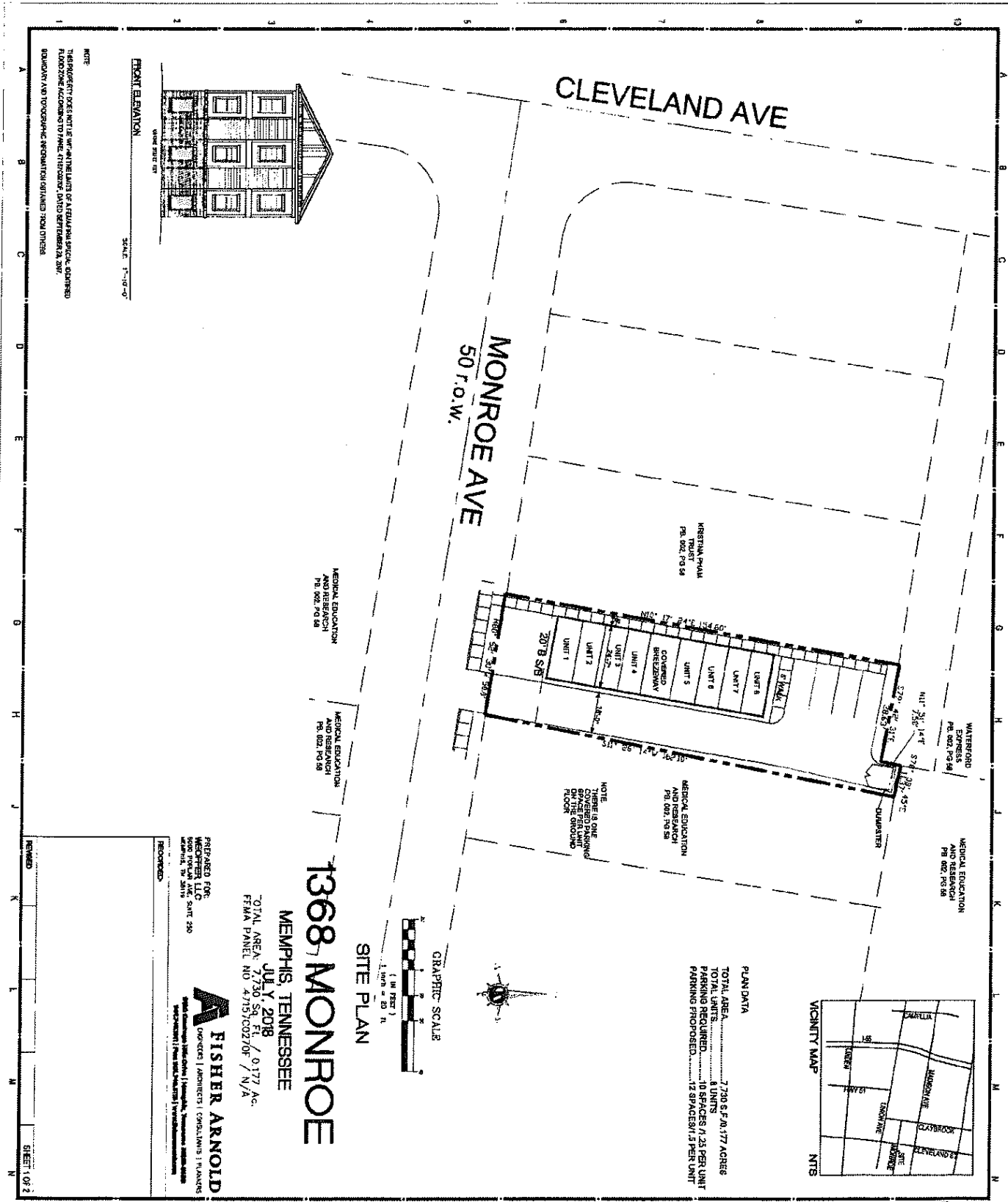
I hereby certify that the foregoing is a true copy
and document was adopted, approved by the
Council of the City of Memphis in regular
session on

Date AUG 28 2018
 Valerie C. Sripes
Deputy Comptroller-Council Records

CONDITIONS

1. A final plan shall be submitted which is in conformance with Chapter 8.2, Medical Overlay District, of the Unified Development Code for administrative review and approval by the Office of Planning and Development.
2. The front setback shall be a maximum of 20 feet.
3. On the front elevation, the two vertical areas identified as hardy board siding shall be brick.
4. The existing structure on-site shall be demolished by August 28, 2019.

SITE PLAN



APPLICATION



MEMPHIS AND SHELBY COUNTY

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Public Notice Processing

Opened Date: September 28, 2021

Record Number: SUP 2021-028

Expiration Date:

Record Name: Monroe Quadplex

Description of Work: On behalf of Cameron Ellis with WeOffr, LLC, we are submitting the enclosed application to the Office of Planning and Development seeking Special Use Permit approval for two adjoining parcels at 1368 and 1362 Monroe Ave. On August 9, 2018, the property at 1368 Monroe Ave. was approved for a Special Use Permit (case # SUP 18-12) for an eight-unit apartment building, but the two-year time limit expired. The property is zoned CMU-3 with Medical overlay and together is 0.359 acres on Monroe Ave., east of South Cleveland St.

The owner would like to construct two quadplexes (considered "large homes" in the UDC) through the Special Use Permit. This is consistent with the current neighborhood of multi-family and medical.

Parent Record Number:

Address: 1362 Monroe AVE & 1368 Mon, Memphis, TN 38103

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Yes	WO SFR LLC	5400 POPLAR AVE, Memphis, TN 38119	(901) 509-7361

Parcel Information

Parcel No:
017014 00016 & 017014 0

Contact Information

Name	Organization Name	Contact Type	Phone
Cameron Ellis	WeOffr, LLC	Applicant	(901) 509-7361
Suffix:			
Address			

Tim McCaskill	Architect / Engineer / Surveyor	(901) 761-2016
Address		

Kay Maynard	The Reaves Firm	Architect / Engineer / Surveyor	(901) 761-2016
Address			

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	Unit	Fee Code
1332106	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	10/07/2021		PLNGSPUSE 01
1332106	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	10/07/2021		PLNGSPUSE 10
Total Fee Invoiced: \$513.00						Total Balance: \$0.00		

Payment Information

Payment Amount	Method of Payment
\$513.00	Credit Card

Data Fields

PREAPPLICATION MEETING

Preapplication Meeting	Yes
Date of Meeting	09/02/2021
Name of OPD Planner	Jeffrey Penzes

GENERAL PROJECT INFORMATION

Application Type	New Special Use Permit
Previous Case Number	-
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No
If yes, please provide additional information	-

APPROVAL CRITERIA

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 (UDC Sub-Section 9.6.9A).	The surrounding area has multi-family, quadplexes, a nail bar, and a medical institute. This project will not adversely effect the neighborhood. The parking is in the rear with an access drive.
UDC Sub-Section 9.6.9B	Parking will be behind the quadplexes so as not to be visible from the street. The quadplex facade will blend in with the neighborhood and look like a large residence.
UDC Sub-Section 9.6.9C	The area has existing public facilities.
UDC Sub-Section 9.6.9D	No known natural, scenic or historical features are known to exist on this site.
UDC Sub-Section 9.6.9E	The project complies with UDC standards.
UDC Sub-Section 9.6.9F	The project compiles with building and zoning codes.

