MEMPHIS CITY COUNCIL
Planning and Zoning Documents
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PLANNING AND ZONING PUBLIC HEARING ITEMS 1-347

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P & Z Committee & Council Hearing Date:
Tuesday, July 21st, 2020

CITY OF MEMPHIS
COUNCIL AGENDA CHECK-OFF SHEET

| ONE ORIGINAL |
|ONLY STAPLED |

Planning & Development
DIVISION

|TO DOCUMENTS|

Planning & Zoning COMMITTEE: _____
DATE

PUBLIC SESSION: _____
DATE

ITEM (*CHECK ONE*)
_____ORDINANCE _____ CONDEMNATIONS _____ GRANT ACCEPTANCE / AMENDMENT
X RESOLUTION _____ GRANT APPLICATION ***X REQUEST FOR PUBLIC HEARING***
_____OTHER:_____

==========

ITEM DESCRIPTION: **A Resolution requesting an appeal of the decision of the Land Use Control Board for a Major Modification to a planned development. The following item was heard and a recommendation made by the Land Use Control Board:**

CASE NUMBER: **P.D. 99-362**

DEVELOPMENT: **QUINCE/LYNNFIELD PLANNED DEVELOPMENT**

LOCATION: **Southwest corner of Quince Road and Lynnfield Road**

COUNCIL DISTRICTS: **District 2-Super District 9-Positions 1, 2 & 3**

APPELLANT: **Balmoral Neighborhood Association**

APPELLEE: **SE Industrial Investments, LLC**

EXISTING ZONING: **Currently governed by Quince/Lynnfield Planned Development (P.D. 99-362)**

REQUEST: **Appeal the decision of the Land Use Control Board for a Major Modification approved on February 13th, 2020 to allow a three (3) story office building with associated accessory uses**

AREA: **4.20 Acres**

RECOMMENDATION: **The Office of Planning and Development recommended *Approval with Conditions* and the Land Use Control Board recommended *Approval with Conditions.***

RECOMMENDED COUNCIL ACTION: ***Set Date of Public Hearing: Suggested Date: July 21st, 2020***

==========

PRIOR ACTION ON ITEM:
_____APPROVAL - (1) APPROVED (2) DENIED
_____DATE
_____ORGANIZATION - (1) BOARD / COMMISSION
(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

==========

ADMINISTRATIVE APPROVAL:	***DATE***	***POSITION***
_____	_____	PRINCIPAL PLANNER
_____	_____	DIRECTOR

==========

_____	_____	***CHIEF ADMINISTRATIVE OFFICER***
_____	_____	***COUNCIL CHAIRMAN***

Memphis City Council
Summary Sheet

Resolution to appeal the decision of the Memphis & Shelby County Land Use Control Board for a Major Modification approved on February 13th, 2020 to allow a three (3) story office building with associated accessory uses:

- This item is a Resolution to appeal the decision of the board as stated in the appeal for this development plan; and

- The Office of Planning & Development at the request of the Appellants: Balmoral Neighborhood Association, Inc., and Representatives: Jeffrey & Genevieve Land, Esquires; and

- This Resolution seeks to appeal the decision of the Land Use Control Board as stated in the appeal by the appellants; and

- The appeal, if rejected may require a public improvement contract for the planned development.

LAND USE CONTROL BOARD RECOMMENDATION

CASE #: P. D. 99-362

At its regular meeting on ***Thursday, February 13th, 2020***, the Memphis and Shelby County Land Use Control Board held a public hearing on the application of ***'SE Industrial Investments, LLC'***, requesting a major modification to a planned development on property described as follows:

LOCATION:	**Southwest corner of Quince Road and Lynnfield Road**
OWNER/APPLICANT:	**SE Industrial Investments, LLC**
APPELLANTS:	**Balmoral Neighborhood Association**
REQUEST:	**Appeal the decision of the Land Use Control Board for a Major Modification approved on February 13th, 2020 to allow a three (3) story office building with associated accessory uses**
AREA:	**4.20 Acres**
EXISTING LAND USE & ZONING:	**Currently governed by Quince/Lynnfield Planned Development (P.D. 96-362)**

The following spoke in support of the application:

Cindy Reaves, SR Consulting, 5909 Shelby Oaks Drive, Memphis, TN 38134; representative; agreed with the recommendation of staff and the conditions for approval of the major modification; and
Preston Thomas, 6363 Poplar Avenue-Suite 220, Memphis, TN 38119.

The following spoke or appeared in opposition to the application:

Jeffrey & Genevieve Land, representatives, Balmoral Neighborhood Association, 780 Ridge Lake Boulevard-Suite 202 Memphis, TN 38120; and
Eddie Settles, 5861 Vassar Drive, Memphis, TN 38119; and
Phillip Cox, 6011 South Hampton Drive, Memphis, TN 38119.

The Land Use Control Board reviewed the application of ***'SE Investments, LLC'*** requesting a major modification to allow a three (3) story office building with associated accessory uses and the report of the staff. A motion was made and seconded to recommend ***'approval with conditions'.***

The motion *passed* by unanimous vote of *9* to *0*.

The Board approved the conclusions of the staff as contained in the staff report.

Respectfully submitted,

Brian S. Bacchus, Principal
Josh Whitehead, Director
Office of Planning and Development

cc: ***Committee Members***
File

I. Use Permitted: Office Uses

A. Office uses in accordance with the Office General (OG) District, including restaurant and coffee shop.

B. A walking path shall be provided to surround the entire site to include park benches.

C. The building elevations, design, setback, placement and orientation shall be illustrated on the final plan, subject to review and approval by staff.

II. Bulk Regulations: The bulk regulations of the OG District shall apply with the following, except the building height shall not exceed three (3) stories and the gross square footage shall not exceed 35,000 square feet in area.

Ill. Access, Parking, Circulation:

A. Dedicate and improve a 30-foot radius at the intersection of Lynnfield Road and Vassar Drive.

B. Maximum of one curb cut to Quince Road and maximum of one curb cut to Lynnfield Road. The design and location of curb cuts shall be subject to review and approval by the City Engineer. Any existing curb-cuts that are non-conforming shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

IV. Landscaping:

A. Streetscape Plate S-10 shall be provided along Quince Road, Lynnfield Road and Vassar Drive.

B. Internal landscaping shall be in accordance with UDC Section 4.5.5.D.

C. Lighting shall be in accordance with the UDC.

D. Lighting shall be directed so as not to glare into residential property.

E. Refuse containers shall be completely screened from view from residential property and public roads.

V. Signs: All Signs shall be in accordance with the OG District, but no attached or detached signs shall be located on the south elevation of the building and along Vassar Drive.

VI. Drainage:

A. Drainage improvements, including possible on-site detention shall be provided under a Standard Subdivision Contract in accordance with the UDC and the City of Memphis Drainage Design Manual.

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

VII. The Land Use Control Board may modify the building setbacks, height, parking, access, landscaping and sign requirements if equivalent alternatives are presented.

VIII. Site Plan Review by the Land Use Control Board shall not be required as long as the final plan conforms to the conceptual plan presented to the Land Use Control Board as part of the Outline Plan.

IX. Any final plan shall include the following:

A. The Outline Plan Conditions.

B. A Standard Subdivision Contract as defined by the UDC for any needed public improvements.

C. The exact location and dimensions including height, of all buildings or buildable areas, parking areas, drives, required landscaping.

D. The number of parking spaces.

E. The location and ownership, whether public or private, of any easement

F. Building elevations.

P.D. 99-362
Quince/Lynnfield Planned Development
Major Modification-02/13/20

Memphis and Shelby County
Office of Planning and Development

CITY HALL - 125 N. MAIN STREET, SUITE 468 - MEMPHIS, TENNESSEE 38103

February 19th, 2020

Ms. Cindy Reaves, SR Consulting, LLC
C/O SE Industrial Investments, LLC
5909 Shelby Oaks Drive-Suite 200
Memphis, TN 38134

RE: OPD FILE #: P.D. 99-362
L.U.C.B. RECOMMENDATION: Approval with Conditions

Dear Cindy,

The Memphis and Shelby County Land Use Control Board on ***Thursday, February 13th, 2020***; recommended ***approval*** of your planned development major modification to ***'allow a three (3) story office building with associated accessory uses'*** within the Outline Plan, subject to the attached conditions.

The applicant or the applicant's representative(s) may file a final plan in accordance with Outline Plan Conditions of approval to initiate the final plan recording process. If changes to this modification are necessary, a letter should be mailed to the Office of Planning and Development at the address provided above identifying and stating the reasons for the change. If you have questions regarding this matter or of any necessary submittals, please call (901)636-6619 or contact me directly at brian.bacchus@memphistn.gov.

Sincerely,

Brian S. Bacchus, Principal
Josh Whitehead, Director
Office of Planning and Development

cc: ***SE Industrial Investments, LLC***
File: P.D. 99-362

I. Use Permitted: Office Uses

A. Office uses in accordance with the Office General (OG) District, including restaurant and coffee shop.

B. A walking path shall be provided to surround the entire site to include park benches.

C. The building elevations, design, setback, placement and orientation shall be illustrated on the final plan, subject to review and approval by staff.

II. Bulk Regulations: The bulk regulations of the OG District shall apply with the following, except the building height shall not exceed three (3) stories and the gross square footage shall not exceed 35,000 square feet in area.

III. Access, Parking, Circulation:

A. Dedicate and improve a 30-foot radius at the intersection of Lynnfield Road and Vassar Drive.

B. Maximum of one curb cut to Quince Road and maximum of one curb cut to Lynnfield Road. The design and location of curb cuts shall be subject to review and approval by the City Engineer. Any existing curb-cuts that are non-conforming shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

IV. Landscaping:

A. Streetscape Plate S-10 shall be provided along Quince Road, Lynnfield Road and Vassar Drive.

B. Internal landscaping shall be in accordance with UDC Section 4.5.5.D.

C. Lighting shall be in accordance with the UDC.

D. Lighting shall be directed so as not to glare into residential property.

E. Refuse containers shall be completely screened from view from residential property and public roads.

V. Signs: All Signs shall be in accordance with the OG District, but no attached or detached signs shall be located on the south elevation of the building and along Vassar Drive.

VI. Drainage:

A. Drainage improvements, including possible on-site detention shall be provided under a Standard Subdivision Contract in accordance with the UDC and the City of Memphis Drainage Design Manual.

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

VII. The Land Use Control Board may modify the building setbacks, height, parking, access, landscaping and sign requirements if equivalent alternatives are presented.

VIII. Site Plan Review by the Land Use Control Board shall not be required as long as the final plan conforms to the conceptual plan presented to the Land Use Control Board as part of the Outline Plan.

IX. Any final plan shall include the following:

A. The Outline Plan Conditions.

B. A Standard Subdivision Contract as defined by the UDC for any needed public improvements.

C. The exact location and dimensions including height, of all buildings or buildable areas, parking areas, drives, required landscaping.

D. The number of parking spaces.

E. The location and ownership, whether public or private, of any easement

F. Building elevations.

P.D. 99-362
Quince/Lynnfield Planned Development
Major Modification-02/13/20

STAFF REPORT

AGENDA ITEM: 5

CORRESPONDENCE
(Major Modification)

CASE NUMBER: **P.D. 99-362** **L.U.C.B. MEETING:** **February 13th, 2020**

DEVELOPMENT NAME: QUINCE/LYNNFIELD PLANNED DEVELOPMENT

LOCATION: Southwest corner of Quince Road and Lynnfield Road

COMMISSION DISTRICT: District 2-Super District 9-Positions 1, 2 & 3

OWNERS/APPLICANTS: SE Industrial Investments, LLC

REPRESENTATIVE: SR Consulting, LLC

REQUEST: Major modification to allow a three (3) story office building with associated accessory uses within the Outline Plan

AREA: 4.20 Acres

EXISTING LAND USE & ZONING: Vacant land currently governed by Residential Single Family (R-10) District with TVA Easement

CONCLUSIONS

1. **The property is located in Residential Single Family (R-10) District with an approved planned development overlay with a mature buffer of trees along Lynnfield Road and with public road frontage on Vassar Drive. The property is limited in buildable area due to the major electrical distribution and transmission easement serving this portion of the city.**
2. **The applicant is requesting a modification to the approved Outline Plan for Quince/Lynnfield plan to increase the height to three (3) stories where a maximum of two (2) stories was permitted with a maximum gross floor area 45,500 sq. ft. in area. The original Outline Plan was approved by the Memphis City Council on February 15, 2000.**
3. **The new three (3) story office building will provide office space in an area in need of sustainable office development within the city limits with neighborhood amenities for walking paths in close proximity to single family neighborhoods.**

CONSISTENCY WITH MEMPHIS 3.0

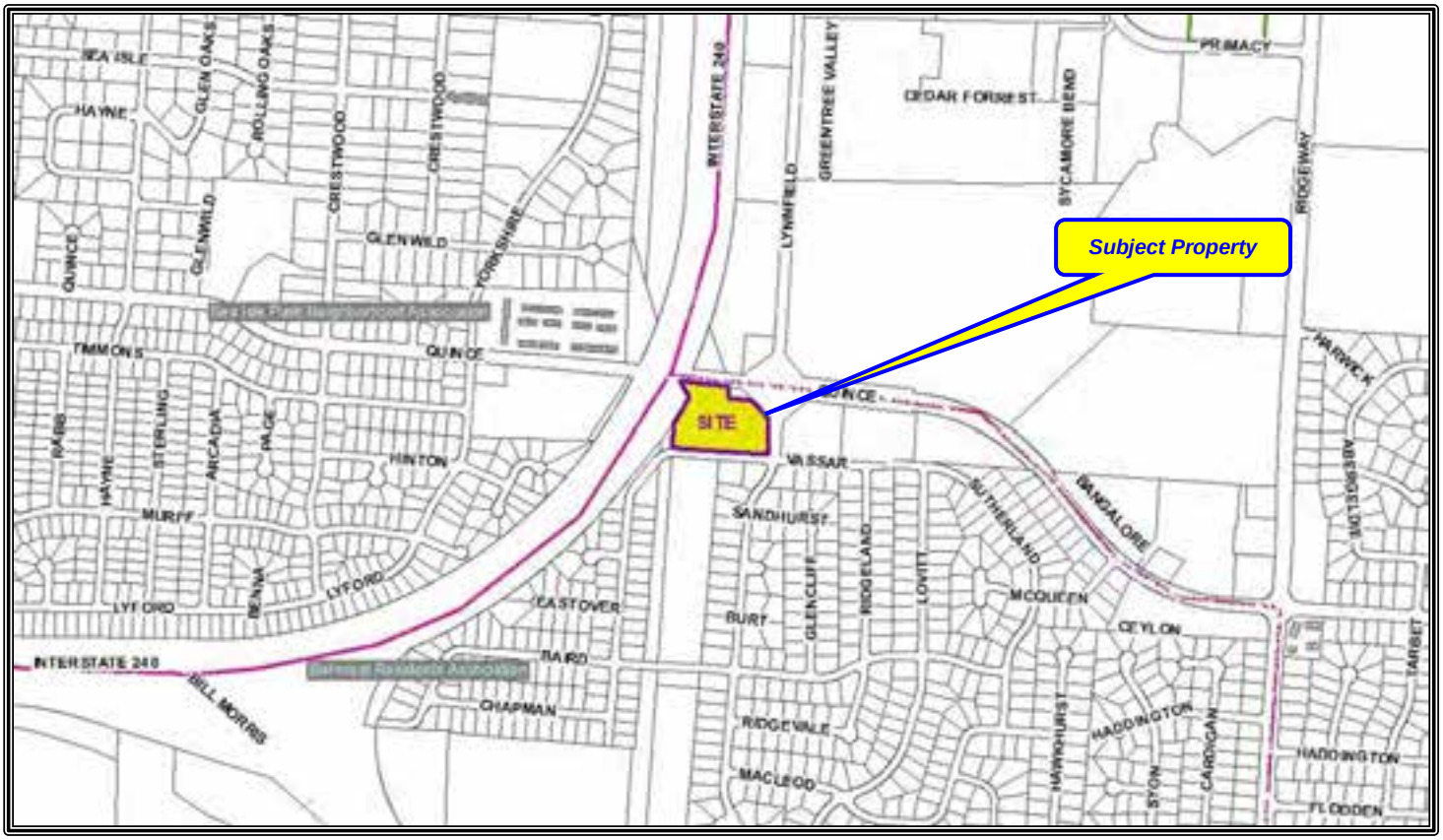
Based on the information provided and the proposed land use, the proposal is consistent with and supports the goals of the Memphis 3.0 Comprehensive Plan.

OFFICE OF PLANNING & DEVELOPMENT RECOMMENDATION

Approval with Conditions

Staff Planner: Brian Bacchus ***Email: brian.bacchus@memphistn.gov***

Planning Area



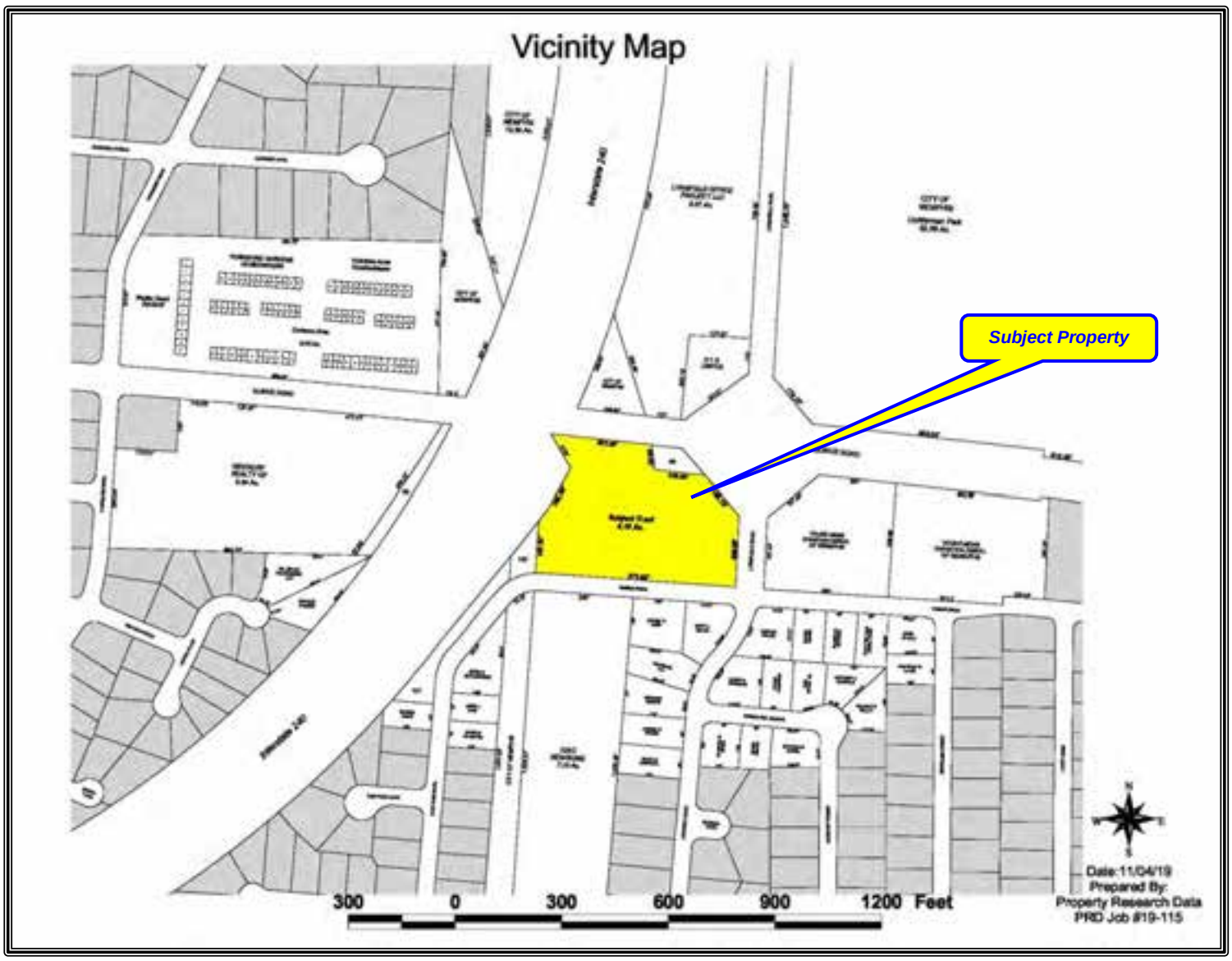
Site Description

The subject property is a 4.20 acre site located at the southwest corner of Quince Road and Lynnfield Road, just east of I-240 and heavily encumbered by a major TVA Transmission easement traversing the property on the western two-thirds of the property, but within the City of Memphis. The property is located in Residential Single Family (R-10) District with an approved planned development overlay with a mature buffer of trees along Lynnfield Road and with public road frontage on Vassar Drive. A traffic signal is located at the intersection of Quince and Lynnfield roads with curb, gutter and sidewalk, including lamp posts only along Quince Road with overhead power on Vassar Drive. The property is limited in buildable area due to the major electrical distribution and transmission easement serving this portion of the city.

The applicant proposes to construct a new three (3) story office building located in the eastern portion of the parcel closer to Lynnfield Road. The planned development is for Office General (OG) District land uses, more specifically a major modification to allow a three (3) story office building with tenant spaces for a restaurant and coffee shop on the ground floor, including associated parking and walking paths surrounding the entire property. The subject property and adjacent properties are not located within any floodplain district or any special flood hazard area according to FEMA maps dated September, 2007.

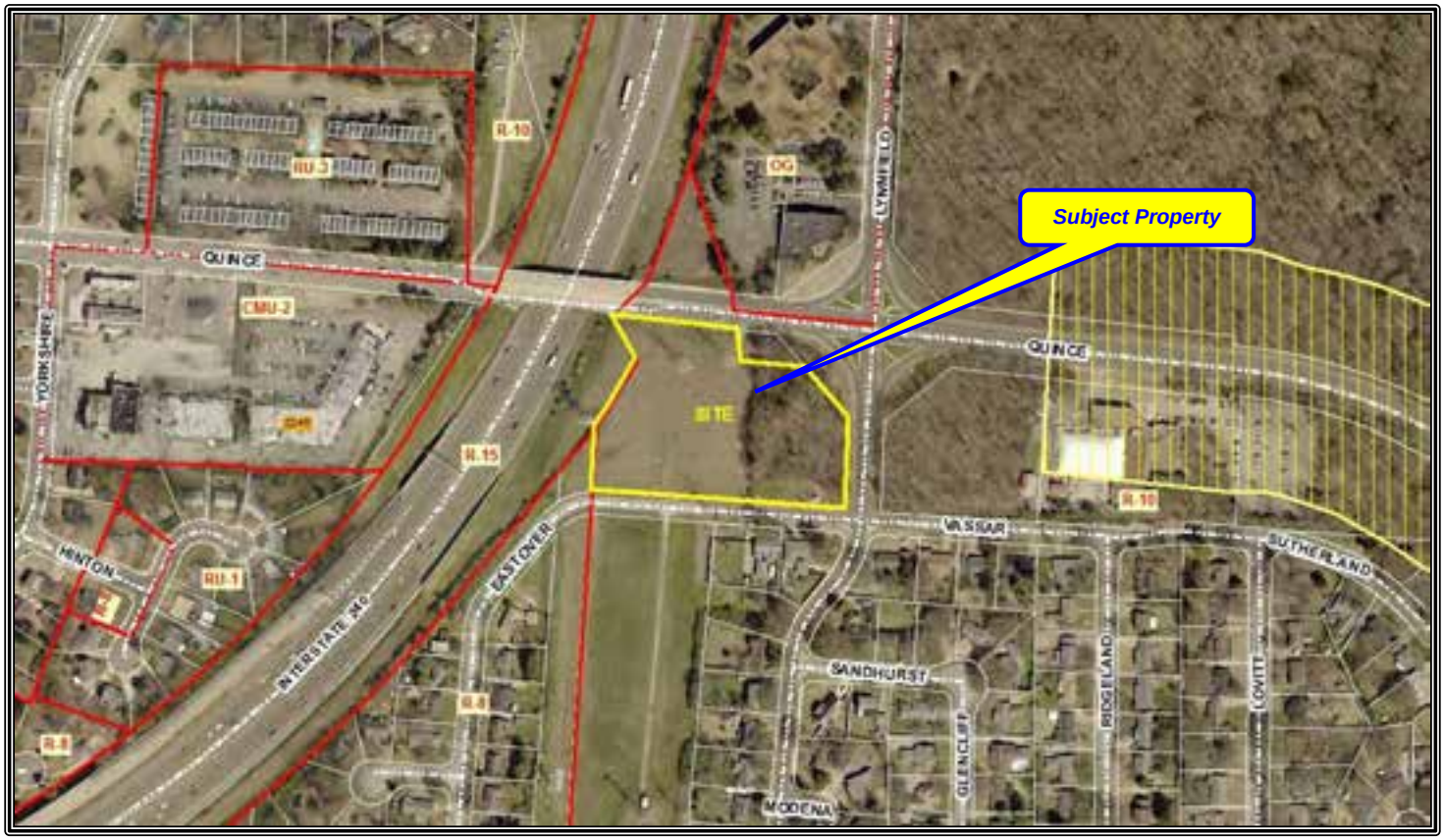
Neighborhood Meeting: Not required, but held during the original submittal of P.D. 19-20.

Public Notice: Sign Posted by Applicant: Monday, January 27th, 2020.
Mailed Notices by OPD: Friday, January 31st, 2020.



The subject property highlighted above is currently approved for office development in accordance with General Office (OG) District regulations in effect in 1999, but prior to the adoption of the Unified Development Code. However, this planned development was approved with restrictions on use, height, access and landscaping requirements. The applicant is requesting a modification to the approved Outline Plan for Quince/Lynnfield Planned Development to increase the height to three (3) stories where a maximum of two (2) stories was permitted with a maximum gross floor area 45,500 sq. ft. in area.

Zoning



The original Outline Plan was approved February 15, 2000 with these conditions by the Memphis City Council and agreed to by the Balmoral Neighborhood Association. The site is limited in buildable area with a major transmission easement encompassing the majority of the property at the west side adjacent to Interstate 240 Loop. The depth of this property along Lynnfield Road is over 200 feet south and almost 375 feet in width along Quince Road. The difficulty in developing the site is primarily with site design caused by the transmission lines and the inability to develop and place buildings within the easement.

Land Use

Surrounding Land Use & Zoning

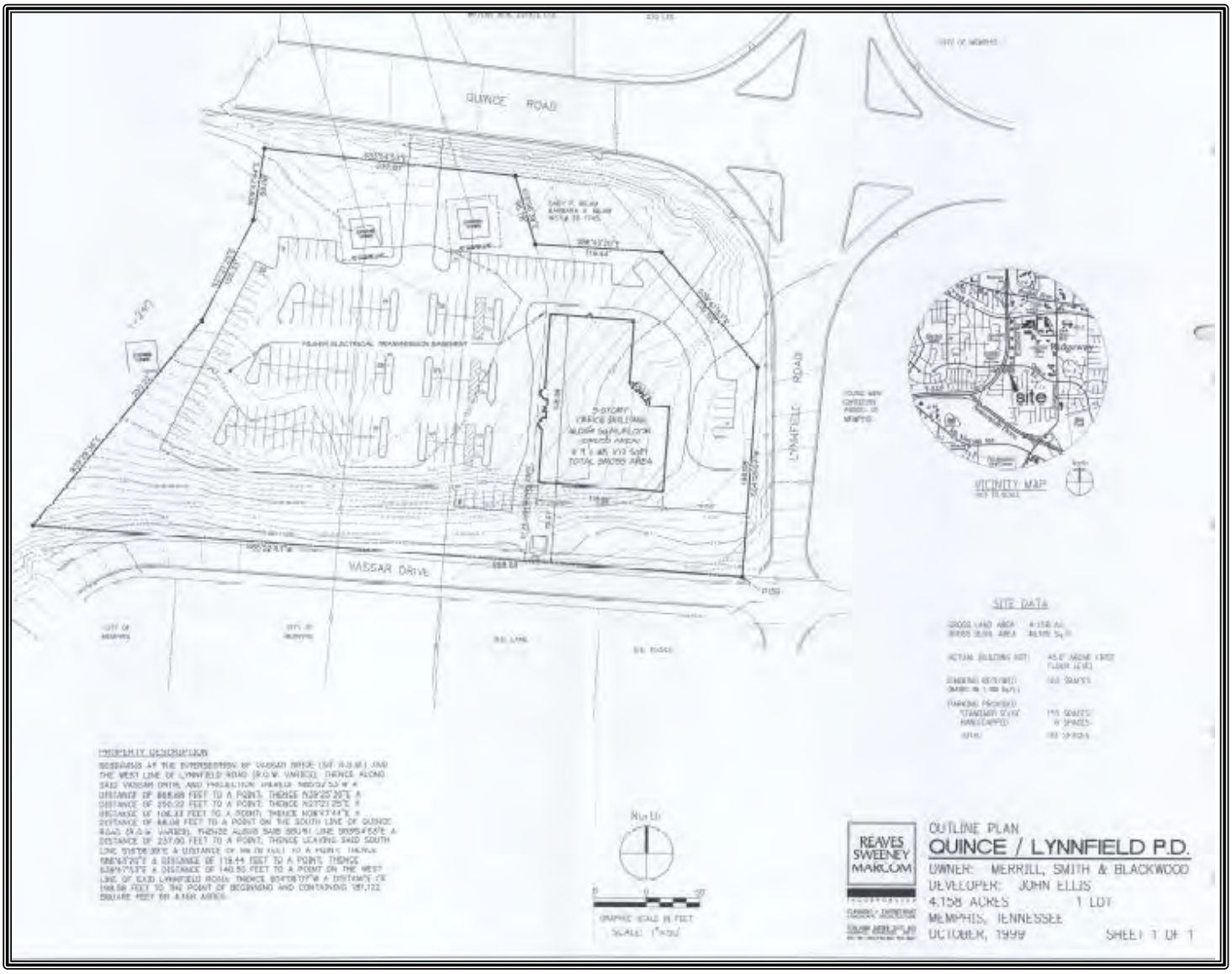
North: Office development, Nature Park and I-240 Loop.

East: Vacant tract, Community Center, Nature Park and single family homes.

South: Vacant land encumbered by major transmission easement and single family homes.

West: I-240 Loop, Neighborhood Commercial Center, Condominiums and single family homes.

Quince/Lynnfield P.D. 99-362
(Approved Outline/Concept Plan-February 15, 2000)



<u>Note</u>: See attachments for Memphis City Council Resolution with Outline Plan Conditions.

Site/Concept Plan

Elevation Plans

Project Review & Analysis

This application is a request for major modification to an approved office development to allow a greater height for an office building. The Office General (OG) District allows a maximum height of 125 feet with a minimum of 20 feet for front and street side setbacks with a minimum rear yard setback of 10 feet in the UDC. The property is located in the southeast portion of City of Memphis in the Balmoral Community and outside of the interstate loop of the central city. The subject property is the immediate southwest corner of Quince Road and Lynnfield Road in Quince/Lynnfield Outline Plan. The property is heavily encumbered by overhead transmission lines with a limited amount of buildable area and land to be developed with adequate infrastructure, but at a significant location within the city to set design standards for new office development in the immediate area.

The applicant is proposing to construct an additional floor of office for an office building currently approved to include a small restaurant and coffee shop within the building, including walking paths, landscaping and parking areas. The approved condition II.A in Quince/Lynnfield Outline Plan limits the building height to two (2) stories with a gross area of 45,500 sq. ft. in area; see Page 6 of this staff report. The building will be compatible with surrounding developments to the east approved for office and to the single family homes to the south by maintaining a significant horizontal distance of approximately 80 linear feet, not including the right-of-way of Vassar Drive. The new three (3) story office building will provide office space in an area in need of sustainable office development within the city limits with neighborhood amenities for walking paths in close proximity to single family neighborhoods. The following Paragraph 9.6.14A (2) of the UDC applies to this major modification request:

9.6.14 **Period of Validity**

A. Planned developments shall expire five years after the approval of the outline plan unless a final plan filed with the Office of Planning and Development within that five-year period. Final plans filed with the Office of Planning and Development shall expire six years after the approval of the outline plan unless a final plan is recorded with the Register of Deeds.

2. Outline plans with no expiration date.
Any planned development that was approved prior to the effective date of this text amendment (February 10, 2015) without an expiration clause in its outline plan conditions shall require a Major Modification if no final plan is recorded with the Register of Deeds. Such Major Modification shall require notice to all property owners within 500 feet. See Item 9.6.11E(2)(f).

The nearest developed office buildings are north of the subject property with apartment communities. This major modification is not a 'change of use' from office to apartment development, but office to include an eatery and a neighborhood coffee shop with upper story office spaces The height modification is supported for office development which does not significantly change the intent of the approved Outline Plan to become more compatible with surrounding land use and zoning. The applicant is requesting more building height within the Outline Plan with adequate setbacks, design, orientation and placement of the building closer to the street intersection.

The parking and landscaping, including the preservation of mature trees within a large vision triangle will also include streetscape cross-sections for landscaping to coincide with the open front yard spaces and walking paths. The applicant is not requesting Site Plan Review, but the office development will be reviewed in accordance with the conditions of approval, building height and design, access, parking and circulation as well as landscaping, signs, traffic and drainage design prior to final plan approval by staff.

Recommendation: ***Approval with Conditions***

Memphis 3.0 Plan

This summary is being produced in response to the following application to support the Office of Planning & Development in their recommendation.
Land Use Designation (see page 124 for details): Primarily Single-Unit Neighborhood (NS)

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

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

1. FUTURE LAND USE PLANNING MAP

Figure 01: Red pushpin denotes the proposed site in the land use map.

2. Land use description & applicability:

Primarily Single-Unit Neighborhood (NS) which are located greater than a half-mile outside of any anchor destination. These neighborhoods contain mostly detached, house scale residences, serving mostly single-family style living. This is considered the typical suburban community that is not as walkable or accessible from an anchor. See graphic portrayal to the right.

"NS" Goals/Objectives:
Ensure preservation/maintenance of existing single-family housing stock and neighborhoods.

"NS" Form & Location Characteristics:

The area is primarily detached, residential-scale buildings with one (1) to three (3) stories beyond one-half (½) mile from a Community anchor. The application is seeking approval to permit a 3-story office building with associated parking. The request for placing an office building does not meets the criterion, as the future land use category calls for primarily residential. However, the proposed office building's scale and proportion meets the criteria of this category as the office building is a detached, house-scale building, beyond ½ mile from a community anchor, and within 1-3 stories in height. Another striking feature of the proposal is the associated large parking space, that does not comply with the district priorities, (see page 270: East district) which encourages development promoting pedestrian safety and to increase connectivity between neighborhoods.

Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following existing land uses: Residential, Commercial, and Vacant land. The subject site is surrounded by the following zoning districts: R-10, OG, and CMU-2. This application request is compatible with the adjacent land uses and zoning districts because existing land use and zoning are both residential and commercial. Though the future land use for the parcel is Single-Unit Neighborhood (NS), the request seeking approval to permit an office building is a use that can support the goals and objectives of the current land use, as this proposed building will act as a buffer space in between high intensity commercial space and residential space.

3. DEGREE OF CHANGE MAP

Figure 02: Red pushpin denotes the proposed site in the degree of change map.

The white color on the degree of change map indicates there is no degree of change for the application site.

4. Degree of Change Descriptions N/A

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

P.D. 99-362
Quince/Lynnfield Planned Development
Supplemental Site Plan Conditions
Major Modification-SE Industrial Investments, LLC

I. Use Permitted: Office Uses

A. Office uses in accordance with the Office General (OG) District, including restaurant and coffee shop.

B. A walking path shall be provided to surround the entire site to include park benches.

C. The building elevations, design, setback, placement and orientation shall be illustrated on the final plan, subject to review and approval by staff.

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A. Streetscape Plate S-10 shall be provided along Quince Road, Lynnfield Road and Vassar Drive.

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C. Lighting shall be in accordance with the UDC.

D. Lighting shall be directed so as not to glare into residential property.

E. Refuse containers shall be completely screened from view from residential property and public roads.

V. Signs: All Signs shall be in accordance with the OG District, but no attached or detached signs shall be located on the south elevation of the building and along Vassar Drive.

VI. Drainage:

A. Drainage improvements, including possible on-site detention shall be provided under a Standard Subdivision Contract in accordance with the UDC and the City of Memphis Drainage Design Manual.

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

VII. The Land Use Control Board may modify the building setbacks, height, parking, access, landscaping and sign requirements if equivalent alternatives are presented.

VIII. Site Plan Review by the Land Use Control Board shall not be required as long as the final plan conforms to the conceptual plan presented to the Land Use Control Board as part of the Outline Plan.

IX. Any final plan shall include the following:

A. The Outline Plan Conditions.

B. A Standard Subdivision Contract as defined by the UDC for any needed public improvements.

C. The exact location and dimensions including height, of all buildings or buildable areas, parking areas, drives, required landscaping.

D. The number of parking spaces.

E. The location and ownership, whether public or private, of any easement

F. Building elevations.

P.D. 99-362
Quince/Lynnfield Planned Development
Major Modification-02/13/20

GENERAL INFORMATION

Street Frontage: Quince Road----------+/-372.75 curvilinear feet.
Lynnfield Road----------+/-205.58 linear feet.
Vassar Drive----------+/-571.62 linear feet.

Planning District: Shelby Farms/Germantown

Zoning Atlas Page: 2245

Zoning History: On February 15, 2000 the Memphis City Council approved Quince/Lynnfield (P.D. 99-362) for a two (2) story office building. Prior to this date, the Residential Single Family (R-10) District zoning date to the adoption of the 1980 zoning map amendments

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DEPARTMENTAL COMMENTS:

The following comments were provided by Inter-governmental Agencies/Organizations to which this application was referred:

City Engineer:

1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. City sanitary sewers are available at developer's expense.

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

Roads:

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

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

Traffic Control Provisions:

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

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

8. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

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

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

Drainage:

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

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

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

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

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

City Fire Services:

- All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Construction Code Enforcement.

Memphis & Shelby County Health Department:

Water Quality Branch:	No comment.
Septic Tank Program:	No comment.

Memphis Light, Gas and Water:

MLGW has reviewed the referenced application, and has no objection, subject to the following conditions:

- The subject property is significantly encumbered by an existing utility right of way easement, which may include overhead and underground facilities. MLGW prohibits any development or improvements within the Easement, except as provided by the **MLGW Right of Way Encroachment Policy**.
- **It is the responsibility of the owner/applicant**, prior to any development, to contact Keith Ledbury, with MLGW – Property Management @ 901-528-4186 and obtain written approval for any improvements within the Easement.
- **STREET NAMES**: **It is the responsibility of the owner/applicant** to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval. Please use the following link to the MLGW Land & Mapping website for **Street Naming Guidelines** and the **Online Street Name Search**: http://www.mlgw.com/builders/landandmapping
- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL** @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
- **Underground Utility separation and clearance:** The subject property is encumbered by existing utilities which may include overhead and underground facilities. It is the responsibility of the owner/applicant to maintain a minimum 3-foot (3') separation between any existing underground service lines or utilities and any proposed permanent structure or facility. This separation is necessary to provide sufficient space for any excavations to perform service, maintenance or replacement of existing utilities.
- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **It is the responsibility of the owner/**applicant to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations.
- **Street Trees are prohibited**, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- **Landscaping is prohibited** within any MLGW utility easement without prior MLGW approval.
- **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.
- All residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.
- All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

AT&T-TN: No comment.

