

WHEREAS, Transit Equity Day is a national day of action to commemorate the February 4 birthday of Rosa Parks, an iconic figure in the movements for social justice and racial equality, who played a major role in the inception of the Civil Rights movement; and

WHEREAS, Transit Equity Day highlights Rosa Parks' 1955 pivotal work and her brave and determined advocacy for safe and reliable public transportation for all people and communities both then and today; and

WHEREAS, Transit Equity Day is a day of action recognized to collaborate and elevate the message that public transit is a strategy to combat climate change and that public transit promotes affordable, accessible, clean, and safe transportation alternatives for all; and

WHEREAS, the City of Memphis, as part of its **Transit Vision Plan**, values sustainability and equity, and desires to provide safe, functional, and accessible infrastructure and services that are environmentally sensitive and sustainable; and

NOW, THEREFORE BE IT RESOLVED that the Memphis City Council do hereby proclaim Friday, February 4, 2022, as

“Transit Equity Day”

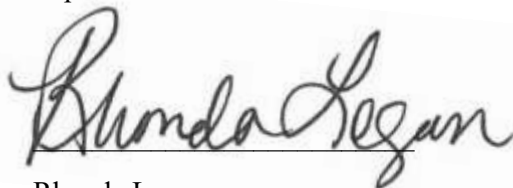
and urge citizens of Memphis to remember and celebrate the invaluable work of Rosa Parks and continue to find the means to create conditions for all people to thrive and proactively address disparities in health, mobility, social and economic prosperity.

BE IT FURTHER RESOLVED that the Memphis City Council urge the citizens of Memphis to attend and support the Transit Equity Day Community Forum on February 4, 2022, at 2:30 p.m. organized by MICAH (Memphis Interfaith Coalition for Action and Hope) and the Sierra Club Tennessee Chapter, and also to support other transit support activities organized by BLDG Memphis and Rhodes College.

Given by my hand and under the
great seal of the City of Memphis
this 1st day of February, 2022.



Ford Canale
Memphis City Council Member
Super District 9-2



Rhonda Logan
Memphis City Council Member
District 7



Jamita Swearingen
Memphis City Council Chairwoman
District 4

WHEREAS, from time to time, the Memphis City Council has seen fit to name certain public roads to honor individuals worthy of recognition – the legacy of Memphis musician, **Jimi Jamison** representing one of these worthy occasions; and

WHEREAS, **Jimi Jamison’s** story is special as he represents an invaluable piece of the Memphis musical patchwork, using his voice to contribute to our City’s unrivaled roster of creative citizens; and

WHEREAS, having attended Sherwood Middle School and being a proud graduate of Messick High School, **Jimi Jamison** collaborated with his classmates from a young age, and realized his potential for artistic success almost immediately; at age seventeen, his teenage band released a hit single that attracted national renown; the song, “If I Cry,” led the group to be signed by Atlantic Records; and

WHEREAS, although the initial good fortune was short-lived, **Jimi Jamison** subsequently matriculated at the University of Memphis to study Radio, TV, and Journalism; while committed to his studies, he never lost sight of his goal to be a professional singer; and

WHEREAS, evoking the tenacious spirit central to the hearts and minds of Memphians of every stripe, **Jimi Jamison** never gave up on his dream; ultimately, his natural talent, willingness to hone his craft, and relentless drive paid off as he soon sang with the band Target and found himself signed to A&M Records; during this time, he stood out for his ability to carry melodies with a unique passion; and

WHEREAS, the adage rings true, “the cream always rises to the top,” so did **Jimi Jamison** and he was subsequently recruited to be the lead singer of the band Survivor; with his ascension into the realm of Rock Stardom, he now had the *band*, he had the *moves*, he had the *look*, and most importantly, *he had the voice*; as a result, his career was cemented in the pantheon of American music; and

WHEREAS, upon review, **Jimi Jamison’s** addition to the band Survivor represented a period of resurgence for the musical group that experienced chart-topping singles and platinum-selling albums; and

WHEREAS, ever creative and independent, after five years with Survivor, **Jimi Jamison** ventured out on his own as a solo artist and sought-after session musician, collaborating with the likes of the Fabulous Thunderbirds, Jeff Healey, and ZZ Top, just to name a few; and

WHEREAS, known to his fans as “The Voice” for his one-of-a-kind vocals, **Jimi Jamison** was a singer whose reputation was well-documented, appreciated, and international in its reach; as such, the Memphis City Council now wishes to posthumously honor **Jimi Jamison** for his contributions to our community and culture.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that appreciation be expressed for the life and legacy of **Jimi Jamison**, whose outstanding musical talent was shared with audiences for nearly 50 years, thereby adding to Memphis’ prominence as a musical city above all others.

BE IT FURTHER RESOLVED that Highland Street between Central Avenue and Southern Avenue be declared

“Jimi Jamison Street”

In honor of the immensely talented **Jimi Jamison**.

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

Adopted: Tuesday, February 1, 2022



Worth Morgan
Memphis City Council
District 5



Jamita Swearengen
Memphis City Council Chairwoman
District 4

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 02/01/2022

DATE

PUBLIC SESSION: 02/01/2022

DATE

ITEM (CHECK ONE)

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

ITEM DESCRIPTION: A resolution approving a Special Use Permit. The item was heard and a recommendation was made by the Memphis & Shelby County Land Use Control Board.

CASE NUMBER: SUP 21-36

DEVELOPMENT: 150-foot Monopole Communications (CMCS) Tower

LOCATION: 1609 Corning Avenue

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

OWNER/APPLICANT: Jerry L. Grantham

REPRESENTATIVE: Lou Katzerman, TVT II, LLC – Tower Ventures

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

REQUEST: To allow a 150-foot Monopole Communications (CMCS) Tower

AREA: +/-1.52 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
01/13/2022	DATE
(1) Land Use Control Board	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE



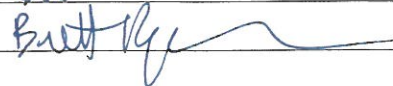
FUNDING:

(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>
	1/19/2022	PRINCIPAL PLANNER
		DEPUTY ADMINISTRATOR
	1/20/22	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 21-36

Resolution requesting a 150-foot Monopole Communications (CMCS) Tower:

- 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): Jerry L. Grantham and Representative(s): Lou Katzerman, TVT II, LLC – Tower Ventures; 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 1609 CORNING AVE, KNOWN AS CASE NUMBER SUP 21-36.**

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, TVT II, LLC (Tower Ventures) filed an application with the Memphis and Shelby County Office of Planning and Development to allow a 150-foot Monopole Communications (CMCS) Tower; 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 January 13, 2022 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.

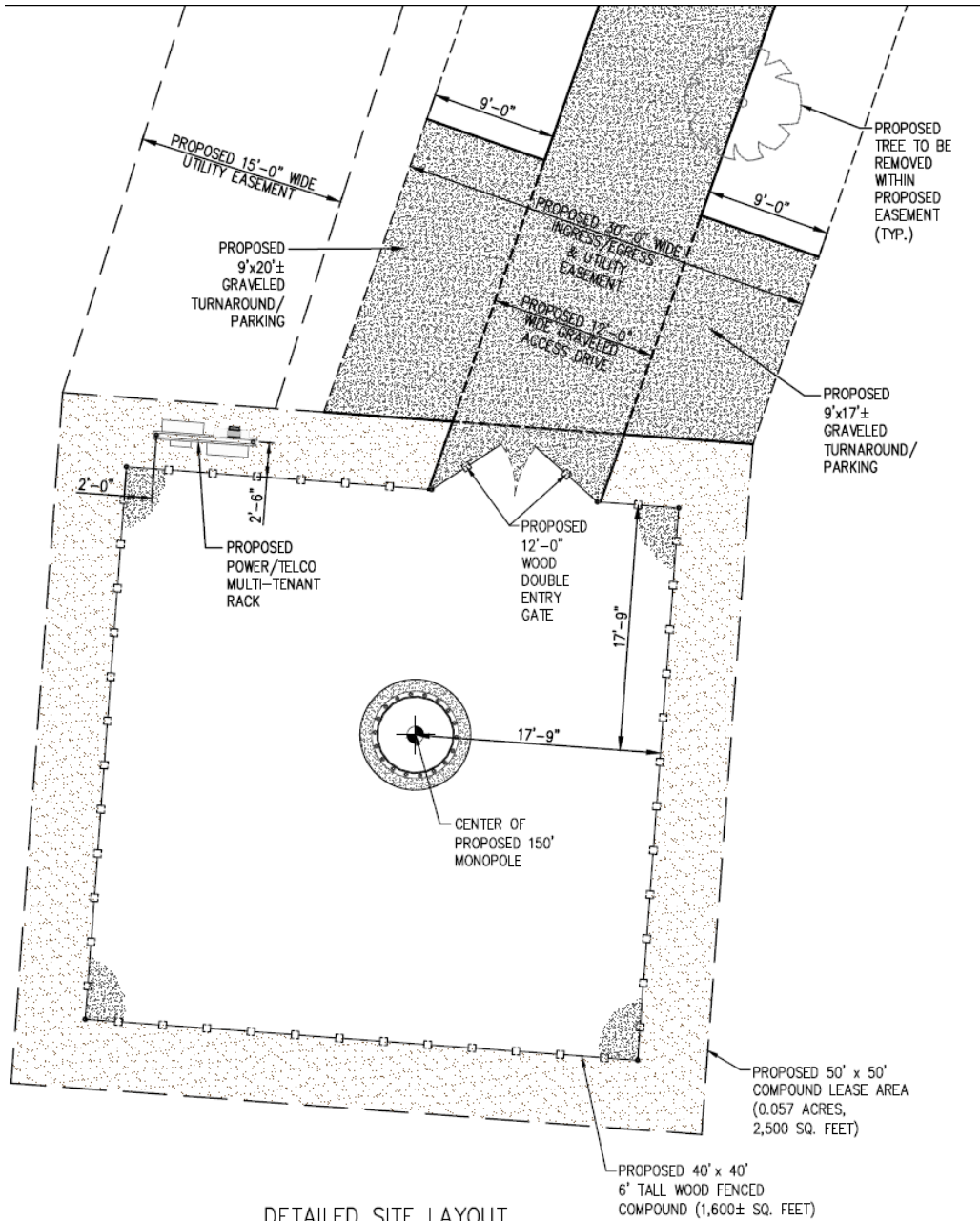
ATTEST:

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

CONDITIONS

1. The site shall preserve and maintain as much of the existing mature trees as coverage to this location to meet the landscaping requirements.
2. The equipment compound shall be enclosed by a 6-foot wooden privacy around the lease area to conceal the ground equipment. The compound gates will be wooden as well.
3. The maximum tower height shall be one-hundred fifty (150) feet Monopole Communications (CMCS) tower.
4. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
5. The tower shall be constructed within two (2) years of approval by the Memphis City Council. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five hundred feet (500') feet of the property.
6. Any interference with Memphis-Shelby County emergency communications by a station using this tower shall be the responsibility of the station and tower owner to remedy.

SITE PLAN



DETAILED SITE LAYOUT
(SCALE: 1" = 10'-0")

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on ***Thursday, January 13, 2022***, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 21-36

LOCATION: 1609 Corning Avenue

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

OWNER/APPLICANT: Jerry L. Grantham

REPRESENTATIVE: TVT II, LLC -Tower Ventures

REQUEST: To allow a 150-foot Monopole Communications (CMCS) Tower

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

AREA: +/-1.52 acres

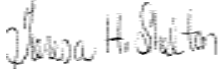
The following spoke in support of the application: None

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 9 - 0 on the consent agenda.

Respectfully,



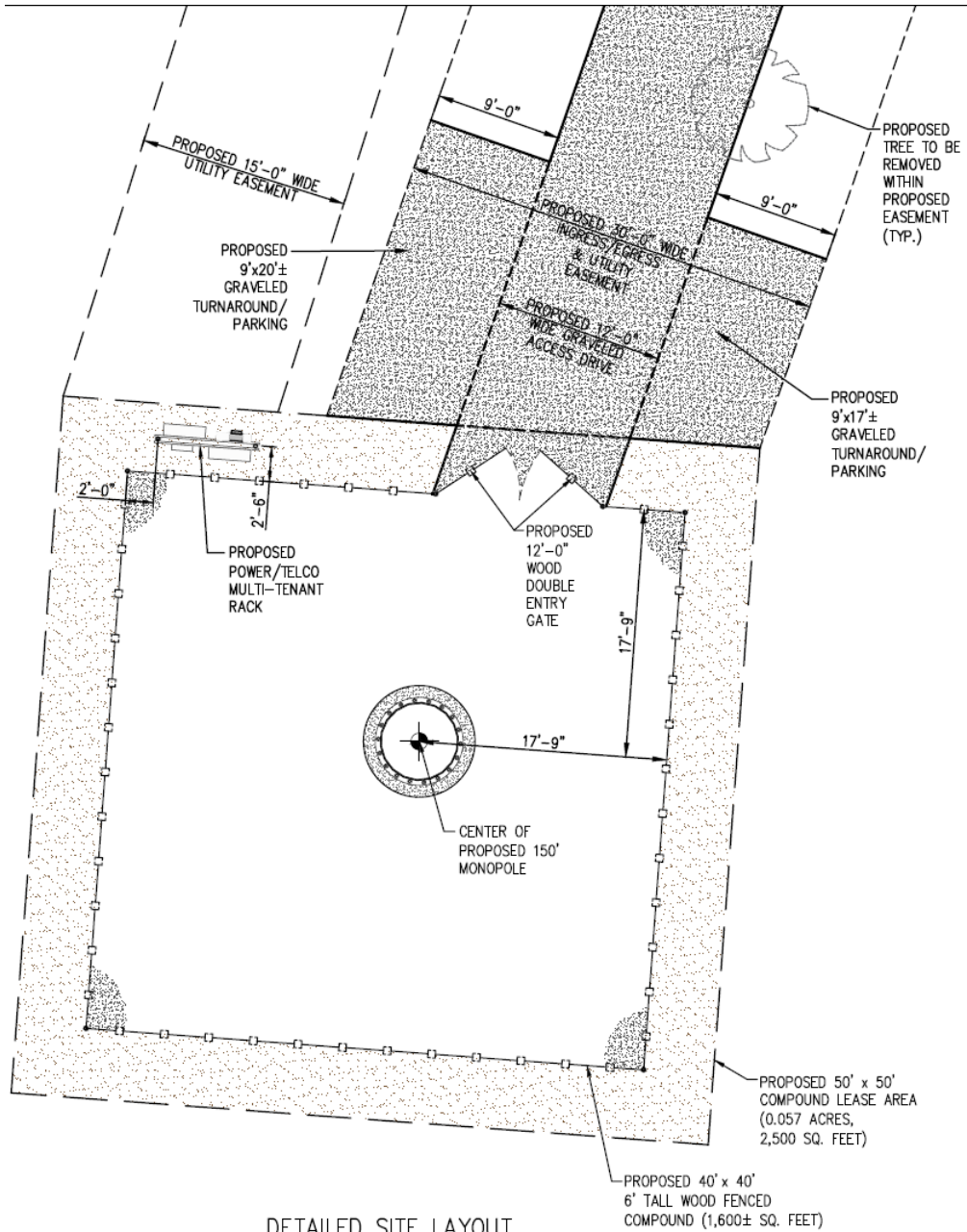
Teresa H. Shelton
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SUP 21-36
CONDITIONS

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2. The equipment compound shall be enclosed by a 6-foot wooden privacy around the lease area to conceal the ground equipment. The compound gates will be wooden as well.
3. The maximum tower height shall be one-hundred fifty (150) feet Monopole Communications (CMCS) tower.
4. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
5. The tower shall be constructed within two (2) years of approval by the Memphis City Council. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five hundred feet (500') feet of the property.
6. Any interference with Memphis-Shelby County emergency communications by a station using this tower shall be the responsibility of the station and tower owner to remedy.

SITE PLAN



DETAILED SITE LAYOUT
(SCALE: 1" = 10'-0")

AGENDA ITEM: 12

CASE NUMBER: SUP 21-36 **L.U.C.B. MEETING:** January 13, 2022

LOCATION: 1609 Corning Ave.

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

OWNER/APPLICANT: Jerry L. Grantham/TVT II, LLC – Towers Ventures

REPRESENTATIVE: Lou Katzerman, Zoning Manager

REQUEST: 150-foot Monopole Communications (CMCS) Tower

AREA: +/-1.52 acres in total

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

CONCLUSIONS

1. The request is for a 150-foot Monopole Communications (CMCS) tower within a Residential Single-Family – 6 (R-6) zoning district.
2. Staff agrees the approval criteria in regard to special use permits as set out in the Unified Development Code Section 9.6.9 are met.
3. Staff agrees the requirements for special use permits for cell towers as set out in the Unified Development Code Paragraph 2.6.2I(1) are met.
4. The proposal will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, and other matters affecting the safety, and general welfare of the community.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 Plan does not provide recommendations related to cell towers.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: Corning Avenue +/-150.7 curvilinear feet

Zoning Atlas Page: 1730

Parcel ID: 070053 00002

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

NEIGHBORHOOD MEETING

The meeting was held at 5:30 PM to 6:30 PM on Monday, January 3, 2022, at the Temple of Praise Ministries, located at 1738 Winston Dr., Memphis, TN 38127.

There were no attendees present

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 98 notices were mailed on December 29, 2021, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

Sign Affidavit for S.U.P. Case Number: 21-036



MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT
CITY HALL, 125 N. MAIN STREET, SUITE 400; MEMPHIS, TN 38103-2084; (901) 636-6619

PUBLIC NOTICE

AN APPLICATION HAS BEEN FILED FOR A SPECIAL USE PERMIT ON THIS PROPERTY.

A PUBLIC HEARING WILL BE HELD.


CASE NO: SUP 2021-036

INFORMATION: 636-6619

DEFACING, TAMPERING WITH OR REMOVAL OF THIS SIGN BY ANYONE OTHER THAN THE PROPERTY OWNER OR HIS AGENT IS PROHIBITED BY CITY OF MEMPHIS & SHELBY COUNTY ORDINANCES

County of Shelby
State of Tennessee

I, Louis B. Katzerman, being duly sworn, depose and say that at approximately 09:30 am on the 31st day of December 2021 I posted one (1) Public Notice Sign pertaining to Case No. SUP 21-036 at 1609 Corning Ave Memphis, TN 38127 (Parcel ID #0700053 00002), providing notice of a Public Hearing before the Land Use Control Board (Hearing on January 13th, 2022) for consideration of a proposed SUP/CMCS Tower Request and one (1) photograph of said sign.


TVT II, LLC (Tower Ventures), Applicant
Louis Katzerman, Sr. Zoning Manager

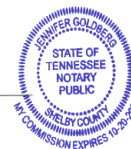
12/31/2021
Date

Subscribed and sworn to before me this 31st day of December 2021

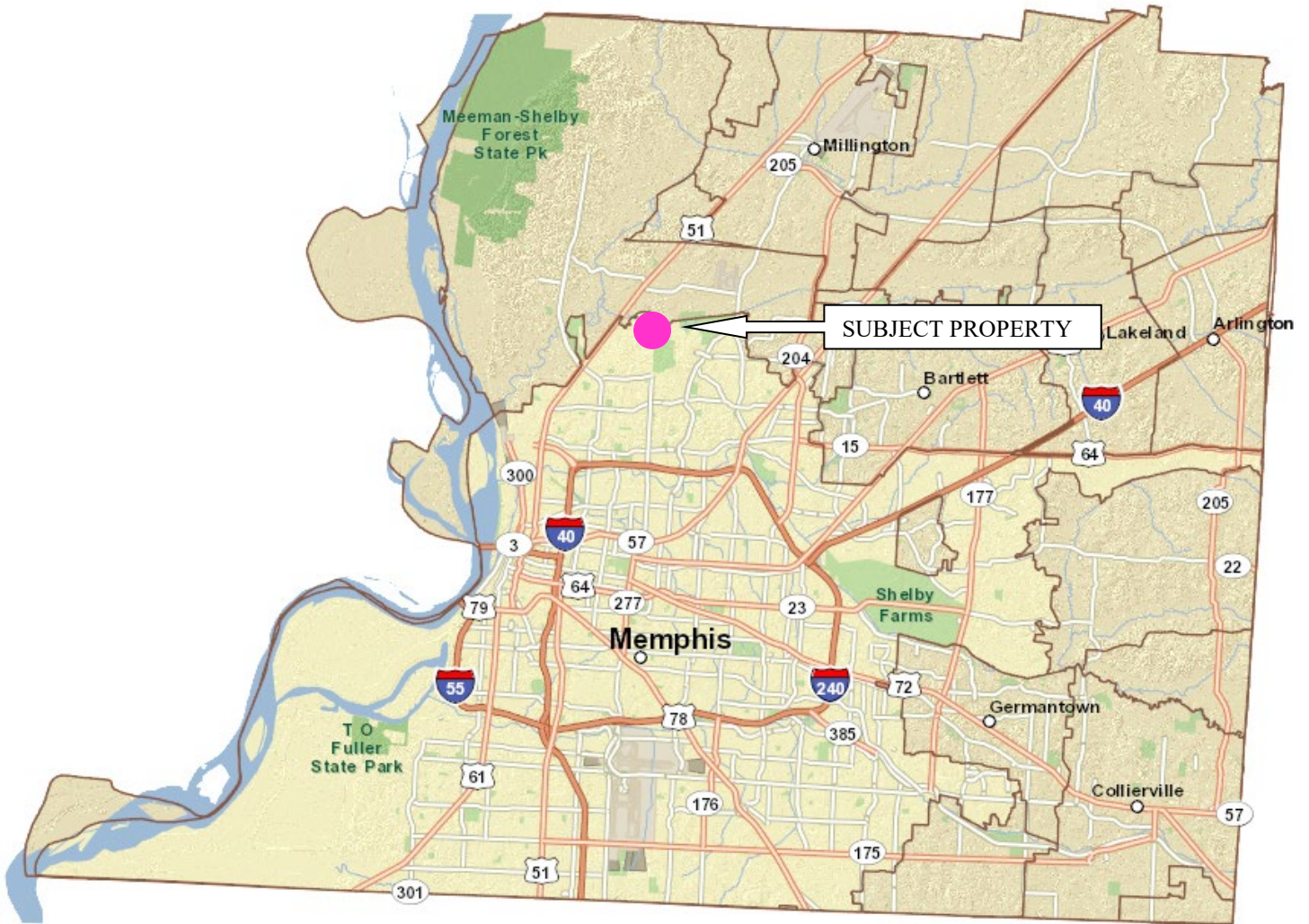

Notary Public

My Commission Expires:

10/20/24

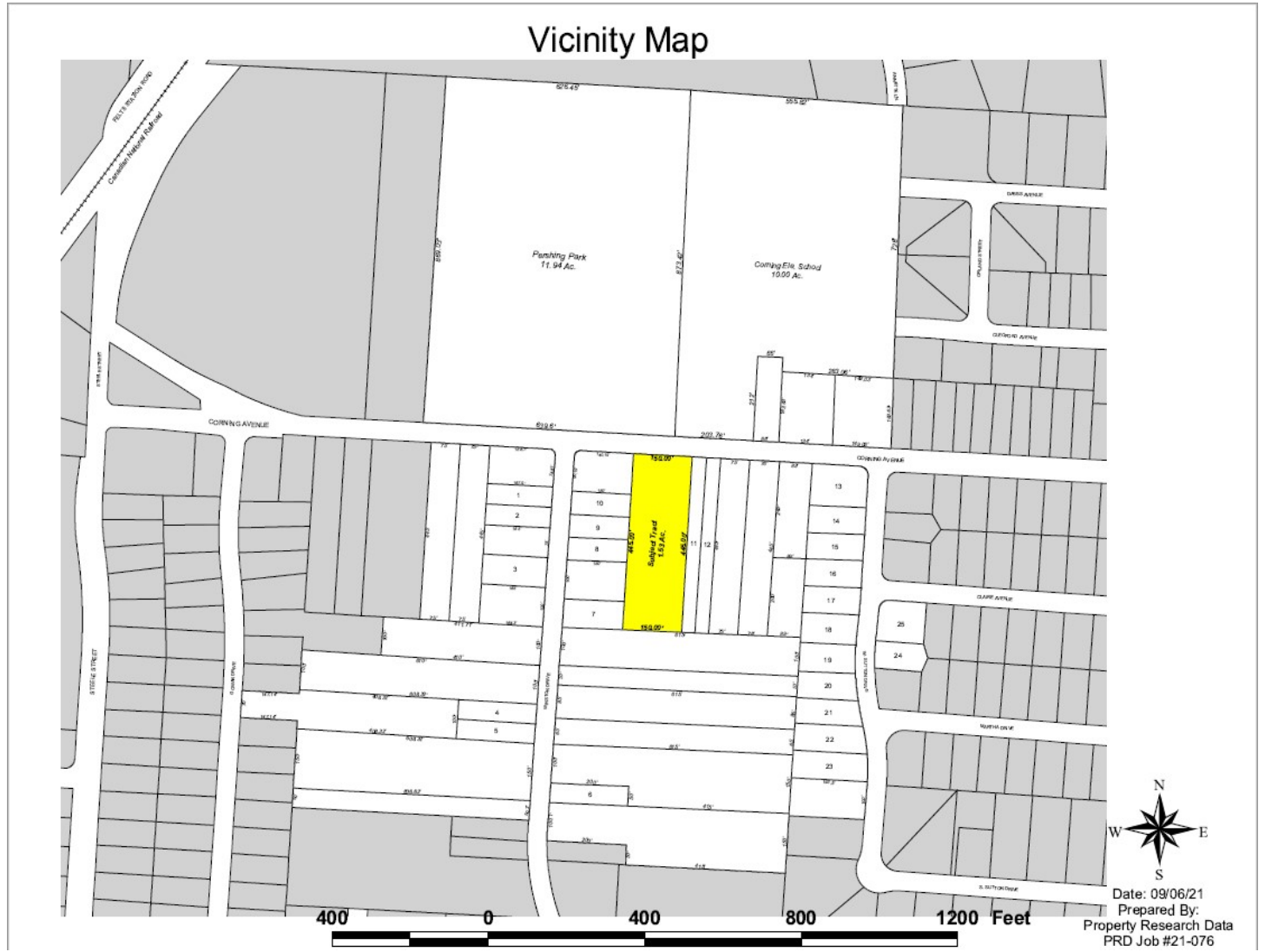


LOCATION MAP



Subject property located within the pink circle

VICINITY MAP



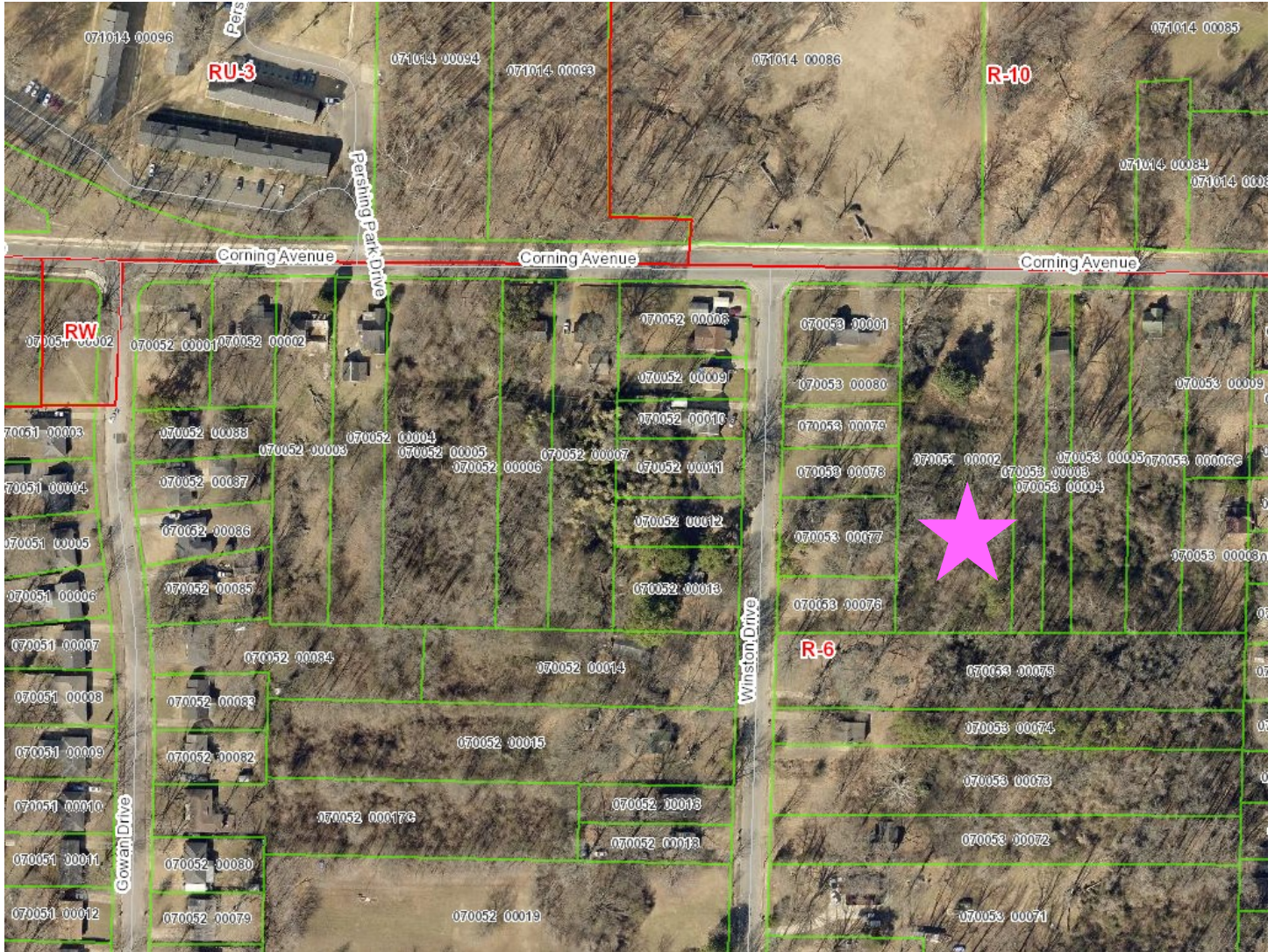
Site highlighted in yellow

AERIAL



Subject property outlined in orange

ZONING MAP



Subject property indicated by a pink star

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

Surrounding Zoning

North: R-10

East: R-6










South: R-6

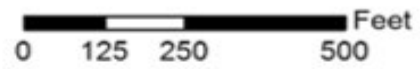
West: R-6, RW

LAND USE MAP



LandUse

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



Subject property indicated by a pink star

SITE PHOTOS



View of proposed site looking north

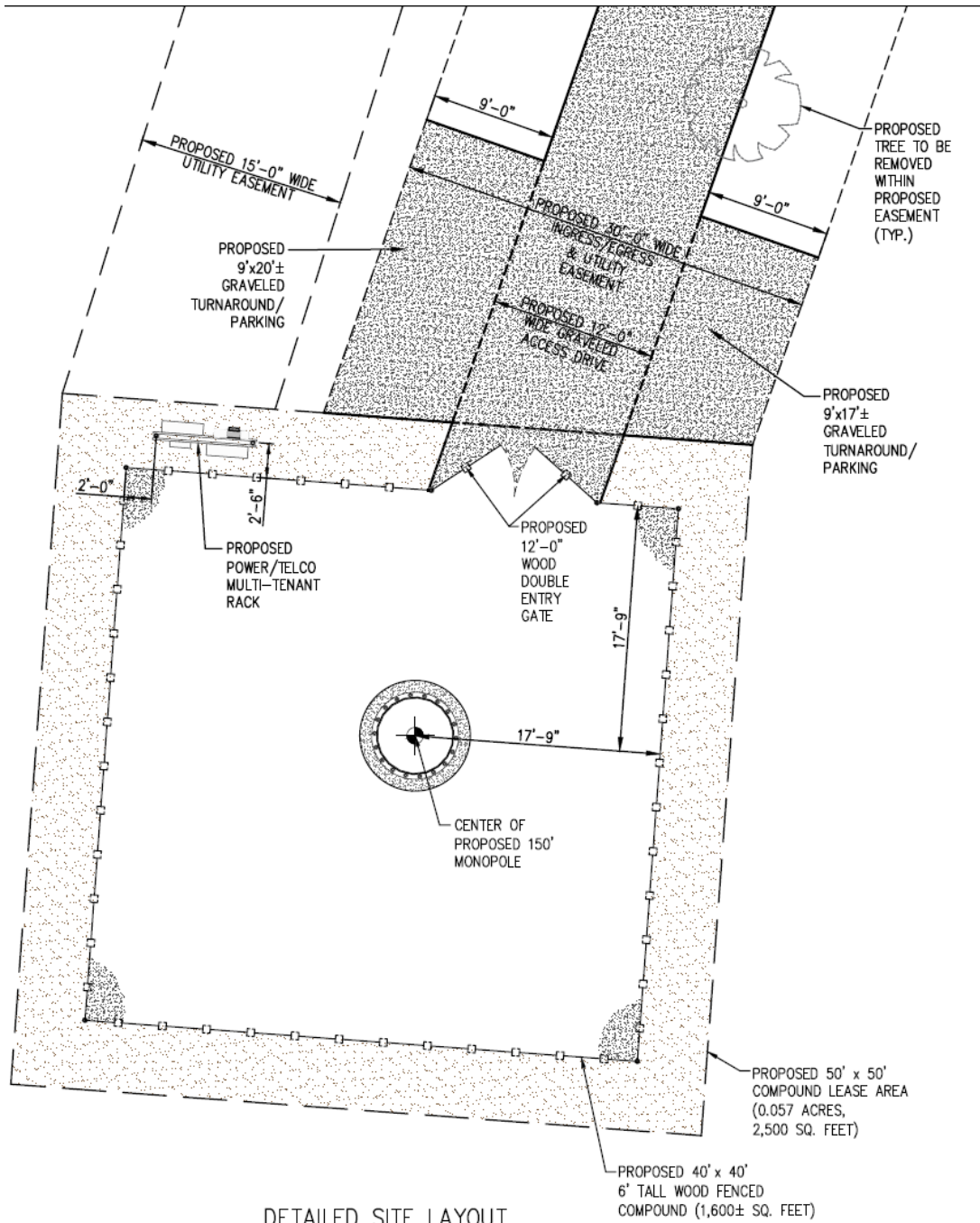


View of proposed site looking northwest



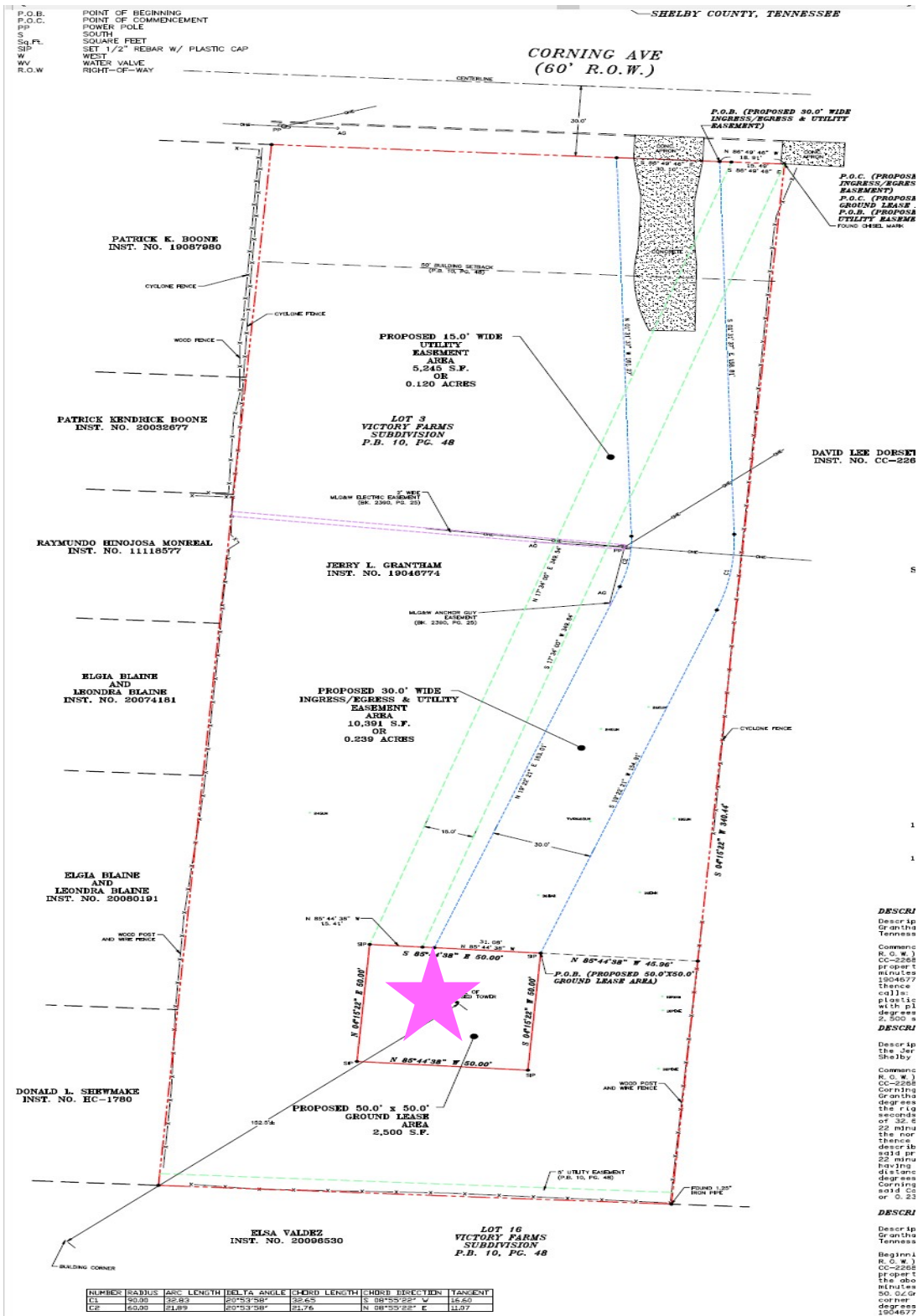
View of proposed site location up-close

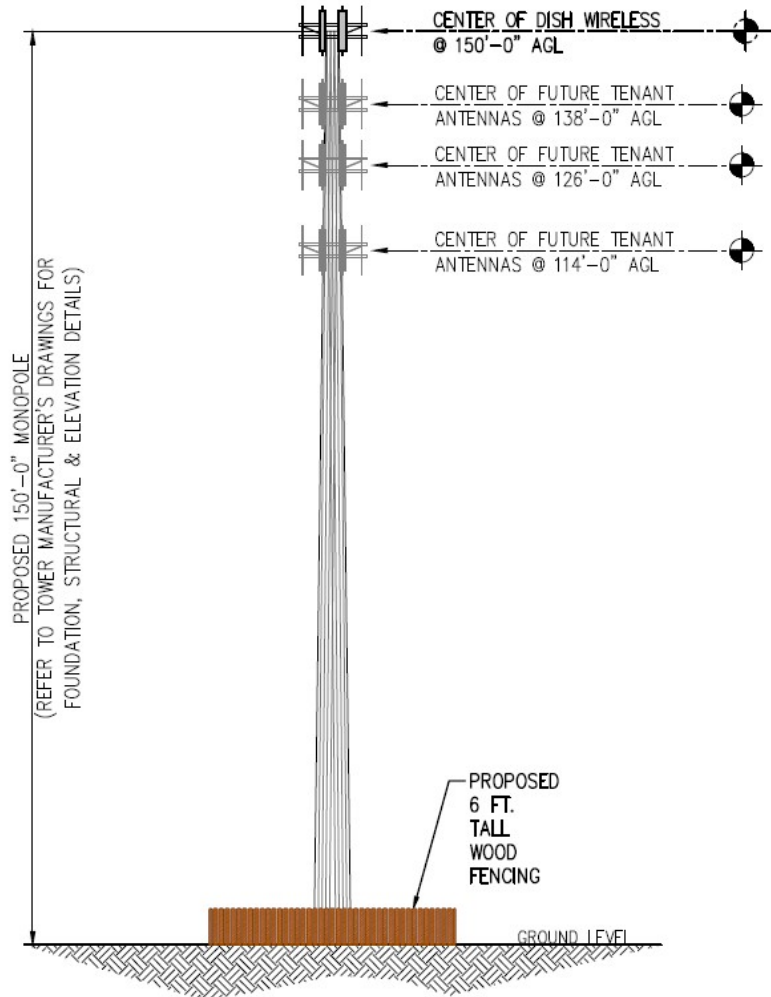
DETAILED SITE LAYOUT



DETAILED SITE LAYOUT
(SCALE: 1" = 10'-0")

PROPOSED GROUND LEASE AREA





150' MONOPOLE ELEVATION
(SCALE: 1" = 30'-0")

COVERAGE SUMMARY



NAMEM00421A- Coverage

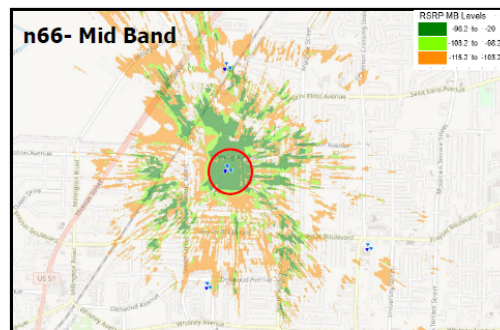
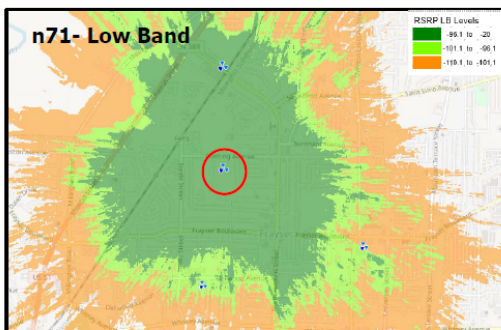
September 13th, 2021

Summary:

- Predictions were run on site NAMEM00421A located at Lat: 35.224150 and long: -90.00930
- Site covers a total of 21,105 Pops on Low Band and 4,574 Pops on Mid band

Pops Count- Best Server Site Level:

Best Server for Site MEM00421A	Low Band (n71) Traffic Counts (Subscribers)	Mid Band (n66) Traffic Counts (Subscribers)
NAMEM00421A	21,104.81	4,573.78



Description of a Proposed 50.0' x 50.0' Ground Lease Area on part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Commencing at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence south 04 degrees 15 minutes 22 seconds west with the west line of said property recorded in Instrument No. CC-2268, 340.44 feet; thence north 85 degrees 44 minutes 38 seconds west across the Jerry L. Grantham property recorded in Instrument No. 19046774, 45.96 feet to a set 1/2" rebar with plastic cap and the Point of Beginning; thence continuing across said property recorded in Instrument No. 19046774 the following calls: south 04 degrees 15 minutes 22 seconds west, 50.00 feet to a set 1/2" rebar with plastic cap; north 85 degrees 44 minutes 38 seconds west, 50.00 feet to a set 1/2" rebar with plastic cap; north 04 degrees 15 minutes 22 seconds east, 50.00 feet; south 85 degrees 44 minutes 38 seconds east, 50.00 feet to the point of beginning and containing 2,500 square feet of land.

Description of a Proposed 30.0' Wide Ingress/Egress and Utility Easement across part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Commencing at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence north 86 degrees 49 minutes 46 seconds west with the south line of said Corning Ave, 18.91 feet to the Point of Beginning; thence southwardly across the Jerry L. Grantham property recorded in Instrument No. 19046774 the following calls: south 01 degrees 31 minutes 37 seconds east, 158.81 feet to a point of curvature; along a curve to the right having a radius of 90.00 feet, a delta angle of 20 degrees 53 minutes 58 seconds, a chord bearing of south 08 degrees 55 minutes 22 seconds west, a chord distance of 32.65 feet and an arc distance of 32.83 feet to a point of tangency; south 19 degrees 22 minutes 21 seconds west, 154.91 feet to a set 1/2" rebar with plastic cap located at the northeast corner of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 85 degrees 44 minutes 38 seconds west with north line of said above described Proposed 50.0' x 50.0' Ground Lease Area, 31.08 feet; thence northwardly across said property recorded in Instrument No.

19046774 the following calls: north 19 degrees 22 minutes 21 seconds east, 163.01 feet to a point of curvature; along a curve to the left having a radius of 60.00 feet, a delta angle of 20 degrees 53 minutes 58 seconds, a chord distance of 21.76 feet and an arc distance of 21.89 feet to a point of tangency; north 01 degrees 31 minutes 37 seconds west, 161.27 feet to a point in the south line of said Corning Ave; thence south 86 degrees 49 minutes 46 seconds east with the south line of said Corning Ave, 30.10 feet to the point of beginning and containing 10,391 square feet or 0.239 acres of land.

Description of a Proposed 15.0' Wide Utility Easement across part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Beginning at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence south 17 degrees 34 minutes 00 seconds west across the Jerry L. Grantham property recorded in Instrument No. 19046774, 349.84 feet to a point in the north line of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 85 degrees 44 minutes 38 seconds west with the north line of said the above described Proposed 50.0' x 50.0' Ground Lease Area, 15.41 feet to a set 1/2" rebar with plastic cap in the northwest corner the said above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 17 degrees 34 minutes 00 seconds east across said property recorded in Instrument No. 19046774, 349.54 feet to a point in the south line of said Corning Ave; thence south 86 degrees 49 minutes 46 seconds east with the south line of said Corning Ave, 15.49 feet to the point of beginning and containing 5,245 square feet or 0.120 acres of land.

STAFF ANALYSIS

Request

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

The request is for a 150-foot Monopole Communications (CMCS) Tower in a Residential – 6 (R-6) zoning district. The applicant proposes to install a 150-foot Monopole Communications (CMCS) Tower in a 50'x50' lease area enclosed by a 6-foot wooden privacy fence around the lease area to conceal the ground equipment. The compound gates will also be wooden.

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.*

Additional Approval Criteria for CMCS Towers

Staff agrees the requirements for special use permits for cell towers as set out in the Unified Development Code Paragraph 2.6.2I (2) are met.

Item 2.6.2I(2)(b) General Requirements

The location, size and design of such facilities shall be such that minimal negative impacts result from the facility. Any application for a new tower shall not be approved nor shall any building permit for a new tower be issued unless the applicant certifies that the equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or other structure due to one or more of the following reasons:

- 1. The planned equipment would exceed the structural capacity of existing and approved structures, considering existing and planned use of those structures, and those structures cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost.*
- 2. The planned equipment would result in technical or physical interference with or from other existing or planned equipment and the interference cannot be prevented at a reasonable cost.*
- 3. There are no appropriate existing or pending structures to accommodate the planned equipment, taking into account, among other factors, the applicant's system requirements.*
- 4. Other reasons that make it impractical to place equipment planned by the applicant on existing and approved structures.*

Item 2.6.2I(2)(d) Co-Location – CMCS Towers Only

1. Any proposed CMCS tower shall be structurally designed to accommodate at least three additional CMCS sectorized antennas, if at least 100 feet in height, at least five additional CMCS sectorized antennas if at least 150 feet in height, at least six additional CMCS sectorized antennas if at least 170 feet in height. Co-located CMCS antennas shall be placed on a structure in such a manner as to avoid interference with or impairment of operations of existing antennas or other uses.

2. Nothing in these rules and regulations shall obligate the owner of an existing CMCS tower to co-locate additional antennas on such tower or be construed to interfere with or limit the rights of parties to set rent or establish other terms and conditions of the shared use of a CMCS tower or facility.

Consistency with Memphis 3.0

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

The Memphis 3.0 Plan does not provide recommendations related to cell towers.

Conclusions

The request is for a 150-foot Monopole Communications (CMCS) tower within a Residential Single-Family – 6 (R-6) zoning district.

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

Staff agrees the requirements for special use permits for cell towers as set out in the Unified Development Code Paragraph 2.6.2I(1) are met.

The proposal will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, and other matters affecting the safety, and general welfare of the community.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. The site shall preserve and maintain as much of the existing mature trees as coverage to this location to meet the landscaping requirements.
2. The equipment compound shall be enclosed by a 6-foot wooden privacy around the lease area to conceal the ground equipment. The compound gates will be wooden as well.
3. The maximum tower height shall be one-hundred fifty (150) feet Monopole Communications (CMCS) tower.
4. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
5. The tower shall be constructed within two (2) years of approval by the Memphis City Council. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five hundred feet (500') feet of the property.
6. Any interference with Memphis-Shelby County emergency communications by a station using this tower shall be the responsibility of the station and tower owner to remedy.

DEPARTMENTAL COMMENTS

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

City/County Engineer: DATE: 12/21/2021

CASE: SUP-21-036 NAME: Cell Tower

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.

Drainage:

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

City/County Fire Division:	No comments received.
City Real Estate:	No comments received.
City/County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Office of Sustainability and Resilience:	No comments received.
Office of Comprehensive Planning:	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 SPECIAL USE PERMIT
APPROVAL/AMENDMENT**

Date: 12-03-2021

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Jerry L. Grantham Phone #: (901) 267-6389

Mailing Address: 3354 Senic HWY City/State: Memphis, TN Zip 38128

Property Owner E-Mail Address: jrgmthm3012@gmail.com

Applicant: TVT II, LLC - Tower Ventures Phone # (901) 794-9494

Mailing Address: 495 Tennessee Street; Ste: 152 City/State: Memphis, TN Zip 38103

Applicant E- Mail Address: lou@towerventures.com

Representative: Lou Katzerman, Zoning Manager Phone #: (901) 244-4017

Mailing Address: 495 Tennessee Street; Ste: 152 City/State: Memphis, TN Zip 38103

Representative E-Mail Address: lou@towerventures.com

Engineer/Surveyor: Hardy Engineering, INC. C/O Tim Hardy Phone # (205) 655-1427

Mailing Address: 209 Linden Street City/State: Trussville, AL Zip 35173

Engineer/Surveyor E-Mail Address: tim@hardy-engineering.com

Street Address Location: 1609 Coming Ave Memphis, TN 38127

Distance to nearest intersecting street: +/- 2075 ft east, to North Watkins

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>1.52</u>	_____	_____
Existing Zoning:	<u>R-6</u>	_____	_____
Existing Use of Property	<u>Vacant Land</u>	_____	_____
Requested Use of Property	<u>CMCS</u>	_____	_____

Amendment(s): Any revision to an approved Special Use Permit that does not meet the provisions for Major or Minor Modifications shall be proposed as an amendment. Time extensions (see Subsection 9.6.14B of the UDC) to and requests to exceed 24-month limitation on discontinuance (see Subsection 9.6.14C) of approved special use permits shall be processed as major modifications, subject to the provisions of Chapter 9.16.

Yes No

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

Number of Residential Units: NA Bedrooms: NA

Expected Appraised Value per Unit: NA or Total Project: NA

Variations: If the Office of Planning and Development (OPD) determines your submitted site plan requires Board of Adjustment (BOA) action on a particular standard of the Unified Development Code, this application will not be heard by the Land Use Control Board (LUCB) until an application is submitted to the BOA. Once a BOA application is received by OPD, OPD will proceed to send any public notices, including neighborhood meeting notification, for the next available LUCB meeting. Notices will not be sent out prior to a BOA application being received. All neighborhood notification and public notices shall meet the timing provided in Sections 9.3.2 and 9.3.4 of the UDC. In lieu of a BOA application being filed, this application for a Special Use Permit may be replaced with an application for a Planned Development within 14 days of the filing deadline for this application, unless the site is located within the Medical Overlay District (see Sec. 8.2.2D of the UDC). If neither a Board of Adjustment nor a Planned Development application is received within 90 days of the filing deadline for this application, then this application shall be considered defective and withdrawn from any future consideration by the Land Use Control Board.

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

Jerry L. Brantham 10/21/2021 [Signature] 10/21/2021
Property Owner of Record Date Applicant Date

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

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

Pre-Application Conference held on: 11/29/21 with Ms. Twana Shelton

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2). The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

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

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

9.6.9 Special Use Permit Approval Criteria

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

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

- 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).

Proposed Site is located on an 1.53 acre tract. Property is bounded by existing natural tree cover. Site carefully chosen to minimize the impact to the neighborhood. The tower will serve the public health and well being by providing reliable coverage to this area.

- The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations (UDC sub-section 9.6.9B).

Proposed site is located on large, heavily wooded lot with mature trees. Tower will serve growing and busy area.

- 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 (UDC sub-section 9.6.9C).

With over 400,000 daily 911 calls coming from wireless users in America, the proposed site with function as public safety asset.

- 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 (UDC sub-section 9.6.9D).

No. CMCS Towers are heavily regulated in this regard; site will have completed Phase I environmental testing, FAA and FCC compliance and approvals prior to construction.

- The project complies with all additional standards imposed on it by any particular provisions authorizing such use (UDC sub-section 9.6.9E).

Yes, site will kindly comply with all local, state and Federal Cell Tower Requirements and regulations. As noted above, site will comply with UDC Section 2.6.2.1.2.

- The request will not adversely affect any plans to be considered (see UDC Chapter 1.9) or violate the character of existing standards for development of the adjacent properties (UDC sub-section 9.6.9F).

No, does not appear to fall under plans A-AA listed in the UPC Chapter on CMCS Tower regulations.

LETTER OF INTENT

TVT II, LLC - Tower Ventures

Phone: 901 244-4017
495 Tennessee Street
Suite: 152
Memphis, TN 38103

December 2, 2021

Memphis and Shelby County Office of Planning and Development
Memphis City Hall
C/O Mr. Josh Whitehead
Suite # 468
125 North Mid-American Mall
Memphis, TN 38103-2084

RE: Site Name: TN 1033; Winston Drive: **Letter of Intent** for a One Hundred Fifty Foot (150') Monopole Communications ("CMCS") Tower at 1609 Corning Ave, Memphis, TN 38127 (Parcel ID # 070053 00002)

Dear Mr. Whitehead:

TVT II, LLC (Tower Ventures), 495 Tennessee Street, Suite: 152 Memphis, TN 38103 proposes to construct a one hundred fifty Foot (150') CMCS tower at 1609 Corning Ave (Parcel ID #070053 0002) Memphis, TN 38127. The tower will be a Monopole design. It will be built to support cellular communications and wireless data services. Per the UDC, the tower will be designed to support four (4) antenna arrays. The tower will be equipped with a climbing apparatus.

Site equipment will be placed in a Lease area of 50' x 50'. A 6' (six foot) wooden fence will be constructed around the lease area to conceal the ground equipment. The Compound Gates will also be wooden. The site will be concealed from view. Due to the extensive existing mature tree coverage that the parcel at 1609 offers, we are not proposing any additional landscaping. In turn, we plan to preserve as much existing vegetation as possible in lieu of a landscape screen.

There is a need for improved cellular coverage in this area of Memphis. Our client, Dish Network, has provided detailed before and after coverage maps that clearly demonstrate this need. The CMCS equipment planned for the proposed tower cannot be accommodated on any existing structures because there are no appropriate existing structures or pending structures to accommodate the planned equipment, considering, among other factors, the licensees' system requirements. Therefore, the proposed tower is needed so that the licensccs can provide better cellular coverage and can improve its E911 emergency services network. The citizens of Memphis benefit each time a licensee expands its network coverage because each site enhances the licensee's ability to provide emergency response services.

TVT II, LLC - Tower Ventures, appreciates the Memphis and Shelby County Office of Planning and Development's consideration of this application. Please contact me at (901) 244-4017 if you have any questions concerning this application. Many thanks.

Sincerely,



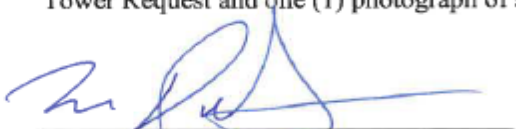
Lou Katzerman
Sr. Site Acquisition and Zoning Manager
TVT II, LLC - Tower Ventures
Office: 901-244-4017
lou@towerventures.com

SIGN AFFIDAVIT

Sign Affidavit for S.U.P. Case Number: 21-036

County of Shelby
State of Tennessee

I, Louis B. Katzerman, being duly sworn, depose and say that at approximately 09.30 am on the 31stth day of December 2021 I posted one (1) Public Notice Sign pertaining to Case No. SUP 21-036 at 1609 Corning Ave Memphis, TN 38127 (Parcel ID #07000053 00002), providing notice of a Public Hearing before the Land Use Control Board (Hearing on January 13th, 2022) for consideration of a proposed SUP/CMCS Tower Request and one (1) photograph of said sign.