GIS INFORMATION

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

Subdivision	-
Planned Development District	-

LETTER OF INTENT



October 1, 2021

Mr. Josh Whitehead
Planning Director
Office of Planning and Development
125 N. Main, Ste. 477
Memphis, TN 38103

RE: Quadplex on Monroe

Dear Mr. Whitehead:

On behalf of Cameron Ellis with WeOffr, LLC, we are submitting the enclosed application to the Office of Planning and Development seeking Special Use Permit approval for two adjoining parcels at 1368 and 1362 Monroe Ave. On August 9, 2018, the property at 1368 Monroe Ave. was approved for a Special Use Permit (case # SUP 18-12) for an eight-unit apartment building, but the two-year time limit expired. The property is zoned CMU-3 with Medical overlay and together is 0.359 acres on Monroe Ave., east of South Cleveland St.

The owner would like to construct two quadplexes (considered "large homes" in the UDC) through the Special Use Permit. This is consistent with the current neighborhood of multi-family and medical.

Professional consultants on this project include Tim McCaskill of The Reaves Firm.

Your consideration of this application is greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads 'Christine Donhardt'.

Christine Donhardt, ASLA

SIGN AFFIDAVIT



AFFIDAVIT

Shelby County
State of Tennessee

I, Ian Marie, being duly sworn, depose and say that at 2:26 am/pm on the 29th day of October, 2021, I posted a Public Notice Sign(s) pertaining to Case No. SUP 21-28 at 1362 + 1368 Monroe Ave

providing notice of a Public Hearing before the:

- Land Use Control Board,
- Memphis City Council,
- Shelby County Board of Commissioners

for consideration of a proposed:

- Land Use Action (Planned Development),
- Street /Alley Closure
- Special Use Permit,
- Use Variance,
- Zoning District Map Amendment.

A photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Ian Marie 11/1/21

Owner, Applicant or Representative

Date

Subscribed and sworn to before me this 1 day of Nov, 2021.

Michelle Cortes
Notary Public

My commission expires: 5/11/22



LETTERS RECEIVED

One letter of opposition was received at the time of completion of this report and have subsequently been attached.

Land Use Control Board
Attention Jeffrey Penzes
RE: SUP 21-28

Land Use Control Board:

We are opposed to this request to ignore the city's UDC and leave little to no side-setbacks on this development.

The UDC was created to establish a city that is not overcrowded, that does not run one building atop another, that assures a city pleasing to the eye and prevents properties from jumbling together by overbuilding on lots.

The UDC allows exceptions under special circumstances. There is no special circumstance in this application.

This application asks to build two large structures on two adjoining lots that leave **twelve inches of side setback instead of five feet**. While the lot to the east is presently a parking lot, there is nothing that indicates that parking lot is permanent; when someone builds there later, the block will be marred by this overbuilt structure with improper and anti-code side setbacks. (Should the old and unkempt apartment building to the west be demolished, the city will also encounter this problem when something new is developed there.)

The resolution here is simple: Stick to the code and build as the lots allow: two buildings that are 34' wide and not 38' wide.

As UDC 3.9.2 states, "standards...have been crafted to allow an applicant (and staff) to look to the surrounding 'context' for guidance in construction." In the vicinity, there are no structures that are overbuilt on their lots; in fact, as the application notes, the existing building to the west has a gracious 7.5 feet setback (but whatever is built there after will likely have the standard 5' setback).

Allowing a flagrant code violation for no reason is decidedly against the spirit of the UDC. Please support the city code by insisting on a 5' side setback.

Thank you,

Porsche Stevens
Board Chair, MidtownMemphis.org
Cc: Robert Gordon, P&D Committee Chair



EXECUTIVE COMMITTEE

Porsche Stevens

Andy Kitsinger

Mark Fleischer

Chip Clay

Emily Bishop

BOARD OF DIRECTORS

Kerri Campbell

J.De DeHart

Desi Franklin

Robert Gordon

Trace Hallowell

Karen Lebovitz

Jackie Nichols

Sterling Owens

Linda Sowell

Natasha Strong

66 S. Cooper St., Ste. 506
Memphis, TN 38104

info@midtownmemphis.org

MidtownMemphis.org

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: SUP 2021-28

LOCATION: 1368 and 1362 Monroe Avenue

COUNCIL DISTRICT(S): District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: WO SFR, LLC – Cameron Ellis

REPRESENTATIVE: The Reaves Firm – Tim McCaskill

REQUEST: Two large homes (quadplexes)

EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3) and Medical Overlay District (MO)

AREA: +/-0.35 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 vote of 10-0 on the consent agenda.

