

Memphis City Council Summary Sheet

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

This is a resolution to move appropriated funds from completed projects to the IT Project IT01003.

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

Information Technology Division.

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

N/A

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

N/A

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

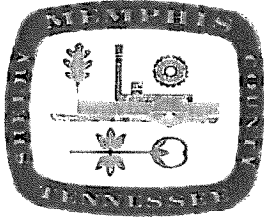
N/A

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

This requires appropriation of \$234,480.00. Budget amendment is required.

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

N/A



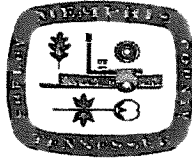
A resolution to move \$234,480.00 from CIP Project ISO1080 to CIP Project IT01003, Operational Infrastructure Enhancements

WHEREAS, the Council of the City of Memphis did include the Operations Infrastructure Enhancements, CIP Project Number IT01003, as part of the Fiscal Year 2023 Capital Improvement Budget; and

WHEREAS, Information Technology will work on this project for Wireless Network Enhancement for \$100,000.00. Additional wireless access points are needed to enhance coverage at City Hall and Libraries. This will fill in coverage holes at City Hall and Libraries. \$40,000.00 is for Spectrum Licensing. This is to add licensing for the Spectrum network monitoring system. This allows monitoring for new devices being added to the network. \$24,480.00 is for Disaster Recovery Orchestrator Add-on for Veeam. This would allow us to automatically restore production systems and eliminate/minimize downtime during a disaster. We can also simulate/test the Disaster Recovery plan without affecting production. \$20,000.00 is for Testing equipment. New cable testing equipment for copper and fiber. This allows the network operations team to diagnose cabling issues more quickly to push toward a resolution. \$50,000.00 is for Fabric Implementation. This is to continue rolling out the new fabric network. It will provide greater segmentation and security for the City's network.

WHEREAS, it is necessary to re-distribute \$234,480.00 in General Obligation Bond funding for CIP Project IT01003, Operational Infrastructure Enhancements;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby re-distributed \$234,480.00 in General Obligation Bonds chargeable to the Fiscal Year 2023 Capital Improvement Budget.



Memphis City Council Summary Sheet

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

This is a resolution to move appropriated funds from completed projects to the IT Project IT01001.

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

Information Technology Division.

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

N/A

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

N/A

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

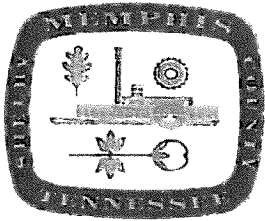
N/A

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

This requires appropriation of \$11,614.00. Budget amendment is required.

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

N/A



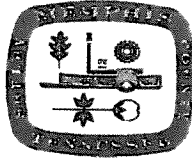
A resolution to move \$11,614.00 from CIP Project IS01087 to CIP Project IT01001, Desktop & Application Infrastructure.

WHEREAS, the Council of the City of Memphis did include the Desktop & Application Infrastructure, CIP Project Number IT01001, as part of the Fiscal Year 2023 Capital Improvement Budget; and

WHEREAS, Information Technology will work on the Obsolete Equipment Replacement. Programmatic replacement of obsolete equipment and maintain the City's Infrastructure. This will meet the data processing requirements of the new applications and software.

WHEREAS, it is necessary to move \$11,614.00 in General Obligation Bond funding for CIP Project IT01001, Desktop & Application Infrastructure;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby moved \$11,614.00 in General Obligation Bonds chargeable to the Fiscal Year 2023 Capital Improvement Budget.



Memphis City Council Summary Sheet

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

This is a resolution to move appropriated funds from completed projects to the IT Project IT01001.

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

Information Technology Division.

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

N/A

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

N/A

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

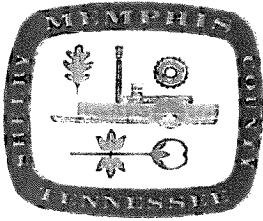
N/A

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

This requires appropriation of \$80,325.00. Budget amendment is required.

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

N/A



A resolution to move \$80,325.00 from CIP Project ISO1080 to CIP Project IT01001, Desktop & Application Infrastructure.

WHEREAS, the Council of the City of Memphis did include the Desktop & Application Infrastructure, CIP Project Number IT01001, as part of the Fiscal Year 2023 Capital Improvement Budget; and

WHEREAS, Information Technology will work on the Obsolete Equipment Replacement. Programmatic replacement of obsolete equipment and maintain the City's Infrastructure. This will meet the data processing requirements of the new applications and software.

WHEREAS, it is necessary to move \$80,325.00 in General Obligation Bond funding for CIP Project IT01001, Desktop & Application Infrastructure;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby moved \$80,325.00 in General Obligation Bonds chargeable to the Fiscal Year 2023 Capital Improvement Budget.



Memphis City Council FY23 Budget Request Presentation

Memphis Family Connection Center
Mark Ottinger, Executive Director

Mission Statement

Memphis Family Connection Center (MFCC) supports hope and healing for families and children. MFCC's programs aim at increasing access to holistic care for families and communities impacted by Adverse Childhood Experiences (ACEs) and trauma. Families and communities are primarily served through clinical services (counseling, occupational/speech therapy, expressive art therapy and parent mentoring), community training and implementation, as well as trauma-informed resources that inform better care practices, prioritizing root causes and community support. At every level, MFCC supports families and communities toward greater healing and hope. MFCC desires to provide a safe and secure place for every individual to thrive and reach their full potential.

Organization Information

- Organization Founded in 2016
- 501 c (3) organization since April 19, 2018
- Please indicate all years of prior City of Memphis Funding - None
- Representative Name - Mark Ottinger
- Representative Email and Phone Number - mo@memphisfamilycc.org and 901-230-0082
- Organization Email and Phone Number - stephanie@memphisfamilycc.org and 337-520-5282
- Organization Mailing Address - 815 N McLean Blvd Memphis, TN 38107
- Located in District 7 and Super District 8-1
- Number of Citizens served 4,413

Funding Amount Requested \$241,500

MEMPHIS FAMILY CONNECTION CENTER BUDGET		
	Annual Expense	City of Memphis
Leadership & Administration		
Salaries (ED, Sr. Program Mgr, Comms, Dev, & Research)	\$259,760.00	
Communications	\$8,300.00	
Development (software, donor relations)	\$12,150.00	
Finance / HR	\$4,915.00	
Research	\$2,200.00	
MFCC Clinic		
Core Programming (Counseling and Therapy)	\$506,665.00	\$158,000.00
General Clinic (insurance, phone, furniture, etc)	\$14,440.00	
Facilities (rent, janitorial, maintenance)	\$65,000.00	
IT Software Fees (Simple Practice, Trello)	\$11,055.00	
IT Hardware	\$9,000.00	\$9,000.00
Staff development	\$12,000.00	
Professional Fees / Audit	\$10,419.00	
Counseling/Therapy Supplies	\$17,248.00	
Safe and Secure		
Core Programming (Training Team)	\$85,587.00	\$35,000.00
S&S launch event	\$15,000.00	
"Memphis Collective" (meeting space, food, handouts, resources, b	\$18,000.00	\$14,500.00
Collective members TBRI Training	\$105,000.00	
TBRI Vision dinner	\$20,000.00	
Training Materials (Videos, animates, props, fidgets)	\$35,000.00	\$25,000.00
Empowered To Connect Institute		
Program Mgr / Training Team	\$93,525.00	
Curriculum Development	\$30,000.00	
Facilitator Training/Support	\$26,400.00	
Graphic Designer	\$18,000.00	
Podcast (editing, castos hosting, etc)	\$6,790.00	
TOTAL	\$1,386,454.00	\$241,500.00

The Memphis City Council will not accept financial requests that exceed more than thirty percent of total operating budget as reported on the most recently filed and accepted Charitable Organizations filing, including the IRS form 990EZ and 990.

The Problem

Please include information about how your organization will address a public need: Crime and Drug Prevention, Youth Empowerment, Economic Development, and Poverty - Youth Empowerment

The overarching challenge for our community is trauma. Right now it is manifesting itself through a high percentage of children and families experiencing a mental health crisis due to the pandemic, high levels of poverty, racial trauma, toxic stress, loss, abuse, neglect and Adverse Childhood Experiences. MFCC believes best practice in addressing trauma is through The Social-Ecological Model where trauma is addressed at every community level: Individual, Interpersonal, Organizational, Community and Public Policy. To address the trauma of our community, MFCC Equips, Educates and Empowers through two primary programs:

1 - Memphis Family Connection Center's specialized clinic equips youth, parents, and caregivers with the skills and practices they need to experience hope, healing, and lasting change. MFCC nurtures well-being and hope through healing-centered, integrated care and support. Clinical services offered at MFCC are grounded in Trust-Based Relational Intervention (TBRI®). TBRI®, listed on the California Clearinghouse for Evidence-Based Practices, is a trauma-informed intervention that is designed to meet the complex needs of children who have experienced trauma, adversity, or toxic stress. Clinical services are provided within the framework of TBRI® to encourage trauma-informed care. MFCC counselors and therapists equip caregivers with knowledge and skills that empower them to provide healing care for those who have experienced trauma.

With a deep desire for all families to have access to quality trauma-informed care, MFCC accepts almost all commercial insurance, offers a sliding scale and scholarship fund to assist families and individuals in accessing care. No one is ever turned away from receiving mental health support. In 2019, 30% of families served by MFCC accessed the sliding scale and scholarship fund. Over the last 2.5 years, families served by the clinic qualifying for the sliding scale grew to 63% and in FY22 over \$275,000 in scholarships will be awarded to families. With a multidisciplinary integrated model of care for the entire family, MFCC empowers youth and families to move from simple survival to deep connection, awareness, and joy. This year, the Memphis Family Connection Center was 1 of 7 organizations nationally to be recognized by **The American Psychiatry Association Foundation with the "2022 Award for Advancing Minority Mental Health"**.

2 - MFCC realizes that to help a whole community heal from trauma, the support of families and children must extend beyond clinical care. MFCC's second priority aims to educate community stakeholders in trauma-informed, strength-based policies and practices through their **program "Safe and Secure TN". Safe and Secure TN inspires compassion and change through collaborative training and coaching.** The program is a collaborative effort with the Karyn Purvis Institute of Child Development (KPICD) at Texas Christian University, with the shared goal of reducing the impact of adverse childhood experiences and trauma on youth. A multi-systemic approach is utilized to build internal competency; the program will scaffold implementation of trauma-informed practices that will lead to lasting growth. Youth will benefit directly and immediately from positive changes implemented in these systems. This is accomplished through training with local, community-based organizations, child welfare agencies, and nonprofits to build capacity for implementing trauma-informed healing care within and across systems.

In March, Safe and Secure TN launched at Streets Ministries with a training for 125 staff and volunteers representing 25 local organizations. In August, MFCC is launching the first Safe and Secure collective of organizations in Memphis that will work toward implementation of trauma-informed policies and practices throughout their organizations. This first collective is made up of Memphis Athletic Ministries, Communities in Schools, Dept. of Children Services, Service Over Self, YMCA, Restore Corps, Binghamton Development Corp, and Agape Child and Family Services. This collective has the potential to impact tens of thousands of youth in Memphis annually, as well as establish a strong foundation for additional cohorts around the city.

The Solution

Please include information to demonstrate history of community involvement:

From their personal experience of having parented 6 children through adoption, Mark and Tona Ottinger felt called to make a difference for Memphis families with similar experiences. Led by empathy, they recognized a void in therapeutic services for families with children impacted by Adverse Childhood Experiences (ACEs) and trauma. Parents and caregivers were stretched thin searching for services that were holistic, consistent, cohesive, local, and affordable.

Beginning 12 years ago, the Ottingers began providing support services to adoptive and foster families in the Mid-South. Growing from a monthly support group for moms to offering counseling services and parenting classes, lifting up over 500 Memphis parents. In 2012, in an effort to continue to support local foster families, the Ottingers launched Red Tub Day to supply Christmas for 26 children in foster care. Through partnerships with local churches, businesses and the Memphis community, over the last eleven years Red Tub Day has supplied Christmas for 5,442 local children in foster care.

With a desire to support families in a deeper, more therapeutic way, the Ottingers started the Memphis Family Connection Center in 2016 with the vision of making quality, affordable trauma-informed care accessible to families. Support for families has been provided by assembling a team of counselors and therapists who work collaboratively in supporting hope and healing for Mid-South children and families. Since 2016, over 28,000 trauma-informed therapeutic appointments have been provided to Memphis families. Today, MFCC has 17 clinical staff and 8 support staff. As clinical services began to expand, so did requests from local organizations for trauma-informed training for their staff and volunteers. Over the last five years, MFCC has provided trainings for over 80 local organizations. The following are some of the sectors and organizations:

Education

Memphis Teacher Residency, YMCA of Memphis and Midsouth, Kipp Preparatory Middle, Achievement School District and Multinational Memphis

Community Agencies

Service Over Self (SOS), Binghamton Development Corp, Streets Ministries, SOUL and Soccer Shots

Churches/Houses of Worship

Fellowship Memphis, 2nd Presbyterian Children's Ministry, Neighborhood Church, and Faith Baptist

Child Welfare

TN Department of Children Services and the Center for Excellence

The Solution

Please include how the programming will positively affect community:

Memphis will be positively affected through MFCC's clinical services and organizational training and implementation. Both services empower parents, caregivers, and community members to create healing environments that are supportive and nurturing for youth who have been impacted by trauma. These environments, whether in a home, school, nonprofit or community setting, make mental health care accessible by supporting the growth and healing of youth. With a greater understanding of trauma, and skills to bring healing, MFCC leads children and adults to understand the effects of trauma on their whole self, helps them regulate emotionally which leads to a decrease in fear and anxiety and ultimately strengthens their mental health. MFCC believes that children and families will flourish in communities that collaborate to make systemic changes to improve trauma-competency.

Quantitative Goals

- Number of volunteer/administrative hours invested: 1,023
- Number of citizens served: 4,413
- Amount of capital raised: \$800,000-\$900,000 annually
- Number of support resources deployed: 10 iPads, 5 laptops and 12 desktop computers
- Please include any other statistics about programming: (continued on the next slide)

Quantitative Goals

Please include any other statistics about programming: Memphis Family Connection Center was recently given Ambassador Organization status by the Karyn Purvis Institute of Child Development. MFCC is now 1 of 5 Ambassador Organizations globally. The other four Ambassador Organizations have made significant systems change in their states and countries over the last 5-10 years. MFCC is anticipating seeing the same impact for youth here in Memphis through **our clinical work and “Safe and Secure” programs.**

Some key statistics seen in other states by Ambassador Organizations:

In Schools:

18% decrease in incident reports and 23% decrease in the number of office referrals for the top ten most frequently referred students following TBRI implementation in an elementary school with an at-risk student population. After a two-year period of implementation, school data showed a 68% decrease in office referrals for physical aggression; an 88% decrease in referrals for verbal aggression; and a 95% decrease in referrals for disruptive behavior. Overall there were 902 of these types of referrals combined, and only 59 second year, resulting in a 93.5% decrease in these types of incidents after the first two years of the implementation process.

In Youth Group Homes: Decreases in serious incident reports by 39% and containments by 60% after TBRI implementation in a group home setting providing transitional services for children ages 4 to 12 who can no longer live with their families

In Foster/Adoptive Homes: Significant decreases in thought problems, attention problems, aggressive behavior, and other problems for children from pre-intervention to post-intervention. Significant increase in positive attachment behaviors and a significant decrease in negative attachment behaviors on the Beechbrook Attachment Disorder Checklist

THE COLLECTIVE

B L U E P R I N T

Memphis City Council

FY23 Budget Request Presentation

The Collective Blueprint
Sarah Lockridge-Steckel, CEO

Mission Statement

The mission of The Collective Blueprint is to increase socioeconomic mobility for Opportunity Youth by building pathways to thriving careers.

Organization Information

- **Organization Founded in 2015**
- **501 c (3) organization since 2020**
- **Please indicate all years of prior City of Memphis Funding: 1 (2019-2020)**
- **Representative Name: Virginia Carr**
- **Email: virginia@thememphiscollective.org**
- **Phone Number: 870-390-9882**
- **Organization Email: info@thememphiscollective.org**
- **Organization Phone Number: (901) 248-4788**
- **Organization Mailing Address: PO Box 40476 Memphis, TN 38174**
- **Located in District 7 and Super District 9**
- **Number of Citizens served: ~150**

Funding Amount Requested: \$50,000

Expenditures	FY23 Adopted	City of Memphis
Grant Contract Expense	\$2,500	
Salaries and Related Expenses	\$1,649,364.16	\$50,000
Young Adult Stipends and Program Expenses	\$590,250.00	
Non-Personnel Expenses <i>Including Emergency Assistance</i>	\$399,000.00	
	Total	\$50,000

The Problem

*The Collective Blueprint addresses the following public needs: **Youth Empowerment, Economic Development, and Poverty***

- Due to limited pathways to economic opportunity, estimates for the number of Opportunity Youth in the greater Memphis area are as high as 45,000
- Memphis has some of the lowest socioeconomic mobility in the country
- Postsecondary options are not aligned to industry needs and are too difficult for young adults to access

The Solution

Our Approach: TCB partners with opportunity young adults ages 18-30 who are out of work and out of school to provide wraparound support as they identify career pathways of interest, pursue certifications that prepare them for those industries, and seek entry-level employment in their fields. Our broader priorities include:

- 1) Initiatives: Build coalitions that create systemic solutions to ensure more young adults complete education and continue on to careers.
- 2) Programs: Be the go-to organization for how to support and partner with opportunity youth as they begin their careers.
- 3) Advocacy: Build a movement toward a more economically just Memphis by positioning young adults as leaders and advocates.

Our Results:

- Young adults who have gone through our programming have seen a cumulative earnings increase of **120%**.
- Prior to the program, young adults collectively earned **\$544K** per year and now earn **\$1.2M** post-program.

Quantitative Goals

- **Number of volunteer/administrative hours invested: 50**
- **Number of citizens served: 150**
- **Amount of capital raised: 2M+**
- **Number of support resources deployed: \$2M+**
- **Please include any other statistics about programming: N/A**



**Memphis City Council
FY23 Budget Request Presentation**

**Volunteer Odyssey
Alexandra Schrack, Director of Operations**

Mission Statement

Volunteer Odyssey's mission is to develop a pathway to volunteering that enriches our lives and communities.

Organization Information

- Organization Founded in 2013
- 501(c)(3) organization since 2014
- Volunteer Odyssey has 0 years of prior City of Memphis funding
- Alexandra Schrack
- alexandra@volunteerodyssey.com *
- (901) 295-8709*
- 111 S. Highland Street PMB #413, Memphis, TN 38111**
- Located in District 5 and Super District 9-1
- The number of Citizens served by Volunteer Odyssey is approximately 4,000 a year across the Memphis area

Funding Amount Requested \$20,000

EXPENSES	2023 Budget	City of Memphis
TOTAL PERSONNEL COSTS	\$266,560	0
Program Materials	\$4,300	\$4,000
Food and beverage	\$8,300	0
Licenses	\$16,400	\$8,000
Advertising and Promotion	\$4,200	\$3,000
Rent	\$21,000	0
Utilities & Internet	\$300	0
Insurance	\$1,300	0
Conferences, Conventions & Meetings (Staff training & development)	\$2,100	\$2,000
Office Expenses & Supplies	\$3,000	\$3,000
Bank and Paypal fees	\$1,000	0
Information Technology	\$12,000	0
Fees for services (Nonemployee professional fees)	\$9,000	0
Travel Expenses	\$900	0
Parking	\$450	0
Repair and Maintenance	\$500	0
TOTAL EXPENSES	\$351,310	\$20,000

The Memphis City Council will not accept financial requests that exceed more than thirty percent of total operating budget as reported on the most recently filed and accepted Charitable Organizations filing, including the IRS form 990EZ and 990.

The Problem

- Memphis has over 200+ nonprofit organizations trying to meet the public needs of the community, and each nonprofit is in desperate need of volunteers to power their missions.
 - Nationally, 66% of volunteers “have decreased the amount of time they volunteer or stopped entirely due to the pandemic” (Fidelity Charitable, 2021).
- Without the physical volunteers present, nonprofits are unable to fight poverty, empower youth, work on crime drug prevention in our community, and economically grow our city.
- Over the last 9 years, Volunteer Odyssey has partnered with over 50 nonprofit organizations throughout the city of Memphis, so our team is aware of the severity of need these organizations are facing when it comes to volunteers.

See notes section for additional information

The Solution

- Volunteer Odyssey is focused on recruiting, engaging, and matching volunteers across the Memphis community to non-profit organizations that offer high-quality volunteer experiences.
- This ensures that:
 - Each nonprofit has the power needed to carry out their mission to the community.
 - Each volunteer has a good experience volunteering, increasing the likelihood that the volunteer will return to that organization and continue to volunteer.
- With more volunteers, each nonprofit can better achieve their goals. Volunteers create capacity within the organization so it can grow and make a larger impact in the community.

See notes section for additional information

Quantitative Goals

- Number of volunteer/administrative hours invested internally: 8,400 (annually)
- Number of citizens served: 27,000 volunteers engaged plus hundreds of thousands of Memphians served
- Amount of capital raised: \$165,000 YTD
- Number of support resources deployed: unmeasured
- Number of acts of service: 81,000



Memphis City Council FY23 Budget Request Presentation

Hope House
John Q. Public, President

Mission Statement

Hope House's mission is to improve the quality of life for individuals and families affected by HIV and poverty.



Organization Information

- Organization Founded in 1995_____
- 501 c (3) organization since 1999_____
- Please indicate all years of prior City of Memphis Funding 2003-2021, 1999 (SCIF-HOPWA/TBRA, CSG)
- Representative Name- Lenox Warren
- Representative Email and Phone Number- ldwarren@hopehousememphis.org, 901-565-5630
- Organization Email and Phone Number - ldwarren@hopehousememphis.org, 901-272-2702
- Organization Mailing Address- P.O. Box 41437, Memphis TN 38174
- Located in District __8__ and Super District __8__
- Number of Citizens served 2,850_____

Funding Amount Requested

•SAMPLE BUDGET TEMPLATE Attached and template must include the total amount of operating budget

Budget	Annual	City of Memphis
Food/Hygiene products	\$138,683	\$80,000
Community Outreach	\$484,544.74	\$0
Project Management	\$302,400	\$15,210
Technical Support	\$30,000	\$1,500
Overhead (Utilities and maintenance)	\$37,000	\$1,850
Total	\$992,627.74	\$98,560

The Memphis City Council will not accept financial requests that exceed more than thirty percent of total operating budget as reported on the most recently filed and accepted Charitable Organizations filing, including the IRS form 990EZ and 990.

The Problem

- According to the Shelby County Health Department, Memphis is currently the 3rd highest city for new HIV diagnosis in the country. A majority of those living with HIV are also living in poverty. The APA states, "Impoverished urban areas (in the United States) have been found to have HIV prevalence rates equivalent to many low-income countries with generalized epidemics (Buot et al., 2014). Studies of urban health have found that factors such as level of poverty and unemployment, vacant buildings and high crime rates are all associated with increased risk of HIV infection." They also point out that living in poverty and having food insecurity can also increase the risk of contracting HIV. "Lacking food can result in transactional sex and power differences in sexual relationships, which can place an individual at risk of infection." Over the last year, groceries have increased 13% across the board, making food even less accessible to those living in poverty. All this shows that there is a direct correlation between HIV, poverty and food insecurity.
- Since our start in 1995, Hope House has worked to address barriers for those in our community living with HIV. We have been doing community outreach work for over 20 years and dedicated a new team to outreach in 2018. We have been serving as a food pantry since 2017. Since the COVID-19 pandemic, we have struggled to keep up with the demand for food pantry services. We know how crucial it is to provide healthy food to our community, but we need additional funds to keep our shelves stocked so we never have to turn anyone away. We would also like to have food and hygiene bags to take into the community to use as incentives for people to get educated and to get tested for HIV.

The Solution

- **Please include information to demonstrate history of community involvement**

Hope House is requesting \$98,560 to support our food pantry and provide food and hygiene products for outreach incentives. With the increase in grocery prices and the increase in poverty levels, the families we support are desperate for services to keep their families fed. Several other agencies in Memphis refer clients to our food pantry including Le Bonheur, Hospitality Hub, Catholic Charities and Christ Community Clinics. We are a trusted name in the healthcare and HIV community and people feel comfortable sending their clients to us.

We would also like to use food and hygiene bags as incentives at our community events to encourage people to talk with our outreach team and potentially get tested for HIV. This education is vital to ending the HIV epidemic.

- **Please include how the programming will positively affect community.**

Our food pantry supports almost 500 families annually. We are also reaching over 2,000 citizens a year through our education outreach and testing. We are targeting higher risks zip codes and identifying individuals living with HIV who do not know their status. By testing and linking these individuals into medical care, we are stopping the spread of HIV and taking one step closer to ending the HIV epidemic, creating a healthier community.

Quantitative Goals

- Number of volunteer/administrative hours invested: **6,864 hours**
- Number of citizens served: **2,850**
- Amount of capital raised: **\$484,544.74**
- Number of support resources deployed: **21** community partners and funders we work with to provide this program for the community.
- Out of the 2,331 people reached last year, 44% tested were tested for HIV and 15 individuals tested positive and were linked to medical care.

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council's Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

WHEREAS, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

ORGANIZATION NAME	AMOUNT
Camp Chambers CSI Inc.	\$ 2726.00
TOTAL	\$ 2,726.00

Sponsor
Rhonda Logan



City of Memphis

Shell on Wheels Community Outreach Proposal 2023

OVERVIEW

The Overton Park Shell is honored to be in public/private partnership with the City of Memphis. In 2021, the Overton Park Shell launched a new community outreach program called, **Shell on Wheels** to bring free performing arts to Memphis and Shelby County neighborhoods lacking access to Overton Park Shell. Shell on Wheels will continue the mission of the Overton Park Shell: building community through music and education finding common ground in a diverse audience—while building an equitable Shell experience from our historic stage to the backyard of every Memphis community, Shell on Wheels showcases creative partnerships through Memphis-based, arts nonprofit organizations to amplify the voices of Memphis artmakers and artists creating vibrant placemaking. The launch of the **Mobile Shell**, a 30x24ft stage (fabricated to resemble the Overton Park Shell) will travel throughout our city and county targeting community events, parks and neighborhoods, senior centers, schools, libraries, churches, and festivals/events.

PROPOSED EVENTS FOR 2023

In partnership with the City of Memphis, we request support to present **15 FREE Shell on Wheels outreach programs** both with the Mobile Shell (outdoors) and indoors events at partnering locations such as the Benjamin Hooks Library and Frayser Connect.

- Frayser - Ed Rice Community Center with the Mobile Shell (summer 2023)
- Health Sciences Park with the Mobile Shell (3 concert series in Fall 2023)
 - Happy Hour in Health Sciences Park in partnership with Memphis Medical District Collaborative celebrates students and employees in the Medical District providing them with free family friendly entertainment, food, and drinks after work.
- 5 Fridays of Jazz (5 Jazz concerts in the Benjamin Hooks Library in March/April 2023)
 - 5 Fridays of Jazz in partnership with Memphis Public Libraries honors and celebrates Memphis Jazz music by supporting featured artists and NonProfit Organizations to create a free night of family friendly entertainment, food, and drinks.
- Frayser Connect Series (3 concerts in Fall 2023)
 - The Frayser Fall Concert series in partnership with Frayser Connect supports local featured artists and NonProfit Organizations to provide free entertainment to the residents of the Frayser community.
- Juneteenth Celebration with the Mobile Shell (Douglass Community Center in June, 2023)
- Back to School Bash with the Mobile Shell -Whitehaven (August 2023)

SHELL ON WHEELS – PARTNERSHIPS

Featured Arts and NonProfit Organizations:

Stax Museum and Academy
 Memphis Black Arts Alliance
 Memphis Slim House
 Memphis Jazz Workshop
 Memphis Food Bank
 Memphis Symphony Orchestra
 Memphis Youth Symphony
 Frayser Connect
 Memphis Public Library
 Memphis-Shelby County Schools
 Cazateatro Bilingual Theatre Group
 The Web Mgmt + Unapologetic
 Consortium MMT
 Opera Memphis
 Memphis Artists for Change
 Tennessee Shakespeare Company
 Rudi E. Scheidt School of Music-University of Memphis
 Mike Curb Institute for Music-Rhodes College

Literacy Mid-South
DeafConnect of Mid-South
Tone
NAACP Memphis Chapter

Featured Artists:

Ensemble X
The PRVLG
Josh Threlkeld
EKPE
Hope Clayburn's Soul Scrimmage
Yella P
Cameron Ross
Preacher Man

We ask the City of Memphis to consider subsidizing these 15 Shell on Wheels community outreach programs for a gift of **\$30000 (\$2000 per event)** which will support making these events FREE for all. We will infuse positivity, creativity, and unity within these community events through the mission of Shell on Wheels and Overton Park Shell. Your consideration is so appreciated!



**OVERTON PARK
SHELL**

**Resolution to reallocate and reappropriate American Rescue Plan Act funds for the Overton Shell
“Shell on Wheels” Community Outreach Program**

WHEREAS, the Overton Shell launched a new community outreach program named “Shell on Wheels” to bring free performing arts to Memphis and Shelby County neighborhoods lacking access to the Overton Shell; and

WHEREAS, the “Shell on Wheels” will build community through music and education by constructing the Mobile Shell, a 30x24foot stage that will travel throughout the city of Memphis and bring the historic Shell stage to the backyard of every Memphis community; and

WHEREAS, the Overton Shell, in partnership with the Memphis City Council, will provide 20 free concert series, including the follow events:

- Ed Rice Community Center with the Mobile Shell (summer 2023)
- Frayser Connect Series (3 concerts in Fall 2023)
- Health Sciences Park with the Mobile Shell (3 concert series Fall 2023)
- 5 Fridays of Free Jazz at Benjamin L Hooks Library (May 2023)
- Juneteenth Celebration with the Mobile Shell at Douglass Community Center (June 2023)
- Back to School Bash with the Mobile Shell in Whitehaven (August 2023)

with further plans to schedule performances in South Memphis in the Soulsville neighborhood, at the Raleigh Springs Civic Center, and at the Orange Mound Tower.

WHEREAS, the Shell on Wheels aligns with the Memphis City Council’s mission to create more positive and safe activities for young people and families in Memphis; and

WHEREAS, the City of Memphis has a remaining balance of \$385,600 in American Rescue Plan Act (“ARPA”) funding for Premium Pay.

NOW, THEREFORE, BE IT RESOLVED that the City of Memphis ARPA allocations shall be amended by reallocating and reappropriating \$40,000.00 from the Premium Pay project line item to the Overton Shell for the programmatic operation of the Shell on Wheels 2023 program.

SPONSOR
Jeff Warren

CHAIRMAN
Martavius Jones



QUARTER 1 PRE-K REPORT



2022-23 School Year
August 3 - October 7, 2022

Investing in early care and education helps young children increase social-emotional, cognitive, and physical development for success in school and in life. Pre-Kindergarten (Pre-K) is central to those investments. In Q1, F8M contracted with **16** Pre-K operators and funded **80** Pre-K classrooms.

PRE-K ENROLLMENT



82%

capacity filled

1,310 of 1,600 capacity filled

2022-23 Q1 End of Quarter Enrollment
INCREASED by 13 percentage points
compared to 2021-22 Q1 EOQ Enrollment (69% - 1,098).

- **27 of 80 classrooms** met the accountability metric of at least **95% enrollment (19 of 20 seats filled)** for Quarter 1. With combined enrollment for operators with multiple classrooms, **6 out of 16 operators** were at 95%+ capacity.



PRE-K ATTENDANCE

89%

met the 80% attendance goal

1,186 of 1,331

cumulatively enrolled students*

2022-23 Q1 Attendance
INCREASED by 3 percentage points
compared to 2021-22 Q1 attendance metric: 86%

Average Daily Attendance* F8M Pre-K: 93%

- **64 of 80 classrooms** met the accountability metric of **students attending 80%** of the days they were enrolled for Quarter 1.
- **8 of 16 F8M operators** met the accountability metric for attendance.

*Cumulative enrollment includes students who were enrolled at any point in the school year, even if they have since withdrawn.

*This is how attendance is usually reported in K-12 data)



For more information, view the full Pre-K 2022-23
Quarter 1 Report at First8Memphis.org/Pre-K.

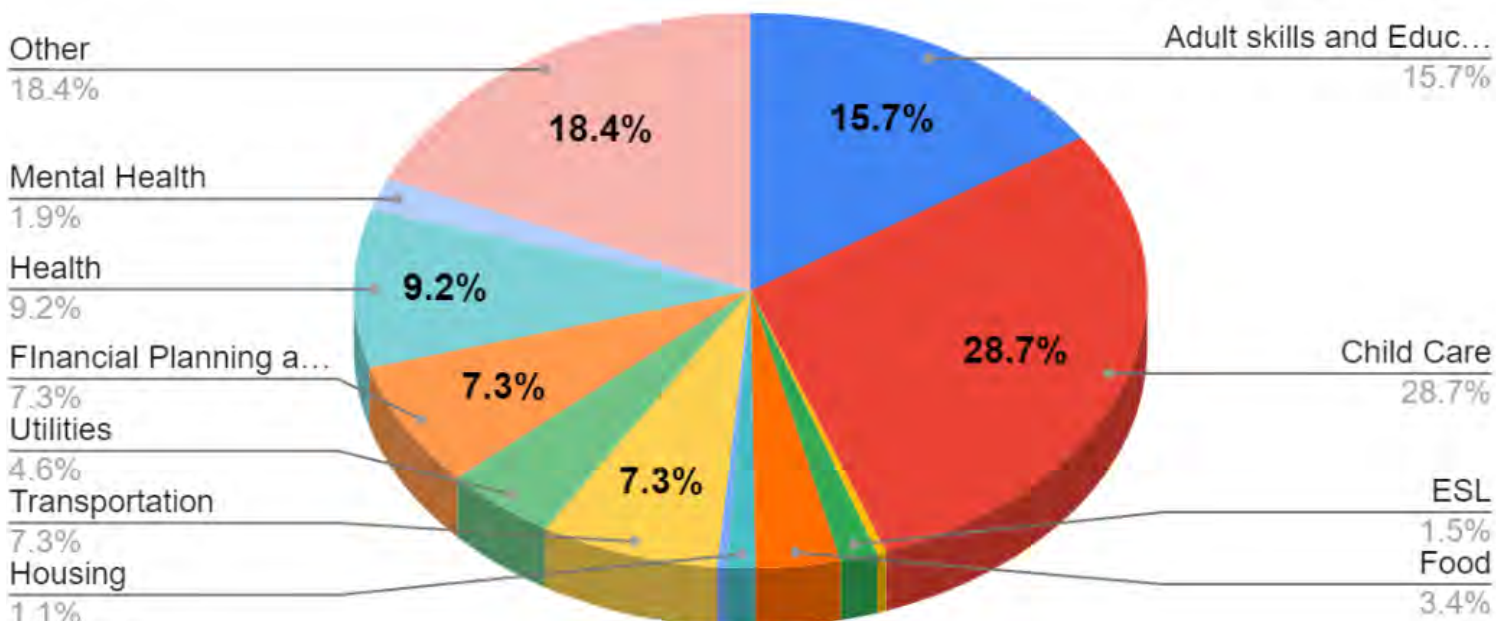
FAMILY ENGAGEMENT



In Q1, our family engagement partners made **2,977 significant contacts*** with families. Of those, **261 (8.7%)** resulted in a referral.

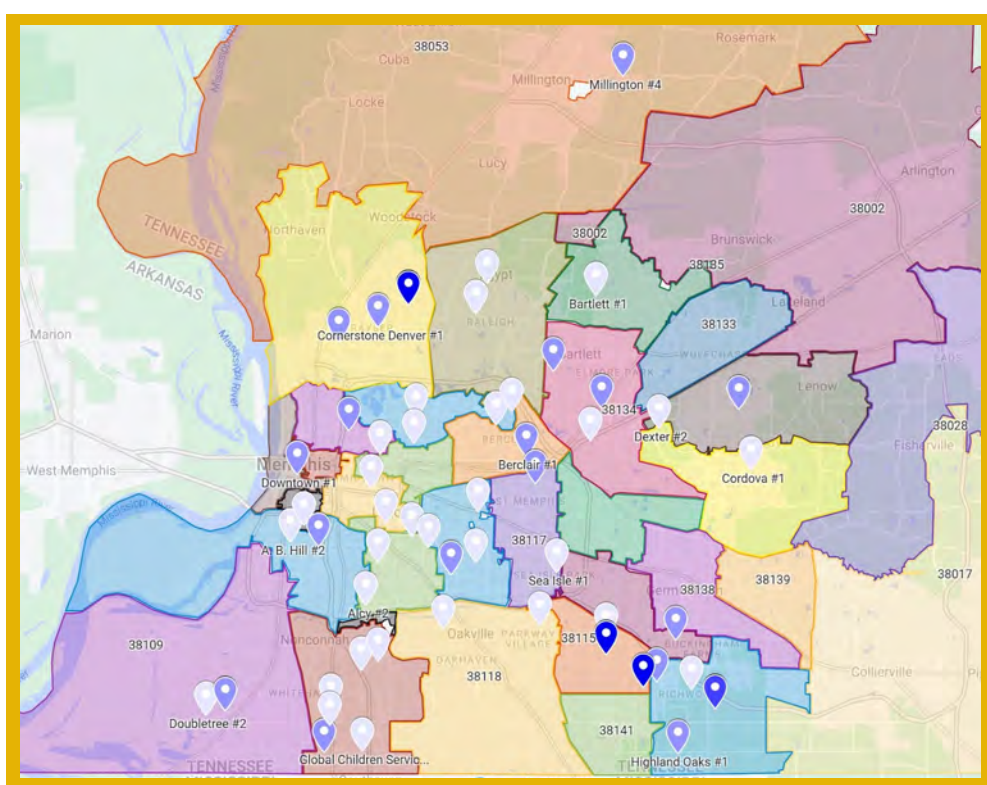
*Significant contacts are communications with families that are individualized, address a stated need, and may lead to concrete action.

Q1 2022-23 FAMILY NEEDS



CLASSROOMS LOCATIONS

F8M OPERATORS



KINDERGARTEN READINESS

54%

of former F8M Pre-K students matched with a K-ready assessment were deemed Kindergarten ready

Kindergarten readiness **INCREASED** by 9 percentage points compared to Q1 2021-22 Kindergarten students: 45%



For more information, view the full Pre-K 2022-23 Quarter 1 Report at First8Memphis.org/Pre-K.



FIRST EIGHT MEMPHIS

Success in the **first 8** years.
Success for a lifetime.

Pre-Kindergarten Quarter 1, 2022-23



March 2023



About Us

Our Mission

First 8 Memphis leads and convenes our community in advocating for investments that nurture and educate our youngest learners.

Our Vision

First 8 Memphis envisions a community where every child has the resources to thrive.



The Role of First 8 Memphis

First 8 Memphis (F8M) was established to implement key strategies of Shelby County's Early Childhood Education Plan.

- We partner with the City of Memphis and Shelby County government to **support, coordinate, and administer funding** for a comprehensive, universal needs-based Pre-K program.
- We are **leaders, conveners, and advocates** working to improve the early care and education system in Shelby County, TN.
- We **work directly with operators and partners** across Shelby County to support quality programs and services for young children and their families.



The Role of the Oversight Committee Meeting

Oversight Committee is responsible for overseeing the progress and responsibilities of the First 8 Memphis Pre-K program.

- Review progress of our Pre-K programs
- Approve disbursements from F8M budget for implementation and administration of the Pre-K program
- Resolve any issues, discuss and explore policy and systems change



Success in The First 8 Years: Universal Needs-Based Pre-K

SHELBY COUNTY PRE-K

Universal Needs-Based Pre-K is a primary equity strategy for ensuring income-eligible (< 185% FPL) students have an equal footing. High-quality Pre-K provides children with the tools to be Kindergarten ready and establishes the foundation of academic and social emotional success.

School Year 2019-2020: 7,800 Pre-K seats

School Year 2020-2021: 8,000 Pre-K seats

School Year 2021-2022 & 2022-23: 8,500 Pre-K seats



F8M Pre-K Operators



F8M Pre-K Guiding Principles

High-quality services to meet families where they are



Focus on **holistic family engagement** through wraparound service providers; meet immediate needs during COVID



Imbue services and metrics with **flexibility** to **support both virtual and in-person students**



Use assessments to **identify curricular needs** and implement **continuous quality improvement** practices



Hold all **stakeholders accountable** to delivering high quality services

Ensuring Quality in Pre-K

Attendance & Enrollment



Accommodate **attendance and enrollment** given **COVID-19 impact on communities**

Holistic Wraparound Services



Two-generation supports provided through ongoing family engagement, resources and referrals to support a family's individual needs

Assessments



Use Brigance assessments to **identify DAP instructional processes** for individual learners, and implement **continuous quality improvement** practices












Instructional Coaching



Provide **job-embedded supports** to classroom teachers


Performance Measures



	Year One	2020-21 through the current year 2022-2023			
Engagement	 CONSISTENT ATTENDANCE	 TEACHER SYNCHRONOUS INSTRUCTION	 STUDENT ENGAGEMENT	 FAMILY OUTCOME ASSESSMENT	 FAMILY FOLLOW-UP SERVICES
Pre-K Skills	 PRE-LITERACY ASSESSMENT (PRE/POST GROWTH)	 PRE-K SKILLS ASSESSMENT	 PRE-LITERACY ADMINISTRATION & ASSESSMENT (POINT-IN-TIME)	 CONTINUOUS IMPROVEMENT	
Kindergarten Readiness	 K-READINESS ASSESSMENT	 K-READINESS ADMINISTRATION & ASSESSMENT			

Data Collection (by Partner, Seeding Success)

Metric	Frequency of Collection	When Reported
Attendance and Enrollment	Daily if API Weekly if Google Sheet	Reported Quarterly after validation
Istation (if applicable)	Daily if API	If data is available, reported in Quarter 2 and Quarter 4
Family Outcomes Assessment	Quarterly	Reported in Quarters 2, 3 and 4
Brigance	2x a year	Reported in Q2 and Q4 after validation
Synchronous Learning	Quarterly (If Applicable)	Reported Quarterly
Family Engagement (Family Partnership Agreement, Screenings, Referrals, Contacts)	Quarterly	Reported Quarterly
Continuous Performance Improvement Reviews (CPIR)	Quarterly	Reported Quarterly
Kindergarten Readiness	Once per year (before 9/30)	Considered Quarter 5 data - Reported Annually with Q1 data



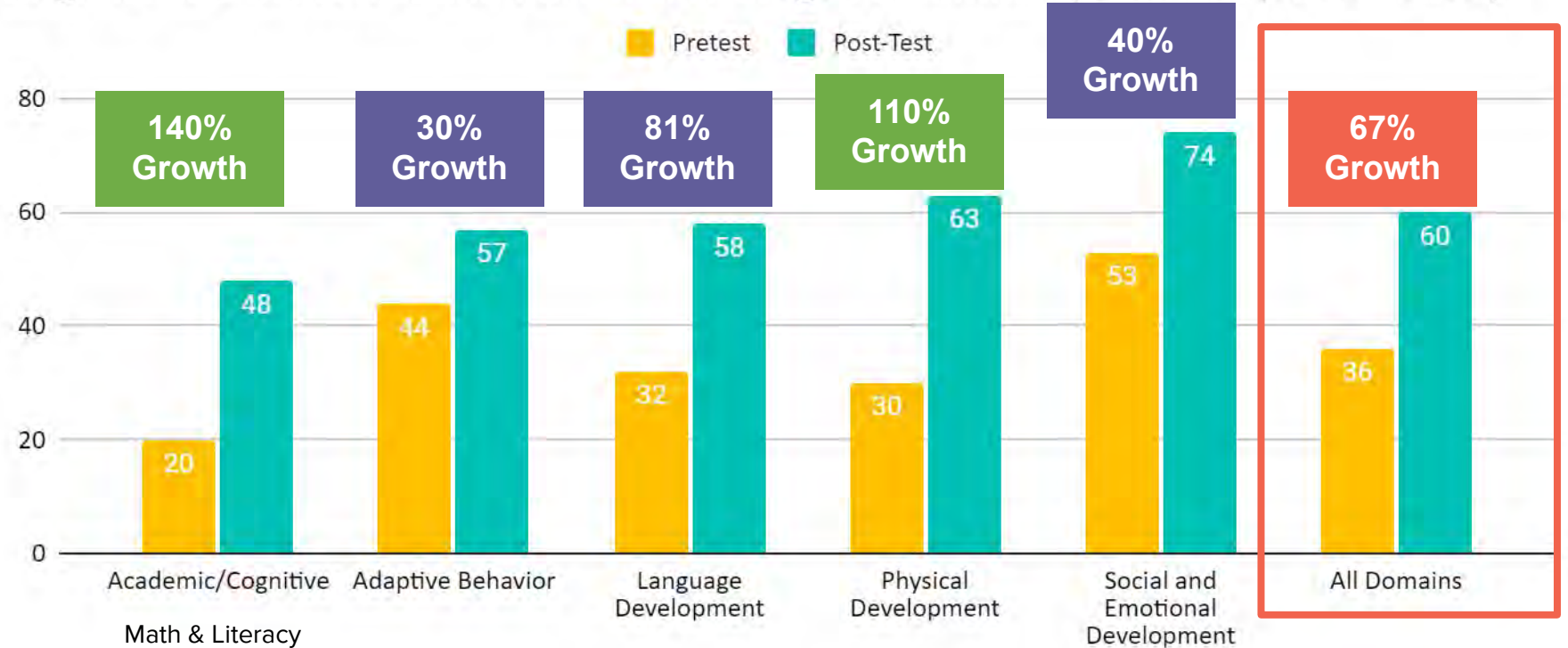
2021-2022 Pre-K Skills & Kindergarten Readiness

2021-22 Pre-K Student Performance

The Brigance IED III assesses student performance across **5 domains**. F8M students showed growth across all 5, with the **most significant growth in the academic/cognitive and physical development domains**.

Of the **847** FSY students, **758 (89%)** showed a **positive change** in percentile rank from the pretest to the posttest.

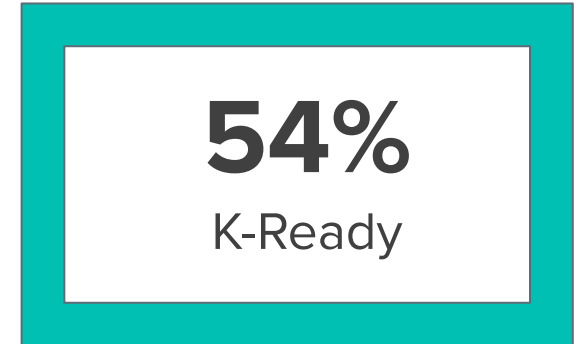
Brigance IED III Pretest and Post-Test Average Percentile by Domain (2021 - 2022)



Brigance scores are evaluated annually for Full Service Year (FSY) students, those who attend at least 66% of school days. In 2021-2022, 1,034 FSY students were assessed, 847 (79%) of whom receive both a pre and post test.

Kindergarten Readiness, Fall 2022

Kindergarten readiness data reported below are **for 2021-22 Pre-K students who entered Kindergarten the Fall of 2022.** Full-service year students, noted below, are those who attended at least 66% of the days enrolled in Pre-K. F8M Pre-K year-end enrollment for 2021-22 was 1,201.



	Total Student Count	Kindergarten Ready (#)	Kindergarten Ready (%)
All Matched Students*	790	428	54%
Full Service Year Matched Students (attended 66% of days)	681	369	54%
Financed (2021-22)			
	611	321	53%
Non-Financed (2021-22)			
	185	110	59%

This is an **increase from last year when 45%** (293/648) of previous year F8M Pre-K students matched with an assessment were deemed **Kindergarten ready**.


*Those who attended any percentage of days they were enrolled.

Kindergarten Feeder Patterns for F8M Programs without a Kindergarten Program



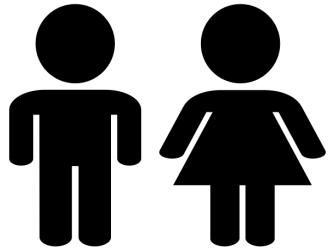
Operator	Zip Code	Kindergarten Feeder School for Pre-K
Southwest TN Community College Child Care Center	38134	Brownsville Road Elementary - 38134 Dexter Elementary - 38016 Raleigh Bartlett Meadows - 38134 Shelby Oaks Elementary - 38134
Global Children Services	38111	Bruce - 38104 Lester - 38112 Grahamwood - 38122 Binghamton Christian - 38111
University of Memphis, Lipman Early Learning and Research Center	38111	Campus ES - 38111
Knowledge Quest	38126	Cummings K-8 - 38106 Memphis Delta Prep - 38106 Ida B. Wells - 38126 Larose - 38126 Circle of Success - 38106
Porter-Leath	38114	Magnolia ES - 38114 Rozelle ES - 38114 Dunbar ES - 38114 Cherokee ES - 38114
Porter-Leath	38127	Memphis STEM Academy - 38127 Whitney Achievement ES - 38127 Frayser-Corning Achievement ES - 38127 Georgian Hills Achievement ES - 38127 Westside ES - 38127
Red Robin	38114	Rozelle Elementary - 38114 Richland Elementary - 38120 Sea Isle Elementary - 38117 Cherokee Elementary - 38114

Information as reported in the F8M 2022-23 Request for Proposals submitted in November 2021. The remaining nine operators have Kindergarten programs.



2022-2023 SY
Quarter 1 Outcomes
August 3 - October 7, 2022

Q1 2022-23 Enrollment & Attendance



ENROLLMENT

82%

capacity filled
(End of Quarter)

1,310 of **1,600** capacity filled

2022-23 Q1 End of Quarter Enrollment **INCREASED** by **13 percentage points** compared to 2021-22 Q1 EOQ Enrollment (69% - 1,098).

27 classrooms out of 80 met the accountability metric of at least **95% enrollment (19 of 20 seats filled)** for Quarter 1. With combined enrollment for operators with multiple classrooms, **6 out of 16 operators** were at 95%+ capacity.



ATTENDANCE

89%

of students met 80%
attendance goal

1,186 of **1,331** cumulatively enrolled students*

2022-23 Q1 Attendance **INCREASED** by **3 percentage points** compared to 2021-22 Q1 attendance metric: **86%**

93% Overall Daily Attendance Rate

64 classrooms out of 80 met the accountability metric of **students attending 80%** of the days they were enrolled for Quarter 1. Eight of 16 operators met the accountability metric for attendance.

Zip codes at **95% + capacity**:

- **38053** | 100% | 2 (40)
- **38107** | 97.5% | 2 (40)
- **38112** | 95% | 1 (20)
- **38135** | 95% | 1 (20)

Zip codes **below 75% capacity** filled for F8M Pre-K (*white outline*)

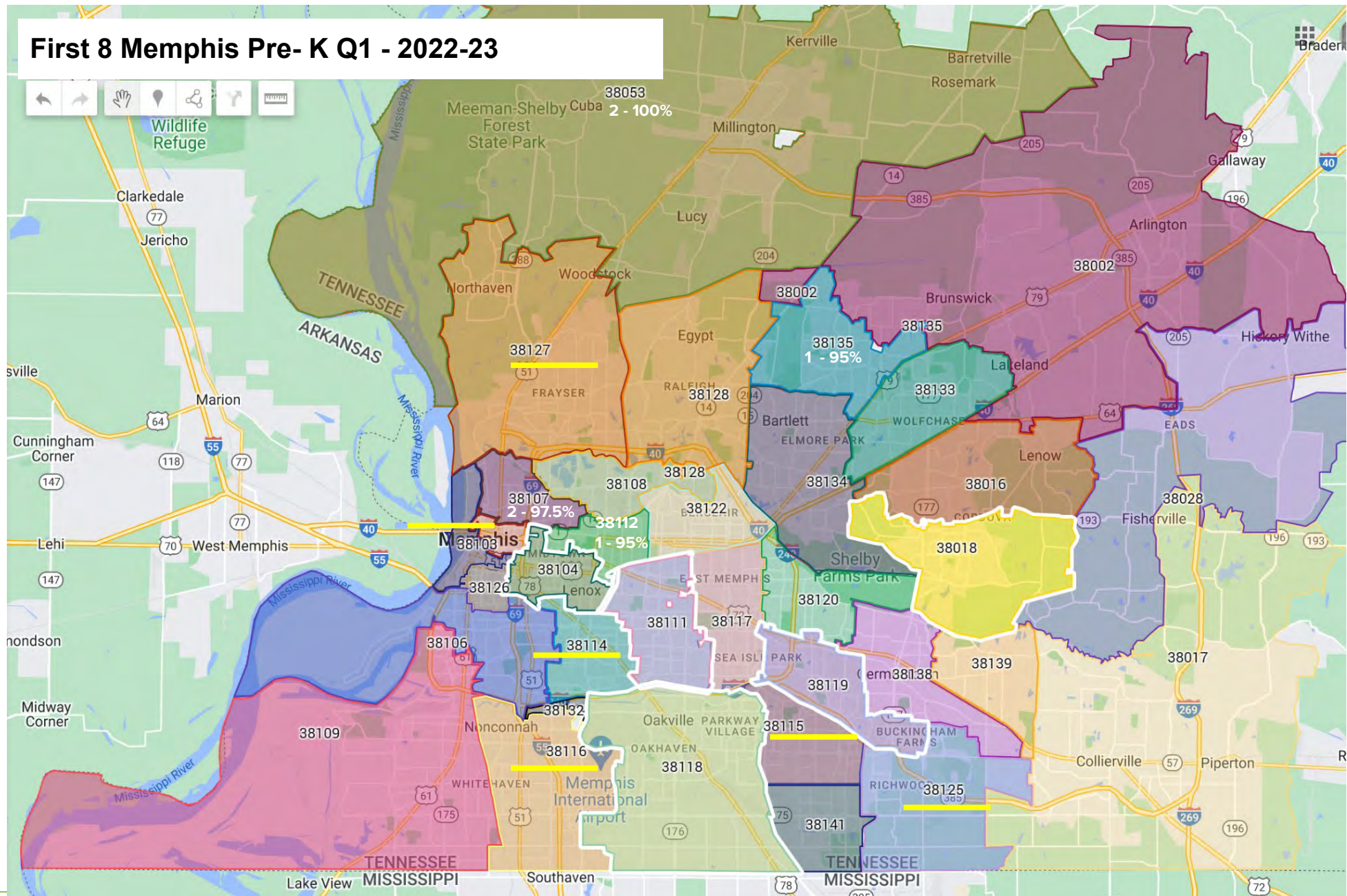
- **38111** | 68.3% | 3 (60)
- **38118** | 67.5% | 2 (40)
- **38104** | 60% | 2 (40)
- **38119** | 57.5% | 2 (40)
- **38018** | 55% | 2 (40)

The zip codes with the **highest number of First 8 Memphis Pre-K Classrooms/Capacity**: (*yellow underlines*)

- **38127** | 92.8% | 9 (180)
- **38125** | 77.5% | 8 (160)
- **38116** | 91.7% | 6 (120)
- **38115** | 85.8% | 6 (120)
- **38114** | 80% | 6 (120)

of classrooms (capacity/# of seats available)

First 8 Memphis Pre- K Q1 - 2022-23



Q1 2022-23 Synchronous Learning



100% of F8M Pre-K Classrooms (80) met the goal for Synchronous Learning in Quarter 1

Synchronous Learning:

Face to face, real time instruction;
in-person or virtual

Synchronous Learning Goal:

3 synchronous learning opportunities
per week



Knowledge Quest Pre-K, Fall 2022

Q1 2022-2023



Instructional Support and Coaching

Types of Support from Coaches in Quarter 1		
Type	Number	Percent
Co-planning	208	66%
Formal Observation	5	2%
Informal Observation*	75	24%
Instructional Modeling/Co-teaching	11	3%
Lesson reflection/feedback	15	5%

Data analyzed and used for continuous quality improvement and monthly collaboratives with F8M and instructional coaches to share coaching, teaching and learning strategies to ensure ongoing student development and K-readiness.

*Updated to align with Brigance IED III domains.



F8M hosts monthly meetings with F8M Pre-K assigned coaches as a collaborative professional development session to discuss trends, coaching models, etc.

Q1 2022-2023

Instructional Support and Coaching

This year's Continuous Performance Improvement (CPIR) tool is aligned to the Brigance IED III Domains: Physical Development, Language Development, Academic/Cognitive Development (Literacy & Math), Adaptive Behavior, and Social-Emotional Development.



CPIR Observation Teacher Strengths in Q1

Social Emotional Domain Observations

- overall **positive welcoming** environments
- **student engagement** with peers and adults and students demonstrated ability to adapt to their individual needs

Adaptive Behavior Domain Observations

- **specific praise** given to students actions
- **flexible scheduling** and instructional time to meet individual student needs

CPIR Observation Development Opportunity for Future Coaching

Academic/Cognitive Development (Literacy & Math)

- Daily opportunities for advancing key early literacy skills
- Mathematical thinking and problem solving

Q1 2022-2023 Family Engagement



2,977 Significant Contacts* by Family Engagement Personnel in Q1

261 Referrals resulted from the significant contacts

44% of the referrals were resolved (family's need was met) by the end of Q1

***Significant contacts** are communications with families that are individualized, address a stated need, and may lead to concrete action.