Neighborhood Associations/Organizations:

Sea Isle Park Ngh'd Association: *No comments received as of Feb. 7, 2020.*
Balmoral Neighborhood Association: *See attachments received via Certified Mail and Email.*

Staff: bb

Bacchus, Brian

From:	Jeffrey J P Land <jeffrey@jefflandlaw.com>
Sent:	Thursday, January 30, 2020 10:36 AM
To:	Bacchus, Brian; Genevieve
Subject:	PD 99-362 (Balmoral Neighborhood Association's Opposition)
Attachments:	Letter to Brian Bacchus 1.28.20.pdf

Mr. Bacchus,

Genevieve and I are residents of the Balmoral Neighborhood and have been appointed by the neighborhood association to oppose PD 99-362.

Please find attached to this email our neighborhood association's letter of opposition to PD 99-362, which was also sent to your office via certified mail.

Best Regards,

Jeffrey J. P. Land

Attorney at Law

780 Ridge Lake Blvd., Suite 202

Memphis, Tennessee 38120

Phone: 901.682.3450 Ext. 112

Fax: 901.682.3590

Mobile: 901.335.7229

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GENEVIEVE S. LAND
ATTORNEY AT LAW

780 RIDGE LAKE BLVD., SUITE 200 • MEMPHIS, TENNESSEE 38120
(901) 682-3450 • FACSIMILE: (901) 682-3590
email: genny@jefflandlaw.com

GENEVIEVE S. LAND*
* ALSO LICENSED IN COLORADO

January 28, 2020

VIA U.S. MAIL AND EMAIL TO:
Mr. Brian Bacchus
Principal Planner
City Hall
125 N. Main St. Ste. 468
Memphis, Tennessee, 38103
Brian.Bacchus@Memphistn.gov

RE: PD 99-362

Dear Mr. Bacchus,

We are residents in the Balmoral Neighborhood and have been elected by the Balmoral Neighborhood Association ("BNA") to provide legal representation to oppose PD 99-362. On January 7, 2020, BNA voted 23-3 to oppose PD 99-362.

BNA's position is that PD 99-362 has lapsed. BNA asserts that the PD was never recorded with the Shelby County Register of Deeds, and thus failed to provide subsequent purchasers actual or constructive notice of the planned development. Nearly twenty years has passed since PD 99-362 was granted approval. Since that time there have been no affirmative steps made by any entity to preserve this PD. Therefore, BNA asserts that the failure to record PD 99-362 renders it defective and the passage of twenty years with no action renders it extinct.

BNA's opposition to the proposed use of and reliance on PD 99-362 is based upon an entirely different entity, SE Industrial Investments, LLC, ("SE Industrial") seeking to "step into the shoes" of the prior applicant, twenty years later, without any privity between the parties. SE Industrial's use of PD 99-362 is inconsistent with the sunset provision in the Uniform Development Code and in equity. BNA asserts that SE Industrial is prohibited from using a twenty year old planned development and thus, must start anew as it does not have privity to stand in the shoes of the original applicant.

We are aware that BNA agreed twenty years ago to a two-story building ("Agreement") at the time when PD 99-362 was first applied. BNA asserts that this Agreement was never

recorded and thus, was not preserved and does not run with the land. Therefore, the subsequent purchasers and current owners of Balmoral property had no constructive or actual notice of said Agreement and therefore, cannot be bound.

The architecture of the commercial development proposed by SE Industrial is not in conformity with the residential nature of the Balmoral Neighborhood. At a minimum, the structure itself should be more residential in nature. See Gould's Corporate HQ at 766 S. White Station Rd. See also Benchmark Wealth Management at 5855 Ridge Bend Rd. BNA may be more amenable to a commercial building if the architecture appears residential. To this end, SE Industrial's hearing for Major Modification is set on February 13, 2020 in front of the Land Use and Control Board. SE Industrial seeks a Major Modification of PD 99-362 to allow a third-story. BNA vehemently opposes a third-story Major Modification because it is even further out of line with the residential nature of BNA. If the Office of Planning and Development relies on the twenty year old Agreement with BNA for a two story building, then a Major Modification for a third story is in violation of the two story Agreement.

In addition, SE Industrial has not proven a need for a forty thousand square foot commercial building with over two hundred parking spaces in this area. There is a glut of available commercial office space within one mile of this proposed site. For example, Lynnfield Office Park has ample vacant office space as well as Primacy Parkway with sixty thousand square feet of office space available. Additionally, the nearby Ridgeway Loop has several buildings with vacant and available office space. Finally, the office buildings on S. Shady Grove between Poplar Ave. and Briarcrest Ave. also have office space available. Thus, the demand for office space in the area is apparently minimal. Moreover, within a mile of the proposed development is available land, which has already been cleared and improved (formerly Seessel's Grocery and Schnucks) which remains vacant as of the date of this letter. Thus, the proposition of clearing land for a commercial building is unnecessary and in violation of the mission of Memphis 3.0 of building up not out.

Even more concerning is SE Industrial's Principal, Preston Thomas' admission to BNA at the December 2nd, 2019 meeting that he had done no market research, secured no anchor tenants, and that this project is speculative. Further, at the December meeting between SE Industrial and BNA, Mr. Thomas proposed a potential coffee shop tenant on the lower level of the commercial building. However, history has shown that in this area this is an unsuccessful business model as demonstrated by the defunct "Tamp and Tap" formerly located at 6070 Poplar Ave. BNA's fear is that SE Industrial will struggle to fill the proposed building with tenants, causing another vacant office building to decay as the commercial buildings North of Quince on Lynnfield have done.

BNA opposes PD 99-362 because it has not been afforded a public hearing on this planned development. As a result, there are some members of BNA who have expressed their support for filing a Declaratory Action in Chancery Court. In an effort to resolve this without litigation, we request that PD 99-362 be declared void and that SE Industrial be required to file a new application for a Planned Development, which would afford BNA notice and an opportunity to be heard.

Please feel free to contact us by phone at (901) 682-3450 or by email at genny@jefflandlaw.com and jeffrey@jefflandlaw.com

Respectfully Yours,

Genevieve S. Land, Esq.
Jeffrey J. P. Land, Esq.
780 Ridge Lake Blvd. Ste. 202
Memphis, Tennessee 38120
(901) 682-3450 – Telephone

Bacchus, Brian

From: Phillip Cox <phl_cox@yahoo.com>
Sent: Monday, February 03, 2020 11:52 AM
To: Bacchus, Brian
Subject: Balmoral Neighborhood Association's Community Impact Statement
Attachments: 02 03 20 Community Impact Statement.pdf

Mr. Bacchus the attached Community Impact Statement (CIS) is to advise you that as Chairman of the Beautiful Balmoral Neighborhood Committee and in behalf of the Balmoral Neighborhood Association (BNA) I'm filing this Community Impact Statement (CIS) pursuant to UDC section 9.3.2 D.

Phillip Cox

Community Impact Statement

Re: PD 99-362 Major Modification Application: Proposed Office Building, Quince Rd. & Lynnfield Rd.

Balmoral Neighborhood Association (BNA) urges the LUCB to **reject** the Major Modification application for PD 99-362. This project does not comply with UDC sections 4.10.2, 9.6.9, and 9.6.11 A, B, and E 2. It **will** have *"a substantial or undue adverse effect upon the character of the neighborhood, traffic conditions, and other matters affecting the public health, safety, and general welfare."*

Traffic

- Quince Rd. is a five-lane (including turning lane), commercial thoroughfare. Adjacent to the proposed project, Quince is a serpentine, four-lane street serving residential neighborhoods. Memphis 3.0 proposes a planted median, street trees, and on-street parking for this section of Quince.

- Vehicles turning into the property from Quince will create traffic hazards and congestion. The proposed Quince traffic cut is at the very top of the hill before the serpentine. Left turns into the property going westbound on Quince will be almost impossible in rush hour. Exiting from the property during rush hour by a left or right onto Quince will also be very difficult because of the existing congestion of the Quince-Lynnfield intersection. In 2016, a Memphis Traffic Engineering Division study showed that almost 26,000 trips passed the intersection each day.

- The Lynnfield/Quince area already suffers from traffic congestion generated by five office building complexes north of Quince on Lynnfield and by two large apartment complexes north of Quince on Lynnfield. Multiple traffic accidents, including fatalities, have occurred within a half mile of the intersection. A new office complex on the south side of Quince at Lynnfield will generate many new trips into the Balmoral neighborhood that will not be residential destinations. More likely than not, rush hour traffic will cause office building tenants and customers to use interior residential streets to avoid the congestion at Lynnfield and Quince. The most likely two corridors are Vassar-Sutherland-McQueen (exiting to Quince off of McQueen) and Lynnfield-MacInness (exiting to Ridgeway). The Vassar-Sutherland corridor has no sidewalks. That corridor is heavily used for walking and biking by Balmoral neighbors. Bypass traffic through our neighborhood in the past (primarily Lynnfield to MacInness) has always involved non-neighbor motorists driving at speeds substantially in excess of post speed limits. Such bypass traffic is very dangerous for our neighbors.

Drainage

The proposed site is at the highest point in the Ridgeway Sensitive Basin study area. Drainage falls into the ditch at the southern boundary of BNA at the north edge of the Acura Dealership property just north of State Route 385. Memphis has entered into a consent decree with the US Environmental Protection Agency to remediate the sewer system overflow problems created by stormwater. The Ridgeway Sensitive Basin study has been undertaken to assist the City in sustaining its burdens under the consent decree. This project will make compliance more difficult.

Possible Cell Tower Interference

Tower Ventures has been granted a special use permit to erect and to operate a 160-foot tall monopole cell tower immediately adjacent to the north side of the proposed office building. Discussions with Tower Ventures reveal that the efficacy of the cell tower maybe degraded by the office building construction.

Impact on Property Values

Privacy: The proposed site is ten feet above the surface of Vassar Dr. The proposed three-story size of the office building will put tenants/visitors of the building at heights up to forty feet or more above homes on Lynnfield Rd. and Vassar Dr. and members of the Ric Nuber YMCA using its outdoor pool. The residents of BNA and the members of the YMCA will have no privacy from viewing by the tenants/visitors of the proposed office building.

Noise: The existing tree cover on the proposed office site will largely be clear cut. Landscaping will replace some trees, but the audio screening aspect of older growth trees will be permanently lost. Coupled with the increased traffic flow discussed above, the loss of the tree cover will expose residents of BNA to much higher ambient traffic noise intrusion.

Loss of R10 Zoning: BNA's roughly two square mile rectangle has no commercial intrusions, until and unless this project is approved. All of BNA is zoned R10 except for one apartment complex and one townhouse/zero lot line development. Once the R10 zoning is breached, BNA ceases to be a single-family residential neighborhood. So many Memphis neighborhoods have lost their zoning integrity, only to be followed by disastrous additional zoning changes (the Mt. Moriah corridor, for example). Once an Office General use is permitted, the logical outcomes are very predictable, and very destructive to the single-family residential nature of BNA.

Uncertainty of ultimate commercial use in a planned development: Just as this application, neighborhoods have no way of knowing what ultimate use of land in a planned development will actually be made. When the land immediately south of BNA was approved for use as a car dealership, no mention was made that a three-story office building would be erected and that an older growth "do not cut" tree barrier would be clear cut to permit digging a retention basin. Yet that is precisely what happened. The resulting storm scouring of a drainage ditch, accompanying erosion of neighbors' back yards, and visual and audio intrusion into the neighborhood by traffic on State Route 385 has been a significant detriment to BNA.

All of these concerns will significantly depress BNA property values if this project is approved.

Lack of Need

A review of office vacancy for the Lynnfield Rd. and Primacy Parkway office buildings demonstrate vacancy of more than 209,000 square feet in available space of almost 658,000 square feet within a mile of the proposed office building site for a vacancy rate of almost 32%. Bringing another 36,000 square feet of office space online will increase the space to be absorbed in BNA's nearest environs by 17%. Based on information and belief, this vacancy rate of 32% has been stable for at least three

years. Creating more leasable space in an area plagued by long-term vacancy does no one any good. Instead, such actions will contribute to even more downward pressure on property values in BNA.

PD 99-362 Prior History

In 2000 the OPD Staff recommended that LUCB not approve a three-story office building. The LUCB and the City Council ended up approving a two-story office building against Staff's recommendation (lowering the building by a story) and requiring that the building have no windows on the Vassar Dr. side. In 2009 the attorney representing the original application wrote an opinion letter to the original applicant that was apparently forwarded to OPD Staff that, among other things, recommended the outline plan be recorded with the Register's Office. The owner did not follow that advice. As a result at least 118 persons in the immediate vicinity of the building proposed site bought or rented their residences with no knowledge (nor any way to get that knowledge) that PD 99-362 existed.

Violation of Memphis 3.0

Sometime before Dec. 3, 2019, the Office of Comprehensive Planning (OCP) issued a finding that PD 19-20 (the original application filed with OPD in this matter) was consistent with Memphis 3.0. That finding is demonstrably erroneous. First, OCP says the project is beyond ½ mile from a Community Anchor (the Balmoral Shopping Center property). The project is 4/10s of a mile from the Anchor. Second, OCP says that the project is a *house-scale* building. A 36,000 square foot, three-story building cannot possibly be *house-scale*. Although *house-scale* is used several times in the Memphis 3.0 Plan, the term is never defined. But in the Unified Development Code (UDC), single-family residences are exemplified, especially on pp. 92 and 511 and in section 3.4. The project does not meet the scale of a single-family residence exemplified. Third, OCP says the project will act as a buffer space in between high intensity commercial and residential space. Again, although "buffer" appears multiple times in the Memphis 3.0 Plan, the term is never defined. In the UDC at page 94 that term is defined as follows: "A specified land area, located parallel to and within the outer perimeter of a site and extending to the property line, together with the planting and landscaping required on the land…." In other words, buffer refers to land on which no building is sited. This project is intended to erect a three-story, 36,000 square foot office building with 218 parking spaces on a 4+acre wooded parcel that is currently adjacent to a neighborhood composed of 1,100 single-family detached conventional homes. Under no construction of the English language can such a project be considered a buffer. Fourth, OCP says that the degree of change applied to this site is not applicable. In fact, Balmoral is the neighborhood immediately adjacent to the Anchor (Balmoral Shopping Center) identified on page 68 (Memphis 3.0 Plan) of the Degree of Change Map for which "Sustain" is the applicable degree of change. At page 63 of the Memphis 3.0 Plan, an area designated as "Sustain" is an area that wish to see no change in form or development activity should be sustained with regulations that support current conditions. If this project is approved current conditions will be affirmatively changed in a negative fashion.

Please note that the five office buildings on Lynnfield Rd. immediately north of Quince are two-story buildings.

Resurrection of PD 99-362

The 1981 Zoning Ordinance (applicable when the application was approved in 2000) required that a timeline for development be included in the outline plan. As far as can be determined at this point, no such timeline was included. In 2014, Tennessee adopted amendments to Tennessee Code Annotated (TCA) 13-4-310. Specifically, (d)(1) of that section gives an applicant such as the one in this case a vesting period of three years from the date the preliminary outline plan is approved by the governing authority. In 2015, Memphis adopted amendments to the UDC at section9.6.11E(2)(f) that purports to resurrect any Planned Development outline plan (conceivably dating back as far as 1955) that did not have an expiration date in the adopting Council resolution. This is an untenable result. An informal inquiry to Council Records indicated that there is no way even to identify which such resolutions exist. The LUCB should declare PD 99-362 null and void either because it is inconsistent with state law or because the adopting resolution did not include the required expiration clause or because it is patently unfair to deny adjoining property owners notice and an opportunity to be heard at a meaningful time in the process.

Deny Even If PD 99-362 Survives

Even if the LUCB decides that PD 99-362 survives, the application to vary even a single matter approved in 2000 should be denied. For all the reasons stated above, the office building **will** have *"a substantial or undue adverse effect upon the character of the neighborhood, traffic conditions, and other matters affecting the public health, safety, and general welfare."* Adding a story or allowing windows to be built on the Vassar Rd. side or changing the footprint will further harm Balmoral (and Memphis).

According to Mayor Strickland during his 2014 campaign, one of Memphis' principal problems is its loss of middle-income families. If the LUCB approves this Major Modification, it will contribute to middle-income families' loss of confidence in Memphis government's willingness to help them preserve their property values.

Respectfully submitted,

Phillip Cox
Balmoral Neighborhood Association
Beautiful Balmoral Chairman
phl_cox@yahoo.com

Bacchus, Brian

From:	Eddie Settles <eddie@backinrivercity.com>
Sent:	Monday, February 03, 2020 2:41 PM
To:	Bacchus, Brian
Subject:	Eddie Settles' Comments in Opposition to the Application for a Major Modification of PD 99-362

Mr. Bacchus

My wife, Eve, and I have lived in Balmoral since 2011. We both grew up here in the 1960s. We are deeply opposed to the application pending before the Land Use Control Board (LUCB) because it will harm the safety, friendliness, and beauty of our community. As outlined in Balmoral Neighborhood Association's Community Impact Statement (CIS) filed with your office today, the application violates Tennessee law, the provisions of the zoning regulations in effect when the PD was first proposed in 1999, and the US and TN constitutional rights of the affected citizens in our neighborhood. The project, if built, will significantly increase dangerous traffic on neighborhood streets that aren't provided with sidewalks, destroy the privacy of us and our neighbors (windows at 40 feet elevations about street level), increase already dangerous drainage problems in the Ridgeway Sensitive Basin stormwater runoff study area, interfere with a recently approved 5G transmission site, increase the noise level of traffic in our neighborhood, and decrease property values of our homes. In addition, adding 36,000 square feet of office space when there are already at least 209,000 square feet of un-leased space within a mile of this site will increase the possibility that our neighborhood will suffer from vacant office buildings.

This entire project violates Memphis 3.0 as well. The site of Balmoral Shopping Center (BSC) has been designated as an Anchor Neighborhood Crossing with a "sustain" degree of change requirement. BSC is less than a half-mile from the proposed site. For that reason and many others cited by the Community Impact Statement, this application is **NOT CONSISTENT** Memphis 3.0.

Please recommend that the LUCB reject this application. Please recommend that the LUCB exercise its authority under the Unified Development Code section 9.6.15 to **REVOKE** PD 99-362 because of the reasons cited in the CIS:
a. Lack of constitutional due process (notice)
b. Violation of applicable state law
c. Disregard of counsel's direction in 2009 opinion cited by OPD to record the PD

Thank you.

Eddie Settles
5861 Vassar Dr.
Memphis, TN 38119-7208
(615)542-4775
eddie@backinrivercity.com

Bacchus, Brian

From: Dwight Campbell <memphisphil@gmail.com>
Sent: Monday, February 03, 2020 4:07 PM
To: Bacchus, Brian
Subject: Proposed Lynnfield and Quince Rd. Office building

Mr. Bacchus,

I am opposed to the approval of the proposed 3 story office building adjacent to the Balmoral neighborhood at the corner of Lynnfield and Quince Road.

Philip Campbell
5960 MacInness Drive
Memphis, TN 38119

Bacchus, Brian

From: April Steele <april@southerngrowthstudio.com>
Sent: Monday, February 03, 2020 4:19 PM
To: Bacchus, Brian
Subject: Planned development in my neighborhood

Hi Mr. Bacchus,

I am writing with regard to a recent Community Impact Statement filed by my neighborhood association:

Community Impact Statement Re: PD 99-362 Major Modification Application: Proposed Office Building, Quince Rd. & Lynnfield Rd.

For all of the reasons listed in this statement, I oppose the use of this land for an office building. I live less than a block away from this intersection (at the corner of Vassar and Ridgeland) and the potential traffic alone is worrisome to me. There are children in the neighborhood and we've already had to get speed bumps installed to keep cars from speeding through the neighborhood. Additionally, the residents of the Balmoral neighborhood will have no control over what types of businesses may use this space; (at best) it will significantly change the character of the neighborhood. At worst, it will decrease the safety of the neighborhood and my property values along with it. All the things we love about Balmoral (quiet, kid-friendly, lots of old trees and nature) will be compromised. I do not understand why this office building is needed when nearly all of the office buildings north of quince on Lynnfield have vacant space. These already risk becoming a blight on the neighborhood by sitting vacant.

I urge the LUCB to reject the Major Modification application for PD 99-362. Thank you for your time and consideration, and please feel free to reach out if you have further questions.

April Steele | Business Anthropologist
O: 901.726.1008 | C: 901.270.0582

Bacchus, Brian

From: B C <bman702@yahoo.com>
Sent: Monday, February 03, 2020 8:19 PM
To: Bacchus, Brian
Subject: Lynnfield and Quince Road Building

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.

Hi,

My name is Byron Cole and I live at 5847 Macinness Drive in the Balmoral neighborhood. I support the three story building that is planned for that corner. The association did vote to try and stop this development however it was not a unanimous vote for us to proceed with blocking this development. The majority did win but this is not how all of the neighborhood feels.

There are a few strong armers in the neighborhood that are creating the discord among us but I feel this development is good for the neighborhood. Please allow the developer to put the three story build at Lynnfield and Quince.

Sincerely,

Byron Cole

Sent from my iPhone

Bacchus, Brian

From: Diane Meess <diane.meess@icloud.com>
Sent: Tuesday, February 04, 2020 3:14 PM
To: Bacchus, Brian
Subject: PD 99-362 Major Modification Application

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.

Yesterday afternoon I received a copy of the Balmoral Community Impact Statement from Genevieve Land with the message that comments were to be sent to you by 4 p.m. today.

I support the PD 99-362 Major Modification Application to erect a three-story office building at the corner of Quince and Lynnfield. I base my support on the following:

1. I attended the 2019 meeting at GTG to review the developer's proposal. I was impressed with the plans and the developer. Obviously he had the experience and expertise for such a project and had done the required due diligence. He addressed the questions and concerns raised by the audience.

2. Memphis needs more business ventures both for tax dollars and employment.

3. I trust the LUCB and its experts will address the issues raised concerning traffic, drainage, and possible cell tower interference.

I personally do not see this structure having a negative impact on the property value of the houses in the Balmoral neighborhood. I also think the "lack of need" argument is not relevant to the building of a new office building at Quince and Lynnfield.

I have lived in Balmoral for 28 years. I am fine with you sharing my comments but would prefer you not share my name.

Thank you.
Diane Meess

Sent from my iPad

Bacchus, Brian

From:	noigbokie <noigbokie@gmail.com>
Sent:	Wednesday, February 05, 2020 3:12 PM
To:	Bacchus, Brian
Subject:	Balmoral Neighborhood Community Impact Statement

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.

I am opposing the 3 story building structure developers are attempting ato erect at the corner of Quince and Lynnfield. Due to residential privacy, BNA is requesting a 2 story building instead. We are also concerned that the level of traffic and a 216 parking space lot will have a great impact and decrease property value in our neighborhood.

It has also been brought to our attention that the developers are in violation of Memphis 3.0 code.

Nikita Oigboke, BNA Member

Sent from my T-Mobile 4G LTE Device

Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR PLANNED DEVELOPMENT
MAJOR MODIFICATION/LUCB SITE PLAN
(CORRESPONDENCE) APPROVAL

Date: January 6, 2020 Previous Case #: PD 99-362

PLEASE TYPE OR PRINT

Name of Development: Quince/Lynnfield PD

Property Owner of Record: Lynnfield Centre LLC Phone #:

Mailing Address: 6800 Poplar Centre Ave. City/State: Germantown, TN Zip 38138

Property Owner E-Mail Address:

Applicant: SE Industrial Investments, LLC Phone #

Mailing Address: 6363 Poplar Avenue, Suite 220 City/State: Memphis, TN Zip 38119

Applicant E- Mail Address: preston.thomas@colliers.com

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

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

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

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

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

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

Correspondence item Street Address Location: 0 Quince Road

Distance to nearest intersecting street: At the southwest corner of Quince Road and Lynnfield Road

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	4.19 AC		
Existing Zoning:	R-10		
Existing Use of Property	Vacant Land		
Requested Use of Property	Office		

Type of Correspondence Item Requested:

✓ Major Modification(s) (See UDC Para. 9.6.11E(2) for a list of Major Modifications)

___ Land Use Control Board Site Plan Approval

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

Number of Residential Units: _____ Bedrooms: _____

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

1

Description of and justification for request: For time extensions provide reasons necessitating extensions and estimated time frame for finalizing the development:

We are requesting to increase the height of the office building to allow 3-stories.

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

1-6-2020 1-6-20

Property Owner of Record Date Applicant Date

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

REQUIRED MAJOR MODIFICATIONS: The following items shall be deemed as Major Modifications to an approved Planned Development Outline Plan:

A. Any revision to an Outline Plan that involves adding uses of a higher classification. Note: Adding uses of a lower classification will require the submittal of an Outline Plan *Amendment*. See Sub-Section 10.2.5B of the UDC for more information on higher and lower classifications.

B. Any extension of the expiration date of an Outline Plan, provided the expiration date has not passed (see Sub-Section 9.6.14A).

C. Any filing of a Final Plan in a Planned Development that was approved more than five years prior to the filing date and where the Outline Plan contains no expiration provisions.

D. Any final plan that provides for more density than is permitted under the approved Outline Plan, unless the Outline Plan explicitly allows for such additional density (see Item 9.6.11D(3)(a) of the UDC).

E. Any modification to the orientation of buildings as shown on the Outline Plan or the Outline Plan's Concept Plan that exceeds the following (see Item 9.6.11D(3)(c) of the UDC):
   1. 25 feet for final plans of two or less acres;
   2. 50 feet for final plan of more than two but less than eight acres;
   3. 100 feet for final plans of eight acres but than 20 acres; and
   4. 150 feet for final plans of 20 acres or more.

ENGINEERING • PLANNING

SRC CONSULTING, LLC

5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134

Tel: 901-373-0380
Fax: 901-373-0370
www.SRCE.memphis.com

Date: December 18, 2019

To: Office of Planning & Development

From: Cindy Reaves

Re: PD 99-362 Quince/Lynnfield PD

Job #: 19-0122

LETTER OF INTENT

Thank you for accepting our application for a Planned Development Major Modification for the Quince/Lynnfield Planned Development case # PD 99-362. The PD was approved by the Memphis City Council on February 15, 2000. A Final Plat was never recorded but the Outline Plan conditions did not include expiration language so the PD is still valid. We are requesting to permit a 3-story office building with associated parking and accessory uses.

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

PROPERTY SOLUTIONS
October 16, 2019
Conceptual Site Plan
Quince Rd. at Lynnfield Rd.
MEMPHIS, TENNESSEE
INTERSTATE 240
QUINCE ROAD
VASSAR DRIVE
LYNNFIELD ROAD
OFFICE
NORTH
SCALE: 1"=50'

lynnfield front perspective
10-29-2019

proposed office building for

Lynnfield Corporate Center

Memphis, Tennessee

Copyright 2019
The information contained within these design concepts are the exclusive property of Renaissance Group Inc.

Renaissance Group

east lynnfield perspective
10-29-2019

Copyright 2019
The information contained within these design concepts are the exclusive property of Renaissance Group Inc.

proposed office building for

Lynnfield Corporate Center

Memphis, Tennessee

Renaissance Group

Vicinity Map
Interstate 240
Interstate 240
300
0
300
600
900
1200 Feet
Date: 11/04/19
Prepared By:
Property Research Data
PRD Job #19-115

RESOLUTION

WHEREAS, Section 14 of the Zoning Ordinance-Regulations of the City of Memphis and Shelby County, being a section of the Joint Ordinance-Resolution No. 3064, dated October 7, 1980, authorizes the Council of the City of Memphis to grant a planned development for certain stated purposes in the various zoning districts; and,

WHEREAS, Application has been made for a planned development for property located on the southwest corner of Quince Road and Lynnfield Road; and

WHEREAS, The Office of Planning and Development has received and reviewed the application in accordance with procedures, objectives and standards for planned developments as set forth in Section 14 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 ***Thursday, January 13, 2000*** and said Board reported its recommendation to the City Council regarding the objectives, standards and criteria, and the effect of granting the planned development upon the character of the neighborhood and other matters pertaining to the public safety and general welfare; and

WHEREAS, The Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board, and the report and recommendation of the Office of Planning and Development; and

WHEREAS, The Council of the City of Memphis has held a public hearing on the planned development and has determined that the planned development meets the objectives, standards and criteria for a planned development, and said development is consistent with the public interests.

NOW, THEREFORE BE IT RESOLVED By the Council of the City of Memphis that the planned development is hereby granted for an in accordance with the outline plan incorporated in the application, and subject to the attached conditions.

BE IT FURTHER RESOLVED That the requirements of said aforementioned section of the Zoning Ordinance-Regulations shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan of development in accordance with said outline plan and the provisions of Section 14 of the Zoning Ordinance-Regulations.

cc: ***Building Official***
City Engineer
Office of Planning and Development

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

FEB 15 2000

Date

Geo. C. Hutchison

Deputy Comptroller - Council Records

P. D. 99-362
Quince/Lynnfield Planned Development

#31

P.D. 99-362
Quince/Lynnfield Planned Development

OUTLINE PLAN CONDITIONS:

I. Use Permitted: Office Uses

A. Office uses in accordance with the General Office(O-G) District.

II. Bulk Regulations: The bulk regulations of the O-G District shall apply with the following exceptions:

A. Building Height-2 stories with a gross square feet not to exceed 45,500 square feet(37,000 square feet of net area).

III. Access, Parking, Circulation:

A. Improve Lynnfield Road to a pavement width of 32 feet from the centerline in accordance with Subdivision Regulations.

B. Dedicate and improve a 30-foot radius at the intersection of Lynnfield Road and Vassar Drive.

C. Maximum of one curb cut to Quince Road and maximum of one curb cut to Lynnfield Road. The design and location of curb cuts shall be subject to review and approval by the City Engineer. Any existing non-conforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

D. Clear Sight Areas shall be provided on the final plat and engineering plans at the intersection of Lynnfield and Vassar in accordance with the Subdivision Regulations. The required note regarding Clear Sight Areas shall be placed on the final plat.

IV. Landscaping:

A. A landscape Plate "A-1" shall be provided along Quince Road, Lynnfield Road and Vassar Drive.

B. Internal landscaping shall be as shown on the landscape plan and provide a ratio of 300 square feet of landscaped area and one shade tree per every 20 parking spaces.

C. Maximum height of light standards shall be 20 feet. Light standards within the Memphis, Light, Gas and Water Transmission Easement right-of-way shall be provided in accordance with Memphis Light Gas and Water Encroachment Policy Guidelines.

D. Lighting shall be directed so as not to glare into residential property.

E. Refuse containers shall be completely screened from view from residential property and public roads.

V. Signs:

A. Signs in accordance with the O-G District.

VI. Drainage:

A. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision Contract in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual.

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

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

VII. The Land Use Control Board may modify the building setbacks, height, parking, access, landscaping and sign requirements if equivalent alternatives are presented.

VIII. Site plan review by the Land Use Control Board shall not be required as long as the final plan conforms to the conceptual plan presented to the Land Use Control Board as part of the Outline Plan.

IX. Any final plan shall include the following:

A. The Outline Plan conditions.

B. A Standard Subdivision Contract as defined by the Subdivision Regulations for any needed public improvements.

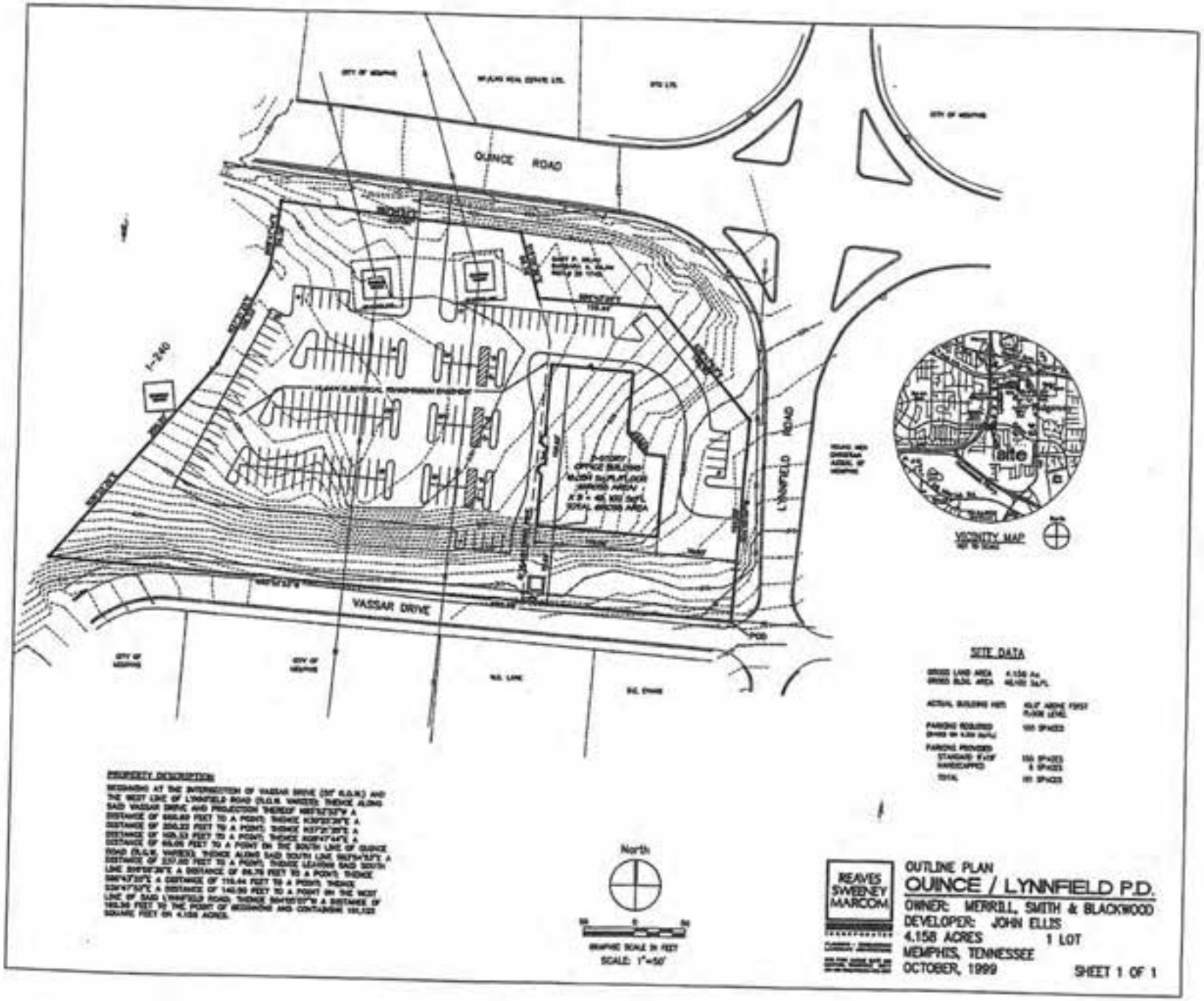
C. The exact location and dimensions including height, of all buildings or buildable areas, parking areas, drives, required landscaping.

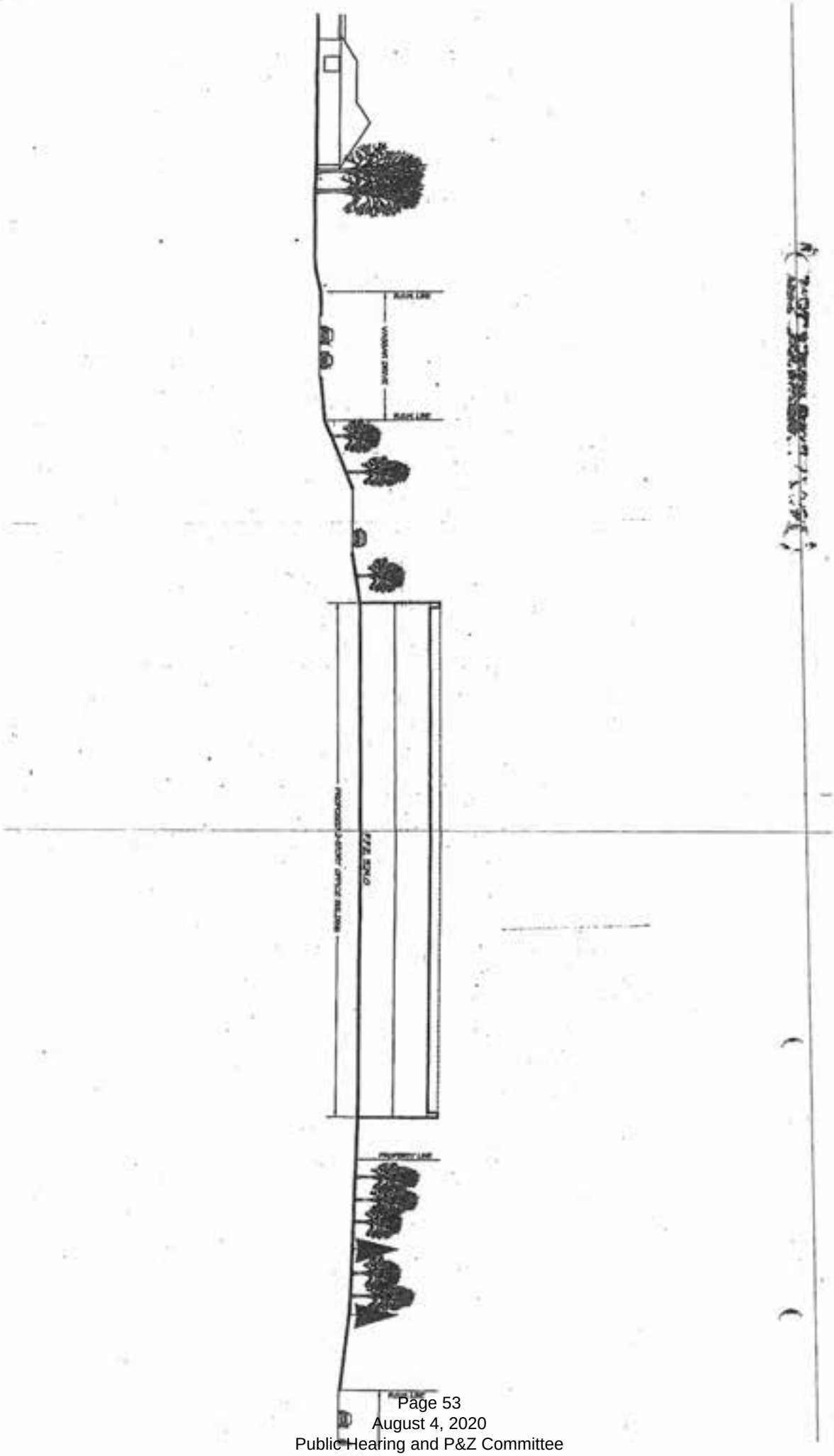
D. The number of parking spaces.