Respectfully,



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

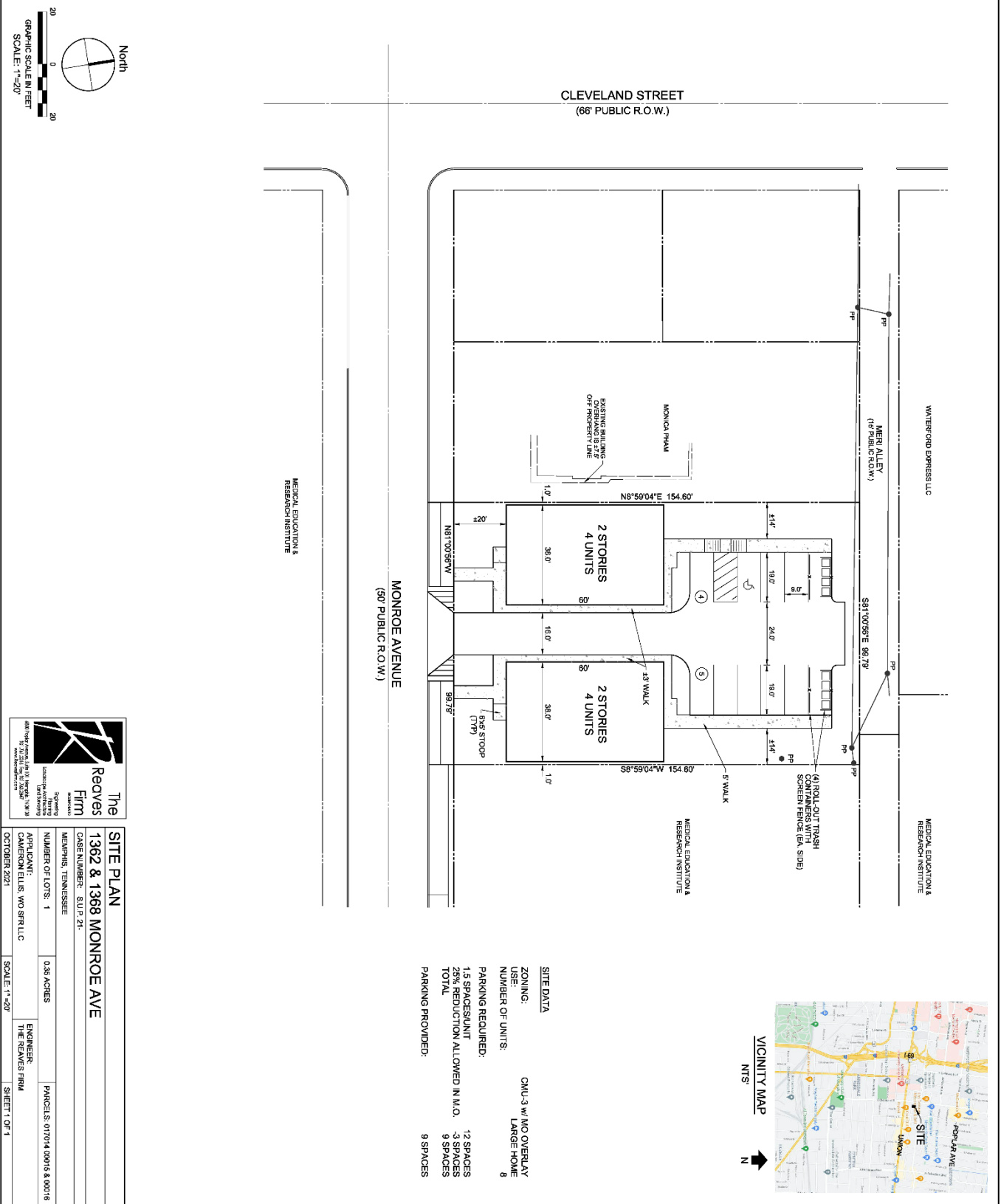
Cc: Committee Members
File

SUP 2021-28
CONDITIONS

1. A final site plan, landscape plan, elevations, etc. shall be submitted for administrative review and approval by the Division of Planning and Development.
2. The front setback shall be a maximum of 20 feet.

SITE PLAN

key 20x24 2/12/2021 01-071 1362 & 1368 Monroe\01 Special Use Perm\Site plan.dwg Oct 08, 2021 - 2:17pm

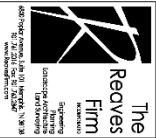
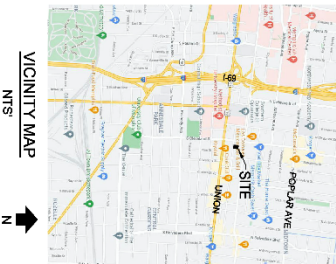


SITE DATA

ZONING: CNL-3 w/ NO OVERLAY
 USE: LARGE HOME
 NUMBER OF UNITS: 8

PARKING REQUIRED: 12 SPACES
 1.5 SPACES/UNIT
 25% REDUCTION ALLOWED IN N.O.
 TOTAL: 9 SPACES

PARKING PROVIDED: 9 SPACES



SITE PLAN	
1362 & 1368 MONROE AVE	
CASE NUMBER: S.U.P. 21-	
MEMPHIS, TENNESSEE	
NUMBER OF LOTS: 1	0.38 ACRES
APPLICANT: CAMERON ELLIS, TWO SFR LLC	PARCELS: 017014 00015 & 00016
OCTOBER 2021	ENGINEER: THE REEVES FIRM
	SHEET 1 OF 1



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

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

November 10, 2021

WO SFR LLC
5400 Poplar Avenue
Memphis, TN 38119

Sent via electronic mail to (applicant's representative): timmccaskill@reavesfirm.com

Case Number: SUP 2021-28
LUCB Recommendation: Approval with conditions

Dear applicant,

On Wednesday, November 10, 2021, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow two large homes (quadplexes) at 1368 and 1362 Monroe Avenue, subject to the following conditions:

1. A final site plan, landscape plan, elevations, etc. shall be submitted for administrative review and approval by the Division of Planning and Development.
2. The front setback shall be a maximum of 20 feet.

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

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

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

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

Respectfully,

Letter to Applicant
SUP 2021-28

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

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

Cc: Tim McCaskill, The Reaves Firm
File



October 1, 2021

Mr. Josh Whitehead
Planning Director
Office of Planning and Development
125 N. Main, Ste. 477
Memphis, TN 38103

RE: Quadplex on Monroe

Dear Mr. Whitehead:

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The owner would like to construct two quadplexes (considered "large homes" in the UDC) through the Special Use Permit. This is consistent with the current neighborhood of multi-family and medical.

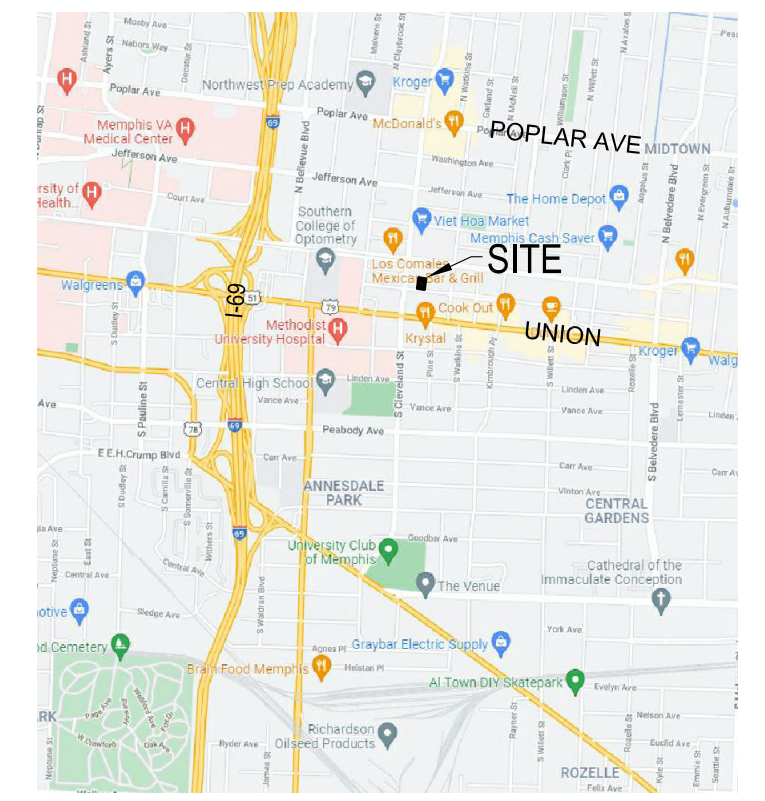
Professional consultants on this project include Tim McCaskill of The Reaves Firm.

Your consideration of this application is greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads 'Christine Donhardt' in a cursive script.