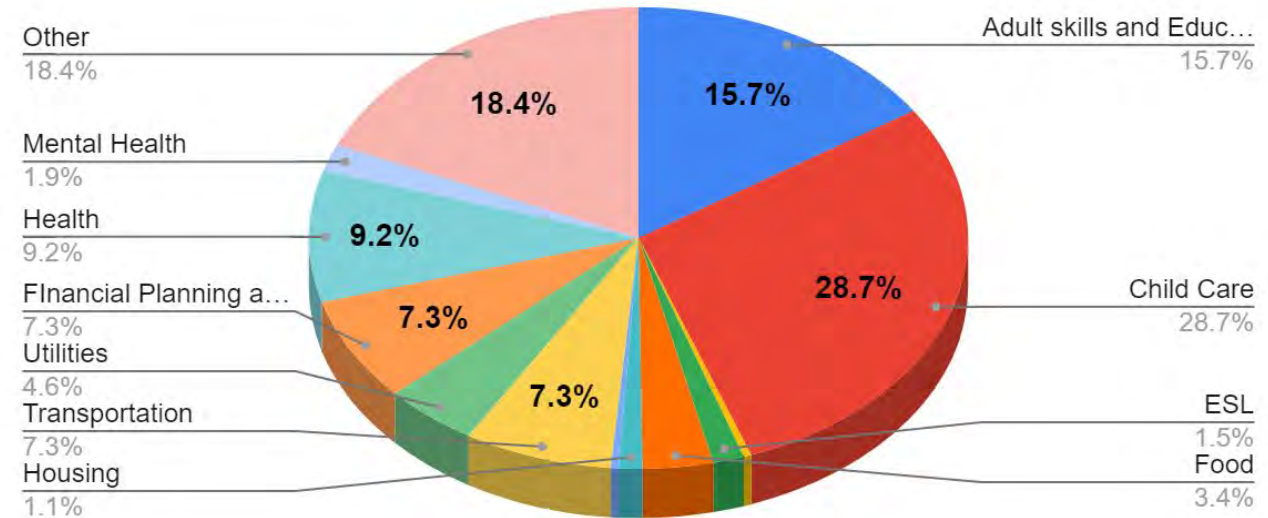
Q1 2022-2023 Family Needs



Greatest Needs & Supports Offered for Quarter 1:

- **Childcare 28.7%** - workshops and connection to local programs mostly for before and after care
- **Adult Skills and Education 15.7%** - connection to local programs and job training; support in financial aid application
- **Other 18.4%** - this category has included needing support for attendance and after school activities

Q1 Referral Percentage by Category



Total # of Referrals: 261

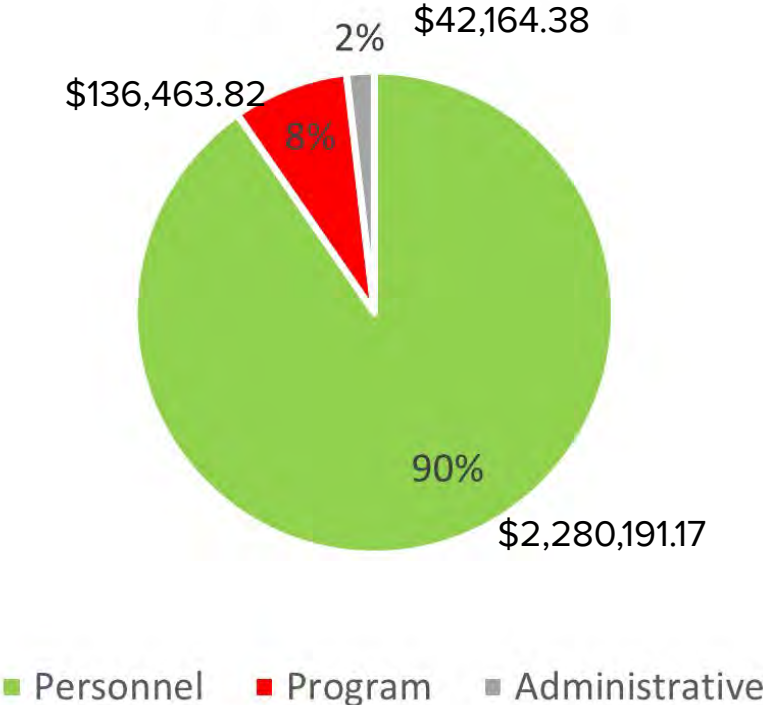


Pre-K Budget and Financing

Q1 2022-2023 Pre-K Financing

First 8 Memphis **paid a total of \$3,339,000** to Pre-K Operators for Quarter 1. This amount includes **\$615,000 for wraparound** services and **\$64,000 in startup funds** for four new classrooms.

The majority of the funds spent by operators were for personnel (90%); the next largest percent (8%) was spent in the program category, which includes supplies, equipment, staff professional development, field trips, etc.



**Consistent areas of greatest needs across all quarters.*

F8M Pre-K Actuals & Projected Budget



	Actual Year 1 (School Year 2019-2020)	Actual Year 2 (School Year 2020-2021)	Actual Year 3 (School Year 2021-2022)
Public Funding			
City of Memphis	\$3,000,000	\$4,500,000	\$6,000,000
Shelby County	\$8,000,000	\$8,000,000	\$8,000,000
Rollover Funds (School Year 2019-2020)		\$927,630	
Total Public Funding	\$11,000,000	\$13,427,630	\$14,000,000
Program Expenses			
Financed Classrooms	\$7,500,000	\$7,434,608	\$8,202,500
Non-Financed Classrooms	\$2,940,000	\$3,281,189	\$4,831,500
Program Expenses		\$927,630	
Total Classroom Subtotal	\$10,440,000	\$11,458,426	\$13,304,000
F8M Admin Fee (7%)	\$770,000	\$875,000	\$980,000
Total Classroom and Administrative Fee	\$11,210,000	\$12,333,426	\$14,014,000

F8M Projected Budget FY23-FY25



	Projected FY23 School Year 2022-23	Projected FY24 School Year 2023-24	Projected FY25 School Year 2024-25
Revenue: Public Funding			
City of Memphis	\$6,400,000*	\$7,000,000*	\$7,400,000*
Shelby County	\$8,400,000*	\$9,000,000*	\$9,500,000*
Total Public Funding	\$14,800,000	\$16,000,000	\$16,900,000
Expenses: Program Expenses			
	\$8.150 per pupil/\$163,000 per class**	\$8,700 per pupil/\$175,000 per class**	\$9,250 per pupil/\$181,250 per class
Classroom Expenses (includes classroom, wraparound, and coaching)	\$ 13,100,000	\$ 14,060,000	\$ 14,950,000
Other Pre-K Program Expenses (Operator setup, data reporting & validation, & other Pre-K operations)	\$ 664,000	\$ 820,000	\$ 767,000
Total Classroom Subtotal	\$13,764,000	\$14,880,000	\$15,717,000
F8M Admin Fee (7%)	\$1,036,000	\$1,120,000	\$1,183,000
Total Classroom and Administrative Fee	\$14,800,000	\$16,000,000	\$16,900,000

Contact First 8 Memphis



**FIRST
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MEMPHIS**

Success in the **first 8** years.
Success for a lifetime.

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Thank you!



**FIRST
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MEMPHIS**

Success in the **first 8** years.
Success for a lifetime.



PRE-K 2021-2022 REPORT

First 8 Memphis

First 8 Memphis (F8M) was established to implement Shelby County's high quality early care and education system.

Vision

First 8 Memphis envisions a community where every child has the resources to thrive.

Mission

First 8 Memphis leads and convenes our community in advocating for investments that nurture and educate our youngest learners.

Since 2019, First 8 Memphis has partnered with the City of Memphis and Shelby County government to support, coordinate, and administer funding for a comprehensive, universal needs-based Pre-K program for children living in Memphis and Shelby County.

15 Pre-K Partners across Shelby County



Outcomes Financing/Pay for Success

Outcomes financing is a financing approach that gives the government the opportunity to expand and pay for services that result in strong outcomes.

The City of Memphis and Shelby County participated in outcomes financing to ensure accountability and transparency in human services delivery. All classrooms are held to the same standards.

Of the **80** classrooms, **50** (62.5%) participated in the Pay for Success model and were financed classrooms; the remaining 30 (37.5%) were non-financed or direct funded.

80 Total Pre-K classrooms
With the capacity to serve 1,600 students – filling the gap to meet Memphis and Shelby County's needs-based Pre-K capacity

50 Financed or Pay for Success Classrooms
30 Non-Financed or Direct Funded Classrooms
▲ +6 from 2020-2021



Investing in F8M Pre-K Students

\$14M

Total 2021-2022 F8M Pre-K Budget

\$155K

Per Classroom (includes wraparound and coaching)

\$7,750

Investment Per Child

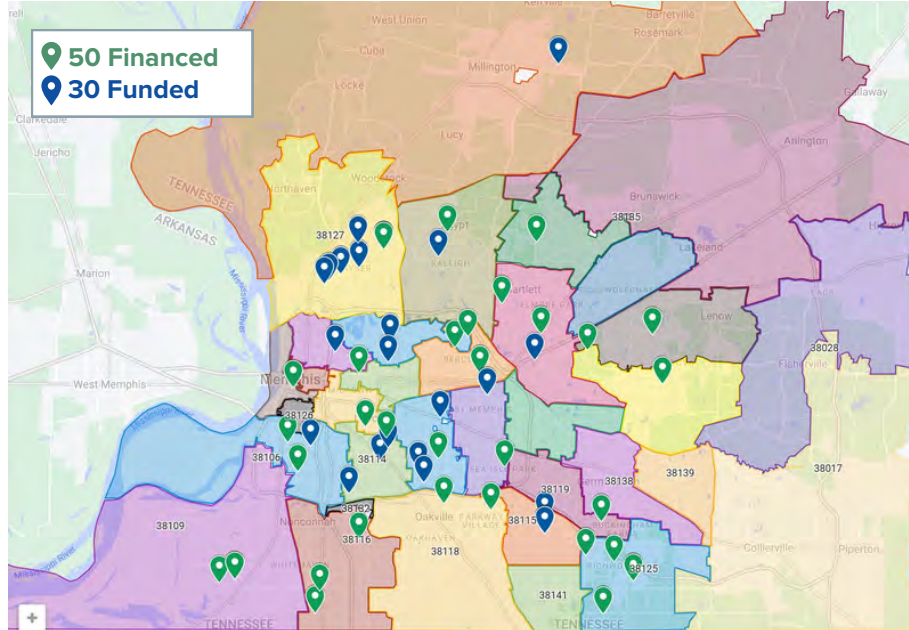
100%

City of Memphis and Shelby County Government

*Quarter 1 (Q1): August 2021 – early October 2021; Q2: mid-October 2021 – December 2021; Q3: January 2022 – early March 2022; Q4: mid-March 2022 – May 2022

Outcomes

Enrollment and Attendance



Enrollment

1,201

End of year enrollment
Financed: 782
Non-Financed: 419

1,344

*Cumulative enrollment
Financed: 859
Non-financed: 485

*Cumulative enrollment – includes students who enrolled and withdrew

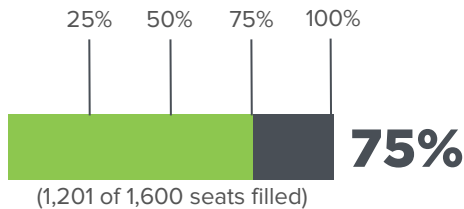
Attendance

84% of students met attendance goal
(1,110 students)

Goal attend 80% or more of the days they were enrolled

88% Average daily attendance across all First 8 Memphis Pre-K Classrooms (what many are accustomed to seeing from K-12 reporting)

Capacity



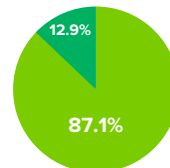
36 of 80 classrooms were at 80%+ capacity at the end of Q4

Financed/Non-Financed

Financed

87.1%

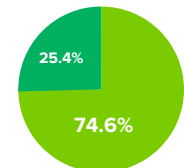
of students cumulatively enrolled (748) met attendance goal



Non-Financed

74.6%

of students cumulatively enrolled (362) met attendance goal



Family Engagement and Support

Pre-K during COVID and other impacts

2021-22 was the first full year that schools were required to be back in person since COVID-19 first affected our country in March of 2020. Our program experienced continued classroom closures for illness and weather-related (power/ice storms, etc.) reasons. Some parents and families were still reluctant to enroll their young children in Pre-K due to COVID-19 exposure or the fear of being pushed to vaccinate their children from COVID-19.

Synchronous Learning

First 8 Memphis programs require at least three synchronous learning opportunities (real time, face-to-face instruction, either in person or online) for students per week. In Quarter 1 of the 2021-22 school year (August 2021 – October 2021), there were 5 classroom closures due to COVID-19 exposure which impacted synchronous learning – 93% of classrooms met weekly requirements. In Quarter 3 (January 2022 – March 2022), there were 3 classroom closures due to COVID exposure and 1 due to extended power outages – 95% of classrooms met weekly requirements. In Quarter 4 (March 2022 – May 2022), 100% of First 8 Memphis Pre-K classrooms met synchronous learning requirements.

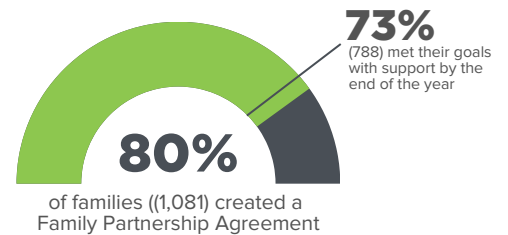
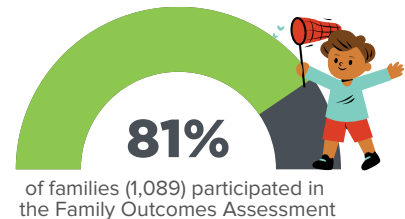
Family Needs and Goals

All First 8 Memphis classrooms receive funding for wraparound services to support not only the children enrolled in our partner classrooms, but also their families. A Family Outcomes Assessment is conducted by Family Engagement Personnel up to three times a year to gather information from families about their needs and goals and connect them to resources and services to support those needs.

During the 2021-22 school year, 81% of families (1,089) participated in the Family Outcomes Assessment.

Some families choose to also create a Family Partnership Agreement in which they outlined two goals to work towards throughout the year with the Family Engagement Personnel.

80% of families (1,081) created a Family Partnership Agreement of which 73% (788) met their goals with support by the end of the year.



Referrals Resulting from Family Outcomes Assessments



Food Resources



Utility Assistance



Housing



Adult Education



Transportation



Health and Mental Health Care Referrals

Student Assessments and Teacher Support

Continuous Performance Improvement Reviews (CPIR)

100% of all First 8 Memphis classrooms received one-on-one job embedded instructional coaching evaluations, quality feedback and follow-ups. Trends shared by coaches for the 2021-22 school year include:

- Higher order thinking skills and other developmentally appropriate content continue to be a focus area in instructional coaching
- Routines and Procedures were an area of growth for many teachers and an exemplary practice in Q2 and Q4
- Positive Environment was an exemplary practice in all 4 quarters
- Instructional Time moved from an area of growth in Q3 to an exemplary practice in Q4

Pre-K Assessments

Brigance IED III 2021-22 Student Outcomes

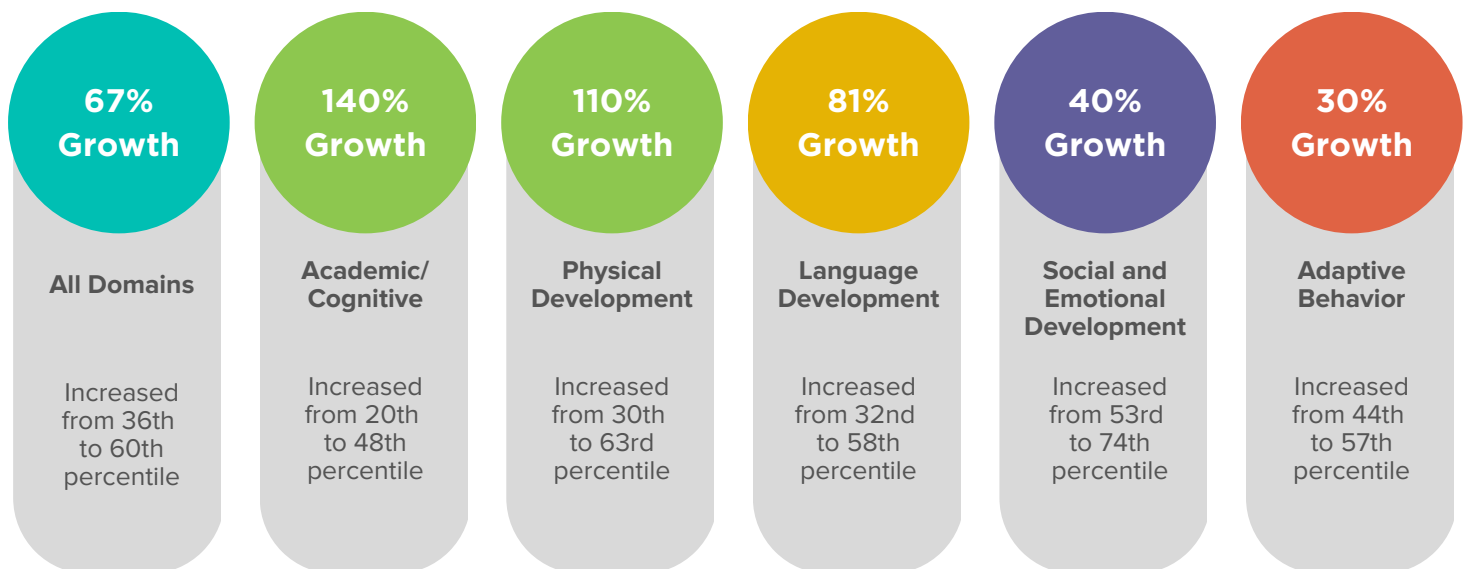
Brigance IED III scores are reported using norm-referenced percentiles. Student performance is ranked against a sample of nation-wide peers. Student growth can be seen in their movement between percentile rankings.

[\(From Q4 presentation\)](#)

Of the 939 students assessed using end of year Brigance in Q4, 847 (90%) were also administered a beginning of or mid-year assessment to determine growth comparison and considered Full Service Year (FSY) students, those who attended 66% or more of school days. Student growth data is shared for FSY students; in 2021-2022 there were 1,034 FSY students assessed using Brigance. This is an increase of 815 from 2020-2021, in which 94 total students were assessed using the Brigance assessment throughout the year. Brigance was a required assessment for all F8M classrooms in 2021-2022, but was optional for Operators in the previous year.

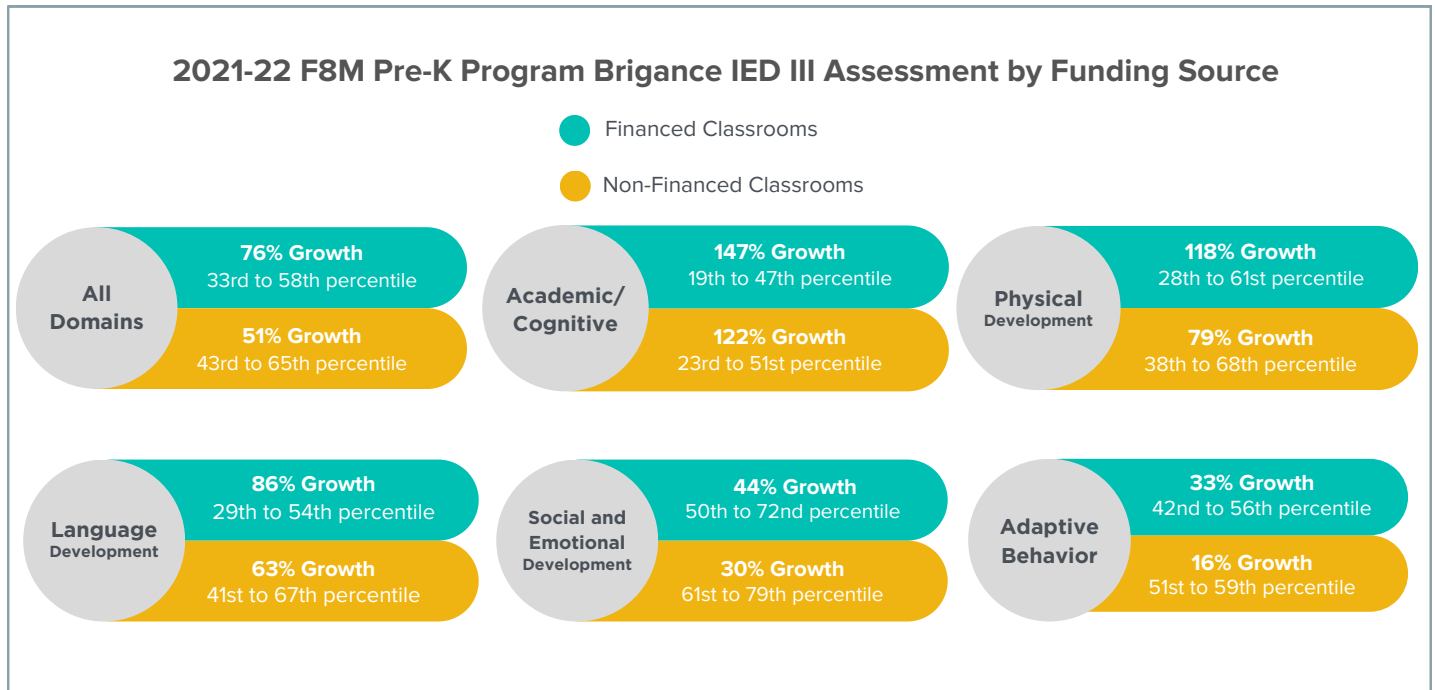
The Brigance IED III assesses student performance across five domains: academic/cognitive, adaptive behavior, language development, physical development, and social emotional development. Across all domains, students scored in the 36th percentile on average on the pretest and grew to the 60th percentile on average on the post-test; an average growth of 67%. Students who score in the 60th percentile perform higher than 60% of peers on the same assessment.

2021-22 F8M Pre-K Program Brigance IED III



Of the 847 FSY students, 758 (89%) showed a positive change in percentile rank from the pretest to the posttest.

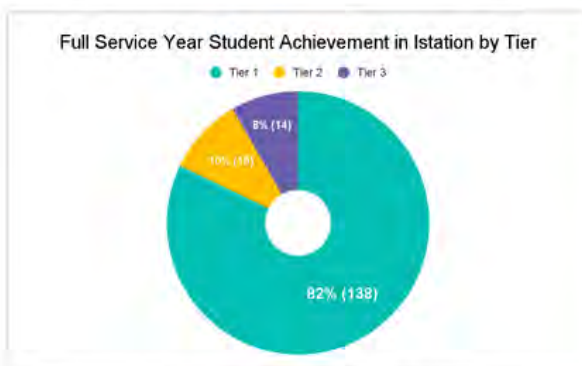
In Q4, the end-of-year Brigance was administered to 78% of students, a total of 939 (669 financed and 270 non-financed).



Istation Assessment 2021-22 Student Outcomes

In Q4, 6 Operators administered Istation to 15% of total students. Of these 178 students (94 financed and 84 non-financed), 116 also completed the Brigance assessment.

- In 21-22 6 Operators administered Istation; 168 Full Service Year students' data was analyzed
 - 82% of students early literacy skills were On Grade Level
 - 10% at some risk of not meeting grade level expectations
 - 8% may need additional intervention



Istation scores are evaluated annually for Full Service Year (FSY) students, those who attend at least 66% of school days. **In 2021-2022, 168 FSY students were assessed.** In 2020-2021, more Operators utilized Istation, with 798 FSY students assessed.

The Istation early literacy assessment is administered at the Operators' discretion.

2021-2022 FSJ Results

Tier 1 - 82% (138) in 21-22; 69% (463) in 20-21
On Grade Level

Tier 2 - 10% (16) in 21-22; 16% (110) in 20-21
Some Risk

Tier 3 - 8% (14) in 21-22; 15% (98) in 20-21
May Need Intervention

Kindergarten Readiness Fall 2022 Student Outcomes

Kindergarten readiness data reported below are for 2021-22 Pre-K students who entered Kindergarten the Fall of 2022. Full-service year students, noted below, are those who attended at least 66% of the days enrolled in Pre-K.

	Total Student Count	Kindergarten Ready (#)	Kindergarten Ready (%)
All Matched Students	790	428	54%
Full Service Year Matched Students	681	369	54%
Financed	611	321	53%
Non-Financed	185	110	59%

This is an increase from the 2020-21 school year when 45% of previous year F8M Pre-K students matched with an assessment were deemed Kindergarten ready (293/648 students matched with an assessment).

54%

of students assessed were deemed ready for Kindergarten

▲ 9% increase from previous 2020-21 year

About First 8 Memphis

First 8 Memphis (F8M) works to ensure every child in Memphis and Shelby County can reach their full potential by building a strong start during the first 8 years of life. We are leaders, conveners, and advocates working to implement, scale, and improve the early care and education system for young children during their most critical developmental ages.

This includes support for nurturing early learning and care environments, high-quality Pre-K programs that prepare children for Kindergarten and beyond, and two-generation services, such as home visitation, early childhood mental health, and more. F8M's early care and education systems-building work is conducted in collaboration with the F8M Leadership Council and other stakeholders. Success in the first eight years leads to success for a lifetime.

Learn more at www.first8memphis.org.





FIRST EIGHT MEMPHIS

Success in the **first 8** years.
Success for a lifetime.



Investing in Pre-K as a Key Strategy to
Improve Long-Term Economic Viability

QUARTER 1 PRE-K REPORT

School Year 2022-2023

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Executive Summary

Investing in early care and education helps young children increase social-emotional, cognitive, and physical development for success in school and in life. Pre-Kindergarten (Pre-K) is central to those investments. Pursuant to the Joint Ordinance NO 505 Section 1, Shelby County and the City of Memphis contracted with First 8 Memphis (F8M) to administer and manage joint funding for a comprehensive, universal, needs-based Pre-K program for children living in Shelby County. This report reflects data for Quarter 1 (Q1 or August 3 - October 7, 2022) of the 2022-2023 school year.¹

Pursuant to the Professional Service Agreement (PSA) with the City of Memphis and Shelby County, this report includes the latest available data on Pre-K performance for F8M classrooms in Q1 and meets the following PSA requirements:

- To publish the number of eligible four-year-old children in classrooms funded by the City of Memphis and Shelby County.
- To detail the use of public funds.
- To share data on parent and community engagement and delivery of services.

F8M partners with Pre-K operators to make continuous improvements to learning and guarantee high-quality programming for young learners in Shelby County. Pre-K operators include public and charter schools, and private child care providers.

In Q1, F8M contracted with 16 Pre-K operators and funded 80 Pre-K classrooms.



¹ Quarter ranges are determined by each school's reporting calendar.

Introduction and Overview

Pre-K represents one of the strongest investments for Shelby County's future because of its direct impact on children's development and ability to thrive. Pre-K gives children the building blocks for learning, creativity, and the social-emotional skills needed to navigate school and life. [First 8 Memphis](#) (F8M) was established to implement Shelby County's high-quality early care and education system and meet Shelby County's need for universal needs-based Pre-K.



Why universal needs-based Pre-K?

Children who receive high-quality Pre-K have better attendance, fewer behavior problems, and increased chances of reading at grade level in 4th grade.

Tennessee's targeted Pre-K program has been shown to boost school readiness. Attendance in the year before kindergarten is associated with faster development of literacy, language, and math skills than seen in children who don't attend -- and evidence suggests that when coupled with quality k-2 experiences, those gains persist into the later elementary grades.

(source: Urban Child Institute)

F8M's Pre-K partners work to provide high-quality Pre-K for young children in Shelby County. Our Pre-K program includes academics and instruction; two-generation family support and wraparound services; and quality support and monitoring. We measure all aspects of our program to track student and educator outcomes and help us understand community needs.

In an effort to improve the quality of services our operators and, by extension, our students receive, F8M implemented a strategic plan for the Pre-K program in 2022-2023. This strategic plan includes updated data collection processes; collaborative support for family engagement personnel (FEP) and instructional coaches; and improved communication and compliance monitoring for all partners. Today, our Pre-K Consortium serves as a peer learning and supportive space for F8M Pre-K Operators while participants in our growing Pre-K Work Group discuss issues related to quality, performance metrics and standards, successes, and concerns around Pre-K and early care and education systems.

New Accountability Metrics for F8M Enrollment, Attendance, and Kindergarten Readiness

Pursuant to the F8M Professional Services Agreement with the City of Memphis, F8M is held accountable for three performance metrics beginning in the 22-23 school year.

Metric	F8M Program Goal	F8M Pre-K Partner Goal
Enrollment	75% capacity filled (1,200/1,600)	95% capacity (for each classroom of 20, at least 19 students enrolled)
Attendance	85% of students meeting the 80% satisfactory attendance	80% daily attendance per enrolled student
K-Readiness 22-23	45% of Full Service Year students are Kindergarten ready	Currently no communicated performance standard for individual operators. An approved kindergarten readiness assessment was administered prior to the last day of September or within the first 30 days of enrollment of an individual student.

Each performance metric across enrollment, attendance, and Kindergarten readiness ensures high-quality Pre-K programming in Shelby County and continuous improvement in the support F8M provides to Operators and the instruction students receive. F8M works in collaboration with Pre-K Operators to ensure internal compliance measures align to support the achievement of each accountability metric.

In subsequent years the F8M program goal will increase from the previous year’s final number by 3 percentage points for enrollment, and 2 percentage points for attendance and Kindergarten readiness.



Operators are also held accountable for additional metrics including family engagement and Pre-K growth assessments. Below are the various metrics that our partners at Seeding Success collect and aggregate for our Pre-K program.

Metric	Frequency of Collection	When Reported
Attendance and Enrollment	Daily if API* Weekly if Google Sheet	Reported Quarterly after validation
Istation (if applicable)	Daily if API	If data is available, reported in Quarter 2 and Quarter 4
Family Outcomes Assessment	Quarterly	Reported in Quarters 2, 3 and 4
Brigance	2x a year	Reported in Q2 and Q4 after validation
Synchronous Learning	Quarterly (If Applicable)	Reported Quarterly
Family Engagement (Family Partnership Agreement, Screenings, Referrals, Contacts)	Quarterly	Reported Quarterly
Continuous Performance Improvement Reviews (CPIR)	Quarterly	Reported Quarterly
Kindergarten Readiness	Once per year (before 9/30)	Considered Quarter 5 data - Reported Annually with Q1 data

*An application programming interface (API) is a way for two or more computer programs to communicate with each other.

Together, F8M and our partners at [Seeding Success](#) monitor and collect data to ensure quality programming for all students and families in our Pre-K classrooms.

2022-2023 Q1 Outcomes

Enrollment

F8M Pre-K classrooms are considered at full capacity with 20 enrolled students and need at least 19 students (95%) to maintain compliance.

Cumulative enrollment in Q1 across 80 Pre-K classrooms was **1,331** students with a withdrawal rate of 2% (or 21 students). Withdrawal rates fluctuate throughout the year and Q1 rates often reflect students who were only briefly enrolled in a Pre-K program.

Cumulative vs. End-of-Quarter Enrollment

Cumulative enrollment is the number of students who were enrolled at any point in the school year, even if they have since withdrawn. End-of-quarter enrollment is the number of students enrolled as of the last date of the quarter. (source: Urban Child Institute)

End-of-quarter enrollment in Q1 was **1,310** students - **82% capacity filled**. This is a 13 percentage point increase from the 2021-22 school year Q1 capacity of 69% (1,098 of 1,600).

Out of 80 F8M Pre-K classrooms, 27 met the accountability metric of 95% capacity for Q1 enrollment; 25 classrooms were between 85% - 94% enrollment capacity.

Of the 16 operators (combining those with multiple classrooms), six met the accountability metric of 95% capacity for Q1; another 6 were between 85% - 94% capacity.

The map below shows a summary of enrollment and capacity by zip code for our First 8 Memphis program.

Zip codes at **95% + capacity**:

- 38053 | 100% | 2 (40)
- 38107 | 97.5% | 2 (40)
- 38112 | 95% | 1 (20)
- 38135 | 95% | 1 (20)

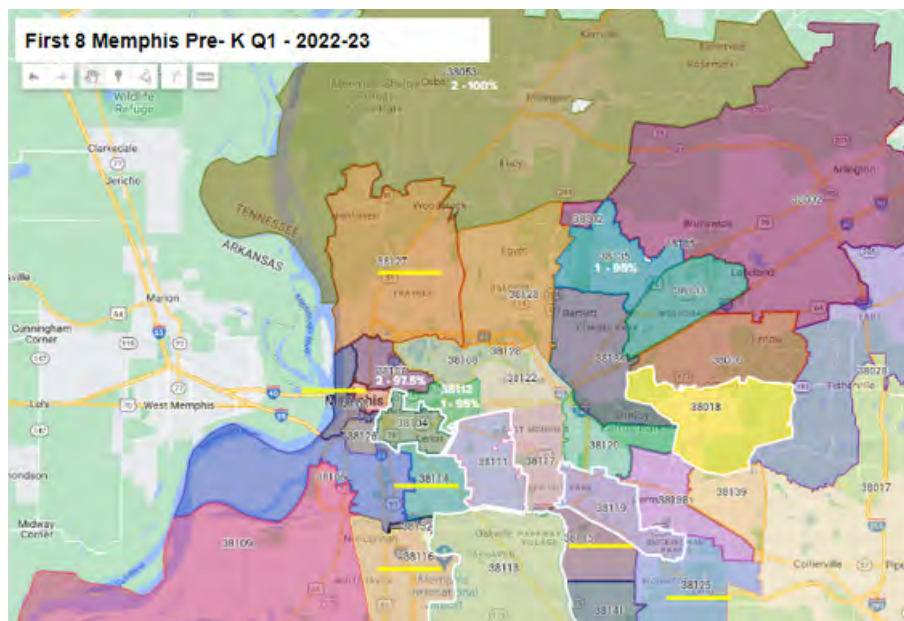
Zip codes **below 75% capacity** filled for F8M Pre-K (white outline)

- 38111 | 68.3% | 3 (60)
- 38118 | 67.5% | 2 (40)
- 38104 | 60% | 2 (40)
- 38119 | 57.5% | 2 (40)
- 38018 | 55% | 2 (40)

The zip codes with the **highest number of First 8 Memphis Pre-K Classrooms/Capacity**: (yellow underlines)

- 38127 | 92.8% | 9 (180)
- 38125 | 77.5% | 8 (160)
- 38116 | 91.7% | 6 (120)
- 38115 | 85.8% | 6 (120)
- 38114 | 80% | 6 (120)

of classrooms (capacity/# of seats available)



Solution: Raising Awareness of Pre-K Opportunities

Beginning in March 2022, F8M promoted Pre-K enrollment across the community to raise awareness of available seats. F8M sponsored **five billboards** in key enrollment areas, **approximately 40 30-second radio spots across five local radio stations**, and shared Operator enrollment information via social media outlets, and our updated PreKMemphis.com website. F8M Pre-K operators also promoted Pre-K enrollment through community events, flyers, television commercials, social media outlets, billboards, and websites.

Highlighted Pre-K Enrollment Efforts to Date

English and Spanish Pre-K Benefits and Enrollment information one-pager, social media campaign, digital ads, and billboards



Locations/Address (Most August 2022)

2612 Poplar - 38112
 5167 Poplar - 38117 (digital)
 2582 I-240 SS Near Perkins (digital)
 1661 Getwell Road - 38111
 392 Cleveland - 38104 (near Crosstown)
 2851 I-240 SS

Pre-K Enrollment Radio Advertisements

English



160 total spots (5 - 6 daily)
 May 16th - June 17th &
 July 15 - August 15th



Spanish

168 total spots (6 daily)
 May 2nd - May 29th and
 July 15 - August 15








Attendance

Attendance is considered satisfactory when students attend at least 80% of total school days for which they are enrolled.

In Q1, **89% (1,186) of 1,331** students cumulatively enrolled met the goal of satisfactory attendance; they attended at least 80% of total school days for which they were enrolled. This is an increase of 3 percentage points (113 students) from Q1 of the 2021-2022 school year, in which 1,059 met the attendance goal.

93% Overall Daily Attendance Rate

Customarily reported for K-12.
 For the F8M Pre-K portfolio was 93% (sum of days present/ sum of days enrolled)

For Q1, 64 of 80 classrooms met the attendance accountability metric of 80% of students attending 80% of the days they were enrolled. When reporting at the operator level, which combines the data across operators with multiple classrooms, 8 of 16 F8M Operators met the accountability metric for students meeting the attendance goal of 80%.

Pre-K Growth Assessments [not included for Q1]

Between August 8 and October 7, 2022, students completed a beginning-of-year Brigance IED III Pre-K Growth assessment. The data summary and comparison to the 2021-22 school year assessment will be reported in our 2022-23 Q2 report.

Synchronous Learning

F8M began collecting information on synchronous learning during the 2020-21 school year as many schools were virtual/hybrid due to COVID. In Q1, 100% of 80 F8M classrooms conducted three synchronous learning opportunities* every week, meeting the requirement.

*What Is Synchronous Learning?

Synchronous learning refers to teaching and learning in real-time with face-to-face instruction, whether online or in-person.

Instructional Support and Coaching



All F8M classrooms (100%) received instructional support from a designated instructional coach in Q1, as documented in our monthly Continuous Performance Improvement Reviews (CPIRs).

The most frequent type of instructional support in Q1 was **co-planning**, comprising 66% of documented support.

Co-planning at the beginning of the school year ensures that teachers receive support in navigating the curriculum, creating lessons, organizing materials, and developing classroom routines and procedures, setting the foundation for a year of instructional success.

Classroom observations² comprised 22% of instructional support provided. Observations provide instructional coaches and F8M with data on the use of key instructional strategies and inform coaching support and professional development throughout the school year. In the 2022-2023 school year, F8M implemented an observation walkthrough tool aligned to the Brigance IED III Pre-K growth assessment. The tool guides coaches and F8M staff in collecting data on instructional strategies specific to supporting student growth within each of the five Brigance IED domains: physical development, language development, adaptive behavior, and social-emotional development, and academic skills (including literacy and mathematics).

Using analyzed CPIR trends, F8M staff facilitated monthly coaching collaboratives to discuss observational trends observed by F8M and instructional coaches. Coaching collaboratives provide feedback on support provided by coaches and collaborative professional development to improve and enhance coaching strategies and teaching and learning practices. Additionally, F8M staff use CPIRs to look for the placement of the teacher of record, the ratio of 1:10, a classroom parent sign-in log, a posted student schedule, and to determine how F8M may support professional development (using data trends).

² Classroom observations conducted by instructional coaches are an approximate period of time, usually 20 to 30 minutes during a five and one half hour day in which teaching and learning takes place.

Observations in Q1 found teacher **strengths** in the social and emotional development and adaptive behavior domains.

- **Social and Emotional Development**

- **Overall, positive and welcoming environments were observed, with 22% of observations specifically indicating they did not observe damaging communication such as threats, shaming, sarcasm, or public behavior trackers.**
 - That's important because: A positive and welcoming environment is key to students feeling safe in their learning environment; teachers who use a warm tone and positive communication support student learning by creating a comfortable learning environment for all students.
- **In 17% of observations , students engaged with peers and adults and demonstrated the ability to adapt to their individual needs.**
 - That's important because: Students who feel comfortable in the classroom community are able to engage with peers and adults to communicate their own needs, as well as identify and respond to the needs of others; this shows progress toward developing interpersonal awareness and communication necessary for success as community members.

- **Adaptive Behavior**

- **In 21% of observations, teachers used praise specific to student actions rather than generalized praise.**
 - That's important because: Teachers who praise a specific action, such as “You are drawing a straight line,” rather than general praise, “Good job,” reinforce expectations or instructions and emphasize student action, rather than general effort, promoting intrinsic motivation in students.
- **In 16% of observations, teachers exercised flexibility with instructional time in order to respond to individual student needs.**
 - That's important because: Teachers who identify and appropriately respond to individual student needs are able to support children emotionally and instructionally throughout the school day; the ability to adjust instructional time to meet learning goals and the needs of children supports a productive classroom environment.
- Coaches observed several additional instructional strengths, including the following:
 - Teachers engaging students in **accessing previously taught skills** or making **connections to existing knowledge** (19% of observations), providing a foundation on which students can build new skills.
 - Teachers **using new words and sentence structures** (18% of observations), modeling language that students can mimic and incorporate into their own oral communication for stronger language development.

- Classroom centers and activities that allow all children **access to math manipulatives and materials that support the understanding of mathematical concepts** (17% of observations).
- Teachers who engage students in **discussions that extend student knowledge** (17% of observations) by allowing multiple turns, asking questions, or providing new information so that children can develop higher order thinking skills.
- Classroom centers and activities that allow all children access to **materials that support the development of fine motor skills** (17% of observations), physical development, and future writing skills.

Overall, coaches observed the **fewest** Brigrance-aligned instructional strategies used in academic skills (**literacy** and **math** instruction). **Future coaching** can help teachers to utilize the curriculum and instructional resources to support:

- **Daily opportunities for advancing key early literacy skills** in students, such as shared reading experiences for all children, explicit introduction of new vocabulary, and emergent writing activities - like drawing, list making, and shared writing.
- **Mathematical thinking and problem solving**, especially conceptual understanding of number sense as reinforced through visuals and other manipulatives.

Instructional coaches continue to support teacher development across all strategies and provide modeling, resources, and professional development around those strategies that were not observed as frequently in the classroom.

Addressing Family Need Through Wraparound Services

1. Family Engagement

A successful school year requires systematic and consistent engagement between families, schools, and school service providers. Family Engagement Personnel (FEP) contact families monthly to assist in achievement toward their goals, provide follow-up support, and offer other assistance as requested.

In Q1, our FEP partners made 2,977 significant contacts with families.

Of those contacts, 261 (8.8%) resulted in a referral. By the end of Q1, 44% (116) referrals were resolved (the family was connected to the correct resource and their need was met). Many referrals will extend beyond one quarter in reaching resolution, and additional referrals may be necessary to meet the individual needs of families as the year progresses and needs change.



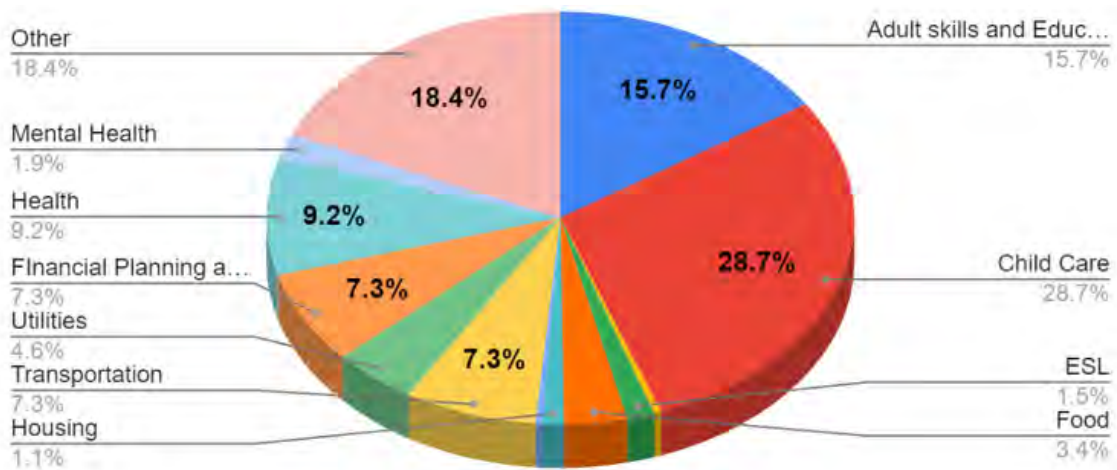
Significant Contacts

Significant contacts are communications with families that are individualized, address a stated need, and may lead to concrete action.

FEP continue to support families in resolving outstanding referrals, but may face challenges in families accessing services, completing application procedures, or meeting long-term needs and goals.

Family Need	# of referrals	Family Need	# of referrals
Child Care	75	Utilities	12
Other	48	Food	9
Adult skills and Education	41	Mental Health	5
Health	24	ESL	4
Transportation	19	Housing	3
Financial Planning and Income Support	19	Domestic Violence	1

Q1 Referral Percentage by Category



- **Child Care - 28.7%**
 - FEP support families in identifying quality and affordable child care services, applying for financial assistance, and completing enrollment requirements
 - Families continue to face challenges in finding quality programs with hours that align with their needs, affording quality care, and transporting children to and from child care

- **Adult Skills and Education - 15.7%**

- Many families identified continuing education as a long-term goal for the 22-23 school year; FEP support families in identifying continuing education programs, applying for financial assistance, and completing enrollment requirements
- Families continue to face challenges in finding quality programs with hours that align with their needs, affording tuition, and accessing transportation to and from programs



- **Health - 9.2%**

- The COVID-19 pandemic continues to impact community health; FEP support families in navigating changing processes regarding COVID-19 exposure and safety
- FEP support families in connecting with local physicians, securing health insurance coverage, and meeting personal health goals set for the 22-23 school year

- **Transportation - 7.3%**

- Transportation of children to and from a Pre-K program is the family's responsibility and often presents a plethora of challenges throughout the year, including funding for gas and car maintenance, limited access to transportation, or families relying on others to assist with transportation. Additionally, families face transportation challenges in commuting to work or to access needed community resources, referenced above.

- **Financial Planning and Income Support - 7.3%**

- The rising cost of living impacts families across the community; increased prices in groceries, housing, utilities, gas, and child care mean that many caregivers must work additional hours to provide for their families
- FEP supported families by connecting them to local utility assistance programs and financial literacy resources, though financial education is not a solution to limited access to living wages.
- FEP connected families to food banks and food pantries available throughout Shelby County, as well as supported the application process for the WIC program. However, transportation to and from these services and cumbersome application processes continue to be a challenge for families.
- FEP connected families to resources through the Department of Human Services (DHS) to find and apply for affordable housing, in addition to local resources such as Metropolitan Inter-Faith Association (MIFA), AGAPE, and shelters, which offer emergency assistance. The lengthy and cumbersome application process for DHS services remains a challenge for families, leading to an increased need for emergency housing options. As reported by the FEPs, many families live in two generational households to ease financial burdens.

2. Family Outcomes Assessment [not included for Q1]

The Family Outcomes Assessment (FOA) is a needs assessment to ensure our Pre-K program helps families meet their needs and goals. The FOA is formally conducted three times per year.

>> The Following Seven Family Outcomes are Assessed through the FOA:

- Family well-being
- Positive parent-child relationship
- Families as lifelong educators
- Families as learners
- Family engagement in transitions
- Family connections to peers and community
- Families as advocates and leaders

All F8M families were offered a Family Outcomes Assessment between August 8 and October 28, 2022. Because the window for the initial assessment extended beyond the end of Quarter 1, the Family Outcomes Assessment data will be shared in the Q2 report.

3. Family Partnership Agreements

To support collaborative goal setting, FEP engage families in an optional Family Partnership Agreement (FPA) each school year. This agreement is offered to families at enrollment and throughout the school year to document two long-term goals for each family, as well as progress towards reaching these goals. FEP work with families throughout the year to support their achievement of each goal. In Q1, **1,043** (78%) of **1,331** cumulatively enrolled students engaged in a Family Partnership Agreement. FEP will support families throughout the school year in meeting the goals outlined in the Family Partnership Agreement.

Examples of long-term goals set in the FPA include:

- Support of K-Readiness skills, including foundational literacy skills
- Home ownership
- Parent/child relationship, quality time at home, shared reading
- Budgeting and financial health
- Continued education and skills training



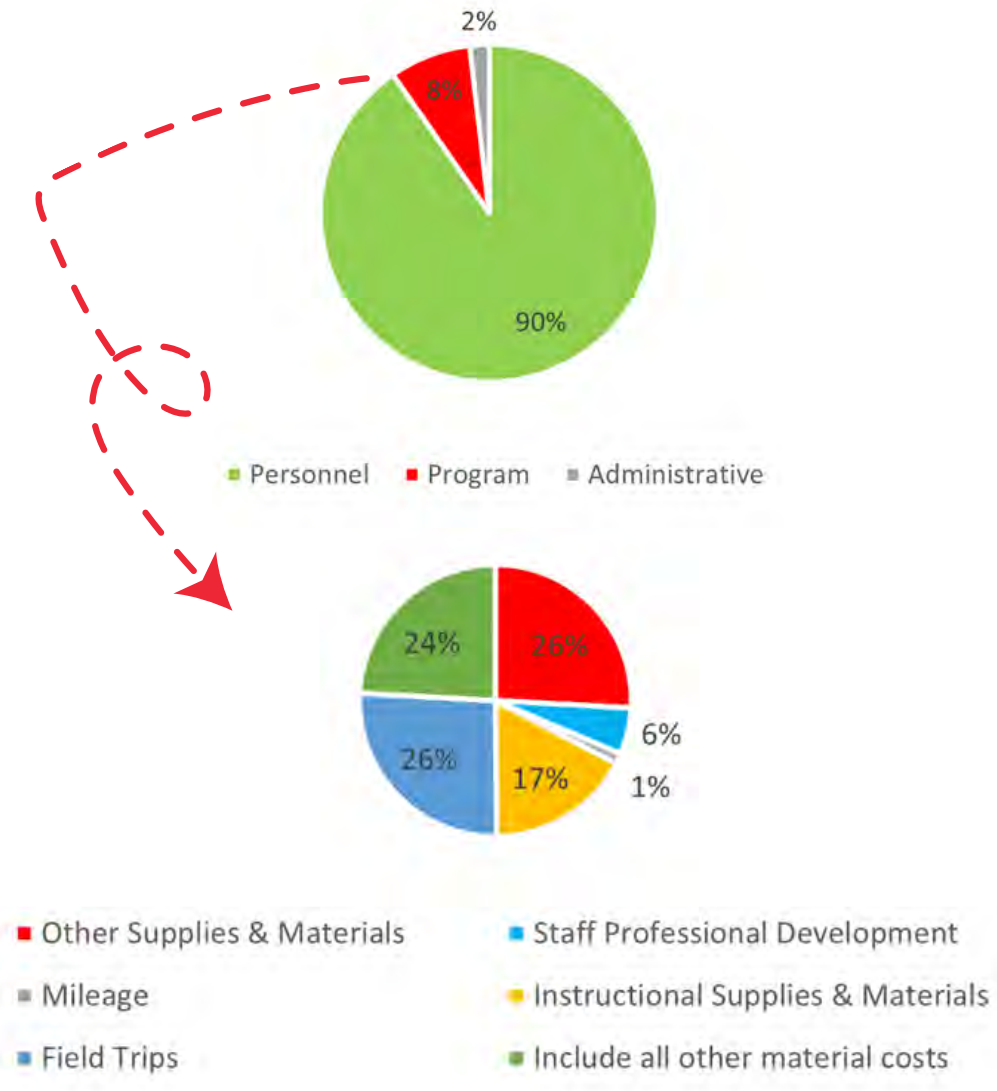
4. Health and Mental Health Screening

F8M requires all Pre-K Operators to provide hearing and vision screenings to every student. Operators may offer additional screenings at their discretion. During Q1, our Operators provided 1,221 vision and 1,190 hearing screenings to students. They also conducted 348 health screenings, five mental health screenings, and 788 additional screenings for students including (but not limited to) dental and physical development.

First 8 Memphis Pre-K Financing

For Quarter 1 of the 2022-23 school year, First 8 Memphis paid a total of \$3,339,000 to Pre-K Operators. This amount includes \$615,000 for wraparound services and \$64,000 in startup funds for four new classrooms. In Q1, Operators spent the majority of the funds (90%) on personnel for their Pre-K programs (\$2,280,191.17), 8% (\$136,463.82) on other program expenses, and 2% (\$42,164.38) on administrative expenses.

Q1 2022-23 Operator Expenses



The 8% spent on program supplies was divided among field trips, instructional supplies and materials, supplies and materials (normal office supplies), and “all other material costs” (may include equipment, printing costs, etc.), with a very small percentage spent on staff professional development.

Conclusion



Q1 Performance Highlights

Enrollment

82% capacity filled

1,310 four-year-olds were enrolled in 80 F8M Pre-K classrooms across Shelby County at the end of Q1.

Attendance

89% of students

met the goal for satisfactory attendance.



About First 8 Memphis

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A child's early years hold the key to their success. Research demonstrates that children who have access to quality early learning are better prepared when entering Kindergarten than children who do not attend early learning programs.

F8M operators reported end-of-quarter enrollment of **1,310** which was **82% capacity filled** across all F8M Pre-K classrooms between August 3 - October 7, 2023. Of the 1,331 cumulatively enrolled students **89%** met our satisfactory attendance goals.

Instructional coaches supported teachers in providing high-quality instruction aligned to key domains of child development. Teachers are consistently supported with observational data, instructional resources, and professional development.

FEP supported families in identifying long-term goals for the 22-23 school year, identifying needs and accessing community resources, and supported student attendance in Pre-K programs.

The performance metrics in this report indicate that **F8M Pre-K programs provide positive, engaging learning environments for the four-year-old children of Shelby County.** Operators adhere to program standards and offer an array of services to support families to meet their individual needs. F8M continues to collaborate with our stakeholders and Pre-K Operators to ensure services that promote successful outcomes for the children and families of Shelby County.



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Success in the **first 8** years.
Success for a lifetime.

Thank You!

First 8 Memphis would like to thank all partners and supporters who are working to strengthen early childhood education systems in Shelby County.



First 8 Memphis Staff



Dr. Kandace Thomas
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ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE, CHAPTER 6, TO DEFINE ENTERTAINMENT TRANSPORTATION VEHICLES, AND TO PROVIDE FOR THE LICENSING AND REGULATION OF THE SAME

WHEREAS, in recent years a new type of transportation business has emerged in various cities within the United States in which the passengers hire a motor vehicle not only as a means of transportation but also for some entertainment or social purpose; and

WHEREAS, the General Assembly of the State of Tennessee did in its recent session amend Tennessee Code Annotated, Section 7-51-1007, to recognize Entertainment Transportation Vehicles as a category separate from other types of vehicles already included in said law, and to allow municipalities within Tennessee to regulate the operation of Entertainment Transportation Vehicles; and

WHEREAS, in other cities in which such vehicles operate, governments have encountered various problems caused by the vehicles in the area of public safety and welfare, including accidents resulting in damage and injury, the commission of crimes related to operation of the vehicles, and complaints from businesses and citizens about noise and offensive behavior by patrons; and

WHEREAS, the Memphis City Council deems it necessary for the health, safety, and welfare of citizens to amend the code of ordinances to regulate the operation of entertainment vehicles in the City of Memphis.

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

Article 1. Definitions.

For purposes of this chapter:

"Certificate" means a certificate of public convenience and necessity, a license granted, upon application and approval, by the Memphis Transportation Commission (MTC) for the sole purpose of authorizing the certificate holder to provide entertainment transportation through an entertainment transportation vehicle.

"Certificate holder" means a person, company, corporation or association which has applied for, and been granted, a certificate of public necessity and convenience.

"Customer" means any person on an entertainment transportation vehicle other than the driver or other employee of the entertainment transportation business, who has paid money for the services of the business or is attached to a party that has done so.

"Driver" means any individual who physically operates an entertainment transportation vehicle as a for-hire vehicle under this chapter. This person may share additional, company-related titles, such as owner, employee of the owner, holder or independent contractor.

"Driver permit" means a permit issued by the MTC to drive and operate an entertainment transportation vehicle.

"Enclosed vehicle" means any motor vehicle that is fully enclosed by metal, plexiglass or glass on all sides and on the top/roof. Any vehicle not meeting this definition would constitute an "unenclosed vehicle." A vehicle is unenclosed if any portion of it lacks solid sides and a roof, including all appurtenances attached thereto, including, but not limited to, a pickup truck or a

wagon or trailer pulled by a tractor, within which passengers are capable of standing and circulating while the vehicle is in motion. For purposes of this section, a vehicle "side" must be a full side enclosure of the vehicle and cannot consist of solely a guard rail or railing. It may contain windows capable of being opened, but all windows shall be fully raised while the vehicle is in operation and any passenger is in possession of an open container. Enclosed vehicles shall maintain any required emergency access or exits but the emergency access or exits may not be used to avoid the safety goals intended by the enclosure.

"Entertainment transportation vehicle" means any motor vehicle that is designed or constructed to accommodate and transport more than one passenger for hire, the principal operation of which is confined to the area within the Memphis City Limits, whether it is operated on a fixed route or schedule, and where the passengers hire the motor vehicle not only as a means of transportation but also for some entertainment or social purpose. "Entertainment transportation" includes, but is not limited to, trucks, buses, and wagons/trailers pulled by a motor vehicle. "Entertainment transportation" does not include a limousine, sedan, shuttle, taxicab, horse-drawn carriages, or electric-assist pedal carriage.

"Entertainment transportation vehicle permit" means a permit issued by the MTC for an entertainment transportation vehicle to carry passengers.

"Entertainment transportation vehicle driver's permit" means a permit issued by the MTC for a person to operate an entertainment transportation vehicle to carry passengers.

"For hire" means a transaction whereby any money, thing of value, charge tickets, surcharge, payment, pecuniary consideration or compensation, reward, donation, tip, or any other remuneration or profit is paid to, accepted by, or received by a driver, employee, agent, owner, or any other representative of an entertainment transportation vehicle in exchange for the temporary

use by or for the transportation of a passenger, whether such is paid voluntarily or upon solicitation, demand, request, contract, agreement, or as a surcharge; or otherwise in conjunction with the purchase of any other services wherein the entertainment transportation is part of the services provided.

