

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 03/21/2023

DATE

PUBLIC SESSION: 03/21/2023

DATE

ITEM (CHECK ONE)

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

ITEM DESCRIPTION: A resolution adopting certain amendments to the Memphis 3.0 Comprehensive Plan

APPLICANT: Memphis and Shelby County Division of Planning and Development

REQUEST: Approve the resolution adopting certain amendments to the Memphis 3.0 Comprehensive Plan

RECOMMENDATION: The Division of Planning and Development recommendation: **Approval**
The Land Use Control Board Action: **Approval**

PRIOR ACTION ON ITEM:

(1) <u>APPROVED</u>	APPROVAL - (1) APPROVED (2) DENIED
<u>02/09/2023</u>	DATE
(1) <u>Land Use Control Board</u>	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:



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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

DATE POSITION

	02/13/2023	PRINCIPAL PLANNER
_____	_____	DEPUTY DIRECTOR
	02/13/2023	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

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

Resolution adopting certain amendments to the Memphis 3.0 Comprehensive Plan.

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

Division of Planning and Development

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

Resolution amends the City's general plan, adopted by a previously approved ordinance.

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

All

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

N/A

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

N/A

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

N/A

CASE NUMBER: N/A **L.U.C.B. MEETING:** February 9, 2023

APPLICANT: Division of Planning and Development

REPRESENTATIVE: Susannah Barton, Administrator, Comprehensive Planning

REQUESTS:

1. Approve Resolution Adopting Certain Amendments to the Memphis 3.0 Comprehensive Plan, and
2. Approve Resolution Recommending that the Memphis City Council Adopt Certain Amendments to the Memphis 3.0 Comprehensive Plan

CONCLUSIONS

1. On February 14, 2019, the Board approved the Memphis 3.0 Comprehensive Plan, as the City's general plan. This action was followed by the adoption of the plan by the Memphis City Council on December 3, 2019. That adoption included several amendments to the Plan since its approval by the Board; these amendments were ratified by the Board during its meeting on January 9, 2020. The second annual plan amendment was approved by the Board on March 10, 2022 and by the Memphis City Council on April 19, 2022.
2. The Division of Planning and Development identified several items in the Memphis 3.0 Plan eligible for annual amendments. As the attached letter from Susannah Barton, Administrator of Comprehensive Planning for the Division, states, these amendments may be classified as general edits, map changes, anchor changes, land use category definition changes, appendix updates or other changes.
3. On Thursday, January 5, 2023, the Division of Planning and Development held two public meetings on these amendments.
4. There are two requests associated with this staff report: 1) the adoption of a resolution requesting that the Land Use Control Board adopt the changes to the Memphis 3.0 Plan and 2) the adoption of a second resolution that the Memphis City Council do the same. Both resolutions are the result of various sub-sections of Tennessee Code Annotated Section 13-4-202 that allow a municipal planning commission (and its staff) to initiate amendments to the city's general plan and to recommend the adoption of these amendments by the city's legislative body, provided it does so through the adoption of resolutions.

RECOMMENDATION:

Approval



[Memphis30 - Full] Contact 2 - new submission

1 message

Mary Ogle <reply-to+34885da224c6@crm.wix.com>
Reply-To: Mary Ogle <e1301116-6172-41a3-a035-2445c85be3e8@crm.wix.com>
To: info@memphis3point0.com

Tue, Jan 17, 2023 at 7:02 AM

Mary Ogle just submitted your form: Contact 2
on Memphis30 - Full

Message Details:

First Name: Mary

Last Name: Ogle

Email: mogle1@comcast.net

Phone: 901-569-0125

Message: Need summary info re: proposed amendments to Memphis 3.0 Plan - list of the locations' current status and and description of amendments proposed - and deadline for public comments. Information in your recent email only provides map page references. It is very burdensome for residents to become informed of changes by viewing map pages, amendments, and meaning of each zoning category online. Thank you.

Mary Ogle
3776 Carnes, 38111

Reply directly or go to your site's Inbox:

[Respond Now](#)

If you think this submission is spam, [report it as spam](#).

To edit your email settings, go to your [Inbox](#) on desktop.





amendment resolution

2 messages

Dane Forlines <focusoncities@gmail.com>
To: City Memphis <info@memphis3point0.com>

Fri, Jan 13, 2023 at 11:56 AM

Can you please provide the proposed update to the text as described in item 6 of the amendments to the General Plan? This relates to the Summer Avenue complete streets corridor plan.

Thank you

City Memphis <info@memphis3point0.com>
To: Dane Forlines <focusoncities@gmail.com>

Tue, Jan 17, 2023 at 8:55 AM

Hi Dane,

The highlighted text in the attached is the text that was updated.

[Quoted text hidden]

--

Thanks!
The Memphis 3.0 team



Summer Ave Text Change.PNG
681K

From: [Batke, Melanie](#)
To: [MARY OGLE](#)
Cc: [Barton, Susannah](#)
Subject: RE: Please provide copy of 3.0 Plan that shows the edits for these amendments Fwd: Land Use Control Board cases for February 9, 2023 (Additional Case)
Date: Thursday, January 26, 2023 11:34:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[FLU Changes_MO.pdf](#)

Hi Ms. Ogle,

Attached are the maps with the current zoning, current future land use, and recommended future land use. Please note for each part of the City with proposed changes, the recommended changes are first and the current below. I put zoning on both the recommended and current for reference, as zoning is not changing, just the future land use.

I hope this will provide more clarity for you. If you have any questions, do not hesitate to reach out.

Sincerely,

Melanie Batke Olejarczyk
Planner II
Comprehensive Planning
Division of Planning & Development

From: MARY OGLE <mogle1@comcast.net>
Sent: Thursday, January 19, 2023 2:13 AM
To: Batke, Melanie <melanie.batke@memphistn.gov>
Subject: RE: Please provide copy of 3.0 Plan that shows the edits for these amendments Fwd: Land Use Control Board cases for February 9, 2023 (Additional Case)

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you! I suggest you also post it prominently on your website so other people who may need it can access it easily.

Mary Ogle

On 01/18/2023 11:04 AM Batke, Melanie <melanie.batke@memphistn.gov> wrote:

We will have this over to you next week.

Sincerely,

Melanie Batke
Planner II
Comprehensive Planning
Division of Planning & Development

From: MARY OGLE <mogle1@comcast.net>
Sent: Wednesday, January 18, 2023 10:32 AM
To: Batke, Melanie <melanie.batke@memphistn.gov>
Subject: Re: Please provide copy of 3.0 Plan that shows the edits for these amendments Fwd: Land Use Control Board cases for February 9, 2023 (Additional Case)

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, that would be very helpful if you can do it.

On 01/18/2023 10:07 AM Batke, Melanie <melanie.batke@memphistn.gov> wrote:

Okay, got it. We will have to create something for you, as land use in our plan is future land-uses/zoning and not necessarily current land use/zoning. I will have to confer with another staff planner to create this for you.

Sincerely,
Melanie Batke Olejarczyk
Planner II
Comprehensive Planning

From: MARY OGLE <mogle1@comcast.net>
Sent: Wednesday, January 18, 2023 9:54:43 AM
To: Batke, Melanie <melanie.batke@memphistn.gov>
Subject: RE: Please provide copy of 3.0 Plan that shows the edits for these amendments Fwd: Land Use Control Board cases for February 9, 2023 (Additional Case)

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No. I was just asking for a list of the streets (areas or blocks) affected by the amendments - showing their current zoning or land use status, and the proposed change in that status.

On 01/18/2023 9:28 AM Batke, Melanie <melanie.batke@memphistn.gov> wrote:

Hi Ms. Ogle,

Would you be able to do a phone call sometime tomorrow or Friday? I want to make sure we are getting you the correct information you are seeking. My schedule is pretty open, please let me know what works for you.

Sincerely,
Melanie Batke
Planner II
Comprehensive Planning
Division of Planning & Development

From: MARY OGLE <mogle1@comcast.net>
Sent: Wednesday, January 18, 2023 8:41 AM
To: Batke, Melanie <melanie.batke@memphistn.gov>
Subject: RE: Please provide copy of 3.0 Plan that shows the edits for these amendments Fwd: Land Use Control Board cases for February 9, 2023 (Additional Case)

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The attachment is just the same thing that was in the LUCB email, so it doesn't help.

On 01/17/2023 10:31 AM Batke, Melanie <melanie.batke@memphistn.gov> wrote:

Hello Ms. Ogle,

Here is a list of the proposed text amendments:

Pg. 30: While the City has spread to 324 square miles, the City is strategically moving to target **imited** infrastructure resources. – Updated highlighted text to limited

Pg. 35: With the help of local **artists** selected by the Urban Art Commission, outreach expanded and 4,500 residents were part of the process. – Updated highlighted text to artists

Pg. 217: The Transit Vision 2040 for the transit network increases the commitment to **ncreased** frequency of bus routes. By 2040, most bus routes are recommended to operate 15 or 30-minute headways. – Updated highlighted text to limited

Pg. 263: A study for improvements to the corridor began in 2021 and **will be completed** in 2022 to include a reduction in curb cuts, removing unnecessary signage and billboard clutter, improving and implementing multimodal street infrastructure such as crosswalks and lighting for safer pedestrian crossings and implementing urban design standards to support a unified, aesthetically appealing built environment. – Updated highlighted text to was

In terms of the maps, the application document (attached) will provide you with the best level of detail for the proposed future land uses changes. The page numbers listed refer to the future land use maps for each planning district.

Please note, you have until February 2nd to provide comments. Do not hesitate to if you need anything else from me.

Sincerely,

Melanie Batke Olejarczyk

Planner II

Comprehensive Planning

Division of Planning & Development

From: Barton, Susannah <Susannah.Barton@memphistn.gov>

Sent: Tuesday, January 17, 2023 8:42 AM

To: Batke, Melanie <melanie.batke@memphistn.gov>

Subject: FW: Please provide copy of 3.0 Plan that shows the edits for these amendments Fwd: Land Use Control Board cases for February 9, 2023 (Additional Case)

Can you please reach out to Mary? Thank you



Susannah Barton

Administrator

Comprehensive Planning

Division of Planning and Development

125 N. Main, Ste. 468 Memphis, TN 38103

Phone: 901-636-7199

Email: susannah.barton@memphistn.gov

From: MARY OGLE



Visit our [website](#)

<mogle1@comcast.net>

Sent: Saturday, January 14, 2023 8:46 AM

To: Barton, Susannah <Susannah.Barton@memphistn.gov>

Subject: Please provide copy of 3.0 Plan that shows the edits for these amendments Fwd: Land Use Control Board cases for February 9, 2023 (Additional Case)

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Can you please provide a copy of the 3.0 Plan that shows the edits (strikethroughs and insertions) corresponding to these proposed amendments, or some way to see what the existing plan sections are alongside the proposed changes? It is too time-consuming to flip back and forth online between the proposed amendments and the plan.

Mary Ogle

----- Original Message -----

From: Division of Planning and Development
<breana.miller@memphistn.gov>

To: mogle1@comcast.net

Date: 01/13/2023 11:30 AM

Subject: Land Use Control Board cases for February 9, 2023
(Additional Case)

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on ***Thursday, February 9th, 2023***, the Memphis and Shelby County Land Use Control Board held a public hearing on the following:

APPLICANT: Memphis and Shelby County Division of Planning and Development
REPRESENTATIVE: Susannah Barton, Administrator, Comprehensive Planning
REQUEST: Adopt Resolutions Approving Certain Amendments to the Memphis 3.0 Comprehensive Plan and Urging the City Council of the City of Memphis to do the same

The following spoke in support of the application: no one

The following spoke in opposition of the application: no one

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

The motion passed by a vote of 8-0.

Respectfully submitted,



Brett Ragsdale
Zoning Administrator
Division of Planning and
Development

CC: Planning and Zoning Committee Members
File



A RESOLUTION ADOPTING CERTAIN AMENDMENTS TO THE MEMPHIS 3.0 COMPREHENSIVE PLAN.

WHEREAS, on December 3, 2019, the City Council of the City of Memphis adopted the *Memphis 3.0 Comprehensive Plan* (the “Plan”) as the first general plan of the city since 1981; and

WHEREAS, During the period of time since, the Memphis and Shelby County Division of Planning and Development has received broad public input from residents of Memphis with regard to the Plan; and

WHEREAS, on January 5, 2023, the Division of Planning and Development held a public meeting to garner public input from residents of Memphis specifically with regard to amendments it drafted based as a result of public input and its administration of the Plan; and

WHEREAS, Pursuant to Tennessee Code Annotated Sec. 13-4-202(b)(1)(A), these amendments to the Plan were reviewed and adopted by the Memphis and Shelby County Land Use Control Board during its regular meeting on March 9, 2023 (see resolution attached hereto as “Exhibit A”); and

WHEREAS, Pursuant to Tennessee Code Annotated Sec. 13-4-202(b), the Land Use Control Board approved a resolution during its regular meeting on March 9, 2023, recommending that the City Council adopt the amendments it reviewed and adopted (see resolution attached hereto as “Exhibit B”); and

WHEREAS, Pursuant to the ordinance adopted by the City Council approving the Plan on December 3, 2019, amendments to the Plan may be adopted by the Council through resolution; and

WHEREAS, the City Council finds that the amendments as presented by the Division of Planning and Development and approved by the Land Use Control Board are necessary to the continued efficacy of the Plan; and

WHEREAS, copies of the Plan have been placed in the Office of Council Records of the Memphis City Council for public review.

NOW, THEREFORE BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That the City Council does hereby adopt the amendments to the *Memphis 3.0 Comprehensive Plan*, attached hereto as Exhibit C.

EXHIBIT A

Resolution of the Land Use Control Board adopting certain amendments to the Memphis 3.0 Comprehensive Plan (see next page)

**RESOLUTION OF THE
MEMPHIS AND SHELBY COUNTY
LAND USE CONTROL BOARD
ADOPTING CERTAIN AMENDMENTS TO THE
MEMPHIS 3.0 COMPREHENSIVE PLAN**

WHEREAS, Tennessee Code Annotated (“TCA”) Section 13-4-201 states that it is the function and duty of a municipal planning commission to make and adopt an official general plan for the physical development of the municipality; and

WHEREAS, the Memphis and Shelby County Land Use Control Board serves as the planning commission for both the City of Memphis and unincorporated Shelby County; and

WHEREAS, during its regular meeting on February 14, 2019, the Land Use Control Board reviewed and approved the Memphis 3.0 Comprehensive Plan as the official general plan for the physical development of the City of Memphis; and

WHEREAS, during its regular meeting on December 3, 2019, the City Council of the City of Memphis reviewed, amended and approved the Memphis 3.0 Plan; and

WHEREAS, during its regular meeting on January 9, 2020, the Land Use Control Board ratified the amended version of the Memphis 3.0 Plan approved by the City Council; and

WHEREAS, during its regular meeting on February 11, 2021, the Land Use Control Board ratified the amended version of the Memphis 3.0 Plan approved by the City Council; and

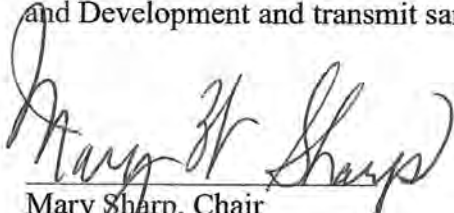
WHEREAS, during its regular meeting on April 20, 2021, the City Council of the City of Memphis reviewed, amended, and approved the Memphis 3.0 Plan; and

WHEREAS, during its regular meeting on March 10, 2022, the Land Use Control Board ratified the amended version of the Memphis 3.0 Plan approved by the City Council; and

WHEREAS, during its regular meeting on April 19, 2022 the City Council of the City of Memphis reviewed, amended, approved the Memphis 3.0 Plan; and

WHEREAS, TCA Section 13-4-202(b)(1)(A) allows the municipal planning commission to initiate amendments to the general plan, provided it transmits its action to the legislative body of the municipality.

NOW, THEREFORE, BE IT RESOLVED, the Land Use Control Board does hereby adopt the amendments to the Memphis 3.0 Plan presented by the Division of Planning and Development and transmit same to the City Council of the City of Memphis.



Mary Sharp, Chair



Brett Ragsdale, Secretary

2/13/23
Date

EXHIBIT B

Resolution of the Land Use Control Board recommending that the Memphis City Council adopt certain amendments to the Memphis 3.0 Comprehensive Plan (see next page)

**RESOLUTION OF THE
MEMPHIS AND SHELBY COUNTY
LAND USE CONTROL BOARD
RECOMMENDING THAT THE
MEMPHIS CITY COUNCIL
ADOPT CERTAIN AMENDMENTS
TO THE MEMPHIS 3.0
COMPREHENSIVE PLAN**

WHEREAS, Tennessee Code Annotated (“TCA”) Section 13-4-201 states that it is the function and duty of a municipal planning commission to make and adopt an official general plan for the physical development of the municipality; and

WHEREAS, the Memphis and Shelby County Land Use Control Board serves, in part, as the planning commission for the City of Memphis; and

WHEREAS, during its regular meeting on February 14, 2019, the Land Use Control Board reviewed and approved the Memphis 3.0 Comprehensive Plan as the official general plan for the physical development of the City of Memphis; and

WHEREAS, during its regular meeting on December 3, 2019, the City Council of the City of Memphis reviewed, amended and approved the Memphis 3.0 Plan; and

WHEREAS, during its regular meeting on January 9, 2020, the Land Use Control Board ratified the amended version of the Memphis 3.0 Plan approved by the City Council; and

WHEREAS, during its regular meeting on February 11, 2021, the Land Use Control Board ratified the amended version of the Memphis 3.0 Plan approved by the City Council; and

WHEREAS, during its regular meeting on April 20, 2021, the City Council of the City of Memphis reviewed, amended, and approved the Memphis 3.0 Plan; and

WHEREAS, during its regular meeting on March 10, 2022, the Land Use Control Board ratified the amended version of the Memphis 3.0 plan approved by the City Council of the City of Memphis; and

WHEREAS, during its regular meeting on April 19, 2022 the City Council of the City of Memphis reviewed, amended, approved the Memphis 3.0 Plan; and

WHEREAS, TCA Section 13-4-202(b) allows the municipal planning commission to, by resolution request that the municipal legislative body consider and adopt amendments to an officially adopted general plan.

NOW, THEREFORE, BE IT RESOLVED, the Land Use Control Board does hereby recommend that the City Council of the City of Memphis adopt, by resolution, the amendments to the Memphis 3.0 Plan presented by the Division of Planning and Development.


Mary Sharp, Chair


Brett Ragsdale, Secretary

2/13/23
Date

EXHIBIT C

Memorandum and summary of amendments to the *Memphis 3.0 Comprehensive Plan*



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

Susannah Barton
Administrator
Comprehensive Planning
125 N Main St, Ste 468
susannah.barton@memphistn.gov

December 20, 2022

Mr. Brett Ragsdale, Zoning Administrator
Land Use Development Services
125 N Main St, Ste 468
Memphis, TN 38103

RE: Resolution to Amend Memphis 3.0 Comprehensive Plan

Mr. Ragsdale,
Please accept this letter as the application to amend the Memphis 3.0 Comprehensive Plan. We are requesting this item be placed on the February 9, 2023 Land Use Control Board agenda.

The following categories are being updated as a part of the 2022 amendment: 1) General Plan Edits, 2) Land Use Categories Changes, and 3) Appendices Changes. All inserted text is underlined in the Memphis 3.0 Plan document, removed text appears as ~~struckthrough text~~. Please see attachment for revised plan pages and supporting documents.

General Plan Edits

The plan amendment includes minor edits that correct errors in the document.

Item 1	Plan is edited to correct grammatical errors and replace pixilated or low-quality images where necessary. Where identified, inactive links are corrected throughout the Plan. Text edits are minor in nature and do not alter the original intent of the Plan.
Item 2	Degree of Change Map Map is updated to reflect City of Memphis boundaries. [Page 68]
Item 3	Future Land Use Map Updates reflect changes made to the Future Land Use Map based on City of Memphis boundaries, existing land use and planning developments, and general map clean-up. [Page 121]
Item 4	Street Types Map Updated to reflect City of Memphis boundaries. [Page 149]
Item 5	Map Update

	<p>Maps are updated throughout the Plan to properly reflect current City of Memphis boundaries. Maps are also updated to reflect updates to the future land uses, where applicable.</p> <p>[Pages: 68, 121, 149, 248, 250, 252, 258, 260, 264, 272, 274, 276, 282, 284, 286, 290, 292, 294, 302, 304, 306, 314, 316, 320, 328, 330, 332, 338, 340, 342, 348, 350, 352, 358, 360, 362, 370, 372, 374, 382, 384, 386, 392, 394, 396]</p>
Item 6	<p>Jackson Planning District: Implementation Priorities</p> <p>Text is updated to reflect the completion on the development of the Summer Avenue Complete Streets corridor plan. <u>Study began in 2021 and was completed in 2022.</u></p> <p>[Page 299]</p>
Item 7	<p>Street Typology and Design Applicability Matrix</p> <p>The applicability matrix and street typology images are updated to provide clarity for the reader.</p> <p>[Pages 124, 201]</p>

Land Use Categories Changes

Item 8	<p>Low Intensity Commercial & Service (CSL) Description/Intent and Form and Location Characteristics are updated to reflect land uses matching the zoning code.</p> <p>Description/Intent - These areas may include neighborhood supporting commercial uses such as retail sales and services, offices, restaurants, funeral services, small-scale recreation, and social service institutions, <u>and occasional upper-story residential.</u></p> <p>Form and Location Characteristics - Commercial and services uses <u>with mixed use encouraged along avenues, boulevards, and parkways as identified in the Street Types Map.</u></p> <p>[Page 76,102]</p>
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Appendices Changes

Includes updates and insertions to the list of Appendices in the plan.

Item 9	<p>Appendix B is updated to include one Small Area Corridor Plan completed by Comprehensive Planning in 2022 and the correction of an image on page 17 of the South City Small Area Plan (completed in 2020).</p> <p>[Pages 9 and B-1]</p> <p>Plans can be accessed here:</p> <ol style="list-style-type: none"> 1. Summer Avenue Complete Streets Study: https://www.memphis3point0.com/projects-summer-avenue
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	<p>2. South City Small Area Plan https://www.memphis3point0.com/projects-southcity</p> <p><i>Note: Small Area Plans are advisory and shall not be considered adopted for the purposes of consistency until recommendations from a Small Area Plan, if any, are adopted into Parts 2 or 3 of the Comprehensive Plan.</i></p>
Item 10	<p>Appendix C is updated to include system plans completed in 2022. These include the Memphis & Shelby County Joint Housing Plan and Memphis & Shelby County Urban Design Guidelines.</p> <p>[Pages 9 and C-1]</p> <p>Systems plans can be accessed here:</p> <ol style="list-style-type: none"> 1. Housing Plan https://www.memphis3point0.com/plans-and-maps 2. Urban Design Guidelines https://www.memphis3point0.com/plans-and-maps

Public comment for these changes opens at 1:00 pm (CST) on December 27, 2022. Individuals or agencies are encouraged to call 901-636-6601 or email info@memphis3point0.com with any comments on the proposed changes.

Please advise if you need any additional information.

Sincerely,



Susannah Barton

LAND USE CATEGORIES

Place Type	Citywide Anchors		Corridors	
Map Color				
Abbreviation	A-DT	A-C	CSL	CSH
Land Use Designation	Urban Core/ Downtown	Medical & Institutional Campus	Low Intensity Commercial & Services	High Intensity Commercial & Services
Description/Intent	Downtown is the walkable anchor for the City of Memphis. It is characterized by multi-story buildings with a vertical mix of uses and civic and institutional buildings that attract people from the entire region.	Walkable hospital and university campuses that catalyze activity in adjacent mixed-use areas.	Low intensity commercial and service areas typically not associated with anchors. These areas may include neighborhood supporting commercial uses such as retail sales and services, offices, restaurants, funeral services, small-scale recreation, and social service institutions, and occasional upper-story residential.	High intensity commercial and service areas typically not associated with anchors. These areas may include commercial uses that serve a larger trade area; this may include large-scale retail, self-storage, vehicle sales, leasing and repair, water-oriented services, lodging, indoor recreation, and social service institutions.
Applicability	The downtown Central Business District.	Large, contiguous hospital facilities and university campuses.	Low-intensity, auto-oriented corridors not suitable or appropriate for intensification.	High-intensity, auto-oriented corridors not suitable or appropriate for further intensification.
Goals/Objectives	Support continued reinvestment and intensification of the downtown core, housing choices, and economic development.	Support continued growth and development of medical and educational anchors.	Improved development patterns along auto-oriented commercial corridors, revitalization.	Maintenance of larger-scale commercial centers where viable.
Performance Metrics	# and type of jobs, new square footage construction, new business starts, % increase in occupancy, increase in property values	# and type of jobs, new square footage construction, new business starts, % increase in occupancy, increase in property values	% increase in occupancy, increase in property values	% increase in occupancy, increase in property values
Form and Location Characteristics	NURTURE, SUSTAIN, and ACCELERATE - Primarily attached Block-scale Buildings Mix of uses with active ground floor uses along sidewalk High-rise Multiple blocks	NURTURE, SUSTAIN and ACCELERATE - Attached and detached House-scale and block scale buildings Mix of uses with focus on institutional uses and active ground floor uses fronting primary streets Mid-rise with some high-rise Multiple blocks	Commercial and service uses with mixed-use encouraged along avenues, boulevards, and parkways as identified in the Street Types Map. 1-4 stories	Commercial and service uses with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map 1-7 stories

CORRIDORS



Low Intensity Commercial & Services

CSL

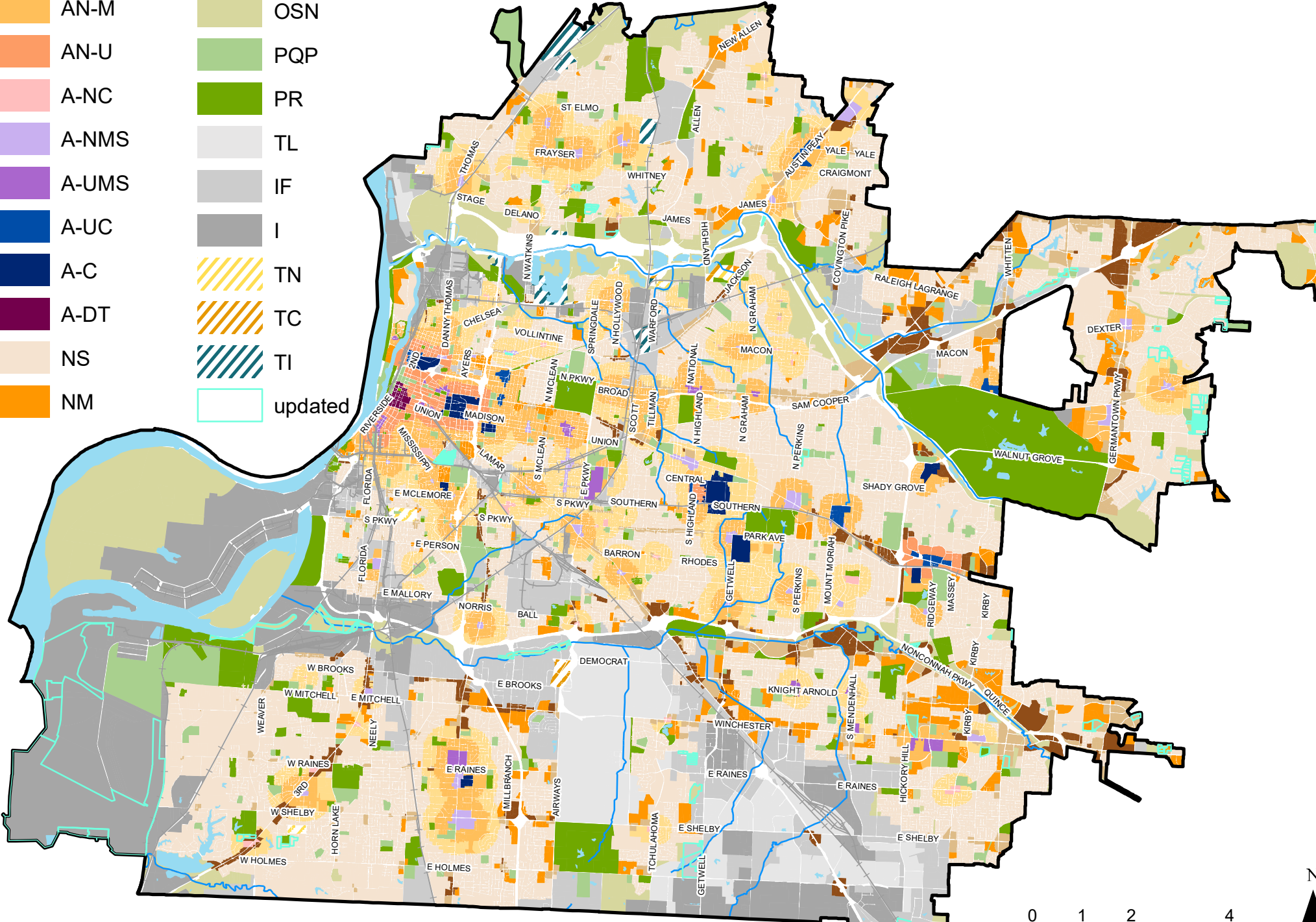
Low Intensity Commercial and Service areas consist of low-rise buildings accessible mainly by a car and can encompass up to 5 acres of land for one building. These service areas are outside of the anchor boundary and are usually located along a corridor or within its own area of multiple commercial and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



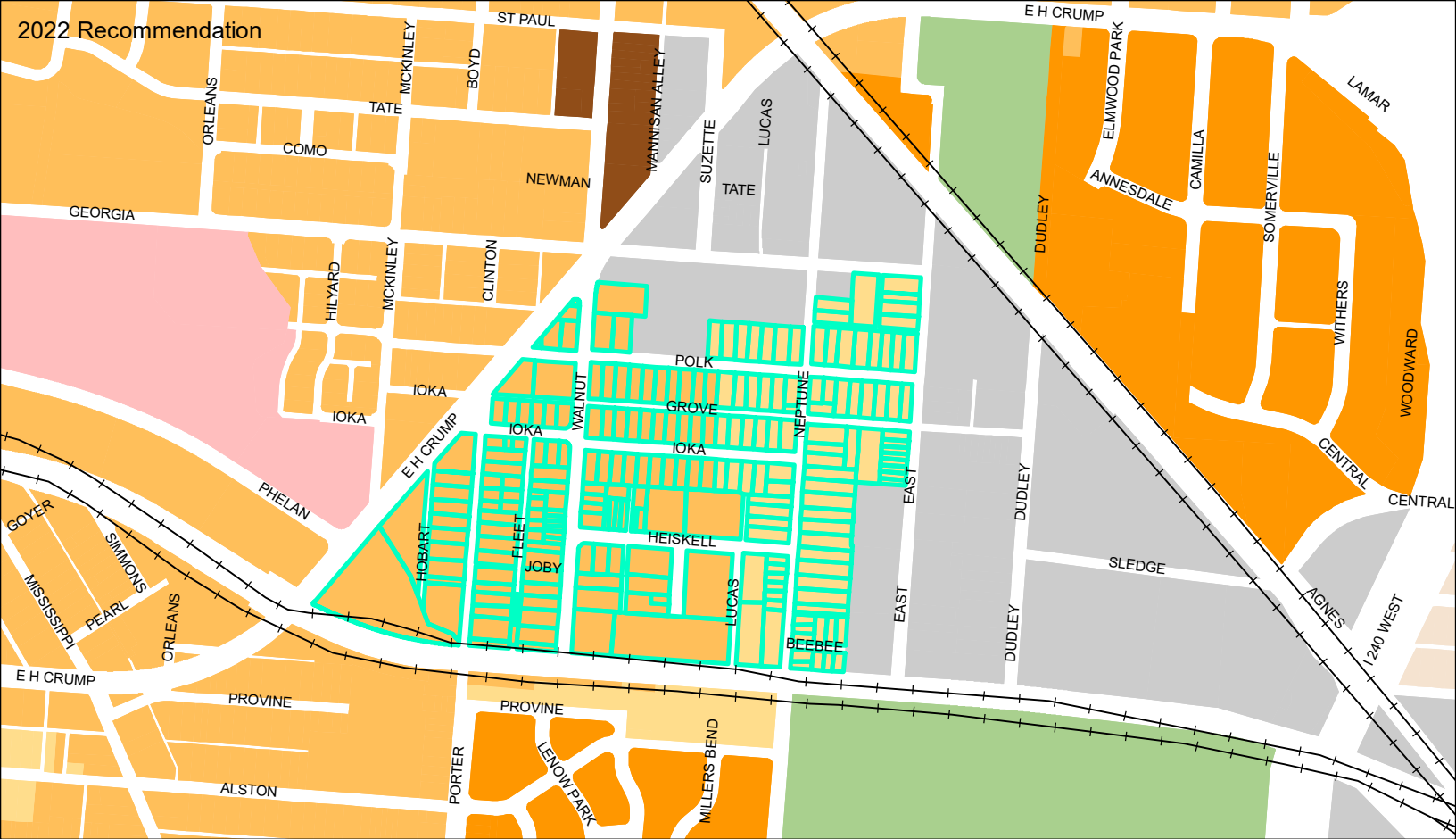
Description/Intent	Low Intensity Commercial and Service areas typically not associated with anchors. These areas may include neighborhood supporting commercial uses such as retail sales and services, offices, restaurants, funeral services, small-scale recreation, and social service institutions, <u>and occasional upper-story residential</u>
Applicability	Low intensity, auto-oriented corridors not suitable or appropriate for intensification.
Goals/Objectives	Improved development patterns along auto-oriented commercial corridors, revitalization
Performance Metrics	% increase in occupancy, increase in property values
Zoning Notes	Generally compatible with the following zone districts: CMU-1 without frontage requirements, OG, SDBP in accordance with Form and characteristics listed below. Consult zoning map and applicable overlays for current and effective regulations. May consider rezonings, as appropriate, at the time of a small area plan.
Form and Location Characteristics	Commercial and services uses <u>with mixed use encouraged along avenues, boulevards, and parkways as identified in the Street Types Map.</u>
	1-4 stories height

Future Land Use

- AN-S
- AN-M
- AN-U
- A-NC
- A-NMS
- A-UMS
- A-UC
- A-C
- A-DT
- NS
- NM
- CSL
- CSH
- OSN
- PQP
- PR
- TL
- IF
- I
- TN
- TC
- TI
- updated



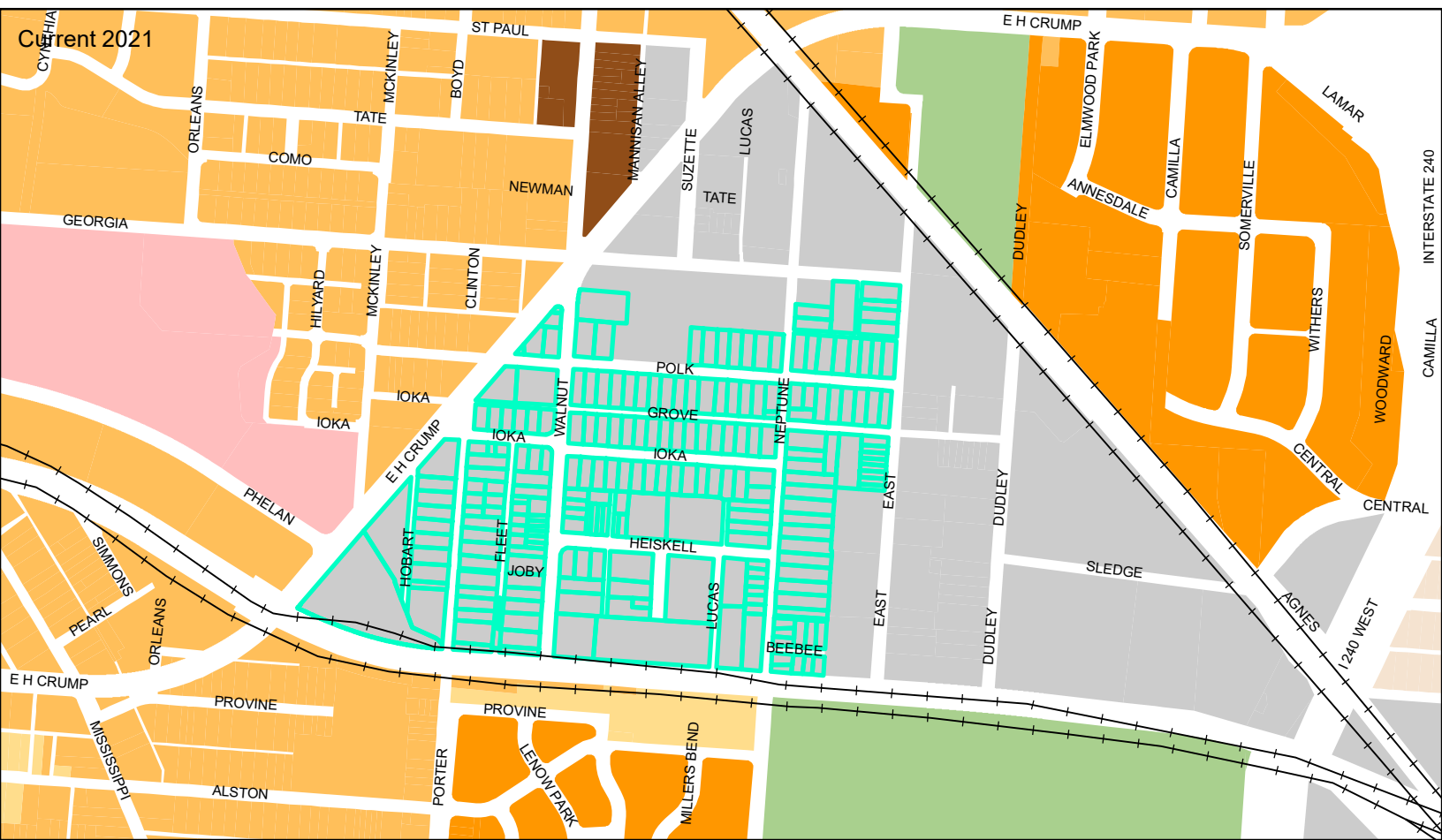
2022 Recommendation

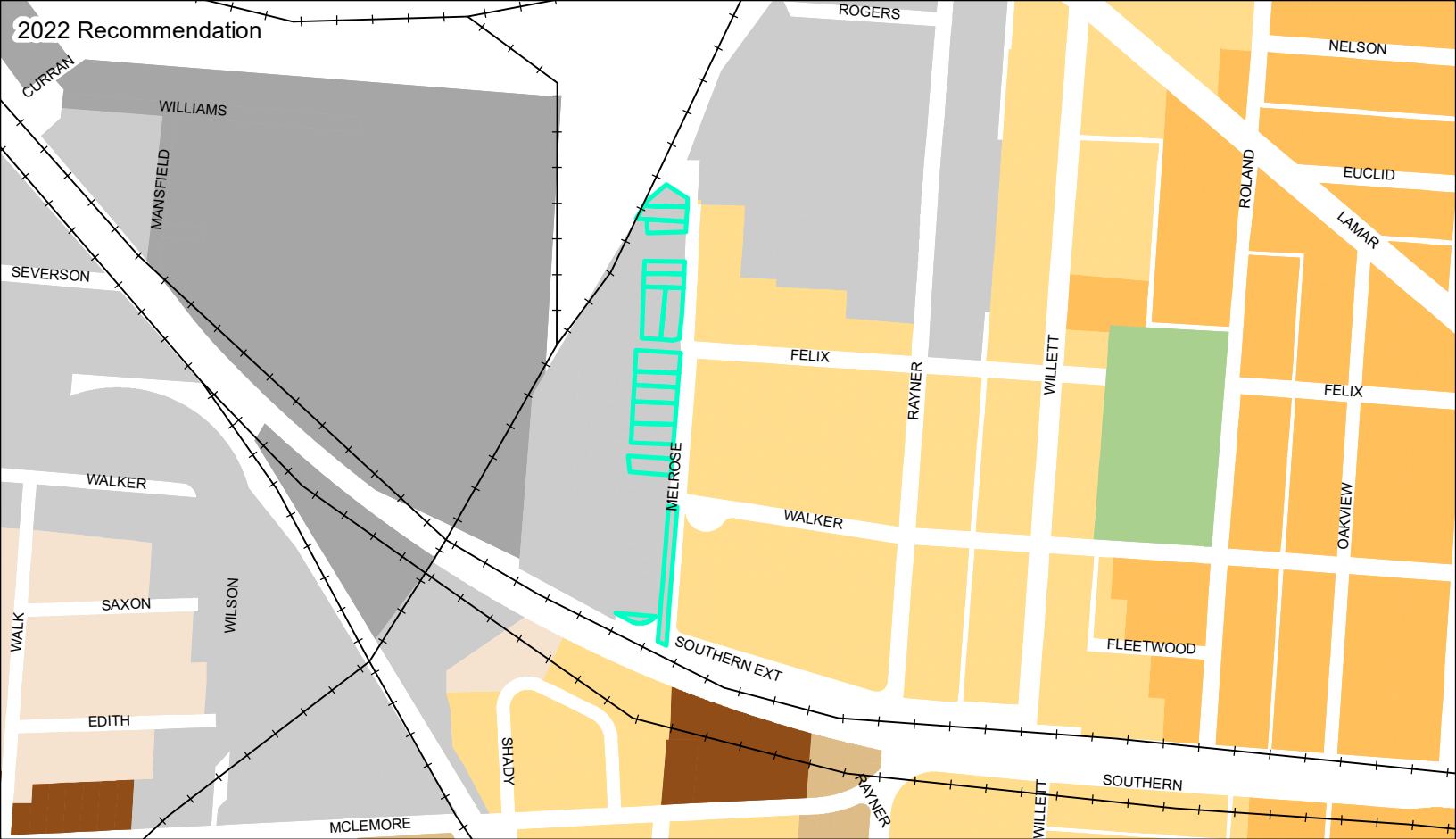


Future Land Use

AN-S	AN-NC	AN-M	AN-U	A-UMS	A-UC	A-C	A-DT	NS	NM	CSL	CSH	OSN	PQP	PR	TL	IF	I	TC	TI	TN	Updated
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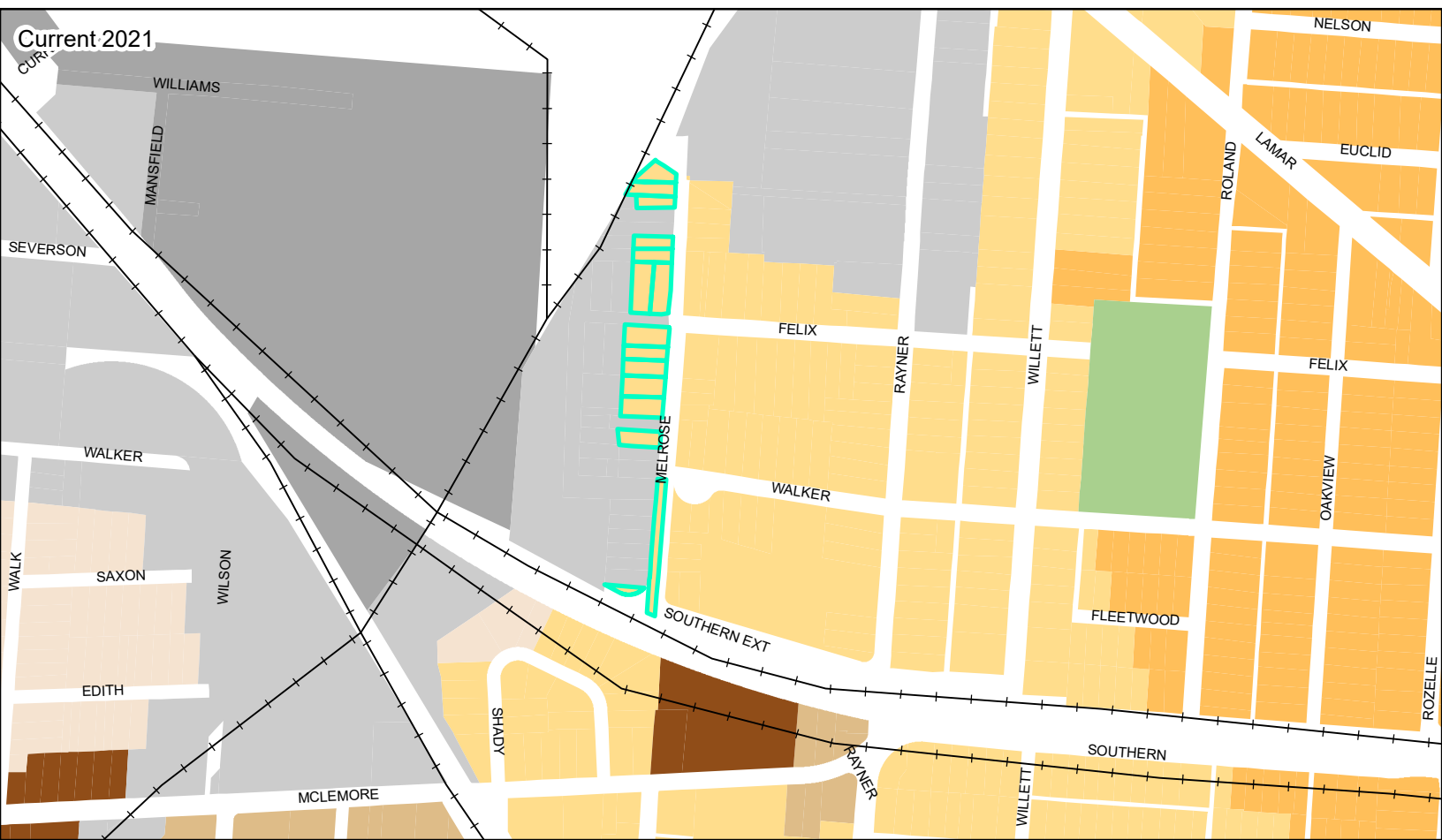
Current 2021