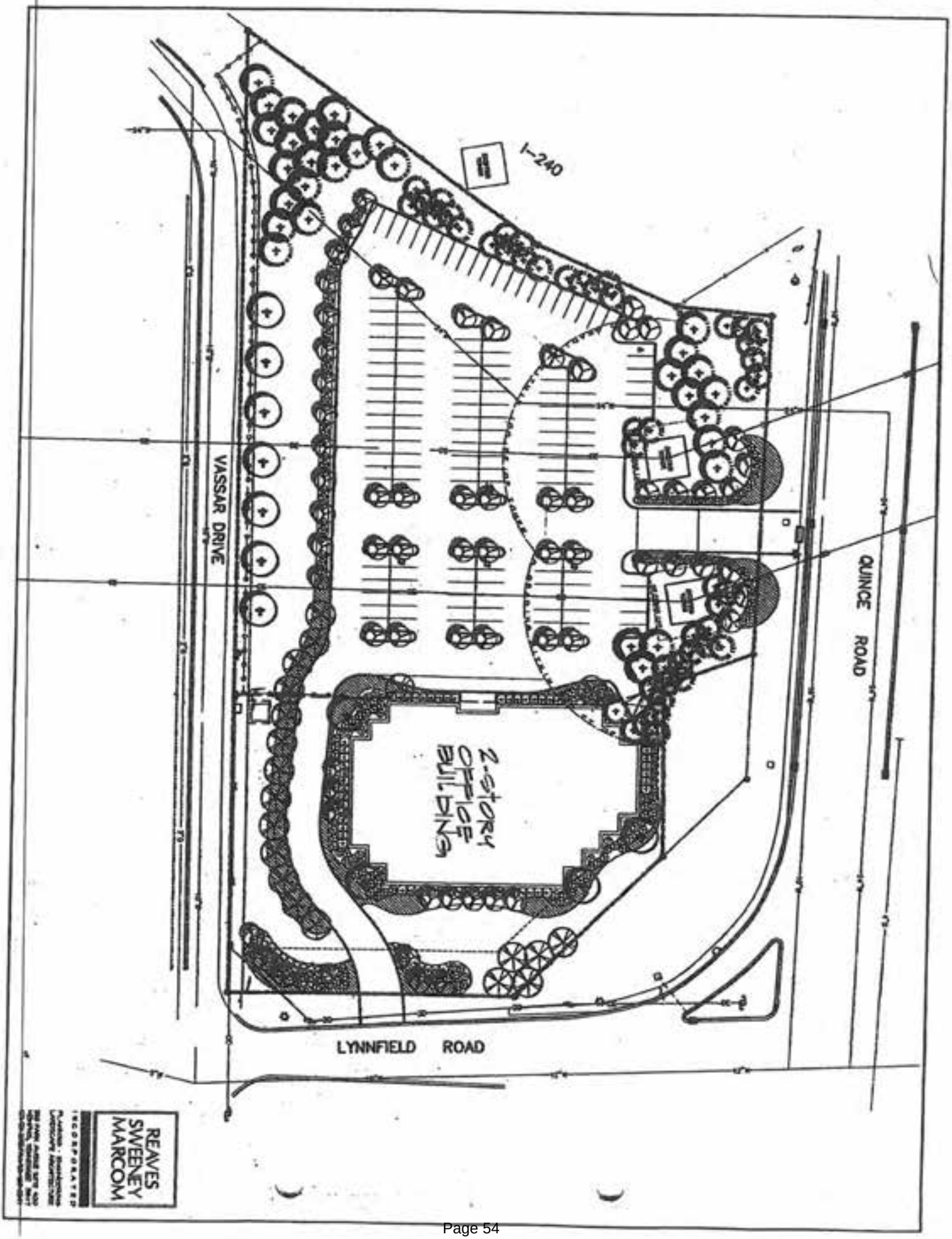
E. The location and ownership, whether public or private, of any easement.

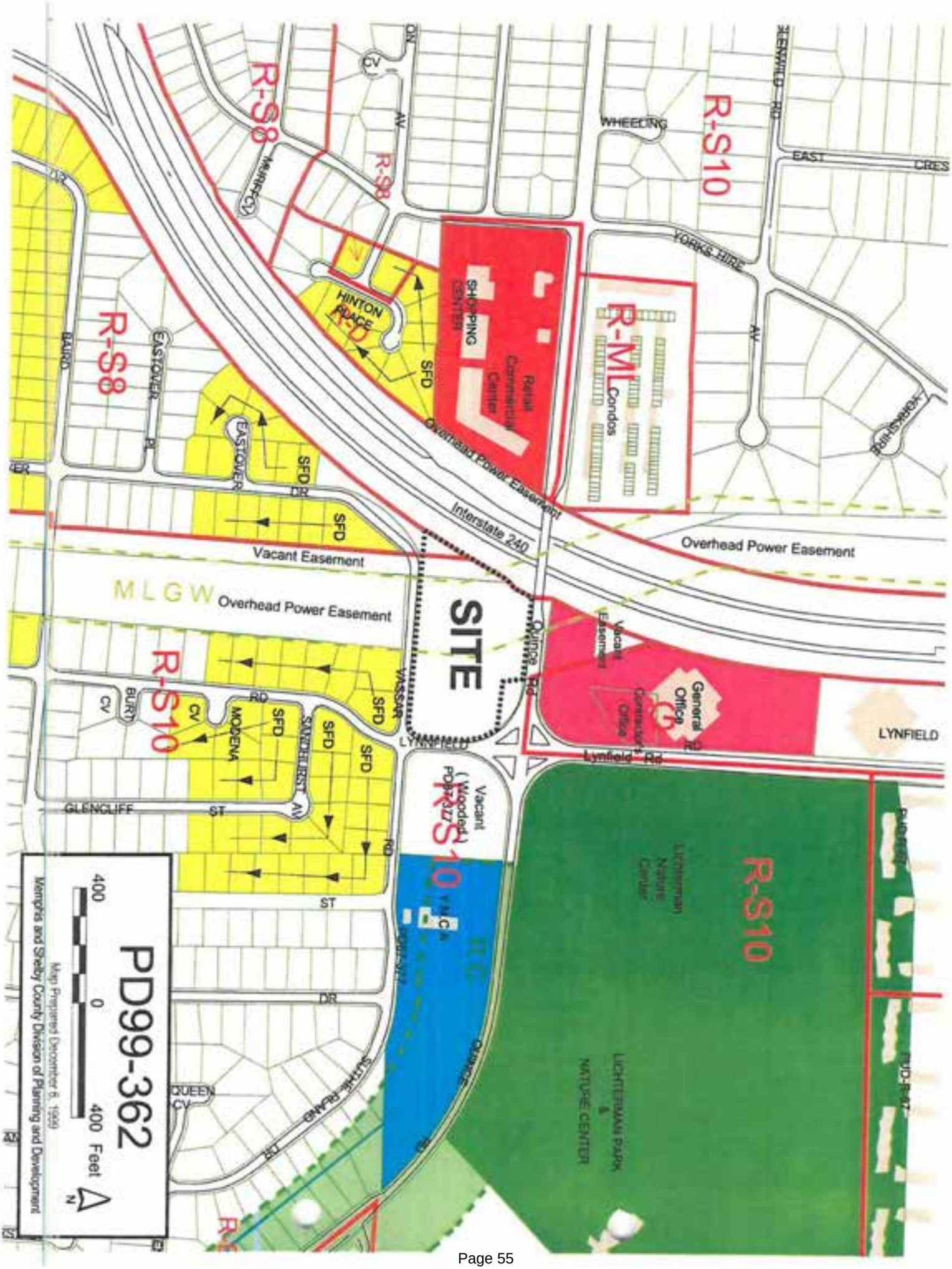
F. Building elevation diagram.

G. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City 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.


QUINCE ROAD
I-240
VASSAR DRIVE
LYNNFIELD ROAD
POB
VICINITY MAP
site
SITE DATA
PROPERTY DESCRIPTION
North
GRAPHIC SCALE IN FEET
SCALE: 1"=50'
REAVES SWEENEY MARCOM
OUTLINE PLAN
QUINCE / LYNNFIELD P.D.
OWNER: MERRILL, SMITH & BLACKWOOD
DEVELOPER: JOHN ELLIS
4.158 ACRES 1 LOT
MEMPHIS, TENNESSEE
OCTOBER, 1999
SHEET 1 OF 1


PROPOSED CONC. DRIVE RUNNING
PROPERTY LINE
PROPERTY LINE


I-240
VASSAR DRIVE
QUINCE ROAD
LYNNFIELD ROAD
2-story office building
REAVES SWEENEY MARCOM


PD99-362
400 0 400 Feet
Map Prepared December 6, 1999
Memphis and Shelby County Division of Planning and Development
SITE
R-S10
R-S8
R-D
R-ML
Retail Commercial Center
SHOPPING CENTER
Condos
General Office
Vacant Easement
Overhead Power Easement
Interstate 240
MLGW
Vacant Easement
Vacant (Wooded)
Lichterman Nature Center
LICHTERMAN PARK & NATURE CENTER
HINTON PLACE
EASTOVER
BAIRD
WHEELING
YORKSHIRE
EAST
CRES
LYNFIELD
Lynfield Rd
Quince Rd
VASSAR
MODENA
SANDHURST
GLENCLIFF
BURT
QUEEN
SUTTLE PLANE
SFD
CV
AV
DR
ST
RD
PL

RESOLUTION APPROVING AN APPEAL BY THE BALMORAL NEIGHBORHOOD ASSOCIATION REQUESTING THE MEMPHIS CITY COUNCIL OVERTURN THE DECISION OF THE MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD APPROVING A MAJOR MODIFICATION TO AN APPROVED OUTLINE PLAN TO ALLOW A THREE (3) STORY OFFICE BUILDING WITH ASSOCIATED ACCESSORY USES WITHIN THE QUINCE/LYNNFIELD PLANNED DEVELOPMENT, LOCATED AT SOUTHWEST CORNER OF QUINCE ROAD AND LYNNFIELD ROAD, KNOWN AS CASE NO. P. D. 99-362

WHEREAS, SE Industrial Investments, LLC filed a Major Modification application with the Office of Planning and Development to allow a three (3) story office building with associated accessory uses within an approved Outline Plan; and

WHEREAS, The Memphis and Shelby County Office of Planning and Development (OPD) recommended and the Memphis and Shelby County Land Use Control Board approved the request of the applicants, subject to conditions; and

WHEREAS, the Balmoral Neighborhood Association filed an appeal on February 26th, 2020 requesting the Memphis and Shelby County Land Use Control Board's approval of the Major Modification be overturned by the Memphis City Council; and

WHEREAS, upon evidence presented at this public hearing by the appellants, the City Council of the City of Memphis concludes that the appeal as stated herein should be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE; THAT, the appeal of the appellants, the Balmoral Neighborhood Association, is hereby granted and the requirement to allow a three (3) story office building with associated accessory uses by the Memphis and Shelby County Land Use Control Board on Thursday, February 13th, 2020 be overturned.

BE IT FURTHER RESOLVED, which this Resolution shall take effect from and after the date it shall have been enacted according to due process of law by virtue of the passage thereof by the City Council of the City of Memphis.

ATTEST:

P.D. 99-362
Quince/Lynnfield Planned Development
Major Modification-Balmoral Ngh'd Assoc. Appeal

I. Use Permitted: Office Uses

A. Office uses in accordance with the Office General (OG) District, including restaurant and coffee shop.

B. A walking path shall be provided to surround the entire site to include park benches.

C. The building elevations, design, setback, placement and orientation shall be illustrated on the final plan, subject to review and approval by staff.

II. Bulk Regulations: The bulk regulations of the OG District shall apply with the following, except the building height shall not exceed three (3) stories and the gross square footage shall not exceed 35,000 square feet in area.

Ill. Access, Parking, Circulation:

A. Dedicate and improve a 30-foot radius at the intersection of Lynnfield Road and Vassar Drive.

B. Maximum of one curb cut to Quince Road and maximum of one curb cut to Lynnfield Road. The design and location of curb cuts shall be subject to review and approval by the City Engineer. Any existing curb-cuts that are non-conforming shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

IV. Landscaping:

A. Streetscape Plate S-10 shall be provided along Quince Road, Lynnfield Road and Vassar Drive.

B. Internal landscaping shall be in accordance with UDC Section 4.5.5.D.

C. Lighting shall be in accordance with the UDC.

D. Lighting shall be directed so as not to glare into residential property.

E. Refuse containers shall be completely screened from view from residential property and public roads.

V. Signs: All Signs shall be in accordance with the OG District, but no attached or detached signs shall be located on the south elevation of the building and along Vassar Drive.

VI. Drainage:

A. Drainage improvements, including possible on-site detention shall be provided under a Standard Subdivision Contract in accordance with the UDC and the City of Memphis Drainage Design Manual.

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

VII. The Land Use Control Board may modify the building setbacks, height, parking, access, landscaping and sign requirements if equivalent alternatives are presented.

VIII. Site Plan Review by the Land Use Control Board shall not be required as long as the final plan conforms to the conceptual plan presented to the Land Use Control Board as part of the Outline Plan.

IX. Any final plan shall include the following:

A. The Outline Plan Conditions.

B. A Standard Subdivision Contract as defined by the UDC for any needed public improvements.

C. The exact location and dimensions including height, of all buildings or buildable areas, parking areas, drives, required landscaping.

D. The number of parking spaces.

E. The location and ownership, whether public or private, of any easement

F. Building elevations.

P.D. 99-362
Quince/Lynnfield Planned Development
Major Modification-02/13/20

Eddie & Eve Settles
5861 Vassar Drive
Memphis, TN 38119

James Nolen
5833 Vassar Drive
Memphis, TN 38119

April Steele
Christopher Haley
2251 Ridgeland Drive
Memphis, TN 38119

FA IRA Investments, LLC
2277 Lynnfield Road
Memphis, TN 38119

Stewart White
2292 Lynnfield Road
Memphis, TN 38119

Clifford & Teresa
5850 Sandhurst Avenue
Memphis, TN 38119

Peggy & Jimmie Vandiver
5824 Sandhurst Avenue
Memphis, TN 38119

M.H. & Nazik Al-Rufaie
2292 Eastover Drive
Memphis, TN 38119

SE Industrial Investments, LLC
6363 Poplar Avenue –Suite 220
Memphis, TN 38119

Phillip Cox
6011 South Hampton Drive
Memphis, TN 38119

Glenda Stevens
5851 Vassar Drive
Memphis, TN 38119

Mary Miller
5815 Vassar Drive
Memphis, TN 38119

Gregory Clark
2261 Ridgeland Drive
Memphis, TN 38119

John & Vivien Weeks
2289 Lynnfield Road
Memphis, TN 38119

Blake Miller
5831 Sandhurst Avenue
Memphis, TN 38119

Janice & Don Gayoso
5844 Sandhurst Avenue
Memphis, TN 38119

Rosa & Carlos Schlemmer
2270 Eastover Drive
Memphis, TN 38119

Arlene Dugard
2279 Eastover Drive
Memphis, TN m 38119

SR Consulting, LLC
Attn: Cindy Reaves
5909 Shelby Oaks Drive-Suite 200
Memphis, TN 38134

Satish Mehra
5841 Vassar Drive
Memphis, TN 38119

Jeremy Carr
5801 Vassar Drive
Memphis, TN 38119

Warruga, LLC
2269 Lynnfield Road
Memphis, TN 38119

Joyce Campbell
2295 Lynnfield Road
Memphis, TN 38119

Stephen & Rebecca
5841 Sandhurst Avenue
Memphis, TN 38119

Oscar Cambron & Tania Villa
5834 Sandhurst Avenue
Memphis, TN 38119

Jerry Hart
2284 Eastover Drive
Memphis, TN 38119

Lynnfield Centre, LLC
6800 Poplar Centre Avenue-Suite 210
Germantown, TN 38138

Balmoral Neighborhood Association
c/o Jeffrey & Genevieve Land,Esquires
780 Ridge Lake Boulevard-Suite 202
Memphis, TN 38120

		AGENDA ITEM:	**21**
CASE NUMBER:	PD 93-328CC (CORRES.)	**L.U.C.B. MEETING:**	**April 9, 2020**
DEVELOPMENT:	The Marks PD		
LOCATION:	2324 N. Germantown Parkway		
OWNER/APPLICANT:	Amrita Goel, Ramesh C. Puroit/ StrongPoint Storage		
REPRESENTATIVE:	StrongPoint Storage		
REQUEST:	Major modification to PD 93-328CC to permit a multi-story indoor storage facility with outdoor RV and boat storage in the rear		
AREA:	+/-3.368 acres		
EXISTING ZONING:	PD 93-328 CC Area A approved conditions, RU-3, R-8, Fletcher Creek Overlay		

CONCLUSIONS

1. The applicant is requesting to modify PD 93-328 CC to permit a multi-story indoor storage facility with outdoor RV and boat storage in the rear.

2. The ground floor square footage of the facility will be 35,500 square feet, while the total square footage of the facility will be 106,500 square feet. The facility will be three (3) stories at 40 feet in height.

3. The existing vegetation at the eastern property line will be altered somewhat to accompany the RV and boat storage in the rear, however as much remaining vegetation will remain as possible, and building setbacks will still be met.

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

CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 plan. For further analysis, see pages 12-14 of the staff report.

RECOMMENDATION:
Approval with conditions

Staff Writer: ***Lucas Skinner*** **E-mail:** ***lucas.skinner@memphistn.gov***

GENERAL INFORMATION

Street Frontage:	North Germantown Parkway	+/-40 linear feet
Zoning Atlas Page:	1855	
Parcel ID:	096500 00565C	
Existing Zoning:	PD 93-328 CC Area A approved conditions, RU-3, R-8, Fletcher Creek Overlay	

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 9 notices were mailed on March 27, 2020, 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

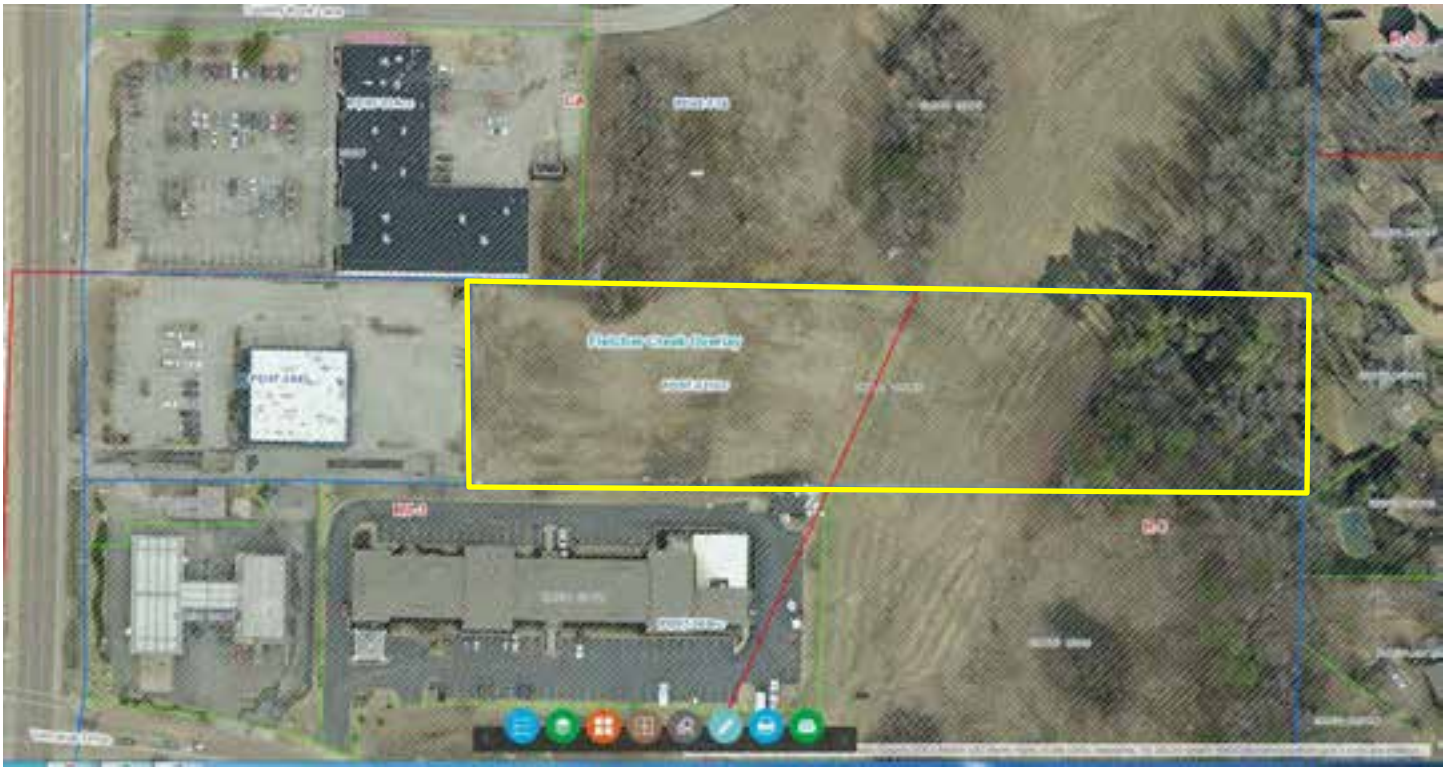
See Attached Photo for location of adjacent properties
1- Galaxay Development INC, 658 Stratford Rd, Memphis, TN 38122-4128
2- Cordova Tennessee LLC, 3113 S. University Dr, 6th Floor, Forth Worth, TX 76109
3- Sang Yoon, 2324 N Germantown PKWY, Cordova, TN 38016-4488
4- Akshar Macon LLC, 12 Longwell Loop, Little Rock, AR 72211-2193
5- People Group LLC, PO Box 172327, Memphis, TN 38187
6- Frank Williams, 8277 Belgrade PL, Cordova, TN 38016-4507

Subject property highlighted in yellow

AERIAL

Subject property outlined in yellow, imagery from 2020

ZONING MAP



Subject property highlighted in yellow

Existing Zoning: PD 93-328 CC Area A approved conditions, RU-3, R-8, Fletcher Creek Overlay

Surrounding Zoning

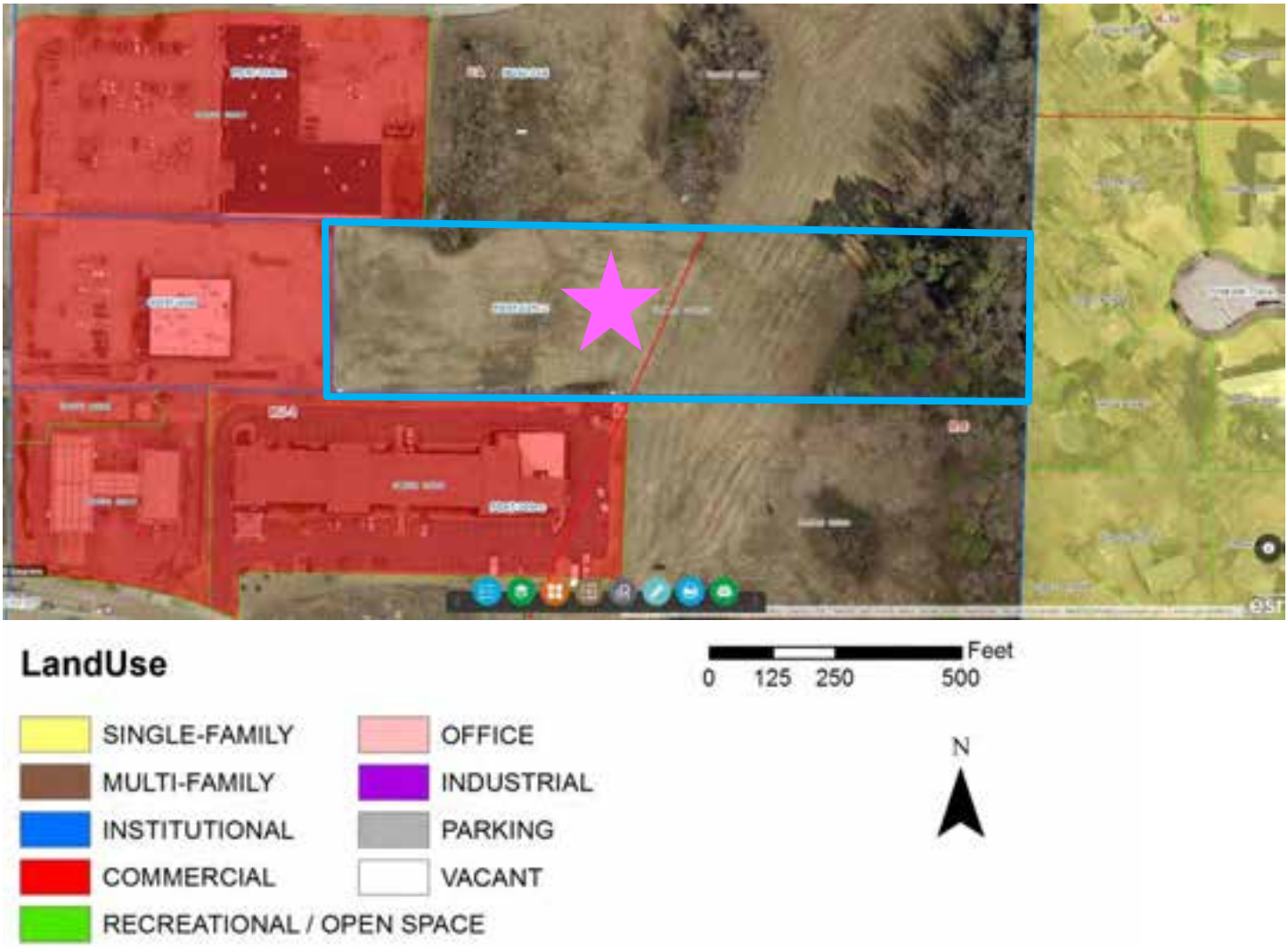
North: PD 97-336CC, PD 02-314, CA

East: R-8, R-10

South: PD 97-369CC, RU-3, R-8

West: PD 97-327CC, RU-3

LAND USE MAP



Subject property outlined in electric blue and indicated by a pink star

SITE PHOTOS

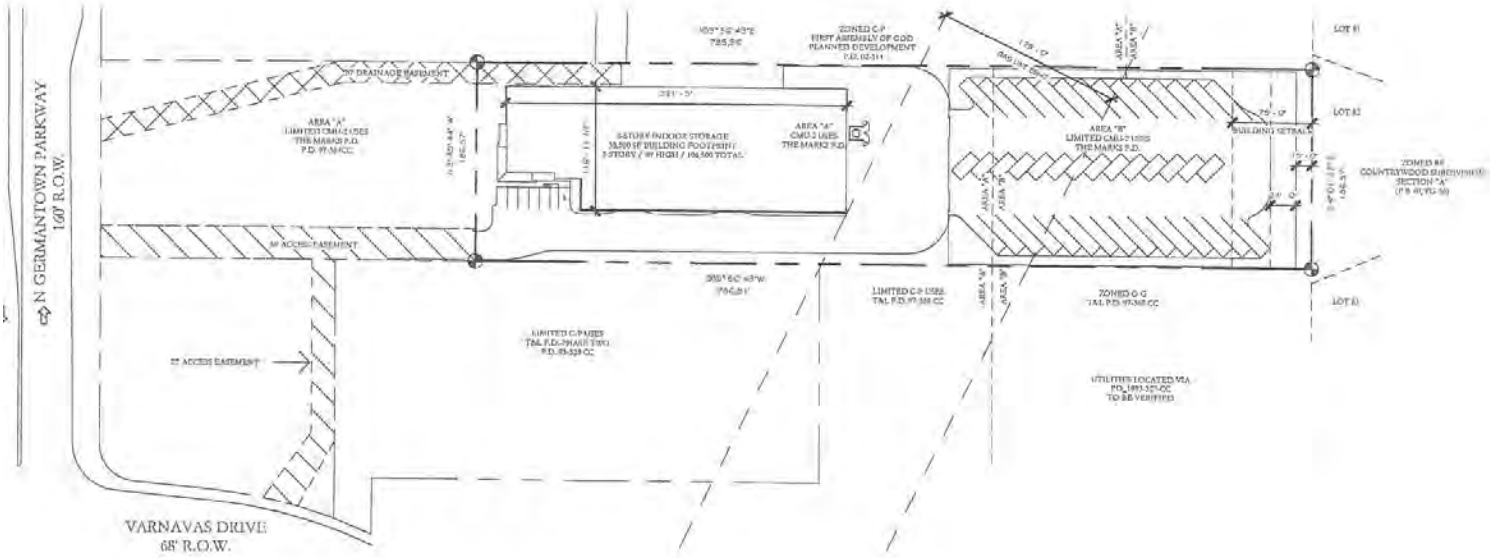
View of subject property entrance from North Germantown Parkway looking southeast

View of subject property line between Shogun and proposed development looking due north

View of subject property from hotel parking lot just to the south looking northeast

View across adjacent property to the north to observe existing vegetation along the eastern edge of the property (seen to the left of the picture)

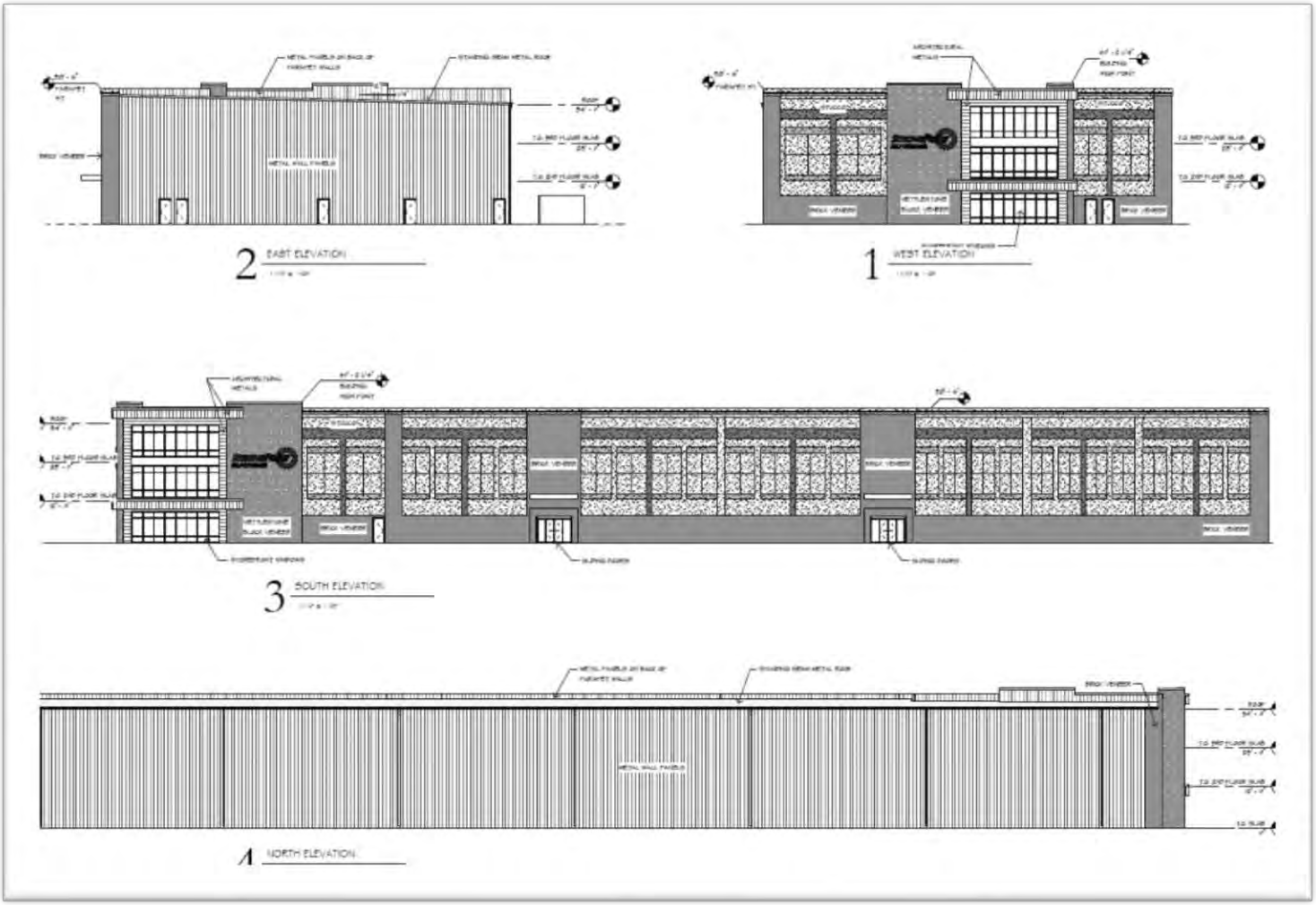
SITE PLAN



1 CONCEPT SITE PLAN 8.5X11

1" = 160'-0"

ELEVATIONS


2 EAST ELEVATION
1 WEST ELEVATION
3 SOUTH ELEVATION
4 NORTH ELEVATION

STAFF ANALYSIS

Request and Justification

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

The request is to add a 3-story indoor storage business with RV and boat storage in the rear.

Site Description

The subject property is +/- 3.37 acres located just south of the I-40 and Germantown Road interchange. The subject site abuts on the east side of the Shogun property, which resides in the same planned development. The site is currently zoned PD 93-328 CC with underlying zoning which is split between RU-3 and R-8 and stands currently vacant. The only remaining vegetation is a thick landscape buffer on the east end of the property between the site and the residential uses to east. There is a large, 175-foot gas easement that runs northeast to southwest through the middle of the property.

Site Plan Review

- Indoor, multi-story storage as a principal use is permitted by right
- RV storage labeled as limited outdoor storage as an accessory use is permitted by right in
- Total parking provided 5, with 1 handicap accessible
- The landscape buffer along the eastern line may be altered, but the building setback will remain
- The setbacks are met
- The proposed building will be 40 feet in height which is permitted
- The ground floor area will be 35,500 square feet which is permitted, the total square footage will be 106,500.

Site Zoning History

The site was approved under PD 93-328CC and then was modified again in 1997. However, the site has remained vacant since inception.

Consistency with Memphis 3.0

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

1. *The future land use planning map:* The subject site is identified as Primarily Single-Unit Neighborhood in the future land use planning map.

2. *The land use category descriptions and graphic portrayals, including whether the proposed use is compatible with the zone districts listed in the zoning notes and the proposed building(s) fit the listed form and location characteristics:* The request for a multi-story indoor storage facility does not meet this criteria because it is a commercial service rather than a residential use. However, the other lot in this phase of the same PD, just to the west of the subject lot, is labeled as Low-Intensity Commercial and Services, which the request for the storage facility does match well with.

3. *Existing, adjacent land uses and zoning:* The subject site is surrounded by the following land uses: commercial to the west, open space to the north, residential to the east, and commercial to the south. The subject site is surrounded by the following zoning districts: RU-3 and R-8, however except for the homes to the east, the rest of the surrounding land is governed by separate planned developments. This requested land use is compatible with these adjacent land uses and zoning districts because it fits well with the surrounding commercial uses and provides a rather low-intensity use for a parcel near residential homes.

4. *The degree of change map:* The subject site is identified in an area not meant to change in the degree of change map.

5. *The degree of change descriptions:* The request for an indoor multi-story storage facility meets this criteria because it helps to add a less intense use to a vacant lot.

This proposal is consistent with the Memphis 3.0 General Plan because it fits within the neighboring Low Intensity Commercial and Services category and helps to bring a different use to this area and a vacant lot.

Conclusions

The applicant is requesting to add a three-story, indoor storage facility with RV storage in the rear to the existing PD 93-328 CC which lies just south of the I-40 and Germantown Road interchange.

The ground floor area of the facility will be 35,500 square feet and the total square footage of the facility will be 106,500 square feet. The total height of the facility will be 40 feet.

The existing vegetation on the eastern property line will be altered to accommodate the RV parking, but the building setbacks will still be met.

The site is currently vacant with commercial uses abutting to the north, south, and west, and residential uses abutting to the east.

The site is in the Fletcher Creek Overlay. The applicant was granted a letter from City Sewer allowing the process to continue if the applicant agreed to submit plans and documents to the department for on-site water detention and other Overlay requirements. The applicant agreed, and the letter is attached several pages below.

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

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

RECOMMENDATION
Staff recommends approval with revisions to the outline plan conditions.

Site Conditions

1. The applicant shall submit all required documents and plans mentioned in the letter from the Sewer department to the City Engineer and City Sewer to fulfill Fletcher Creek Overlay requirements.

2. The site shall retain as much existing vegetation as possible.

3. The site shall have a Class III Type B landscape buffer along the eastern property line. Existing vegetation may be used, but if new vegetation is used then it must be of Evergreen variety. The sight-proof fence shall be 8 feet in height.

4. Lighting shall be a maximum height of 20 feet. Lighting shall be directed so as not to glare into residential property.

5. A site plan shall be submitted to the Office of Planning and Development and any appropriate agencies prior to the approval of a final plan.

Outline Plan Conditions – Revisions
Proposed language is indicated in **bold, underline**; deletions are indicated in ~~**bold strikethrough**~~

PD 97-364 CC
The Marks
Outline Plan Conditions

I. Uses Permitted

A. Area A -- Uses permitted in the ~~**Planned Commercial (C-P)**~~ **Commercial Mixed Use-2 (CMU-2)** District with the following exceptions:
   1. Drive in restaurant
   2. Vehicle wash- Permitted as an accessory to gasoline sales are limited to one wash bay.
   3. Diesel sales are prohibited

B. Area B -- Uses shall be permitted in accordance with the General Office (O-G) District regulations.

II. Bulk Regulations

Commercial and office uses in accordance with the ~~**C-P**~~ **CMU-2** District regulations with the following exceptions:

~~**A. Maximum floor area ratio --.25.**~~

~~**B. Maximum building height -- 35 feet, plus height necessary for mechanical and architectural penthouses.**~~

C. Building setbacks:
   1. Germantown Parkway -- A minimum of 40 feet.
   2. A minimum of 75 feet from the eastern property line.

D. Buildings within Area B shall be limited to a maximum of 9,000 square feet and shall be a maximum of one-story.

III. Access and Circulation

A. Access from Germantown Parkway shall be limited to one curb cut permitting right turn in and right turn out only.

B. A median opening in Germantown Parkway shall be prohibited.

C. Internal circulation shall be provided between all adjacent phases/sections of the development.

IV. Drainage

A. All drainage plans shall be submitted to the City/County Engineer(s) for review.

B. Drainage improvements including possible on-site detention to be provided under contract in accordance with the Subdivision Regulations and the City of Memphis Drainage Design Manual.

C. This project must be evaluated by the Tennessee Department of Health and Environment regarding their jurisdiction over the watercourses on this site in accordance with the Water Quality Control Act of 1977 as amended (TCA 69-3-101 et seq.).

V. The Land Use Control Board may modify the bulk, access, circulation, parking, landscaping, loading, screening, signage, and other site requirements if equivalent alternatives are presented; provided, however, any adjacent 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 Office of Planning and Development, to have such action reviewed by the Appropriate Governing Bodies

VI. Landscaping and Screening

A. A 25-foot-wide landscape area, Plate A 4 modified or equivalent, shall be provided along the frontage of Germantown Parkway.

B. A 75-foot-wide landscape screen area and building setback shall be provided along the east property line as illustrated on the Outline Plan. The specific fencing and landscaping content within the 75 feet shall be subject to approval by the Office of Planning and Development.

C. Existing trees shall be preserved wherever feasible and incorporated into the required landscaping/screening areas.

D. Internal landscaping shall be provided at a ratio of 300 feet of landscaped area and one shade tree per every 20 parking spaces.

E. All required landscaping and screening shall not conflict with any easements including overhead wires. Required landscaping may be located within the gas easement, but the content must be designed to compensate for the planting restrictions applicable to the easement.

F. Equivalent landscaping may be substituted for that required above, subject to the approval of the Office of Planning and Development.

G. Lighting standards shall have a maximum height of 20 feet. Lighting shall be directed so as not to glare into residential property.

H. Refuse containers shall be completely screened from view from adjacent residential properties and public roads.

I. On commercial and office buildings, all heating and air conditioning equipment including that located on the roof shall be hidden from view through the use of architectural features or landscaping.

J. On commercial and office buildings, utility features such as electrical wiring and meters shall also be screened using architectural features or landscaping.

K. All loading facilities shall be screened from view of the public roads and adjacent properties to the east.

L. A survey of existing trees with trunks of ten inches or larger diameter shall be illustrated on any final plan indicating trees to be removed and those being preserved.