"Holder" means a person to whom a certificate of public convenience and necessity has been issued by the commission.

"Inspector(s)" means the inspector(s) for the commission.

"Memphis Transportation Commission," also referred to as "MTC" or "the commission," means the Memphis Transportation Commission as established by the City of Memphis Code of Ordinances, Chapter 39.

"MTC Director" means the Executive Secretary of the MTC, as employed by the City of Memphis on behalf of the MTC.

"Owner" means the person who holds the legal title of the entertainment transportation vehicle.

"Passenger" means any person on an entertainment transportation vehicle other than the driver.

"Person" means any individual, partnership, corporation, association or public or private organization of any character. "Permittee" means a holder of any permit issued under this chapter.

"Solicit" means the distribution of flyers or other material, or an appeal by bell, horn, whistle, words, or gestures by a driver or his or her agent directed at individuals or groups for the purpose of attracting passengers for immediate hire.

"Taxicab" means a motor vehicle regularly engaged in the business of carrying passengers for hire, donation, gratuity or any other form of remuneration, having a seating capacity of less than nine persons and not operated on a fixed route.

Article 2. Certificate of Public Convenience and Necessity

Section 1. Required and term.

A. No entertainment transportation vehicle shall be used or operated on a for hire basis by any person in the territorial jurisdiction of the Memphis City government without an owner or operator having first obtained a certificate of public convenience and necessity. Each certificate shall be valid for one year and shall be subject to renewal pursuant to the provisions set forth in this article. Applications will be reviewed and considered as they come in to the MTC.

B. It shall be unlawful for any person to transport or offer to transport passengers in any entertainment transportation vehicle which does not have affixed to the entertainment transportation vehicle a valid permit issued through the MTC.

C. Certificates shall not be transferred, sold or given from one owner to another, including the sale of one entertainment transportation vehicle company in its entirety to another, without approval of the MTC upon the filing of an application for such transfer.

D. The MTC shall track all certificates, and after the renewal period, if the certificate has not been renewed it shall be determined to be void.

Section 2. Findings - Issuance of certificate or additional permits.

A. If the MTC finds that further or additional entertainment transportation vehicle service within the Memphis City Limits is required by the public convenience and necessity and that the applicant is fit, willing, and able to provide such service and to conform to the provisions of this chapter and the rules promulgated by the MTC, the MTC may issue a certificate of public convenience and necessity, stating the name and address of the applicant, the number of vehicles authorized upon such certificate and the date of issuance.

B. In making the above findings, the MTC shall, at a minimum, take into consideration the number of entertainment transportation vehicles already in operation, whether existing service is adequate to meet the public need; the character, experience, financial condition and responsibility of the applicant, and such criteria as may be adopted by the MTC in its rules.

Section 3. Application - Information and fees required.

A. An application for a certificate of public convenience and necessity shall be filed with the MTC for each classification of service to be provided. Forms will be provided by the MTC and payment of a nonrefundable fee will be charged. The amount of the application fee shall be established by the MTC based the cost of processing the application.

B. The application shall require the following information:

1. Name and address of applicant;

a. Sole-proprietor: Name and address of the owner.

b. Partnership: Names and addresses of all partners.

c. Corporation or association: Names and addresses of all the officers, directors, and members.

2. Business name (d/b/a), business address and telephone number if different from above;
3. A background check of each person;
4. Proof of U.S. citizenship or legal residency;
5. Names and addresses of two references as to the applicant's financial responsibility;
6. Prior experience of applicant in transport of passengers;
7. Number of vehicle permits requested, and copy of proof of ownership or other evidence of lawful control for each vehicle to be operated under the certificate;
8. Procedures for training drivers;
9. Rules and regulations governing driver appearance and conduct;
10. Disclosure of prior state law or City of Memphis Code of Ordinances violations pertaining to noise from motor vehicles, lewd conduct as part of a commercial business, or alcoholic beverage open container laws;
11. Any additional information the applicant desires to include to aid in the determination of whether the requested certificate should be issued;
12. Such further information as the MTC may require.

C. An applicant will be ineligible for consideration if:

1. Any of the owners, partners, officers, directors, or members are under twenty-one years of age and/or the entertainment transportation vehicle business has no separate legal existence beyond a shareholder, owner, or partner who is under the age of twenty-one years of age;
3. Any of the owners, partners, officers, directors, or members has violated any portion of this chapter of the City of Memphis Code of Ordinances within five years immediately preceding the date of application.

4. Any portion of the application is incomplete or contains incorrect or untruthful information.

D. An applicant will be ineligible for consideration for a one-year period if any owner, partner, officer, director, or member has been found guilty by a court of competent jurisdiction of violating state law or City of Memphis Code provisions three or more times within the past three hundred sixty-five days pertaining to noise from motor vehicles and/ or lewd conduct as part of a commercial business.

Section 4. Issuance and Denial – Fees.

A. If the MTC or the MTC director determines that further entertainment transportation vehicle services are required and the applicant is qualified, the MTC or MTC director may issue a certificate.

B. The MTC shall adopt the criteria for determining the necessity for additional entertainment transportation vehicle certificates.

C. Any person whose application for a certificate is denied by the MTC director may file a written appeal with the MTC within thirty days of denial and request an appearance before the MTC and appear in-person for consideration of the certificate application.

D. The certificate shall state the name, business address and telephone number of the applicant and the date of expiration.

E. The MTC will set a fee to be charged for the issuance of each approved entertainment transportation vehicle permit associated with the certificate.

Section 5. Annual renewal.

A. All certificates issued under the provisions of this chapter shall expire on April 30 of the year following the date on which the certificate was issued. All certificates may be renewed by the MTC director for each successive year between April 1 and 30 of each year. A renewal fee for each approved certificate and other licensing fees shall be charged at the annual renewal of the certificate.

B. All applicants for renewal must be current with all assessments and taxes due to the City of Memphis.

C. If a licensed entertainment transportation vehicle company or individual fails to renew prior to the end of the renewal period, the renewal applicant shall be treated as a new applicant.

Section 6. Insurance required.

A. Before any certificate shall be issued by the commission director, or before the renewal of such certificate shall be granted, the applicant or association shall be required to file an insurance policy and/or certificate of insurance with the MTC director evidencing insurance coverage as required in this section.

B. Insurance coverage as provided in subsection (A) of this section means a policy of public liability insurance issued by an insurance company qualified to do business in the state and naming the City of Memphis as an additional insured. Any policy of public liability insurance issued in compliance with this article shall be for a term of not less than one year, and for any entertainment transportation vehicle insured thereunder shall afford protection to any third party sustaining injury or damage as a result of the negligent operation of any entertainment

transportation vehicle, with the minimum amount of insurance to be one million dollars, known as combined single limit insurance coverage. Such policy shall expressly provide that it may not be canceled, except after thirty days written notice to the commission director.

C. Such certificate will certify that the policy provides for a minimum of one million dollars per entertainment transportation vehicle for liability imposed by law for damages on account of bodily injuries, death or personal damages, other than injuries, death or property damages of the company or driver, in any one accident resulting from the ownership, maintenance or use of such entertainment transportation vehicle. The certificate of insurance shall also list the serial number or identification number of each entertainment transportation vehicle that is insured.

D. The operation of any entertainment transportation vehicle within the Memphis City Limits without having in force the public liability insurance policy as outlined in this section is hereby declared to be a violation of this article, subjecting the owner and/or certificate holder to all applicable penalties provided in this article and this chapter.

E. Any changes in insurance must be reported to the commission immediately.

Section 7. Request for additional vehicle permits.

An application for additional entertainment transportation vehicle permits under the certificate issued pursuant to this article must be filed with the MTC director. If approved, the established permit fee will be applied.

Section 8. Suspension and revocation.

A. A certificate issued under the provisions of this chapter may be revoked, suspended, placed on probation, otherwise restricted, or not renewed by the MTC if the holder thereof has:

1. Violated any of the provisions of this chapter or failed to comply with any rule or regulation established by the MTC;

2. Violated any provision of this code or other ordinances of the City of Memphis or laws of the United States or the State of Tennessee, the violation of which reflects unfavorably on the fitness of the holder to offer transportation services, including but not limited to, violations for excessive noise;

3. Failed to pay assessments or taxes due to the City of Memphis; or

4. Made a misrepresentation or false statement when obtaining a certificate or additional permits, or transferring a certificate.

B. Prior to any action to revoke, suspend, place on probation, otherwise restrict, or not renew a certificate, the holder shall be given notice to the address listed on their certificate of the proposed action to be taken and shall have an opportunity to be heard by the MTC.

C. If the holder commits an act in violation of the criminal laws of the United States of America or state of Tennessee Code and the MTC director determines that holder poses a threat to the public safety, the MTC director may enact an emergency suspension of the holder's certificate to remain in effect until the holder has the opportunity to be heard by the MTC at the next available meeting, but in no circumstance later than sixty days from the date of the emergency suspension.

Article 3. Vehicle and Driver Permits

Section 1. Permit required- Violations and term.

A. No person shall drive or otherwise operate an entertainment transportation vehicle engaged in the transportation of passengers unless he or she has a driver's permit and a currently effective Tennessee commercial driver's license. To qualify for a permit, an applicant must comply with all of the requirements and stipulations of this chapter and any rules and regulations adopted by the MTC.

B. A person commits an offense if he or she operates an entertainment transportation vehicle in the Memphis City Limits without a driver's permit issued by the MTC.

C. A business commits an offense if it employs or otherwise allows a person to operate an entertainment transportation vehicle owned, controlled, or operated by the permittee unless the person has a driver's permit issued by the MTC.

D. Each permit shall be valid for one year and shall be subject to renewal pursuant to the provisions set forth in this article.

Section 2. Application-Information and fees required.

A. An application for an entertainment transportation vehicle driver's permit shall be filed with the MTC on forms provided by the MTC.

B. Such application shall be certified under oath and shall at a minimum contain the following information:

1. The name, residential address, telephone number and date of birth of the applicant.

No applicant under eighteen years of age will be accepted.

2. The type(s) of vehicle(s) which the applicant will drive under the certificate.
3. The years of experience of the applicant in the transportation industry.
4. A concise history of the applicant's employment.

C. The applicant shall provide copies of the following documents in order to submit his application:

1. A valid driver's license issued by one of the fifty states within the United States of America for the issuance or renewal of an entertainment transportation vehicle driver's permit corresponding with the type/classification of entertainment transportation vehicle to be operated (i.e., commercial driver license, for-hire endorsement, etc.).

2. A Social Security card or birth certificate.

3. If a resident alien, a current work permit or other valid United States Immigration and Customs Enforcement document.

4. A copy of a currently effective Tennessee commercial driver's license.

D. Each application shall be accompanied by an official driver record obtained no longer than thirty days previous to the date of application. All applicants are required to meet the following standards:

1. No convictions in the last five years for any of the following offenses involving bodily injury or death and no convictions in the last three years for any of the following offenses not involving injury or death:

- a. Hit and run;
- b. Driving under the influence of an alcoholic beverage or drug;
- c. Reckless or careless driving.

2. For an initial permit, no more than three moving violations within the last three years and no more than two moving violations in the last year.

3. For a renewal permit, no more than four moving violations within the last three years and no more than two moving violations in the last year.

Section 3. Fingerprint-based criminal background investigation.

A. All applicants for an entertainment transportation vehicle driver's permit must undergo a fingerprint-based identification and background check. The MTC staff shall collect background check fees from applicants and schedule them for fingerprinting. A background check report and a copy of the driving record (MVR) of the applicant, if any, shall be attached to the application and forwarded for consideration by the MTC.

B. Any applicant shall, in addition to any disqualifications listed elsewhere in this chapter, be disqualified if the applicant:

1. Has been convicted, pleaded guilty, placed on probation or parole, pleaded nolo contendere, or been released from incarceration within a period of five years prior to the date of application for violation of any of the following criminal offenses under the laws of Tennessee, any other state or of the United States:

- Homicide,
- Rape,
- Aggravated assault,
- Kidnapping,
- Robbery,
- Felony theft,

- Burglary,
- Child sexual abuse,
- Domestic violence,
- Any sex-related offense,
- Leaving the scene of an accident,
- Criminal solicitation, or criminal attempt to commit any of above,
- Perjury or false swearing in making any statement under oath in connection with the application for a driver's permit, or
- The felony possession, sale or distribution of narcotic drugs or controlled substances.

2. If, at the time of application, the applicant is charged with any offenses in subsection (1) of this section, consideration of the application shall be deferred until the applicant's entry of a plea, conviction, acquittal, dismissal, or other final disposition of the charges.

3. Has been convicted of or released from incarceration due to two or more felony offenses within the past seven years.

4. Has been convicted for a period of two years prior to the date of application of the violation of two or more sections of this Code or other ordinances governing the operation of entertainment transportation vehicles.

If the applicant fails to disclose any criminal conviction, except traffic citations, on the application for a permit, the application may be referred to the MTC for consideration.

Section 4. Application - Approval or disapproval.

The MTC or its staff shall, upon the consideration of the application and any reports and certificates required to be attached thereto, approve or reject the application. Any applicant rejected

by the MTC staff may file an appeal within thirty days of denial and request an appearance before the MTC. The appeal shall be heard by the MTC at the next available MTC meeting with the appellant appearing in-person for consideration of the application.

Section 5. Issuance - Permit contents and display.

A. Upon approval of an application for an entertainment transportation vehicle driver's permit, the MTC director shall issue a permit to the applicant, which shall bear the name, driver's permit number, height, date of birth, photograph of the applicant, and other information deemed appropriate.

B. Every driver shall at all times conspicuously display a permit either on the clothing of the driver's upper body or within the entertainment transportation vehicle. A driver shall allow the MTC director, MTC inspector, or a police officer to examine the permit upon request.

Section 6. Unpermitted drivers.

A. If any person is found operating any entertainment transportation vehicle within the Memphis City Limits without a valid entertainment transportation vehicle driver's permit on behalf of any holder of a certificate of necessity and public convenience, the MTC director may immediately take action to suspend or revoke the certificate.

B. A person whose entertainment transportation vehicle driver's permit is suspended shall not drive an entertainment transportation vehicle within the Memphis City Limits during the period of suspension.

Section 7. New application after denial.

Upon denial of an application for a driver's permit, no new application shall be considered for a period of three months.

Section 8. Expiration - Issuance and replacement fee.

A. Each entertainment transportation vehicle driver's permit shall be issued for a period of one year.

B. A permit may be issued to qualified applicants upon the payment of a fee established by the MTC plus the costs of investigation. If the permit for the preceding year has been revoked, no new permit shall be issued without prior MTC approval. A fee established by the MTC shall be charged for all replacement driver permits. Such fees shall be in addition to the cost of any investigation.

Section 9. Suspension, revocation, and appeal.

A. The MTC director may suspend or revoke any applicant's certificate if the director determines that the applicant fails to comply with any requirement of this chapter. The director shall notify the applicant of any specific failure to comply with this chapter resulting in the suspension or revocation of their certificate and the applicant's right to an appeal by first class mail, express mail, overnight carrier, or personal service. If the MTC director suspends or revokes a certificate, the applicant may appeal within ten days of such suspension or revocation to the MTC for a hearing to determine if such suspension or revocation is justified. The decision of the MTC shall be final, subject to any appropriate judicial review.

B. The MTC director is hereby given authority to suspend any entertainment transportation vehicle driver's permit issued under this article for a driver's failure or refusal to comply with the provisions of this article. Such suspensions may not last for a period of more than thirty days. The MTC director is also given authority to revoke any permit for failure to comply with the provisions of this article.

C. If a driver is charged in any court with a misdemeanor involving moral turpitude, or with any felony, or with driving while intoxicated or under the influence of drugs, or with violations of this article, the MTC director is hereby given authority to suspend the driver's permit pending final disposition of the charges against them, and to revoke such permit upon conviction thereof.

D. The MTC director may revoke an entertainment transportation vehicle driver's permit if the director determines that the permittee has engaged in conduct detrimental to the public safety.

E. The MTC director may not suspend or revoke any permit unless the driver has received notice of the charges against them and has had the opportunity to present evidence on their behalf.

F. Any permittee whose license has been suspended or revoked by the MTC director may file a written appeal with the MTC within ten days. If an appeal is not made to the MTC within ten days of the MTC director's decision, the MTC director's decision shall be final. A letter addressed to the MTC and delivered to the MTC office stating that an appeal from the decision of the MTC director is desired shall perfect such appeal. The MTC, as soon as practicable after receiving such notice of appeal, shall notify the applicant or permittee of the date and time of the hearing which shall be not less than five days after the mailing of such notice. After the hearing of the appeal, the MTC shall sustain, modify or reverse the findings of the MTC director, and shall

notify the MTC director and the applicant or permittee of its findings. The findings of the MTC shall be final, subject to any applicable legal processes.

G. A driver whose permit is revoked may not reapply for ninety days from the date of revocation and will be treated as a new applicant.

Section 10. Revocation of a valid driver's license.

An entertainment transportation vehicle driver's permit issued under this chapter shall be coterminous with the permittee's valid driver's license issued by one of the fifty states in the United States of America for the type/classification of entertainment transportation vehicle to be operated. Any time that a permittee's driver's license is suspended, revoked, or cancelled, their entertainment transportation vehicle driver's permit shall likewise be immediately suspended, revoked, or cancelled. The entertainment transportation vehicle driver's permit shall immediately be surrendered to the MTC until such time as their driver's license is reinstated.

Section 11. Conduct of drivers.

A driver shall at all times:

1. Act in a reasonable, prudent, safe, and courteous manner;
2. Not permit a person not possessing an entertainment transportation vehicle driver's permit to operate the entertainment transportation vehicle;
3. Not permit more passengers to be carried in an entertainment transportation vehicle than for which there is proper seating, and at no time shall the driver allow any passenger to ride in any area of the entertainment transportation vehicle not specifically designed or designated as a seat;

4. Not permit any passenger sixteen years of age or younger to ride in an entertainment transportation vehicle unaccompanied by an adult;
5. Not operate an entertainment transportation vehicle while under the influence of intoxicating beverages or drugs;
6. Not operate an entertainment transportation vehicle while possessing a lighted cigarette, cigar, or pipe at any time;
7. Observe and obey all state and local noise and traffic laws and regulations;
8. Not permit a customer to stand or ride on any part of the entertainment transportation vehicle other than the designated seating area while the entertainment transportation vehicle is in motion and to advise the passengers that they must be seated except when loading or unloading.

Section 12. Return of passengers' property.

A driver of an entertainment transportation vehicle shall immediately attempt to return to a passenger any property left by the passenger in the entertainment transportation vehicle. If unable to locate the passenger, the driver shall turn the property into the certificate holder's company office at the end of the driver's shift or at the first available opportunity. In such cases, the certificate holder shall make a good faith effort to locate the passenger, and, if not successful, hold the property in storage at its location for at least thirty days, unless otherwise directed by the director.

Section 13. Compliance with provisions.

Every driver granted a permit under this article shall comply with all City of Memphis, state, and federal laws. Failure to do so may result in disciplinary actions including suspension and up to revocation of the entertainment transportation vehicle driver's permit.

Article 4. Equipment and Operation

Section 1. Vehicle permit required.

Each entertainment transportation vehicle must have a permit issued by the MTC. The permit will identify each entertainment transportation vehicle by a unique number in accordance with rules and procedures established by the MTC and will be associated with the specific classification and by certificate holder. Permits are not transferable to other entertainment transportation vehicles or other certificate holders.

Section 2. Ownership and control of vehicles.

All entertainment transportation vehicles permitted under this chapter must be under the lawful control of a certificate holder demonstrated either by proof of ownership or a copy of a valid lease agreement and must be under the direct control of a permitted driver while in operation or use.

Section 3. Vehicle to display identification.

All entertainment transportation vehicles operated under the authority of this chapter shall be equipped with identification as prescribed by the MTC in rules and regulations.

Section 4. Vehicle requirements; safety standards.

A. To the fullest extent permitted by Tennessee and federal law, prior to the use and operation of any vehicle under the provisions of this chapter, the vehicle shall be thoroughly examined and inspected by the certificate holder or a third party in accordance with rules and regulations prescribed by the MTC. These rules and regulations shall be promulgated to provide safe transportation and specify such safety equipment and regulatory devices as the MTC shall

deem necessary. When a certificate holder finds that a vehicle has met all the terms established by the MTC, the holder shall certify this to the MTC director, who shall authorize a permit to be issued.

B. To the fullest extent permitted by Tennessee and federal law, every vehicle operating under this chapter is subject to random and periodic inspections to ensure the continued maintenance of safe operating conditions. A certificate holder shall make an entertainment vehicle available for inspection upon or prior to the expiration of the notice period provided for in the rules and regulations adopted by the MTC, when ordered to do so by MTC staff. If, upon inspection it is determined that an entertainment vehicle for hire is not in compliance with this chapter or MTC rules, the MTC staff shall order the vehicle to be removed from service or brought into compliance within a reasonable period of time and require it to be re-inspected.

C. Every vehicle operating under this chapter shall be kept in a clean and satisfactory condition, according to rules and regulations promulgated by the MTC.

D. Every vehicle operating under this chapter must be equipped with seats for each passenger.

E. To the fullest extent permitted by Tennessee and federal law, every vehicle operating under this chapter shall undergo an annual detailed mechanical inspection conducted by an approved mechanic pursuant to the requirements of rules and regulations adopted by the MTC. The records of these inspections must be maintained and made available to MTC staff as provided by the rules and regulations adopted by the MTC. The certificate holder shall certify to the MTC director compliance with this subsection.

F. The MTC may, by rule, establish additional inspection requirements for entertainment transportation vehicles and other equipment used in the entertainment transportation vehicle service.

G. The MTC shall have the authority to promulgate rules and regulations related to vehicle safety that are consistent with applicable law to ensure the safe operation of entertainment transportation vehicles.

Section 5. Operating area.

Entertainment transportation vehicles shall operate upon the streets in the Memphis City Limits on routes or zones delineated by the Memphis Transportation Commission, within the selected portion of the Central Business Improvement District (Core District, Edge/Medical District, and South District - see Exhibit A). Any deviation or amendments to routes or zones must be reviewed by the MTC or its staff and receive approval from the Memphis City Council by Resolution. Any approved deviation must be reported to the MTC or the MTC director staff prior to beginning of operations.

Section 6. Operating hours.

Entertainment transportation vehicles shall operate between the hours of 11 AM to 11 PM. Any deviation from these hours must be reviewed by the MTC or its staff and receive approval from the Memphis City Council by Resolution. Any approved deviation must be reported to the MTC or the MTC director staff prior to beginning of operations.

Section 7. Records and reports.

A. Each holder shall maintain at a single location business records of its entertainment transportation vehicle business. The records must be maintained in a manner approved by the MTC director and contain the following information:

1. An identification of the entertainment transportation vehicles operating each day;
2. An identification of the drivers operating the entertainment transportation vehicles each day and a statement of the hours each driver operated the vehicle each day; and
3. Any other information the MTC director determines necessary for monitoring the activities, operations, service, and safety record of the licensee.

B. A certificate holder shall make its records available for inspection by the MTC director, inspector, law enforcement officer or designated officials.

Section 8. Accidents

A. All accidents arising from or in connection with the operation of an entertainment transportation vehicle shall be reported within seventy-two hours from the time of occurrence to the MTC director if the accident results in:

1. Death or bodily injury to any person, or
2. Damage to any vehicle, or to any property in an amount exceeding the sum of four hundred dollars.

B. An entertainment transportation vehicle damaged in an accident, but still operable without placing the driver or passengers at risk, must be repaired within two weeks of the accident or removed from operation until repaired and inspected.

Section 9. Passengers-Receiving and discharging by drivers.

A. Drivers shall only receive and discharge passengers at designated staging areas/locations approved by the MTC.

B. Drivers shall not allow additional passengers to board the entertainment transportation vehicle after the vehicle has left its fixed starting point.

Section 10. Disposition of disorderly passengers.

Drivers shall act in a reasonable and professional manner in dealing with disorderly passengers.

Section 11. Soliciting business.

No certificate holder or driver of an entertainment transportation vehicle shall offer any compensation of whatever form to any person or entity in exchange for the direction or recommendation of passengers to that entertainment transportation vehicle, provided that this section shall not prohibit certificate holders from advertising their entertainment transportation business.

Section 12. Compliance with other laws.

It shall be a violation of this chapter for a certificate holder or driver to violate any other applicable federal, state or local law or regulation in offering or providing entertainment transportation vehicle services.

Section 13. Enforcement.

A. The inspectors of the Memphis Transportation Commission are authorized and are instructed to observe the conduct of holders of certificates and permits operating under this chapter. Upon discovering a violation of the provisions of this chapter, the inspector may either report the violation to the MTC, which will order or take appropriate action, or issue a citation as authorized under Article IV, Section 1 A.

B. In addition to the enforcement authority provided to MTC inspectors in subsection A. of this section, officers of the Memphis Police Department shall have the authority to enforce this chapter. A police officer, upon observing a violation of this chapter or of any regulation or rule established by the MTC or the MTC director pursuant to this chapter, may take necessary enforcement action to insure effective regulation of entertainment transportation vehicles.

Section 14. Limitation of service due to weather conditions.

Entertainment transportation vehicles shall not receive passengers when weather conditions are sufficiently adverse or inclement so as to endanger passengers or the public. The MTC, by rule, may adopt specific guidelines for the operation of entertainment transportation vehicles in inclement weather conditions.

Article 5. Violations – Civil Penalty Schedules

Section 1. Violations-Penalties-Additional regulations.

A. All provisions of this chapter shall be governed by the penalties and procedures for general ordinance violations set forth in the Code of Ordinances of Memphis, Tennessee, 1-24-1.

B. Notwithstanding any provision contained herein, the MTC shall have the authority to enforce the provisions of this chapter.

C. The MTC shall have the authority to promulgate, implement, and enforce additional rules and regulations pertaining to entertainment transportation vehicles, provided such rules and regulations are consistent with the provisions of this chapter, and prior approval is obtained from the Memphis City Council.

Section 2. Severability.

The provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

Section 3. Effective Date.

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

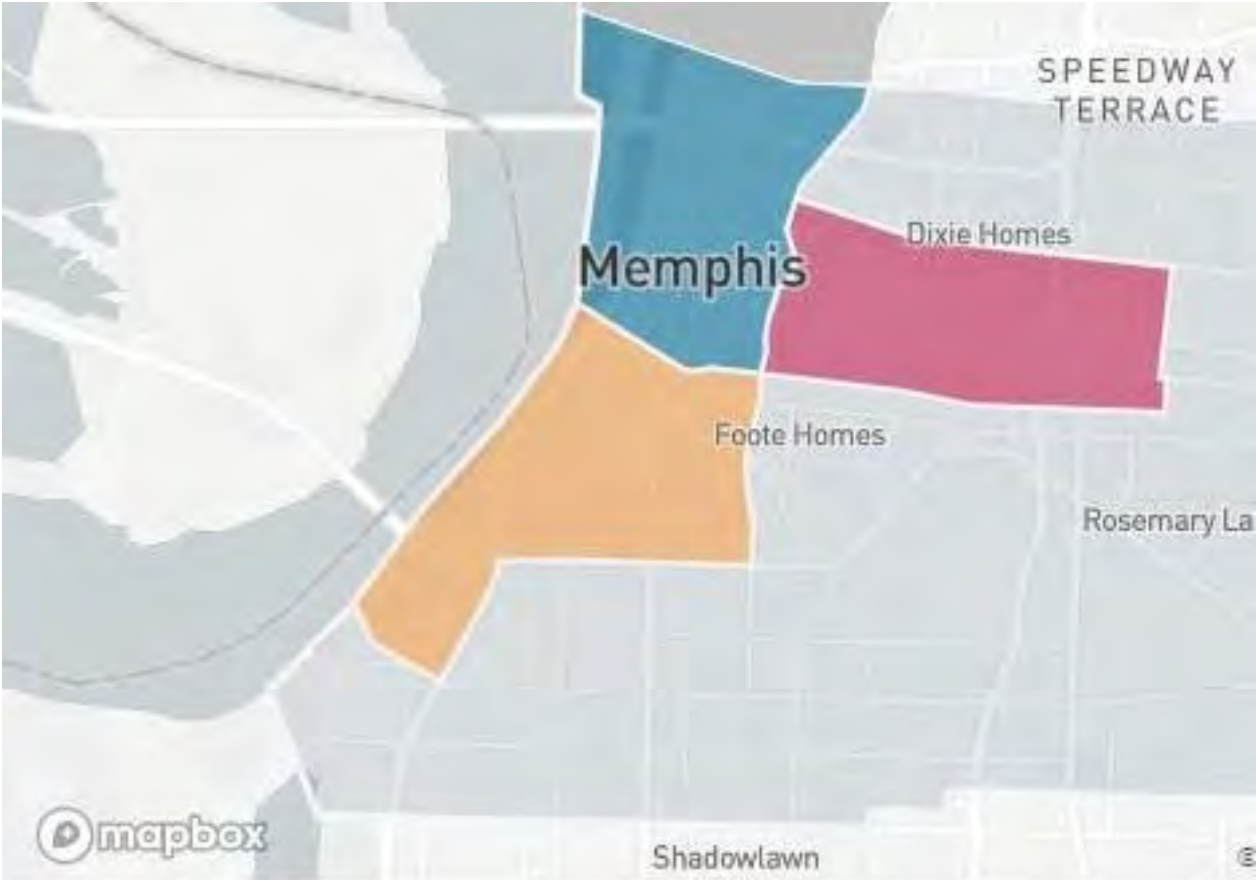
SPONSOR

Ford Canale

CHAIRMAN

Martavius Jones

Exhibit A



- South District
- North District
- Core District
- Edge/Medical District
- Core City District

**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:

	<u>DATE</u>	<u>POSITION</u>
	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

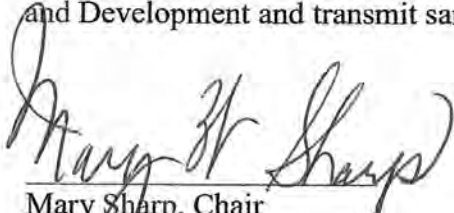
WHEREAS, during its regular meeting on April 20, 2021, the City Council of the City of Memphis reviewed, amended, and approved the Memphis 3.0 Plan; and

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>
--------	--

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
--------	--

	<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.

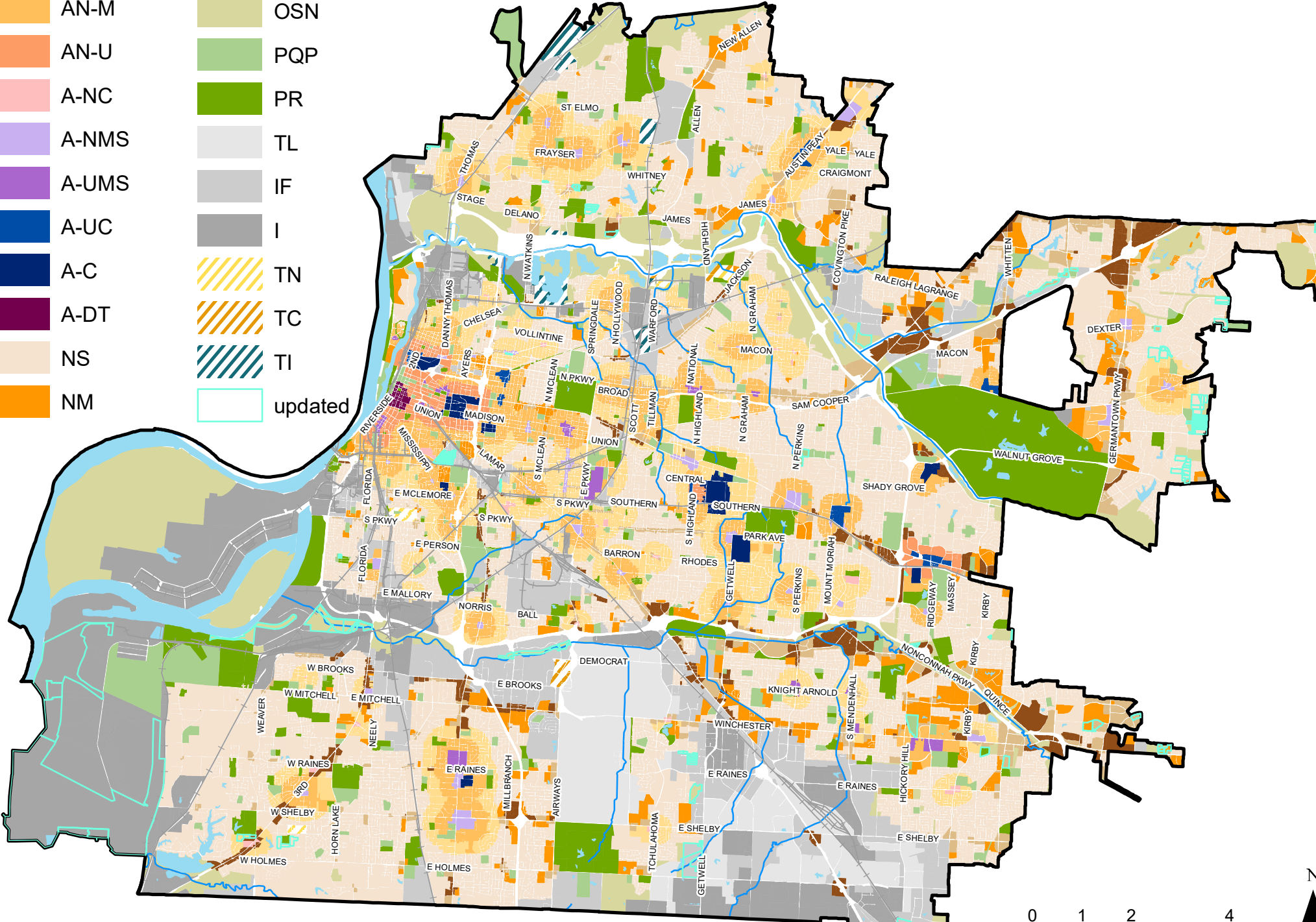


Description/Intent	Low Intensity Commercial and Service areas typically not associated with anchors. These areas may include neighborhood supporting commercial uses such as retail sales and services, offices, restaurants, funeral services, small-scale recreation, and social service institutions, <u>and 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>

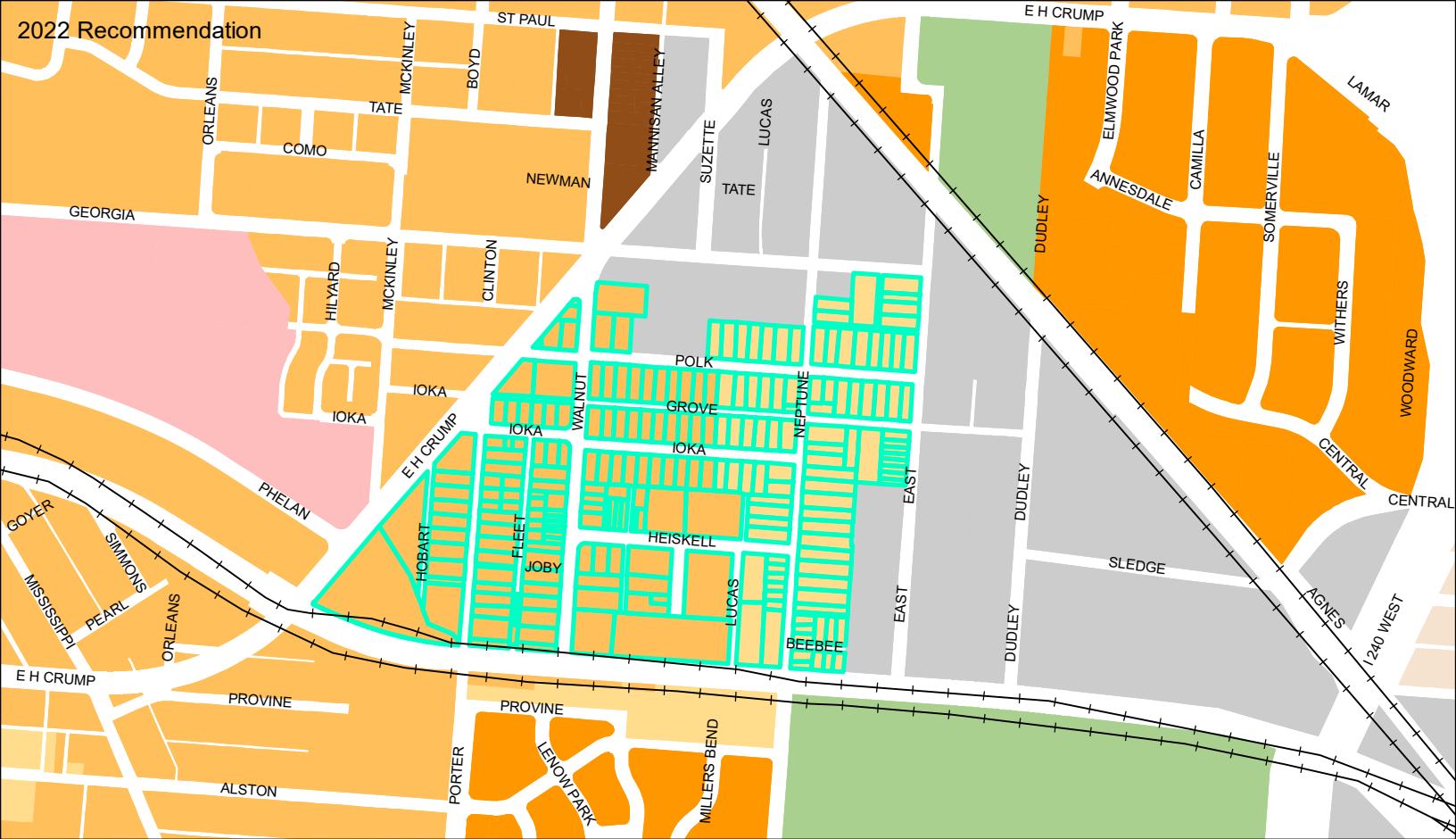
1-4 stories height

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



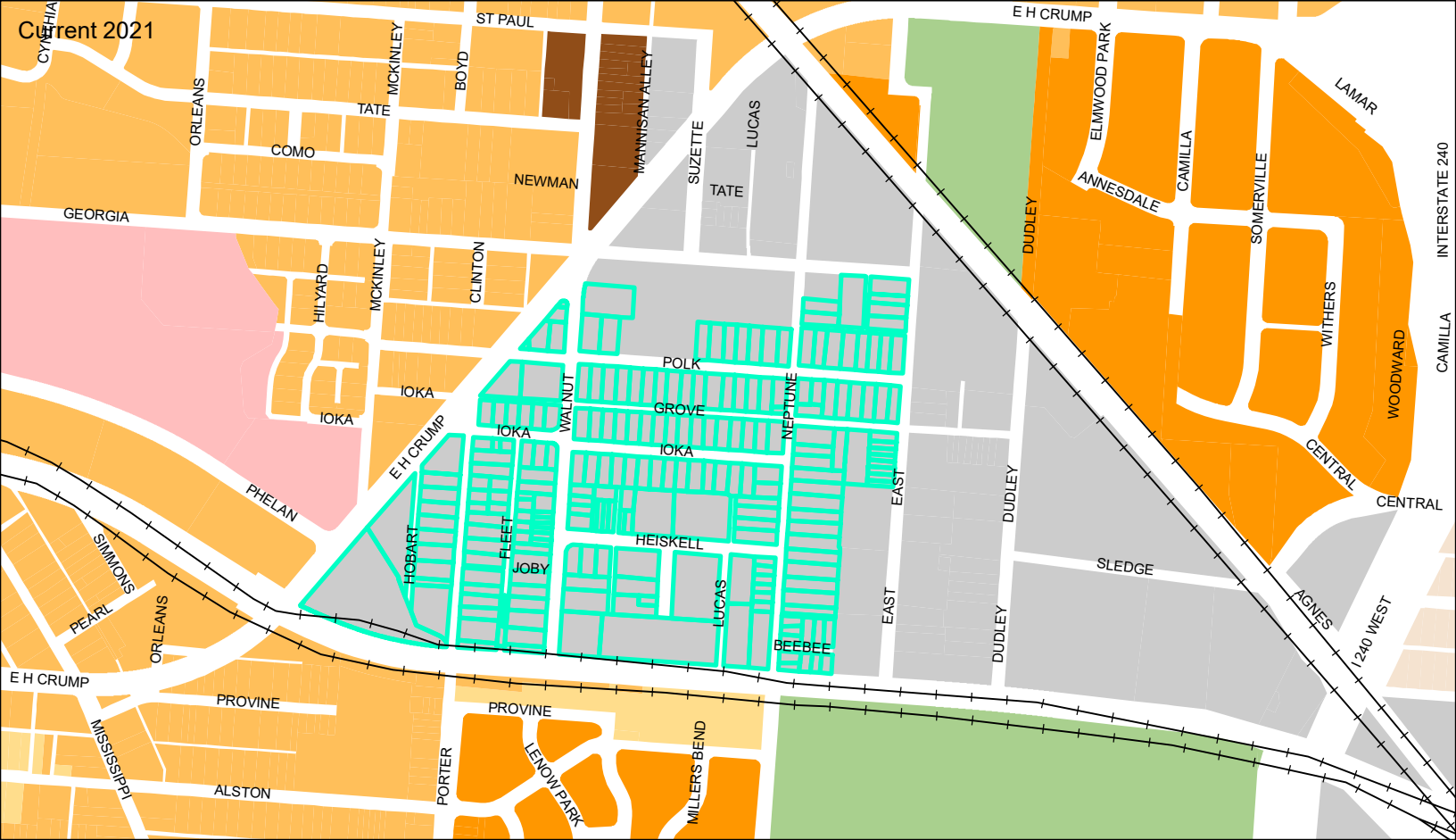
2022 Recommendation

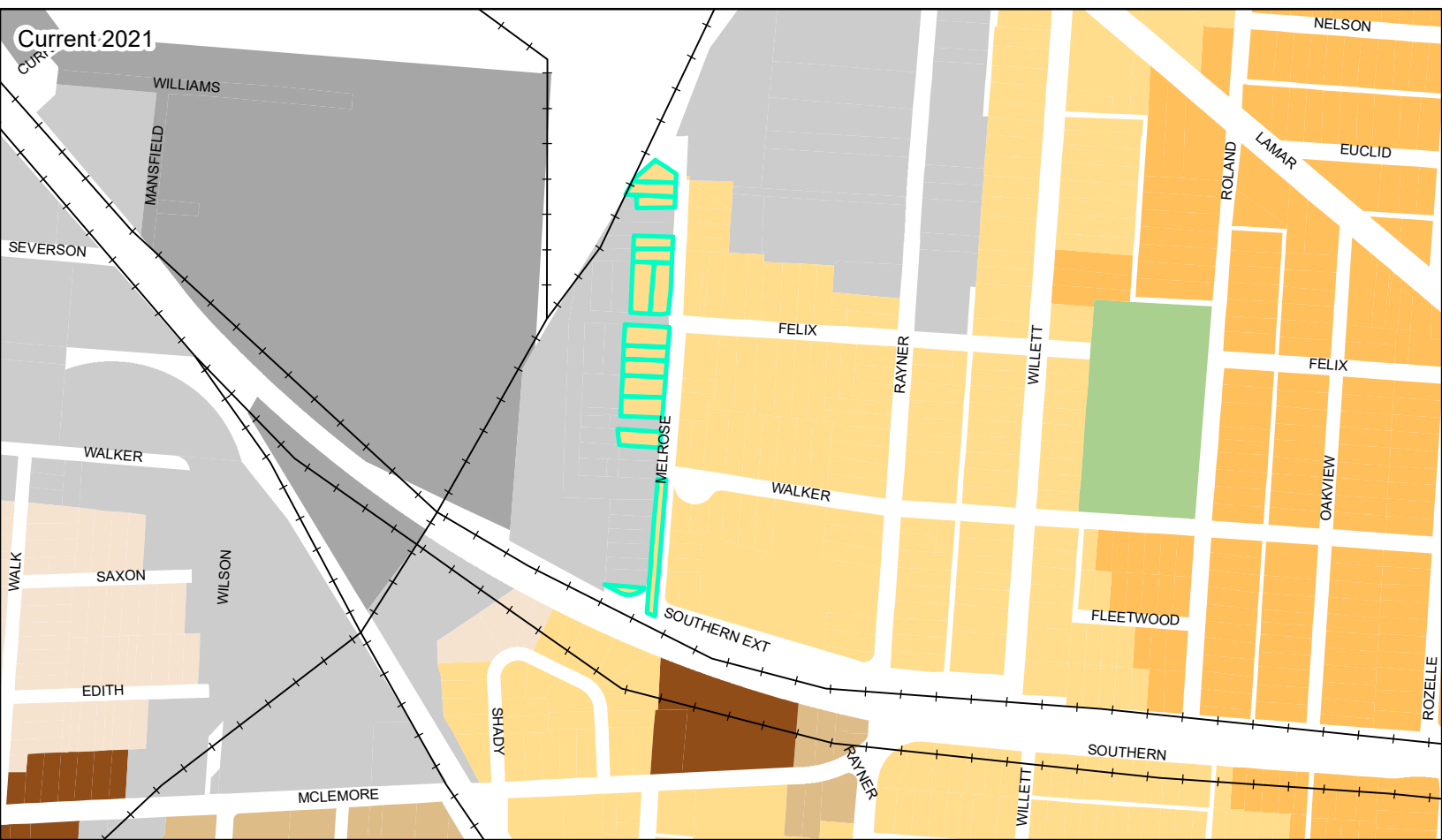
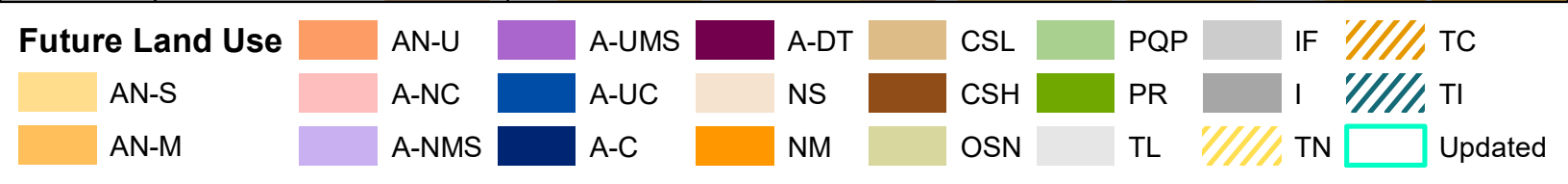
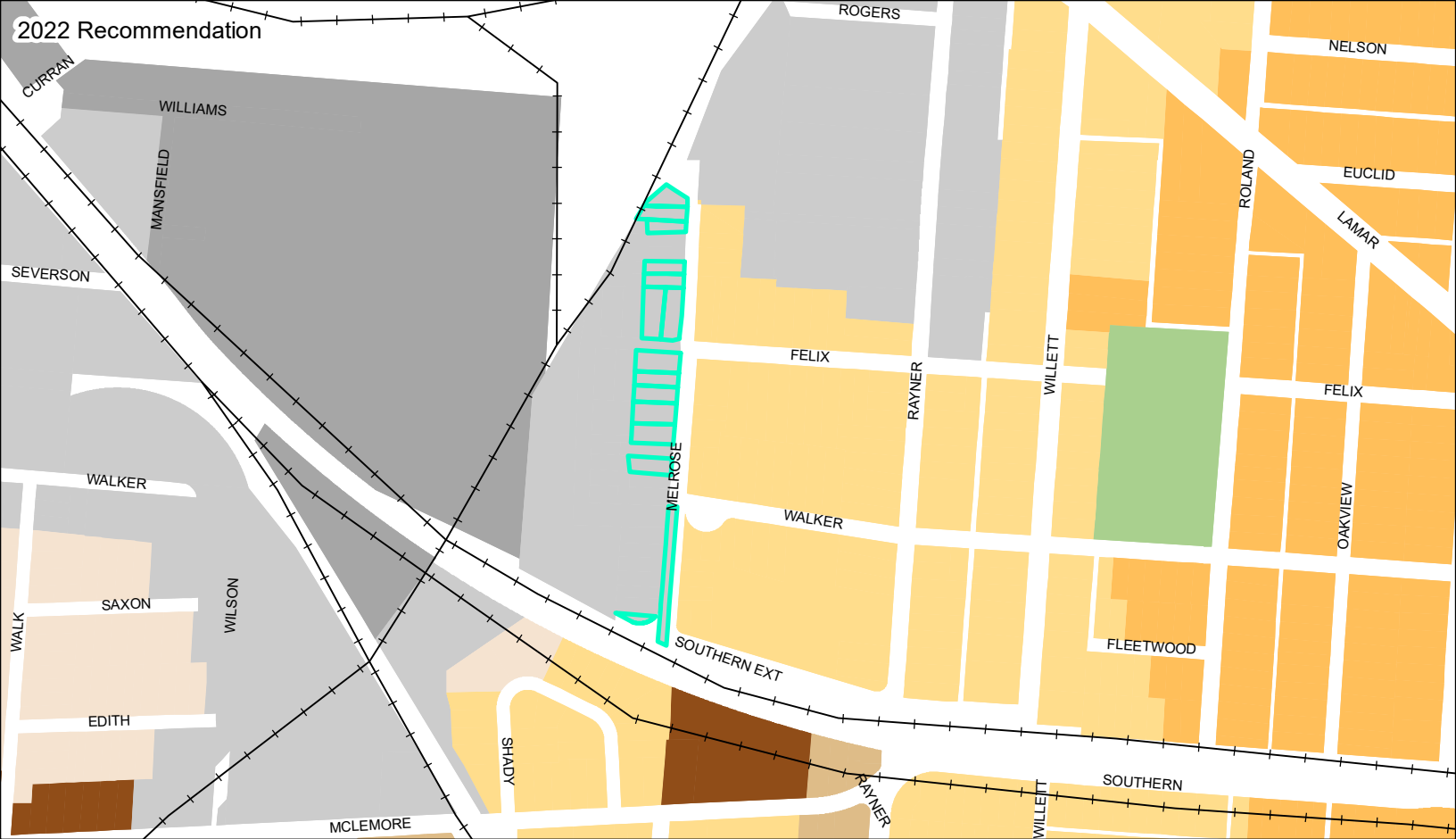


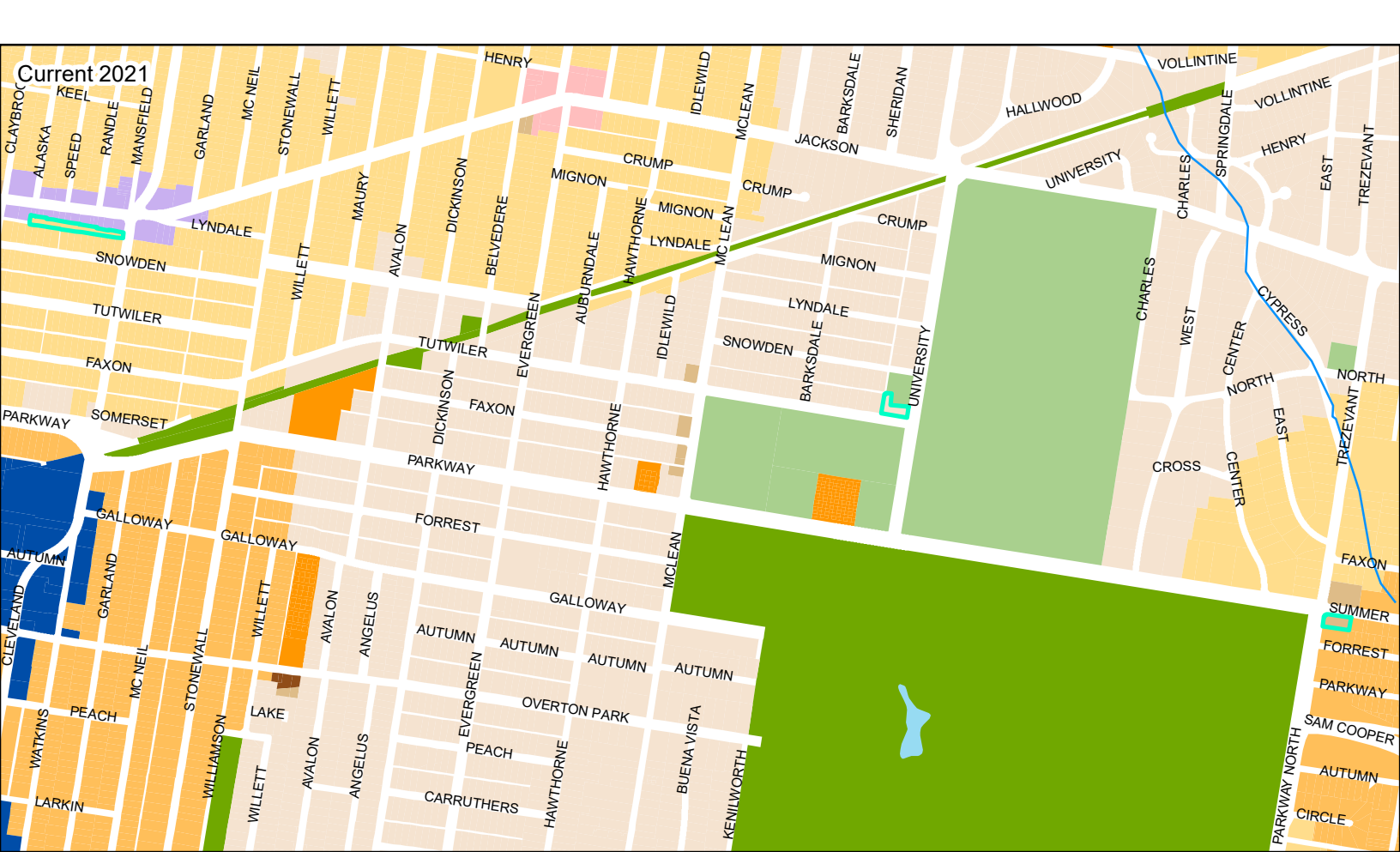
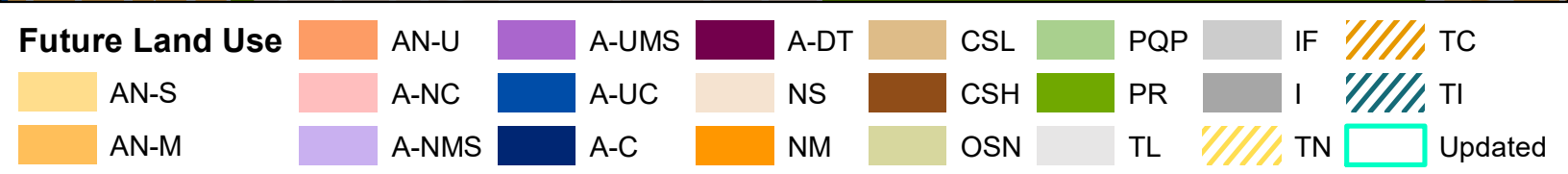
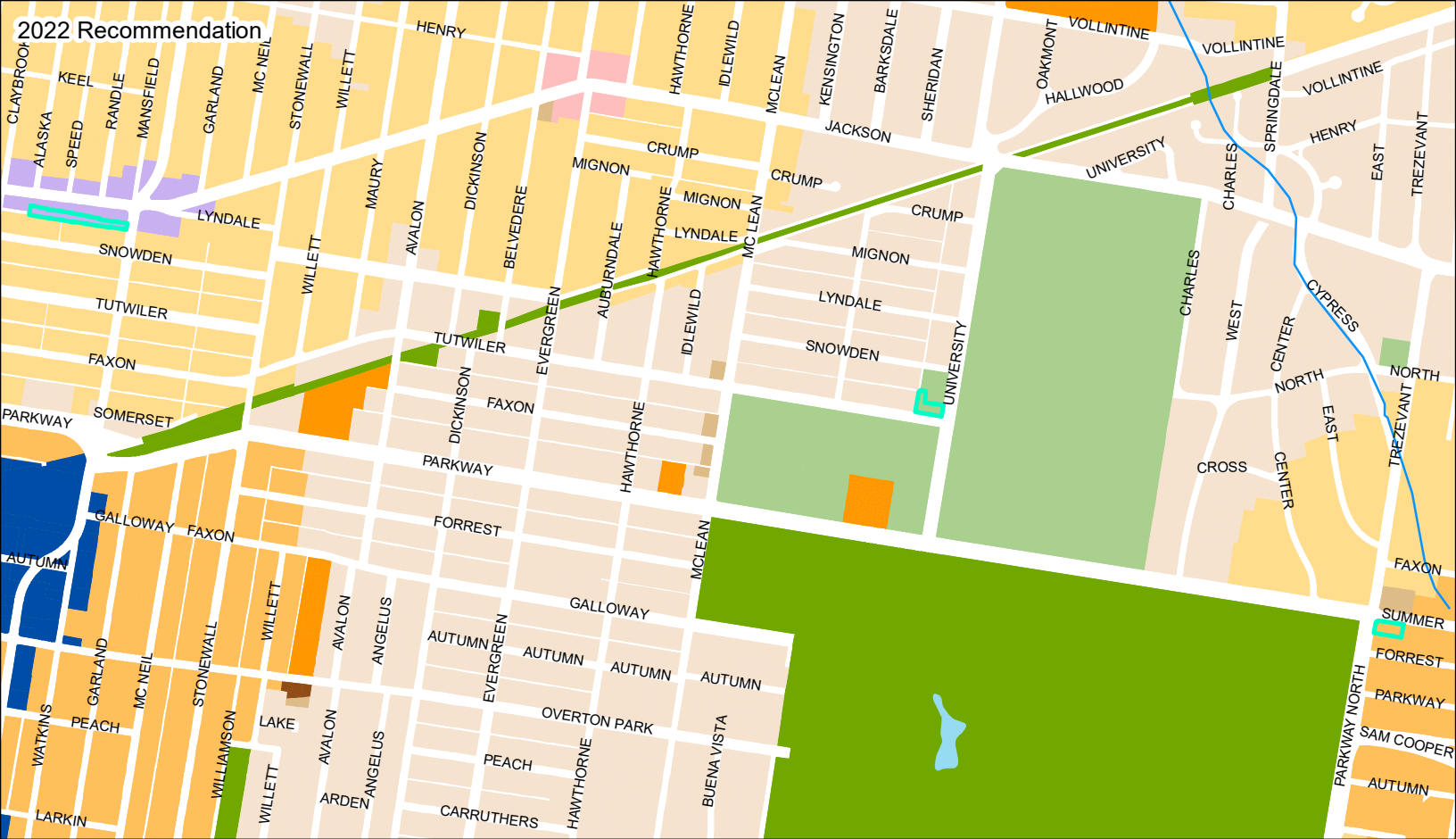
Future Land Use