TVT II, LLC (Tower Ventures), Applicant
Louis Katzerman, Sr. Zoning Manager

12/31/2021
Date

Subscribed and sworn to before me this 31st day of December 2021



Notary Public

My Commission Expires:

10/20/24



LETTERS RECEIVED

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



Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR SPECIAL USE PERMIT APPROVAL/AMENDMENT

Date: 12-03-2021

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Jerry L. Grantham Phone #: (901) 267-6369

Mailing Address: 3354 Senic HWY City/State: Memphis, TN Zip 38128

Property Owner E-Mail Address: jrgnrnthm3012@gmail.com

Applicant: TVT II, LLC - Tower Ventures Phone # (901) 794-9494

Mailing Address: 495 Tennessee Street; Ste: 152 City/State: Memphis, TN Zip 38103

Applicant E- Mail Address: lou@towerventures.com

Representative: Lou Katzerman, Zoning Manager Phone #: (901) 244-4017

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Street Address Location: 1609 Corning Ave Memphis, TN 38127

Distance to nearest intersecting street: +/- 2075 ft east, to North Watkins

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>1.52</u>	_____	_____
Existing Zoning:	<u>R-6</u>	_____	_____
Existing Use of Property	<u>Vacant Land</u>	_____	_____
Requested Use of Property	<u>CMCS</u>	_____	_____

Amendment(s): Any revision to an approved Special Use Permit that does not meet the provisions for Major or Minor Modifications shall be proposed as an amendment. Time extensions (see Subsection 9.6.14B of the UDC) to and requests to exceed 24-month limitation on discontinuance (see Subsection 9.6.14C) of approved special use permits shall be processed as major modifications, subject to the provisions of Chapter 9.16.

Yes No

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

Number of Residential Units: NA Bedrooms: NA

Expected Appraised Value per Unit: NA or Total Project: NA

Variances: If the Office of Planning and Development (OPD) determines your submitted site plan requires Board of Adjustment (BOA) action on a particular standard of the Unified Development Code, this application will not be heard by the Land Use Control Board (LUCB) until an application is submitted to the BOA. Once a BOA application is received by OPD, OPD will proceed to send any public notices, including neighborhood meeting notification, for the next available LUCB meeting. Notices will not be sent out prior to a BOA application being received. All neighborhood notification and public notices shall meet the timing provided in Sections 9.3.2 and 9.3.4 of the UDC. In lieu of a BOA application being filed, this application for a Special Use Permit may be replaced with an application for a Planned Development within 14 days of the filing deadline for this application, unless the site is located within the Medical Overlay District (see Sec. 8.2.2D of the UDC). If neither a Board of Adjustment nor a Planned Development application is received within 90 days of the filing deadline for this application, then this application shall be considered defective and withdrawn from any future consideration by the Land Use Control Board.

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

Jerry L. Grantham 10/21/2021 [Signature] 10/21/2021
Property Owner of Record Date Applicant Date

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

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

Pre-Application Conference held on: 11/29/21 with Ms. Tanosha Shelton

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2). The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

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

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

9.6.9 Special Use Permit Approval Criteria

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

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

- 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).

Proposed Site is located on an 1.53 acre tract. Property is bounded by existing natural tree cover. Site carefully chosen to minimize the impact to the neighborhood. The tower will serve the public health and well being by providing reliable coverage to this area.

- The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations (UDC sub-section 9.6.9B).

Proposed site is located on large, heavily wooded lot with mature trees. Tower will serve growing and busy area.

- 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 (UDC sub-section 9.6.9C).

With over 400,000 daily 911 calls coming from wireless users in America, the proposed site with function as public safety asset.

- 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 (UDC sub-section 9.6.9D).

No. CMCS Towers are heavily regulated in this regard; site will have completed Phase I environmental testing, FAA and FCC compliance and approvals prior to construction.

- The project complies with all additional standards imposed on it by any particular provisions authorizing such use (UDC sub-section 9.6.9E).

Yes, site will kindly comply with all local, state and Federal Cell Tower Requirements and regulations. As noted above, site will comply with UDC Section 2.6.2.1.2.

- The request will not adversely affect any plans to be considered (see UDC Chapter 1.9) or violate the character of existing standards for development of the adjacent properties (UDC sub-section 9.6.9F).

No, does not appear to fall under plans A-AA listed in the UPC Chapter on CMCS Tower regulations.

**GUIDE FOR SUBMITTING
SPECIAL USE PERMIT/AMENDMENT APPLICATION**

- A. **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:
- 1) This application, 8.5"x11" Site/Concept Plan, Plot Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Site/Concept Plan (folded) and a copy of Deed(s).
 - 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

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

- B. **LETTER OF INTENT** - The letter shall include the following:
- a) A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
 - b) A list of any professional consultants associated with the proposed development.
 - c) A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed development is to be designed, arranged and operated in order to limit impact to neighboring properties.
 - d) A description of the applicant's planning objectives and the approaches to be followed in achieving those objectives.
 - e) For applications for CMCS (cell) towers, the letter of intent shall also commit the tower owner and his or her successors to allow shared use of the tower **if** capacity exists based on existing and planned use (see UDC Sub-Item 2.6.2I(2)(a)(5)).

C. **REGISTERED LAND SURVEYOR'S SURVEY**

Two (2) copies of a survey (of recent origin showing everything existing on the subject property at the time of filing, and in no instance can it be over one year old) of the subject property, drawn to an engineering scale by a registered land surveyor (licensed in Tennessee), on 8 ½ x 11 inches sheets. The survey must indicate the dimensions and location of all existing structure(s) and improvement(s); property dimensions and amount of land area; dimensions and location of off-street parking facilities and curb cut(s); and the established setbacks of the existing structure(s) on the site and on the adjoining properties. (Please Note: The requirements for a survey may be waived by the Planning Director.)

D. **SITE/CONCEPT PLAN**

Two (2) copies of the site/concept plan shall be submitted and depict the following: (a) property boundary lines and dimensions, existing utilities and easements, roadways, rail lines and public rights-of-way, crossing adjacent to the subject property; (b) the proposed height, dimensions and arrangements of buildings on the property; (c) the type and location of proposed landscaping; (d) the location of points of ingress/egress (driveways), parking lots and loading areas on the site; and (e) any proposed substantial re-grading of the site and any significant topographical or physical features of the site including water courses or ponds. Site/Concept plan shall be drawn at a scale of not less 1"=100' for developments of less than 150 acres, 1"=200' for developments between 150 and 1,000 acres, and 1"=300' feet for developments in excess of 1,000 acres.

- E. **PLOT PLAN AND LEGAL DESCRIPTION**
1) Two (2) copies of the plot plan, drawn to scale (1"=50', =100' or =200'), showing each parcel to be considered. Two or more parcels may be described on one sheet. If property is encumbered by easements, show type and location on plot plan.
2) Two (2) copies of legal description shall be attached to plot plan if not shown or described on the plan.
- F. **VICINITY MAP**
Two (2) copies showing the subject property (boldly outlined) and all parcels within a 500' radius. If the 500' radius includes less than 25 property owners, the radius shall be extended at 100' intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500'. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.
- G. **LIST OF NAMES AND ADDRESSES**
1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2^{5/8}" self-adhesive mailing labels and 2 paper sets. Three (3) sets of gummed back mailing labels and paper copies are needed for subject properties located in Shelby County but within five (5) miles of the Memphis City limits.
2) Two (2) self-adhesive mailing labels (1"x 2^{5/8}") each for the owner of record, applicant, representative and/or engineer/surveyor.
- H. **FILING FEES** *(All Fees Are Subject To Change without Prior Notice)*
1) Special Use Permit: 5.0 Acres or less=\$500. Each additional acre or fraction thereof =\$50, Maximum =\$5,000. Amendment(s): = \$500.00; Daycare only: 8-12 children=\$100. 13+ children= \$250.
Make check payable to "M/SC Office of Planning and Development"

***ALL APPLICATIONS MUST BE SUBMITTED IN PERSON
AND THE SUBMITTER MUST RECEIVE A RECEIPT OF
ACCEPTANCE FROM STAFF**

TVT II, LLC - Tower Ventures

Phone: 901 244-4017
495 Tennessee Street
Suite: 152
Memphis, TN 38103

December 2, 2021

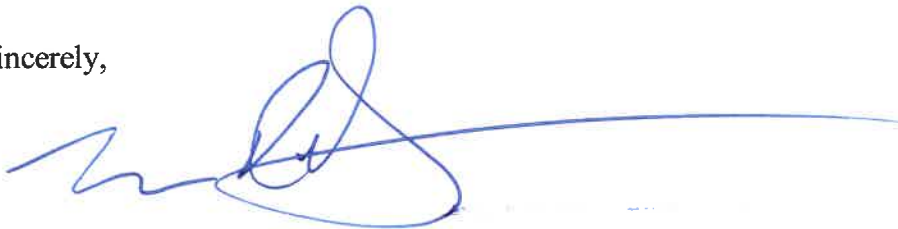
Memphis and Shelby County Office of Planning and Development
Memphis City Hall
C/O Mr. Josh Whitehead
Suite # 468
125 North Mid-American Mall
Memphis, TN 38103-2084

RE: Site Name: TN 1033; Winston Drive **Letter of Governmental Compliance** for a One Hundred Fifty Foot (150') Monopole Communications ("CMCS") Tower at 1609 Corning Ave, Memphis, TN 38127 (Parcel ID # 070053 00002)

Dear Mr. Whitehead:

The proposed CMCS Tower at 1609 Corning Ave (Parcel ID # 070053 00002), Memphis, TN, 38127, will kindly comply with all regulations administered by the Federal Aviation Administration, the Federal Communications Commission, and all other applicable Federal, State and Local governmental bodies.

Sincerely,



Lou Katzerman
Sr. Site Acquisition and Zoning Manager
TVT II, LLC - Tower Ventures
Office: 901-244-4017
lou@towerventures.com

MILESTONE LAND SURVEYING, INC.

2880 Cobb Road
Lakeland, TN 38002
Phone: (901) 867-8671
Fax: (901) 867-9889

October 28, 2021

TVT II, LLC
495 Tennessee Street
Memphis, Tennessee
38103

Re: Center of a Proposed Tower on the Jerry L. Grantham property located at 1609 Corning Avenue, Memphis, Shelby County, Tennessee.

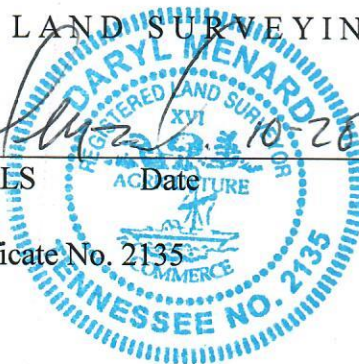
This letter is to certify that the following latitude, longitude and elevation (Latitude = 35 degrees 13 minutes 27.21 seconds North, Longitude = 90 degrees 00 minutes 36.23 seconds West, Elevation = 281.51') are accurate within the tolerances +/-15 feet horizontal and +/- 3 feet vertical as required by a "1-A" Survey. This information is based on NAD 83.

MILESTONE LAND SURVEYING, INC.

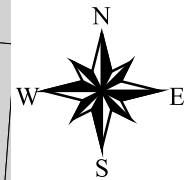
By:


Daryl Menard, RLS
President

Tennessee Certificate No. 2135



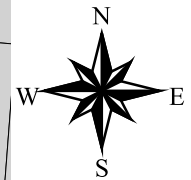
Vicinity Map



400 0 400 800 1200 Feet

Date: 09/06/21
Prepared By:
Property Research Data
PRD Job #21-076

Vicinity Map



Date: 09/06/21
 Prepared By:
 Property Research Data
 PRD Job #21-076



MEMPHIS AND SHELBY COUNTY

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: December 2, 2021

Record Number: SUP 2021-036

Expiration Date:

Record Name: 1609 Corning Ave

Description of Work: 150ft CMCS Tower

Parent Record Number:

Address: 1609 CORNING AVE, MEMPHIS 38127

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Yes	GRANTHAM JERRY L	3354 SCENIC HIGHWAY TER, MEMPHIS, TN 38128	(901) 267-6369
	GRANTHAM JERRY L	3354 SCENIC HIGHWAY TER, MEMPHIS, TN 38128	

Parcel Information

Parcel No:
070053 00002

Contact Information

Name	Organization Name	Contact Type	Phone
Lou B Katzerman	TVT II, LLC - Tower Ventures	Applicant	(901) 239-3892

Suffix:

Address

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	Unit	Fee Code
1344536	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	12/02/2021		PLNGSPUSE 01
1344536	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	12/02/2021		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**

Name of DPD Planner	Teresa Shelton
Date of Meeting	11/29/2021

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).

UDC Sub-Section 9.6.9B

Proposed Site is located on an 1.53 acre tract. Property is bounded by existing natural tree cover. Site carefully chosen to minimize the impact to the neighborhood. The tower will serve the public health and well being by providing reliable coverage to this area.

Proposed site is located on large, heavily wooded lot with mature trees. Tower will serve growing and busy area.

UDC Sub-Section 9.6.9C

With over 400,000 daily 911 calls coming from wireless users in America, the proposed site will function as public safety asset.

UDC Sub-Section 9.6.9D

No. CMCS Towers are heavily regulated in this regard; site will have completed Phase I environmental testing, FAA and FCC compliance and approvals prior to construction.

UDC Sub-Section 9.6.9E

Yes, site will kindly comply with all local, state and Federal Cell Tower Requirements and regulations. As noted above, site will comply with UDC Section 2.6.2.1.2.

UDC Sub-Section 9.6.9F

No, does not appear to fall under plans A-AA listed in the UPC Chapter on CMCS Tower regulations.

GIS INFORMATION

Central Business Improvement District	No
Case Layer	-
Class	R
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	R-6
State Route	-
Lot	0 3
Subdivision	VICTORY FARMS
Planned Development District	-



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.

19046774

05/14/2019 - 08:52 AM

3 PGS	
TAMMY 1869196-19046774	
VALUE	5000.00
MORTGAGE TAX	0.00
TRANSFER TAX	18.50
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	3.00
WALK THRU FEE	0.00
TOTAL AMOUNT	38.50

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

CloseTrak

Closing & Title Services

WARRANTY DEED

THIS INDENTURE, made and entered into this 9th day of May, 2019 by and between

Allied Ventures LLC, a Tennessee Limited Liability Company, hereinafter called Grantor, and

Jerry L. Grantham, unmarried, hereinafter called Grantee.

WITNESSETH: That for and in consideration of ten dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto the Grantee the following described real estate, situated and being in the County of Shelby, State of Tennessee, to wit:

See attached Exhibit "A" for legal description

This conveyance is made subject to all restrictions, easements, zoning and planning ordinances, and other municipal regulations including those of record in **Plat Book 10, Page 48 and Easements of record in Book 2390, Page 25 and Book 1875, Page 183**; all in said Register's Office.

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 Grantee, Grantee's heirs, and assigns, in fee simple forever.

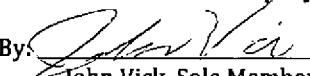
The Grantor does hereby covenant with the Grantee that Grantor is lawfully seized in fee of the aforescribed real estate; that the Grantor has a good right to sell and convey the same; that the same is unencumbered except any taxes not yet due but constituting a lien which are assumed by Grantee, and

And that the title and quiet possession Grantor warrants and will forever defend against the lawful claims of all persons.

The words "Grantor" and "Grantee" shall include the plural where appropriate and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the Grantor the day and year first above written.

Allied Ventures LLC, a Tennessee Limited Liability
Company

By: 
John Vick, Sole Member

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared John Vick, Member of Allied Ventures LLC to me known (or proved to me on the basis of satisfactory evidence) to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that he, she or they executed the same as his free act and deed in the capacity as Member of Allied Ventures, LLC.

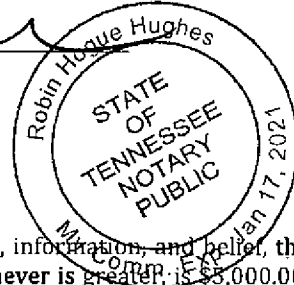
WITNESS my hand and notarial seal at office this 9th day of May 2019.

My Commission Expires:

1/17/21

Notary Public

[Handwritten Signature]



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 \$5,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Jerry L. Grantham
Affiant

Subscribed and sworn to before me this the 9th day of May 2019.

My Commission Expires:

1/17/21

Notary Public

[Handwritten Signature]

Owner's Mailing Address:

Jerry L. Grantham
3354 Scenic Terrace
Memphis, TN 38128

Property Address:

1609 Corning Avenue
Memphis, TN 38127

Person responsible for the payment of taxes:

Jerry L. Grantham
3354 Scenic Terrace
Memphis, TN 38128

File Number: RH-19-9995

Prepared By and Return To:

CloseTrak, LLC
8099 Stage Hills Boulevard, #101
Bartlett, TN 38133

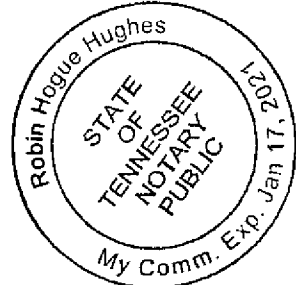



EXHIBIT "A"

Lot 3, of Victory Farms Subdivision, as shown by plat recorded in Plat Book 10, Page 48, in the Register's Office of Shelby County, Tennessee, and being more particularly described as: Beginning at a point in the south line of Corning Avenue, said point being a common corner of Lots 3 and 4; thence eastwardly along said south line a distance of 150.0 feet to the northwest corner of Lot 2; thence southwardly along the line dividing Lots 2 and 3 a distance of 445.0 feet to a point in Lot 16; thence westwardly along the line dividing Lots 16 and 3 a distance of 150.0 feet to the southeast corner of Lot 4; thence nonhwardly along the line dividing Lots 3 and 4 a distance of 445.0 feet to the point of beginning.

Being the same property conveyed to Grantor(s) herein by Quit Claim Deed of record at Instrument Number 18081313 in said Register's Office.

Tax Parcel Number: 07-0053-0-0002

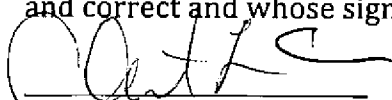
I, Marc A. Diaz, do here by make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.



Marc A. Diaz

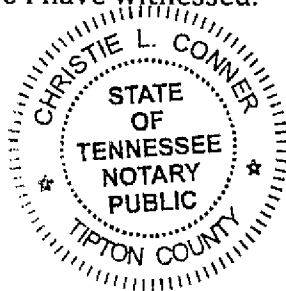
STATE OF TENNESSEE
COUNTY OF ~~SHELBY~~ *Tipton*

Personally appeared before me, the undersigned a notary public for the county and state, Marc A. Diaz, who acknowledged that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary Public

My commission expires:
12/16/20





Dish RF Design

NAMEM00421A-

Coverage

September 13th, 2021

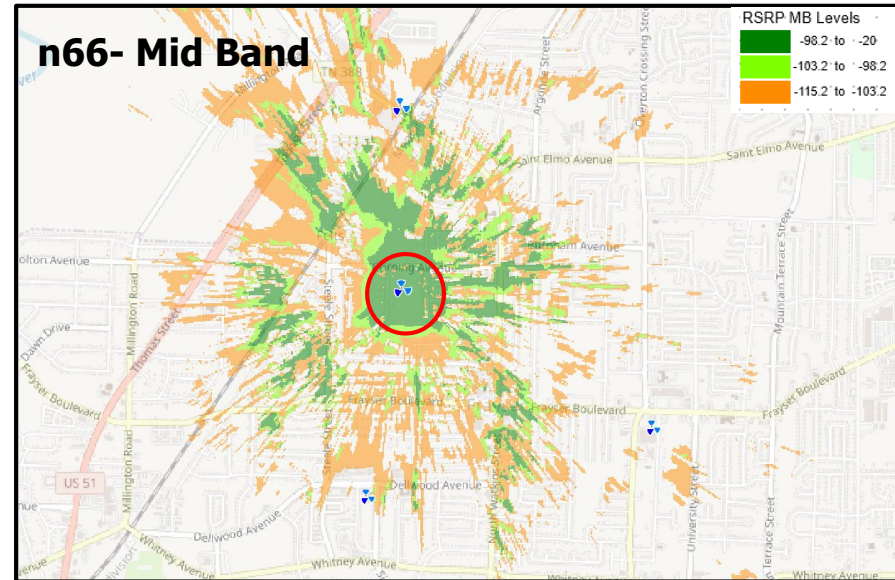
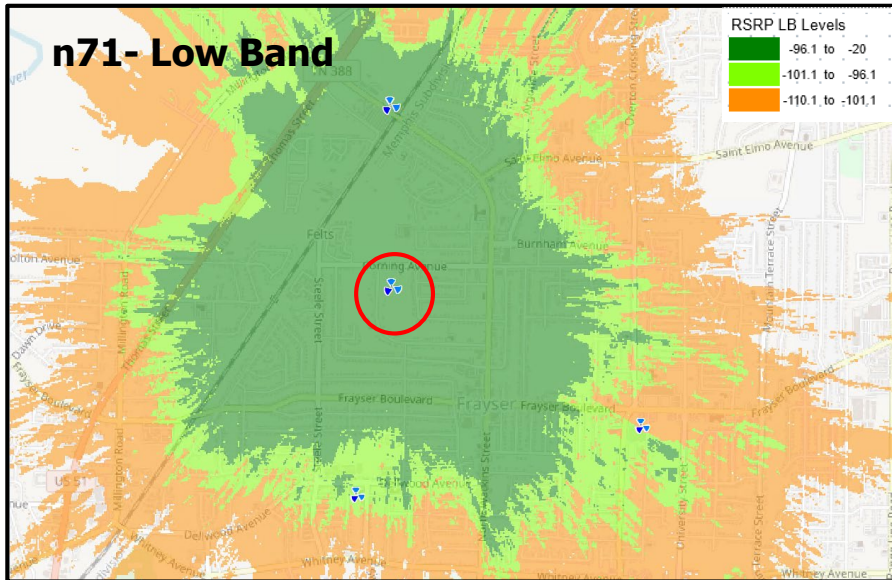


Summary:

- Predictions were run on site NAMEM00421A located at Lat: 35.224150 and long: -90.00930
- Site covers a total of 21,105 Pops on Low Band and 4,574 Pops on Mid band

Pops Count- Best Server Site Level:

Best Server for Site MEM00421A	Low Band (n71)	Mid Band (n66)
	Traffic Counts (Subscribers)	Traffic Counts (Subscribers)
NAMEM00421A	21,104.81	4,573.78



Description of a Proposed 50.0' x 50.0' Ground Lease Area on part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Commencing at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence south 04 degrees 15 minutes 22 seconds west with the west line of said property recorded in Instrument No. CC-2268, 340.44 feet; thence north 85 degrees 44 minutes 38 seconds west across the Jerry L. Grantham property recorded in Instrument No. 19046774, 45.96 feet to a set 1/2" rebar with plastic cap and the Point of Beginning; thence continuing across said property recorded in Instrument No. 19046774 the following calls: south 04 degrees 15 minutes 22 seconds west, 50.00 feet to a set 1/2" rebar with plastic cap; north 85 degrees 44 minutes 38 seconds west, 50.00 feet to a set 1/2" rebar with plastic cap; north 04 degrees 15 minutes 22 seconds east, 50.00 feet; south 85 degrees 44 minutes 38 seconds east, 50.00 feet to the point of beginning and containing 2,500 square feet of land.

Description of a Proposed 30.0' Wide Ingress/Egress and Utility Easement across part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Commencing at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence north 86 degrees 49 minutes 46 seconds west with the south line of said Corning Ave, 18.91 feet to the Point of Beginning; thence southwardly across the Jerry L. Grantham property recorded in Instrument No. 19046774 the following calls: south 01 degrees 31 minutes 37 seconds east, 158.81 feet to a point of curvature; along a curve to the right having a radius of 90.00 feet, a delta angle of 20 degrees 53 minutes 58 seconds, a chord bearing of south 08 degrees 55 minutes 22 seconds west, a chord distance of 32.65 feet and an arc distance of 32.83 feet to a point of tangency; south 19 degrees 22 minutes 21 seconds west, 154.91 feet to a set 1/2" rebar with plastic cap located at the northeast corner of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 85 degrees 44 minutes 38 seconds west with north line of said above described Proposed 50.0' x 50.0' Ground Lease Area, 31.08 feet; thence northwardly across said property recorded in Instrument No.

19046774 the following calls: north 19 degrees 22 minutes 21 seconds east, 163.01 feet to a point of curvature; along a curve to the left having a radius of 60.00 feet, a delta angle of 20 degrees 53 minutes 58 seconds, a chord distance of 21.76 feet and an arc distance of 21.89 feet to a point of tangency; north 01 degrees 31 minutes 37 seconds west, 161.27 feet to a point in the south line of said Corning Ave; thence south 86 degrees 49 minutes 46 seconds east with the south line of said Corning Ave, 30.10 feet to the point of beginning and containing 10,391 square feet or 0.239 acres of land.

Description of a Proposed 15.0' Wide Utility Easement across part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Beginning at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence south 17 degrees 34 minutes 00 seconds west across the Jerry L. Grantham property recorded in Instrument No. 19046774, 349.84 feet to a point in the north line of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 85 degrees 44 minutes 38 seconds west with the north line of said the above described Proposed 50.0' x 50.0' Ground Lease Area, 15.41 feet to a set 1/2" rebar with plastic cap in the northwest corner the said above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 17 degrees 34 minutes 00 seconds east across said property recorded in Instrument No. 19046774, 349.54 feet to a point in the south line of said Corning Ave; thence south 86 degrees 49 minutes 46 seconds east with the south line of said Corning Ave, 15.49 feet to the point of beginning and containing 5,245 square feet or 0.120 acres of land.

TVT II, LLC - Tower Ventures

Phone: 901 244-4017
495 Tennessee Street
Suite: 152
Memphis, TN 38103

December 2, 2021

Memphis and Shelby County Office of Planning and Development
Memphis City Hall
C/O Mr. Josh Whitehead
Suite # 468
125 North Mid-American Mall
Memphis, TN 38103-2084

RE: Site Name: TN 1033; Winston Drive: **Letter of Intent** for a One Hundred Fifty Foot (150') Monopole Communications ("CMCS") Tower at 1609 Corning Ave, Memphis, TN 38127 (Parcel ID # 070053 00002)

Dear Mr. Whitehead:

TVT II, LLC (Tower Ventures), 495 Tennessee Street, Suite: 152 Memphis, TN 38103 proposes to construct a one hundred fifty Foot (150') CMCS tower at 1609 Corning Ave (Parcel ID #070053 0002) Memphis, TN 38127. The tower will be a Monopole design. It will be built to support cellular communications and wireless data services. Per the UDC, the tower will be designed to support four (4) antenna arrays. The tower will be equipped with a climbing apparatus.

Site equipment will be placed in a Lease area of 50' x 50'. A 6' (six foot) wooden fence will be constructed around the lease area to conceal the ground equipment. The Compound Gates will also be wooden. The site will be concealed from view. Due to the extensive existing mature tree coverage that the parcel at 1609 offers, we are not proposing any additional landscaping. In turn, we plan to preserve as much existing vegetation as possible in lieu of a landscape screen.

There is a need for improved cellular coverage in this area of Memphis. Our client, Dish Network, has provided detailed before and after coverage maps that clearly demonstrate this need. The CMCS equipment planned for the proposed tower cannot be accommodated on any existing structures because there are no appropriate existing structures or pending structures to accommodate the planned equipment, considering, among other factors, the licensees' system requirements. Therefore, the proposed tower is needed so that the licensees can provide better cellular coverage and can improve its E911 emergency services network. The citizens of Memphis benefit each time a licensee expands its network coverage because each site enhances the licensee's ability to provide emergency response services.

TVT II, LLC - Tower Ventures, appreciates the Memphis and Shelby County Office of Planning and Development's consideration of this application. Please contact me at (901) 244-4017 if you have any questions concerning this application. Many thanks.

Sincerely,



Lou Katzerman
Sr. Site Acquisition and Zoning Manager
TVT II, LLC - Tower Ventures
Office: 901-244-4017
lou@towerventures.com

TVTII, LLC
495 Tennessee Street, Ste. 152
Memphis, TN 38103

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Memphis, TN 38103

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Memphis, TN 38103

TVTII, LLC
495 Tennessee Street, Ste. 152
Memphis, TN 38103

TVTII, LLC
495 Tennessee Street, Ste. 152
Memphis, TN 38103

Grantham Jerry L.
3354 Scenic Highway
Memphis, TN 38128-5333

Grantham Jerry L.
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Memphis, TN 38128-5333

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3354 Scenic Highway
Memphis, TN 38128-5333

Grantham Jerry L.
3354 Scenic Highway
Memphis, TN 38128-5333

Grantham Jerry L.
3354 Scenic Highway
Memphis, TN 38128-5333

Arlington Road LLC
6222 Chester Street
Arlington, TN 38002-9314

Blaine Elgia And Leondra Blaine
3100 Wade Street
Memphis, TN 38128-4934

Bolton Debra E
3579 W. Sutton Drive
Memphis, TN 38127-5517

Boone Patrick K
5390 Blue Ridge Parkway
Bartlett, TN 38134-6239

Boshwit Brothers Mortgage Corporation
2595 Broad Avenue
Memphis, TN 38112-2615

Boyd Regina D
3635 W. Sutton Drive
Memphis, TN 38127-5517

Chambers Teresa R
1643 Corning Avenue
Memphis, TN 38127-5428

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

City Of Memphis Board Of Education
2597 Avery Avenue
Memphis, TN 38112-4818

Clear The Way Supportive Housing Corp.
5018 Expressway Drive, Ste. 204
Ronkonkoma, NY 11779

Covey Julie
1651 Corning Avenue
Memphis, TN 38127-5428

Dorsett David L
1623 Corning Avenue
Memphis, TN 38127-5428

Finch Leonard F
4613 Big Horn Drive
Nesbit, MS 38651

Garza Elva H
3572 Winston Drive
Memphis, TN 38127-5426

Goliday Sherry B
3601 W. Sutton Drive
Memphis, TN 38127-5517

Heard Alex F & Tina M
3573 W. Sutton Drive
Memphis, TN 38127

Herrera Ernesto
4429 Tena Drive
Memphis, TN 38128-4616

Holland Charles F
3518 N. Watkins Street
Memphis, TN 38127-5562

Hudson Sherry D
3619 Winston Drive
Memphis, TN 38127-5449

Jones Kimberly D
3621 W. Sutton Drive
Memphis, TN 38127-5517

Lewis Michael
676 Looney
Memphis, TN 38107

Lopez Alejandro C And Ziomara Santiago
232 S. Highland Street, Apt. 107
Memphis, TN 38111-4529

Meshulam Ofir
3645 W. Sutton Drive
Memphis, TN 38127-5517

Monreal Raymundo H
716 Willowbrook Drive
Mesquite, TX 75149

MSH LLC (DBA)
P O Box 40024
Memphis, TN 38174-0024

Neely Darvarin & Camesha
7197 Chena Bay Lane
Cordova, TN 38018-7942

Parker Eric W
1561 Corning Avenue
Memphis, TN 38127-5406

Peterson Curtis R
3637 Winston Drive
Memphis, TN 38127-5449

Premsrirutt
3993 Howard Hughes Parkway, Ste. 140
Las Vegas, NV 89169-0961

Romero Rony Armando Family Trust
6601 Notre Dame Drive
Buena Park, CA 90620-4643

Sanford Gerald R
3595 W. Sutton Drive
Memphis, TN 38127-5517

Shelby County Tax Sale
P O Box 2751
Memphis, TN 38101-2751

Shelly Deborah
5769 Spring Lake Road
Memphis, TN 38135-1025

Tanner Terrell M
2941 Piedmont Manor Drive
Orange Park, FL 32065-4205

Thompson Roger & Hazel M
3643 Winston Drive
Memphis, TN 38127-5449

Treadway Franklin W & Bettie L
3558 Winston Drive
Memphis, TN 38127-5426

Turner Warner & Nettie
3572 Gowan Drive
Memphis, TN 38127

Valdez Elsa
3602 Winston Drive
Memphis, TN 38108-5450

Walters Caryllyn
150 Clover Ridge Drive
Piperton, TN 38017-5412

Warren Thomas E
3633 Winston Drive
Memphis, TN 38127-5449

White Dorothy M
1561 Corning Avenue
Memphis, TN 38127

Williams Michael J And Christopher S
1191 Snowden Farm Cove
Collierville, TN 38017-6903

Wilson Cleatis
663 Creekstone Circle
Memphis, TN 38127

Wright Jacquelyn D
3607 W. Sutton Drive
Memphis, TN 38127-5517

Yaya Razakou
2992 Holland Avenue
Bronx, NY 10467-8308

Young Curtis
9520 Sandage Avenue
Elk Grove, CA 95624-9524




MEMPHIS LIGHT, GAS, AND WATER ADDRESS ASSIGNMENT CERTIFICATE

Attn: Address Assignment, P.O. Box 430, Memphis, TN 38101. Phone: (901) 729-8620 Fax: (901) 729-8605

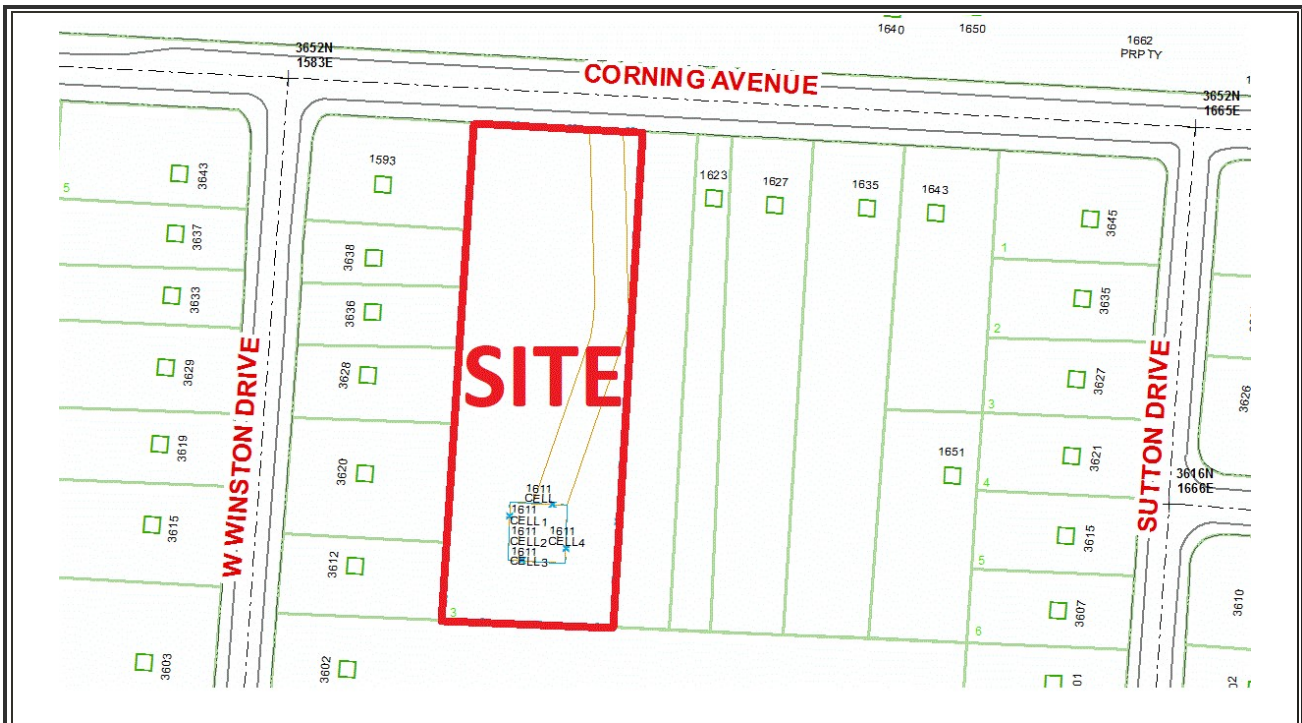
FULL ADDRESS: 1611 CORNING AV - CELL						Date Assigned: 11-20-2021
Street #: 1611	Pre Dir:	Str Name: CORNING	Suffix: AV	Post Dir:		
Unit Type:	Unit #:	Dwell Type: CELL	City: MEMPHIS	ZIP: 38127	Town:(location) MEMPHIS	

Development Name:	VICTORY FARMS	Phase:	N/A	Lot #:	3
Property Description:	1.532+/- ACRES	Parcel ID:	070053 00002		

Requested By:	Craig Royal	Phone:	901-277-4083
Contact Email:	royal@towerventures.com		
Company:	TVT II, LLC	Fax:	N/A

Current Owner:	TVT II, LLC		
Owner Email:	Craig Royal	Owner Cell:	901-277-4083
Owner Phone:	901-277-4083	Fax:	N/A
Present Address:	495 Tennessee Street, Suite 152		City: Memphis
State:	TN	Zip Code:	38103
Address Assignment Representative:	GINA BANNERMAN 		

Remarks: ADDRESS FOR CELL TOWER LOCATED IN MEMPHIS TN 38127



NOTE: Use the "Full Address" shown at the top of this form when submitting requests for MLGW utility services or local building/construction code permits.

Melvin Burgess
Assessor Of Property
Shelby County Government

Property Location and Owner Information

Parcel ID	070053 00002
Property Address	CORNING AVE
Municipal Jurisdiction	MEMPHIS
Neighborhood Number	00506B01
Tax Map Page	92B
Land Square Footage	66734
Acres	1.532
Lot Dimensions	150 X 445
Subdivision Name	VICTORY FARMS
Subdivision Lot Number	0 3
Plat Book and Page	
Number of Improvements	0
Owner Name	GRANTHAM JERRY L
In Care Of Owner Address	3354 SCENIC HIGHWAY
Owner City/State/Zip	MEMPHIS TN 38128

Appraisal and Assessment Information

Class	RESIDENTIAL
Land Appraisal	\$11,200
Building Appraisal	\$0
Total Appraisal	\$11,200
Total Assessment	\$2,800
Greenbelt Land Appraisal	\$0
Homesite Land Appraisal	\$0
Homesite Building Appraisal	\$0
Greenbelt Appraisal	\$0
Greenbelt Assessment	\$0

Improvement/Commercial Details

Stories

Exterior Walls

Land Use - VACANT LAND

Year Built

Total Rooms

Bedrooms

Bathrooms

Half Baths

Heat

Fuel

Heating System

Fireplace Masonry

Fireplace Pre-Fab

Ground Floor Area

Total Living Area

Car Parking

Other Buildings

Card	Year Built	Length	Width	Area	Type
------	---------------	--------	-------	------	------

Permits

Date of Permit	Amount of Permit	Permit Number	Reason
07/26/2006		B0954644	DEM
06/14/2005	\$13,100	B0951316	FDA

Sales

Date of Sale	Sales Price	Deed Number	Instrument Type
05/09/2019	\$5,000	19046774	WD
08/09/2018	\$100	18081313	QC
02/15/2011	\$6,140	9485-3	CH
07/24/2006	\$8,500	06136558	SW
12/01/2005	\$57,500	05204433	TD
11/23/2004	\$65,500	04198493	WD
03/16/2004	\$12,000	04046960	WD
12/12/1997	\$62,000	HC0786	WD
07/16/1989	\$0	1839	DN
06/14/1948		1981-533	UN

TVT I, LLC - Tower Ventures

Phone: 901 244-4017
495 Tennessee Street
Suite: 152
Memphis, TN 38103

December 2, 2021

Memphis and Shelby County Office of Planning and Development
Memphis City Hall
C/O Mr. Josh Whitehead
Suite # 468
125 North Mid-American Mall
Memphis, TN 38103-2084

RE: Site Name: TN 1033; Winston Drive: **Proposed Tower Conditions** for a One Hundred Fifty Foot (150') Monopole Communications ("CMCS") Tower at 1609 Corning Ave, Memphis, TN 38127 (Parcel ID # 070053 00002)

1609 Corning Ave - Proposed Tower Conditions:

- 1) One Hundred Fifty -foot (150') "Mono-pole" CMCS Designed for **Four (4)** set of Full Antenna Arrays
- 2) Six-foot (6') wooden site-proof Fence.
- 3) Six -foot (6') wooden gates.
- 4) A 50 ft x 50 ft Tower Lease Area.
- 5) The site parcel contains natural cover on all four sides of the proposed compound.
- 6) Landscaping screens will be built on the North, West and South sides of the tower compound.
- 7) Proposed site is 346 ft from Corning Drive. Set meets all applicable Setbacks.
- 8) Access will run north at an angle, back to Corning Ave.

TVT II, LLC - Tower Ventures

Phone: 901 244-4017
495 Tennessee Street
Suite: 152
Memphis, TN 38103

December 2, 2021

Memphis and Shelby County Office of Planning and Development
Memphis City Hall
C/O Mr. Josh Whitehead
Suite # 468
125 North Mid-American Mall
Memphis, TN 38103-2084

RE: Site Name: TN 1033; Winston Drive **Letter of Shared Use** for a One Hundred Fifty Foot (150') Monopole Communications ("CMCS") Tower at 1609 Corning Ave, Memphis, TN 38127 (Parcel ID # 070053 00002)

Dear Mr. Whitehead:

TVT I, LLC kindly commits to allow shared use of the proposed tower at 1609 Corning Ave (Parcel ID #070053 00002), Memphis, TN 38127 in capacities based on existing and planned use, and if a future applicant agrees in writing to pay any reasonable charge for shared use, the potential use is technically compatible, and the future applicant is in good standing.

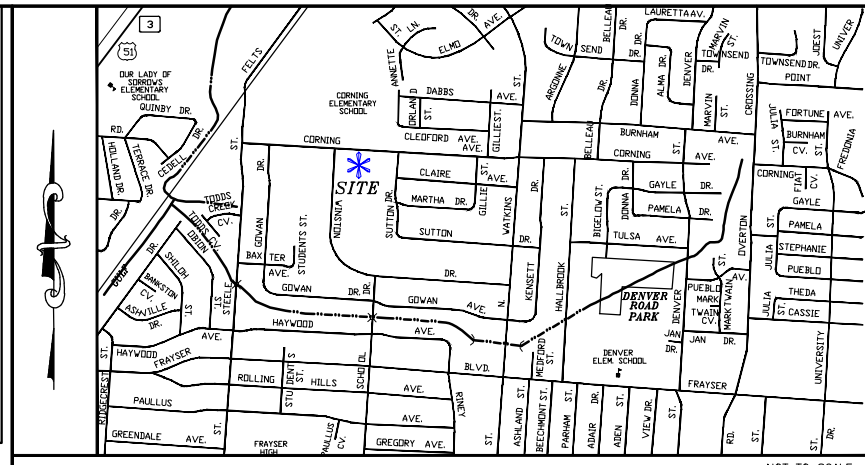
Sincerely,



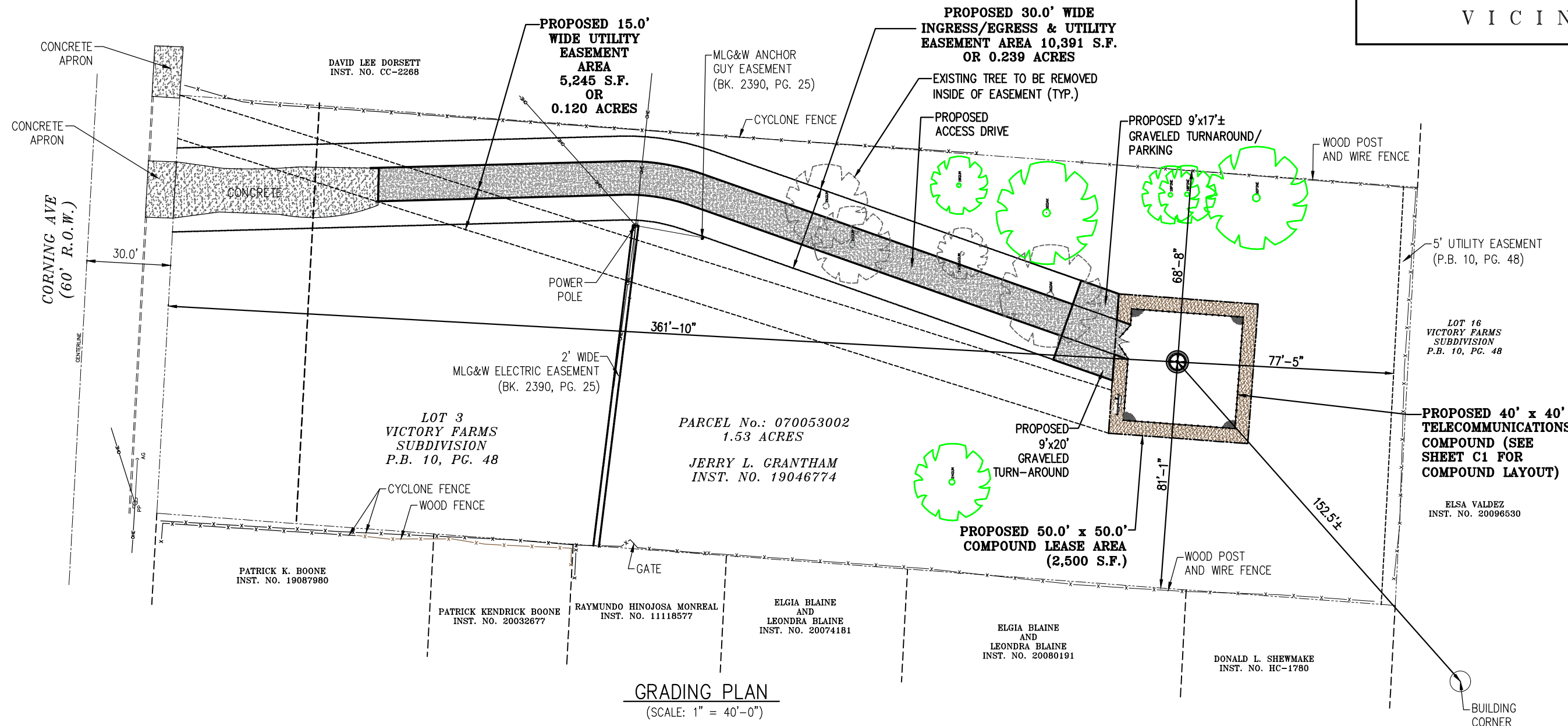
Lou Katzerman
Sr. Site Acquisition and Zoning Manager
TVT II, LLC - Tower Ventures
Office: 901-244-4017
lou@towerventures.com

GRADING NOTES:

1. THE CONTRACTOR IS TO VERIFY THAT ALL EXISTING TOPOGRAPHY AND HORIZONTAL GEOMETRY IS AS INDICATED ON THESE DRAWINGS. THE CONTRACTOR IS TO ESTABLISH THE EXISTENCE AND LOCATION OF ALL UNDERGROUND AND OVERHEAD UTILITIES AND SERVICES. IMMEDIATELY NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES OR INTERFERENCES WHICH AFFECT THE WORK OF THIS CONTRACT.
2. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES, CODES, AND REGULATIONS.
3. THE CONTRACTOR IS COMPLETELY RESPONSIBLE FOR CONTAINMENT OF SEDIMENTS AND CONTROL OF EROSION ON SITE. ANY DAMAGE TO ADJACENT OR DOWNSTREAM PROPERTIES WILL BE CORRECTED BY THE CONTRACTOR AT NO EXPENSE TO OWNER.
4. THE CONTRACTOR IS TO MAINTAIN ADEQUATE DRAINAGE AT ALL TIMES. DO NOT ALLOW WATER TO STAND OR POND. ANY DAMAGE TO STRUCTURES OR WORK ON THE SITE CAUSED BY INADEQUATE MAINTENANCE OF DRAINAGE PROVISION WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AND ANY COST ASSOCIATED WITH REPAIRS FOR SUCH DAMAGE WILL BE AT THE CONTRACTOR'S EXPENSE.
5. ALL WASTE MATERIAL SHALL BE PROPERLY DISPOSED OF OFF SITE OR AS DIRECTED BY THE CONSTRUCTION MANAGER AND IN ACCORDANCE WITH JURISDICTIONAL AUTHORITIES.
6. SEED AND MULCH ALL DISTURBED AREAS NOT COVERED BY OTHER MATERIALS AS TO RESTORE DAMAGED PROPERTY BACK TO ORIGINAL CONDITION.
7. THE CONTRACTOR SHALL BE RESPONSIBLE TO CORRECT ALL DAMAGE TO THE SITE SUBSEQUENT TO THE INSTALLATION OF THE POWER AND TELCO LINES.
8. THE CONTRACTOR IS TO REMOVE ALL TREES WITHIN ACCESS EASEMENT AND LEASE AREA.



VICINITY MAP

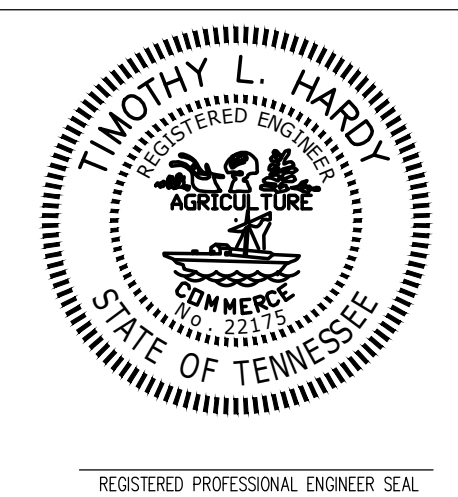


CUT AND FILL SLOPES SHALL NOT EXCEED 2:1

HAY AND SEED ALL DISTURBED AREAS

SET BACKS	
FRONT	15'
REAR	10'
SIDE	15'

- PROPOSED 50'x50' GROUND LEASE AREA 2,500 S.F.
- PROPOSED 40'x40' FENCED COMPOUND 1,600 S.F.
- NOTE: ALL ITEMS ARE EXISTING UNLESS OTHERWISE NOTED



ITEM	REVISIONS	BY	CHK. BY	DATE

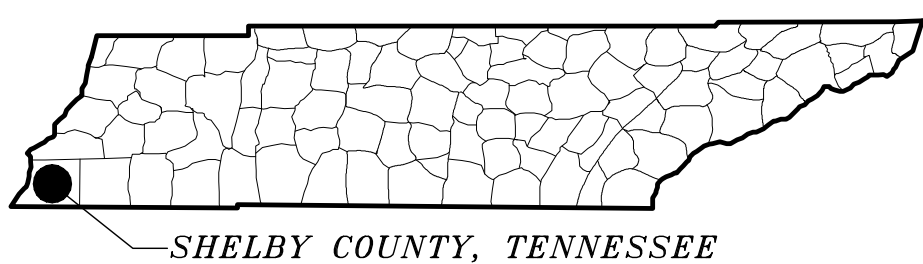
TVT II, LLC
 495 TENNESSEE STREET, SUITE 152
 MEMPHIS, TN 38103
 PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/22/21
 CHECKED BY: T.L. HARDY DATE: 11/24/21
 APPROVED BY: DATE:

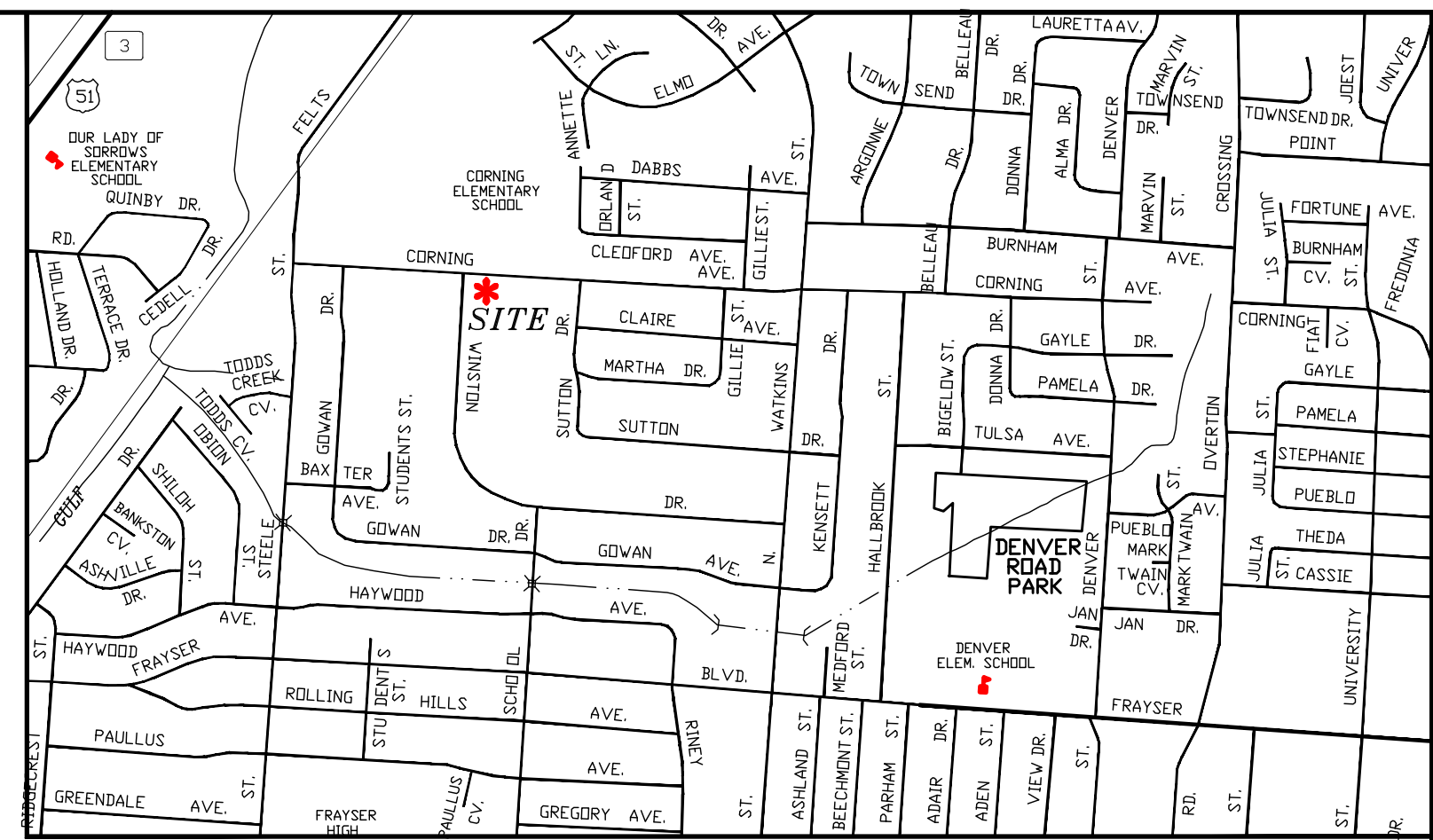
HARDY ENGINEERING, INC.
 ENGINEERING AND CONSULTING
 209 LINDEN STREET, P.O. BOX 708
 TRUSSVILLE, AL 35173
 PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **OVERALL SITE LAYOUT**
 SITE: TN1033 - WINSTON DRIVE
 MEMPHIS, TENNESSEE
 FOR TVT II, LLC
 MEMPHIS, TENNESSEE
 CAD No: TN1033_CO SCALE: AS SHOWN DWG. No: C0

LEGEND:
 AG ANCHOR GUY
 E EAST
 INST. INSTRUMENT
 N NORTH
 NO. NUMBER
 OHE OVERHEAD LINE
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 PP POWER POLE
 S SOUTH
 Sq.Ft. SQUARE FEET
 SIP SET 1/2" REBAR W/ PLASTIC CAP
 W WEST
 WV WATER VALVE
 R.O.W. RIGHT-OF-WAY



CORNING AVE
 (60' R.O.W.)



VICINITY MAP

NOT TO SCALE

NOTES:

1. Survey prepared for TVT II, LLC.
2. Bearings are relative only.
3. This survey was prepared from information contained in Commitment No. 9820792, Effective Date: September 1, 2021 at 8:00 AM by Chicago Title Insurance Company.
4. All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
5. This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C 0440 F, Community Panel No. 470177 0440 F, Effective Date: September 28, 2007.
6. Structures visible on the date of this survey are shown hereon.
7. All visible utility structures located on this property of which we have knowledge are shown hereon.
8. There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
9. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
10. Subsurface and environmental conditions were not examined or considered as a part of this survey.
11. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
12. If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
13. Survey is valid only if print has original seal of surveyor.