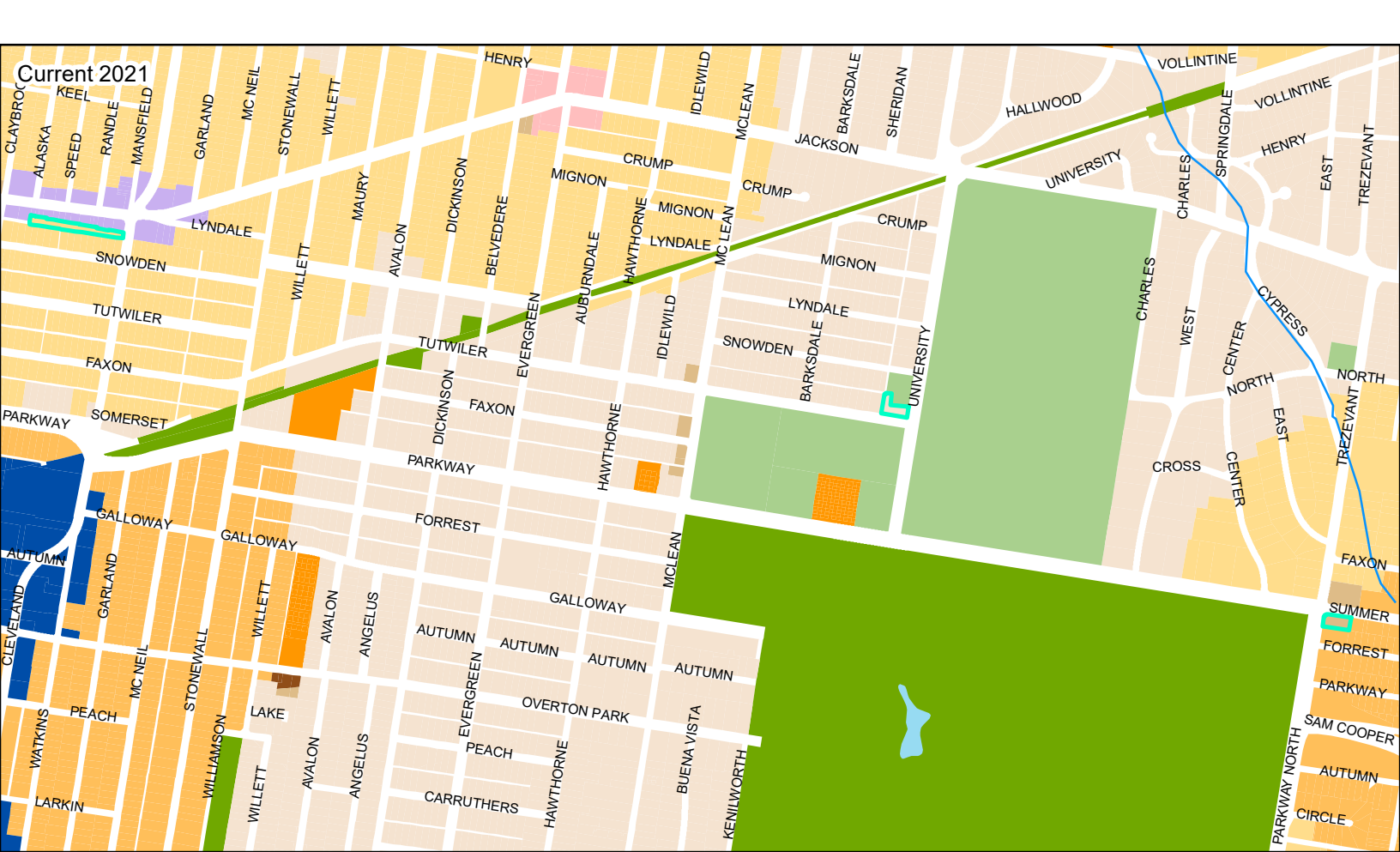
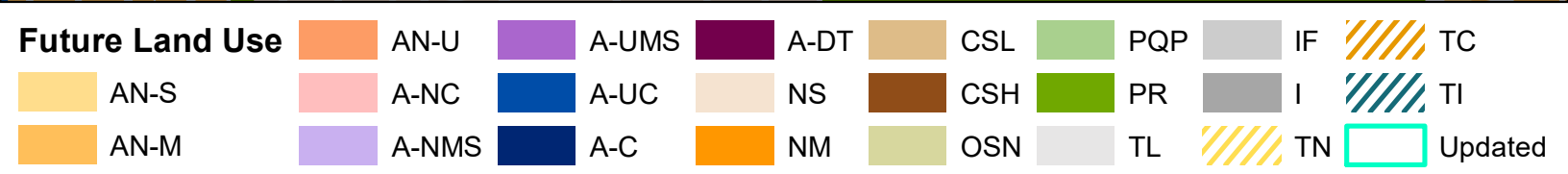
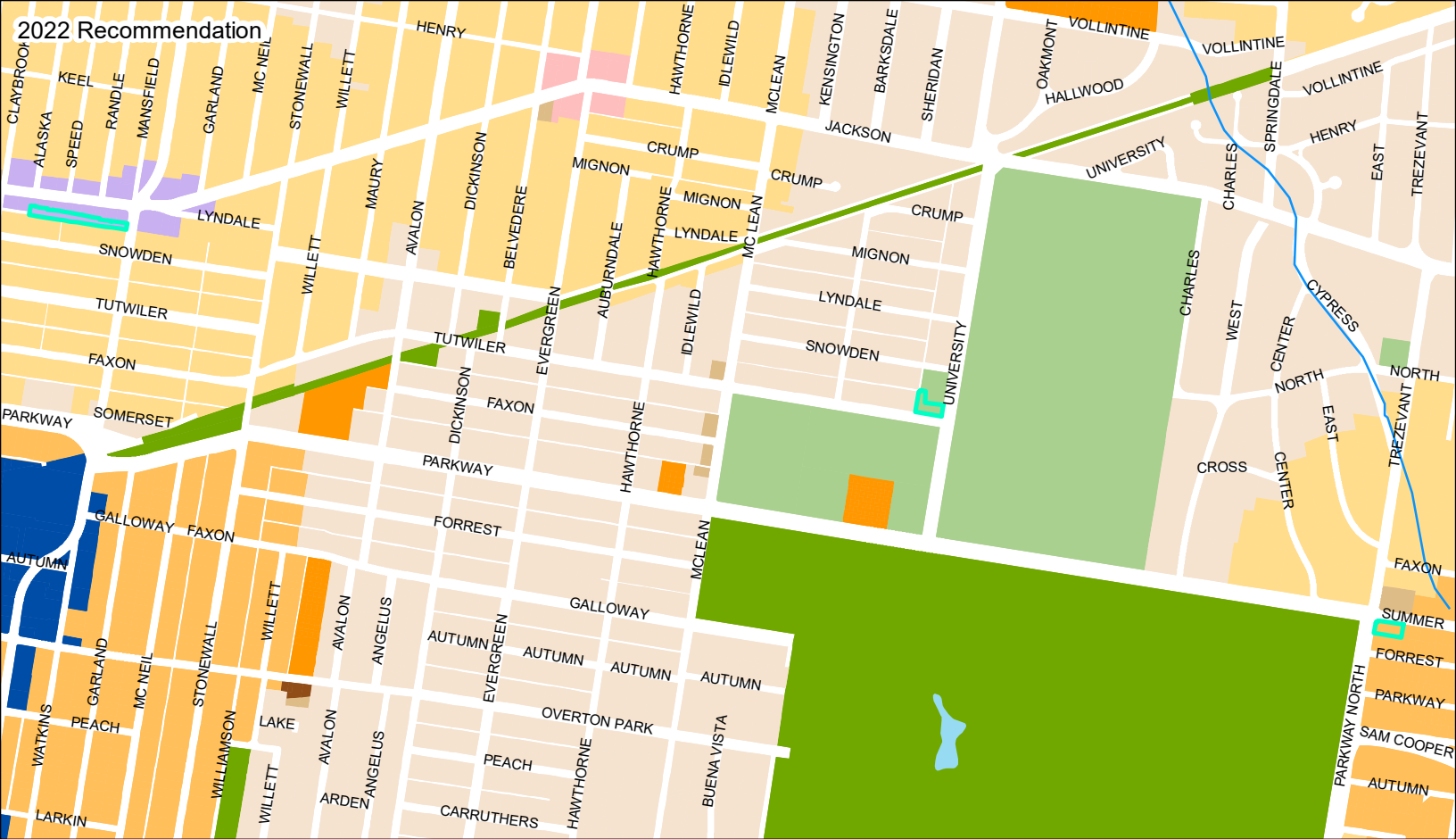




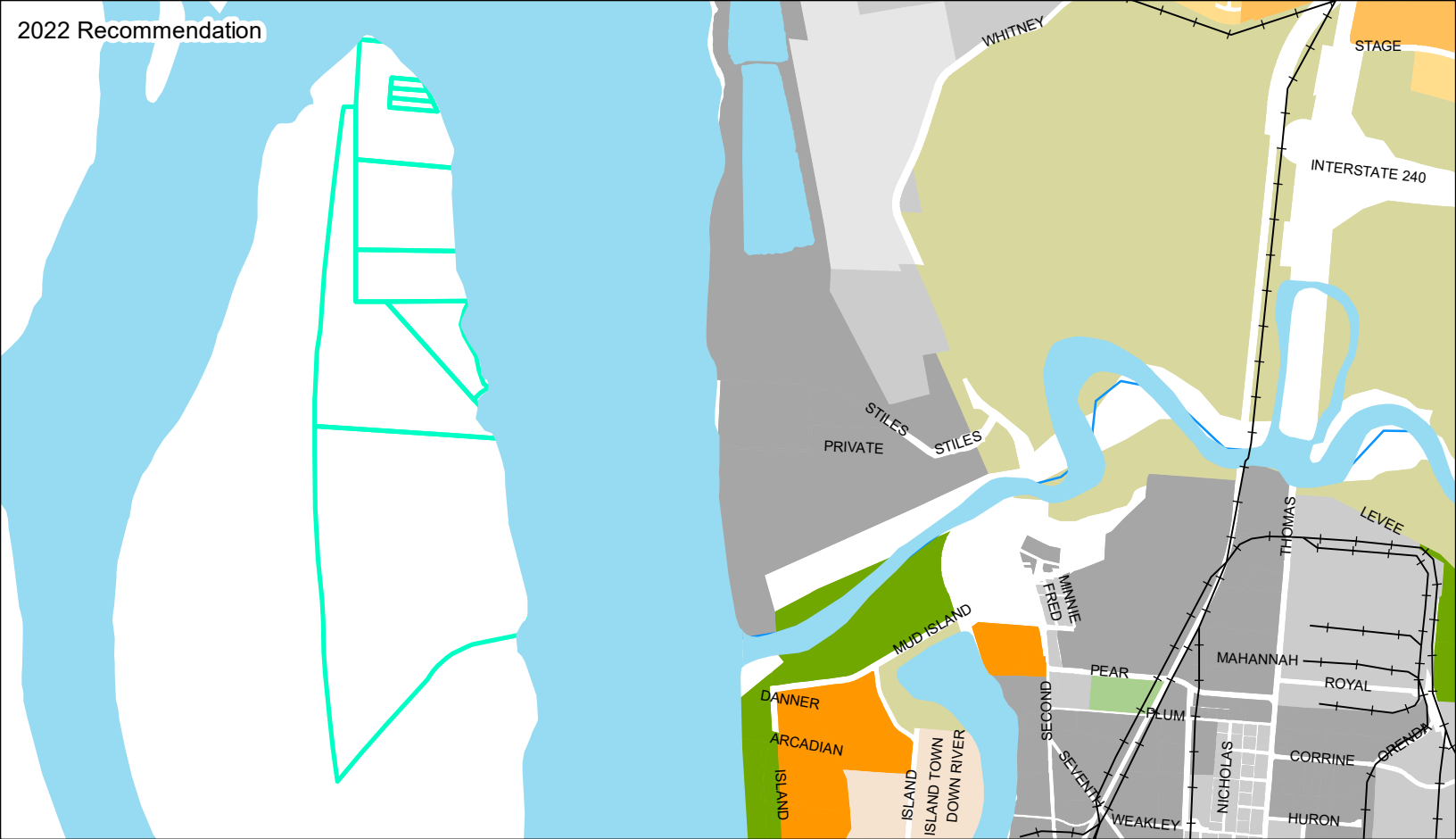
Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated





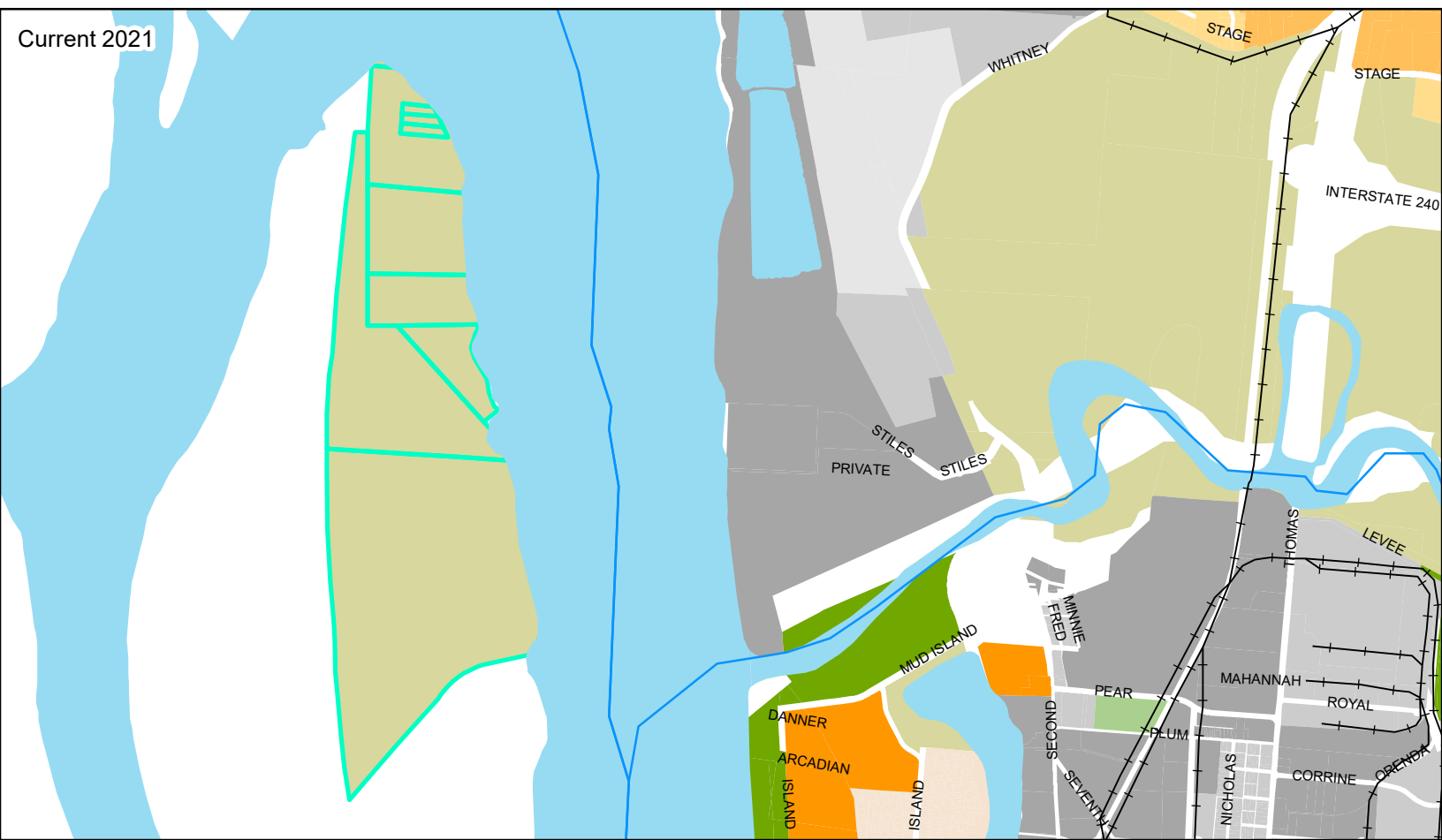
2022 Recommendation



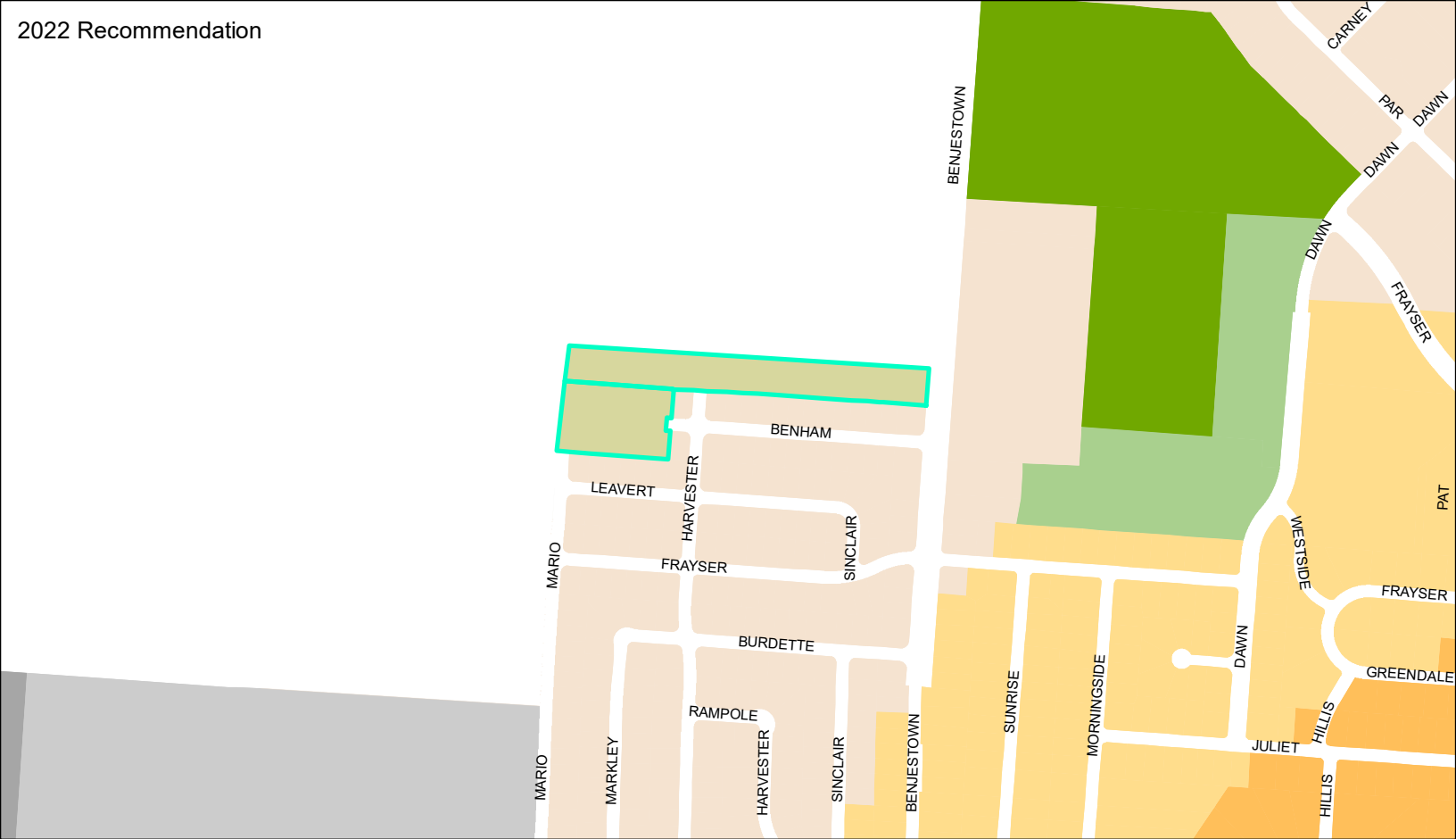
Future Land Use

- AN-S
- AN-M
- A-UMS
- A-NC
- A-NMS
- A-UC
- A-C
- A-DT
- NS
- NM
- CSL
- CSH
- OSN
- PQP
- PR
- TL
- IF
- I
- TC
- TI
- TN
- Updated

Current 2021



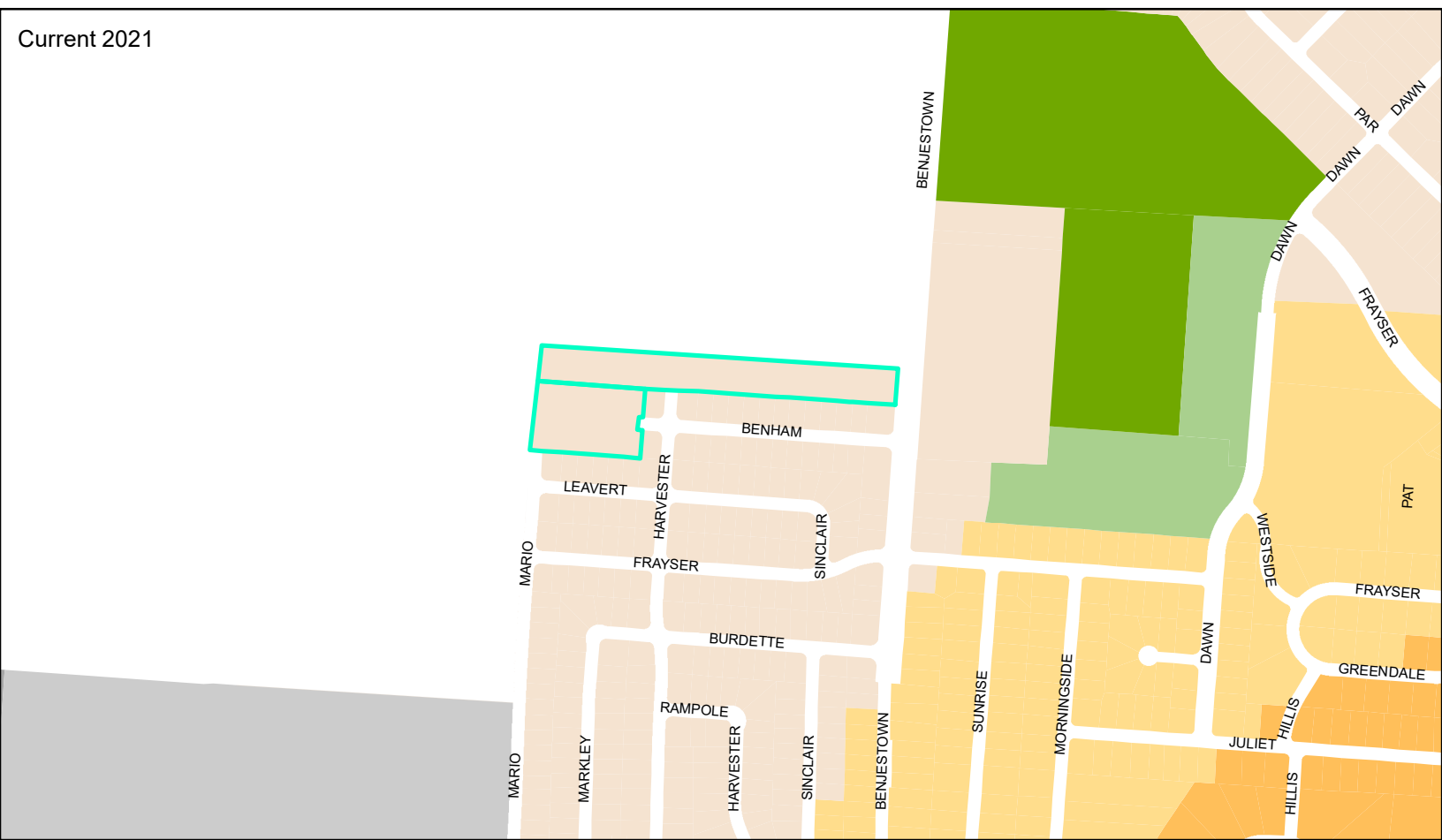
2022 Recommendation



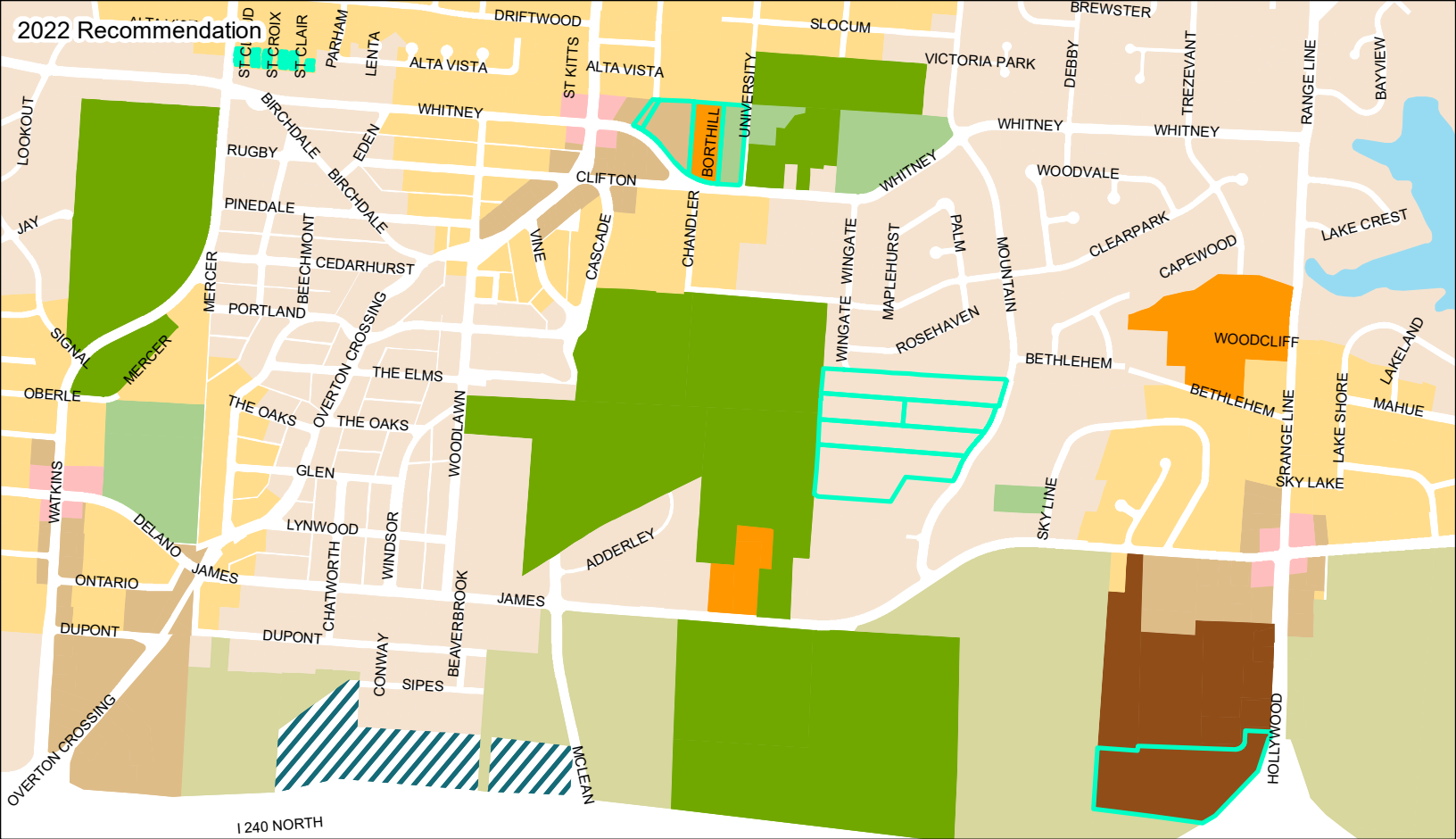
Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	Updated

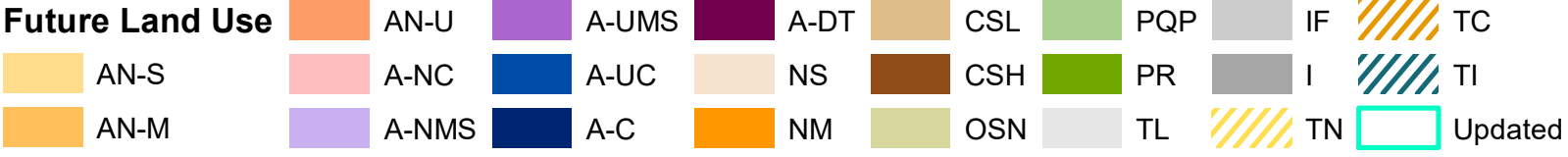
Current 2021



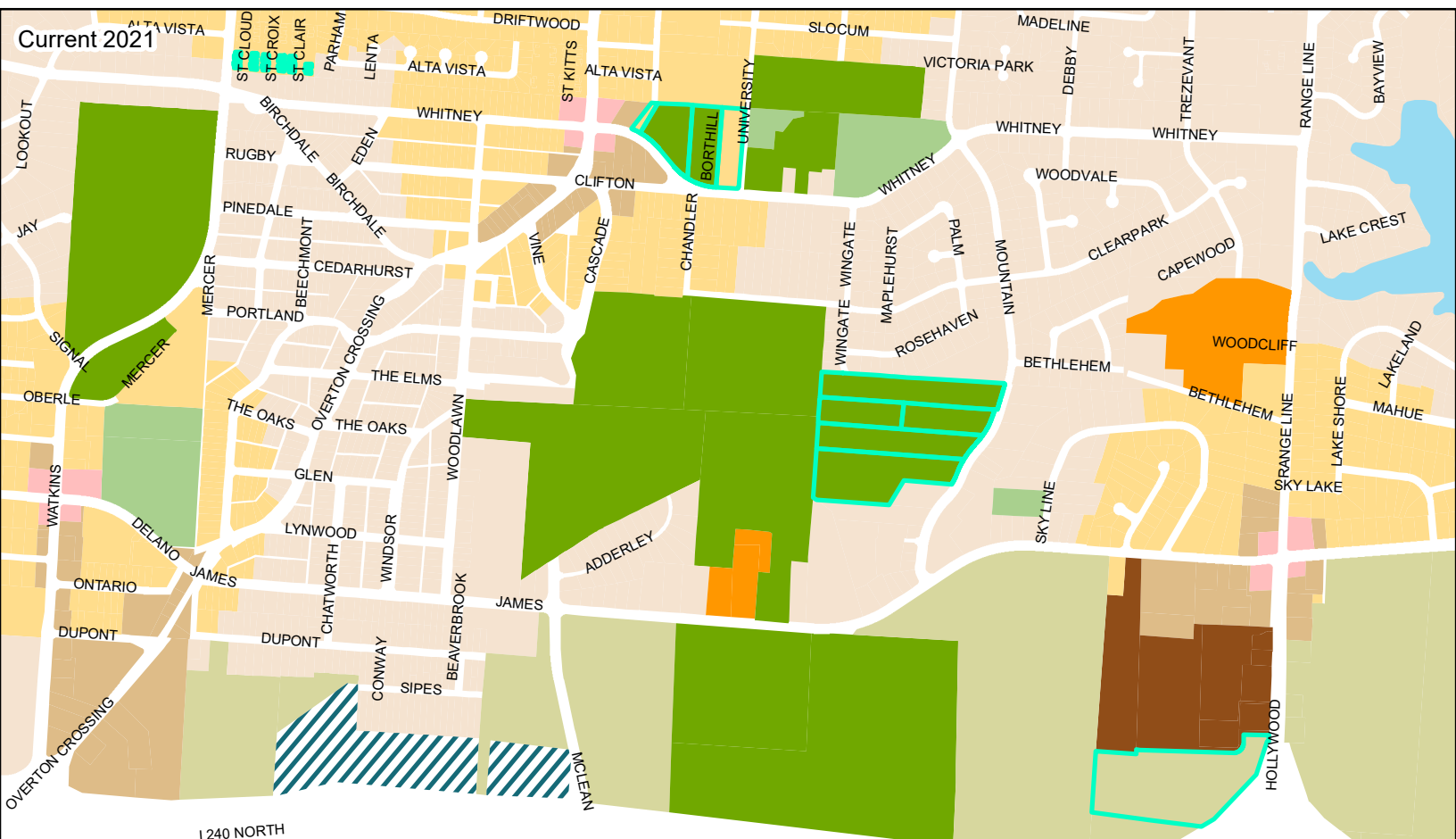
2022 Recommendation

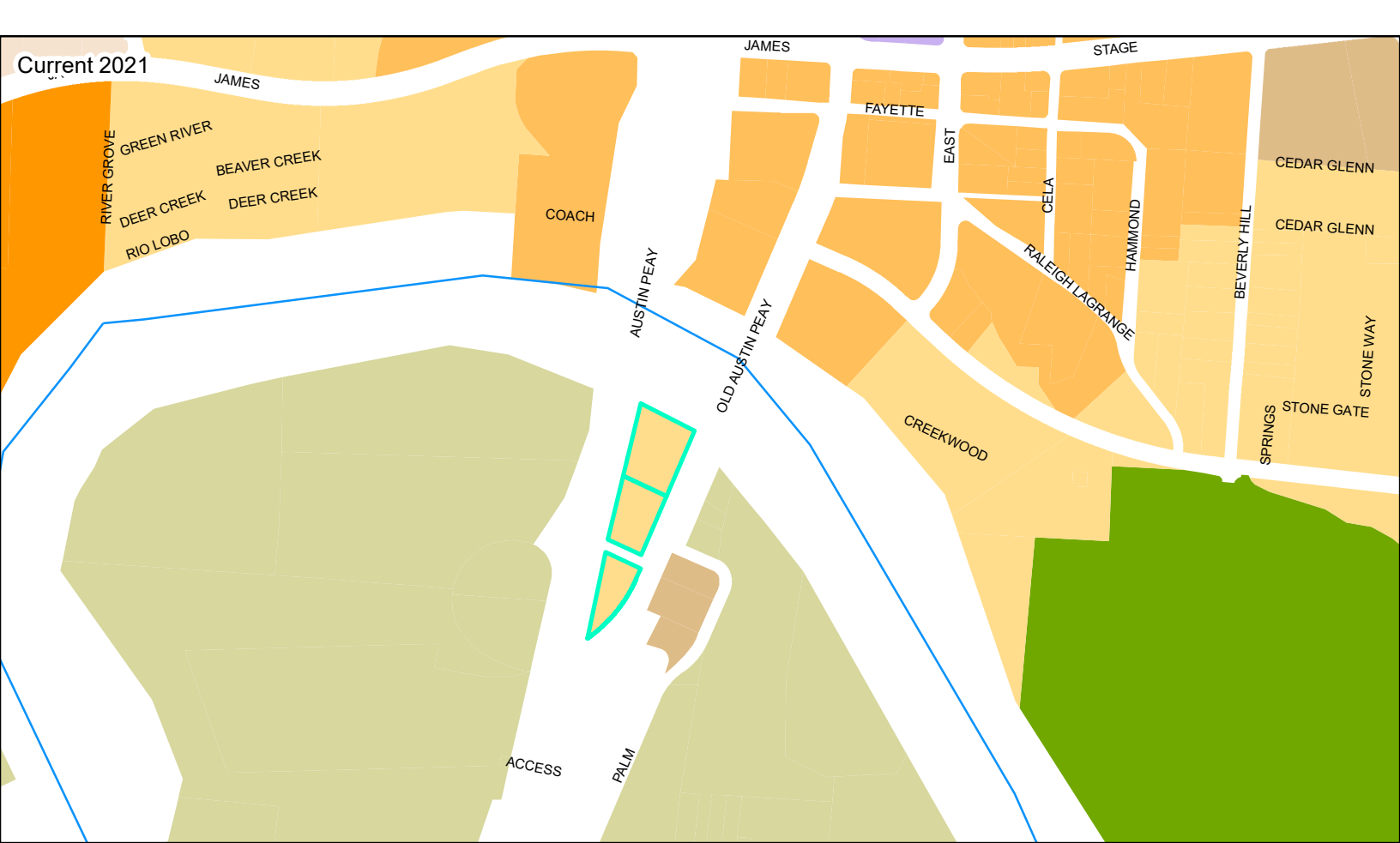
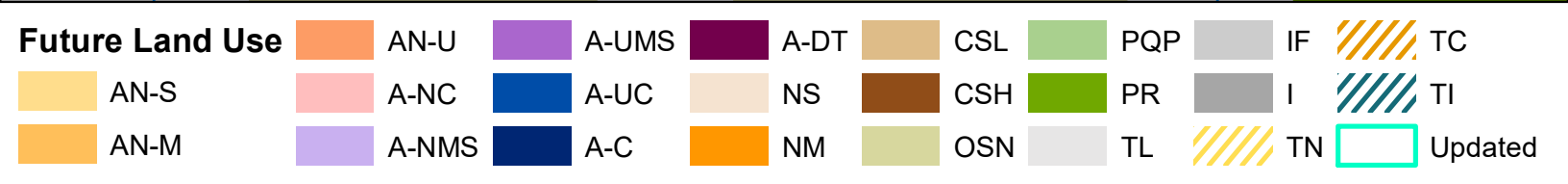
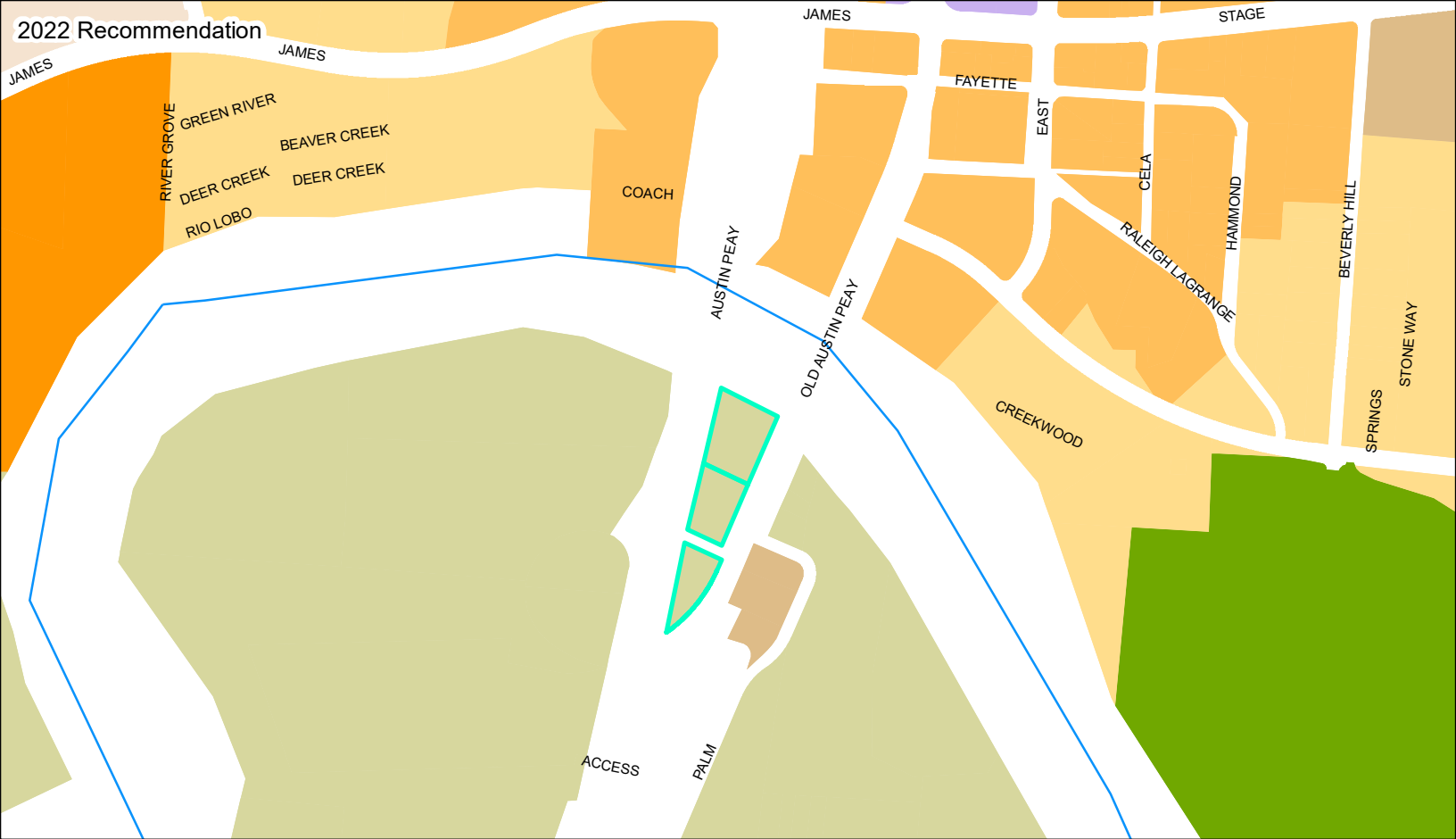