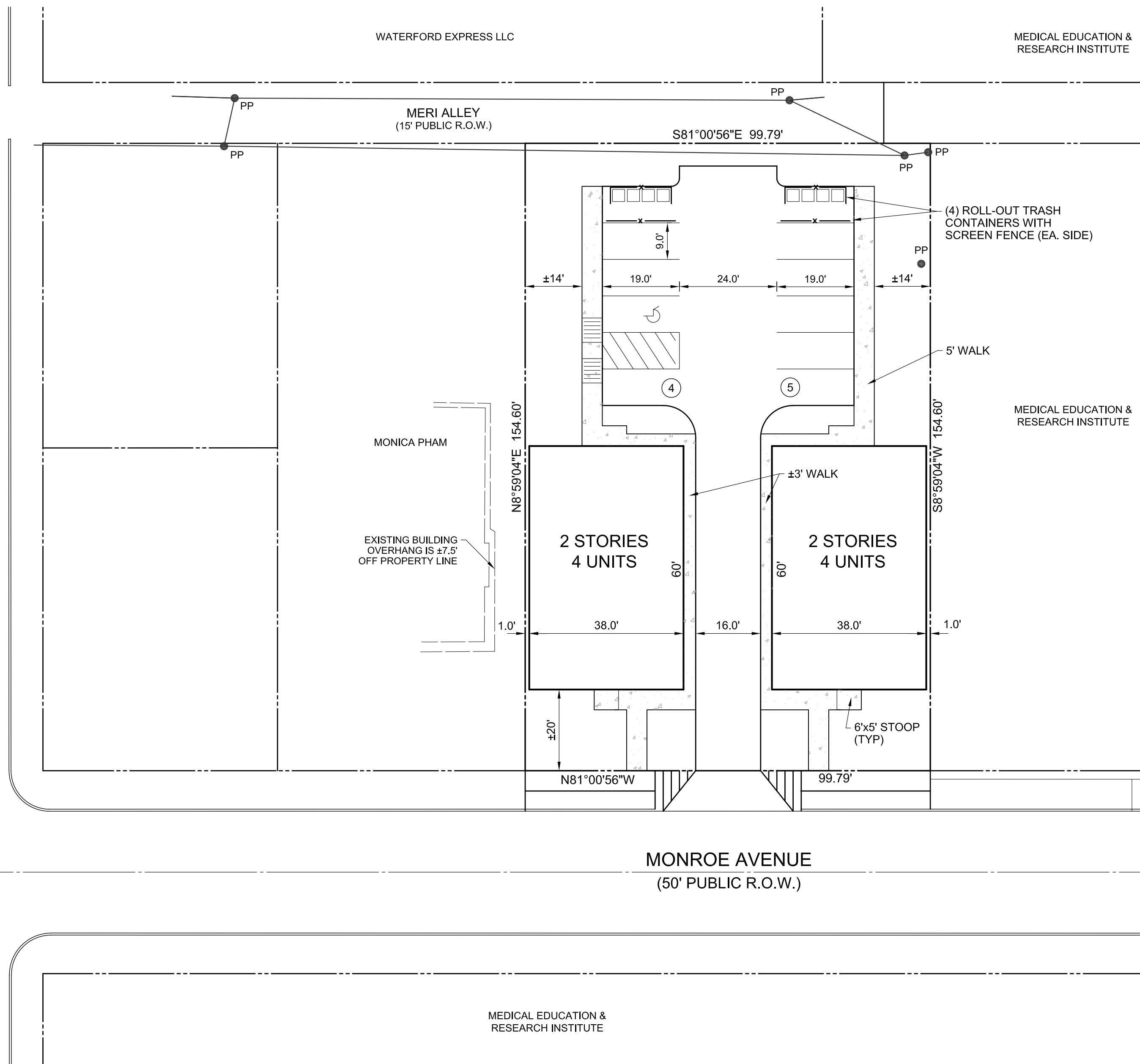
Christine Donhardt, ASLA



VICINITY MAP
NTS'

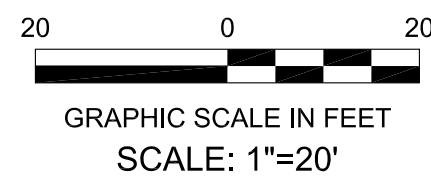
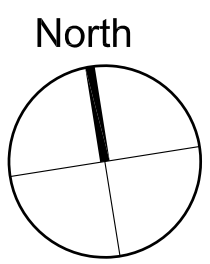


CLEVELAND STREET
(66' PUBLIC R.O.W.)



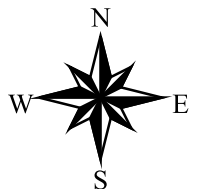
SITE DATA

ZONING:	CMU-3 w/ MO OVERLAY
USE:	LARGE HOME
NUMBER OF UNITS:	8
PARKING REQUIRED:	
1.5 SPACES/UNIT	12 SPACES
25% REDUCTION ALLOWED IN M.O.	-3 SPACES
TOTAL	9 SPACES
PARKING PROVIDED:	9 SPACES



SITE PLAN		
1362 & 1368 MONROE AVE		
CASE NUMBER: S.U.P. 21-		
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1	0.35 ACRES	PARCELS: 017014 00015 & 00016
APPLICANT: CAMERON ELLIS, WO SFR LLC		ENGINEER: THE REAVES FIRM
OCTOBER 2021	SCALE: 1" =20'	SHEET 1 OF 1

Vicinity Map



Date: 10/04/21
 Prepared By:
 Property Research Data
 PRD Job #21-080

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

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

Property Owner's Affidavit

In the event the applicant is not the Owner, the following shall be signed and acknowledged by the owner.

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Cameron Ellis, state that I have read the definition of "Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

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

of the property located at 1362 Monroe & 1368 Monroe and further identified by Assessor's Parcel Number 01701400016 & 01701400015, for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 30 day of Sept in the year of 2021.

Linda Taylor
Signature of Notary Public



My Commission Expires

5705 Johnston LLC
408 Worth Avenue
Lafayette, LA 70508-6637

Alcaza LLC
1099 Harpeth Drive
Memphis, TN 38134-8027

American National Red Cross
600 Forest Point Circle, Ste. A
Charlotte, NC 28273-5736

Bryant Lois & Cleophus
3678 Twinmont Cove
Memphis, TN 38128-3100

Cardinal Health 414 LLC
P O Box 163306
Columbus, OH 43216-3306

Cavallo Charles S
1400 Union Avenue
Memphis, TN 38104-3623

Cavallo Enterprises LLC
1400 Union Avenue
Memphis, TN 38104-3623

Chau Von Sa And Phuoc Pham
1867 Banstead Cove
Cordova, TN 38016-2335

Cooper Florence T Trust
999 Bishop Street, 3rd Floor
Honolulu, HI 96813-4424

First TN Bank NA
1755 Lynnfield Road, Bldg. D
Memphis, TN 38119-7243

Gloss Nailbar LLC
1350 Monroe Avenue
Memphis, TN 38104-3631

Halcyon Living II LLC
75 E. Santa Clara Street, 6th Floor
San Jose, CA 95113-1827

HEO Incorporated
677 Hunting Hills Drive
Braselton, GA 30517-5047

Hernandez Dominga S Living Trust
318 Grove Hill Place
Memphis, TN 38120-2340

Jake Investments LLC
256 Angelus Street
Memphis, TN 38112

JPMG LLC
346 Angelus Street
Memphis, TN 38112-5204

Kirsch David Revocable Trust
1 Daniel Burnham Court, Apt. 305
San Francisco, CA 94109-5456

Madison Ave Partners (PSO)
756 E. Brookhaven Circle
Memphis, TN 38117-4502

Medical Education And Research
Institute
44 S. Cleveland Street
Memphis, TN 38104-3503

Memphis Revival Ministries LLC
1400 Madison Avenue
Memphis, TN 38104-2327

Migliara Lawrence
3254 Winbrook
Memphis, TN 38116

Msdg Memphis Downtown LLC
5501 Virginia Way, Ste. 110
Brentwood, TN 37027-7684

Olymbec USA LLC
333 Decarie Boulevard, 3rd Floor
Montreal, QC H4N 3M9, Canada

Pham Kristina T And Moncia Pham
9301 Riveredge Drive
Cordova, TN 38018-7737

Pham Monica
1165 Harbor River Drive
Memphis, TN 38103-8973

Ragsdale Duncan E
1415 Madison Avenue
Memphis, TN 38104

RI CK2 LLC
P O Box 52427
Atlanta, GA 30355-0427

Robilio Marshall J And Charles J
Robilio
5021 Robindale Lane
Memphis, TN 38117-2717