SCHEDULE B SECTION II EXCEPTIONS:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or Mortgage thereon covered by the Commitment. (not a survey matter)
2. The homestead, or other statutory marital rights, if any, of the spouse of any individual insured. (not a survey matter)
3. The rights or claims of parties in possession not shown by the public records. (not a survey matter)
4. Easements, or claims of easements, not shown by the public records. (none of which we are aware)
5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. (none of which we are aware)
6. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records. (not a survey matter)
7. Any taxes or assessments not posted on the record of the taxing authority(ies) of which the Land described in Schedule A hereof is subject, including but not limited to: Supplemental, Revised and/or Corrected Assessments pursuant to T.C.A. Section 67-5-509 and 67-5-603 et seq. dealing with any improvements completed after January 1 and before September 1 of any year; or Back Assessments pursuant to T.C.A. Section 67-1-1001 et. seq.; or taxes based on a change in the classification of the Insured Land (Roll Back Taxes) pursuant to T.C.A. Section 67-5-1001 et seq. (not a survey matter)
8. Taxes or special assessments which are not shown as existing liens by the public records. (not a survey matter)
9. 2022 City of Memphis Taxes and 2022 Shelby County Taxes, a lien but not yet due and payable. (not a survey matter)
10. Easement of record in Book 1875, Page 183 and Book 2390, Page 25 of the Shelby County Register's Office.
 - Bk. 1875, Pg. 183 (does not affect the subject property)
 - Bk. 2390, Pg. 25 (shown hereon)
11. Subdivision restrictions, building setback lines and easements of record in Plat Book 10, Page 48, in the Register's Office of Shelby County, Tennessee. (shown hereon)

DESCRIPTION (PROPOSED 50.0' X 50.0' WIDE GROUND LEASE AREA):

Description of a Proposed 50.0' x 50.0' Ground Lease Area on part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Commencing at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence south 04 degrees 15 minutes 22 seconds west with the west line of said property recorded in Instrument No. CC-2268, 340.44 feet; thence north 85 degrees 44 minutes 38 seconds east, 158.91 feet to a point of curvature; along a curve to the right having a radius of 90.00 feet, a delta angle of 20 degrees 53 minutes 58 seconds, a chord bearing of south 08 degrees 55 minutes 22 seconds west, a chord distance of 32.65 feet and an arc distance of 32.83 feet to a point of tangency; south 19 degrees 22 minutes 21 seconds west, 154.91 feet to a set 1/2" rebar with plastic cap located at the northeast corner of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 85 degrees 44 minutes 38 seconds west with north line of said above described Proposed 50.0' x 50.0' Ground Lease Area, 31.08 feet; thence northwardly across said property recorded in Instrument No. 19046774 the following calls: north 19 degrees 22 minutes 21 seconds east, 163.01 feet to a point of curvature; along a curve to the left having a radius of 60.00 feet, a delta angle of 20 degrees 53 minutes 58 seconds, a chord distance of 21.76 feet and an arc distance of 21.89 feet to a point of tangency; north 01 degrees 31 minutes 37 seconds west, 161.27 feet to a point in the south line of said Corning Ave; thence south 86 degrees 49 minutes 46 seconds east with the south line of said Corning Ave, 30.10 feet to the point of beginning and containing 10,391 square feet of land.

DESCRIPTION (PROPOSED 30.0' WIDE INGRESS/EGRESS & UTILITY EASEMENT):

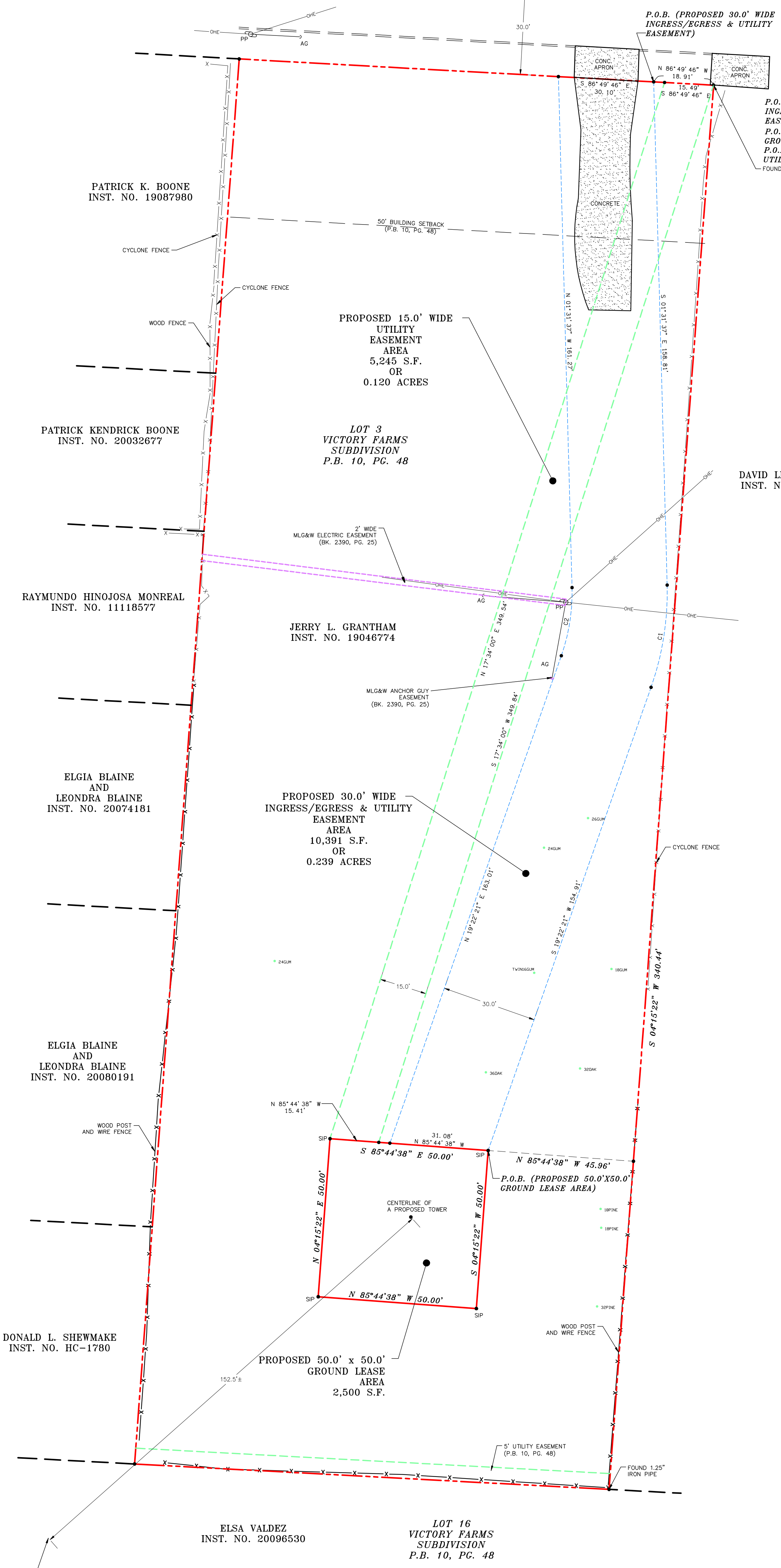
Description of a Proposed 30.0' Wide Ingress/Egress and Utility Easement across part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Commencing at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence north 86 degrees 49 minutes 46 seconds west with the south line of said Corning Ave, 18.91 feet to the Point of Beginning; thence southwardly across the Jerry L. Grantham property recorded in Instrument No. 19046774 the following calls: south 01 degrees 31 minutes 37 seconds east, 158.91 feet to a point of curvature; along a curve to the right having a radius of 90.00 feet, a delta angle of 20 degrees 53 minutes 58 seconds, a chord bearing of south 08 degrees 55 minutes 22 seconds west, a chord distance of 32.65 feet and an arc distance of 32.83 feet to a point of tangency; south 19 degrees 22 minutes 21 seconds west, 154.91 feet to a set 1/2" rebar with plastic cap located at the northeast corner of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 85 degrees 44 minutes 38 seconds west with north line of said above described Proposed 50.0' x 50.0' Ground Lease Area, 31.08 feet; thence northwardly across said property recorded in Instrument No. 19046774 the following calls: north 19 degrees 22 minutes 21 seconds east, 163.01 feet to a point of curvature; along a curve to the left having a radius of 60.00 feet, a delta angle of 20 degrees 53 minutes 58 seconds, a chord distance of 21.76 feet and an arc distance of 21.89 feet to a point of tangency; north 01 degrees 31 minutes 37 seconds west, 161.27 feet to a point in the south line of said Corning Ave; thence south 86 degrees 49 minutes 46 seconds east with the south line of said Corning Ave, 30.10 feet to the point of beginning and containing 10,391 square feet of land.

DESCRIPTION (PROPOSED 15.0' WIDE UTILITY EASEMENT):

Description of a Proposed 15.0' Wide Utility Easement across part of the Jerry L. Grantham property recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:

Beginning at found chisel mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property recorded in Instrument No. CC-2268; thence south 17 degrees 34 minutes 00 seconds west across the Jerry L. Grantham property recorded in Instrument No. 19046774, 349.84 feet to a point in the north line of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 85 degrees 44 minutes 38 seconds west with the north line of said above described Proposed 50.0' x 50.0' Ground Lease Area, 15.41 feet to a set 1/2" rebar with plastic cap in the northwest corner of the said above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 17 degrees 34 minutes 00 seconds east across said property recorded in Instrument No. 19046774, 349.54 feet to a point in the south line of said Corning Ave; thence south 86 degrees 49 minutes 46 seconds east with the south line of said Corning Ave, 15.49 feet to the point of beginning and containing 5,245 square feet or 0.120 acres of land.



NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION	TANGENT
C1	90.00	32.83	20°53'58"	32.65	S 08°55'22" W	16.60
C2	60.00	21.89	20°53'58"	21.76	N 08°55'22" E	11.07

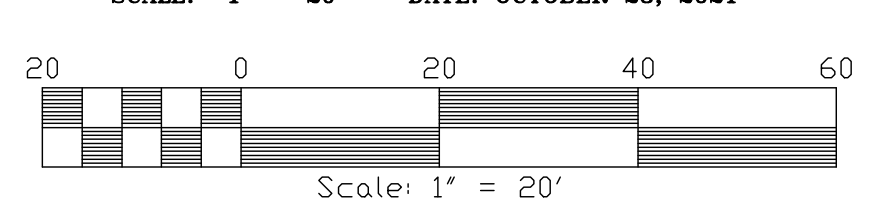
CERTIFICATION:
 To TVT II, LLC, Burch Porter and Johnson, PLLC, and Chicago Title Insurance Company:
 I hereby certify that this is a Category I Survey and that the ratio of precision of the above survey is 1:10,000 or greater.

MILESTONE LAND SURVEYING, INC.
 By: *[Signature]*
 Darryl McHard, RLS
 President
 Tennessee Certificate No. 2135



MILESTONE LAND SURVEYING, INC.
 2880 COBB ROAD
 LAKELAND, TN 38002
 PHONE: (901) 867-8671
 FAX: (901) 867-9889

**SURVEY OF A
 PROPOSED 50'X50'
 GROUND LEASE AREA
 ON PART OF THE
 JERRY L. GRANTHAM
 PROPERTY
 RECORDED AT
 INST. NO. 19046774
 MEMPHIS, SHELBY COUNTY, TENNESSEE**
 SCALE: 1" = 20' DATE: OCTOBER 28, 2021





Shelandra Y. Ford
Shelby County Register of Deeds

Owner: GRANTHAM JERRY L

Owner:

Parcel Address: CORNING AVE

Parcel ID: 070053 00002

2021 Appraisal: \$11,200

Tax District: MEMPHIS

Year Built:

Lot Number: 0 3

Subdivision: VICTORY FARMS

Plat BK & PG: UNKNOWN

Dimensions: 150 X 445

Total Acres: 1.532

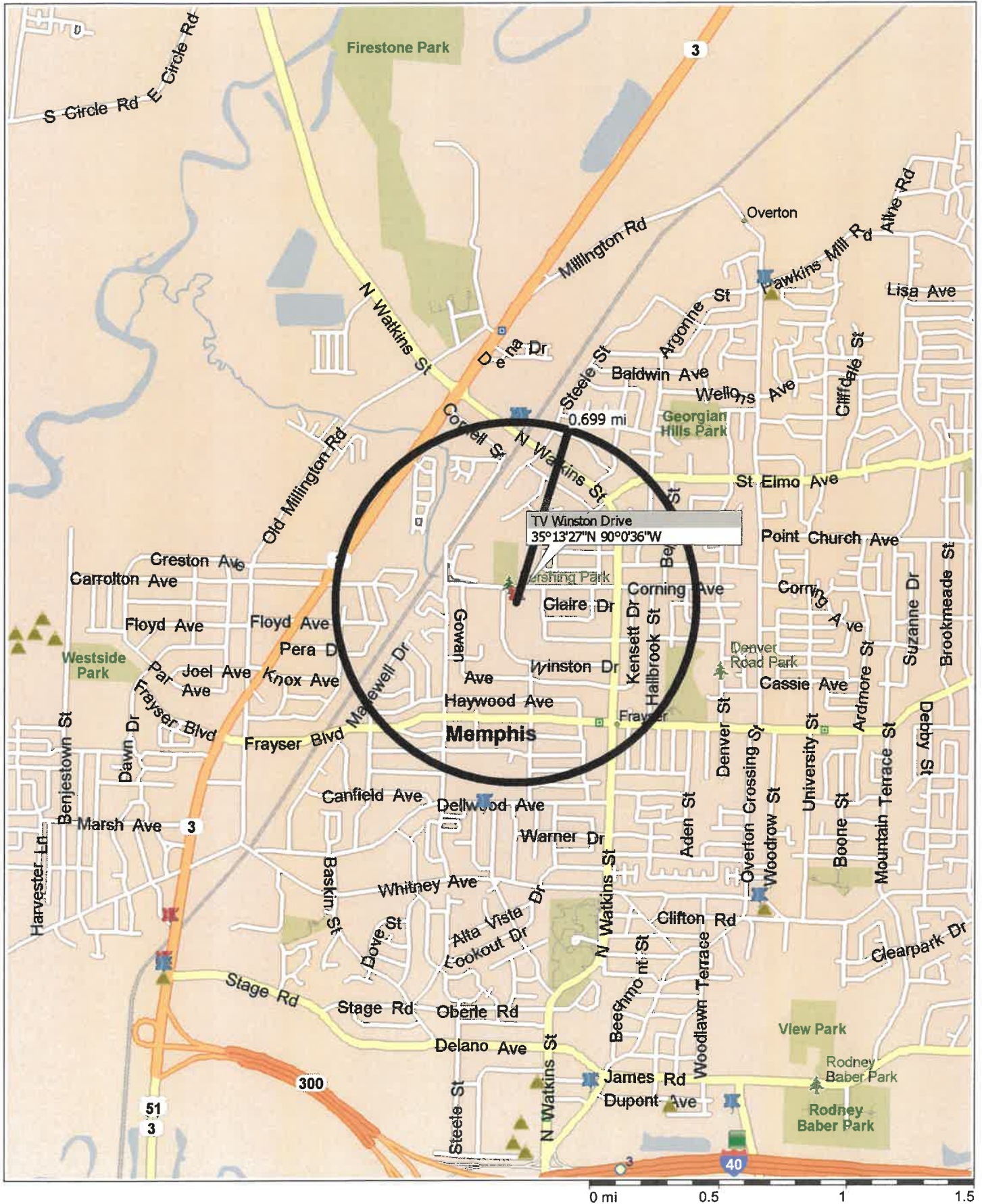
Owner Address: 3354 SCENIC HIGHWAY TER

MEMPHIS TN

38128 5333



TV Winston Drive Distance to Nearby Towers

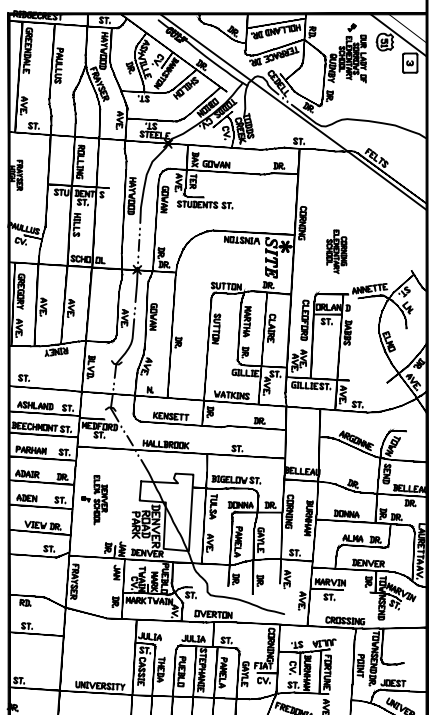


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 Certain mapping and direction data © 2012 NAVTEQ. All rights reserved. The Data for areas of Canada includes information taken with permission from Canadian authorities, including: © Her Majesty the Queen in Right of Canada, © Queen's Printer for Ontario. NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2012 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc. © 2012 by Applied Geographic Solutions. All rights reserved. Portions © Copyright 2012 by Woodall Publications Corp. All rights reserved.

- LEGEND:**
- AC ANCHOR GUY
 - E INSTRUMENT
 - N NORTH
 - S SOUTH
 - P.O.B. POINT OF BEGINNING
 - P.P. POINT OF COMMENCEMENT
 - SOUTH QUARTER SECTION
 - 5/8" x 1/2" REBAR W/ PLASTIC CAP
 - 5/8" x 1/2" WEST WATER VALVE
 - RIGHT-OF-WAY
 - ROW

CORNING AVE
(60' R.O.W.)

SHELBY COUNTY, TENNESSEE



VICINITY MAP

NOT TO SCALE

P.O.B. (PROPOSED 50.0' WIDE
INGRESS/EGRESS & UTILITY
EASEMENT)

- NOTES:**
1. Survey prepared for TIT II, LLC.
 2. Boundaries are relative only.
 3. This survey was prepared from information contained in Commitment No. 9850792, Effective Date: September 1, 2021 at 8:00 AM by Chicago Title Insurance Company.
 4. All deed book references shown herein are recorded in the Register's Office of Shelby County, Tennessee.
 5. This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C 0440 F, Community Panel No. 470177 0440 F, Effective Date: September 26, 2007.
 6. Structures visible on the site of this survey are shown herein.
 7. All visible utility structures located on the property of which we have knowledge are shown herein.
 8. There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
 9. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
 10. Subsurface and environmental conditions were not examined or confirmed as a part of this survey.
 11. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the Surveyor for any errors or omissions in the determination of any governmental jurisdiction affecting the use of the premises.
 12. If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued by the Surveyor. Any discrepancies, omissions, or errors of which the Surveyor is not aware may exist in either version. No reliance should be placed on any information or data that has been modified, altered, or otherwise changed from the original issued document issued at the time of the survey.
 13. Survey is valid only if print has original seal of surveyor.

PROPOSED 15.0' WIDE
UTILITY
EASEMENT
AREA
5,248 S.F.
OR
0.120 ACRES

LOT 3
VICTORY FARMS
SUBDIVISION
P.B. 10, P.C. 48

PATRICK KERRICK BOONE
INST. NO. 20032877

RAYMUNDO HINOJOSA KONNEAL
INST. NO. 11116577

JERRY L. GRANTHAM
INST. NO. 19046774

PROPOSED 30.0' WIDE
INGRESS/EGRESS & UTILITY
EASEMENT
AREA
10,391 S.F.
OR
0.239 ACRES

EGLA BLAINE
AND
LEONORA BLAINE
INST. NO. 20074181

EGLA BLAINE
AND
LEONORA BLAINE
INST. NO. 20060191

PROPOSED 50.0' x 50.0'
GROUND LEASE
AREA
2,500 S.F.

KISA VALDEZ
INST. NO. 200096590

LOT 16
VICTORY FARMS
SUBDIVISION
P.B. 10, P.C. 48

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION	TANGENT
C1	90.00	36.83	60°53'58"	38.65	S 08°55'22" E	15.60
C2	60.00	21.99	60°53'58"	24.76	N 08°55'22" E	11.07

CERTIFICATION:
I, TIT II, LLC, Bruce Porter and Johnson, PLLC, and Chicago Title Insurance Company, hereby certify that this is a Category I Survey and that the ratio of precision of the unadjusted survey is 1:10,000 or greater.

MILESTONE LAND SURVEYING, INC.

By: Date _____
Bruce Porter and Johnson, PLLC
Professional Surveyors
Tennessee Certificate No. 2135

MILESTONE LAND SURVEYING, INC.
2800 OAK RIDGE AVENUE
LEWIS AND CLARK
MEMPHIS, TENNESSEE 38117
PHONE: (901) 867-8671
FAX: (901) 867-9889

- SCHEDULE B SECTION II EXEMPTIONS:**
1. Defects, liens, encumbrances, adverse claims or other matters, if any, appearing in the public records or attaching subsequent to the Effective Date but prior to the date of recording of this Survey, shall not be deemed to have been discovered by the Surveyor.
 2. The homestead, or other statutory marital rights, if any, of the spouse of any individual named in (not a survey matter).
 3. The rights or claims of parties in possession not shown by the public records. (not a survey matter)
 4. Easements, or claims of easements, not shown by the public records. (none of which we are aware)
 5. Any encroachment, encumbrance, violation, variation, or adverse claimants affecting the Title that would be disclosed by an accurate and complete land survey of the Land. (none of which we are aware)
 6. Any lien or right to a lien for services, labor or material furnished (not a survey matter)
 7. Any taxes or assessments not posted on the record of the taxing authority.
 8. Any liens or claims of liens, including but not limited to, mechanic's liens, which are not shown by the public records.
 9. 2002 City of Memphis Taxes and 2022 Shelby County Taxes, a lien but not yet due and payable. (not a survey matter)
 10. Easement of record in Book 1875, Page 183 and Book 2390, Page 25 of the Shelby County Register's Office. (Does not affect the subject property)
 11. Subdivision restrictions, building setback lines and easements of record in Plat Book 10, Page 48, in the Register's Office of Shelby County, Tennessee. (shown herein)

DESCRIPTION (PROPOSED 50.0' x 50.0' WIDE GROUND LEASE AREA):

Description of a Proposed 50.0' x 50.0' Ground Lease Area on part of the Jerry L. Grantham property, recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:
Commencing at found chain mark, at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorssett property, recorded in Instrument No. CC-2286, thence north 88 degrees 49 minutes 22 seconds west with the west line of said property, recorded in Instrument No. CC-2286, 240.44 feet; thence south 01 degrees 31 minutes 37 seconds east, 156.81 feet to a point of curvature; along a curve to the right 08 degrees 55 minutes 22 seconds west, a chord distance of 32.85 feet, and on an arc distance of 32.85 feet to a point of tangency; south 19 degrees 22 minutes 21 seconds west, 154.81 feet to a set 1/2" rebar with plastic cap located at the northeast corner of the above described Proposed 50.0' x 50.0' Ground Lease Area; 50.0' Ground Lease Area, 3108 feet; thence northerly across said property, recorded in Instrument No. 5103 & 19046774 the following call: north 19 degrees 22 minutes 21 seconds east, 163.01 feet to a point of beginning, a chord distance of 21.76 feet, and on an arc distance of 21.89 feet to a point of tangency; north 01 degrees 31 minutes 37 seconds west, 161.27 feet, to a point in the south line of said Corning Ave, thence south 85 degrees 49 minutes 42 seconds east with the south line of said Corning Ave, 30.10 feet to the point of beginning and containing 19,251 square feet or 0.239 acres 91 cent.

Description of a Proposed 15.0' Wide Utility Easement across part of the Jerry L. Grantham property, recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:
Beginning at found chain mark at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorssett property, recorded in Instrument No. CC-2286, thence south 17 degrees 53 minutes 58 seconds west with the west line of said property, recorded in Instrument No. CC-2286, 144.44 feet; thence south 88 degrees 44 minutes 38 seconds west with the north line of said the above described Proposed 50.0' x 50.0' Ground Lease Area, 154.81 feet to a set 1/2" rebar with plastic cap in the northwest corner of the said above described Proposed 50.0' x 50.0' Ground Lease Area; 15.0' wide utility easement across said property, recorded in Instrument No. 5103 & 19046774 the following call: north 19 degrees 22 minutes 21 seconds east, 163.01 feet to a point of beginning, a chord distance of 21.76 feet, and on an arc distance of 21.89 feet to a point in the south line of said Corning Ave, thence south 85 degrees 49 minutes 42 seconds east with the south line of said Corning Ave, 30.10 feet to the point of beginning and containing 5,248 square feet or 0.120 acres of land.

SURVEY OF A
PROPOSED 50'X50'
GROUND LEASE AREA
ON PART OF THE
JERRY L. GRANTHAM
PROPERTY
RECORDED AT
INST. NO. 19046774
MEMPHIS, SHELBY COUNTY, TENNESSEE
SCALE: 1" = 20'
DATE: OCTOBER 29, 2021

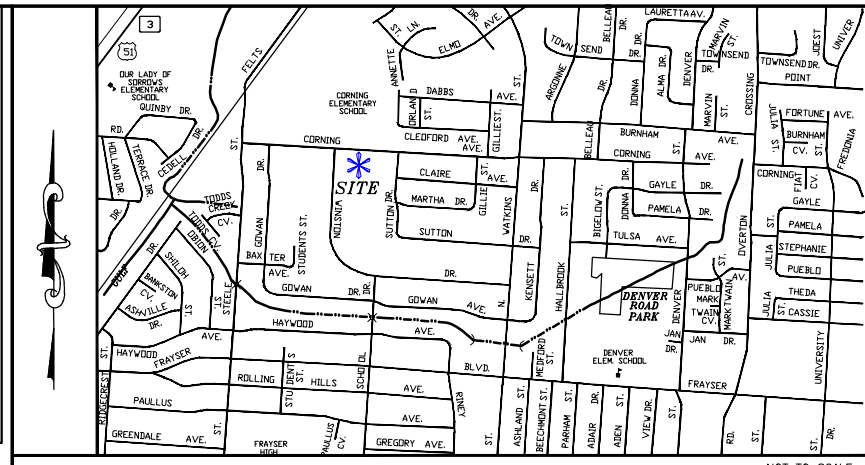


Scale 1" = 20'

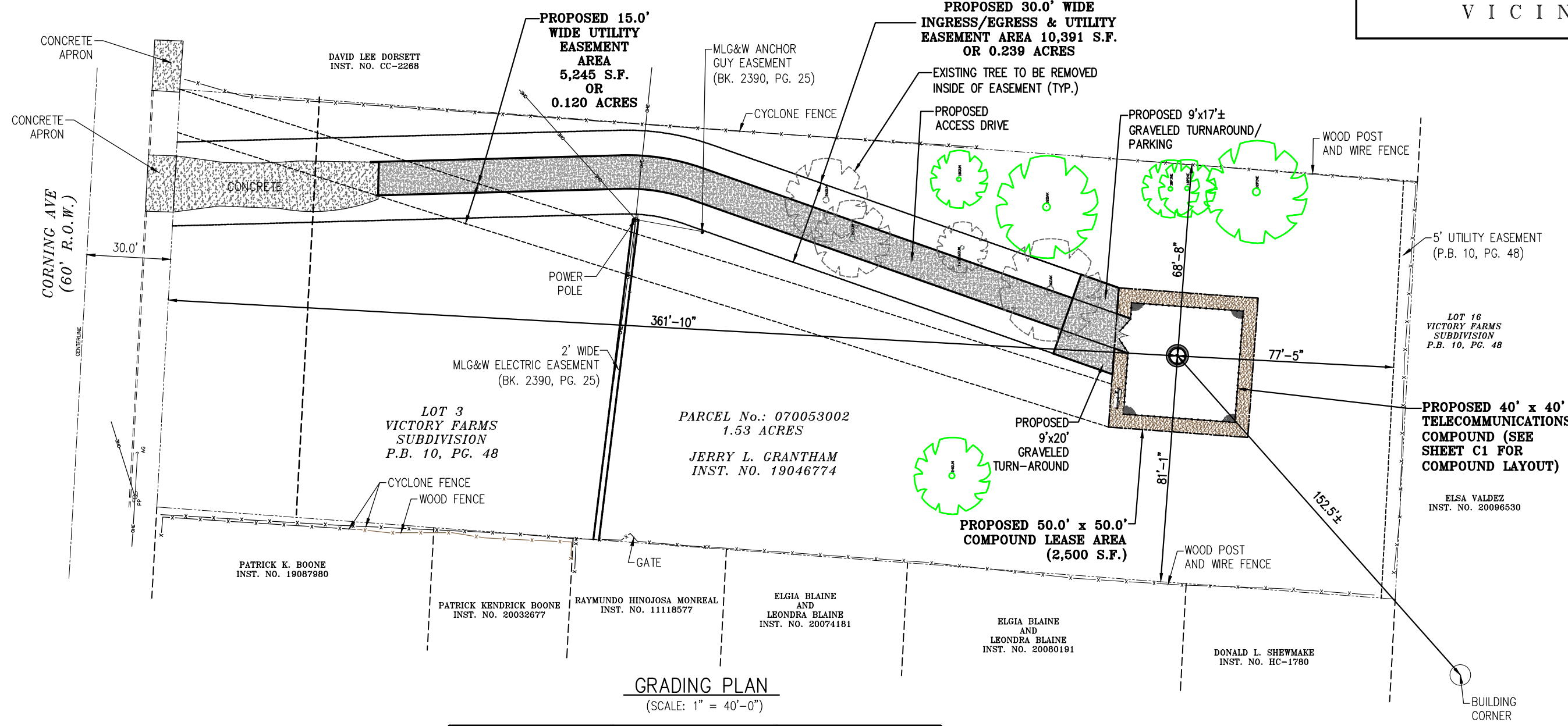
M.L.S. JOB NO. 81172
BIRZANG

GRADING NOTES:

1. THE CONTRACTOR IS TO VERIFY THAT ALL EXISTING TOPOGRAPHY AND HORIZONTAL GEOMETRY IS AS INDICATED ON THESE DRAWINGS. THE CONTRACTOR IS TO ESTABLISH THE EXISTENCE AND LOCATION OF ALL UNDERGROUND AND OVERHEAD UTILITIES AND SERVICES. IMMEDIATELY NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES OR INTERFERENCES WHICH AFFECT THE WORK OF THIS CONTRACT.
2. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES, CODES, AND REGULATIONS.
3. THE CONTRACTOR IS COMPLETELY RESPONSIBLE FOR CONTAINMENT OF SEDIMENTS AND CONTROL OF EROSION ON SITE. ANY DAMAGE TO ADJACENT OR DOWNSTREAM PROPERTIES WILL BE CORRECTED BY THE CONTRACTOR AT NO EXPENSE TO OWNER.
4. THE CONTRACTOR IS TO MAINTAIN ADEQUATE DRAINAGE AT ALL TIMES. DO NOT ALLOW WATER TO STAND OR POND. ANY DAMAGE TO STRUCTURES OR WORK ON THE SITE CAUSED BY INADEQUATE MAINTENANCE OF DRAINAGE PROVISION WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AND ANY COST ASSOCIATED WITH REPAIRS FOR SUCH DAMAGE WILL BE AT THE CONTRACTOR'S EXPENSE.
5. ALL WASTE MATERIAL SHALL BE PROPERLY DISPOSED OF OFF SITE OR AS DIRECTED BY THE CONSTRUCTION MANAGER AND IN ACCORDANCE WITH JURISDICTIONAL AUTHORITIES.
6. SEED AND MULCH ALL DISTURBED AREAS NOT COVERED BY OTHER MATERIALS AS TO RESTORE DAMAGED PROPERTY BACK TO ORIGINAL CONDITION.
7. THE CONTRACTOR SHALL BE RESPONSIBLE TO CORRECT ALL DAMAGE TO THE SITE SUBSEQUENT TO THE INSTALLATION OF THE POWER AND TELCO LINES.
8. THE CONTRACTOR IS TO REMOVE ALL TREES WITHIN ACCESS EASEMENT AND LEASE AREA.



VICINITY MAP

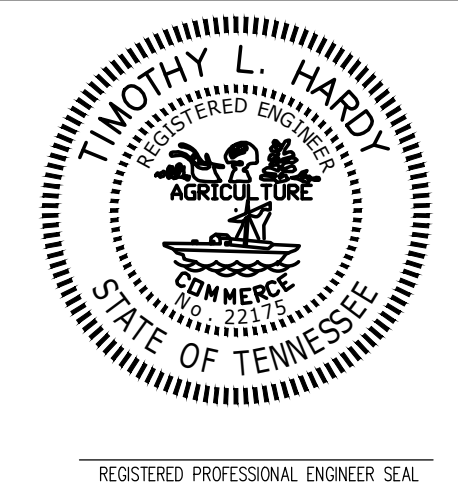


CUT AND FILL SLOPES SHALL NOT EXCEED 2:1

HAY AND SEED ALL DISTURBED AREAS

SET BACKS	
FRONT	15'
REAR	10'
SIDE	15'

- PROPOSED 50'x50' GROUND LEASE AREA 2,500 S.F.
- PROPOSED 40'x40' FENCED COMPOUND 1,600 S.F.
- NOTE: ALL ITEMS ARE EXISTING UNLESS OTHERWISE NOTED



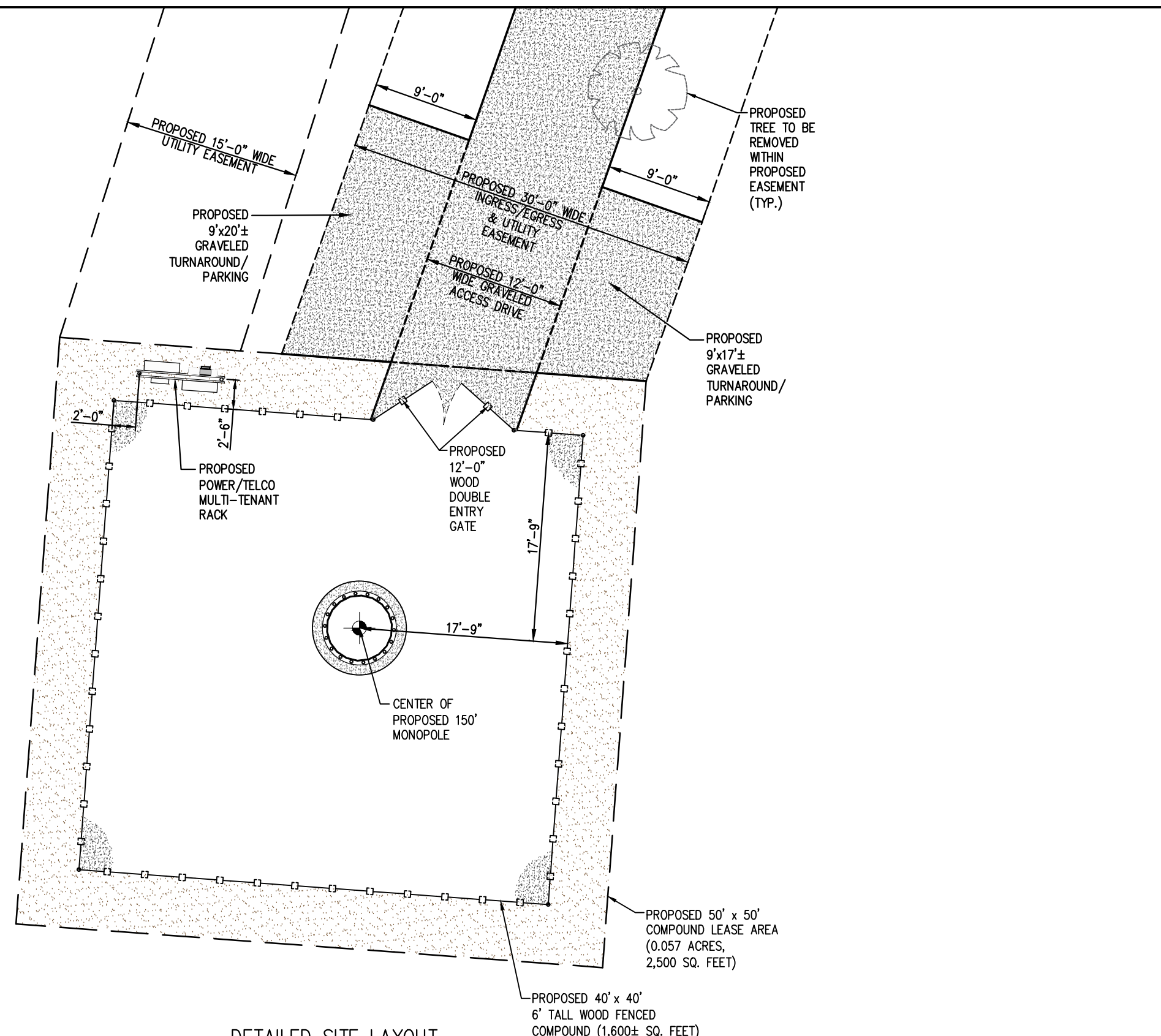
ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
 495 TENNESSEE STREET, SUITE 152
 MEMPHIS, TN 38103
 PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/22/21
 CHECKED BY: T.L. HARDY DATE: 11/24/21
 APPROVED BY: DATE:

HARDY ENGINEERING, INC.
 ENGINEERING AND CONSULTING
 209 LINDEN STREET, P.O. BOX 708
 TRUSSVILLE, AL 35173
 PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **OVERALL SITE LAYOUT**
 SITE: TN1033 - WINSTON DRIVE
 MEMPHIS, TENNESSEE
 FOR TVT II, LLC
 MEMPHIS, TENNESSEE
 CAD No: TN1033_CO SCALE: AS SHOWN DWG. No: C0



DETAILED SITE LAYOUT
(SCALE: 1" = 10'-0")

NOTES:

1. BOUNDARY AND PROPOSED SITE FEATURES ARE BASED ON THE SURVEY. CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THIS DRAWING.
2. CONTRACTOR SHALL FURNISH ALL MATERIALS FOR ELECTRICAL SERVICE AS FOLLOWS:
 - a. 600 AMP INCOMING TO MULTI-TENANT METER CENTER.
3. GROUNDING OF ANTENNAS MOUNTS, COAX, AND EQUIPMENT SHALL BE IN ACCORDANCE WITH VERIZON WIRELESS SPECIFICATIONS.
4. ANY MATERIALS STORED ON SITE SHALL BE STORED IN CLOSED OR COVERED CONTAINERS AND ALL EXCESS WASTE MATERIALS WILL BE PROPERLY DISPOSED OF.
5. ALL HARDWARE TO BE STAINLESS STEEL, **NO PLATED METAL TO BE USED.**
6. CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR CONSTRUCTION & MAINTENANCE OF EROSION AND SEDIMENTATION CONTROLS DURING CONSTRUCTION FOR PROTECTION OF ADJACENT PROPERTIES, ROADWAYS, AND WATERWAYS.
7. CONTRACTOR AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING SITE FREE OF DRAINAGE PROBLEMS.
8. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING A PROPER TRAFFIC CONTROL PLAN FOR PUBLIC SAFETY ADJACENT TO CONSTRUCTION SITE. THE TRAFFIC CONTROL PLAN MUST BE IN ACCORDANCE WITH CITY OF MEMPHIS AND SHELBY COUNTY DESIGN STANDARDS AND SPECIFICATIONS.
9. SEEDING & MULCHING OF THE SITE SHALL BE ACCOMPLISHED AS SOON AS POSSIBLE AFTER COMPLETION OF THE SITE DEVELOPMENT. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING & MAINTAINING AN ADEQUATE COVER OF VEGETATION OVER THE SITE.



REGISTERED PROFESSIONAL ENGINEER SEAL

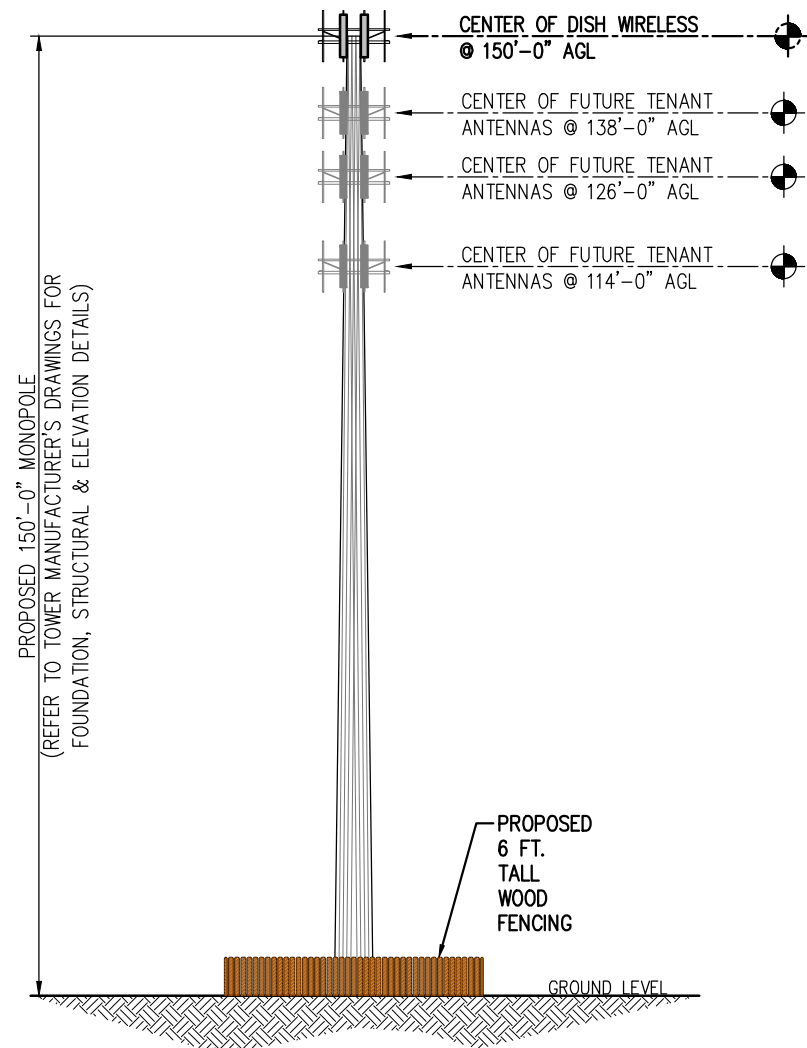
ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/09/21
CHECKED BY: T.L. HARDY DATE: 11/11/21
APPROVED BY: DATE:

HARDY ENGINEERING, INC.
ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **DETAILED SITE LAYOUT**
SITE: TN1033 - WINSTON DRIVE
MEMPHIS, TENNESSEE
FOR
TVT II, LLC
MEMPHIS, TENNESSEE
CAD No: TN1033_C1 SCALE: AS SHOWN DWG. No: C1



150' MONOPOLE ELEVATION
(SCALE: 1" = 30'-0")



REGISTERED PROFESSIONAL ENGINEER SEAL

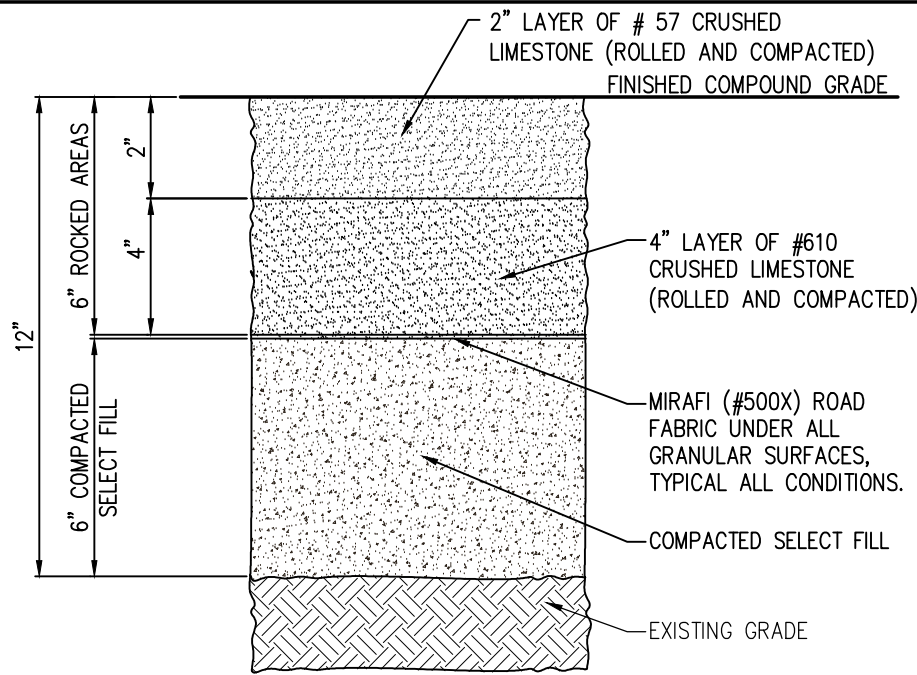
ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/22/21
CHECKED BY: T.L. HARDY DATE: 11/24/21
APPROVED BY: _____ DATE: _____

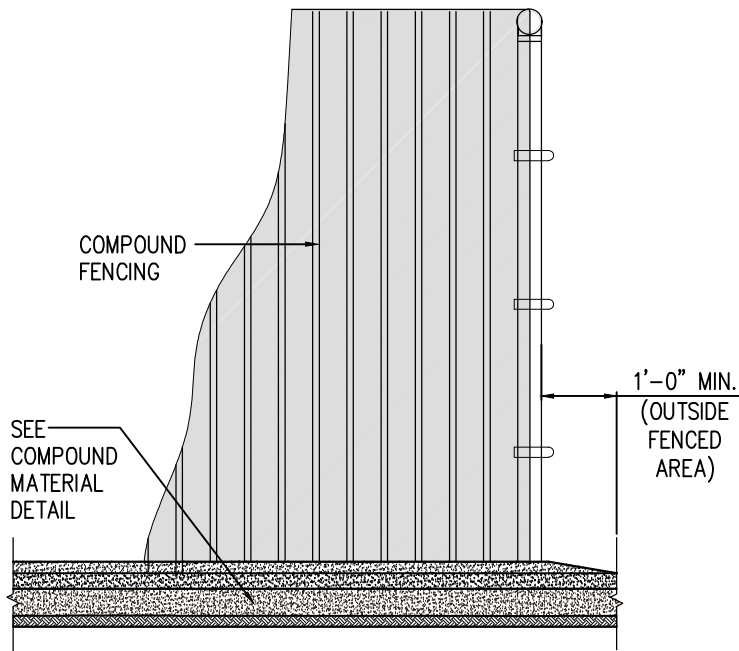
HARDY ENGINEERING, INC.
ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **TOWER ELEVATION**
SITE: TN1033 - WINSTON DRIVE
MEMPHIS, TENNESSEE
FOR
TVT II, LLC
MEMPHIS, TENNESSEE
CAD No: TN1033_C2 SCALE: AS SHOWN DWG. No: **C2**



COMPOUND AREA MATERIAL

NOT TO SCALE

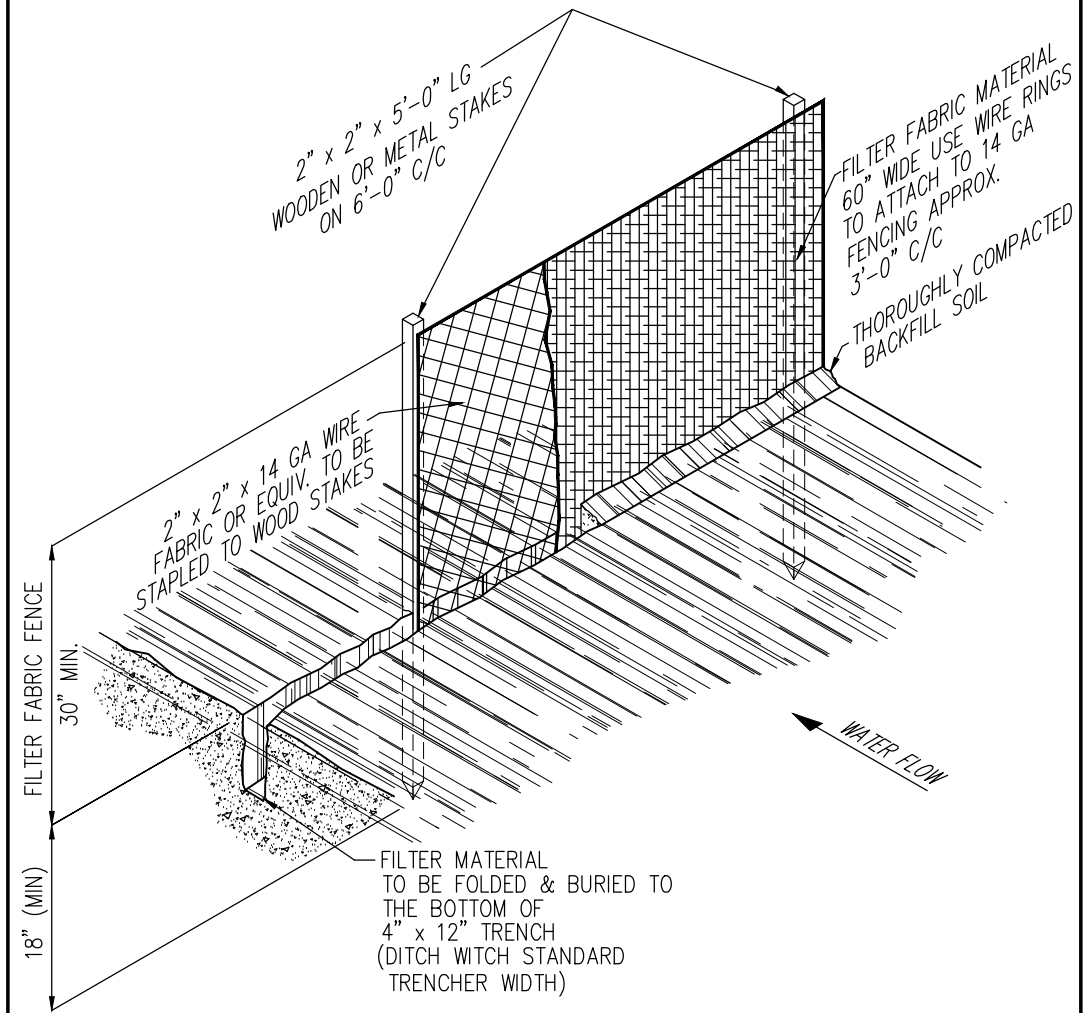


COMPOUND CORNER PROFILE (TYPICAL)

NOT TO SCALE

COMPOUND MATERIAL NOTES:

- 1.) ROLL AND COMPACT ALL ROCKED AREAS.
- 2.) SUITABLE FILL MATERIAL SHALL BE COMPACTED IN PLACE AT AN ELEVATION OF 6" ABOVE EXISTING OR SURROUNDING GRADE BEFORE FABRIC AND ROCK IS PUT IN PLACE.

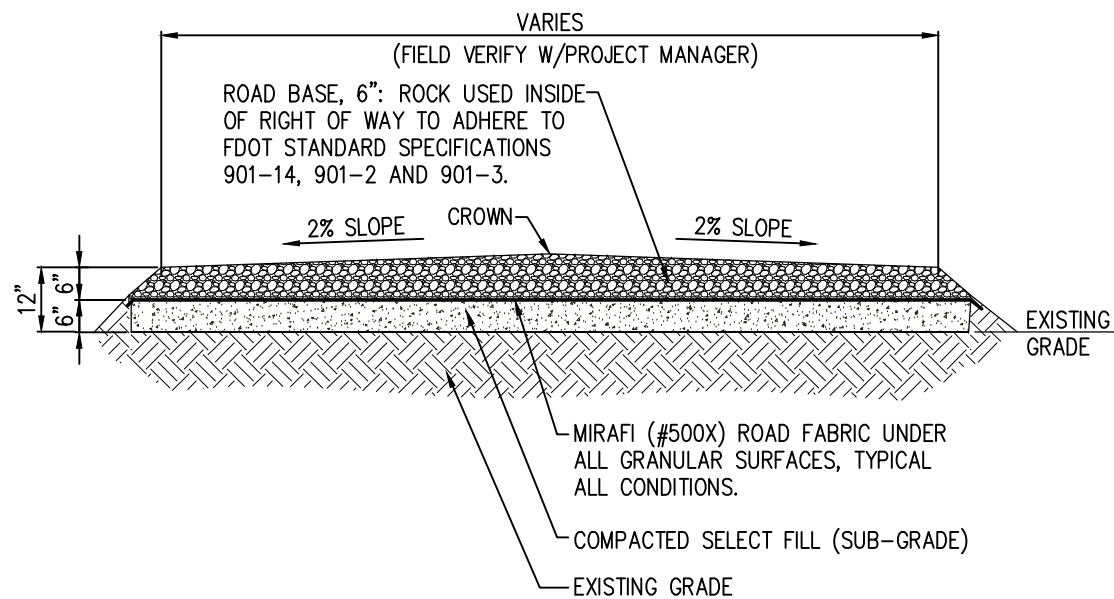


SILT FENCE DETAIL

NOT TO SCALE

NOTES:

1. SILT FENCE SHOULD BE INSPECTED AFTER EACH RAINFALL AND SEDIMENT DEPOSITS MUST BE REMOVED WHEN THEY REACH 1/4 THE HEIGHT OF THE FENCE.
2. FABRIC SHALL RETAIN 85% OF SOIL, BASED ON SIEVE ANALYSIS, BUT NOT TO BE FINER THAN OPENING SIZE 70.