Future Land Use

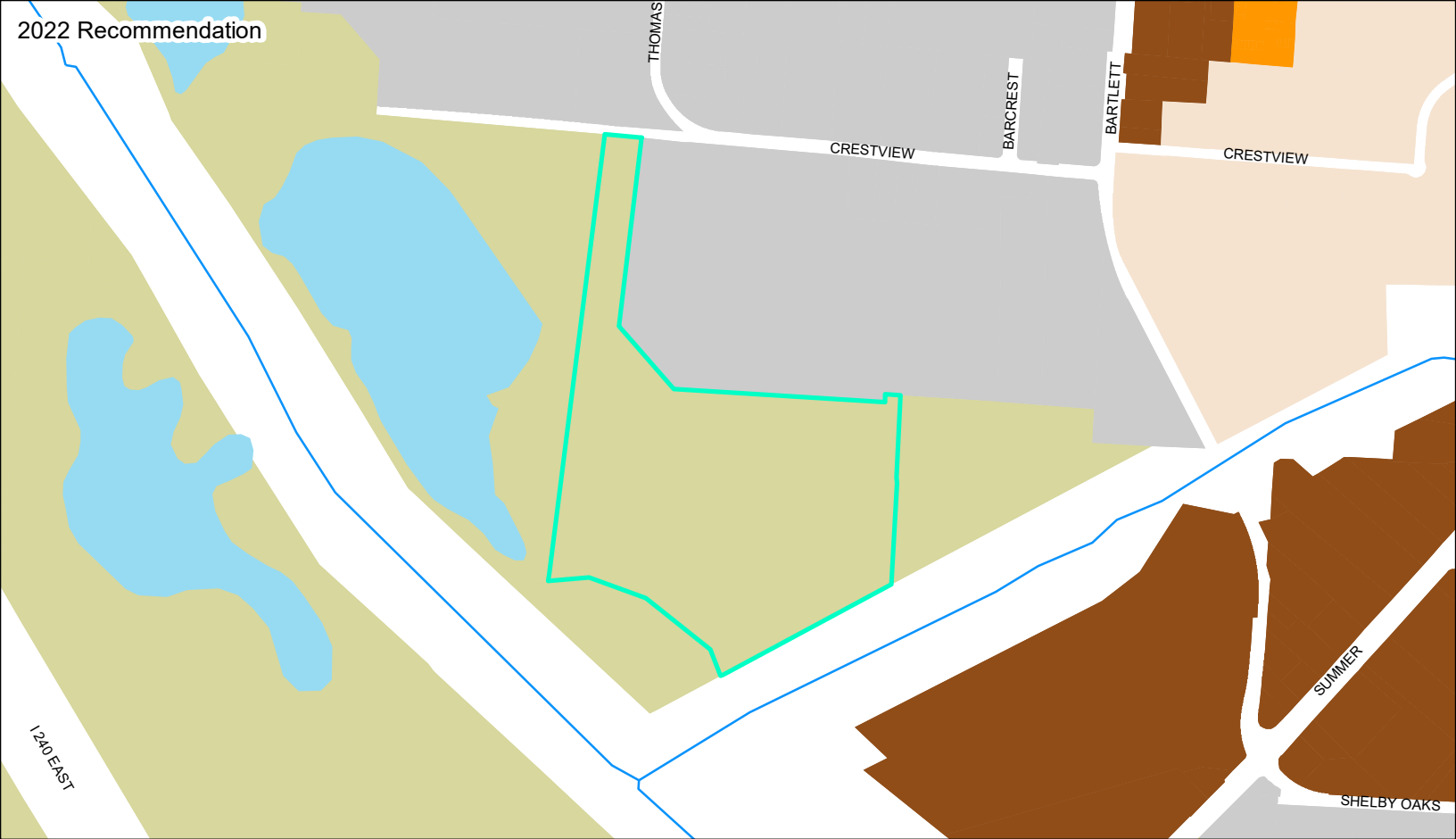


Current 2021





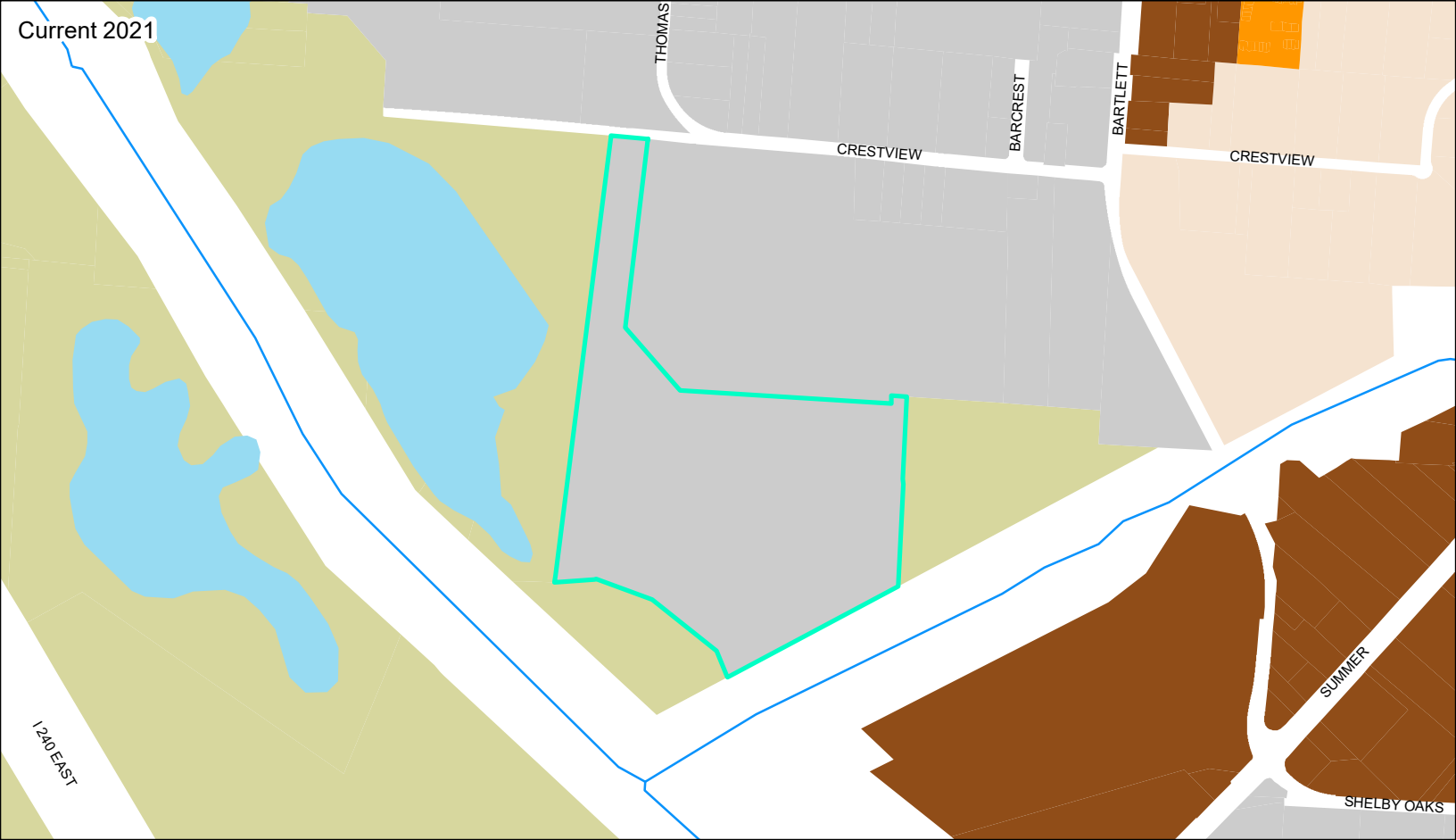
2022 Recommendation



Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021



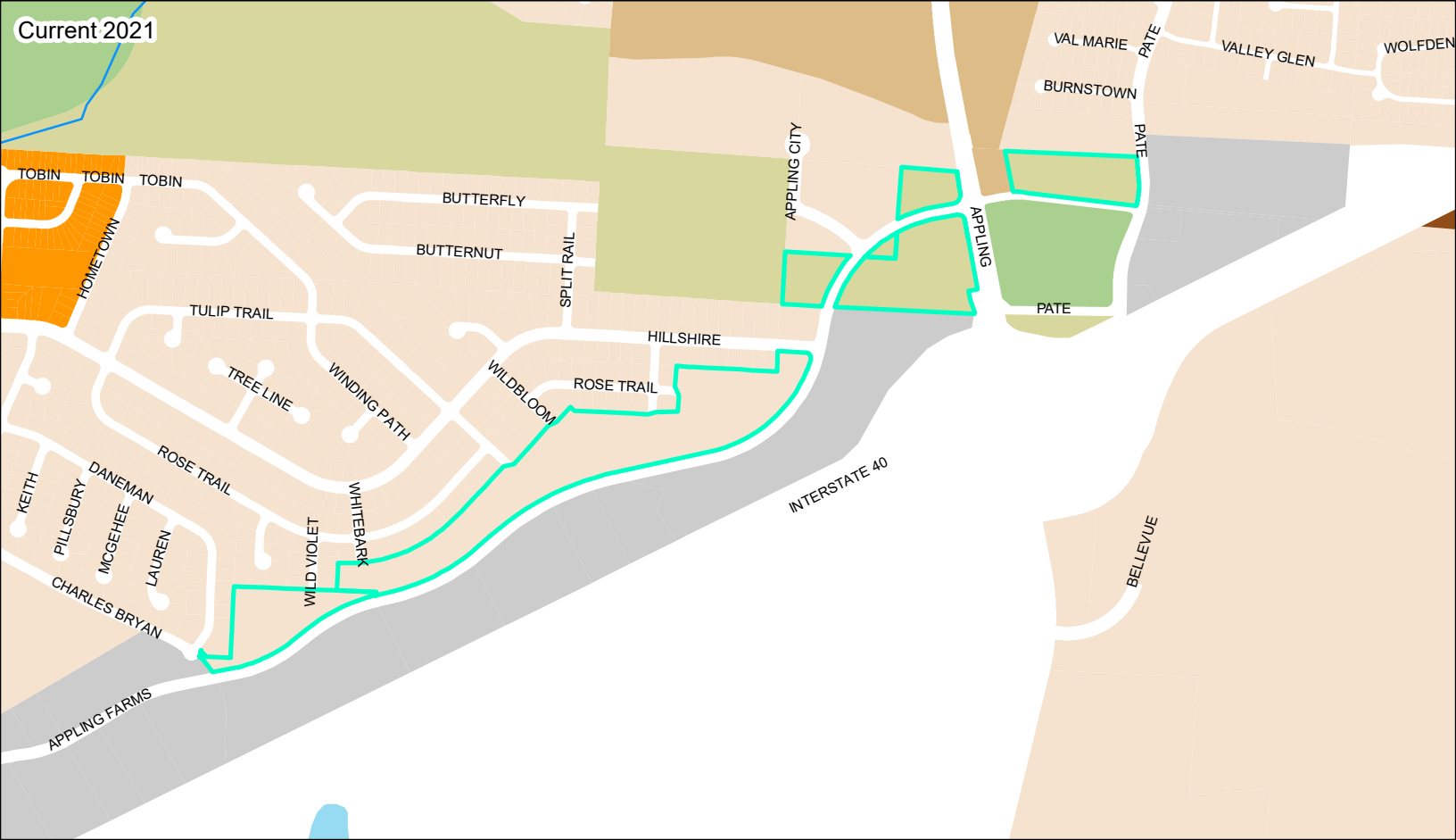
2022 Recommendation



Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021



2022 Recommendation



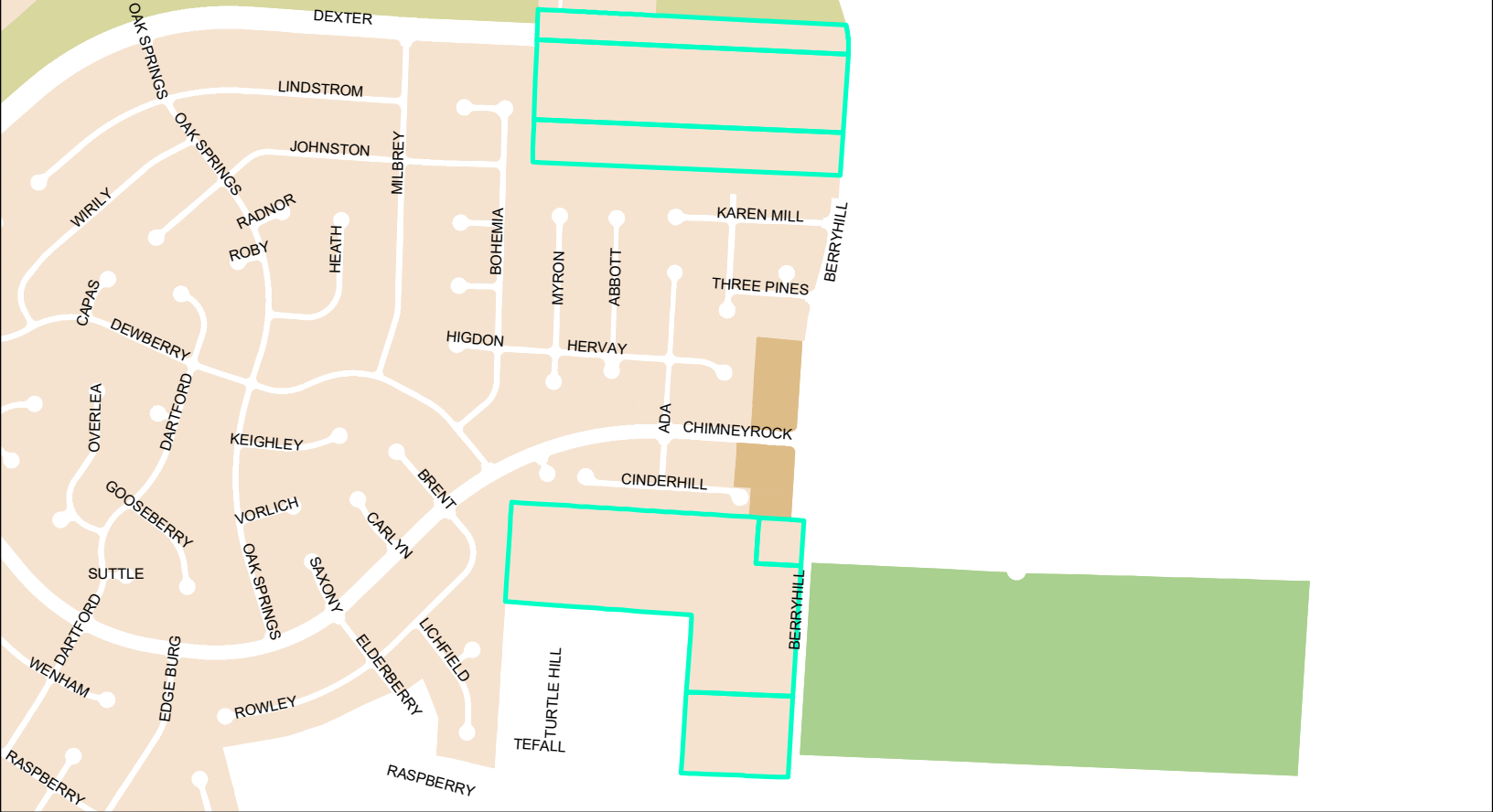
Future Land Use

	AN-S		A-UMS		A-DT		CSL		PQP		IF		TC
	AN-M		A-NC		A-UC		NS		CSH		PR		I
	A-NMS		A-C		NM		OSN		TL		TN		Updated























Current 2021



2022 Recommendation

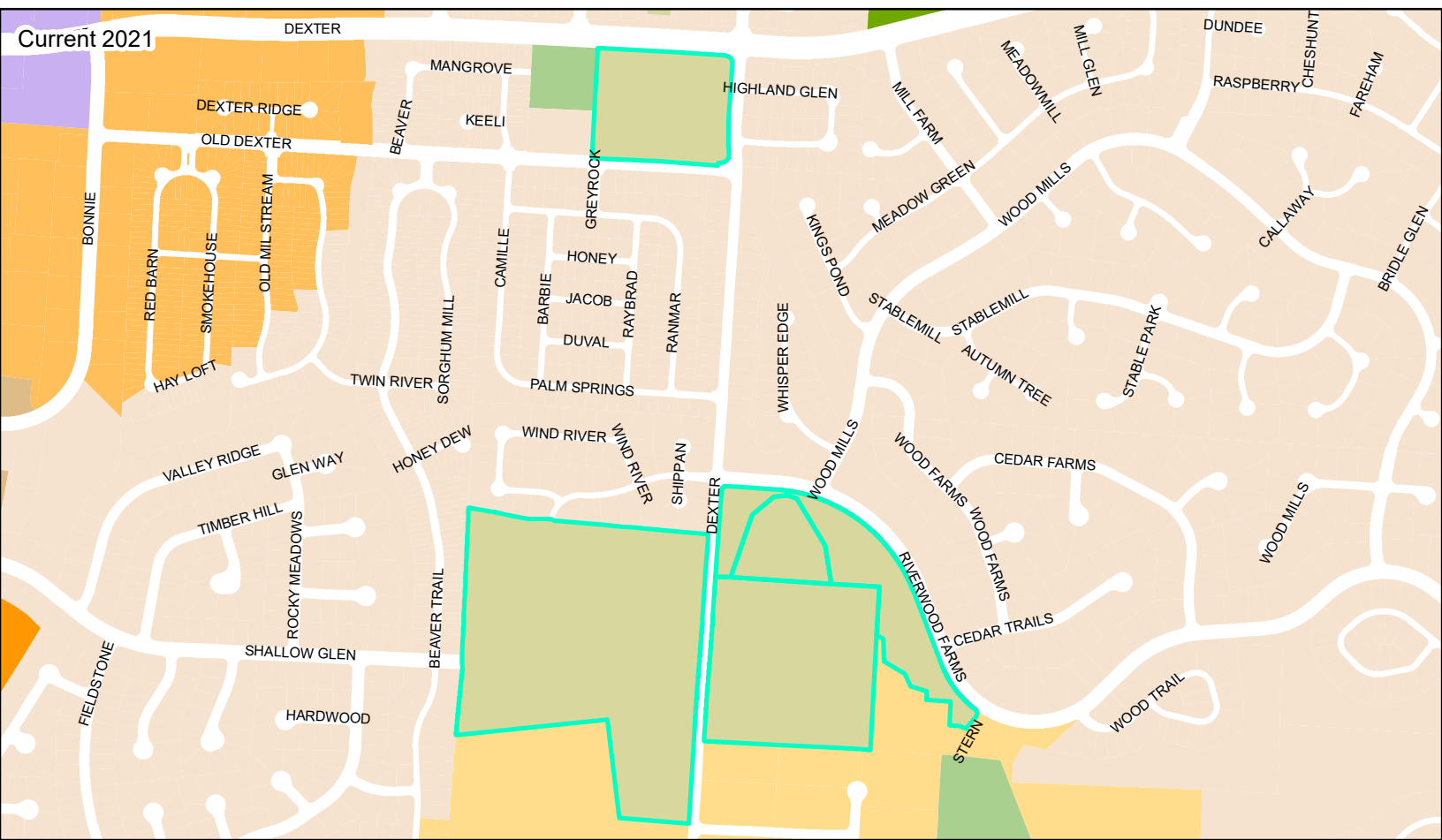
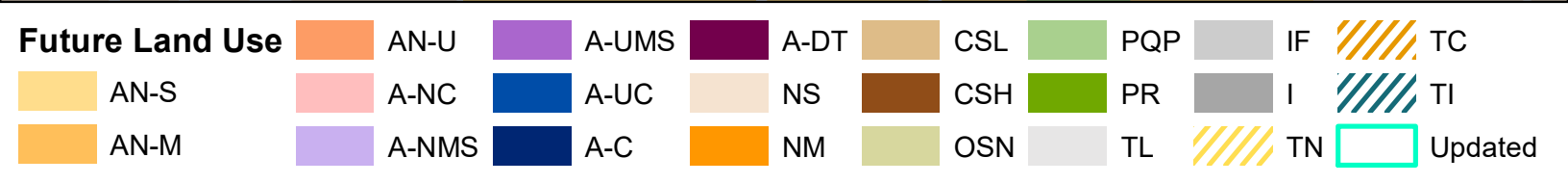


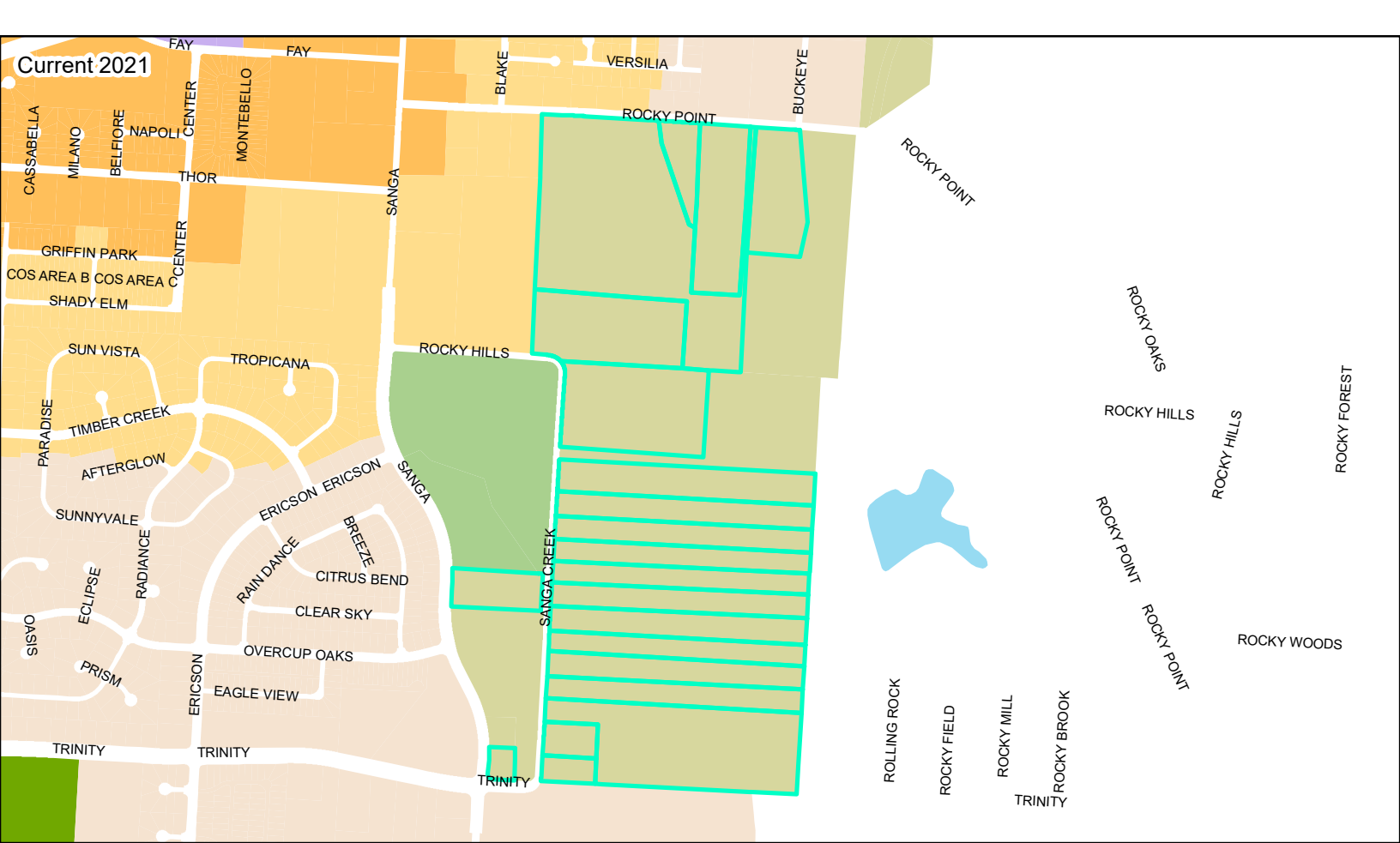
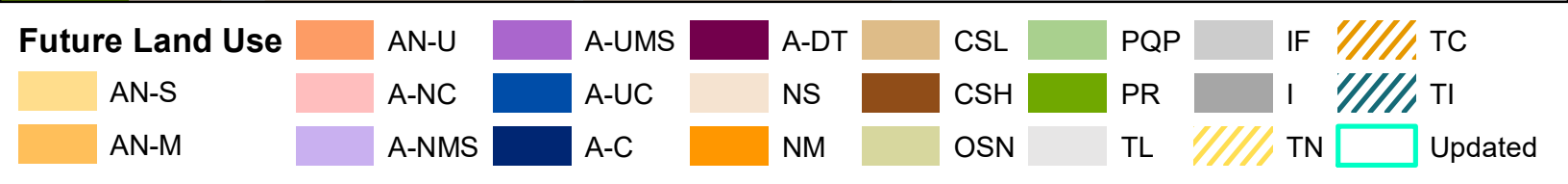
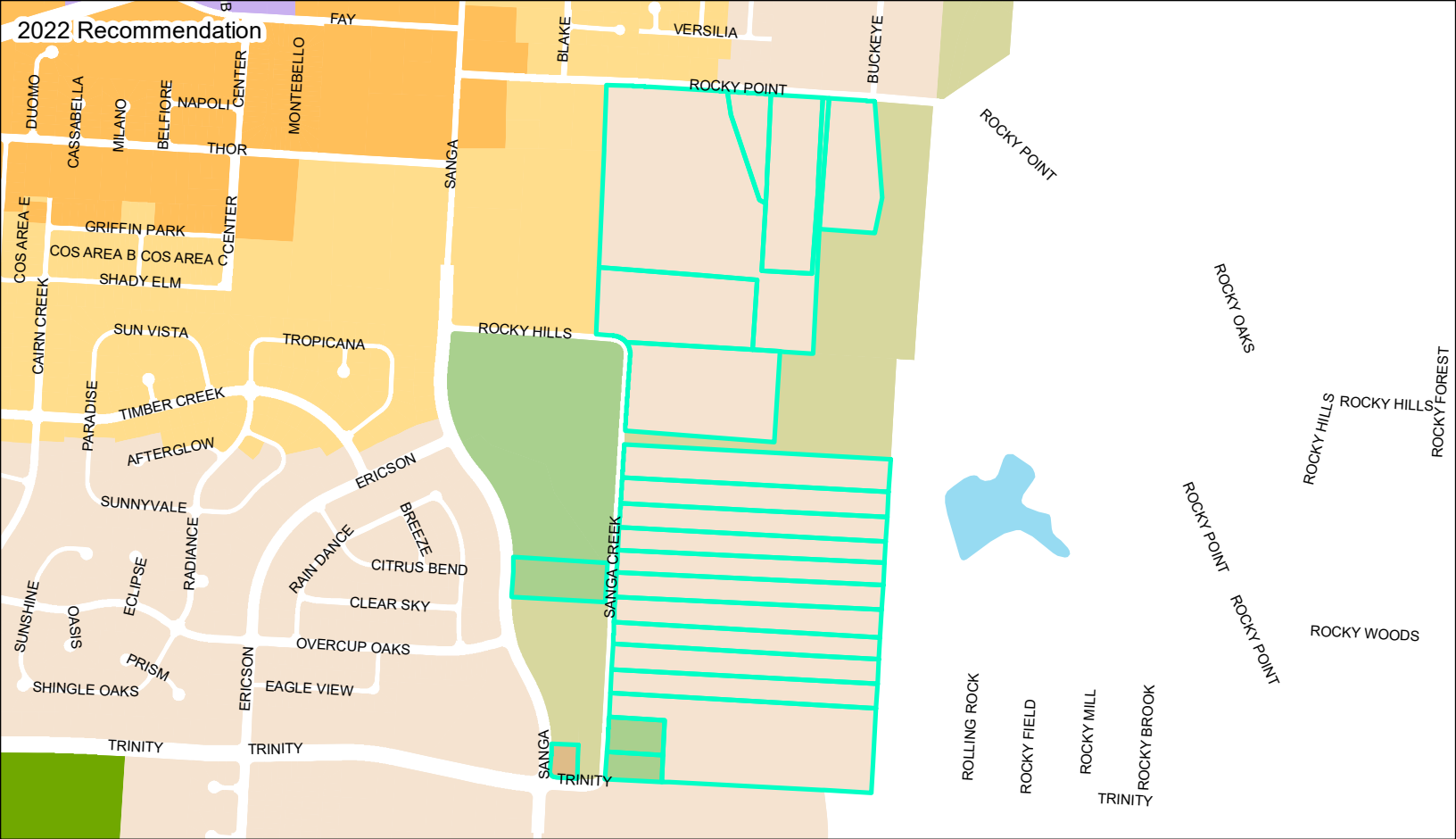
Future Land Use

 AN-U	 A-UMS	 A-DT	 CSL	 PQP	 IF	 TC
 AN-S	 A-NC	 A-UC	 NS	 CSH	 PR	 TI
 AN-M	 A-NMS	 A-C	 NM	 OSN	 TL	 TN
						 Updated

Current 2021







2022 Recommendation



Future Land Use

	AN-U		A-UMS		A-DT		CSL		PQP		IF		TC		
	AN-S		A-NC		A-UC		NS		CSH		PR		I		TI
	AN-M		A-NMS		A-C		NM		OSN		TL		TN		Updated

Current 2021



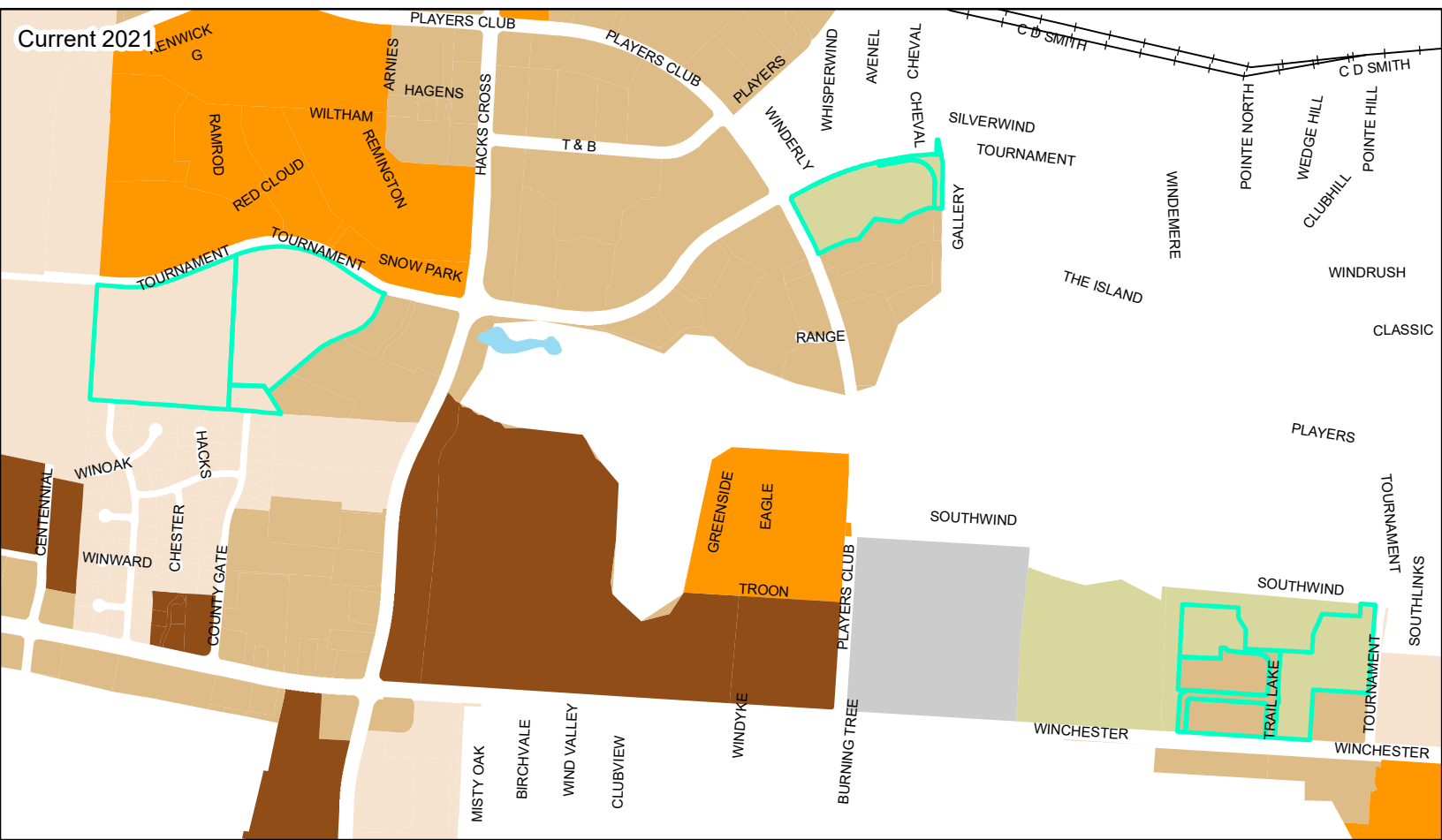
2022 Recommendation



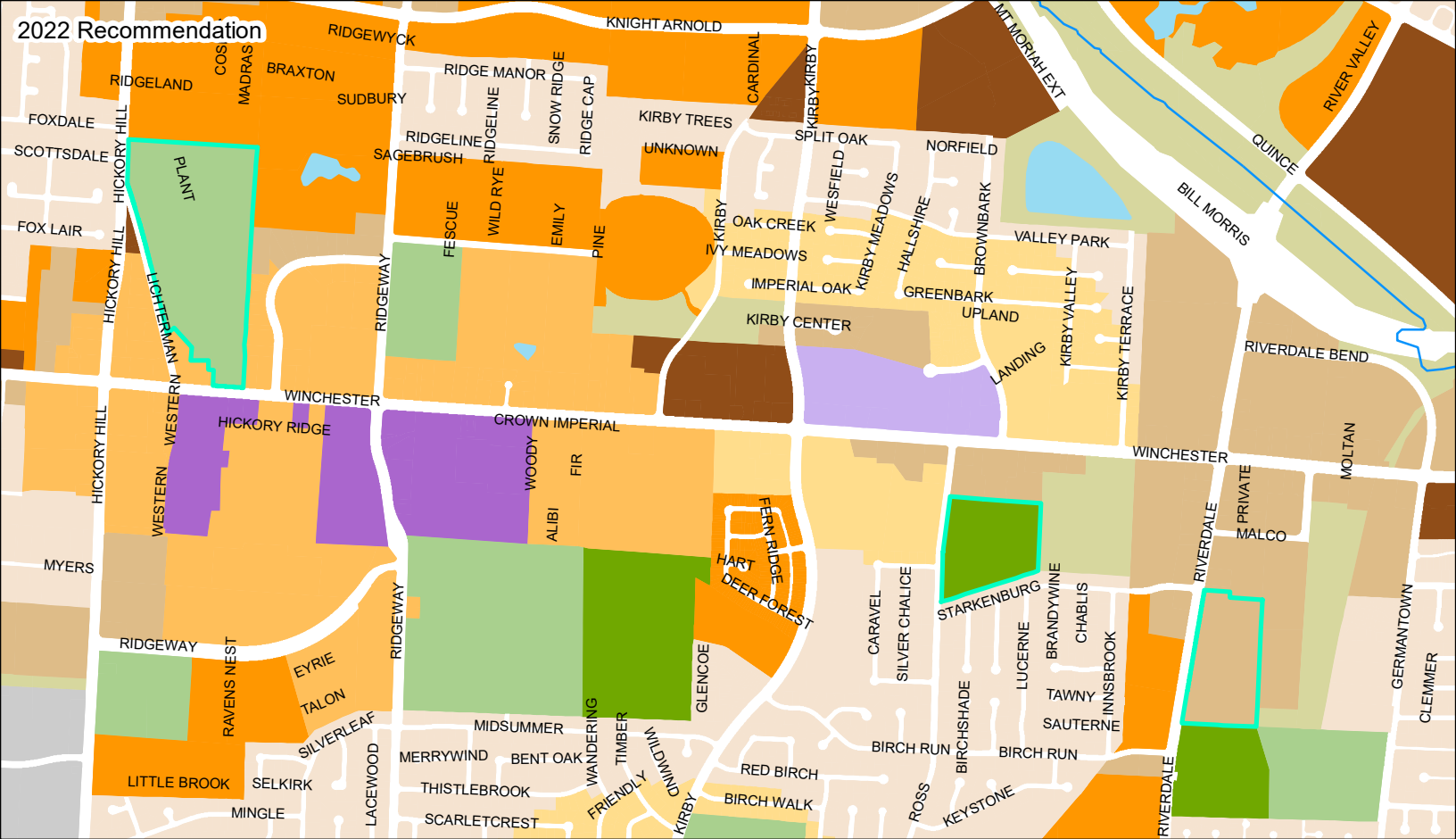
Future Land Use

	AN-S		A-UMS		A-DT		CSL		PQP		IF		TC		
	AN-M		A-NC		A-UC		NS		CSH		PR		I		TI
			A-NMS		A-C		NM		OSN		TL		TN		Updated

Current 2021



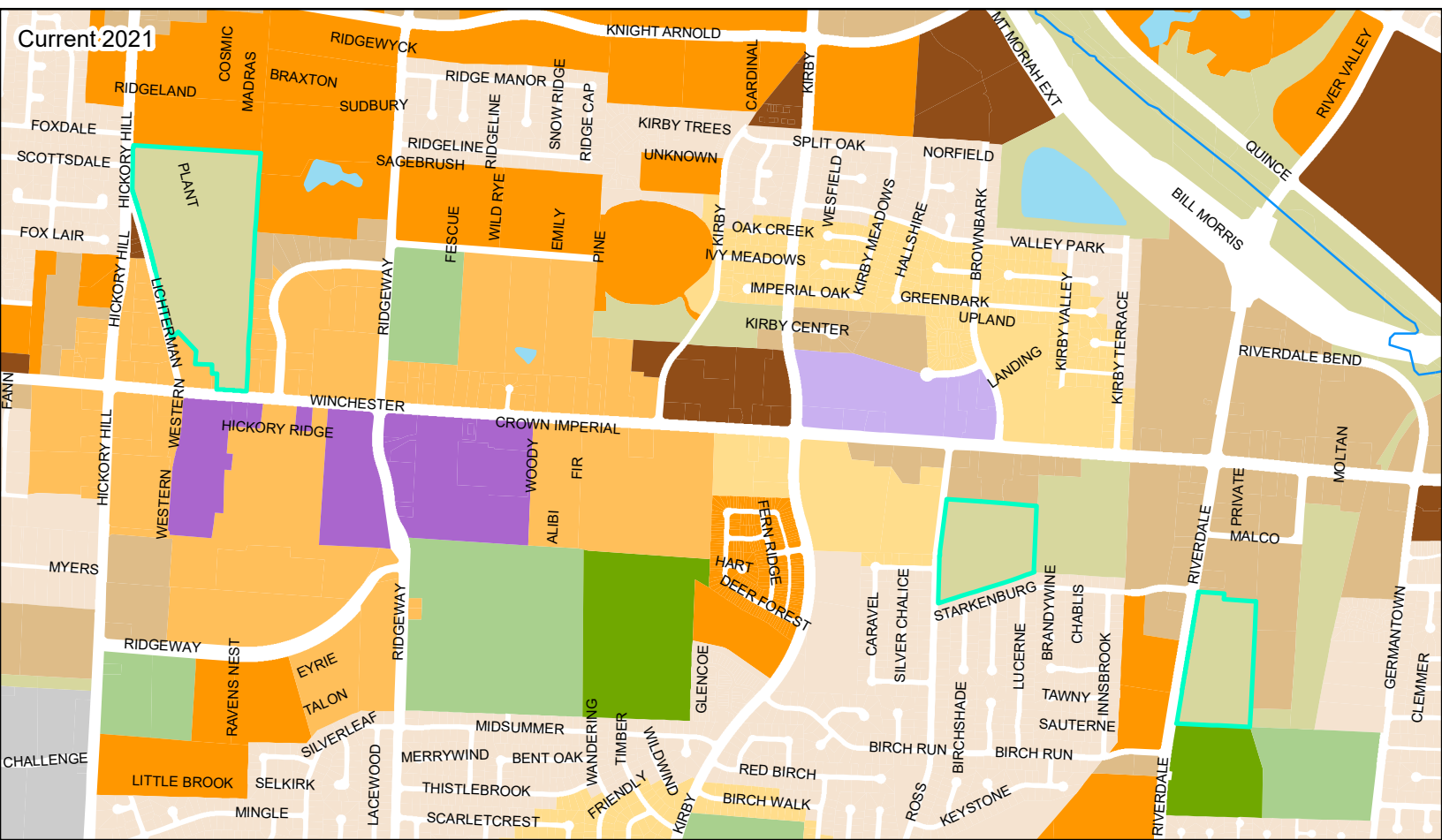
2022 Recommendation

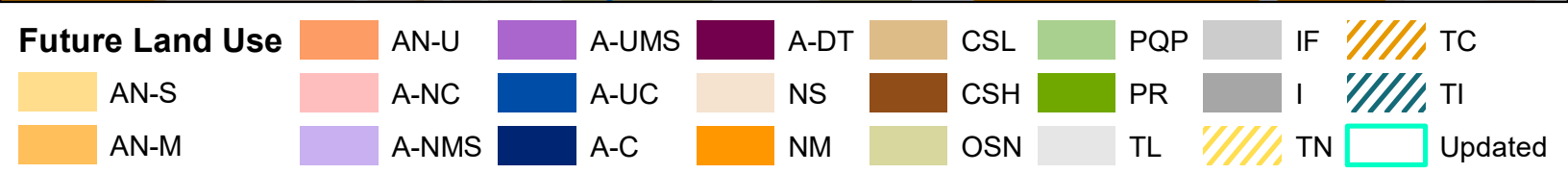


Future Land Use

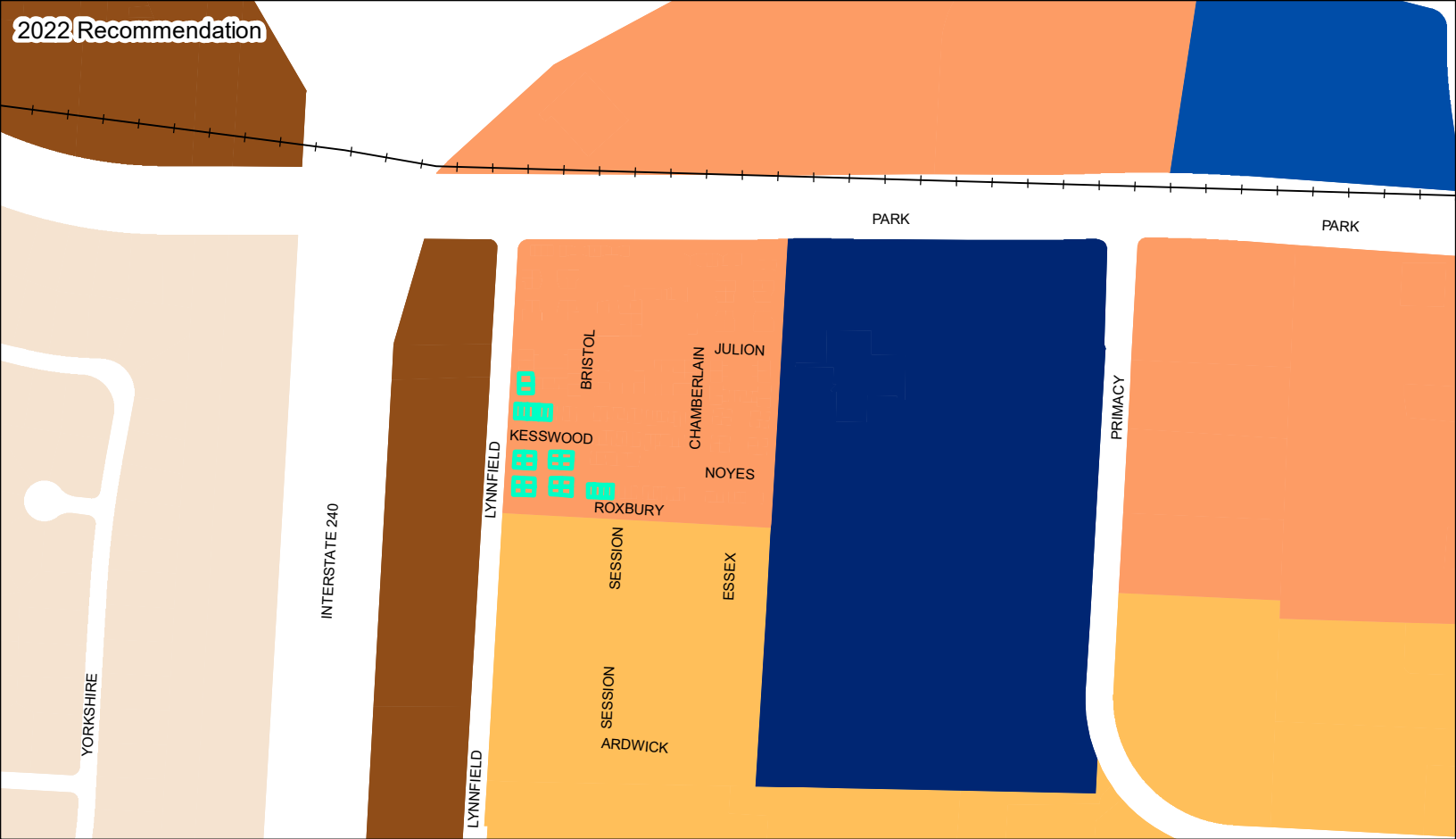
	AN-S		A-UMS		A-DT		CSL		PQP		IF		TC		
	AN-M		A-NC		A-UC		NS		CSH		PR		I		TI
			A-NMS		A-C		NM		OSN		TL		TN		Updated

Current 2021





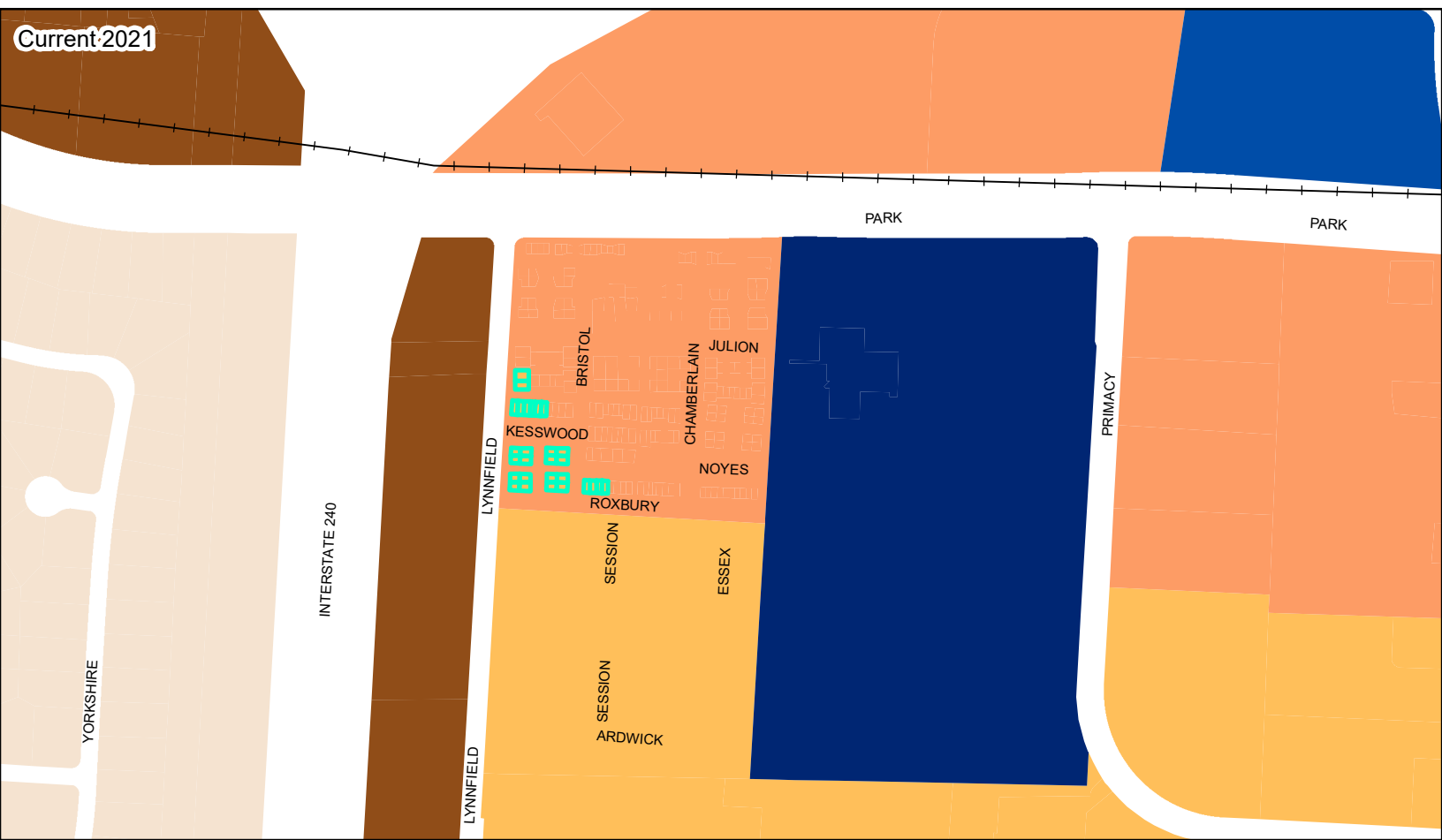
2022 Recommendation



Future Land Use

	AN-U		A-UMS		A-DT		CSL		PQP		IF		TC		
	AN-S		A-NC		A-UC		NS		CSH		PR		I		TI
	AN-M		A-NMS		A-C		NM		OSN		TL		TN		Updated

Current 2021



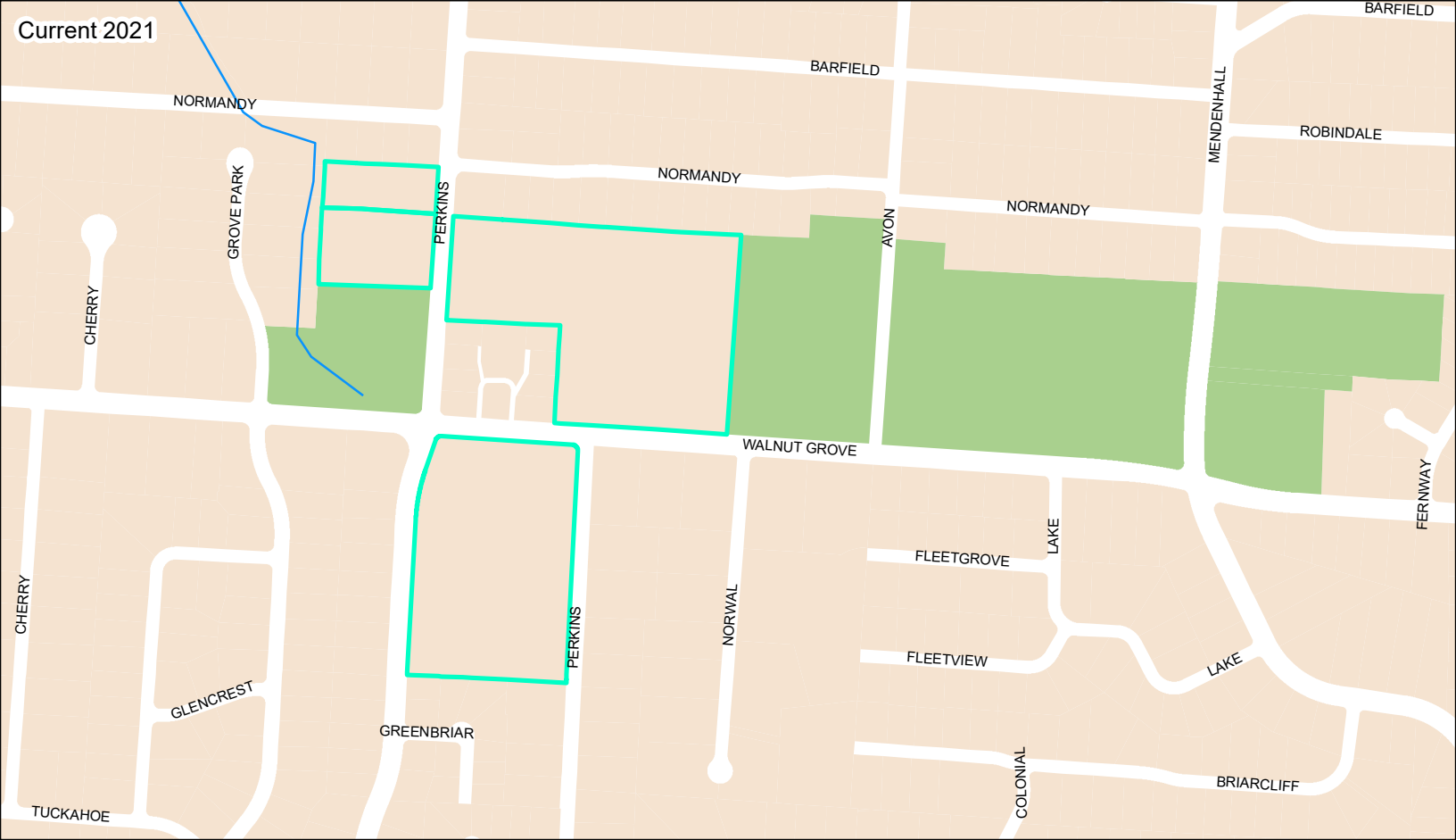
2022 Recommendation



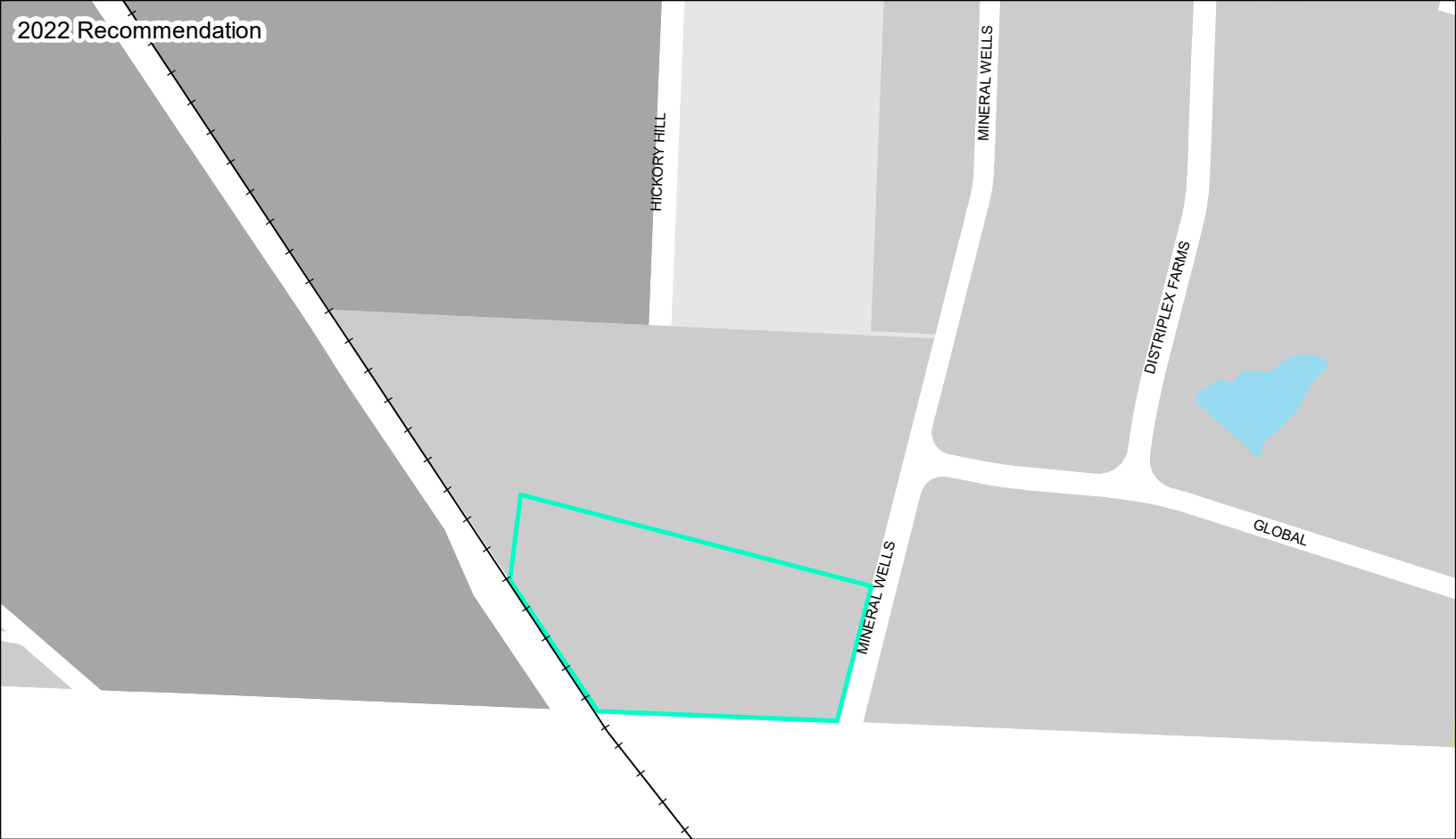
Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021