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AN-S	A-NC	A-UC	NS	CSH	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021







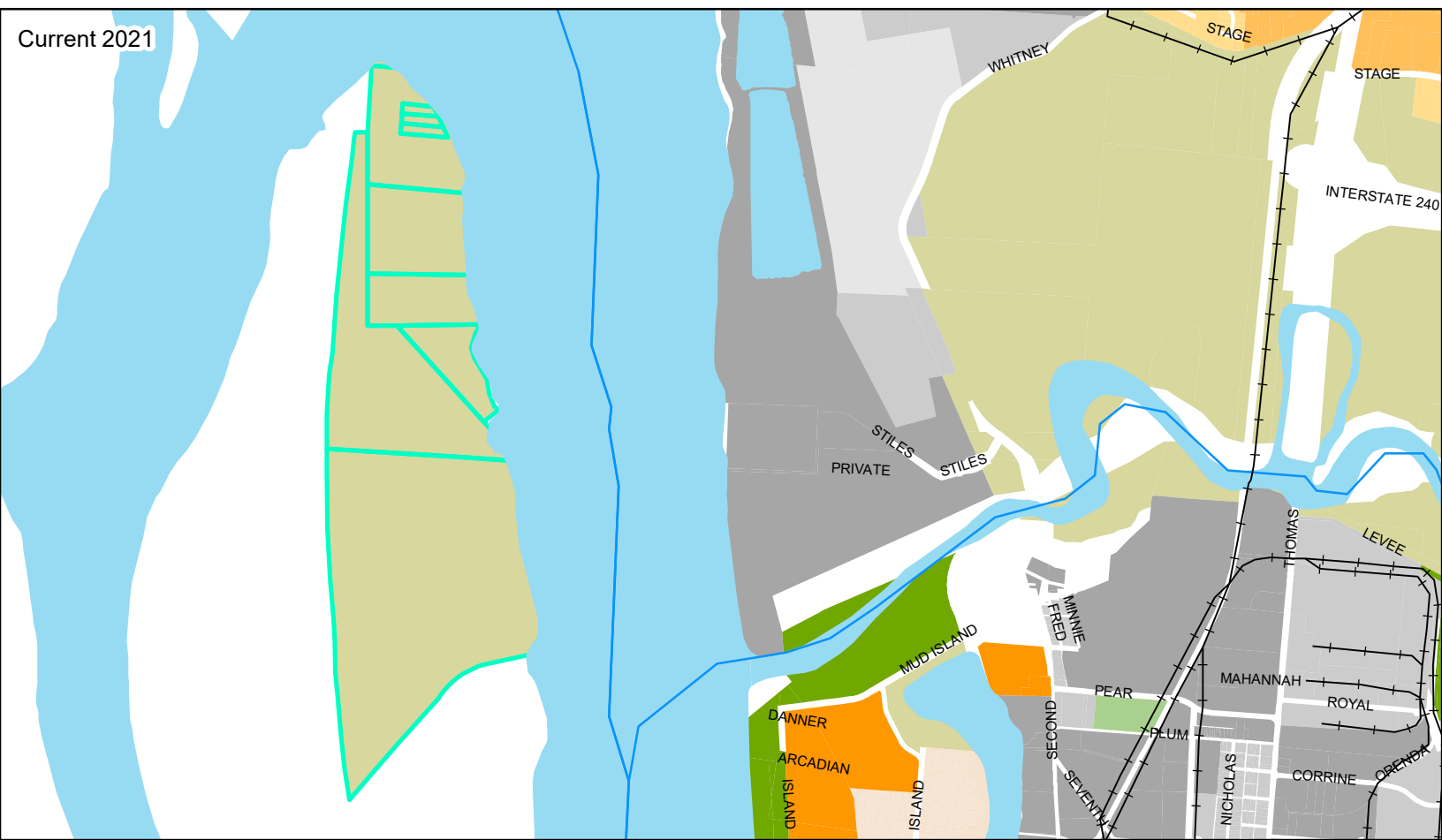
2022 Recommendation



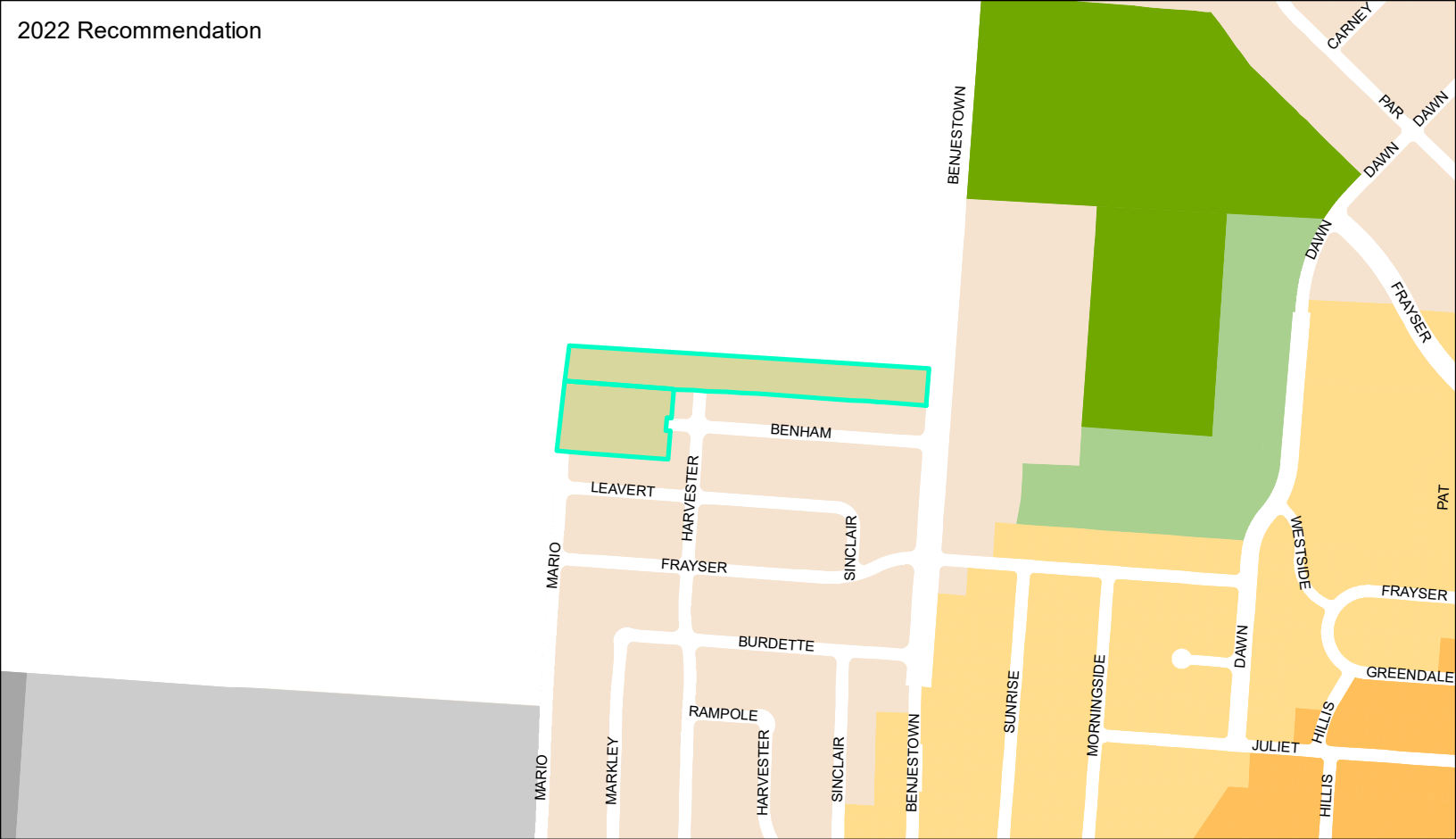
Future Land Use

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AN-M	A-NC	A-UC	NS	CSH	PR	I	TI
	A-NMS	A-C	NM	OSN	TL	TN	Updated

Current 2021



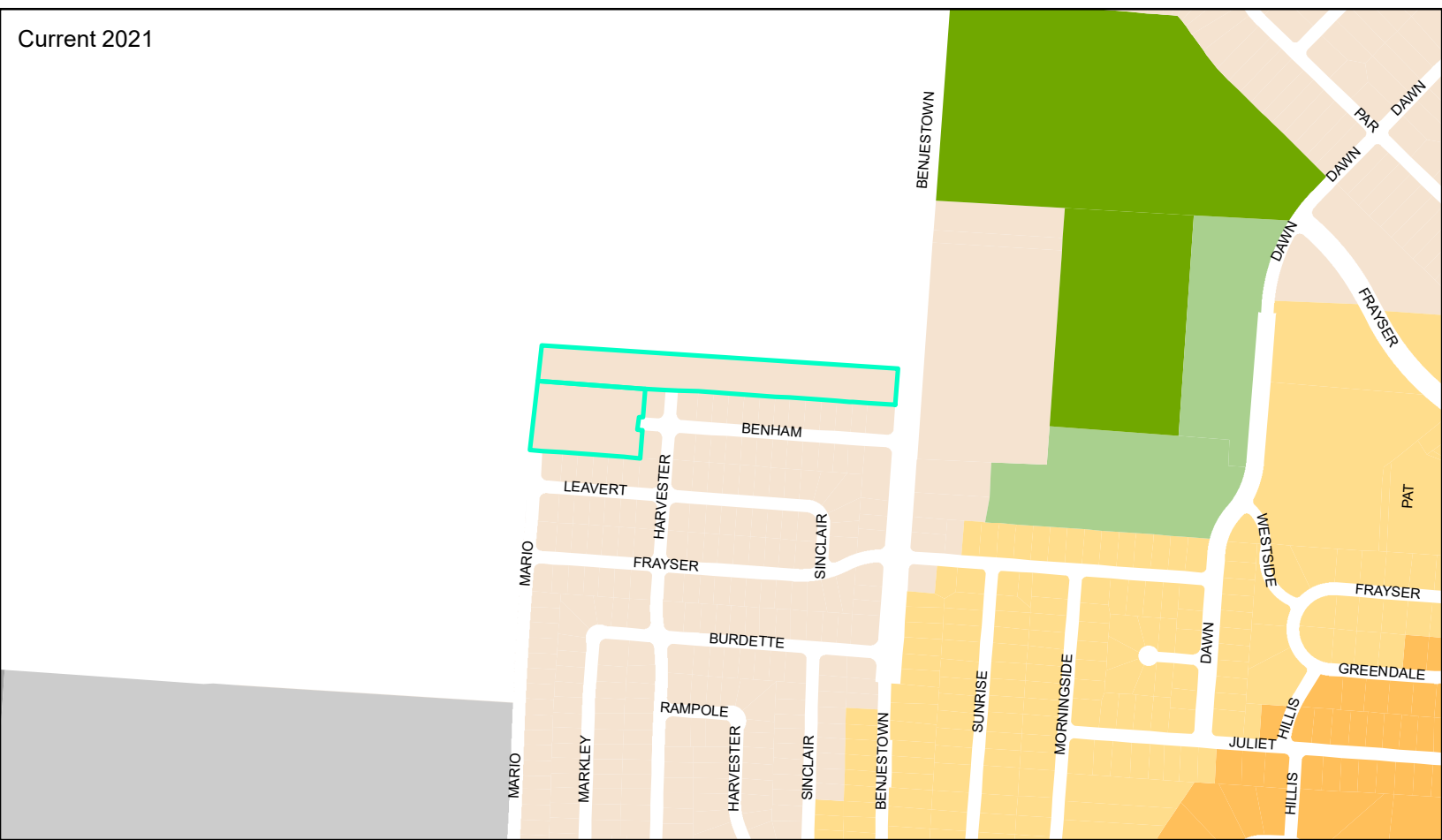
2022 Recommendation



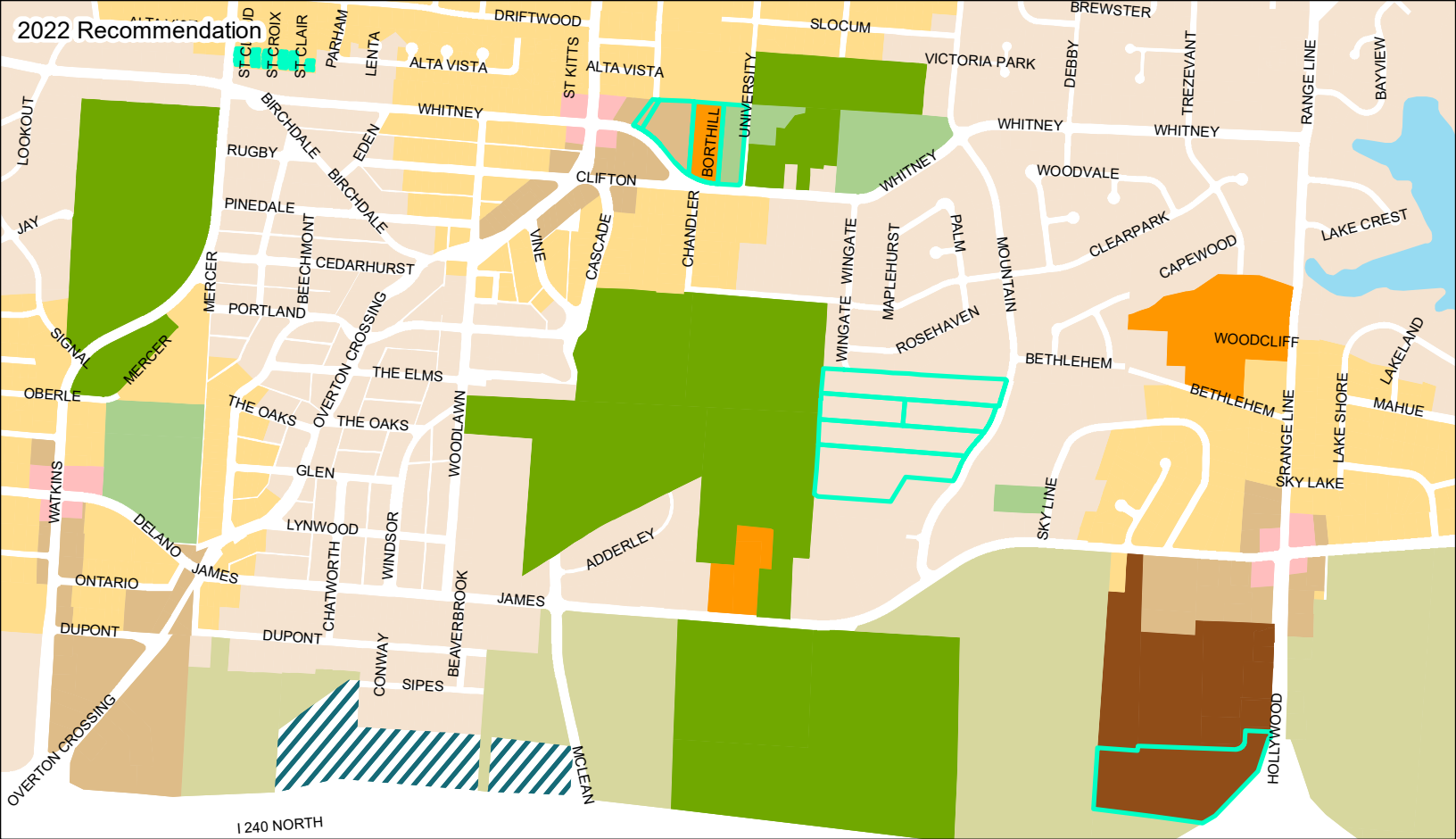
Future Land Use

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

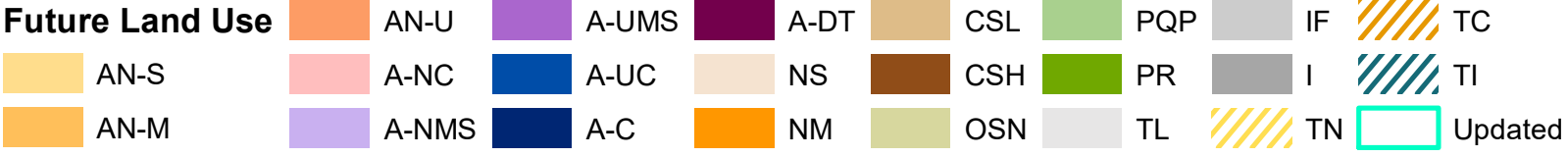
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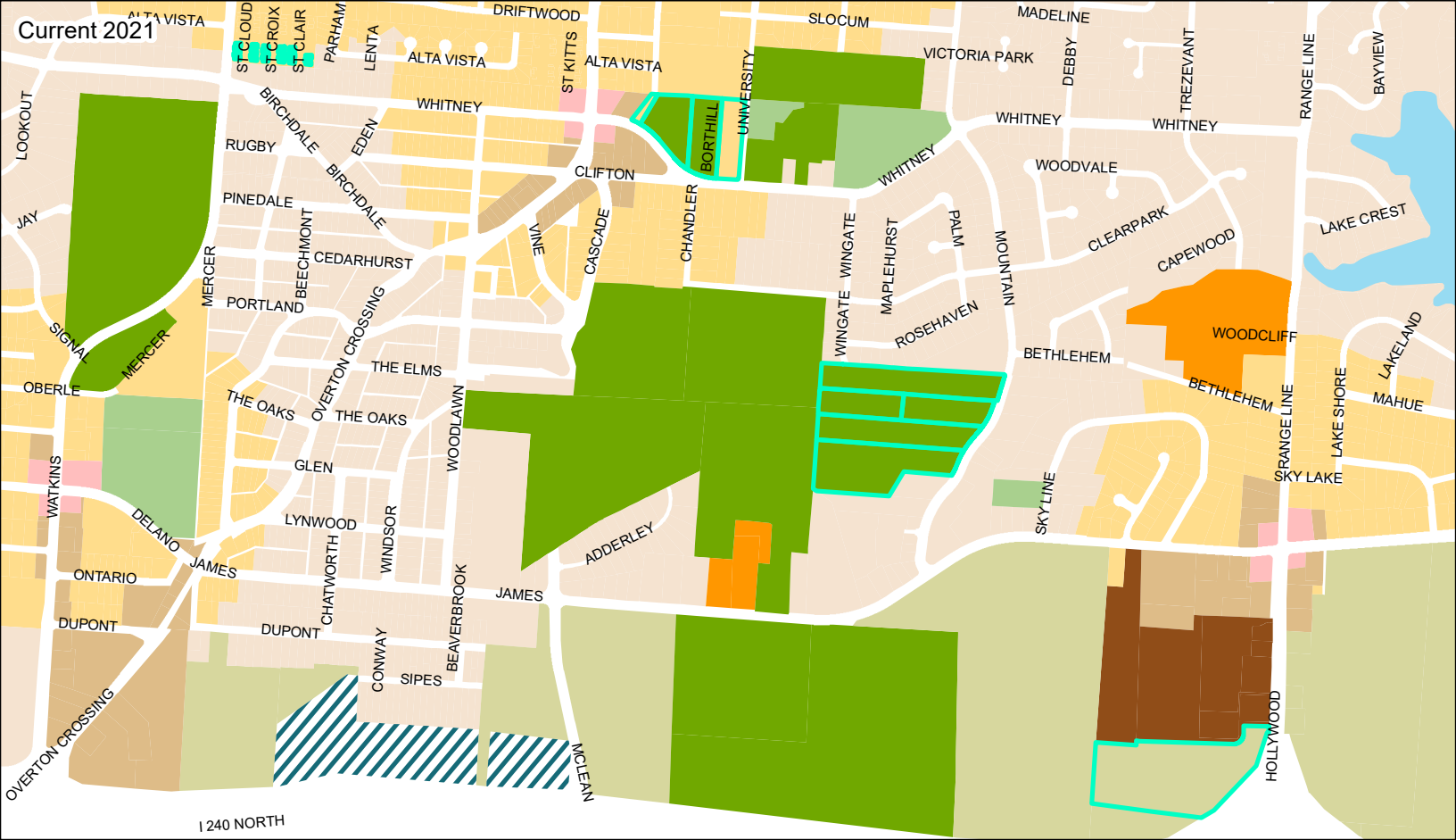
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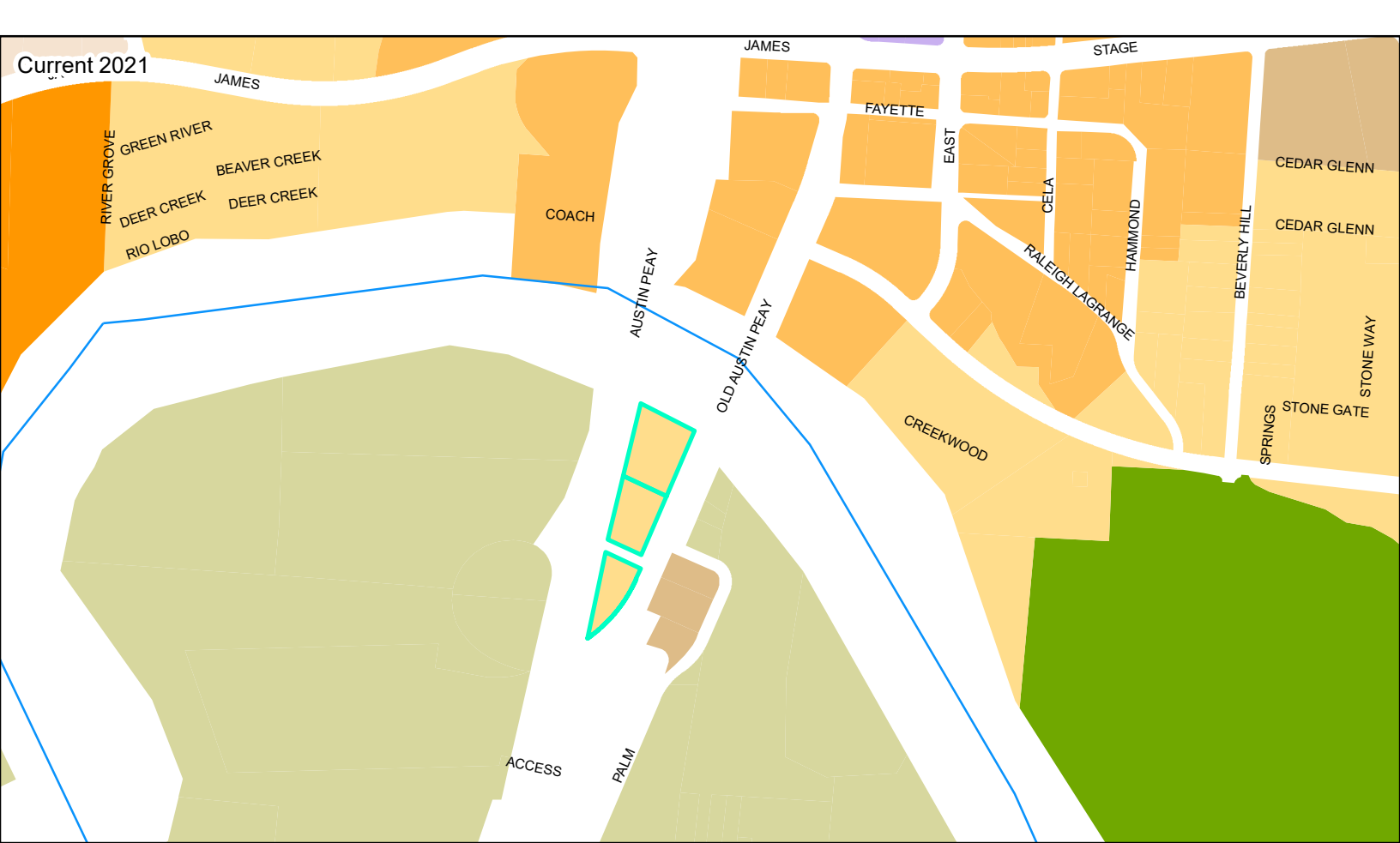
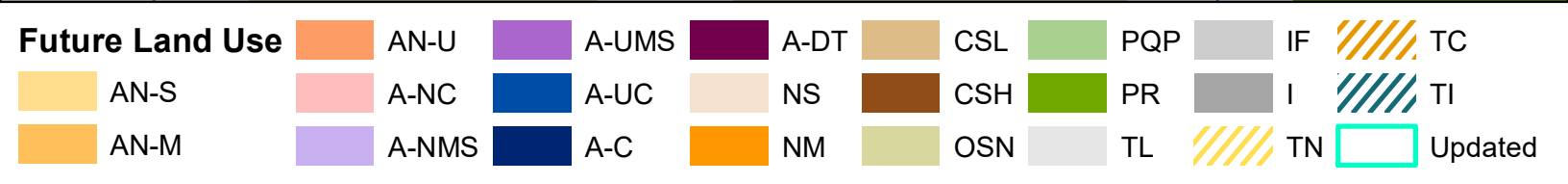
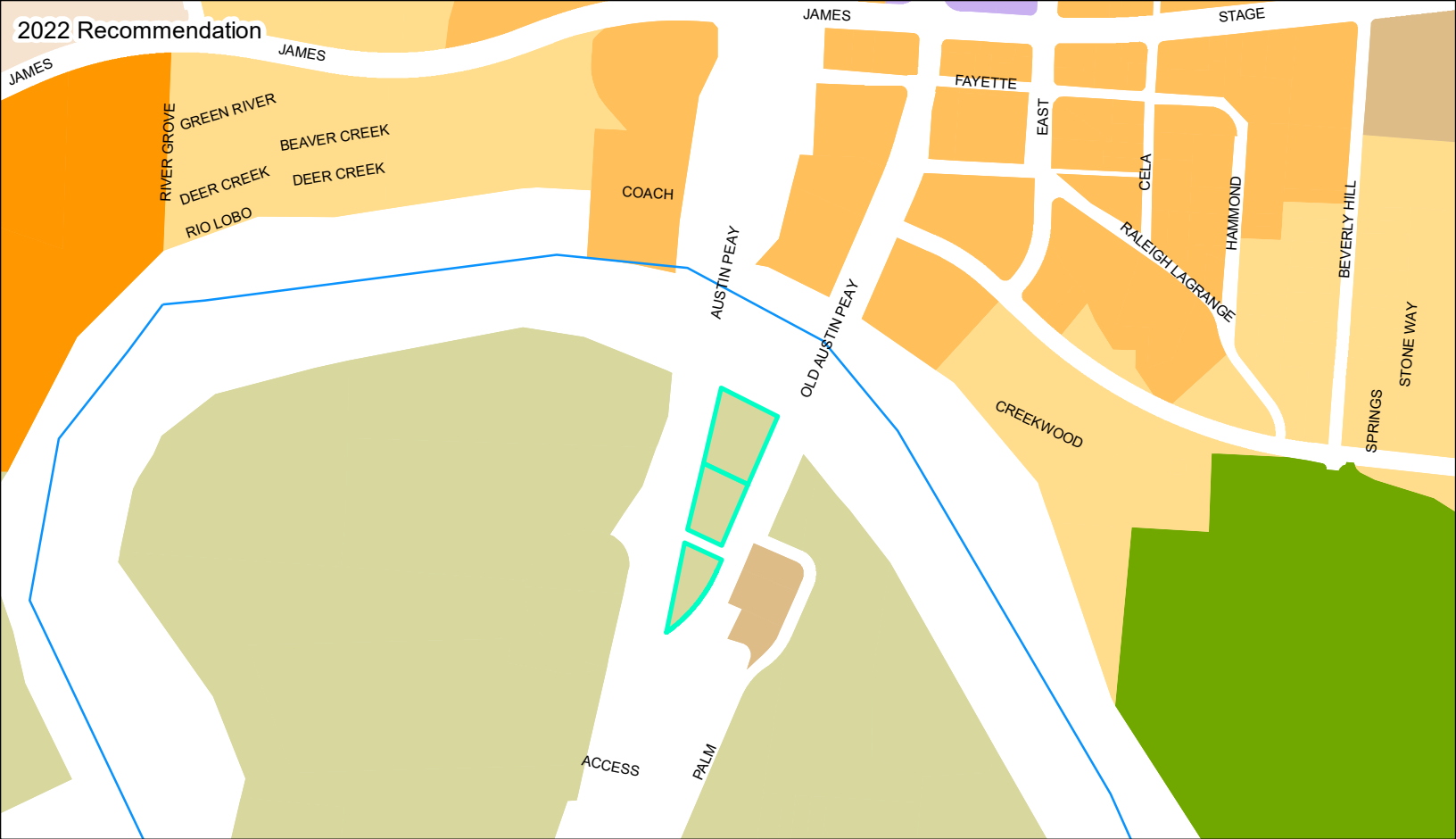


Future Land Use

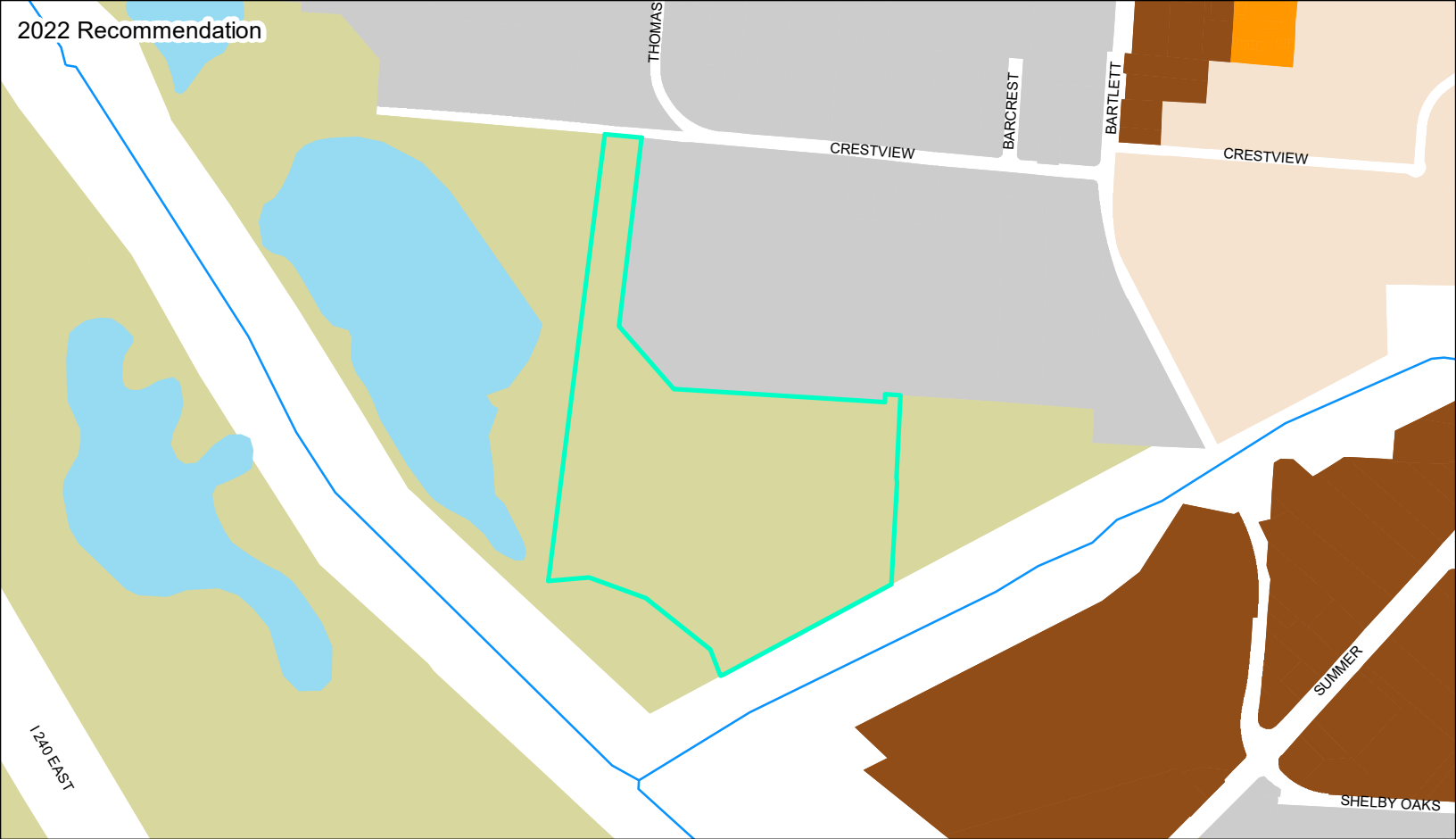


Current 2021





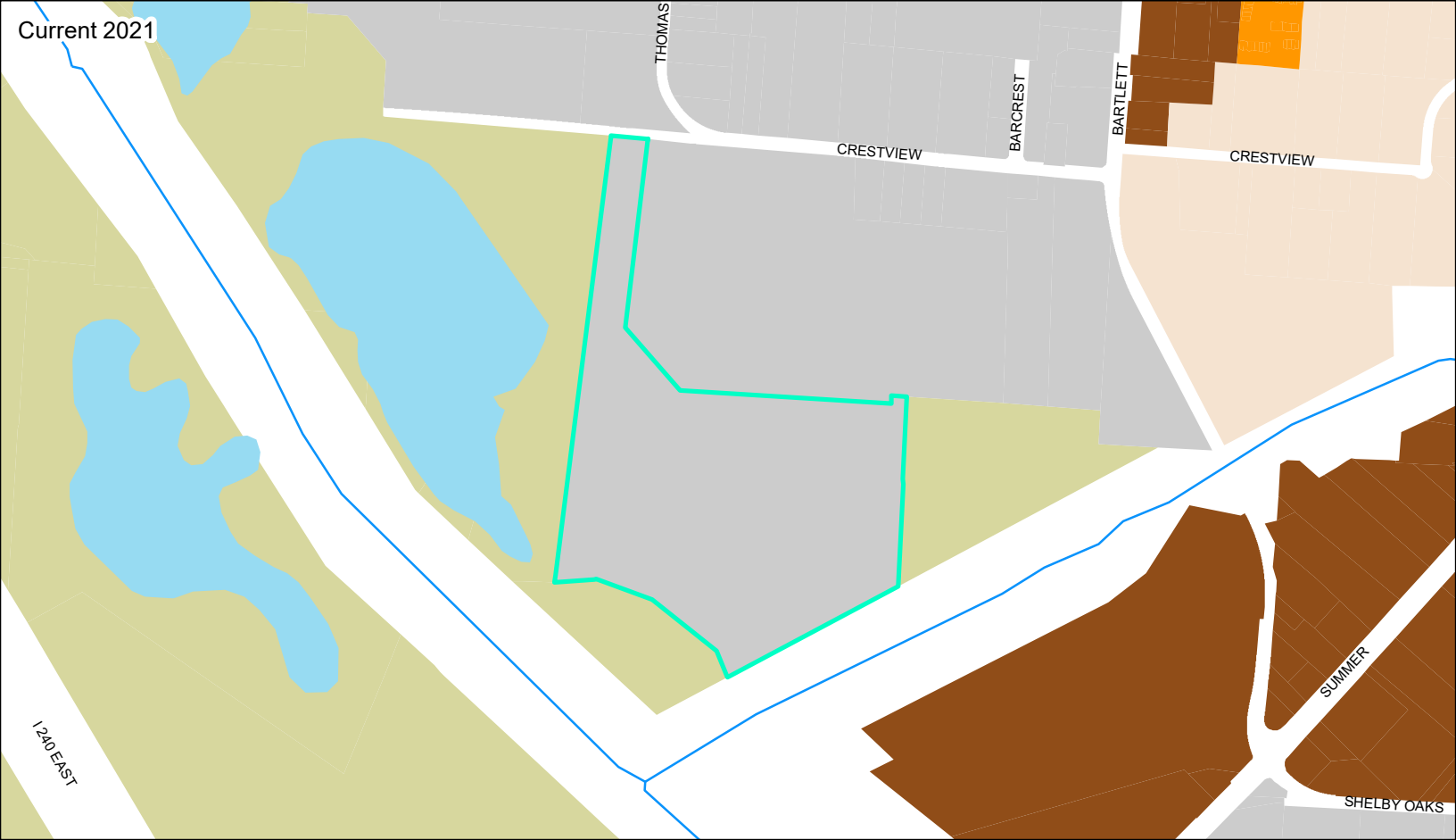
2022 Recommendation



Future Land Use

AN-U	A-UMS	A-DT	CSL	PQP	IF	TC
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AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021



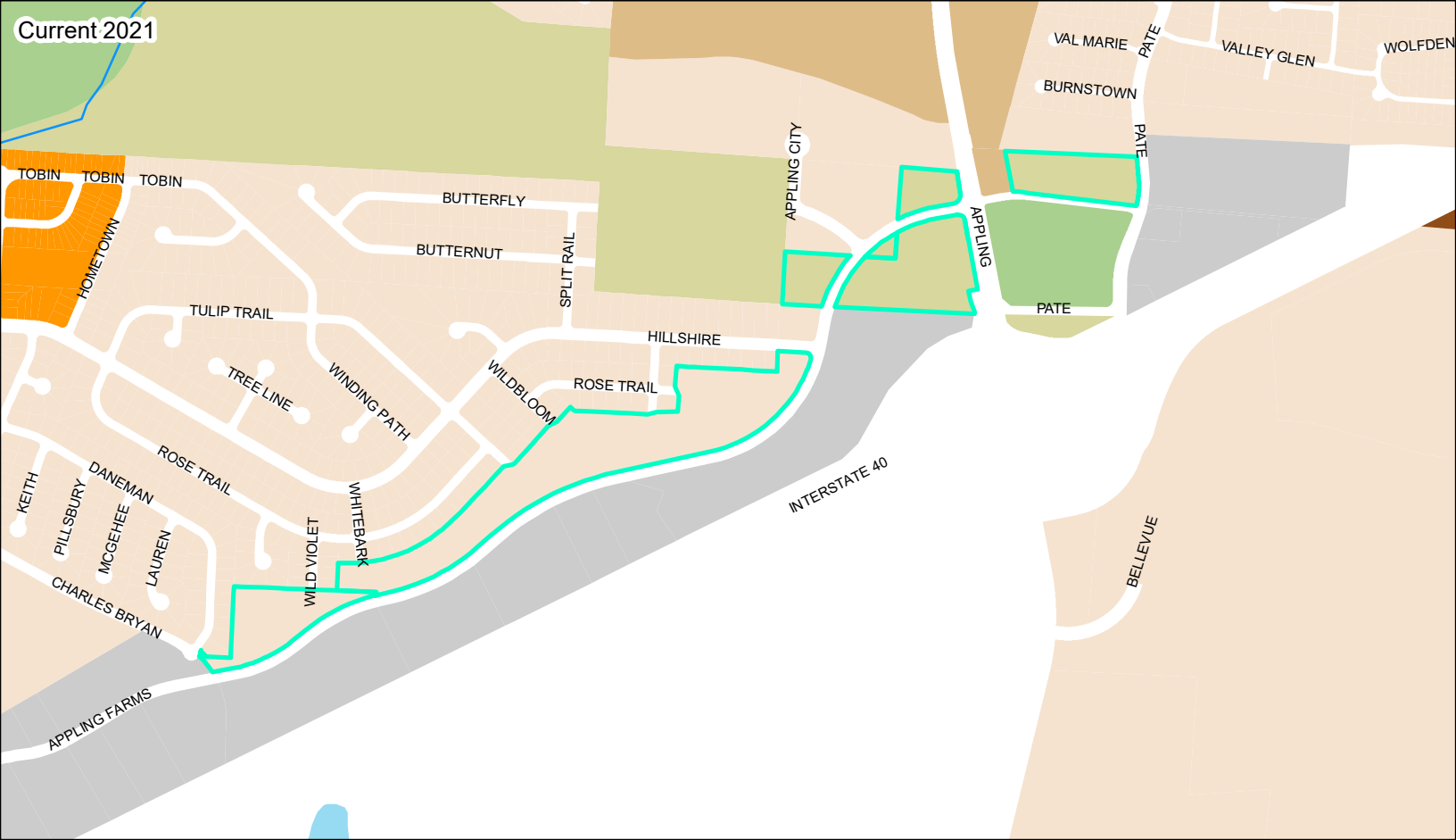
2022 Recommendation



Future Land Use

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AN-S	A-NC	A-UC	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



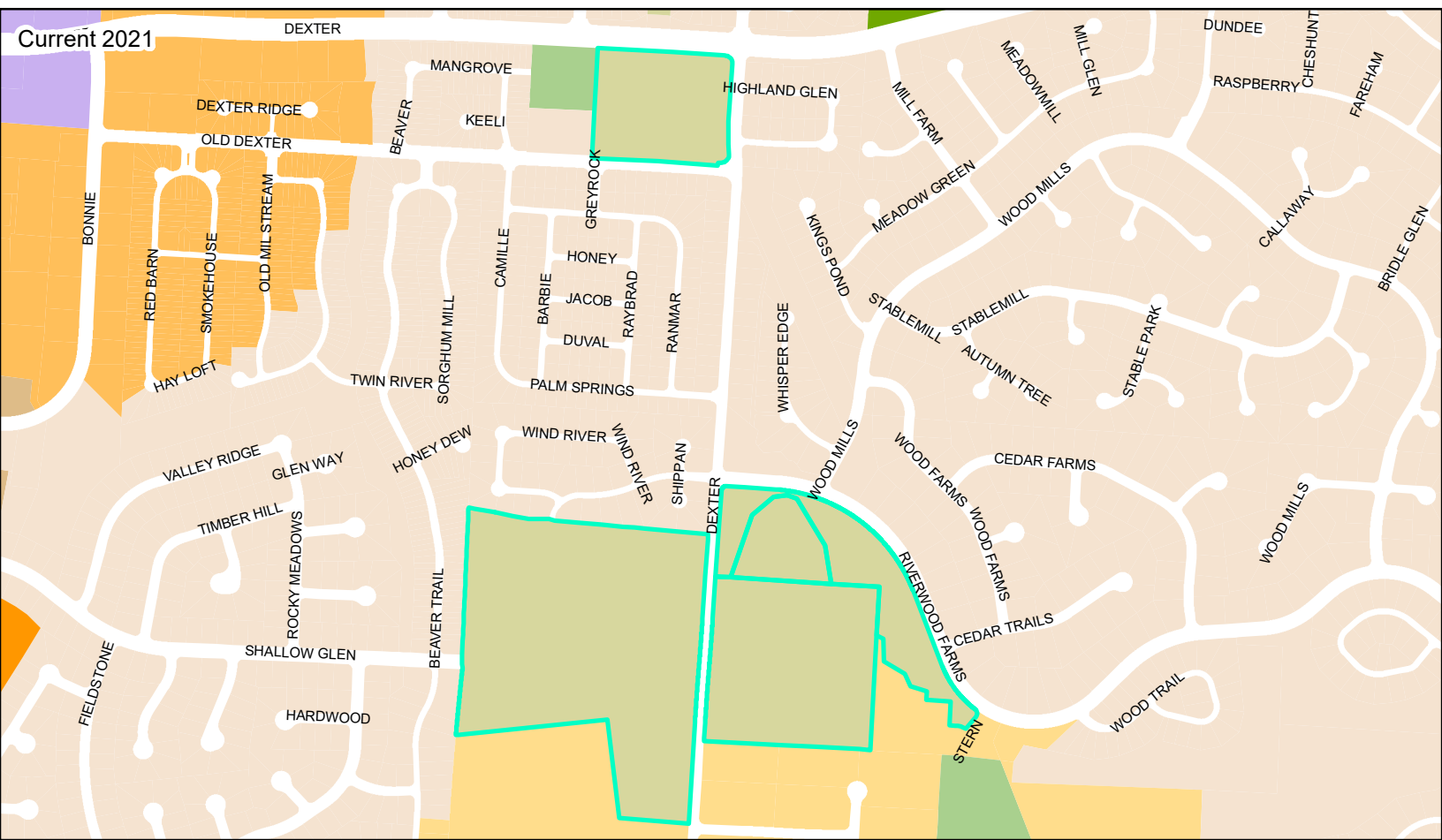
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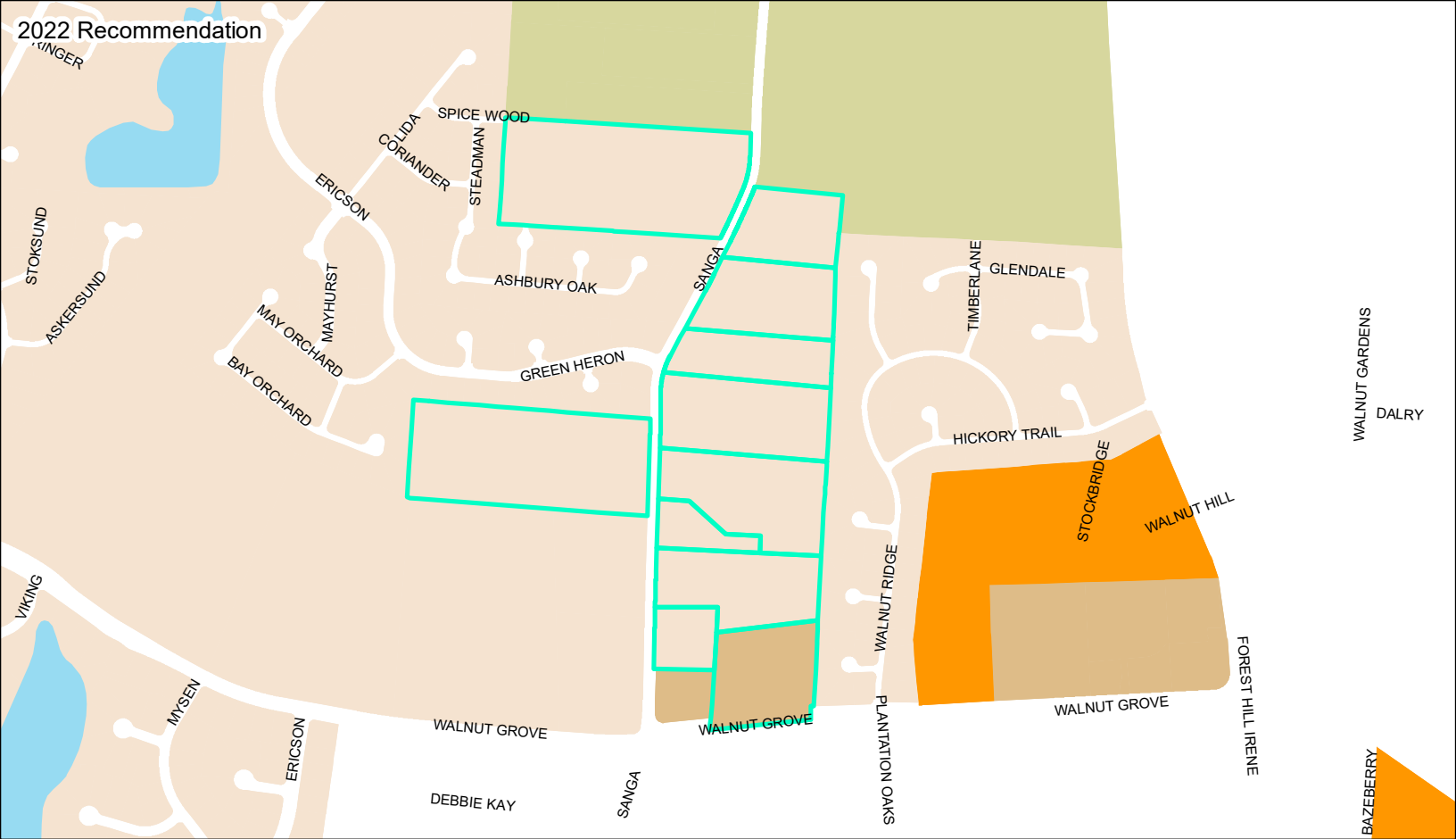
Future Land Use

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						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



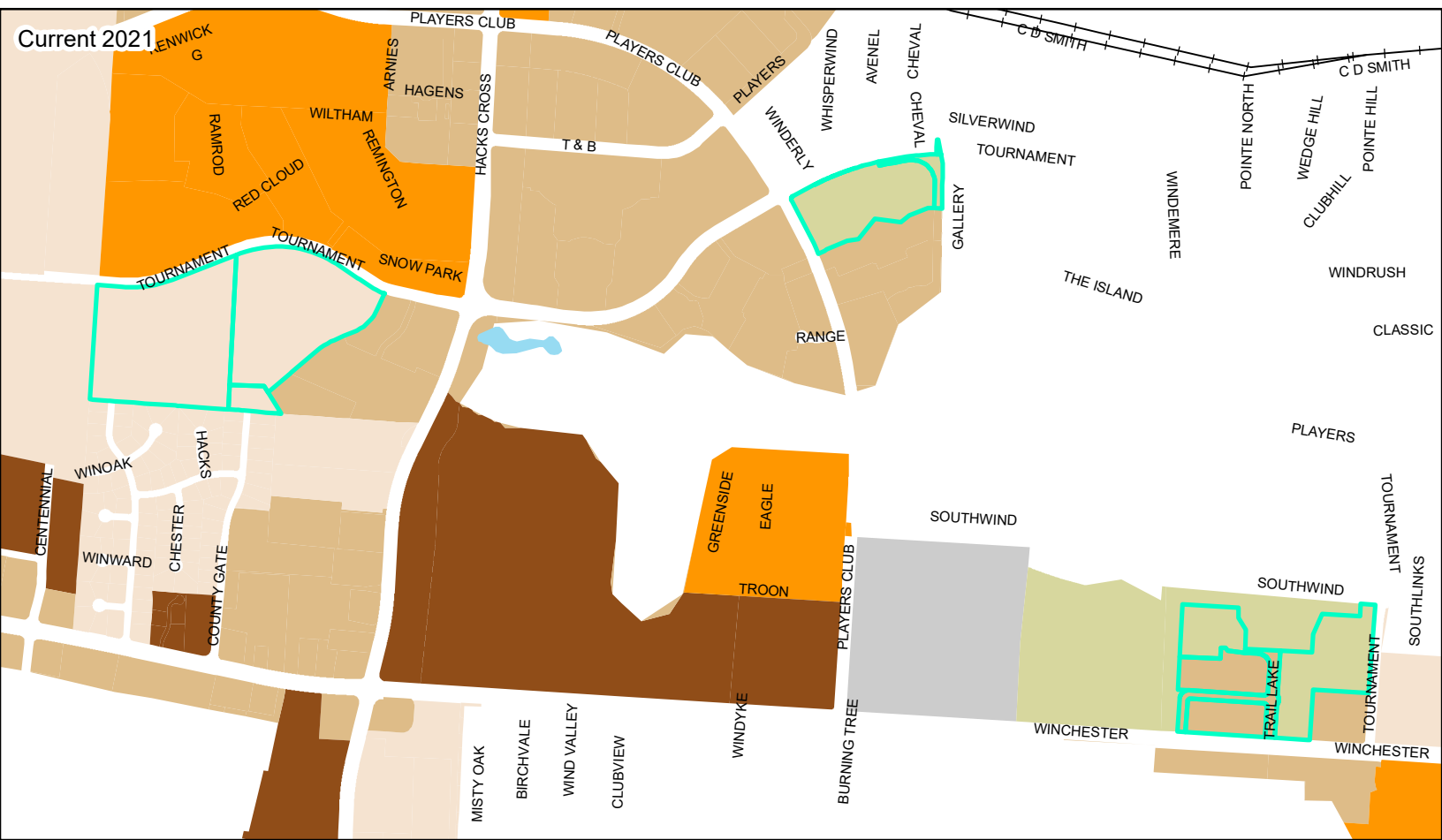
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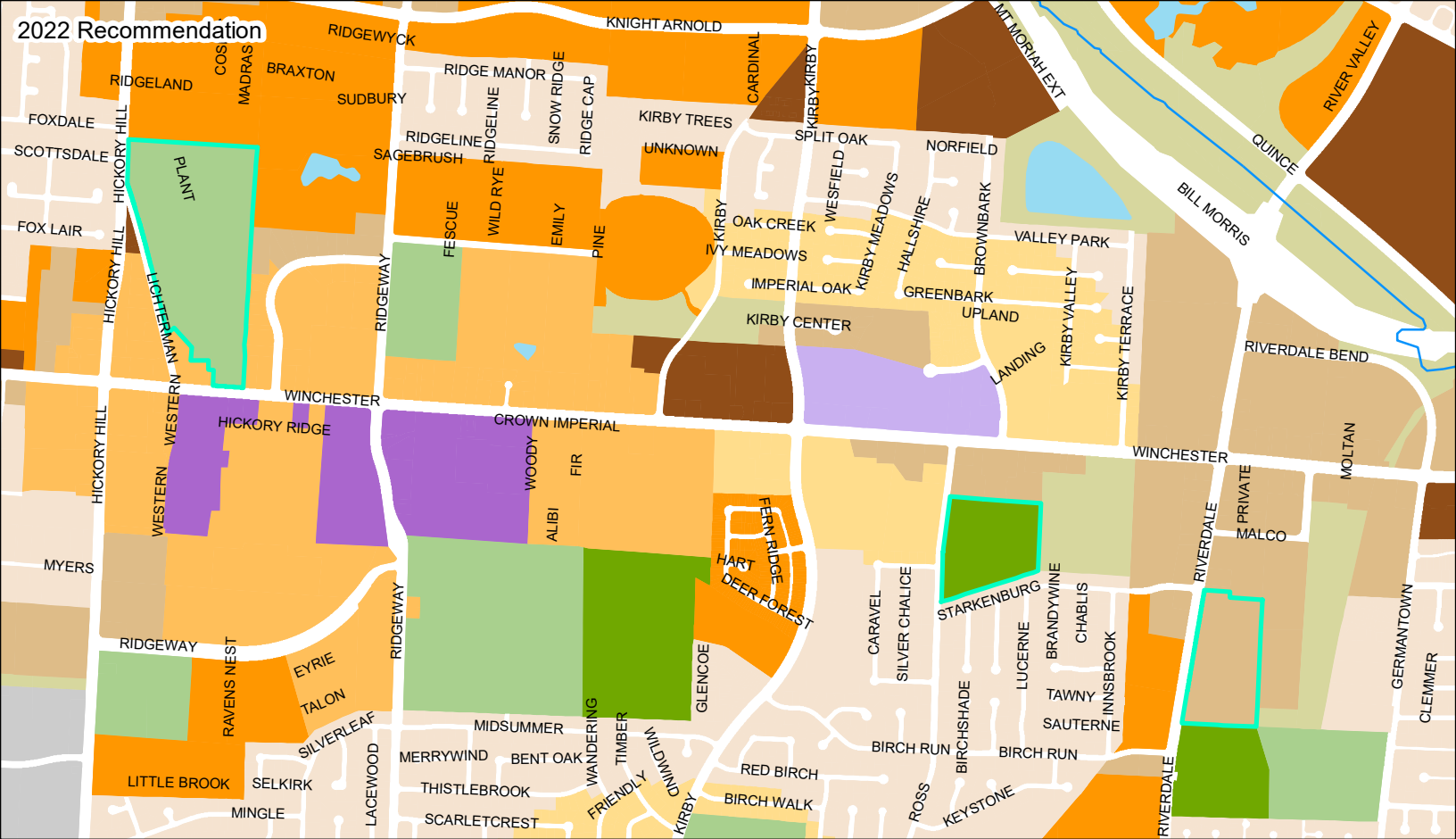
Future Land Use

	AN-U		A-UMS		A-DT		CSL		PQP		IF		TC		
	AN-S		A-NC		A-UC		NS		CSH		PR		I		TI
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Current 2021