M. 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.

VII. Signs

Signs shall be in accordance with the General Office (O-G) District with the following exceptions:

A. Attached signs shall be in accordance with the General Office (O-G) District.

B. Detached signs shall be permitted as follows:

1. One integrated center sign shall be permitted a maximum of 100 square feet in area and 16 feet in height and one monument style detached sign shall be permitted a maximum of 35 square feet in area and a maximum of 10 feet in height.
2. Signs that are animated or create the illusion of continuous movement including traveling message signs shall be prohibited.
3. No additional detached signs shall be permitted excepting directional signs.

C. No sign shall be located within 100 feet of any single family residential property line.

D. No portable signs shall be permitted.

E. The minimum sign setback shall be 15 feet from street rights-of-way.

F. Billboards shall be prohibited.

VIII. Other

A. All buildings, signs and other structures shall be constructed in a consistent architectural style and use consistent building materials.

B. All buildings within Area B shall have a residential character to their exterior elevations in the shape and materials of the roof subject to the approval of the Office of Planning and Development.

C. Buildings of metal or plain concrete block siding shall be prohibited.

D. A rendering of the exterior appearance of proposed buildings and signs with proposed siding and roof materials labeled shall be provided on any final plan subject to the approval of the Office of Planning and Development.

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

F. All common open space features shall be maintained by a property owner's association. The first phase of development adjacent to a common open space shall include the common open space within the site plan for that phase.

IX. Site Plan Review by the Office of Planning and Development:

A. A site plan shall be submitted for the review, comment and recommendation of the Office of Planning and Development (OPD) and appropriate City and County agencies prior to approval of any final plan.

B. The site plan shall include the following information:

1. The location, dimensions, floor area and height of all buildings, structures, signs and parking areas.
2. Specific plans for internal and perimeter landscaping and screening including plant material types and sizes.

3. The location and use of open space.
4. The location and name of species of trees to be removed as well as those to be preserved and incorporated into required landscaping and screening.
5. The proposed exterior appearance of buildings and signs.
6. The location of loading facilities and trash receptacles.
7. Proposed means of access and circulation of automobile and pedestrian traffic.
8. General alignment of the east/west and north/south collector streets across the property including streetscaping and pedestrian movement.

C. The site plan shall be reviewed based upon the following criteria:
1. Conformance with the outline plan conditions.
2. Conformance to the standards and criteria for commercial planned developments contained in Sections 14.C. and 14. E.of the Zoning Ordinance.
3. Compatibility with adjacent properties as judged from the final elements of site development including neighborhood orientation and access, landscaping, screening and the scale and exterior appearance of buildings and signs.
4. Provision of an adequate plan for sharing access to the median opening along Germantown Parkway with vacant properties to the north and south.

X. Any final plan shall include the following:

A. The outline plan conditions,
B. A standard subdivision contract as defined by the Subdivision Regulations for any needed public improvements,
C. The exact location and dimensions including height, of buildings parking areas, utility easements, drives, trash receptacles, loading facilities, and required landscaping and screening areas.
D. The content of all landscaping and screening to be provided.
E. The location of trees and groups of trees to be preserved and required landscape/screening areas.
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 conditions VIII.
I. The location, diameter, and species name of existing trees of 10 inches in diameter or greater, and differentiation between those trees to be preserved and those to be removed.
J. An overall landscape plan including streetscapes and common areas.

K. The following note shall be placed on the final plat of any development requiring on site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City 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.

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

City/County Engineer: CASE: **PD-93-328** NAME: **Strong Point Storage at Memphis**

1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:
2. City sanitary sewer availability TBD.

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

Traffic Control Provisions:
4. 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.

Private Drives:
5. Easements for sanitary sewers, drainage and other required services as indicated on the final recorded plat may be located and utilized within private drives. The City shall not be responsible for street repairs within the private drives, even though the pavement and base may have to be removed to work on sewers or drainage. The responsibility of repairing the private drives shall be that of the owners and/or Property Owners' Association.

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

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

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

9. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those

parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.

10. A pro-rata Fee for major drainage improvements may be required by a phased development.

11. All drainage emanating on-site shall be private in nature and no public easements will be accepted.

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

13. This project must be evaluated by the Tennessee Department of Environment and Conservation regarding their jurisdiction over the watercourses on site, in accordance with the Water Quality Control Act of 1977 as amended (TCA 69-3-101 et seq.).

City/County Fire Division:
Address or Site Reference: 2324 N. Germantown

- All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Sewer: This parcel is located in fletcher Creek sewer basin and on-site storage tank with off-peak discharge is required. The developer engineer need to get a sewer connection permit letter from Public works.

City Real Estate: No comments received.

City/County Health Department:
Water Quality Branch & Septic Tank Program:

- No comments.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water:
MLGW has reviewed the referenced application, and has <u>no objection, **subject to** the following conditions:</u>

- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities.
- **No permanent structures, development or improvements** are allowed within any utility easements, without prior MLGW written approval.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **Underground Utility separation and clearance:** The subject property is encumbered by existing utilities which may include overhead and underground facilities. It is the responsibility of the owner/applicant to maintain a minimum 3-foot (3') separation between any existing underground service lines or utilities and any proposed permanent structure or facility. This separation is necessary to provide sufficient space for any excavations to perform service, maintenance or replacement of existing utilities.
- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL** @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
- **It is the responsibility of the owner/applicant** to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations**.**
- **Street Trees are prohibited**, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- **Landscaping is prohibited** within any MLGW utility easement without prior MLGW approval.
- **Street Names: It is the responsibility of the owner/applicant** to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval. Please use the following link to the MLGW Land & Mapping website for **Street Naming Guidelines** and the **Online Street Name Search**: http://www.mlgw.com/builders/landandmapping
- **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the impact on or conflict with any existing utilities, and the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.
    - All residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.
    - All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Respectfully Submitted,
MEMPHIS LIGHT, GAS and WATER DIVISION

Office of Sustainability and Resilience:

- No comments at this time.

City Sewer also provided this letter allowing the zoning process to continue if the applicant agreed to provide on-site water detention and inspection of all plans and systems. This is a part of the requirements for the Fletcher Creek Overlay. The letter is attached below.

City of Memphis

TENNESSEE

JIM STRICKLAND
MAYOR

DIVISION OF PUBLIC WORKS

April 2, 2020

VIA Email

Mr. Jason McDonald, AIA
Holyfield Construction, Inc.
2371 Tower Drive
Monroe, LA 71201
JMcDonald@holyfield-inc.com

RE: Sewer Connection Permit - PD 93-328CC, parcel 096500 00565C

Mr. McDonald,

Your site lies within a sewer basin that has limited capacity. We will be constructing capacity enhancing projects within the basin. Therefore, any proposed development located [or to be located] within the sewer basin must be evaluated on a case-by-case basis in an effort to ensure that any existing capacity limitations are not exacerbated.

In an effort to enable the City to authorize new sewer connections or increases in flow from existing sewer connections while correcting any identified capacity restrictions, we will evaluate each request utilizing factors such as identification of areas with insufficient capacity, assurance that the connection is only authorized to the extent there is adequate capacity, and alternative approaches that can be utilized to reduce flows such as use of off-line storage (i.e., on-site storage tank with off-peak discharge). To the extent any sewer capacity issues are to be resolved through construction of new infrastructure, under no circumstances will the City exclusively bear the cost of such construction, but any construction plans must nonetheless be approved by the City Engineer.

To assist us with the review of your request, we ask that you provide additional information related to the proposed land use, build-out conditions, construction schedule, flows, and proposed discharge alternatives for the City's consideration. Following receipt of this information, we will respond to your request within thirty (30) days.

For other developments in this basin, discharge alternatives have consisted of on-site storage of wastewater, off-line from our system, that discharges during off-peak hours. The discharge rate and time will be evaluated/determined by City Engineering—Sewer Design. The on-site system is a private system to be maintained by the owner, but it is subject to review, inspection and approval by the City. The owner must submit pump run time logs and maintenance activity reports to the City until downstream improvements have been completed, as such improvements are determined necessary by the City. The City will have the right to inspect the system. If you agree to these conditions, Public Works will authorize you advancing through the planning process under the condition that you will provide the storage system and meet the requirements imposed by the City. The City Engineer must approve the final design plan for the storage and off-peak pumping.

If you have any questions regarding this matter, please contact me at 901.636.7125 or via email at scott.morgan@memphistn.gov.

Sincerely,

Scott Morgan
Senior Environmental Administrator

cc: Gary Vaden, Administrator of Environmental Construction
Jack Stevenson, Administrator of Land Development
Faraedoon Qaladize, Sewer Design Engineer
Josh Whitehead, Administrator OPD
Lukas Skinner, Municipal Planner

APPLICATION

elope ID: B635F9A4-5043-4 3240-CEB401380A20

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR PLANNED DEVELOPMENT MAJOR MODIFICATION/LUCB SITE PLAN (CORRESPONDENCE) APPROVAL

Date: 2/26/20

Previous Case #: _____

PLEASE TYPE OR PRINT

Name of Development: StrongPoint Storage at Memphis

Property Owner of Record: see attachment

Mailing Address: _____ Phone #: _____

Property Owner E-Mail Address: _____ City/State: _____ Zip _____

Applicant: Chris Holyfield

Mailing Address: 2371 Tower Drive Phone # 318 547 7078

Applicant E- Mail Address: chris@holyfield-inc.com City/State: Monroe, LA Zip 71201

Representative: _____

Mailing Address: _____ Phone #: _____

Representative E-Mail Address: _____ City/State: _____ Zip _____

Engineer/Surveyor: undecided at this date

Mailing Address: _____ Phone # _____

Engineer/Surveyor E-Mail Address: _____ City/State: _____ Zip _____

Correspondence item Street Address Location: undeveloped lot behind Shogun Restaurant at 2324 N. Germantown Pkwy.

Distance to nearest intersecting street: 270'

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:			3.368 acres
Existing Zoning:			Marks PD
Existing Use of Property			Undeveloped
Requested Use of Property			CMU-2

Type of Correspondence Item Requested:

X Major Modification(s) (See UDC Para. 9.6.11E(2) for a list of Major Modifications)

X Land Use Control Board Site Plan Approval

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

Number of Residential Units: _____ Bedrooms: _____

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

1

Description of and justification for request: For time extensions provide reasons necessitating extensions and estimated time frame for finalizing the development:

SEE ATTACHED

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

DocuSigned by: Amita Goel 2/26/2020
Property Owner of Record Date

Applicant 2-27-2020
Date

DocuSigned by: Pat Wright 2/26/2020

DocuSigned by: Pat Wright 2/26/2020

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

REQUIRED MAJOR MODIFICATIONS: The following items shall be deemed as Major Modifications to an approved Planned Development Outline Plan:

A. Any revision to an Outline Plan that involves adding uses of a higher classification. Note: Adding uses of a lower classification will require the submittal of an Outline Plan *Amendment*. See Sub-Section 10.2.5B of the UDC for more information on higher and lower classifications.

B. Any extension of the expiration date of an Outline Plan, provided the expiration date has not passed (see Sub-Section 9.6.14A).

C. Any filing of a Final Plan in a Planned Development that was approved more than five years prior to the filing date and where the Outline Plan contains no expiration provisions.

D. Any final plan that provides for more density than is permitted under the approved Outline Plan, unless the Outline Plan explicitly allows for such additional density (see Item 9.6.11D(3)(a) of the UDC).

E. Any modification to the orientation of buildings as shown on the Outline Plan or the Outline Plan's Concept Plan that exceeds the following (see Item 9.6.11D(3)(c) of the UDC):
   1. 25 feet for final plans of two or less acres;
   2. 50 feet for final plan of more than two but less than eight acres;
   3. 100 feet for final plans of eight acres but than 20 acres; and
   4. 150 feet for final plans of 20 acres or more.

LETTER OF INTENT

Property Owner of Record:

Amrita Goel

6325 Swan Nest Cove

Memphis, TN 38120

jdirghangi@aol.com

Ramesh C. Purohit & Purnima R. Purohit

431 Green T Lake East

Hernando, MS 38632

Rcspurohit@gmail.com

Description of and justification for request:

The property located directly behind Shogun Restaurant at 2324 N. Germantown Parkway, Memphis is currently undeveloped property in a Planned Development established in February 1998. The 3.368 acre, Parcel 3, is divided into Area "A" and Area "B". We are requesting the Marks P.D. restrictions to comply with CMU-2 requirements for both Area "A" and Area "B", which will allow the development of a Premier climate controlled, 3 story mini warehouse facility on Area "A" and Limited outdoor storage for RV and boat storage in Area "B". Area "B" will address the adjacent OG zoning to the north and south by providing a Class II, Type B buffer. We will also retain the original verbiage in the PD for the landscape buffer on the east property line adjoining the residential district. Also remaining in Area "B" is the height restriction of 1 story and building area limits of a 9000 s. f. structure.

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Chris Holyfield *, being duly sworn, depose and say that at _____ am/pm on the _____ day of _____, 20*20*, I posted* X *Public Notice Sign(s) pertaining to Case No.* PD-93-328 CC *at* Marks PD on N. Germantown Pkway *, providing notice of a Public Hearing before the* X *Land Use Control Board, _____Memphis City Council, _____Shelby County Board of Commissioners for consideration of a proposed Land Use Action (* X *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.*

Owner, Applicant or Representative — *Date* 3-30-2020

Subscribed and sworn to before me this 30th *day of* March *, 20*20

#53074

Notary Public

My commission expires: at death

LETTERS RECEIVED

One letter was received at the time of this report. The letter is neither in support nor opposition, but simply to state concerns for the neighborhood to the East of the development. It is attached here:

Countrywood Neighborhood Association
www.countrywood.org

Countrywood Neighborhood Association
Post Office Box 1343
Cordova, Tennessee 38088-1343
March 30, 2020

Mr. Josh Whitehead
AICP Planning Director/Administrator
Memphis and Shelby County Office of Planning and Development
City Hall
125 N. Main Street, Suite 476
Memphis, TN 38103
josh.whitehead@memphistn.gov

Re: Land Use Control Board Case for April 9, 2020
PD 93-328 (CORRES): CORDOVA
(multi-story indoor self-storage facility at 2324 N. Germantown Parkway)

Dear Mr. Whitehead:

This letter is on behalf of the Board of the Countrywood Neighborhood Association (CNA) about the upcoming Land Use Control Board Case PD 93-328 on April 9, 2020, regarding StrongPoint Storage of Memphis. Projects of this nature will not increase property values in Countrywood, yet we do not want to impede quality commercial development.

Although the development "touches" only one residential lot, it will be visible to many residents. No one will want to see from their patios a parking lot of RVs, campers, vehicles, and boats. Please consider our following concerns:

- Effect on property values.
- A structure less than three stories (40' high) would be less obtrusive.
- Possibility of light and noise pollution is concerning.
- Paint/siding/roofing color selections need to complement existing homes in Countrywood with soft natural tones.
- Apprehension of the planned buffer's adequacy to naturally screen the development from nearby houses. Retaining existing deciduous trees is a plus point, but evergreen trees would screen better in winter. The eight-foot high wooden fence needs to be of naturally decay-resistant wood. The area between the property line and the fence must be well maintained.

Thank you for your time and efforts to protect and serve the Greater Countrywood neighborhood and over 2800 of its residences. Please consider these comments to keep this development within the overall character of our community.

Sincerely,

Carl L. Garrett
President - Countrywood Neighborhood Association
countrywood.president@gmail.com

cc: Brett Davis, Staff Planner (Brett.Davis@memphistn.gov)
Rhonda Logan, Memphis City Councilwoman (District 1) (Rhonda.Logan@memphistn.gov)
Board of Directors – Countrywood Neighborhood Association (CNA)

AGENDA ITEMS: 6-19

L.U.C.B. MEETING: April 9, 2020

CASE NUMBERS:	SAC 20-03, SAC 20-04, SAC 20-05, SAC 20-06, SAC 20-07, SAC 20-08, SAC 20-09, SAC 20-10, SAC 20-11, SAC 20-12, SAC 20-13, SAC 20-14, SAC 20-15, and SAC 20-16
LOCATION:	North of Ketchum Road, east of Imogene Street, south of Dwight Road, and west of Pendleton Street
COUNCIL DISTRICT:	District 4 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Memphis Shelby County Airport Authority / Ketchum Airport Investors, LLC – Bradleigh Kaaber
REPRESENTATIVE:	Brittenum Law, PLLC – Dedrick Brittenum, Jr.
REQUEST:	Close and vacate the following public rights-of-way within the subject property: Crosby Street, Barrymore Street, Dawnwood Cove, Judith Cove, Long Street, Jolson Avenue, Canter Avenue, Labelle Street, Lola Avenue, Byrd Avenue, Durby Street, Alvin Street, Stanfill Avenue, and Nott Avenue

CONCLUSIONS

1. The applicant is seeking to close and vacate the following public rights-of-way within the subject property: Crosby Street, Barrymore Street, Dawnwood Cove, Judith Cove, Long Street, Jolson Avenue, Canter Avenue, Labelle Street, Lola Avenue, Byrd Avenue, Durby Street, Alvin Street, Stanfill Avenue, and Nott Avenue

2. These cases are companions to Z 20-03 which is a request seeking to rezone the surrounding +/-66 acres of land around these streets to the Employment District.

3. The closure of the subject rights-of-way would not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 general plan does not address right-of-way vacations.

RECOMMENDATION:
Approval with conditions

Staff Writer: ***Jeffrey Penzes*** **E-mail:** ***jeffrey.penzes@memphistn.gov***

GENERAL INFORMATION

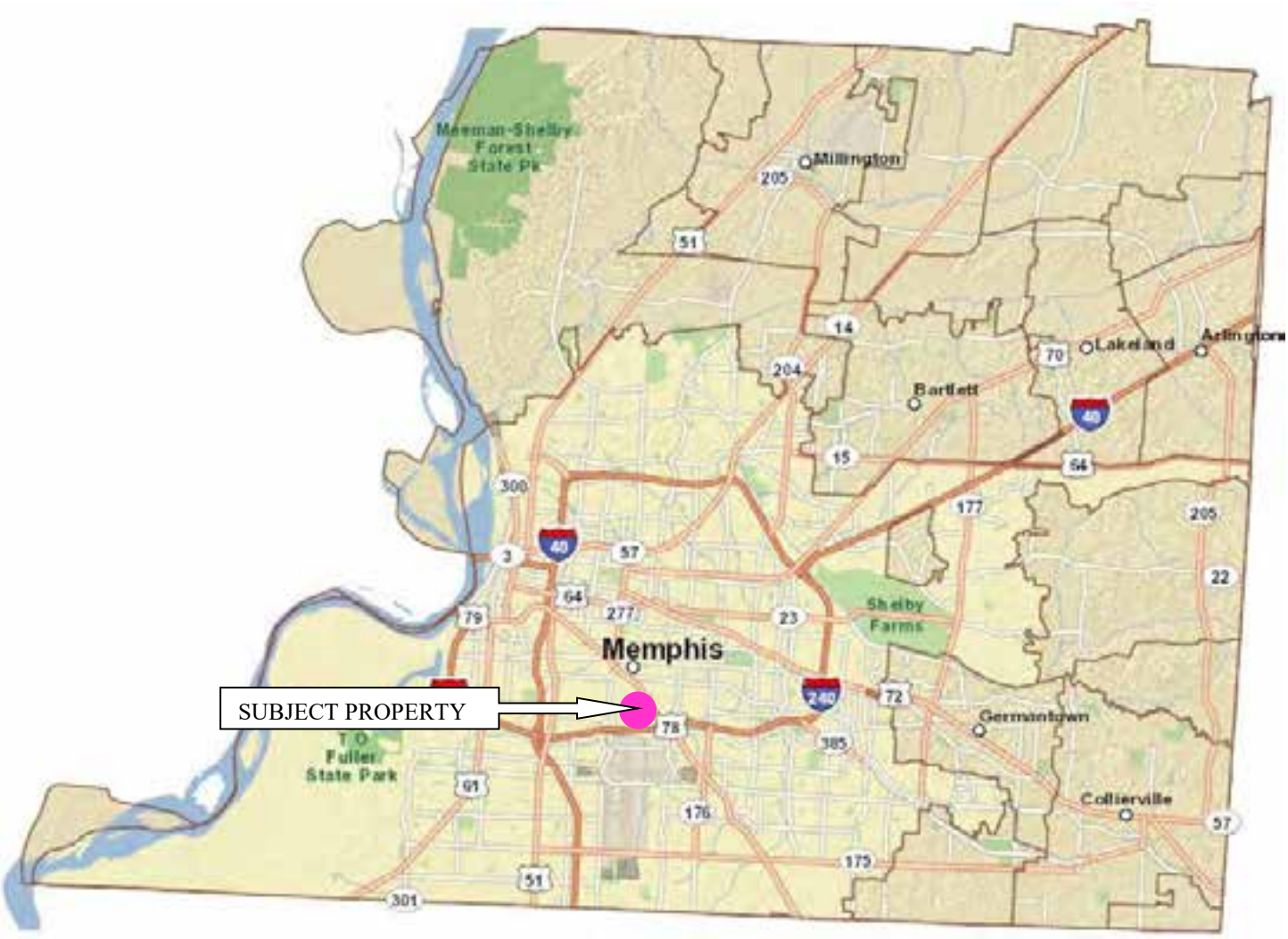
Zoning Atlas Page: 2235

Existing Zoning: Residential Single-Family – 6 (R-6) and Residential Urban – 1 (RU-1)

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 233 notices were mailed on March 3, 2030, and a total of 14 signs posted on the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle, Depot neighborhood

VICINITY MAP

Subject property highlighted in yellow

ZONING MAP

Subject property outlined in yellow

Existing Zoning: Residential Single-Family – 6 (R-6) and Residential Urban – 1 (RU-1)

Surrounding Zoning

North: Residential Single-Family – 6 (R-6)

East: Residential Single-Family – 6 (R-6) and Residential Urban – 3 (RU-3)

South: Residential Single-Family – 6 (R-6) and Employment (EMP)

West: Residential Single-Family – 6 (R-6)

LAND USE MAP

Subject property outlined in pink and indicated by a pink star

STAFF ANALYSIS

Request and Reason

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

The request is to close and vacate the following public rights-of-way within the subject property: Crosby Street, Barrymore Street, Dawnwood Cove, Judith Cove, Long Street, Jolson Avenue, Canter Avenue, Labelle Street, Lola Avenue, Byrd Avenue, Durby Street, Alvin Street, Stanfill Avenue, and Nott Avenue

Site Description

The subject rights-of-way are located within an area that was part of a noise buyout in the 1980s due to the north/south flight path of the Memphis International Airport. The 258 homes that existed within this area at the time were removed and the lots are now vacant. Under the terms of the airport noise abatement program the use of the land cannot revert to residential, school, church, or similar uses.

Consistency with Memphis 3.0

The Memphis 3.0 general plan does not address right-of-way vacations.

Conclusions

The applicant is seeking to close and vacate the following public rights-of-way within the subject property: Crosby Street, Barrymore Street, Dawnwood Cove, Judith Cove, Long Street, Jolson Avenue, Canter Avenue, Labelle Street, Lola Avenue, Byrd Avenue, Durby Street, Alvin Street, Stanfill Avenue, and Nott Avenue

These cases are companions to Z 20-03 which is a request seeking to rezone the surrounding +/-66 acres of land around these streets to the Employment District.

The closure of the subject rights-of-way would not have any undue or substantial effect upon the existing vehicular and pedestrian traffic flow of the surrounding area.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.

2. 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 curb cut permit from the City Engineer to cover the above required construction work.

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

City/County Engineer:
1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

Traffic Control Provisions:
2. 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.

3. 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.

Street Closures:
4. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.

5. City sanitary sewers/drainage facilities are located within the proposed closure area.

6. 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 curb cut permit from the City Engineer to cover the above required construction work.

7. Cul-de-sacs will not be required for any stub streets less than 150 feet.

8. Byrd and Lola may require turnarounds on the east side of the closure due to the length of the remaining lane through the development to the east of this site.

9. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.

Site Plan Notes:
10. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.

11. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

City/County Fire Division:
- No comments.

City Real Estate: No comments received.

City/County Health Department:
Water Quality Branch & Septic Tank Program:

- NO SEPTIC TANK ISSUES

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water:
MLGW has reviewed the referenced application, and has no objection, **subject to** the following conditions:

· MLGW has existing utility distribution facilities within the present public road/alley right of way. The City of Memphis shall retain an easement across the proposed street closure, from edge to edge of the road right of way, to accommodate any existing public utilities, including electric, gas, water, CATV, telephone, sewer, drainage, etc.

· It is the responsibility of the owner/applicant to bear the cost if it is necessary for MLGW facilities to be installed, removed or relocated.

· MLGW reserves the right to retain a utility right-of-way within that portion of the existing public road right of way at all times for existing utilities, or the owner/applicant may choose to relocate existing utilities at the expense of the owner/applicant.

· MLGW must be able to access any overhead or underground facilities. Consequently, no permanent structure(s) shall be constructed or erected within that portion of the existing public road right of way including fences, buildings, patios, vehicle parking or paving.

· No permanent structures, development or improvements are allowed within any utility easements, without prior MLGW written approval.

· Underground Utility separation and clearance: The subject property is encumbered by existing utilities which may include overhead and underground facilities. It is the responsibility of the owner/applicant to maintain a minimum 3-foot (3') separation between any existing underground service lines or utilities and any proposed permanent structure or facility. This separation is necessary to provide sufficient space for any excavations to perform service, maintenance or replacement of existing utilities.

· If there are existing fire hydrants within the proposed closure of the public right-of-way, these hydrants will become public hydrants on private property, and the owner/applicant will be billed an annual maintenance fee on a monthly basis by MLGW.

· If there are existing street lights within the proposed closure of the public right-of-way, MLGW will remove all street lights, and abandon underground electric feeds or remove overhead electric feeds – at the expense of the owner/applicant.

· STREET NAMES: It is the responsibility of the owner/applicant to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval. Please use the following link to the MLGW Land & Mapping website for Street Naming Guidelines and the Online Street Name Search: http://www.mlgw.com/builders/landandmapping

· It is the responsibility of the owner/applicant to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.

· It is the responsibility of the owner/applicant to contact TN-1-CALL @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.

· It is the responsibility of the owner/applicant to contact MLGW-Property Management, Land Rights

Specialist @ 901-528-4186 to request a Release Deed for release of easement for any existing MLGW Easement(s) in conflict with the proposed development.

· It is the responsibility of the owner/applicant to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.

· It is the responsibility of the owner/applicant to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.

· It is the responsibility of the owner/applicant to comply with the National Electric Safety Code (NESC) and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.

· It is the responsibility of the owner/applicant to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations.

· Street Trees are prohibited, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.

· Landscaping is prohibited within any MLGW utility easement without prior MLGW approval.

· It is the responsibility of the owner/applicant to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s).

· It is the responsibility of the owner/applicant to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.

  o All residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.

  o All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.

· It is the responsibility of the owner/applicant to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Land and Mapping-Address Assignment:

- NO STREET NAME CHANGES

Office of Sustainability and Resilience:

- No comments.

RIGHT-OF-WAY VACATION PLATS AND LEGAL DESCRIPTIONS

Memphis and Shelby County
Office of Planning and Development
CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020 Case #: SAC 20-03

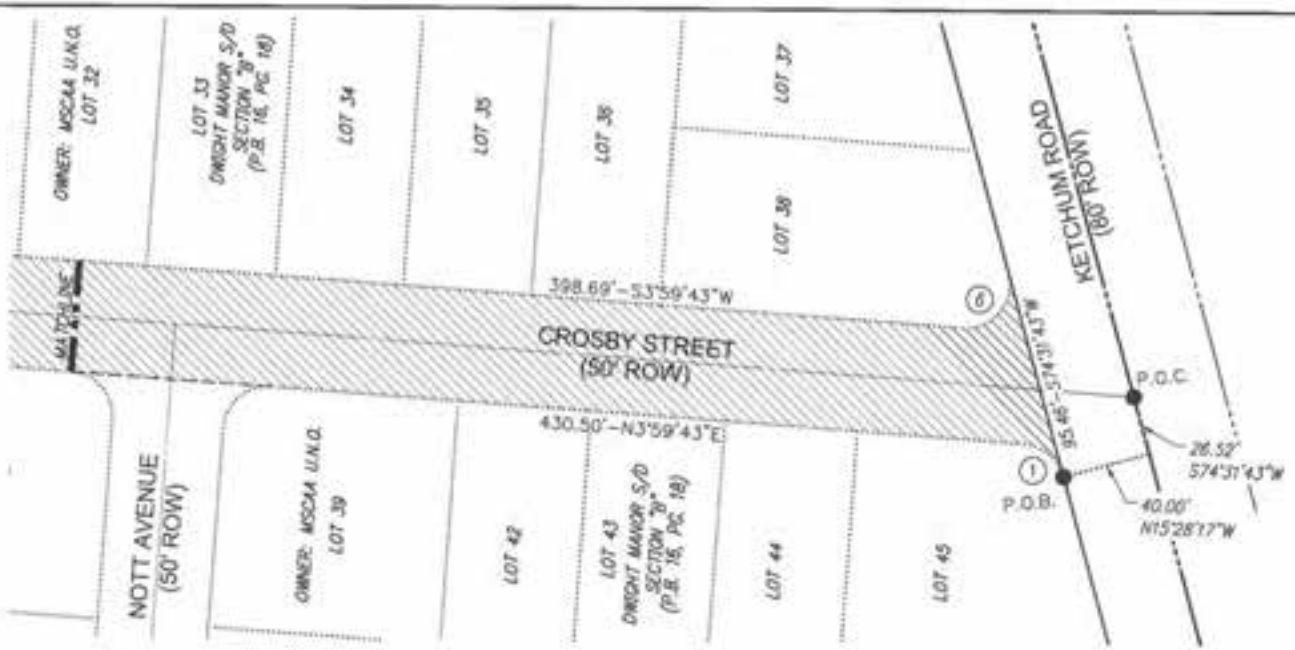
PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Crosby Street
Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000
Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116
Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)
Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409
Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309
Applicant E- Mail Address: bkaaber@tpa-grp.com
Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994
Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116
Representative E-Mail Address: db@brittenumlaw.com
Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016
Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138
Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com
Closure Street Address Location: 0 Crosby Street to 0 Crosby Street per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No
Unincorporated Shelby County ☐ Yes ☐ No
City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 40.22' to the centerline of Ketchum Road

Area of ROW: ~~1.71~~ 1.711 ACS Square-Feet/Acres Length x Width of ROW: ~~1467.15~~ 1486.42'x50' Feet
Closure starts at: the north Ketchum Road ROW line (80' ROW) and
Proceeds to 134' south of the Dwight Road south ROW line (50' ROW)
Reason for Closure: Consolidation of property for future development.



CURVE DATA:

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ARC = 24.62'
TAN = 14.14'
CHD = 23.10'-N39°15'43"E
DEL = 70°32'00"

6 RAD = 20.00'
ARC = 38.21'
TAN = 28.28'
CHD = 32.66'-S50°44'17"E
DEL = 109°28'00"

NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	74,541 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 10 OF 17 SHEET NO. 1 OF 4

DIVISION OF ENGINEERING

R.O.W. VACATION FOR CROSBY STREET

0 CROSBY STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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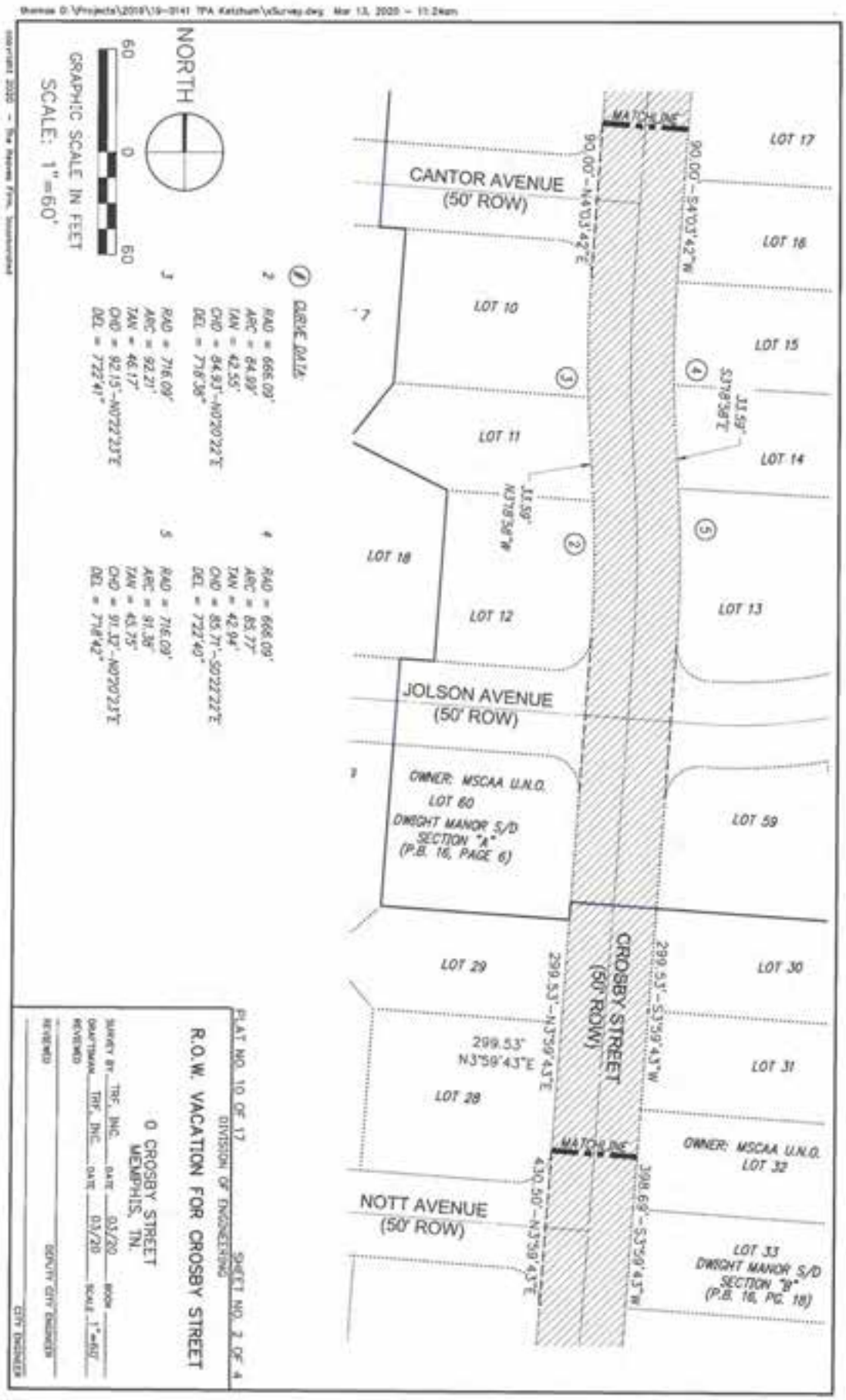
CANTOR AVENUE
(50' ROW)
JOLSON AVENUE
(50' ROW)
NOTT AVENUE
(50' ROW)
CROSBY STREET
(50' ROW)
MATCH LINE
90.00'-S40°03'42"W
90.00'-N40°03'42"E
LOT 17
LOT 16
LOT 15
LOT 14
LOT 13
LOT 10
LOT 11
LOT 12
LOT 18
LOT 59
LOT 29
LOT 30
LOT 31
LOT 28
LOT 32
LOT 33
DWIGHT MANOR S/D
SECTION "B"
(P.B. 16, PG. 18)
OWNER: MSCAA U.N.O.
LOT 60
DWIGHT MANOR S/D
SECTION "A"
(P.B. 16, PAGE 6)
OWNER: MSCAA U.N.O.
LOT 32
299.53'-S3°59'43"W
299.53'-N3°59'43"E
299.53'
N3°59'43"E
430.50'-N3°59'43"E
398.69'-S3°59'43"W
33.59'
S37°18'58"E
33.59'
N37°18'58"W
NORTH
GRAPHIC SCALE IN FEET
SCALE: 1"=60'
60
0
60
CURVE DATA:
2 RAD = 666.09'
ARC = 84.99'
TAN = 42.55'
CHD = 84.93'-N07°01'22"E
DEL = 7°18'36"
3 RAD = 716.09'
ARC = 92.21'
TAN = 46.17'
CHD = 92.15'-N07°22'23"E
DEL = 7°22'41"
4 RAD = 666.09'
ARC = 85.77'
TAN = 42.94'
CHD = 85.71'-S01°23'22"E
DEL = 7°22'40"
5 RAD = 716.09'
ARC = 91.38'
TAN = 45.75'
CHD = 91.33'-N07°01'23"E
DEL = 7°18'42"
PLAT NO. 10 OF 17
DIVISION OF ENGINEERING
SHEET NO. 2 OF 4
R.O.W. VACATION FOR CROSBY STREET
0 CROSBY STREET
MEMPHIS, TN.
SURVEY BY TRC, INC. DATE 03/20 BOOK
DRAFTSMAN TRC, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
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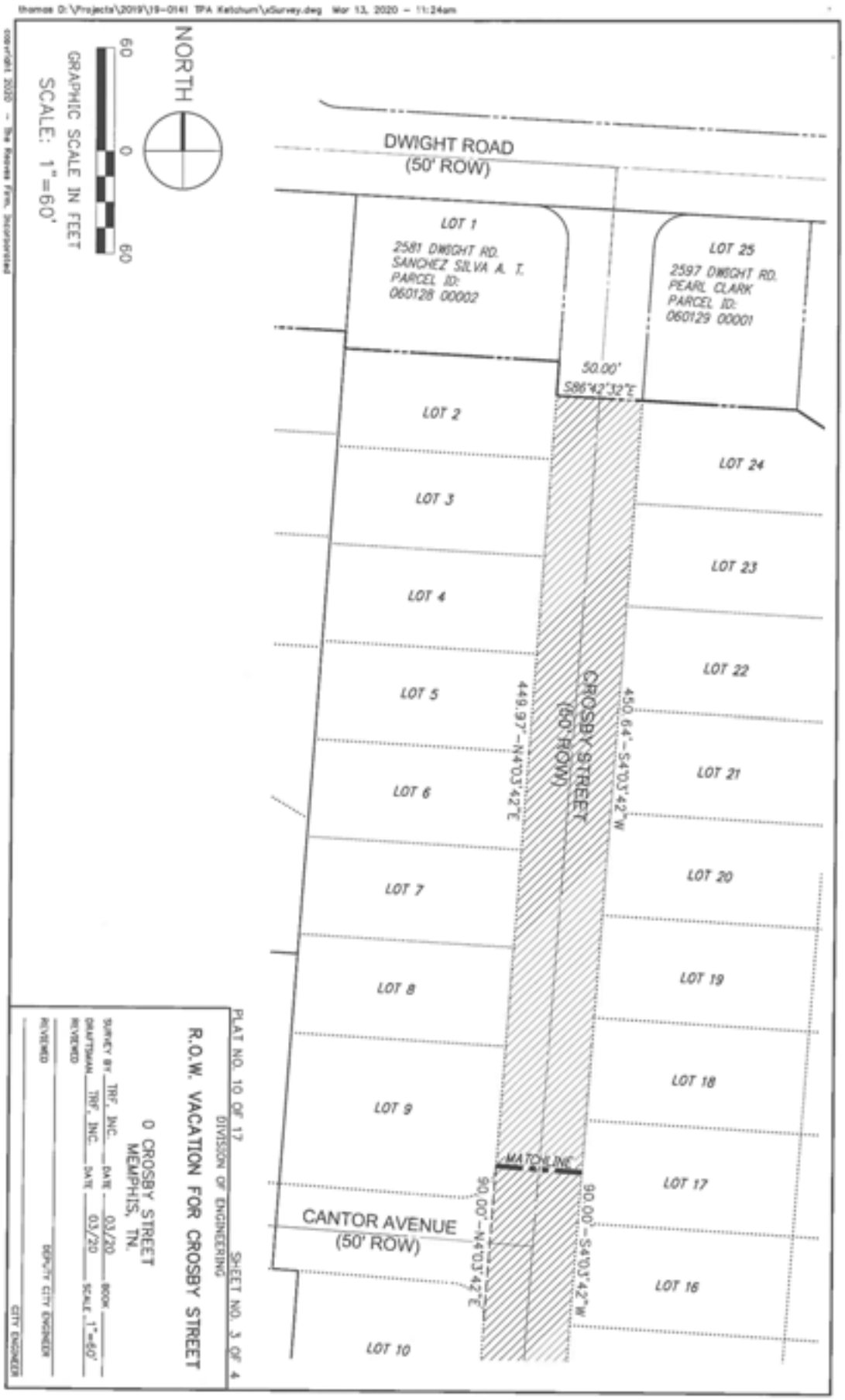
DEPUTY CITY ENGINEER
CITY ENGINEER