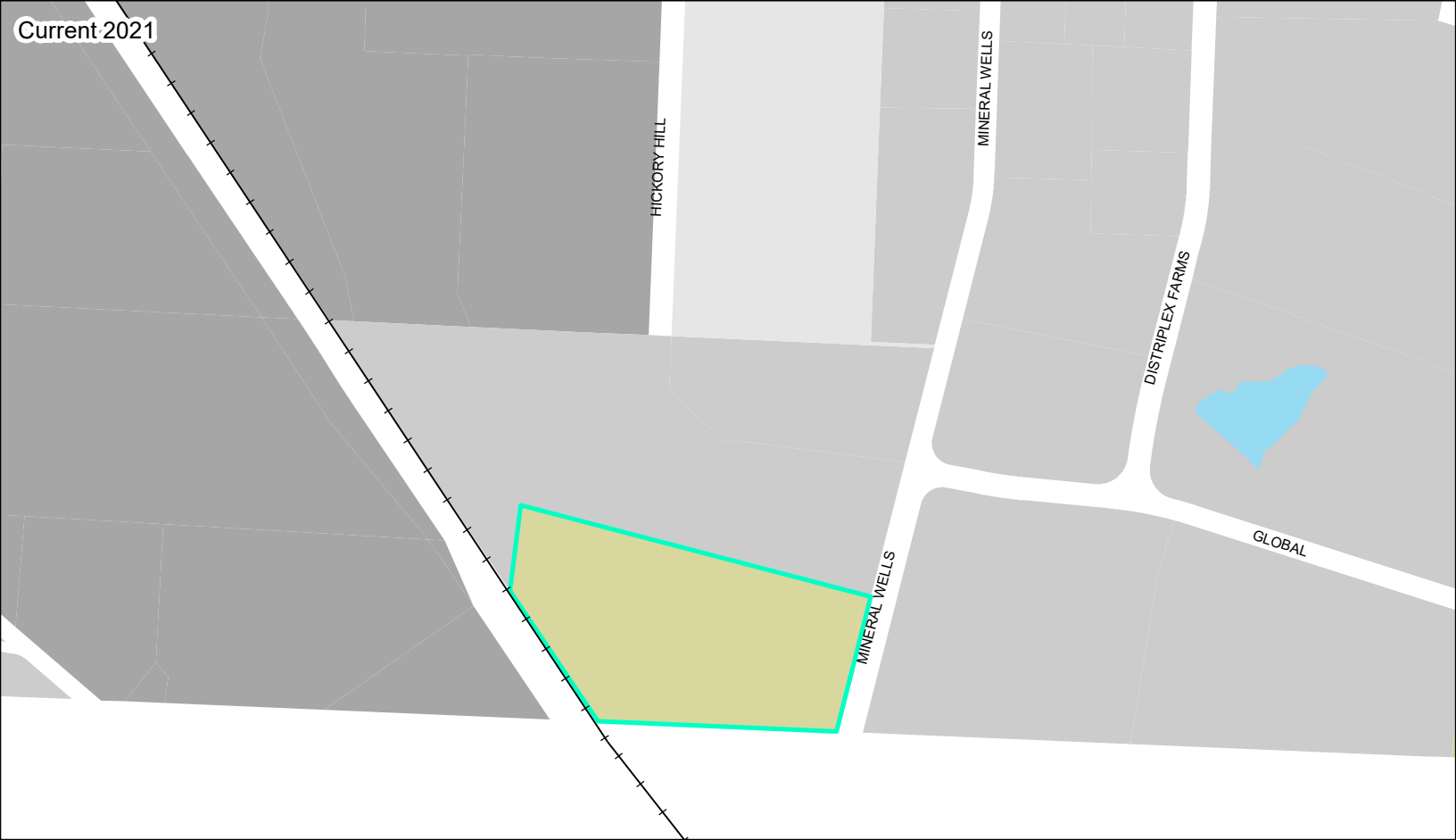
2022 Recommendation

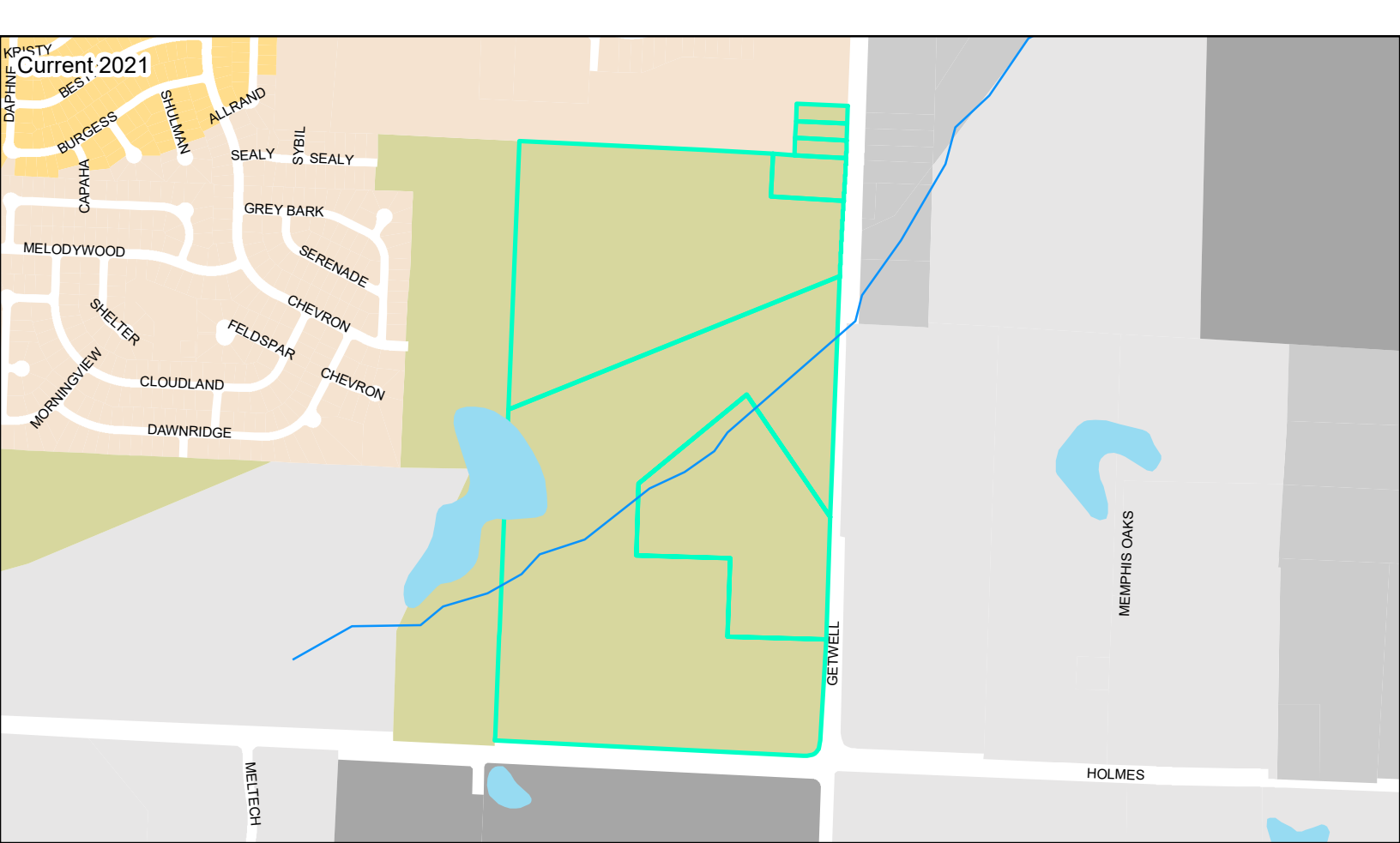
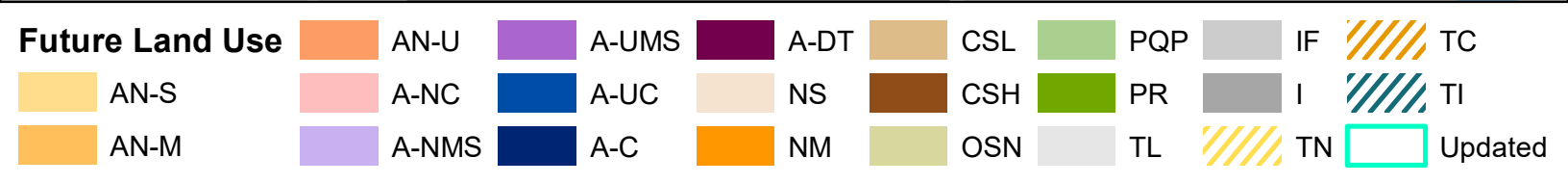
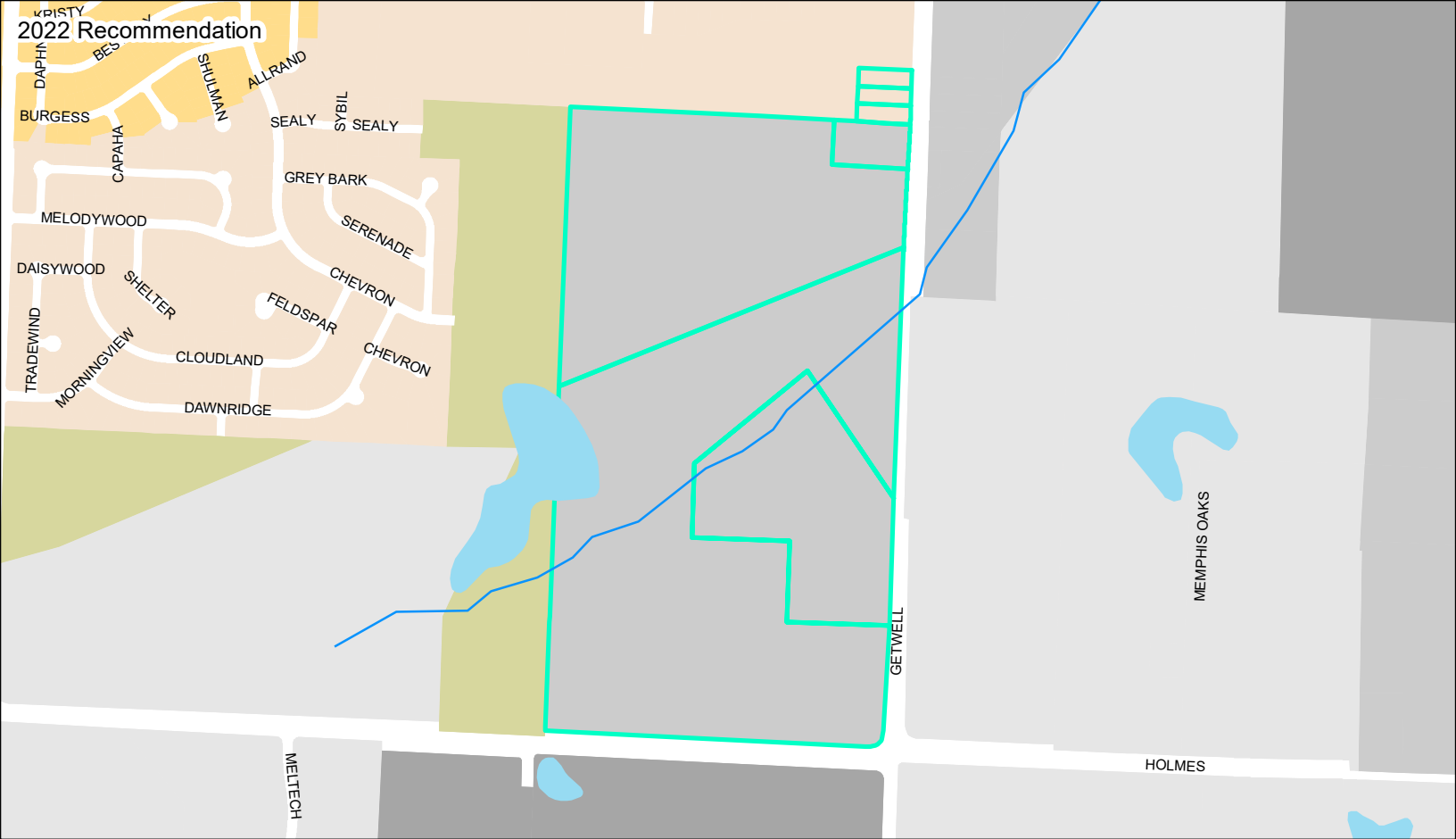


Future Land Use

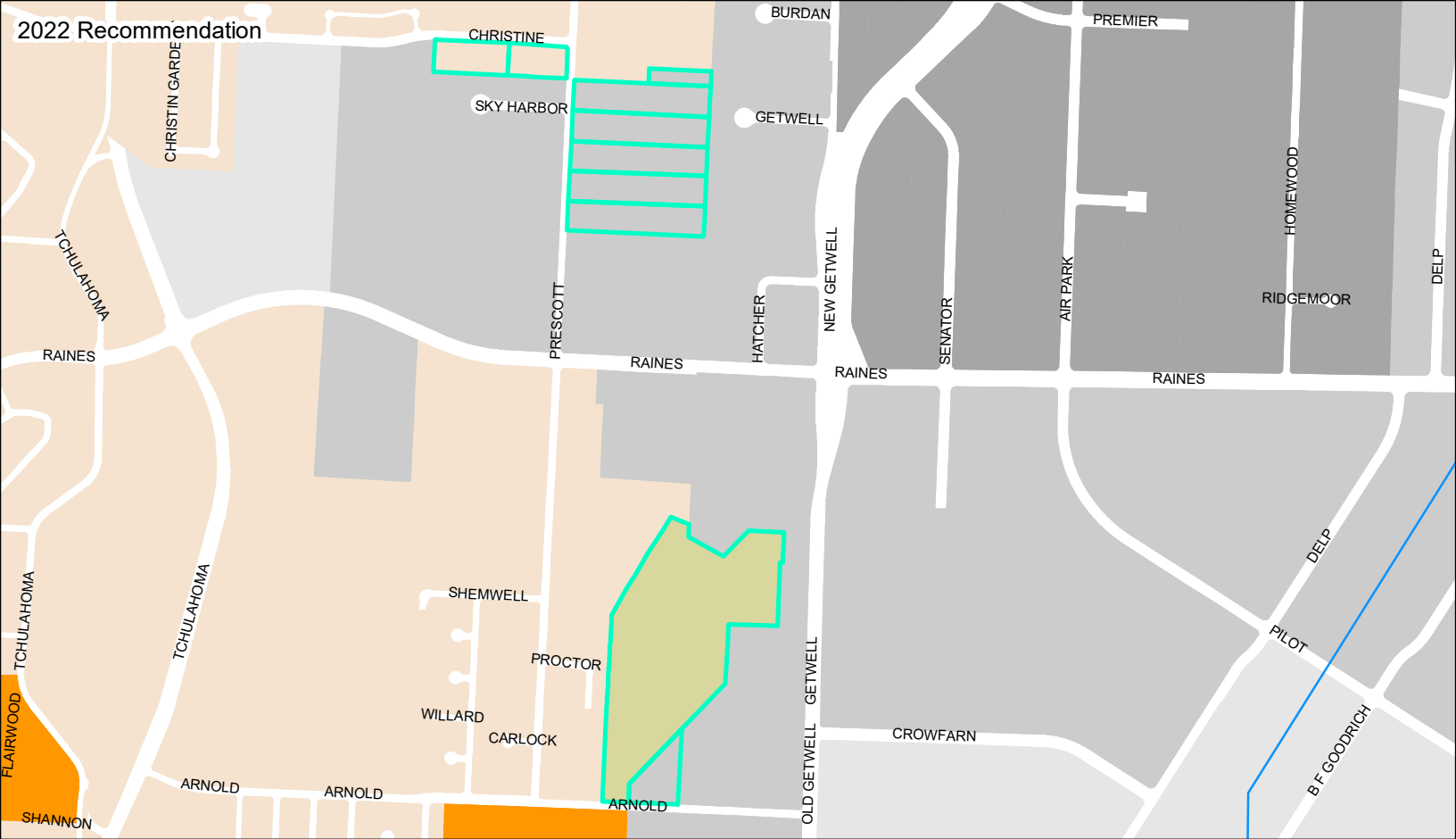
AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021





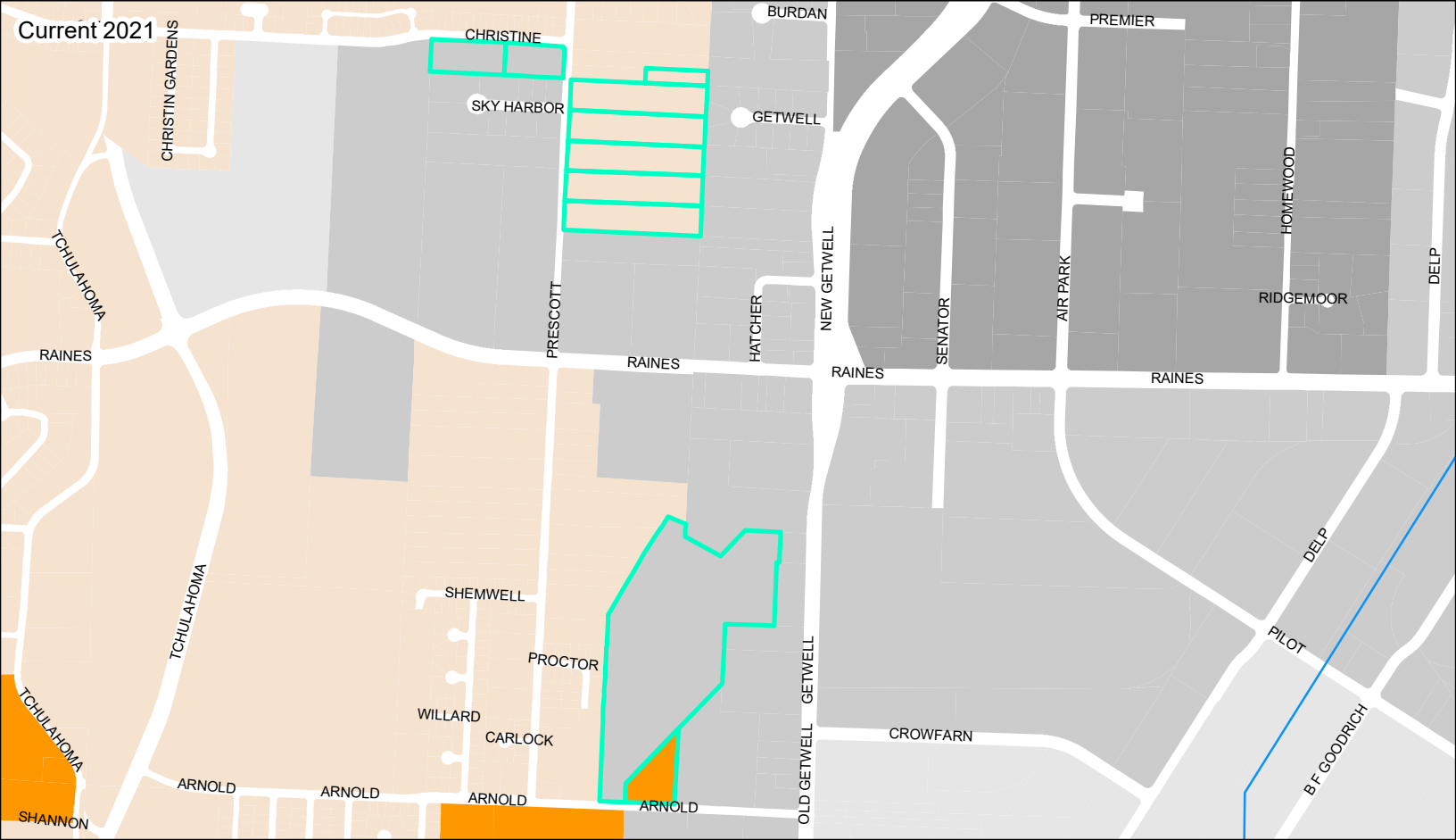
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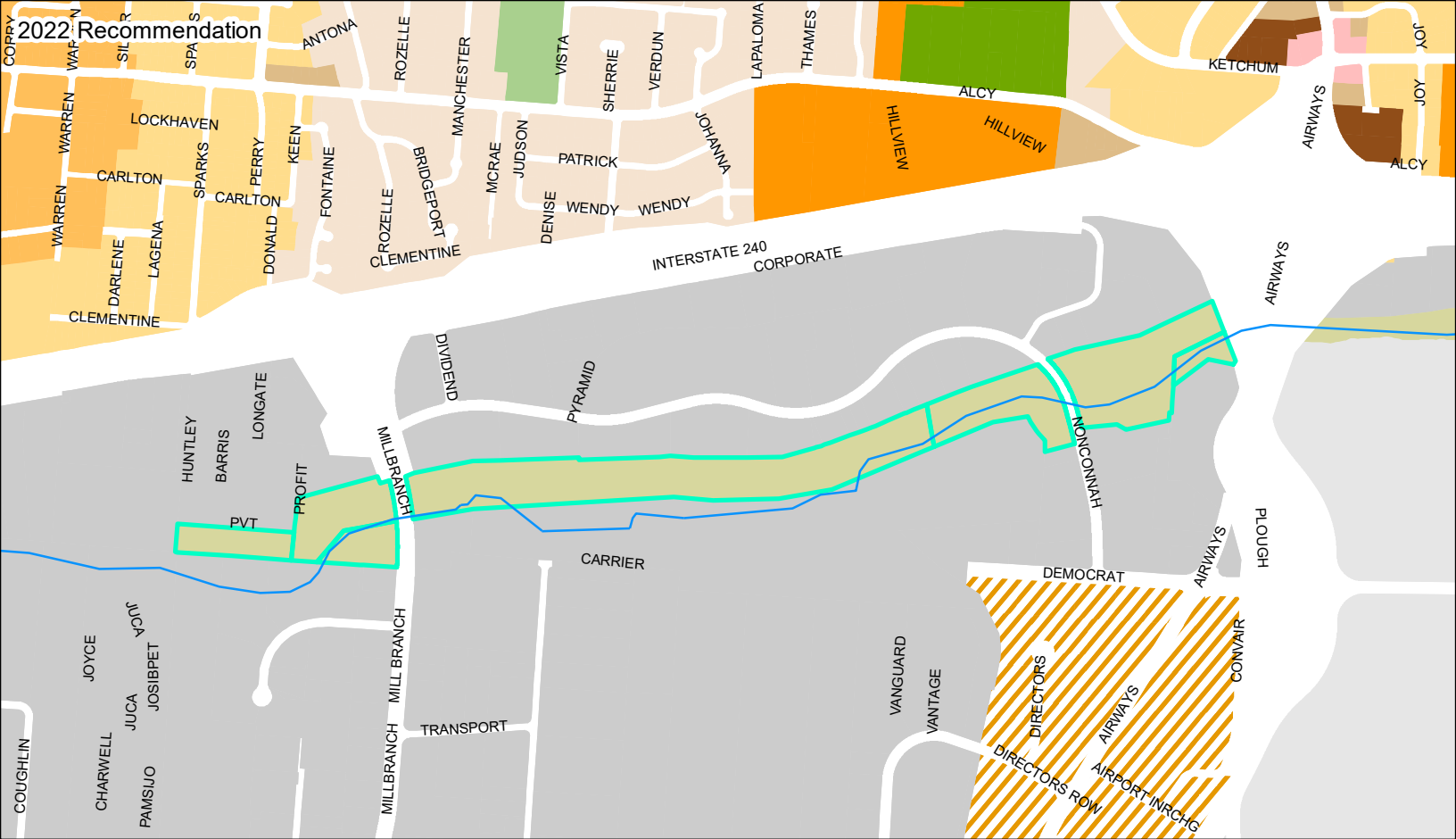


Future Land Use

AN-U	A-U	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

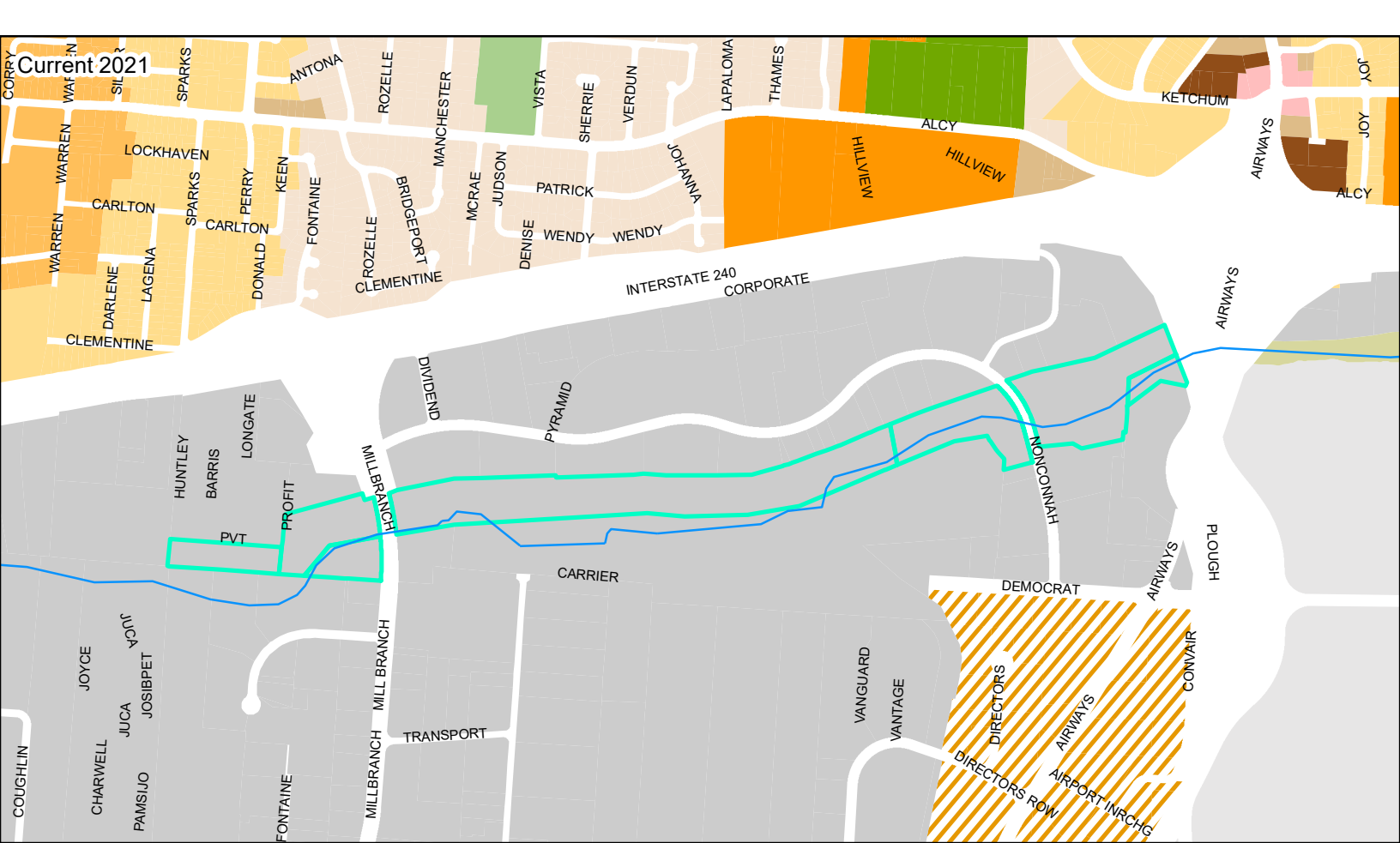
Current 2021



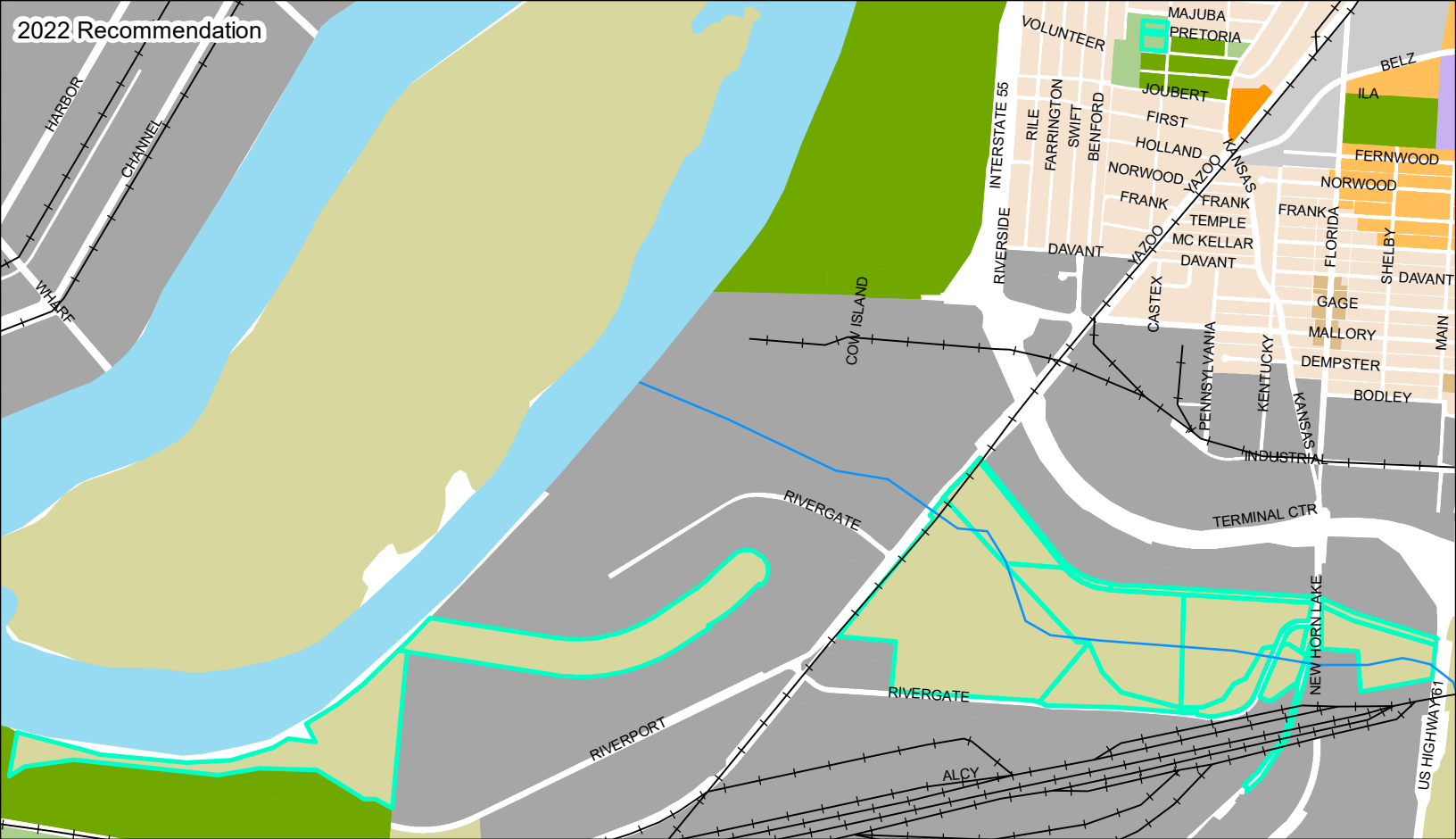


Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated



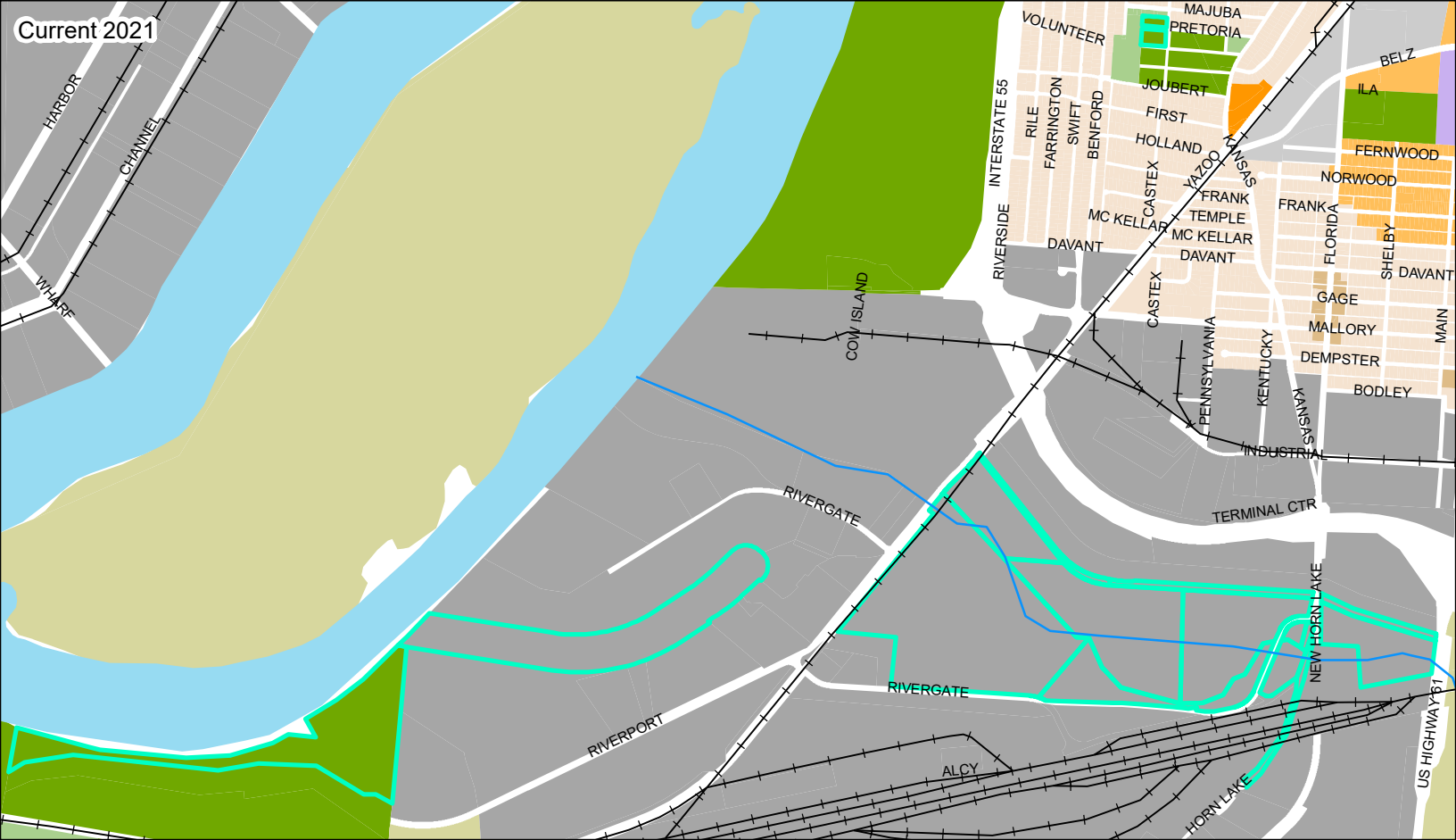
2022 Recommendation

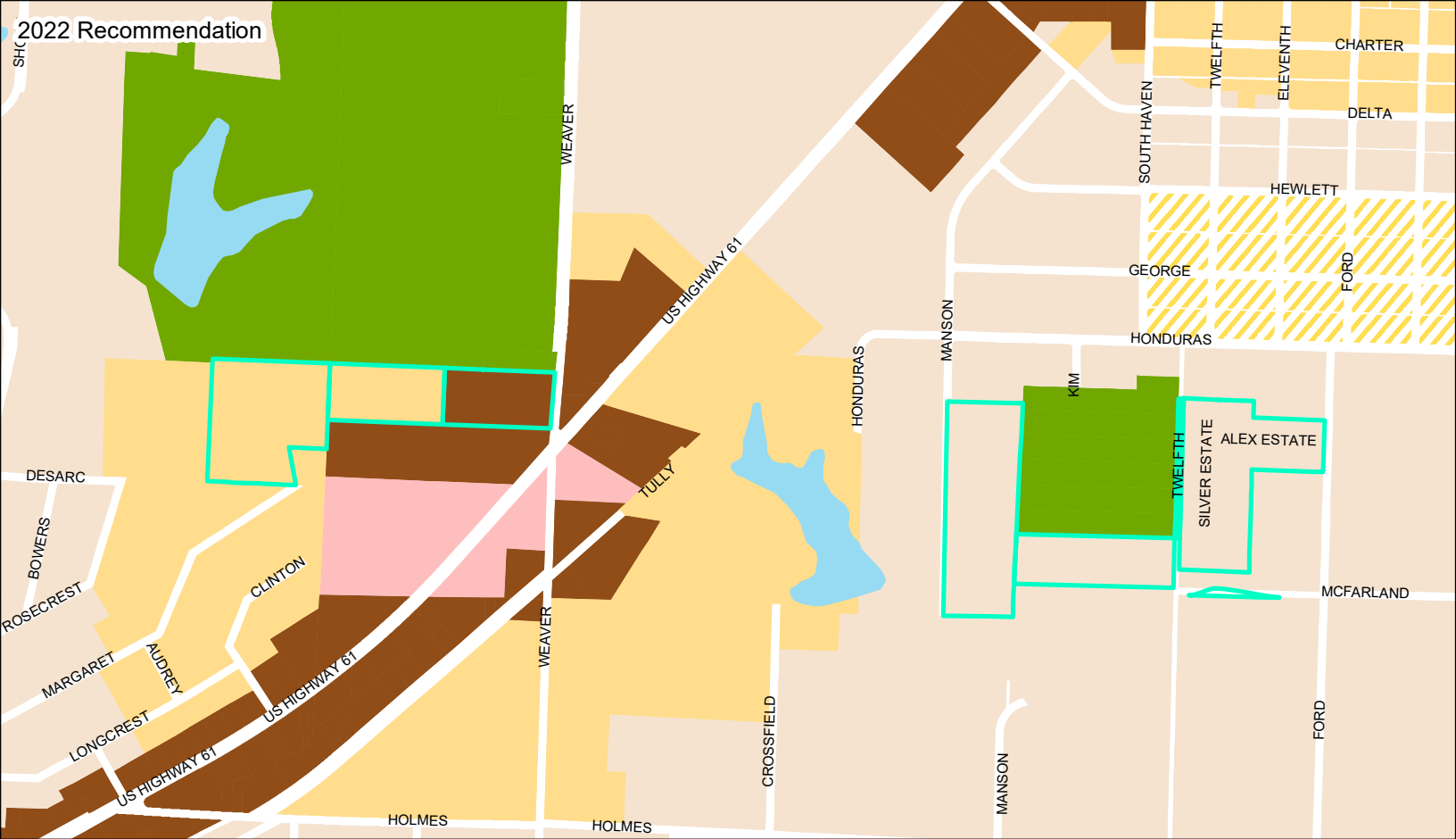


Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	CSH	PR	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

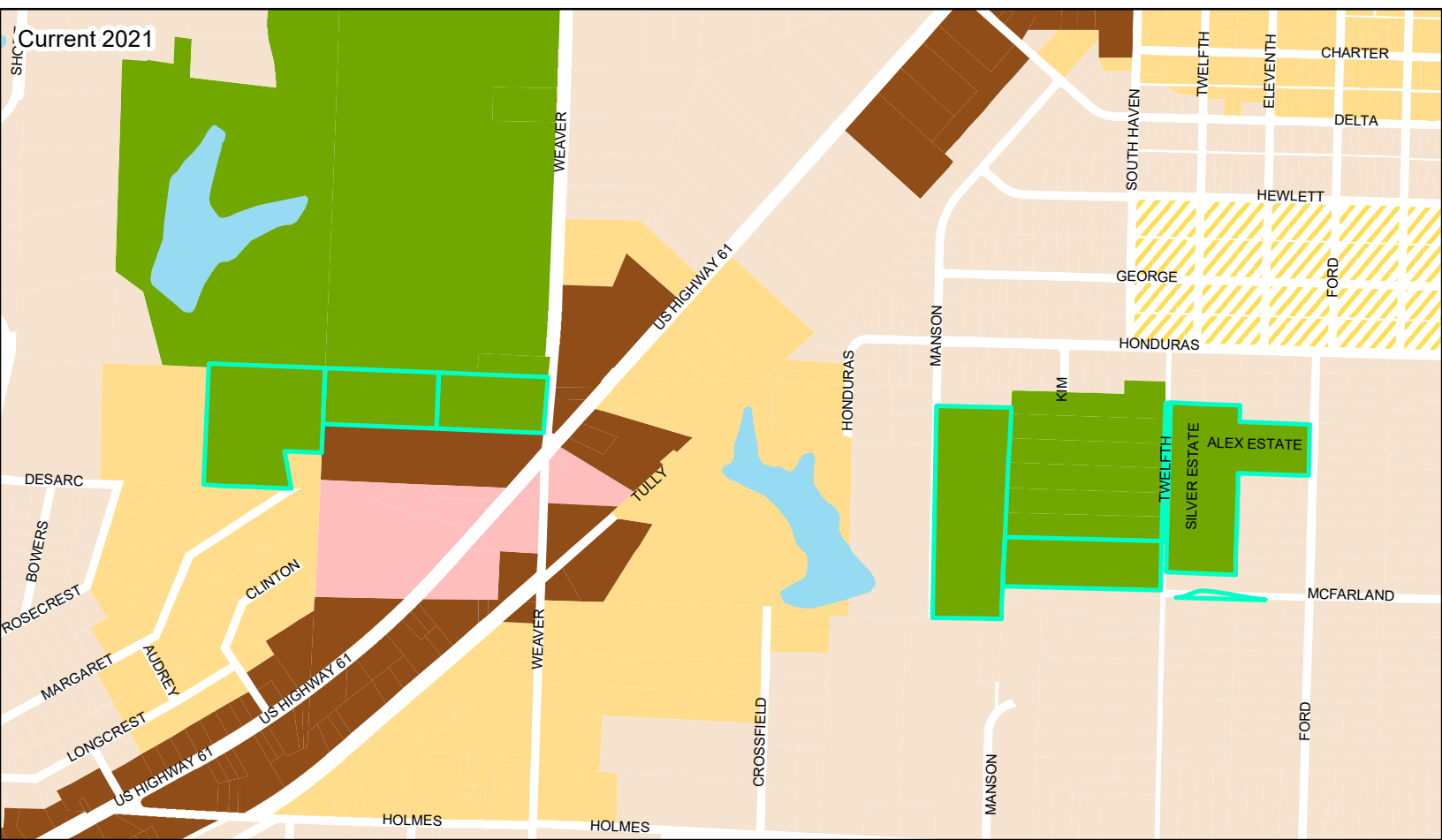
Current 2021



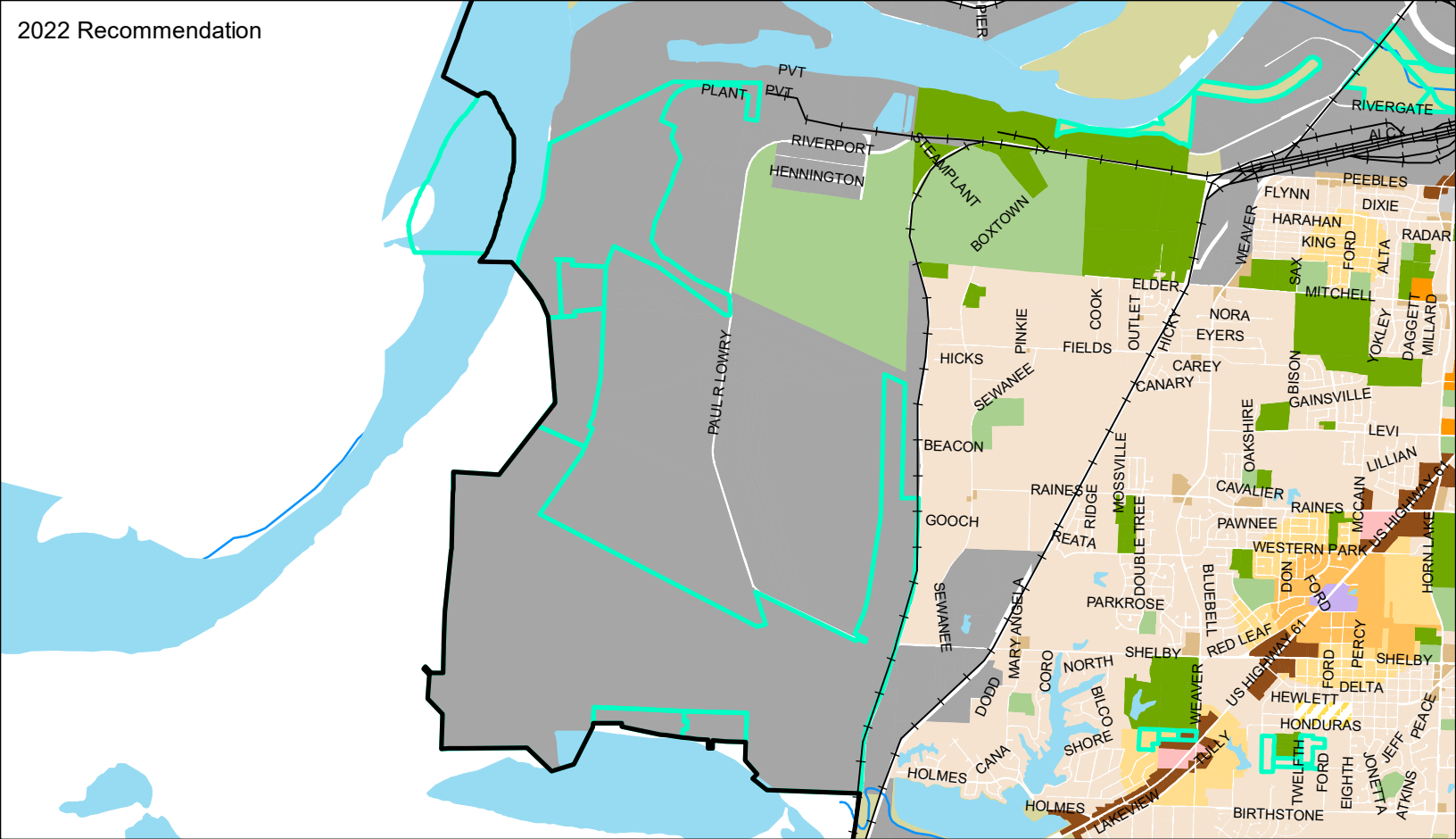


Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	CSH	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
				PR		Updated



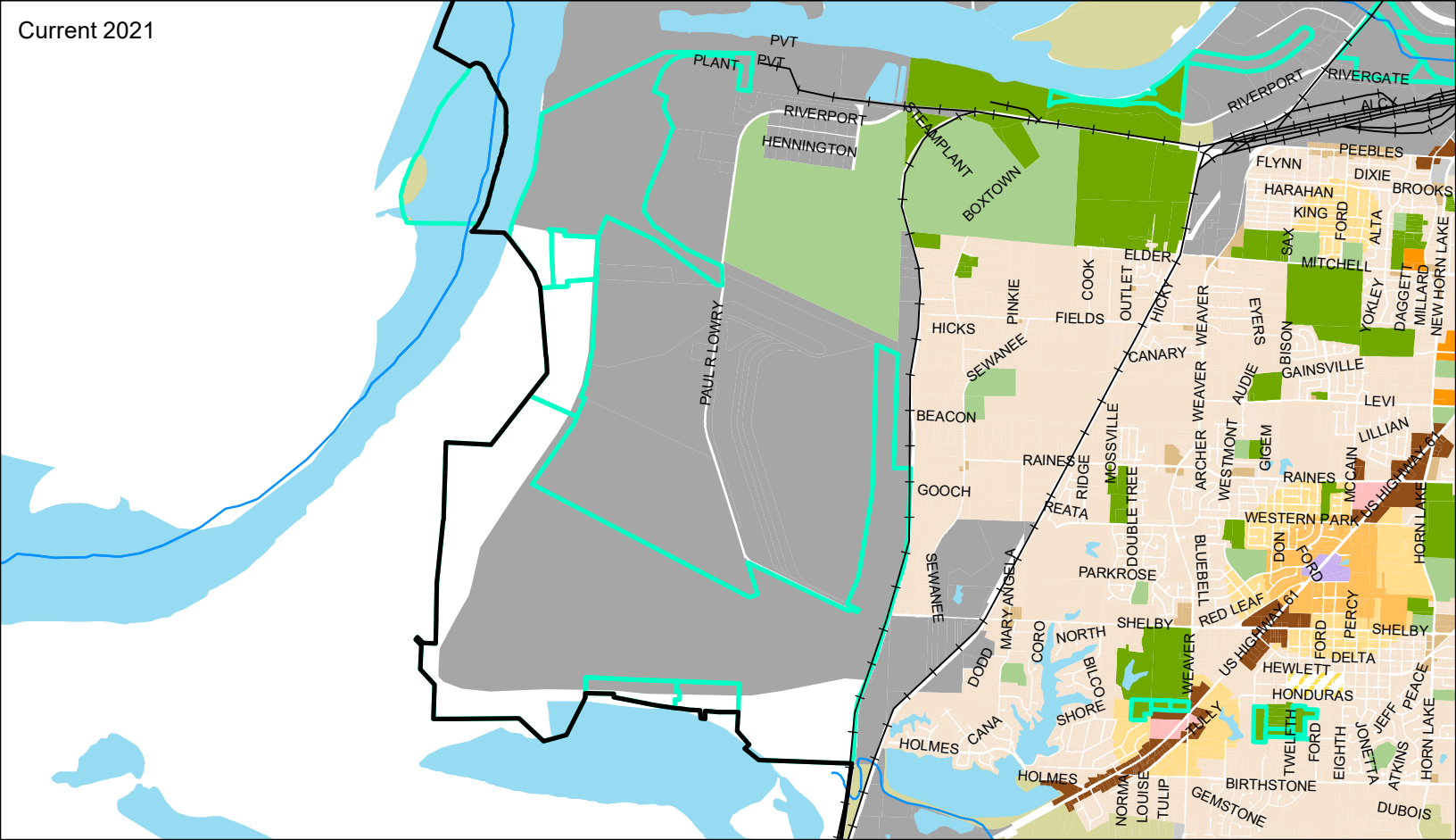
2022 Recommendation



Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021

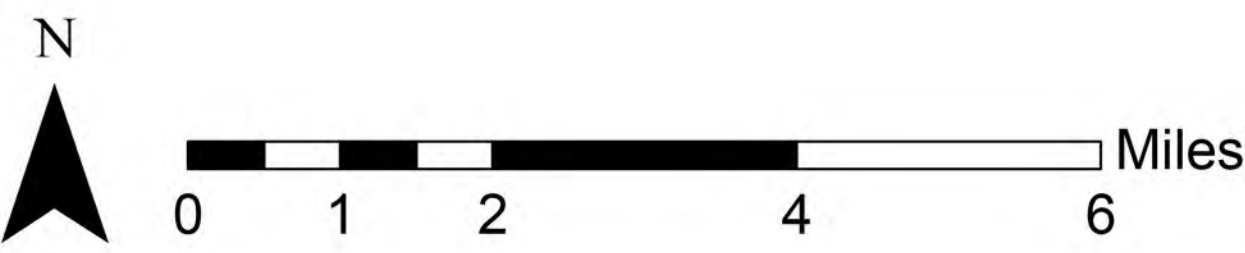
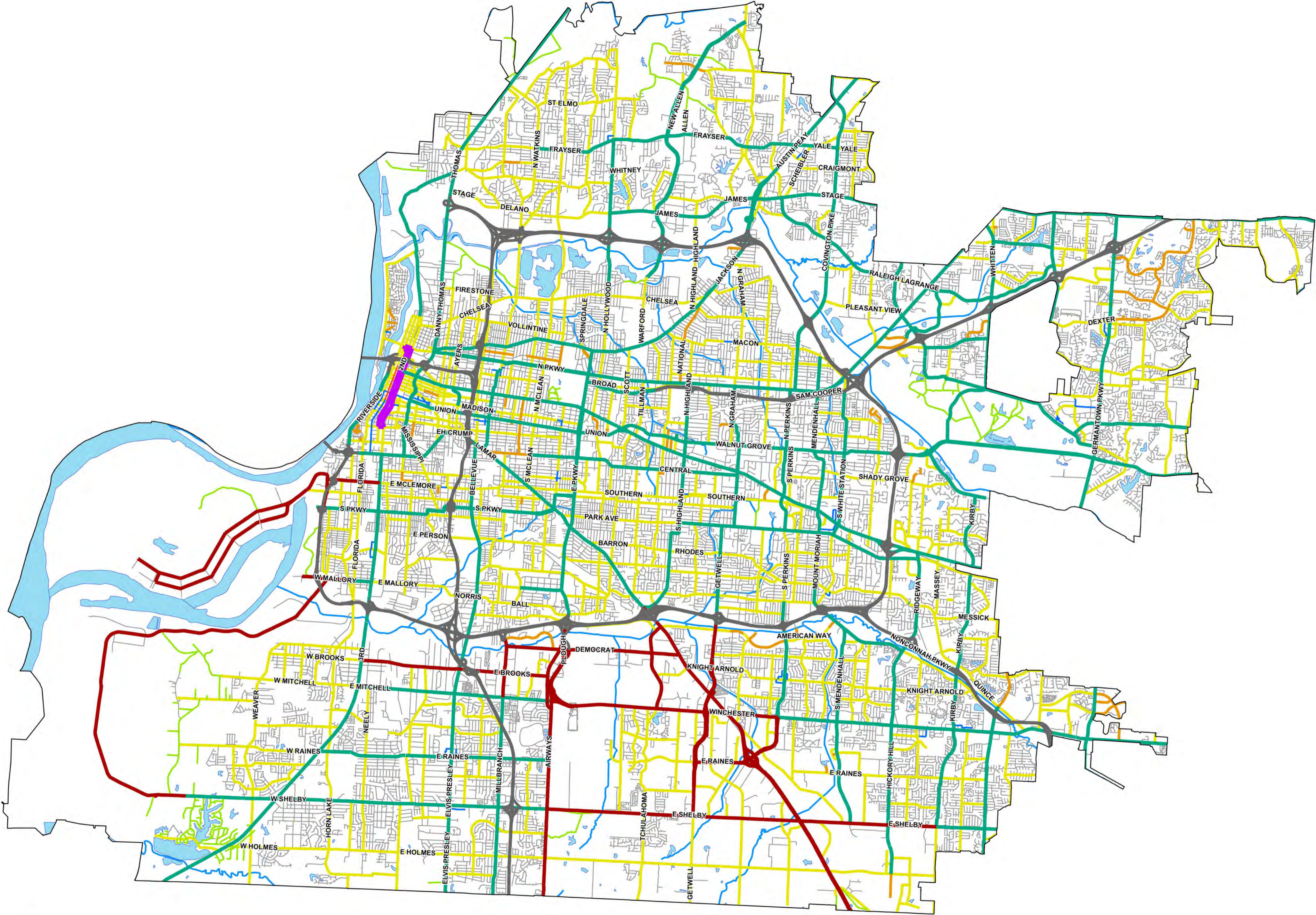