Schneider Robert
1660 N. Parkway
Memphis, TN 38112-4939

Skefos James J And Harry Valsamis
(PSO)
2884 Walnut Grove Road
Memphis, TN 38111-2714

Skefos Valsamis And Consolidated
(PSO)
2884 Walnut Grove Road
Memphis, TN 38111

Society Of St. Vincent Depaul Of
Memphis
1440 Poplar Avenue
Memphis, TN 38104

Store Master Funding XII LLC
1417 Monroe Avenue
Memphis, TN 38104-3634

Teen Challenge Of Memphis
Incorporated
33 N. Cleveland Street
Memphis, TN 38104-2301

Tran Ann & Martin Van Ho
1350 Madison Avenue
Memphis, TN 38104-2327

Twin Trees Holdings I LLC
4085 NW 58th Lane
Boca Raton, FL 33496-2753

Union Avenue 1355 Center LLC
760 Briscoe Blvd
Lawrenceville, GA 30046

Urbina Flor Idalia Guevara
1322 Madison Avenue
Memphis, TN 38104-2324

Waterford Express LLC
403 Northpointe Lake Drive
Oxford, MS 38655-7716

Yochum Revocable Living Trust
P O Box 42081
Memphis, TN 38174-2081

Christine Donhardt
The Reaves Firm
6800 Poplar Ave, Ste 101
Memphis, TN 38138

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

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5909 Shelby Oaks Drive, Suite 200
Memphis TN 38134

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

WO SFR LLC
5400 Poplar Avenue, Ste. 210
Memphis, TN 38119-3670

WO SFR LLC
5400 Poplar Avenue, Ste. 210
Memphis, TN 38119-3670

WO SFR LLC
5400 Poplar Avenue, Ste. 210
Memphis, TN 38119-3670

WO SFR LLC
5400 Poplar Avenue, Ste. 210
Memphis, TN 38119-3670

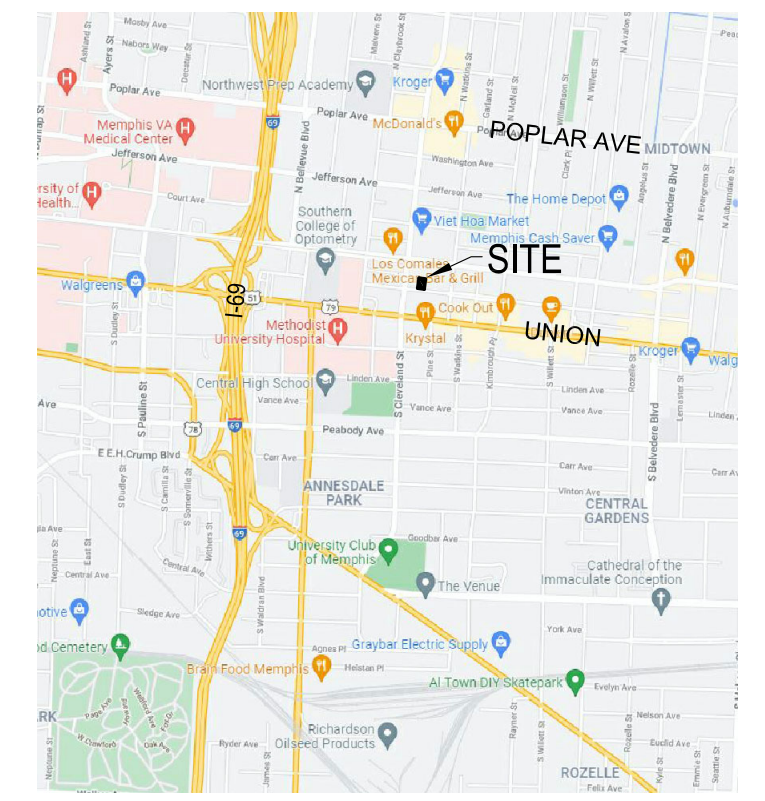
WO SFR LLC
5400 Poplar Avenue, Ste. 210
Memphis, TN 38119-3670

Councilman Smiley, Jr.
Memphis City Council Super Dist 8-1
125 N. Main Ste 514
Memphis, TN 38103

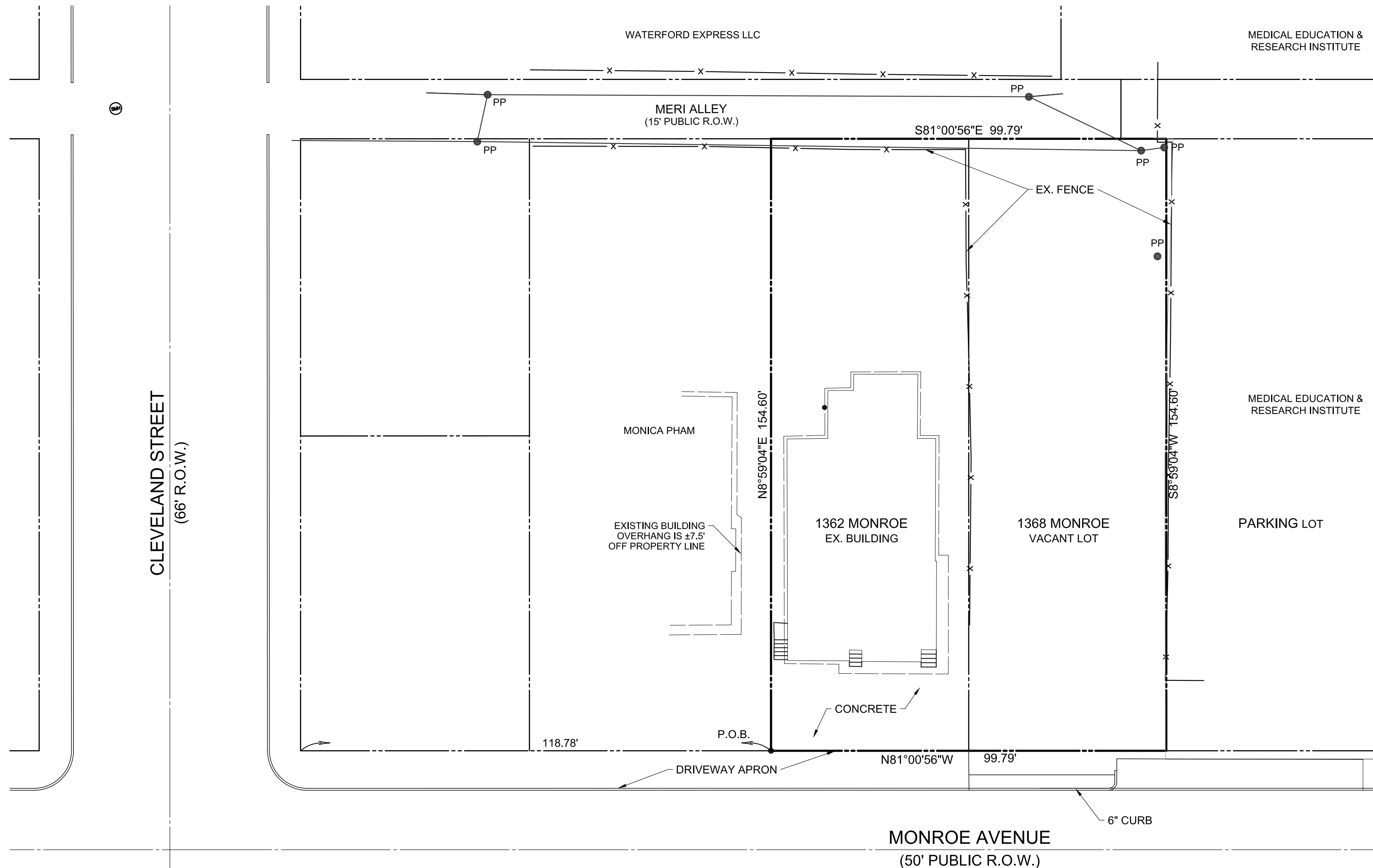
Councilwoman Johnson
Memphis City Council Super Dist 8-2
125 N. Main Ste 514
Memphis, TN 38103