NORTH
GRAPHIC SCALE IN FEET
60 0 60
SCALE: 1"=60'
DWIGHT ROAD
(50' ROW)
LOT 1
2581 DWIGHT RD.
SANCHEZ SILVA A. T.
PARCEL ID:
060128 00002
LOT 25
2597 DWIGHT RD.
PEARL CLARK
PARCEL ID:
060129 00001
50.00'
S86°42'32"E
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 24
LOT 23
LOT 22
LOT 21
LOT 20
LOT 19
LOT 18
LOT 17
LOT 16
CROSBY STREET
(60' ROW)
449.97'-N40°03'42"E
450.64'-S40°03'42"W
MATCHLINE
90.00'-N40°03'42"E
90.00'-S40°03'42"W
CANTOR AVENUE
(50' ROW)
PLAT NO. 10 OF 17
DIVISION OF ENGINEERING
SHEET NO. 3 OF 4
R.O.W. VACATION FOR CROSBY STREET
0 CROSBY STREET
MEMPHIS, TN.
SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED
DEPUTY CITY ENGINEER
CITY ENGINEER

CROSBY STREET

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF KETCHUM ROAD (80' PUBLIC R.O.W.), AND THE CENTERLINE OF CROSBY STREET (50' PUBLIC R.O.W.), THENCE S74°31'43"W, AND WITH SAID CENTERLINE A DISTANCE OF 26.52 FEET TO A POINT ON THE CENTERLINE OF THE SAID KETCHUM ROAD; THENCE N15°28'17"W, A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID KETCHUM ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 24.62 FEET(CHORD N39°15'43"E – 23.10 FEET) TO THE POINT OF TANGENT ON THE WEST RIGHT OF WAY OF THE SAID CROSBY STREET; THENCE N03°59'43"E AND WITH THE SAID WEST RIGHT OF WAY A DISTANCE OF 729.53 FEET OT THE POINT OF CURVATURE; THENCE IN A NORTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 666.09 FEET AN ARC DISTANCE OF 84.99 FEET (CHORD N00°20'22"E – 84.93 FEET) TO THE POINT OF REVERSE CURVE; THENCE IN A NORTHERLY DIRECTION, AND WITH A CURVE TO THE RIGHT , HAVING A RADIUS OF 716.09 FEET AN ARC DISTANCE OF 92.21 FEET (CHORD N00°22'23"E – 92.15 FEET) TO THE POINT OF TANGENT; THENCE N04°03'42"E, AND WITH THE SAID WEST RIGHT OF WAY A DISTANCE OF 539.97 FEET TO A POINT ON THE SAID WEST RIGHT OF WAY; THENCE S85°42'32"E A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID CROSBY STREET, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 25 OF THE DWIGHT MANOR SUBDIVISION AS RECORDED IN PLAT BOOK 16, PAGE 6 IN THE SHELBY COUNTY REGISTERS OFFICE; THENCE S04°03'42"W, AND WITH THE SAID EAST RIGHT OF WAY OF CROSBY STREET A DISTANCE OF 540.64 FEET TO THE POINT OF CURVATURE; THENCE IN A SOUTHEASTWARDLY DIRECTION AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 666.09 FEET AN ARC DISTANCE OF 85.77 FEET(CHORD S00°22'22"E – 85.71 FEET) TO A POINT OF REVERSE CURVE; THENCE IN A SOUTHERLY DIRECTION AND WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 716.09 FEET AN ARC DISTANCE OF 91.38 FEET (CHORD N00°20'23"E – 91.32 FEET) TO THE POINT OF TANGENT; THENCE S03°59'43"W AND WITH THE SAID WEST RIGHT OF WAY A DISTANCE OF 698.22 FEET TO THE POINT OF CURVATURE; THENCE IN A SOUTHEASTWARDLY DIRECTION AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 38.21 FEET (CHORD S50°44'17"E – 32.66 FEET) TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID KETCHUM ROAD; THENCE S74°31'43"W AND WITH THE SAID NORTH RIGHT OF WAY DISTANCE OF 95.46 FEET TO THE POINT OF BEGINNING ,AND CONTAINING 74,541 SQUARE FEET OR 1.711 ACRES

PLAT NO. 10 OF 17 SHEET NO. 4 OF 4

DIVISION OF ENGINEERING

R.O.W. VACATION FOR CROSBY STREET

0 CROSBY STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=50'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-04

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Barrymore Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Barrymore Street to 0 Barrymore Street per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 135' to centerline of Dwight Road

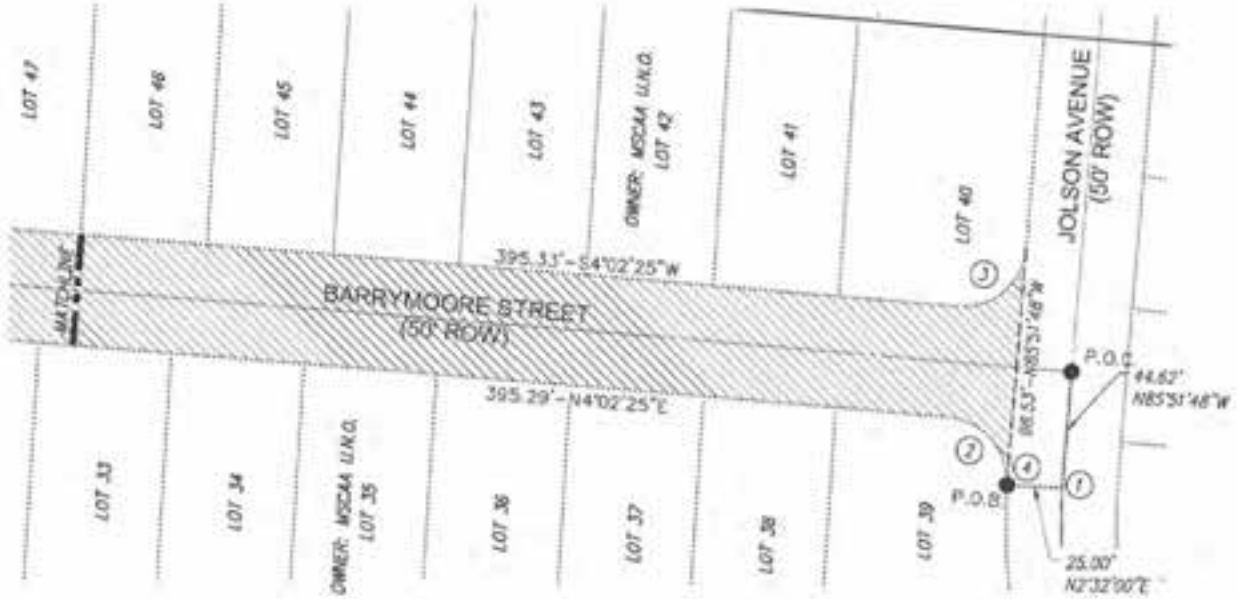
Area of ROW: ~~0.85~~ .857 ACS Square-Feet/Acres Length x Width of ROW: ~~740~~ 739.95' x50' Feet

Closure starts at: the north Jolson Avenue ROW line (50' ROW) and

Proceeds to 84' south of the Dwight Road south ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development.

1



CURVE DATA:

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TAN = 3.98'
CHD = 7.96'-N86°39'54"W
DEL = 1°36'11"

2 RAD = 29.00'
ARC = 44.79'
TAN = 28.25'
CHD = 40.47'-N48°17'13"E
DEL = 88°29'36"

3 RAD = 29.00'
ARC = 45.50'
TAN = 28.95'
CHD = 40.98'-S40°54'42"E
DEL = 89°54'13"

4 RAD = 309.46'
ARC = 8.66'
TAN = 4.33'
CHD = 8.66'-N86°39'54"W
DEL = 1°36'11"

NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	37,355 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 12 OF 17 SHEET NO. 1 OF 3

DIVISION OF ENGINEERING

R.O.W. VACATION FOR BARRYMOORE STREET

0 BARRYMOORE STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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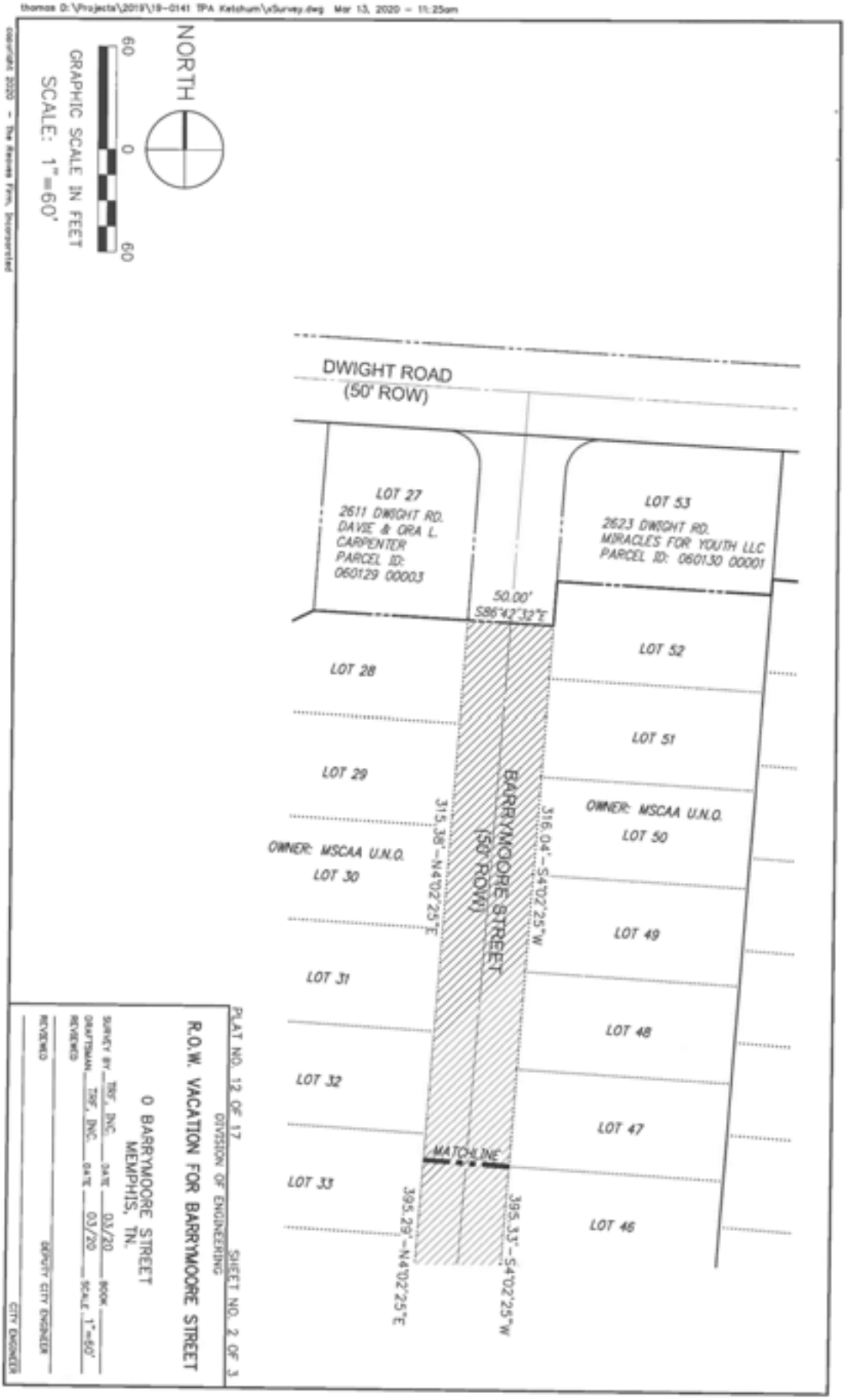
thomas D:\Projects\2019\19-0141 TPA Ketchum\xSurvey.dwg Mar 13, 2020 - 11:25am



BARRYMOORE STREET

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF JOLSON AVENUE (50' PUBLIC R.O.W.), AND THE CENTERLINE OF BARRYMOORE STREET (50' PUBLIC R.O.W.); THENCE N84°51'48"W AND WITH THE CENTERLINE OF THE SAID JOLSON AVENUE A DISTANCE OF 44.62 FEET TO A POINT OF CURVATURE; THENCE IN A SOUTHWESTWARDLY DIRECTION AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 284.46 FEET AN ARC DISTANCE OF 7.96 FEET (CHORD N86°39'54"W – 7.96 FEET) TO A POINT ON SAID CENTERLINE; THENCE N02°32'00"E A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID JOLSON AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE IN A NORTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 29.00 FEET AN ARC DISTANCE OF 44.79 FEET (CHORD N48°17'13"E – 40.47 FEET) TO A POINT ON THE WEST RIGHT OF WAY OF SAID BARRYMOORE STREET; THENCE N04°02'25"E, AND WITH THE WEST RIGHT OF WAY OF THE SAID BARRYMOORE STREET A DISTANCE OF 710.67 FEET TO A POINT ON THE SAID WEST RIGHT OF WAY; THENCE S86°42'32"E A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID BARRYMOORE STREET; THENCE S04°02'25"W AND WITH SAID EAST RIGHT OF WAY A DISTANCE OF 711.37 FEET TO THE POINT OF CURVATURE; THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 29.00 FEET AN ARC DISTANCE OF45.50 FEET (CHORD S40°54'42"E – 40.98 FEET) TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID JOLSON AVENUE; THENCE S85°51'48"W, AND WITH THE NORTH RIGHT OF WAY OF THE SAID JOLSON AVENUE A DISTANCE OF 98.53 FEET TO THE POINT OF CURVATURE; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 309.46 FEET AN ARC DISTANCE OF 8.66 FEET (CHORD N86°39'54"W – 8.66 FEET) TO THE POINT OF BEGINNING, AND CONTAINING 37,355 SQUARE FEET OR 0.857 ACRES.

PLAT NO. 12 OF 17 SHEET NO. 3 OF 3

DIVISION OF ENGINEERING

R.O.W. VACATION FOR BARRYMOORE STREET

0 BARRYMOORE STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-05

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Dawnwood Cove

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 2618 Ketchum to 2364 Dawnwood Cove

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 40' to the centerline of Ketchum Road

Area of ROW: ~~0.50~~ 0.499 ACS Square-Feet/Acres Length x Width of ROW: ~~369.79~~ 369.66' x50' Feet

Closure starts at: the north Ketchum Road ROW line (80' ROW) and

Proceeds to Cove end (50' radius)

Reason for Closure: Consolidation of property for future development

CURVE DATA

1
RAD = 25.00'
ARC = 37.81'
TAN = 23.58'
CHD = 34.31'-N31°12'00"E
DEL = 86°39'26"

2
RAD = 110.00'
ARC = 56.84'
TAN = 29.07'
CHD = 56.21'-N2°40'26"E
DEL = 29°36'16"

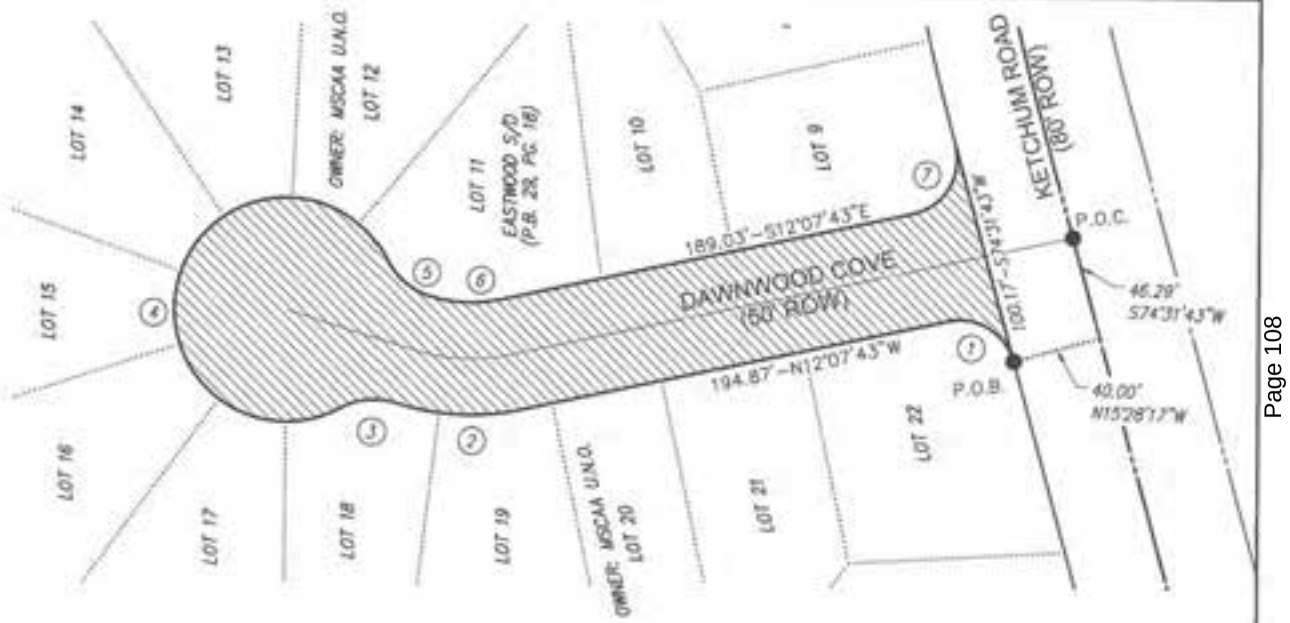
3
RAD = 31.37'
ARC = 25.30'
TAN = 13.39'
CHD = 24.62'-N5°37'57"W
DEL = 46°13'01"

4
RAD = 50.00'
ARC = 76.53'
TAN = 48.03'
CHD = 69.28'-S72°35'25"E
DEL = 87°41'55"

5
RAD = 31.37'
ARC = 25.09'
TAN = 13.26'
CHD = 24.43'-S40°38'55"W
DEL = 45°49'26"

6
RAD = 60.00'
ARC = 31.27'
TAN = 16.00'
CHD = 30.92'-S2°48'15"W
DEL = 29°51'55"

7
RAD = 25.00'
ARC = 46.65'
TAN = 33.74'
CHD = 40.75'-S64°59'17"E
DEL = 106°55'22"



NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	21,775 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 11 OF 17 SHEET NO. 1 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR DAWNWOOD COVE

0 DAWNWOOD COVE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

DAWNWOOD COVE

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF KETCHUM ROAD (80' PUBLIC R.O.W.), AND THE CENTERLINE OF DAWNWOOD COVE (50' R.O.W.); THENCE S74°31'43"W, AND WITH THE CENTERLINE OF SAID KETCHUM ROAD A DISTANCE OF 46.29 FEET TO A POINT ON THE CENTERLINE OF KETCHUM ROAD; THENCE N15°28'17"W A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF KETCHUM ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE IN A NORTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET AN ARC DISTANCE OF 37.81 FEET (CHORD N31°12'50"E – 34.31 FEET) TO THE POINT OF TANGENT; THENCE N12°07'43"W, AND WITH THE WEST RIGHT OF WAY OF DAWNWOOD COVE A DISTANCE OF 194.87 FEET TO THE POINT OF CURVATURE; THENCE IN A NORTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 110.00 FEET AN ARC DISTANCE OF 56.84 FEET (CHORD N02°40'26"E –56.21 FEET) TO THE POINT OF REVERSE CURVE; THENCE IN A NORTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 31.37 FEET AN ARC DISTANCE OF 25.30 FEET (CHORD N05°37'57"W – 24.62 FEET) TO THE POINT OF REVERSE CURVE; THENCE WITH A CURVE TO THE RIGHT AND HAVING A RADIUS OF 50.00 FEET AN ARC DISTANCE OF 76.53 FEET (CHORD S72°35'25"E – 69.28 FEET) TO THE POINT OF REVERSE CURVE; THENCE WITH A CURVE TO THE LEFT, AND HAVING A RADIUS OF 31.37 FEET AN ARC DISTANCE OF 25.09 FEET (CHORD S40°38'55"W – 24.43 FEET) TO THE POINT OF COMPOUND CURVE; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 60.00 FEET AN ARC DISTANCE OF 31.27 FEET (CHORD S02°48'15"W – 30.92 FEET) TO THE POINT OF TANGENT; THENCE S12°07'43"E, AND WITH THE EAST RIGHT OF WAY OF DAWNWOOD COVE I DISTANCE OF 189.03 FEET TO THE POINT OF CURVATURE; THENCE IN A SOUTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET AN ARC DISTANCE OF 46.65 FEET (CHORD S64°59'17"E – 40.75 FEET) TO A POINT ON THE NORTH RIGHT OF WAY OF KETCHUM ROAD; THENCE S74°31'43"W, AND WITH SAID NORTH RIGHT OF WAY A DISTANCE OF 100.17 FEET TO THE POINT OF BEGINNING, AND CONTAINING 21,775 SQUARE FEET OR 0.499 ACRES

PLAT NO. 11 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR DAWNWOOD COVE

0 DAWNWOOD COVE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=50'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-06

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Judith Cove

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Judith Cove to 2553 Judith Cove

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 130' to centerline of Imogene Street

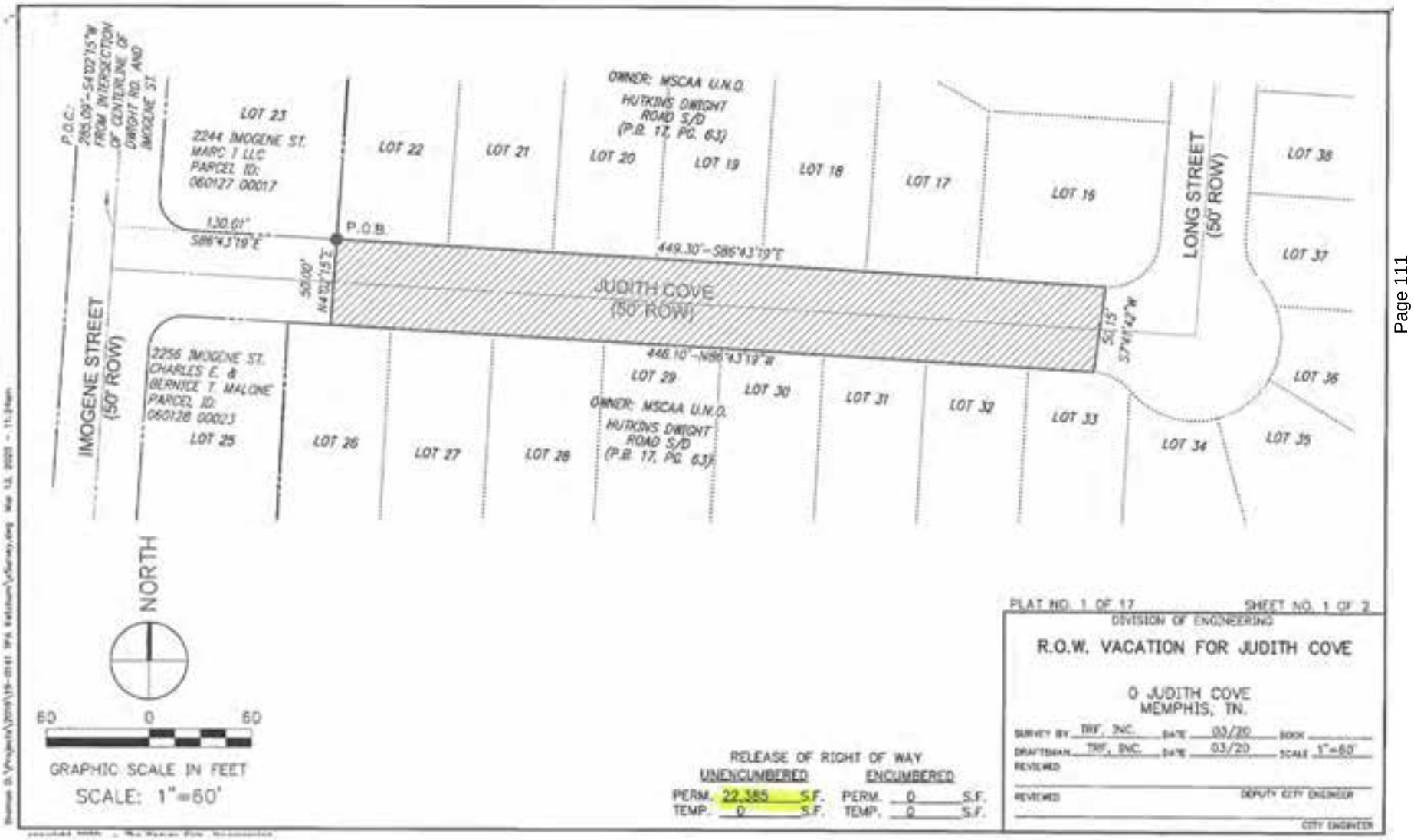
Area of ROW: ~~0.61 ACS~~ 0.513 Square-Feet/Acres Length x Width of ROW: 503.66'x50' ✓ 447.70' Feet

Closure starts at: 105.34' east of the Imogene Street east ROW line (50' ROW) and

Proceeds to a 50' radius cove also being the intersection of Long Street

Reason for Closure: Consolidation of property for future development.

1


P.O.C.:
265.09'-S42°13'15"W
FROM INTERSECTION
OF CENTERLINE OF
DWIGHT RD. AND
IMOGENE ST.
LOT 23
2244 IMOGENE ST.
MARC 1 LLC
PARCEL ID:
060127 00017
130.01'
S86°43'19"E
P.O.B.
50.00'
N42°13'15"E
IMOGENE STREET
(50' ROW)
2256 IMOGENE ST.
CHARLES E. &
BERNICE T. MALONE
PARCEL ID:
060128 00023
LOT 25
LOT 26
LOT 27
LOT 28
LOT 22
LOT 21
OWNER: MSCAA U.N.O.
HUTKINS DWIGHT
ROAD S/D
(P.B. 17, PG. 63)
LOT 20
LOT 19
LOT 18
LOT 17
LOT 16
449.30'-S86°43'19"E
JUDITH COVE
(50' ROW)
446.10'-N86°43'19"W
LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
LOT 34
LOT 35
LOT 36
LOT 37
LOT 38
OWNER: MSCAA U.N.O.
HUTKINS DWIGHT
ROAD S/D
(P.B. 17, PG. 63)
50.15'
S7°41'42"W
LONG STREET
(50' ROW)
NORTH
60
0
60
GRAPHIC SCALE IN FEET
SCALE: 1"=60'
RELEASE OF RIGHT OF WAY
UNENCUMBERED
PERM. 22,385 S.F.
TEMP. 0 S.F.
ENCUMBERED
PERM. 0 S.F.
TEMP. 0 S.F.
PLAT NO. 1 OF 17
SHEET NO. 1 OF 2
DIVISION OF ENGINEERING
R.O.W. VACATION FOR JUDITH COVE
0 JUDITH COVE
MEMPHIS, TN.
SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED
DEPUTY CITY ENGINEER
CITY ENGINEER

JUDITH COVE

COMMENCING AT A POINT ON THE NORTH RIGHT OF WAY OF JUDITH COVE (50' PUBLIC R.O.W.), SAID POINT BEING S89°43'19"E, A DISTANCE OF 130.01 FEET FROM THE INTERSECTION OF THE NORTH RIGHT OF WAY OF JUDITH COVE AND THE CENTERLINE OF IMOGENE STREET (50 FOOT PUBLIC R.O.W.) AS MEASURED ALONG THE SAID NORTH RIGHT OF WAY OF JUDITH COVE, SAID POINT ALSO BEING THE SOUTH EAST CORNER OF LOT 23 OF THE HUTKINS DWIGHT ROAD SUBDIVISION AS RECORDED IN PLAT BOOK 17, PAGE 63 IN THE SHELBY COUNTY REGISTERS OFFICE; THENCE S86°43'19"E, AND WITH SAID NORTH RIGHT OF WAY A DISTANCE OF 449.30 FEET TO A POINT; THENCE S07°41'42"W A DISTANCE OF 50.15 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF THE SAID JUDITH COVE; THENCE N86°43'19"W, AND WITH THE SAID SOUTH RIGHT OF WAY A DISTANCE OF 446.10 FEET TO A POINT ON THE SOUTH RIGHT OF WAY; THENCE N01°02'15"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 22,385 SQUARE FEET OR 0.513 ACRES

PLAT NO. 1 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR JUDITH COVE

0 JUDITH COVE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK

DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'

REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-07

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Long Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Long Street to 0 Long Street per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 122' to centerline of Dwight Road

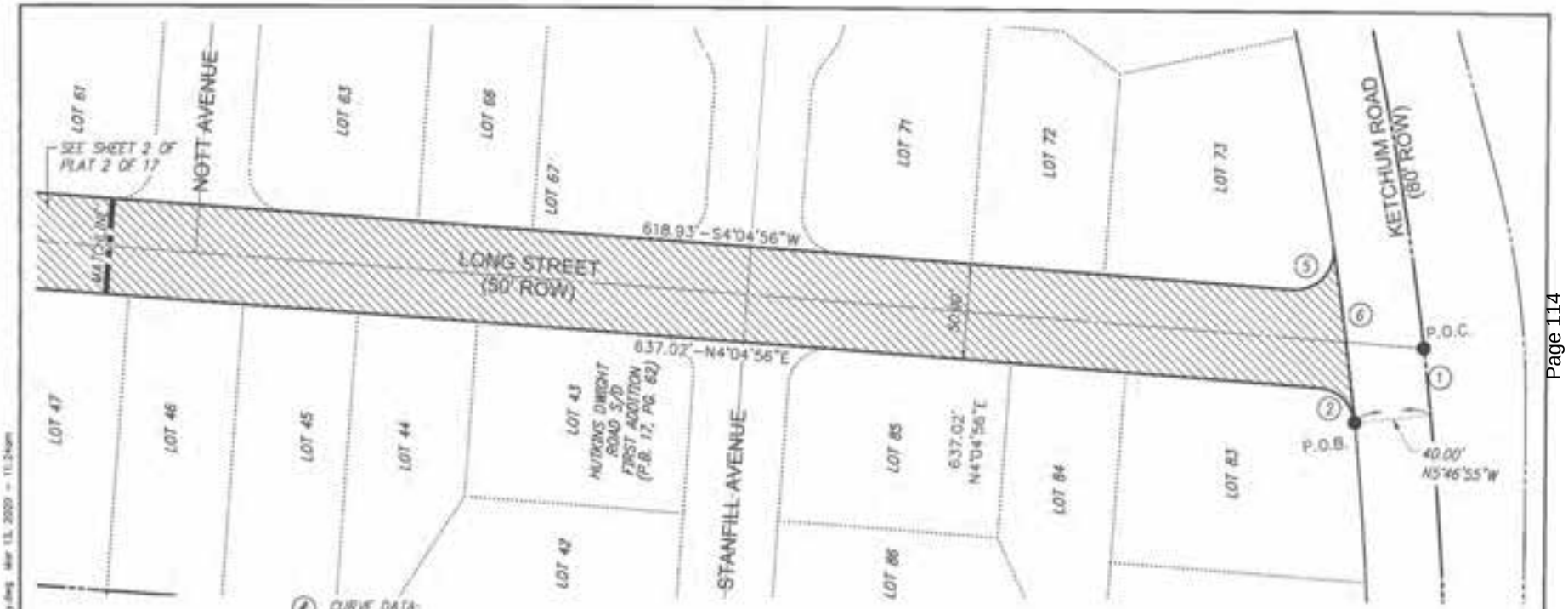
Area of ROW: ~~1.62~~ 1.361 ACS Square-Feet/Acres Length x Width of ROW: ~~1300.42~~ 1415.35' x50' Feet

Closure starts at: the north Ketchum Road ROW line (80' ROW) and

Proceeds to 98' south of the Dwight Road south of ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development.

1



CURVE DATA

1 RAD = 1813.27'
ARC = 35.30'
TAN = 17.65'
CHD = 35.30'-S83°39'38"W
DEL = 1°06'56"

2 RAD = 20.00'
ARC = 27.97'
TAN = 16.82'
CHD = 25.75'-N44°09'01"E
DEL = 80°08'10"

5 RAD = 20.00'
ARC = 35.91'
TAN = 25.08'
CHD = 31.27'-S47°21'00"E
DEL = 102°51'52"

6 RAD = 1773.27'
ARC = 92.86'
TAN = 46.44'
CHD = 92.85'-S82°43'05"W
DEL = 3°00'01"

NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	59,289 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 2 OF 17 SHEET NO. 1 OF 5

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LONG STREET

0 JUDITH COVE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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CURVE DATA:

3 RAD = 20.00'
ARC = 31.42'
TAN = 20.01'
CHD = 28.29'-N40°55'33"W
DEL = 90°00'58"

4 RAD = 20.00'
ARC = 31.41'
TAN = 19.99'
CHD = 28.28'-S49°09'27"W
DEL = 89°59'02"

NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

PLAT NO. 2 OF 17 SHEET NO. 2 OF 5

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LONG STREET

O JUDITH COVE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK

DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'

REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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LONG STREET

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF KETCHUM ROAD (80' PUBLIC R.O.W.), AND THE CENTERLINE OF LONG STREET (50' PUBLIC R.O.W.); THENCE IN A WESTERLY DIRECTION AND WITH THE SAID CENTERLINE OF KETCHUM ROAD, AND WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1813.27 FEET AN ARC DISTANCE OF 35.30 FEET (CHORD S83°39'38"W – 35.30 FEET) TO A POINT ON SAID CENTERLINE; THENCE N05°46'55"W A DISTANCE OF 40.00 FEET TO A POINT OF REVERSE CURVE ON THE NORTH RIGHT OF WAY OF THE SAID KETCHUM ROAD, SAID POINT BEING THE POINT OF BEGINNING ; THENCE IN A NORTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT AND HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 27.97 FEET (CHORD N44°09'01"E – 25.75) FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE SAID LONG STREET; THENCE N04°04'56"E, AND WITH SAID WEST RIGHT OF WAY A DISTANCE OF 1148.49 FEET TO A POINT OF CURVATURE; THENCE IN A NORTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT AND HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.42 FEET (CHORD N40°55'33"W–28.29 FEET) TO A POINT ON THE SOUTH RIGHT OF WAY OF CANTOR AVENUE (50 FOOT PUBLIC R.O.W.); THENCE S85°56'02"E, AND WITH THE SAID SOUTH RIGHT OF WAY LINE OF CANTOR AVENUE A DISTANCE OF 90.00 FEET TO A POINT OF CURVATURE; THENCE IN A SOUTHWESTWARDLY DIRECTION AND, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.41 FEET (CHORD S49°09'27"W–28.28 FEET) TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID LONG STREET; THENCE S04°04'56"W, AND WITH SAID EAST RIGHT OF WAY LINE A DISTANCE OF 1128.42 FEET TO A POINT OF CURVATURE; THENCE IN A SOUTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT AND HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 35.91 FEET (CHORD S47°21'00"E–31.27 FEET) TO A POINT IN A CURVE ON THE NORTH RIGHT OF WAY LINE OF THE SAID KETCHUM ROAD; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE RIGHT AND HAVING A RADIUS OF 1773.27 FEET AN ARC DISTANCE OF 92.86 FEET (CHORD S82°43'05"W–92.85 FEET) TO THE POINT OF BEGINNING, AND CONTAINING 59,289 SQUARE FEET OR 1.361 ACRES

PLAT NO. 2 OF 17 SHEET NO. 3 OF 5

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LONG STREET

0 LONG STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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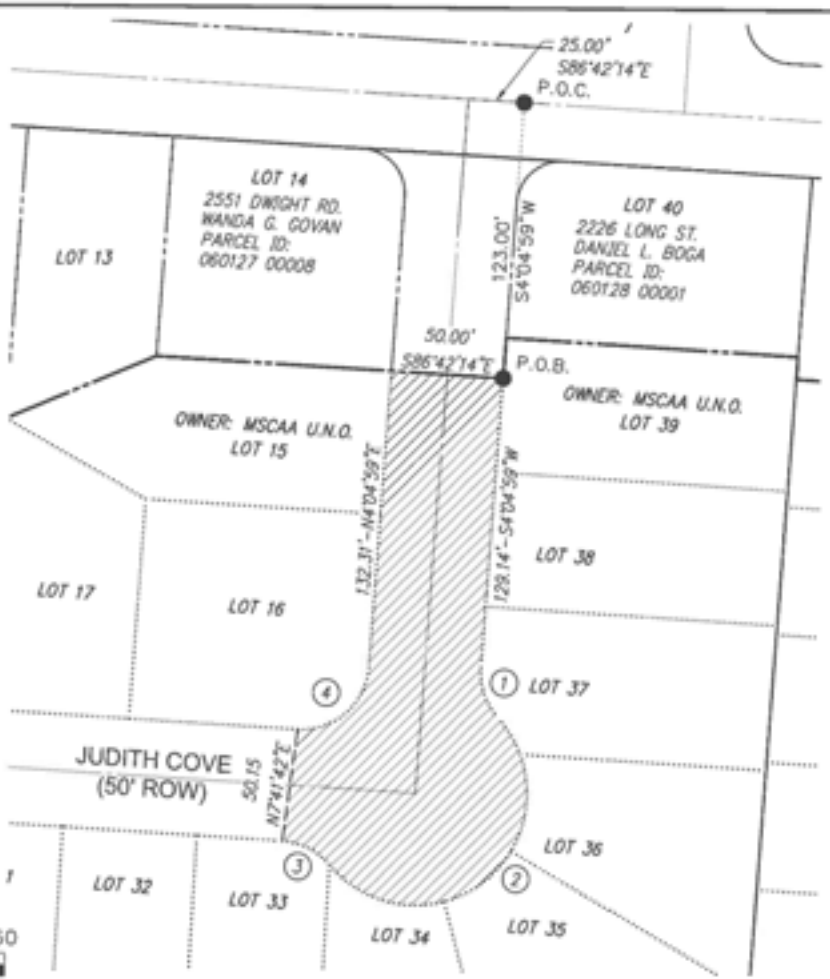

NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

CURVE DATA:

1 RAD = 30.00'
ARC = 24.38'
TAN = 12.91'
CHD = 23.72'-S19°12'03"E
DEL = 46°34'03"

2 RAD = 50.00'
ARC = 155.05'
TAN = 2458.86'
CHD = 99.98'-S48°40'50"W
DEL = 177°40'13"

3 RAD = 30.00'
ARC = 24.38'
TAN = 12.91'
CHD = 23.72'-N63°26'18"W
DEL = 46°34'03"

4 RAD = 30.00'
ARC = 46.70'
TAN = 29.58'
CHD = 42.13'-N48°40'50"E
DEL = 89°11'42"

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	15,260 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 3 OF 17 SHEET NO. 4 OF 5

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LONG STREET

0 LONG STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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LONG STREET

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY OF LONG STREET (50 FOOT R.O.W.), SAID POINT BEING S04°04'59"W A DISTANCE OF 123.00 FEET FROM THE POINT OF INTERSECTION OF THE CENTERLINE OF DWIGHT ROAD (50 FOOT PUBLIC R.O.W.), AND THE SAID EAST RIGHT OF WAY OF LONG STREET; THENCE S04°04'59"W, AND WITH THE SAID EAST RIGHT OF WAY LINE A DISTANCE OF 129.14 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET AN ARC DISTANCE OF 24.38 FEET (CHORD S19°12'03"E-23.72 FEET) TO A POINT OF REVERSE CURVE; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AN ARC DISTANCE OF 155.05 FEET (CHORD S48°40'50"W- 99.98 FEET) TO A POINT OF REVERSE CURVE; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET AN ARC DISTANCE OF 24.38 FEET (CHORD N63°26'18"W-23.72 FEET) TO A POINT ON THE SOUTH RIGHT OF WAY OF JUDITH COVE (50 FOOT PUBLIC R.O.W.); THENCE N07°41'42"E A DISTANCE OF 50.15 FEET TO A POINT OF CURVATURE ON THE NORTH RIGHT OF WAY OF THE SAID JUDITH COVE; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET AN ARC DISTANCE OF 46.70 FEET (CHORD N48°40'50"E - 42.13 FEET) TO A POINT ON THE WEST RIGHT OF WAY OF THE SAID LONG STREET; THENCE N04°04'59"E, AND WITH SAID RIGHT OF WAY A DISTANCE OF 132.31 FEET TO A POINT ON SAID WEST RIGHT OF WAY; THENCE S89°42'14"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 15,260 SQUARE FEET OR 0.350 ACRES.