GRAVEL TURNAROUND & ACCESS ROAD

NOT TO SCALE

NOTE:
ALL WORK WITHIN THE RIGHT OF WAY (R.O.W.) TO BE DONE BY ALDOT 2013 STANDARDS AND SPECIFICATIONS



REGISTERED PROFESSIONAL ENGINEER SEAL

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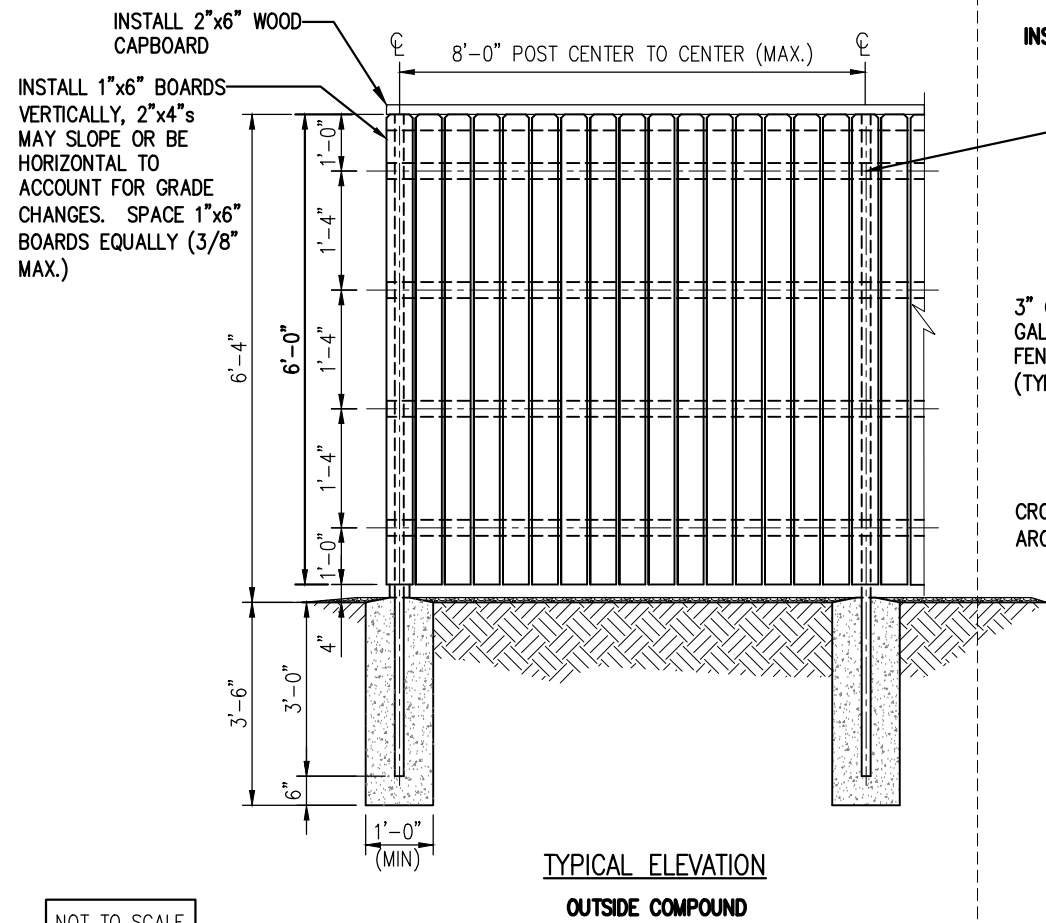
TVT II, LLC

495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY:	C.E. PERSONS	DATE:	11/09/21
CHECKED BY:	T.L. HARDY	DATE:	11/11/21
APPROVED BY:		DATE:	

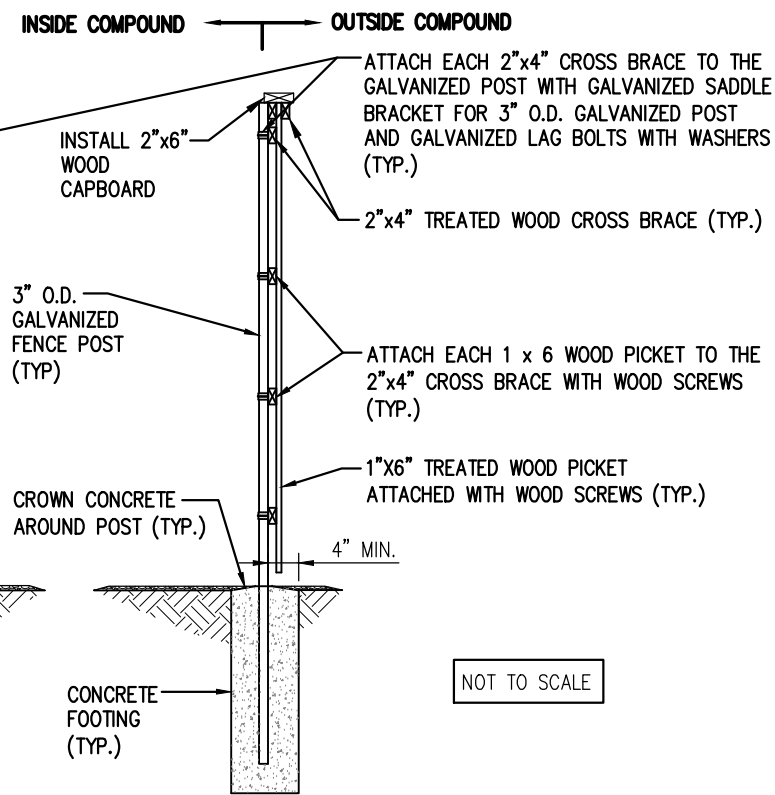
HARDY ENGINEERING, INC.
ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME:	SITE DETAILS		
SITE:	TN1033 - WINSTON DRIVE MEMPHIS, TENNESSEE FOR TVT II, LLC MEMPHIS, TENNESSEE		
CAD No:	TN1033_D1	SCALE:	AS SHOWN
DWG. No.:	D1		



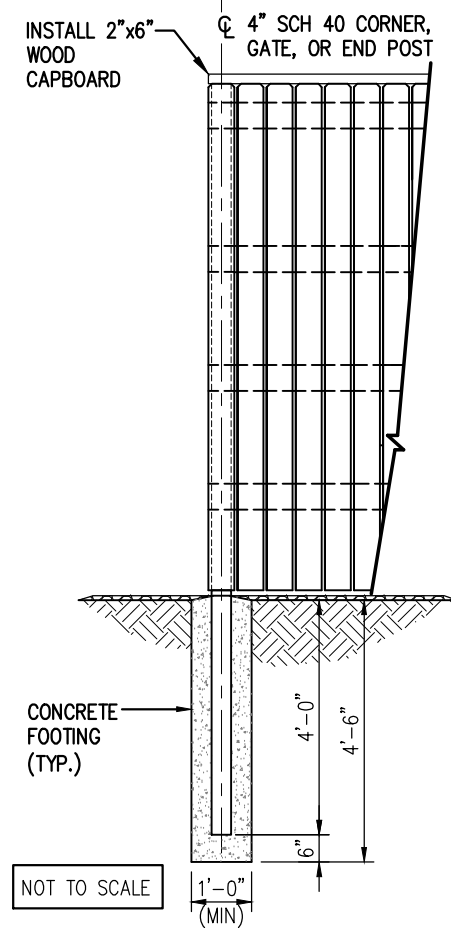
TYPICAL ELEVATION
OUTSIDE COMPOUND

NOT TO SCALE



TYPICAL WOOD FENCE/STEEL POST

NOT TO SCALE



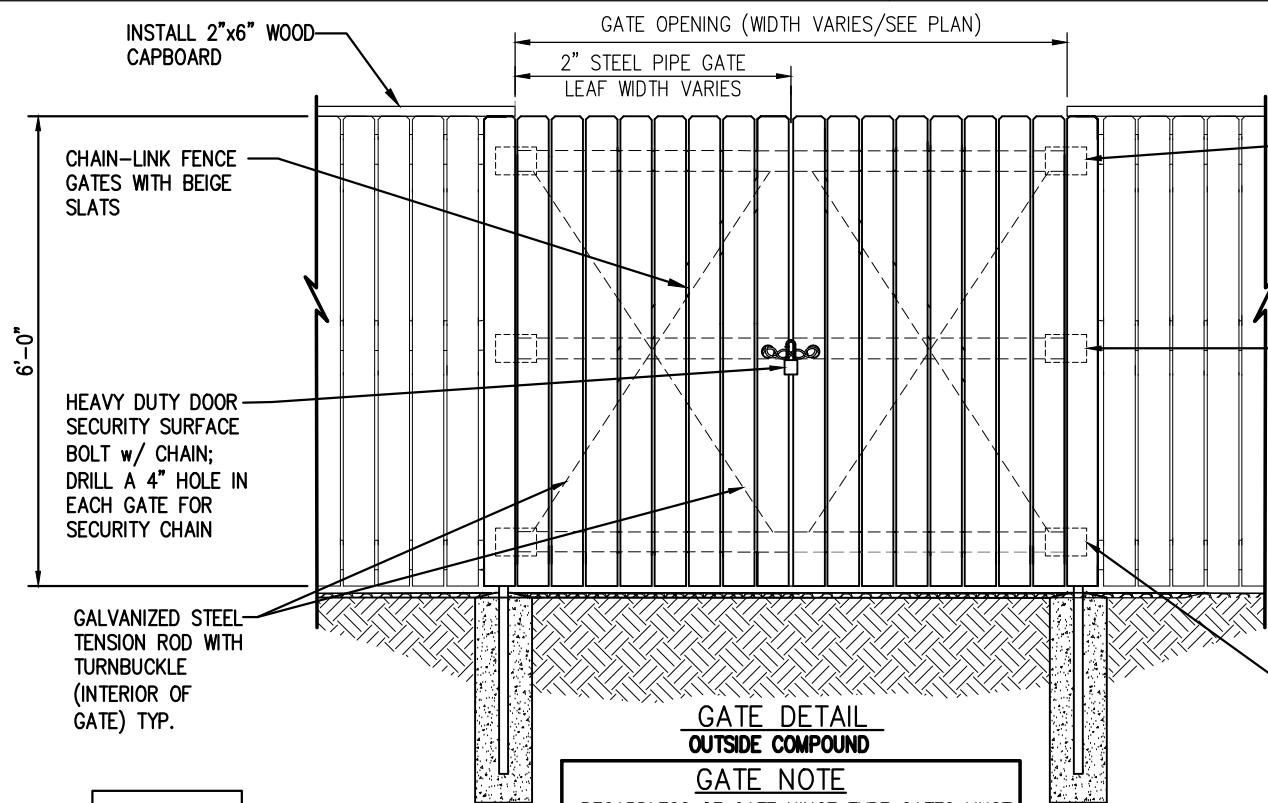
TYPICAL WOOD FENCING/STEEL POST CORNER DETAIL

NOT TO SCALE

TYPICAL WOOD FENCING NOTES

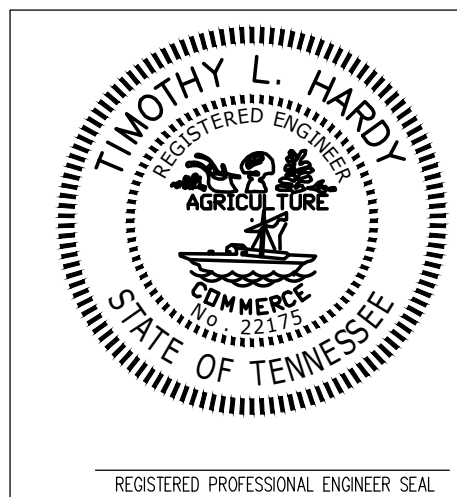
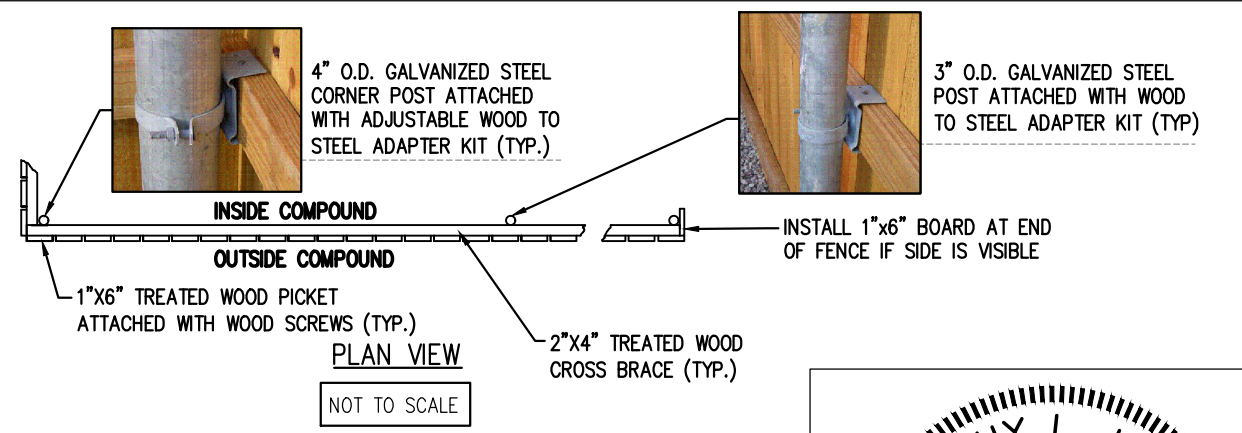
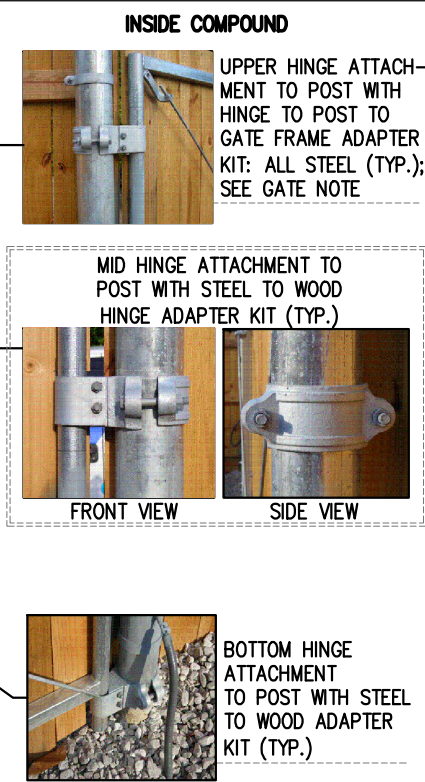
1. FENCE CONSTRUCTION TO BE CONDUCTED IN ACCORDANCE WITH LOCAL DESIGN CODES.
2. ALL WOOD FENCE RAILS TO BE NO. 2 PINE CCA PRESSURE TREATED LUMBER. FENCE TO BE NATURAL BROWN IN COLOR.
3. PICKETS TO BE 7/8" THICK NO. 1 SPRUCE OR CCA PRESSURE TREATED PINE.
4. POSTS TO BE 3" O.D. GALVANIZED STEEL, GATE POST AND CORNER POST TO BE 4" O.D. GALVANIZED STEEL.
5. ALL HARDWARE TO BE HOT DIP GALVANIZED. NO PLATED MATERIAL SHALL BE ALLOWED.
6. ALL BOARDS SHALL BE SCREWED IN WITH WOOD SCREWS TO SECURE WOOD. NAILS ARE NOT PERMITTED.
7. WHERE NEW FENCE POST FOUNDATIONS ARE TO BE INSTALLED OVER OTHER FOUNDATION STRUCTURES, THE FENCE POST AND THE FOUNDATION SHALL BE CAST IN PLACE ON TOP OF EXISTING FOUNDATIONS. MINIMUM FENCE POST FOUNDATION DEPTH SHALL BE 3'-0"

NOTE:
METAL BRACKETS ATTACH TO POST AND WOOD ATTACHES TO BRACKETS. ADAPTER KIT CONSIST OF GALVANIZED BRACKETS, LAG BOLTS AND WASHERS PRE-APPROVED BY TVT II, LLC.



GATE NOTE
REGARDLESS OF GATE HINGE TYPE GATES MUST OPEN OUT TO NINETY DEGREES (90°) MINIMUM.

NOT TO SCALE



REGISTERED PROFESSIONAL ENGINEER SEAL

ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC

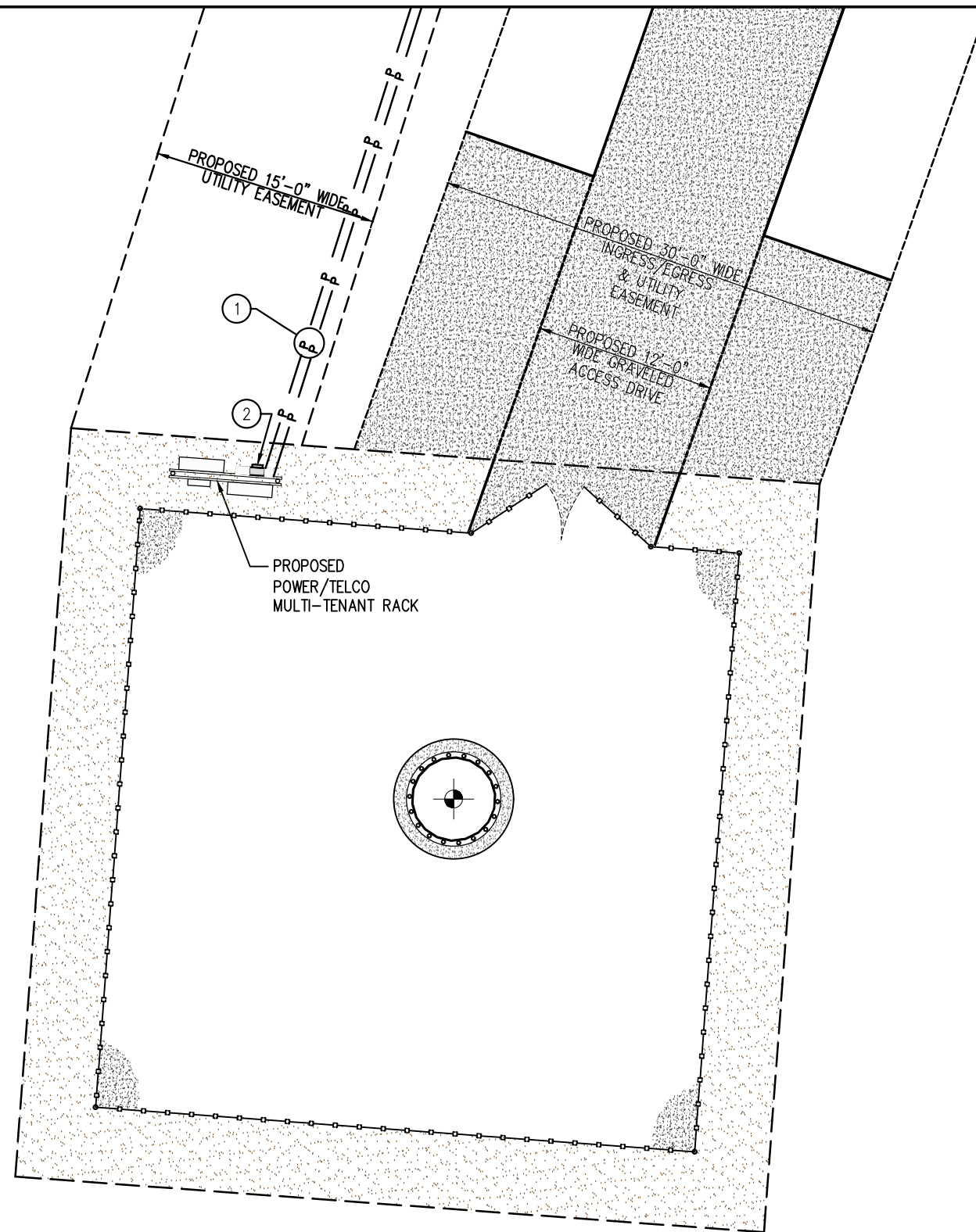
495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY:	C.E. PERSONS	DATE:	11/22/21
CHECKED BY:	T.L. HARDY	DATE:	11/24/21
APPROVED BY:		DATE:	

HARDY ENGINEERING, INC.

ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME:	COMPOUND FENCING DETAILS		
SITE:	TN1033 - WINSTON DRIVE MEMPHIS, TENNESSEE		
FOR:	TVT II, LLC MEMPHIS, TENNESSEE		
CAD No:	TN1033_D2	SCALE:	AS SHOWN
DWG. No:	D2		



ELECTRICAL LAYOUT
(SCALE: 1" = 10'-0")

ELECTRICAL NOTES:

1. BOUNDARY AND PROPOSED SITE FEATURES ARE BASED ON FIELD MEASUREMENTS. CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THIS DRAWING.
2. CONTRACTOR SHALL FURNISH ALL MATERIALS FOR ELECTRICAL SERVICE AS FOLLOWS:
 - a. 600 AMP INCOMING TO MULTI-TENANT METER CENTER.
3. GROUNDING OF ANTENNAS MOUNTS, COAX, AND EQUIPMENT SHALL BE IN ACCORDANCE WITH CLIENT SPECIFICATIONS.
4. ANY MATERIALS STORED ON SITE SHALL BE STORED IN CLOSED OR COVERED CONTAINERS AND ALL EXCESS WASTE MATERIALS WILL BE PROPERLY DISPOSED OF.
5. ALL HARDWARE TO BE STAINLESS STEEL, **NO PLATED METAL TO BE USED.**
6. CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR CONSTRUCTION & MAINTENANCE OF EROSION AND SEDIMENTATION CONTROLS DURING CONSTRUCTION FOR PROTECTION OF ADJACENT PROPERTIES, ROADWAYS, AND WATERWAYS.
7. CONTRACTOR AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING SITE FREE OF DRAINAGE PROBLEMS.
8. CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING A PROPER TRAFFIC CONTROL PLAN FOR PUBLIC SAFETY ADJACENT TO CONSTRUCTION SITE. THE TRAFFIC CONTROL PLAN MUST BE IN ACCORDANCE WITH LATEST (AMUTCO) EDITION.

ELECTRICAL ROUTING NOTES:

①	(2) 3" (POWER) CONDUITS TO BE RUN UNDERGROUND FROM SERVICE BOARD TO POWER DEMARCATION.
②	INSTALL METER WITH DISCONNECT ON 7' UTILITY H-FRAME.

SEE SHEET G1 FOR GROUNDING LAYOUT



REGISTERED PROFESSIONAL ENGINEER SEAL

ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC

495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY:	C.E. PERSONS	DATE:	11/09/21
CHECKED BY:	T.L. HARDY	DATE:	11/11/21
APPROVED BY:		DATE:	

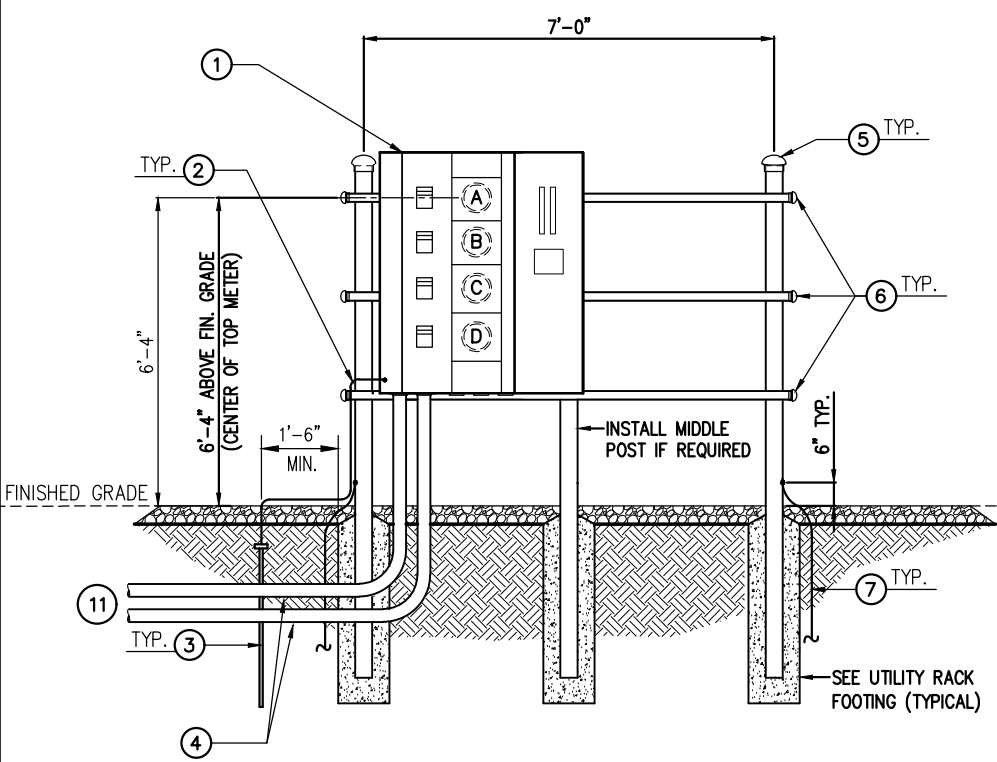


HARDY ENGINEERING, INC.

ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173

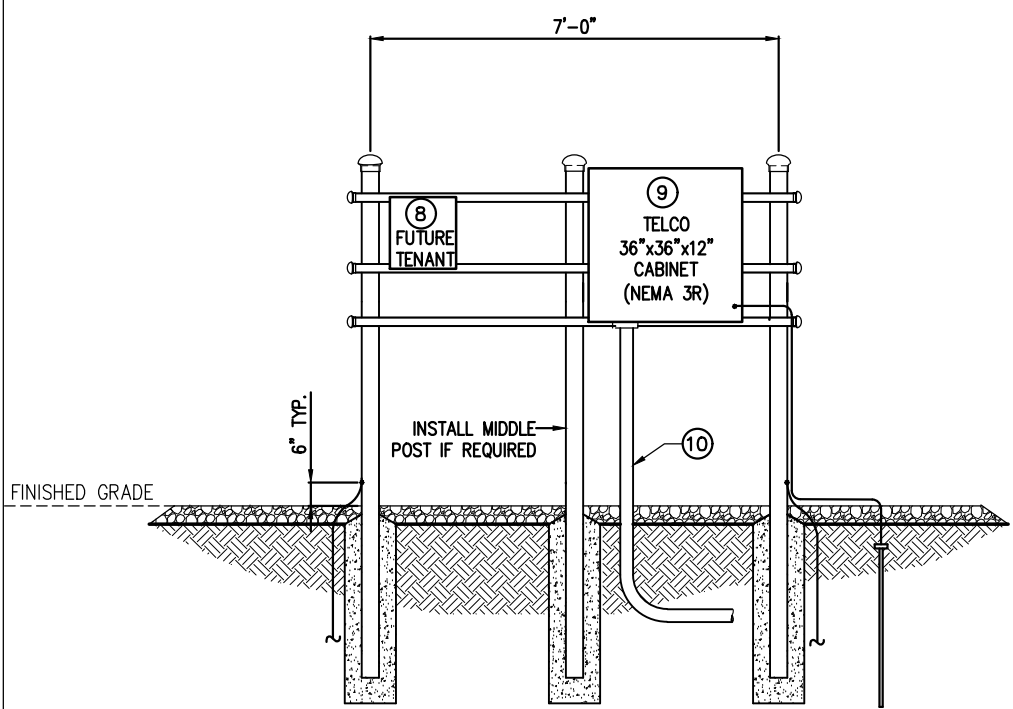
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME:	ELECTRICAL LAYOUT		
	SITE: TN1033 - WINSTON DRIVE MEMPHIS, TENNESSEE FOR TVT II, LLC MEMPHIS, TENNESSEE		
CAD No:	TN1033_E1	SCALE:	AS SHOWN
DWG. No:			E1



MULTI-TENANT ELECTRIC UTILITY RACK (FRONT)

NOT TO SCALE

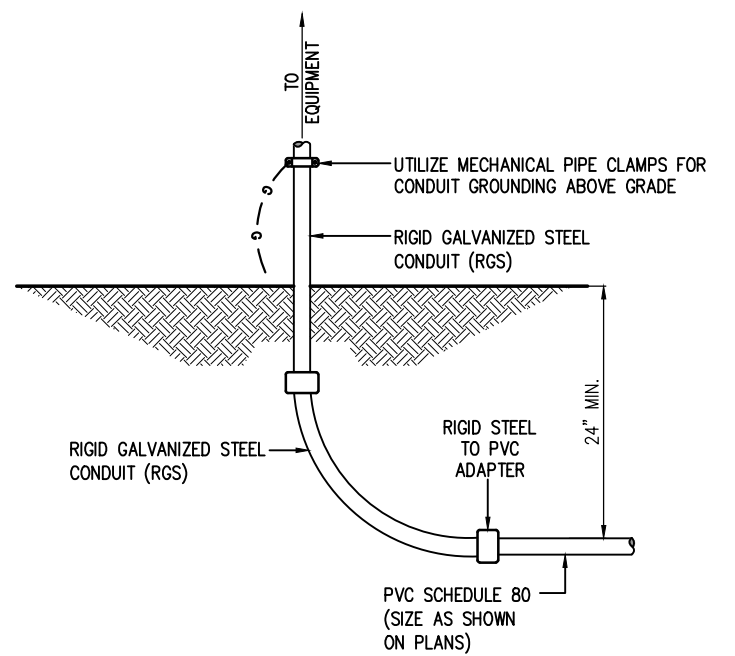


MULTI-TENANT ELECTRIC UTILITY RACK (REAR)

NOT TO SCALE

NOTES:

- 1.) ALL UNDERGROUND CONDUIT EXCEPT RIGID METALLIC SHALL BE SCHEDULE 80.
- 2.) ALL CONDUIT SHALL BE SUPPORTED WITH UNISTRUT AND STRAPS @ UTILITY RACK.



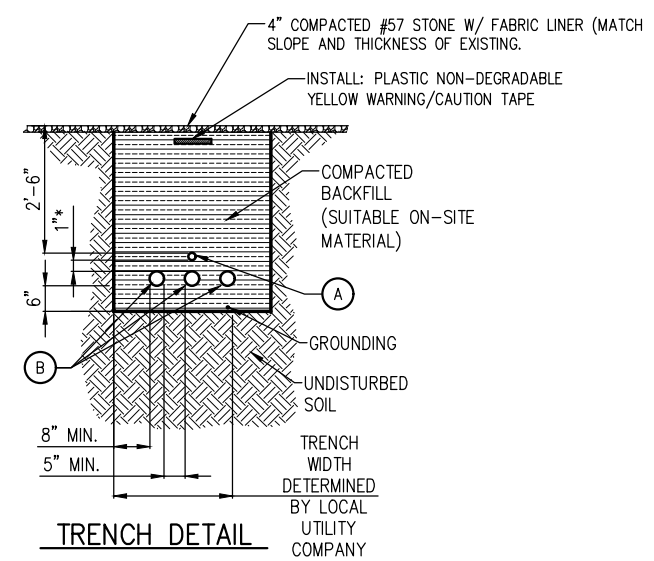
UNDERGROUND CONDUIT STUB-UP DETAIL

NOT TO SCALE

UTILITY RACK & SERVICE POLE LEGEND				
①	4 POSITION METER CENTER (600A/120/240V, 1PH SERVICE)			
②	#2 SOLID BARE TINNED COPPER GROUND WIRE IN 1" CONDUIT BETWEEN ELECTRICAL SERVICE ENTRANCE GROUND ROD AND GROUND LUG IN MULTI-TENANT METER CENTER (SERVICE GROUND)			
③	3/4" x 10'-0" LONG COPPERCLAD ELECTRICAL STEEL SERVICE ENTRANCE GROUND ROD			
④	ELECTRIC SERVICE CONDUCTORS IN (2) 3" CONDUITS TO SERVICE POLE/PAD MOUNTED TRANSFORMER			
⑤	3-1/2" O.D. GALVANIZED STEEL POST AND METAL CAP (TYPICAL)			
⑥	END CAP ALL ENDS. ZINC COATED "UNISTRUT" HOT DIP GALVANIZED, FIELD DRESS RAW ENDS OF CUT UNISTRUT WITH ZINC COATING, EXTEND PAST POST FOR U-BOLT ATTACHMENT (TYPICAL)			
⑦	#2 SOLID BARE TINNED COPPER GROUND WIRE TO TOWER GROUND RING (TYPICAL)			
⑧	FUTURE TENANT TELCO BOX (NEMA 3R)			
⑨	TELCO 36"x36"x12" CABINET (NEMA 3R)			
⑩	4" CONDUIT TO TELCO PEDESTAL/DEMARCATON			
⑪	FINAL CONNECTION BY LOCAL POWER COMPANY			

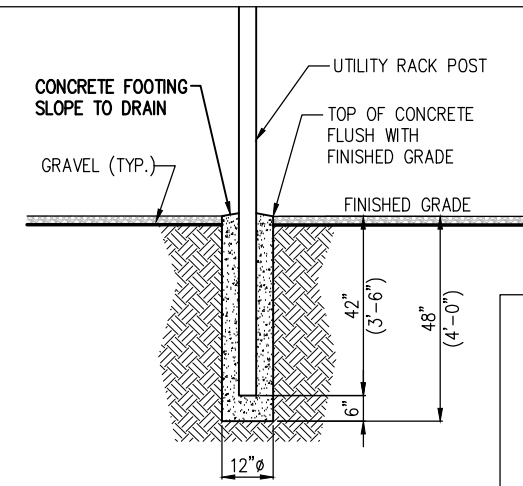
- Ⓐ TELCO CONDUIT
- Ⓑ POWER CONDUITS

* CONDUIT SIZE, TYPE, QUANTITY AND SEPARATION DIMENSION TO BE DETERMINED BY LOCAL UTILITY COMPANY HAVING JURISDICTION



TRENCH DETAIL

NOT TO SCALE



UTILITY RACK FOOTING

NOT TO SCALE

TYPICAL OF ALL VIEWS



REGISTERED PROFESSIONAL ENGINEER SEAL

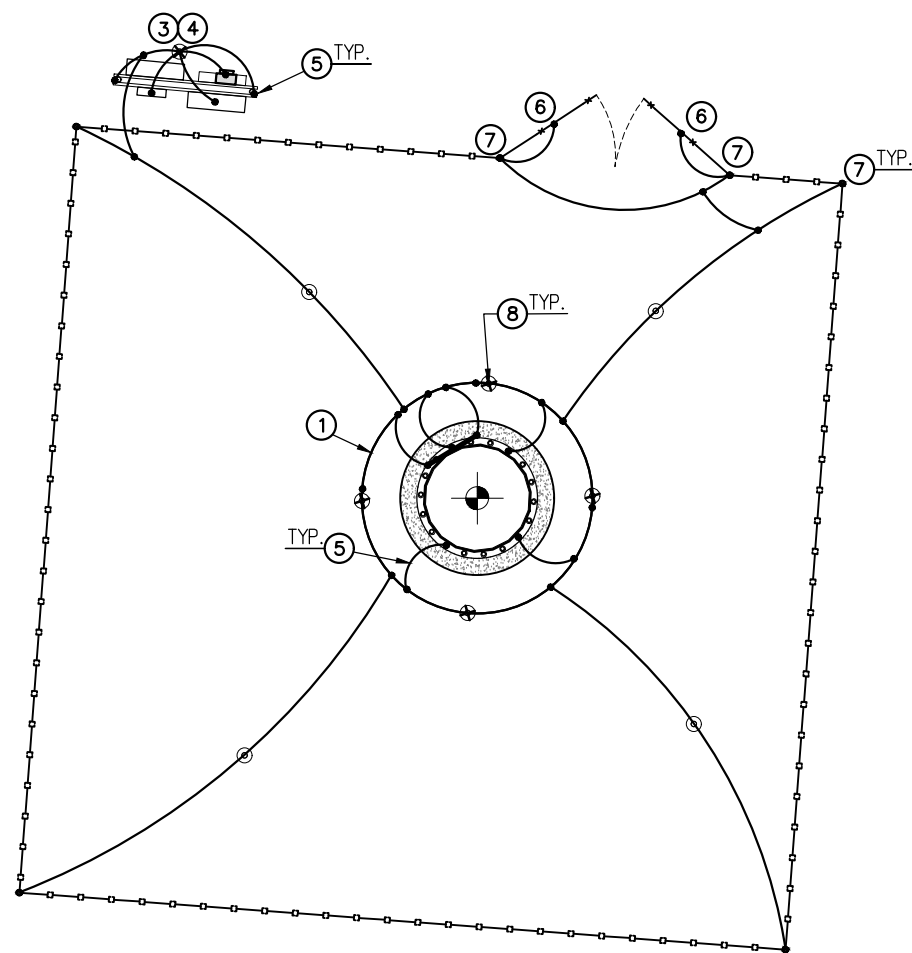
ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
 495 TENNESSEE STREET, SUITE 152
 MEMPHIS, TN 38103
 PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/09/21
 CHECKED BY: T.L. HARDY DATE: 11/11/21
 APPROVED BY: DATE:

HARDY ENGINEERING, INC.
 ENGINEERING AND CONSULTING
 209 LINDEN STREET, P.O. BOX 708
 TRUSSVILLE, AL 35173
 PHONE: (205) 655-1427 FAX: (205) 661-9027

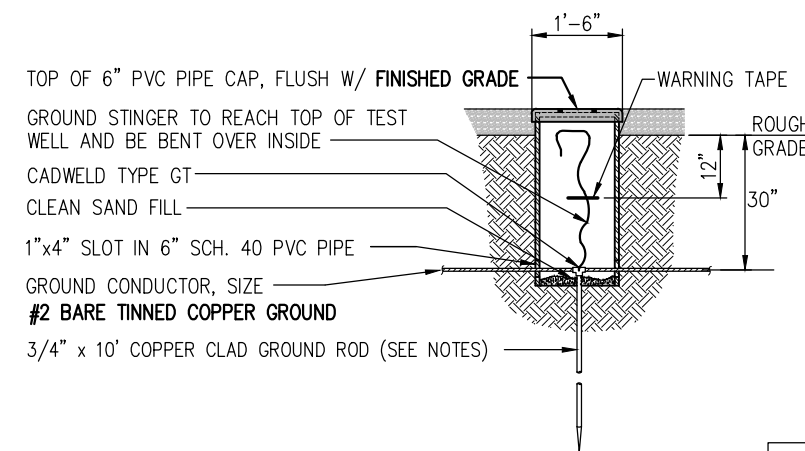
DWG. NAME: **ELECTRICAL DETAILS**
 SITE: TN1033 - WINSTON DRIVE
 MEMPHIS, TENNESSEE
 FOR
 TVT II, LLC
 MEMPHIS, TENNESSEE
 CAD No: TN1033_E2 SCALE: AS SHOWN DWG. No: E2



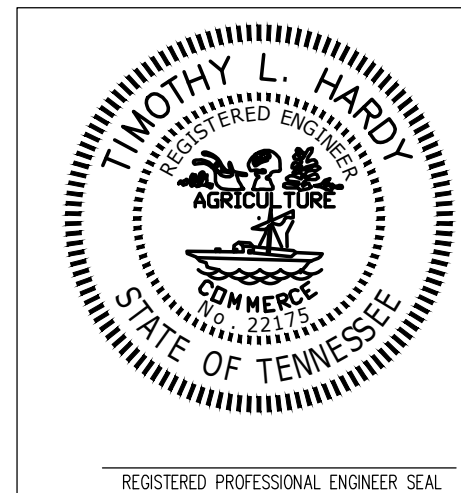
GROUNDING LAYOUT
(SCALE: 1" = 10'-0")

CALL-OUT NOTES:

- ① #2 AWG SOLID BARE COPPER TOWER GROUND RING. INSTALL (4) GROUND RODS (MIN.) SPACED EQUALLY. MAINTAIN 2 FT. (MIN.) FROM EDGE OF TOWER FOUNDATION. BOND CORNER FENCE POST (TYP.);
- ② TOWER BOTTOM GROUND BAR. TOWER GROUND BARS SHALL BE COPPER.
- ③ 3/4"Ø x 10 FT. COPPER CLAD GROUND ROD(S) FOR UTILITY SERVICE.
- ④ BOND GPS ANTENNAS, DISCONNECT SWITCH, MISCELLANEOUS METALLIC EQUIPMENT, CONDUITS AND ANY MISCELLANEOUS LIFTING HOOKS TO GROUND RING W/ #2 AWG SOLID BARE TINNED COPPER WIRE.
- ⑤ #2 AWG SOLID BARE TINNED COPPER WIRE FROM ICE-BRIDGE/H-FRAME SUPPORT POST TO TOWER GROUND RING OR EQUIPMENT GROUND RING (TYP.)
- ⑥ #2 WELDING CABLE JUMPER TO GATE PIPE CONNECTOR. GROUNDING CABLE SHALL BE ATTACHED IN A MANNER WERE IT WILL NOT BE SUBJECTED TO STRAIN WHICH MAY CAUSE DAMAGE WHEN GATE IS FULLY OPENED.
- ⑦ #2 AWG SOLID BARE TINNED COPPER WIRE FROM TOWER/EQUIPMENT PAD/PLATFORM GROUND RING TO FENCE POST.
- ⑧ PROVIDE GROUND RING ACCESS POINT FOR FUTURE CARRIERS (CONTRACTOR TO VERIFY W/ CONSTRUCTION MANAGER).



(GROUND RING ACCESS POINT)
VERIFY W/ PROJECT MANAGER
FOR NUMBER AND LOCATIONS
NOT TO SCALE



REGISTERED PROFESSIONAL ENGINEER SEAL

ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

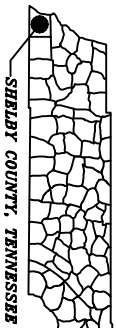
DRAWN BY: C.E. PERSONS DATE: 11/09/21
CHECKED BY: T.L. HARDY DATE: 11/11/21
APPROVED BY: _____ DATE: _____

HARDY ENGINEERING, INC.
ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

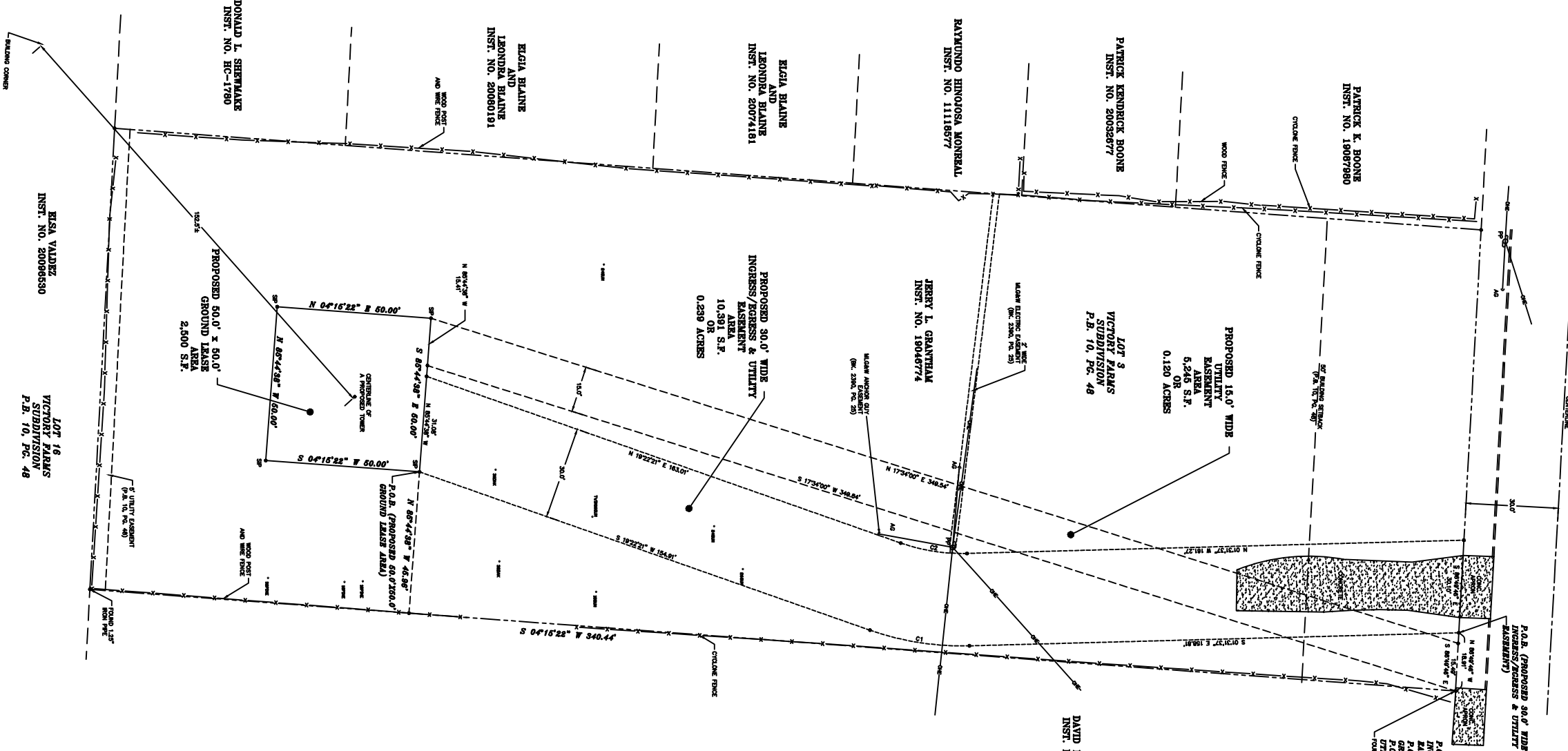
DWG. NAME: **GROUNDING LAYOUT**
SITE: TN1033 - WINSTON DRIVE
MEMPHIS, TENNESSEE
FOR
TVT II, LLC
MEMPHIS, TENNESSEE
CAD No: TN1033_G1 SCALE: AS SHOWN DWG. No: **G1**

LEGEND:

AC	ANCHOR GUY
E	EAST
INST.	INSTRUMENT
N	NORTH
NO.	NUMBER
—	OVERHEAD LINE
P.O.B.	POINT OF BEGINNING
P.P.	POINT OF COMMENCEMENT
S	SOUTH
S.F.	SQUARE FEET
SPT.	SET
W	WEST
WV	WATER VALVE
ROW	RIGHT-OF-WAY



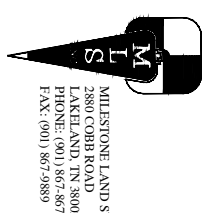
**CORNING AVE
(60' R.O.W.)**



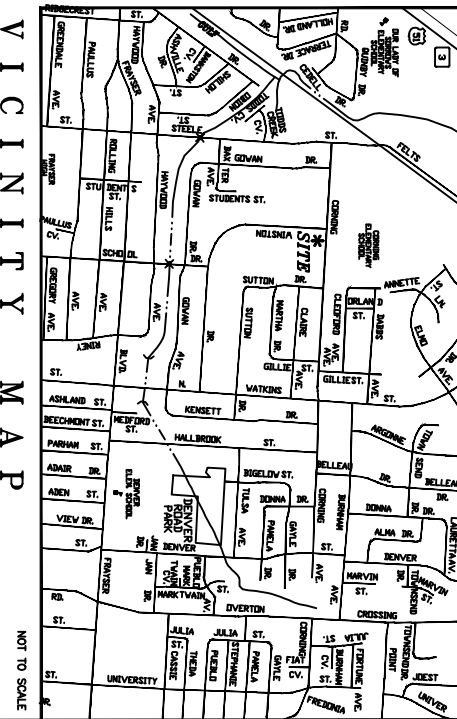
NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION	TANGENT
C1	90.00	36.83	67°53'58"	36.65	S 08°55'22" E	15.64
C2	60.00	21.99	67°53'58"	21.76	N 08°55'22" E	11.07

CERTIFICATION:
I, TERRY L. ULLA, Bureau Partner and Johnson, PLLC, and Chicago Title Insurance Company, hereby certify that this is a Category I Survey and that the ratio of precision of the unadjusted survey is 1:10,000 or greater.

By: Terry Ullal, RLS Date: _____
Terry Ullal, RLS
Chicago Title Insurance Company
Tennessee Certificate No. 2135



MILESTONE LAND SURVEYING, INC.
280 COLUMBIAN BLVD
MEMPHIS, TN 38102
PHONE: (901) 867-8671
FAX: (901) 867-9889



VICINITY MAP
NOT TO SCALE

- NOTES:**
1. Survey prepared for TLT II, LLC.
 2. Boundaries are relative only.
 3. This survey was prepared from information contained in Commitment No. 9850792, Effective Date: September 1, 2021 at 8:00 AM by Chicago Title Insurance Company.
 4. All deed book references shown herein are recorded in the Register's Office of Shelby County, Tennessee.
 5. This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map No. 47157C-0440-F, Community Panel No. 470177-0440-F, Effective Date: September 28, 2007.
 6. Structures visible on the site of this survey are shown herein.
 7. All visible utility structures located on the property of which we have knowledge are shown herein.
 8. There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
 9. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
 10. Subsurface and environmental conditions were not examined or confirmed as a part of this survey.
 11. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the surveyor for any errors or omissions in the determination of any governmental jurisdiction affecting the use of the premises.
 12. If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued by the surveyor. Any discrepancies between the two versions of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be placed on the electronic copy of this survey. The original hard copy version of this survey is the only true and correct version of the survey.
 13. Survey is void only if print has original seal of surveyor.

SCHEDULE B SECTION II EXEMPTIONS:

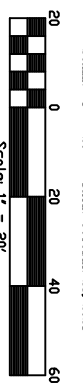
1. Defects, liens, encumbrances, adverse claims or other matters, if any, appearing in the public records or attaching subsequent to the date of recording of this survey, shall not affect the validity of this survey as to the interests acquired hereunder. (not a survey matter)
2. The homestead, or other statutory marital rights, if any, of the spouse of any individual named. (not a survey matter)
3. The rights or claims of parties in possession not shown by the public records. (not a survey matter)
4. Easements, or claims of easements, not shown by the public records. (none of which we are aware)
5. Any encroachment, encumbrance, violation, violation, or adverse claim, affecting the title that would be disclosed by an accurate and complete land survey of the land. (none of which we are aware)
6. Any lien or right to a lien, for services, labor or material furnished, or a survey matter) hereafter furnished, imposed by law and not shown by the public records. (not a survey matter)
7. Any taxes or assessments not posted on the record of the taxing authority(ies) at the time of recording of this survey, or any taxes or assessments of which the fee, and/or corrected assessments pursuant to T.C.A. Section 67-5-409 and 67-5-403 at any year or back assessments pursuant to T.C.A. Section 67-1-1001 et seq., or taxes or assessments of which the fee, and/or corrected assessments pursuant to T.C.A. Section 67-5-1001 et seq., (not a survey matter)
8. Taxes or special assessments which are not shown on existing items by the public records. (not a survey matter)
9. 2002 City of Memphis Taxes and 2022 Shelby County Taxes, a lien but not yet due and payable. (not a survey matter)
10. Easement of record in Book 1875, Page 183 and Book 2390, Page 25 of the Shelby County Register's Office. (Does not affect the subject property)
11. Subdivision restrictions, building setback lines and easements of record in Plot Book 10, Page 48, in the Register's Office of Shelby County, Tennessee. (shown herein)

DESCRIPTION (PROPOSED 50.0' X 50.0' WIDE GROUND LEASE AREA):

Description of a Proposed 50.0' x 50.0' Ground Lease Area on part of the Jerry L. Grantham property, recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:
Commencing at found chain mark, at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property, recorded in Instrument No. CC-2286, thence north 88 degrees 49 minutes 22 seconds west with the west line of said property, recorded in Instrument No. CC-2286, 240.44 feet; thence south 01 degrees 31 minutes 37 seconds east, 156.81 feet to a point of curvature, along a curve to the right 08 degrees 55 minutes 22 seconds west, a chord distance of 52.85 feet, and on an arc distance of 52.85 feet to a point of tangency, south 19 degrees 22 minutes 21 seconds west, 154.81 feet to a set 1/2" rebar with plastic cap located at the northeast corner of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 04 degrees 15 minutes 19 seconds east, 163.01 feet to a point of curvature, along a curve to the right 08 degrees 55 minutes 22 seconds west, a chord distance of 21.76 feet, and on an arc distance of 21.76 feet to a point of tangency, north 01 degrees 31 minutes 37 seconds west, 181.27 feet to a point in the south line of said Corning Ave, thence south 85 degrees 49 minutes 45 seconds east with the south line of said Corning Ave, 30.10 feet to the point of beginning and containing 19,571 square feet or 0.239 acres (1/42).

Description of a Proposed 15.0' Wide Utility Easement across part of the Jerry L. Grantham property, recorded in Instrument No. 19046774 located in Memphis, Shelby County, Tennessee:
Beginning at found chain mark, at the intersection of the south line of Corning Ave (60' R.O.W.) and the west line of the David Lee Dorsett property, recorded in Instrument No. CC-2286, thence south 17 degrees 53 minutes 58 seconds west with the west line of said property, recorded in Instrument No. CC-2286, 156.81 feet to a point of curvature, along a curve to the right 08 degrees 55 minutes 22 seconds west, a chord distance of 52.85 feet, and on an arc distance of 52.85 feet to a point of tangency, south 19 degrees 22 minutes 21 seconds west, 154.81 feet to a set 1/2" rebar with plastic cap located at the northeast corner of the above described Proposed 50.0' x 50.0' Ground Lease Area; thence north 04 degrees 15 minutes 19 seconds east, 163.01 feet to a point of curvature, along a curve to the right 08 degrees 55 minutes 22 seconds west, a chord distance of 21.76 feet, and on an arc distance of 21.76 feet to a point in the south line of said Corning Ave, thence south 85 degrees 49 minutes 45 seconds east with the south line of said Corning Ave, 30.10 feet to the point of beginning and containing 5,245 square feet or 0.120 acres of land.

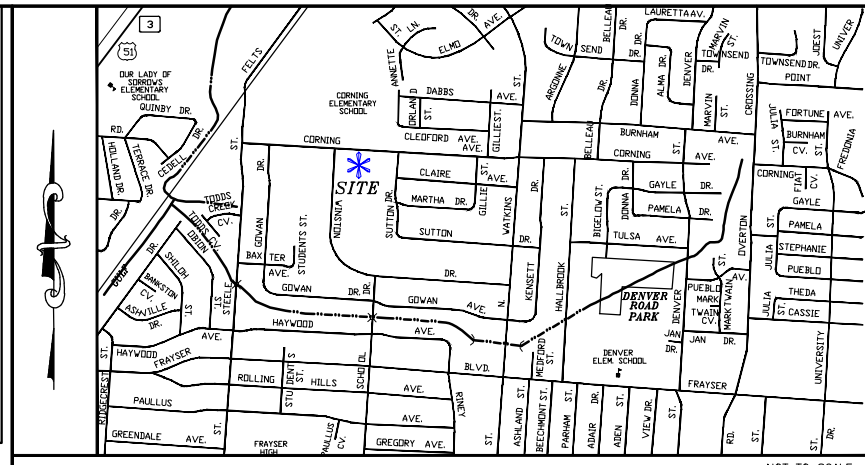
**SURVEY OF A
PROPOSED 50'X50'
GROUND LEASE AREA
ON PART OF THE
PROPERTY OF
JERRY L. GRANTHAM
RECORDED AT
INST. NO. 19046774
MEMPHIS, SHELBY COUNTY, TENNESSEE
SCALE: 1" = 20' DATE: OCTOBER 20, 2021**



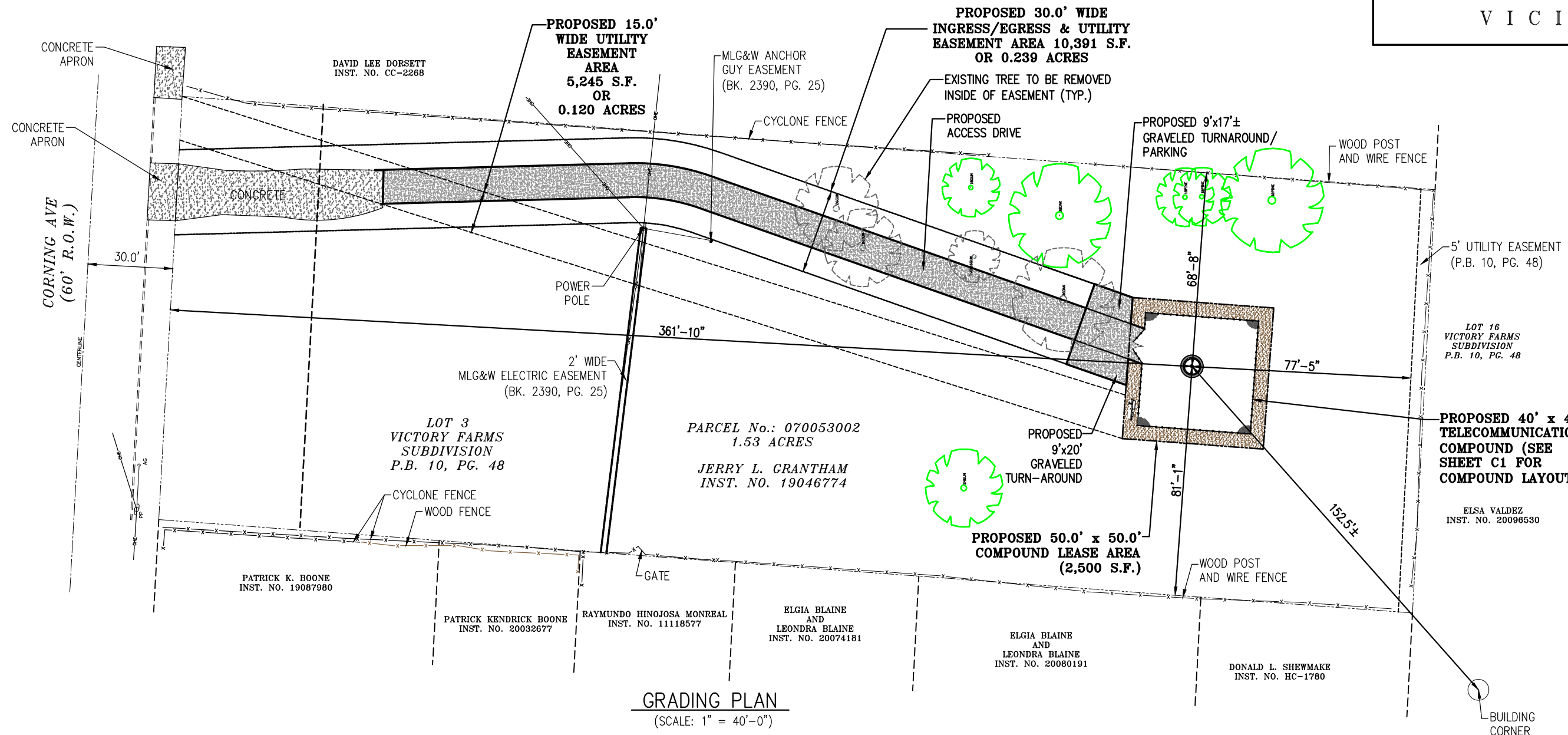
Scale: 1" = 20'
MIS JOB No. 81172
BTZ/ANG

GRADING NOTES:

1. THE CONTRACTOR IS TO VERIFY THAT ALL EXISTING TOPOGRAPHY AND HORIZONTAL GEOMETRY IS AS INDICATED ON THESE DRAWINGS. THE CONTRACTOR IS TO ESTABLISH THE EXISTENCE AND LOCATION OF ALL UNDERGROUND AND OVERHEAD UTILITIES AND SERVICES. IMMEDIATELY NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES OR INTERFERENCES WHICH AFFECT THE WORK OF THIS CONTRACT.
2. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES, CODES, AND REGULATIONS.
3. THE CONTRACTOR IS COMPLETELY RESPONSIBLE FOR CONTAINMENT OF SEDIMENTS AND CONTROL OF EROSION ON SITE. ANY DAMAGE TO ADJACENT OR DOWNSTREAM PROPERTIES WILL BE CORRECTED BY THE CONTRACTOR AT NO EXPENSE TO OWNER.
4. THE CONTRACTOR IS TO MAINTAIN ADEQUATE DRAINAGE AT ALL TIMES. DO NOT ALLOW WATER TO STAND OR POND. ANY DAMAGE TO STRUCTURES OR WORK ON THE SITE CAUSED BY INADEQUATE MAINTENANCE OF DRAINAGE PROVISION WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AND ANY COST ASSOCIATED WITH REPAIRS FOR SUCH DAMAGE WILL BE AT THE CONTRACTOR'S EXPENSE.
5. ALL WASTE MATERIAL SHALL BE PROPERLY DISPOSED OF OFF SITE OR AS DIRECTED BY THE CONSTRUCTION MANAGER AND IN ACCORDANCE WITH JURISDICTIONAL AUTHORITIES.
6. SEED AND MULCH ALL DISTURBED AREAS NOT COVERED BY OTHER MATERIALS AS TO RESTORE DAMAGED PROPERTY BACK TO ORIGINAL CONDITION.
7. THE CONTRACTOR SHALL BE RESPONSIBLE TO CORRECT ALL DAMAGE TO THE SITE SUBSEQUENT TO THE INSTALLATION OF THE POWER AND TELCO LINES.
8. THE CONTRACTOR IS TO REMOVE ALL TREES WITHIN ACCESS EASEMENT AND LEASE AREA.