Councilman Jones
Memphis City Council Super Dist 8-3
125 N. Main Ste 514
Memphis, TN 38103

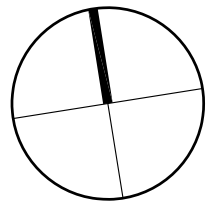
Councilman Ford, Sr.
Memphis City Council Dist 6
125 N. Main Ste 514
Memphis, TN 38103



VICINITY MAP
NTS'



North



GRAPHIC SCALE IN FEET
SCALE: 1"=20'

PROPERTY DESCRIPTION

BEGINNING AT A POINT ON THE NORTH LINE OF MONROE AVENUE (50' R.O.W.) A DISTANCE OF 118.78 FEET FROM THE EAST LINE OF CLEVELAND STREET (66' R.O.W.); THENCE N8°59'04"E A DISTANCE OF 154.60 FEET TO A POINT ON THE SOUTH LINE OF MERI ALLEY (15 FEET WIDE); THENCE S81°00'56"E ALONG SAID SOUTH LINE A DISTANCE OF 99.79 FEET TO A POINT; THENCE S8°59'04"W LEAVING SAID SOUTH LINE A DISTANCE OF 154.60 FEET TO A POINT ON THE NORTH LINE OF MONROE AVENUE; THENCE S8°59'04"W ALONG SAID NORTH LINE A DISTANCE OF 99.79 FEET TO THE POINT OF BEGINNING AND CONTAINING 15,428 SQUARE FEET OR 0.35 ACRES.



PLOT PLAN		
1362 & 1368 MONROE AVE		
CASE NUMBER: S.U.P. 21-		
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 2	0.35 ACRES	PARCELS: 017014 00015 & 00016
APPLICANT: CAMERON ELLIS, WO SFR LLC		ENGINEER: THE REAVES FIRM
OCTOBER 2021	SCALE: 1" =20'	SHEET 1 OF 1



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.

20109332

10/07/2020 - 09:20:30 AM

4 PGS

CHRISTINAM 2100709-20109332

VALUE	1.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	0.00
EFILE FEE	2.00
TOTAL AMOUNT	24.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared By, and When Recorded, Return To:

Apperson Crump, PLC
6000 Poplar, Suite 150
Memphis, TN 38119

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that **WEOFFER, LLC**, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby convey and quit claim unto **WO SFR, LLC** all its right, title and interest in and to the following described real estate located in Shelby County, Tennessee, to-wit:

See Attached Legal Description – Exhibit A”

Being the same property conveyed to Grantor by Warranty Deed of record at Instrument Number 18028776 in the Register’s Office of Shelby County, Tennessee.

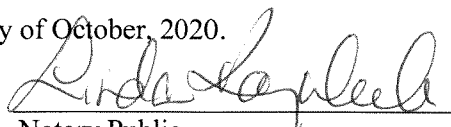
IN TESTIMONY WHEREOF, the undersigned has hereunto executed this instrument (or caused this instrument to be executed by and through its duly authorized officer) this 6 day of October, 2020.

WEOFFER, LLC


Name/Title: Cameron Ellis, Authorized Signatory

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned Notary Public, of the State and County aforesaid, personally appeared Cameron Ellis, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged herself to be the Authorized Signatory of WEOFFER, LLC, the within named bargainor, a limited liability company, and that he as such Authorized Signatory, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of WEOFFER, LLC by himself as such Authorized Signatory.

WITNESS my hand and Notarial Seal at office this 6 day of October, 2020.


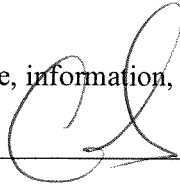
Notary Public

My Commission Expires:
01-28-2024



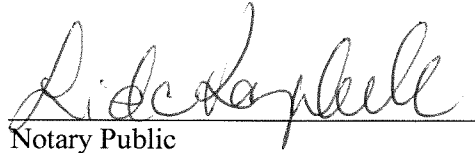
I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer is \$1.00.

_____ Affiant



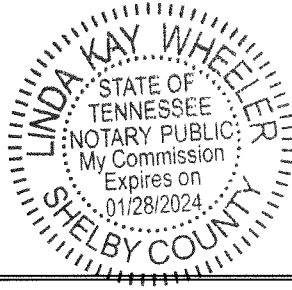
Subscribed and sworn to before me this 6 day of October 2020.

Notary Public



My Commission Expires:

01-28-2024



Parcel Number: 017-014-00015

Property Address: 1368 Monroe Ave, Memphis, TN 38104

Name of Owner and Mail Tax Notices to:

WO SFR, LLC

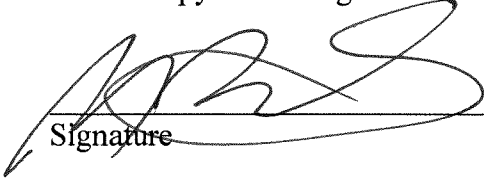
5400 Poplar Ave, Suite 210

Memphis, TN 38119

Being a portion of an existing 15' wide alley within the limits of the first alley located south of Madison Avenue and west Watkins Street within the City of Memphis said easement being more particularly described by metes and bounds as follows:

Commencing at the physical centerline intersection of Watkins Street (50' ROW) and Madison Avenue (75.5' ROW); thence with the centerline line of said Watkins Street, South 08 degrees 54 minutes 06 seconds West a distance of 192.14' to a point; thence departing from and perpendicular to said centerline, North 81 degrees 05 minutes 54 seconds West a distance of 25.00' to the intersection of the west right of way line of said Watkins Street with the north line of a 15' wide alley and being the True Point of Beginning; thence with said west line, South 08 degrees 54 minutes 06 seconds West a distance of 15.00' to the intersection of said west line with the south line of said alley; thence departing from said west line with a portion of said south line, North 81 degrees 00 minutes 47 seconds West a distance of 361.38' to a point; thence departing from said south line, North 08 degrees 59 minutes 13 seconds East a distance of 15.00' to a point on said alley north line; thence with a portion of said north line, South 81 degrees 00 minutes 47 seconds East a distance of 361.36' to said True Point of Beginning. Said described property containing 5,420 square feet or 0.12 acres, more or less.

I, **Matthew Bradsher**, 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.