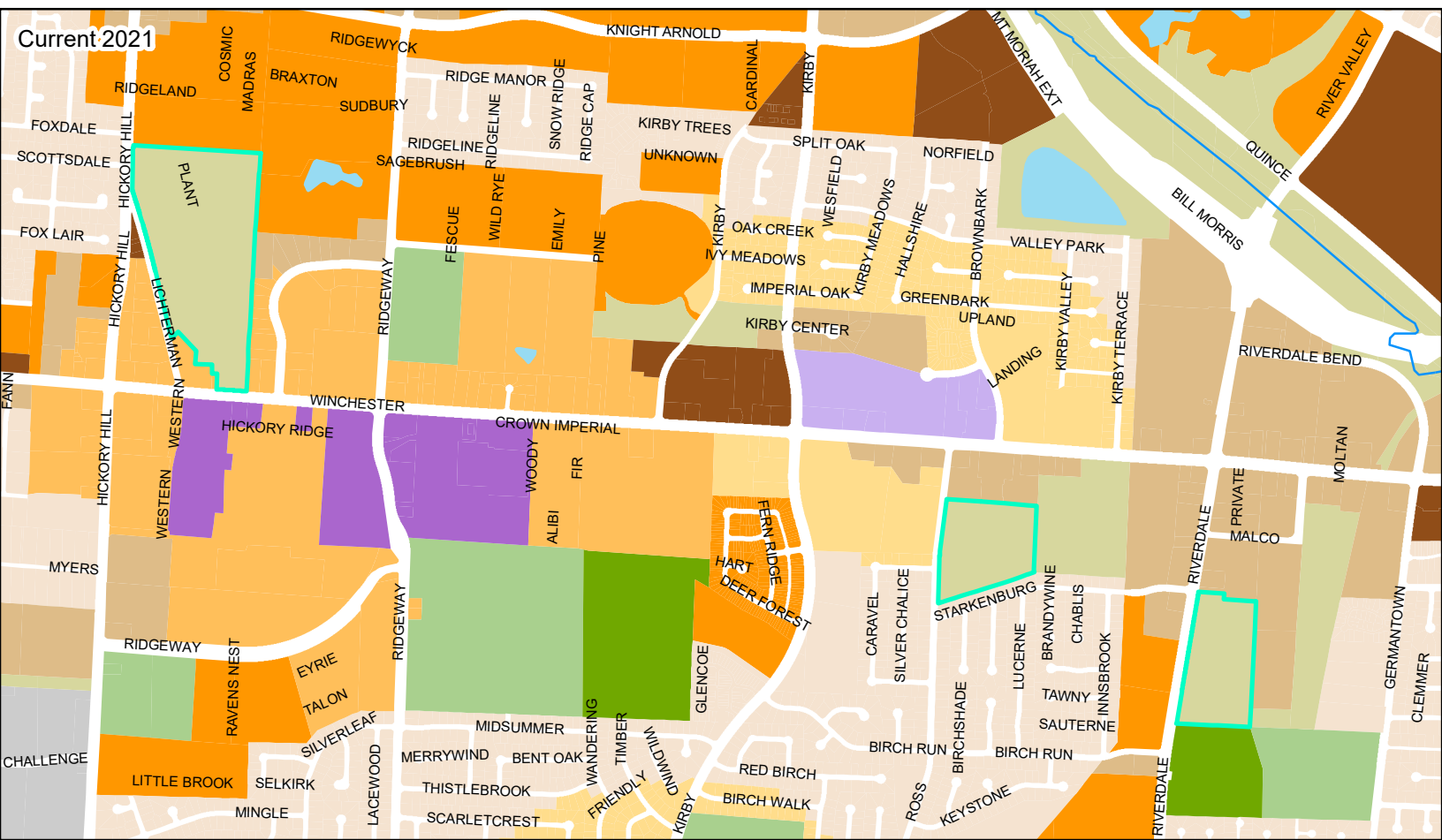
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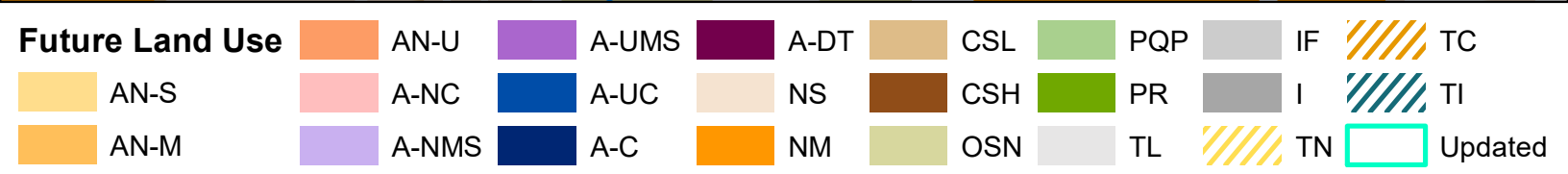


Future Land Use

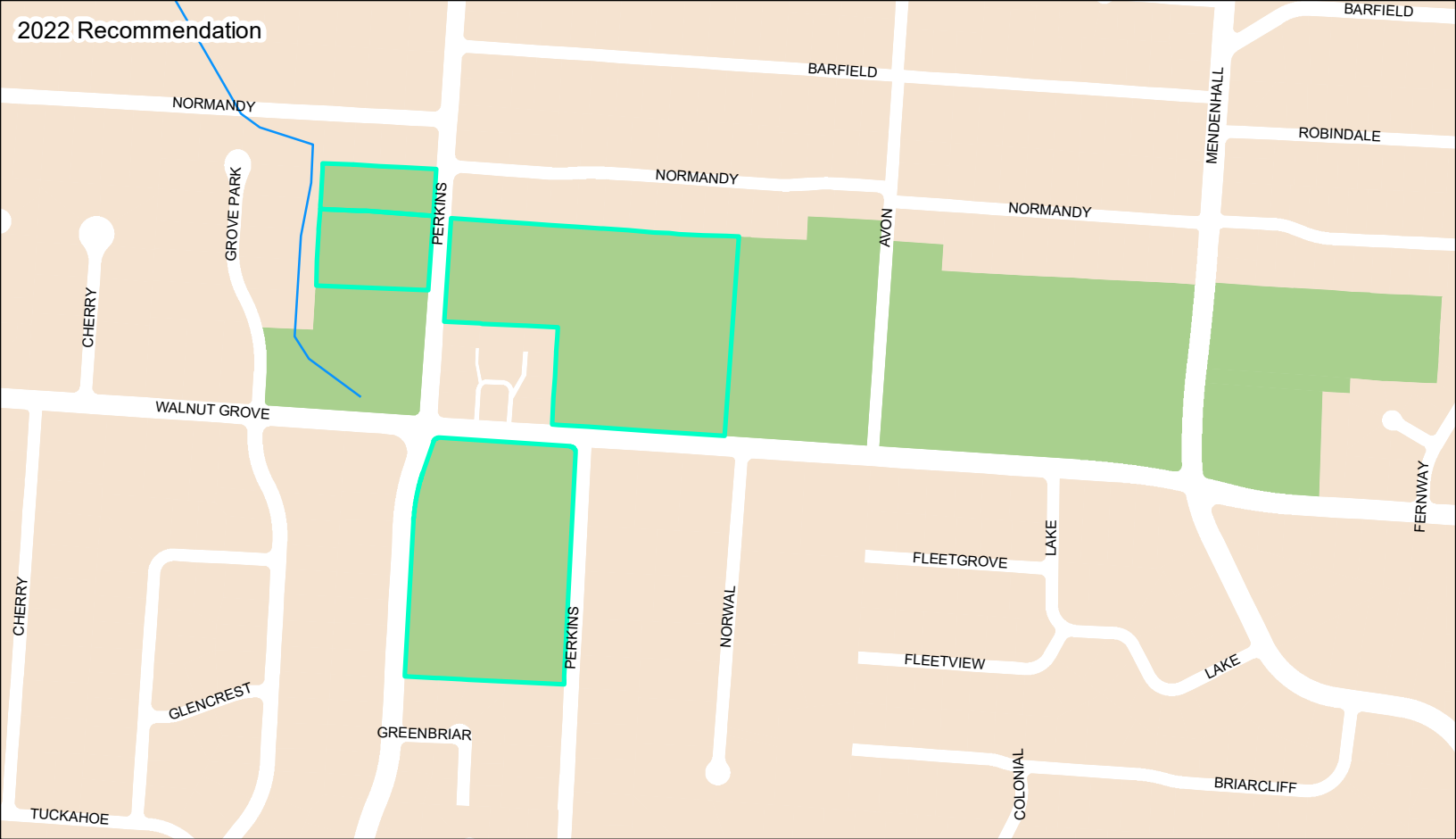
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AN-M	A-C	A-UC	NS	CSH	NM	OSN	PR	I	TI
							TL	TN	Updated

Current 2021





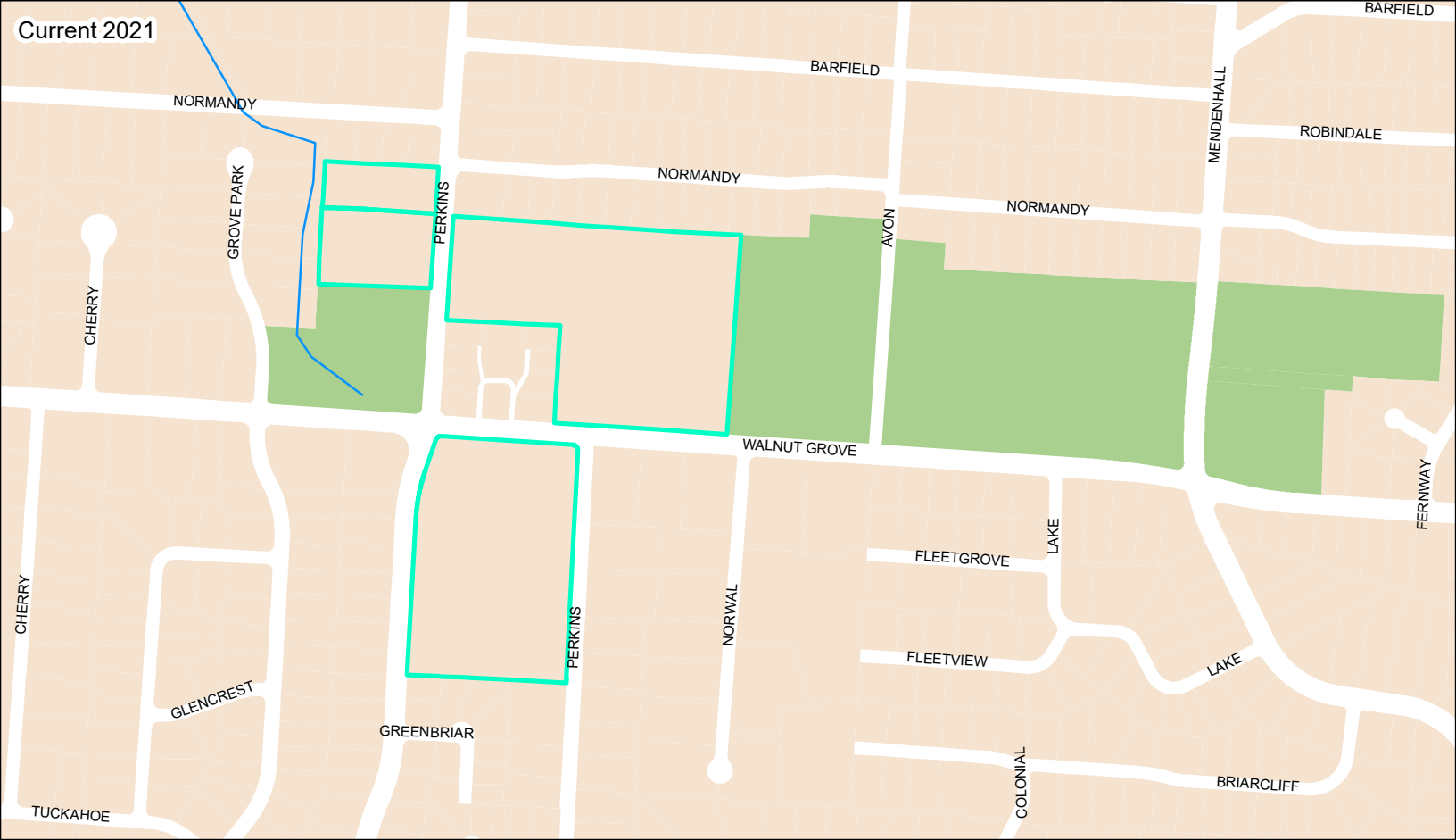
2022 Recommendation



Future Land Use

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AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021



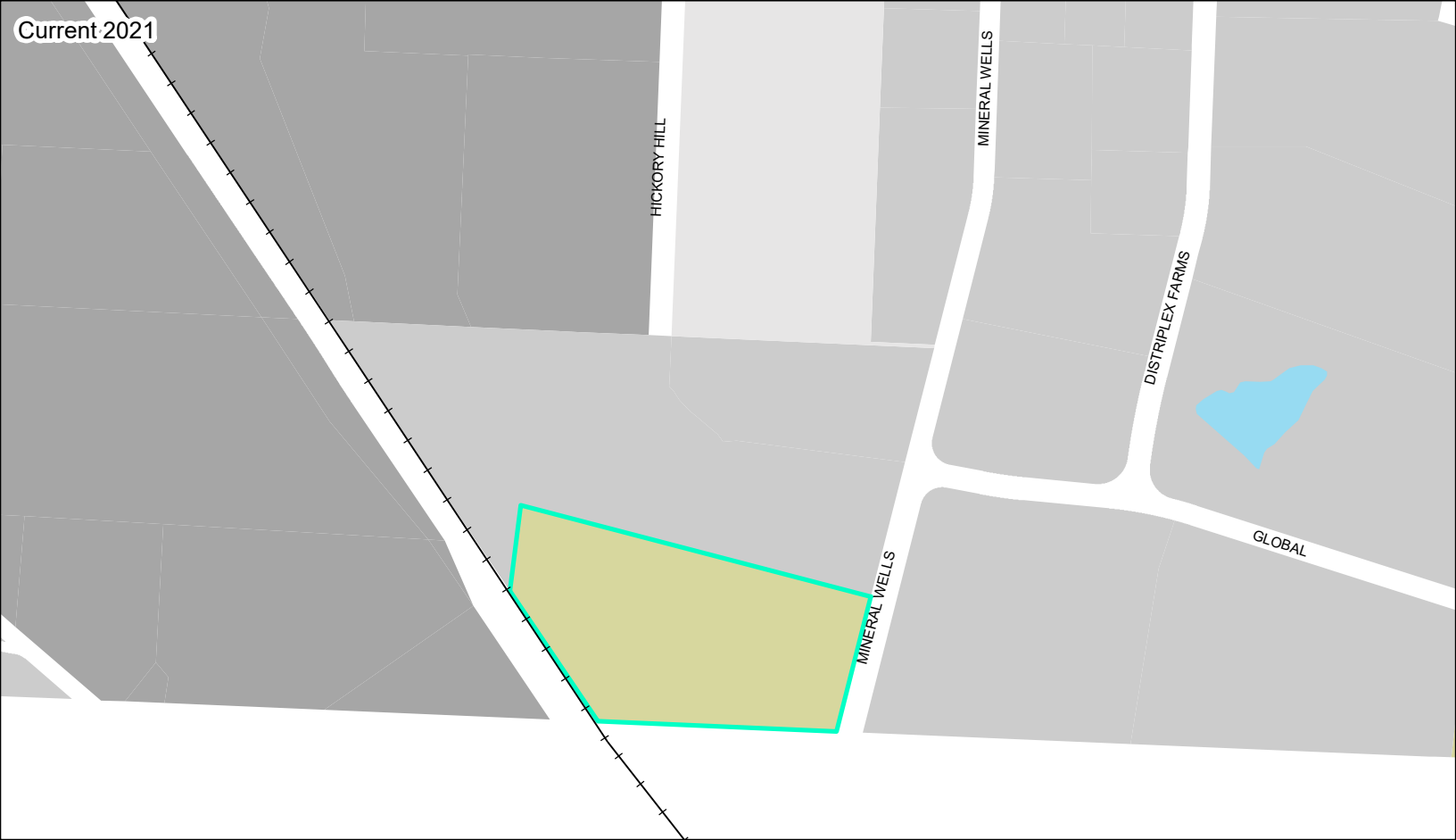
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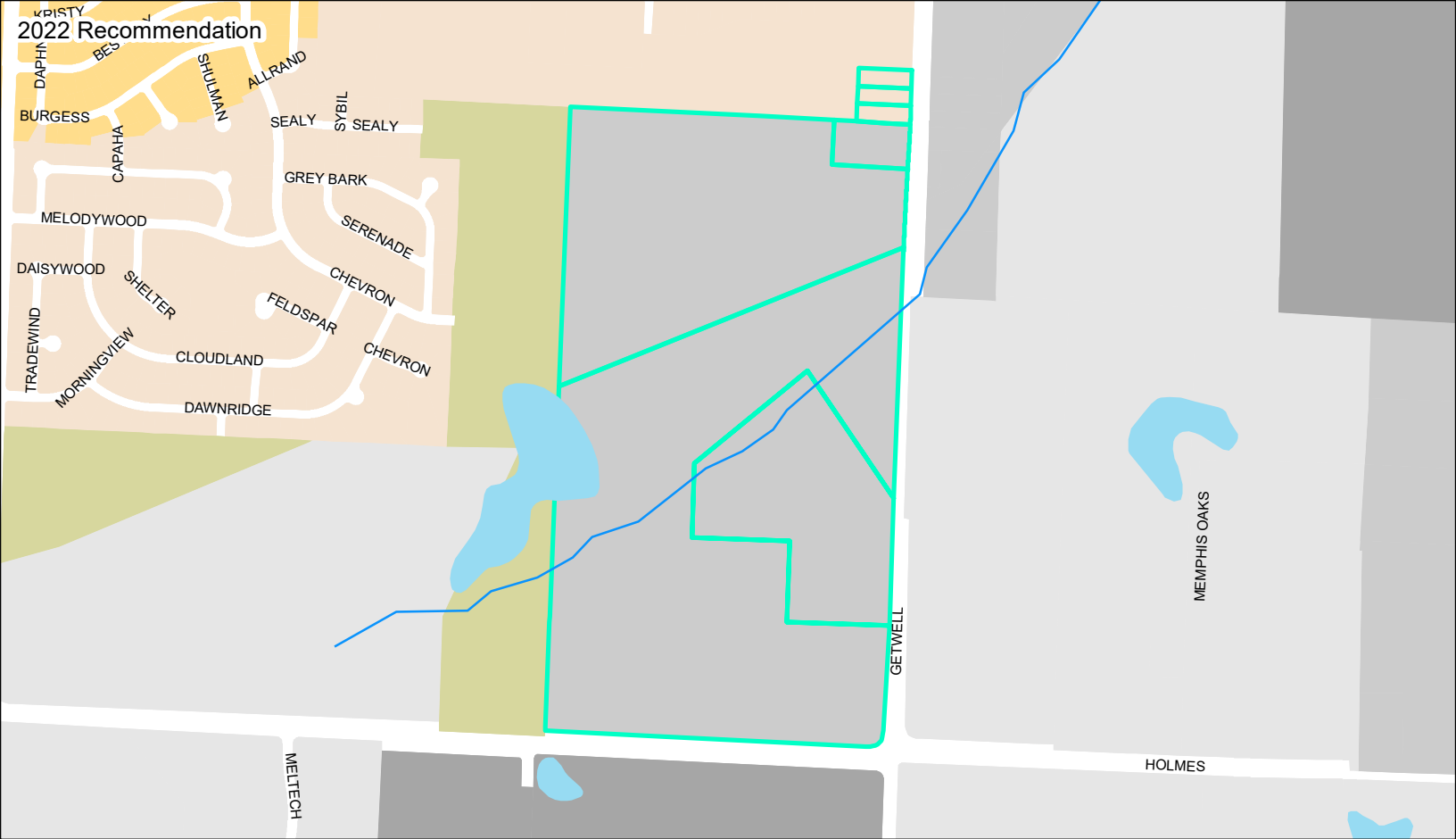


Future Land Use

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AN-S	A-NC	A-UC	NS	PR	I	TI
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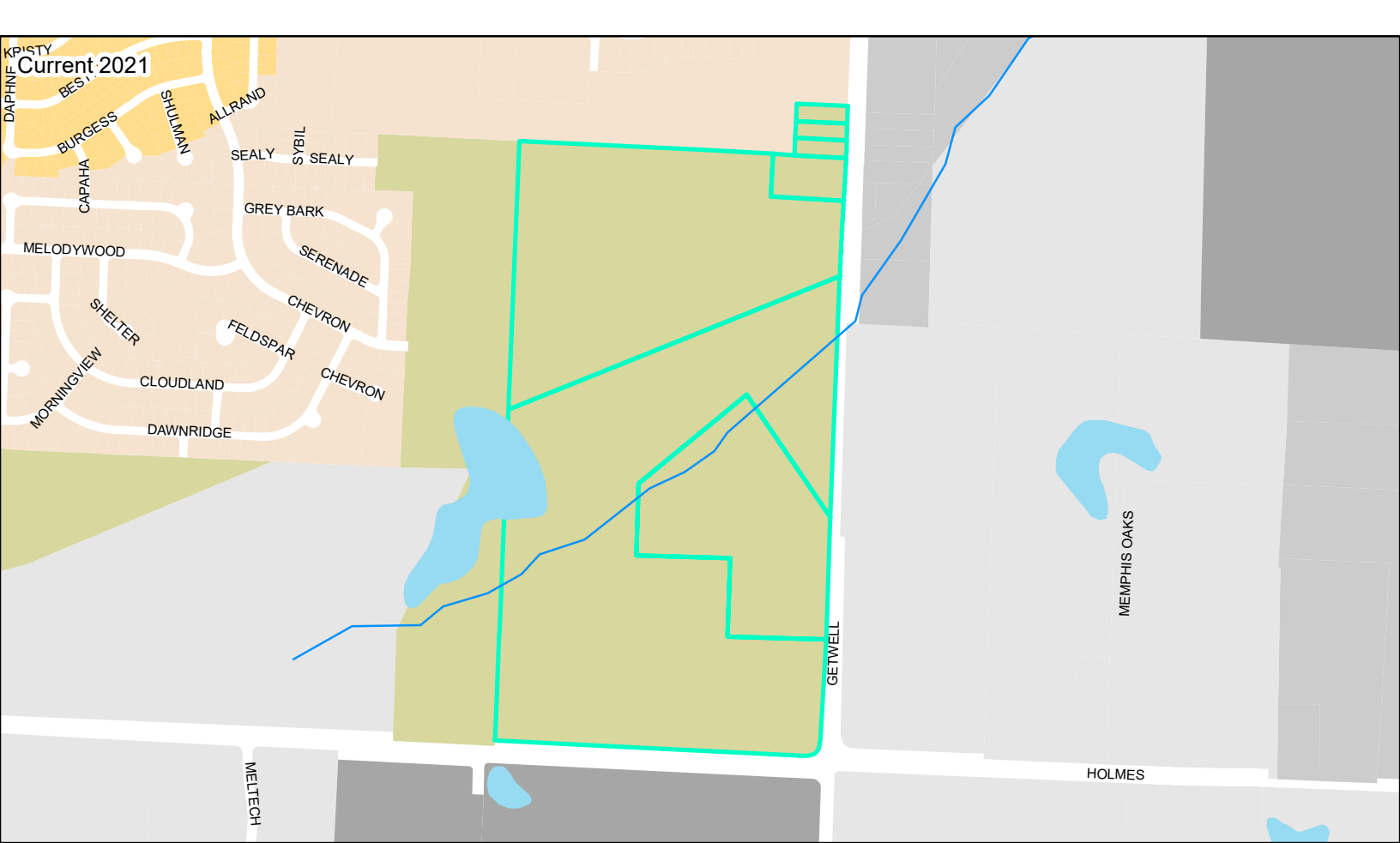
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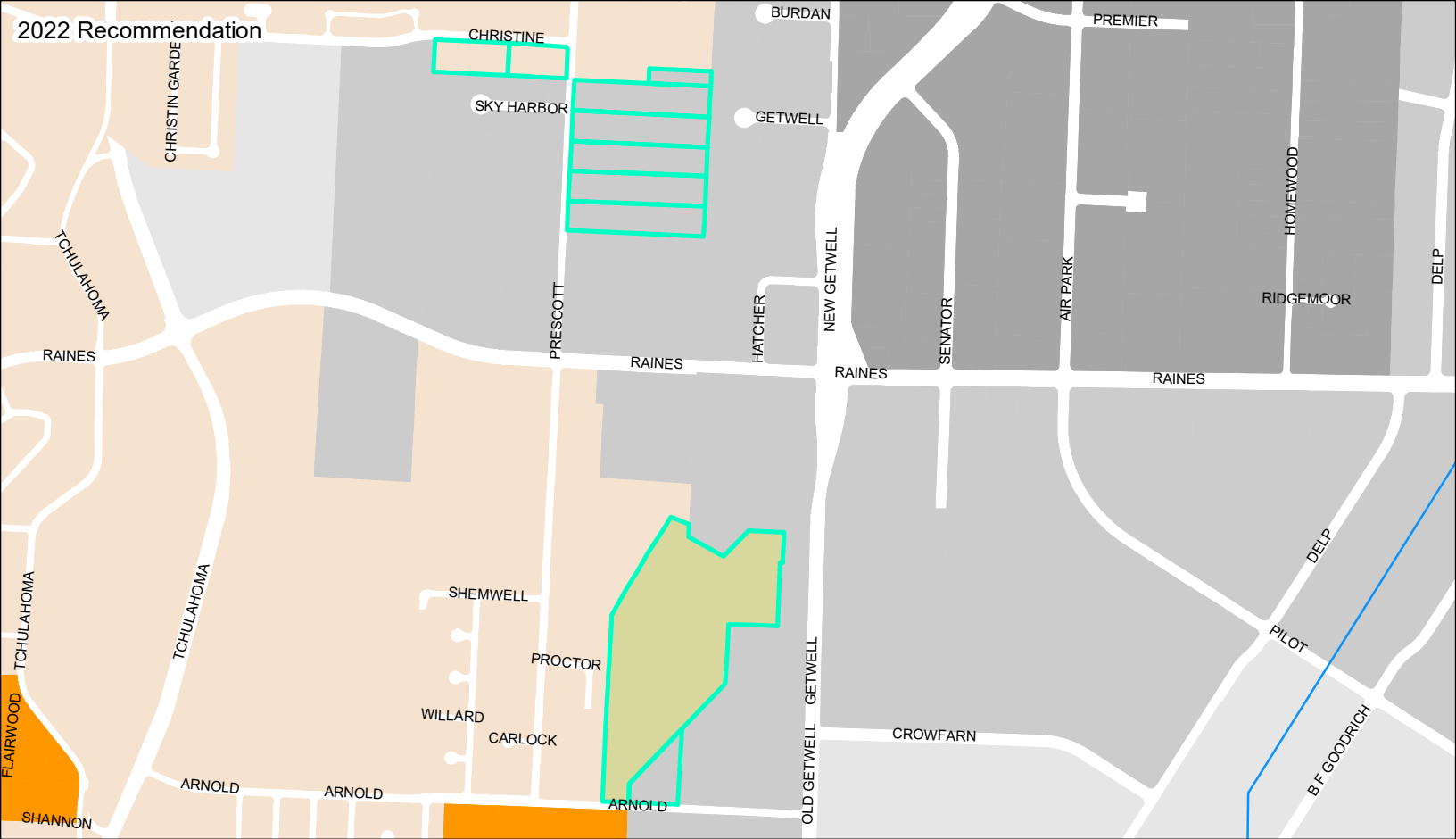


Future Land Use

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AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated



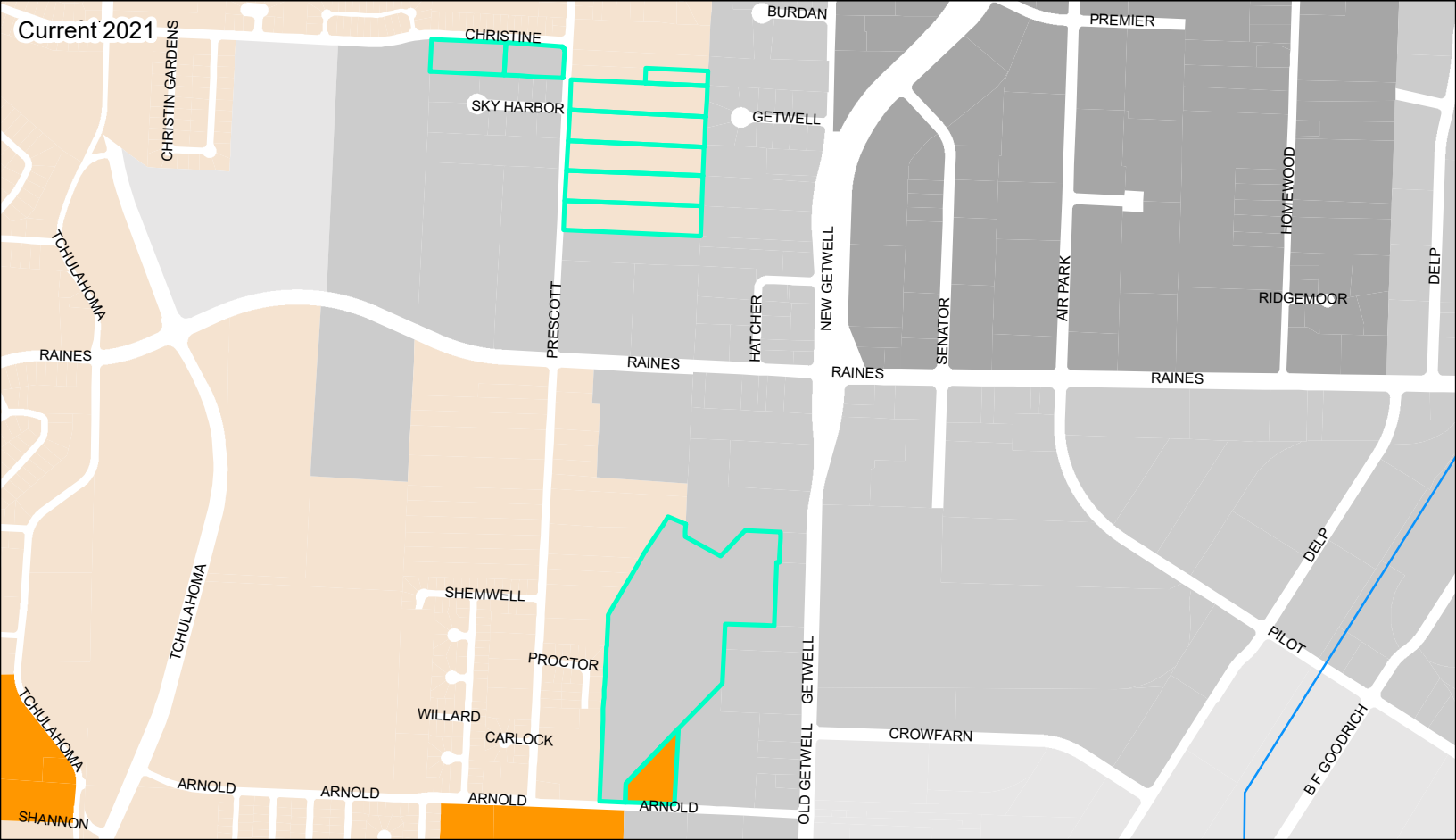
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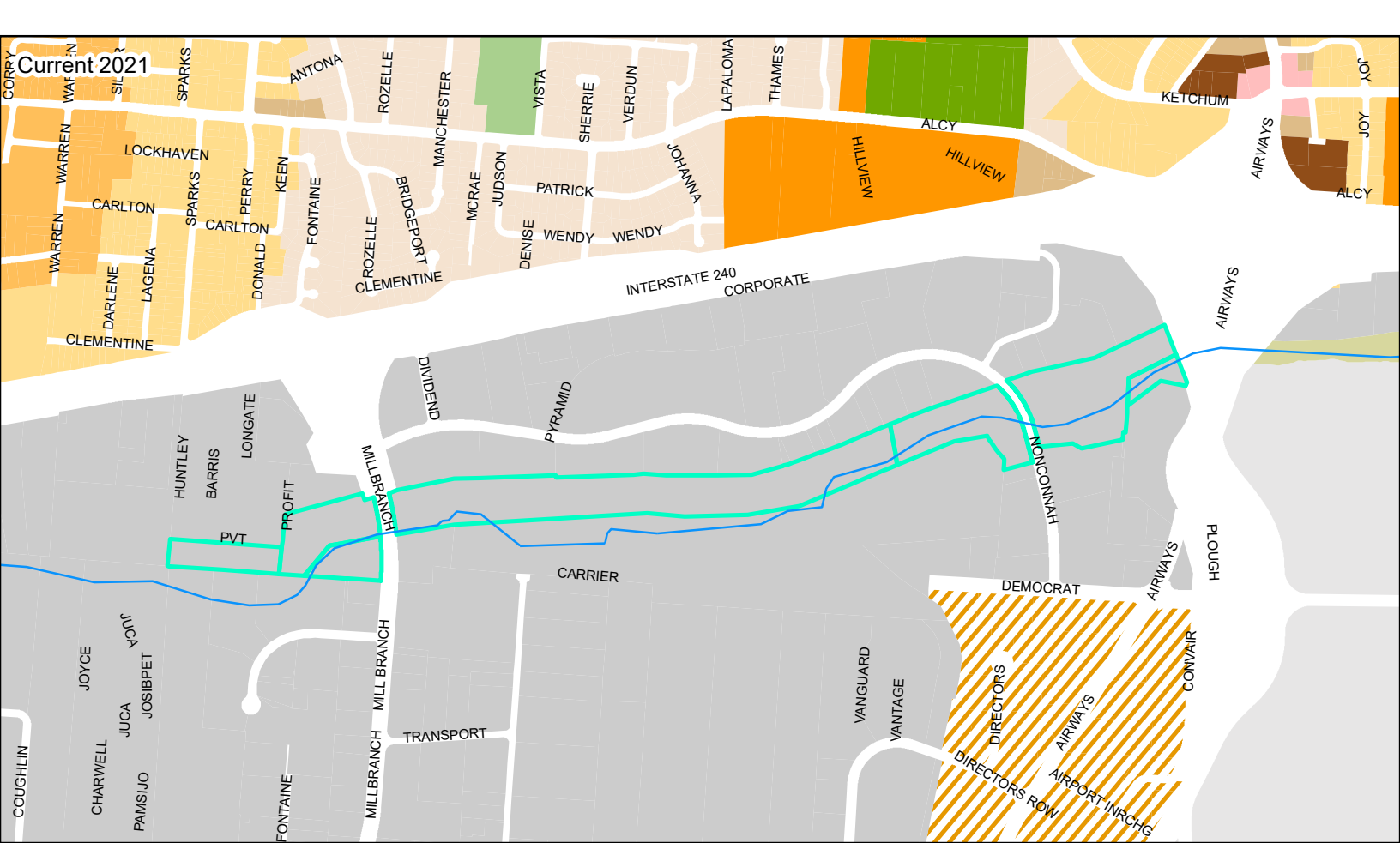
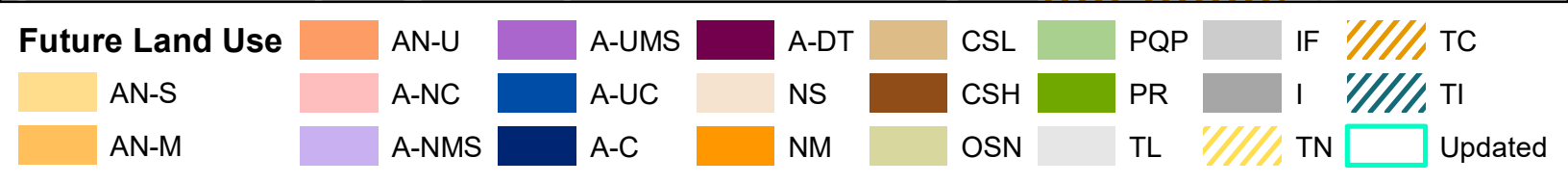
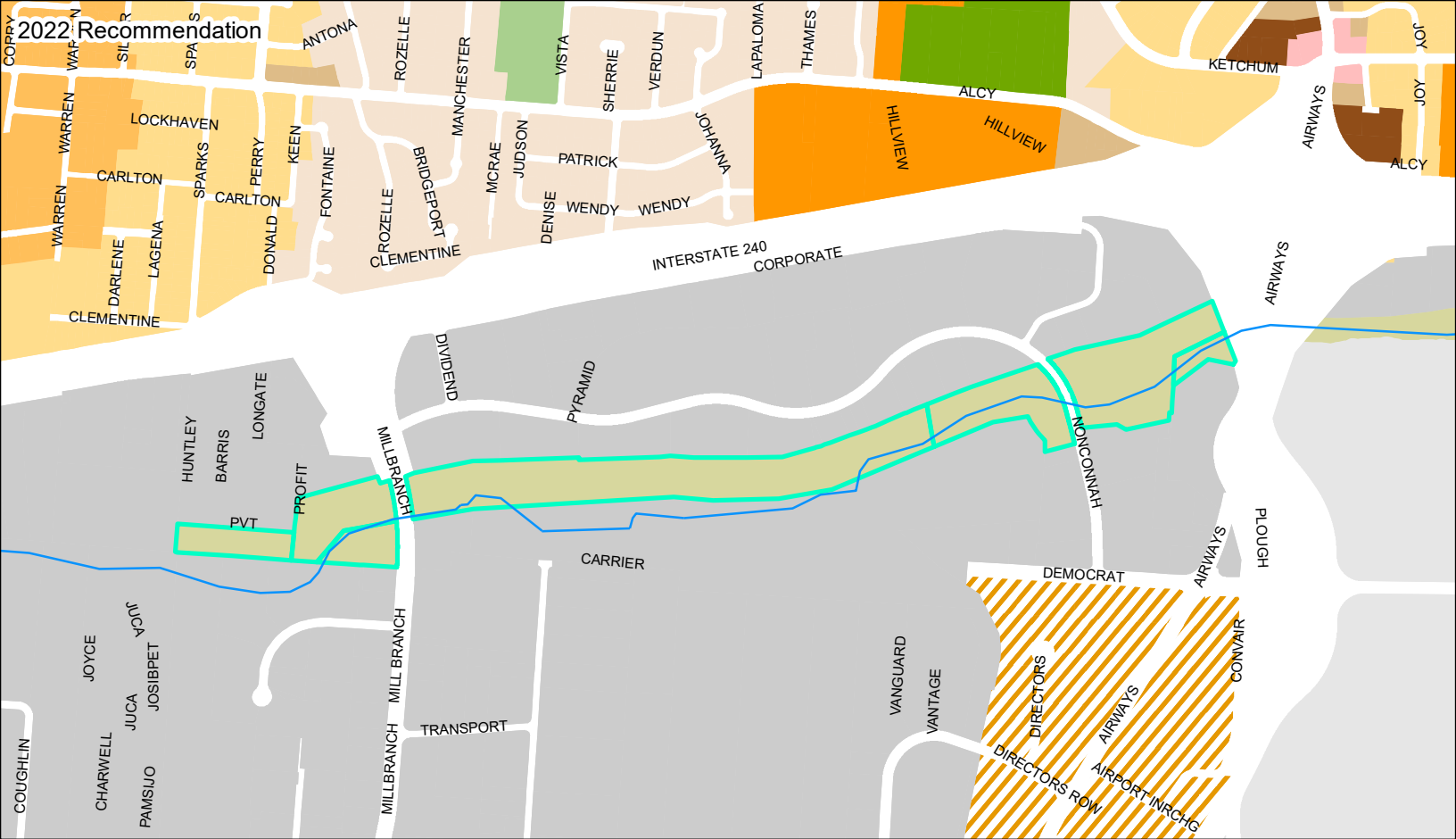


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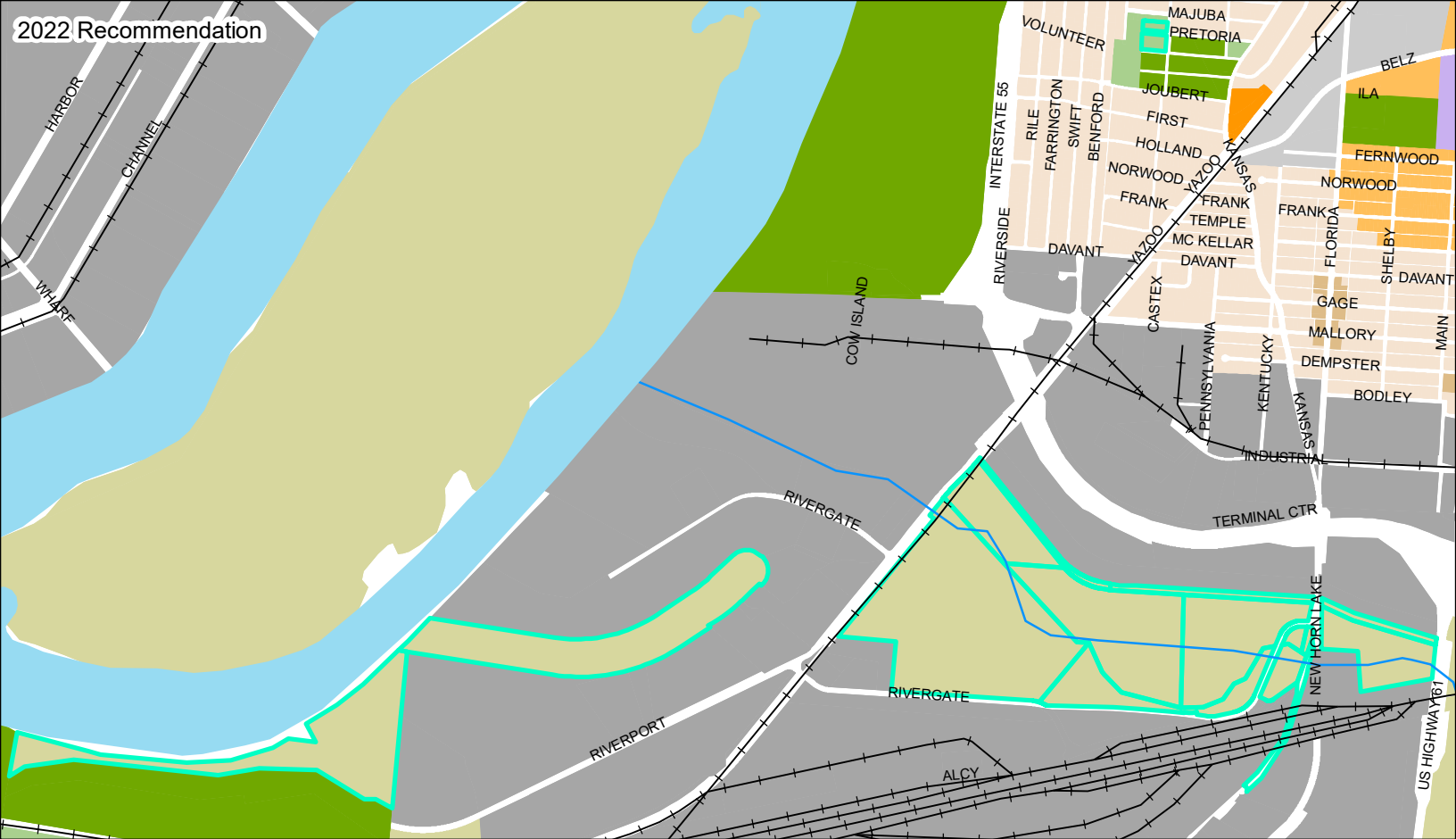
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AN-S	A-NC	A-UC	NS	PR	I	TI
AN-M	A-NMS	A-C	NM	OSN	TL	TN
						Updated

Current 2021





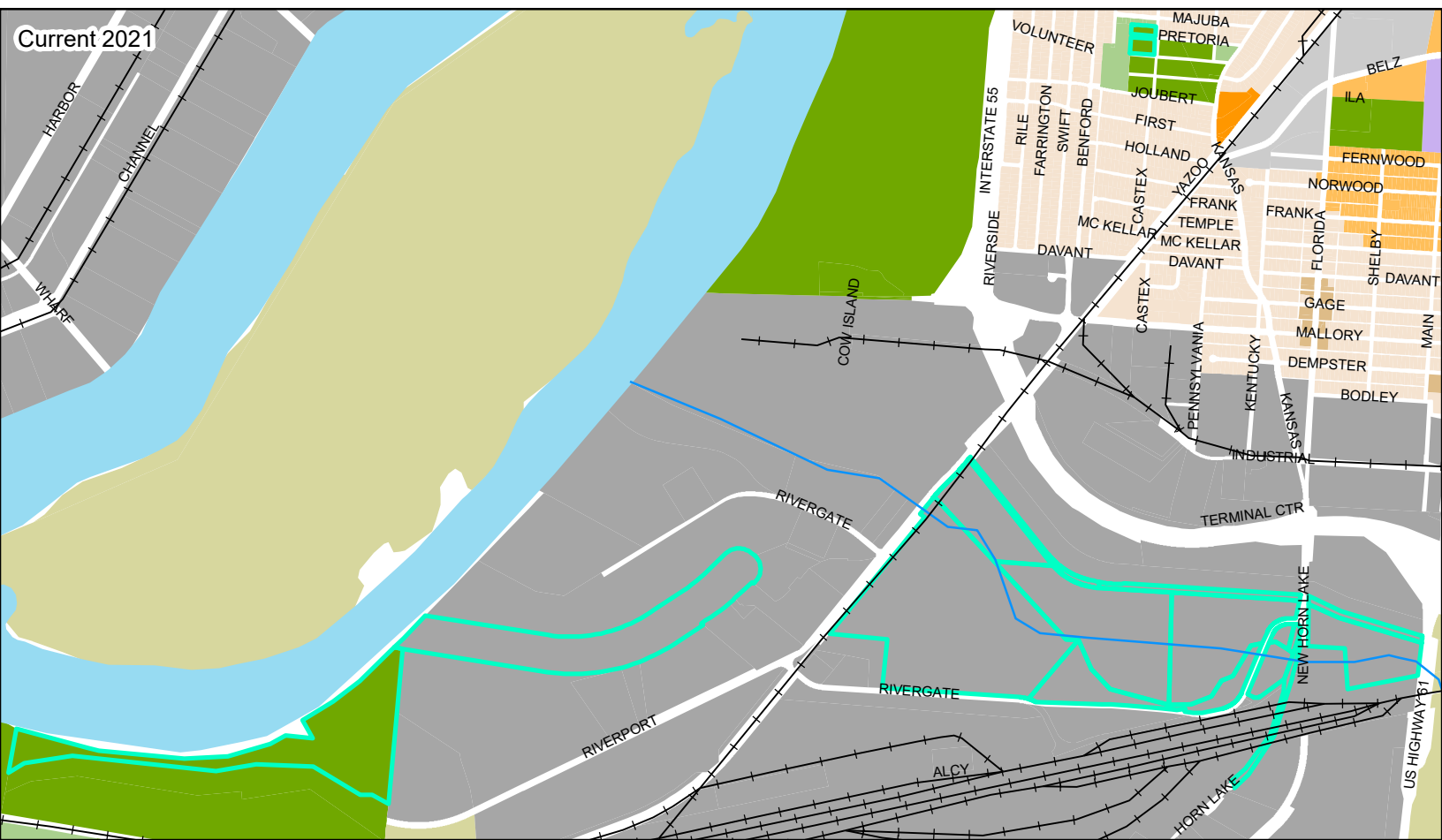
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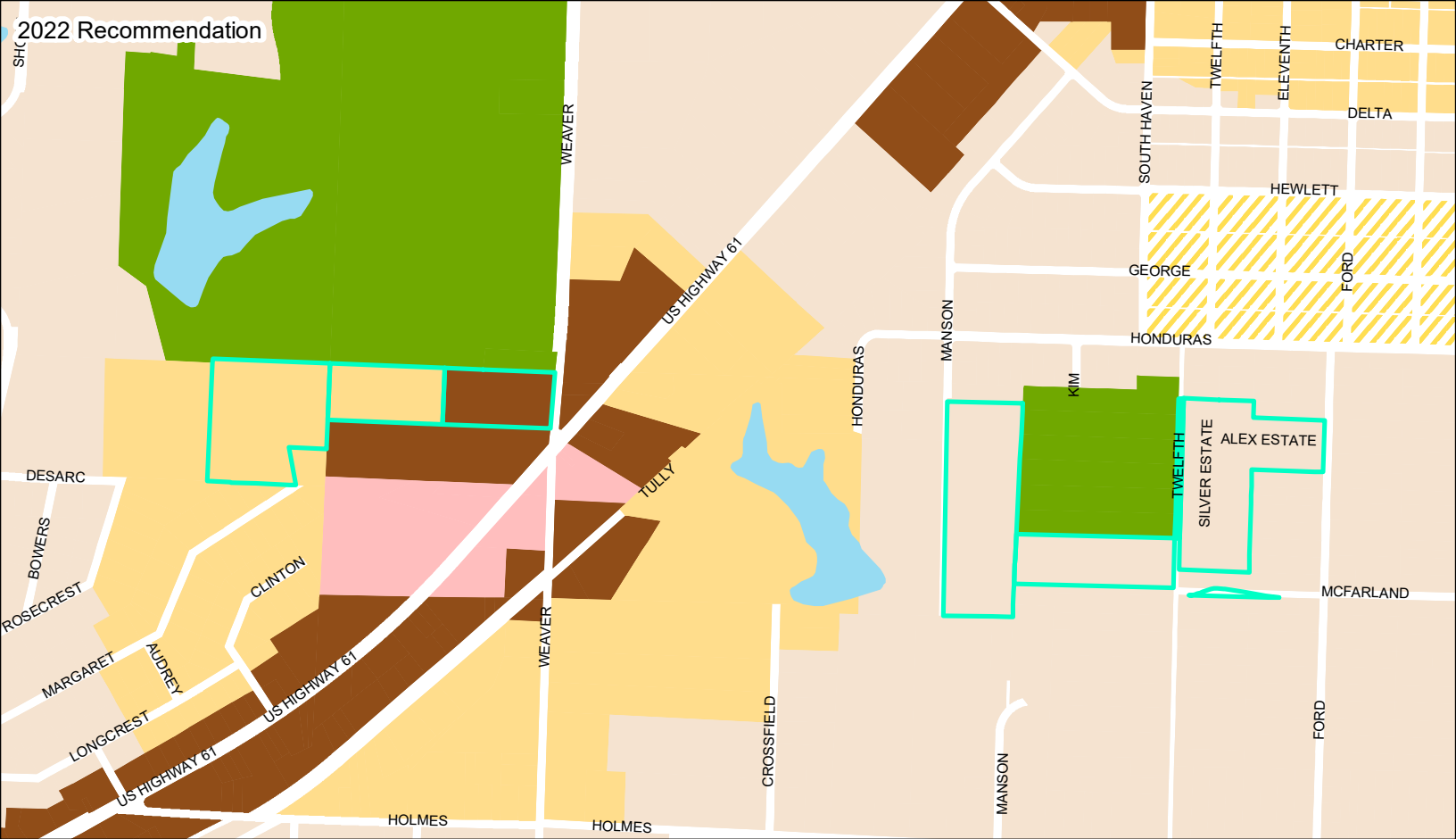


Future Land Use

AN-U	A-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
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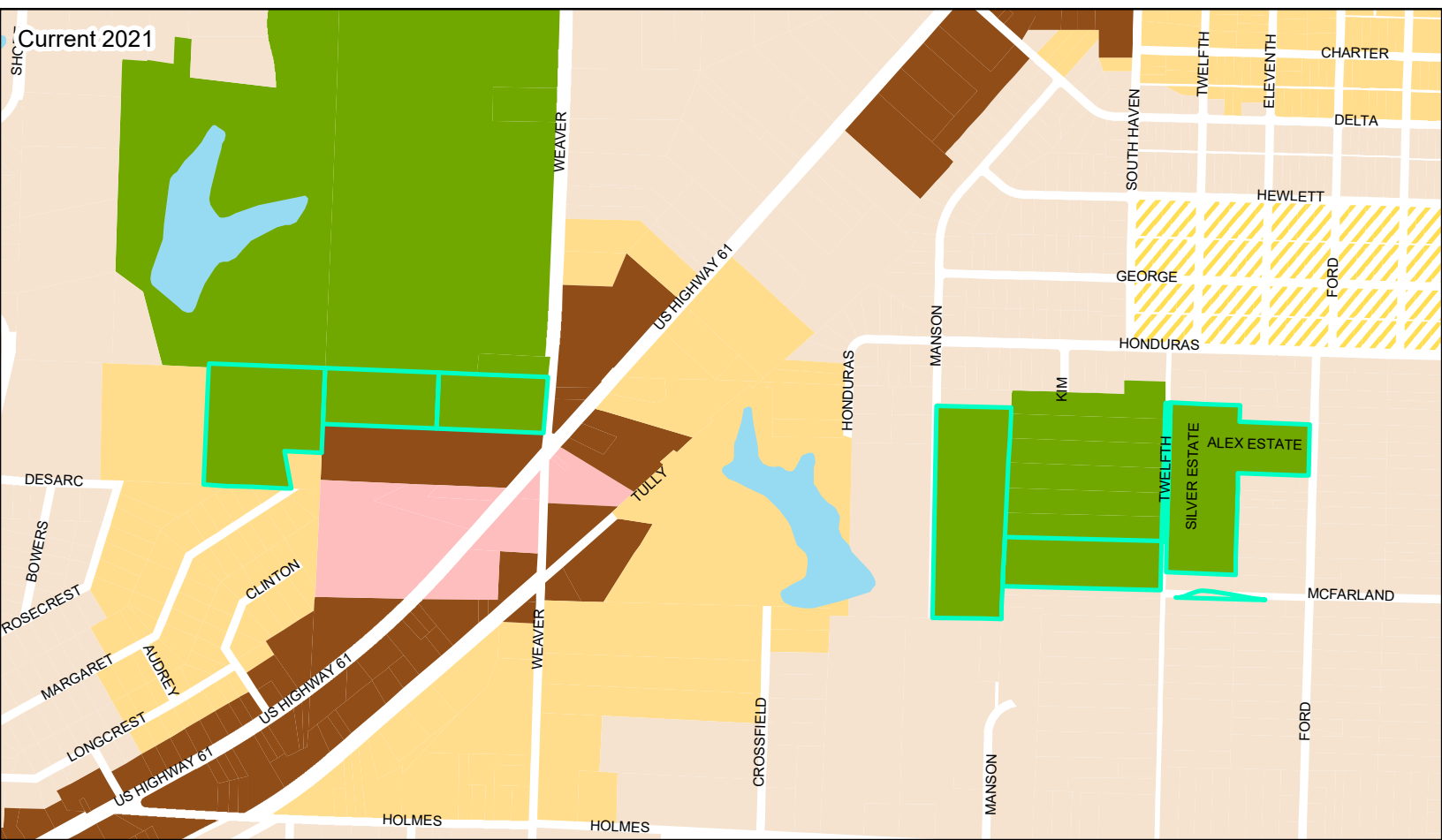
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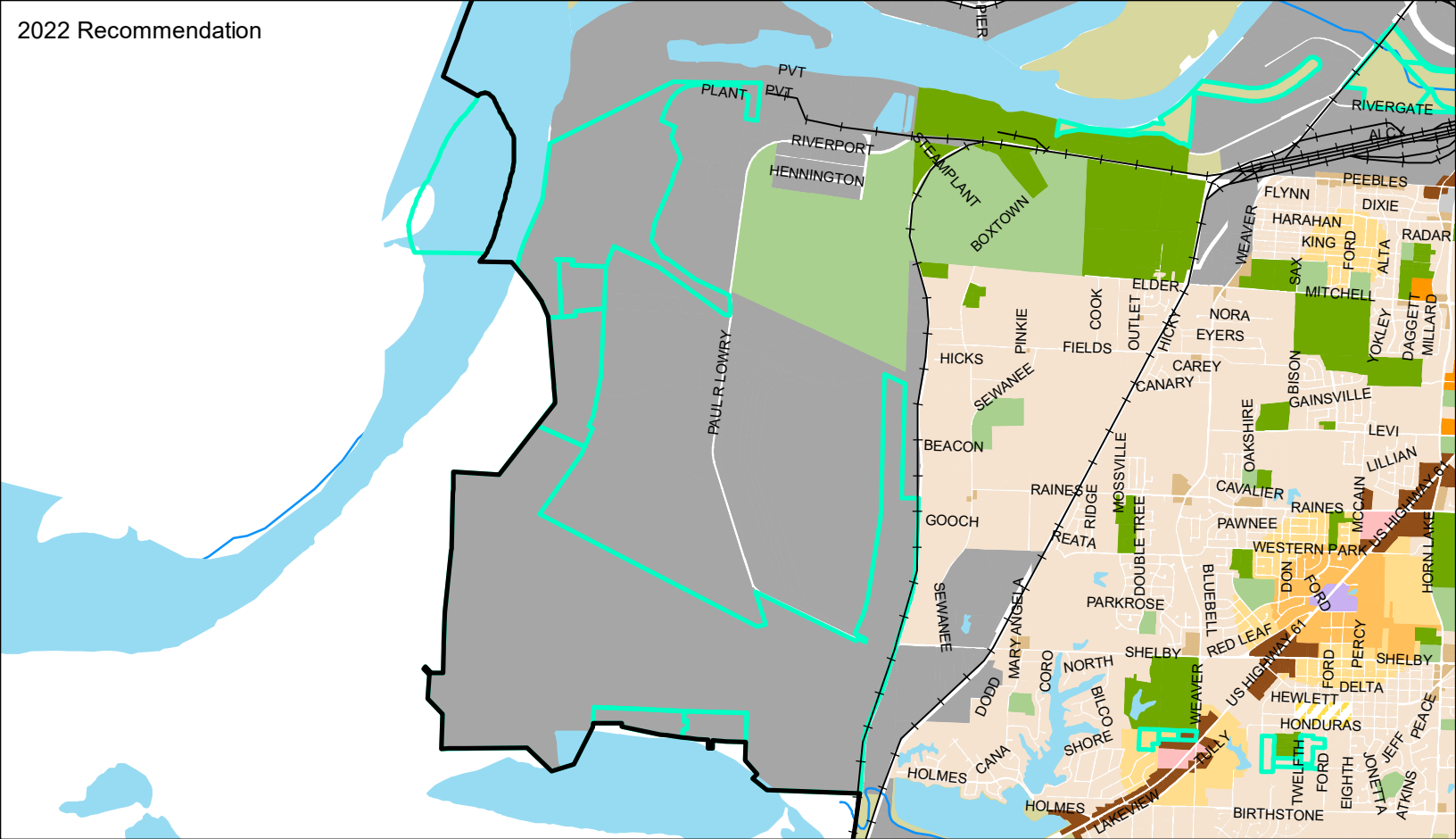