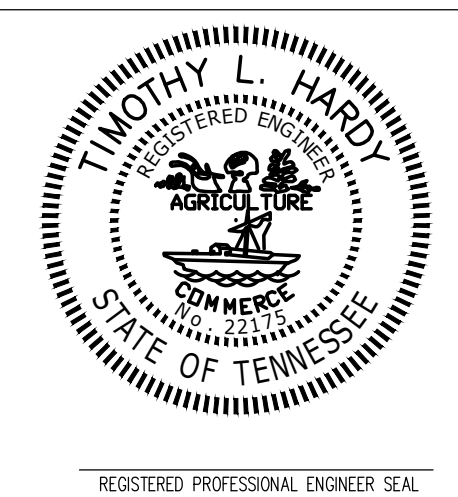
VICINITY MAP



CUT AND FILL SLOPES SHALL NOT EXCEED 2:1

HAY AND SEED ALL DISTURBED AREAS

SET BACKS	
FRONT	15'
REAR	10'
SIDE	15'



- PROPOSED 50'x50' GROUND LEASE AREA 2,500 S.F.
- PROPOSED 40'x40' FENCED COMPOUND 1,600 S.F.
- NOTE: ALL ITEMS ARE EXISTING UNLESS OTHERWISE NOTED

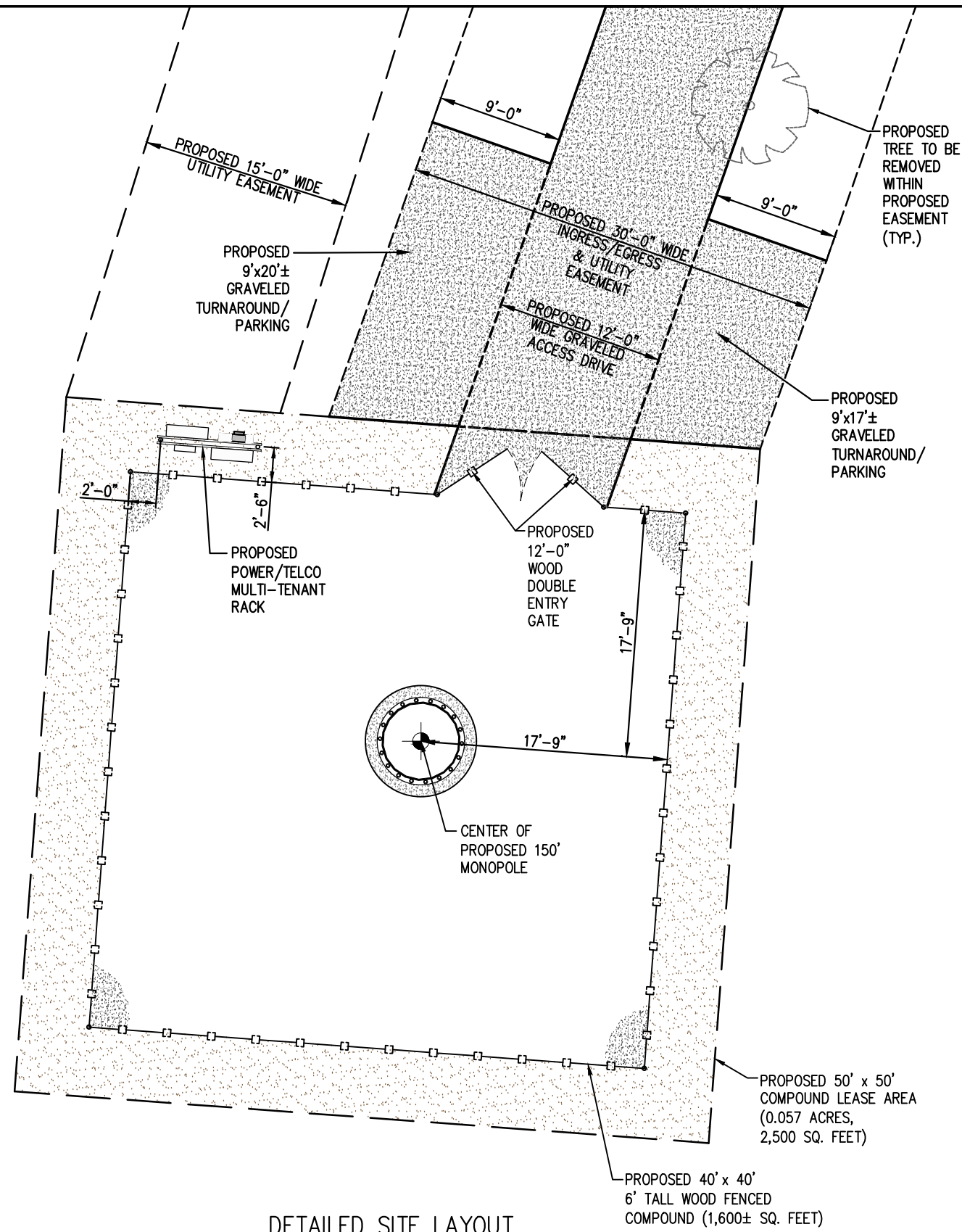
ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
 495 TENNESSEE STREET, SUITE 152
 MEMPHIS, TN 38103
 PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY:	C.E. PERSONS	DATE:	11/22/21
CHECKED BY:	T.L. HARDY	DATE:	11/24/21
APPROVED BY:		DATE:	

HARDY ENGINEERING, INC.
 ENGINEERING AND CONSULTING
 209 LINDEN STREET, P.O. BOX 708
 TRUSSVILLE, AL 35173
 PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **OVERALL SITE LAYOUT**
 SITE: TN1033 - WINSTON DRIVE
 MEMPHIS, TENNESSEE
 FOR
 TVT II, LLC
 MEMPHIS, TENNESSEE
 CAD No: TN1033_CO SCALE: AS SHOWN DWG. No: C0



DETAILED SITE LAYOUT
(SCALE: 1" = 10'-0")

NOTES:

1. BOUNDARY AND PROPOSED SITE FEATURES ARE BASED ON THE SURVEY. CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THIS DRAWING.
2. CONTRACTOR SHALL FURNISH ALL MATERIALS FOR ELECTRICAL SERVICE AS FOLLOWS:
 - a. 600 AMP INCOMING TO MULTI-TENANT METER CENTER.
3. GROUNDING OF ANTENNAS MOUNTS, COAX, AND EQUIPMENT SHALL BE IN ACCORDANCE WITH VERIZON WIRELESS SPECIFICATIONS.
4. ANY MATERIALS STORED ON SITE SHALL BE STORED IN CLOSED OR COVERED CONTAINERS AND ALL EXCESS WASTE MATERIALS WILL BE PROPERLY DISPOSED OF.
5. ALL HARDWARE TO BE STAINLESS STEEL, **NO PLATED METAL TO BE USED.**
6. CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR CONSTRUCTION & MAINTENANCE OF EROSION AND SEDIMENTATION CONTROLS DURING CONSTRUCTION FOR PROTECTION OF ADJACENT PROPERTIES, ROADWAYS, AND WATERWAYS.
7. CONTRACTOR AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING SITE FREE OF DRAINAGE PROBLEMS.
8. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING A PROPER TRAFFIC CONTROL PLAN FOR PUBLIC SAFETY ADJACENT TO CONSTRUCTION SITE. THE TRAFFIC CONTROL PLAN MUST BE IN ACCORDANCE WITH CITY OF MEMPHIS AND SHELBY COUNTY DESIGN STANDARDS AND SPECIFICATIONS.
9. SEEDING & MULCHING OF THE SITE SHALL BE ACCOMPLISHED AS SOON AS POSSIBLE AFTER COMPLETION OF THE SITE DEVELOPMENT. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING & MAINTAINING AN ADEQUATE COVER OF VEGETATION OVER THE SITE.



REGISTERED PROFESSIONAL ENGINEER SEAL

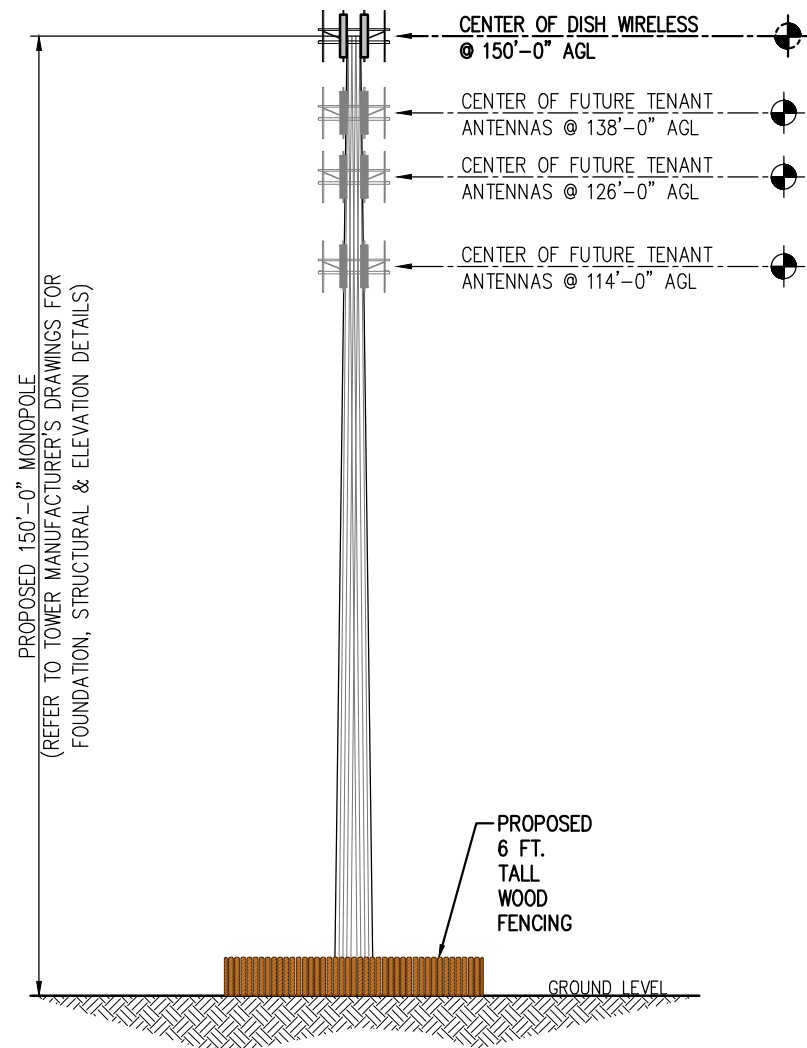
ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/09/21
CHECKED BY: T.L. HARDY DATE: 11/11/21
APPROVED BY: DATE:

HARDY ENGINEERING, INC.
ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **DETAILED SITE LAYOUT**
SITE: TN1033 - WINSTON DRIVE
MEMPHIS, TENNESSEE
FOR
TVT II, LLC
MEMPHIS, TENNESSEE
CAD No: TN1033_C1 SCALE: AS SHOWN DWG. No: C1



150' MONOPOLE ELEVATION
(SCALE: 1" = 30'-0")



REGISTERED PROFESSIONAL ENGINEER SEAL

ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC

495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/22/21

CHECKED BY: T.L. HARDY DATE: 11/24/21

APPROVED BY: _____ DATE: _____

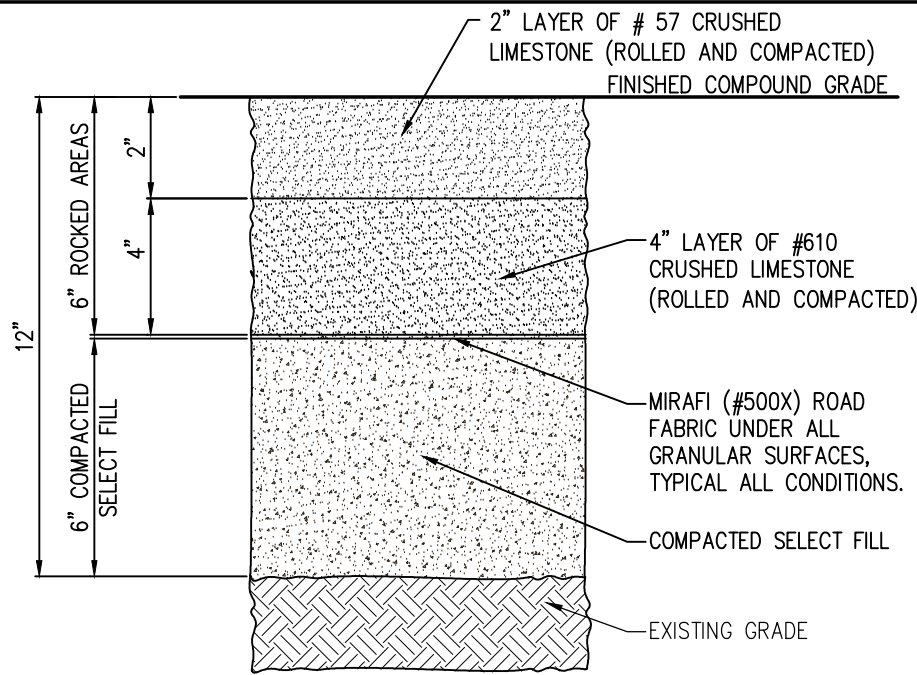
HARDY ENGINEERING, INC.

ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **TOWER ELEVATION**

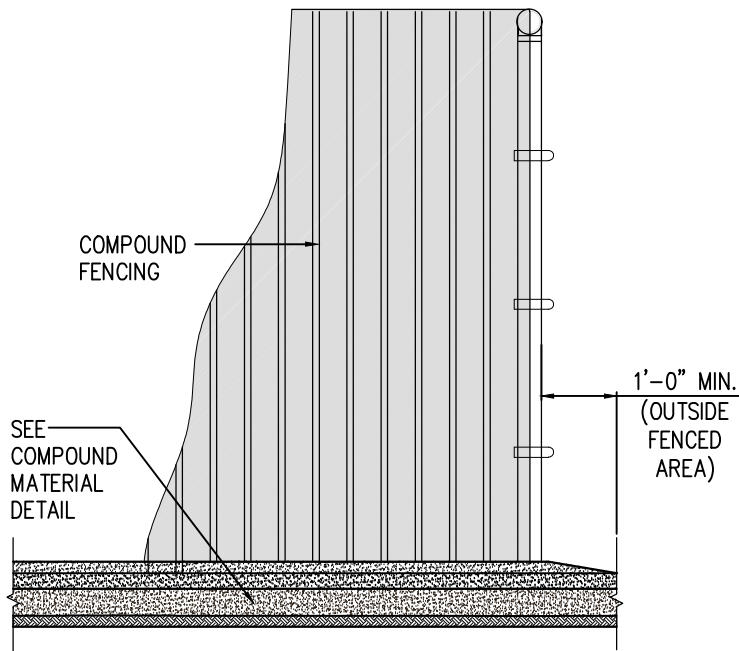
SITE: TN1033 - WINSTON DRIVE
MEMPHIS, TENNESSEE
FOR
TVT II, LLC
MEMPHIS, TENNESSEE

CAD No: TN1033_C2 SCALE: AS SHOWN DWG. No: **C2**



COMPOUND AREA MATERIAL

NOT TO SCALE

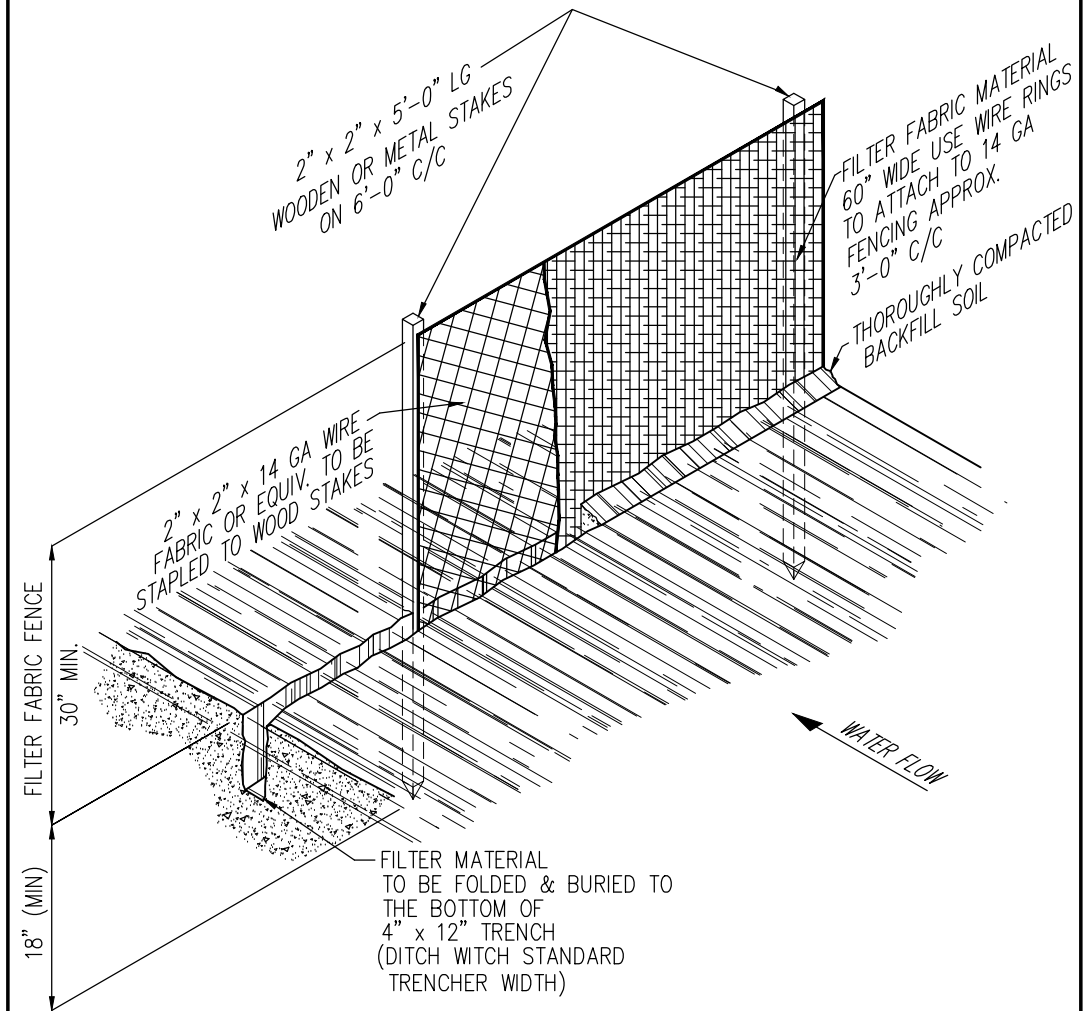


COMPOUND CORNER PROFILE (TYPICAL)

NOT TO SCALE

COMPOUND MATERIAL NOTES:

- 1.) ROLL AND COMPACT ALL ROCKED AREAS.
- 2.) SUITABLE FILL MATERIAL SHALL BE COMPACTED IN PLACE AT AN ELEVATION OF 6" ABOVE EXISTING OR SURROUNDING GRADE BEFORE FABRIC AND ROCK IS PUT IN PLACE.

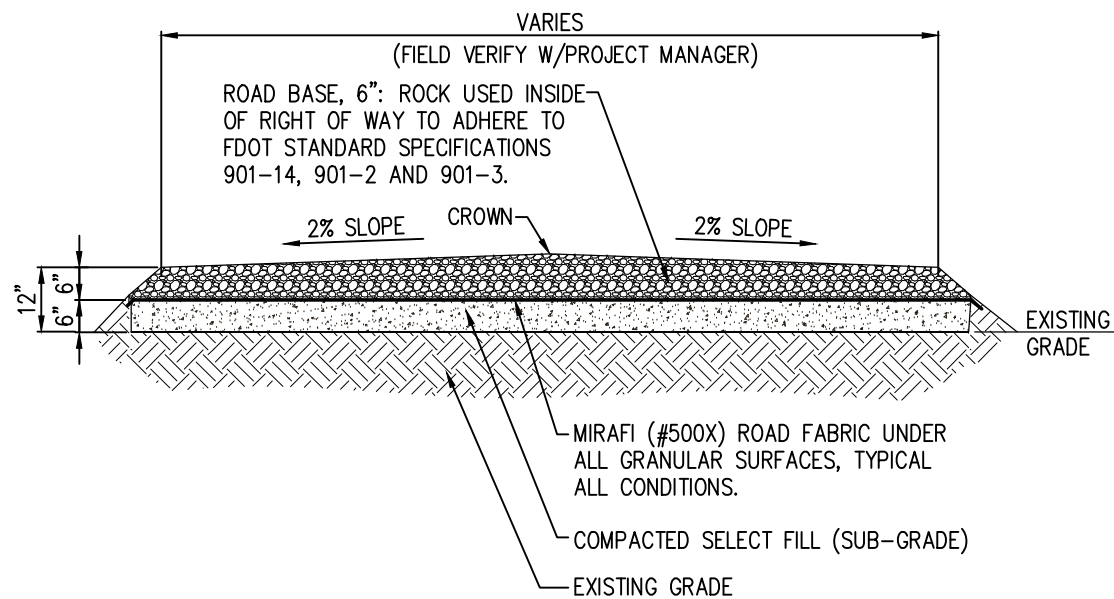


SILT FENCE DETAIL

NOT TO SCALE

NOTES:

1. SILT FENCE SHOULD BE INSPECTED AFTER EACH RAINFALL AND SEDIMENT DEPOSITS MUST BE REMOVED WHEN THEY REACH 1/4 THE HEIGHT OF THE FENCE.
2. FABRIC SHALL RETAIN 85% OF SOIL, BASED ON SIEVE ANALYSIS, BUT NOT TO BE FINER THAN OPENING SIZE 70.



GRAVEL TURNAROUND & ACCESS ROAD

NOT TO SCALE

NOTE:
ALL WORK WITHIN THE RIGHT OF WAY (R.O.W.) TO BE DONE BY ALDOT 2013 STANDARDS AND SPECIFICATIONS



REGISTERED PROFESSIONAL ENGINEER SEAL

ITEM	REVISIONS	BY	CHK. BY	DATE

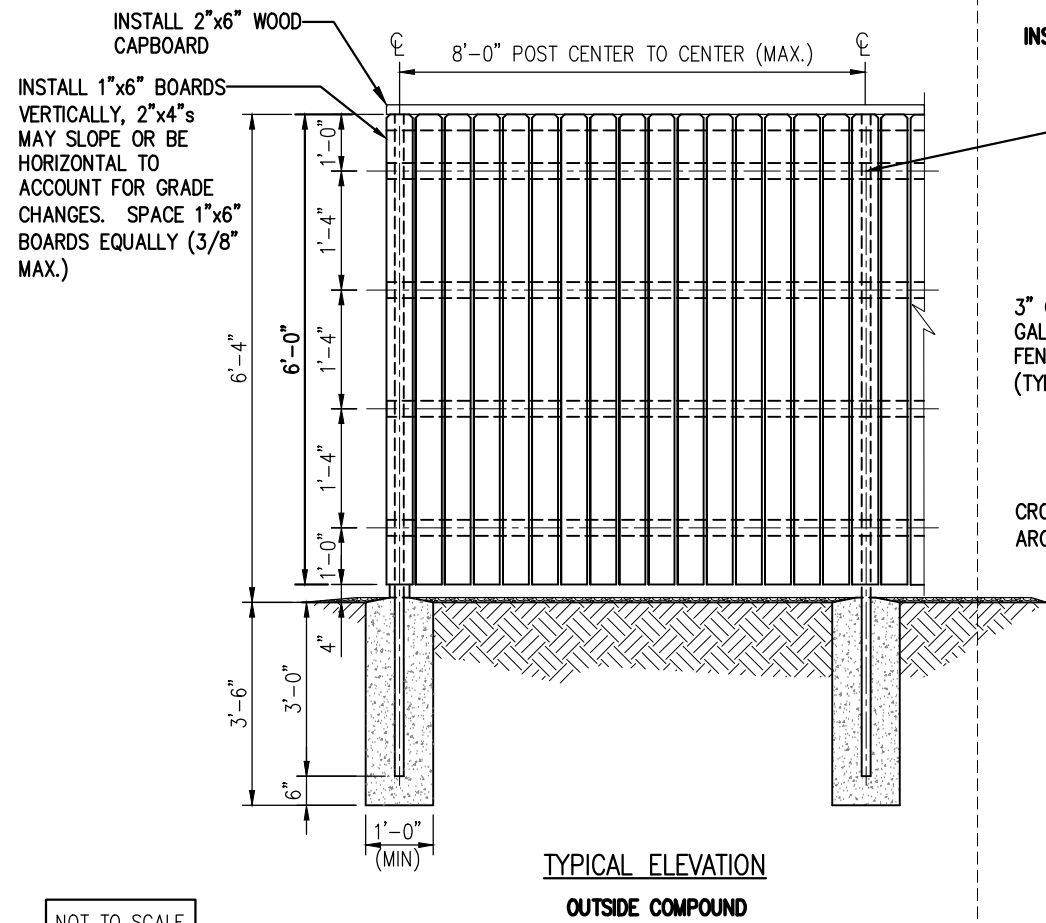
TVT II, LLC

495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY:	C.E. PERSONS	DATE:	11/09/21
CHECKED BY:	T.L. HARDY	DATE:	11/11/21
APPROVED BY:		DATE:	

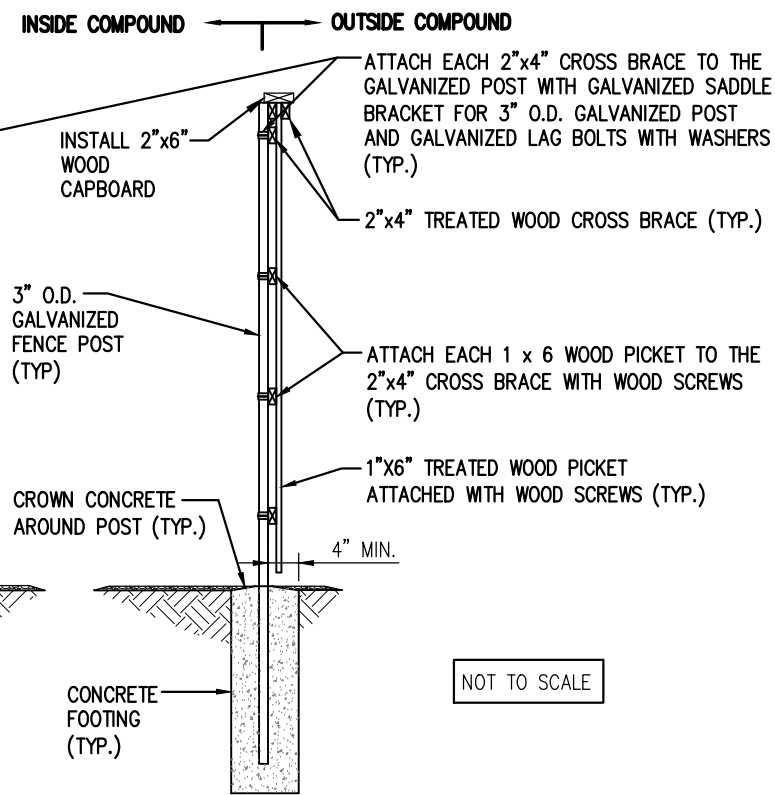
HARDY ENGINEERING, INC.
ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME:	SITE DETAILS		
SITE:	TN1033 - WINSTON DRIVE MEMPHIS, TENNESSEE		
FOR:	TVT II, LLC MEMPHIS, TENNESSEE		
CAD No:	TN1033_D1	SCALE:	AS SHOWN
DWG. No.:	D1		



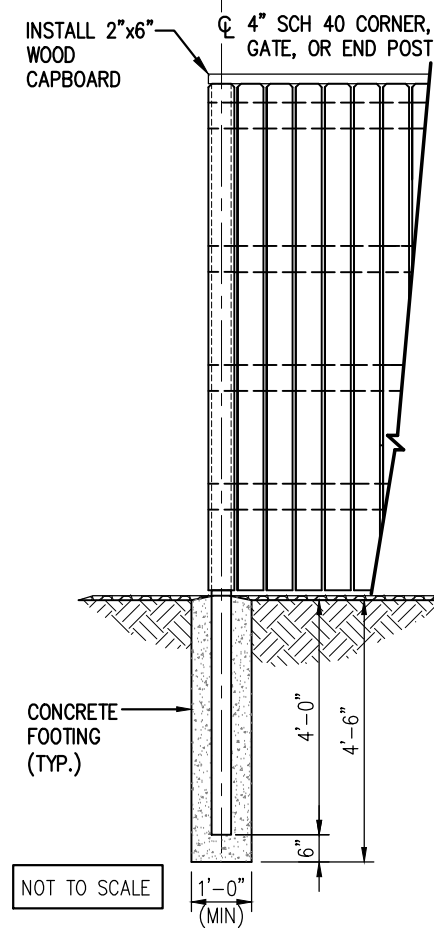
TYPICAL ELEVATION
OUTSIDE COMPOUND

NOT TO SCALE



TYPICAL WOOD FENCE/STEEL POST

NOT TO SCALE



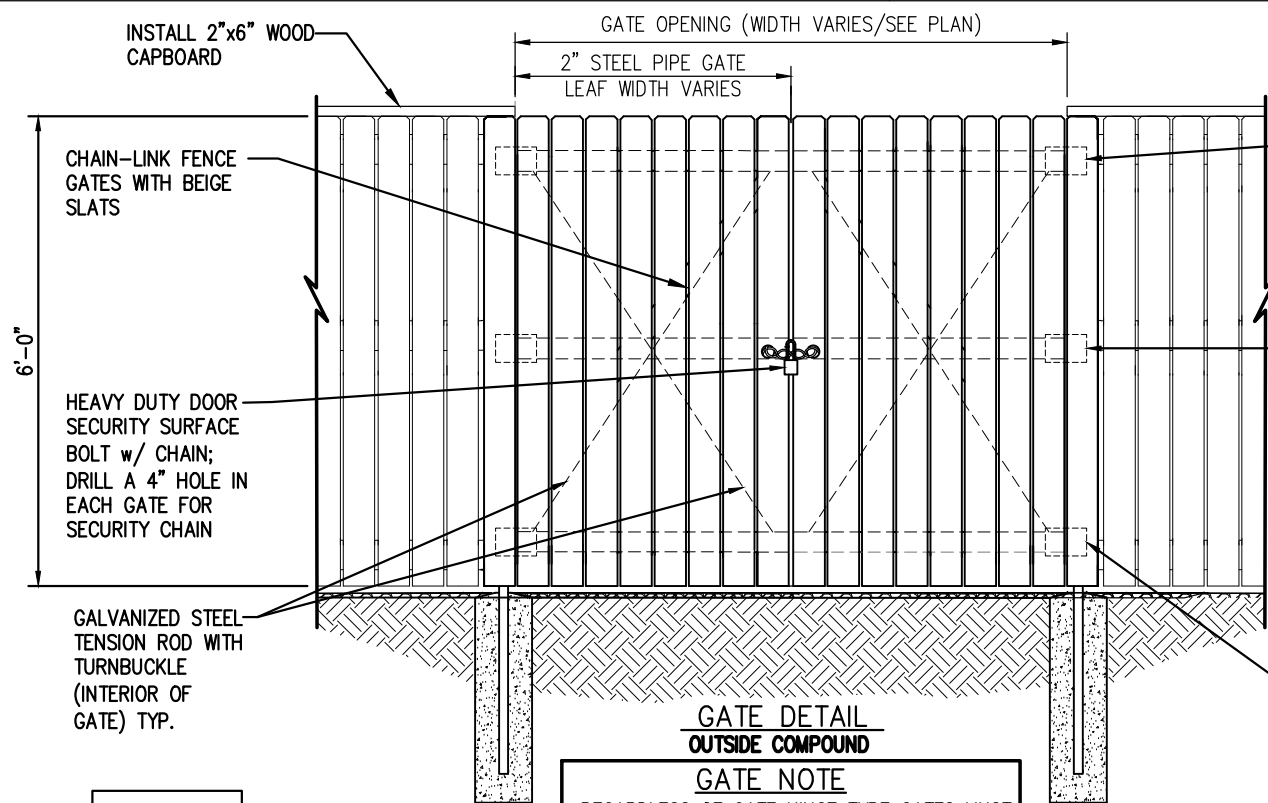
TYPICAL WOOD FENCING/STEEL POST CORNER DETAIL

NOT TO SCALE

TYPICAL WOOD FENCING NOTES

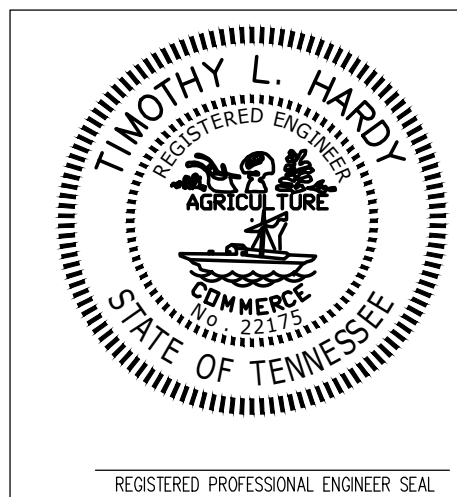
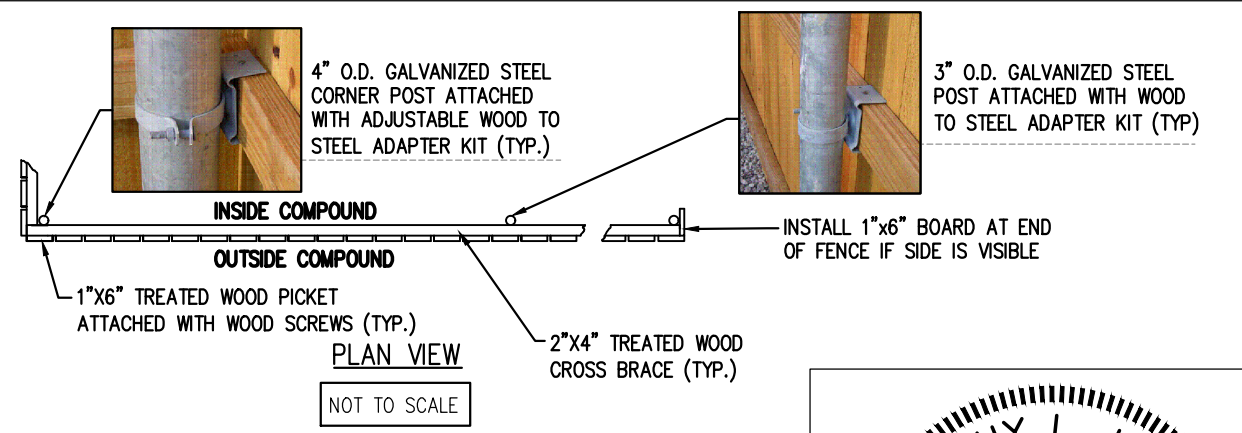
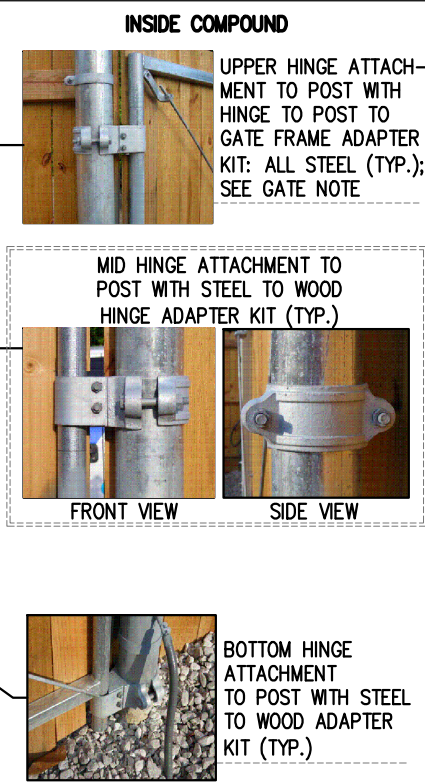
1. FENCE CONSTRUCTION TO BE CONDUCTED IN ACCORDANCE WITH LOCAL DESIGN CODES.
2. ALL WOOD FENCE RAILS TO BE NO. 2 PINE CCA PRESSURE TREATED LUMBER. FENCE TO BE NATURAL BROWN IN COLOR.
3. PICKETS TO BE 7/8" THICK NO. 1 SPRUCE OR CCA PRESSURE TREATED PINE.
4. POSTS TO BE 3" O.D. GALVANIZED STEEL, GATE POST AND CORNER POST TO BE 4" O.D. GALVANIZED STEEL.
5. ALL HARDWARE TO BE HOT DIP GALVANIZED. NO PLATED MATERIAL SHALL BE ALLOWED.
6. ALL BOARDS SHALL BE SCREWED IN WITH WOOD SCREWS TO SECURE WOOD. NAILS ARE NOT PERMITTED.
7. WHERE NEW FENCE POST FOUNDATIONS ARE TO BE INSTALLED OVER OTHER FOUNDATION STRUCTURES, THE FENCE POST AND THE FOUNDATION SHALL BE CAST IN PLACE ON TOP OF EXISTING FOUNDATIONS. MINIMUM FENCE POST FOUNDATION DEPTH SHALL BE 3'-0"

NOTE:
METAL BRACKETS ATTACH TO POST AND WOOD ATTACHES TO BRACKETS. ADAPTER KIT CONSIST OF GALVANIZED BRACKETS, LAG BOLTS AND WASHERS PRE-APPROVED BY TVT II, LLC.



GATE NOTE
REGARDLESS OF GATE HINGE TYPE GATES MUST OPEN OUT TO NINETY DEGREES (90°) MINIMUM.

NOT TO SCALE



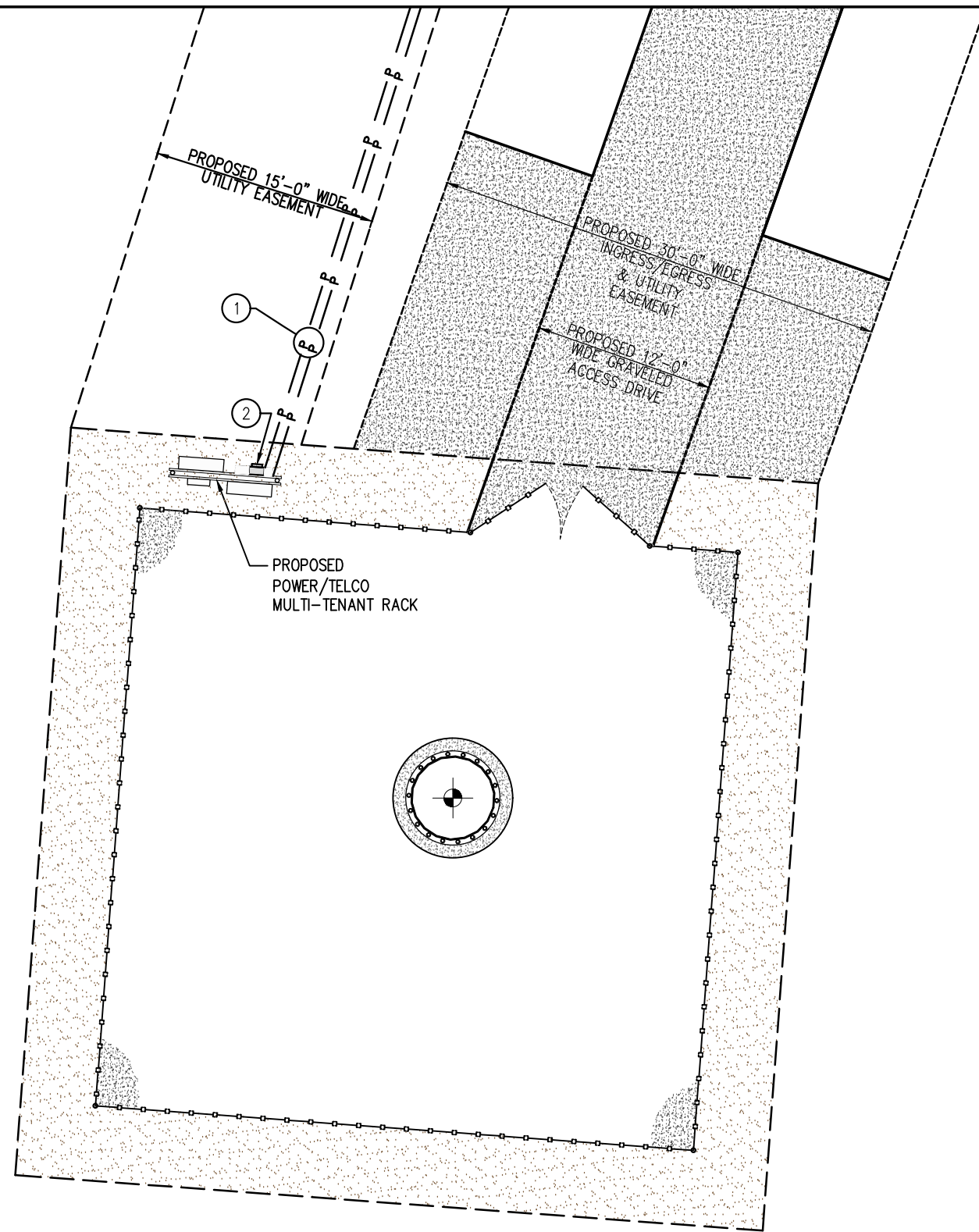
ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/22/21
CHECKED BY: T.L. HARDY DATE: 11/24/21
APPROVED BY: DATE:

HARDY ENGINEERING, INC.
ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **COMPOUND FENCING DETAILS**
SITE: TN1033 - WINSTON DRIVE
MEMPHIS, TENNESSEE
FOR
TVT II, LLC
MEMPHIS, TENNESSEE
CAD No: TN1033_D2 SCALE: AS SHOWN DWG. No: D2



ELECTRICAL LAYOUT
(SCALE: 1" = 10'-0")

ELECTRICAL NOTES:

1. BOUNDARY AND PROPOSED SITE FEATURES ARE BASED ON FIELD MEASUREMENTS. CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THIS DRAWING.
2. CONTRACTOR SHALL FURNISH ALL MATERIALS FOR ELECTRICAL SERVICE AS FOLLOWS:
 - a. 600 AMP INCOMING TO MULTI-TENANT METER CENTER.
3. GROUNDING OF ANTENNAS MOUNTS, COAX, AND EQUIPMENT SHALL BE IN ACCORDANCE WITH CLIENT SPECIFICATIONS.
4. ANY MATERIALS STORED ON SITE SHALL BE STORED IN CLOSED OR COVERED CONTAINERS AND ALL EXCESS WASTE MATERIALS WILL BE PROPERLY DISPOSED OF.
5. ALL HARDWARE TO BE STAINLESS STEEL, **NO PLATED METAL TO BE USED.**
6. CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR CONSTRUCTION & MAINTENANCE OF EROSION AND SEDIMENTATION CONTROLS DURING CONSTRUCTION FOR PROTECTION OF ADJACENT PROPERTIES, ROADWAYS, AND WATERWAYS.
7. CONTRACTOR AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING SITE FREE OF DRAINAGE PROBLEMS.
8. CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING A PROPER TRAFFIC CONTROL PLAN FOR PUBLIC SAFETY ADJACENT TO CONSTRUCTION SITE. THE TRAFFIC CONTROL PLAN MUST BE IN ACCORDANCE WITH LATEST (AMUTCO) EDITION.

ELECTRICAL ROUTING NOTES:

- | | |
|---|--|
| ① | (2) 3" (POWER) CONDUITS TO BE RUN UNDERGROUND FROM SERVICE BOARD TO POWER DEMARCATION. |
| ② | INSTALL METER WITH DISCONNECT ON 7' UTILITY H-FRAME. |

SEE SHEET G1 FOR GROUNDING LAYOUT



REGISTERED PROFESSIONAL ENGINEER SEAL

ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC

495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY:	C.E. PERSONS	DATE:	11/09/21
CHECKED BY:	T.L. HARDY	DATE:	11/11/21
APPROVED BY:		DATE:	

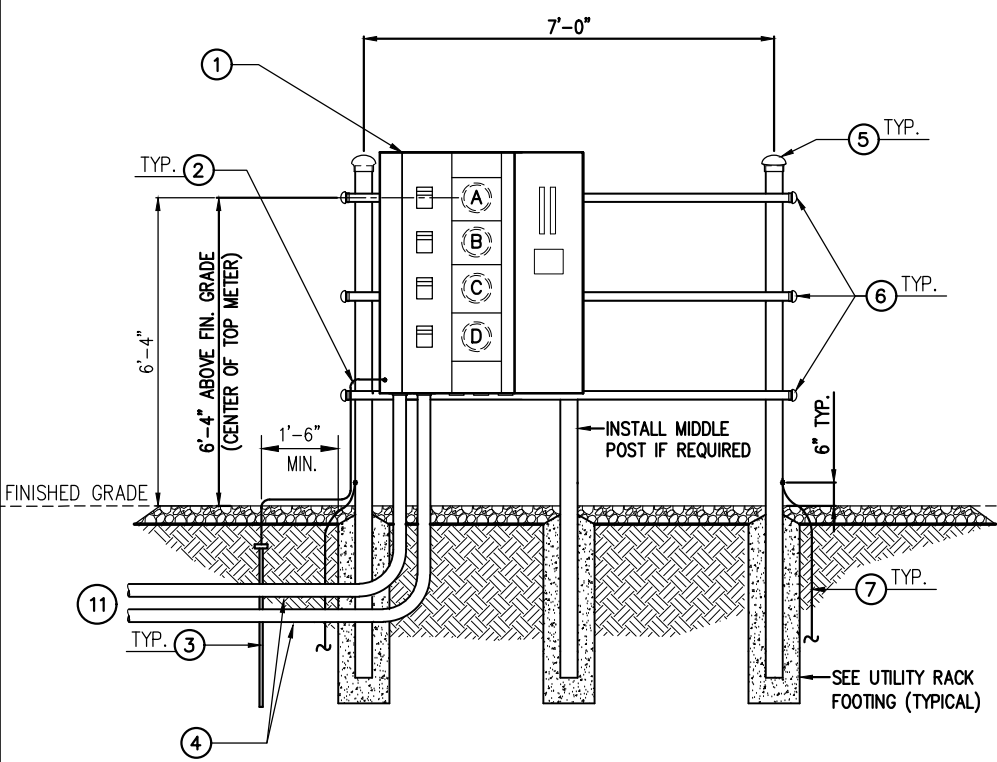


HARDY ENGINEERING, INC.

ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173

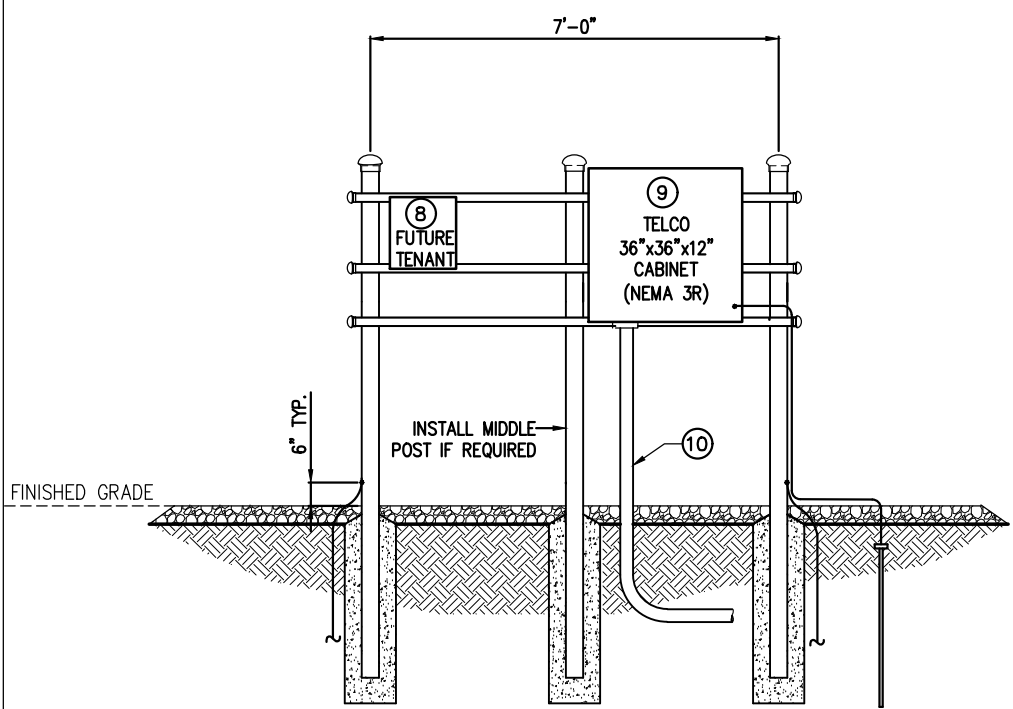
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME:	ELECTRICAL LAYOUT		
SITE:	TN1033 - WINSTON DRIVE MEMPHIS, TENNESSEE FOR TVT II, LLC MEMPHIS, TENNESSEE		
CAD No:	TN1033_E1	SCALE:	AS SHOWN
DWG. No:	E1		



MULTI-TENANT ELECTRIC UTILITY RACK (FRONT)

NOT TO SCALE

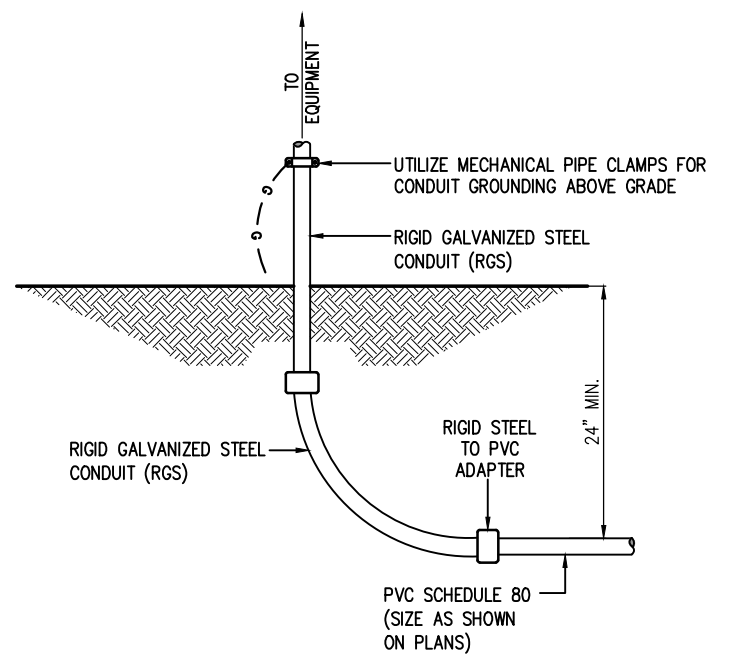


MULTI-TENANT ELECTRIC UTILITY RACK (REAR)

NOT TO SCALE

NOTES:

- 1.) ALL UNDERGROUND CONDUIT EXCEPT RIGID METALLIC SHALL BE SCHEDULE 80.
- 2.) ALL CONDUIT SHALL BE SUPPORTED WITH UNISTRUT AND STRAPS @ UTILITY RACK.