Signature

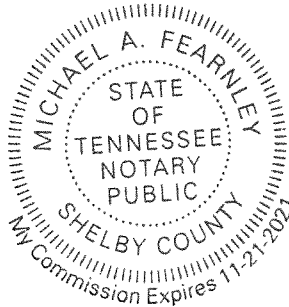
State of Tennessee
County of Shelby

On this the 6th day of October, 2020, personally appeared before me, **Michael A. Fearnley**, a Notary Public for this county and state, **Matthew Bradsher**, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary Public

My Commission Expires: 11/21/2021





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.

21007666

01/20/2021 - 03:33:30 PM

4 PGS

KRISTIN 2159332-21007666

VALUE	200000.00
MORTGAGE TAX	0.00
TRANSFER TAX	740.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	765.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

Instrument Prepared by:
Apperson Crump, PLC
6000 Poplar Avenue – Suite 150
Memphis, TN 38119
File Number: AC20120090KW

After Recording Return To:
Apperson Crump, PLC
6000 Poplar Avenue
Suite 150
Memphis, TN 38119

Warranty Deed

THIS INDENTURE made and entered into as of this 14th day of January, 2021, by and between Kristina T. Pham, Trustee of Kristina T. Pham, Trustee of Kristina T. Pham Revocable Living Trust dated April 6, 2015, (henceforth referred to as “Grantor”), and WO SFR, LLC, a Tennessee Limited Liability Company, (henceforth referred to as “Grantee”),

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the said Grantor has bargained and sold and does hereby bargain, sell, convey and grant all of its interest in the following described real estate situated and being in Shelby County, Tennessee:

The east 50 feet of the west 76.5 feet of Lot 8, Block 11, Madison Heights Subdivision, more particularly described as follows: Beginning at a stake in the north line of Monroe Avenue 126.5 feet east of the east line of Cleveland Street; thence east with the north line of Monroe Avenue 50 feet to a stake; thence north parallel with Cleveland Street 154.6 feet to a stake in the south line of an alley; thence west with said south line 50 feet to a stake; thence south 154.6 feet to the point of beginning.

Being the same property conveyed to Kristina T. Pham, Trustee of Kristina T. Pham Revocable Living Trust by Quitclaim Deed dated April 10, 2015, recorded May 1, 2015, in Instrument Number 15040428, in the Official Records of Shelby County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining, unto the said Grantee, his, her, its, successors and assigns in fee simple forever.

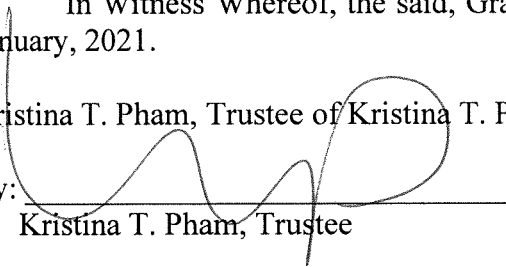
And the Grantor does hereby covenant with the said Grantee that he, she, they, it is lawfully seized in fee of the aforescribed real estate; that Grantor has a good right to sell and convey the same; that the same is unencumbered except for the following: Subject to 2021 City and County taxes not yet due and payable. Deed Restrictions of record at Book 1741, Page 270, in said Register's Office.

WARRANTY DEED

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

In Witness Whereof, the said, Grantor(s), has executed this instrument this 14th day of January, 2021.

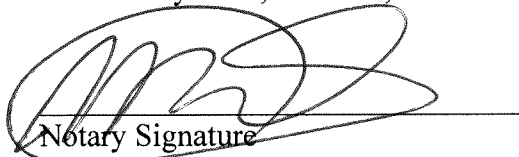
Kristina T. Pham, Trustee of Kristina T. Pham Revocable Living Trust dated April 6, 2015

By: 
Kristina T. Pham, Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

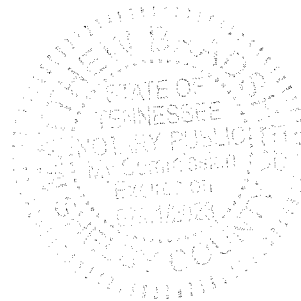
On this 14th day of January, 2021, before me personally appeared Kristina T. Pham, Trustee of Kristina T. Pham, Trustee of Kristina T. Pham Revocable Living Trust dated April 6, 2015, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

Witness my hand, at office, this 14th day of January, 2021.


Notary Signature

My commission expires:

01-01-2023



WARRANTY DEED

State of Tennessee
County of Shelby

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is \$200,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this 4 day of January, 2021.

Notary Public

My Commission Expires: 01-28-2024

New Owner's Name & Address and Mail tax bills to:

WO SFR, LLC

5400 Poplar Ave, Suite 210

Memphis, TN 38119

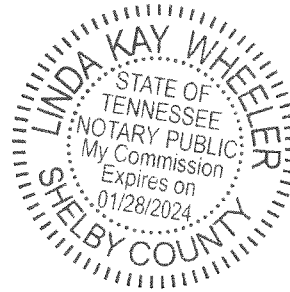
Property Address(es):

1362 Monroe Avenue, Memphis, TN 38104

1368 Monroe Avenue, Memphis, TN 38104

Tax Parcel ID #(s):

017014 00016



WARRANTY DEED

I, **Robert E. Tribble, Jr.**, 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.

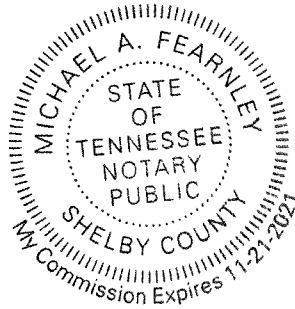
Signature

State of Tennessee
County of Shelby

On this the 19th day of January, 2021, personally appeared before me, **Michael A. Fearnley**, a Notary Public for this county and state, **Robert E. Tribble, Jr.**, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary Public

My Commission Expires: 11/21/2021



October 11, 2021

You are invited to a neighborhood meeting to discuss the **Special Use Permit for 1362 & 1368 Monroe Ave** application filed with the Memphis and Shelby County Division of Planning and Development. The site is on the north side of Monroe Ave. between Cleveland and Watkins Streets. The request is for a multi-family quadplex development.

The complete application can be found at:

<https://shelbycountyttn.gov/ArchiveCenter/ViewFile/Item/10853>

S.U.P. 2021-028

NEIGHBORHOOD MEETING NOTICE

ONLINE ONLY

Date: Thursday, October 28, 2021

Time: 5:30 – 6:30 pm

Via Zoom: <https://tinyurl.com/b4dbcrev> (type this Zoom link into your browser OR download the zoom app on your device and type in the numbers below)

Meeting ID: 852 8102 0043

Passcode: 600254

For Audio Only: To join without video dial 1- 312-626-6799, follow the prompts for participants and use the meeting ID and passcode from above.

The Special Use Permit application will also be heard at the Land Use Control Board meeting:

Date: Wednesday, November 10, 2021

Time: 9:00 a.m.