032013 00039	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00040	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00041	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00042	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00043	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00044	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00045	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00046	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00047	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00048	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00049	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
015018 00001Z	Melrose/Southern	AN-S	IF	Parcels zoned industrial
015018 00007	Melrose/Southern	AN-S	IF	Parcels zoned industrial
015023 00003	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015023 00004	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015023 00005	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015023 00006	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015023 00007	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015023 00009	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015024 00001	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015024 00002	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015024 00003	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015024 00006	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015024 00007	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015024 00008	Melrose/Felix	AN-S	IF	Parcels zoned industrial
015024 00009	Melrose/Felix	AN-S	IF	Parcels zoned industrial
021103 00018	Jackson/Watkins	AN-S	A-NMS	long, partially undevelopable parcel that backs up to anchor
033001 00001C	Summer/East Pkwy	CSL	AN-M	Vacant lot zoned residential
036079 00025	University/Tutwiler	NS	PQP	Rhodes College property
D0153 00006	MS River	OSN	REMOVE	Parcels in the MS river
D0153 00008	MS River	OSN	REMOVE	Parcels in the MS river
D0153 00009	MS River	OSN	REMOVE	Parcels in the MS river
D0153 00011	MS River	OSN	REMOVE	Parcels in the MS river
D0153 00013	MS River	OSN	REMOVE	Parcels in the MS river
D0153 00016	MS River	OSN	REMOVE	Parcels in the MS river
D0153 00017	MS River	OSN	REMOVE	Parcels in the MS river
D0153 00018	MS River	OSN	REMOVE	Parcels in the MS river
D0153 00019	MS River	OSN	REMOVE	Parcels in the MS river
D0154 00032	MS River	OSN	REMOVE	Parcels in the MS river
D0162 00002	MS River	OSN	REMOVE	Parcels in the MS river
069068 00001	Benjestown/Benham	NS	OSN	Parcel in the floodplain
069068 00024	Benjestown/Benham	NS	OSN	Parcel in the floodplain
072022 E00003	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00004	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00005	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00006	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00007	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00008	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00009	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00010	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00011	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00012	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00015	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00016	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00017	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00018	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00019	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00020	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00021	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00022	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00023	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00024	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00027	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00028	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00029	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00030	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00031	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00032	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00033	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072022 E00034	Watkins/Overton Manor	NS	AN-S	Condo parcel located within anchor neighborhood
072045 00113C	Hollywood/James	OSN	CSH	Existing commercial
072047 00167C	James/Mountain Terrace	PR	NS	Existing single-family housing
072047 00169	James/Mountain Terrace	PR	NS	Existing single-family housing
072047 00170C	James/Mountain Terrace	PR	NS	Existing single-family housing (fmr 072047 00310 & 072047 00311)

072047 00283	James/Mountain Terrace	PR	NS	Existing single-family housing
072047 00284	James/Mountain Terrace	PR	NS	Existing single-family housing
072055 00040	Whitney/University	AN-S	PQP	New Hope Academy property, used for urban farm
072055 00116	Whitney/University	AN-S	CSL	Healthcare services
072055 00117	Whitney/University	PR	NM	Apartments owned by the health services next door
072055 00118	Whitney/University	PR	CSL	Healthcare services
083023 00004	Austin Peay/Old Austin Peay	AN-S	OSN	Parcel in the floodway/floodplain
083023 00005	Austin Peay/Old Austin Peay	AN-S	OSN	State owned property for interstate
083023 00006	Austin Peay/Old Austin Peay	AN-S	OSN	State owned property for interstate
088070 00013	Crestview/Bartlett	IF	OSN	Parcel in the floodway/floodplain
092011 00005	Appling Farms Parkway	OSN	CSL	PD 04-385
092011 00006	Appling Farms Parkway	OSN	CSL	PD 04-385
092011 00007	Appling Farms Parkway	OSN	CSL	PD 04-385
092011 00013	Appling Farms Parkway	NS	CSL	PD 14-303/PD 04-384
092011 00014	Appling Farms Parkway	NS	CSL	PD 14-303/PD 04-385
095300 00351	Appling Farms Parkway	OSN	CSL	PD 04-386
095400 00620	Appling Farms Parkway	OSN	CSL	PD 99-374
096200 00172	US 64/Cobb	OSN	NS	Approved PD 18-41
096200 00173	US 64/Cobb	OSN	CSL	Approved PD 18-42
096200 00142	US 64/Cobb	OSN	CSL	Approved PD 99-305cc
096600 00108	Berryhill/Chimneyrock	OSN	NS	OSN doesn't make sense here
096600 00205	Berryhill/Forest Hill Irene	OSN	NS	Existing residential
096600 00206	Berryhill/Forest Hill Irene	OSN	NS	Existing residential
096600 00207	Berryhill/Forest Hill Irene	OSN	NS	Existing residential
096600 00506	Berryhill/Chimneyrock	OSN	NS	Existing single-family housing
096600 00507	Berryhill/Chimneyrock	OSN	NS	PD 21-43
096500 00726	Dexter Ln/Riverwood Farms	OSN	NS	Zoned residential
096500 00727	Dexter Ln/Riverwood Farms	OSN	NS	Zoned residential
096502 00480	Dexter Ln/Riverwood Farms	OSN	NS	Existing residential
096507 00670	Dexter/Dexter	OSN	CSL	Existing commercial, PD 05-352cc (combined from 096507 00670,00671,00672)
096600 00165	Dexter Ln/Riverwood Farms	OSN	NS	Zoned residential
091021 00009C	Sanga/Trinity	OSN	NS	Existing residential
091021 00011	Sanga/Trinity	OSN	NS	Existing residential
091021 00012	Sanga/Trinity	OSN	NS	Existing residential
091021 00013C	Sanga/Trinity	OSN	NS	Existing residential
091021 00019	Sanga/Trinity	OSN	NS	Existing residential
091053 00040	Sanga/Trinity	OSN	PQP	MSCS property
091053 00049	Sanga/Trinity	OSN	CSL	Existing commercial
091054 00001	Sanga/Trinity	OSN	NS	Existing residential
091054 00003	Sanga/Trinity	OSN	NS	Existing residential
091054 00004	Sanga/Trinity	OSN	NS	Existing residential
091054 00005	Sanga/Trinity	OSN	NS	Existing residential
091054 00007	Sanga/Trinity	OSN	NS	Existing residential
091054 00008	Sanga/Trinity	OSN	NS	Existing residential
091054 00009	Sanga/Trinity	OSN	NS	Existing residential
091054 00010	Sanga/Trinity	OSN	NS	Existing residential
091054 00011	Sanga/Trinity	OSN	NS	Existing residential
091054 00012	Sanga/Trinity	OSN	NS	Existing residential
091054 00013	Sanga/Trinity	OSN	PQP	Existing cemetary
091054 00014	Sanga/Trinity	OSN	PQP	Existing cemetary
091054 00015	Sanga/Trinity	OSN	NS	Existing residential
091054 00016	Sanga/Trinity	OSN	NS	Existing residential
091065 00011	Sanga/Walnut Grove	OSN	NS	Existing residential
091083 00003	Sanga/Walnut Grove	OSN	NS	Zoned residential
091084 00001	Sanga/Walnut Grove	OSN	NS	Existing residential
091084 00002	Sanga/Walnut Grove	OSN	NS	Existing residential
091084 00003	Sanga/Walnut Grove	OSN	NS	Existing residential
091084 00004	Sanga/Walnut Grove	OSN	NS	Existing residential
091084 00005	Sanga/Walnut Grove	OSN	NS	Existing residential
091084 00006	Sanga/Walnut Grove	OSN	NS	Existing residential
091084 00007	Sanga/Walnut Grove	OSN	NS	Existing residential
091084 00008	Sanga/Walnut Grove	OSN	NS	Existing residential
091084 00010	Sanga/Walnut Grove	OSN	CSL	Existing commercial, Approved SUP
081080 00083	Tournament/Hacks Cross	NS	NM	PD 12-304 (part of an apartment development)
081080 00088	Tournament/Hacks Cross	NS	CSL	PD 06-354
081080 00089	Tournament/Hacks Cross	NS	CSL	PD 06-354
081092 00006	Tournament/Players Club	OSN	CSL	Approved PD 94-326cc
081092 00020	Tournament/Players Club	OSN	REMOVE	this is a street, no land use
081092 00377	Tournament/Players Club	OSN	CSL	Approved PD 94-326cc
081093 00005	Winchester/Tournament	OSN	CSL	Existing commercial building
081093 00006	Winchester/Tournament	CSL	NM	Approved PD 94-356cc
081093 00007	Winchester/Tournament	CSL	NM	Approved PD 94-356cc
081093 00008	Winchester/Tournament	CSL	REMOVE	this is a street, no land use
081093 00204	Winchester/Tournament	CSL	NM	Approved PD 94-356cc

093400 00599	Hickory Hill/Winchester	OSN	PQP	MLGW property
093500 00313	Riverdale/Winchester	OSN	PR	Baseball fields owned by the neighboring church
093500 00526	Riverdale/Winchester	OSN	CSL	PD 97-338cc
081027 C00003	Kirby Pkwy/Messick	OSN	NS	Existing residential
081027 C00004	Kirby Pkwy/Messick	OSN	NS	Existing residential
081051 00324	Ridgeway/385	OSN	CSH	Existing commercial
081051 00327	Ridgeway/385	OSN	CSH	Existing commercial
081056 00003	McVay/Allelone Cir	OSN	NS	Zoned residential
081004 A00051	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00052	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00053	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00054	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00055	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00056	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00057	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00058	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00063	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00064	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00065	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00066	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00067	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00068	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00069	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00070	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00071	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00072	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00073	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00074	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00075	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00076	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00077	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00078	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00079	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00080	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00081	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
081004 A00082	Park/Lynnfield	AN-M	AN-U	Condo parcel located within anchor neighborhood
055035 00016	Walnut Grove/Perkins	NS	PQP	Church/School property
055035 00017	Walnut Grove/Perkins	NS	PQP	Church/School property
055059 00021C	Walnut Grove/Perkins	NS	PQP	Church/School property
057030 00001	Walnut Grove/Perkins	NS	PQP	Church/School property
094200 00167	Mineral Wells Rd	OSN	IF	Approved rezoning, surrounded by industrial uses
073111 00032	Getwell/Holmes	OSN	NS	Existing single-family housing
073111 00033	Getwell/Holmes	OSN	NS	Existing single-family housing
073111 00034	Getwell/Holmes	OSN	NS	Existing single-family housing
094100 00082	Getwell/Holmes	OSN	IF	Existing industrial uses
094100 00308	Getwell/Holmes	OSN	IF	Existing industrial uses
094100 00314	Getwell/Holmes	OSN	IF	Existing industrial uses
094100 00315	Getwell/Holmes	OSN	IF	Existing industrial uses
073088 00126	Christine/Prescott	IF	NS	Zoned residential
073088 00127	Christine/Prescott	IF	NS	Zoned residential
073089 00058C	Christine/Prescott	NS	IF	Surrounded by industrial, residential doesn't make sense
073089 00060	Christine/Prescott	NS	IF	Surrounded by industrial, residential doesn't make sense
073089 00061	Christine/Prescott	NS	IF	Surrounded by industrial, residential doesn't make sense
073089 00062	Christine/Prescott	NS	IF	Surrounded by industrial, residential doesn't make sense
073089 00063	Christine/Prescott	NS	IF	Zoned industrial
073089 00156	Christine/Prescott	NS	IF	Zoned industrial
073092 00068	Arnold/Getwell	NM	IF	parcel surrounded by industrial uses
073092 00069	Arnold/Getwell	IF	OSN	County owned, create an open space buffer between industrial and residential
060222 00152	South of I-240	I	OSN	Parcel in the floodway/floodplain
060222 00159	South of I-240	I	OSN	Parcel in the floodway/floodplain
060222 00160	South of I-240	I	OSN	Parcel in the floodway/floodplain
060222 00165	South of I-240	I	OSN	Parcel in the floodway/floodplain
060222 00170	South of I-240	I	OSN	Parcel in the floodway/floodplain
060222 F00002	South of I-240	I	OSN	Parcel in the floodway/floodplain
060222 F00027	South of I-240	I	OSN	Parcel in the floodway/floodplain
035037 00025	Castex/Majuba	PR	PQP	School
035037 00026	Castex/Majuba	PR	PQP	School
050097 00002	MS River	OSN	REMOVE	Parcel in the MS River
050118 00031	Riverport/Rivergate	PR	OSN	Parcel in the floodplain/floodway
050118 00057	Riverport/Rivergate	I	OSN	Entire parcel in the floodway
075001 00001	South of I-240	I	OSN	Parcel in the floodway/floodplain
075001 00001Z	South of I-240	I	OSN	Parcel in the floodway/floodplain
075001 00003	South of I-240	I	OSN	Parcel in the floodway/floodplain
075001 00004Z	South of I-240	I	OSN	Parcel in the floodway/floodplain

075001 00005	South of I-240	I	OSN	Parcel in the floodway/floodplain
075001 00084	South of I-240	I	OSN	Parcel in the floodway/floodplain
075001 00085	South of I-240	I	OSN	Parcel in the floodway/floodplain
075001 00095	South of I-240	I	OSN	Parcel in the floodway/floodplain
075001 00103	South of I-240	I	OSN	Parcel in the floodway/floodplain
075001 00109	South of I-240	I	OSN	Parcel in the floodway/floodplain
075002 00001	South of I-240	I	OSN	Parcel in the floodway/floodplain
075002 00001Z	South of I-240	I	OSN	Parcel in the floodway/floodplain
075002 00095Z	Old Horn Lake Road	I	REMOVE	City owned street
075171 00061Z	Otis Redding Park	PR	REMOVE	City owned right of way
075171 00067C	Otis Redding Park	PR	NS	Not park property
075171 00128	Otis Redding Park	PR	NS	Not park property
075242 00006C	Otis Redding Park	PR	NS	Not park property
075242 00044Z	Otis Redding Park	PR	REMOVE	City owned right of way
075243 00001Z	McFarland Rd	NS	REMOVE	City owned right of way
082044 00007	Dalstrom Park	PR	CSH	Not park property, CMU-3 zoning
082044 00008	Dalstrom Park	PR	AN-S	Not park property, residential zoning
082044 00052	Dalstrom Park	PR	AN-S	Not park property, residential zoning
050098 00001	Riverbottoms	I	I	No FLU change, but parcel boundaries updated
050099 00002	Riverbottoms	I	I	No FLU change, but parcel boundaries updated
050100 00015	Riverbottoms	I	I	No FLU change, but parcel boundaries updated
050100 00022	Riverbottoms	N/A	I	Parcel in the city boundary being added back
050100 00023	Riverbottoms	N/A	I	Parcel in the city boundary being added back
050101 00074C	Riverbottoms	N/A	I	No FLU change, but parcel boundaries updated





Memphis City Council Summary Sheet

Z 23-1

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING CHANGE FROM RESIDENTIAL SINGLE-FAMILY – 10 TO COMMERCIAL MIXED USE – 1 AT 2245 FRAYSER BLVD., KNOWN AS CASE NUMBER Z 23-1

- Approval of this zoning change would be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, February 9, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 23-1

LOCATION: 2245 Frayser Blvd.

COUNCIL DISTRICTS: District 7 and Super District 8

OWNER/APPLICANT: Legacy of Legends Community Development Corporation

REPRESENTATIVE: David Bray of the Bray Firm

REQUEST: Zoning change from Residential Single-Family–10 to Commercial Mixed Use–1

The following spoke in support of the application: No one

The following spoke in opposition of the application: No one

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

The motion **passed** by a unanimous vote on the consent agenda.

PLOT PLAN

**PLOT PLAN
LOT 2
COLLIER GLEN SUBDIVISION
AS RECORDED AT THE
SHELBY COUNTY REGISTER'S OFFICE
P.B. 27, PG. 33
MEMPHIS, SHELBY COUNTY, TN**

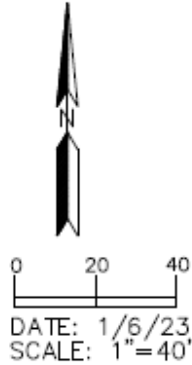
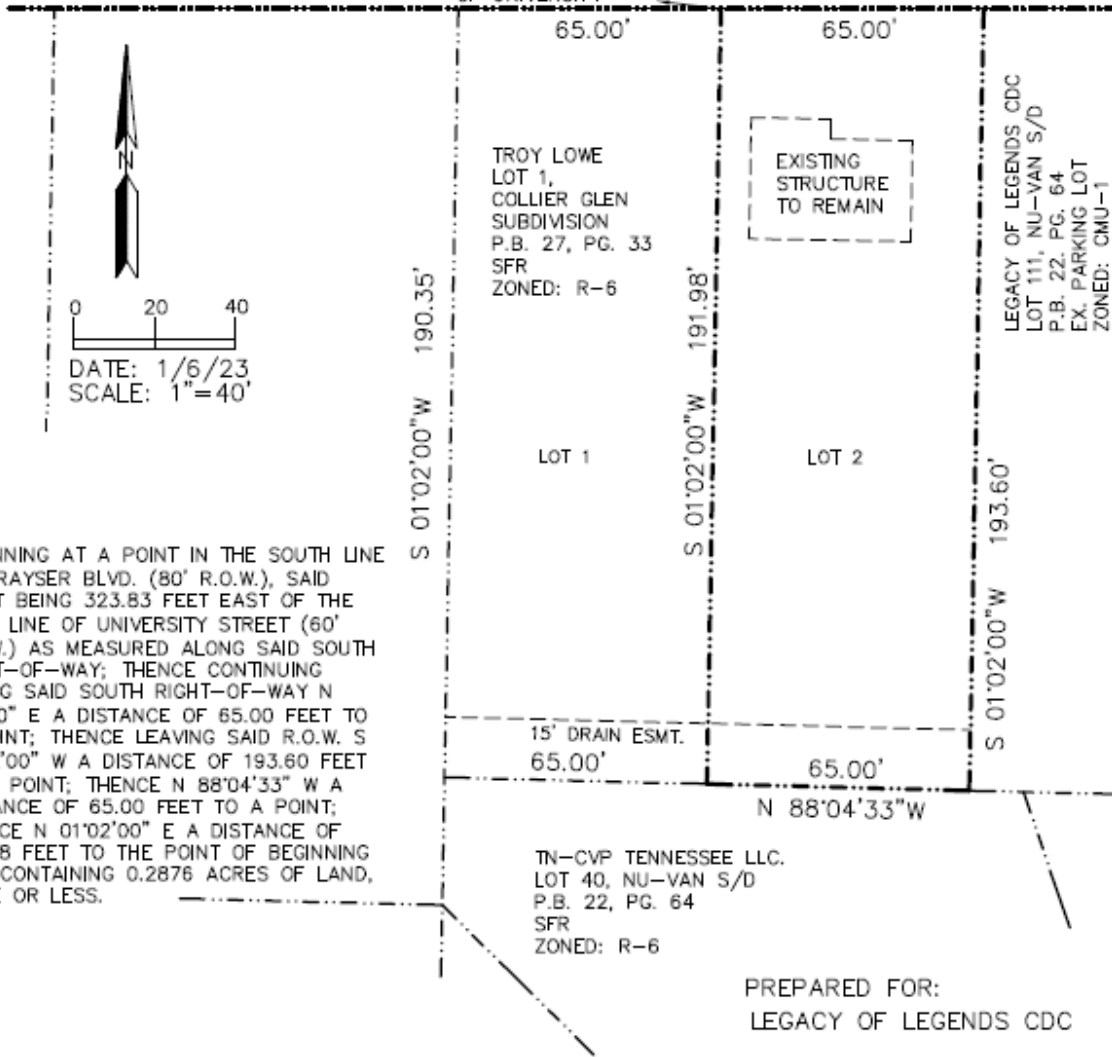
CNL NET LEASE FUNDING
LOT 94, WESTWOOD
MANOR, 2ND ADD.
P.B. 24, PG. 27
FAST FOOD
ZONED: CMU-1

EDWARD DOUGLAS
& ARTIS TAYLOR
LOT 95, PT. 94
WESTWOOD MANOR
2ND ADDITION
P.B. 25, PG. 75
VACANT
ZONED: CMU-1

FRAYSER BLVD. (80' R.O.W.)

N 90°00'00"E

323.83' TO EAST LINE
OF UNIVERSITY



BEGINNING AT A POINT IN THE SOUTH LINE OF FRAYSER BLVD. (80' R.O.W.), SAID POINT BEING 323.83 FEET EAST OF THE EAST LINE OF UNIVERSITY STREET (60' R.O.W.) AS MEASURED ALONG SAID SOUTH RIGHT-OF-WAY; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY N 90°0'0" E A DISTANCE OF 65.00 FEET TO A POINT; THENCE LEAVING SAID R.O.W. S 01°02'00" W A DISTANCE OF 193.60 FEET TO A POINT; THENCE N 88°04'33" W A DISTANCE OF 65.00 FEET TO A POINT; THENCE N 01°02'00" E A DISTANCE OF 191.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.2876 ACRES OF LAND, MORE OR LESS.

THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0260 F DATED SEPTEMBER 28, 2007.

PREPARED BY:
THE BRAY FIRM
2950 STAGE PLAZA N.
BARTLETT, TN 38134
(901) 383-8668

ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING CHANGE FROM RESIDENTIAL SINGLE-FAMILY – 10 TO COMMERCIAL MIXED USE – 1 AT 2245 FRAYSER BLVD., KNOWN AS CASE NUMBER Z 23-1

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 23-1**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL SINGLE-FAMILY – 10 USE DISTRICT AND INCLUDING IT IN THE COMMERCIAL MIXED USE – 1 USE DISTRICT.

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

BEGINNING AT A POINT IN THE SOUTH LINE OF FRAYSER BLVD. (80' R.O.W.), SAID POINT BEING 323.83 FEET EAST OF THE EAST LINE OF UNIVERSITY STREET (60' R.O.W.) AS MEASURED ALONG SAID SOUTH RIGHT-OF-WAY; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY N 90°0'0" E A DISTANCE OF 65.00 FEET TO A POINT; THENCE LEAVING SAID R.O.W. S 01°02'00" W A DISTANCE OF 193.60 FEET TO A POINT; THENCE N 88°04'33" W A DISTANCE OF 65.00 FEET TO A POINT; THENCE N 01°02'00" E A DISTANCE OF 191.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.2876 ACRES OF LAND, MORE OR LESS.

SECTION 2:

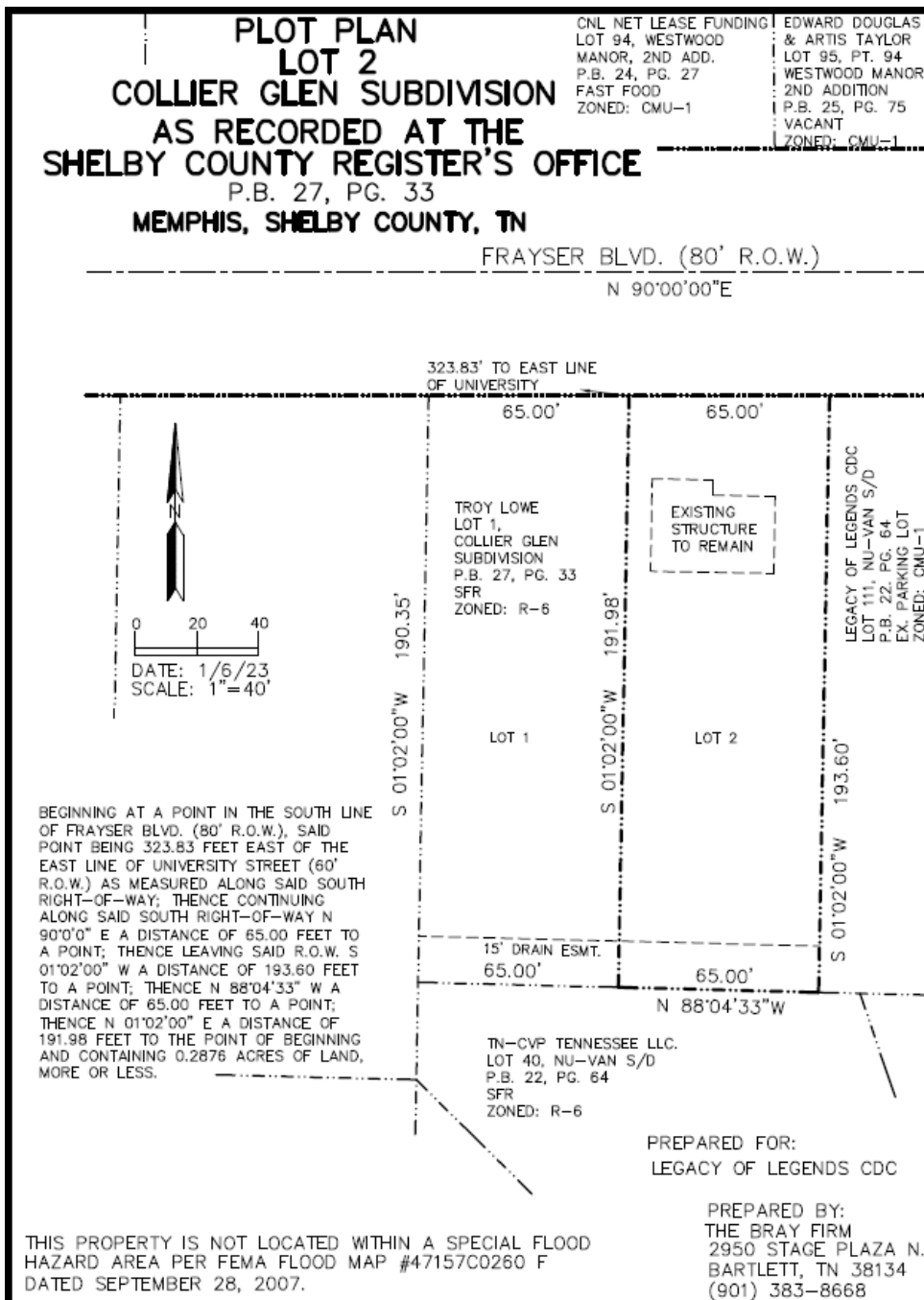
THAT, the Zoning Administrator of the Division of Planning and Development be and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the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

SECTION 3:

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

ATTEST:

CC: Division of Planning and Development
- Land Use and Development Services
Shelby County Assessor



AGENDA ITEM: 15

CASE NUMBER: Z 23-1 **L.U.C.B. MEETING:** February 9, 2023

LOCATION: 2245 Frayser Blvd.

COUNCIL DISTRICT: District 7 and Super District 8

OWNER/APPLICANT: Legacy of Legends Community Development Corporation

REPRESENTATIVE: David Bray of the Bray Firm

REQUEST: Zoning change from Residential Single-Family – 10 to Commercial Mixed Use – 1

CONCLUSIONS

1. Legacy of Legends Community Development Corporation has requested the zoning change of Lot 2 of Collier Glen Subdivision from Residential Single-Family – 10 to Commercial Mixed Use – 1.
2. The applicant intends to utilize the existing structure as an office. Note, however, that this request is not tied to any specific use or structure.
3. This request is consistent with the Memphis 3.0 Comprehensive Plan and would not have a detrimental impact on its vicinity.

CONSISTENCY WITH MEMPHIS 3.0

This request is *consistent* with Memphis 3.0 according to Comprehensive Planning staff.

RECOMMENDATION

Approval

GENERAL INFORMATION

Street Frontage:	Frayser Blvd.	(Minor Arterial)	65'
Zoning Atlas Page:	1735		
Parcel ID:	072058 00046		
Area:	0.29 acres		
Existing Zoning:	Residential Single-Family – 10		
Requested Zoning:	Commercial Mixed Use – 1		

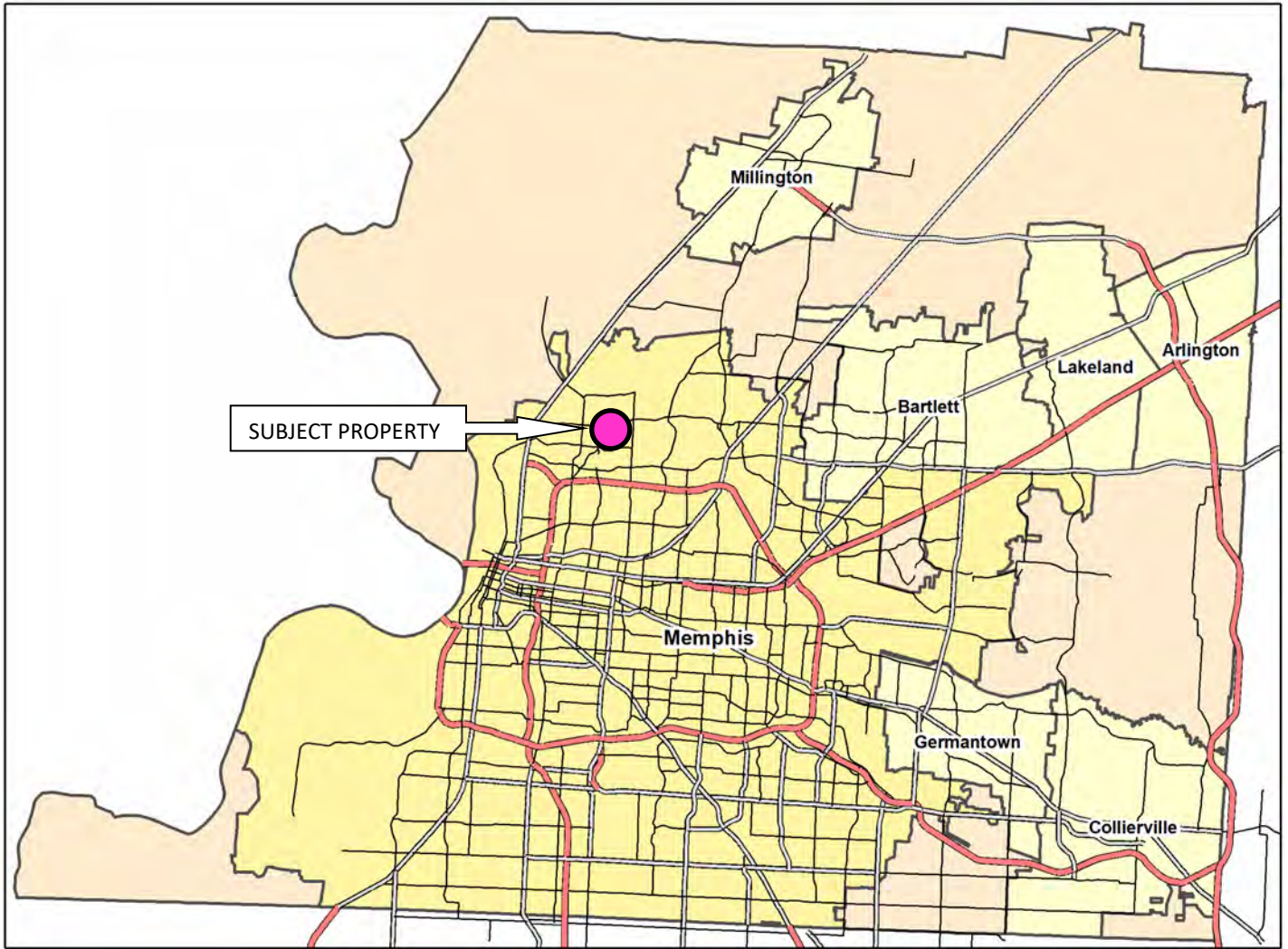
NEIGHBORHOOD MEETING

The required neighborhood meeting was held on site at 7 p.m. on Monday, January 30, 2023.

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, notice of public hearing is required to be mailed and posted. 54 notices were mailed on January 30, 2023, and one sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within Frayser

COLLIER GLEN SUBDIVISION (1963)

I, L. K. COLLIER, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN HERON, HEREBY ADOPT THIS AS MY PLAN OF SUBDIVISION AND DEDICATE THE STREET AS SHOWN TO THE PUBLIC USE FOREVER, AND HEREBY CERTIFY THAT I AM THE OWNER IN FEE SIMPLE OF THE PROPERTY AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY MORTGAGES OR TAXES THAT HAVE BECOME DUE AND PAYABLE.

L. K. Collier, OWNER
L. K. COLLIER

STATE OF TENNESSEE,
COUNTY OF SHERIFF:

ON THIS 7 DAY OF FEBRUARY, 1963, BEFORE ME PERSONALLY APPEARED L. K. COLLIER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN, AND WHO EXECUTED, THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL, THIS THE DAY AND YEAR ABOVE WRITTEN.

Jack Schweitzer
NOTARY PUBLIC

MY COMMISSION EXPIRES: August 1, 1966

CERTIFICATE OF SURVEY:

THIS IS TO CERTIFY THAT WE HAVE SURVEYED THE PROPERTY SHOWN HERON AND THAT THIS PLAT CORRECTLY REPRESENTS THE SURVEY THEREOF.

PIGOTT AND PORTER, ENGINEERS
BY: W. S. Pigott
W. S. PIGOTT, CIVIL ENGINEER
TENNESSEE LICENSE NO. 1099

APPROVED BY THE MEMPHIS AND SHERIFF COUNTY PLANNING COMMISSION:

DATE: JANUARY 17, 1963

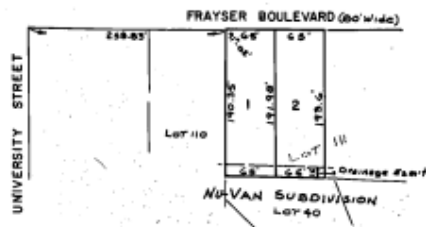
Jessie A. Moore
DIRECTOR

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY AND THAT SAID DOCUMENT WAS APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MEMPHIS IN REGULAR SESSION ON THIS 17 DAY OF JAN, 1963.

Comptroller
COMPTROLLER

2427

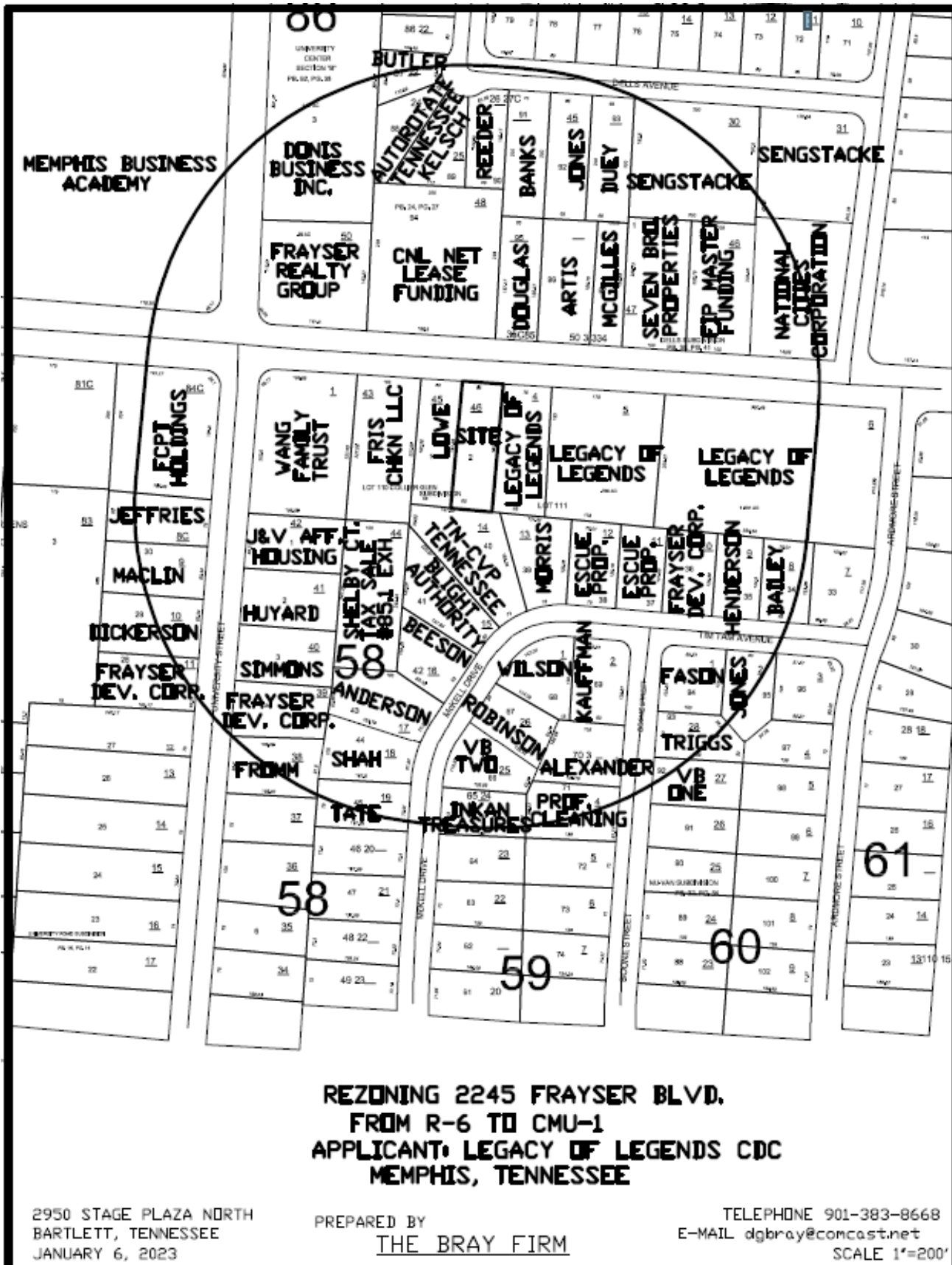
RECORDED
INDEXED
FEB 17 1963
MEMPHIS, TENNESSEE
COUNTY CLERK
OFFICE



COLLIER GLEN SUBDIVISION
MEMPHIS, TENNESSEE
L.K. COLLIER DEVELOPER
PIGOTT & PORTER, ENGINEERS
ZONE R-1 0.6 ACRES FEB. 1963
Scale: 1" = 100'

Subject property is Lot 2.

VICINITY MAP



SATELLITE PHOTO WITH ZONING



Subject lot highlighted in green

Existing Zoning: Residential Single-Family – 10

Surrounding Zoning

North: Commercial Mixed Use – 1











East: Commercial Mixed Use – 1

South: Residential Single-Family – 10

West: Residential Single-Family – 10

LAND USE MAP



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

SITE PHOTOS



View of existing structure from Frayser



Border with residential use to rear



Rear of existing structure



View west down Frayser

STAFF ANALYSIS

Request

The request is the rezoning of Lot 2 of Collier Glen Subdivision from Residential Single-Family – 10 to Commercial Mixed Use – 1.

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

Review Criteria

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

9.5.7B Review Criteria

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

- 9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);*
- 9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;*
- 9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;*
- 9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and*
- 9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.*

Site Description

The subject property contains a 950-sf frame house built in 1964.

Conclusions

Legacy of Legends Community Development Corporation has requested the zoning change of Lot 2 of Collier Glen Subdivision from Residential Single-Family – 10 to Commercial Mixed Use – 1.

The applicant intends to utilize the existing structure as an office. Note, however, that this request is not tied to any specific use or structure.

This request is consistent with the Memphis 3.0 Comprehensive Plan and would not have a detrimental impact on its vicinity.

RECOMMENDATION

Staff recommends **approval**.

DEPARTMENTAL COMMENTS

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

City Engineer:

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

Dept. of Comprehensive Planning:

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: LUCB Case Z 2023-01: Frayser

Site Address/Location: 2245 Frayser Blvd

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

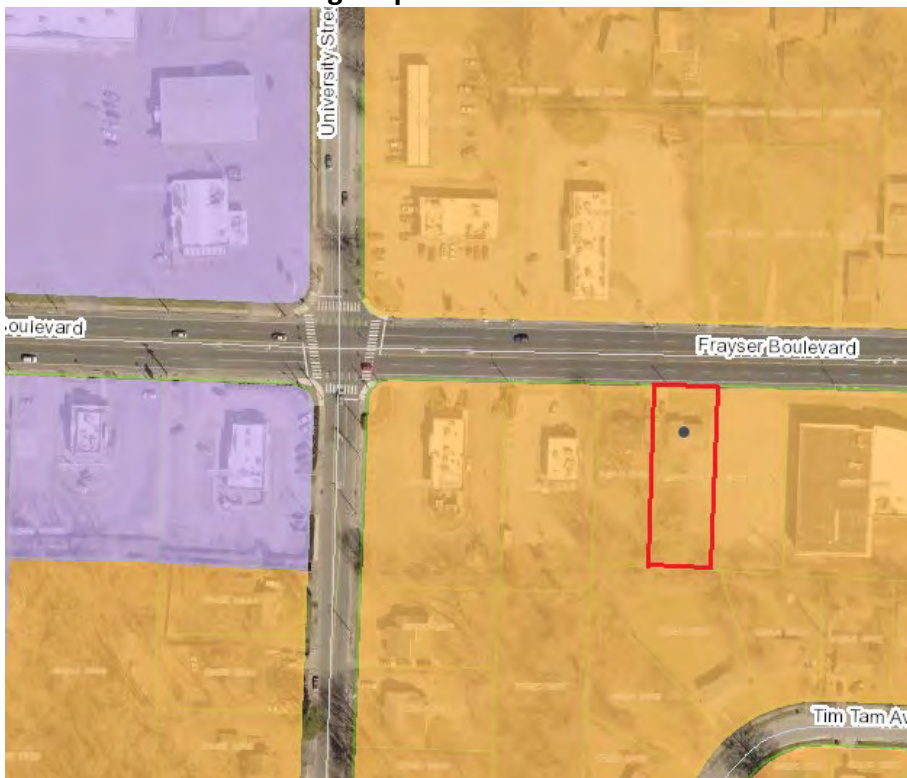
Future Land Use Designation: Anchor Neighborhood-Mix of Building Types (AN-M)

Street Type: Parkway

The applicant is seeking approval to rezone the subject parcel from the R-10 zoning district to the CMU-1 zoning district.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

Anchor Neighborhood-Mix of Building Types (AN-M) are walkable neighborhoods within a 5 – 10-minute walk of a Community Anchor. These neighborhoods are made up of a mix of single-unit and multi-unit housing. Graphic portrayal of AN-M is to the right.



“AN-M” Form & Location Characteristics

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

“AN-M” Zoning Notes

Generally compatible with the following zone districts: RU-2, RU-3, RU-4, R-SD, R-R, MDR, and CMU-1 when located along avenues, boulevards, and parkways as identified in the Street Types Map, in accordance with Form and characteristics listed above.

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Single-Family, R-10

Adjacent Land Use and Zoning: Single-Family, Vacant, Commercial, and Institutional; R-10 and CMU-1

Overall Compatibility: *This requested rezoning is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed CMU-1 zoning district is present on adjacent parcels and is compatible with the future land use zoning notes.*

3. Degree of Change Map



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

4. Degree of Change Description

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

The proposed application is a private investment that will increase the mix of uses in the area.

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

N/A

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

N/A

Consistency Analysis Summary

The applicant is seeking approval to rezone the subject parcel from the R-10 zoning district to the CMU-1 zoning district.

This requested rezoning is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed CMU-1 zoning district is present on adjacent parcels and is compatible with the future land use zoning notes.

The proposed application is a private investment that will increase the mix of uses in the area.

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

Summary Compiled by: Brian Mykulyn, Comprehensive Planning.

APPLICATION FORM



Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Assignment

Opened Date: January 6, 2023

Record Number: Z 2023-001

Expiration Date:

Record Name: 2245 Frayser Blvd. rezoning

Description of Work: Rezoning of 0.2876 acre tract from R-6 to CMU-1

Parent Record Number:

Address:

2245 FRAYSER BLVD, MEMPHIS 38127

Owner Information

Primary Owner Name

Y LEGACY OF LEGENDS CDC

Owner Address

2025 CLIFTON AVE, MEMPHIS, TN 38127

Owner Phone

Parcel Information

072058 00046

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Seth Thomas

Date of Meeting

11/14/2022

GENERAL INFORMATION

Is this application in response to a citation from
Construction Code Enforcement or Zoning

No

GENERAL INFORMATION

Letter?

Have you held a neighborhood meeting? No

If yes, please provide additional information -

GIS INFORMATION

Central Business Improvement District No

Case Layer -

Class R

Downtown Fire District No

Historic District -

Land Use SINGLE-FAMILY

Municipality MEMPHIS

Overlay/Special Purpose District -

Zoning R-10

State Route -

Lot 0 2

Subdivision COLLIER GLEN RE PT LOT 111

Planned Development District -

Wellhead Protection Overlay District -

Contact Information

Name

LEGACY OF LEGENDS CDC

Contact Type

APPLICANT

Address

Phone

-

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1440831	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	01/06/2023
1440831	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	01/06/2023

Total Fee Invoiced: \$1,026.00

Total Balance: \$0.00

Payment Information

Payment Amount

\$1,026.00

Method of Payment

Credit Card

LETTER OF INTENT



Telephone 901-383-8668
2950 Stage Plaza North
Bartlett, Tennessee 38134

January 6, 2023

Brett Ragsdale
Memphis and Shelby County
Division of Planning and Development
125 North Main Street
Memphis, Tennessee 38103

RE: Re-zoning application for 2245 Frayser Boulevard
Existing zoning: R-6
Proposed zoning: CMU-1

Mr. Ragsdale;

Please find attached the above referenced application for a rezoning of the subject property, a 0.2876 acre tract, from R-6 to CMU-1. The subject property has frontage on Frayser Boulevard and with the exception of the this tract and the tract immediately to the west all of the properties along the portion of Frayser Boulevard to Ardmore Street are zoned CMU-1 or CMU-2. This rezoning would be compatible with surrounding land uses.

Thank you for considering this request. If you have any questions or need any additional information, please feel free to call.

Sincerely,

David Gean Bray, P.E.

**Staff commentary* This letter contains inaccuracies. The subject site is currently zoned Residential Single-Family – 10, not Residential Single-Family – 6. Additionally, most of this block-face has residential, not commercial, zoning.*

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Charlie Caswell, being duly sworn, depose and say that at 11 AM am/pm on the 23rd day of January, 2023, I posted Public Notice Sign(s) pertaining to Case No. Z 23-01 at 2245 Frayser Blvd., providing notice of a Public Hearing before the Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, 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.

[Signature]
Owner, Applicant or Representative

1-23-23
Date

Subscribed and sworn to before me this 24 day of January, 2023

[Signature]
Notary Public

My commission expires: April 6, 2025



OWNER'S AFFIDAVIT



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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Charlie Caswell [Signature], state that I have read the definition of
(Print Name) (Sign Name)

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

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

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

of the property located at 2245 Frayser Blvd. Memphis, TN 38127
and further identified by Assessor's Parcel Number 072058 00046
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 9 day of January in the year of 2023

[Signature]
Signature of Notary Public



April 6, 2025
My Commission Expires

LETTERS RECEIVED

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

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

Notice is hereby given that a Public Hearing will be held by the Council of the City of Memphis in the Council Chambers on the First Floor of City Hall at 125 North Main Street, Memphis, Tennessee, 38103 on Tuesday, March 21, 2023 at 3:30 p.m., concerning a proposed amendment to the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

CASE NUMBER: Z 23-1

LOCATION: 2245 Frayser Blvd.