UNDERGROUND CONDUIT STUB-UP DETAIL

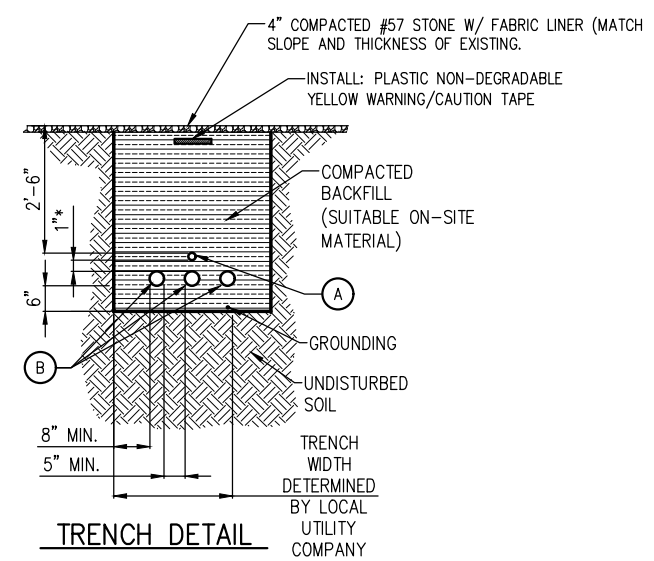
NOT TO SCALE

UTILITY RACK & SERVICE POLE LEGEND

①	4 POSITION METER CENTER (600A/120/240V, 1PH SERVICE)
②	#2 SOLID BARE TINNED COPPER GROUND WIRE IN 1" CONDUIT BETWEEN ELECTRICAL SERVICE ENTRANCE GROUND ROD AND GROUND LUG IN MULTI-TENANT METER CENTER (SERVICE GROUND)
③	3/4" x 10'-0" LONG COPPERCLAD ELECTRICAL STEEL SERVICE ENTRANCE GROUND ROD
④	ELECTRIC SERVICE CONDUCTORS IN (2) 3" CONDUITS TO SERVICE POLE/PAD MOUNTED TRANSFORMER
⑤	3-1/2" O.D. GALVANIZED STEEL POST AND METAL CAP (TYPICAL)
⑥	END CAP ALL ENDS. ZINC COATED "UNISTRUT" HOT DIP GALVANIZED, FIELD DRESS RAW ENDS OF CUT UNISTRUT WITH ZINC COATING, EXTEND PAST POST FOR U-BOLT ATTACHMENT (TYPICAL)
⑦	#2 SOLID BARE TINNED COPPER GROUND WIRE TO TOWER GROUND RING (TYPICAL)
⑧	FUTURE TENANT TELCO BOX (NEMA 3R)
⑨	TELCO 36"x36"x12" CABINET (NEMA 3R)
⑩	4" CONDUIT TO TELCO PEDESTAL/DEMARCATON
⑪	FINAL CONNECTION BY LOCAL POWER COMPANY

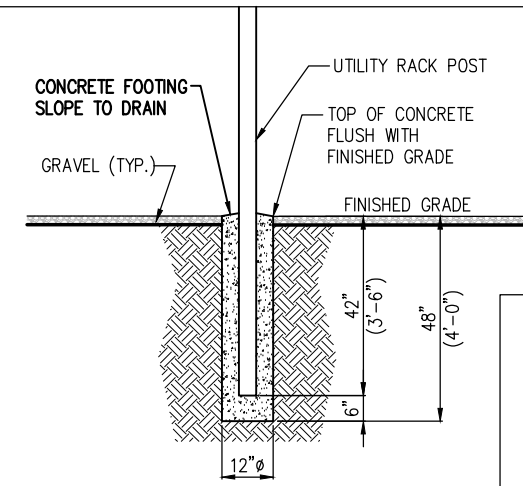
- A TELCO CONDUIT
- B POWER CONDUITS

* CONDUIT SIZE, TYPE, QUANTITY AND SEPARATION DIMENSION TO BE DETERMINED BY LOCAL UTILITY COMPANY HAVING JURISDICTION



TRENCH DETAIL

NOT TO SCALE



GROUNDING NOT SHOWN THIS VIEW

UTILITY RACK FOOTING

NOT TO SCALE

TYPICAL OF ALL VIEWS



REGISTERED PROFESSIONAL ENGINEER SEAL

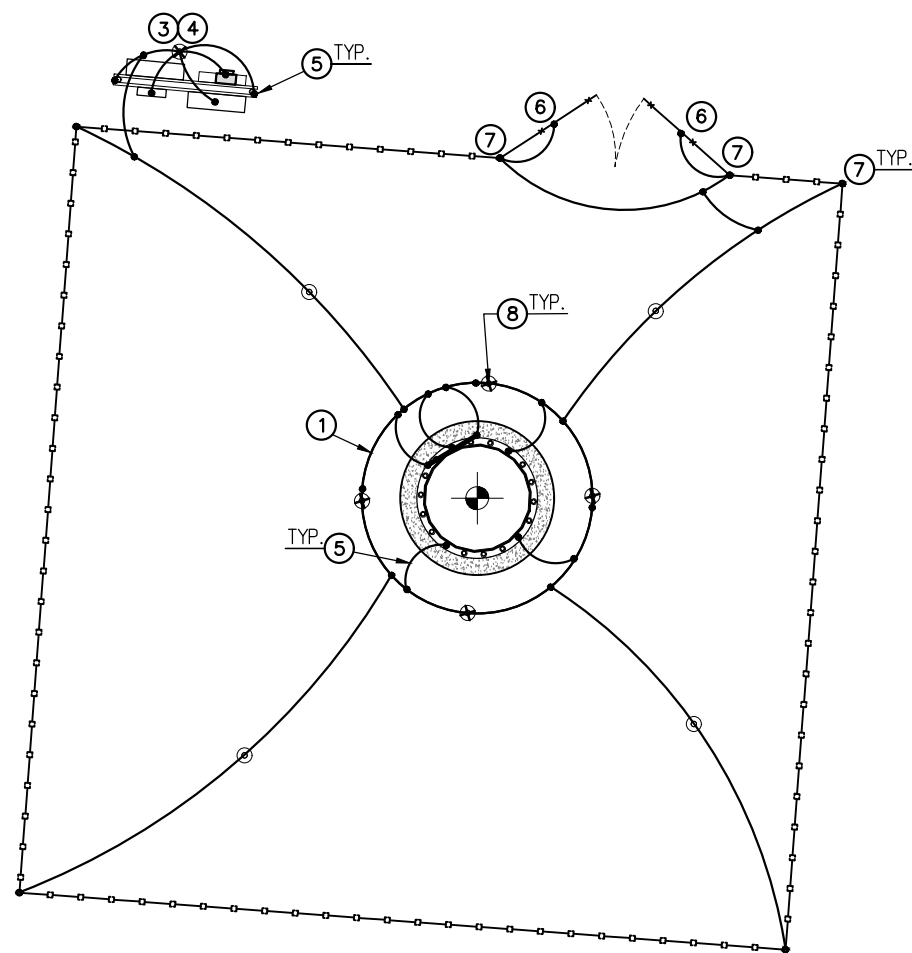
ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
 495 TENNESSEE STREET, SUITE 152
 MEMPHIS, TN 38103
 PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: C.E. PERSONS DATE: 11/09/21
 CHECKED BY: T.L. HARDY DATE: 11/11/21
 APPROVED BY: DATE:

HARDY ENGINEERING, INC.
 ENGINEERING AND CONSULTING
 209 LINDEN STREET, P.O. BOX 708
 TRUSSVILLE, AL 35173
 PHONE: (205) 655-1427 FAX: (205) 661-9027

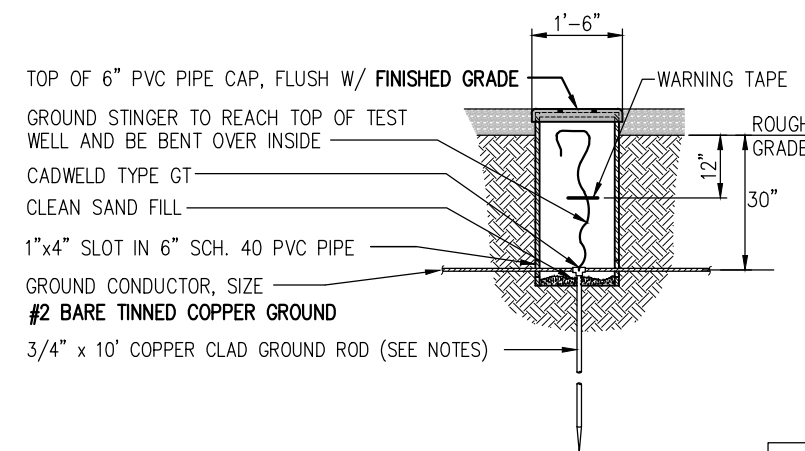
DWG. NAME: **ELECTRICAL DETAILS**
 SITE: TN1033 - WINSTON DRIVE
 MEMPHIS, TENNESSEE
 FOR
 TVT II, LLC
 MEMPHIS, TENNESSEE
 CAD No: TN1033_E2 SCALE: AS SHOWN DWG. No: E2



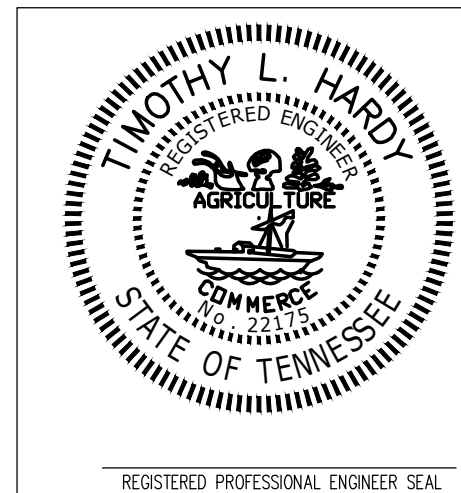
GROUNDING LAYOUT
(SCALE: 1" = 10'-0")

CALL-OUT NOTES:

- ① #2 AWG SOLID BARE COPPER TOWER GROUND RING. INSTALL (4) GROUND RODS (MIN.) SPACED EQUALLY. MAINTAIN 2 FT. (MIN.) FROM EDGE OF TOWER FOUNDATION. BOND CORNER FENCE POST (TYP.);
- ② TOWER BOTTOM GROUND BAR. TOWER GROUND BARS SHALL BE COPPER.
- ③ 3/4"Ø x 10 FT. COPPER CLAD GROUND ROD(S) FOR UTILITY SERVICE.
- ④ BOND GPS ANTENNAS, DISCONNECT SWITCH, MISCELLANEOUS METALLIC EQUIPMENT, CONDUITS AND ANY MISCELLANEOUS LIFTING HOOKS TO GROUND RING W/ #2 AWG SOLID BARE TINNED COPPER WIRE.
- ⑤ #2 AWG SOLID BARE TINNED COPPER WIRE FROM ICE-BRIDGE/H-FRAME SUPPORT POST TO TOWER GROUND RING OR EQUIPMENT GROUND RING (TYP.)
- ⑥ #2 WELDING CABLE JUMPER TO GATE PIPE CONNECTOR. GROUNDING CABLE SHALL BE ATTACHED IN A MANNER WERE IT WILL NOT BE SUBJECTED TO STRAIN WHICH MAY CAUSE DAMAGE WHEN GATE IS FULLY OPENED.
- ⑦ #2 AWG SOLID BARE TINNED COPPER WIRE FROM TOWER/EQUIPMENT PAD/PLATFORM GROUND RING TO FENCE POST.
- ⑧ PROVIDE GROUND RING ACCESS POINT FOR FUTURE CARRIERS (CONTRACTOR TO VERIFY W/ CONSTRUCTION MANAGER).



(GROUND RING ACCESS POINT)
VERIFY W/ PROJECT MANAGER
FOR NUMBER AND LOCATIONS
NOT TO SCALE



REGISTERED PROFESSIONAL ENGINEER SEAL

ITEM	REVISIONS	BY	CHK. BY	DATE

TVT II, LLC
495 TENNESSEE STREET, SUITE 152
MEMPHIS, TN 38103
PHONE: (901) 794-9494 (EXT. 107)

DRAWN BY: **C.E. PERSONS** DATE: **11/09/21**
CHECKED BY: **T.L. HARDY** DATE: **11/11/21**
APPROVED BY: _____ DATE: _____

HARDY ENGINEERING, INC.
ENGINEERING AND CONSULTING
209 LINDEN STREET, P.O. BOX 708
TRUSSVILLE, AL 35173
PHONE: (205) 655-1427 FAX: (205) 661-9027

DWG. NAME: **GROUNDING LAYOUT**
SITE: TN1033 - WINSTON DRIVE
MEMPHIS, TENNESSEE
FOR
TVT II, LLC
MEMPHIS, TENNESSEE
CAD No: TN1033_G1 SCALE: AS SHOWN DWG. No: **G1**



S.U.P. 2021-036 (CMCS Tower) Corning Ave **NOTICE OF NEIGHBORHOOD MEETING**

Dear Neighbor:

Tower Ventures,(TVT II, LLC) a Memphis based Tower Developer, has filed an application for a Special Use Permit (SUP 2021 -036) with the Office of Planning & Development. We are kindly requesting your presence at a neighborhood meeting to be held on **Monday Evening January 3rd, 2021**, to discuss a proposal to build a CMCS communications (Cell) tower and facilities at 1609 Corning Ave. The proposed CMCS tower will be one-hundred-fifty (150') feet in height. Meeting to be held at Temple of Praise Ministries Church, 1738 Winston Drive.

The proposed tower site is located on a vacant, heavily wooded property, as shown on the attached map. A Public Hearing will be held by the Memphis & Shelby County Land Use Control Board on Thursday, January 13th, 2022 @ 09.30 o'clock a.m. **Or you may view via YouTube, <https://www.youtube.com/c/divisionofplanninganddevelopment>**

NEIGHBORHOOD MEETING DETAILS:

Time: 5.30 p.m. to 6.30 p.m.

Date: Monday Evening **January 3rd, 2022**

Location: Temple of Praise Ministries, 1738 Winston Drive Memphis, TN 38127

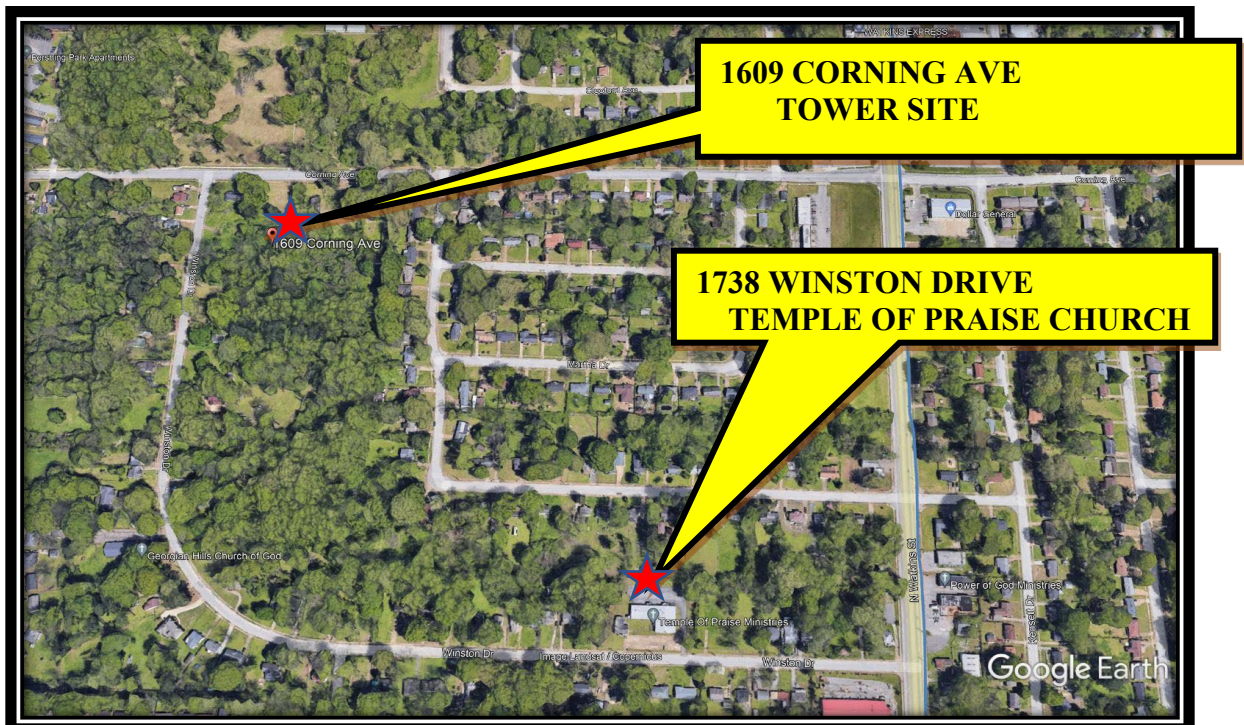
Tower location and Meeting location shown on Map below:

Questions concerning this application may be directed to:

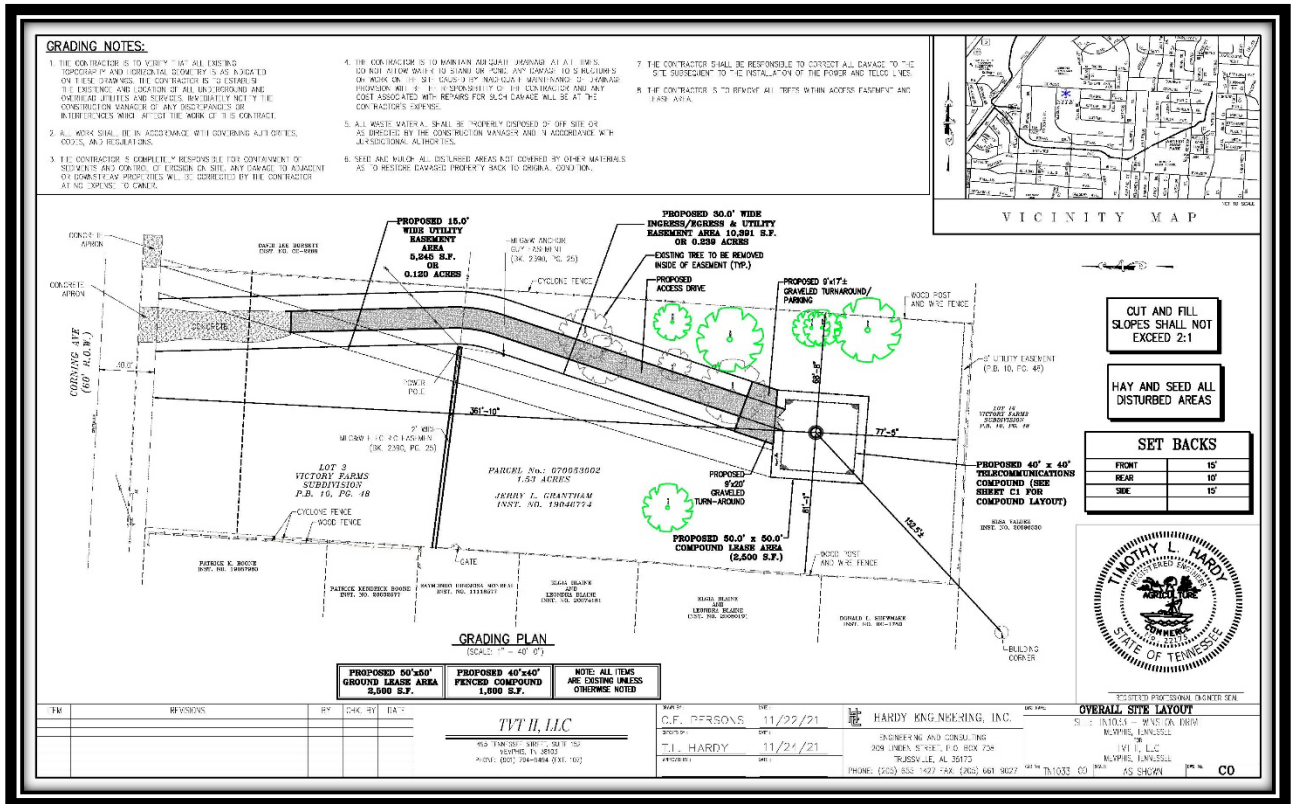
Lou Katzerman, Tower Ventures @ (901) 244-4017; or

Teresa Shelton, Municipal Planner, Office of Planning & Development @ (901) 636-6619

Site-Plan and Vicinity Map-Back Page

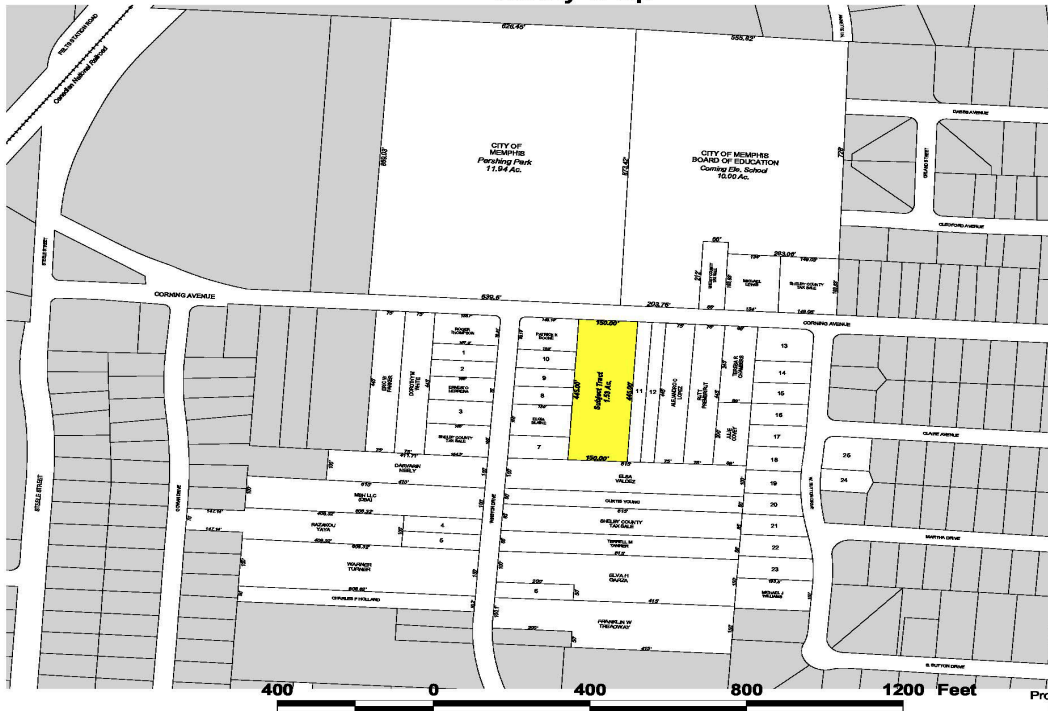


Site Plan



Vicinity Map

Vicinity Map



Date: 09/06/21
Prepared By:
Property Research Data
PRD Job #21-076



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

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

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a land use application filed with the Division of Planning and Development. The **MEMPHIS & SHELBY COUNTY LAND USE CONTROL BOARD** will hold a Public Hearing on the following application, pursuant to Sub-Section 9.3.4A of the Memphis & Shelby County Unified Development Code:

CASE NUMBER: SUP 21-36

LOCATION: 1609 Corning
(SEE SITE PLAN ON REVERSE SIDE)

APPLICANT: TVT II, LLC – Tower Ventures

REQUEST: 150 Foot CMCS Tower

THE PUBLIC MEETING WILL BE HELD:

DATE: Thursday, January 13, 2022

TIME: 9:00 AM

LOCATION: Council Chambers on the First Floor of City Hall, 125 N. Main Street

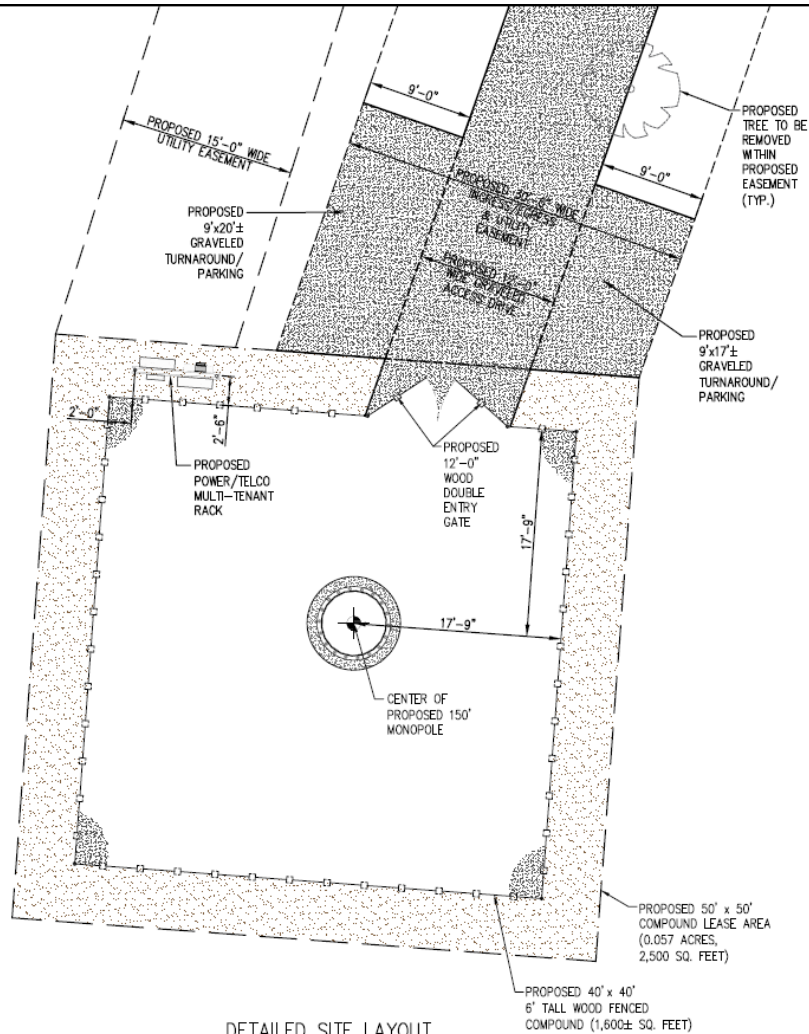
NO EXECUTIVE SESSION WILL BE HELD.

During the public hearing, the Board may approve or reject this item, or hold the item for a public hearing at a subsequent Board meeting. During the public hearing, the Board may recommend approval or rejection of this item, or hold the item for a public hearing at a subsequent Land Use Control Board meeting. If appealed by the applicant or an adjacent property to the legislative body, the Memphis City Council will make the final decision on this Special Use Permit for a 150-Foot CMCS Tower.

Please note the Board may place this item on the Consent Agenda, which is considered at the beginning of the Board meeting. No individual public hearing will be held, nor will the Board debate items on the Consent Agenda unless a member of the audience, staff or Board requests that the item be removed from the Consent Agenda.

Unless you care to speak for or against this case, it is not necessary for you to attend the hearing. However, you may write or call Teresa Shelton at the address or phone number provided at the top of this notice, or contact by e-mail at teresa.shelton@memphistn.gov stating the reason(s) for your support or opposition to this request no later than **8:00 AM, Friday, January 7, 2022.**

DETAILED SITE LAYOUT



DETAILED SITE LAYOUT
(SCALE: 1" = 10'-0")



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

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

January 13, 2022

TVT I, LLC (Tower Ventures)
495 Tennessee St., Ste. 152
Memphis, TN

Sent via electronic mail to: lou@towerventures.com

Case Number: SUP 21-36
LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, January 13, 2022, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow a 150-foot Monopole Communications (CMCS) Tower to located at 1609 Corning Ave., and is subject to the following conditions:

1. The site shall preserve and maintain as much of the existing mature trees as coverage to this location to meet the landscaping requirements.
2. The equipment compound shall be enclosed by a 6-foot wooden privacy around the lease area to conceal the ground equipment. The compound gates will be wooden as well.
3. The maximum tower height shall be one-hundred fifty (150) feet Monopole Communications (CMCS) tower.
4. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
5. The tower shall be constructed within two (2) years of approval by the Memphis City Council. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five hundred feet (500') feet of the property.
6. Any interference with Memphis-Shelby County emergency communications by a station using this tower shall be the responsibility of the station and tower owner to remedy.

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

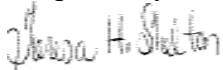
Letter to Applicant
SUP 21-36

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 teresa.shelton@memphistn.gov.

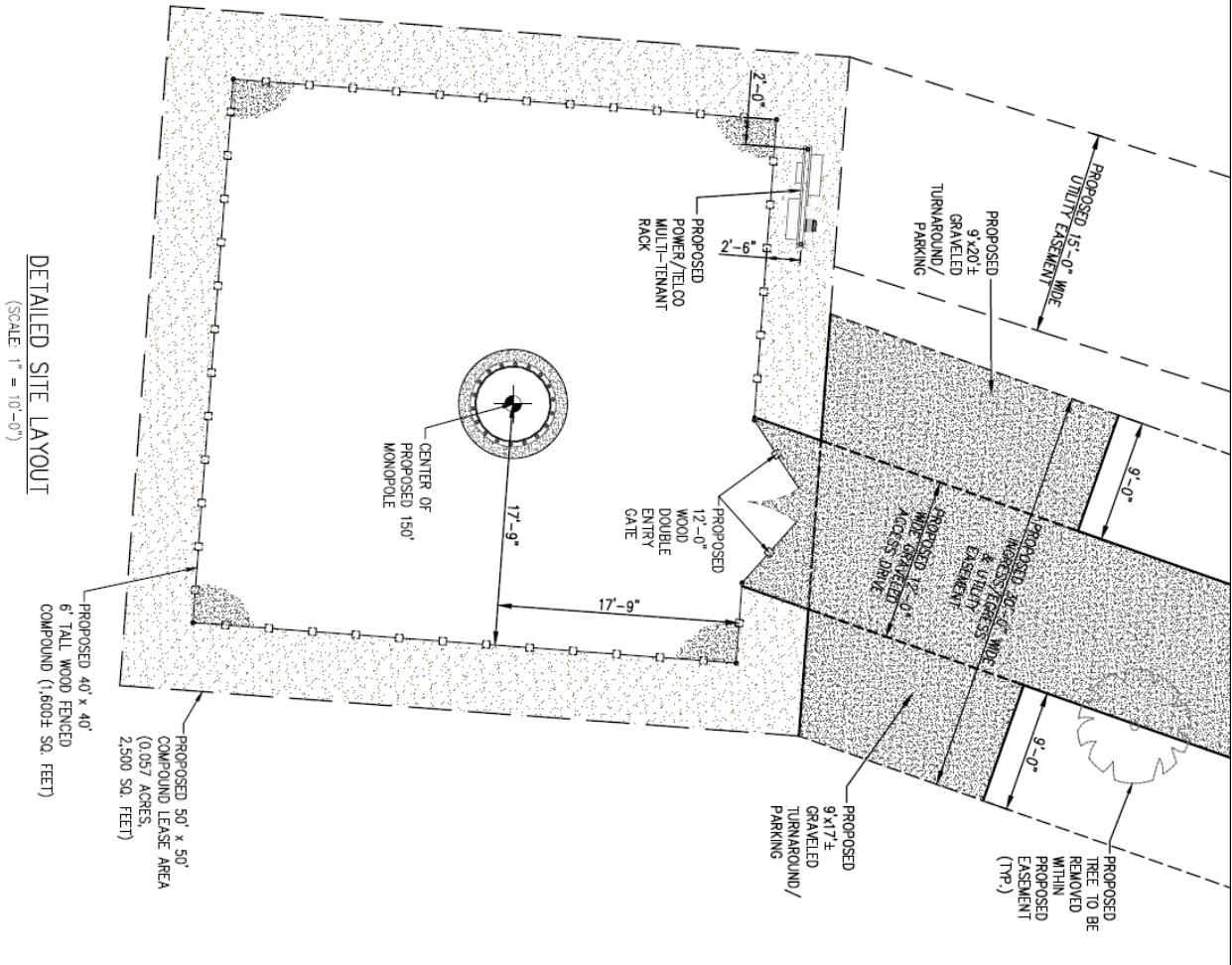
Respectfully,



Teresa H. Shelton
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Lou Katzerman, Tower Ventures
File

**Letter to Applicant
SUP 21-36**



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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 02/01/2022
DATE
PUBLIC SESSION: 02/01/2022
DATE**

ITEM (CHECK ONE)

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

ITEM DESCRIPTION: A resolution approving a hotel
CASE NUMBER: SUP 2021-39
DEVELOPMENT: Union Station
LOCATION: 1925 Union Avenue (South side of Union Avenue, east of Barksdale Street)
COUNCIL DISTRICTS: District 5 and Super District 9 – Positions 1, 2, and 3
OWNER/APPLICANT: Union Station LLC. – Sam Patel
REPRESENTATIVE: Brenda Solomito / Tim Michael
EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3) and Residential Urban – 3 with Historic Overlay (RU-3(H)) with Midtown Overlay
REQUEST: To allow a new five-story hotel
AREA: +/-1.92 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
01/13/2022 _____ 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>
_____ Lucas Skinner _____	01/18/2022	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN

**RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY
LOCATED AT 1925 UNION AVENUE ON THE SOUTH SIDE OF UNION EAST OF
BARKSDALE STREET, KNOWN AS CASE NUMBER SUP 2021-39.**

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 Union Station LLC filed an application with the Memphis and Shelby County Office of Planning and Development to allow a hotel; 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 January 13, 2022, 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. Parking shall be in accordance with section 4.5.3 of the UDC.
2. The buildings along Union Avenue shall have a minimum of 60% building frontage. This condition shall be massaged as a part of the Administrative Site Plan Review process.
3. Light fixtures installed on the site shall meet the requirements and standards of the Unified Development Code.
4. Lighting for parking shall be arranged/positioned to prevent direct glare onto any residential property.
5. No drive-thru restaurant uses shall be permitted on this site or the adjacent future retail development site to the east without first receiving a recommendation from the Land Use Control Board followed with a final disposition by the City Council.
6. The applicant may need to submit a Trip Generation Report. This proposal shall be subject to the City Engineering Memorandum of Conformance process.
7. The City Engineer shall approve the design, number and location of curb cuts.
8. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
9. The applicant shall provide a minimum 6-foot sidewalk along Union Avenue.



Memphis City Council Summary Sheet

SUP 2021-39

Resolution requesting a hotel:

- 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): Union Station LLC – Sam Patel and Representative(s): Brenda Solomito – Solomito Land Planning; 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.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, January 13, 2022**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 2021-39

LOCATION: 1925 Union Avenue – south side of Union Avenue just east of Barksdale Street

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

OWNER/APPLICANT: Union Station LLC – Sam Patel

REPRESENTATIVE: Brenda Solomito – Solomito Land Planning

REQUEST: Hotel

EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3) and Residential Urban – 3 with Historic Overlay (RU-3(H)) with Midtown Overlay

AREA: +/-1.92 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 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

SUP 2021-39
CONDITIONS

1. Parking shall be in accordance with section 4.5.3 of the UDC.
2. The buildings along Union Avenue shall have a minimum of 60% building frontage. This condition shall be massaged as a part of the Administrative Site Plan Review process.
3. Light fixtures installed on the site shall meet the requirements and standards of the Unified Development Code.
4. Lighting for parking shall be arranged/positioned to prevent direct glare onto any residential property.
5. No drive-thru restaurant uses shall be permitted on this site or the adjacent future retail development site to the east without first receiving a recommendation from the Land Use Control Board followed with a final disposition by the City Council.
6. The applicant may need to submit a Trip Generation Report. This proposal shall be subject to the City Engineering Memorandum of Conformance process.
7. The City Engineer shall approve the design, number and location of curb cuts.
8. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
9. The applicant shall provide a minimum 6-foot sidewalk along Union Avenue.

SITE PLAN

Only actual floor levels will be shown. In general, if the ball is shown a group should set so to be a relative elevation.

by Landscape Architect prior to construction.

dependencies or conditions in landscape Architect.

by owner by prior approval of Development.

and/or dig, ball, bump and schedule. Barriers and other.

grade for two good reasons.

1. Admitted to approval by the.

2. Inquired, the contractor shall not exceed general.

3. Slope grade typical to the.

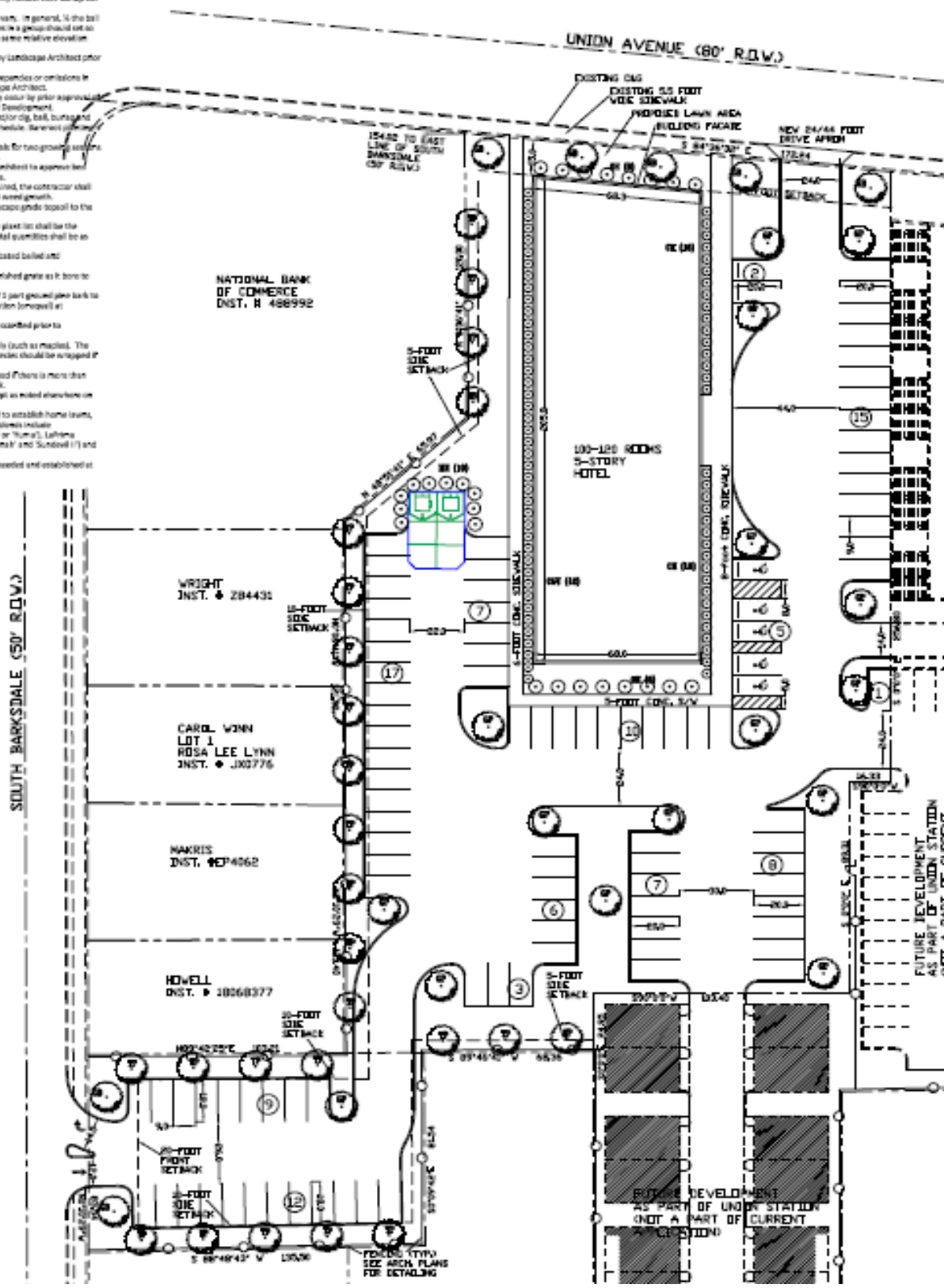
4. In place to shall be the total quantities shall be as closed ball and.

5. Finished grade as it here to of a part ground plan back to when (approved) or be worked prior to.

6. Only such as marked. The species should be supplied if good. Fences is more than 20'.

7. Sept as noted elsewhere on.

8. ad to establish home levels, if shown include a (or "Home"), Letters and/or and (and/or) and recorded and established at.



AGENDA ITEM: 15

CASE NUMBER: SUP 2021-39 **L.U.C.B. MEETING:** January 13, 2022

LOCATION: 1925 Union Avenue

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

OWNER/APPLICANT: Union Station, LLC

REPRESENTATIVE: Tim Michael – Design Shop Architects

REQUEST: Hotel on the south side of Union east of Barksdale Street

AREA: +/-1.92 acres (3.66 acres for the entire site)

EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3) and Residential Urban – 3 with Historic Overlay (RU-3(H)) with Midtown Overlay

CONCLUSIONS

1. The applicant is seeking to put a hotel located at 1925 Union Avenue, the former location of a police station and Hutchison School before that.
2. The hotel is to be 5 stories and have approximately 100-120 hotel rooms.
3. Union Avenue is one of the cities' most traveled streets and an important connection from our downtown core, through midtown, to east Memphis. It has been in transition over the past decade, with a blend of more auto-centric to more pedestrian oriented designs, as with the nearby Citizen, Kroger, Renasant Bank, etc. This will soon be accelerated with the implementation of the city's new Transit Oriented Development (TOD) plan (<https://www.memphis3point0.com/innovation-corridor>) that will include adding frontage designations along Union. These frontage designations will begin to pull buildings closer to the street, increase transparency and decrease the vast parking lots that are currently between the building and sidewalk. The current site plan only shows approximately 40% frontage along Union. The new frontages, when adopted, will require between 60% and 80% frontage. Since this site would be the first major development along Union since the adoption and introduction of the TOD plan, staff believes that the 60% frontage would help set the tone as Union revitalizes with the new plan and future frontage designations in mind.
4. Increasing the building's frontage along Union from 40% to 60% will not require a change to the current site design for the drives, parking, sidewalks, etc.
5. Moreover, the overall site plan looks to meet the regulations of the UDC with parking, height, setbacks, landscaping, among other aspects. However, with potential frontage design changes, staff feels that the site shall be subject to the Administrative Site Plan Review process prior to a building permit being issued. This will help to ensure conformance with UDC regulations and conditions of approval below.
6. More conclusions can be found on page 25 of this report.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: Union Avenue +/-334.9 linear feet
S Barksdale Street +/-81.8 linear feet

Zoning Atlas Page: 2030 and 2035

Parcel ID: 016052 00028, 016052 00029, and 016052 00022

Existing Zoning: Commercial Mixed Use – 3 (CMU-3) and Residential Urban – 3 with Historic Overlay (RU-3(H)) with Midtown Overlay

NEIGHBORHOOD MEETING

The meeting was held at 6:00 PM on Wednesday, December 29, 2021, telephonically via Zoom.

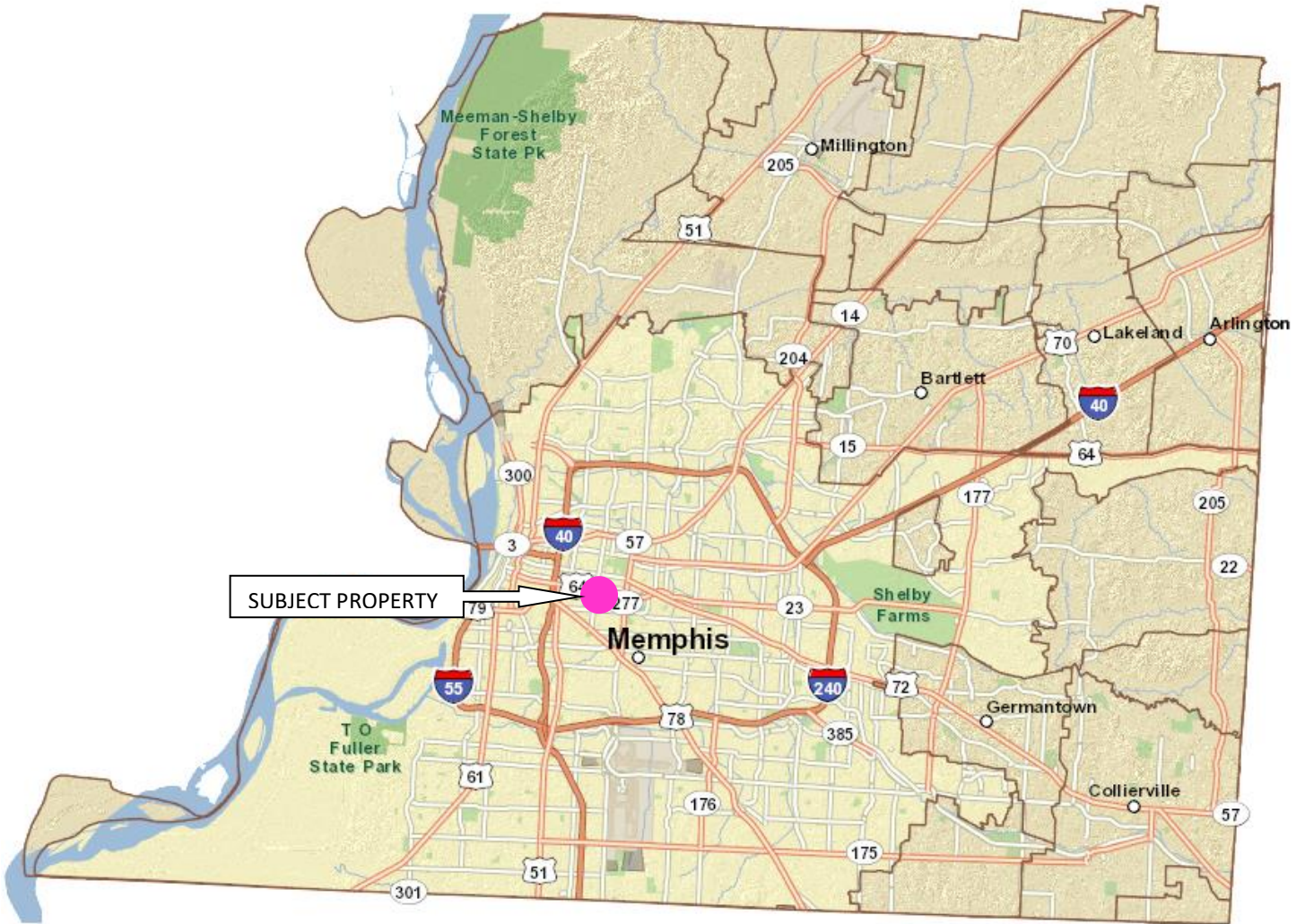
PUBLIC NOTICE

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 155 notices were mailed on December 22, 2021, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

CONSISTENCY WITH MEMPHIS 3.0

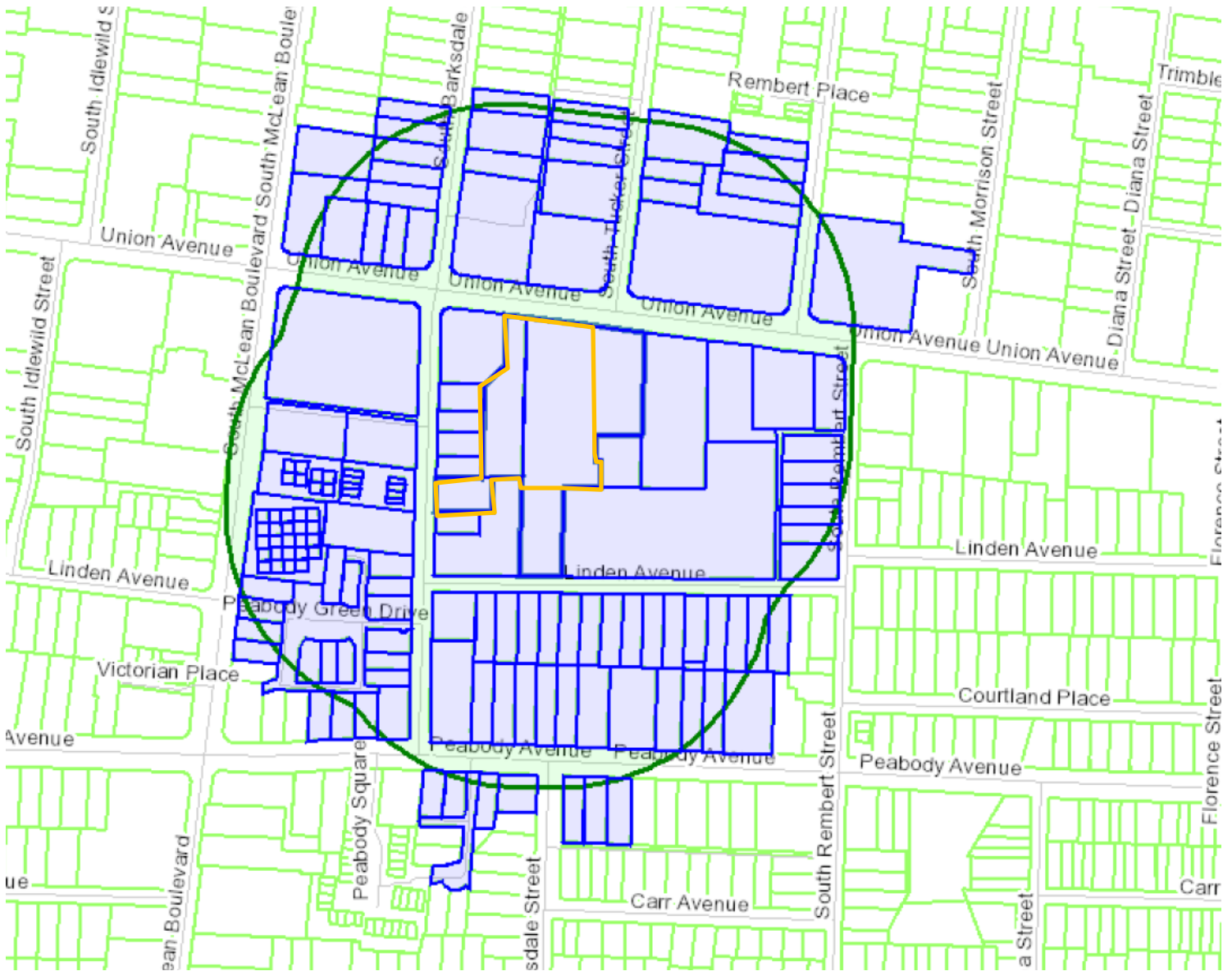
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 22-24 of this report.

LOCATION MAP



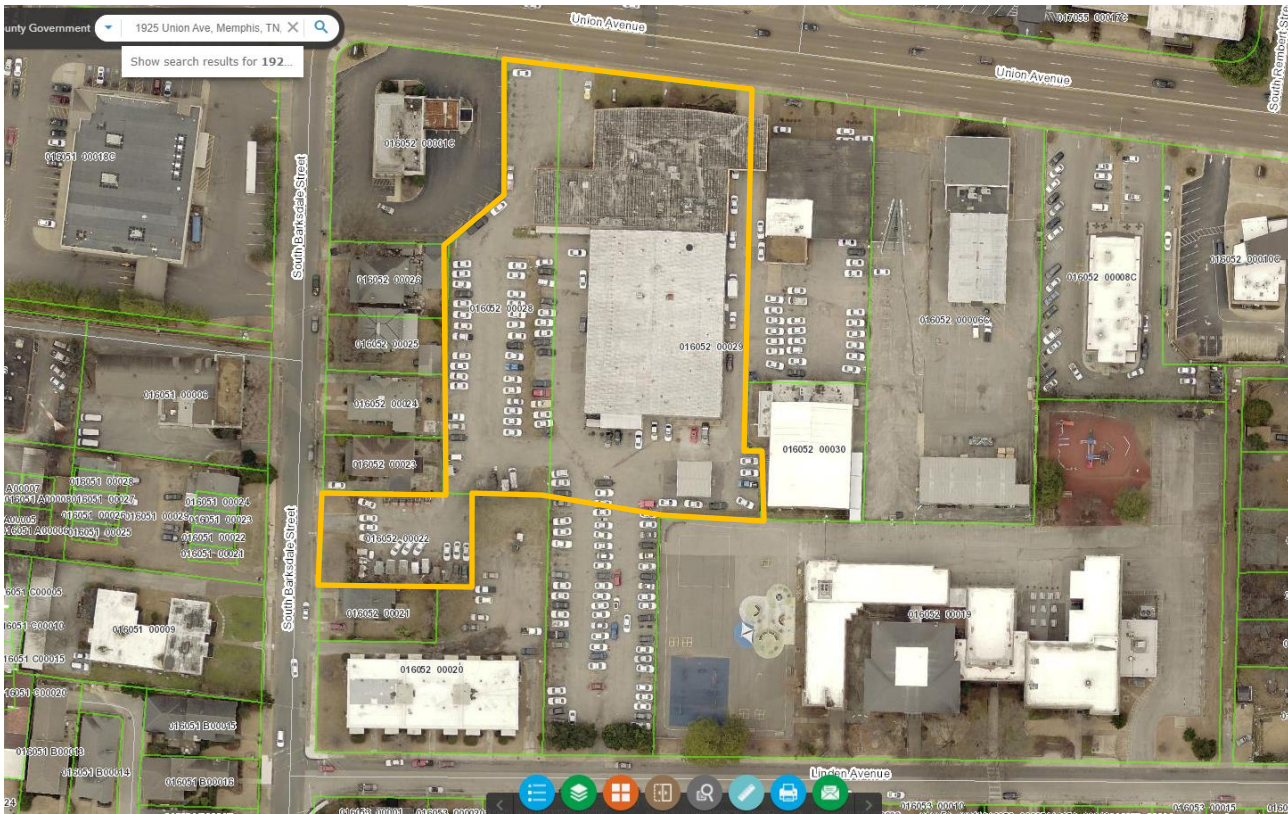
Subject property located within the pink circle, Midtown neighborhood

VICINITY MAP



Site highlighted in yellow

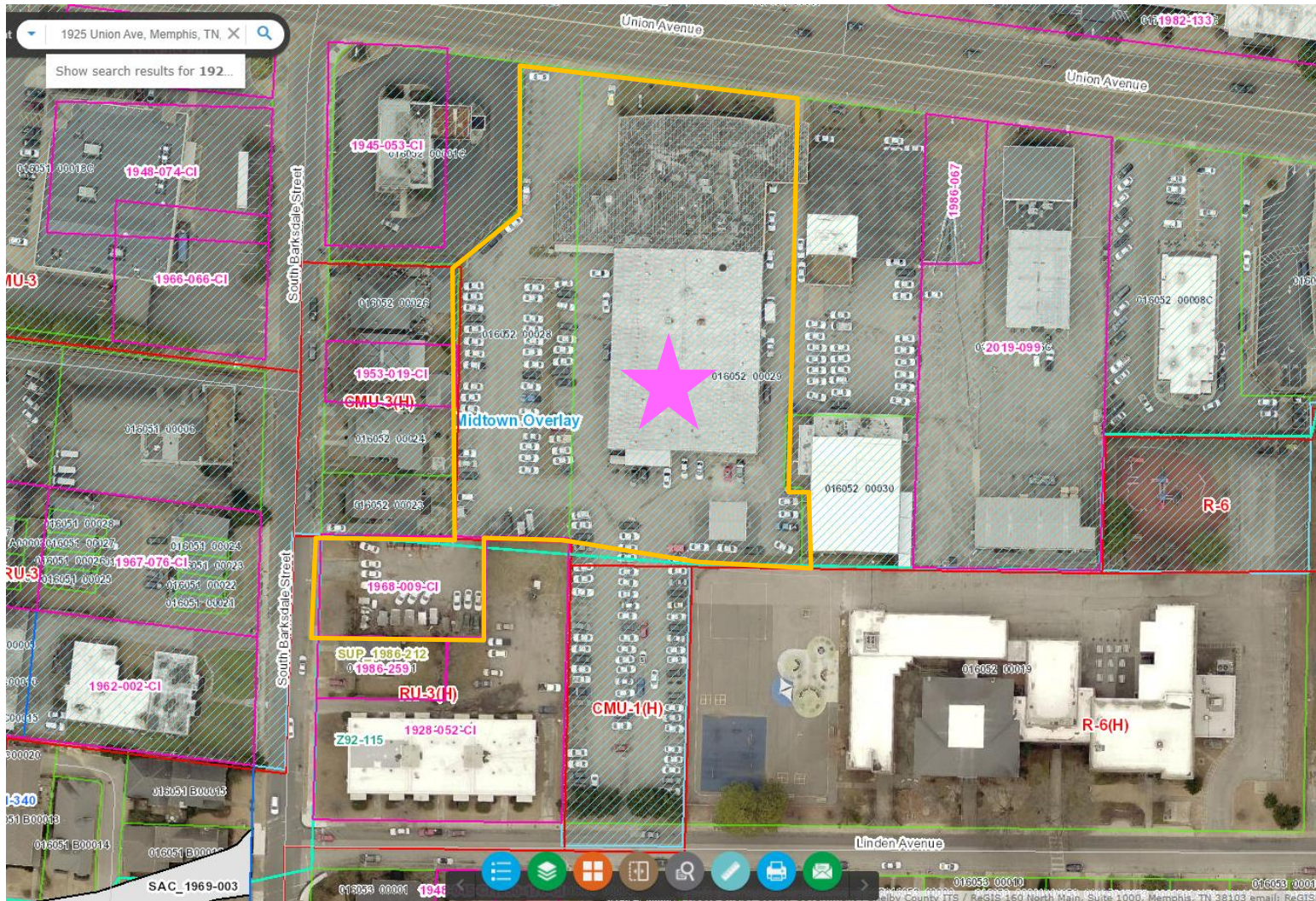
AERIAL



ANOTHER AERIAL PERSPECTIVE – GOOGLE EARTH PRO



ZONING MAP



Subject property indicated by a pink star and highlighted in orange

Existing Zoning: Commercial Mixed Use – 3 (CMU-3) and Residential Urban – 3 with Historic Overlay (RU-3(H)) with Midtown Overlay

Surrounding Zoning

North: Commercial Mixed Use – 3 (CMU-3)

East: Commercial Mixed Use – 3 (CMU-3)










South: Commercial Mixed Use – 1 with Historic Overlay (CMU-1(H))

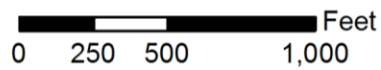
West: Commercial Mixed Use – 3 (CMU-3) with some Historic

LAND USE MAP



LandUse

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



Subject property indicated by a pink star

SITE PHOTOS



View of subject site from Union Avenue looking south



View of subject site from Union Avenue looking southwest

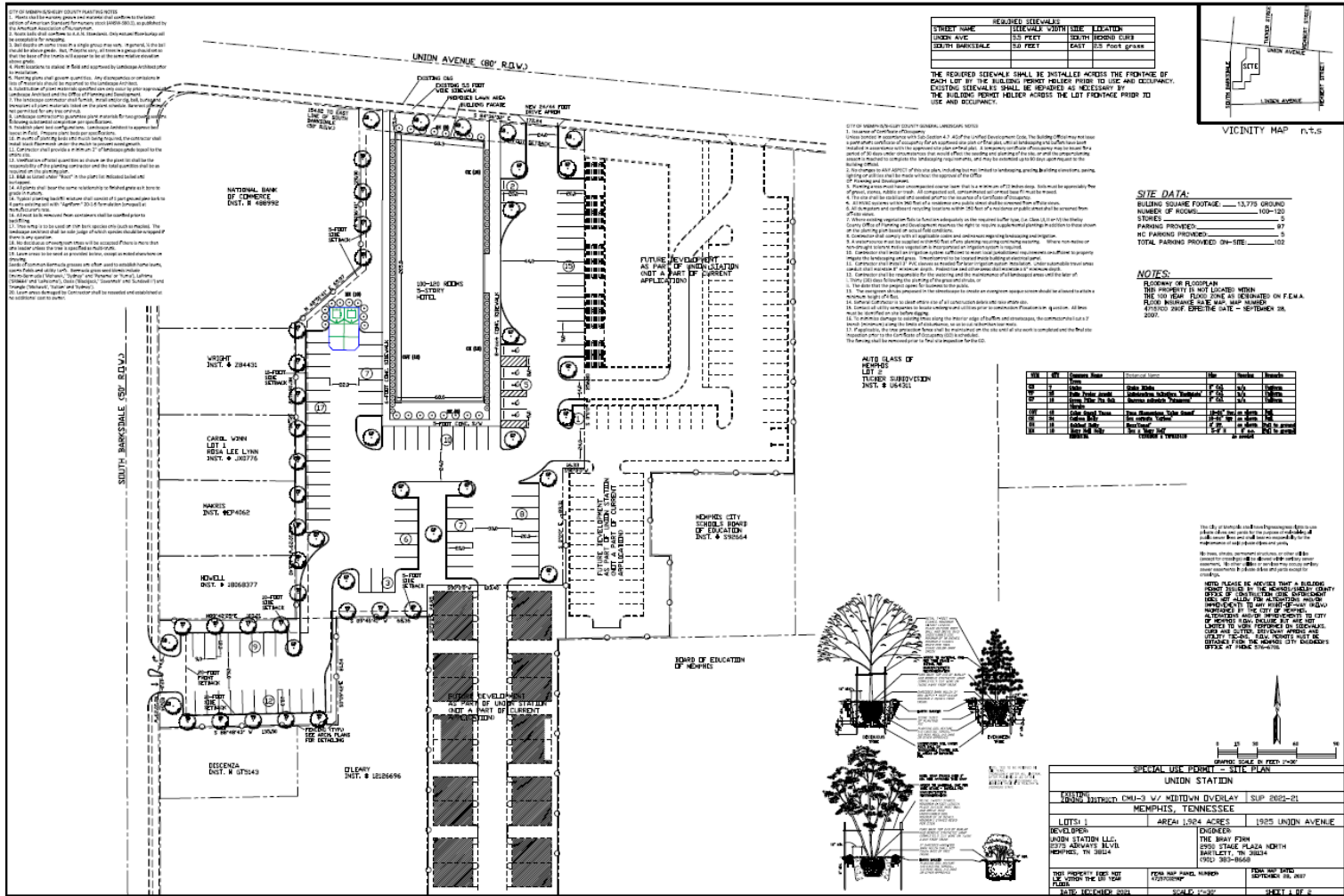


View of subject site from S Barksdale entrance looking east



View of subject site from Linden Avenue looking north

SITE PLAN



SITE PLAN (ZOOMED FOR CLARITY)

Only natural flow backup will

be used. In general, if the bill
is not a gross, it should not be
to some relative elevation.