Future Land Use

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



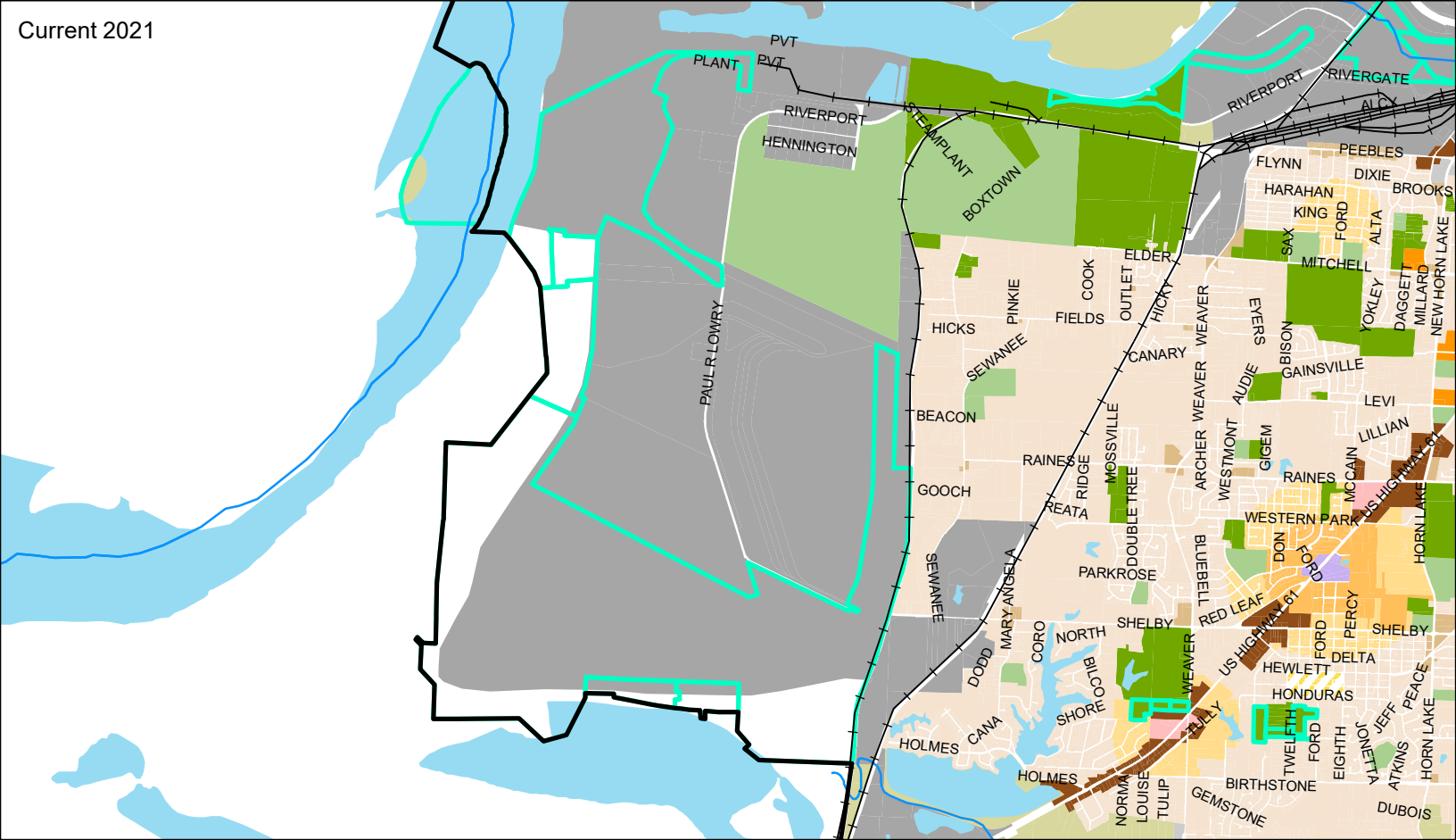
2022 Recommendation



Future Land Use

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

Current 2021

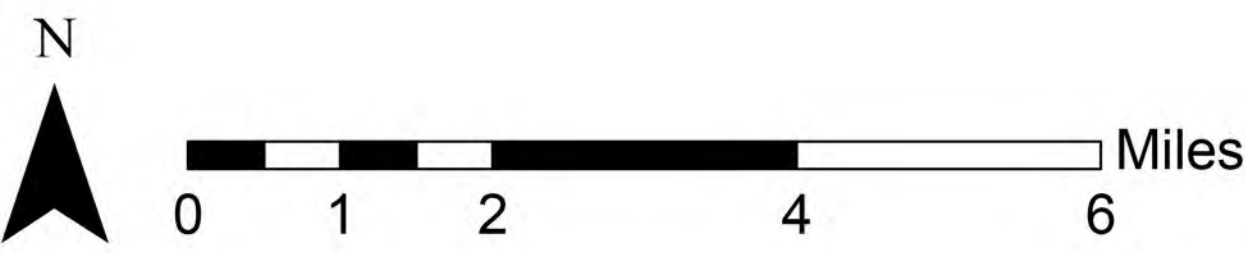
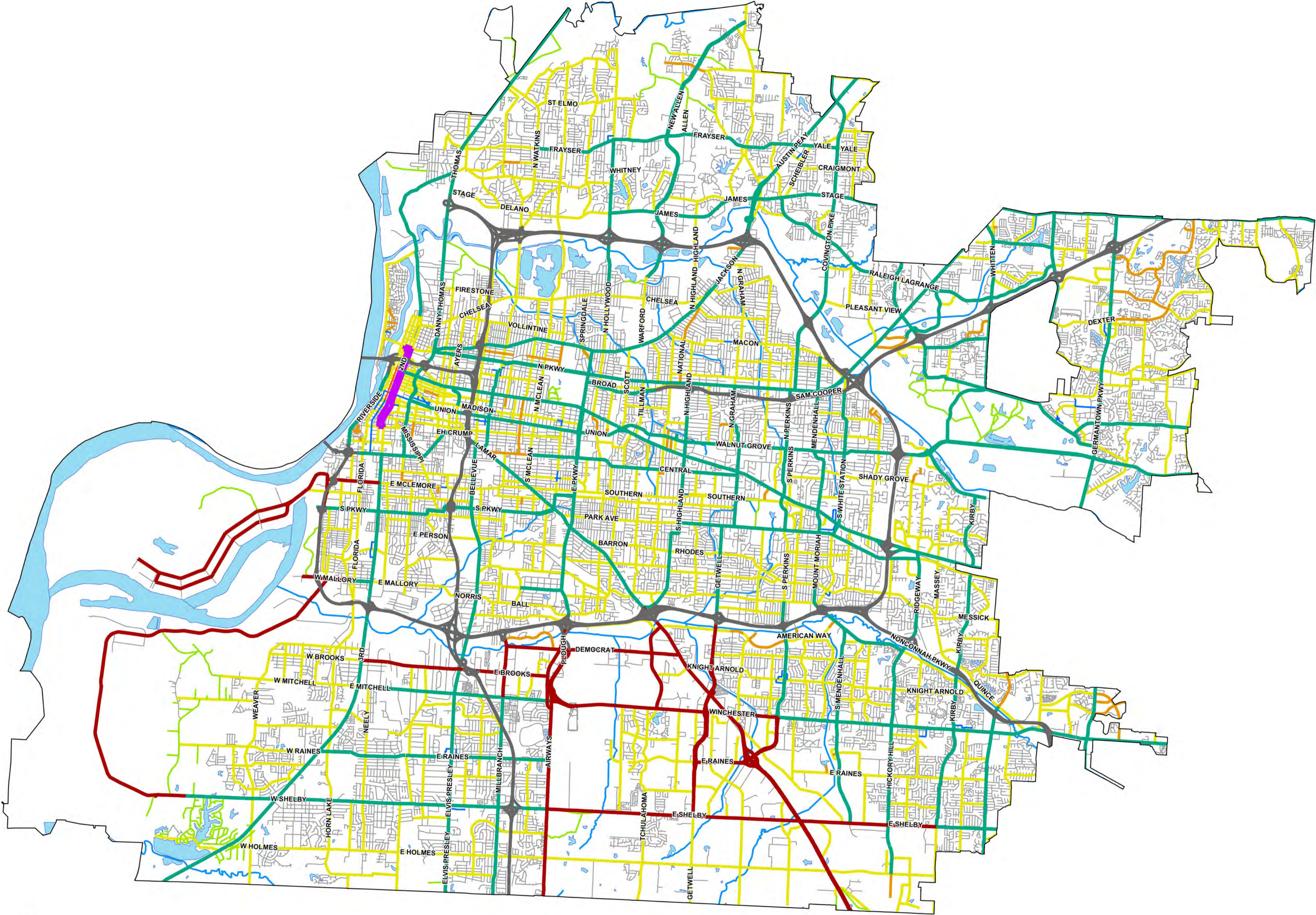


032013 00039	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00040	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial located within anchor neighborhood
032013 00041	Crump/Georgia	IF	AN-S	Vacant or existing residential/commercial 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
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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



**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)

X ORDINANCE _____ RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM CAPTION: 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

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

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
First reading – February 21, 2023
Second reading – March 7, 2023
Third reading – March 21, 2023

PRIOR ACTION ON ITEM:

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

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

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



Memphis City Council Summary Sheet

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**

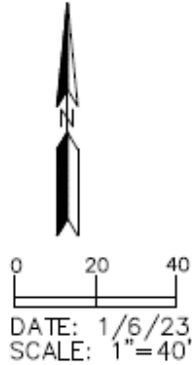
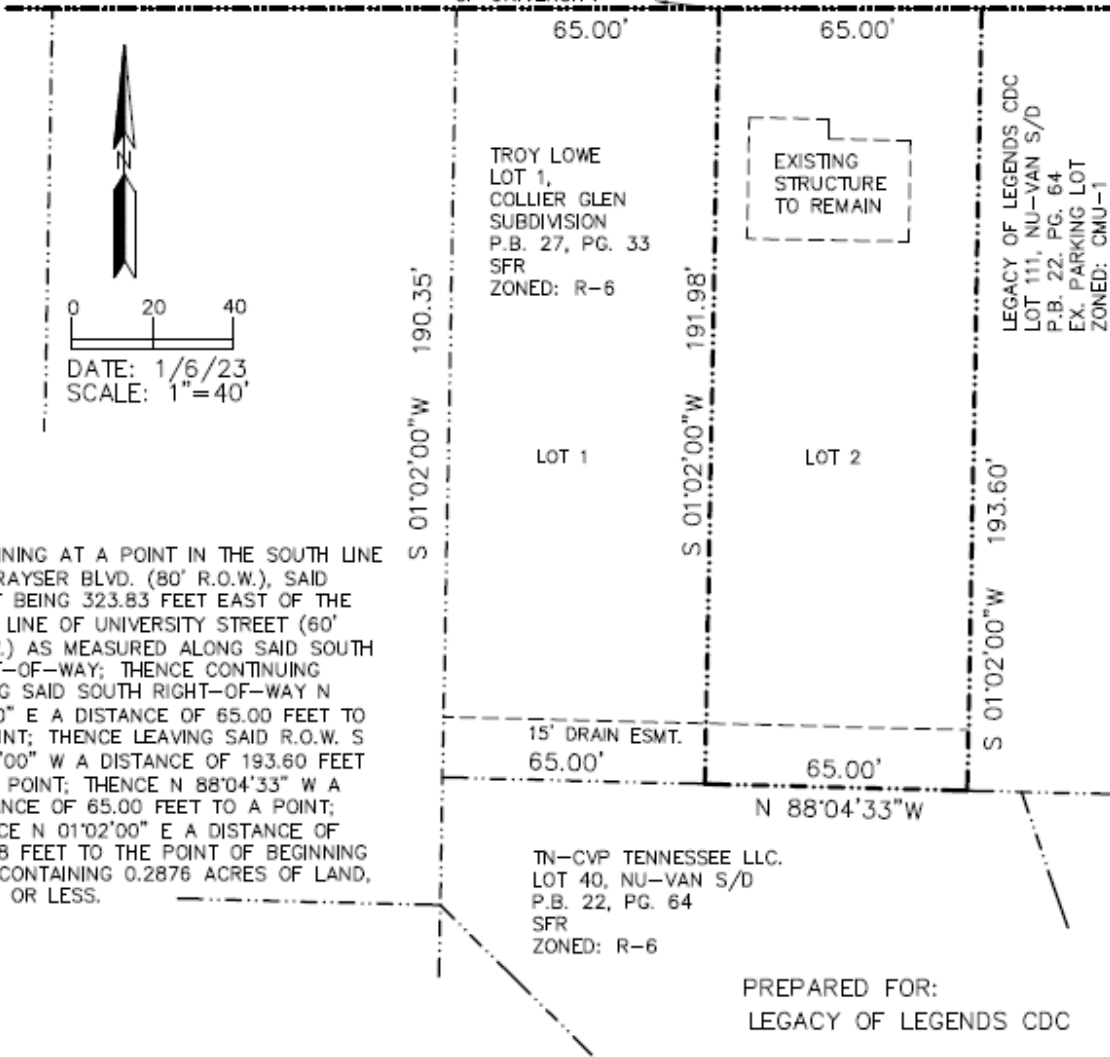
CNL NET LEASE FUNDING
LOT 94, WESTWOOD
MANOR, 2ND ADD.
P.B. 24, PG. 27
FAST FOOD
ZONED: CMU-1

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:

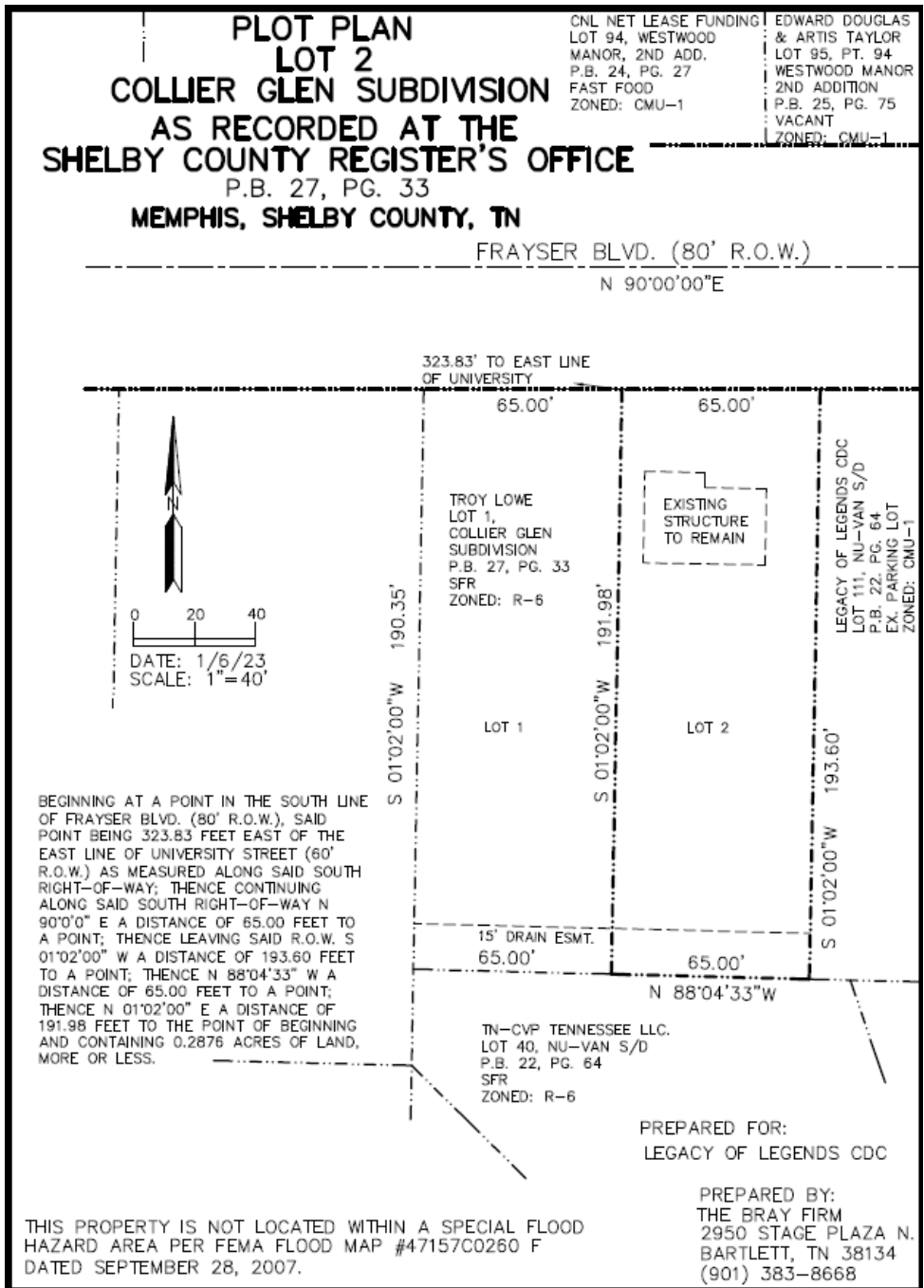
THAT, the Zoning Administrator of the Division of Planning and Development be and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the 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

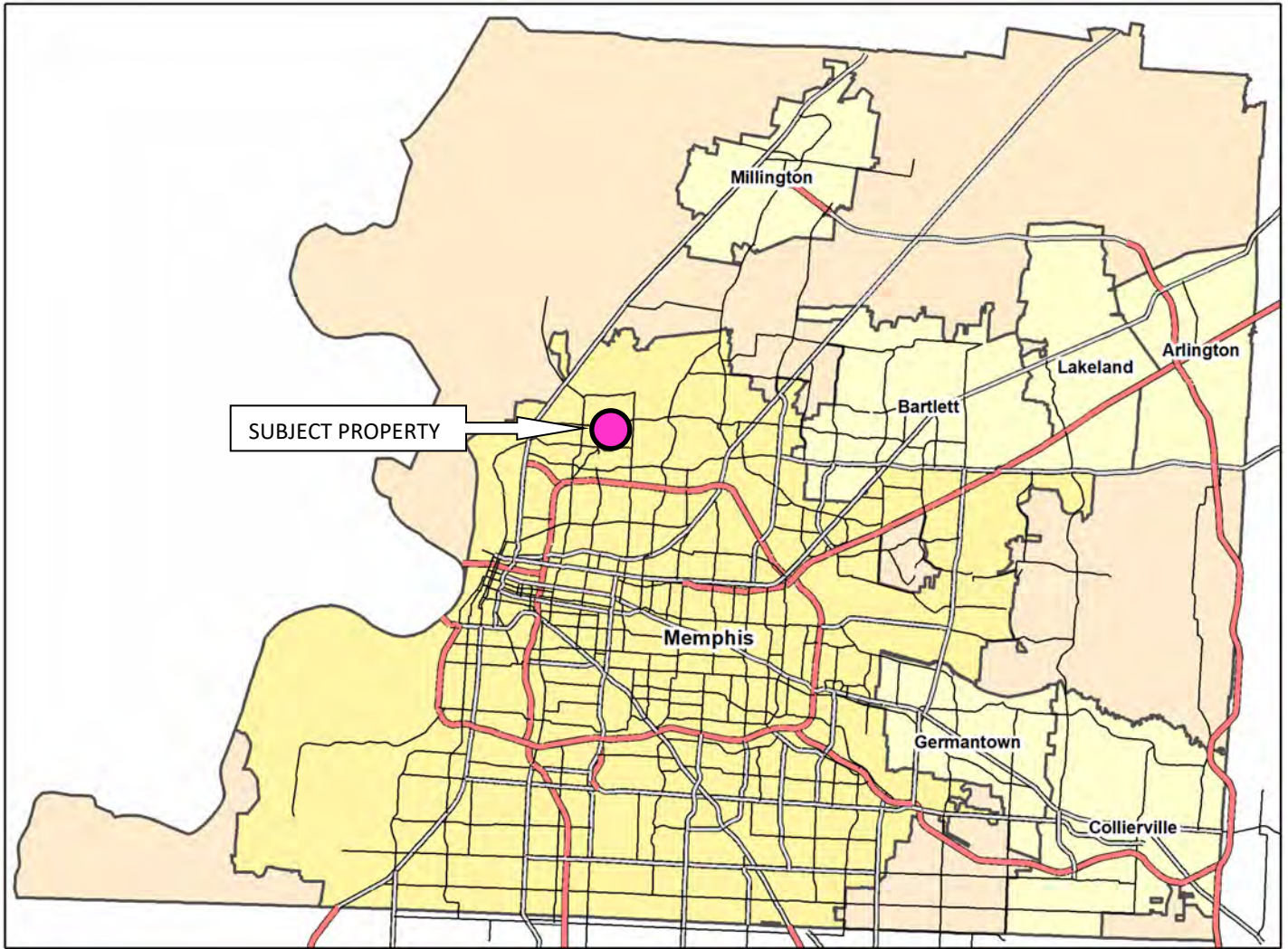
NEIGHBORHOOD MEETING

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

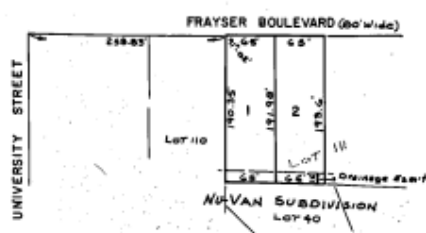
Jessie A. Moore
DIRECTOR

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

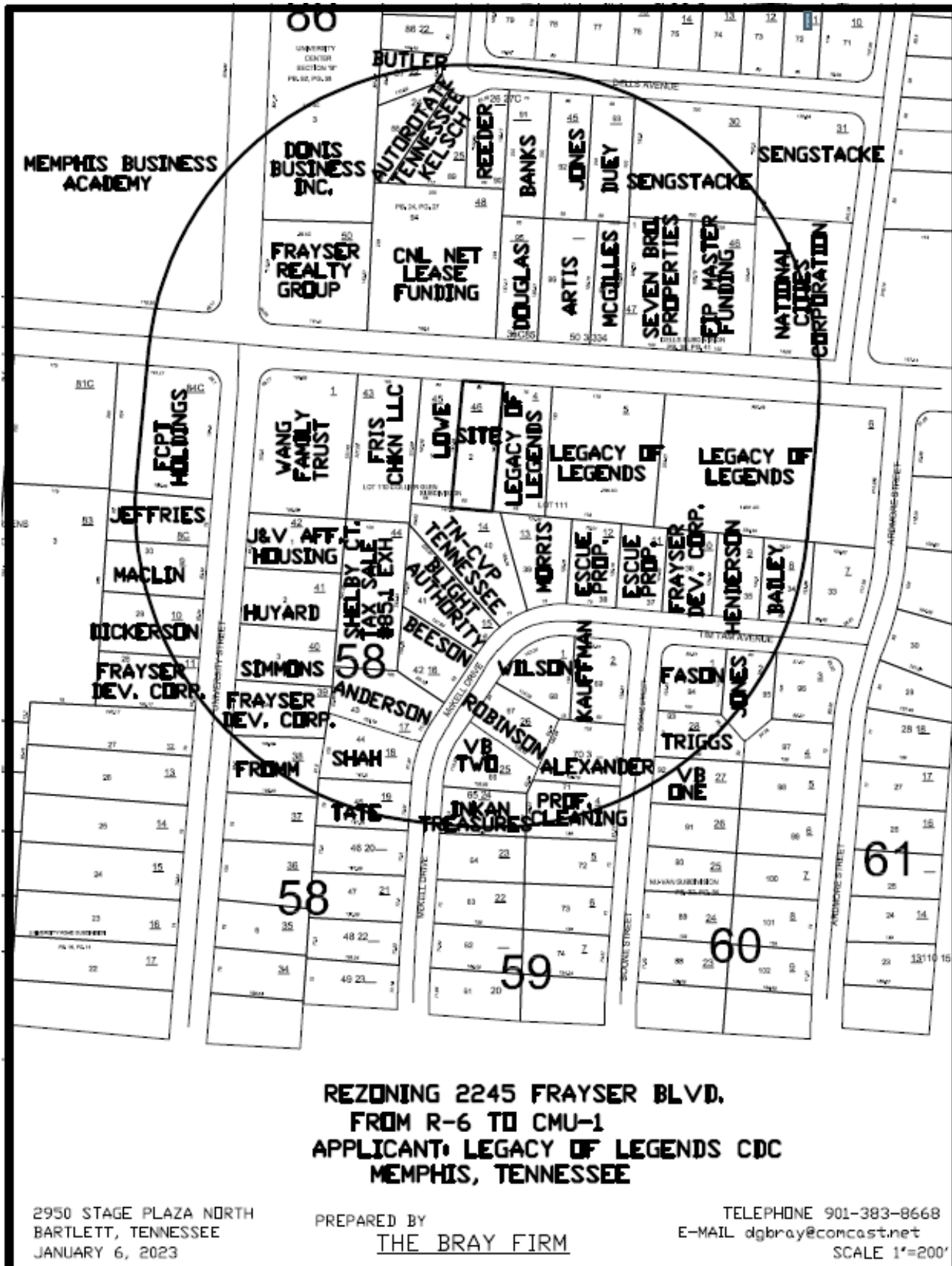
RECORDED
INDEXED
FEB 17 1963
MEMPHIS
COUNTY CLERK



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

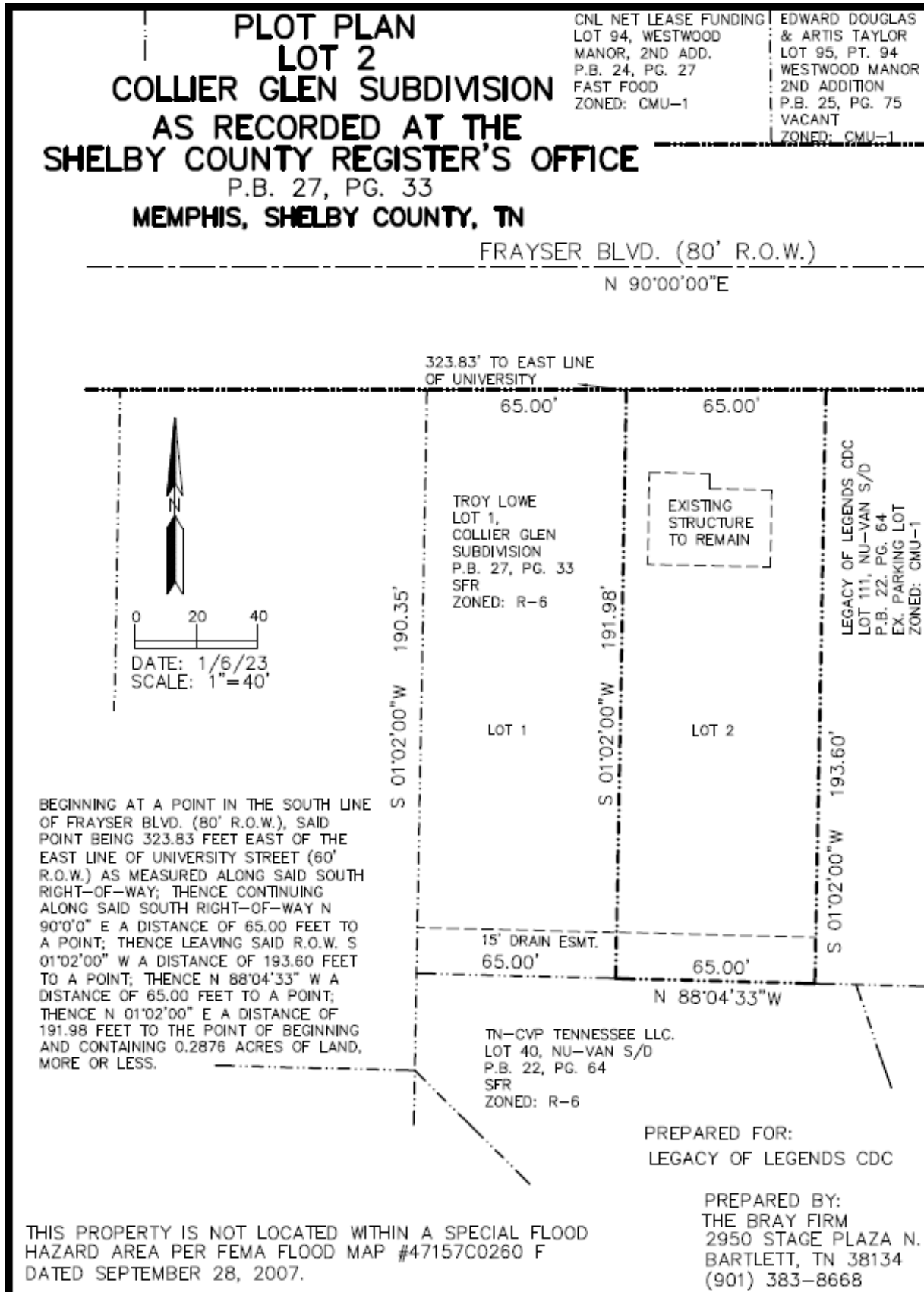
West: Residential Single-Family – 10

LAND USE MAP



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

PLOT PLAN



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.

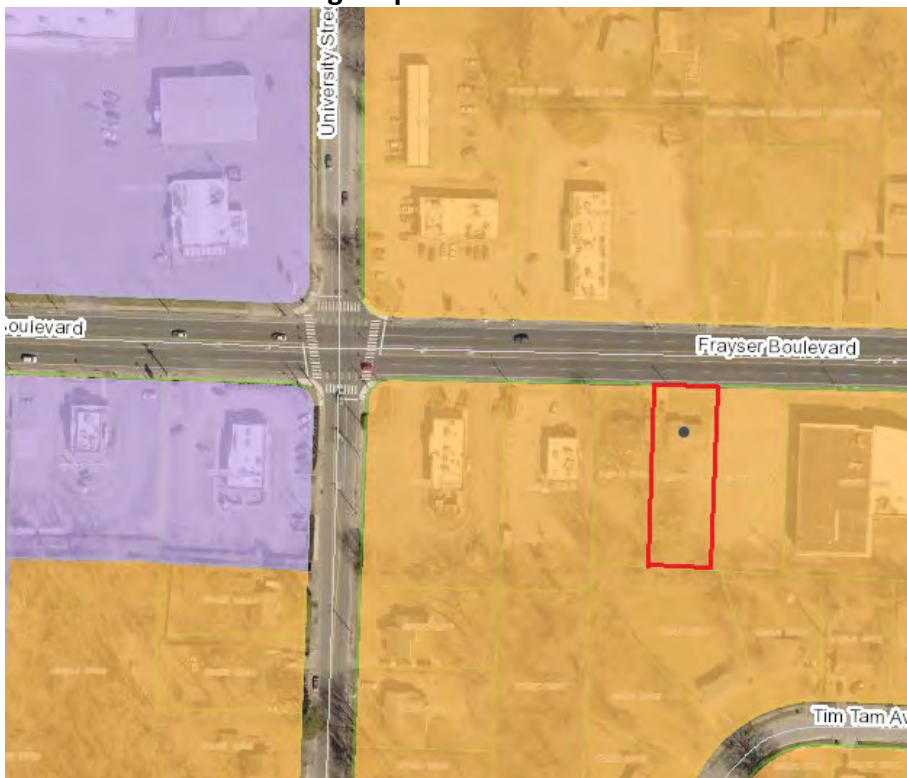
Future Land Use Designation: Anchor Neighborhood-Mix of Building Types (AN-M)

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.

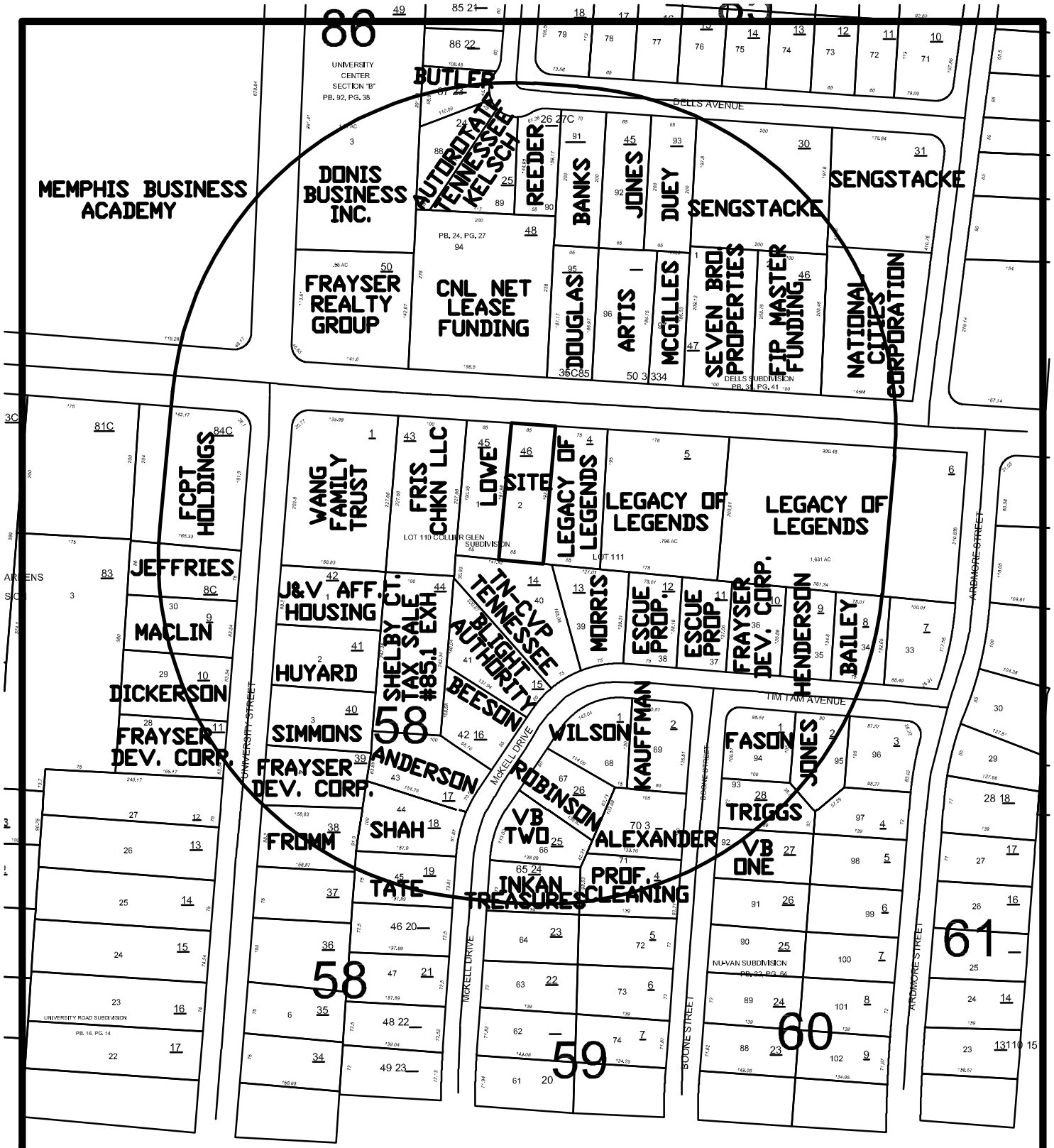
THIS THE _____, _____

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 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:

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

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____	_____	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPROLLER
_____	_____	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,



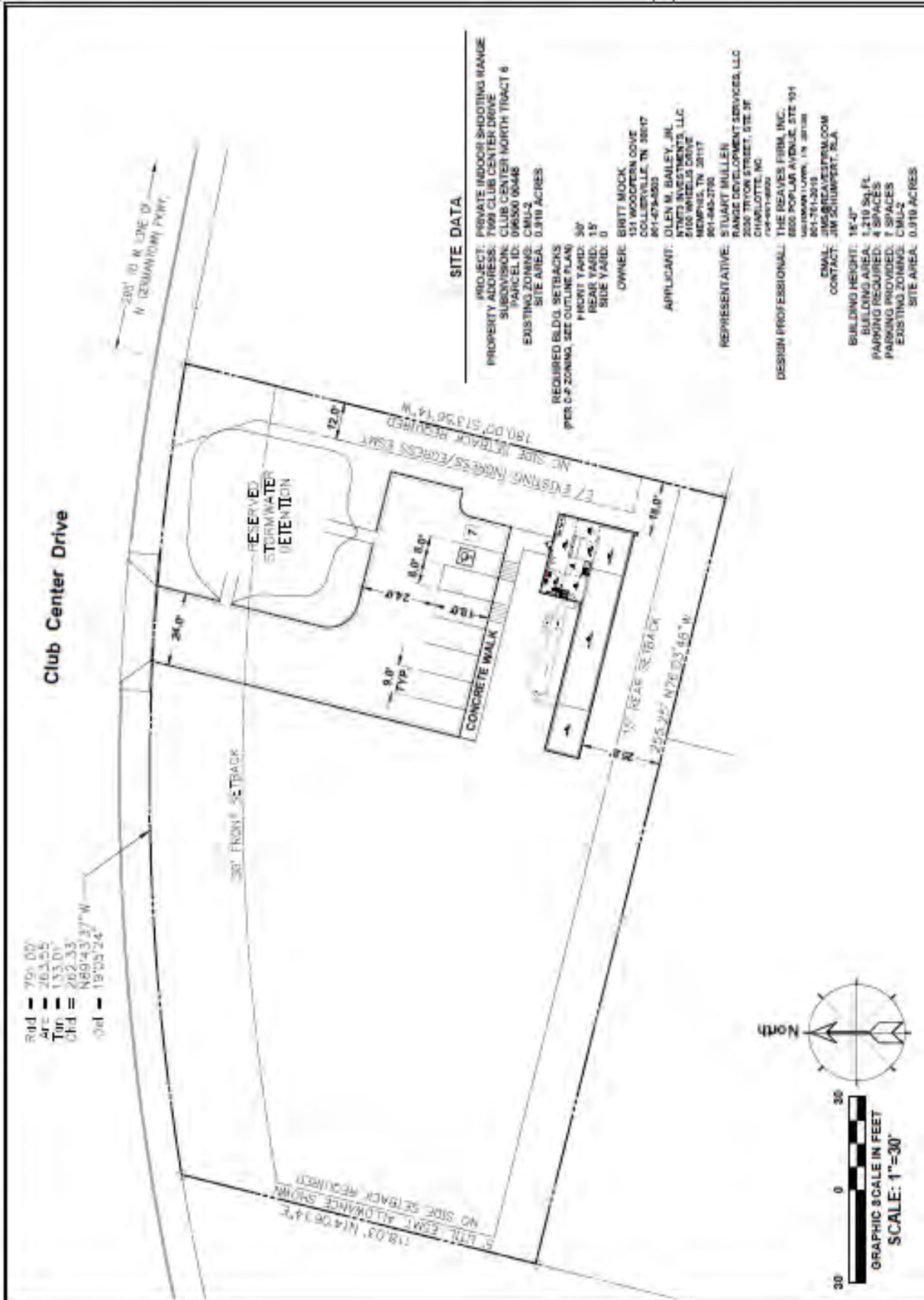
Seth Thomas
Municipal Planner
Land Use and Development Services
Division of Planning and Development

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.

SITE PLAN



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.

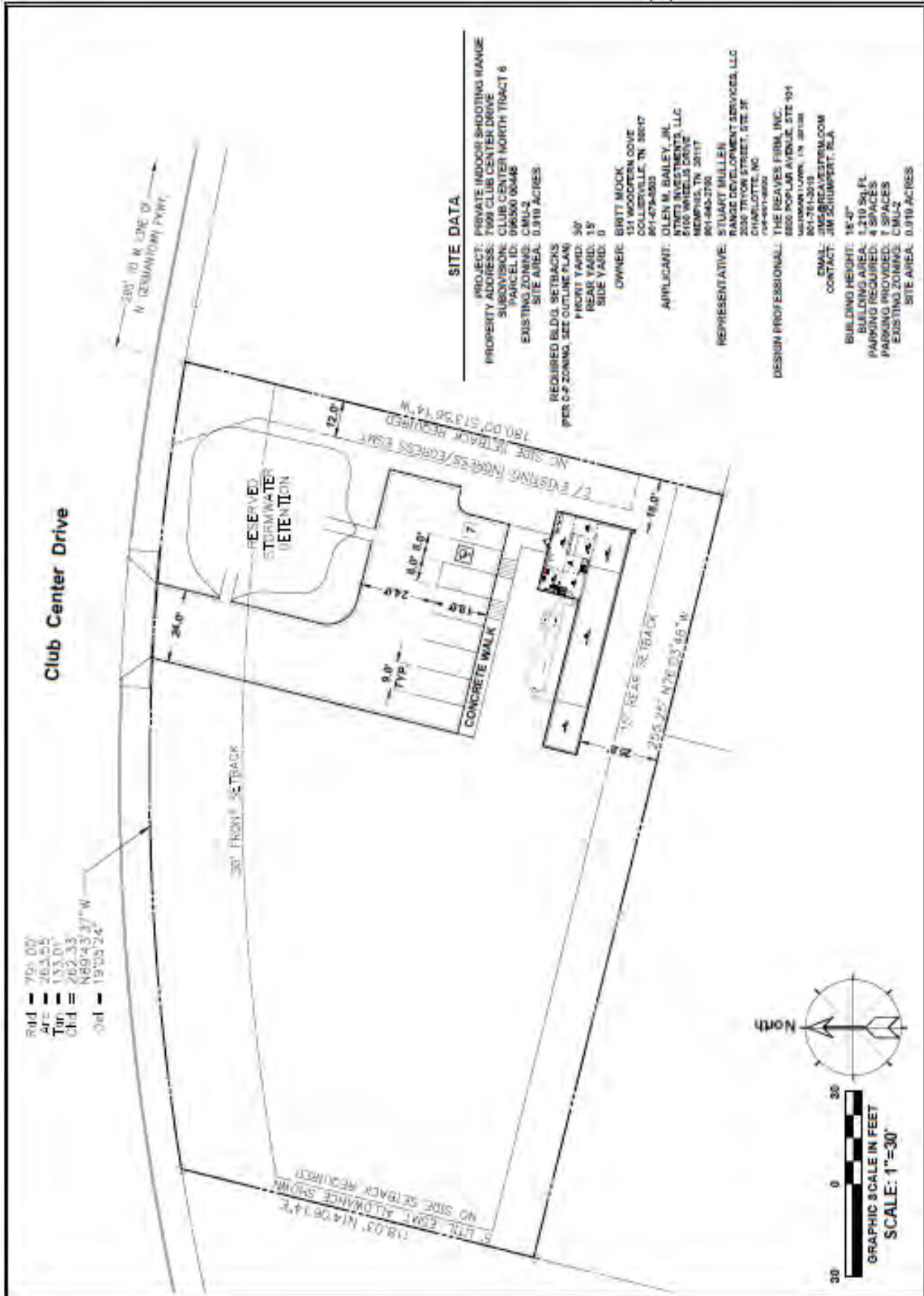
ATTEST:

**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.

SITE PLAN



SITE DATA

PROJECT: PRIVATE INDOOR SHOOTING RANGE
 PROPERTY ADDRESS: 7000 CLUB CENTER DRIVE
 SUBDIVISION: CLUB CENTER NORTH TRACT 6
 PARCEL ID: 046500 00448
 EXISTING ZONING: CMU-2
 SITE AREA: 0.910 ACRES

REQUIRED BLDG. SETBACKS
 PER C-2 ZONING, SEE OUTLINE PLAN
 FRONT YARD: 30'
 REAR YARD: 18'
 SIDE YARD: 0'

OWNER: BRITT MOCK
 151 WOODPARK DRIVE
 COLLETSVILLE, TN 38017
 801-679-8883

APPLICANT: OLEN M. BAILEY, JR.
 RTW3 INVESTMENTS, LLC
 1000 WOODPARK DRIVE
 MEMPHIS, TN 38117
 901-445-2700

REPRESENTATIVE: STUART MULLEN
 RANGE DEVELOPMENT SERVICES, LLC
 2030 TRYON STREET, STE. 3F
 CHARLOTTE, NC
 704-947-8600

DESIGN PROFESSIONAL: THE REAVES FIRM, INC.
 2800 POPULAR AVENUE, STE 101
 MEMPHIS, TN 38114
 901-761-2015

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

BUILDING HEIGHT: 18'-0"
 BUILDING AREA: 1,210 SQ. FT.
 PARKING REQUIRED: 4 SPACES
 PARKING PROVIDED: 1 SPACES
 EXISTING ZONING: CMU-2
 SITE AREA: 0.910 ACRES

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)

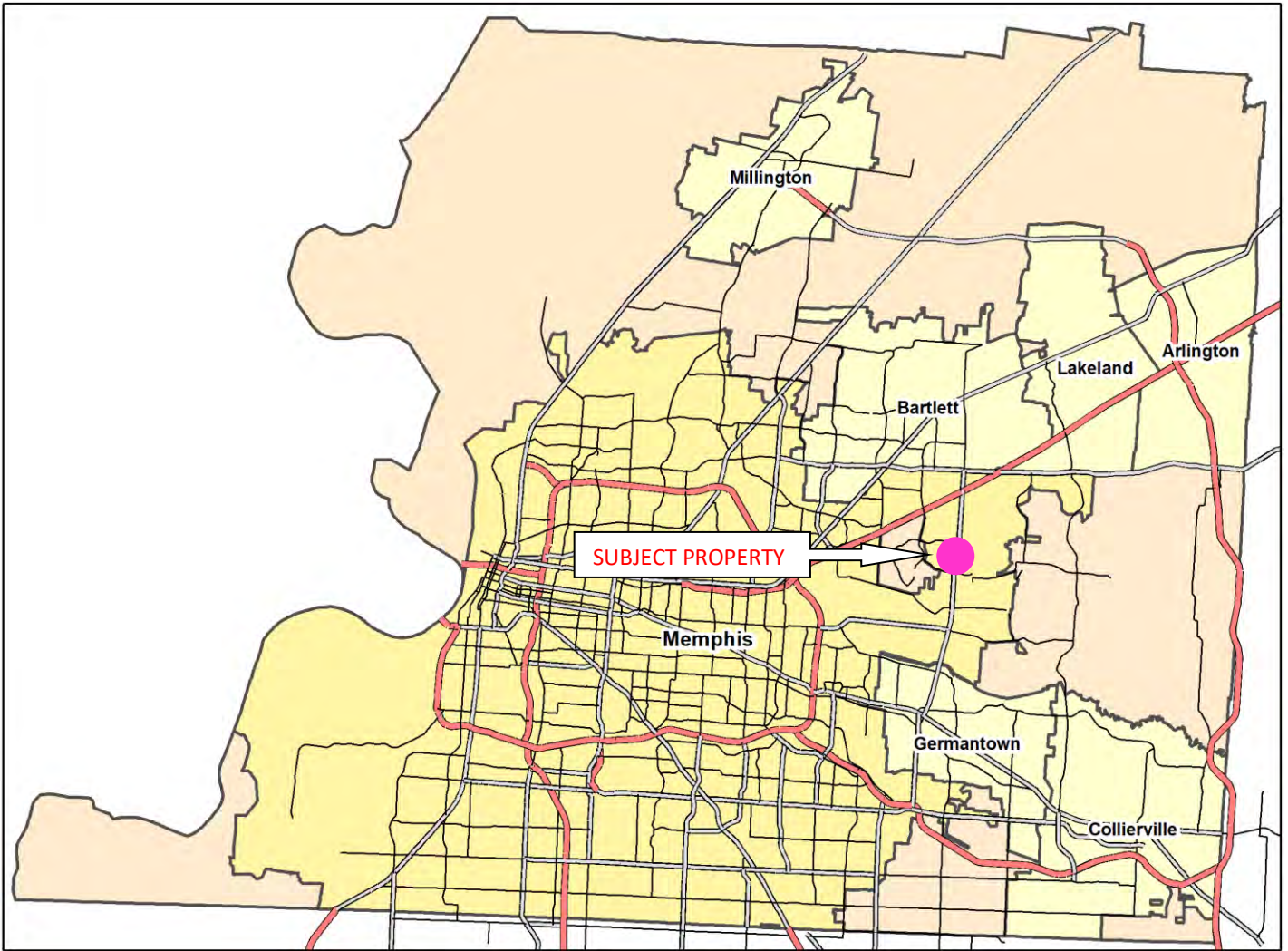
NEIGHBORHOOD MEETING

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

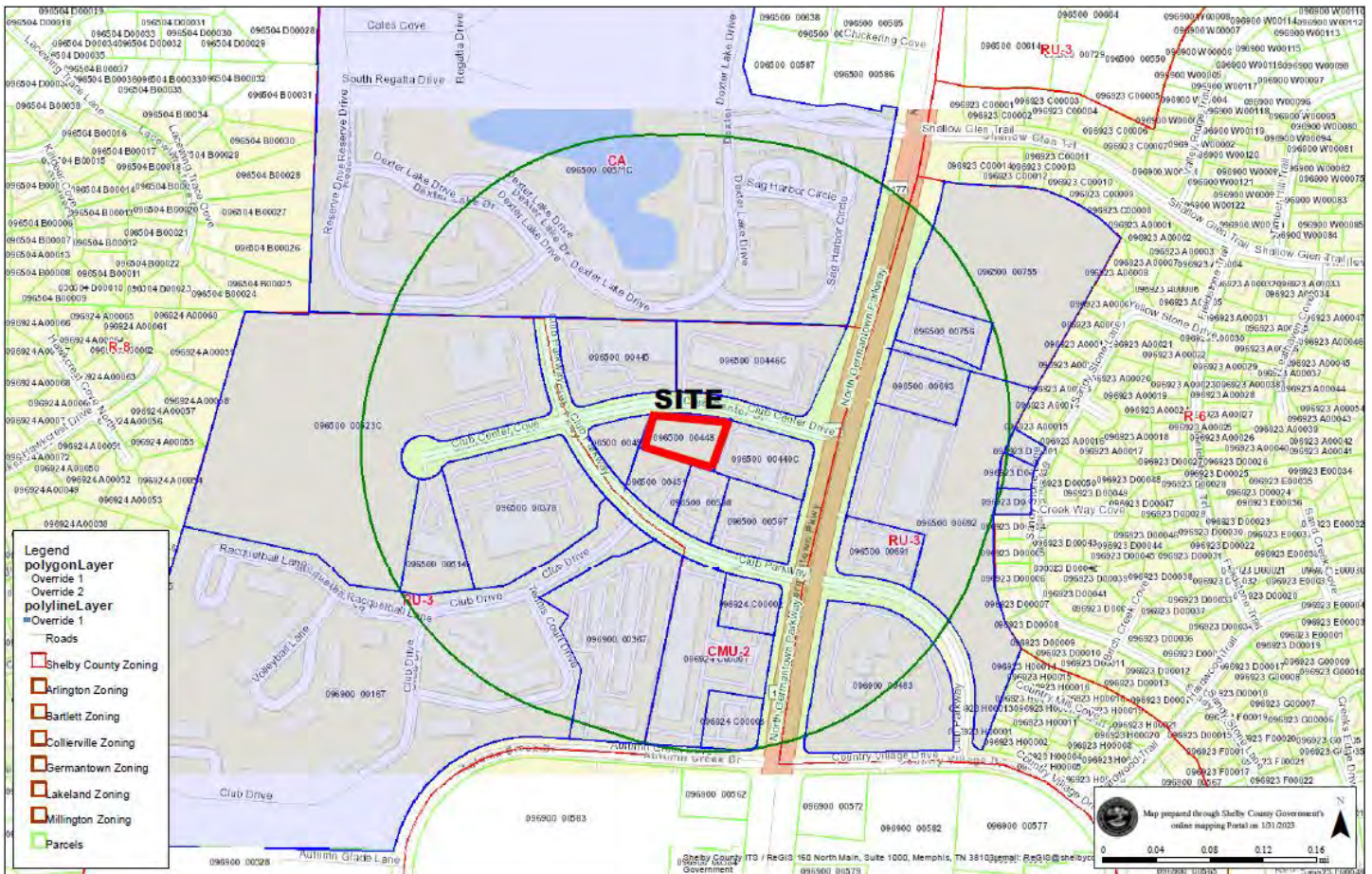
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 28 notices were mailed on February 22, 2023, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

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

Z 93-120 CC CLUB CENTER NORTH
(FORMERLY Z 92-142 CC, Z 88-111 CC)
GENERAL PLAN CONDITIONS

I. BULK REGULATION
THE BULK REGULATIONS OF THE PLANNED COMMERCIAL (C-P) DISTRICT SHALL APPLY WITH THE FOLLOWING EXCEPTION:
A. A MAXIMUM FLOOR AREA OF 0.25 F.A.R. 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-LIGHT-TURN 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, THE 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 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 THAT I AM A LICENSED SURVEYOR IN THE STATE OF TENNESSEE. I AM NOT PROVIDING ANY APPLICABLE STATE, LOCAL AND LOCAL ZONING ORDINANCES, RULES AND REGULATIONS AND THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT BY THE OFFICE OF PLANNING AND DEVELOPMENT.

BY: *[Signature]*
TENNESSEE SURVEYOR
NO. 1213608
EXPIRES 12/31/2020
DATE: 8-19-93
TIME: 9:49 AM
STATE OF TENNESSEE
REGISTERED PROFESSIONAL SURVEYOR

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.)
C. THE LAND USE CONTROL BOARD MAY MODIFY THE BULK, ACCESS, PARKING, LANDSCAPING, LIGHTING, SCREENING, SIGNAGE, AND OTHER SITE REQUIREMENTS IF EQUIVALENT ALTERNATIVES ARE PRESENTED. 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.
D. 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.
E. 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, DRIVEWAYS, 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 OWNER'S 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 OWNER'S ASSOCIATION. SUCH MAINTENANCE SHALL BE PERFORMED SO AS TO ENSURE THAT THE SYSTEM OPERATES IN ACCORDANCE WITH THE APPROVED PLAN ON FILE IN THE CITY/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 10, 1993
DIRECTOR
OFFICE OF PLANNING AND DEVELOPMENT

VICINITY MAP (n.l.s.)