COUNCIL DISTRICTS: District 7 and Super District 8

OWNER/APPLICANT: Legacy of Legends Community Development Corporation

REPRESENTATIVE: David Bray of the Bray Firm

REQUEST: Zoning change from Residential Single-Family – 10 to Commercial Mixed Use – 1

RECOMMENDATIONS:

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

Memphis and Shelby County Land Use Control Board: *Approval*

NOW, THEREFORE, you will take notice that on Tuesday, March 21, 2023, at 3:30 p.m. the Council of the City of Memphis, Tennessee, will be in session on the First Floor of City Hall at 125 North Main Street, Memphis, Tennessee, 38103, to hear those in support of or opposition to the making of such changes; either by personal appearance, or by attorneys, or by petition, and then and there you will be present if you wish to be heard on the same.

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

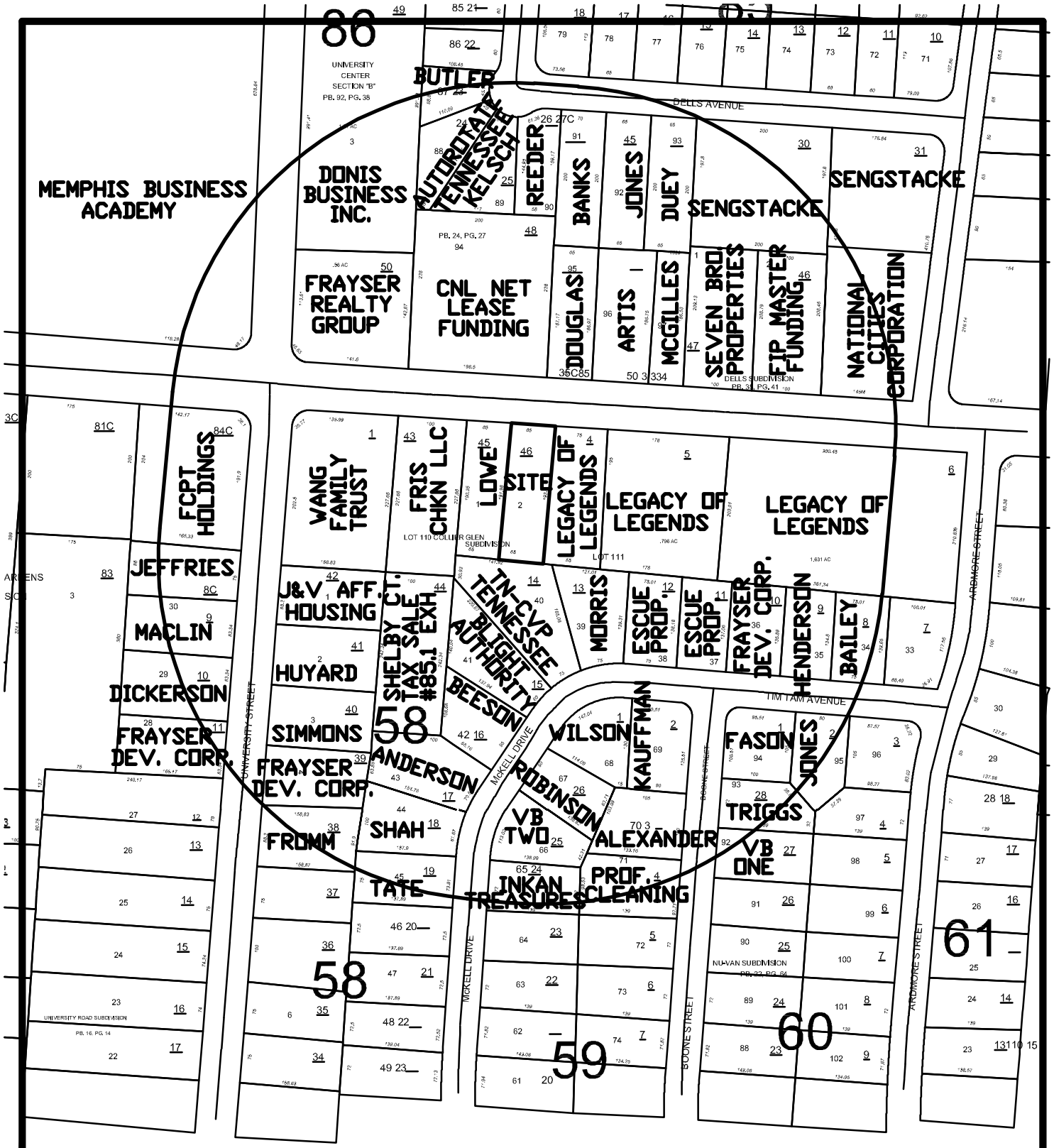
THIS THE _____, _____

MARTAVIUS JONES
CHAIRMAN OF COUNCIL

ATTEST:

DYWUANA MORRIS
CITY COMPTROLLER

TO BE PUBLISHED:



REZONING 2245 FRAYSER BLVD.
FROM R-6 TO CMU-1
APPLICANT: LEGACY OF LEGENDS CDC
MEMPHIS, TENNESSEE

2950 STAGE PLAZA NORTH
 BARTLETT, TENNESSEE
 JANUARY 6, 2023

PREPARED BY
THE BRAY FIRM

TELEPHONE 901-383-8668
 E-MAIL dgray@comcast.net
 SCALE 1"=200'

Legacy of Legends CDC
2025 Clifton Ave.
Memphis, TN 38127-9003

The Bray Firm
2950 Stage Plaza North
Bartlett, TN 38134

Owner

Engineer

Richard Bailey & Angela Frazier
2300 Tim Tam Ave.
Memphis, TN 38127-6641

Ira Henderson
2292 Tim Tam Ave.
Memphis, TN 38127-6641

Frayser Community Dev. Corp.
3684 N. Watkins
Memphis, TN 38127

Resident
2284 Tim Tam Ave.
Memphis, TN 38127

Escue Properties LLC
2551 Flowering Tree Dr.
Bartlett, TN 38134-5455

Resident
2276 Tim Tam Ave.
Memphis, TN 38127

Ophelia M. Morris & Wardell Carpenter
2260 Tim Tam Ave.
Memphis, TN 38127-6641

TN-CVP Tennessee LLC
430 Keoniana St.
Honolulu, HI 96815-2076

Resident
2254 Tim Tam Ave.
Memphis, TN 38127

Blight Authority of Memphis, Inc.
480 Dr. ML King Jr. Ave
Memphis, TN 38126-1944

Robert Beeson II
2125 Black Oak Dr.
Memphis, TN 38119-5602

Resident
3301 McKell Dr.
Memphis, TN 38127

Janet Anderson
3295 McKell Dr.
Memphis, TN 38127-6626

Khusboo & Amar Shah
4 Merker Dr.
Edison, NJ 08837-2732

Resident
3289 McKell Dr.
Memphis, TN 38127

AnnTate
3283 McKell Dr.
Memphis, TN 38127

Inkan Treasures LLC
876 River Park Dr.
Memphis, TN 38103-0804

Resident
3284 McKell Dr.
Memphis, TN 38127

VB Two LLC
3500 Park Center Dr.
Ste. 100
Dayton, OH 45414-2680

Resident
3292 McKell Dr.
Memphis, TN 38127

Camille Robinson
3298 McKell Dr.
Memphis, TN 38127

Emily Wilson
3304 McKell Dr.
Memphis, TN 38127-6627

Steven Kauffman
125 Stony Ridge Dr.
Centre Hill, PA 16828-8101

Resident
2271 Tim Tam Ave.
Memphis, TN 38127

Ruthie Alexander
12251 Afton Pl
Arlington, TN 38002-8746

Resident
3295 Boone St.
Memphis, TN 38127

Professional Cleaning Corp.
P.O. Box 754566
Memphis, TN 38175-4566

Resident
3285 Boone St.
Memphis, TN 38127

VB One LLC
3500 Park Center Dr.
Ste. 100
Dayton, OH 45414-2680

Resident
3292 Boone St.
Memphis, TN 38127

Jermaine Triggs
3300 Boone St.
Memphis, TN 38127-6665

Andrea Fason
3308 Boone St.
Memphis, TN 38127-6665

Shaundra Jones
2295 Tim Tam Ave.
Memphis, TN 38127-6642

Troy Lowe
7264 Gail Dr.
Memphis, TN 38133-3925

Resident
2241 Frayser Blvd.
Memphis, TN 38127

Fris Chkn LLC
980 Hammond Dr. NE
Ste. 1100
Atlanta, GA 30328

Wang Family Trust
2221 Frayser Blvd.
Memphis, TN 38127-5745

J & V Affordable Housing LLC
4876 Applestone St.
Memphis, TN 38109

Resident
3322 University St.
Memphis, TN 38127

Stephen Huyard Jr.
355 N Railroad Ave.
New Holland, PA 17557-9381

Billy Simmons Jr.
3304 University St.
Memphis, TN 38127

Andrew & Julia Fromm
200 Addison Ave.
Franklin, TN 37064-8637

Shelby County Tax Sale #85.1 EXH
#8007
160 N. Main St.
Memphis, TN 38103-1866

Reginal Dickerson
3307 University St.
Memphis, TN 38127-6630

Purvis Maclin Jr.
4529 Auburn Rd.
Memphis, TN 38116-7004

Resident
3315 University St.
Memphis, TN 38127

Anthony Jeffries
2896 Rosemore Cv.
Memphis, TN 38128-5410

Resident
3325 University St.
Memphis, TN 38127

2245 Frayser

Page 3 of 3

FCPT Holdings
P.O. Box 6969
Syracuse, NY 13217-6969

Memphis Business Academy
3306 Overton Crossing St.
Memphis, TN 38127-6549

Frayser Realty Group
11731 Farmers Blvd.
Saint Albans, NY 11412

Donis Business Inc.
499 Bedlington Dr.
Cordova, TN 38018-6749

CNL NET Lease Funding 2003 LLC
5858 Ridgeway Center Pkwy
Memphis, TN 38120-4004

Edward Douglas & Taylor Artis
2882 Dodge Dr.
Memphis, TN 38128-5949

Taylor Artis & Edward Douglas
5367 Twin Valley Ln
Bartlett, TN 38135-2808

Joel McGilles
2058 Dartmoth Way
Villa Rica, GA 30180-5860

Resident
2264 Frayser Blvd.
Memphis, TN 38127

Seven Brothers Properties LLC
6926 E. Shelby Dr.
Memphis, TN 38141-0265

FIP Master Funding I LLC
5840 Fairwood Ln
Memphis, TN 38120-3005

National Cities Corporation
2641 Union Ext. Ave.
Memphis, TN 38112

Fredrick Sengstacke
180 Waring Rd.
Memphis, TN 38117-2436

Fredrick Sengstacke
780 Waring Rd.
Memphis, TN 38117-2436

Jonathan Duey
17252 Septo St.
Northridge, CA 91325-1671

Athena Jones
2267 Dells Ave.
Memphis, TN 38127-5812

Resident
2273 Dells Ave.
Memphis, TN 38127-5812

Hubert Banks
2259 Dells Ave.
Memphis, tN 38127-5812

Carolyn Reeder
2253 Dells Ave.
Memphis, TN 38127

Tennessee Kelsch Holdings LLC
3148 W 13640 S.
Riverton, UT 84065-5960

Olan Butler
14362 W 142nd St.
Olathe, KS 66062-5802

Resident
3397 Edgar St.
Memphis, TN 38127

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 03/21/2023

DATE

PUBLIC SESSION: 03/21/2023

DATE

ITEM (CHECK ONE)

 ORDINANCE X RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located 7999 Club Center Dr, known as case number SUP 23-01

CASE NUMBER: SUP 23-01

LOCATION: 7999 Club Center Dr.

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

OWNER/APPLICANT: Olen M. Bailey

REPRESENTATIVE: The Reaves Firm

REQUEST: Special use permit to allow an indoor shooting range

AREA: +/-0.919 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

Hearing – March 21, 2023

PRIOR ACTION ON ITEM:

<u>(1)</u>	APPROVAL - (1) APPROVED (2) DENIED
<u>03/09/2023</u>	DATE
<u>(1) Land Use Control Board</u>	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

<u>(2)</u>	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
<u>\$</u>	AMOUNT OF EXPENDITURE
<u>\$</u>	REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

DATE

POSITION

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



Memphis City Council Summary Sheet

SUP 23-01

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED 7999 CLUB CENTER DRIVE, KNOWN AS CASE NUMBER SUP 23-01

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, March 9, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 18-13

LOCATION: 7999 Club Center Dr.

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

OWNER/APPLICANT: Olen M. Bailey

REPRESENTATIVE: The Reaves Firm

REQUEST: Special use permit to allow an indoor shooting range

EXISTING ZONING: Commercial Mixed Use – 2 (CMU-2)

AREA: +/-0.919 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,



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

Cc: Committee Members
File

SUP 23-01
CONDITIONS

1. The retail sale of firearms on the site is prohibited.
2. The permitted hours of operation will be between 6 AM and 8 PM.
3. The Club Center North Amended General Plan final plat for this site must contain a note referencing the Special Use Permit Approval.

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED 7999 CLUB CENTER DRIVE, KNOWN AS CASE NUMBER SUP 23-01

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, Olen M. Bailey filed an application with the Memphis and Shelby County Division of Planning and Development to allow an indoor shooting range; 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 March 9, 2023, 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 retail sale of firearms on the site is prohibited.
2. The permitted hours of operation will be between 6 AM and 8 PM.
3. The Club Center North Amended General Plan final plat for this site must contain a note referencing the Special Use Permit Approval.

AGENDA ITEM: 14

CASE NUMBER: SUP 2023-001 **L.U.C.B. MEETING:** March 9, 2023

LOCATION: 7999 Club Center Dr.

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

OWNER/APPLICANT: Olen M. Bailey

REPRESENTATIVE: The Reaves Firm

REQUEST: Special use permit to allow an indoor shooting range at 7999 Club Center Dr.

AREA: +/-0.919 acres in total

EXISTING ZONING: CMU-2

CONCLUSIONS

1. The applicant is seeking a Special use permit to allow an indoor shooting range at 7999 Club Center Dr.
2. The proposed shooting range will be a private, membership only club. Other than related incidentals such as targets and ammunition for exclusive use on the range by its members, there will be no retail sales on the site.
3. In staff's opinion, this project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is **consistent** with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 19-21 of this report.

RECOMMENDATION
Approval with conditions

GENERAL INFORMATION

Street Frontage: Club Center Drive +/-256 curvilinear feet
Zoning Atlas Page: 1955
Parcel ID: 096500 00448
Existing Zoning: Commercial Mixed Use – 2 (CMU-2)

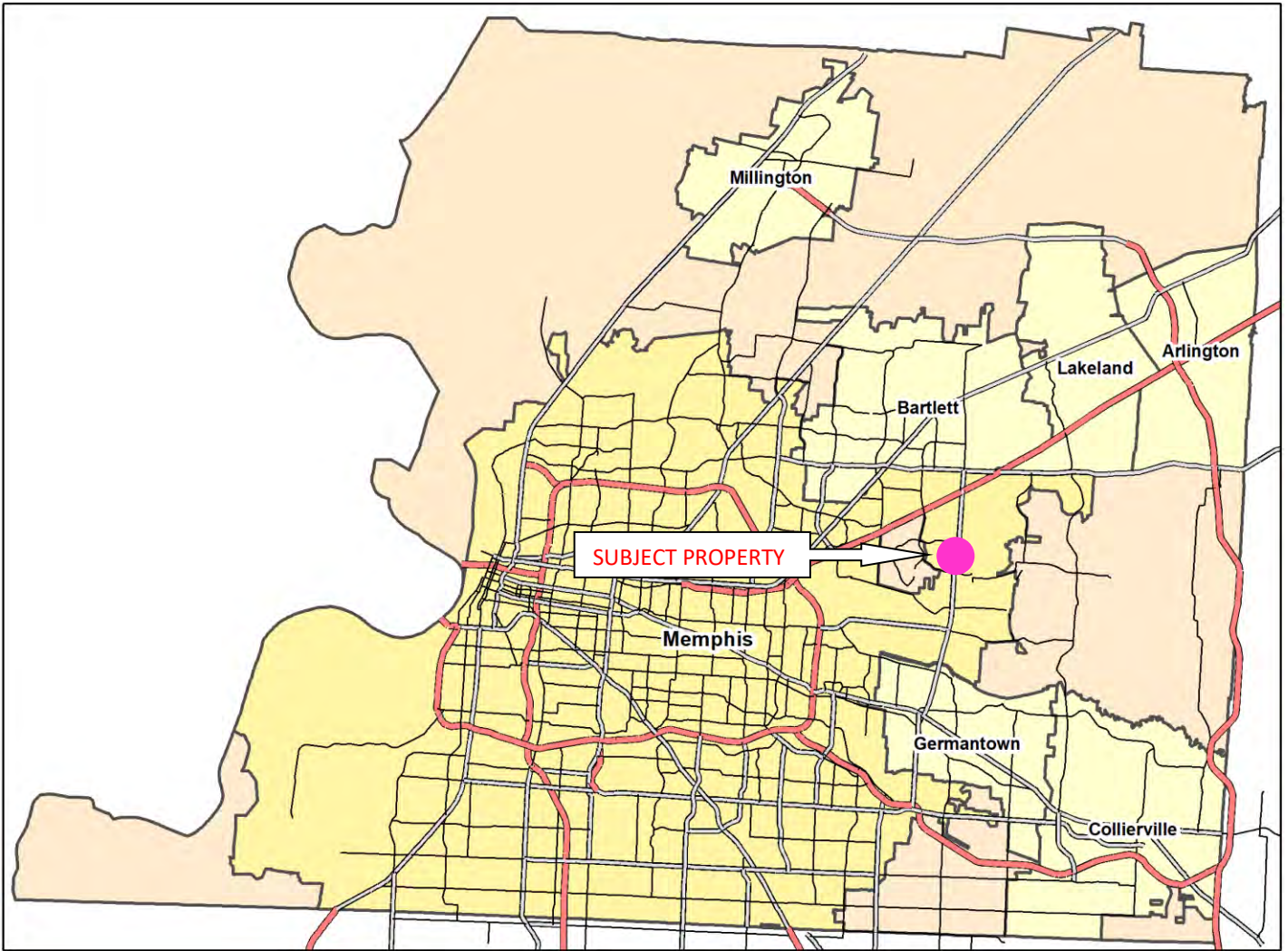
NEIGHBORHOOD MEETING

The meeting was held at 7:00 PM on Monday, February 27, 2023, at the Jason’s Deli, located at 1585 Chickering Lane.

PUBLIC NOTICE

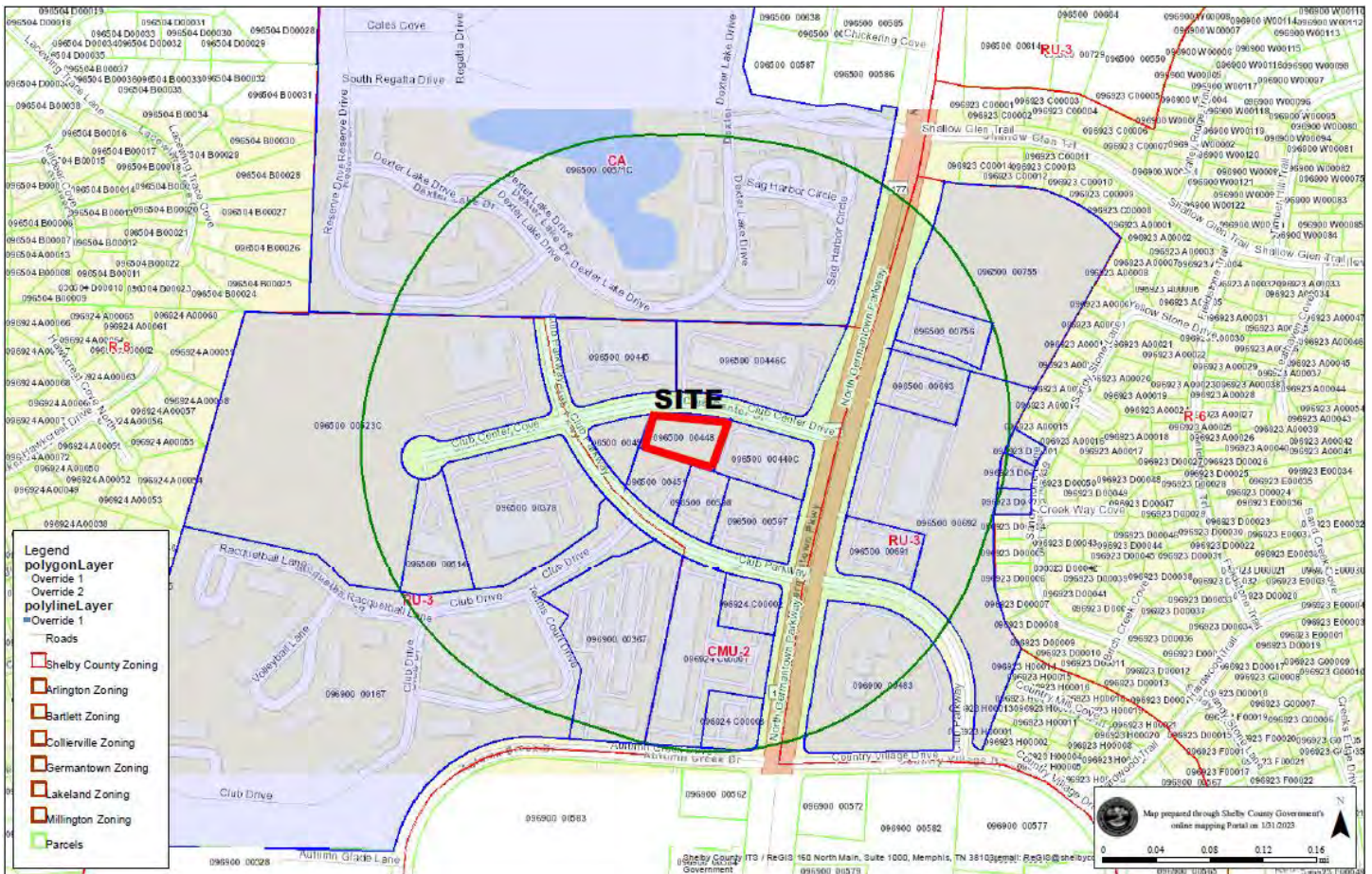
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 28 notices were mailed on February 22, 2023, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle, Cordova neighborhood

VICINITY MAP



Site outlined in red

AERIAL



Subject property outlined in yellow.

ZONING MAP



Subject property highlighted in yellow

Existing Zoning: CMU-2

Surrounding Zoning

North: CMU-2, BOA 93-007, BOA 17-072, and PD 95-374CC

East: CMU-2, SUP 92-243, SUP 96-225cc, and PD 04-309










South: CMU-2, SUP 08-232, PD 96-346cc, and SUP 89-233cc

West: CMU-2 and PD 93-304cc

LAND USE MAP



LandUse

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

The subject property is indicated by a pink star

SITE PHOTOS



View of subject property from Club Center Drive facing south

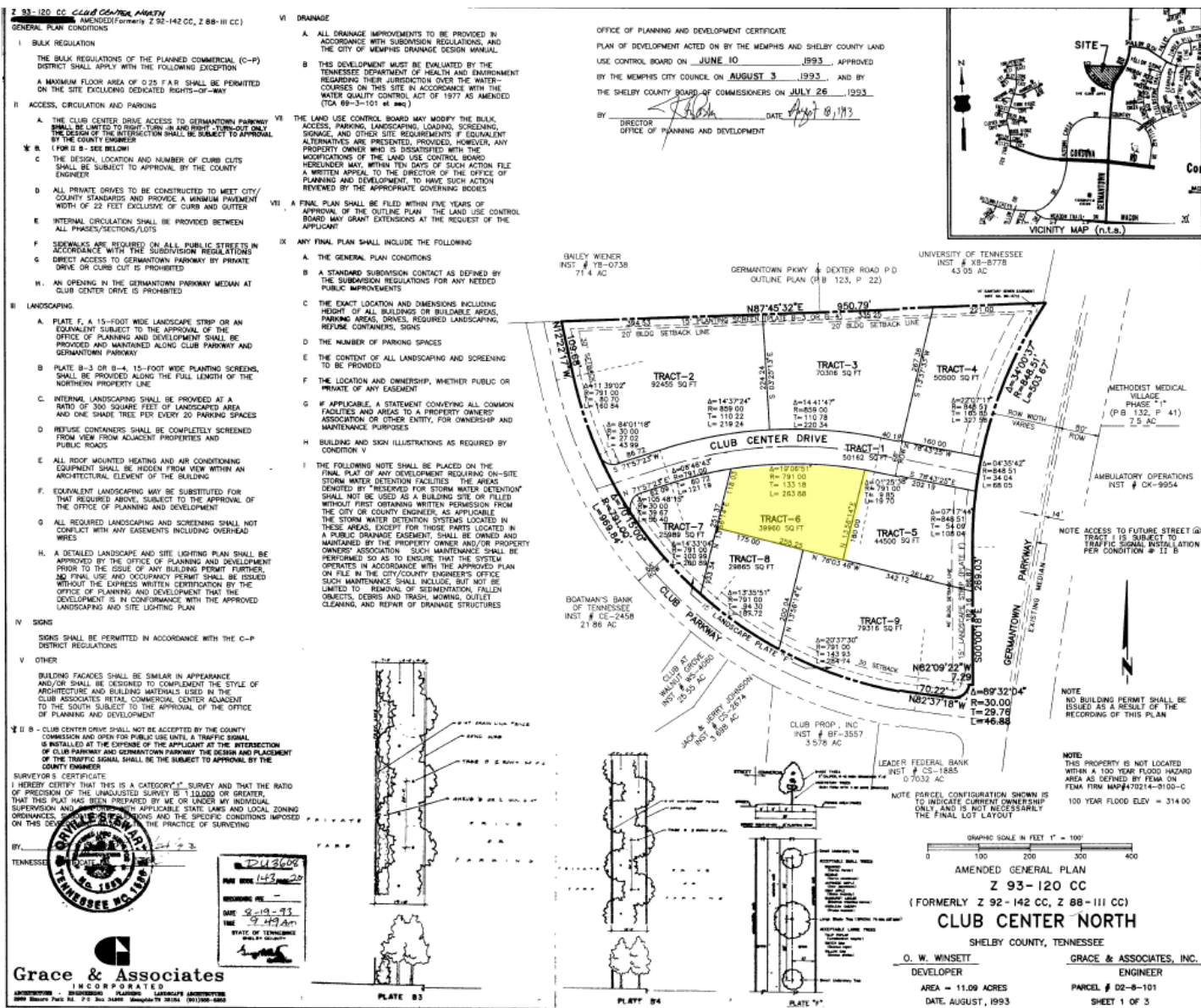


View of the subject property from Club Center Drive facing southeast



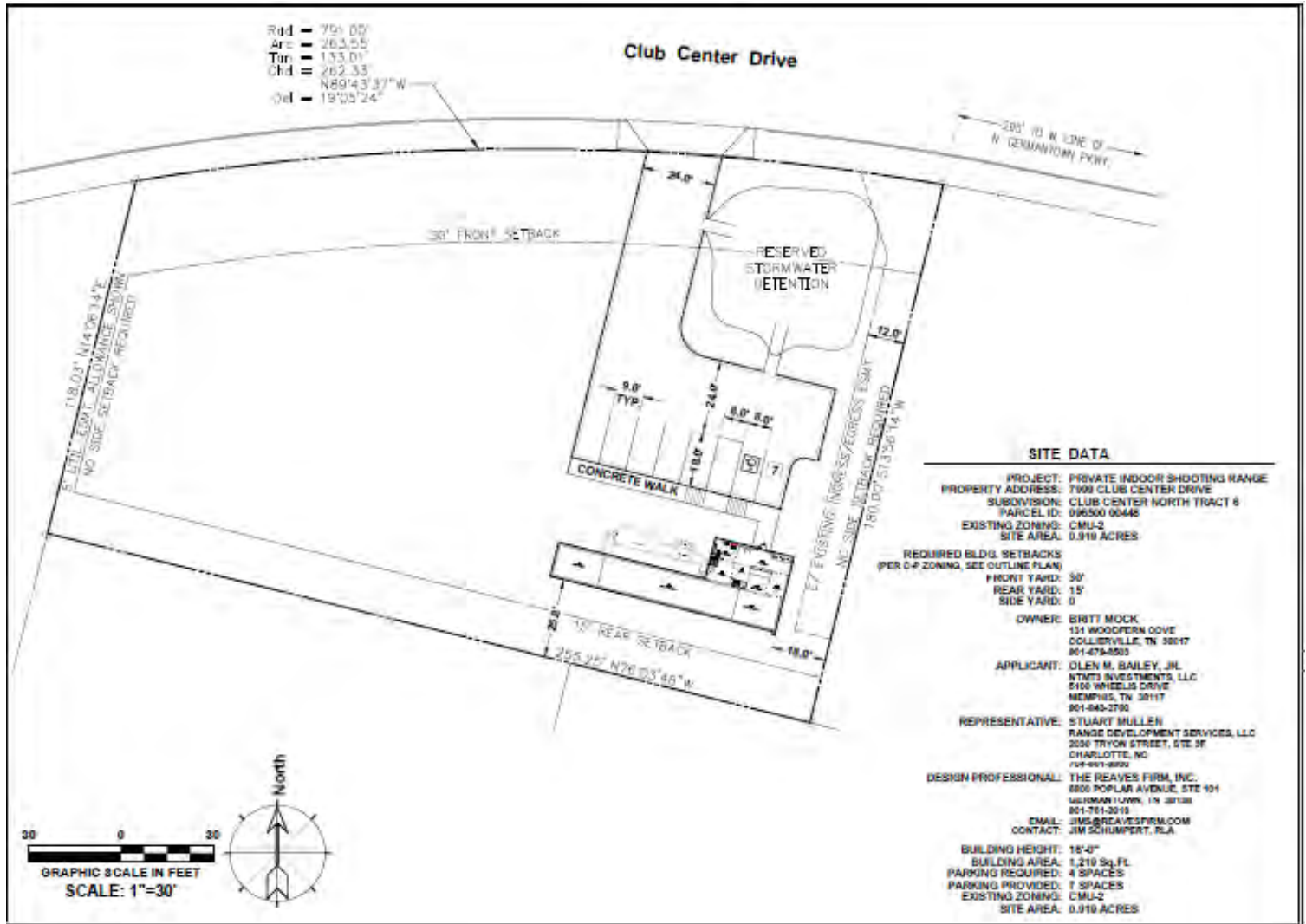
View of the subject property from a shared drive facing west

CLUB CENTER NORTH GENERAL PLAN

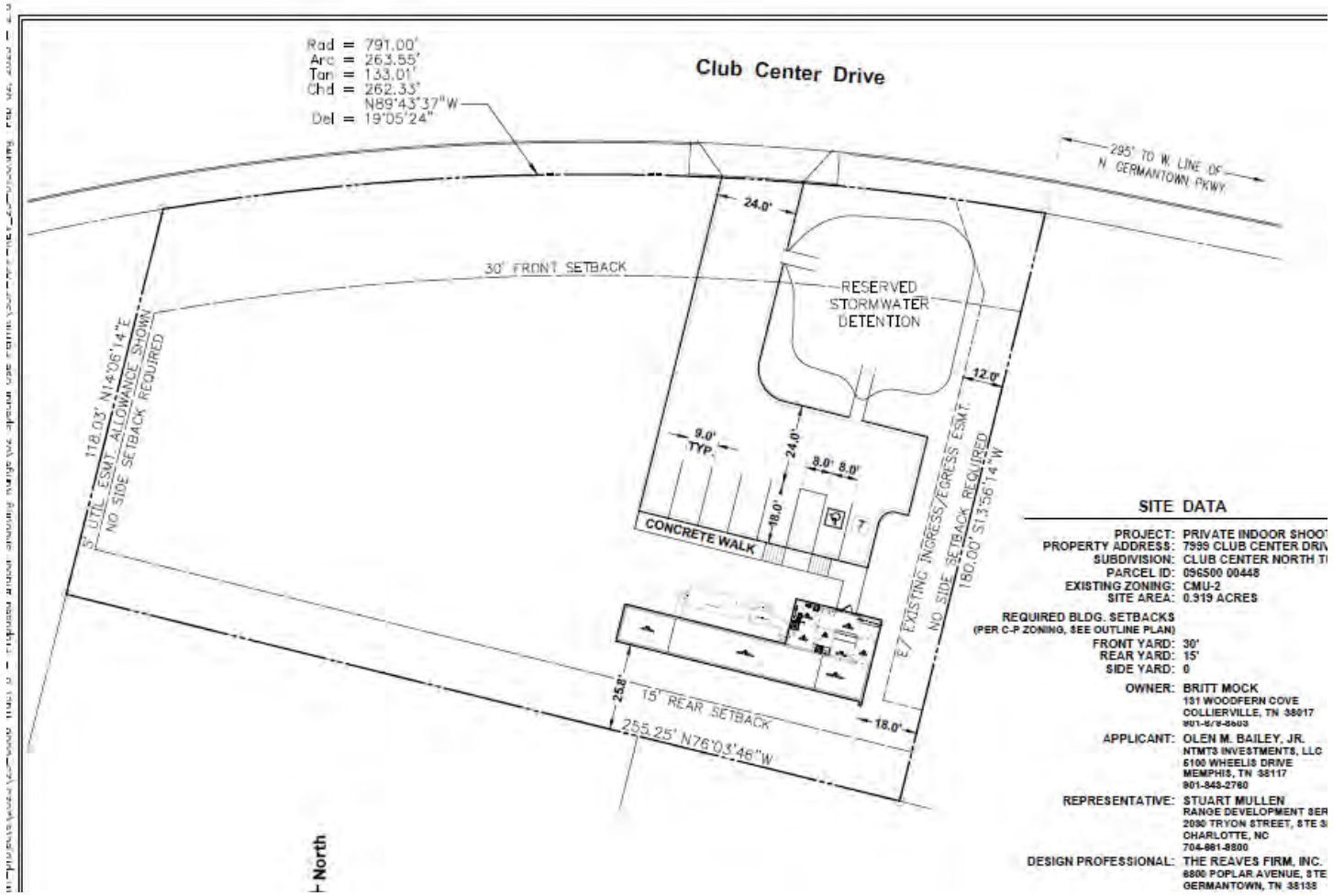


Tract 6 highlighted in yellow

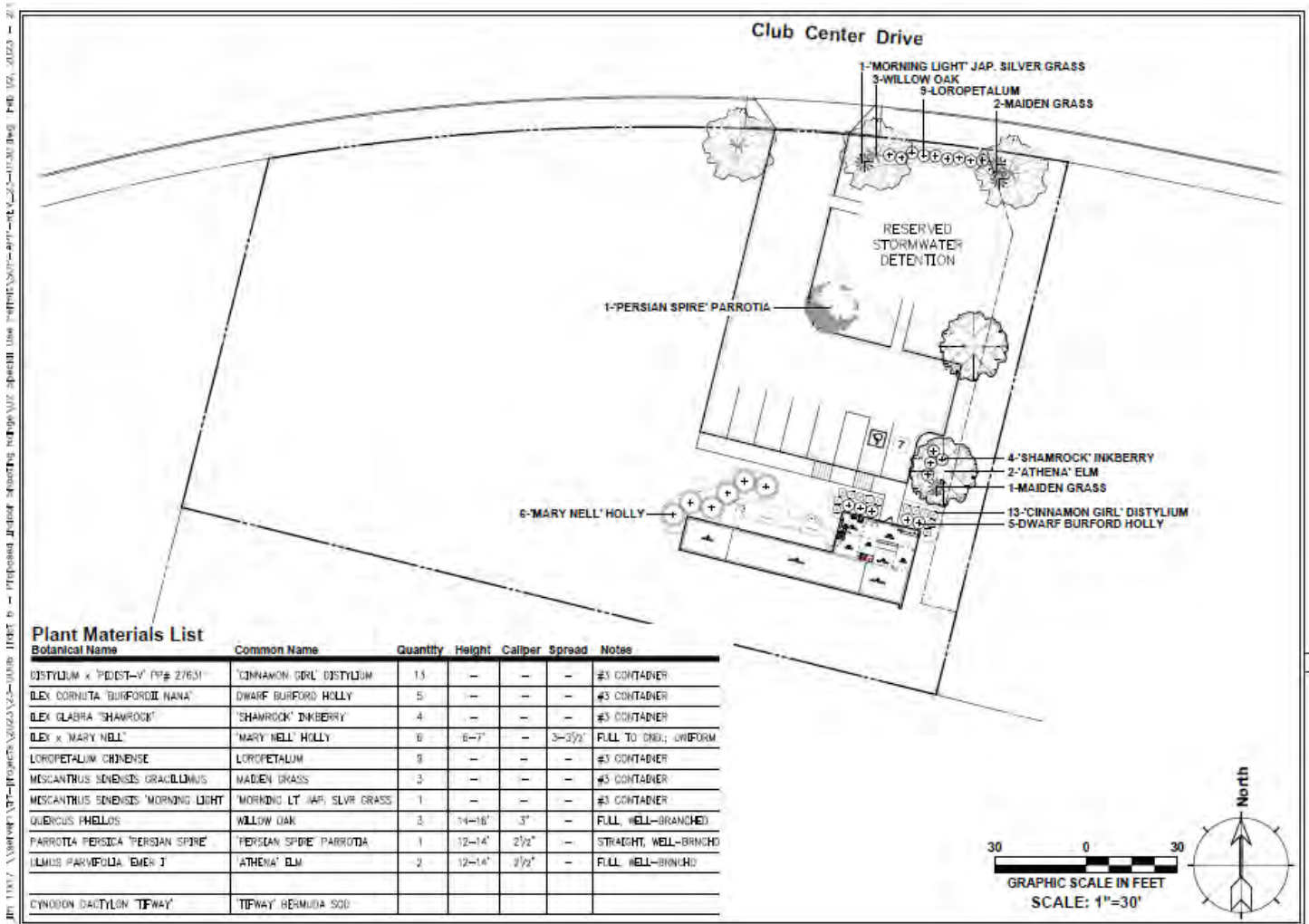
SITE PLAN



SITE PLAN (ZOOMED)



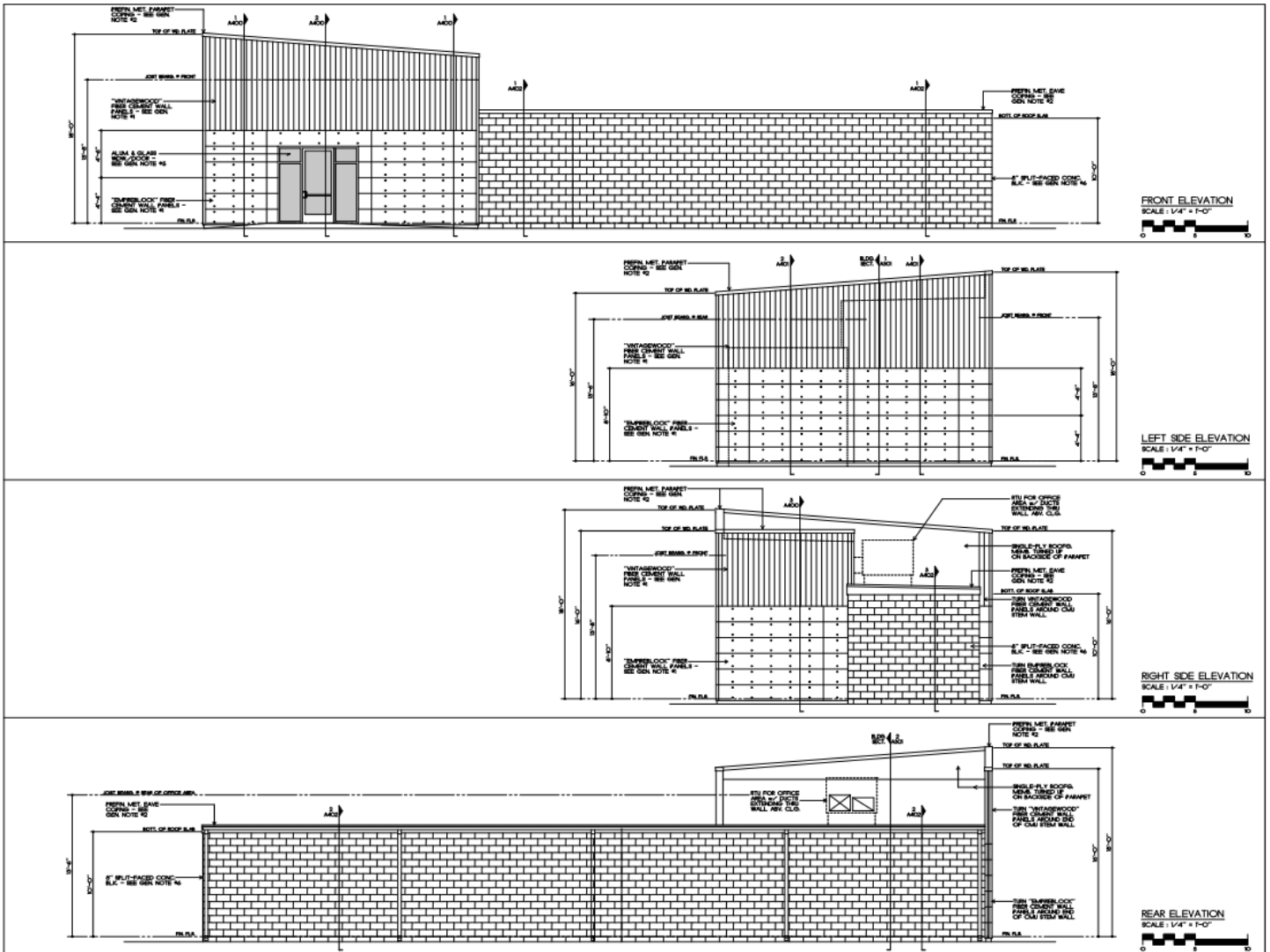
SITE PLAN - LANDSCAPING



Plant Materials List

Botanical Name	Common Name	Quantity	Height	Caliper	Spread	Notes
DISTYLUM x 'PEDI-VAL' (P# Z763)	CINNAMON GIRL DISTYLUM	13	-	-	-	#3 CONTAINER
ILEX CORNUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY	5	-	-	-	#3 CONTAINER
ILEX GLABRA 'SHAMROCK'	'SHAMROCK' INKBERRY	4	-	-	-	#3 CONTAINER
ILEX x 'MARY NELL'	'MARY NELL' HOLLY	6	6-7'	-	3-3 1/2'	FULL TO CNG.; UNIFORM
LOROPETALUM CHINENSE	LOROPETALUM	3	-	-	-	#3 CONTAINER
MISCANTHUS SENENSIS GRACILINUS	MAIDEN GRASS	2	-	-	-	#3 CONTAINER
MISCANTHUS SENENSIS 'MORNING LIGHT'	'MORNING LT. JAP. SILV. GRASS	1	-	-	-	#3 CONTAINER
QUERCUS PHELLOS	WILLOW OAK	3	14-16'	3"	-	FULL, WELL-BRANCHED
PARROTTIA PERSICA 'PERSIAN SPIRE'	'PERSIAN SPIRE' PARROTTIA	1	12-14'	2 1/2"	-	STRAIGHT, WELL-BRANCHED
ULMUS PARVIFOLIA 'EMER II'	'ATHENA' ELM	2	12-14'	2 1/2"	-	FULL, WELL-BRANCHED
CYNODON DACTYLON 'TIFWAY'	'TIFWAY' BERMUDA SOG					

ELEVATIONS



RENDERING



STAFF ANALYSIS

Request

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

The request is for a Special Use Permit to allow an indoor shooting range at 7999 Club Center Dr.

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 a +/-0.919 acres and is located at 7999 Club Center Drive (parcel ID: 096500 00448). The property is zoned CMU-2 and is Tract 6 of the Club Center North Amended General Plan. The surrounding land uses are a mixture of commercial, multi-family residential, and vacant.

Site Zoning History

On July 26, 1993, the Shelby County Commission approved the Club Center North Amended General Plan (Z 93-120cc), which established 9 lots with the Commercial Planned (CMU-2) Zoning Dispensation. On August 3, 1993, the Memphis City Council approved the same plan.

Conclusions

The applicant is seeking a Special use permit to allow an indoor shooting range at 7999 Club Center Dr.

The proposed shooting range will be a private, membership only club. Other than related incidentals such as targets and ammunition for exclusive use on the range by its members, there will be no retail sales on the site.

In staff's opinion, 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. The retail sale of firearms on the site is prohibited.
2. The permitted hours of operation will be between 6 AM and 8 PM.
3. The Club Center North Amended General Plan final plat for this site must contain a note referencing the Special Use Permit Approval.

DEPARTMENTAL COMMENTS

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

City/County Engineer: No comments received.

City/County Fire Division:



DIVISION OF FIRE SERVICES ❖ FIRE PREVENTION BUREAU

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

Case Number: [Title]

Date Reviewed: 3/3/23

Reviewed by: J. Stinson

Address or Site Reference: 7999 Club Center

- All design and construction shall comply with the 2021 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:**

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: LUCB SUP 23-01: Cordova

Site Address/Location: 7999 Club Center Dr

Overlay District/Historic District/Flood Zone: Located in the Fletcher Creek Overlay District, not in an Historic District, or Flood Zone

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

Street Type: N/A

The applicant is seeking a special use permit to operate an indoor shooting range on the subject site.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



“CSL” Form & Location Characteristics

Commercial and services uses, 1-4 stories height

“CSL” Zoning Notes

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

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant, CMU-2

Adjacent Land Use and Zoning: Commercial, Vacant, Multi-Family; CMU-2, RU-3, CA

Overall Compatibility: *This requested use is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed indoor shooting range is a small-scale, commercial use.*

3. Degree of Change Map



Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change.

4. Degree of Change Description

N/A

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

N/A

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

N/A

Consistency Analysis Summary

The applicant is seeking a special use permit to operate an indoor shooting range on the subject site.

This requested use is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed indoor shooting range is a small-scale, commercial use.

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

Summary Compiled by: Brian Mykulyn, Comprehensive Planning.

APPLICATION



Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: February 3, 2023

Record Number: SUP 2023-001

Expiration Date:

Record Name: Private Indoor Shooting Range

Description of Work: On behalf of Mr. Olen M. Bailey, we are submitting the enclosed application to the Division of Planning and Development seeking a Land Use Control Board Special Use Permit for 7999 Club Center Drive as recorded in Plat Book 143, Page 20. The property is 295 feet west of N. Germantown Pkwy.

This special use permit request is that an indoor shooting range be allowed on this site. The proposed facility is a small upscale private indoor firearm shooting range with two lanes that are 15 yards in length.

Aesthetically, the facility is designed as a clean, well-lit, safe environment where a limited number of members can target practice and receive training to improve their skills and knowledge. The indoor range area of the building is designed to ballistically contain 100 percent of shooting activities in a comfortable, climate-controlled setting. Each of the two shooting positions are designed with solid masonry walls with ballistic steel lining and a bullet trap located down range. The safety ceiling and stall walls, as well as strategic areas of the bay side walls and back wall are clad with sound panels up to two inches thick for adequate sound abatement.

This is a privately owned facility available for use only by members; the general public will not be granted access. Other than related incidentals such as targets and ammunition for exclusive use on the range by its members, there will be no retail sales on the site.

Parent Record Number:

Address:

7999 CLUB CENTER DR, MEMPHIS 38016

Owner Information

Primary Owner Name
Y MOCK BRITT

Owner Address
6800 Poplar Ave, Germantown, TN 38138

Owner Phone

Parcel Information

096500 00448

Data Fields

PREAPPLICATION MEETING

Name of OPD Planner Seth Thomas
Date of Meeting 01/18/2023
Pre-application Meeting Type -

GENERAL PROJECT INFORMATION

Application Type New Special Use Permit (SUP)
List any relevant former Docket / Case Number(s) related to previous applications on this site -

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

APPROVAL CRITERIA

A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare The surrounding property is either vacant or commercial. This project will not adversely affect the neighborhood.

B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations This will be a small, private indoor shooting range facility with two lanes that are 15 yards in length, to be used only by its members. It is located on a corner of Tract 6, which is presently vacant. To the east is an auto repair business, with a vacant car wash facility to the south. The proposed use is compatible with existing land uses and will not interfere with further development in the area.

UDC Sub-Section 9.6.9C The area has all the public facilities needed for this use.

UDC Sub-Section 9.6.9D No known natural, scenic or historical features are known to exist on this site.

UDC Sub-Section 9.6.9E The project complies with UDC standards and those of the previous C-P zoning district, and all conditions of the outline plan for Club Center North as recorded in Plat Book 143, Page 20.

APPROVAL CRITERIA

UDC Sub-Section 9.6.9F

This is a small development, which complies with all development regulations for this site. The building's siting and small size make this an unimposing development which will not adversely affect surrounding properties.

GIS INFORMATION

Case Layer	BOA1962-039-CO, Z93-120cc
Central Business Improvement District	No
Class	C
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	MEMPHIS
Overlay/Special Purpose District	Fletcher Creek Overlay
Zoning	CMU-2
State Route	-
Lot	-
Subdivision	CLUB CENTER NORTH TRACT 6
Planned Development District	-
Wellhead Protection Overlay District	-

Contact Information

Name	Contact Type
BAILEY LAW FIRM	APPLICANT
Address	
Phone	
(901)843-2760	

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1446372	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	02/03/2023
1446372	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	02/03/2023

Total Fee Invoiced: \$513.00 Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$513.00	Credit Card

LETTER OF INTENT



February 1, 2023

Mr. Brett Ragsdale
Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 477
Memphis, TN 38103

**RE: Club Center North, Tract 6 – 7999 Club Center Drive
SUP Private Indoor Shooting Range**

Dear Mr. Ragsdale:

On behalf of Mr. Olen M. Bailey, we are submitting the enclosed application to the Division of Planning and Development seeking a Land Use Control Board Special Use Permit for 7999 Club Center Drive as recorded in Plat Book 143, Page 20. The property is 295 feet west of N. Germantown Pkwy.