2 by Landscape Architect prior

to any or omissions in

scope Architect.

any occur by prior approval

ed Development.

and/or dig, ball, surface and

schedule. Review of

plans for two growing seasons

is. 1. Architect to approve

ons. 2. Contractor shall

not exceed growth.

3. Landscape artist to

the plan for shall be the

total quantities shall be as

indicated below and

related plants as to form to

of 1 part ground plan back to

station for approval at

be completed prior to

erks (such as masonry). The

operator should be wrapped if

good fibers is more than

25%. 4. As noted above, the

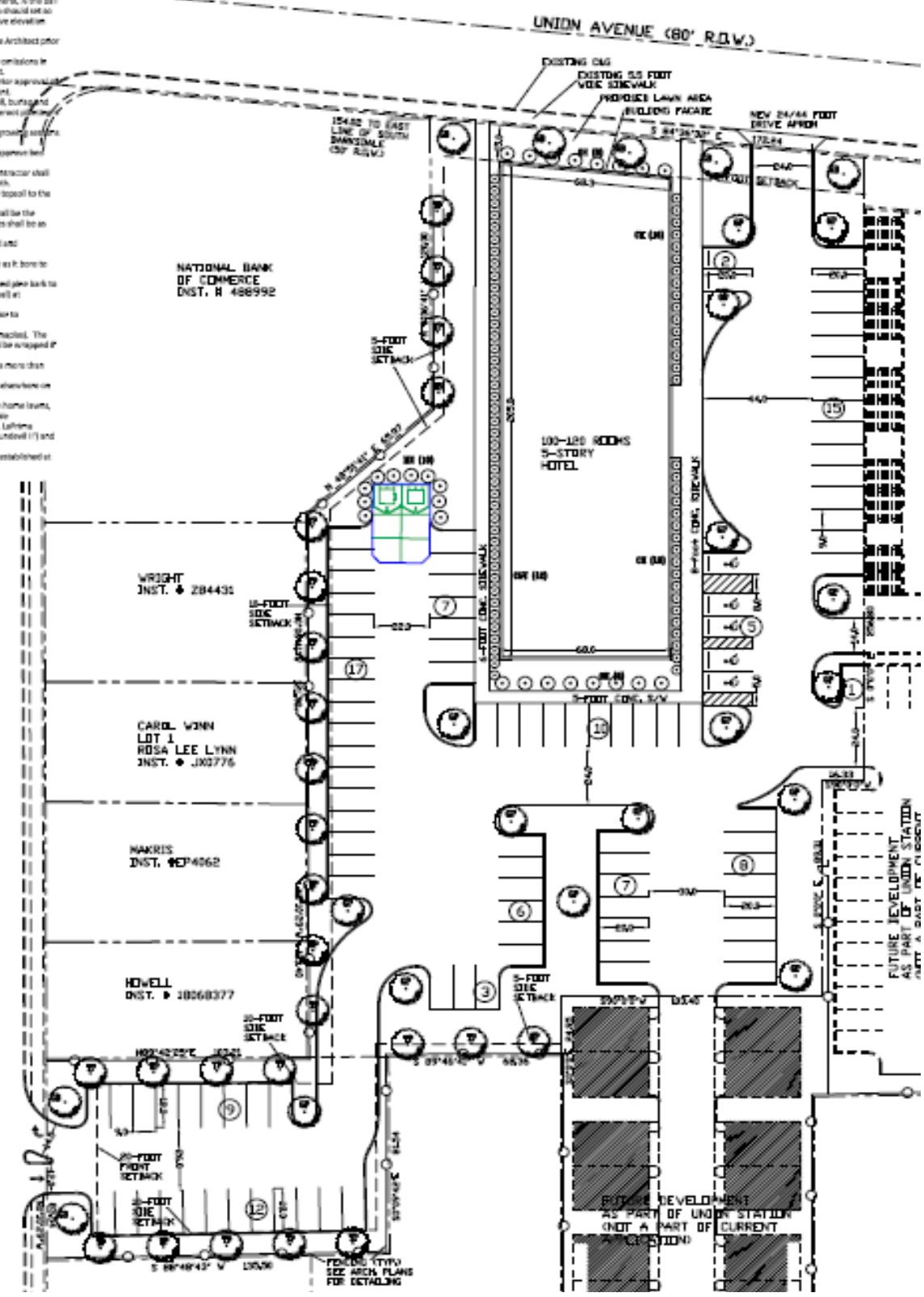
ed to establish home levels,

of slopes include

10' or 100', 100' and

100' and 100' (1) and

recessed and established at



RENDERINGS



(Renderings have not been revised to reflect updated site plan)



(Renderings have not been revised to reflect updated site plan)

OTHER NEARBY EXAMPLES OF URBAN FRONTAGES – SEEN FROM GOOGLE EARTH PRO
OVERTON SQUARE – SHOPFRONT FRONTAGE (MIN 80% BUILDING FRONTAGE)



RENASANT BANK AND CHIPOTLE – NO FRONTAGE ASSIGNMENT UNDER THE UDC



THE CITIZEN APARTMENTS – NO FRONTAGE ASSIGNMENT UNDER THE UDC



KROGER – NO FRONTAGE ASSIGNMENT UNDER THE UDC



MEMPHIS INNOVATION CORRIDOR TOD PLAN

Below are some excerpts from the aforementioned Transit Oriented Development plan currently in the implementation phase with Memphis 3.0. This site is right along the corridor, only tens of feet down from a planned stop along the route. This site is mentioned as a spot for redevelopment in the plan.

Sub Area 3

Existing Conditions and Opportunities

This sub area encompasses the four stations within the Midtown sub area. The four stations are Belvedere, McLean/Auburndale, Cooper, and Hollywood.

This is the first sub area that is primarily running through existing low-density residential neighborhoods.

The frontage on Union Avenue is primarily auto-oriented commercial uses with larger parking lots and a poor sense of walkability.

McLean/Auburndale and Cooper stations are in the Urban Corridor/Center station typology due to their intersection with prominent north-south corridors and the density of recent developments at those stations.

East of the McLean/Auburndale station is the former

Memphis Police facility which is a large redevelopment site for this area of the city considering the smaller size of the typical parcel in the area.

There have been a few notable recent developments in this sub area. The Citizen at McLean and Union and the Memphian Hotel on Cooper are developments that should inspire future projects along the corridor in this area.



Station Area Concept Plan

This station area concept plan map shows the potential impact of the TOD plan on the areas in between stations. Each Midtown station is only a few blocks apart and the impact of each station will overlap with one another resulting in a more comprehensive approach to future development.

Throughout this sub area there is a mixture of mixed-use developments primarily located close to the stations themselves, and in between stations is a mix of residential and commercial buildings.

Some key common principles of this concept plan include promoting street frontage for all new development and putting parking in the rear of buildings and shared between buildings, especially for the longer stretch of commercial buildings on the south

side of Union between McLean and Cooper.

This development plan would promote a more walkable neighborhood for existing and new residents in the area and could make this an even more attractive neighborhood for commuters to the Downtown, Medical District, and University with this direct access to the BRT.



December 2021

Memphis Innovation Corridor | TOD Plan

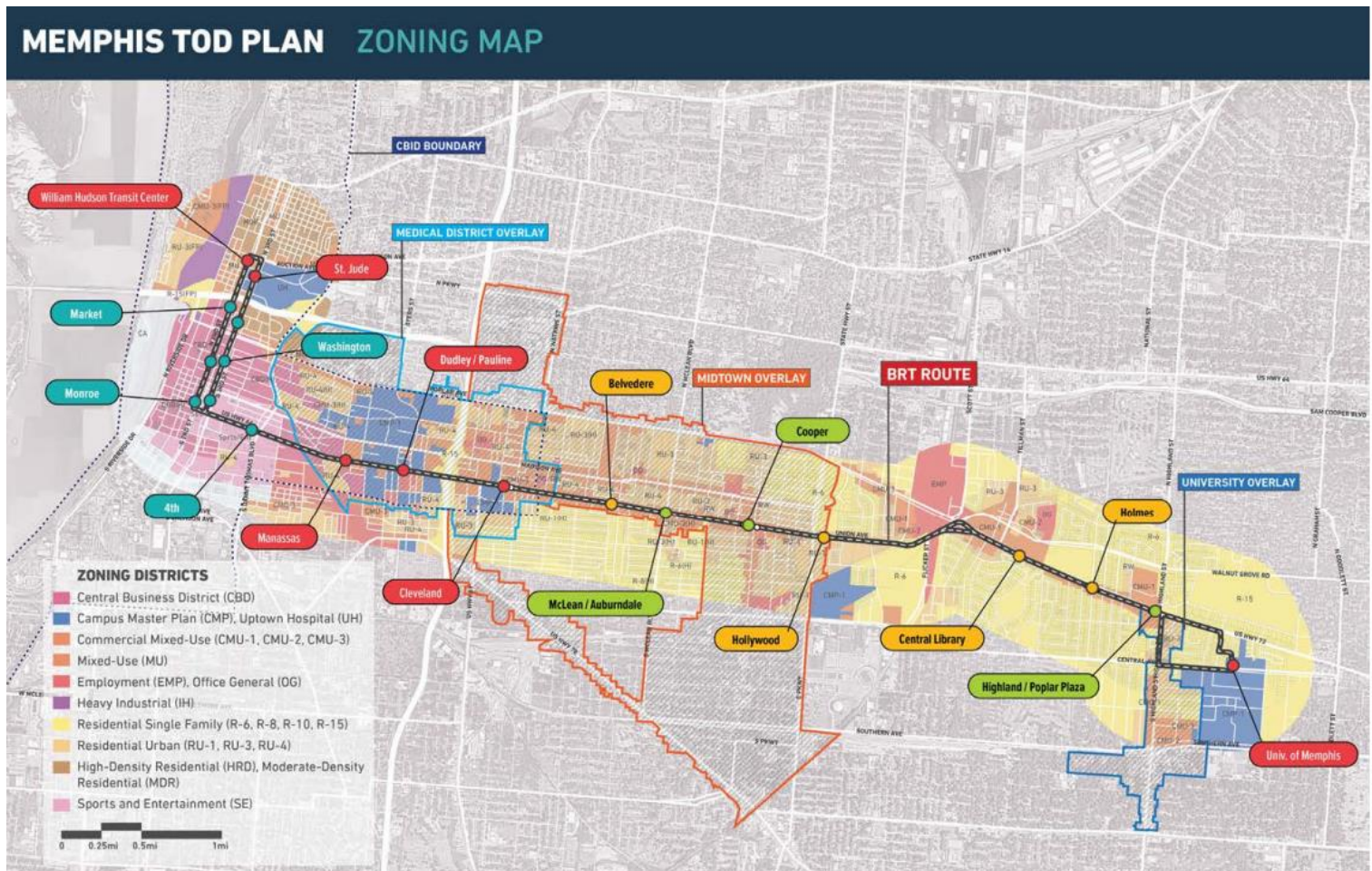
In the photo above, the red arrow indicates the former police site reimagined as buildings that front right along Union with a wide frontage. This can be further evidenced with the image on the next page. The former police station site is highlighted again by a red arrow.



**MCLEAN AUBURDALE STATION
 CONCEPT PLAN**

The Concept Plan diagram shows how the Citizen development could inspire future developments in the area. More mixed-use development is possible at these key intersections where higher density development is already happening.

A mixture of residential building types ensure the scale of development is reflective of the surrounding neighborhoods and offers different living options for future residents. Providing public space and commercial uses along the corridor will be key to ensuring the area retains a neighborhood feel while providing things to do for residents.



In the Medical District Overlay, Union Avenue is designated a Shopfront frontage but that

frontage ends at Kimbrough/McNeil and does not continue the Midtown Overlay. This

December 2021

plan recommends that frontage requirements extend on Union Avenue throughout the Midtown Overlay. Further analysis is required to determine recommendations for specific frontage and locations along the corridor.

Access Management Standards

Access management controls vehicle access to properties

included in the UDC as part of a future Zoning Text Amendment.

Transit Overlay District

District Intent Statement

Conclusion

Implementation of the mConnect is anticipated in 2026. Transit oriented development along the Innovation Corridor will go hand in hand with guiding sustainable growth in Memphis and improving the pedestrian environment. Encouraging increased density and public infrastructure improvements through TOD planning will provide more opportunities to both live and work along the Corridor and support the use of BRT and other sustainable transportation options.

Short Term Implementation Steps

- Analyze and rezone high-intensity, auto-oriented CMU-3 zoning districts along the corridor
- Amend the UDC to simplify overlays and apply street frontage requirements to Union Avenue throughout the Midtown Overlay
- Adopt the Transit Overlay District into the Memphis & Shelby County Unified Development Code
- Evaluate access management standards along the corridor
- Prioritize the implementation of programmed and recommended network improvement projects to strengthen multi-modal connections between stations

In the above images and texts, the plan shows that one of the main implementation steps of the TOD plan is to amend the UDC to extend more Shopfront frontage along Union Avenue east of the Medical District, which would cover this specific site. This frontage would cause any new buildings to have 80% frontage along Union Avenue.

STAFF ANALYSIS

Request

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

The request is for a 100-120 room hotel located at 1925 Union Avenue.

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 +/- 1.92 acres split among three separate parcels that front along Union Avenue, South Barksdale Street, and Linden Avenue. The main frontage for this proposal would be along Union Avenue. The previous use of this site was the City of Memphis police station where many of the police vehicles were kept and before that it was the location of Hutchison School. The site is currently split zoned between Commercial Mixed Use – 3 (CMU-3) and Residential Urban – 3 with Historic Overlay (RU-3(H)) in Central Gardens. The proposal would include only a hotel on this site. The hotel will be 5 stories, with up to 120 hotel rooms.

SITE PLAN REVIEW

- If approved, the hotel use would meet the UDC
- The height meets the UDC and the Midtown Overlay
- Parking spaces provided: 81, parking spaces needed with reductions 80-85
- Access to the site meets the UDC with one curb cut on Union and one on Barksdale
- Setbacks meet the regulations for the CMU-3 district and Midtown Overlay
- *Currently this site has no frontage assignment per the Midtown Overlay. However, in the future, much of Union Avenue including this site will have a “Shopfront” frontage assignment, which means that there will need to be a minimum of 80% building frontage along Union Avenue. As the site plan is now, the proposal does not meet this regulation, at only 40%. See above for other examples of nearby Urban and similar frontages in Midtown as well as pages 16-20.*

Consistency with Memphis 3.0

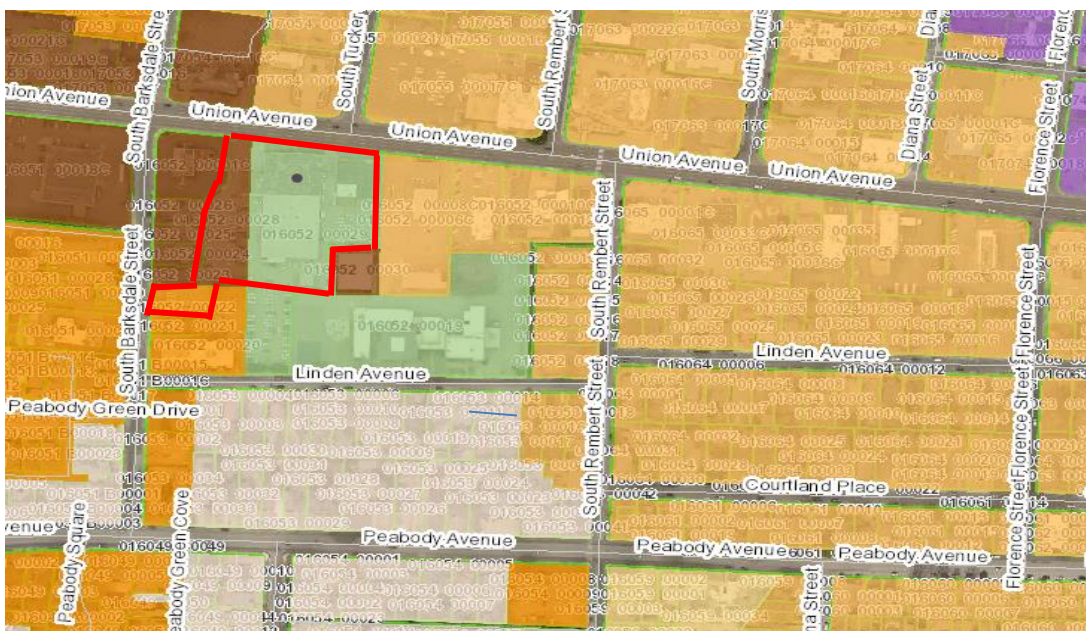
Site Address/location: 1925 Union Avenue, 0 Union Avenue, 192 S Barksdale

Land Use Designation (see pages 88, 104 & 108 for details): Public & Quasi-Public Buildings & Uses, High Intensity Commercial and Service (CSH), Primarily Multifamily Neighborhood (NM)

Based on the future land use planning map, 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:



The red box indicates the application sites on the Future Land Use Map.

2. Land Use Description & Applicability:

1925 Union is designated as a Public and Quasi-Public Building and Uses (PQP). PQP areas are public buildings used for recreation or as an institution, such as schools, churches, community center, libraries, and civic buildings. These places are easily accessible by foot or automobile and have formal access points that address the street. Public and/or recreational buildings and spaces may be temporary uses. See graphic portrayal to the right.



“PQP” Goals/Objectives:

Institutional uses contributing to anchors, anchor neighborhoods, residential communities, contributions to civic space framework.

“PQP” Form & Location Characteristics:

Recreational and Institutional uses. Redevelopment where PQP is applied on the Future Land Use Map should consider initially development consistent with the surrounding land use type.

0 Union Avenue is designated as a High Intensity Commercial and Service area (CSH). CSH areas are similar to low intensity areas in that they also attract residents from near and far for various commercial businesses and can service greater than a 3-mile radius. These areas are auto-oriented and located outside of anchors. Building sizes can vary in height, but have a much greater floor footprint with often more leasable space than low intensity areas, and often will not be suitable for future intensification of the area. See graphic portrayal to the right.



“CSH” Goals/Objectives:

Maintenance of larger-scale commercial centers where viable.

“CSH” Form & Location Characteristics:

Commercial and services uses with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map. One to seven stories in height.

192 S Barksdale is designated as a Primarily Multifamily Neighborhood (NM). NM areas are characterized by their house and block size buildings that are a combination of attached, detached and semi attached homes. These neighborhoods are major residential hubs that consist of apartment complexes and condominiums, and located greater than a 10-minute walk outside of the closest anchor. See graphic portrayal to the right.



“NM” Goals/Objectives:

Improved development patterns along auto-oriented commercial corridors, revitalization.

“NM” Form & Location Characteristics:

Attached, semi-detached, and detached with house-scale and some block-scale buildings. Primarily residential with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map. One to three stories or more in height. Beyond 1/2 mile from a Community Anchor.

The applicant is seeking a special use permit for a hotel on the parcels.

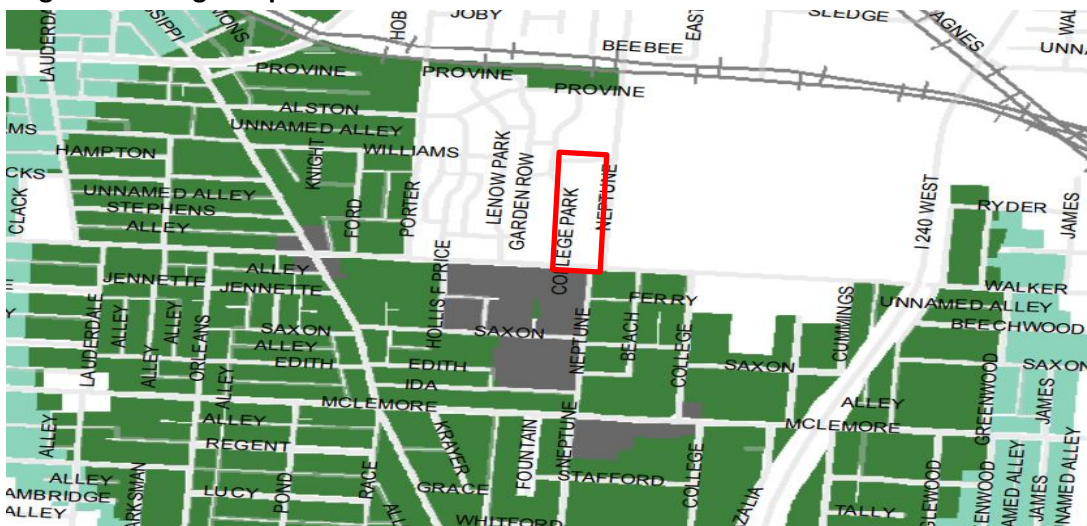
For 1925 Union, the proposed use does not meet the criteria. This parcel was owned by the City of Memphis and used for a police station. The parcel no longer functions as a police station and a sale is pending on the parcel to a private entity. For 0 Union and 192 S Barksdale, the proposed parking areas does not meet the criteria.

As the 1925 Union parcel no longer functions as a police station, PQP is not congruent as a Future Land Use. Planned future transportation improvements will support the proposed development. The uses proposed at 0 Union and 192 S Barksdale supports the functionality of the development, providing parking and an additional entrance and exit for the development. Furthermore, the development will not disrupt the current character of the neighborhood as it is located along a major corridor. Therefore, the use is consistent.

3. Existing, Adjacent Land Use and Zoning:

The subject site is surrounded by the following land uses: Commercial and Residential. The subject site is surrounded by the following zoning districts: CMU-3, CMU-3(H), R-6(H), RU-1. This requested land use is compatible with these adjacent land uses and zoning districts because *existing land use surrounding the parcels is similar in nature to the requested use.*

4. Degree of Change Map:



The red box indicates the application site on the Degree of Change Map. There is no Degree of Change for the site.

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

Summary Compiled by: Melanie Batke, Office of Comprehensive Planning

Conclusions

The applicant is seeking to put a hotel located at 1925 Union Avenue, the former location of a police station and Hutchison School before that.

The hotel is to be 5 stories and have approximately 100-120 hotel rooms.

Union Avenue is one of the cities' most traveled streets and an important connection from our downtown core, through midtown, to east Memphis. It has been in transition over the past decade, with a blend of more auto-centric to more pedestrian oriented designs, as with the nearby Citizen, Kroger, Renasant Bank, etc. This will soon be accelerated with the implementation of the city's new Transit Oriented Development (TOD) plan (<https://www.memphis3point0.com/innovation-corridor>) that will include adding frontage designations along Union. These frontage designations will begin to pull buildings closer to the street, increase transparency and decrease the vast parking lots that are currently between the building and sidewalk. The current site plan only shows approximately 40% frontage along Union. The new frontages, when adopted, will require between 60% and 80% frontage. Since this site would be the first major development along Union since the adoption and introduction of the TOD plan, staff believes that the 60% frontage would help set the tone as Union revitalizes with the new plan and future frontage designations in mind.

Increasing the building's frontage along Union from 40% to 60% will not require a change to the current site design for the drives, parking, sidewalks, etc.

Moreover, the overall site plan looks to meet the regulations of the UDC with parking, height, setbacks, landscaping, among other aspects. However, with potential frontage design changes, staff feels that the site shall be subject to the Administrative Site Plan Review process prior to a building permit being issued. This will help to ensure conformance with UDC regulations and conditions of approval below.

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. Parking shall be in accordance with section 4.5.3 of the UDC.
2. The buildings along Union Avenue shall have a minimum of 60% building frontage. This condition shall be massaged as a part of the Administrative Site Plan Review process.
3. Light fixtures installed on the site shall meet the requirements and standards of the Unified Development Code.
4. Lighting for parking shall be arranged/positioned to prevent direct glare onto any residential property.

5. No drive-thru restaurant uses shall be permitted on this site or the adjacent future retail development site to the east.
6. The applicant may need to submit a Trip Generation Report. This proposal shall be subject to the City Engineering Memorandum of Conformance process.
7. The City Engineer shall approve the design, number and location of curb cuts.
8. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
9. The applicant shall provide a minimum 6-foot sidewalk along Union Avenue.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

CASE: SUP-21-039 NAME: Union Station Hotel at 1925 Union

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

Sewers:

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

3. If a sewer connection is permitted for this development, all sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

Roads:

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

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

6. Increase width of sidewalk adjacent to Union Ave to 6 feet in width via the creation of a pedestrian easement.

Traffic Control Provisions:

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

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

9. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will

be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

10. The City Engineer shall approve the design, number and location of curb cuts.
11. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
12. A pedestrian easement may be required behind any curb cut on Union Avenue to meet ADA compliance.

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. This development is located in a sensitive drainage basin (Lick Creek 2-K). 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: 1/7/22
Reviewed by: J. Stinson
Address or Site Reference: Union/Barksdale

- 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

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Pending

Opened Date: December 9, 2021

Record Number: SUP 2021-039

Expiration Date:

Record Name: Union Station

Description of Work: Application for a Special Use Permit to permit a hotel.

Parent Record Number:

Address: 1925 UNION AVE, MEMPHIS 38104

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Yes	Union Station LLC	1779 Kirby Parkway, MEMPHIS, TN 38138	(901) 210-0345
	MEMPHIS CITY OF	125 N MAIN ST, MEMPHIS, TN 38103	

Parcel Information

Parcel No:
016052 00029

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).	Placeholder
UDC Sub-Section 9.6.9B	Placeholder
UDC Sub-Section 9.6.9C	Placeholder
UDC Sub-Section 9.6.9D	Placeholder
UDC Sub-Section 9.6.9E	Placeholder
UDC Sub-Section 9.6.9F	Placeholder

GIS INFORMATION

Central Business Improvement District	No
Case Layer	BOA1986-067, BOA1928-052-CI, null, Z92-115
Class	C
Downtown Fire District	No
Historic District	Central Gardens
Land Use	MULTI-FAMILY
Municipality	MEMPHIS
Overlay/Special Purpose District	Midtown Overlay
Zoning	RU-3
State Route	1
Lot	N PT 1&2
Subdivision	TUCKER
Planned Development District	-

Data Tables

ADDRESS AND PARCEL LIST

Property Address: 1925 Union
Property Parcel Number: 016052 00029

Property Address: 0 Union Avenue
Property Parcel Number: 016052 00028

Property Address: 192 South Barksdale St

Property Parcel Number: 016052 00022

AREA INFORMATION

Name:	Union Station
Size (Acres):	1.924
Existing Use of Property:	Police Station and accessory parking
Requested Use of Property:	Hotel and Accessory Parking

LETTER OF INTENT

December 9, 2021

Josh Whitehead, AICP
Planning Director/Administrator
Memphis and Shelby County
Division of Planning and Development
City Hall, 125 N. Main St., Ste. 468
Memphis, Tennessee 38103

RE: Application for Special Use Permit – 1925 Union Avenue
Memphis, Tennessee

Dear Josh:

We are pleased to submit, on behalf of G2 Venture Group, LLC and the property owners, the City of Memphis, an application for a Special Use Permit at 1925 Union Avenue. Located on the south side of Union Avenue, east of South Barksdale, the property contains three parcels and part of a fourth to accommodate the proposed hotel development.

The property is home to the former Memphis Police Station and zoned Commercial Mixed Use (CMU-3) and Residential Urban (RU-3) and is located in the Midtown Overlay District. Ideally located near employment centers, the Medical Center and civic attractions, this location is perfect for the proposed five story, 110-120 room hotel.

The purpose of this application is to seek approval of a Special Use Permit permitting the proposed hotel at this site. The hotel is the first part of a proposed mixed development that includes retail and residential units to the south. Specifically, this national flag, focused service hotel will provide,

- Business Center
- Fitness Center
- Pool
- Outdoor Patio
- Private Bistro for Hotel Customers
- Room Rates – Starting at \$130/night

At this location, Union Avenue is a six lane, 80' right of way. Because of the volume of traffic, the hotel is oriented perpendicular to Union Avenue, thereby bringing the hotel customer traffic into the site for drop off and pick up at the front door of the hotel. Ample landscaping and pedestrian friendly streetscape are provided to promote a pedestrian friendly environment.

The project complies with all additional standards imposed on it by any particular provisions authorizing such use. Specifically, 9.6.9 Special Use Permit 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).

December 9, 2021
Page 2

The proposed hotel will be a contributing use to the overall Midtown area by providing accommodations near the Medical District and other employment centers. The hotel as well as the overall development will be compatible with the surrounding areas Traffic generated will be significantly less than the former police station.

The project will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations (UDC sub-section 9.6.9B).

The proposed layout of the Hotel is consistent with the current development pattern. The linear nature of the property and the desire to bring the traffic into the site and not allow it to back up on Union Avenue supports the proposed site plan and the future development of the site.

The project will be served 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 (UDC sub-section 9.6.9C).

This project is a redevelopment of a City of Memphis Police Station where all public facilities currently exist.

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 (UDC sub-section 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. The site was fully developed at one time.

The project complies with all additional standards imposed on it by any particular provisions authorizing such use (UDC sub-section 9.6.9E).

This project complies with all standards and regulations authorizing the proposed use.

The request will not adversely affect any plans to be considered (see UDC Chapter 1.9) or violate the character of existing standards for development of the adjacent properties (UDC sub-section 9.6.9F)

This request will not adversely affect the Midtown Overlay District Regulations, Memphis 3.0, or other plans to be considered (see Chapter 1.9). The style and construction of the Hotel will be consistent and complimentary to the existing homes in Cooper Young, or violate the character of existing standards for development of the adjacent properties.

Thank you for your time and consideration in this matter. Feel free to contact me if you have any questions.

Sincerely,

Solomito Land Planning



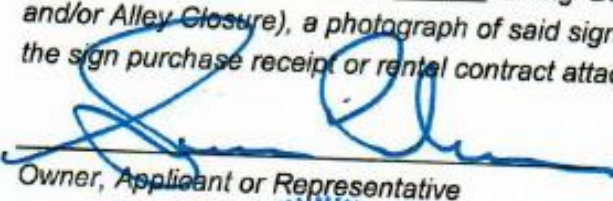
Brenda Solomito Basar
Land Planner

SIGN AFFIDAVIT

AFFIDAVIT


Shelby County
State of Tennessee

I, Shawn Massey, being duly sworn, depose and say that at 1:30 am/pm on the 29 day of December, 2021, I posted 2 Public Notice Sign(s) pertaining to Case No. SUP 2021-39 at Union Ave and Linden, providing notice of a Public Hearing before the X Land Use Control Board, X Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, X Special Use Permit, Zoning District Map Amendment, Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.



Owner, Applicant or Representative

12-29-21
Date

Subscribed and sworn to before me this 29 day of December, 2021.


Notary Public



My commission expires: 5/17/2025





LETTERS RECEIVED

No letters have been 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

January 18, 2022

Sam Patel – Union Station LLC.
1779 Kirby Parkway
Memphis, TN 38138

Sent via electronic mail to: brenda@solomitolandplanning.com

Case Number: SUP 2021-39
LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, January 13, 2022, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow a hotel located at 1925 Union Avenue (south side of Union, just east of Barksdale Street), subject to the following conditions:

1. Parking shall be in accordance with section 4.5.3 of the UDC.
2. The buildings along Union Avenue shall have a minimum of 60% building frontage. This condition shall be massaged as a part of the Administrative Site Plan Review process.
3. Light fixtures installed on the site shall meet the requirements and standards of the Unified Development Code.
4. Lighting for parking shall be arranged/positioned to prevent direct glare onto any residential property.
5. No drive-thru restaurant uses shall be permitted on this site or the adjacent future retail development site to the east without first receiving a recommendation from the Land Use Control Board followed with a final disposition by the City Council.
6. The applicant may need to submit a Trip Generation Report. This proposal shall be subject to the City Engineering Memorandum of Conformance process.
7. The City Engineer shall approve the design, number and location of curb cuts.

Letter to Applicant
SUP 2021-39

8. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
9. The applicant shall provide a minimum 6-foot sidewalk along Union Avenue.

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 lucas.skinner@memphistn.gov.

Respectfully,



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

File

Ordinance No. _____

AN ORDINANCE TO AMEND CHAPTER 41- WRECKERS OR TOWING OPERATOR OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, TO DEFINE PRIVATE PROPERTY, ADD A METHOD OF PAYMENT PROVISION, AND REQUIRE THE PUBLISHING OF RATES

WHEREAS, the Memphis City Council strives to ensure our laws are clear, current and relevant to keep our citizens safe and best serve our business community, assisting them in operating in accord with the laws contained within the Tennessee Code Annotated and the Code of Ordinances of Memphis, Tennessee; and

WHEREAS, the City of Memphis has a significant governmental interest in protecting the health, safety and welfare of the general public and preserving the public order; and

WHEREAS, Chapter 41 of the Code of Ordinances of Memphis, Tennessee, allows the Memphis City Council to define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of the public, and the peace and dignity of the City; and

WHEREAS, the Memphis City Council has received complaints from the public regarding the fee requirements of wrecking and towing companies and the ways in which it limits the public's ability to access those services; and

WHEREAS, the absence of a provision that clearly defines private property causes Chapter 41 to be vague and unclear in its application; and

WHEREAS, the Memphis City Council desires to minimize and control the adverse effects that occur when the public is required to remit payment to wrecking and towing companies in the form of cash during a time where a larger number of transactions are done through alternative methods of payment, such as credit and debit cards; and

WHEREAS, the Memphis City Council wishes to better regulate the wrecker and towing industry to conform to present day conditions and to provide for the protection of the public interest relating to the towing of vehicles; and

WHEREAS, this amendment does not relate to, and is not intended to regulate, the price, route, or provision of consensual towing services as preempted by the Federal Authority over Intrastate Transportation, codified in 49 U.S.C. § 14501(c)(1).

NOW, THEREFORE,

Section 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that

Chapter 41- Wreckers and Towing Operator- of the Code of Ordinances, is hereby amended to add the following provisions:

Sec. 41-2. Definitions:

Private Property- for the purposes of this Chapter, includes, but is not limited to, a parking lot or garage for use by patrons of a particular business, or businesses or a lot or garage used for temporary storage of passenger cars or trucks for a fee and is staffed by an attendant.

Sec. 41-10. Emergency Wrecker Service and Wrecker Service Requirements and Records.

Add subsection (f):

- (f) Every wrecker company or towing operator doing business within the corporate city limits of the City of Memphis shall publish its rates in such a place as to be in full view of anyone wishing to inspect same and/or be communicated to the owner of the vehicle, or party seeking the service, prior to services being rendered.

Sec. 41-12. Methods of Payment.

- (a) Every wrecker company or towing operator and/or storage facility doing business within the corporate limits of the City of Memphis shall accept payment by:
 - 1. Cash
 - 2. Major credit card (i.e., Visa, Mastercard, American Express)
 - 3. Mobile payment apps (i.e., Cash App, Venmo, PayPal, Apple Pay)
- (b) There may be an additional fee of no more than 2% charged for use of a credit card.

Sponsors:
Martavius Jones
JB Smiley, Jr.



Board Meeting

~ Final Agenda ~

Wednesday, January 19, 2022

8:30 AM

Board Room

MLGW ITEMS FOR CITY COUNCIL APPROVAL ON February 1, 2022.

- 1.. Resolution approving Change No. 1 to Contract No. 12355, DocuSign with DocuSign, Incorporated in the funded amount of \$34,026.20. (This change is to extend the current contract for DocuSign (formerly C2358) under Contract No. 12355 for a one-year period covering March 1, 2022 through February 28, 2023, which reflects a negotiated 4% increase in rates from the initial term.)
2. Resolution approving Change No. 4 to Contract No. 11974, Cross Connection Control Survey/Inspection with Mid-South Engineering Consultants, LLC., in the funded amount of \$150,000.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering February 21, 2022 through February 20, 2023, with no increase in rates from the previous term.
3. Resolution approving Change No. 1 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to decrease the contract award amount to reflect a decrease of (\$1,506,575.00). (This change is to reduce the original award amount from \$4,006,575.00 to \$2,500,000.00. The term of this contract will remain one year from the date of the Notice to Proceed with the option of four annual renewals.)
4. Resolution awarding a purchase order to Hitachi Energy USA Inc., for Tropos mesh routers network equipment in the amount of \$2,816,215.00.
5. Resolution awarding a purchase order to Industrial Controls & Electrical, LLC., for distributed process control panels for Morton Pumping Station in the amount of \$278,008.00.
6. Resolution awarding a sixty (60) month purchase order to Carte International, for network transformers in the amount of \$4,761,042.33.
7. Resolution awarding a twenty-four (24) month purchase order to Enfinity Supply, LLC., for the purchase of ductile iron pipe in the amount of \$770,850.52.
8. Resolution awarding Contract No. 12289, Independent Claims Adjuster Services to Horton & Associates of Memphis, in the funded amount of \$120,000.00.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 1 to Contract No. 12355, DocuSign with DocuSign, Incorporated in the funded amount of \$34,026.20. (This change is to extend the current contract for DocuSign for a one-year period covering March 1, 2022 through February 28, 2023, which reflects a negotiated 4% increase in rates from the initial term.)

2. Additional Information

The project scope is to purchase DocuSign user software licenses for unlimited electronic signature envelopes and premier support services. This software allows MLGW employees to route and sign documents electronically.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 19, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12355 (*formerly C2358*), DocuSign with DocuSign, Incorporated to extend the current contract in the funded amount of \$34,026.20.

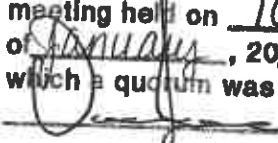
The project scope is to purchase DocuSign user software licenses for unlimited electronic signature envelopes and premier support services. This software allows MLGW employees the ability to route and sign documents electronically in an efficient and effective manner. This change is to extend the current contract for DocuSign (*formerly C2358*) under Contract No. 12355 for a one (1) year period covering March 1, 2022 through February 28, 2023 in the amount of \$34,026.20, which reflects a negotiated 4% increase in rates from the initial term. DocuSign is imposing a 7% increase to all of its customers, but MLGW was able to negotiate it to 4%. This extension complies with all applicable laws and policies. The new contract value is \$66,743.70.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No 12355, DocuSign with DocuSign, Incorporated to extend the current contract in the funded amount of \$34,026.20, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Extension.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 19th day of January, 2022, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 19, 2022 approved Change No. 1 to Contract No. 12355 (*formerly C2358*), DocuSign with DocuSign, Incorporated to extend the current contract in the funded amount of \$34,026.20, and is now recommending to the Council of the City of Memphis that it approves said extension as approved; and

WHEREAS, the project scope is to purchase DocuSign user software licenses for unlimited electronic signature envelopes and premier support services. This software allows MLGW employees the ability to route and sign documents electronically in an efficient and effective manner. This change is to extend the current contract for DocuSign (*formerly C2358*) under Contract No. 12355 for a one (1) year period covering March 1, 2022 through February 28, 2023 in the amount of \$34,026.20, which reflects a negotiated 4% increase in rates from the initial term. DocuSign is imposing a 7% increase to all of its customers, but MLGW was able to negotiate it to 4%. This extension complies with all applicable laws and policies. The new contract value is \$66,743.70; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12355 (*formerly C2358*), DocuSign with DocuSign, Incorporated to extend the current contract in the funded amount of \$34,026.20 as approved.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 4 to Contract No. 11974, Cross Connection Control Survey/Inspection with Mid-South Engineering Consultants, LLC., in the funded amount of \$150,000.00. (This change is to renew the current contract for the fourth and final annual renewal term for the period covering February 21, 2022 through February 20, 2023, with no increase in rates from the previous term.

2. Additional Information

The project scope is to perform surveys and inspections on non-residential premises to insure compliance with the Cross Connection Control Manual to avoid potential connections between potable and non-potable water supply.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 19, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 4 to Contract No. 11974, Cross Connection Control Survey/Inspection with Mid-South Engineering Consultants, LLC to renew the current contract in the funded amount of \$150,000.00.

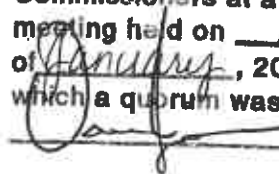
The project scope is to perform surveys and inspections on non-residential premises to comply with the Cross Connection Control Manual. This change is to renew the current contract for the fourth and final annual renewal term for the period covering February 21, 2022 through February 20, 2023, with no increase in rates from the previous term. This renewal complies will all applicable laws and policies. The new contract value is \$1,352,300.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 4 to Contract No. 11974, Cross Connection Control Survey/Inspection with Mid-South Engineering Consultants, LLC to renew the current contract in the funded amount of \$150,000.00, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 19th day of January, 2022, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 19, 2022 approved Change No. 4 to Contract No. 11974, Cross Connection Control Survey/Inspection with Mid-South Engineering Consultants, LLC to renew the current contract in the funded amount of \$150,000.00, and is now recommending to the Council of the City of Memphis that it approves said renewal; and

WHEREAS, the project scope is to perform surveys and inspections on non-residential premises to comply with the Cross Connection Control Manual. This change is to renew the current contract for the fourth and final annual renewal term for the period covering February 21, 2022 through February 20, 2023, with no increase in rates from the previous term. This renewal complies with all applicable laws and policies. The new contract value is \$1,352,300.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 4 to Contract No. 11974, Cross Connection Control Survey/Inspection with Mid-South Engineering Consultants, LLC to renew the current contract in the funded amount of \$150,000.00 as approved.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 1 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to decrease the contract award amount to reflect a decrease of (\$1,506,575.00). (This change is to reduce the original award amount from \$4,006,575.00 to \$2,500,000.00. The term of this contract will remain one year from the date of the Notice to Proceed with the option of four annual renewals.)

2. Additional Information

The award amount is being decreased to better reflect the projected work to be done by the contractor.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 19, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 1 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to decrease the contract award amount to reflect a decrease of (\$1,506,575.00).

The project scope is to furnish all supervision, labor, equipment, tools, supplies, transportation of equipment, labor, and materials to construct, test, commission and maintain MLGW Electric Substation facilities as directed by MLGW throughout Memphis and Shelby County, Tennessee. This change is to reduce the original award amount from \$4,006,575.00 to \$2,500,000.00. The award amount will be decreased in the amount of (\$1,506,575.00) which better indicates the amount of work projected for the Contractor in 2022. The Electric Substation Engineering & Operations Department will review the projected workload for future renewal periods to determine the renewal amount based on the projected amount of work to be done in the subsequent year(s).

The term of this contract will remain one (1) year from the date of the Notice to Proceed with the option of four (4) annual renewals. This change complies with all applicable laws and policies. The revised award amount will be \$2,500,000.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 1 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to decrease the award amount in the amount of (\$1,506,575.00), as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Change.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 19th day of January, 2022, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 19, 2022 approved Change No. 1 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to decrease the contract award amount to reflect a decrease of (\$1,506,575.00), and is now recommending to the Council of the City of Memphis that it approves said change as approved; and

WHEREAS, the project scope is to furnish all supervision, labor, equipment, tools, supplies, transportation of equipment, labor, and materials to construct, test, commission and maintain the MLGW Electric Substation facilities as directed by MLGW throughout Memphis and Shelby County, Tennessee. This change is to reduce the original award amount from \$4,006,575.00 to \$2,500,000.00. The award amount will be decreased in the amount of (\$1,506,575.00) which better indicates the amount of work projected for the Contractor in 2022. The Electric Substation Engineering & Operations Department will review the projected workload for future renewal periods to determine the renewal amount based on the projected amount of work to be done in the subsequent year(s).

The term of this contract will remain one (1) year from the date of the Notice to Proceed with the option of four (4) annual renewals. This change complies with all applicable laws and policies. The revised award amount will be \$2,500,000.00; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 1 to Contract No. 12238, Electric Substation Construction and Maintenance Services with RMS Energy Company, LLC to decrease the award amount in the amount of (\$1,506,575.00) as approved.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding a purchase order to Hitachi Energy USA Inc., for Tropos mesh routers network equipment in the amount of \$2,816,215.00.

2. Additional Information

The mesh routers network equipment will expand the coverage of the current Tropos Mesh network within Shelby County. The Tropos Mesh network supports Distribution Automation, Smart meter infrastructure, and various communication needs for MLGW.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 19, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Hitachi Energy USA Inc. in the amount of \$2,816,215.00 for Tropos mesh routers network equipment.

The mesh routers network equipment will expand the coverage of the current Tropos Mesh network within Shelby County. The Tropos Mesh network supports Distribution Automation, the Smart Meter infrastructure and various communication needs for the Division.

A bid was opened on December 8, 2021, for Tropos mesh routers network equipment from Hitachi Energy USA Inc. in accordance with MLGW's Sole/Single Source Policy. The Tropos mesh routers and equipment have been defined as sole source material by MLGW's Electric Substation Engineering and Operations Department because this equipment has to be compatible with MLGW's current Tropos mesh router network equipment to ensure communications will continue for first of the month commercial and industrial gas customers when AT&T decommissions existing 3G cellular services on February 28, 2022. Hitachi Energy USA Inc. is the sole provider of the Tropos equipment. This award complies with all applicable laws and policies.

Contingent upon approval, the 2022 budgeted amount for Electric Telecommunications Networks is \$4,478,000.00; of which \$2,816,215.00 will be spent on this purchase order in 2022; leaving a balance of \$1,661,785.00 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of purchase order to Hitachi Energy USA Inc. is approved for furnishing:

500 - TropOS 1420 outdoor mesh edge node with dual band radio 2.4 & 5 GHz and built in GPS, part #14203060G.

650 - Ceraun 2 outdoor power supply and battery backup unit that provide dual PoE ports, part #PS064001.

1,200 – TeleOS 9111P: 900MHz single-radio (ISM only), 1 ethernet, 1 serial, enclosure, part #T091110PD.

150 – TropOS Router - 6430-T, 2.4/5/900, FCC, Ethernet, GPS, part #64303000TGX.

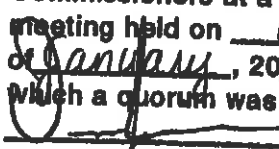
650 - SuprOS router license for the TropOS outdoor mesh edge node, part #NMCROUTER.

1,200 – SuprOS Client- Node and Radio License, part #VXA01NMCCLIENT.

1 – Shipping and handling.

Total award is \$2,816,215.00; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said prices being firm; terms net 45 days; delivery 3 weeks.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 19th day of January, 2022, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 19, 2022 approved the purchase of Tropos mesh routers network equipment and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2022 fiscal year budget contingent upon approval; and

WHEREAS, the mesh routers network equipment will expand the coverage of the current Tropos Mesh network within Shelby County. The Tropos Mesh network supports Distribution Automation, the Smart Meter infrastructure and various communication needs for the Division; and

WHEREAS, a bid was opened on December 8, 2021, for Tropos mesh routers network equipment from Hitachi Energy USA Inc. in accordance with MLGW's Sole/Single Source Policy. The Tropos mesh routers and equipment have been defined as sole source material by MLGW's Electric Substation Engineering and Operations Department because this equipment has to be compatible to MLGW's current Tropos mesh router network equipment to ensure communications will continue for first of the month commercial and industrial gas customers when AT&T decommissions existing 3G cellular services on February 28, 2022. Hitachi Energy USA Inc. is the sole provider of the Tropos equipment. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of Tropos mesh routers network equipment from

Hitachi Energy USA Inc. in the amount of \$2,816,215.00 chargeable to the MLGW 2022 fiscal year budget.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding a purchase order to Industrial Controls & Electrical, LLC., for distributed process control panels for Morton Pumping Station in the amount of \$278,008.00.

2. Additional Information

The distributed process control panels will replace the existing old and obsolete control panels that are currently installed at Morton Pumping Station.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 19, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Industrial Controls & Electrical, LLC in the amount of \$278,008.00 for distributed process control panels for Morton Pumping Station.

The distributed process control panels will replace the existing old and obsolete control panels that are currently installed at Morton Pumping Station.

Bids were opened on November 3, 2021. Notice to Bidders was advertised. Seven (7) bids were solicited, and four (4) bids were received with the lowest and best complying bidder being the firm of Industrial Controls & Electrical, LLC. This award complies with all applicable laws and policies.

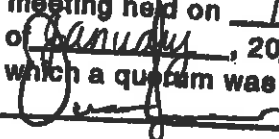
Contingent upon approval, the 2022 budgeted amount for Water Pumping Stations is \$13,093,750.00; of which \$278,008.00 will be spent on this purchase order in 2022; leaving a balance of \$12,815,742.00 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of contract to Industrial Controls & Electrical, LLC is approved for furnishing:

Distributed Process Control (DPC) panels for Morton Pumping Station in accordance with MLGW system upgrade drawings dated August 2020,

Totaling \$278,008.00; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said price being firm; terms net 30 days; delivery by February 28, 2022.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular special meeting held on 19th day of January, 2022, at which a quorum was present.

Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 19, 2022 approved the purchase for control panels for Morton Pumping Station and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2022 fiscal year budget, contingent upon approval; and

WHEREAS, the distributed process control panels will replace the existing old and obsolete control panels that are currently installed at Morton Pumping Station; and

WHEREAS, bids were opened on November 3, 2021. Notice to Bidders was advertised. Seven (7) bids were solicited, and four (4) bids were received with the lowest and best complying bidder being the firm of Industrial Controls & Electrical, LLC. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved the purchase of distributed process control panels from Industrial Controls & Electrical, LLC in the amount of \$278,008.00 chargeable to the MLGW 2022 fiscal year budget.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the item

Resolution awarding a sixty (60) month purchase order to Carte International, for network transformers in the amount of \$4,761,042.33.

2. Additional Information

The network transformers are electrical devices used on the distribution system to step voltage up or down. The network transformers are needed to replenish storeroom inventory and for upcoming projects.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 19, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it award a sixty (60) month purchase order to Carte International in the amount of \$4,761,042.33 for network transformers.

The network transformers are electrical devices used on the distribution system to step voltage up or down. The network transformers are needed to replenish storeroom inventory and for upcoming projects.

Bids were opened on September 15, 2021. Notice to Bidders was advertised. Thirteen (13) bids were solicited and seven (7) were received with the most responsive and best complying bidder being the firm of Carte International. This award complies with all applicable laws and policies.

Contingent upon approval, the 2022 budgeted amount for Electric Substation Transformers is \$6,102,000.00; of which \$1,668,024.37 will be spent in 2022 on this purchase order; leaving a balance of \$4,433,975.63 after award; and the remaining balance of \$3,093,017.96 will be spent from subsequent budget years as approved; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of contract to Carte International is approved as follows for furnishing:

Contract for a sixty (60) month period for providing network transformers to be furnished as needed by MLGW. A copy of all unit prices to be placed on file in MLGW's Accounting Department; and further,

The total award for sixty (60) months is an estimated amount of \$4,761,042.33; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said prices are subject to escalation/de-escalation for the sixty (60) month period; delivery 12 weeks after release; terms net 30 days.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 19th day of January, 2022, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 19, 2022, approved a sixty (60) month contract for network transformers and is now recommending to the Council of the City of Memphis that it approve said purchase as approved in the 2022 fiscal year budget contingent upon approval and subsequent budget years as approved; and

WHEREAS, the network transformers are electrical devices used on the distribution system to step voltage up or down. The network transformers are needed to replenish storeroom inventory and for upcoming projects; and

WHEREAS, bids were opened on September 15, 2021. Notice to Bidders was advertised. Thirteen (13) bids were solicited and seven (7) were received with the most responsive and best complying bidder being the firm of Carte International. This award complies with all applicable laws and policies; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved a sixty (60) month contract for network transformers from Carte International for the total sum of \$1,668,024.37 chargeable to the MLGW 2022 fiscal year budget and the remaining balance of \$3,093,017.96 chargeable to subsequent budget years as approved.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding a twenty-four (24) month purchase order to Enfinity Supply, LLC., for the purchase of ductile iron pipe in the amount of \$770,850.52.

2. Additional Information

The ductile iron pipe will be used to construct new water facilities for system upgrades, new commercial water and fire protection services and maintenance.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 19, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a twenty-four (24) month purchase order to Enfinity Supply, LLC in the amount of \$770,850.52 for the purchase of ductile iron pipe.

This request will cover the purchase of ductile iron pipe which will be placed into storeroom inventory and issued to crews as needed for upcoming projects. The ductile iron pipe will be used to construct new water facilities for system upgrades, new commercial water and fire protection services and maintenance.

Bids were opened on September 1, 2021. Notice to Bidders was advertised. Sixteen (16) bids were solicited, and six (6) bids were received with the lowest and best complying bidder being the firm of Enfinity Supply, LLC. This award complies with all applicable laws and policies.

Contingent upon approval, the 2022 budgeted amount for General Division is \$14,556,000.00; of which \$385,425.26 will be spent on this purchase order in 2022; leaving a balance of \$14,170,574.74 after award; the remaining balance of \$385,425.26 will be charged to subsequent budget years as approved; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

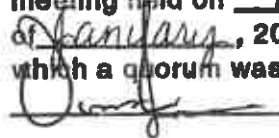
THAT, subject to the consent and approval of the Council of the City of Memphis, award of a twenty-four (24) month purchase order to Enfinity Supply, LLC is approved for furnishing:

1,000 feet approximately - 4" ductile iron slip joint pipe;
8,000 feet approximately - 6" ductile iron slip joint pipe;

5,000 feet approximately - 8" ductile iron slip joint pipe;
2,000 feet approximately - 10" ductile iron slip joint pipe;
6,000 feet approximately - 12" ductile iron slip joint pipe;
800 feet approximately - 16" ductile iron slip joint pipe;
400 feet approximately - 20" ductile iron slip joint pipe;
2,00 feet approximately - 24" ductile iron slip joint pipe;
200 feet approximately - 30" ductile iron slip joint pipe;

The total award for twenty-four (24) months is an estimated amount of \$770,850.52; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm for year one with a 9% increase for year two; delivery 4-6 weeks after release; terms net 30 days.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 19th day of January, 2022, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 19, 2022 approved a twenty-four (24) month purchase order for ductile iron pipe and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2022 fiscal year budget contingent upon approval and subsequent budget years as approved; and

WHEREAS, this request will cover the purchase of ductile iron pipe which will be placed into storeroom inventory and issued to crews as needed for upcoming projects. The ductile iron pipe will be used to construct new water facilities for system upgrades, new commercial water and fire protection services and maintenance; and

WHEREAS, bids were opened on September 1, 2021. Notice to Bidders was advertised. Sixteen (16) bids were solicited and six (6) bids were received with the lowest and best complying bidder being the firm of Enfinity Supply, LLC. This award complies with all applicable laws and policies; and

Now **THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of ductile iron pipe from Enfinity Supply, LLC for the sum of \$385,425.26 chargeable to the 2022 fiscal year budget and the balance of \$385,425.26 chargeable to subsequent budget years as approved.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the item

Resolution awarding Contract No. 12289, Independent Claims Adjuster Services to Horton & Associates of Memphis, in the funded amount of \$120,000.00.