PLAT NO. 3 OF 17 SHEET NO. 5 OF 5

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LONG STREET

0 LONG STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK

DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'

REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-08

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Jolson Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 distance from Byrd Avenue

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

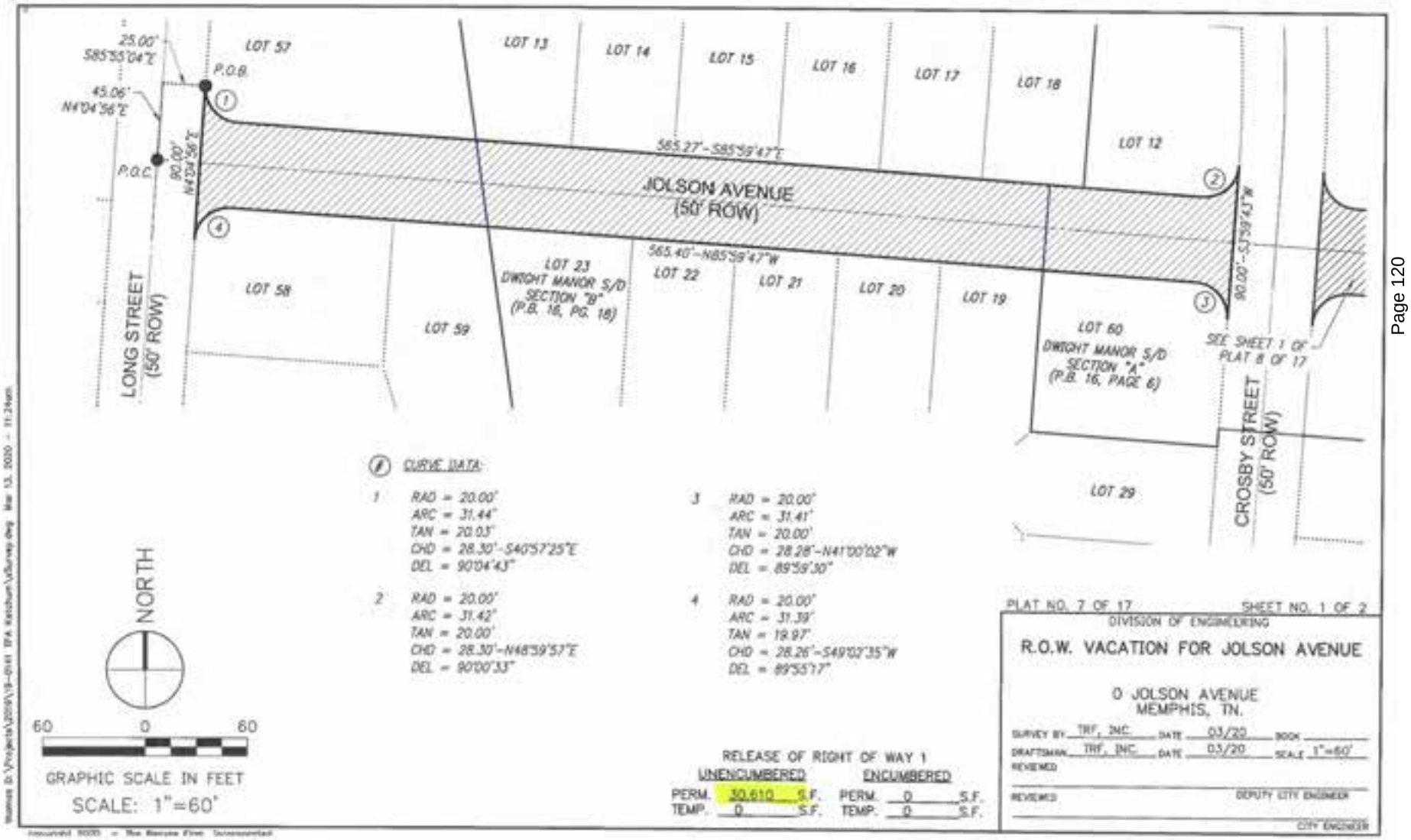
Distance to nearest intersecting street: along centerline to Jolson Avenue 25' to the centerline of Long Street

Area of ROW: ~~1.76~~ 1.732 ACS Square-Feet/Acres Length x Width of ROW: ~~1629.8~~ 1522.90' x50' Feet

Closure starts at: 90' east of the Imogene Street east ROW line (50' ROW) and

Proceeds to ASTRO at Dyer Holding Co. LLC west property line

Reason for Closure: Consolidation of property for future development


25.00'
S85°55'04"E
45.06'
N4°04'56"E
P.O.B.
P.O.C.
90.00'
N4°04'56"E
LOT 57
LOT 13
LOT 14
LOT 15
LOT 16
LOT 17
LOT 18
LOT 12
565.27'-S85°59'47"E
JOLSON AVENUE
(50' ROW)
565.40'-N85°59'47"W
90.00'-S75°59'43"W
LOT 58
LOT 59
LOT 23
DWIGHT MANOR S/D
SECTION "B"
(P.B. 16, PG. 18)
LOT 22
LOT 21
LOT 20
LOT 19
LOT 60
DWIGHT MANOR S/D
SECTION "A"
(P.B. 16, PAGE 6)
SEE SHEET 1 OF
PLAT 8 OF 17
LOT 29
LONG STREET
(50' ROW)
CROSBY STREET
(50' ROW)
CURVE DATA:
1 RAD = 20.00'
ARC = 31.44'
TAN = 20.03'
CHD = 28.30'-S40°57'25"E
DEL = 90°04'43"
2 RAD = 20.00'
ARC = 31.42'
TAN = 20.00'
CHD = 28.30'-N48°59'57"E
DEL = 90°00'33"
3 RAD = 20.00'
ARC = 31.41'
TAN = 20.00'
CHD = 28.28'-N41°00'02"W
DEL = 89°59'30"
4 RAD = 20.00'
ARC = 31.39'
TAN = 19.97'
CHD = 28.26'-S49°02'35"W
DEL = 89°55'17"
NORTH
60 0 60
GRAPHIC SCALE IN FEET
SCALE: 1"=60'
RELEASE OF RIGHT OF WAY 1
UNENCUMBERED
PERM. 30,610 S.F.
TEMP. 0 S.F.
ENCUMBERED
PERM. 0 S.F.
TEMP. 0 S.F.
PLAT NO. 7 OF 17
SHEET NO. 1 OF 2
DIVISION OF ENGINEERING
R.O.W. VACATION FOR JOLSON AVENUE
0 JOLSON AVENUE
MEMPHIS, TN.
SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED
DEPUTY CITY ENGINEER
CITY ENGINEER

JOLSON AVENUE (PARCEL1)

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF OF LONG STREET (50' PUBLIC R.O.W.), AND THE CENTERLINE OF JOLSON AVENUE (50' PUBLIC R.O.W.); THENCE N04°04'56"E, AND WITH THE SAID CENTERLINE A DISTANCE OF 45.06 FEET TO A POINT ON THE CENTERLINE OF THE SAID LONG STREET; THENCE S85°55'04"E A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EAST RIGHT OF WAY OF THE SAID LONG STREET; THENCE SOUTHEASTWARDLY, WITH A CURVE TO THE LEFT AND HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.44 FEET (CHORD S40°57'25"E – 28.30 FEET) TO THE POINT OF TANGENT ON THE NORTH RIGHT OF WAY LINE OF THE SAID JOLSON AVENUE; THENCE S85°59'47"E, AND WITH THE SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 565.27 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTWARDLY, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.42 FEET (CHORD N48°59'27"E– 28.30 FEET) TO THE POINT OF TANGENT ON THE WEST RIGHT OF WAY OF CROSBY STREET (50' PUBLIC R.O.W.); THENCE S03°59'43"W, AND WITH THE SAID WEST RIGHT OF WAY A DISTANCE OF 90.00 FEET TO A POINT ON THE SAID WEST RIGHT OF WAY; THENCE NORTHWESTWARDLY, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.41 FEET TO THE POINT OF TANGENT ON THE SOUTH RIGHT OF WAY OF THE SAID JOLSON AVENUE; THENCE N85°59'47"W, AND WITH THE SAID NORTH RIGHT OF WAY A DISTANCE OF 565.40 FEET TO THE POINT OF CURVATURE; THENCE SOUTHWESTWARDLY, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.39 FEET (CHORD S49°02'35"W – 28.26 FEET) TO THE POINT OF TANGENT, SAID POINT BEING ON THE EAST RIGHT OF WAY OF THE SAID LONG STREET; THENCE N04°04'56"E, AND WITH THE SAID EAST RIGHT OF WAY A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 30,610 SQUARE FEET OR 0.703 ACRES.

PLAT NO. 7 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR JOLSON AVENUE

0 JOLSON AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK

DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'

REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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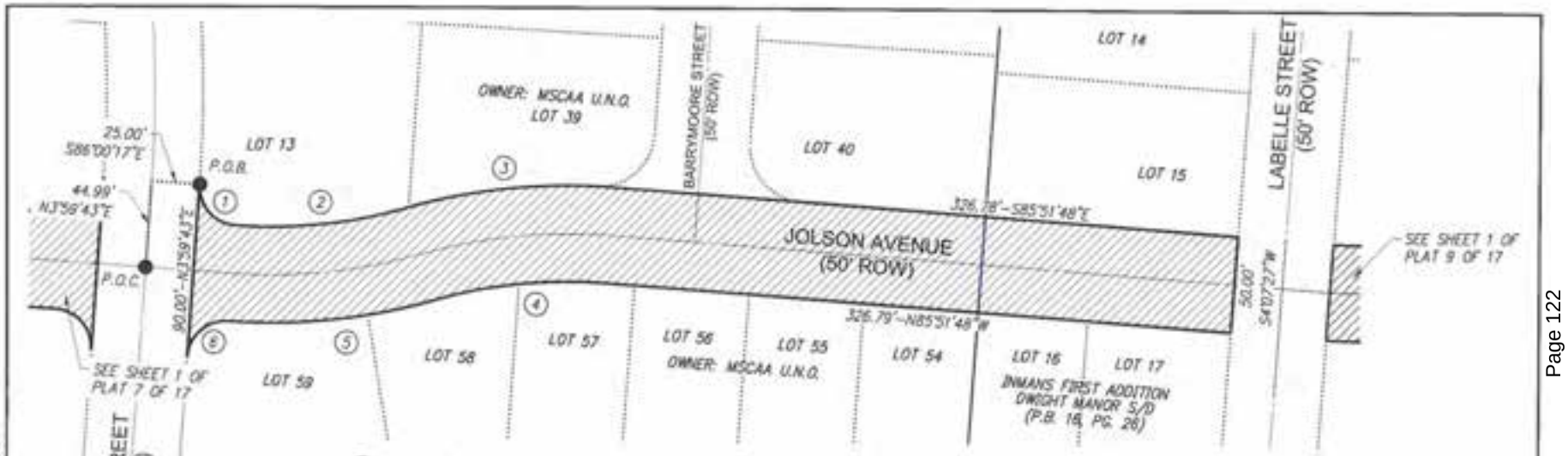

CURVE DATA:

1 RAD = 20.00'
ARC = 31.41'
TAN = 20.00'
CHD = 28.28'-S40°59'58"E
DEL = 89°59'26"

2 RAD = 259.46'
ARC = 90.44'
TAN = 45.68'
CHD = 89.96'-N84°01'10"E
DEL = 19°58'18"

3 RAD = 309.46'
ARC = 108.58'
TAN = 54.85'
CHD = 108.02'-N84°05'06"E
DEL = 20°06'11"

4 RAD = 259.46'
ARC = 91.03'
TAN = 45.99'
CHD = 90.57'-S84°05'06"W
DEL = 20°06'11"

5 RAD = 309.46'
ARC = 107.85'
TAN = 54.48'
CHD = 107.31'-S84°01'05"W
DEL = 19°58'08"

6 RAD = 20.00'
ARC = 31.42'
TAN = 20.00'
CHD = 28.29'-S48°59'56"W
DEL = 90°00'26"

RELEASE OF RIGHT OF WAY 2

UNENCUMBERED		ENCUMBERED	
PERM.	27,458 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 8 OF 17 SHEET NO. 1 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR JOLSON AVENUE

0 JOLSON AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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JOLSON AVENUE (PARCEL2)

COMMENCING AT THE CENTERLINE INTERSECTION OF CROSBY STREET (50' PUBLIC R.O.W.), AND THE CENTERLINE OF JOLSON AVENUE (50' R.O.W.); THENCE N03°59'43"E, AND WITH THE SAID CENTERLINE OF CROSBY STREET A DISTANCE OF 44.99 FEET TO A POINT ON SAID CENTERLINE; THENCE S86°00'17"E A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST RIGHT OF WAY OF SAID CROSBY STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE IN A SOUTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A 20.00 RADIUS AN ARC DISTANCE OF 31.41 FEET (CHORD S40°59'58"E – 28.28 FEET) TO THE POINT OF COMPOUND CURVE; THENCE IN A NORTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 259.46 FEET AN ARC DISTANCE OF 90.44 FEET (CHORD N84°01'10"E – 89.98 FEET) TO THE POINT OF REVERSE CURVE; THENCE IN A NORTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 309.46 FEET AN ARC DISTANCE OF 99.92 FEET (CHORD N83°17'01"E – 99.79 FEET) TO THE POINT OF TANGENT; THENCE S85°51'48"E, AND WITH THE NORTH RIGHT OF WAY OF THE SAID JOLSON AVENUE A DISTANCE OF 326.78 FEET TO A POINT ON THE WEST RIGHT OF WAY OF LABELLE STREET (50' PUBLIC R.O.W.); THENCE S04°07'27"W AND WITH THE SAID WEST RIGHT OF WAY A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF THE SAID JOLSON AVENUE; THENCE N85°51'48"W, AND WITH SAID SOUTH RIGHT OF WAY A DISTANCE OF 326.79 FEET TO THE POINT OF CURVATURE; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 259.46 FEET AN ARC DISTANCE OF 91.03 FEET (CHORD S84°05'06"W – 90.57 FEET) TO THE POINT OF REVERSE CURVE; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 309.46 FEET AN ARC DISTANCE OF 107.85 FEET (CHORD S84°01'05"W – 107.31 FEET) TO THE POINT OF REVERSE CURVE; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.42 FEET (CHORD S84°59'56"W – 28.29 FEET) TO THE POINT OF TANGENT ON THE EAST RIGHT OF WAY OF THE SAID COSBY STREET; THENCE N03°59'43"E, AND WITH SAID EAST RIGHT OF WAY A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 27,453 SQUARE FEET OR 0.630 ACRES.

PLAT NO. 8 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR JOLSON AVENUE

0 JOLSON AVENUE
MEMPHIS, TN.

SURVEY BY: TRF, INC. DATE 03/20 BOOK
DRAFTSMAN: TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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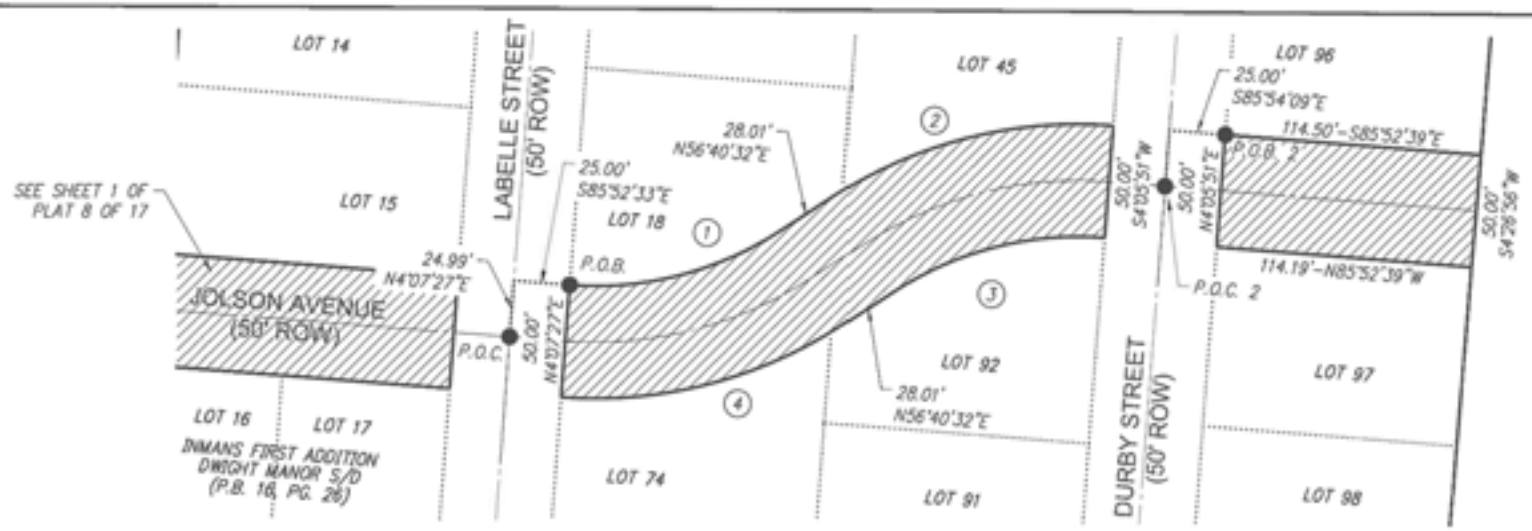

CURVE DATA:

1 RAD = 150.72'
ARC = 98.38'
TAN = 51.01'
CHD = 96.64'-N75°22'29"E
DEL = 37°23'52"

2 RAD = 200.72'
ARC = 131.12'
TAN = 68.00'
CHD = 128.80'-N75°23'23"E
DEL = 37°25'42"

3 RAD = 150.72'
ARC = 98.46'
TAN = 51.06'
CHD = 96.72'-S75°23'50"W
DEL = 37°25'50"

4 RAD = 200.72'
ARC = 131.06'
TAN = 67.96'
CHD = 128.74'-S75°22'51"W
DEL = 37°24'38"

NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

RELEASE OF RIGHT OF WAY 3

UNENCUMBERED		ENCUMBERED	
PERM. 12,876	S.F.	PERM. 0	S.F.
TEMP. 0	S.F.	TEMP. 0	S.F.

RELEASE OF RIGHT OF WAY 4

UNENCUMBERED		ENCUMBERED	
PERM. 5,717	S.F.	PERM. 0	S.F.
TEMP. 0	S.F.	TEMP. 0	S.F.

PLAT NO. 9 OF 17 SHEET NO. 1 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR JOLSON AVENUE

0 JOLSON AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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JOLSON AVENUE (PARCEL 3)

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF LABELLE STREET (50' PUBLIC R.O.W.), AND THE CENTERLINE OF JOLSON AVENUE (50' PUBLIC R.O.W.); THENCE N04°03'27"E, AND WITH SAID CENTERLINE OF LABELLE STREET A DISTANCE OF 24.99 FEET TO A POINT TO ON SAID CENTERLINE; THENCE S85°52'33"E A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE SAID JOLSON AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE IN A NORTHEASTWARDLY DIRECTION AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 150.72 FEET AN ARC DISTANCE OF 98.38 FEET (CHORD N75°22'29"E – 96.64 FEET) TO THE POINT OF REVERSE CURVE; THENCE IN A NORTHEASTWARDLY DIRECTION AND WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 200.72 FEET AN ARC DISTANCE OF 131.12 FEET TO A POINT ON THE WEST RIGHT OF WAY OF DURBY STREET (50' PUBLIC R.O.W.); THENCE S04°05'51"W, AND WITH THE SAID WEST RIGHT OF WAY A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF THE SAID JOLSON AVENUE; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 150.72 FEET AN ARC DISTANCE OF 98.46 FEET (CHORD S75°23'50"W – 96.72 FEET) TO THE POINT OF REVERSE CURVE; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 200.72 FEET AN ARC DISTANCE OF 131.06 FEET (CHORD S75°22'51"W – 128.74 FEET) TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID LABELLE STREET; THENCE N04°74'27"E, AND WITH SAID WEST RIGHT OF WAY A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 12876 SQUARE FEET OR 0.296 ACRES.

JOLSON AVENUE (PARCEL 4)

COMMENCING AT THE INTERSECTION OF THE CENTERLINE DURBY STREET (50' PUBLIC R.O.W.), AND THE CENTERLINE OF JOLSON AVENUE (50' PUBLIC R.O.W.); THENCE N04°05'51", AND WITH THE CENTERLINE OF THE SAID DURBY STREET A DISTANCE OF 25.00 FEET TO A POINT; THENCE S85°54'09" A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID JOLSON AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE S85°52'39"E, AND WITH THE NORTH RIGHT OF WAY LINE OF JOLSON AVENUE A DISTANCE OF 114.50 FEET TO A POINT; THENCE S04°26'56"W A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF THE SAID JOLSON AVENUE; THENCE N85°52'39"W A DISTANCE OF 114.19 FEET TO A POINT IN THE EAST RIGHT OF WAY LINE OF THE SAID DURBY STREET; THENCE N04°05'51"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 5,717 SQUARE FEET OR 0.103 ACRES.

PLAT NO. 9 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR JOLSON AVENUE

0 JOLSON AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-09

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Cantor Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 2511 Cantor Avenue to 0 Cantor Avenue per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

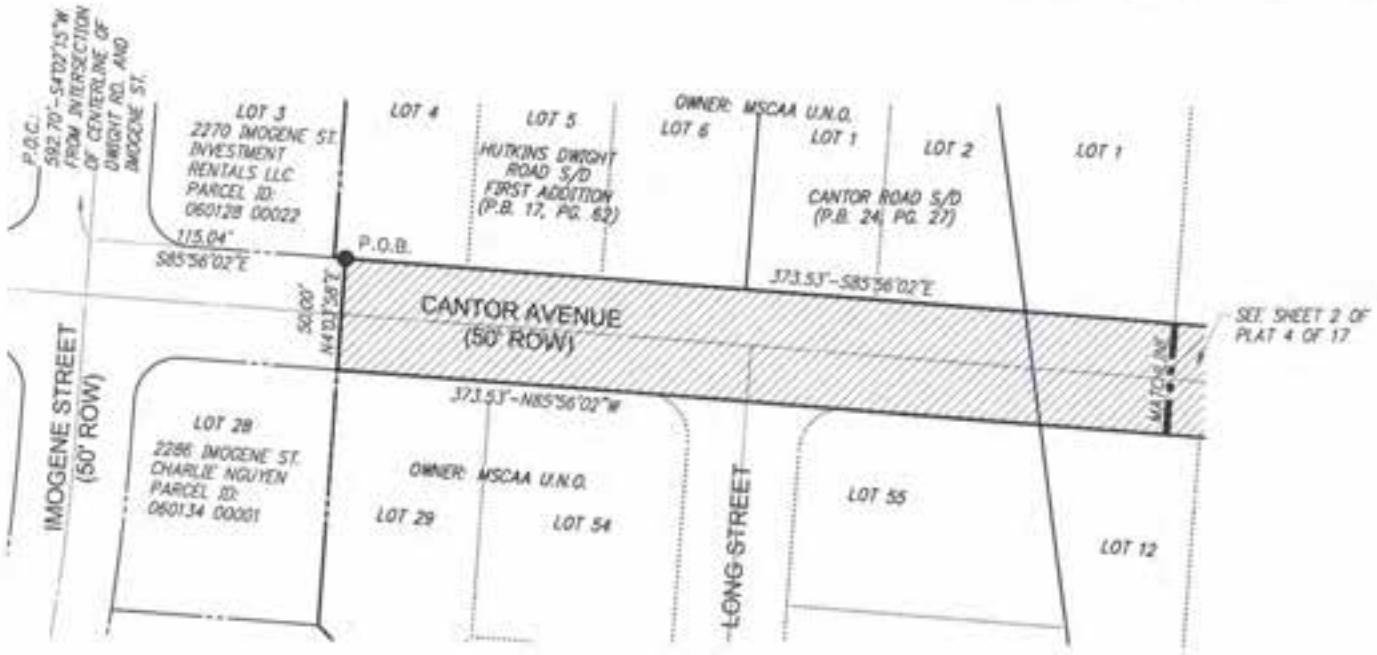
Distance to nearest intersecting street: along centerline 115' to the centerline of Imogene Street

Area of ROW: ~~0.92~~ 1.012 ACS Square-Feet/Acres Length x Width of ROW: ~~798.00~~ 798.58' x50' Feet

Closure starts at: 90' east of the Imogene Street east ROW line (50' ROW) and

Proceeds to west ROW line of Crosby Street (50' ROW)

Reason for Closure: Consolidation of property for future development.



NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

CURVE DATA

1 RAD = 20.00'
ARC = 31.41'
TAN = 19.99'
CHD = 28.28'-S40°56'53"E
DEL = 89°58'17"

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	40,101 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

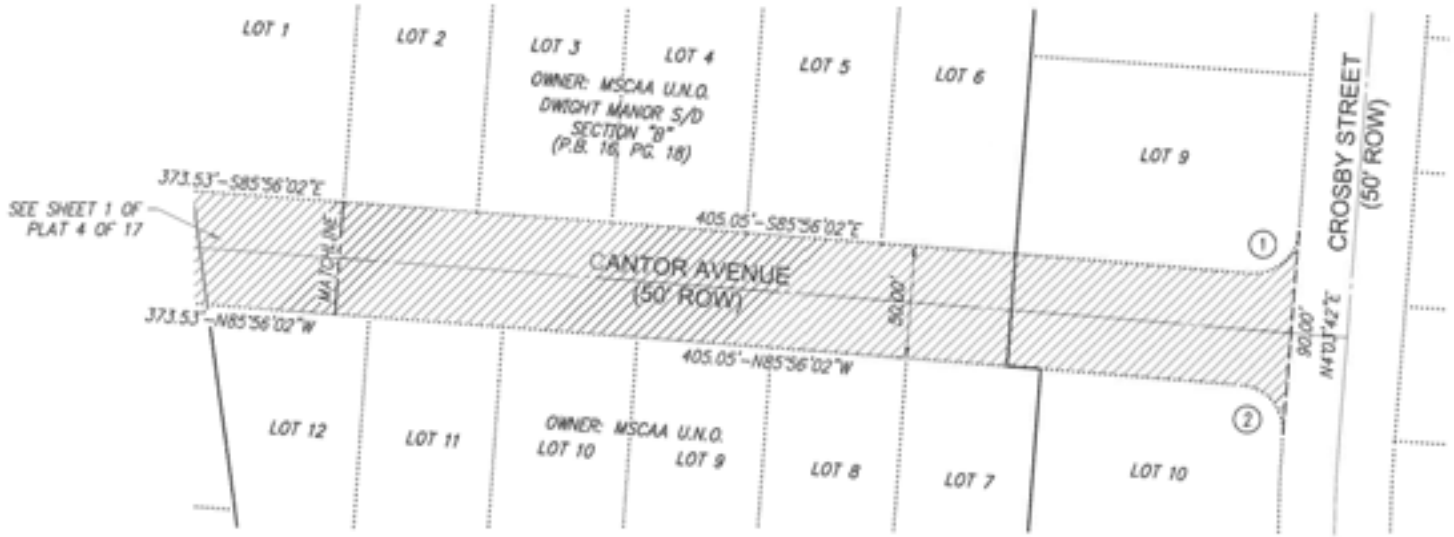
PLAT NO. 4 OF 17 SHEET NO. 1 OF 3

DIVISION OF ENGINEERING

R.O.W. VACATION FOR CANTOR AVENUE

0 CANTOR AVENUE
MEMPHIS, TN.

SURVEY BY: TRF, INC. DATE: 03/20 BOOK:
DRAFTSMAN: TRF, INC. DATE: 03/20 SCALE: 1"=60'
REVIEWED:
REVIEWED: DEPUTY CITY ENGINEER
CITY ENGINEER



NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

CURVE DATA:

1
RAD = 20.00'
ARC = 31.42'
TAN = 20.00'
CHD = 28.29'-N49°03'50"E
DEL = 90°00'16"

2
RAD = 20.00'
ARC = 31.41'
TAN = 20.00'
CHD = 28.28'-N40°56'09"W
DEL = 89°59'45"

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	40,101 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 4 OF 17 SHEET NO. 2 OF 3

DIVISION OF ENGINEERING

R.O.W. VACATION FOR CANTOR AVENUE

0 CANTOR AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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thomas D:\Projects\2019\19-0141 TPA Ketchum\vSurvey.dwg Mar 13, 2020 - 11:24am

CANTOR AVENUE

BEGINNING IN AT A POINT ON THE NORTH RIGHT OF WAY LINE OF CANTOR AVENUE (50 FOOT PUBLIC RIGHT OF WAY) SAID POINT BEING S85°56'02"E AND 115.04 FEET FROM THE CENTERLINE OF IMOGENE STREET (50 FOOT PUBLIC RIGHT OF WAY) AS MEASURED ALONG THE SAID NORTH RIGHT OF WAY OF CANTOR AVENUE; THENCE S85°53'02"E, AND WITH SAID NORTH RIGHT OF WAY A DISTANCE OT 778.58 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.42 FEET (CHORD N49°03'50"E–28.29 FEET) TO A POINT ON THE WEST RIGHT OF WAY OF CROSBY STREET (50 FOOT PUBLIC R.O.W.); THENCE S04°03'42"W, AND WITH SAID WEST RIGHT OF WAY A DISTANCE O 90.00 FEET TO A POINT ; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.41 FEET (CHORD N40°56'09"W–28.28 FEET) TO A POINT ON THE SOUTH RIGHT OF WAY OF THE SAID CANTOR AVENUE; THENCE N85°56'02"W, AND WITH SAID NORTH RIGHT OF WAY A DISTANCE OF 778.58 FEET TO A POINT; THENCE N04°03'58"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 40,101 SQUARE FEET OR 1.012 ACRES.

PLAT NO. 4 OF 17 SHEET NO. 3 OF 3

DIVISION OF ENGINEERING

R.O.W. VACATION FOR CANTOR AVENUE

0 CANTOR AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-10

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Labelle Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Labelle Street to 2650 Labelle Street

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 40' to the centerline of Ketchum Road

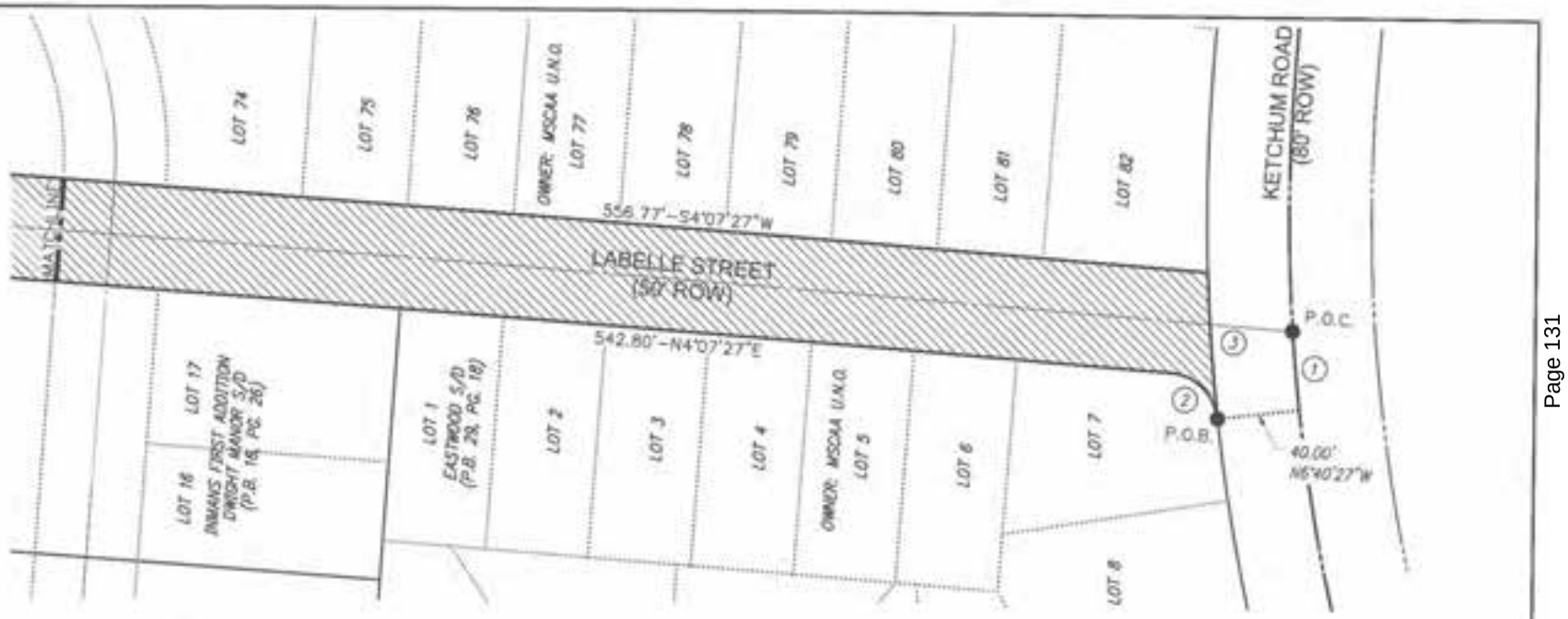
Area of ROW: ~~1.62~~ 1.499 ACS Square-Feet/Acres Length x Width of ROW: ~~1415.36~~ 1304.71'x50' Feet

Closure starts at: north Ketchum Road ROW line (80' ROW) and

Proceeds to 109.07' south of the Dwight Road south ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development

1



CURVE DATA:

1 RAD = 866.53'
ARC = 38.35'
TAN = 19.18'
CHD = 38.35'-S84°35'38"W
DEL = 2°32'10"

2 RAD = 25.00'
ARC = 34.56'
TAN = 20.68'
CHD = 31.87'-N43°43'30"E
DEL = 79°12'06"

3 RAD = 906.53'
ARC = 71.12'
TAN = 35.58'
CHD = 71.11'-S85°34'25"W
DEL = 4°29'43"

NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	65,328 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 13 OF 17 SHEET NO. 1 OF 4