AMENDED GENERAL PLAN Z 93-120 CC (FORMERLY Z 92-142 CC, Z 88-111 CC) CLUB CENTER NORTH SHELBY COUNTY, TENNESSEE

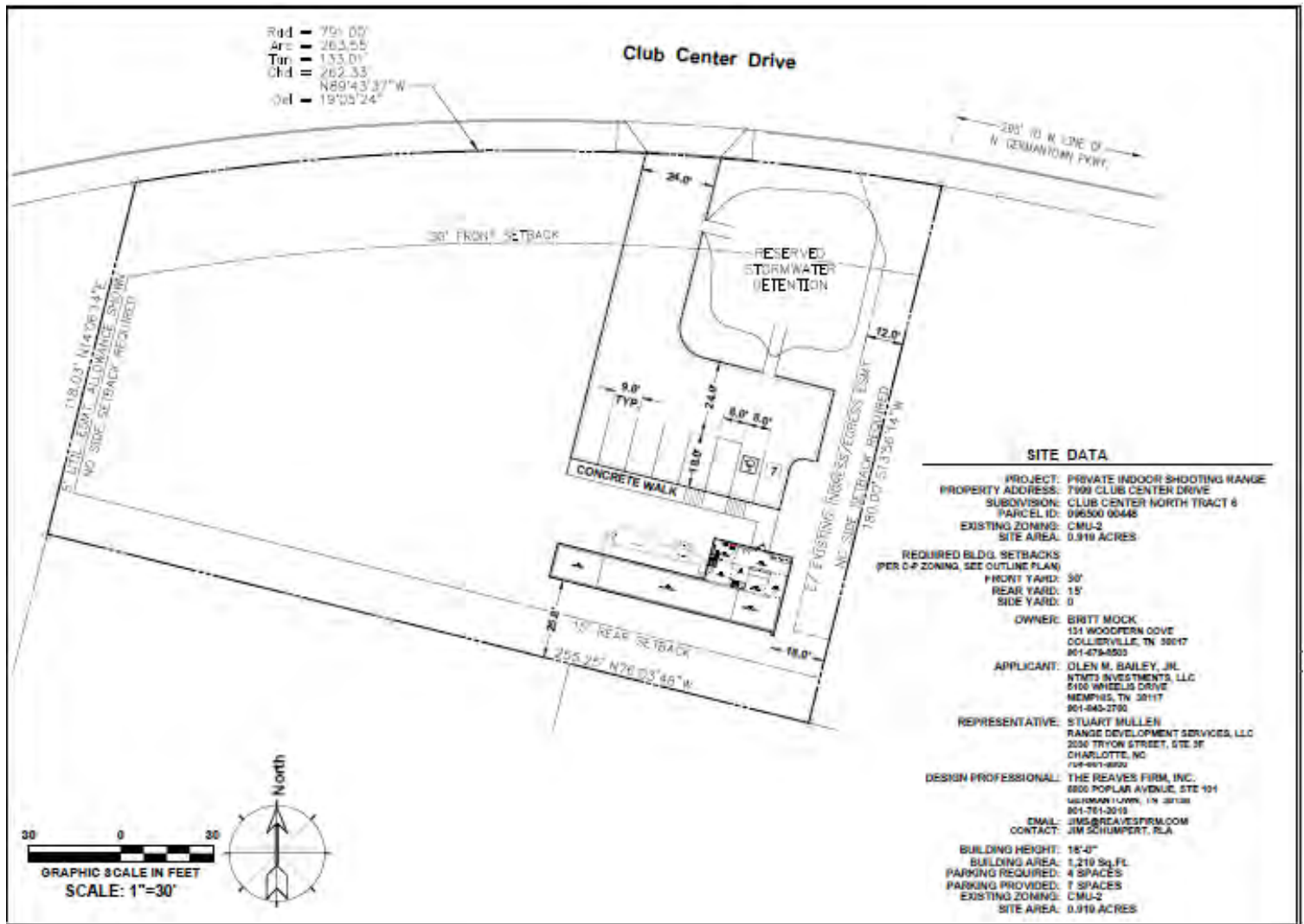
O. W. WINSETT DEVELOPER
GRACE & ASSOCIATES, INC. ENGINEER

AREA = 11.09 ACRES
DATE, AUGUST, 1993
PARCEL # 02-8-101
SHEET 1 OF 3

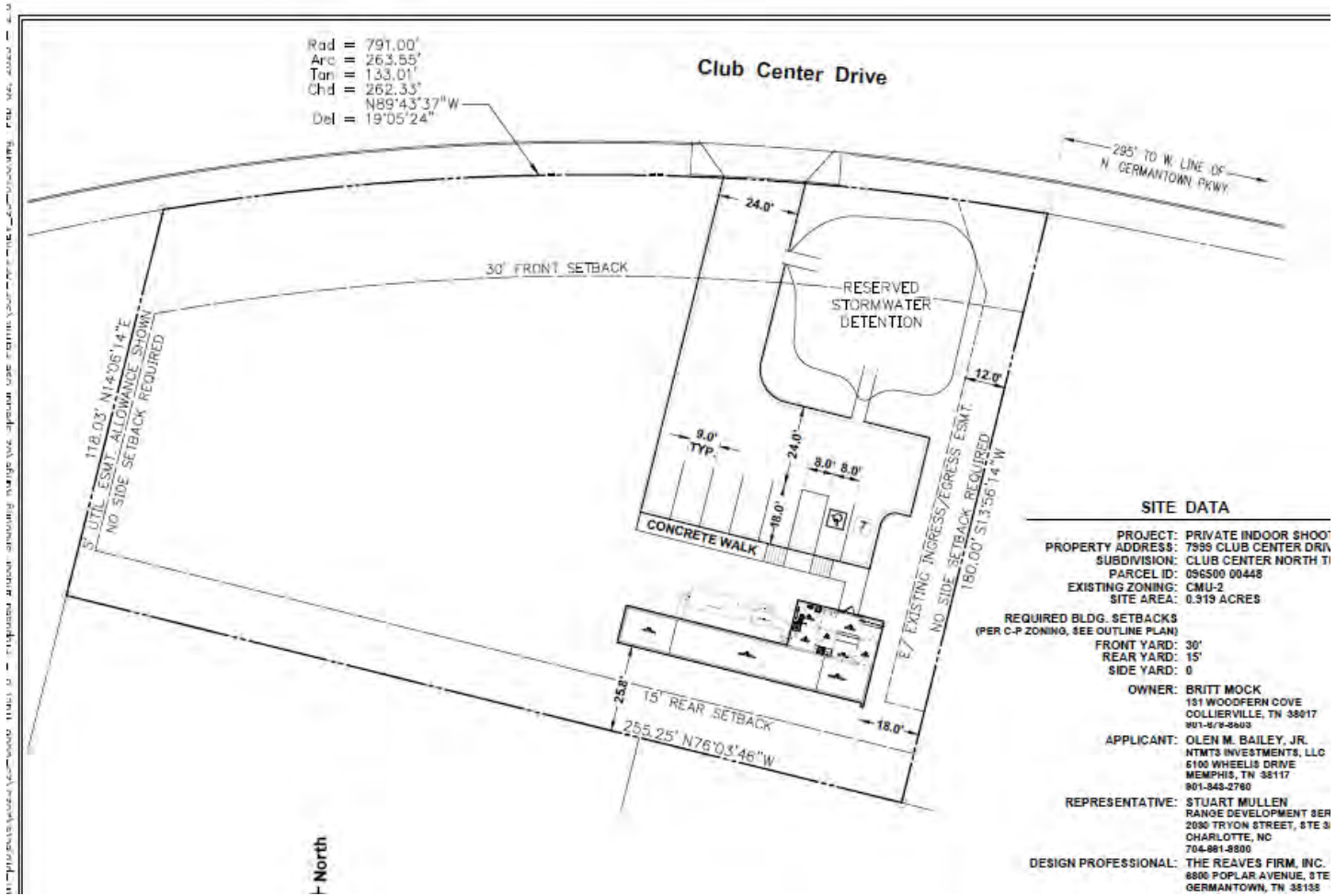
TRACT 6 HIGHLIGHTED IN YELLOW

Tract 6 highlighted in yellow

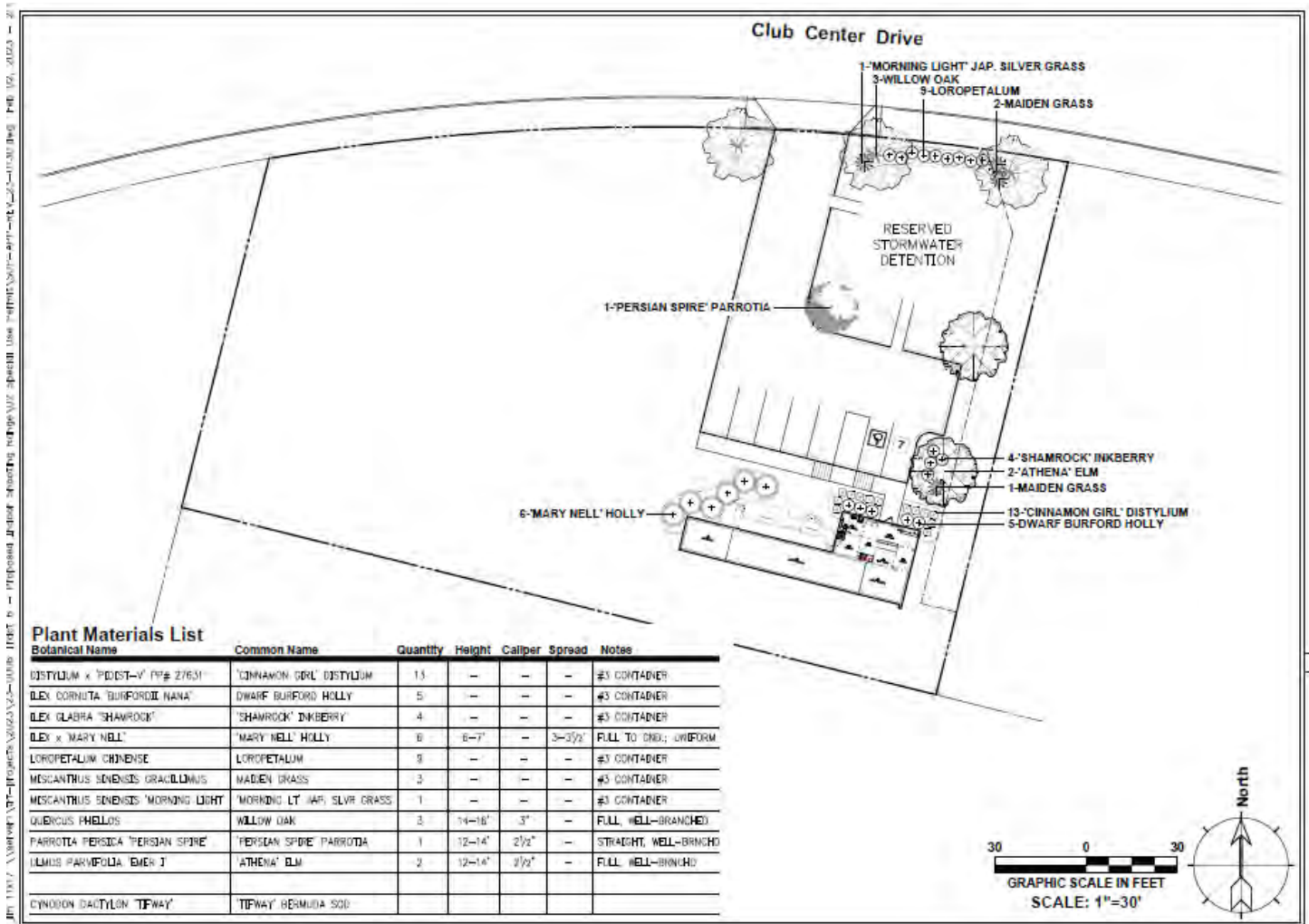
SITE PLAN



SITE PLAN (ZOOMED)



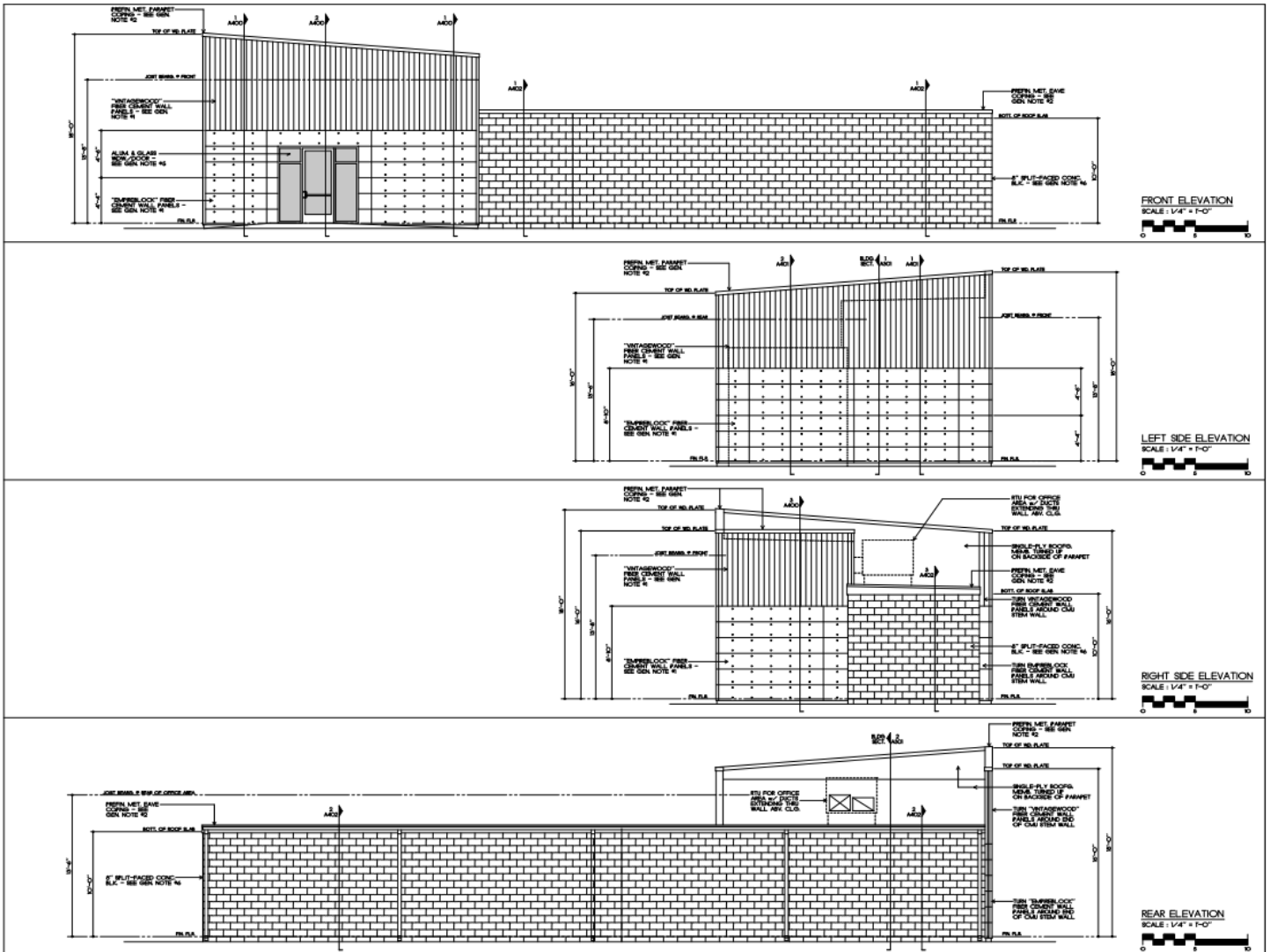
SITE PLAN - LANDSCAPING



Plant Materials List

Botanical Name	Common Name	Quantity	Height	Caliper	Spread	Notes
DISTYLUM x 'PEDI-VAL' (P# 2763)	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 DRG.; 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.

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,

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.

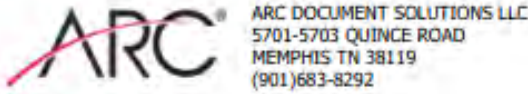
Mia McVior
Notary Public



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.ARCFORMOTE.COM/P/67761C61-77FE-4945-A65E-5RDB37FA421A](https://pay.arcformote.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.

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
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Payment Information

Payment Amount	Method of Payment
\$513.00	Credit Card

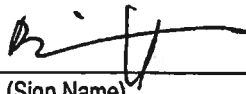
MEMPHIS AND  DIVISION OF PLANNING
SHELBY COUNTY  AND DEVELOPMENT

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

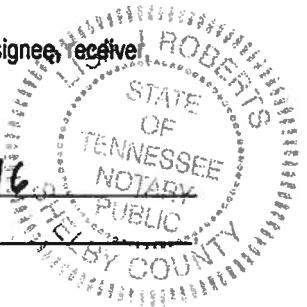
I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit).

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.

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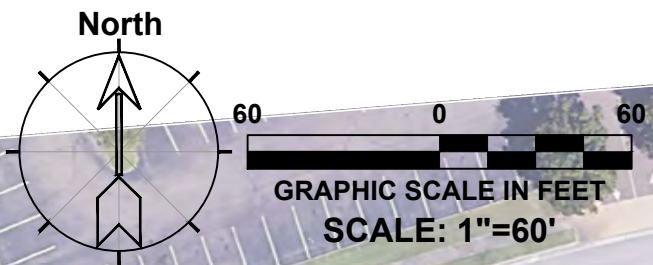
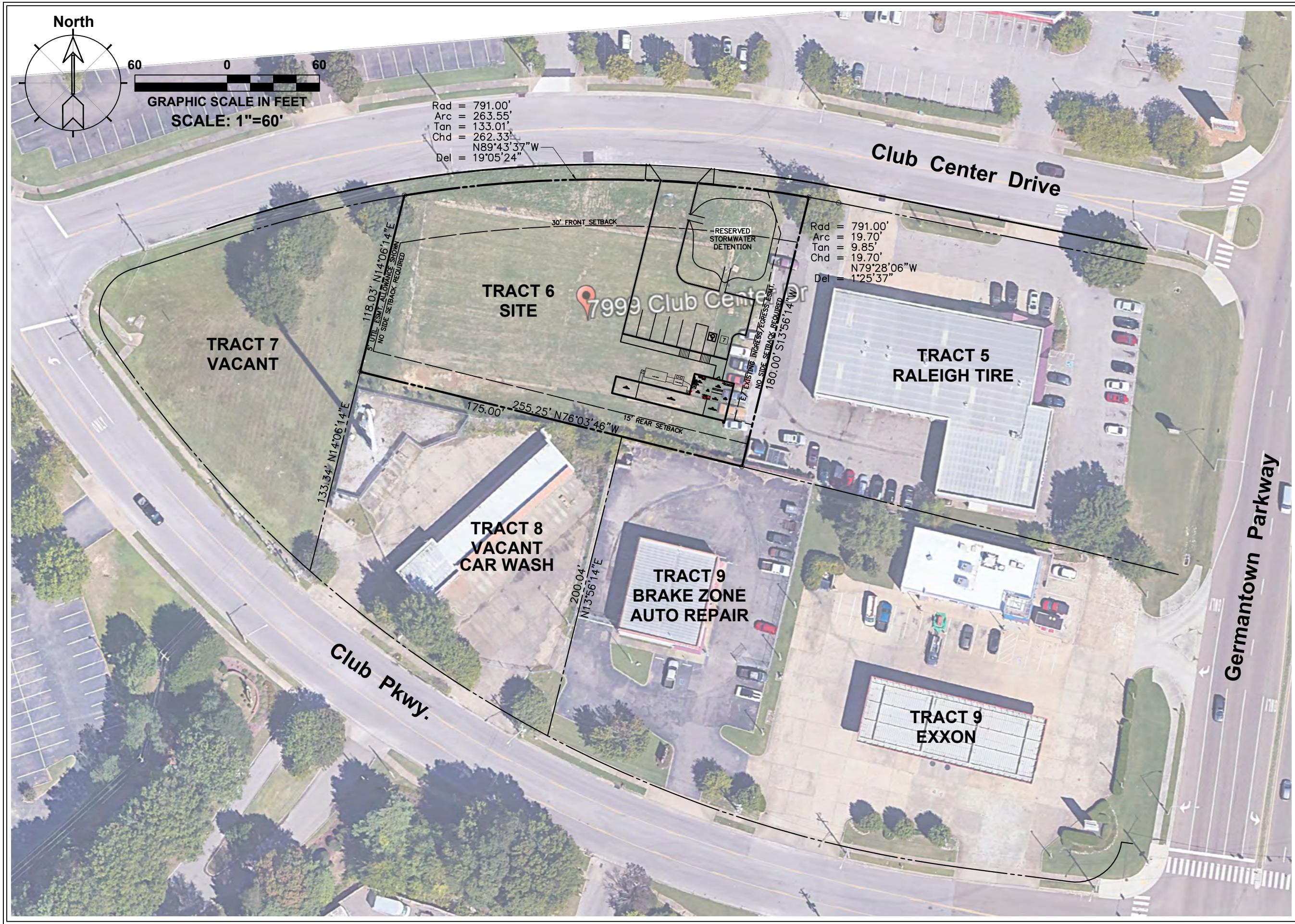
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We believe this is a compatible use with the surrounding neighborhood. Your consideration of this application is greatly appreciated.

Sincerely,

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



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

Rad = 791.00'
 Arc = 19.70'
 Tan = 9.85'
 Chd = 19.70'
 Del = 1°25'37"



**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

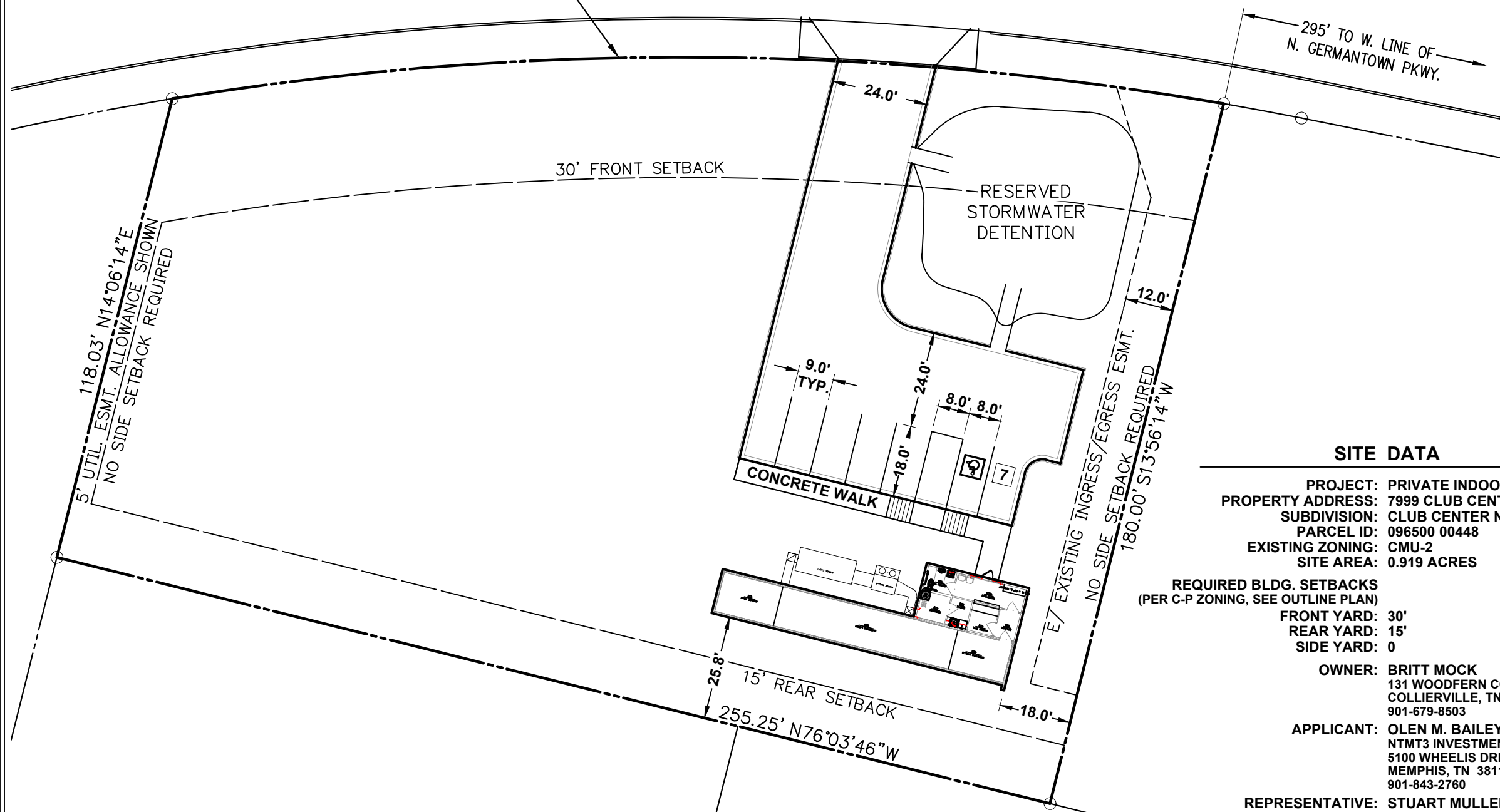
PROJECT NUMBER
23-0006
SHEET NUMBER

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



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"=30'

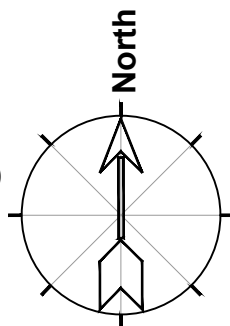
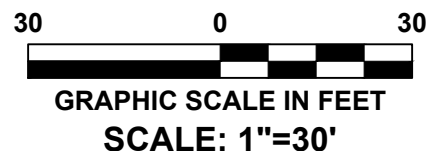
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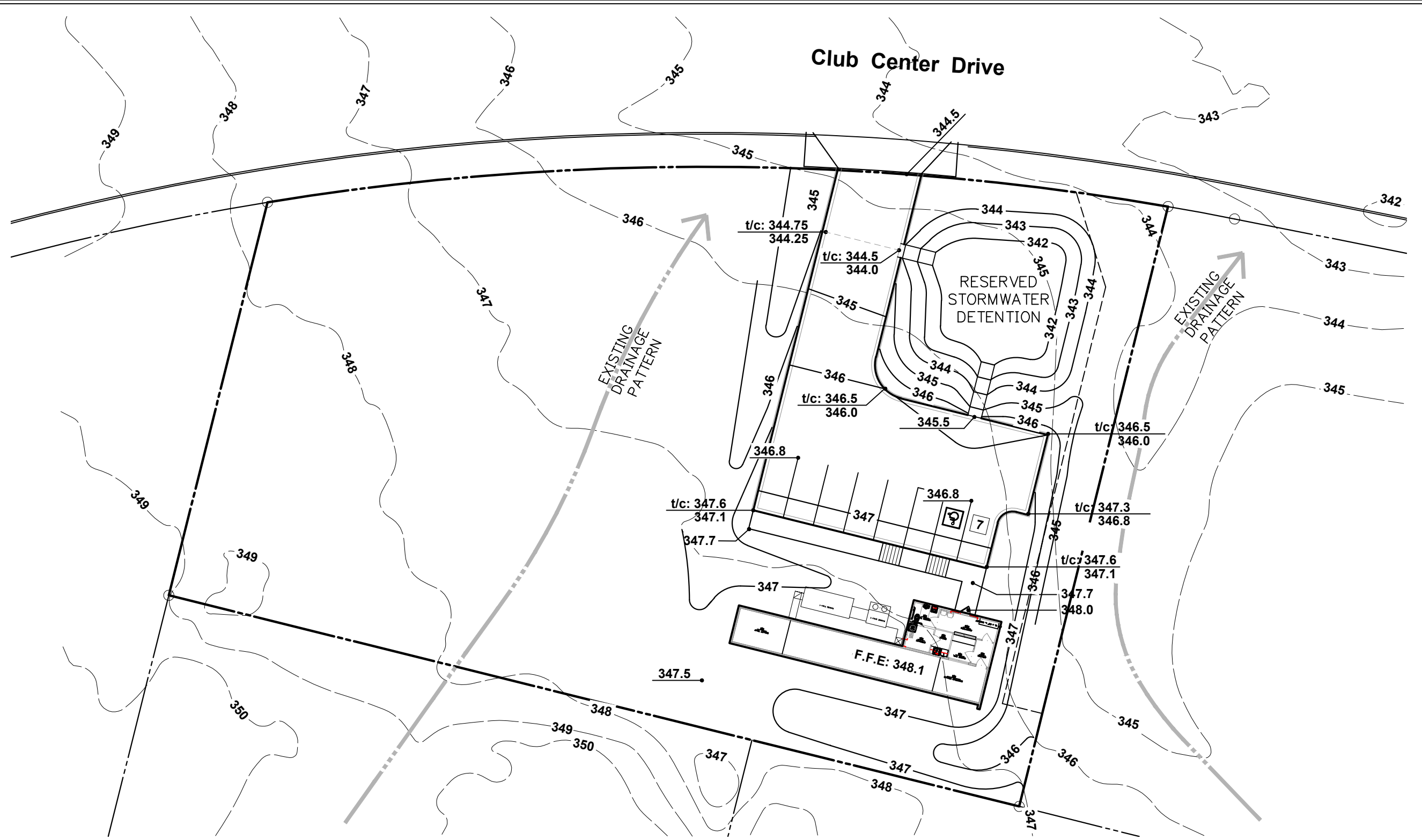
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23-0006

SHEET NUMBER

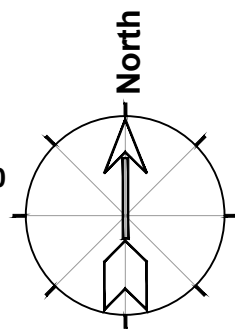
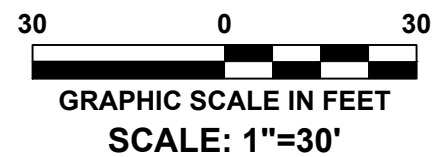
C2.1

DATE OF THIS PRINTING
 02/02/2023





**TOPOGRAPHIC INFORMATION
HAS BEEN OBTAINED FROM
THE SHELBY COUNTY REGISTER'S
INTERNET SITE - WHILE NOT GUARANTEED
ACCURATE IS DEEMED TO BE SUFFICIENT
FOR CONCEPTUAL / PRELIMINARY USE**



**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**

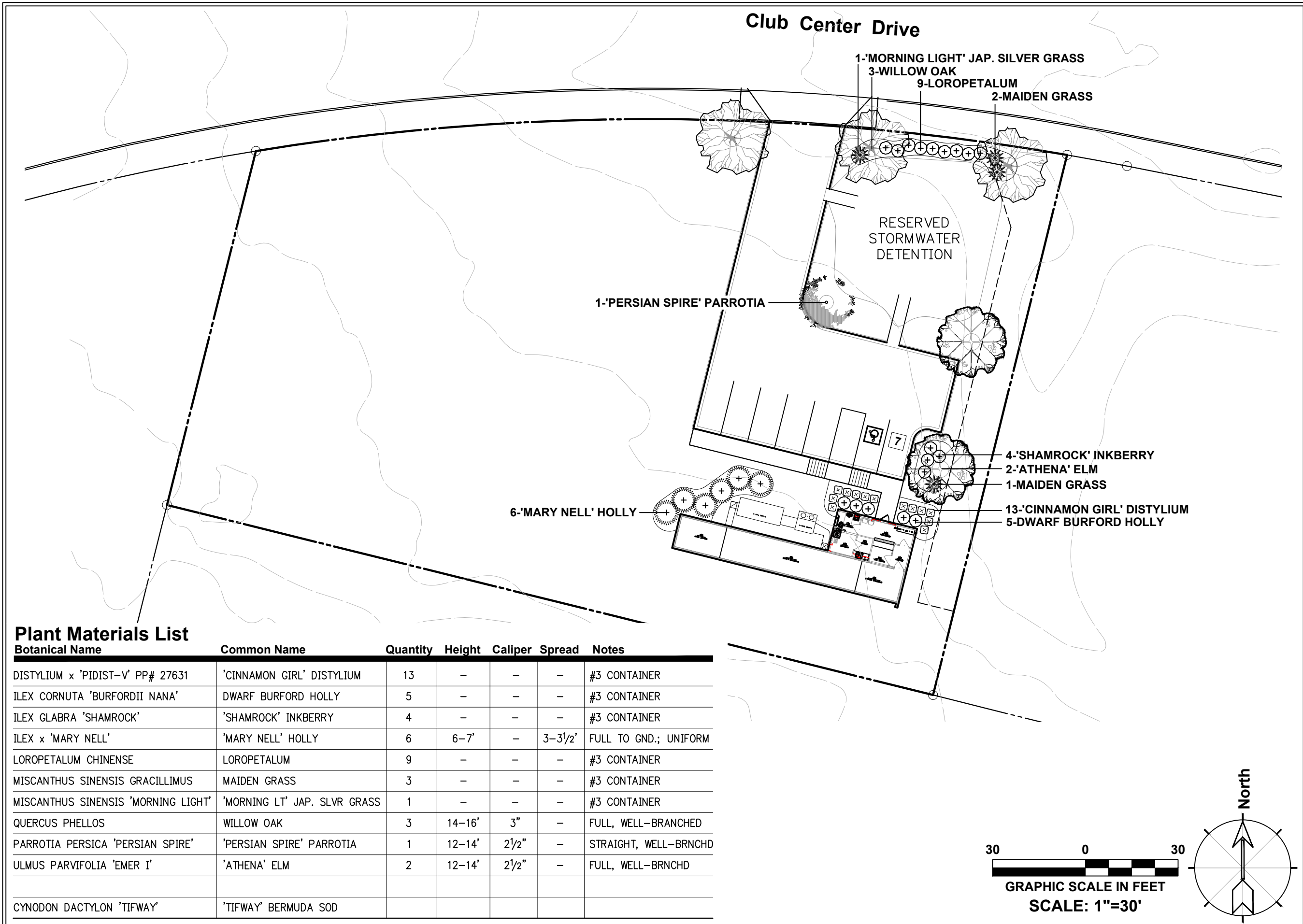
PREPARED FOR
RANGE DEVELOPMENT SERVICES, LLC

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

**SHEET TITLE
PRELIMINARY
GRADING PLAN**

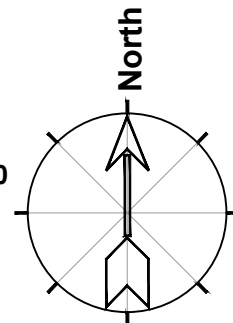
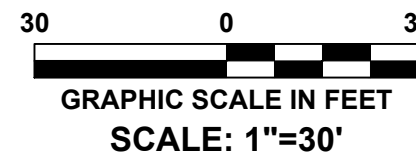
**PROJECT NUMBER
23-0006
SHEET NUMBER**

C2.2
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-BRANCHED
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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**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



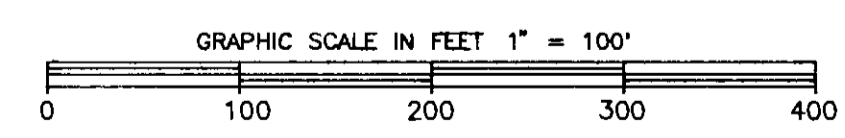
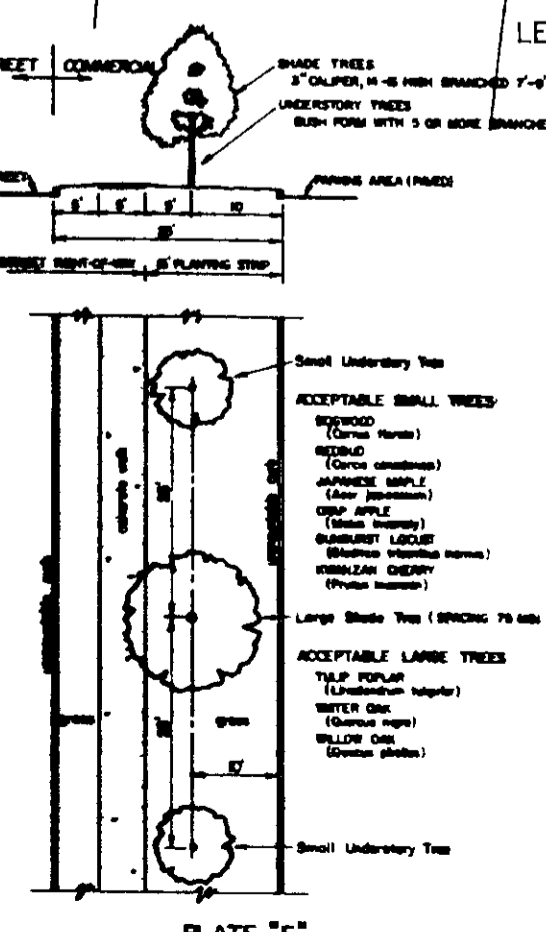
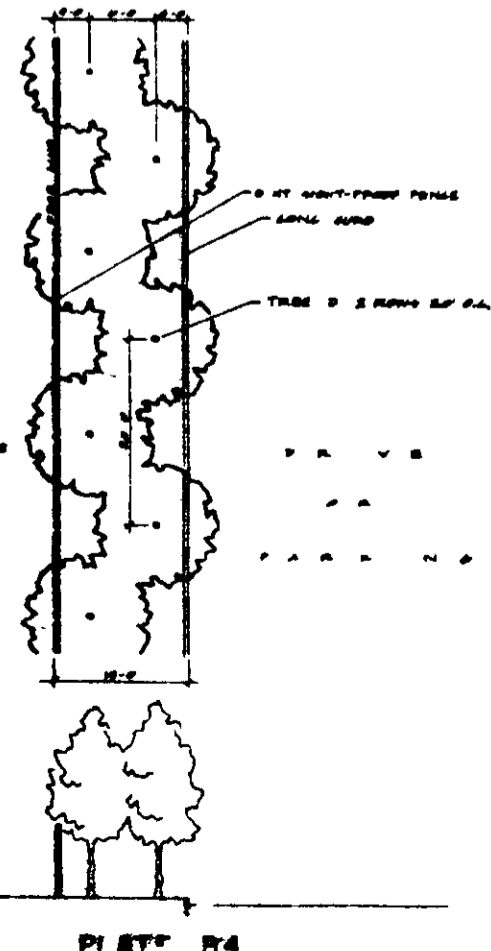
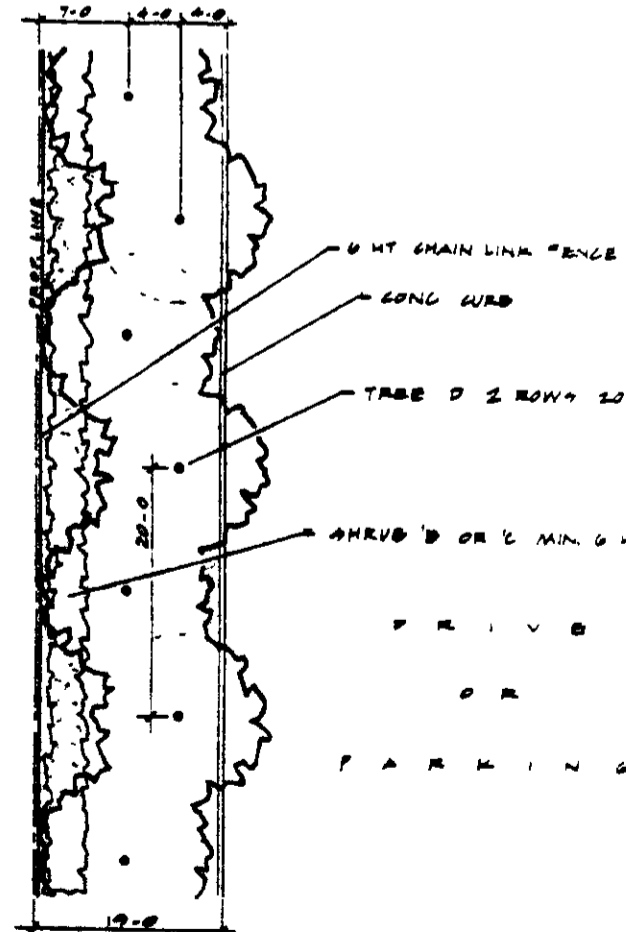
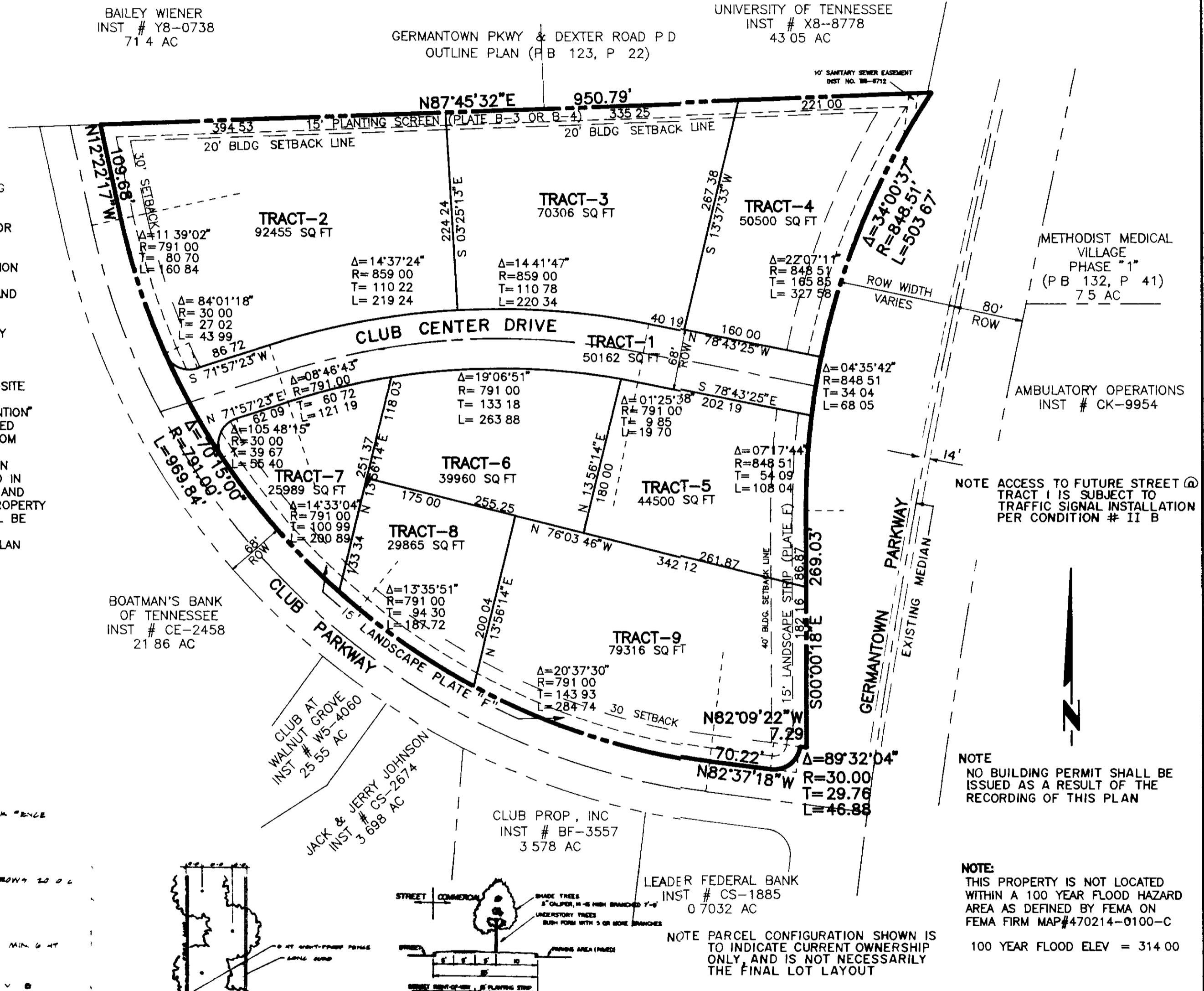
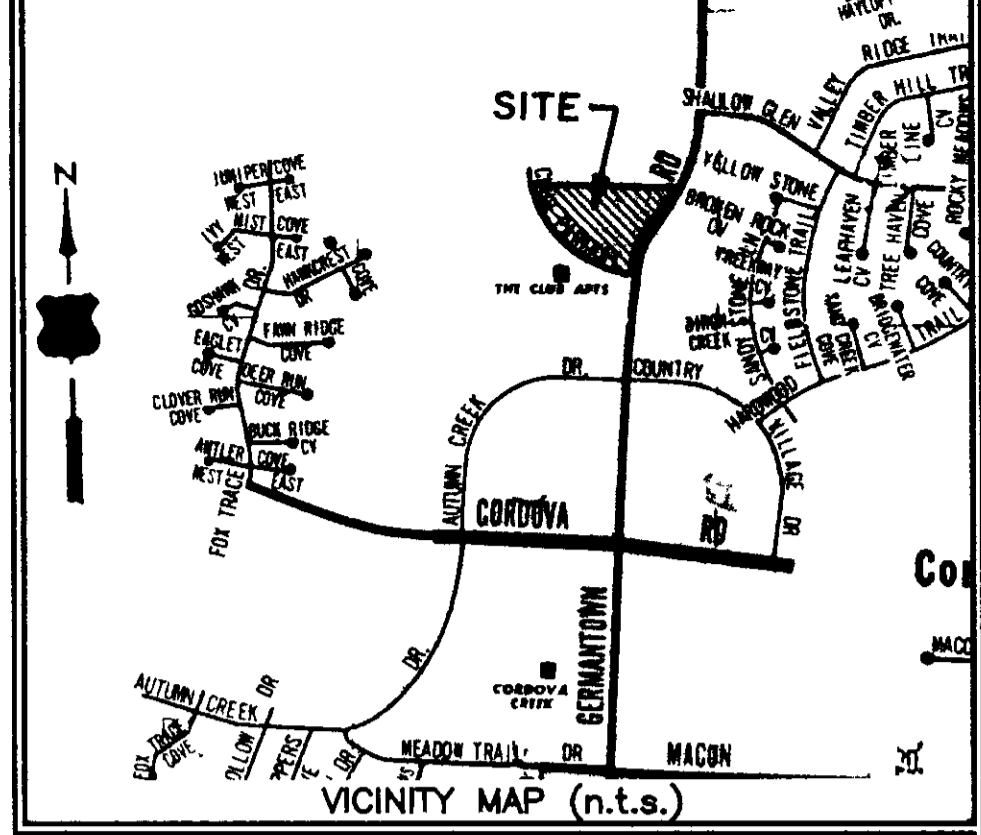
DU 3608
 PURE BOOK 143, PAGE 20
 RECORDING FEE -
 DATE: 8-19-93
 TIME: 9:49 AM
 STATE OF TENNESSEE
 SHELBY COUNTY
[Signature]

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



AMENDED GENERAL PLAN
 Z 93-120 CC
 (FORMERLY Z 92-142 CC, Z 88-III CC)
CLUB CENTER NORTH
 SHELBY COUNTY, TENNESSEE

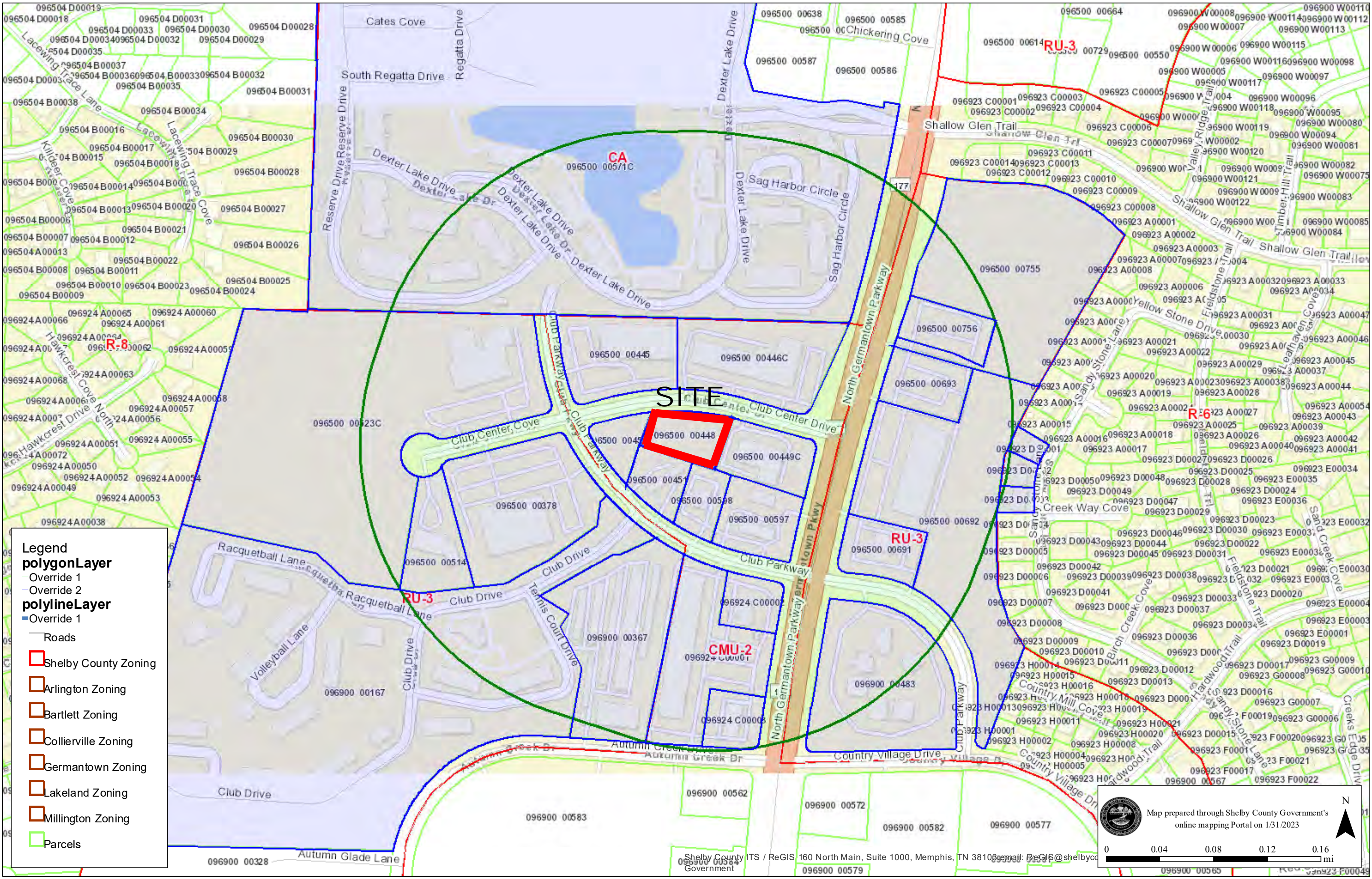
O. W. WINSETT DEVELOPER
 GRACE & ASSOCIATES, INC. ENGINEER
 AREA = 11.09 ACRES
 DATE AUGUST, 1993
 PARCEL # D2-8-101
 SHEET 1 OF 3

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


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: PARCEL CONFIGURATION SHOWN IS TO INDICATE CURRENT OWNERSHIP ONLY, AND IS NOT NECESSARILY THE FINAL LOT LAYOUT



- 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

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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

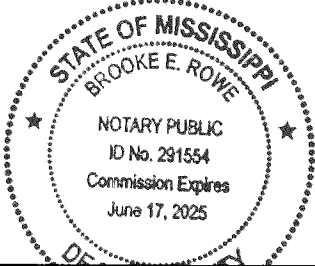
3 PGS

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: right;"><i>[Signature]</i> Affiant</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME, THIS 28th DAY OF February, 2022</p> <p style="text-align: right;"><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 HEREAFTER NAMED GRANTEE, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, RALEIGH TIRE SERVICE, INC., A TENNESSEE CORPORATION, HEREAFTER CALLED THE GRANTOR HAS BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO BRITT MOCK, a married man, HEREAFTER 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

BW Bridgforth

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

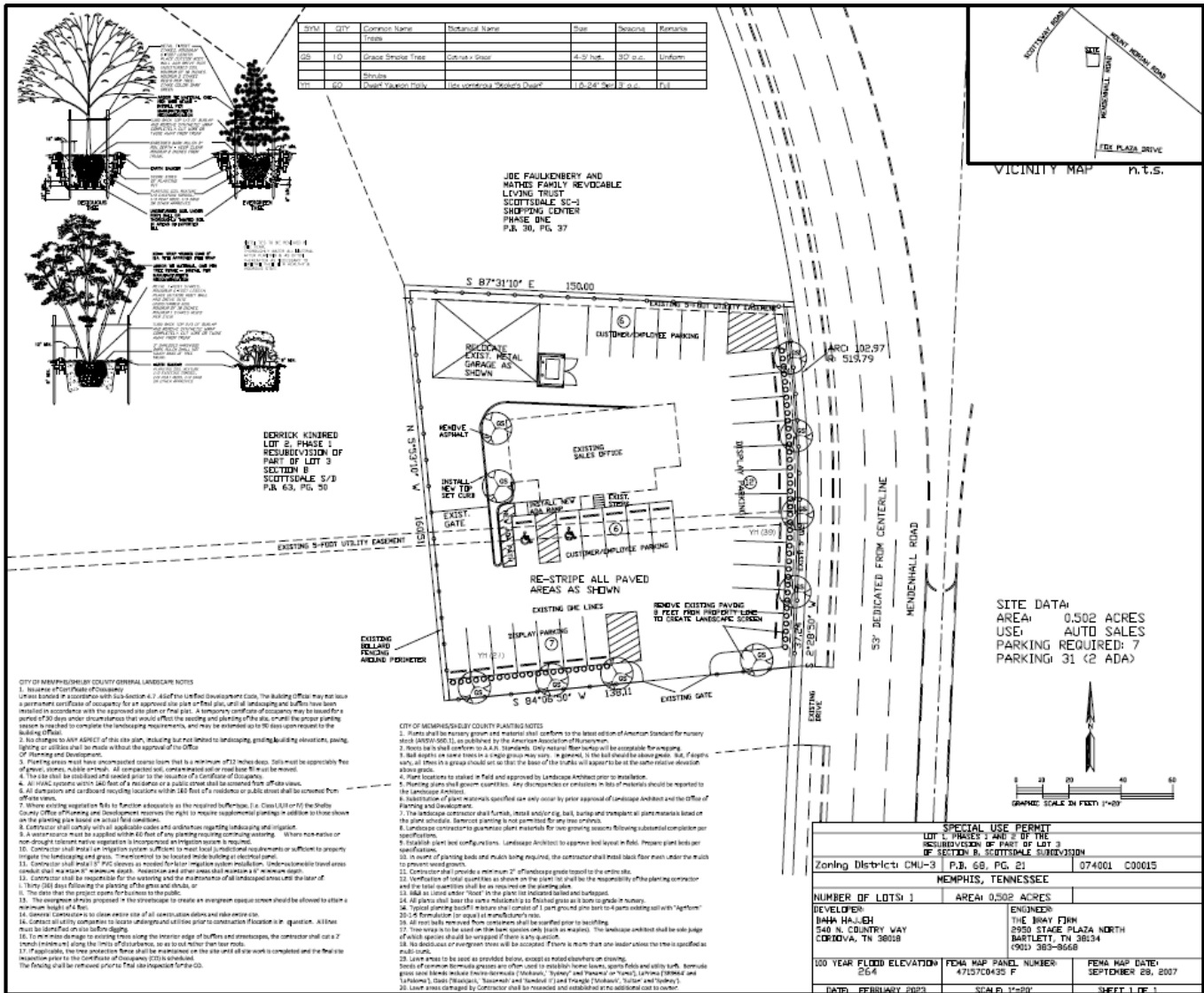
CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement

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		

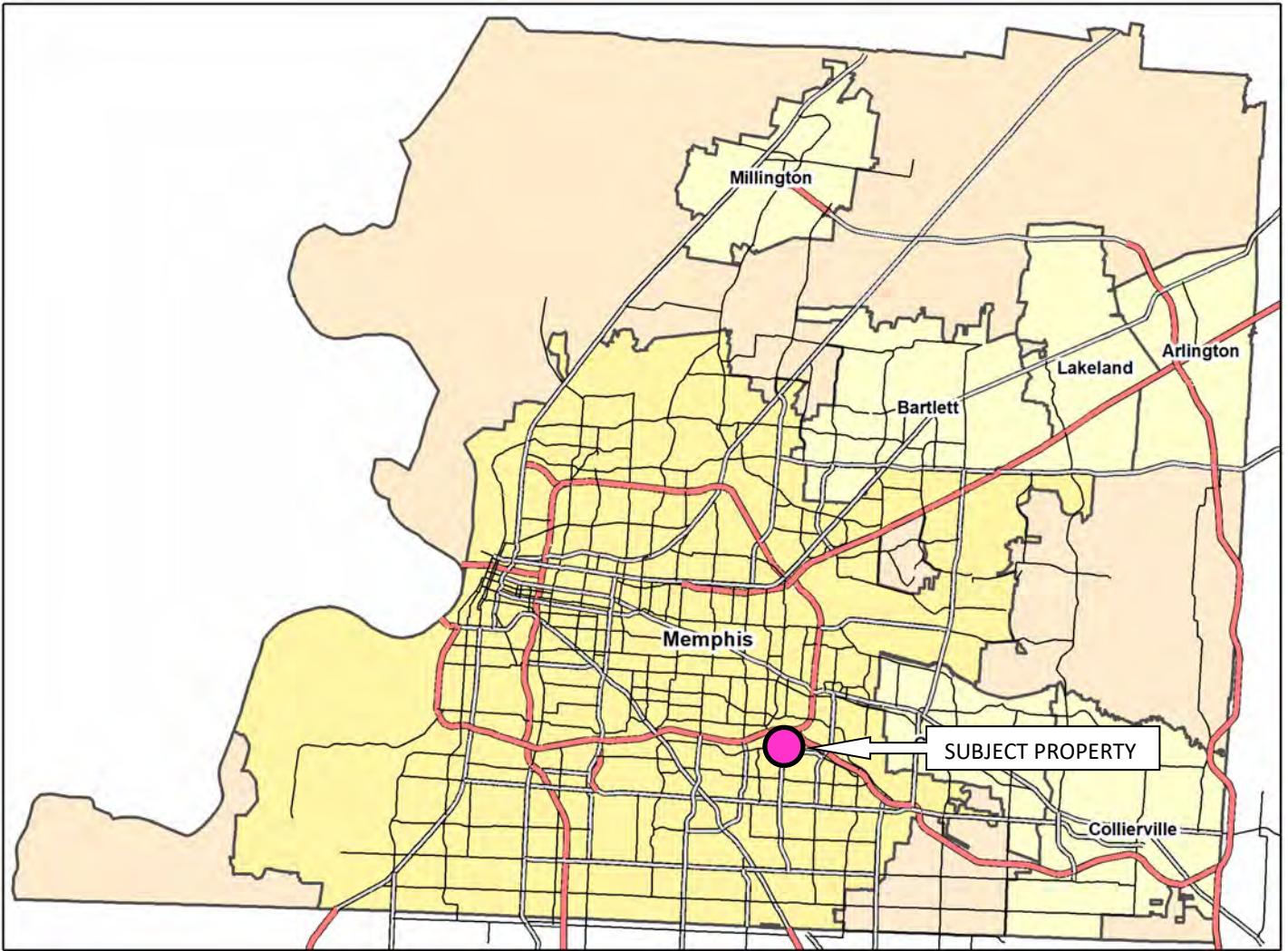
NEIGHBORHOOD MEETING

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

PUBLIC NOTICE

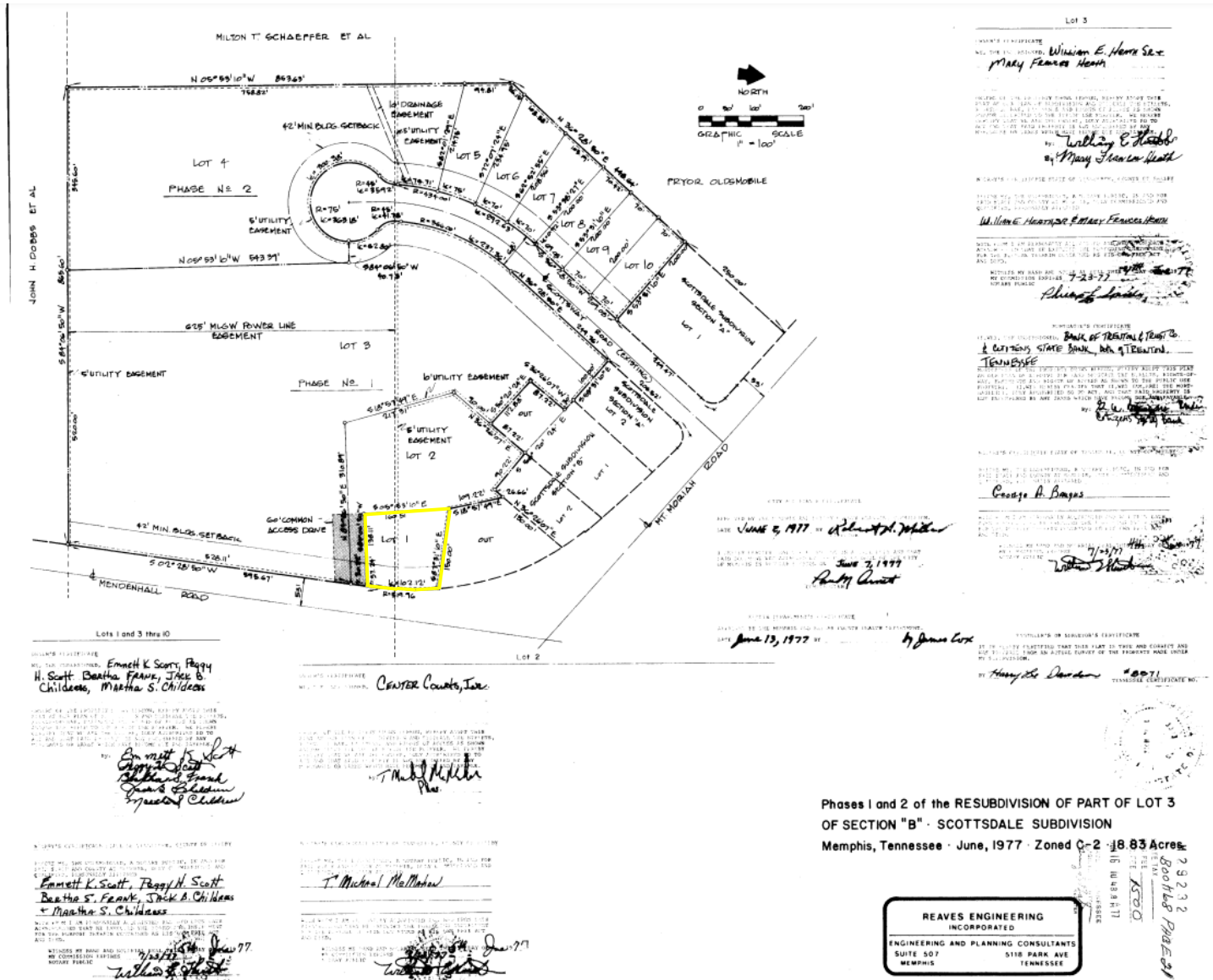
In accordance with Sub-Section 9.3.4A of the Unified Development Code, notice of public hearing is required to be mailed and posted. 28 notices were mailed on February 27, 2023, and one notice posted at the subject property. The sign affidavit has been added to this report.