Place: In person at 125 N. Main Street, Memphis, TN 38103 in the Council Chambers

If you have questions regarding this application, you may contact:

Tim McCaskill
The Reaves Firm
901-761-2016
timccaskill@reavesfirm.com

Jeffrey Penzes
Division of Planning and Development
901-636-6619
Jeffrey.Penzes@memphistn.gov

5705 Johnston LLC
408 Worth Avenue
Lafayette, LA 70508-6637

Alcaza LLC
1099 Harpeth Drive
Memphis, TN 38134-8027

American National Red Cross
600 Forest Point Circle, Ste. A
Charlotte, NC 28273-5736

Bryant Lois & Cleophus
3678 Twinmont Cove
Memphis, TN 38128-3100

Cardinal Health 414 LLC
P O Box 163306
Columbus, OH 43216-3306

Cavallo Charles S
1400 Union Avenue
Memphis, TN 38104-3623

Cavallo Enterprises LLC
1400 Union Avenue
Memphis, TN 38104-3623

Chau Von Sa And Phuoc Pham
1867 Banstead Cove
Cordova, TN 38016-2335

Cooper Florence T Trust
999 Bishop Street, 3rd Floor
Honolulu, HI 96813-4424

First TN Bank NA
1755 Lynnfield Road, Bldg. D
Memphis, TN 38119-7243

Gloss Nailbar LLC
1350 Monroe Avenue
Memphis, TN 38104-3631

Halcyon Living II LLC
75 E. Santa Clara Street, 6th Floor
San Jose, CA 95113-1827

HEO Incorporated
677 Hunting Hills Drive
Braselton, GA 30517-5047

Hernandez Dominga S Living Trust
318 Grove Hill Place
Memphis, TN 38120-2340

Jake Investments LLC
256 Angelus Street
Memphis, TN 38112

JPMG LLC
346 Angelus Street
Memphis, TN 38112-5204

Kirsch David Revocable Trust
1 Daniel Burnham Court, Apt. 305
San Francisco, CA 94109-5456

Madison Ave Partners (PSO)
756 E. Brookhaven Circle
Memphis, TN 38117-4502

Medical Education And Research
Institute
44 S. Cleveland Street
Memphis, TN 38104-3503

Memphis Revival Ministries LLC
1400 Madison Avenue
Memphis, TN 38104-2327

Migliara Lawrence
3254 Winbrook
Memphis, TN 38116

Msdg Memphis Downtown LLC
5501 Virginia Way, Ste. 110
Brentwood, TN 37027-7684

Olymbec USA LLC
333 Decarie Boulevard, 3rd Floor
Montreal, QC H4N 3M9, Canada

Pham Kristina T And Moncia Pham
9301 Riveredge Drive
Cordova, TN 38018-7737

Pham Monica
1165 Harbor River Drive
Memphis, TN 38103-8973

Ragsdale Duncan E
1415 Madison Avenue
Memphis, TN 38104

RI CK2 LLC
P O Box 52427
Atlanta, GA 30355-0427

Robilio Marshall J And Charles J
Robilio
5021 Robindale Lane
Memphis, TN 38117-2717

Schneider Robert
1660 N. Parkway
Memphis, TN 38112-4939

Skefos James J And Harry Valsamis
(PSO)
2884 Walnut Grove Road
Memphis, TN 38111-2714

Skefos Valsamis And Consolidated
(PSO)
2884 Walnut Grove Road
Memphis, TN 38111

Society Of St. Vincent Depaul Of
Memphis
1440 Poplar Avenue
Memphis, TN 38104

Store Master Funding XII LLC
1417 Monroe Avenue
Memphis, TN 38104-3634

Teen Challenge Of Memphis
Incorporated
33 N. Cleveland Street
Memphis, TN 38104-2301

Tran Ann & Martin Van Ho
1350 Madison Avenue
Memphis, TN 38104-2327

Twin Trees Holdings I LLC
4085 NW 58th Lane
Boca Raton, FL 33496-2753

Union Avenue 1355 Center LLC
760 Briscoe Blvd
Lawrenceville, GA 30046

Urbina Flor Idalia Guevara
1322 Madison Avenue
Memphis, TN 38104-2324

Waterford Express LLC
403 Northpointe Lake Drive
Oxford, MS 38655-7716

Yochum Revocable Living Trust
P O Box 42081
Memphis, TN 38174-2081

Christine Donhardt
The Reaves Firm
6800 Poplar Ave, Ste 101
Memphis, TN 38138

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The Reaves Firm
6800 Poplar Ave, Ste 101
Memphis, TN 38138

WO SFR LLC
5400 Poplar Avenue, Ste. 210
Memphis, TN 38119-3670

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WO SFR LLC
5400 Poplar Avenue, Ste. 210
Memphis, TN 38119-3670

Councilman Smiley, Jr.
Memphis City Council Super Dist 8-1
125 N. Main Ste 514
Memphis, TN 38103

Councilwoman Johnson
Memphis City Council Super Dist 8-2
125 N. Main Ste 514
Memphis, TN 38103

Councilman Jones
Memphis City Council Super Dist 8-3
125 N. Main Ste 514
Memphis, TN 38103

Councilman Ford, Sr.
Memphis City Council Dist 6
125 N. Main Ste 514
Memphis, TN 38103

Resident
1303 Madison Avenue
Memphis, TN 38104

Resident
1306 Monroe Avenue
Memphis, TN 38104

Resident
1312 Union Avenue
Memphis, TN 38104

Resident
1316 Madison Avenue
Memphis, TN 38104

Resident
15 S. Cleveland Street
Memphis, TN 38104

Resident
1329 Madison Avenue
Memphis, TN 38104

Resident
1330 Monroe Avenue
Memphis, TN 38104

Resident
1331 Union Avenue
Memphis, TN 38104

Resident
1335 Madison Avenue
Memphis, TN 38104

Resident
1338 Union Avenue
Memphis, TN 38104

Resident
1340 Madison Avenue
Memphis, TN 38104

Resident
1348 Madison Avenue
Memphis, TN 38104

Resident
1349 Monroe Avenue
Memphis, TN 38104

Resident
15 Watkins Street
Memphis, TN 38104

Resident
16 S. Cleveland Street
Memphis, TN 38104

Resident
1351 Madison Avenue
Memphis, TN 38104

Resident
1355 Union Avenue
Memphis, TN 38104

Resident
1356 Union Avenue
Memphis, TN 38104

Resident
1358 Monroe Avenue
Memphis, TN 38104

Resident
1362 Union Avenue
Memphis, TN 38104

Resident
1370 Madison Avenue
Memphis, TN 38104

Resident
1370 Union Avenue
Memphis, TN 38104

Resident
1374 Madison Avenue
Memphis, TN 38104

Resident
1377 Court Avenue
Memphis, TN 38104

Resident
1377 Union Avenue
Memphis, TN 38104

Resident
1378 Union Avenue
Memphis, TN 38104

Resident
1381 Madison Avenue
Memphis, TN 38104

Resident
1384 Madison Avenue
Memphis, TN 38104

Resident
1388 Madison Avenue
Memphis, TN 38104

Resident
1391 Court Avenue
Memphis, TN 38104

Resident
1391 Madison Avenue
Memphis, TN 38104

Resident
27 N. Cleveland Street
Memphis, TN 38104

Resident
1400 Union Avenue
Memphis, TN 38104

Resident
1407 Union Avenue
Memphis, TN 38104

Resident
1411 Madison Avenue
Memphis, TN 38104

Resident
1412 Madison Avenue
Memphis, TN 38104

Resident
1412 Monroe Avenue
Memphis, TN 38104

Resident
32 N. Cleveland Street
Memphis, TN 38104

Resident
1473 Monroe Avenue
Memphis, TN 38104

Resident
1420 Union Avenue
Memphis, TN 38104

Resident
1428 Monroe Avenue
Memphis, TN 38104