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LABELLE STREET

0 LABELLE STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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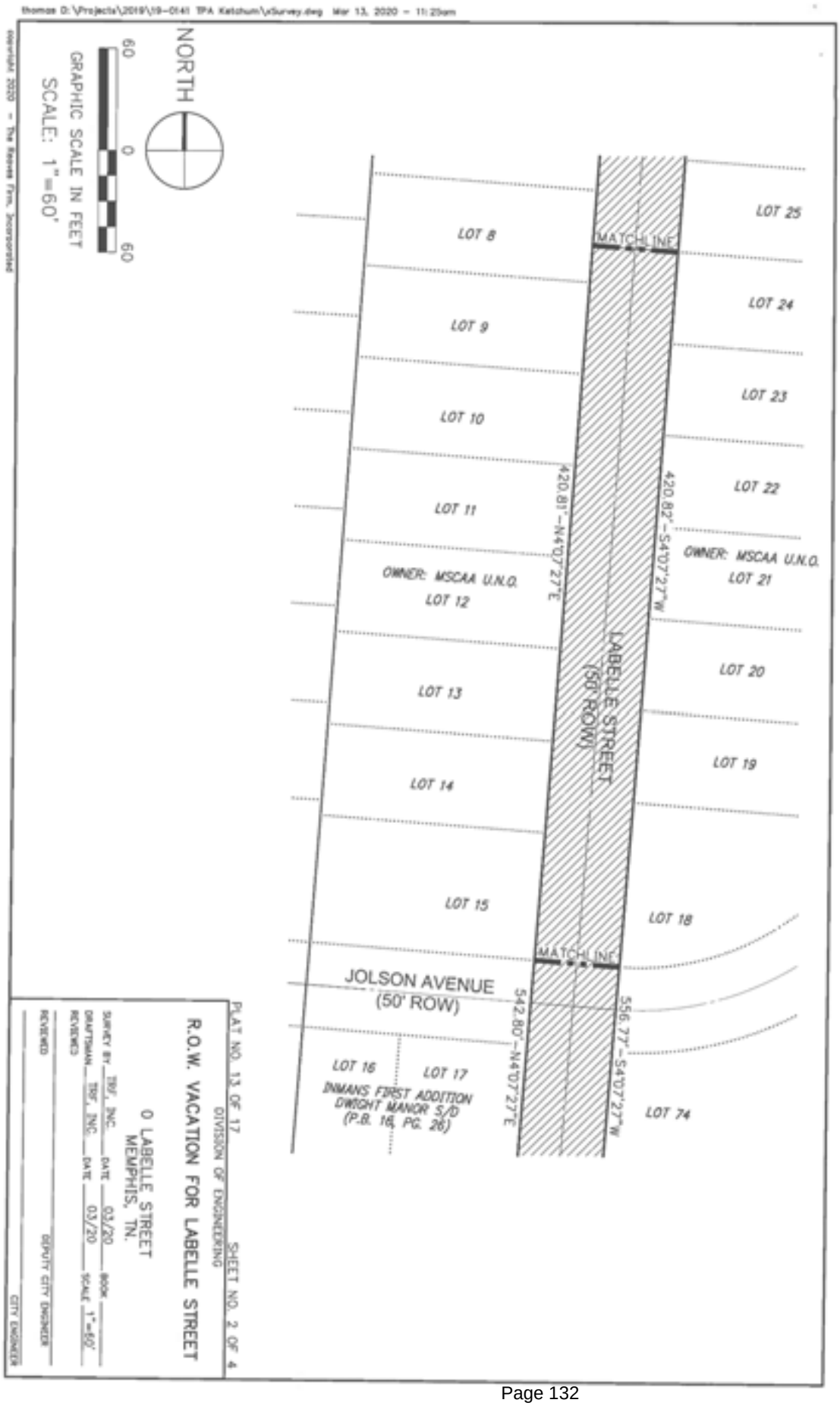
thomas D:\Projects\2019\19-0141 TPA Ketchum\rSurvey.dwg Mar 13, 2020 - 11:23am
NORTH
GRAPHIC SCALE IN FEET
60 0 60
SCALE: 1"=60'
LOT 8
LOT 9
LOT 10
LOT 11
OWNER: MSCAA U.N.O.
LOT 12
LOT 13
LOT 14
LOT 15
LOT 16
LOT 17
INMANS FIRST ADDITION
DWIGHT MANOR S/D
(P.B. 16, PG. 26)
MATCH LINE
420.81'-N40°07'27"E
420.82'-S40°07'27"W
LABELLE STREET
(50' ROW)
JOLSON AVENUE
(50' ROW)
542.80'-N40°07'27"E
556.77'-S40°07'27"W
LOT 25
LOT 24
LOT 23
LOT 22
OWNER: MSCAA U.N.O.
LOT 21
LOT 20
LOT 19
LOT 18
LOT 74
PLAT NO. 13 OF 17
DIVISION OF ENGINEERING
SHEET NO. 2 OF 4
R.O.W. VACATION FOR LABELLE STREET
0 LABELLE STREET
MEMPHIS, TN.
SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED
DEPUTY CITY ENGINEER
CITY ENGINEER
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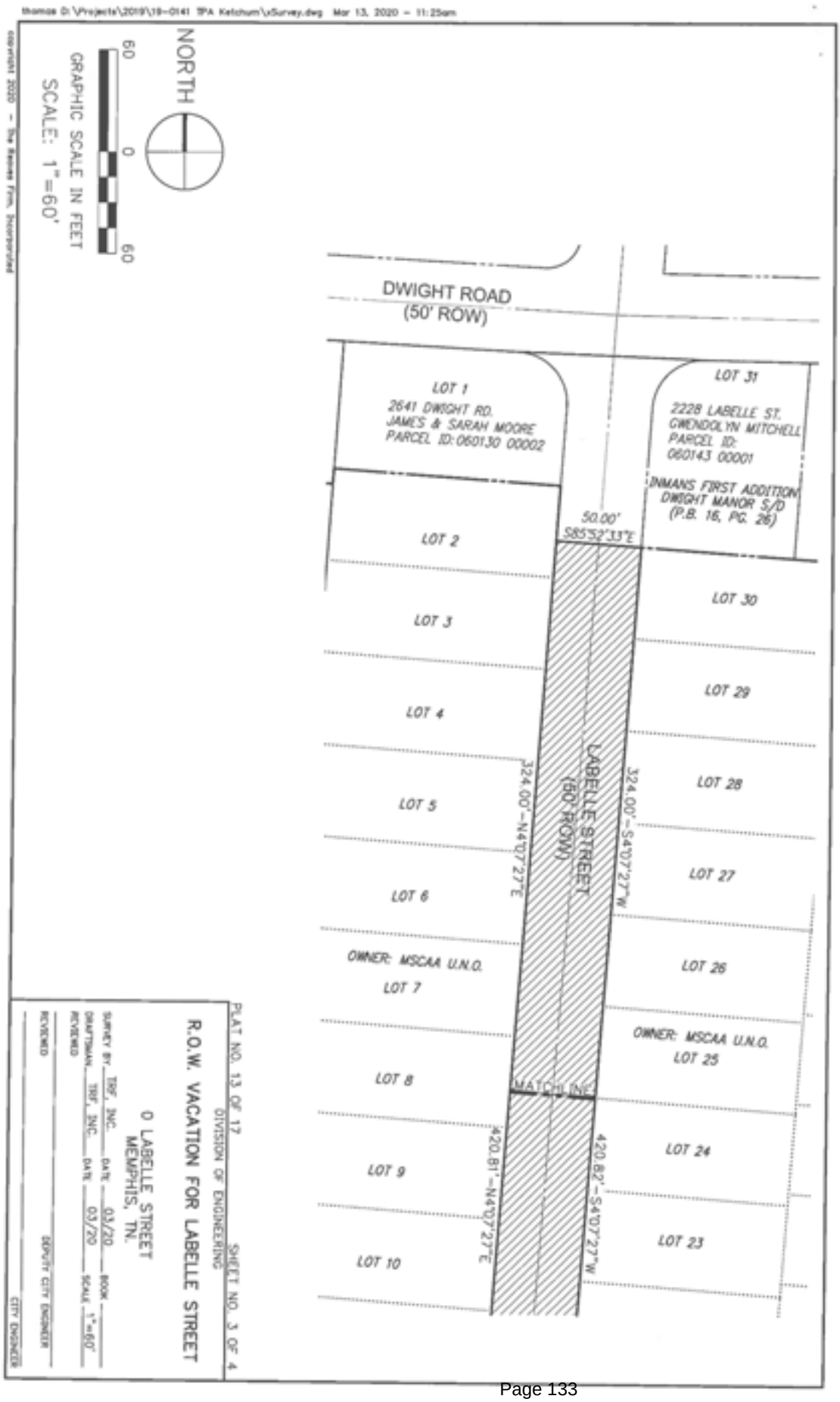
NORTH
GRAPHIC SCALE IN FEET
SCALE: 1"=60'
60
0
60
DWIGHT ROAD
(50' ROW)
LOT 1
2641 DWIGHT RD.
JAMES & SARAH MOORE
PARCEL ID: 060130 00002
LOT 31
2228 LABELLE ST.
GWENDOLYN MITCHELL
PARCEL ID:
060143 00001
INMANS FIRST ADDITION
DWIGHT MANOR S/D
(P.B. 16, PG. 26)
50.00'
S85°52'33"E
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
OWNER: MSCAA U.N.O.
LOT 7
LOT 8
LOT 9
LOT 10
LOT 30
LOT 29
LOT 28
LOT 27
LOT 26
OWNER: MSCAA U.N.O.
LOT 25
LOT 24
LOT 23
LABELLE STREET
(50' ROW)
324.00'-N40°27'27"E
324.00'-S40°27'27"W
MATCHLINE
420.81'-N40°27'27"E
420.82'-S40°27'27"W
PLAT NO. 13 OF 17
DIVISION OF ENGINEERING
SHEET NO. 3 OF 4
R.O.W. VACATION FOR LABELLE STREET
0 LABELLE STREET
MEMPHIS, TN.
SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED
DEPUTY CITY ENGINEER
CITY ENGINEER
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LABELLE STREET

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF KETCHUM ROAD (80' PUBLIC R.O.W.), WITH THE CENTERLINE OF LABELLE STREET (50' PUBLIC R.O.W.); THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 896.53 FEET AN ARC DISTANCE OF 38.35 FEET (CHORD S84°35'38"W – 38.35 FEET)TO A POINT ON THE CENTERLINE OF THE SAID KETCHUM ROAD; THENCE N06°40'27" W A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID KETCHUM ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE IN A NORTHEASTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET AN ARC DISTANCE OF 34.56 FEET (CHORD N43°43'30"E – 31.87 FEET) TO A POINT ON THE WEST RIGHT OF WAY OF THE SAID LABELLE AVENUE; THENCE N04°07'27"E, AND WITH SAID WEST RIGHT OF WAY A DISTANCE OF 1287.61 FEET TO A POINT IN THE WEST RIGHT OF WAY OF THE SAID LABELLE STREET; THENCE S85°52'33"E A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID LABELLE STREET; THENCE S04°07'27"W, AND WITH SAID EAST RIGHT OF WAY A DISTANCE OF 1301.59 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID KETCHUM ROAD; THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 906.53 FEET AN ARC DISTANCE OF 71.12 FEET (CHORD S85°34'25"W – 71.11 FEET) TO THE POINT OF BEGINNING, AND CONTAINING 65,328 SQUARE FEET OR 1.499 ACRES.

PLAT NO. 13 OF 17 SHEET NO. 4 OF 4

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LABELLE STREET

0 LABELLE STREET
MEMPHIS, TN.

SURVEY BY: TRF, INC. DATE 03/20 BOOK

DRAFTSMAN: TRF, INC. DATE 03/20 SCALE 1"=60'

REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-11

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Lola Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Durby Street to 0 Durby Street

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

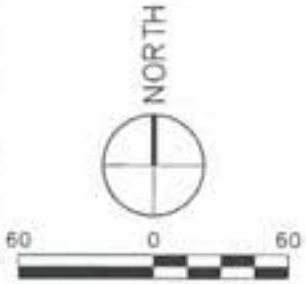
Distance to nearest intersecting street: along centerline 25' to centerline of Durby Street

Area of ROW: ~~0.10~~ 0.105 ACS Square-Feet/Acres Length x Width of ROW: ~~90.00~~ 91.33' x 50' Feet

Closure starts at: west ROW line of Durby Street (50' ROW) and

Proceeds to 90' east of west ROW line of Durby Street (50' ROW)

Reason for Closure: Consolidation of property for future development.



RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM. 4,567	S.F.	PERM. 0	S.F.
TEMP. 0	S.F.	TEMP. 0	S.F.

PLAT NO. 16 OF 17 SHEET NO. 1 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LOLA AVENUE

0 LOLA AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

LOLA AVENUE

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF DURBY STREET (50' PUBLIC R.O.W.), AND THE CENTERLINE OF LOLA AVENUE (50' PUBLIC R.O.W.); THENCE N04°05'51"E, AND WITH THE CENTERLINE OF DURBY STREET, A DISTANCE OF 26.37 FEET TO A POINT ON THE CENTERLINE OF THE SAID DURBY STREET; THENCE S88°54'09"E, AND WITH THE NORTH RIGHT OF WAY OF THE LOLA AVENUE A DISTANCE OF 90.00 FEET TO A POINT; THENCE S01°02'58"W A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF THE SAID LOLA AVENUE; THENCE S88°57'02"W, AND WITH SAID SOUTH RIGHT OF WAY A DISTANCE OF 92.66 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF THE SAID DURBY STREET; THENCE N04°05'51"E, AND WITH THE SAID EAST RIGHT OF WAY A DISTANCE OF 50.07 FEET TO THE POINT OF BEGINNING, AND CONTAINING 4,567 SQUARE FEET OR 0.105 ACRES.

PLAT NO. 16 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR LOLA AVENUE

0 LOLA AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK

DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'

REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020 Case #: SAC 20-12

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Byrd Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Durby Street to 0 Durby Street per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 25' to the centerline of Durby Street

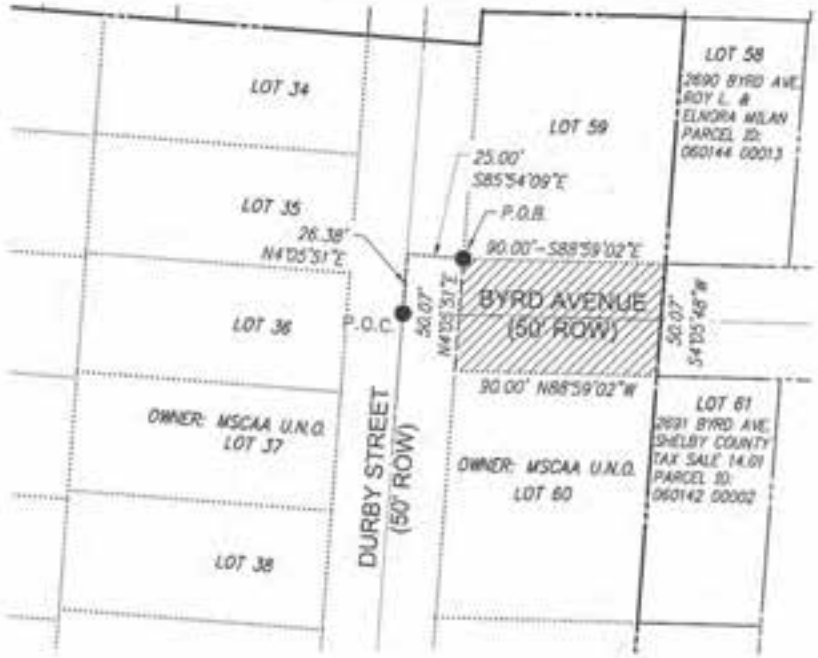
Area of ROW: 0.10ACS Square-Feet/Acres Length x Width of ROW: ~~90.00~~ 112.34' x50' Feet

Closure starts at: west ROW line of Durby Street (50' ROW) and

Proceeds to 90' east of west ROW line of Durby Street (50' ROW)

Reason for Closure: Consolidation of property for future development.

1



NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM. 4,500	S.F.	PERM. 0	S.F.
TEMP. 0	S.F.	TEMP. 0	S.F.

PLAT NO. 17 OF 17 SHEET NO. 1 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR BYRD AVENUE

0 BYRD AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK

DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'

REVISED

REVISED DEPUTY CITY ENGINEER

CITY ENGINEER

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BYRD AVENUE

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF DURBY STREET (50' PUBLIC R.O.W.), AND THE CENTERLINE OF BYRD AVENUE (50' PUBLIC R.O.W.); THENCE N04°05'51"E AND WITH THE CENTERLINE OF THE SAID DURBY STREET A DISTANCE OF 26.38 FEET TO A POINT ON THE SAID CENTERLINE; THENCE S88°59'09"E A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID BYRD AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE S88°59'02"E, AND WITH THE SAID NORTH RIGHT OF WAY A DISTANCE OF 90.00 FEET TO A POINT; THENCE S04°05'48"W A DISTANCE OF 50.07 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE SAID BYRD AVENUE; THENCE N88°59'02"W, AND WITH THE SAID SOUTH RIGHT OF WAY A DISTANCE OF 90.00 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID DURBY STREET; THENCE N04°05'51"E, AND WITH THE SAID EAST RIGHT OF WAY A DISTANCE OF 50.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,500 SQUARE FEET OR 0.103 ACRES.

PLAT NO. 17 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR BYRD AVENUE

0 BYRD AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-13

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Durby Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Durby Street to 0 Durby Street

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 40' to the centerline of Ketchum Road, 1296.22'

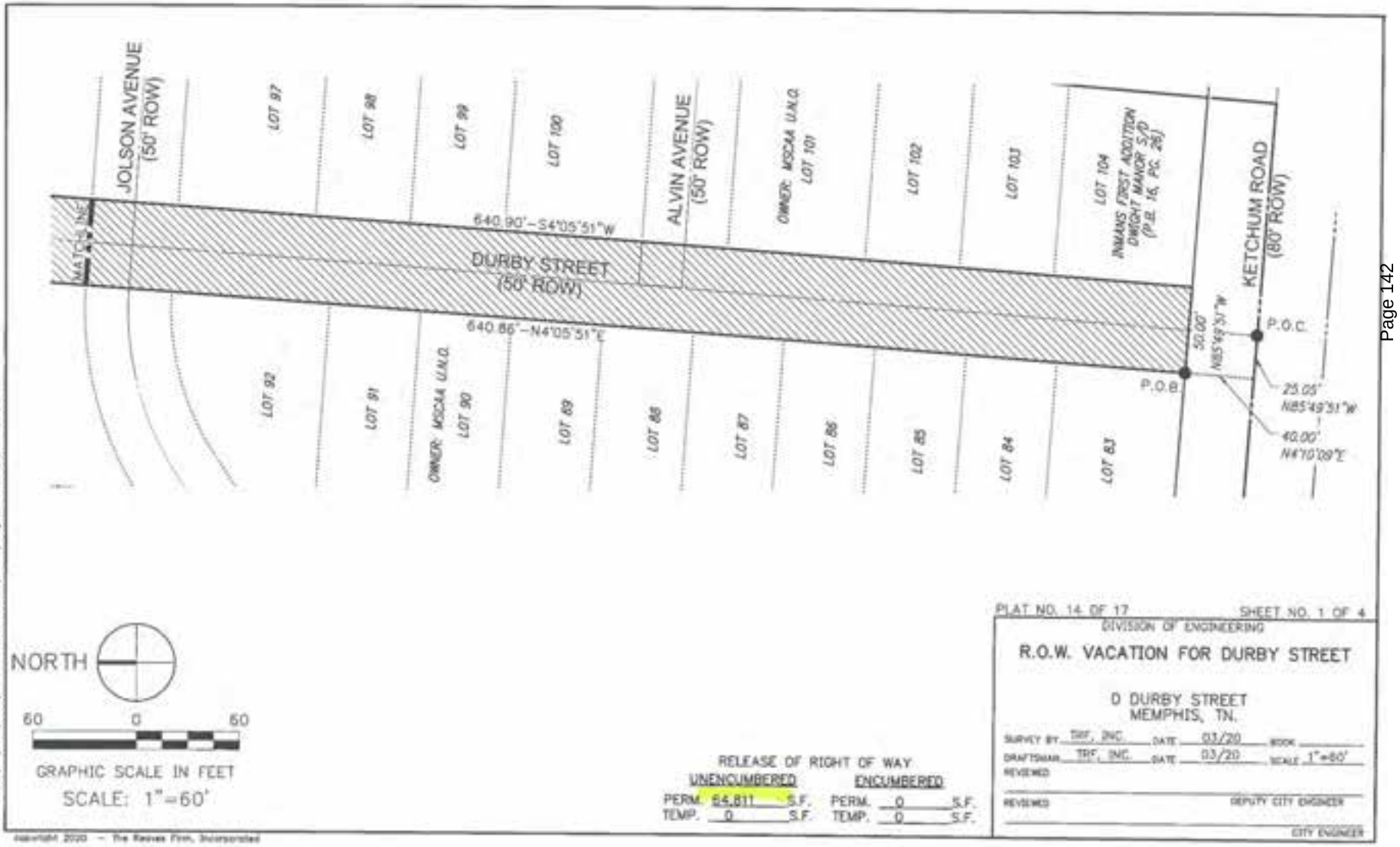
Area of ROW: 1.48 ACS Square-Feet/Acres Length x Width of ROW: ~~1297~~ x50' Feet

Closure starts at: north Ketchum Road ROW line (80' ROW) and

Proceeds to 148' south of the Dwight Road south ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development.

1



RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM. 64,811	S.F.	PERM. 0	S.F.
TEMP. 0	S.F.	TEMP. 0	S.F.

PLAT NO. 14 OF 17 SHEET NO. 1 OF 4

DIVISION OF ENGINEERING

R.O.W. VACATION FOR DURBY STREET

0 DURBY STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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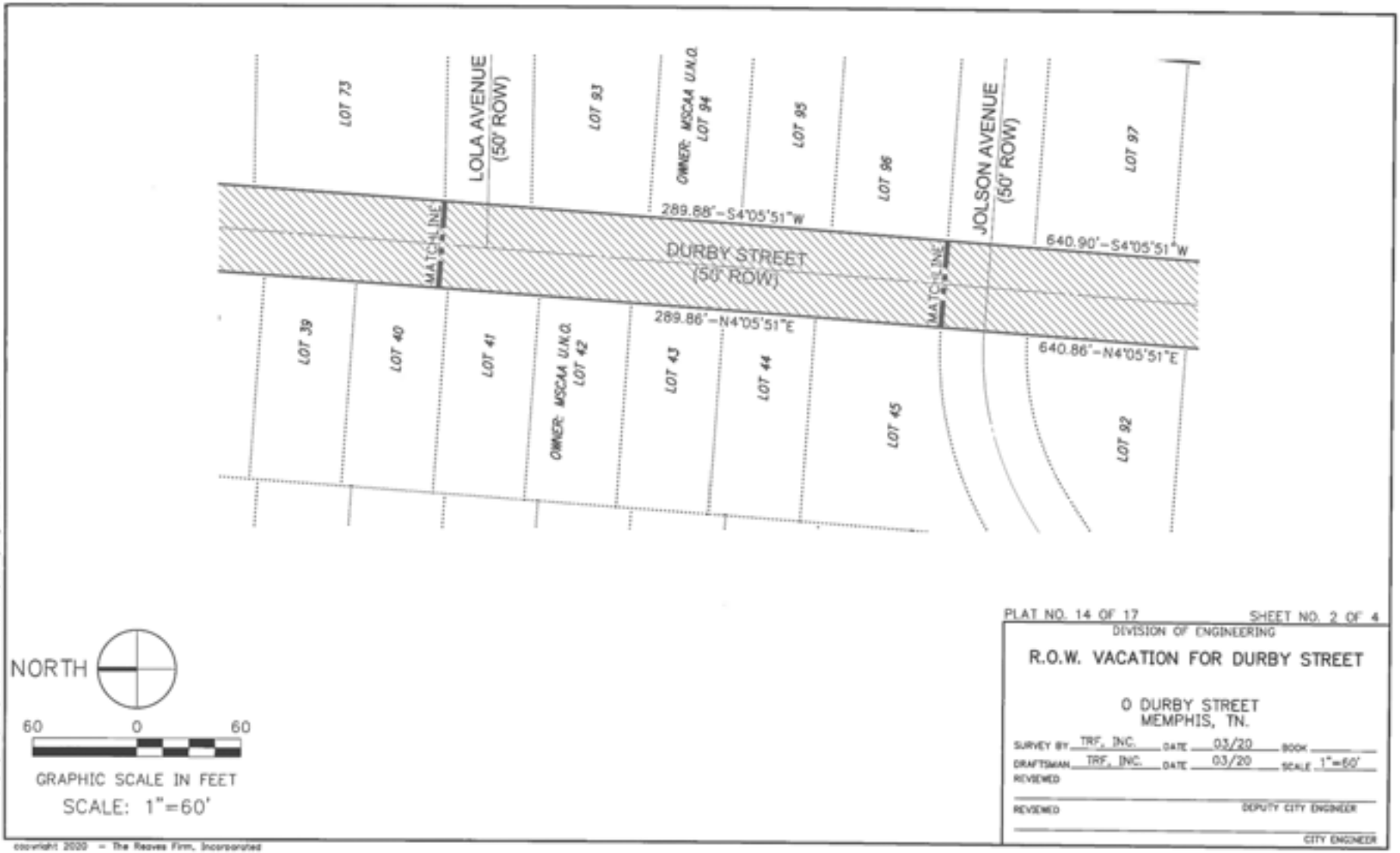
LOT 73
LOLA AVENUE
(50' ROW)
LOT 93
OWNER: MSCAA U.N.O.
LOT 94
LOT 95
LOT 96
JOLSON AVENUE
(50' ROW)
LOT 97
MATCHLINE
289.88'-S4°05'51"W
DURBY STREET
(50' ROW)
640.90'-S4°05'51"W
MATCHLINE
289.86'-N4°05'51"E
640.86'-N4°05'51"E
LOT 39
LOT 40
LOT 41
OWNER: MSCAA U.N.O.
LOT 42
LOT 43
LOT 44
LOT 45
LOT 92
NORTH
60
0
60
GRAPHIC SCALE IN FEET
SCALE: 1"=60'
PLAT NO. 14 OF 17
SHEET NO. 2 OF 4
DIVISION OF ENGINEERING
R.O.W. VACATION FOR DURBY STREET
0 DURBY STREET
MEMPHIS, TN.
SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
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DEPUTY CITY ENGINEER
CITY ENGINEER
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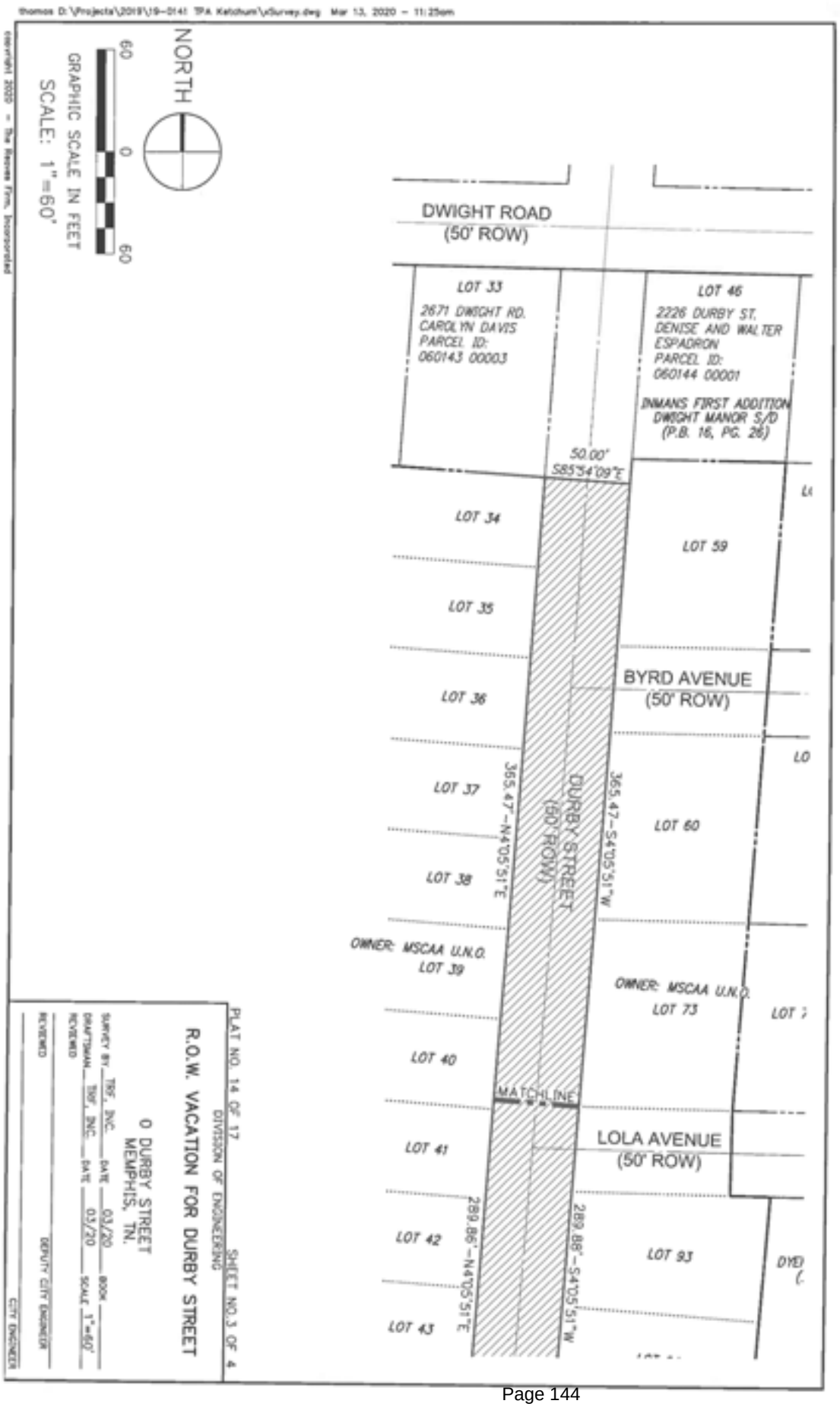
thomas D:\Projects\2019\19-0141 TPA Ketchum\vSurvey.dwg Mar 13, 2020 - 11:25am
NORTH
GRAPHIC SCALE IN FEET
60 0 60
SCALE: 1"=60'
DWIGHT ROAD
(50' ROW)
LOT 33
2671 DWIGHT RD.
CAROLYN DAVIS
PARCEL ID:
060143 00003
LOT 46
2226 DURBY ST.
DENISE AND WALTER
ESPADRON
PARCEL ID:
060144 00001
INMANS FIRST ADDITION
DWIGHT MANOR S/D
(P.B. 16, PG. 26)
50.00'
S85°54'09"E
LOT 34
LOT 59
LOT 35
BYRD AVENUE
(50' ROW)
LOT 36
LOT 37
365.47'-N4°05'51"E
DURBY STREET
(60' ROW)
365.47'-S4°05'51"W
LOT 60
LOT 38
OWNER: MSCAA U.N.O.
LOT 39
OWNER: MSCAA U.N.O.
LOT 73
LOT 40
MATCHLINE
LOT 41
LOLA AVENUE
(50' ROW)
LOT 42
289.86'-N4°05'51"E
289.86'-S4°05'51"W
LOT 93
LOT 43
PLAT NO. 14 OF 17
DIVISION OF ENGINEERING
SHEET NO. 3 OF 4
R.O.W. VACATION FOR DURBY STREET
O DURBY STREET
MEMPHIS, TN.
SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED
DEPUTY CITY ENGINEER
CITY ENGINEER
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DURBY STREET

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF KETCHUM ROAD (80' PUBLIC R.O.W.), AND THE CENTERLINE OF DURBY STREET (50' PUBLIC R.O.W.); THENCE N85°49'51"W, AND WITH THE CENTERLINE OF KETCHUM ROAD A DISTANCE OF 25.05 FEET TO A POINT ON THE CENTERLINE OF THE SAID KETCHUM ROAD; THENCE N04°10'09"E A DISTANCE OF 40.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF THE SAID DURBY STREET; THENCE N04°05'51"E, AND WITH SAID WEST RIGHT OF WAY A DISTANCE OF 1296.19 FEET TO A POINT ON THE SAID WEST RIGHT OF WAY; THENCE S85°54'09"E A DISTANCE OF 50.00 FEET TO A POINT IN THE EAST RIGHT OF WAY OF THE SAID DURBY STREET; THENCE S04°05'51"W, AND WITH SAID EAST RIGHT OF WAY A DISTANCE OF 1296.21 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID KETCHUM ROAD; THENCE N84°49'51"W, AND WITH SAID NORTH RIGHT OF WAY A DIST OF 50.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 64,811 SQUARE FEET OR 1.488 ACRES.

PLAT NO. 14 OF 17 SHEET NO. 4 OF 4

DIVISION OF ENGINEERING

R.O.W. VACATION FOR DURBY STREET

0 DURBY STREET
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-14

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Alvin Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Durby Street to 0 Durby Street

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 25' distance from Alvin Street to Durby Street

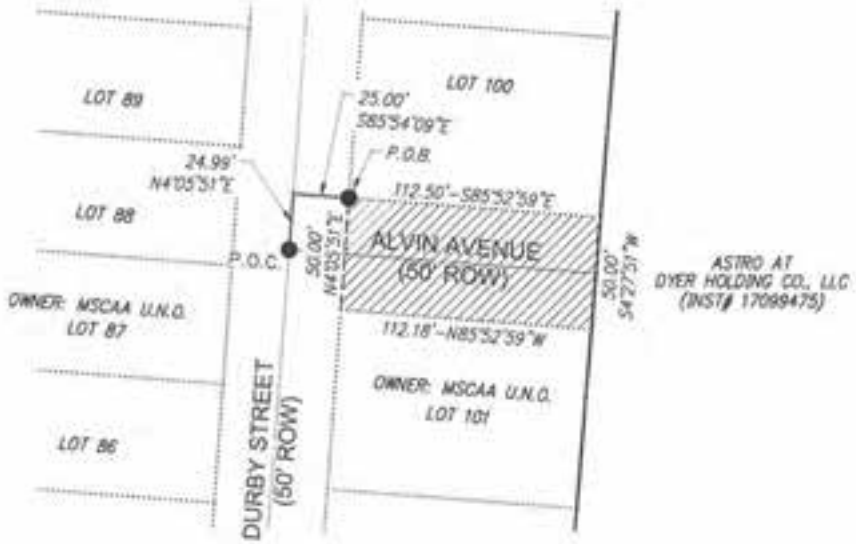
Area of ROW: 0.13 ACS Square-Feet/Acres Length x Width of ROW: ~~112.34'~~ 90' x50' Feet

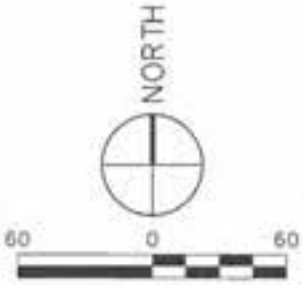
Closure starts at: west ROW line of Durby Street (50' ROW) and

Proceeds to ASTRO at Dyer Holding Co. LLC west property line

Reason for Closure: Consolidation of property for future development.

1





RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM. 5,617	S.F.	PERM. 0	S.F.
TEMP. 0	S.F.	TEMP. 0	S.F.

PLAT NO. 15 OF 17 SHEET NO. 1 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR ALVIN AVENUE

0 ALVIN AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

Revised D:\Projects\2019\19-0141 TPA Kirkman\rbSurvey.dwg Mar 13, 2020 - 11:25am
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ALVIN AVENUE

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF DURBY STREET (50' PUBLIC R.O.W.); AND CENTERLINE OF ALVIN AVENUE (50' PUBLIC R.O.W.); THENCE N04°05'51"E, AND WITH THE CENTERLINE OF DURBY STREET A DISTANCE OF 24.99 FEET TO A POINT ON THE CENTERLINE OF DURBY STREET; THENCE S85°54'09"E A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID ALVIN AVENUE; THENCE S85°52'59"E, AND WITH THE SAID NORTH RIGHT OF WAY A DISTANCE OF 112.50 FEET TO A POINT; THENCE S04°27'51"W A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF THE SAID ALVIN AVENUE; THENCE N85°52'59"W, AND WITH SAID SOUTH RIGHT OF WAY A DISTANCE OF 112.18 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID DURBY STREET; THENCE N04°05'51"E, AND WITH SAID EAST RIGHT OF WAY A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 5,617 SQUARE FEET OR 0.129 ACRES.

PLAT NO. 15 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR ALVIN AVENUE

0 ALVIN AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK

DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'

REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

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Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-15

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Stanfill Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 2502 Stanfill Avenue to 0 Stanfill Avenue per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 117 to the centerline of Imogene Street

Area of ROW: ~~0.54~~ 0.474 ACS Square-Feet/Acres Length x Width of ROW: ~~468.00'~~ 382.43' x50' Feet

Closure starts at: 90' east of the Imogene Street east ROW line (50' ROW) and

Proceeds to a 50' radius cove

Reason for Closure: Consolidation of property for future development

1

CURVE DATA

1
RAD = 20.00'
ARC = 31.41'
TAN = 19.99'
CHD = 28.28'-N49°04'27"E
DEL = 89°59'01"

2
RAD = 20.00'
ARC = 31.42'
TAN = 20.01'
CHD = 28.29'-S40°55'33"W
DEL = 90°00'59"

CURVE DATA

1
RAD = 20.00'
ARC = 31.42'
TAN = 20.01'
CHD = 28.29'-S40°55'33"E
DEL = 90°00'59"

2
RAD = 30.00'
ARC = 20.01'
TAN = 10.39'
CHD = 19.64'-N74°57'33"E
DEL = 38°12'48"

3
RAD = 40.00'
ARC = 72.31'
TAN = 50.81'
CHD = 62.86'-S40°03'57"W
DEL = 103°34'25"

4
RAD = 30.00'
ARC = 20.01'
TAN = 10.39'
CHD = 19.64'-N56°49'39"W
DEL = 38°12'48"

5
RAD = 20.00'
ARC = 31.41'
TAN = 19.99'
CHD = 28.28'-S49°04'27"W
DEL = 89°59'01"

RELEASE OF RIGHT OF WAY 1

UNENCUMBERED		ENCUMBERED	
PERM. 11,049	S.F.	PERM. 0	S.F.
TEMP. 0	S.F.	TEMP. 0	S.F.

RELEASE OF RIGHT OF WAY 2

UNENCUMBERED		ENCUMBERED	
PERM. 9,612	S.F.	PERM. 0	S.F.
TEMP. 0	S.F.	TEMP. 0	S.F.

PLAT NO. 5 OF 17 SHEET NO. 1 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR STANFILL AVENUE

0 STANFILL AVENUE
MEMPHIS, TN.

SURVEY BY: TRF, INC. DATE: 03/20 BOOK:
DRAFTSMAN: TRF, INC. DATE: 03/20 SCALE: 1"=60'
REVIEWED:

REVIEWED: DEPUTY CITY ENGINEER

CITY ENGINEER

STANFILL AVENUE (R.O.W.1)

BEGINNING AT A POINT (P.O.B 1), ON THE SOUTH RIGHT OF WAY OF STANFILL AVENUE (50' PUBLIC R.O.W.), SAID POINT BEING S85°56'03"E A DISTANCE OF 117.00 FEET FROM THE CENTERLINE OF IMOGENE STREET (50' PUBLIC R.O.W.), AS MEASURED ALONG THE SAID SOUTH RIGHT OF WAY OF STANFILL AVENUE; THENCE N04°06'21"E A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID STANFILL AVENUE; THENCE S85°56'03"E, AND WITH THE SAID NORTH RIGHT OF WAY A DISTANCE OF 197.55 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE LEFT AND HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.41 FEET (CHORD N49°04'27"W – 28.28 FEET) TO A POINT OF TANGENT, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF LONG STREET (50' PUBLIC R.O.W.); THENCE S04°04'56"W, AND WITH THE SAID WEST RIGHT OF WAY A DISTANCE OF 90.00 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT AND HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.42 FEET (CHORD N40°55'33"W–28.29 FEET) TO A POINT OF TANGENT ON THE SOUTH RIGHT OF WAY OF THE SAID STANFILL AVENUE; THENCE N85°56'03"E, AND WITH THE SAID SOUTH RIGHT OF WAY A DISTANCE OF 197.56 FEET TO THE POINT OF BEGINNING, AND CONTAINING 11,049 SQUARE FEET OR 0.253 ACRES.

STANFILL AVENUE (R.O.W. 2)

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF LONG STREET (50' PUBLIC RIGHT OF WAY) AND THE CENTERLINE OF STANFILL AVENUE (50' PUBLIC RIGHT OF WAY); THENCE N04°04'56"E, AND WITH THE SAID CENTERLINE OF LONG STREET A DISTANCE OF 45.01 FEET TO A POINT ON SAID CENTERLINE; THENCE S86°58'50"E A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID LONG STREET, SAID POINT BEING THE POINT OF BEGINNING (P.O.B. 2); THENCE IN A SOUTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT AND HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.42 FEET(CHORD S40°55'33"E – 28.29 FEET) TO THE POINT OF TANGENT, ON THE NORTH RIGHT OF WAY OF THE SAID STANFILL AVENUE; THENCE S85°56'03"E, AND WITH SAID NORTH RIGHT OF WAY A DISTANCE OF 61.56 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE LEFT AND HAVING A RADIUS OF 30.00 FEET AN ARC DISTANCE OF 20.01 FEET (CHORD N74°57'33"E – 19.64 FEET) TO A POINT OF REVERSE CURVE; THENCE WITH A CURVE TO THE RIGHT, AND HAVING A RADIUS OF 40.00 FEET AN ARC DISTANCE OF 72.31 FEET (CHORD S04°03'57"W – 62.86 FEET) TO A POINT OF REVERSE CURVE; THENCE WITH A CURVE TO THE LEFT, AND HAVING A RADIUS OF 30.00 FEET AN ARC DISTANCE OF 20.01 FEET TO THE POINT OF TANGENT ON THE SOUTH RIGHT OF WAY OF THE SAID STANFILL AVENUE; THENCE N85°56'03"W, AND WITH SAID SOUTH RIGHT OF WAY A DISTANCE OF 61.59 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.41 FEET TO THE POINT OF TANGENT, SAID POINT BEING ON THE EAST RIGHT OF WAY OF THE SAID LONG STREET; THENCE N04°04'56"E, AND WITH SAID EAST RIGHT OF WAY A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING ,AND CONTAINING 9,612 SQUARE FEET OR 0.221 ACRES.