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 SCOTTSDALE SUBDIVISION (1977)

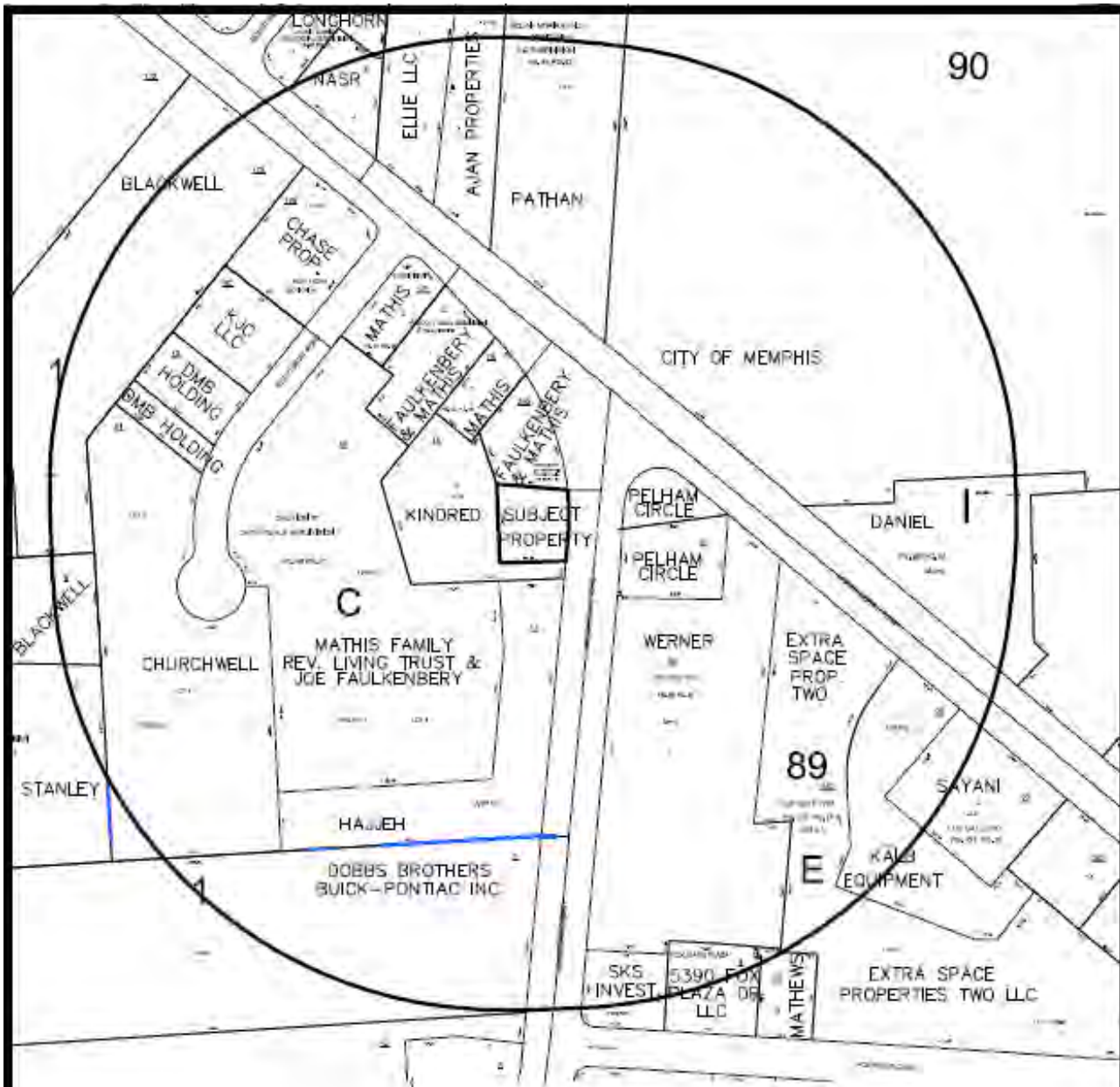


Subject property is Lot 1.

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.

VICINITY MAP



**SUP APPLICATION – 2607 S. MENDENHALL
APPLICANT: BAHJA HAJJEH**

MEMPHIS, TENNESSEE

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES
2950 STAGE PLAZA NORTH
BARTLETT, TENNESSEE
FEBRUARY 2, 2023

TELEPHONE 901-383-8668
E-MAIL dbray@comcast.net

SCALE 1"=300'

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)

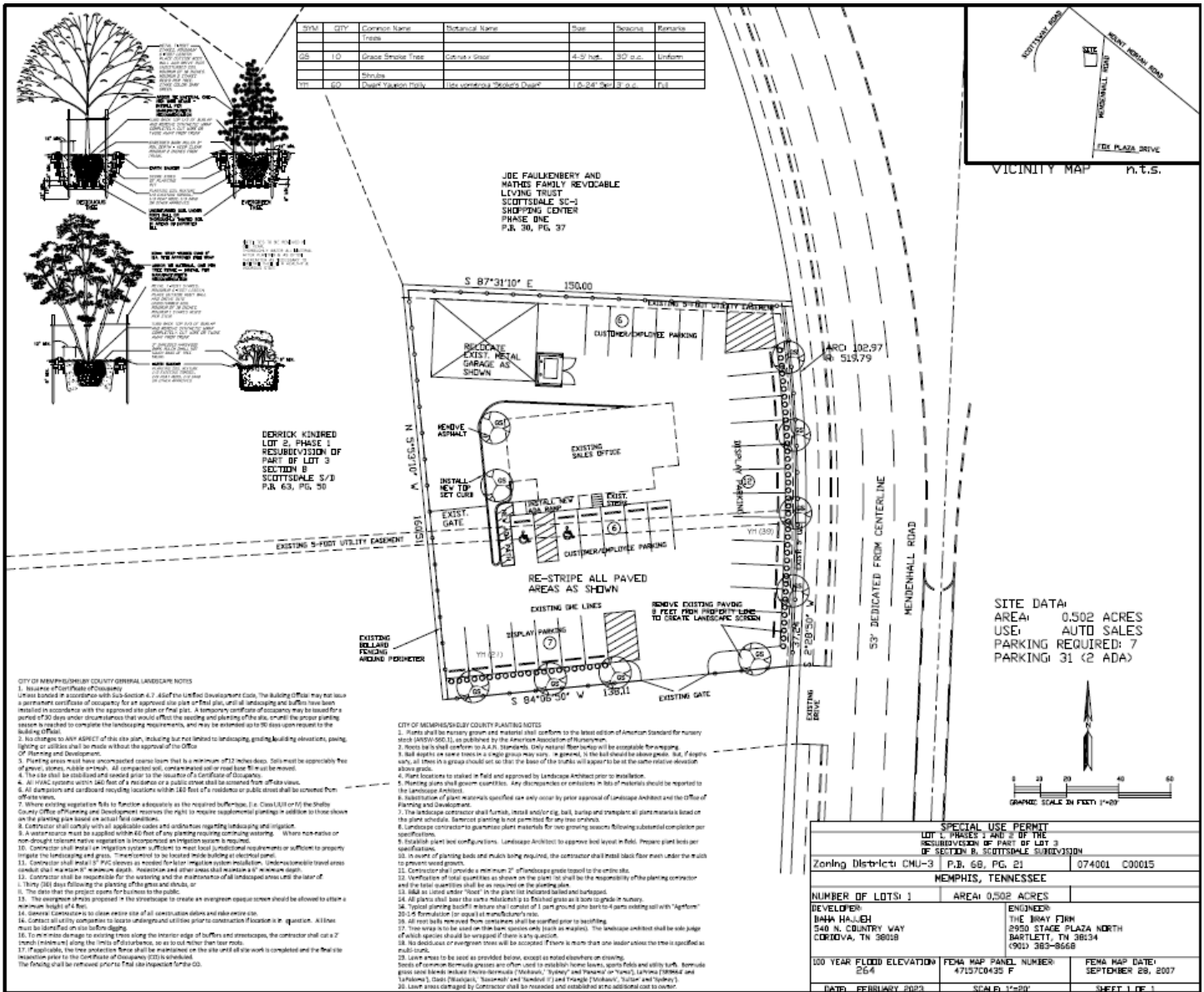


Rear of garage within utility easement. Note outdoor storage.



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.

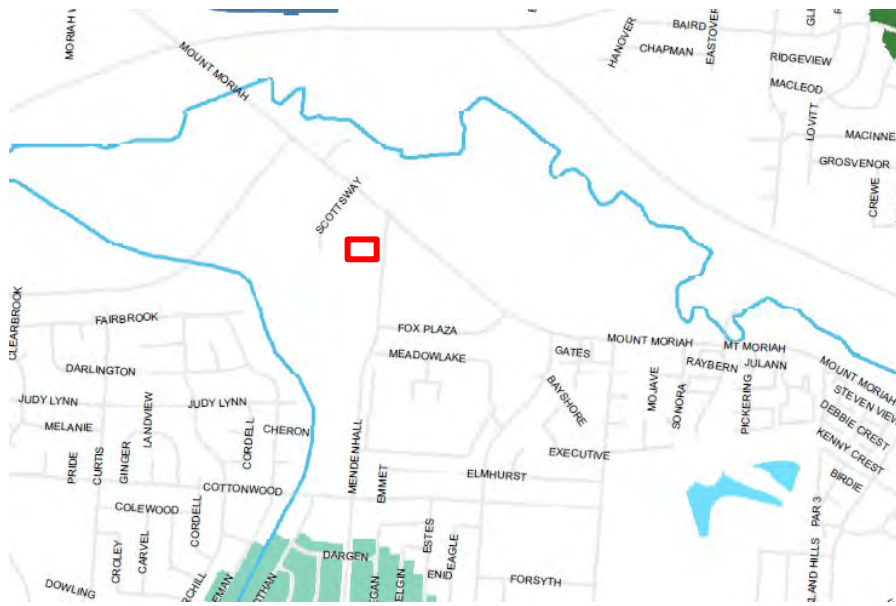
Existing, Adjacent Land Use and Zoning

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
 C

Downtown Fire District

No

Historic District

-

Land Use

COMMERCIAL
 MEMPHIS

Municipality

-

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
\$513.00

Method of Payment
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

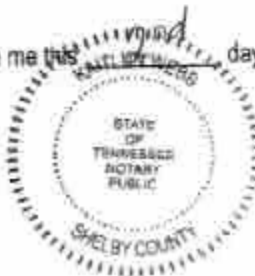
"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

- 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 9th 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 KOKMEWAKALIK RD 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.

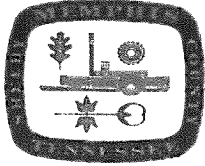
[Signature]
Notary Public

My commission expires: 10/30/2023



LETTERS RECEIVED

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



A Resolution to amend the Fiscal Year 2023 CIP Budget by accepting and appropriating additional Railroad Safety Improvement funds from the Tennessee Department of Transportation (TDOT) for Railroad Safety Improvements at Various Locations (EN01070)

WHEREAS, the City of Memphis, Division of Engineering has received notification from the Tennessee Department of Transportation (TDOT) related to required safety improvements at various railroad crossing throughout the City; and

WHEREAS, the City of Memphis will enter into a grant agreement with the Tennessee Department of Transportation (TDOT) to provide railroad safety improvements at (9) crossings; and

WHEREAS, it is necessary to accept Two Million, Three Hundred Fifty-Four Thousand, Three Hundred Thirty Dollars and 00/000 (\$2,345,330.00) in additional grant funding and amend the Fiscal Year 2023 CIP Budget for Railroad Safety Improvements at Various Locations (EN01070) to move to the construction phase on various projects; and

WHEREAS, it is necessary to appropriate the additional funding in the amount of Two Million, Three Hundred Fifty-Four Thousand, Three Hundred Thirty Dollars and 00/000 (\$2,354,330.00) for Railroad Safety Improvements at Various Locations (EN01070)

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that additional Railroad Safety Improvement funding in the amount of Two Million, Three Hundred Fifty-Four Thousand, Three Hundred Thirty Dollars and 00/000 (\$2,354,330.00) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the fiscal year 2023 CIP Budget be and is hereby amended by appropriating the Expenditures and Revenues for Railroad Safety Improvements at Various Locations in the amount of Two Million, Three Hundred Fifty-Four Thousand, Three Hundred Thirty Dollars and 00/000 (\$2,354,330.00) as follows:

<u>Revenue</u>	
Tennessee Department of Transportation	\$2,354,330.00
<u>Expenditure</u>	
Contract Construction	\$2,354,330.00



Memphis City Council Summary Sheet

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

This resolution amends the FY23 CIP Budget by accepting and appropriating additional Railroad Safety Improvement funds from TDOT for Railroad Safety Improvements at Various Locations.

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

This project is being initiated by the Division of Engineering.

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

This project does not involve a change to an existing ordinance or resolution.

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

This project is located in various council districts.

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

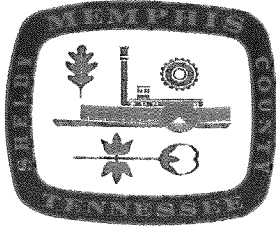
A Grant Agreement with the Tennessee Department of Transportation will be required.

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

This project does require an amendment to the FY 2023 CIP Budget.

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

The MWBE Goal for this project has not been set at this point.



A resolution to accept, allocate, and appropriate Federal grant funds in the value of \$362,029.35 under A/E and Construction for the project; and allocate and appropriate \$90,507.34 in GO Bonds for a local match under A/E and Construction for a total of \$452,536.69 for EN01064 – Range Line Rd. Sidewalks Project.

WHEREAS, the Tennessee Department of Transportation has awarded additional Federal grant funds in the value of \$452,536.69 under A/E and Construction for EN01064 – Range Line Road Sidewalks; and

WHEREAS it is necessary to accept, allocate, and appropriate Federal grant funds in the value of \$452,536.69 under A/E and Construction for EN01064; and

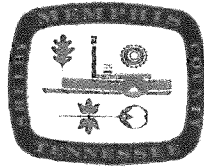
WHEREAS it is necessary to allocate and appropriate a sum of \$90,507.34 in GO Bond funds as a local match; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Capital Budget be and is hereby amended by accepting, allocating, and appropriating Federal grant funds in the value of \$452,536.69 as well as allocating and appropriating \$90,507.34 in GO Bond funds for EN01064 – Range Line Road Sidewalks.

BE IT FURTHER RESOLVED that there be and is hereby appropriated the sum of \$452,536.69 to the Fiscal Year 2023 Capital Budget and credited as follows:

Project Title:	Range Line Road Sidewalks
Project Number:	EN01064
Total Amount:	\$362,029.35 (Federal Grants CIP at Architecture/Engineering and Contract Construction)

Project Title:	Range Line Road Sidewalks
Project Number:	EN01064
Total Amount:	\$90,507.34 (GO Bonds at Architecture/Engineering and Contract Construction)



Memphis City Council Summary Sheet

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

This is a resolution to accept, allocate, and appropriate Federal grant funds in the value of \$362,029.35 under A/E and Construction for the project; and allocate and appropriate \$90,507.34 in GO Bonds for a local match under A/E and Construction for a total of \$452,536.69 for EN01064 – Range Line Rd. Sidewalks Project.

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

This project is being initiated by the Division of Engineering.

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

This project does not involve a change to an existing ordinance or resolution.

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

Capital improvements in District 7 and Super Districts 8.

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

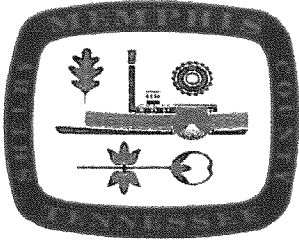
Amends an existing grant agreement with the Tennessee Department of Transportation for EN01064 to award additional A/E and Construction funds.

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

Appropriation will require an amendment to the FY23 Capital Budget to appropriate funds in the sum of \$452,536.69.

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

This request is to appropriate \$452,536.69 for the EN01064. The Goal setting committee will set an MWBE participation goal of 8% in accordance with TDOT's procedures. The award for Construction has not yet been made.



Memphis City Council Summary Sheet

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

Resolution to reallocate appropriate funding for Solid Waste collections activity. The City has seen an increase of 240% bulk waste collection volume from 2015 to 2022, This resulted in higher expense in supplemental collection. The increased cost resulting from emergency contract for Area E was not included in the FY23 budget and must be accounted. Overtime expense has increased due to vacancies, with some supplemental staffing also appearing in miscellaneous professional services. Diesel and shop charges have increased with inflation and market volatility and need adjustment.

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

This is initiated by Solid Waste Division.

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

The funding is available in the FY2023 Solid Waste Budget. The funds must be reallocated.

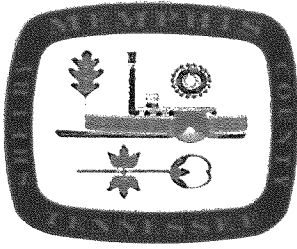
3. State whether this requires a new contract, or amends an existing contract, if applicable.

The collections contract to replace the emergency agreement will be bid and awarded in FY24.

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

Approval will require amendment to reallocate funds in FY2023 Operating Budget. No additional city funds are required.

Same night meeting minutes requested.



This is a resolution to reallocate appropriate funding for Solid Waste collections activity. The City has seen an increase of 240% bulk waste collection volume from 2015 to 2022. This resulted in higher expense in supplemental collection. The increased cost resulting from emergency contract for Area E was not included in the FY23 budget and must be accounted. Overtime expense has increased due to vacancies, with some supplemental staffing also appearing in miscellaneous professional services. Diesel and shop charges have increased with inflation and market volatility and need adjustment.

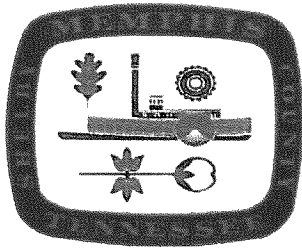
WHEREAS, the City of Memphis Division of Solid Waste is committed to the improvement of quality of life for all citizen of the City of Memphis. This allows collections of waste in all areas which includes assistance by the services of an emergency contractor.

WHEREAS, due to service failures in Area E, the Solid Waste Division acquired the assistance by the service of an emergency contractor. The Area E contract was not finalized until after FY23 budget was approved.

WHEREAS, it is necessary to appropriate funding for \$7,537,575.00 for Solid Waste collections activity. The Area E contract was not finalized until after FY23 budget was approved. The increased cost resulting from emergency contract for Area E was not included in the FY23 budget and must be accounted. Overtime expense has increased due to vacancies, with some supplemental staffing also appearing in miscellaneous professional services. Diesel and shop charges have increased with inflation and market volatility and need adjustment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2023 Budget be and is hereby amended by allocating \$7,537,575.00 for services rendered for solid waste collections activity.

BE IF FURTHER RESOLVED, that the Fiscal Year 2023 Operating Budget be and is hereby amended by appropriating the expenditures for the Solid Waste Division in the amount of \$7,537,575.00 for payment of supplemental waste collection and other remaining collections activities.



Memphis City Council Summary Sheet

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

Reallocation of Solid Waste Management Fund Balance

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

This is initiated by Solid Waste Division.

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

The funding is available in the Solid Waste Fund Balance. The funds must be reallocated.

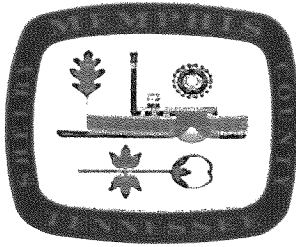
4. State whether this requires a new contract, or amends an existing contract, if applicable.

The emergency contract is being finalized.

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

Approval will require to reallocate funds from Solid Waste Fund Balance. No additional city funds are required.

Same night meeting minutes requested.



Resolution to transfer and appropriate funds for payment of emergency waste collection services.

WHEREAS, the City of Memphis Division of Solid Waste is committed to the improvement of quality of life for all citizen of the City of Memphis. This allows collections of waste in all areas which includes assistance by the services of an emergency contractor.

WHEREAS, the Division of Solid Waste entered into an emergency contract in April 2021, due to outstanding and continued incomplete collection of waste in Area E.

WHEREAS, The Area E collections contract was not finalized until after the budget was approved. The initial Area E contract increased the cost per household for collections to \$30, which has increased contract collections costs. For the remaining months of FY23, the contract is further increasing the cost per household to \$33 due to high fuel costs. Therefore, an additional \$7 million added to the budget from the fund balance is needed in order to cover increased contract costs.

WHEREAS, it is necessary to appropriate \$7,000,000.00 for payment of services to cover increase contract costs.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Solid Waste Fund Balance be and is hereby amended by transferring an allocation \$7,000,000.00 for services rendered by the emergency contractor.

BE IF FURTHER RESOLVED, that there be and hereby appropriate the sum of \$7,000,000.00 for payment of supplemental waste collection in Area E.

SOLID WASTE: FUNCTION & FUNDING

City of Memphis
Solid Waste Division

FUNCTION: SOLID WASTE COLLECTIONS

- ~176,000 routed customers
 - ~172,000 residential
 - ~4,000 commercial
- Waste Collected 2022
 - Total - ~410,000 tons
 - MSW - ~231,000 tons
 - Bulk waste - ~179,000 tons
- 2022 Vehicle Usage
 - 244 vehicles
 - ~1,570,000 miles traveled

FUNDING: CURRENT FEES

- Charges
 - Residential (single cart) - \$29.96/month
 - Commercial (two carts) - \$79.64/month
- Annual revenue
 - ~\$76,900,000
 - Residential ~\$68,200,000
 - Commercial ~\$8,700,000
- FY2023 expenditures
 - ~\$77,500,000 budgeted
 - ~\$84,100,00 projected

FUNDING: PARCEL TYPES

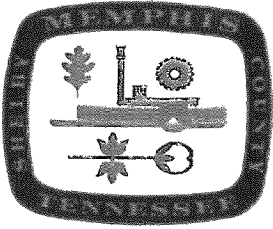
- All Property Types
 - ~245,000 total
 - ~208,000 residential
- Residential Properties
 - ~208,000 residential properties
 - Less ~172,000 already serviced
 - ~36,000 un-serviced residential properties

FUNDING: PARCEL BASED FEES

- Adding ~36,000 parcels to collections
 - \$29.96/location = \$12,942,720/year*
- Current budget forecast costs for ~36,000 parcels
 - ~\$35.86/location = ~\$15,492,000/year*
- Considerations
 - Legality of assessment vs tax needs to be determined
 - Locations would need to be routed and visited weekly – volume would not be consistent
 - Collection from public right of way – no private property access
 - Enforcement for blighted properties still a function of Public Works Division
 - Personnel & equipment needed will be refined once locations are routed
 - Disposal volume & costs can't be projected because of undefined property use

* This revenue assumes 100% collection on these vacant parcels

** This cost does not include initial equipment purchase cost or the lead time to hire sufficient personnel



A RESOLUTION approving a lease agreement for two (2) three (3) year periods and automatic three (3) year renewal periods for the use of the rooftop of the Cornelia Crenshaw Branch Library, 531 Vance Avenue, Memphis, TN 38126, for towers to transmit wireless internet across the Foote Homes neighborhood.

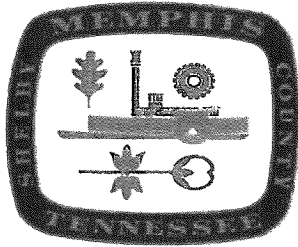
WHEREAS, Phase I of the South City Digital Advancement Initiative aims to connect 1,000 South City households with the internet beginning with the Foote Homes Redevelopment; and

WHEREAS, PCs for People Minnesota, LLC, a non-profit ISP solely focused on helping underserved communities, will partner with Start Co., Protec Solutions, and Microsoft to build an LTE network in South City to provide a fixed wireless solution, ensuring homes in the area have a cost-effective strong, reliable internet connection; and

WHEREAS, three towers will be deployed in the Foote Homes area to cover approximately 360 households with internet speeds of 50/10 mbps with one of the towers being placed on the Cornelia Crenshaw Branch Library; and

WHEREAS, no fees are involved in this lease agreement;

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Memphis approves the lease agreement between the City of Memphis/Memphis Public Libraries and PCs for People Minnesota, LLC, for two (2) three (3) year periods and automatic three (3) year renewal periods for the use of the rooftop of the Cornelia Crenshaw Branch Library, 531 Vance Avenue, Memphis, TN 38126, for towers to transmit wireless internet across the Foote Homes neighborhood.



Memphis City Council Summary Sheet

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

This item is a RESOLUTION approving a lease agreement for two (2) three (3) year periods and automatic three (3) year renewal periods for the use of the rooftop of the Cornelia Crenshaw Branch Library, 531 Vance Avenue, Memphis, TN 38126, for towers to transmit wireless internet across the Foote Homes neighborhood.

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

Memphis Public Library has drafted this resolution and is recommending City Council approval.

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

N/A

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

This project covers the Foote Homes Redevelopment in City Council District 6 and Super District 8.

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

This is a new contract.

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

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

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

N/A



OPPORTUNITY
MEMPHIS

Update

March 2023

ARPA EXPENDITURES

Allocation Category	Project	Expenditure Category	Project Description	Approved Budget	Commitments (Contracts or Confirmed Usage)	Expenditures	Total Commitments and Expenditures	Remaining Balance	Project Completion Status (not including Commitments)
Community Support Services	Manhood /WOWS	2-Negative Economic Impacts	The Manhood University and WOWS programs will encourage, empower, and employ the men and women in Memphis to reach their highest protentional. These programs offer application, resume completion, effective communication skills, preparation for interviews, and credit financial literacy.	2,268,000.00	500,000.00	692,278.59	1,192,278.59	1,075,721.41	30.5%
Community Support Services	OpporYouth	2-Negative Economic Impacts	Employment for youth to increase family income and reduce crime.	1,260,000.00	718,915.12	541,084.88	1,260,000.00	-	42.9%
				3,915,035.00	1,218,915.12	1,620,398.47	2,839,313.59	1,075,721.41	41.4%

Manhood University

To help build character, improve communication, and strengthen leadership skills for men with a six-session program delivered by community partners in a workshop setting covering:

- Purpose of a Man
- Police & Community Relations
- Applications/Resume Completion
- Effective Communication
- Preparing for Interviews/Dress for Success/Mock Interviews
- Learning the Rules of the Game/Credit-Financial Literacy



“I was just promoted last week to Supervisor of Demand Planning. Without Manhood, without you I don’t think I could have gotten out of my way to reinvent myself. You changed my mindset and enabled me to change my life. My success is your success and I just wanted to share that with you. I can’t thank you enough.”

Nehemiah H., *Manhood University Graduate*
(March 2018 Employment Assistant)

”

“I finally got my license; thank you again for your help...my next step is a car.”

Johnnie M., *Manhood University Graduate* (March 2018 Employment Assistant)

Women Offering Women Support (WOWS)

To help build character, improve communication, and strengthen leadership skills for women with a six-session program delivered by community partners in a workshop setting covering:

- Purpose of Women Offering Women Support
- Police & Community Relations
- Applications/Resume Completion
- Effective Communication
- Preparing for Interviews/Dress for Success/Mock Interviews
- Learning the Rules of the Game/Credit-Financial Literacy



“Thank you for your hard work and support. Trust that I will not let W.O.W.S. down”
Linda G., WOWS Graduate
(March 2021 Employment Assistant)

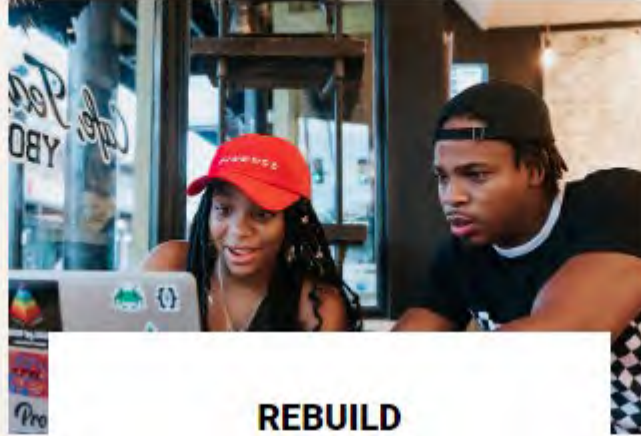
”

“You Just don’t understand what this means to me.”
Ashley H., WOWS Graduate
(March 2021 Employment Assistant)



RETHINK

Think again about what career you may want and how to get there



REBUILD

Obstacles may have delayed your career plans, let us help you build again.



REBRAND

Resumes and interview skills are tools that employers use when making hiring decisions. Let us help you make a lasting impression.

- Opportunity R3 offers a guided path to further education or to workforce readiness for 16- to 24-year-olds.
- Opportunity R3 removes barriers and connects the gap between preparation and opportunity for young people to realize their full potential to transform lives and the stability of communities.

Registration for 19-24 y/o

[Register Now](#)

Session Dates 2023

Jan 23 - Feb 10

Feb 27 - March 17

April 10th - 28th

May 15th - June 2

Registration for 16-18 y/o

[Register Now](#)

Session Dates 2023

Jan 23 - Feb 10

Feb 27 - March 17

April 10th - 28th

May 15th - June 2

OPPORTUNITY
MEMPHIS

Expectations of Opportunity R3

Participants will be offered support to develop a personalized career or education plan with the help of a professional coach to explore their interests, choose a direction, and gain experience. The program will make it easier for the participants to discover their individual interests, skills, and desires for the type of life they would like to build. If participants are not sure what their future holds, the program will help them connect to experiences that will help them figure out what they want to do. This program will help guide you toward the career opportunity of your choice and earn a stipend.

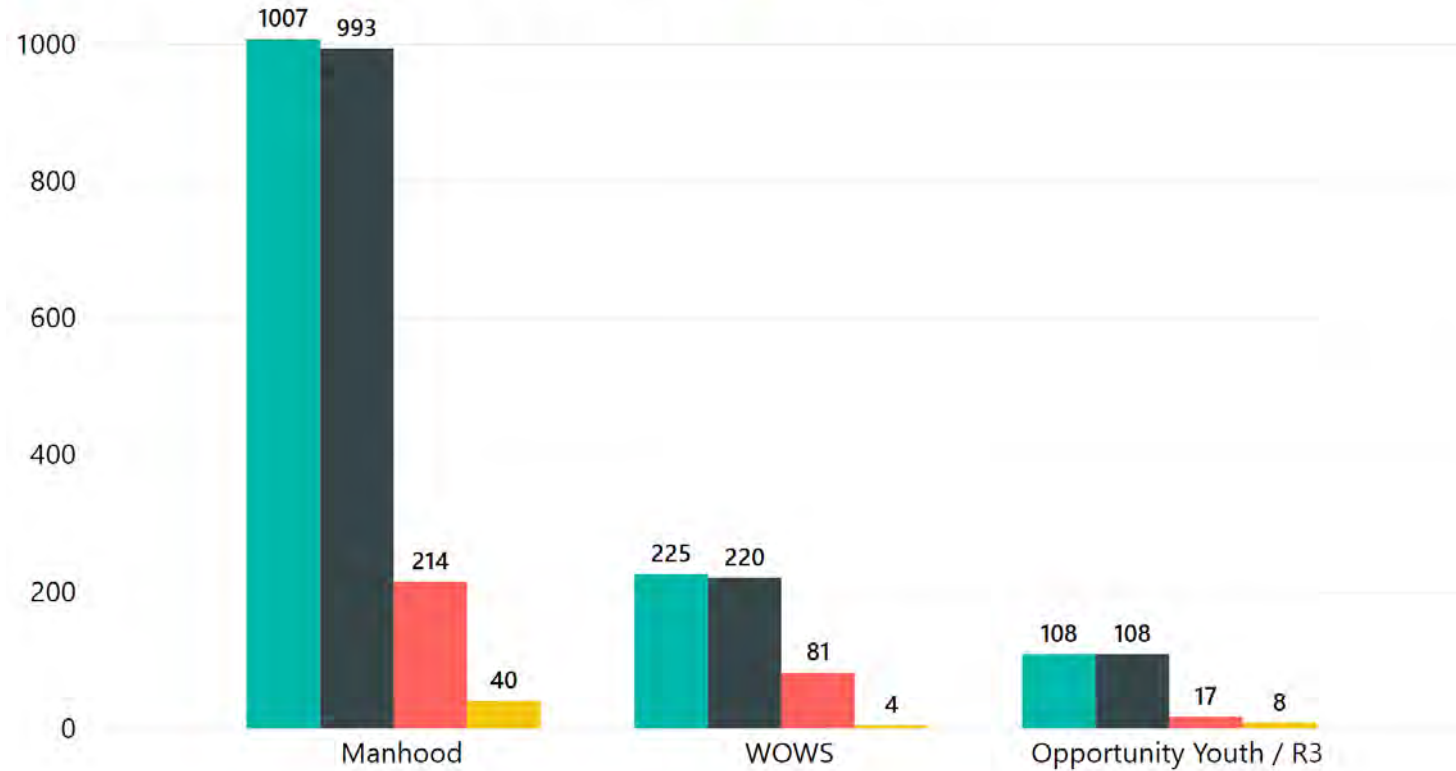
This is a 3-week program with the following course topics:

- ★ The Why, The Goal & Effective Communication
- ★ Financial Management
- ★ Law Enforcement Interaction Apprenticeship
- ★ Soft Skills and Hard Lessons
- ★ Building & Managing a Portfolio
- ★ Job applications
- ★ School registration
- ★ Headshot event
- ★ Mock Interviews

Manhood and WOWS Outcomes - All Participants to Date

Enrollment, Graduation, Job Placement

● Registered ● Graduated ● Employed by End of Program ● Placed in COM Job



3933
Charges Expunged

195
Clean Slaters

203
Driver Licenses Reinstated

312
Employed by End

Opportunity Youth/ R3

Graduation Dates (FY)	Enrolled	Graduated	Employed by End of Program	Placed in COM Job	Admitted /Enrolled HS, GED, or College	State Certifications / Licensures
2023	108	108	17	8	15	6



OPPORTUNITY
MEMPHIS

QUESTIONS

March 2023



Who we are and What we do....

- The Memphis Public Service Corps (MPSC) is a blight remediation program in collaboration with Manhood University, WOW, and R3.
- Our scope of work includes but is not limited to clearing litter, brush, tires from parks, streets, alleys, rights of ways, structures, illegal dumps, etc.



Number of PSC Employees



53 Employees

1 Operations
Manger
2 Supervisors

50 Part-Time Employees
- 4 Lead Foreman
- 12 Foreman (Drivers)
- 34 Crewmembers

Since 8/3/22



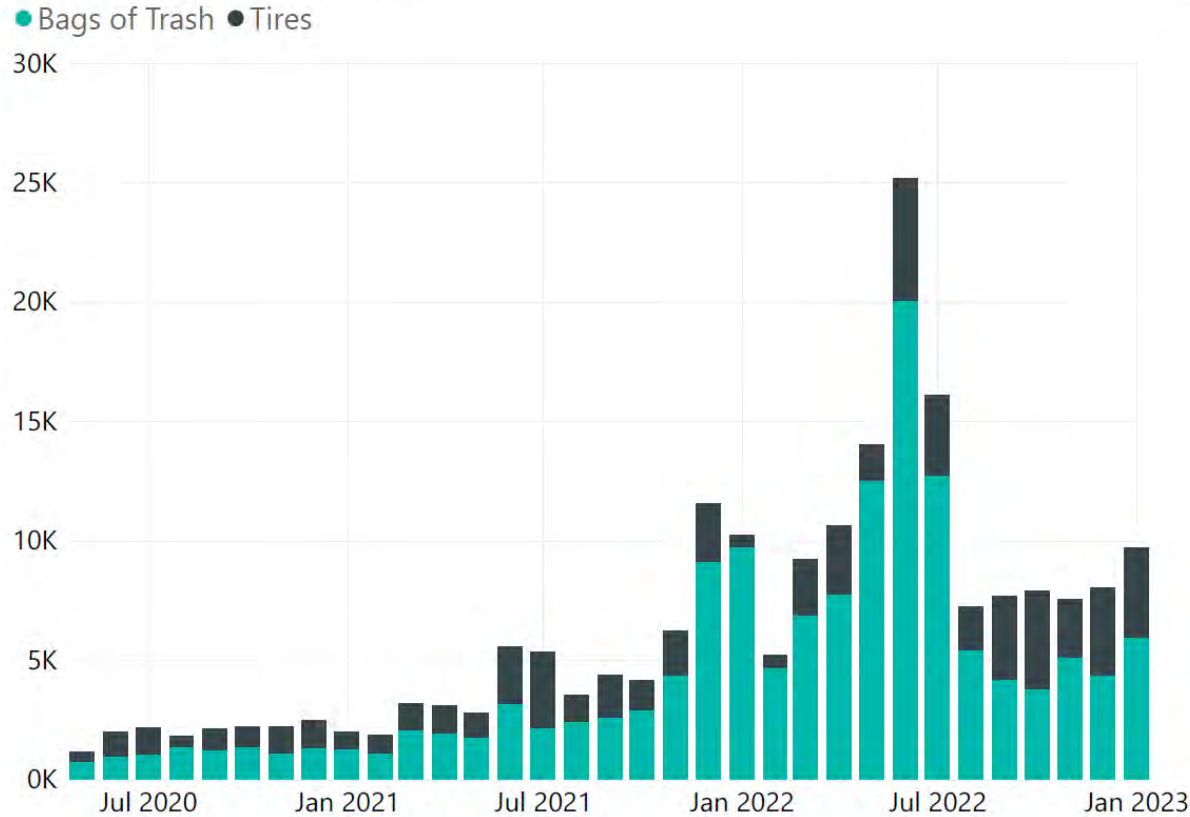
Public Service Corps overall growth spiked from 18 to a total of 50 employees.

In response to the spike, a 2nd Shift was added to the compliment to cover all Special Requests



Performance Metrics

Public Service Corp



**Total Collections
FY2023**

41526
Bags

22543
Tires



PSC Work Requests

- Code Enforcement
- 311
- Mayor's Office
- City Council Office



JIM STRICKLAND
MAYOR

January 30, 2023

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:


Subject to Council approval, I hereby recommend that:

Surayyah T. Hasan

be appointed to the Memphis and Shelby County Downtown Memphis Commission with a term expiration date of December 31, 2025.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members

**MEMPHIS & SHELBY COUNTY
DOWNTOWN MEMPHIS COMMISSION
20 Member Board
(5) Appointed by City Mayor
(5) Appointed by County Mayor
3 Year Term**

The purpose of the Downtown Memphis Commission is to market and develop downtown Memphis.

Victoria Young	F/B	12-31-22	3yr. Term
Lauran Stimac	F/W	12-31-25	3yr. Term
Vacancy	M/B	12-31-22	3yr. Term
Deni C. Reilly	F/W	12-31-22	3yr. Term
Orgel, Benjamin	M/W	12-31-22	3yr. Term

2023 Council Liaison: Cheyenne Johnson

Updated 020823

January 30, 2023

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

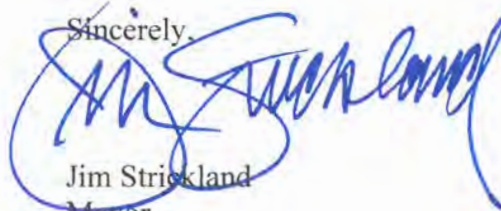
Subject to Council approval, I hereby recommend that:

Stacy Clinton

be appointed to the Memphis Board of Ethics with a term expiration date of January 12, 2024.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS BOARD OF ETHICS

8 Member Board

6 Year Term

Oath of Office Required

Purpose:

The Board of Ethics shall have jurisdiction of all ethics complaints lodged against all full-time and part-time elected or appointed officers and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the City.

			Term ends:	
Vacancy (Newman)	Dist. 1	M/W	04-12-24	
Vacancy (Dawkins)	Dist 2	M/B	01-12-20	
Blanch Thomas	Dist. 3	F/B	01-12-28	
Carolyn Goodwin Willett	Dist. 4	F/B	01-12-28	
James Crone	Dist. 5	M/W	01-12-26	
Edward L. Vaughn	Dist. 6	M/B	01-12-28	
Craig L. Cardwell	Dist. 7	M/W	01-12-24	
Judge Karen Williams	Judge/Atty	F/W	01-12-26	Chairperson

Updated 013023

City of Memphis



JIM STRICKLAND
MAYOR

TENNESSEE

March 8, 2023

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Calvin Anderson

be reappointed to the Memphis Convention Center Commission with a term expiration date of July 1, 2024.

I have attached biographical information.

Sincerely,

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS CONVENTION CENTER COMMISSION

7 Member Board

2 Ex-Officio Members

2 Year Term

Purpose:

The Board shall operate, manage, control, regulate, and care for the convention center, but without compensation.

Calvin Anderson	M/B	07-01-22
Douglas Browne	M/W	07-01-22
Lee A. Jackson	M/B	07-01-22
Natasha Langston	F/B	07-01-22
John P. McKissack	M/B	07-01-22
Tom Midgley	M/W	07-01-22
Isabel González Whitaker	F/H	07-01-22

Chandell Ryan (City COO)

2023 Council Liaison: Michaelyn Easter-Thomas

Updated 030123

**Attendance Records for Current Members
Memphis Convention Center Commission
From January 2021 to date**

Member	Total Meetings	Present
Calvin Anderson	26	25
Lee Jackson	27	26
Doug Browne	27	16
Natasha Langston	27	17
Tom Midgley	27	20
Isabel Gonzalez Whitaker	14	10
John McKissack	27	24



JIM STRICKLAND
MAYOR

March 8, 2023

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Isabel Gonzalez Whitaker

be reappointed to the Memphis Convention Center Commission with a term expiration date of July 1, 2024.

I have attached biographical information.

Sincerely,

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS CONVENTION CENTER COMMISSION
7 Member Board
2 Ex-Officio Members
2 Year Term

Purpose:

The Board shall operate, manage, control, regulate, and care for the convention center, but without compensation.

Calvin Anderson	M/B	07-01-22
Douglas Browne	M/W	07-01-22
Lee A. Jackson	M/B	07-01-22
Natasha Langston	F/B	07-01-22
John P. McKissack	M/B	07-01-22
Tom Midgley	M/W	07-01-22
Isabel González Whitaker	F/H	07-01-22

Chandell Ryan (City COO)

2023 Council Liaison: Michaelyn Easter-Thomas

Updated 030123

Attendance Records for Current Members
Memphis Convention Center Commission
From January 2021 to date

Member	Total Meetings	Present
Calvin Anderson	26	25
Lee Jackson	27	26
Doug Browne	27	16
Natasha Langston	27	17
Tom Midgley	27	20
Isabel Gonzalez Whitaker	14	10
John McKissack	27	24



TENNESSEE

JIM STRICKLAND
MAYOR

March 8, 2023

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

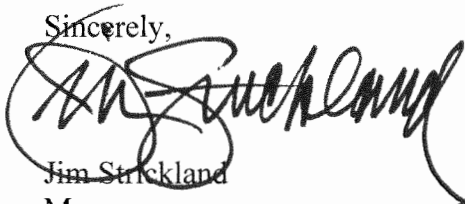
Subject to Council approval, I hereby recommend that:

Natasha Langston

be reappointed to the Memphis Convention Center Commission with a term expiration date of July 1, 2024.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS CONVENTION CENTER COMMISSION
7 Member Board
2 Ex-Officio Members
2 Year Term

Purpose:

The Board shall operate, manage, control, regulate, and care for the convention center, but without compensation.

Calvin Anderson	M/B	07-01-22
Douglas Browne	M/W	07-01-22
Lee A. Jackson	M/B	07-01-22
Natasha Langston	F/B	07-01-22
John P. McKissack	M/B	07-01-22
Tom Midgley	M/W	07-01-22
Isabel González Whitaker	F/H	07-01-22

Chandell Ryan (City COO)

2023 Council Liaison: Michaelyn Easter-Thomas

Updated 030123

Attendance Records for Current Members
Memphis Convention Center Commission
From January 2021 to date

Member	Total Meetings	Present
Calvin Anderson	26	25
Lee Jackson	27	26
Doug Browne	27	16
Natasha Langston	27	17
Tom Midgley	27	20
Isabel Gonzalez Whitaker	14	10
John McKissack	27	24

City of Memphis



JIM STRICKLAND
MAYOR

TENNESSEE

March 8, 2023

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

John McKissack

be appointed to the Memphis Convention Center Commission with a term expiration date of July 1, 2024.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland".

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS CONVENTION CENTER COMMISSION
7 Member Board
2 Ex-Officio Members
2 Year Term

Purpose:

The Board shall operate, manage, control, regulate, and care for the convention center, but without compensation.

Calvin Anderson	M/B	07-01-22
Douglas Browne	M/W	07-01-22
Lee A. Jackson	M/B	07-01-22
Natasha Langston	F/B	07-01-22
John P. McKissack	M/B	07-01-22
Tom Midgley	M/W	07-01-22
Isabel González Whitaker	F/H	07-01-22

Chandell Ryan (City COO)

2023 Council Liaison: Michaelyn Easter-Thomas

Updated 030123

Attendance Records for Current Members
Memphis Convention Center Commission
From January 2021 to date Total No. of Meetings - variable

Member	Total Meetings	Present
Calvin Anderson	26	25
Lee Jackson	27	26
Doug Browne	27	16
Natasha Langston	27	17
Tom Midgley	27	20
Isabel Gonzalez Whitaker	14	10
John McKissack	27	24

City of Memphis



TENNESSEE

JIM STRICKLAND
MAYOR

March 8, 2023

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Easter-Thomas:

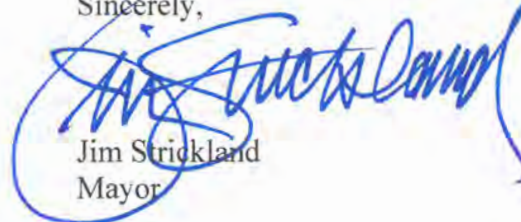
Subject to Council approval, I hereby recommend that:

Thomas Midgley

be appointed to the Memphis Convention Center Commission with a term expiration date of July 1, 2024.

I have attached biographical information.

Sincerely,



Jim Strickland
Mayor

JSS/sss

Cc: Council Members

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Tom Midgley	M/W	07-01-22
Isabel González Whitaker	F/H	07-01-22

Chandell Ryan (City COO)

2023 Council Liaison: Michaelyn Easter-Thomas

Updated 030123

Attendance Records for Current Members Memphis Convention Center Commission From January 2021 to date

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City of Memphis



TENNESSEE

JIM STRICKLAND
MAYOR

March 8, 2023

The Honorable Michalyn Easter-Thomas, Chairman
Personnel, Government Affairs, and Annexation Committee
City Hall - Room 514
Memphis, TN 38103


Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Martin E. Lipinski

Be reappointed to the Memphis Area Transit Authority with a term expiration date of June 30, 2026.

I have attached biographical information.

Sincerely,

Jim Strickland
Mayor

JSS/sss

Cc: Council Members

MEMPHIS AREA TRANSIT AUTHORITY
Oath of Office Required
9 Member Board
3 Year Term

Purpose:

The members of the transit authority board shall have authority to supervise the operation of the transit system.

		Term ends:
Sara Burnett	F/W	01-22-26
Michael Fulton	M/B	02-07-25
Angus Blair	M/W	09-30-25
Martin E. Lipinski	M/W	06-30-23
Michelle McKissack	F/B	06-30-24
Anton Mack	M/B	08-24-22
Janice Holder	F/W	08-31-23
Edward Stephens, III	M/B	01-31-23
Shelia Williams	F/B	01-31-25

2023 Council Liaison: Ford Canale

Updated 031423

Memphis Area Transit Authority
Meetings 4th Thursday of the Month
From January 2021 to Date

Member	Total Meetings	Attended
Martin E. Lipinski	21	19

REFERENDUM ORDINANCE NO. _____

A REFERENDUM ORDINANCE AMENDING THE CHARTER OF THE CITY OF MEMPHIS TO REPEAL THE EXISTING REQUIREMENTS FOR QUALIFICATIONS FOR MAYOR OF THE CITY OF MEMPHIS AND CREATING QUALIFICATIONS FOR MAYOR SEPARATE FROM THE QUALIFICATIONS FOR COUNCIL MEMBERS

WHEREAS, the qualified voters of the City approved Referendum Ordinance No. 1852 November 6, 1966 changing the form of government from a Mayor Commission form of government to a Mayor Council form of government in order to implement Home Rule as permitted by Article XI, Section 9 of the Tennessee Constitution (“Home Rule Charter”);” and

WHEREAS, the Home Rule Charter expressly provided in Section 1 thereof specific qualifications for members of the City Council and expressly provided in Section 4 thereof that “[t]hat the qualifications of the Mayor shall be the same as those required herein for members of the Council....”

WHEREAS, the Home Rule Charter did not provide any other separate and independent qualifications for the Office of Mayor in addition to those provided in Sections 1 and 4 thereof;

WHEREAS, the Home Rule Charter expressly repealed all laws in conflict with its provisions;

WHEREAS, the qualified voters of the City approved an amendment to the City’s Home Rule Charter by Referendum Ordinance No. 4346 on November 5, 1996 in which the qualifications of members of the Council in Section 1 of the Home Rule Charter were expressly repealed and replaced with the requirement “[t]hat each Council Member shall be a resident, as defined by State election laws, of the City and of the District from which he or she is elected.”

WHEREAS, Referendum Ordinance No. 4346 did not amend or repeal the qualifications for the Mayor as set forth in Section 4 of the City’s Home Rule Charter;

WHEREAS, the City’s Home Rule Charter does not presently provide qualifications for the Mayor that are separate and independent from the qualifications for Council Members;

WHEREAS, it is desired by the Memphis City Council that the City of Memphis Charter be amended by ordinance as provided by Article XI, Section 9 of the Constitution of the State of Tennessee (Home Rule Amendment) for the purpose of amending the existing qualifications for the office of Mayor and replacing the existing qualifications with the requirement that no person shall be elected Mayor unless he or she the person shall have been a bona fide resident of the City of Memphis for at least one (1) year preceding the date of the municipal election for Mayor.

Section 1. Proposed Amendment Authorized.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS , TENNESSEE, That pursuant to Article XI, Section 9 of the Constitution of the State of Tennessee, as amended, a proposal for amending the Charter of the City, as set forth in this ordinance, shall be published and submitted by the City of Memphis to its qualified voters at the first general state election held in the City of Memphis at least sixty (60) days after such publication.

Section 2. Publication of Home Rule Amendment as required by Tennessee Constitution.

BE IT FURTHER ORDAINED, That the Comptroller is hereby directed to cause this Ordinance, as finally adopted, to be published pursuant to provisions of Article XI, Section 9 of the Constitution of the State of Tennessee immediately after adoption by the City Council.

Section 3. Certification and Delivery to Election Commission.

BE IT FURTHER ORDAINED, That upon the adoption of this Ordinance becoming effective as required by law, the Comptroller of the City of Memphis shall immediately certify adoption of this Ordinance and deliver a certified copy thereof to the Shelby County Election Commission in charge of holding the General State Election on _____, 2024, and shall request that the proposed amendment to the Home Rule Charter of the City of Memphis, in the preferred form set forth in this Ordinance, be placed on the ballot.

Section 4. Proposal and preference.

BE IT FURTHER ORDAINED, That the City Council does hereby adopt the suggested proposal and form of question to be placed on the ballot for a referendum vote on a Home Rule Amendment to the Charter of the City of Memphis in a General State Election to be held on the _____, 2024, which question shall read as follows:

“Shall the Charter of the City of Memphis be amended to read:

‘No person shall be eligible for the office of Mayor who is not at least thirty years of age, and who has not been a bona fide resident of the City of Memphis for at least one (1) year preceding the date of the municipal election for Mayor, or who at the time of his election and qualification holds any other office, or who is directly or indirectly interested in any contract with the City. All existing provisions of the Charter that establish qualifications for the Mayor are hereby expressly repealed.’”?

I, Shirley Ford, Director of Finance for the City of Memphis do hereby certify that the foregoing amendment shall have no impact on the annual revenues and expenditures of the City.

FOR THE AMENDMENT	(YES) _____
AGAINST THE AMENDMENT	(NO) _____

Section 5. Effective Date of Charter Amendment.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect for the purposes set forth herein sixty (60) days after approval by a majority of the qualified voters voting thereon in an election to be held on the ___ day of _____, 2024, the public welfare, requiring it.

Section 6. Certification of Results.

BE IT FURTHER ORDAINED, That the Shelby County Election Commission certify the result of said election on the referendum question to the Comptroller of the City of Memphis, who shall see that said result is made a part of the Minutes of the Council of the City of Memphis.

Section 7. Nonconflicting - Conflicting Laws.

BE IT FURTHER ORDAINED, That from and after the effective date of this Home Rule Amendment, all laws constituting the present Charter of the City of Memphis in conflict with the subject matter of this amendatory Home Rule Ordinance shall be immediately annulled, vacated, and repealed and all laws constituting the present Charter of the City of Memphis not in conflict with this amendatory Home Rule Ordinance, be and the same are here continued in full force and effect.

Section 8. Severability.

BE IT FURTHER ORDAINED, that if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding the parts so held to be invalid, if any.

Section 10. Publication as Required by the City Charter.

BE IT FURTHER ORDAINED, that this Ordinance shall also be published by the Comptroller at the same time and manner as required by the City's Charter for all ordinances adopted by the City Council.

Section 11. Enactment of Referendum Ordinance.

BE IT FURTHER ORDAINED, that the adoption of this Referendum Ordinance shall take effect from and after the date it shall have 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.

SPONSOR:

Councilman JB Smiley, Jr.
Councilwoman Jana Swearengen-Washington
Councilman Chase Carlisle
Councilman Jeff Warren
Councilman Martavius Jones
Councilwoman Rhonda Logan