This special use permit request is that an indoor shooting range be allowed on this site. The proposed facility is a small upscale private indoor firearm shooting range with two lanes that are 15 yards in length.

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This is a privately owned facility available for use only by members; the general public will not be granted access. Other than related incidentals such as targets and ammunition for exclusive use on the range by its members, there will be no retail sales on the site.

We believe this is a compatible use with the surrounding neighborhood. Your consideration of this application is greatly appreciated.

Sincerely,

A handwritten signature in blue ink that reads 'Jim R. Schumpert'.

Jim R. Schumpert, RLA
The Reaves Firm, Inc.

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Dianne Higgs, being duly sworn, depose and say that at 3:00 am/pm on the 27th day of February, 2023, I posted 1 Public Notice Sign(s) pertaining to Case No. SUP 23-001 at 7999 Club Center Drive, providing notice of a Public Hearing before the Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, 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.

Dianne Higgs
Owner, Applicant or Representative

2-27-2023
Date

Subscribed and sworn to before me this 27th day of February, 2023.

Mia McVior
Notary Public

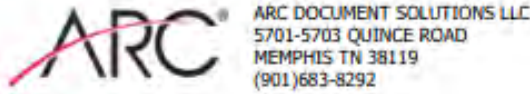


My commission expires: 11-01-2025

SUP 23-001

7999 Club Center Drive





DATE 2/13/2023	INVOICE 33GCI9058416
--------------------------	--------------------------------

Page 1/1



BILL TO:

THE REAVES FIRM

ATTN: ACCTS PAYABLE
6800 POPLAR STE 101
MEMPHIS, TN 38138
P: (901) 761-2016
F: (901) 763-2847

SHIP TO:

THE REAVES FIRM

ATTN: ACCTS PAYABLE
6800 POPLAR STE 101
MEMPHIS, TN 38138
P: (901) 761-2016
F: (901) 763-2847

Purchase Order #		Customer ID 3015900		Shipping Method ARC DELIVERY		Payment Terms NET30		Order Due Date		Order 33GC09849251	
Ordered By DIANE HIGGS				Project Number 2023-0006 Ph. 2				Project Name 7999Club Center Drive			
Quantity Ordered	Quantity Shipped	Quantity BO	UOM	Item Number	Description	Price	Extended Price				
1	1	0	EACH	2225.54	Coroplast Signs 24X36	\$48.00	\$48.00				
1	1	0	EACH	TBS4421	T-Stand 42"	\$18.00	\$18.00				
1	1	0	EACH	5201.01	Zone 1 Delivery/Split	\$5.00	\$5.00				
1	1	0	EACH	5205	Energy / Fuel Surcharge	\$5.00	\$5.00				

Bill to: shonnen	Subtotal	\$76.00
	Misc	\$0.00
	Tax	\$7.42
	Freight	\$0.00
	Trade Discount	\$0.00
	Total	\$83.42
	Amount Received	
	Total Due	\$83.42

CUSTOMER NO	INVOICE	DOC DATE	AMOUNT DUE
3015900	33GCI9058416	2/13/2023	\$83.42

REMIT PAYMENT TO

ARC DOCUMENT SOLUTIONS LLC
NEW REMIT TO ADDRESS
PO BOX 645913
CINCINNATI, OH 45264-5913
(800) 883-9032
HOUSTON.PAYMENTS@E-ARC.COM

We accept: Visa | MasterCard | American Express | Discover

Card/Check Number: _____ Exp. Date: _____

Signature: _____ Amount: \$ _____



QuickPay Online Payment
Scan or Click

[HTTPS://PAY.ARCFIRMOTE.COM/P/67761C61-77FE-4945-A65E-5RDB37FA421A](https://pay.arcfirmote.com/P/67761C61-77FE-4945-A65E-5RDB37FA421A)

NEIGHBORHOOD MEETING INFORMATION

Neighborhood Meeting Report

Subject Property Location:
7999 Club Center Dr
Cordova, TN 38016

Meeting Information:
Day: Monday the 27th
Time: 7:00 pm

Location: Jason's Deli
1585 Chickering Ln
Cordova, TN 38016

Meeting host:
Stuart Mullen, Owner / Applicant Representative
(704) 661-9800

Only one attendee, Mrs Sawyer, owner of the Bowling Alley. I presented and reviewed the site plan, floor plan and building elevation rendering for this private two lane indoor shooting range for target practice and training. Further explained there will be no retail sales, its members only, no signage on the building. The intention is that it will be a building that aesthetically contributes to the area in a positive way but that passers-by will not know it's a range and training facility. Access to the building will only be granted to members. All others will be prohibited.

Mrs Sawyer expressed concerns about vehicular break ins in the area, crime in the apartments, the YMCA and the daycare located behind the bowling alley. Concerned that "guns are everywhere already".

Discussed and made sure to clarify there will be no firearms sales at this facility / no retail showroom or pro shop for use by the public.

Meeting concluded with no other guests.



LETTERS RECEIVED

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



Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: February 3, 2023

Record Number: SUP 2023-001

Expiration Date:

Record Name: Private Indoor Shooting Range

Description of Work: On behalf of Mr. Olen M. Bailey, we are submitting the enclosed application to the Division of Planning and Development seeking a Land Use Control Board Special Use Permit for 7999 Club Center Drive as recorded in Plat Book 143, Page 20. The property is 295 feet west of N. Germantown Pkwy.

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Parent Record Number:

Address:

7999 CLUB CENTER DR, MEMPHIS 38016

Owner Information

Primary Owner Name
Y MOCK BRITT

Owner Address
6800 Poplar Ave, Germantown, TN 38138

Owner Phone

Parcel Information

096500 00448

Data Fields

PREAPPLICATION MEETING

Name of OPD Planner Seth Thomas
Date of Meeting 01/18/2023
Pre-application Meeting Type -

GENERAL PROJECT INFORMATION

Application Type New Special Use Permit (SUP)
List any relevant former Docket / Case Number(s) related to previous applications on this site -

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

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

APPROVAL CRITERIA

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UDC Sub-Section 9.6.9C The area has all the public facilities needed for this use.

UDC Sub-Section 9.6.9D No known natural, scenic or historical features are known to exist on this site.

UDC Sub-Section 9.6.9E The project complies with UDC standards and those of the previous C-P zoning district, and all conditions of the outline plan for Club Center North as recorded in Plat Book 143, Page 20.

APPROVAL CRITERIA

UDC Sub-Section 9.6.9F

This is a small development, which complies with all development regulations for this site. The building’s siting and small size make this an unimposing development which will not adversely affect surrounding properties.

GIS INFORMATION

Case Layer	BOA1962-039-CO, Z93-120cc
Central Business Improvement District	No
Class	C
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	MEMPHIS
Overlay/Special Purpose District	Fletcher Creek Overlay
Zoning	CMU-2
State Route	-
Lot	-
Subdivision	CLUB CENTER NORTH TRACT 6
Planned Development District	-
Wellhead Protection Overlay District	-

Contact Information

Name	Contact Type
BAILEY LAW FIRM	APPLICANT
Address	
Phone	
(901)843-2760	

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1446372	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	02/03/2023
1446372	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	02/03/2023
			Total Fee Invoiced: \$513.00	Total Balance: \$0.00		

Payment Information

Payment Amount	Method of Payment
\$513.00	Credit Card

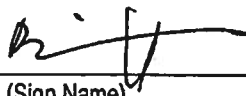
MEMPHIS AND  DIVISION OF PLANNING
SHELBY COUNTY  AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, BRIAN MUCK , state that I have read the definition of
(Print Name) (Sign Name)

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

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

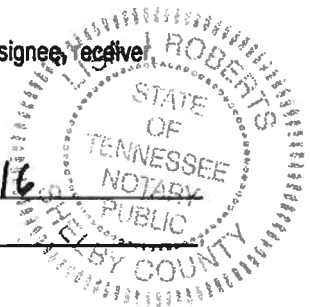
I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit).

of the property located at 7999 Club Center Drive, Cordova, TN 38016
and further identified by Assessor's Parcel Number 096500 00448
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 30th day of January in the year of 2023.


Signature of Notary Public

7-14-26
My Commission Expires





February 1, 2023

Mr. Brett Ragsdale
Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 477
Memphis, TN 38103

**RE: Club Center North, Tract 6 – 7999 Club Center Drive
SUP Private Indoor Shooting Range**

Dear Mr. Ragsdale:

On behalf of Mr. Olen M. Bailey, we are submitting the enclosed application to the Division of Planning and Development seeking a Land Use Control Board Special Use Permit for 7999 Club Center Drive as recorded in Plat Book 143, Page 20. The property is 295 feet west of N. Germantown Pkwy.

This special use permit request is that an indoor shooting range be allowed on this site. The proposed facility is a small upscale private indoor firearm shooting range with two lanes that are 15 yards in length.

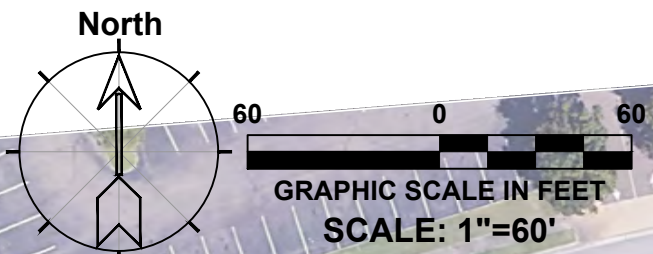
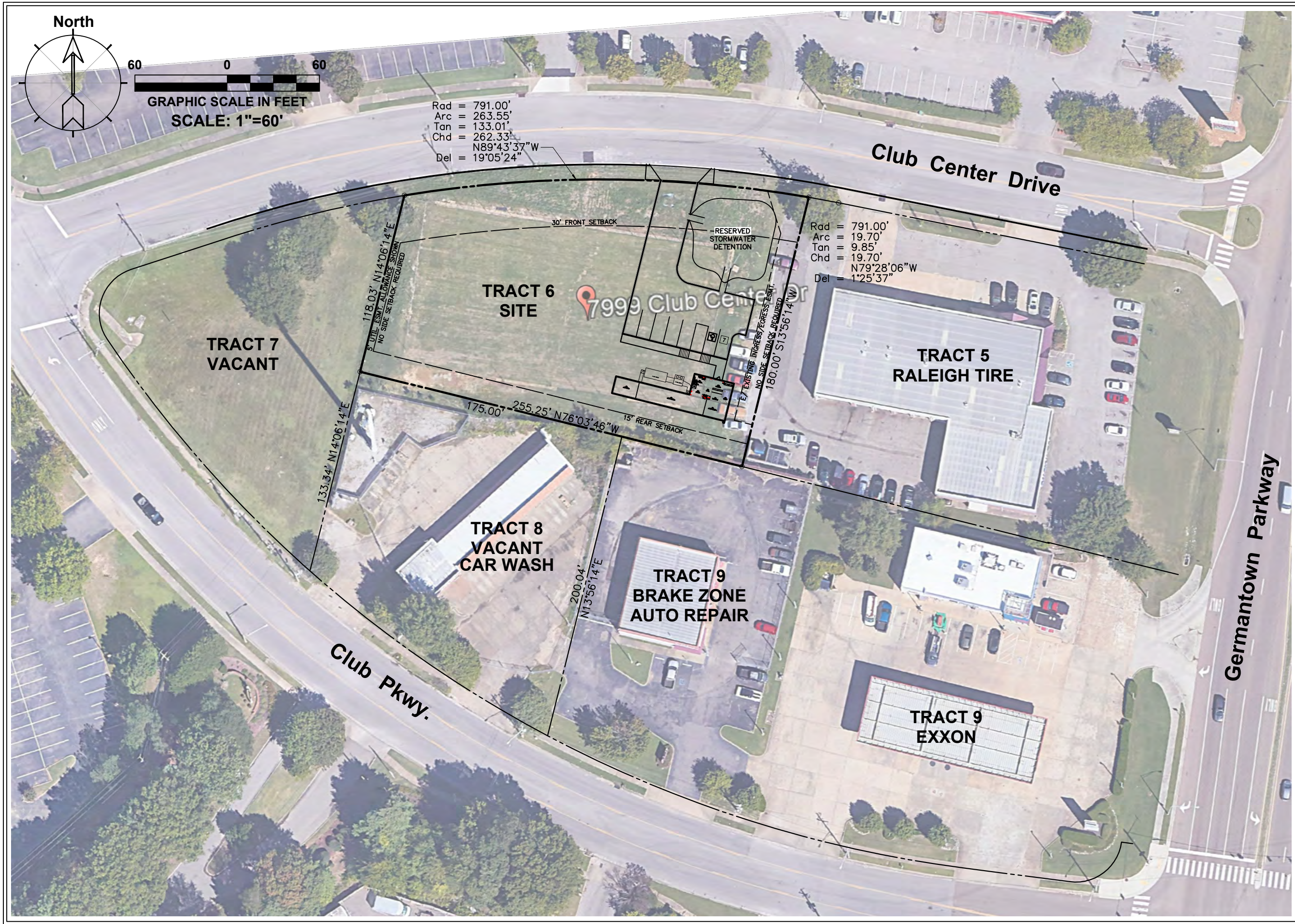
Aesthetically, the facility is designed as a clean, well-lit, safe environment where a limited number of members can target practice and receive training to improve their skills and knowledge. The indoor range area of the building is designed to ballistically contain 100 percent of shooting activities in a comfortable, climate-controlled setting. Each of the two shooting positions are designed with solid masonry walls with ballistic steel lining and a bullet trap located down range. The safety ceiling and stall walls, as well as strategic areas of the bay side walls and back wall are clad with sound panels up to two inches thick for adequate sound abatement.

This is a privately owned facility available for use only by members; the general public will not be granted access. Other than related incidentals such as targets and ammunition for exclusive use on the range by its members, there will be no retail sales on the site.

We believe this is a compatible use with the surrounding neighborhood. Your consideration of this application is greatly appreciated.

Sincerely,

Jim R. Schumpert, RLA
The Reaves Firm, Inc.



Planning
Engineering
Landscape Architecture
Land Surveying

6800 Poplar Avenue, Suite 101
Memphis, TN 38138
901.761.2016 Fax: 901.763.2847
www.ReavesFirm.com

**CLUB CENTER NORTH
TRACT 6**

7999 CLUB CENTER DRIVE
MEMPHIS, TENNESSEE

**PROPOSED PRIVATE INDOOR
SHOOTING RANGE**

PREPARED FOR
RANGE DEVELOPMENT SERVICES, LLC

DRAWN BY: JRS
CHECKED BY: TRF
SCALE: 1"=60'

SHEET TITLE
EXISTING
CONDITIONS

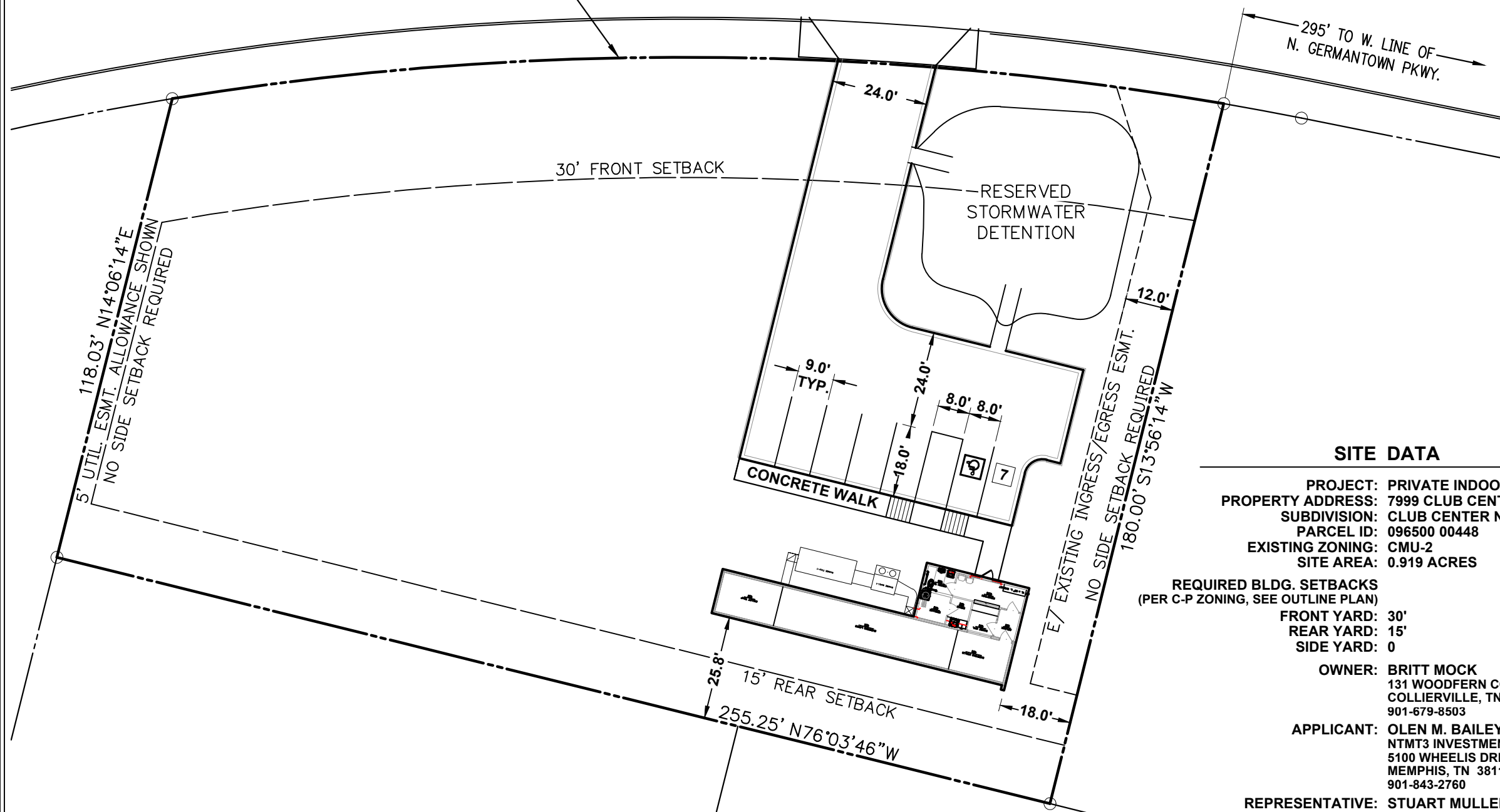
PROJECT NUMBER
23-0006
SHEET NUMBER

C2.0

DATE OF THIS PRINTING
02/02/2023

Rad = 791.00'
 Arc = 263.55'
 Tan = 133.01'
 Chd = 262.33'
 Del = 19°05'24"

Club Center Drive



SITE DATA

PROJECT: PRIVATE INDOOR SHOOTING RANGE
PROPERTY ADDRESS: 7999 CLUB CENTER DRIVE
SUBDIVISION: CLUB CENTER NORTH TRACT 6
PARCEL ID: 096500 00448
EXISTING ZONING: CMU-2
SITE AREA: 0.919 ACRES

REQUIRED BLDG. SETBACKS (PER C-P ZONING, SEE OUTLINE PLAN)

FRONT YARD: 30'
REAR YARD: 15'
SIDE YARD: 0

OWNER: BRITT MOCK
 131 WOODFERN COVE
 COLLIERVILLE, TN 38017
 901-679-8503

APPLICANT: OLEN M. BAILEY, JR.
 NTMT3 INVESTMENTS, LLC
 5100 WHEELIS DRIVE
 MEMPHIS, TN 38117
 901-843-2760

REPRESENTATIVE: STUART MULLEN
 RANGE DEVELOPMENT SERVICES, LLC
 2030 TRYON STREET, STE 3F
 CHARLOTTE, NC
 704-661-9800

DESIGN PROFESSIONAL: THE REAVES FIRM, INC.
 6800 POPLAR AVENUE, STE 101
 GERMANTOWN, TN 38138
 901-761-2016

EMAIL: JIMS@REAVESFIRM.COM
CONTACT: JIM SCHUMPERT, RLA

BUILDING HEIGHT: 18'-0"
BUILDING AREA: 1,219 Sq.Ft.
PARKING REQUIRED: 4 SPACES
PARKING PROVIDED: 7 SPACES
EXISTING ZONING: CMU-2
SITE AREA: 0.919 ACRES



**Planning
 Engineering
 Landscape Architecture
 Land Surveying**

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 Memphis, TN 38138
 901.761.2016 Fax: 901.763.2847
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CLUB CENTER NORTH TRACT 6

7999 CLUB CENTER DRIVE
 MEMPHIS, TENNESSEE
**PROPOSED PRIVATE INDOOR
 SHOOTING RANGE**
 PREPARED FOR
 RANGE DEVELOPMENT SERVICES, LLC

DRAWN BY: JRS
CHECKED BY: TRF
SCALE: 1"=30'

SHEET TITLE PRELIMINARY SITE PLAN

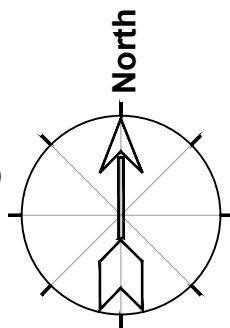
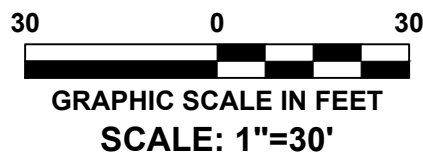
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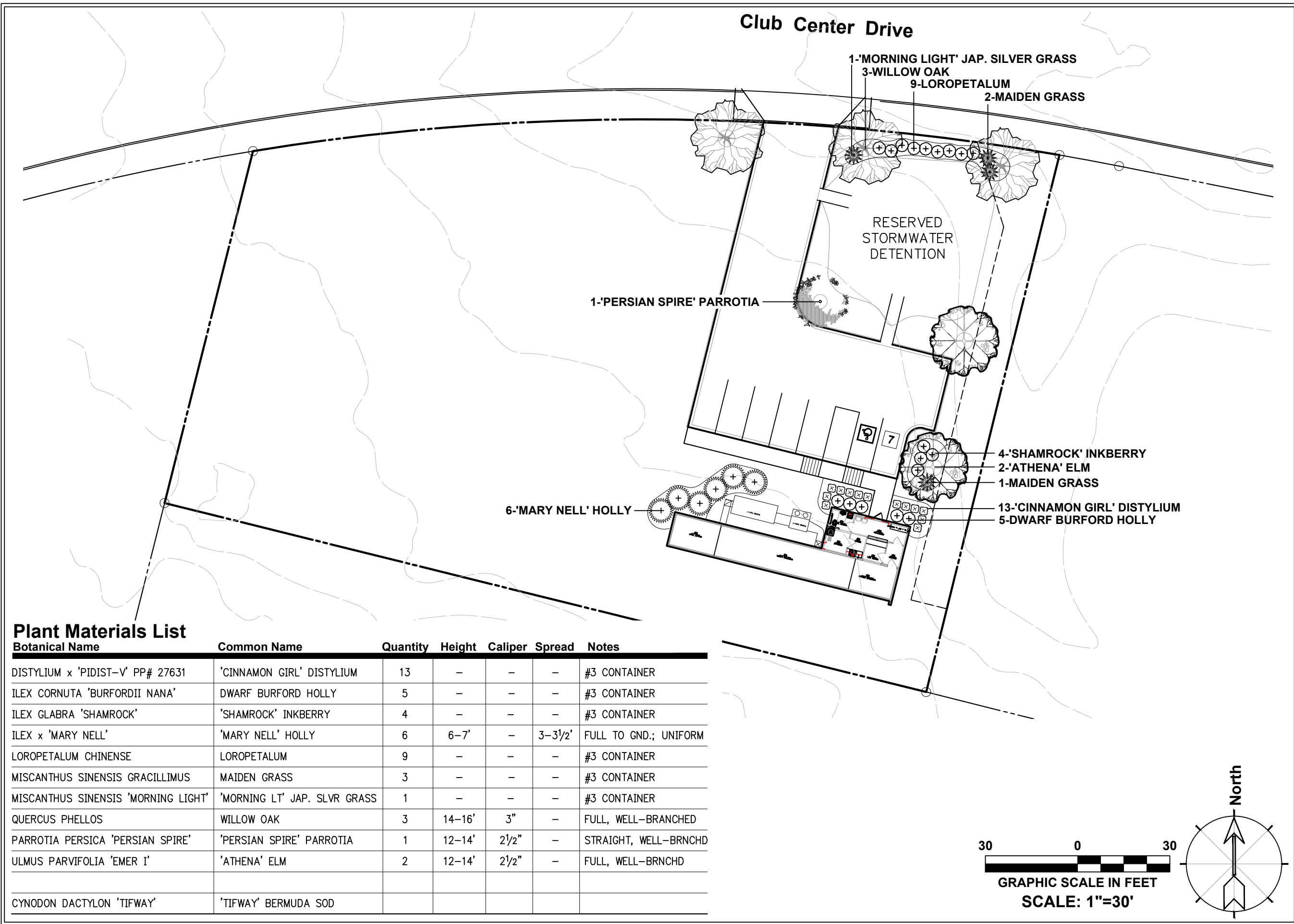
23-0006

SHEET NUMBER

C2.1

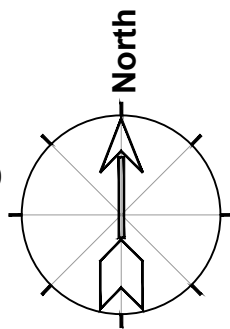
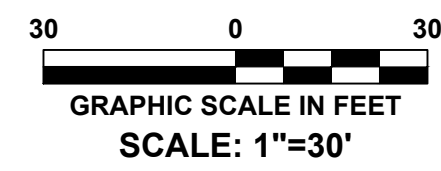
DATE OF THIS PRINTING
 02/02/2023





Plant Materials List

Botanical Name	Common Name	Quantity	Height	Caliper	Spread	Notes
DISTYLIUM x 'PIDIST-V' PP# 27631	'CINNAMON GIRL' DISTYLIUM	13	-	-	-	#3 CONTAINER
ILEX CORNUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY	5	-	-	-	#3 CONTAINER
ILEX GLABRA 'SHAMROCK'	'SHAMROCK' INKBERRY	4	-	-	-	#3 CONTAINER
ILEX x 'MARY NELL'	'MARY NELL' HOLLY	6	6-7'	-	3-3 1/2'	FULL TO GND.; UNIFORM
LOROPETALUM CHINENSE	LOROPETALUM	9	-	-	-	#3 CONTAINER
MISCANTHUS SINENSIS GRACILLIMUS	MAIDEN GRASS	3	-	-	-	#3 CONTAINER
MISCANTHUS SINENSIS 'MORNING LIGHT'	'MORNING LT' JAP. SLVR GRASS	1	-	-	-	#3 CONTAINER
QUERCUS PHELLOS	WILLOW OAK	3	14-16'	3"	-	FULL, WELL-BRNCHD
PARROTIA PERSICA 'PERSIAN SPIRE'	'PERSIAN SPIRE' PARROTIA	1	12-14'	2 1/2"	-	STRAIGHT, WELL-BRNCHD
ULMUS PARVIFOLIA 'EMER I'	'ATHENA' ELM	2	12-14'	2 1/2"	-	FULL, WELL-BRNCHD
CYNODON DACTYLON 'TIFWAY'	'TIFWAY' BERMUDA SOD					



The Reeves Firm
INCORPORATED

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Engineering
Landscape Architecture
Land Surveying

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**CLUB CENTER NORTH
TRACT 6**

7999 CLUB CENTER DRIVE
MEMPHIS, TENNESSEE

**PROPOSED PRIVATE INDOOR
SHOOTING RANGE**

PREPARED FOR
RANGE DEVELOPMENT SERVICES, LLC

DRAWN BY: JRS
CHECKED BY: TRF
SCALE: 1"=30'

SHEET TITLE
PRELIMINARY
LANDSCAPE PLAN

PROJECT NUMBER
23-0006
SHEET NUMBER

LA1.1
DATE OF THIS PRINTING
02/02/2023

- I BULK REGULATION**
- THE BULK REGULATIONS OF THE PLANNED COMMERCIAL (C-P) DISTRICT SHALL APPLY WITH THE FOLLOWING EXCEPTION
- A MAXIMUM FLOOR AREA OF 0.25 FAR SHALL BE PERMITTED ON THE SITE EXCLUDING DEDICATED RIGHTS-OF-WAY
- II ACCESS, CIRCULATION AND PARKING**
- A. THE CLUB CENTER DRIVE ACCESS TO GERMANTOWN PARKWAY SHALL BE LIMITED TO RIGHT-TURN-IN AND RIGHT-TURN-OUT ONLY. THE DESIGN OF THE INTERSECTION SHALL BE SUBJECT TO APPROVAL BY THE COUNTY ENGINEER.
 - * B. (FOR II B - SEE BELOW)
 - C. THE DESIGN, LOCATION AND NUMBER OF CURB CUTS SHALL BE SUBJECT TO APPROVAL BY THE COUNTY ENGINEER.
 - D. ALL PRIVATE DRIVES TO BE CONSTRUCTED TO MEET CITY/COUNTY STANDARDS AND PROVIDE A MINIMUM PAVEMENT WIDTH OF 22 FEET EXCLUSIVE OF CURB AND GUTTER.
 - E. INTERNAL CIRCULATION SHALL BE PROVIDED BETWEEN ALL PHASES/SECTIONS/LOTS.
 - F. SIDEWALKS ARE REQUIRED ON ALL PUBLIC STREETS IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS.
 - G. DIRECT ACCESS TO GERMANTOWN PARKWAY BY PRIVATE DRIVE OR CURB CUT IS PROHIBITED.
 - H. AN OPENING IN THE GERMANTOWN PARKWAY MEDIAN AT CLUB CENTER DRIVE IS PROHIBITED.

- III LANDSCAPING**
- A. PLATE F, A 15-FOOT WIDE LANDSCAPE STRIP OR AN EQUIVALENT SUBJECT TO THE APPROVAL OF THE OFFICE OF PLANNING AND DEVELOPMENT SHALL BE PROVIDED AND MAINTAINED ALONG CLUB PARKWAY AND GERMANTOWN PARKWAY.
 - B. PLATE B-3 OR B-4, 15-FOOT WIDE PLANTING SCREENS, SHALL BE PROVIDED ALONG THE FULL LENGTH OF THE NORTHERN PROPERTY LINE.
 - C. INTERNAL LANDSCAPING SHALL BE PROVIDED AT A RATIO OF 300 SQUARE FEET OF LANDSCAPED AREA AND ONE SHADE TREE PER EVERY 20 PARKING SPACES.
 - D. REFUSE CONTAINERS SHALL BE COMPLETELY SCREENED FROM VIEW FROM ADJACENT PROPERTIES AND PUBLIC ROADS.
 - E. ALL ROOF MOUNTED HEATING AND AIR CONDITIONING EQUIPMENT SHALL BE HIDDEN FROM VIEW WITHIN AN ARCHITECTURAL ELEMENT OF THE BUILDING.
 - F. EQUIVALENT LANDSCAPING MAY BE SUBSTITUTED FOR THAT REQUIRED ABOVE, SUBJECT TO THE APPROVAL OF THE OFFICE OF PLANNING AND DEVELOPMENT.
 - G. ALL REQUIRED LANDSCAPING AND SCREENING SHALL NOT CONFLICT WITH ANY EASEMENTS INCLUDING OVERHEAD WIRES.
 - H. A DETAILED LANDSCAPE AND SITE LIGHTING PLAN SHALL BE APPROVED BY THE OFFICE OF PLANNING AND DEVELOPMENT PRIOR TO THE ISSUE OF ANY BUILDING PERMIT. FURTHER, NO FINAL USE AND OCCUPANCY PERMIT SHALL BE ISSUED WITHOUT THE EXPRESS WRITTEN CERTIFICATION BY THE OFFICE OF PLANNING AND DEVELOPMENT THAT THE DEVELOPMENT IS IN CONFORMANCE WITH THE APPROVED LANDSCAPING AND SITE LIGHTING PLAN.

IV SIGNS

SIGNS SHALL BE PERMITTED IN ACCORDANCE WITH THE C-P DISTRICT REGULATIONS

V OTHER

BUILDING FACADES SHALL BE SIMILAR IN APPEARANCE AND/OR SHALL BE DESIGNED TO COMPLEMENT THE STYLE OF ARCHITECTURE AND BUILDING MATERIALS USED IN THE CLUB ASSOCIATES RETAIL COMMERCIAL CENTER ADJACENT TO THE SOUTH SUBJECT TO THE APPROVAL OF THE OFFICE OF PLANNING AND DEVELOPMENT

* II B - CLUB CENTER DRIVE SHALL NOT BE ACCEPTED BY THE COUNTY COMMISSION AND OPEN FOR PUBLIC USE UNTIL A TRAFFIC SIGNAL IS INSTALLED AT THE EXPENSE OF THE APPLICANT AT THE INTERSECTION OF CLUB PARKWAY AND GERMANTOWN PARKWAY. THE DESIGN AND PLACEMENT OF THE TRAFFIC SIGNAL SHALL BE THE SUBJECT TO APPROVAL BY THE COUNTY ENGINEER.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1/10,000 OR GREATER, THAT THIS PLAN HAS BEEN PREPARED BY ME OR UNDER MY INDIVIDUAL SUPERVISION AND CONFORMS WITH APPLICABLE STATE LAWS AND LOCAL ZONING ORDINANCES, SUBDIVISION REGULATIONS AND THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT BY THE PRACTICE OF SURVEYING.

BY: *[Signature]* DATE: 8-19-93



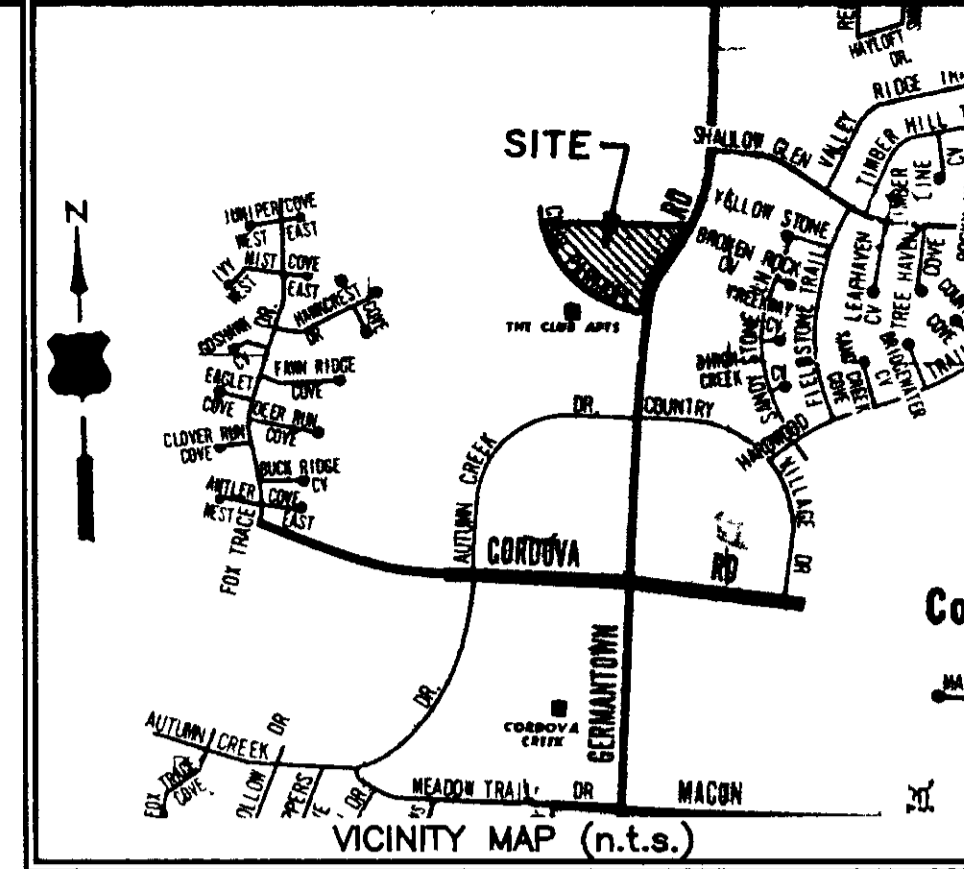
DU 3608
 PURE BOOK 143, PAGE 20
 RECORDING FEE -
 DATE: 8-19-93
 TIME: 9:49 AM
 STATE OF TENNESSEE
 SHELBY COUNTY

Grace & Associates
 INCORPORATED
 ARCHITECTURE ENGINEERING PLANNING LANDSCAPE ARCHITECTURE
 2809 Elmore Park Rd., P.O. Box 34060 Memphis TN 38184 (901)366-6853

- VI DRAINAGE**
- A. ALL DRAINAGE IMPROVEMENTS TO BE PROVIDED IN ACCORDANCE WITH SUBDIVISION REGULATIONS, AND THE CITY OF MEMPHIS DRAINAGE DESIGN MANUAL.
 - B. THIS DEVELOPMENT MUST BE EVALUATED BY THE TENNESSEE DEPARTMENT OF HEALTH AND ENVIRONMENT REGARDING THEIR JURISDICTION OVER THE WATER-COURSES ON THIS SITE IN ACCORDANCE WITH THE WATER QUALITY CONTROL ACT OF 1977 AS AMENDED (TCA 69-3-101 et seq).
- VII THE LAND USE CONTROL BOARD MAY MODIFY THE BULK, ACCESS, PARKING, LANDSCAPING, LOADING, SCREENING, SIGNAGE, AND OTHER SITE REQUIREMENTS IF EQUIVALENT ALTERNATIVES ARE PRESENTED, PROVIDED, HOWEVER, ANY PROPERTY OWNER WHO IS DISSATISFIED WITH THE MODIFICATIONS OF THE LAND USE CONTROL BOARD HEREUNDER MAY, WITHIN TEN DAYS OF SUCH ACTION FILE A WRITTEN APPEAL TO THE DIRECTOR OF THE OFFICE OF PLANNING AND DEVELOPMENT, TO HAVE SUCH ACTION REVIEWED BY THE APPROPRIATE GOVERNING BODIES.**
- VIII A FINAL PLAN SHALL BE FILED WITHIN FIVE YEARS OF APPROVAL OF THE OUTLINE PLAN. THE LAND USE CONTROL BOARD MAY GRANT EXTENSIONS AT THE REQUEST OF THE APPLICANT.**

- IX ANY FINAL PLAN SHALL INCLUDE THE FOLLOWING**
- A. THE GENERAL PLAN CONDITIONS
 - B. A STANDARD SUBDIVISION CONTACT AS DEFINED BY THE SUBDIVISION REGULATIONS FOR ANY NEEDED PUBLIC IMPROVEMENTS
 - C. THE EXACT LOCATION AND DIMENSIONS INCLUDING HEIGHT OF ALL BUILDINGS OR BUILDABLE AREAS, PARKING AREAS, DRIVES, REQUIRED LANDSCAPING, REFUSE CONTAINERS, SIGNS
 - D. THE NUMBER OF PARKING SPACES
 - E. THE CONTENT OF ALL LANDSCAPING AND SCREENING TO BE PROVIDED
 - F. THE LOCATION AND OWNERSHIP, WHETHER PUBLIC OR PRIVATE OF ANY EASEMENT
 - G. IF APPLICABLE, A STATEMENT CONVEYING ALL COMMON FACILITIES AND AREAS TO A PROPERTY OWNERS' ASSOCIATION OR OTHER ENTITY, FOR OWNERSHIP AND MAINTENANCE PURPOSES
 - H. BUILDING AND SIGN ILLUSTRATIONS AS REQUIRED BY CONDITION V
 - I. THE FOLLOWING NOTE SHALL BE PLACED ON THE FINAL PLAN 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 OR COUNTY ENGINEER, AS APPLICABLE. THE STORM WATER DETENTION SYSTEMS LOCATED IN THESE AREAS, EXCEPT FOR THOSE PARTS LOCATED IN A PUBLIC DRAINAGE EASEMENT, SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER AND/OR PROPERTY OWNERS' ASSOCIATION. SUCH MAINTENANCE SHALL BE PERFORMED SO AS TO ENSURE THAT THE SYSTEM OPERATES IN ACCORDANCE WITH THE APPROVED PLAN ON FILE IN THE CITY/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.

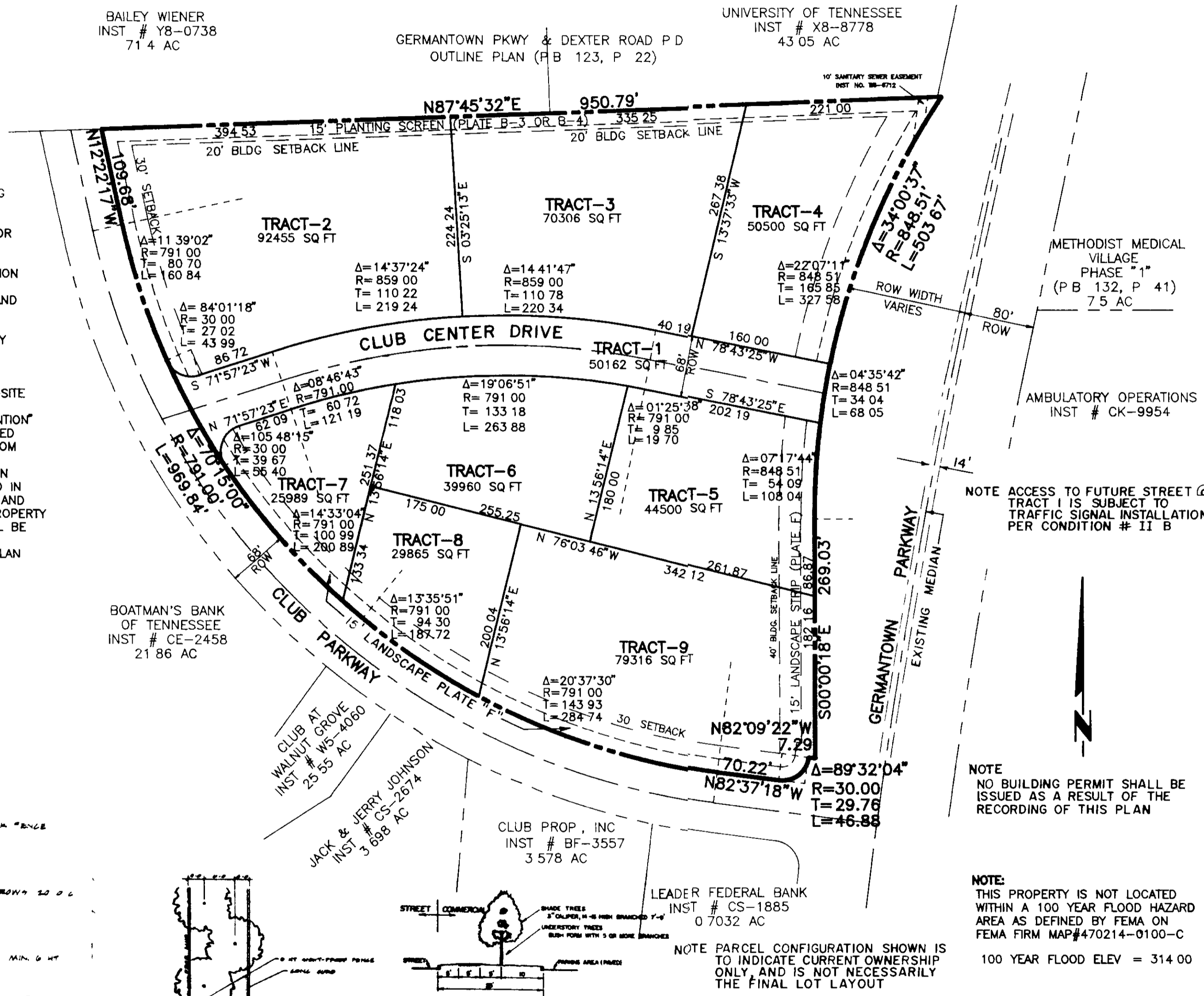
OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE
 PLAN OF DEVELOPMENT ACTED ON BY THE MEMPHIS AND SHELBY COUNTY LAND
 USE CONTROL BOARD ON JUNE 10, 1993, APPROVED
 BY THE MEMPHIS CITY COUNCIL ON AUGUST 3, 1993, AND BY
 THE SHELBY COUNTY BOARD OF COMMISSIONERS ON JULY 26, 1993
 BY: *[Signature]* DATE: August 18, 1993
 DIRECTOR
 OFFICE OF PLANNING AND DEVELOPMENT



BAILEY WIENER
 INST # Y8-0738
 71.4 AC

GERMANTOWN PKWY & DEXTER ROAD P D
 OUTLINE PLAN (P B 123, P 22)

UNIVERSITY OF TENNESSEE
 INST # X8-8778
 43.05 AC



METHODIST MEDICAL VILLAGE PHASE "1" (P B 132, P 41) 7.5 AC

AMBULATORY OPERATIONS INST # CK-9954

BOATMAN'S BANK OF TENNESSEE INST # CE-2458 21.86 AC

CLUB AT WALNUT GROVE INST # WS-4080 25.55 AC

JACK & JERRY JOHNSON INST # CS-2874 3.88 AC

CLUB PROP., INC INST # BF-3557 3.578 AC

LEADER FEDERAL BANK INST # CS-1885 0.7032 AC

NOTE: ACCESS TO FUTURE STREET @ TRACT 1 IS SUBJECT TO TRAFFIC SIGNAL INSTALLATION PER CONDITION # II B

NOTE: NO BUILDING PERMIT SHALL BE ISSUED AS A RESULT OF THE RECORDING OF THIS PLAN

NOTE: THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD HAZARD AREA AS DEFINED BY FEMA ON FEMA FIRM MAP#470214-0100-C 100 YEAR FLOOD ELEV = 314.00