2. Additional Information

The project scope is to perform timely delivery of independent claims adjuster services to support MLGW's in-house Claims Department with claim investigation, adjusting and collection services.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
January 19, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners, that it awards Contract No. 12289, Independent Claims Adjuster Services to Horton & Associates of Memphis in the funded amount of \$120,000.00.

The project scope is to perform timely delivery of independent claims adjuster services to support MLGW's in-house Claims Department with claim investigation, adjusting and collection services.

The Request for Proposal was advertised using MLGW's Online Bid Notification System on August 12, 2021. MLGW solicited four (4) proposals; and received three (3) proposals on September 17, 2021 with the most responsive proposal being from Horton & Associates of Memphis in the funded amount of \$120,000.00. Proposals were evaluated on the following criteria: 1) Responsiveness to claims request; 2) Experience in Independent Claims Adjuster Services; 3) Experience in working with Tennessee governmental entities; 4) Experience in working with electric, gas, and water utilities; 5) Experience working with large self-insured employers; 6) Professional qualifications, capability, and availability of the team; 7) References; 8) Price of services; 9) Experience in claims collection; 10) Experience in handling unknown claims; and 11) Experience handling claims from the general public. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. This award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners: THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12289, Independent Claims Adjuster Services to Horton & Associates of Memphis in the funded amount of \$120,000.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution accepted by the Board of Light, Gas and Water Commissioners at a regular-special meeting held on 19th day of January, 2022, at which a quorum was present.


Secretary-Treasurer

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of January 19, 2022, awarded Contract No. 12289, Independent Claims Adjuster Services to Horton & Associates of Memphis in the funded amount of \$120,000.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to perform timely delivery of independent claims adjuster services to support MLGW's in-house Claims Department with claim investigation, adjusting and collection services; and

WHEREAS, the Request for Proposal was advertised using MLGW's Online Bid Notification System on August 12, 2021. MLGW solicited four (4) proposals; and received three (3) proposals on September 17, 2021 with the most responsive proposal being from Horton & Associates of Memphis in the funded amount of \$120,000.00. Proposals were evaluated on the following criteria: 1) Responsiveness to claims request; 2) Experience in Independent Claims Adjuster Services; 3) Experience in working with Tennessee governmental entities; 4) Experience in working with electric, gas, and water utilities; 5) Experience working with large self-insured employers; 6) Professional qualifications, capability, and availability of the team; 7) References; 8) Price of services; 9) Experience in claims collection; 10) Experience in handling unknown claims; and 11) Experience handling claims from the general public. The term of this contract is for one (1) year from the date of the Notice to Proceed with an option of four (4) annual renewal terms. This award complies will all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12289, Independent Claims Adjuster Services to Horton & Associates of Memphis in the funded amount of \$120,000.00 as approved.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

An Ordinance to amend Chapter 9-12. – Air Pollution Control of the City of Memphis, Code of Ordinances to add The Shelby County Air Code.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

This Ordinance is being initiated by the Division of Public Works.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

NA

4. State whether this will impact specific council districts or super districts.

This Ordinance will impact all districts.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

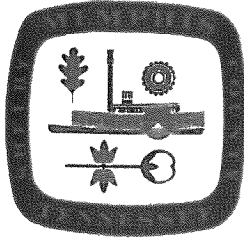
This Ordinance does not require a new contract or amend an existing contract.

6. State whether this requires an expenditure of funds/requires a budget amendment

This Ordinance does not require an expenditure of funds or budget amendment.

7. If applicable, please list the MWBE goal and any additional information needed

MWBE goal is not applicable.



ORDINANCE No. _____

AN ORDINANCE TO AMEND CHAPTER 9-12. – AIR POLLUTION CONTROL OF THE CITY OF MEMPHIS, CODE OF ORDINANCES TO ADD THE SHELBY COUNTY AIR CODE.

WHEREAS; the operation of a local air pollution control program by the Shelby County Health Department, which was established by the Shelby County Air Code, adopted on June 30, 1969, by then Shelby County Quarterly Court, and as amended, has served to protect the air quality in Shelby County and efficiently meets the needs of those regulated by air pollution control laws to the present; and

WHEREAS, in order to maintain the Certificate of Exemption from the State of Tennessee (“State”) supervision granted by the Tennessee Air Pollution Control Board on June 10, 2020, it is necessary for Shelby County and its municipalities, including the City of Memphis (“City”), to adopt regulations no less stringent than State standards; and

WHEREAS, the Pollution Control Section of the Shelby County Health Department is responsible for administration and enforcement of the Tennessee Air Quality Act, as contained in the Tennessee Code Annotated, Section 68-201-115(a); and

WHEREAS, the Shelby County Board of Commissioners have adopted the Shelby County Air Code in order to maintain the Certificate of Exemption from the State of Tennessee that allows local enforcement of air pollution control laws; and

WHEREAS, in order to enforce the Shelby County Air Code in local municipalities, each local municipality must adopt the Code into its City Code; and

WHEREAS, the City seeks to enact an Ordinance that conforms with State law as set forth by Shelby County Air Code and enforced by Shelby County Health Department; and

WHEREAS, it has been determined that this can best be accomplished by adopting whatever Code is effective for Shelby County is effective within the City, which has also been adopted in unincorporated Shelby County and other municipalities in Shelby County; and

WHEREAS, it is necessary to amend the City of Memphis Municipal Code to incorporate the Shelby County Air Code in its entirety for the code to be enforced and accomplish this change.

SECTION 1. NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 9-12. Air Pollution Control of the City of Memphis, Code of Ordinances is hereby amended with corresponding changes made to include in Municode the Shelby County Air Code Effective within the City to be enforced by Shelby County Health Department.

SECTION 2. BE IT FURTHER ORDAINED, that the provisions of this Ordinance shall be added as Article 6, entitled "Shelby County Air Code Effective within the City," of the Code as maintained by Municode.

SECTION 3. BE IT FURTHER ORDAINED, that a new Article is adopted to read:
Shelby County Air Code in effect in Shelby County shall also be effective within the City and shall be enforced by the Shelby County Health Department. Fees established from time to time by the Shelby County Health Department in order to cover costs incurred by administering the Shelby County Air Code shall also be effective within the City and shall be collected and retained by the Shelby County Health Department.

SECTION 4. BE IT FURTHER ORDAINED, that this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of May in writing by the Comptroller and become effective as otherwise provided by law.

APPROVED: _____
Chairman of Council

Date Signed: _____

ATTEST: _____

APPROVED: _____
Mayor, City of Memphis

Date Signed: _____

ORDINANCE NO. _____

ORDINANCE FOR DESIGNATION OF QUALIFIED PUBLIC USE FACILITY, CREATION OF THE PEABODY HOTEL TOURISM DEVELOPMENT ZONE TOURISM SURCHARGE AND OTHERWISE PROVIDING WITH RESPECT TO THE FOREGOING

WHEREAS, the Peabody Hotel first opened in 1869 as a symbol of the South's rebirth and quickly became the business and social hub of Memphis;

WHEREAS, in 1925, the Peabody Hotel was rebuilt at its present location on Union Avenue;

WHEREAS, in the mid-1970s, downtown Memphis experienced economic decline forcing the Peabody Hotel to close its doors, But the "South's Grand Hotel" would not remain shuttered for long, and was resurrected and faithfully restored by the Belz family - led by Jack Belz - and reopened in 1981, breathing new life into downtown Memphis;

WHEREAS, legendary for its charm, elegance, gracious southern hospitality, and now world-famous ducks, the Peabody Hotel is a Memphis landmark, is on the National Register of Historic Places, and continues to carry the distinction of the "South's Grand Hotel" and is a Forbes Four-Star, AAA Four-Diamond rated property and a member of Preferred Hotels & Resorts Worldwide and National Trust Historic Hotels of America;

WHEREAS, the Peabody Hotel is one of America's premier tourist destinations, a major employer in the Downtown Memphis community and a key economic driver of the City of Memphis;

WHEREAS, Memphis Center City Revenue Finance Corporation ("CCRFC") is the fee owner of certain real property located at 149 Union Avenue, Memphis, Tennessee 38103 (tax parcels nos. 00251A0001 and 00251A0002) ("Hotel Site");

WHEREAS, CCRFC has leased to Hotel Peabody L.P., a limited partnership organized under the laws of the State of Tennessee ("Hotel Developer"), the Hotel Site and the improvements thereon pursuant to that certain Lease Agreement dated as of December 31, 1997, recorded as Instrument No. HB 6476 in the Register's Office of Shelby County, Tennessee (as amended, the "PILOT Lease") under which Hotel Developer has the right to acquire the Hotel Site and the improvements thereon at any time after expiration of the term thereof;

WHEREAS, Hotel Developer has redeveloped and operates on the Hotel Site the Historic Peabody Hotel, a hotel with 464 rooms, more than 80,000 gross square feet of meeting and event space, parking and commercial space, including ancillary dining and retail space, and related amenities ("Peabody Hotel");

WHEREAS, Hotel Developer utilizes in connection with the operation of the Peabody Hotel the adjacent parking facility located at 150 Peabody Place, Memphis, Tennessee (tax parcel no. 005005A00002) (the “Parking Site”);

WHEREAS, Hotel Developer proposes to make capital investments totaling more than \$125 million over the next thirty (30) years for the redevelopment and long-term preservation of the Peabody Hotel (the “Project”);

WHEREAS, the Local Tourism Development Zone Business Tax Act, Tenn. Code Ann. §§ 67-4-3001 *et seq.* (“Surcharge Act”) authorizes the City of Memphis to designate as a “Qualified Public Use Facility” a full-service hotel with not less than two hundred fifty (250) rooms and related retail, commercial, and parking space that is located in the portion of Downtown Memphis designated as a tourism development zone (“Downtown TDZ”) pursuant to the Convention Center and Tourism Development Financing Act of 1998, which is codified at Tenn. Code Ann. §§ 7-88-101 *et seq.* (“TDZ Act”);

WHEREAS, the Surcharge Act authorizes the City of Memphis to levy a privilege tax (“Tourism Surcharge”) on the sale of certain goods and services within such Qualified Public Use Facility and other related facilities, and to assign (or cause to be assigned) to CCRFC the revenues from such Tourism Surcharge that are paid, remitted or otherwise transferred to the City or City Treasurer to pay or reimburse costs incurred, or to pay debt service on indebtedness incurred pursuant to the Surcharge Act to finance or refinance costs, in connection with the acquisition, construction, leasing, renovation, and equipping of said Qualified Public Use Facility and other related facilities;

WHEREAS, the Hotel Site, the Parking Site, and the respective improvements thereon, including the Peabody Hotel, are located in the Downtown TDZ and include a full-service hotel of two hundred fifty (250) or more rooms and related retail, commercial, and parking spaces;

WHEREAS, the City of Memphis administration finds that it is wise, necessary and advisable to designate the Hotel Site and the improvements thereon, including the Peabody Hotel, together with the Parking Site, as a Qualified Public Use Facility pursuant to and in accordance with the Surcharge Act;

WHEREAS, the City of Memphis administration finds that it is wise, necessary, and advisable to seek authorization from this Council to levy a Tourism Surcharge of five percent (5%) of the Sales Price (as defined in the Surcharge Act) on Sales (as defined in the Surcharge Act) made by engaging in any Business (as defined in the Surcharge Act) in or upon the Hotel Site, less and except the Excluded Areas marked in red on the attached **Exhibit A**, and the Parking Site.(“Peabody Hotel Surcharge”);

WHEREAS, the City of Memphis administration finds that it is wise, necessary, and advisable to assign revenues generated from the Peabody Hotel Surcharge (“Peabody Surcharge Revenues”) to CCRFC to pay or reimburse costs incurred, or to pay debt service

on indebtedness incurred to finance or refinance costs, in connection with the Project at the Hotel Site;

WHEREAS, to enact the Peabody Hotel Surcharge, the City of Memphis administration has proposed the ordinance set forth below (“Tourism Surcharge Ordinance”); and

WHEREAS, the City of Memphis administration desires that this Council (i) approve the Tourism Surcharge Ordinance, and (ii) otherwise provide with respect to the foregoing.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Memphis as follows:

1. Sec. ___ - ___ -1. **Designation as Qualified Public Use Facility**

The Hotel Site and the improvements thereon, including the Peabody Hotel, less and except the Excluded Areas marked in red on the attached **Exhibit A**, together with the Parking Site, are hereby designated as a qualified public use facility (collectively, the “Peabody Hotel QPUF”) pursuant to and in accordance with Tenn. Code Ann. title 67, chapter 4, part 30 (as amended from time to time, hereinafter in this chapter called the “Act”).

Sec. ___ - ___ -2. **Creation of District**

There is created the Peabody Hotel Surcharge District (the “District”) in accordance with the Act.

Sec. ___ - ___ -3. **District Boundaries**

The District created by this chapter shall be comprised of the area located in the City within the following boundaries:

Parcel 1 (Hotel Site):

Units 1 and 2 of Peabody Place Centre Condominium as described in Master Deed, Declaration of Covenants, Conditions and Restrictions of Peabody Place Centre Condominiums as recorded as Instrument No. JM 5809 in the Register’s Office of Shelby County, Tennessee less and except the Excluded Areas marked in red on the attached **Exhibit A**.

Municipal Addresses: 149 Union Avenue, Memphis, Tennessee
Tax Parcel IDs: 002051 A00001 and 002051 A00002

Parcel 2 (Parking Site):

Unit 1 of Peabody Place Garage Condominium as described in Master Deed, Declaration of Covenants, Conditions, and Restrictions of Peabody Place Garage Condominium as recorded as Instrument No. JN 9703 in the Register's Office of Shelby County, Tennessee.

Municipal Address: 150 Peabody Place, Memphis, Tennessee
(A/K/A 250 Peabody Place, Memphis, Tennessee)
Tax Parcel ID: 005005 A00001

Sec. ___ - ___-4 **Surcharge Assessment**

The making of Sales (as such term is defined in the Act) by engaging in any Business (as such term is defined in the Act), except for those businesses exempt under Tenn. Code Ann. title 67, chapter 4, part 712, in the District is declared to be a privilege. All such Sales shall be subject to the surcharge assessment provided in this Chapter and the City hereby levies such surcharge on all Sales.

Sec. ___ - ___-5 **Surcharge Assessment Rate**

The surcharge levied by this section shall be equal to five percent (5%) of the Sales Price (as such term is defined in the Act).

Sec. ___ - ___-6 **Mandatory Registration, Filing of Returns, Payment of Surcharge and Licensing**

All persons carrying on Business (as such term is defined by the Act) in the District, and all persons who may hereafter carry on Business in the District, shall register with the City Treasurer for the purpose of assessment and collection of the surcharge. All persons so registered shall file a return detailing Sales for the prior month and surcharge collected on account of such Sales on or before the twentieth (20th) day of each calendar month and shall remit all surcharge collected during such month, together with any delinquent payments of surcharge, with such return. Each person who files a return and remits the appropriate amount of surcharge shall be granted a license which such person shall display within their place of Business. The City Treasurer is hereby authorized and directed to develop the forms for registration and filing monthly returns, as well as rules and regulations regarding the filing of the same.

Sec. ___ - ___-7 **Delinquent Payments**

Any nonpayment or delinquent payment of any surcharge shall be subject to the rights and remedies described in Chapter 5-24 of the Memphis City Code.

Sec. ___ - ___-8 **Allocation and Use of Revenues**

All revenues received by the city as a result of the surcharge, except for the reasonable expenses of the City Treasurer incurred as a result of its administrative duties under this chapter which shall not exceed one percent (1%) of such revenues, shall be designated for, and allocated to the payment of the cost of the Peabody Hotel QPUF, including, without limitation, all debt issued or incurred in the acquisition, construction, leasing, renovation and equipping of the Peabody Hotel QPUF, including principal, interest and other fees and charges.

Sec. ___ - ____-9 **Remittance of Revenues**

On or before the fifteenth (15th) day of each month, the City Treasurer shall remit all revenues received during the prior month, less the aforescribed administrative fee, to CCRFC or its assignee. CCRFC, or its assignee, is hereby directed to deposit such revenues in accordance with the Act and any agreements governing the payment or reimbursement of costs incurred, or debt issued or incurred by CCRFC to finance or refinance costs, in connection with the development of the Peabody Hotel QPUF.

Sec. ___ - ____-10 **Termination of Surcharge**

1. The surcharge shall continue until terminated as provided in the Act.

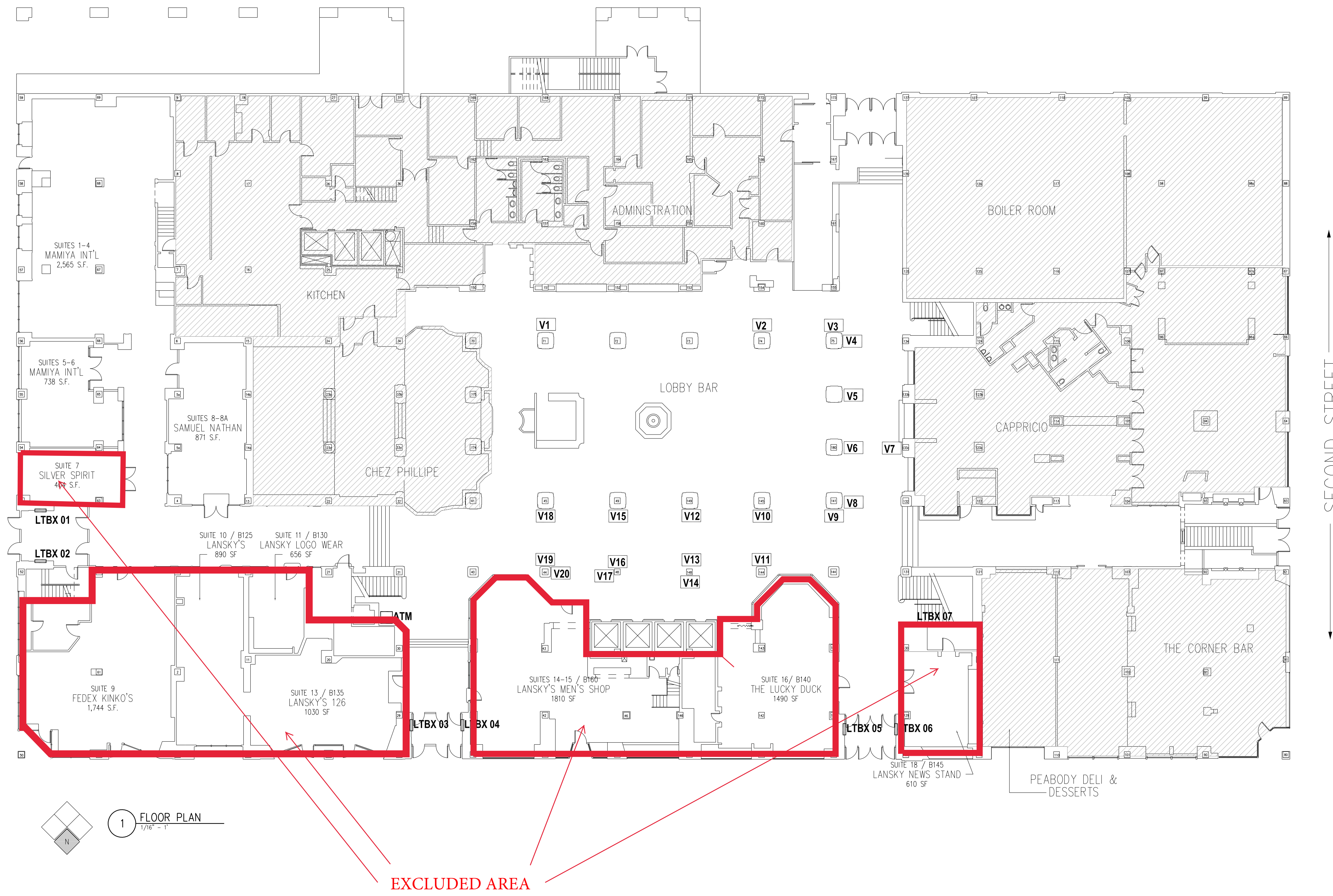
2. All actions heretofore undertaken by the Mayor or his designee and other officials, employees, attorneys and agents of the City in furtherance of the intent of this resolution, and of the documents authorized by this resolution, are hereby ratified, confirmed and approved.

3. The Mayor or his designee and other appropriate officials of the City are hereby authorized to enter into such agreements, and they and other appropriate employees of the City are hereby authorized to execute such certificates or other documents and take such other actions, as may be necessary or appropriate to carry out the intent of this Ordinance.

4. This Ordinance shall take effect from and after its adoption, the welfare of the City of Memphis requiring it.

Sponsor: _____

EXHIBIT A - AREAS EXCLUDED OUTLINED



RESOLUTION to amend the Council Rules of Procedure to Rename the Division of Parks and Neighborhoods to Memphis Parks

WHEREAS, the Memphis City Council’s Rules of Procedure dictates both the organization of the council and preparation of the council agenda; and

WHEREAS, the Division of Parks and Neighborhoods has recently undergone a rebranding and is now named “Memphis Parks”; and

WHEREAS, in order to eliminate any confusion and match the divisions other materials, the Council Rules of Procedure should be updated to reflect this change.

NOW, THEREFORE, BE IT RESOLVED, that the Memphis City Council Rules of Procedure is hereby amended by the following provisions:

Sec. B-17. Resolutions presented by Division in the following order:

h. Memphis Parks.

Sec. E-37. There shall be the following standing committees which shall be appointed annually by the Chairperson:

f. ~~Parks and Environment~~ Memphis Parks and Environment

BE IT FURTHER RESOLVED, the City Council Records office and City Council staff shall amend the Council and Committee agendas to reflect this change with the passing of this resolution.

Sponsor:

Rhonda Logan

Chair:

Jamita Swearengen

MEMPHIS CITY COUNCIL
RULES OF PROCEDURE
CITY OF MEMPHIS, TENNESSEE

INCLUDING AMENDMENTS OF:

January 10, 1984
January 17, 1984
March 20, 1984
January 2, 1985
January 21, 1986
January 6, 1987
February 17, 1987
December 8, 1987
January 26, 1988
January 10, 1989
October 6, 1998
May 15, 2001
October 21, 2003
December 2, 2003
October 3, 2006
February 6, 2007
February 20, 2007
September 18, 2007
September 9, 2008
September 23, 2008
April 5, 2011
August 2, 2011
December 20, 2011
December 16, 2014
June 7, 2016
December 20, 2016
December 5, 2017
February 19, 2019
December 1, 2020
January 5, 2021

INDEX

	PAGE
A. DUTIES OF THE CHAIRPERSON.....	1 - 2
1. To Preside	
2. To Preserve Order	
3. To Decide Questions of Order, Etc.	
4. To Appoint Committees	
5. Chairperson and Vice Chairperson	
6. To Be In Charge of Office Staff, Etc.	
B. ORDER OF BUSINESS	3 - 4
7. Call To Order	
8. Invocation	
9. Roll Call	
10. Recognition of Visitors	
11. Minutes	
12. Call of Agenda	
13. Recommendations, Communications of the Mayor	
14. Appointments	
15. Ordinances, Passage of	
16. Public Hearings	
17. Order of Resolutions on Agenda	
18. Committee Reports	
19. Recommendations of the Council:	
A. General	
B. Discussion	
20. Items by Public	
21. Adjournment	
C. PROCEEDINGS IN COUNCIL MEETINGS	5 - 8
22. Seating of Council During Session	
23. Presentation of Motions	
24. Motions NOT SUBJECT to Debate	
25. Order of Motions	
26. Requirements for Roll Calls, Etc.	
27. Appeal to Council from Ruling of the Chair	
28. Permission to Address the Chair	

29.	Clearing of Chamber for Disturbance, Etc.	
30.	Suspension of Rules	
31.	Time Limitation for Debate	
32.	Order of Hearing Zoning Ordinance	
33.	General Public to Sign In for Discussion	
34.	Adoption of <u>Roberts Rules of Order</u>	
D.	DECORUM IN COUNCIL MEETINGS	9 - 10
35.	Meetings of the Council	
36.	Rules of Enforcement	
E.	ORGANIZATION OF COUNCIL	11
37.	Standing Committees	
38.	Referral of Items to Committee, Public Hearings	
F.	AGENDA.....	12 - 14
39.	Preparation of Agenda Submission of Items For; Reconsideration of Items; Six Month Limit for Matters Previously Considered	
40.	ADDED Items for Agenda by Council Members	
41.	Items for Agenda by Administration	
42.	Communications Required on Agenda	
43.	Distribution of Agenda by Council Records Office	
44.	Agenda Available to Public and News Media	
45.	Consent Agenda	
G.	CODE OF ETHICS.....	15 - 16
46.	Meeting of Council Pursuant of Charter	
47.	Conduct of Members During Meetings, Etc.	
48.	General Conduct Pursuant to Home Rule	
49.	Committee on Ethics	

H. OTHER MEETINGS OF THE COUNCIL17

50. Regular and Special Sessions

51. Executive Sessions

52. Called Meetings by Chairperson

53. Amendments of Rules

I. TRAVEL POLICY18

54. City of Memphis Travel Policy

55. Amendment Regarding Cancellations, Refunds

J. VACANCIES..... 19

56. Filling a vacancy

RULES OF PROCEDURE - COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE

A. DUTIES OF THE CHAIRPERSON (1 through 6)

1. The Chairperson shall preside at all meetings of the Council.
2. The Chairperson shall have general direction of the Council Chamber and shall preserve order. The Sergeant at Arms of the Council shall be under the direct supervision of the Chairperson.
3. The Chairperson, in consultation with the Parliamentarian, shall decide questions of order, subject to appeal of the council by any member, and shall put each question. The Chairperson shall have a vote on all matters.
4. The Chairperson shall appoint all committees, unless otherwise directed by the Council, and shall have other powers granted to him/her hereunder. The Chairperson may also appoint a Parliamentarian; in default of such appointment the Council's Legal Counsel shall serve as Parliamentarian. The Chairperson shall establish the order of business for any special meeting of the Council. It shall be the responsibility of the Chairperson-elect to distribute and collect staff performance reviews in December of each year.
5. The Chairperson shall be elected by a majority vote of the duly sworn Council Members during the second meeting of November preceding the year he/she shall serve.

The Vice Chairperson shall be elected by a majority vote of the Council Members during the second meeting of the November preceding the year he/she shall serve. In the event the Chairperson of the Council becomes incapacitated, the Vice Chairperson shall serve as Chairperson of the Council and a new member shall be voted in as Vice Chairperson for the remainder of the year.

6. The Chairperson, through the Council Office Administrator, shall be in charge of the office staff, shall schedule the workload and assume the responsibility of office routing. The Chairperson shall be in charge of employment, with notification to Council Members of job openings. Dismissal of Council staff is subject to the approval of the Council in executive session. Members of the Council shall not request personal secretarial work of staff members for other than strictly Council business.

The Chairperson will be in charge of and accountable for the Council budget that has been approved by the Council during the budget process.

The Chairperson will authorize and/or approve all expenditures requested by the Council Members and the staff, including, but not limited to, travel and supplies. The party seeking

authorization or approval shall, at the request of the Chairperson, submit written substantiation that the expenditure requested is for City business. If the Chairperson determines that the expenditure is not for City business, the Chairperson will return the request without authorization or approval for payment to the Council Member or staff member.

If the involved Council or staff member disagrees with the Chairperson's decision, said Council Member or staff member may appeal to the Council's Personnel Committee, which will make a recommendation to the entire Council, action of the entire Council shall be conclusive.

If it is determined that an expenditure properly authorized was not for City business, the Chairperson and the Council Member who initiated the expenditure will both be equally responsible to make restitution; provided, however, if the substantiating evidence upon which the Chairperson relied was incorrect, then the Chairperson shall not be liable to make restitution.

If the involved Council or staff member disagrees with the findings, such person may appeal to the Council's Personnel, Committee, which will make a recommendation to the entire Council, and action of the entire Council shall be conclusive.

B. ORDER OF BUSINESS (7 through 21)

7. The meeting shall be called to order.
8. Invocation.
9. Roll Call.
10. Recognition of Visitors, including presentations of Resolutions and Certificates (presentations limited to 10 minutes).
11. Minutes of previous meeting approved.
12. Comptroller shall call agenda.
13. Recommendations and Communications from Mayor and others received and considered.
14. Nominations and/or appointments made.
15. Passage of ordinances considered in the following manner:
(Rezoning ordinances excluded)
 - a. First Reading
 - b. Second Reading.
 - c. Third and Final Reading.
16. Public hearings required by law (including consideration of ordinances on Third and Final Reading on Zonings).
17. Resolutions presented by Divisions in the following order:
 - a. Executive Office.
 - b. Finance and Administration.
 - c. Fire Services.
 - d. General Services.
 - e. Housing and Community Development.
 - f. Human Services.
 - ~~g.~~ Human Resources.
 - ~~g-h.~~ Memphis Parks.
 - ~~h-i.~~ Planning and Development.
 - I. Police Services.
 - j. Public Service
 - k. Public Works and Solid Waste.
 - l. Sanitation Services.

18. Committee reports shall be given consideration and action in the order listed hereinafter (See E. Organization of Council).
19. Recommendations of the Council:
 - a. General Items.
 - b. Discussion Items.
20. Introduction of items on matters by the General Public.
21. Adjournment.

C. PROCEEDINGS IN COUNCIL MEETINGS (22 through 34)

22. Council Members shall have a regularly assigned seat in the Council Chamber. The Chairperson will assign the seating at the beginning of each year. Each Council Member shall address the Chairperson from his/her appropriate seat, and no Council Member shall be recognized by the Chairperson unless he/she be in his/her proper place. Talking on a Cell phone is not permitted at the Council member's assigned seat. If a call must be made or taken, members are asked to use the ante rooms located on either side of Council Chambers. The Chairperson may request a member to step away from the dais if he/she is causing a major distraction.
23. Every motion, resolution, or ordinance, must be introduced by a Council Member and seconded by another Council Member. The fact that any Council Member introduces a resolution or ordinance shall not prevent the Council Member from casting a negative vote on said resolution or ordinance. Upon failure of a second, the Chairperson shall declare the motion failed for lack of a second and the motion shall not be considered further.
24. All motions shall be subject to debate except the following motions:
 - a. To Adjourn
 - b. To Lay on the Table
 - c. For the Previous Question

provided, however, the proponent of any measure sought to be tabled shall have the right to be heard after the motion To Table is made and before said motion is put to vote. Furthermore, any lights registered and duly acknowledged by the Chairperson, after a motion for the previous question has been made, those persons will be allowed to speak but no new lights will be accepted.

25. When any question or motion is under debate in the Council, the following motions only shall be in order and may be entertained by the Chairperson.
 - a. To Adjourn.
 - b. To Lay on the Table.
 - c. To the Previous Question.
 - d. To Limit or Extend Limits of Debate
 - d. To Postpone to a Day Certain.
 - e. To Commit.
 - f. To Amend.
 - g. To Postpone Indefinitely.

Each of said motions shall take precedence in the order set out herein.

26. A roll call vote shall be taken by the Chairperson on all ordinances and on all resolutions involving appropriations, real property or funding. All ordinances shall be passed on consecutive, regular meetings; provided, however, that on Third and Final Reading, an ordinance may be postponed by affirmative action of Council from week-to-week or to a day certain. After the Chairperson has put a question, or after there has been a roll call vote of the Council, the Chairperson shall not entertain a motion until a decision of the Council has been declared by the Chairperson.

The chair may call for any other method of voting allowed by Roberts Rules of Order such as voice vote, show of hands or by unanimous consent. In each case, the Comptroller shall reveal how each member voted to the Chairperson either verbally or electronically. The result of the vote shall not be final until announced by the Chairperson. Any member whose vote was not called may request his or her vote to be recorded at any time prior to the Chairperson's announcement of the vote. Any member may change his or her vote at any time prior to the announcement of the vote as long as such change does not change the outcome of the vote.

27. Any Council Member may appeal to the Council from any ruling of the Chairperson, and a majority vote of the Council Members present shall decide the appeal.
28. No one other than a Council Member may address the Council, except with the permission of the Chairperson, or as otherwise permitted under these Rules of Procedure. The Chairperson's ruling under this Rule 28 may be appealed to Council in the same manner as any other ruling. Members of the public wishing to address the Council on an agenda item shall sign in with the Sergeant At Arms and will be recognized by the Chairperson at the appropriate time. When recognized, this person shall state his or her name and address and shall limit remarks to the specific question under debate. Comment shall be limited to two (2) minutes. Persons may speak on no more than two (2) agenda items. No citizen may yield any allotted time to any other person or speaker. There shall be no debate by Council on the Consent Agenda, unless a matter is removed from the Consent Agenda by proper vote of the Council. Members of the public may not speak to the Consent Agenda except during the portion of the Agenda reserved for Discussion of matters presented by the General Public.
29. In the case of any disturbance or disorderly conduct in the Council Chamber, the Chairperson shall have the power to order same to be cleared.
30. The Council may change the order of business upon majority vote of those Council Members present or at the discretion of the Chairperson or Councilmember presiding over the meeting.
31. In the case of public hearings which debate the passage of an ordinance, the Chairperson may set time limitations in advance of the hearings; provided, however, that equal time be

afforded to those who support such proposals and those who are in opposition. In the case of group opposition or group support, the Chairperson may request agreement on a single spokesman for each group.

32. In the case of final readings on Zoning Ordinances, the following procedures shall be followed:
 - a. Office of Planning and Development will provide the Chairperson and the committee Chairperson of Planning and Zoning a list of cases on the agenda that are non-contested which may be heard prior to any contested cases that may require a lengthy debate and discussion. Each case shall be presented by a member of the staff of the Office of Planning and Development.
 - b. The applicant shall be granted a maximum of fifteen (15) minutes for oral presentation. This time limitation may be divided between initial presentation and rebuttal, as long as the total does not exceed the fifteen minutes allotted.
 - c. Spokesman for the opposition shall be granted equal time.
 - d. Discussion between Council Members shall not be interrupted by either the applicants or the opponents, nor by any other members of the public present in the Council Chamber. **The Chairperson shall strictly enforce these rules.**

33. Persons seeking to speak during the section reserved for Discussion of matters presented by the General Public shall sign in with the Sergeant At Arms, listing name and subject matter. At the conclusion of the regular business on the agenda, the Chairperson recognizes those persons who have registered to speak with the Sergeant At Arms, the Chairperson shall make the following statement:

As a reminder, these meetings are for the official business of the council and are held in public, not as a meeting with the public. Citizens may address the Council as a matter of legislative grace and not as a matter of right. Any person wishing to speak is expected to reflect a total sense of respect for the office held by those assembled to conduct business. Speakers shall be courteous to one another, to any member of the administrative staff, as well as persons who may address the Council. Each speaker must state their name and home address for the record. Speakers are respectfully asked to refrain from using names of city personnel or elected officials, particularly when lodging a complaint. Speakers will not be permitted to engage in gossip, make defamatory comments, or use abusive or vulgar language. The Chairperson shall have the authority to revoke the permission granted to any individual to speak if any such individual is disruptive or does not

adhere to Council rules. A continued disturbance may result in removal from Council Meeting or possible removal from the Council Meeting. Each Speaker will have no more than two minutes to speak.

After making the forgoing announcement, the Chairperson shall recognize persons who have registered to speak with the Sergeant At Arms in the proper order of signatures as handed to him by the Sergeant At Arms. Recognition of any person who failed to sign-in will be discouraged, but final decision shall rest with the Chairperson. No citizen may yield any allotted time to any other person or speaker.

34. If any question shall arise which is not provided for in these Rules, the same shall be governed by Roberts Rules of Order, which is hereby adopted. The Council Rules of Procedure as adopted shall supersede Robert's Rules of Order for items addressed within.

D. DECORUM IN COUNCIL MEETINGS (35 through 36)

35. Meetings of the Council shall be conducted in an orderly manner to ensure the public has a full opportunity to be heard and the deliberative process of the Council is retained at all times. The Presiding Officer shall be responsible for maintaining decorum throughout the meeting. If a Councilmember feels that the Presiding Officer has failed to address a breach of decorum, the Councilmember may by motion appeal to the Chairperson to preserve decorum.

- a. Councilmembers. The members of the City Council shall preserve order and decorum, and a member shall not by conversation or other means delay or interrupt the Council proceedings or disturb any other member while speaking and obey the orders of the Presiding Officer. Councilmembers addressing the public, Administrative Staff, Council Staff or other Councilmembers shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public. Any Councilmember who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall, at the discretion of the presiding officer, be asked to refrain from such behavior. If the behavior persists, the Chairperson with the approval or majority vote of the body shall determine how to proceed with the meeting.
- b. Employees. Employees of the City or City shall observe the same rules of order and decorum as those which apply to the members of Council.
- c. Persons Addressing the Council. Any person who addresses the Council shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting shall, at the discretion of the presiding officer, be barred from further audience before the Council during that meeting.
- d. Members of the Audience. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting. Any person who conducts himself in the aforementioned manner shall, at the discretion of the presiding officer, be barred from further audience before the Council during that meeting.

36. Rules of Enforcement

- a. Warning. The presiding officer shall request that a person who is breaching the rules of

decorum to be orderly and silent through a verbal warning.

- b. **Order to Leave.** If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, the presiding officer shall order him or her, to leave the Council meeting to prevent any further disruption of the meeting.
- c. **Removal.** If such person does not remove himself or herself, the presiding officer may order any law enforcement officer who is on duty at the meeting as sergeant-at-arms of the Council to remove that person from the Council chambers to prevent further disruption of the meeting.

E. ORGANIZATION OF COUNCIL (37 and 38)

37. There shall be the following standing committees which shall be appointed annually by the Chairperson:

- a. Audit
- b. Budget
- c. Economic Development, Tourism and Technology
- d. Housing and Community Development
- e. MLGW
- f. Memphis Parks and Environment
- g. Personnel, Government Affairs and Annexations
- h. Planning and Zoning
- i. Public Safety and Homeland Security
- j. Public Services, Arts, Youth Initiatives, Libraries and Neighborhoods
- k. Public Works, Solid Waste, and General Services
- l. Transportation

38. a. Any proposal or ordinance, other than routine personal resolutions, must be referred by the originator to an appropriate committee for consideration and recommendation. If the originator has an item and he is not sure to which committee it should be referred, he will give it to the Chairperson of the Council for assignment. This committee may, if it desires, hold public hearings thereon. In such public hearings, all speakers shall be limited to five minutes, except by special permission of the committee Chairperson. Equal time shall be afforded to the proponents and opponents of any ordinance or resolution under consideration.
- b. Any proposal or resolution presented in committee must contain the name of the originator and co-sponsor (if applicable) in the lower right-hand portion of the document immediately following the body of the legislation. Any ordinance presented must contain the name of the originator, co-sponsor (if applicable) and Council Chairperson.
- c. On occasion should an emergency arise or a quantifiable benefit to the City of Memphis or another party will be lost as a result of the delay of action by the Memphis City Council, meeting minutes for an agenda item may be approved at the same meeting. In order to approve an agenda item and minutes for that item the same evening, a Councilmember shall request in Executive Session by motion and approval of two-thirds (2/3) of Councilmembers present and voting in Executive Session on that day that those minutes be approved the same evening.

F. AGENDA (39 through 45)

39. The agenda of the Council shall be prepared under the direction of the Council Records, with administrative items to be submitted no later than 10:00 a.m. on Thursday, preceding the Council meeting, to the Council Office.

- a. Resolutions or Ordinances placed on the agenda shall indicate the sponsor of the item as well as the Chairperson of the committee.

Example:

Flinn Chairperson, Personnel Committee	7. Ordinance to amend Chapter 25 of the City of Memphis Code of Ordinances, governing the City Pension System to provide a 2016 Cash Balance Plan and a 2016 Defined Contribution Plan (Non-vested employees) Ordinance No. 5572 Sponsored by Administration
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- b. Any matter which has appeared on the agenda and has been acted upon by either a majority vote for approval or rejection, may be brought before the Council for reconsideration upon proper motion of a Council Member and seconding motion by another Council Member.

The only requirements for this action are:

- (1) The Member making the Motion to Reconsider must have voted on the prevailing side of the initial vote. A Member, regardless of how he voted on the Motion to be Reconsidered, may Second the Motion.
- (2) Such Motion to Reconsider must be made prior to approval of the minutes in which the first vote was cast.
- (3) The Motion to Reconsider is not amendable.
- (4) No question can be reconsidered twice unless it was materially amended during its first reconsideration.

Once a matter, either ordinance, resolution, or special permit, has been finally approved or rejected at one meeting, any such item may not be placed on the agenda by either a Member of the Council or the Administration for further consideration until SIX MONTHS (minimum of twelve (12) official weekly meetings) following original consideration of the matter.

- c. All items that have been referred to committee and have been acted upon by that committee shall appear on the agenda with the appropriate committee Chairperson's name alongside. All items not referred to committee shall appear with the Council Member's name who is the sponsor of that item.

Before any item is put on the Council Agenda, with the exception of subdivision approval and acceptance, Fiscal Consent Agenda items, personal resolutions, i.e., acknowledgment, condolence, commendation, the originator of such item must present it promptly to the appropriate committee. In addition, only four honorary streetname changes per council member per four year term will be considered by a Council Committee or placed on a Council agenda. Additionally, not more than 2 name changes are permitted in a year and no name changes will be carried over from term to term. A regular street name change may occur only if a person is deceased.

40. All proposed ordinances, resolutions, motions, and other matters submitted by Council Members shall be submitted in writing to the Council Office by 10:00 a.m. THURSDAY, except that a Council Member may give notice of an ordinance or resolution and the same shall be considered at TUESDAY meetings if, in fact, the Council Member presents it in writing by the Tuesday meeting. Only items involving extreme emergencies may be added to the agenda after the Thursday, 10:00 a.m. deadline; provided, also, that two or more Members of the Council may voice their objections thereto and said items shall be added to the next regular agenda.
41. All proposals, recommendations and communications submitted by the Mayor or his designated officer shall be in the Council Office by 10:00 a.m., THURSDAY, preceding the Council meeting. All recommendations and proposals not involving resolutions or ordinances shall also be placed on the agenda.

The Council, Mayor and Administrative Staff will review the agenda and discuss any policy questions that are pending or anticipated during Council Executive Session held each Tuesday. During this session, each agenda Item should be discussed; Council Committee and administrative reports shall be received and **appointments to citizen boards shall be interviewed**. If additional time is needed to gather information or study an agenda item, it may be deferred or dropped from the agenda by a majority of the Council present.

42. All other communications required by law to be presented to the Council shall be placed on the agenda.
43. The Council Records staff shall mail to all Council Members and the administration a copy of the agenda before 5:00 p.m., THURSDAY preceding each Council Meeting. A copy of any resolutions or ordinances on the agenda for consideration shall be sent to the Council Office and mailed to each member of the appropriate committee, along with the agenda. Any Council Member may request the Council Office to allow him to pick up a copy of the agenda, resolutions, and ordinances in lieu of mailing same to him/her.
44. The Council staff shall make such agenda available to the public and to the press by mailing time each Thursday.

45. a. Resolutions and ordinances on first and second reading, which appear to be noncontroversial, may be placed on a Consent Agenda. All items on the Consent Agenda may be read cumulatively and adopted by one vote, provided, however, an objection by any one Member of the Council will cause an item to be removed from the Consent Agenda and handled in the normal manner. The Consent agenda is to be made and distributed at the same time as the regular weekly agenda.
- b. Resolutions on first and second reading, prepared for fiscal matters and routine appropriation of funds on items previously budgeted or allocated for specific projects, up to amounts of \$25,000, may be placed under a caption Fiscal Consent Agenda, be read cumulatively and adopted by one roll call vote, provided, however, any objection by any one Member of the Council will cause an item to be removed from the Fiscal Consent Agenda and handled in the normal manner. Items above \$25,000, where no objection is voiced, may be added at Executive Sessions and be considered with other Fiscal Consent items. The Fiscal Consent Agenda is to be made a part of and distributed at the same time as the regular weekly agenda.

There shall be a permanent Fiscal Consent Agenda for the acceptance of grant funds and donations across all city divisions. Items shall appear in the appropriate committee and on the Fiscal Agenda simultaneously. Items appearing on the Fiscal Consent Agenda will be approved with same night minutes. Any item requiring a city match will be added on the Fiscal Consent Agenda only after it has received approval in the appropriate committee and a motion has been made to add the item. Council members shall be able to pull items from the Fiscal Agenda with an objection.

G. CODE OF ETHICS (46 through 49)

46. Meetings of the Council; Members of the Council are expected to be prompt in their attendance of official meetings, including those held in joint session with the Shelby County Commission. Such meetings shall be conducted in an orderly manner and according to the Rules of Procedure as adopted by this Council pursuant to Article 7, Section 44, of the Charter of the City of Memphis, as quoted below:

It shall require a majority of the duly sworn Members of the Council to form a quorum for the transaction of business, but a smaller number may adjourn from day to day, and can adopt such measures as are necessary to compel the attendance of absent Members. The Council may determine the rules for its procedure and may prescribe the punishment for its Members for non-attendance or disorderly conduct, and shall have the power to enforce same.

47. Conduct of individual Members during meetings of the Council is expected to reflect a total sense of respect for the office held by those assembled to conduct business. Members shall be courteous to one another, to any member of the administrative staff, as well as persons who may address the Council. The length of time to speak for each Council member is limited to not more than five (5) minutes, per motion, to be used in sum or in part when first recognized to speak on a matter or the remaining time may be used when recognition is sought the second time. A Member may not speak until recognized by the Chairperson and **shall not be recognized the second time on the same subject** until all members who wish to speak have had an opportunity to do so. Any disorderly conduct shall be noted by the Chairperson.

48. General Conduct: Members of the Council are advised of the following provision of the Home Rule Amendment:

Neither the Council nor any Member thereof shall give orders directly to the Mayor's subordinates or otherwise interfere with the operation of the administrative departments through such means as directing or requesting the appointment or removal of any of the Mayor's subordinates, or by suggesting or promoting the making of particular purchases from, or contract with, any specific organization, or by applying for special services not available to all citizens. The office of any Council Member violating any provision of this section shall immediately become vacant upon his conviction of such type of misconduct in a court of competent jurisdiction.

The Council shall have full power and authority to adopt the rules and regulations pertaining to the conduct of the Council, including the power to issue subpoenas and administer oaths, as now provided for the Board of Commissioners.

49. In order to implement these procedures, the Chairperson shall appoint a special three-member committee designated as a COMMITTEE OF ETHICS. Its function shall be to receive, consider and investigate any written charges presented by a Council Member preferred against any Member of the Council wherein said Member of the Council is alleged to have been guilty of misfeasance, malfeasance, or any felony or misdemeanor involving moral turpitude. This shall include written complaints that may be filed concerning ethical conduct of any Member of

the Council, such as conduct alleged to be in violation of the Oath of Office as sworn to by each Member of the Council, including the specific Charter references cited above. The Committee shall report to the full Council as to its findings and recommendations in any such case filed.

Censure of any Member of the Council would require nine (9) votes. Recommendations of this Committee may include referral to the Shelby County Attorney General and/or U.S. Attorney General, and findings deemed appropriate for further investigation by proper offices.

H. OTHER MEETINGS OF THE COUNCIL (50 through 53)

50. The Council meets in official session at 3:30 p.m. the first and third Tuesday of each month unless otherwise notified, in the Council Chamber, with an Executive Session beginning 30 minutes prior to the official session.
51. Special called meetings must follow official procedures as directed by the Chairperson.
52. The Chairperson of the Council may call a meeting of the Council, upon reasonable notice, for discussion purposes or consideration of any item the Chairperson deems pertinent, but such meeting shall not be considered official, nor can any official or binding action be taken by the Council at any such meeting. As many as seven (7) Members of the Council may petition the Chairperson to call such a meeting of the Council, provided, however, that the same restrictions as the official action shall apply.
53. No rule(s) of the Council's Rules of Procedure may be changed without receiving an affirmative constitutional majority. A constitutional majority is defined to be a majority of the number of Members to which the Council is entitled; currently seven (7).

Notice of a proposed rule change must be communicated in writing, to each Council Member at least seven days prior to consideration by the Council. Said notice shall state the general nature of the proposed rule and the date on which the sponsor intends to present the proposal to the Council.

These Rules may be amended at any time by a constitutional majority vote of the Council.

I. TRAVEL POLICY (54 through 55)

54. The City Council hereby adopts the official City of Memphis Travel Policy as a guideline for definition of allowable travel expense and limitation, and for the Chairperson's use in considering approval or disapproval of the type and amount of travel expenditure requests for which individual Members seek advance payment of post-travel reimbursement. Said Travel Policy as it relates to Council Members may be amended by majority vote of Council.

All Members of the City Council shall request out-of-city travel and/or reimbursement from the Chairperson of the Council, who will approve or disapprove said request after expeditious review, and said review and determination shall be based on whether or not said travel is judged to be in the best interest of the City of Memphis. Any travel approved by the Chairperson of the City Council, for either himself or another council member, is only valid during the calendaryear of the Chairperson's tenure. All persons seeking approval for travel must receive authorization in writing from the Chairperson of the Council prior to the initiation of travel plans by the City Council staff. In the event the Council Chairperson disapproves a Member's travel request, said Member may appeal the Chairperson's decision to the Council's Personnel Committee which may, by majority vote of the Committee's membership, recommend to the full Council to uphold the Chairperson's decision or approve the travel requested.

55. Council Members shall be responsible for prompt notification of their inability to attend a conference or a meeting which requires pre-registration. In the event a registration fee has been made which is not refundable, Council Members shall be required to reimburse the City for that portion of the fee which is non-refundable.

The Council Chairperson shall have the ability to waive this requirement upon justification of the circumstances which require cancellation. In the event the Council Chairperson disapproves a Member's waiver request, said Member may appeal the Chairperson's decision to the Council's Personnel, Intergovernmental and Annexation Committee's membership and recommend to the full Council, either to uphold the Chairperson's decision or to waive the reimbursement.

J. VACANCIES (56)

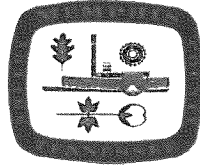
56. Upon notification of a vacancy on the Council, the Chairperson shall request written nominations from Council members of a qualified individual(s) they would like considered for the position. Additionally, the public may nominate candidates and interested candidates shall personally submit a resume and letter indicating their interest in the vacant seat. The name, address and birthdate of all candidates should be included in the nominating letter. Interested candidates will also be asked to provide proof of residency as described by the City of Memphis Human Resources Division. Required documents for Proof of Residency shall be at least one (1) of the following: valid Tennessee driver's license or state identification; Tennessee vehicle registration; current Memphis Light Gas & Water bill (within previous 30 days), and at least two (2) of the following: mortgage papers or lease agreement in candidate's or spouse's name; address section of federal tax return or tax bill for residence; recent bank or credit union statement in candidate's or spouse's name (within previous 30 days); voter registration card. The candidate's eligibility and residency will be certified by the Shelby County Election Commission.

Signatures of twenty-five (25) registered voters residing in the Council district in which the vacancy exists shall be obtained. Said signatures and proof of residency shall be submitted to the Shelby County Election Commission on a form which includes a sworn, affirmative statement regarding the residency of the candidate by noon on the Thursday preceding the Tuesday meeting when the Council shall fill the vacancy.

During the Regular Meeting of the Council or Executive Session, all nominees will be given an opportunity to deliver a speech, may be questioned by the Council, and will be voted on at the same time. A roll call vote shall be taken with each Council member indicating the name of their choice to fill the vacant seat. Voting will begin with the Council person whose name appears first on the voting board. With each successive round of voting, the person who voted first in the previous round will vote last.

The Deputy Comptroller will tabulate the votes and inform the Chairperson of the vote count for each nominee at the conclusion of each round of voting. The procedures in the initial round will be repeated as many times as necessary until a nominee receives a majority vote of the duly sworn Council Members. Beginning at the second round of voting, a nominee receiving less than two (2) votes will be dropped from the list of nominees. After three (3) rounds of voting, the Chairperson may accept a motion to consider the top two (2) vote-getters.

The Chairperson will have the discretion to establish time limits for voting when an impasse seems likely and to table voting to the next meeting so as to not disrupt and delay normal Council business.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This is a resolution to transfer and appropriate construction funds to repair/rehab existing damaged sanitary sewer pipes using CIPP process at various locations. Project number SW22201-Install CIPP Annual 2022.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Public Works - Environmental Engineering

3. State whether this is a change to an existing ordinance or resolution, if applicable.

This resolution does not change any existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

The project is a work order based contract for installation of CIPP at various locations throughout the City.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

This request will require a new construction contract.

6. State whether this requires an expenditure of funds/requires a budget amendment

Yes, this requires an expenditure of funds.

7. If applicable, please list the MWBE goal and any additional information needed

The MBE goal is 4% and the WBE goal is 1%. The MBE goal will be met by Southland Enterprises. The WBE goal will be met by H&K Plumbing & Heating.



This is a resolution to transfer and appropriate construction funds to repair/rehab existing damaged sanitary sewer pipes using CIPP process at various locations. Project number SW22201-Install CIPP Annual 2022.

WHEREAS, the Council of the City of Memphis approved FY'22 Rehab Existing Coverline, project number SW22200, as part of the Public Works Fiscal Year 2022 Capital Improvement Budget; and

WHEREAS, bids were received to repair and rehab existing damaged sanitary sewer pipe using CIPP process at various locations with the lowest complying bid being \$2,500,000.00 submitted November 17, 2021 by Moore Construction Company, Inc.; and

WHEREAS, it is necessary to transfer a construction allocation of \$2,750,000.00 funded by Capital Pay Go-Sewer in FY'22 Rehab Existing Coverline, project number SW22200 to Install CIPP Annual 2022, project number SW22201; and

WHEREAS, it is necessary to appropriate \$2,750,000.00 funded by Capital Pay Go-Sewer in Install CIPP Annual 2022, project number SW22201 as follows:

Contract Amount	\$2,500,000.00
Project Contingencies	<u>\$250,000.00</u>
Total Amount	\$2,750,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2022 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$2,750,000.00 funded by Capital Pay Go-Sewer in FY'22 Rehab Existing Coverline, project number SW22200 to Install CIPP Annual 2022, project number SW22201 to repair and rehab existing damaged sanitary sewer pipe using CIPP process at various locations.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$2,750,000.00 funded by Capital Pay Go-Sewer chargeable to the FY 2022 Capital Improvement Budget and credited as follows:

Project Title	Install CIPP Annual 2022
Project Number	SW22201
Total Amount	\$2,750,000.00



This is a resolution to transfer and appropriate construction funds to repair/rehab existing damaged storm drain pipes using CIPP process at various locations. Project number ST03222-Storm Water CIPP 2022.

WHEREAS, the Council of the City of Memphis approved Drainage – ST Coverline, project number ST03205, as part of the Public Works Fiscal Year 2022 Capital Improvement Budget; and

WHEREAS, bids were received to repair and rehab existing damaged storm drain pipe using CIPP process at various locations with the lowest complying bid being \$500,000.00 submitted November 17, 2021 by Moore Construction Company, Inc.; and

WHEREAS, it is necessary to transfer a construction allocation of \$550,000.00 funded by Storm Water Revenue Bonds in Drainage – ST Coverline, project number ST03205 to Storm Water CIPP 2022, project number ST03222 for repair and rehab of existing damaged storm drain pipe using CIPP process at various locations; and

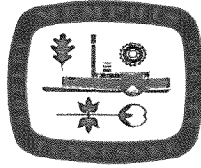
WHEREAS, it is necessary to appropriate \$550,000.00 funded by Storm Water Revenue Bonds in Storm Water CIPP 2022, project number ST03222 as follows:

Contract Amount	\$500,000.00
Project Contingencies	<u>\$50,000.00</u>
Total Amount	\$550,000.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2022 Capital Improvement Budget be and is hereby amended by transferring a construction allocation of \$550,000.00 funded by Storm Water Revenue Bonds in Drainage – ST Coverline, project number ST03205 to Storm Water CIPP 2022, project number ST03222 for repair and rehab of existing damaged storm drain pipe using CIPP process at various locations.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of \$550,000.00 funded by Storm Water Revenue Bonds chargeable to the FY 2022 Capital Improvement Budget and credited as follows:

Project Title	Storm Water CIPP 2022
Project Number	ST03222
Total Amount	\$550,000.00



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This is a resolution to transfer and appropriate construction funds to repair/rehab existing damaged storm drain pipes using CIPP process at various locations. Project number ST03222-Storm Water CIPP 2022.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Public Works - Environmental Engineering

3. State whether this is a change to an existing ordinance or resolution, if applicable.

This resolution does not change any existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

The project is a work order based contract for installation of CIPP at various locations throughout the City.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

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6. State whether this requires an expenditure of funds/requires a budget amendment

Yes, this requires an expenditure of funds.

7. If applicable, please list the MWBE goal and any additional information needed

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