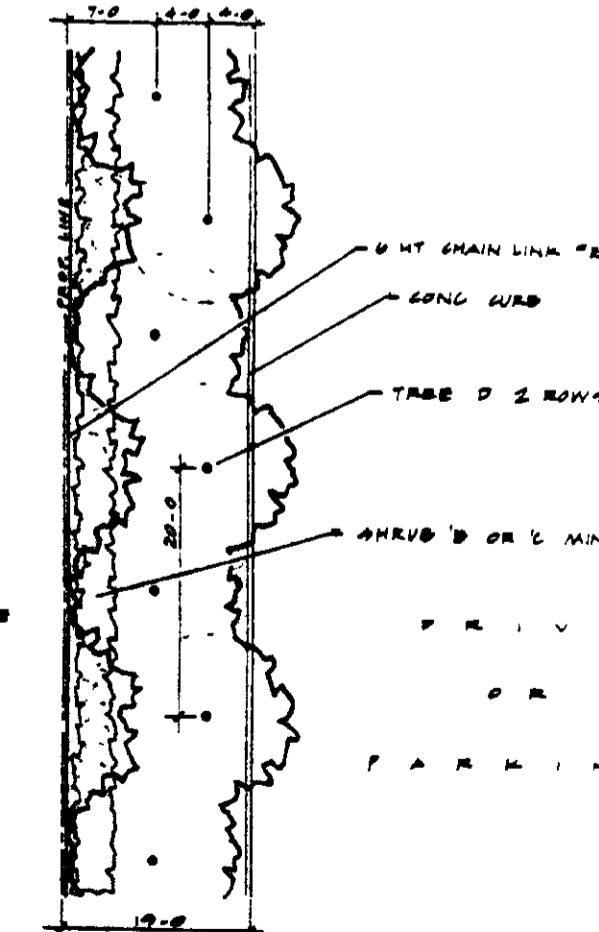


PLATE B3

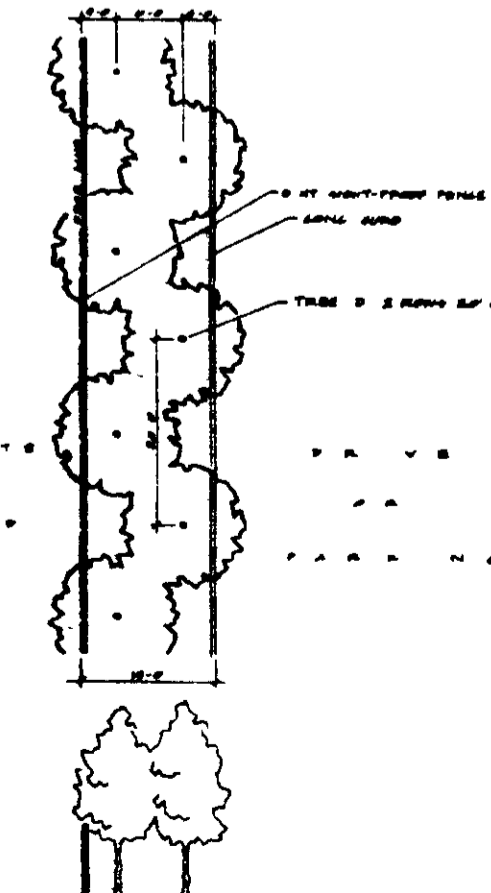


PLATE B4

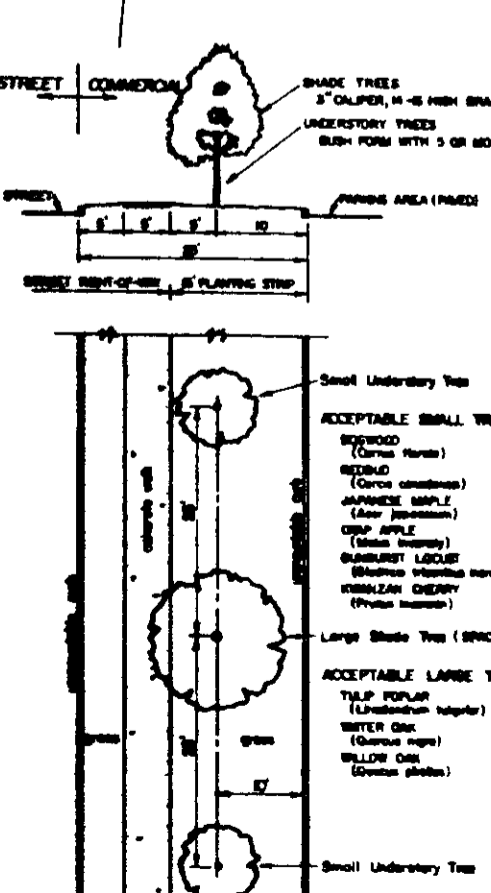
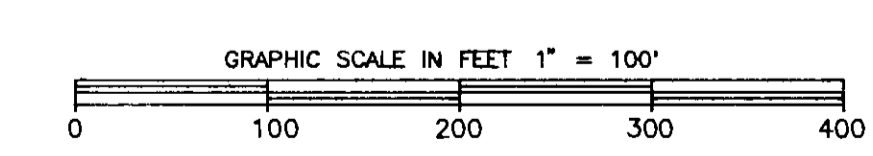
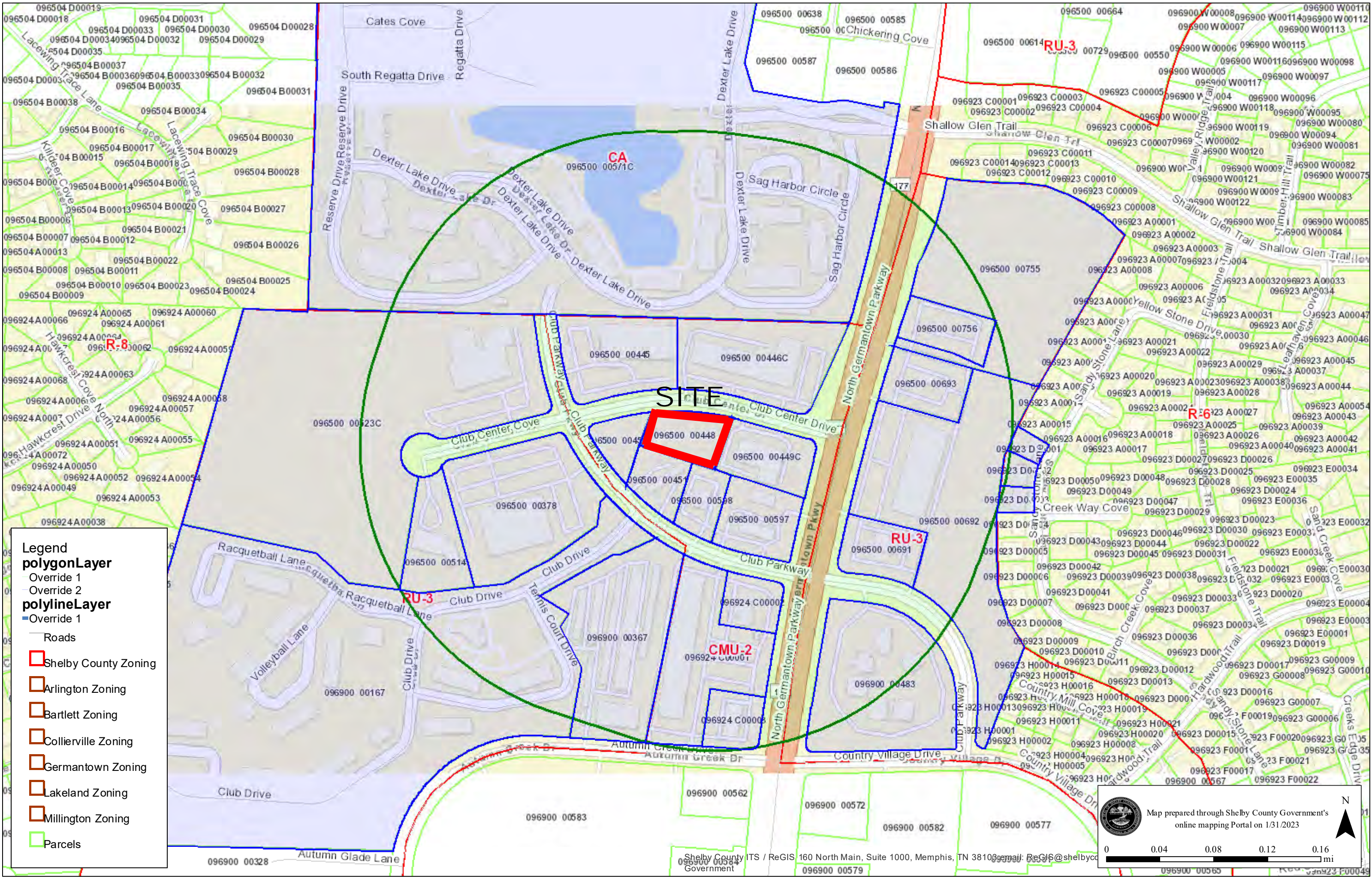



PLATE "F"



AMENDED GENERAL PLAN
 Z 93-120 CC
 (FORMERLY Z 92-142 CC, Z 88-III CC)
CLUB CENTER NORTH
 SHELBY COUNTY, TENNESSEE
 O. W. WINSETT DEVELOPER
 GRACE & ASSOCIATES, INC. ENGINEER
 AREA = 11.09 ACRES
 DATE: AUGUST, 1993
 PARCEL # D2-8-101
 SHEET 1 OF 3



- Legend**
- polygonLayer**
- Override 1
 - Override 2
- polylineLayer**
- Override 1
- Roads
- ▭ Shelby County Zoning
 - ▭ Arlington Zoning
 - ▭ Bartlett Zoning
 - ▭ Collierville Zoning
 - ▭ Germantown Zoning
 - ▭ Lakeland Zoning
 - ▭ Millington Zoning
 - ▭ Parcels


 Map prepared through Shelby County Government's online mapping Portal on 1/31/2023

0 0.04 0.08 0.12 0.16 0.20
 mi

N

MASON HARRISON & JARRARD
ENTERPRISES AND
PO BOX 751510
MEMPHIS TN 38175

LEE ORGANIZATION 4 LLC
P O BOX 1983
ATHENS GA 30603

CORDOVA AMUSEMENT CO INC
4350 STAGE RD
MEMPHIS TN 38128

CORNER STREET PROPERTIES LLC
201 S LAFAYETTE ST
STARKVILLE MS 39759

RALEIGH TIRE SERVICE INC EAST
2827 AUSTIN PEAY HWY
MEMPHIS TN 38128

TURPEN LORI D AND KHRISTY S WIGGINS
1350 CONCOURSE AVE 1034
MEMPHIS TN 38104

RALEIGH TIRE SERVICE INC
2827 AUSTIN PEAY HWY
MEMPHIS TN 38128

ROSS ANN J
1395 SANDY STONE LN
CORDOVA TN 38016

NORTH GERMANTOWN PARKWAY 1375
CENTER LLC
760 BRISCOE BLVD
LAWRENCEVILLE GA 30046

LEWIS DARRYL & LASAVIA
1389 SANDY STONE LN
CORDOVA TN 38016

SOUTHTRUST OF TENN INC
P O BOX 2609
CARLSBAD CA 92018

C-C TRINITY LAKES LLC
PO BOX 771020
MEMPHIS TN 38177

LEARNING TREE DAY CARE CENTER INC
7917 CLUB CENTER CV
CORDOVA TN 38016

SAWYER REVOCABLE TRUST
1749 HARTWELL MANOR CV
COLLIERVILLE TN 38017

GATEWAY PROPERTIES LP
280 EUREKA ST
BATESVILLE MS 38606

NFH2 G P
5858 RIDGEWAY CENTER PKWY
MEMPHIS TN 38120

OWS PARTNERSHIP
5858 RIDGEWAY CENTER PKWY
MEMPHIS TN 38120

Y M C A OF MEMPHIS &
THE MID-SOUTH
6373 QUAIL HOLLOW RD 201
MEMPHIS TN 38130

GREGORY REALTY GP
PO BOX 382366
GERMANTOWN TN 38183

GREGORY REALTY GP
PO BOX 382366
GERMANTOWN TN 38183

FKH SFR PROPCO B-HLD LP
1850 PARKWAY PL SE 900
MARIETTA GA 30067

BC COMMERCIAL PROPERTIES LLC
5860 RIDGEWAY CENTER PKWY 102
MEMPHIS TN 38120

ESS PRISA LLC
34405 W 12 MILE RD 215
FARMINGTON HILLS MI 48331

CHAO INVESTMENT CO
7886 WINCHESTER RD 201
MEMPHIS TN 38125

AMBULATORY OPERATIONS INC
1211 UNION AVE 600
MEMPHIS TN 38104

MID AMERICA APARTMENTS LP
6815 POPLAR AVE 500
GERMANTOWN TN 38138

CHRISTINE DONHARDT
THE REAVES FIRM
6800 POPLAR AVE STE 101
MEMPHIS TN 38138

NRMT3 INVESTMENTS LLC
GLEN M. BAILEY JR
5100 WHEELIS DRIVE STE 215
MEMPHIS TN 38117

096924 C00003 - MASON HARRISON & JARRARD ENTERPRISES AND
096500 00693 - LEE ORGANIZATION 4 LLC
096500 00445 - CORDOVA AMUSEMENT CO INC
096500 00446C - CORNER STREET PROPERTIES LLC
096500 00448 - RALEIGH TIRE SERVICE INC EAST
096500 00452 - TURPEN LORI D AND KHRISTY S WIGGINS
096500 00449C - RALEIGH TIRE SERVICE INC
096923 D00002 - ROSS ANN J
096500 00597 - NORTH GERMANTOWN PARKWAY 1375 CENTER LLC
096923 D00003 - LEWIS DARRYL & LASAVIA
096924 C00002 - SOUTHTRUST OF TENN INC
096900 00167 - C-C TRINITY LAKES LLC
096500 00514 - LEARNING TREE DAY CARE CENTER INC
096500 00378 - SAWYER REVOCABLE TRUST
096500 00598 - GATEWAY PROPERTIES LP
096500 00756 - NFH2 G P
096500 00755 - OWS PARTNERSHIP
096500 00523C - Y M C A OF MEMPHIS AND THE MID-SOUTH
096500 00692 - GREGORY REALTY GP
096500 00691 - GREGORY REALTY GP
096923 D00001 - FKH SFR PROPCO B-HLD LP
096500 00451 - BC COMMERCIAL PROPERTIES LLC
096900 00367 - ESS PRISA LLC
096924 C00001 - CHAO INVESTMENT CO
096900 00483 - AMBULATORY OPERATIONS INC

096500 00571C - MID AMERICA APARTMENTS LP



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.

22025196

03/07/2022 - 09:32:30 AM


3 PGS

LACY 2393388-22025196

VALUE	110000.00
MORTGAGE TAX	0.00
TRANSFER TAX	407.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	427.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

<p>WARRANTY DEED</p> 	<p>STATE OF TENNESSEE COUNTY OF SHELBY THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$110000.</p> <p style="text-align: center;"><i>[Signature]</i> Affiant</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME, THIS 28th DAY OF February, 2022</p> <p style="text-align: center;"><i>[Signature]</i> Notary Public</p> <p>MY COMMISSION EXPIRES: (AFFIX SEAL)</p>
---	--

THIS INSTRUMENT WAS PREPARED BY:

ALICE L. GALLAHER, ATTORNEY AT LAW , 8120 Highway 51 North, Suite 1, Millington, Tennessee 38053

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
Britt Mock 6800 Poplar Ave., Suite 215 Germantown, TN 38138	Britt Mock	096500 00448

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEE, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, RALEIGH TIRE SERVICE, INC., A TENNESSEE CORPORATION, HEREINAFTER CALLED THE GRANTOR HAS BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO BRITT MOCK, a married man, HEREINAFTER CALLED THE GRANTEE, HIS/HER HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN SHELBY COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

Tract 6, Club Center North Subdivision, as shown on plat of record in Plat Book 143, Page 20, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to Grantor herein by Warranty Deed recorded in Instrument No. HV 5754 in the said Register's Office. Raleigh Tire Service, Inc., is one and the same entity as Raleigh Tire Service, Inc. East.

This conveyance is subject to 2022 City of Memphis taxes and 2022 Shelby County taxes, liens not yet due and payable, which Grantee assumes and agrees to pay; Subdivision restrictions, building lines and easements of record in Plat Book 103, Page 22, Plat Book 122, Page 74, and Plat Book 143, Page 20; and Easements recorded in Book 5401, Page 317, and Instrument No. DF 6198, all in the Register's Office of Shelby County, Tennessee.

This conveyance is subject to a Deed Restriction prohibiting the use of the property for a business engaged in any and all types of auto repairs and the sale or servicing of tires to the general public. This Restriction shall be a covenant running with the land and shall be binding upon the successors and assigns of the Purchaser/Grantee.

This is unimproved property, known as 7999 Club Center Dr., Cordova, TN 38016

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant forever defend the title to the said land to the said GRANTEE, his/her heirs and assigns, against the lawful claims of all persons whomsoever.

Witness the signature of the GRANTOR, this the 25th day of February, 2022.

Raleigh Tire Service, Inc.

By: *Albert E. Bellanti*
 Albert E. Bellanti, President

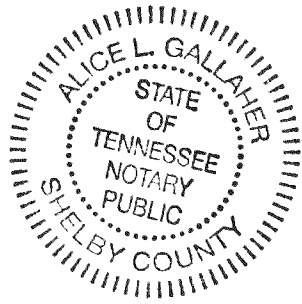
STATE OF TENNESSEE
COUNTY OF SHELBY

On this 25th day of February, 2022, before me personally appeared Albert E. Bellanti, to me known (or proved to me on the basis of satisfactory evidence), who, being by me duly sworn (or affirmed) did say that such person is the president of Raleigh Tire Service, Inc., the within named bargainer, a corporation, and that such president, executed the foregoing instrument for the purpose therein contained, by personally signing the name of the corporation as president. Witness my hand and official seal at office at Millington, Tennessee, on this the 25th day of February, 2022.

My commission expires:

3-13-2022

Alice L. Gallaher
Notary Public



Return to:
Bridgforth, Buntin & Emerson, PLLC
5293 Getwell Road,
Southaven, MS 38672
File No. 20210910578

I, Barry W. Bridgforth, Jr., do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law on the 28th day of February 2022

Barry W. Bridgforth, Jr.

Barry W. Bridgforth, Jr.

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Sworn to and subscribed before me this 28th day of February, 2022.

(Seal)



Janet R. O'Daniel

Notary Public

My Commission Expires: _____

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: March 21, 2023

DATE

PUBLIC SESSION: March 21, 2023

DATE

ITEM (CHECK ONE)

 ORDINANCE X RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit for used vehicle sales at 2607 S. Mendenhall Rd., known as case number SUP 23-2

CASE NUMBER: SUP 23-2

LOCATION: 2607 S. Mendenhall Rd.

COUNCIL DISTRICTS: District 4 and Super District 8

OWNER/APPLICANT: Baha Hajjeh

REPRESENTATIVE: David Bray of the Bray Firm

REQUEST: Special use permit for used vehicle sales

AREA: 0.5 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**
Hearing – March 21, 2023

PRIOR ACTION ON ITEM:

<u>(1) _____</u>	APPROVAL - (1) APPROVED (2) DENIED
<u>March 9, 2023</u>	DATE
<u>(1) Land Use Control Board</u>	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 23-2

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT FOR USED VEHICLE SALES AT 2607 S. MENDENHALL RD., KNOWN AS CASE NUMBER SUP 23-2

- This item is a resolution with conditions for a special use permit for used vehicle sales; and
- The item will not likely require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, March 9, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 23-2
LOCATION: 2607 S. Mendenhall Rd.
COUNCIL DISTRICTS: District 4 and Super District 8
OWNER/APPLICANT: Baha Hajjeh
REPRESENTATIVE: David Bray of the Bray Firm
REQUEST: Special use permit for used vehicle sales
AREA: 0.5 acres
ZONING: Commercial Mixed Use – 3

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, subject to the following conditions:

1. The site shall comply with all standards of the Unified Development Code, including Article 4, unless deemed impractical by staff due to site constraints.
2. All nonconforming structures shall be removed or otherwise brought into conformance. Permits shall be required for any proposed accessory structure.
3. Any nonconforming signage and fencing shall be removed or otherwise brought into conformance. Permits shall be required for new signage and fencing.
4. A revised plan set shall be submitted subject to administrative review and approval. No permits shall be issued prior to the administrative approval of a site plan.

The motion *passed* unanimously on the consent agenda.

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT FOR USED VEHICLE SALES AT 2607 S. MENDENHALL RD., KNOWN AS CASE NUMBER SUP 23-2

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, Baha Hajjeh filed an application with the Memphis and Shelby County Division of Planning and Development for a special use permit for used vehicle sales; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on March 9, 2023, and said Board has submitted its 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 Comprehensive Plan; and

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

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

BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Occupancy, a Building Permit, and/or other required permits and approvals, provided that no such Certificate of 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:

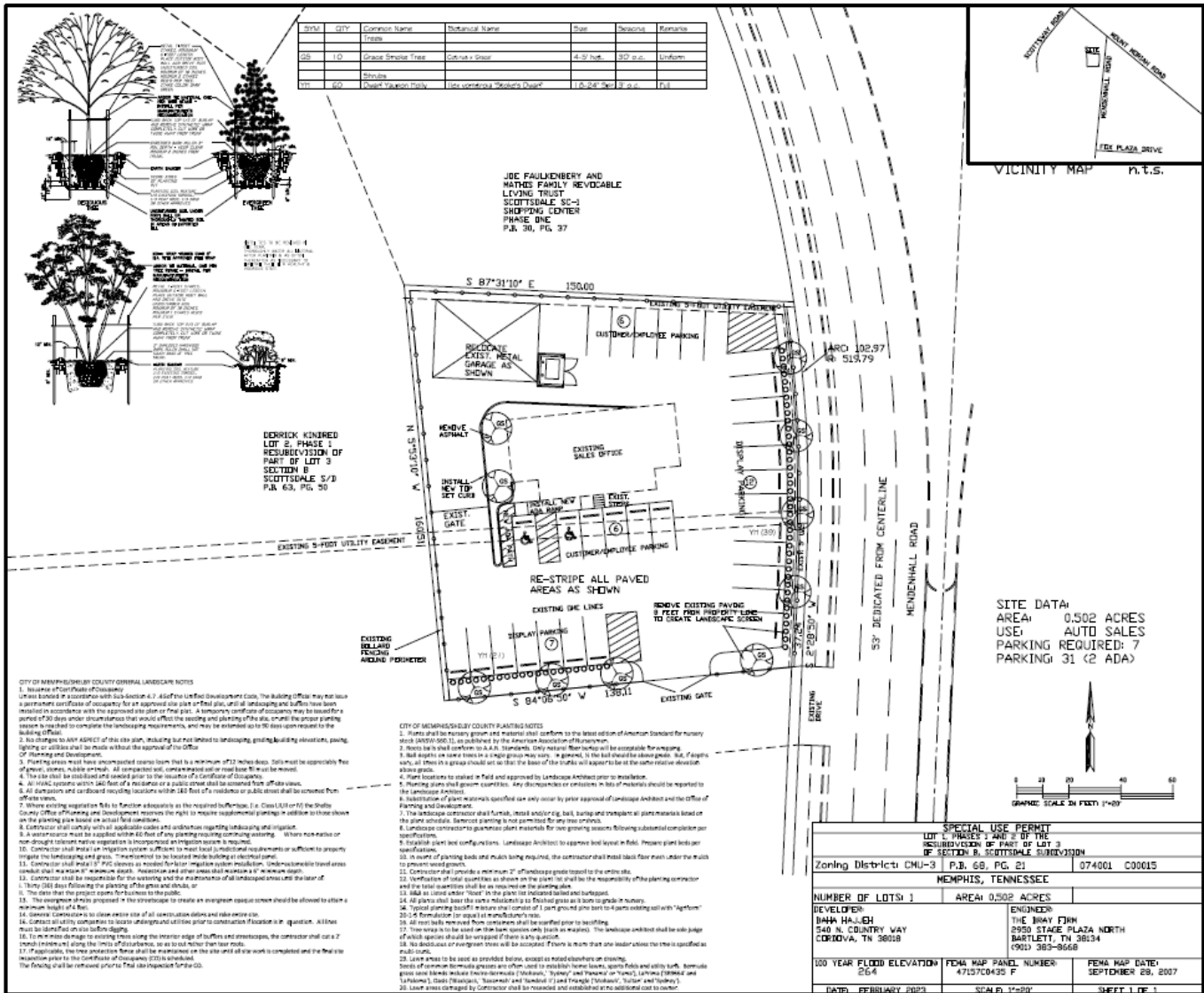
**CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement**

CONDITIONS

1. The site shall comply with all standards of the Unified Development Code, including Article 4, unless deemed impractical by staff due to site constraints.
2. All nonconforming structures shall be removed or otherwise brought into conformance. Permits shall be required for any proposed accessory structure.
3. Any nonconforming signage and fencing shall be removed or otherwise brought into conformance. Permits shall be required for new signage and fencing.
4. A revised plan set shall be submitted subject to administrative review and approval. No permits shall be issued prior to the administrative approval of a site plan.

SITE PLAN

Per Condition 4, a revised plan set is required.



AGENDA ITEM: 15

CASE NUMBER: SUP 23-2

L.U.C.B. MEETING: March 9, 2023

LOCATION: 2607 S. Mendenhall Rd.

COUNCIL DISTRICT: District 4 and Super District 8

OWNER/APPLICANT: Baha Hajjeh

REPRESENTATIVE: David Bray of the Bray Firm

REQUEST: Special use permit for used vehicle sales

AREA: 0.5 acres

EXISTING ZONING: Commercial Mixed Use – 3

CONCLUSIONS

1. Baha Hajjeh has requested a special use permit for used vehicle sales at 2607 S. Mendenhall Rd.
2. Although this site operated as a vehicle sales establishment in the past, no evidence has been provided to staff that it is a legal nonconforming use. The site is likely currently operating without proper zoning approval. Regardless, a special use permit is required because the applicant has constructed accessory structures, which would not be allowed under the standards concerning legal nonconformities.
3. The recently constructed accessory structures were built without building permits. They violate several zoning standards, including being located within a utility easement. They will need to be removed or otherwise brought into conformance. Prior to obtaining a building permit, any proposed structure must be reflected on an approved site plan (*see recommended condition 4*).
4. Staff finds that the request meets the special use permit approval criteria and is consistent with the Memphis 3.0 Comprehensive Plan. Additionally, staff recommends conditions that would bring this site into conformance with contemporary development standards.

CONSISTENCY WITH MEMPHIS 3.0

Per the Dept. of Comprehensive Planning, this request is **consistent** with the Memphis 3.0 Comprehensive Plan.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: S. Mendenhall Rd. (Principal Arterial) 140'
Zoning Atlas Page: 2245
Parcel ID: 074001 C00015

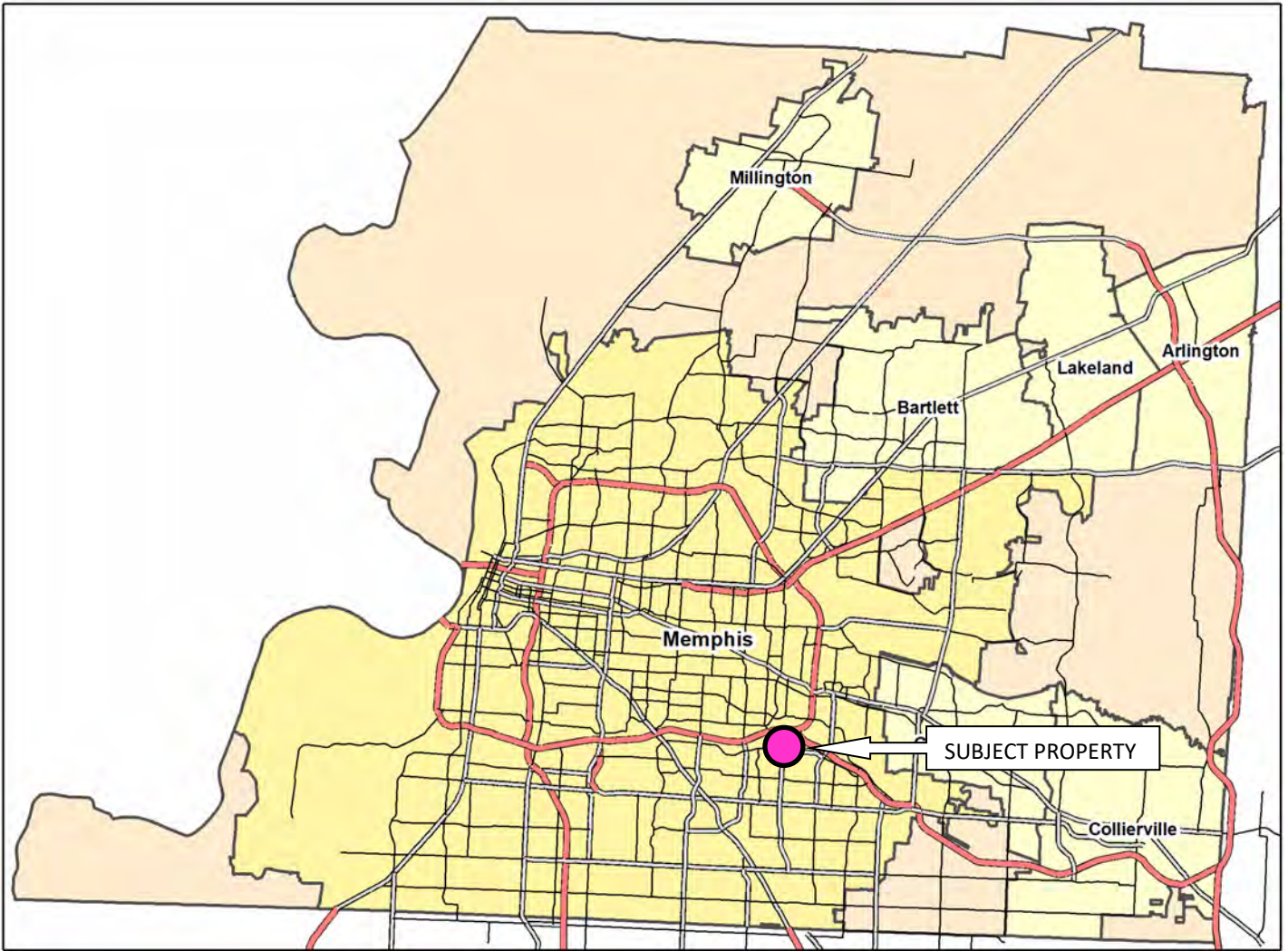
NEIGHBORHOOD MEETING

The required neighborhood meeting was held at on site at 7 p.m. on February 27, 2023.

PUBLIC NOTICE

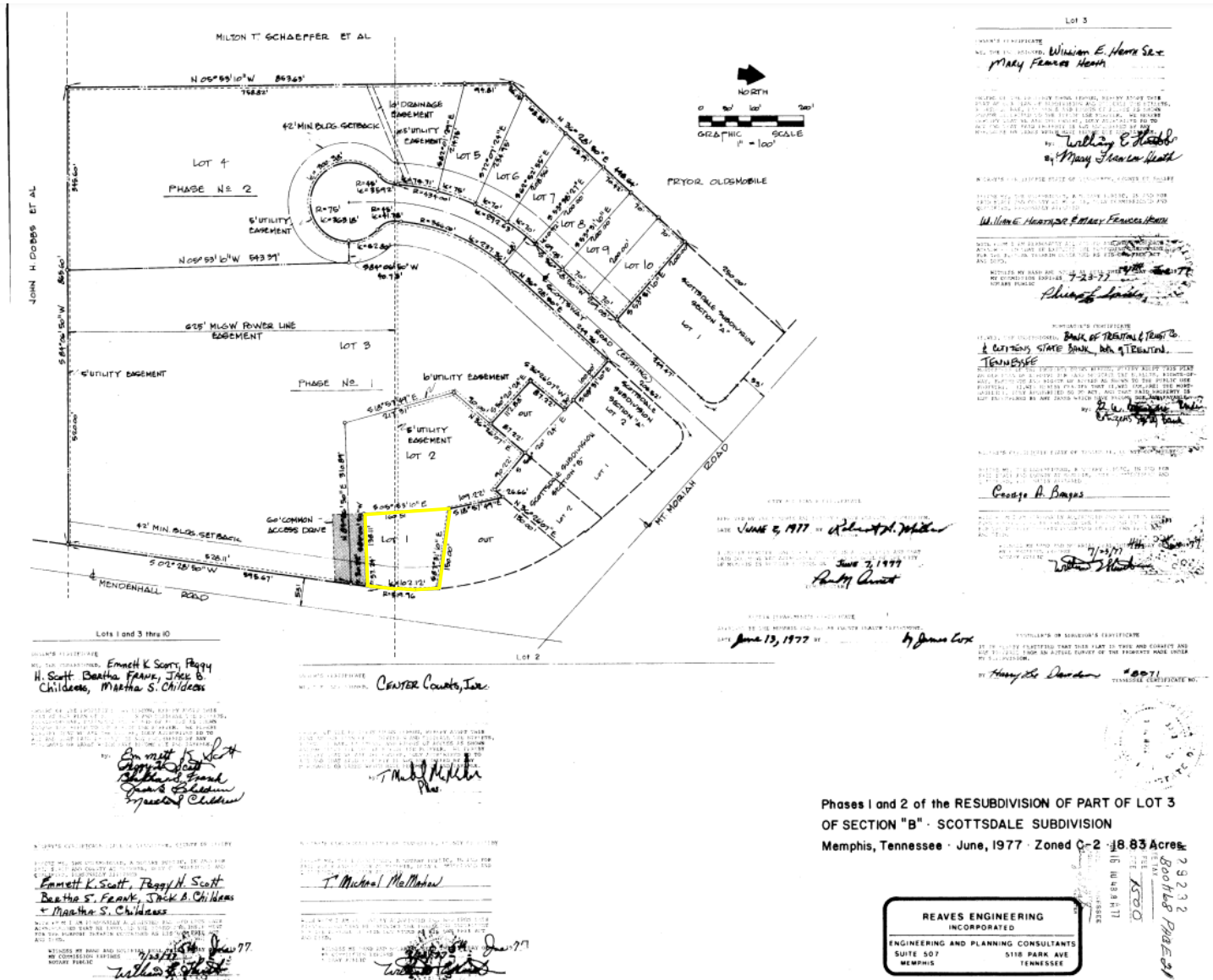
In accordance with Sub-Section 9.3.4A of the Unified Development Code, notice of public hearing is required to be mailed and posted. 28 notices were mailed on February 27, 2023, and one notice posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the Parkway Village neighborhood

PHASES 1 AND 2 OF THE RESUBDIVISION OF PART OF LOT 3 OF SECTION B OF SCOTSDALE SUBDIVISION (1977)



Subject property is Lot 1.

The plat includes a 42' minimum front building setback, 5' utility easements along the eastern and northern perimeters as well as through the middle of the lot, and a power line easement partially on the lot.

The plat also reflects a shared access easement on the adjacent lot that provides the subject lot vehicular access.

SATELLITE PHOTO WITH ZONING



Existing Zoning: Commercial Mixed Use – 3

Surrounding Zoning

North: Commercial Mixed Use – 3











East: Commercial Mixed Use – 3

South: Commercial Mixed Use – 3

West: Commercial Mixed Use – 3

LAND USE MAP



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

SITE PHOTOS



Principal structure



Existing metal fence and two accessory structures (carport and garage)

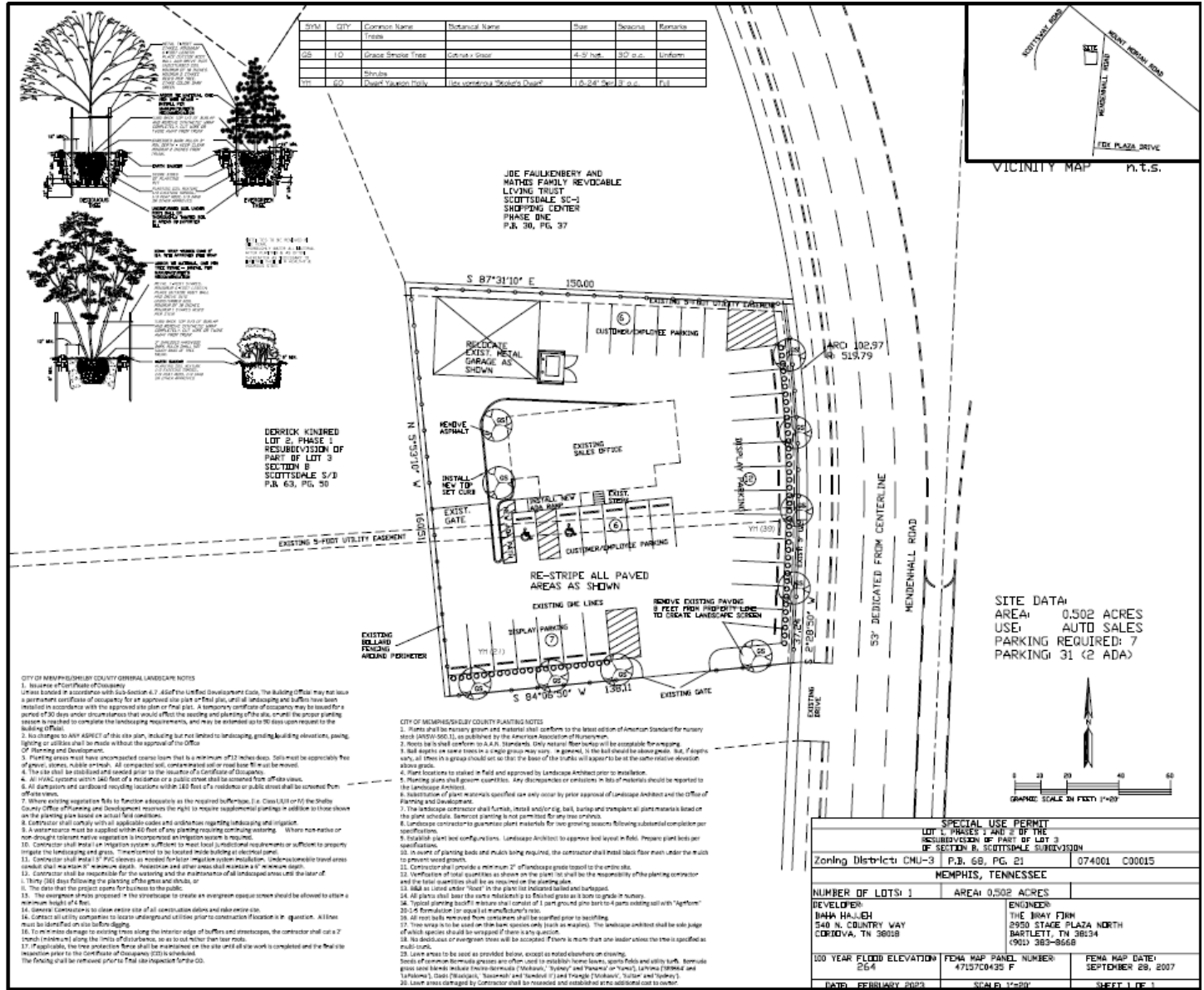


Rear of garage within utility easement. Note outdoor storage.



View north down Mendenhall

SITE PLAN



STAFF ANALYSIS

Request

The request is for a special use permit for used vehicle sales.

The application form and letter of intent have been included in this report.

Approval Criteria

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

9.6.9 Approval Criteria

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

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

Site Description

The subject site is Lot 1 of Phases 1 and 2 of the Resubdivision of Part of Lot 3 of Section B of Scottsdale Subdivision. A grade-A, 1218-sf structure was built in 1986. Fencing, accessory structures, and outdoor storage have been added without permits.

Site Zoning History

A zoning letter, ZV 20-42, was issued in 2020. It has been pasted below.



CASE: ZV 20-42
DATE: 29 December 2020
RE: 2607 Mendenhall Road
PARCEL ID: 074001 C00015

Zoning Verification Letter

To CeCe Baker:

The current zoning of the above-referenced property is **Commercial Mixed Use – 3 (CMU-3)**. Said property is not within a special purpose district, overlay district, or designated frontage. A screenshot of the zoning atlas at said property has been provided on the second page.

According to your application, the current and proposed use of the property is **vehicle sales**. Said use is not permitted by right in said zoning district; a Special Use Permit, subject to the approval of the Memphis City Council, is required. No Special Use Permit is associated with said property.

It is possible that the existing vehicles sales business at the aforementioned property is a legal nonconforming, or legacy, use. The Division of Planning and Development may provide a Nonconforming Opinion for \$100; however, the onus is on the applicant to provide sufficient evidence of the legal nonconforming status. In this case, in order to be legal nonconforming, the business must have: 1) been established on or prior to 10 February 2015; and 2) never ceased operations for more than 365 days since that date. Additionally, no extension or relocation of the nonconforming use would be permitted following that date.

If the business is not a legal nonconforming use as described above, it is an **illegal nonconforming, or unpermitted, use**. In that event, possible remedies include relocating the business to an industrial zoning district or applying for a Special Use Permit.

Disclaimer

The Division of Planning and Development does not provide a guarantee regarding the accuracy of the above information, disclaims responsibility for any loss of profit or damages related to the use of the said information, and assumes no liability for errors and/or omissions within this letter. All information was obtained on 29 December 2020 from online sources available to the public.

Please do not hesitate to reach out with any comments or questions at brett.davis@memphistn.gov.

Respectfully,

Brett Davis
Land Use & Development Services

In 2021, another zoning letter, ZV 21-44, was later issued to Mr. Hajjeh confirming that a special use permit was necessary for the proposed use at this site.

In 2022, an enforcement case, ENF-2022-01003, was opened against Mr. Hajjeh for constructing an accessory structure without a building permit. The summons is pasted below.



Memphis and Shelby County Office of Construction Code Enforcement

6465 MULLINS STATION MEMPHIS, TENNESSEE 38134

October 12, 2022

Baha Hajjeh M
540 N Country Way Dr
Cordova TN 38018

REF: 2607 Mendenhall Rd

SUMMONS FAILURE TO COMPLY

You have been advised by formal notice that you are in violation of Shelby County Government Code of Ordinances #5800 Section 105.1. After several unsuccessful attempts to obtain compliance, you are now being summoned to court for FAILURE TO OBTAIN BUILDING PERMIT.

Please be advised that failure to appear in court may result in the issuing of a bench warrant for your arrest.

Please contact me at (901) 222-8394 if you have any questions regarding this summons. Your court date is December 5, 2022 at 1:30 pm.

Thank you for your cooperation.


Cecilia Sagers
Building Inspector
Shelby County Code Enforcement.
6465 Mullins Station Rd
Email: Cecilia.sagers@shelbycountyttn.gov
Office: (901) 222-8394
Cell: (901) 483-4035

Later that year, Mr. Hajjeh filed a building permit application, COM-ACC-22-000074, for said structure. This permit is currently ineligible for approval because: 1) it the structure is an extension of a nonconforming use; 2) it is within a utility easement; 3) it is within 5' of another structure; and 4) no site plan review was filed.

Site Plan Review

- Vehicle sales use standards must be met.
- Any accessory structure shall be architecturally compatible with the principal structure.
- No accessory structure may be closer than 5' to a property line or to another structure.
- The absolute height of an accessory structure may not exceed the height of the principal structure as measured per Section 3.2.6.
- Any portion of an accessory structure over 20' in height shall be setback at least 20'.
- The cumulative area of all accessory structures may not exceed 75% of the ground floor area of the principal structure.
- The minimum parking setbacks shall be 8' from the right-of-way and 5' from all other property lines.
- Sidewalk shall be repaired and/or replaced as needed.
- A UDC-compliant streetscape plate (likely one between S-7 and S-11, inclusive) shall be installed.
- Parking spaces shall be distinguished from vehicle sales spaces. Geometric standards must be met.
- Bicycle parking spaces are required.
- Parking area landscaping is required.
- Screening of dumpsters and other service areas may be required if visible from the right-of-way.
- Limited outdoor storage shall be permitted in accordance with Chapter 4.8: 1) Storage areas must be reflected on the site plan; 2) storage may not exceed 12' in height; 3) storage shall be setback at least 15' from the right-of-way; 4) vehicles awaiting repair must be within the planned storage area; and 5) no more than 18 vehicles awaiting repair may be stored on site.
- No structure may be located within an easement.
- Certain existing site elements, such as fencing and a carport, are not shown on the site plan. Ultimately, the site, site plan, and building permits must all match.

Conclusions

Baha Hajjeh has requested a special use permit for used vehicle sales at 2607 S. Mendenhall Rd.

Although this site operated as a vehicle sales establishment in the past, no evidence has been provided to staff that it is a legal nonconforming use. The site is likely currently operating without proper zoning approval. Regardless, a special use permit is required because the applicant has constructed accessory structures, which would not be allowed under the standards concerning legal nonconformities.

The recently constructed accessory structures were built without building permits. They violate several zoning standards, including being located within a utility easement. They will need to be removed or otherwise brought into conformance. Prior to obtaining a building permit, any proposed structure must be reflected on an approved site plan (*see recommended condition 4*).

Staff finds that the request meets the special use permit approval criteria and is consistent with the Memphis 3.0 Comprehensive Plan. Additionally, staff recommends conditions that would bring this site into conformance with contemporary development standards.

RECOMMENDATION

Staff recommends ***approval*** with conditions.

Conditions

1. The site shall comply with all standards of the Unified Development Code, including Article 4, unless deemed impractical by staff due to site constraints.
2. All nonconforming structures shall be removed or otherwise brought into conformance. Permits shall be required for any proposed accessory structure.
3. Any nonconforming signage and fencing shall be removed or otherwise brought into conformance. Permits shall be required for new signage and fencing.
4. A revised plan set shall be submitted subject to administrative review and approval. No permits shall be issued prior to the administrative approval of a site plan.

DEPARTMENTAL COMMENTS

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

City Engineer:

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

Sewers:

2. City sanitary sewers are available to serve this development.
3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

Roads:

4. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
5. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.
6. On street parking not guaranteed.

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.

Street Closures:

12. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
13. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
14. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.

City Fire:

Reviewed by: J. Stinson

Address or Site Reference: 2607 S Mendenhall

- All design and construction shall comply with the 2021 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.
- IFC 510 In-building two-way emergency responder communication coverage shall be provided in all new and existing buildings. Buildings and structures that cannot support the required level of coverage shall be equipped with systems and components to enhance signals and achieve the required level of communication coverage.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

Office of Comprehensive Planning:

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: SUP 23-02 Balmoral

Site Address/Location: 2607 Mendenhall

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

Future Land Use Designation: High Intensity Commercial & Services (CSH)

Street Type: Parkway

The applicant is seeking a special use permit to legitimize auto sales on the parcel.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

High Intensity Commercial and Service areas typically not associated with anchors. These areas may include commercial uses that serve a larger trade area; this may include large-scale retail, self-storage, vehicle sales, leasing and repair, water-oriented services, lodging, indoor recreation, and social service institutions. Graphic portrayal of CSH is to the right.



“CSH” Form & Location Characteristics

Commercial and services uses with mixed use encouraged along avenues, boulevards and parkways as

identified in the Street Types Map, 1-7 stories height

“CSH” Zoning Notes

Generally compatible with the following zone districts: CMU-2, CMU-3 without frontage requirements, C-G in accordance with Form and characteristics listed below.

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, CMU-3

Adjacent Land Use and Zoning: Commercial, R-6

Overall Compatibility: *This requested land use is compatible with land use description/intent, form/location characteristics, zoning notes, and existing/adjacent land use and zoning.*

3. Degree of Change Map



Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change.

4. Degree of Change Description N/A

5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities N/A

6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations N/A

Consistency Analysis Summary

The applicant is seeking a special use permit to legitimize auto sales on the parcel. This requested land use is compatible with land use description/intent, form/location characteristics, zoning notes, and existing/adjacent land use and zoning.

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

Summary Compiled by: Melanie Batke Olejarczyk, Comprehensive Planning.

APPLICATION FORM



Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: February 3, 2023

Record Number: SUP 2023-002

Expiration Date:

Record Name: 2607 S Mendenhall - Special Use Permit

Description of Work: Special Use Permit application to allow vehicle sales at 2607 S Mendenhall

Parent Record Number:

Address:

2607 MENDENHALL RD, MEMPHIS 38115

Owner Information

Primary Owner Name

Y HAJJEH BAHA

Owner Address

540 N COUNTRY WAY, CORDOVA, TN 38018

Owner Phone

Parcel Information

074001 C00015

Data Fields

PREAPPLICATION MEETING

Name of OPD Planner

Chip Saliba

Date of Meeting

01/10/2023

Pre-application Meeting Type

-

GENERAL PROJECT INFORMATION

Application Type

New Special Use Permit (SUP)

GENERAL PROJECT INFORMATION

List any relevant former Docket / Case Number(s) related to previous applications on this site -

Is this application in response to a citation, stop work order, or zoning letter Yes

If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information Citation attached. Work on premises without building permit

APPROVAL CRITERIA

A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare This property has been previously used for automobile sales. The current site is not built to UDC standards but proposed renovations will bring site in compliance.

B) The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations Improvements to the site will be made to bring it into compliance with UDC particularly regarding landscaping

UDC Sub-Section 9.6.9C All utilities are currently installed.
 UDC Sub-Section 9.6.9D This site will remain largely unchanged and continue as a previously permitted use.

UDC Sub-Section 9.6.9E Changes to the site will be made to bring it into compliance with the UDC.

UDC Sub-Section 9.6.9F This plan is consistent with uses in the immediate area.

GIS INFORMATION

Case Layer -

Central Business Improvement District Class No

Downtown Fire District No

Historic District -

Land Use COMMERCIAL

Municipality MEMPHIS

Overlay/Special Purpose District -

Zoning CMU-3

State Route -

Lot 0 1

Subdivision PH 1 RESUB OF PT LT 3 OF SCOTTSDALE

Planned Development District -

Wellhead Protection Overlay District -

Contact Information

Name
HAJJEH BAHA
Address

Phone
-

Contact Type
APPLICANT

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1446527	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	02/03/2023
1446527	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	02/03/2023

Total Fee Invoiced: \$513.00

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$513.00	Credit Card

LETTER OF INTENT



Telephone 901-383-8668

2950 Stage Plaza North
Bartlett, Tennessee 38134

February 3, 2023

Brett Ragsdale, Director
Memphis and Shelby County
Office of Planning and Development
125 North Main Street
Memphis, Tennessee 38103

RE: Special Use Permit – Auto Sales
Lot 1, Phases 1 and 2 of the Resubdivision
Of Part of Lot 3 of Section B
Scottsdale Subdivision (P.B. 68, Pg. 21
2607 S. Mendenhall
Memphis, Tennessee

Mr. Ragsdale:

Please find attached an application for a Special Use Permit to allow auto sales at the above captioned property. This property has previously been utilized for auto sales but the uses had lapsed for a period of more than 365 days. The applicant undertook work on the existing structure without benefit of the building permit resulting in a citation from Office of Construction Code Enforcement. Previous site improvements are existing on the site but the previous operations were not in compliance with the current Unified Development Code. Modifications to the site to bring the site in compliance with existing UDC regulations are shown on the attached plan.

Thank you for considering this request. If you have any questions or need any additional information, please contact me.

Sincerely,

David Gean Bray, P.E.

OWNER'S AFFIDAVIT



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Baha Hajeh (Print Name) [Signature] (Sign Name), state that I have read the definition of

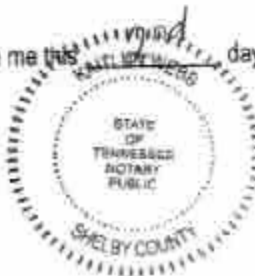
"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

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

of the property located at 2607 S Mendenhall Rd Memphis, TN 38115
and further identified by Assessor's Parcel Number 074001 C00015
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 10th day of February in the year of 2023

[Signature]
Signature of Notary Public



04/06/2025
My Commission Expires

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Baha HASSEB being duly sworn, depose and say that at 9:00 (am) pm on the 27 day of FEBRUARY, 2023, I posted 2 Public Notice Sign(s) pertaining to Case No. 23-03 at 2607 KORMENYAK DR providing notice of a Public Hearing before the (check one):

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

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

[Signature]
Owner, Applicant or Representative

03/03/23
Date

Subscribed and sworn to before me this 3rd day of March, 2023.

[Signature]
Notary Public

My commission expires: 10/30/2023



LETTERS RECEIVED

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