PLAT NO. 5 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR STANFILL AVENUE

0 STANFILL AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK

DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'

REVIEWED

REVIEWED DEPUTY CITY ENGINEER

CITY ENGINEER

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-16

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Nott Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Nott Avenue to 0 Nott Avenue

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 25' to the centerline of Long Street

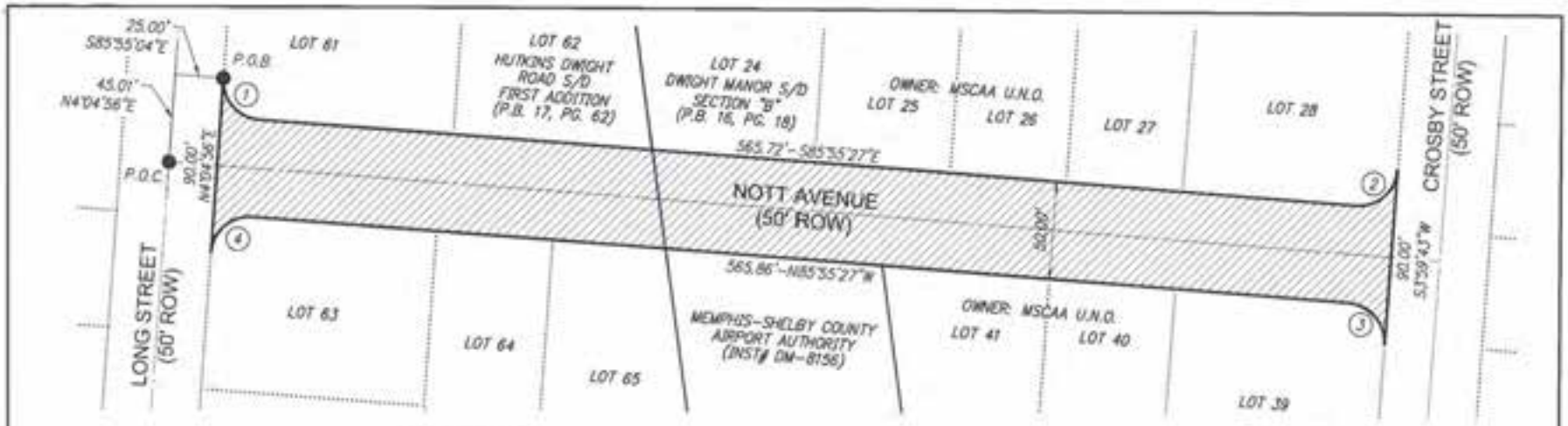
Area of ROW: ~~0.70~~ 0.703 ACS Square-Feet/Acres Length x Width of ROW: ~~600.99~~ 605.79' x50' Feet

Closure starts at: 25' east of Long Street and

Proceeds to west ROW line of Crosby Street (50' ROW)

Reason for Closure: Consolidation of property for future development.

1



CURVE DATA:

1
RAD = 20.00'
ARC = 31.42'
TAN = 20.00'
CHD = 28.29'-S40°35'16"E
DEL = 90°00'23"

2
RAD = 20.00'
ARC = 31.44'
TAN = 20.03'
CHD = 28.30'-N49°02'08"E
DEL = 90°04'50"

3
RAD = 20.00'
ARC = 31.39'
TAN = 19.97'
CHD = 28.26'-N40°57'52"W
DEL = 89°55'10"

4
RAD = 20.00'
ARC = 31.41'
TAN = 20.00'
CHD = 28.28'-S49°04'44"W
DEL = 89°59'37"

NORTH

60 0 60

GRAPHIC SCALE IN FEET

SCALE: 1"=60'

RELEASE OF RIGHT OF WAY

UNENCUMBERED		ENCUMBERED	
PERM.	30,610 S.F.	PERM.	0 S.F.
TEMP.	0 S.F.	TEMP.	0 S.F.

PLAT NO. 6 OF 17 SHEET NO. 1 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR NOTT AVENUE

0 NOTT AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC DATE 03/20 BOOK
DRAFTSMAN TRF, INC DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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NOTT AVENUE

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF LONG STREET (50' PUBLIC R.O.W.), AND THE CENTERLINE OF NOTT AVENUE (50' PUBLIC R.O.W.); THENCE N04°04'56"E, AND WITH THE CENTERLINE OF LONG STREET A DISTANCE OF 45.01 FEET TO A POINT ON THE SAID CENTERLINE; THENCE S85°55'004"E A DISTANCE OF 25.00 FEET TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID LONG STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE WITH A CURVE TO LEFT, HAVING A RADIUS OF 20.00 FEET, AN ARC DISTANCE OF 31.42 FEET (CHORD S40°55'16"E – 28.28 FEET), TO A POINT ON THE NORTH RIGHT OF WAY OF THE SAID NOTT ROAD; THENCE S88°55'27"E, AND WITH SAID NORTH RIGHT OF WAY A DISTANCE OF 565.72 FEET TO THE POINT OF CURVATURE; THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.44 FEET (CHORD N49°02'08"E – 28.30) FEET TO A POINT ON THE WEST RIGHT OF WAY OF CROSBY STREET (50' R.O.W.); THENCE S03°59'43"W, AND WITH THE SAID WEST RIGHT OF WAY DISTANCE OF 90.00 FEET TO A POINT ON THE SAID WEST RIGHT OF WAY; THENCE IN A NORTHWESTWARDLY DIRECTION, AND WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.39 FEET (CHORD N04°57'52"W – 28.26 FEET) TO A POINT ON THE SOUTH RIGHT OF WAY OF THE SAID NOTT AVENUE; THENCE N85°55'27"W, AND WITH SAID SOUTH RIGHT OF WAY A DISTANCE OF 565.86 FEET TO A POINT OF CURVATURE; THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AN ARC DISTANCE OF 31.41 FEET (CHORD S49°04'44"W – 28.28 FEET) TO A POINT ON THE EAST RIGHT OF WAY OF THE SAID LONG STREET; THENCE N04°04'56"E, AND WITH SAID EAST RIGHT OF WAY A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 30,610 SQUARE FEET, OR 0.703 ACRES.

PLAT NO. 6 OF 17 SHEET NO. 2 OF 2

DIVISION OF ENGINEERING

R.O.W. VACATION FOR NOTT AVENUE

0 NOTT AVENUE
MEMPHIS, TN.

SURVEY BY TRF, INC. DATE 03/20 BOOK
DRAFTSMAN TRF, INC. DATE 03/20 SCALE 1"=60'
REVIEWED
REVIEWED DEPUTY CITY ENGINEER
CITY ENGINEER

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APPLICATIONS

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020 Case #: SAC 20-03

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Crosby Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Crosby Street to 0 Crosby Street per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 40.22' to the centerline of Ketchum Road

Area of ROW: ~~1.71~~ 1.711 ACS Square-Feet/Acres Length x Width of ROW: ~~1487.15~~ 1486.42'x50' Feet

Closure starts at: the north Ketchum Road ROW line (80' ROW) and

Proceeds to 134' south of the Dwight Road south ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE [illegible]

Pre-Application Conference held on: 1-28-2 11-20 with Chip Saliba / Josh Whitenead

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

Property Owner of Record*	2/28/20 Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

I say property owner that will abut the street/alley to be closed and will be deeded a reversionary portion of the right of way. If applicant is not the signer of the deed, a duly authorized representative of the homeowners or property owners association of which the signers are shareholders or members. See Section II of the Instructions for further information and exceptions.

Jurisdiction (from Chapter 2 Rules Of the Unified Development Code)

1. **Conversions** (closing of open street or alley pursuant to Section 5.7.1 of the UDC)

   [illegible]

2. **Physical closures** (street or alley closure that includes the physical closure of an existing street or alley)
3. **Abandonment** (closure of unimproved or unconstructed street, paper streets, paper alleys or unused easements)

SIGN POSTING – A sign or signs shall be erected [illegible] feet or less than 10 days prior to the hearing on the Land Use Control Board agenda. See Sign Section 9.3.4(C) of the UDC for number of signs and posting deadline.

2

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-04

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Barrymore Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Barrymore Street to 0 Barrymore Street per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 135' to centerline of Dwight Road

Area of ROW: ~~0.65~~ .857 ACS Square-Feet/Acres Length x Width of ROW: ~~740~~ 739.95'x50' Feet

Closure starts at: the north Jolson Avenue ROW line (50' ROW) and

Proceeds to 84' south of the Dwight Road south ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE [illegible]

Pre-Application Conference held on: [illegible] Chip Saliba / Josh Whitehead

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

Property Owner of Record*	2/25/20 Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacation (from Chapter 3, Article D of the Unified Development Code)

1. **Conversions** [illegible]
2. **Physical closures** [illegible]
3. **Abandonment** [illegible]

SIGN POSTING [illegible]

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-05

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Dawnwood Cove

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 2618 Ketchum to 2364 Dawnwood Cove

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 40' to the centerline of Ketchum Road

Area of ROW: ~~0.50~~ 0.499 ACS Square-Feet/Acres Length x Width of ROW: ~~369.79~~ 369.66' x50' Feet

Closure starts at: the north Ketchum Road ROW line (80' ROW) and

Proceeds to Cove end (50' radius)

Reason for Closure: Consolidation of property for future development

1

PRE-APPLICATION CONFERENCE [illegible]

Pre-Application Conference Date: 2-11-20 Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacations (Chapter 9.8 of the Unified Development Code)

1. **Conversions** [illegible]
2. **Physical closures** [illegible]
3. **Abandonment** [illegible]

SIGN POSTING [illegible]

Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-06

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Judith Cove

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Judith Cove to 2553 Judith Cove

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 130' to centerline of Imogene Street

Area of ROW: ~~0.61 ACS~~ 0.513 Square-Feet/Acres Length x Width of ROW: 503.66'x50' ✓ 447.70' Feet

Closure starts at: 105.34' east of the Imogene Street east ROW line (50' ROW) and

Proceeds to a 50' radius cove also being the intersection of Long Street

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE. [illegible]

Pre-Application Conference held on: 1-28-2020 at 11:00 Chip Saliba / Josh Whitehead

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

Property Owner of Record* 2/25/20 Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

[illegible]

Types of Vacation Per Chapter 9.8 of the Unified Development Code:

1. **Conversion:** [illegible]
2. **Physical closures:** [illegible]
3. **Abandonment:** [illegible]

SIGN POSTING: [illegible]

Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-07

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Long Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Long Street to 0 Long Street per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 122' to centerline of Dwight Road

Area of ROW: ~~1.03~~ 1.361 ACS Square-Feet/Acres Length x Width of ROW: ~~1300.42~~ 1415.35' x50' Feet

Closure starts at: the north Ketchum Road ROW line (80' ROW) and

Proceeds to 98' south of the Dwight Road south of ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE: [illegible]

Pre-Application Conference held on 1-28 2-17-20 with Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date 3/25/20	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacation Requests: Rail Fr Planned Development Code:

1. Conversion [illegible]
2. Physical closure [illegible]
3. Abandonment [illegible]

SIGN POSTING: [illegible]

Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-08

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Jolson Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 distance from Byrd Avenue

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline to Jolson Avenue 25' to the centerline of Long Street

Area of ROW: ~~1.76~~ 1.732 ACS Square-Feet/Acres Length x Width of ROW: ~~1528.9~~ 1522.90' x50' Feet

Closure starts at: 90' east of the Imogene Street east ROW line (50' ROW) and

Proceeds to ASTRO at Dyer Holding Co. LLC west property line

Reason for Closure: Consolidation of property for future development

PRE-APPLICATION CONFERENCE [illegible]

Pre-Application Conference held on: 1-26-20 [illegible] Chip Saliba / Josh Whitehead

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

Property Owner of Record*	2/28/20 Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacation Based upon 9.8 of the Land Development Code:

Conversion [illegible]

[illegible]

2. **Physical closure** [illegible]
3. **Abandonment** [illegible]

SIGN POSTING [illegible]

Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-09

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Cantor Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 2511 Cantor Avenue to 0 Cantor Avenue per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 115' to the centerline of Imogene Street

Area of ROW: ~~0.92~~ 1.012 ACS Square-Feet/Acres Length x Width of ROW: ~~700.00~~ 798.58' x50' Feet

Closure starts at: 90' east of the Imogene Street east ROW line (50' ROW) and

Proceeds to west ROW line of Crosby Street (50' ROW)

Reason for Closure: Consolidation of property for future development.

PRE-APPLICATION CONFERENCE: [illegible]

Pre-Application Conference held on: [illegible] with: Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date 2/28/20	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

I (we) property owner(s) of record, do hereby [illegible] authorize the above named persons to act on my behalf in this application [illegible] Land Use Control Board [illegible] this application [illegible] the property [illegible]

Types of Vacation Items Chapter 2.8 of the Unified Development Code:

1. Conveyance of [illegible] pursuant to Section [illegible] of the UDC.
   [illegible]
- Physical closure [illegible]
- Abandonment of [illegible]

SIGN POSTING: [illegible]

2

Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-10

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Labelle Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Labelle Street to 2650 Labelle Street

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 40' to the centerline of Ketchum Road

Area of ROW: ~~1.62~~ 1.499 ACS Square-Feet/Acres Length x Width of ROW: ~~1415.36~~ 1304.71' x50' Feet

Closure starts at: north Ketchum Road ROW line (80' ROW) and

Proceeds to 109.07' south of the Dwight Road south ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE [illegible]

Pre-Application Conference held on [illegible] 11-20 with Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date 2/25/20	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacations (Check one) 1 For the Land Development Office only

1. Conversion to [illegible]
2. Physical closures [illegible]
3. Abandonment [illegible]

SIGN POSTING [illegible]

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020 Case #: SAC 20-11

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Lola Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Durby Street to 0 Durby Street

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 25' to centerline of Durby Street

Area of ROW: ~~0.10~~ 0.105 ACS Square-Feet/Acres Length x Width of ROW: ~~90.00~~ 91.33' x 50' Feet

Closure starts at: west ROW line of Durby Street (50' ROW) and

Proceeds to 90' east of west ROW line of Durby Street (50' ROW)

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE: [illegible]

Pre-Application Conference held on: [illegible] 11-20 with Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date 2/28/20	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacation (Type 1 or 2 as in the Unified Development Code)

- Conversion (pl [illegible] Section [illegible] Code) [illegible]
- Physical closure [illegible]
- Abandonment [illegible]

SIGN POSTING: [illegible]

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020 Case #: SAC 20-12

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Byrd Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Durby Street to 0 Durby Street per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 25' to the centerline of Durby Street

Area of ROW: 0.10ACS Square-Feet/Acres Length x Width of ROW: ~~90.00~~ 118.34' x50' Feet

Closure starts at: west ROW line of Durby Street (50' ROW) and

Proceeds to 90' east of west ROW line of Durby Street (50' ROW)

Reason for Closure: Consolidation of property for future development

PRE-APPLICATION CONFERENCE: [illegible]

Pre-Application Conference held on: [illegible] Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacations (from Chapter 9 of the Unified Development Code)

1. **Conversions** [illegible]
2. **Physical closures** [illegible]
3. **Abandonment** [illegible]

SIGN POSTING [illegible]

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020 Case #: SAC 20-13

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Durby Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Durby Street to 0 Durby Street

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 40' to the centerline of Ketchum Road, 1296.22'

Area of ROW: 1.48 ACS Square-Feet/Acres Length x Width of ROW: ~~1297~~ x50' Feet

Closure starts at: north Ketchum Road ROW line (80' ROW) and

Proceeds to 148' south of the Dwight Road south ROW line (50' ROW)

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE: [illegible]

Pre-Application Conference held on 1-28 2-11-20 [illegible] Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacation (Joint Vacation Will be Decided Based on Code)

1. Conversion: [illegible]
2. Physical closures: [illegible]
3. Abandonment: [illegible]

SIGN POSTING: [illegible]

2

Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-14

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Alvin Street

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Durby Street to 0 Durby Street

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 25' distance from Alvin Street to Durby Street

Area of ROW: 0.13 ACS Square-Feet/Acres Length x Width of ROW: ~~112.34~~ 90' x50' Feet

Closure starts at: west ROW line of Durby Street (50' ROW) and

Proceeds to ASTRO at Dyer Holding Co. LLC west property line

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE [illegible]

Pre-Application Conference held on [illegible] Chip Saliba / Josh Whitehead

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

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

[illegible]

Types of Vacat or Hom Ch Pg 9 8 of Ent Dnt of Developg Code

Conversions [illegible]

2. Physical closures [illegible]

3. Abandonment [illegible]

SIGN POSTING: [illegible]

Memphis and Shelby County
Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020 Case #: SAC 20-15

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Stanfill Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 2502 Stanfill Avenue to 0 Stanfill Avenue per SC GIS

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 117 to the centerline of Imogene Street

Area of ROW: ~~0.64~~ 0.474 ACS Square-Feet/Acres Length x Width of ROW: ~~468.00'~~ 382.43' x50' Feet

Closure starts at: 90' east of the Imogene Street east ROW line (50' ROW) and

Proceeds to a 50' radius cove

Reason for Closure: Consolidation of property for future development.

PRE-APPLICATION CONFERENCE: [illegible]

Pre-Application Conference held on: 2020-11-23 with Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date
Property Owner of Record*	Date	Applicant	Date

[illegible]

Types of Vacation (See Chapter 8 of the Unified Development Code)

1. Conversions of [illegible] pursuant to Section [illegible] of the UDC.

   [illegible]

2. Physical closures [illegible]
3. Abandonment of [illegible]

NOTE POSTING: [illegible]

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: March 2, 2020

Case #: SAC 20-16

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Nott Avenue

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road - #113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: sbrockman@flymemphis.com (Scott A. Brockman)

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW,Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc.- Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Closure Street Address Location: 0 Nott Avenue to 0 Nott Avenue

Inside of Memphis City Limits ☑ Yes ☐ No

Unincorporated Shelby County ☐ Yes ☐ No

City of _____ Reserve Area ☐ Yes ☐ No

Distance to nearest intersecting street: along centerline 25' to the centerline of Long Street

Area of ROW: ~~0.70~~ 0.703 ACS Square-Feet/Acres Length x Width of ROW: ~~600.00~~ 605.79' x50' Feet

Closure starts at: 25' east of Long Street and

Proceeds to west ROW line of Crosby Street (50' ROW)

Reason for Closure: Consolidation of property for future development.

1

PRE-APPLICATION CONFERENCE - [illegible]

Pre-Application Conference held on: [illegible] with Chip Saliba / Josh Whitehead

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

Property Owner of Record*	Date 2/28/20	Applicant*	Date
Property Owner of Record*	Date	Applicant*	Date
Property Owner of Record*	Date	Applicant*	Date
Property Owner of Record*	Date	Applicant*	Date
Property Owner of Record*	Date	Applicant*	Date

[illegible]

Types of Vacation (Street Closure/Road Abandonment/Alley Closure/Road Development Closure)

1. **Conversions** [illegible]
2. Physical closures [illegible]
3. Abandonment [illegible]

SIGN POSTING [illegible]

LETTER OF INTENT

Brittenum

Law pllc

ATTORNEY AT LAW
Airways Professional Center – Aerotropolis
3385 Airways Boulevard, Suite 229
Memphis, Tennessee 38116 USA
Telephone 901.347.3978
Facsimile 901.800.1927
db@brittenumlaw.com

2 March 2020

Via Hand Delivery

Josh Whitehead, AICP
Planning Director / Administrator
Memphis & Shelby County Office of Planning and Development
City Hall
125 North Main Street, Suite 476
Memphis, TN 38103

RE: Memphis-Shelby County Airport Authority North Land Tract on Ketchum Road

Dear Administrator Whitehead:

I represent Ketchum Airport Investors, Inc. for rezoning and street closure applications to redevelop the above tract for employment district (EMP) uses. This large site is rare inside the interstate loop near the airport and its use as residential is prohibited by the FAA. The applications request approval of EMP zoning district and the closure of all the streets within the subject tract. The Airport Master Plan for this area recommends action to support reinvestment and development in the airport vicinity to encourage employment growth. Upon approval, this large land mass will be a magnet for jobs in this community. Enclosed are the Application for Rezoning Approval and the Applications for Right-of-Way Vacation/ Street/Alley/Closure Approval (14, one for each street). Please consider these applications as companion cases.

The subject property was part of a noise buyout south and north of Ketchum Road in the airport north/south flight path. The homes in the various subdivisions have been removed and the lots are vacant with remaining curb, gutter and roadways. The MSCAA property to the south of Ketchum Road was rezoned employment district in April 2018. The street closures are critical to the redevelopment of the tract for return to the certified assessment roll as nonexempt.

Thank you for your attention and should you have questions or comments, please advise. I remain,

Very truly yours,

Dedrick Brittenum, Jr.

enclosure

SIGN AFFIDAVIT

The Reaves Firm
Planning
Engineering
Landscape Architecture
Land Surveying

AFFIDAVIT

Shelby County
State of Tennessee

I, Dianne Higgs, being duly sworn, depose and say that at 9 (am)/pm on the 25th day of March, 2020, I posted a Public Notice Sign(s) pertaining to Case No. Z-20-03 at and SAC 20-08 - 20-16 providing notice of a Public Hearing before the X Land Use Control Board, ___Memphis City Council, ___Shelby County Board of Commissioners for consideration of a proposed ____Land Use Action (Planned Development, ____Street /Alley Closure ____Special Use Permit, ____Use Variance, ____Zoning District Map Amendment), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Dianne Higgs 3-25-2020

Owner, Applicant or Representative Date

Subscribed and sworn to before me this 25 day of March, 2020.

Michelle Cortese McIvor

Notary Public

My commission expires: 5-14-22

MICHELLE CORTESE McIVOR
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY

6800 Poplar Ave. Suite 101 Memphis, TN 38138 T. 901.761.2016 / F. 901.763.2847

LETTERS RECEIVED

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

		AGENDA ITEM:	16
CASE NUMBER:	SUP 19-29	**L.U.C.B. MEETING:**	12 December 2019
LOCATION:	3240 North Watkins Street and 1812 Thrift Avenue		
COUNCIL DISTRICT:	District 7 and Super District 8		
OWNER/APPLICANT:	Otubo Godfrey		
REPRESENTATIVE:	Mahmoud Ghassemi of Ghassemi and Associates, LLC		
REQUEST:	Special use permit for vehicle sales		
AREA:	0.4 acres		
EXISTING ZONING:	Commercial Mixed Use – 1		

CONCLUSIONS (see p. 29)

1. The applicant is requesting a special use permit for vehicle sales. The applicant seeks to sell used vehicles at the corner of N. Watkins and Thrift in the Frayser neighborhood.
2. This area features a significant amount of commercial and residential vacancy. Staff believes that a used vehicle sales establishment in this location would stifle future investment that is not of an automotive nature.
3. The proposed development would introduce vehicle sales to the center of Frayser. The nearest existing vehicle sales establishment is just over one mile away.
4. This site is zoned Commercial Mixed Use – 1, which is the lowest-intensity commercial zoning district and meant to serve local commercial needs. The district intent statement states that, "Auto-oriented uses are not appropriate in this district."
5. This site is directly adjacent to single-family residential zoning, and would have an undue adverse impact on the value and enjoyment of nearby homes.
6. This proposal is inconsistent with the Memphis 3.0 Comprehensive Plan, which designates this land as part of the Frayser and Watkins anchor neighborhood.
7. For these reasons, this proposal does not meet the criteria for a special use permit.

CONSISTENCY WITH MEMPHIS 3.0 (see pp. 25-28)

This proposal is ***inconsistent*** with the Memphis 3.0 Comprehensive Plan, which designates this land as part of the Frayser and Watkins anchor neighborhood.

RECOMMENDATION (see p. 29)

Rejection

Staff Writer: ***Brett Davis*** **E-mail:** ***brett.davis@memphistn.gov***

GENERAL INFORMATION

Street Frontage:	North Watkins Street	(minor arterial)	123 linear feet
	Thrift Avenue	(local)	83 linear feet
Zoning Atlas Page:	1730		
Parcel ID:	072017 00020 and 072017 00021		
Existing Zoning:	Commercial Mixed Use – 1		

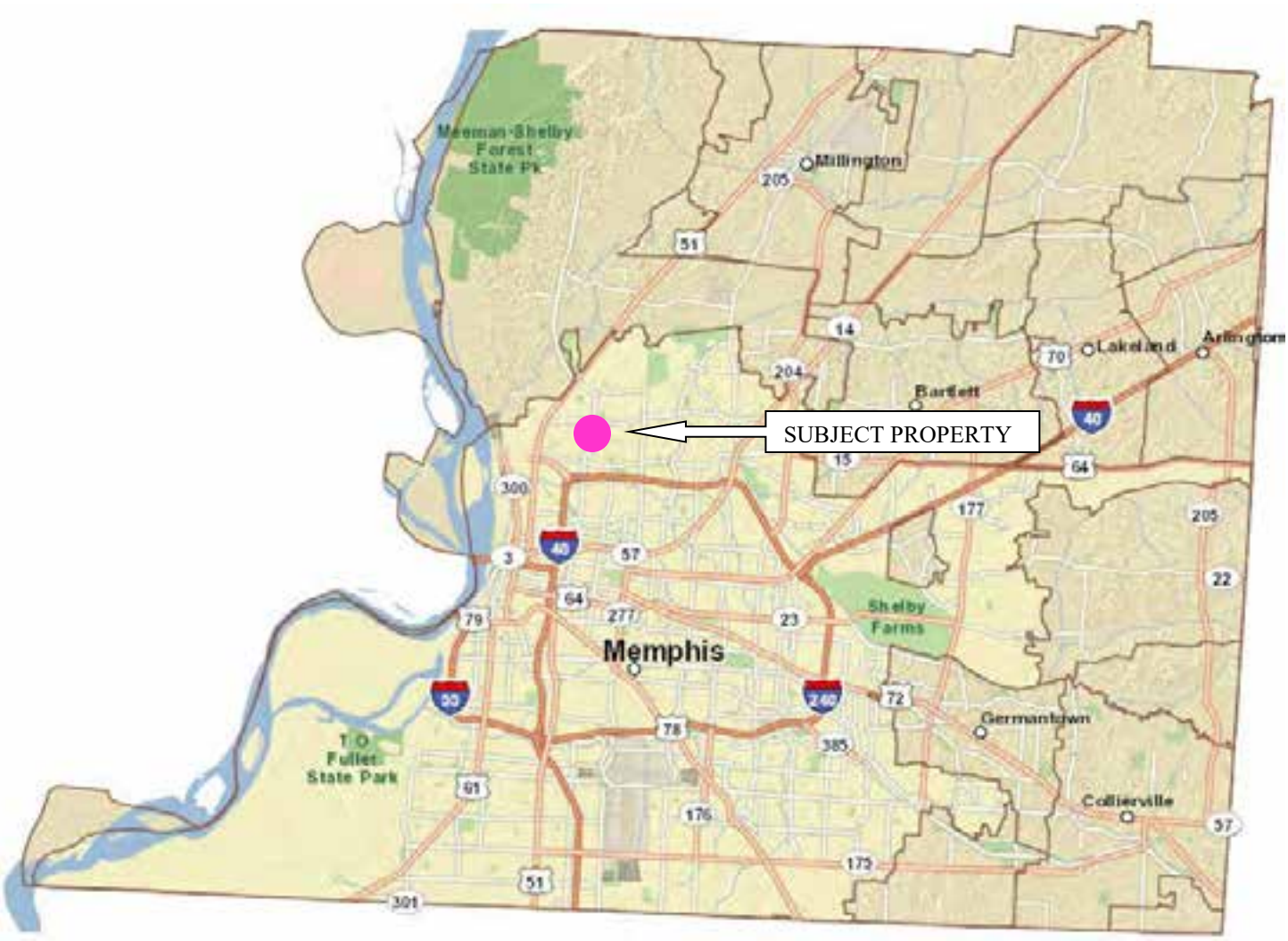
NEIGHBORHOOD MEETING

The required neighborhood meeting was held on 19 November 2019 from 2 – 4 p.m. at the Ed Rice Community Center, located at 2904 N. Watkins.

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 65 notices were mailed on 26 November 2019, and a total of 2 sign posted at the subject property. Staff has not received an affidavit confirming installation of required on-site public notice signs. However, staff has personally confirmed installation of the signs.

LOCATION MAP



Subject property located within the pink circle, Frayser neighborhood

WARRANTY DEED (1976), 3240 N. WATKINS ST.

Tom Leatherwood, Shelby County Register of Deeds: Instr # K88485

K8 8485 2

This Instrument prepared by: Marvin Posner, Attorney, 5050 Poplar Avenue, Memphis, Tennessee

THIS INDENTURE, made and entered into this 2nd day of January, 1976,

by and between LEO F. MANLEY and wife, MAVIS A. MANLEY, parties

of the first part, and THOMAS G. AMMONS, party

, of the second part

WITNESSETH: That for the consideration hereinafter expressed the said part ies of the first part ha ve bargained and sold and do hereby bargain, sell, convey and confirm unto the said part y of the second part the following described real estate, situated and being in City of Memphis County of Shelby State of Tennessee, to wit:

Part of Lot 1 of the H. M. Hall's Thrift Farms Subdivision of W. J. S. Speed 30.2 acres of the Ann E. Speed 92.38 acres, described as:

Beginning at a point in the east line of Hindman Ferry Road (60 feet wide) 91 feet north of the north line of Thrift (Frayser) Road; thence northwardly with the east line of Hindman Ferry Road 60 feet; thence eastwardly parallel to the north line of Thrift Road 130 feet; thence southwardly parallel to the east line of Hindman Ferry Road 60 feet; thence westwardly 130 feet to the point of beginning.

Being hhe same property conveyed to grantors herein by warranty deed of record in Book 3881, Page 612, in the Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD The aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said part y of the second part, his heirs and assigns in fee simple forever.

And the said part ies of the first part do hereby covenant with the said part y of the second part that they are lawfully seized in fee of the aforedescribed real estate; that they have a good right to sell and convey the same; that the same is unencumbered,

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

THE CONSIDERATION for this conveyance is as follows:

TEN DOLLARS ($10.00) cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged.

WITNESS the signature s of the said part ies of the first part the day and year first above written.

Leo F. Manley
LEO F. MANLEY

Mavis A. Manley
MAVIS A. MANLEY

STATE OF TENNESSEE,
County of Shelby.

K8 8485

On this 2nd day of January, 19 76, before me, a notary Public in and for said State and County, duly commissioned and qualified, personally appeared

Leo F. Manley and wife, Mavis A. Manley,

to me known to be the person s described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.

Charles V. C[illegible]
Notary Public

My commission expires day of , 19

Address of Property 3240 North Watkins

Mailing Address for Tax Notices same

MEMPHIS TITLE

Downtown Office
100 North Main Building
P.O. Box 3027
Memphis, Tennessee 38103
Phone (901) 525-4363

WARRANTY DEED

Leo F. Manley
Mavis A. Manley

TO

Thomas D. Cameron

State Tax $ 39.52
Clerk's Fee $ .50
TOTAL $ 40.02
Recording fee 4.00
Paid 42.02
Deputy County Court Clerk

MTC form 0015

K 8 8 4 8 5

STATE TAX 39.52
REG. FEE .50
REG. FEE 4.00
42.02
JAN 6 10 03 AM 76
STATE OF TENNESSEE
SHELBY COUNTY

STATE OF TENNESSEE, COUNTY OF SHELBY

I, or we, hereby swear or affirm that to the best of affiants knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is, $ 3,15,250 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this the 2nd day of January, 19 76

Notary Public

MY COMMISSION EXPIRES

WARRANTY DEED (1977), 1812 THRIFT AVE.

Tom Leatherwood, Shelby County Register of Deeds: Instr # L87669

L8 7669

Tax 72-017-020
MST Tract
Reference: Ex-85-1

WARRANTY DEED

THIS INDENTURE, made and entered into this 9th day of February, 19 77, by and between

--- Helen Wood Scott and husband, W. F. Scott ---------- party of the first part, and

-------- Earl Sartain and wife, Yvonne Sartain ---------- party of the second part,

WITNESSETH: That for and in consideration of Ten Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in Memphis County of Shelby, State of Tennessee: to wit: Part of Lot 1, H. M. Halls Thrift Farm Subdivision, Memphis, Shelby County, Tennessee, more particularly described as follows: Beginning at the intersection of the north line of Thrift Avenue (formerly Thrift Road) with the east line of N. Watkins Street (formerly Hindman Ferry Road) northwardly along the east line of N. Watkins 91 feet to a point, being the point of beginning; thence southwardly along the east line of N. Watkins 70.81 feet to a point of curvature; thence on a curve to the left having a radius of 20 feet a distance of 31.61 feet to a point in the north line of Thrift Avenue; thence eastwardly along the north line of Thrift Avenue 104.36 feet to a point; thence northwardly 130 feet to a point; thence westwardly 124.01 feet to a point, being the point of beginning.(Description subject to correction by current survey). Being part of the same property conveyed to Helen Wood Scott by Warranty Deed recorded *

TO HAVE AND TO HOLD the aforesaid real estate together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his heirs, successors and assigns in fee simple forever.

*in Book 4014, Page 631, Register's Office, Shelby County, Tennessee, less and except property conveyed to City of Memphis by Right-of-Way Agreement and Warranty Deed recorded in Book 1800, Page 46.

Conveyance subject to building lines, restrictions and easement of record in Shelby County Register's Office and existing utility easements. Conveyance also subject to present tenants rights.

The said party of the first part does hereby covenant with the said party of the second part that he is lawfully seized in fee of the aforedescribed real estate; that he has good right to sell and convey the same; that the same is unencumbered, except for the 1977 City and County taxes which Party of the Second Part hereby assumes and agrees to pay, and subject to a party driveway easement as set out in Warranty Deed of record in Book 1800, Page 84, Register's Office, Shelby County, Tennessee, and that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the party of the first part the day and year first above written.

Helen Wood Scott — Helen Wood Scott

W. F. Scott — W. F. Scott

STATE OF ~~TENNESSEE~~ Missouri, COUNTY OF ~~SHELBY~~ Cape Girardeau

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared

Helen Wood Scott and husband, W. F. Scott

to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 9th day of February 19 77

My commission expires January 29, 1978 — Willie M. Reynolds, Notary Public

(FOR RECORDING DATA ONLY)

Property address 1812 Thrift Ave.

Mail tax bills to: (Person or Agency responsible for payment of taxes)
Sartain, Earl and wife, Yvonne
3014 Rainier
Memphis, Tennessee 38127

This instrument prepared by:
George L. Turnage, Jr., Attorney
700 Memphis Bank Building

State tax	$ 39.00
Register's fee	.50
Recording fee	4.00
Total	43.50

T.G. #
Return to: Beaty's Box
Form 85 Revised 9/26/73

L 87669

STATE TAX 39.00
REG.FEE .50
REC.FEE 4.00
FEB 10 3 29 PM 77
STATE OF TENNESSEE
SHELBY COUNTY
REGISTER

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $15,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Helen Wood Scott
Helen Wood Scott Affiant

Subscribed and sworn to before me this 9th day of February 19 77

Willie M. Reynolds
Notary Public

My Commission Expires:
January 29, 1978

Staff has analyzed the above two deeds and determined that this site, as a whole, is considered an exempt lot.

AERIAL PHOTOGRAPH

ZONING MAP

Existing Zoning: Commercial Mixed Use – 1

Surrounding Zoning

North: Commercial Mixed Use – 1

East: Residential – 6

South: Commercial Mixed Use – 1

West: Commercial Mixed Use – 1

LAND USE MAP

Gregory Avenue
Gregory Avenue
Gregory Avenue
Shelders Cove
North Wabash Street
Thrift Avenue
Thrift Avenue
Dellwood Avenue
Dellwood Avenue

SITE PHOTOS

View of subject site from corner of Thrift and Watkins

Alternative view of site

View of proposed parking area, from Thrift

View of existing brick wall and chain link fence on Thrift

View of buffer fence between site and adjacent residential property

Primary structure and driveway, fronting Watkins

View of rear of Watkins property

View south down Watkins

View north down Watkins

View of adjacent vehicle wash establishment to north

View of commercial properties across Watkins

From left to right: a vacant structure, an office, and an event hall

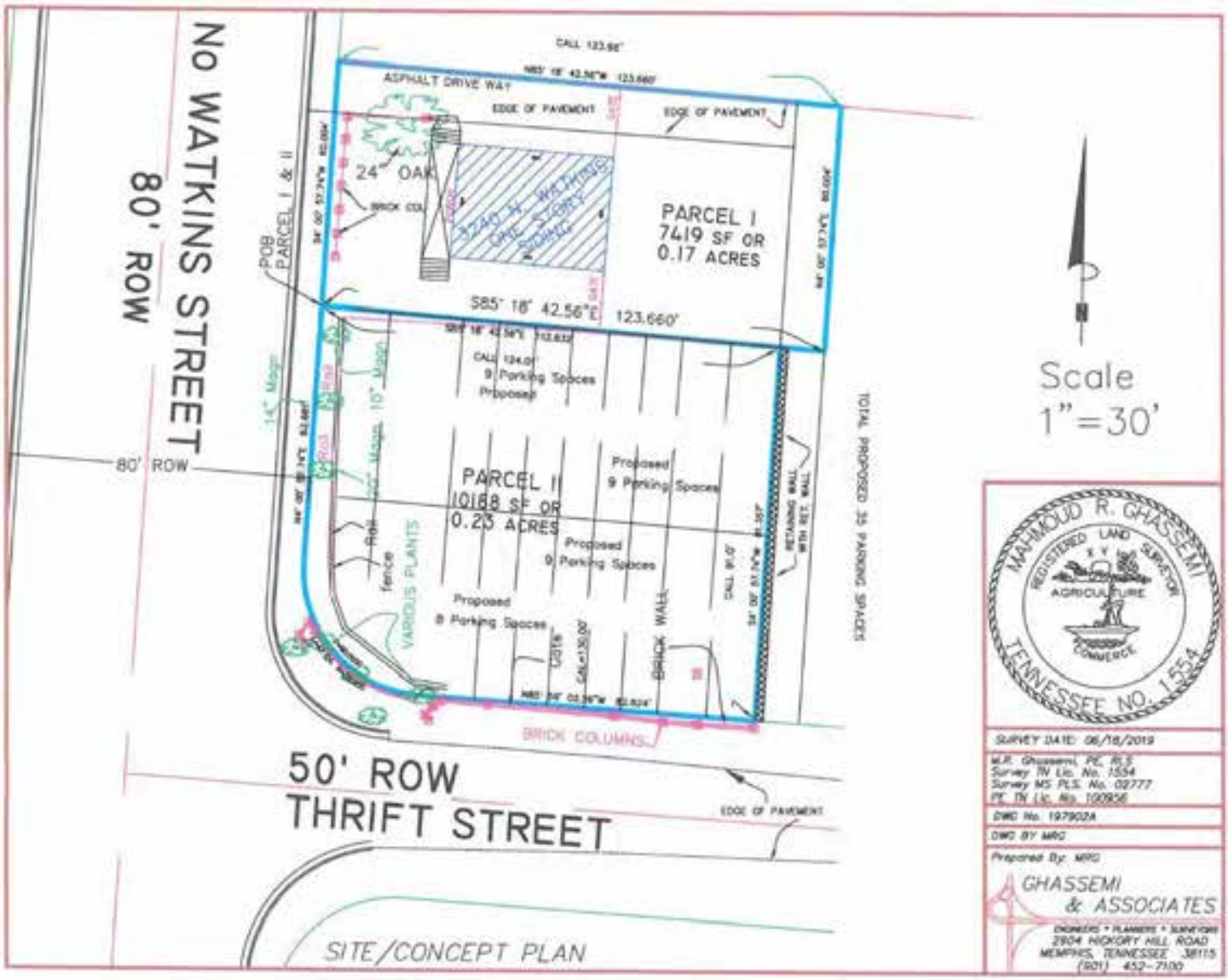
View of adjacent residential lot to the east, fronting Thrift.

This house is currently vacant.

Desire line demonstrates need for sidewalk on Thrift.

(A desire line is a path created by erosion caused by foot traffic.)

SITE PLAN



Site Plan Review

The proposed site plan does not account for differences in grade between the foundational remnants of a former building and paved ashpalt, nor does it show an ingress/egress for the parking area. It does not show required streetscaping, landscape buffers, or parking setbacks. It does not delineate which parking spaces are for sales, and which are for customers/employees, nor does it provide required accessible and bicycle parking.

No construction permits or certificates of occupancy shall be issued until the applicant submits a site plan that demonstrates compliance with the Unified Development Code, as approved by the Office of Planning and Development.

STAFF ANALYSIS

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

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

Approval Criteria
Staff ***disagrees*** the approval criteria in regard to special use permits as set out in the Unified Development Code Section 9.6.9 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 ensure 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.*

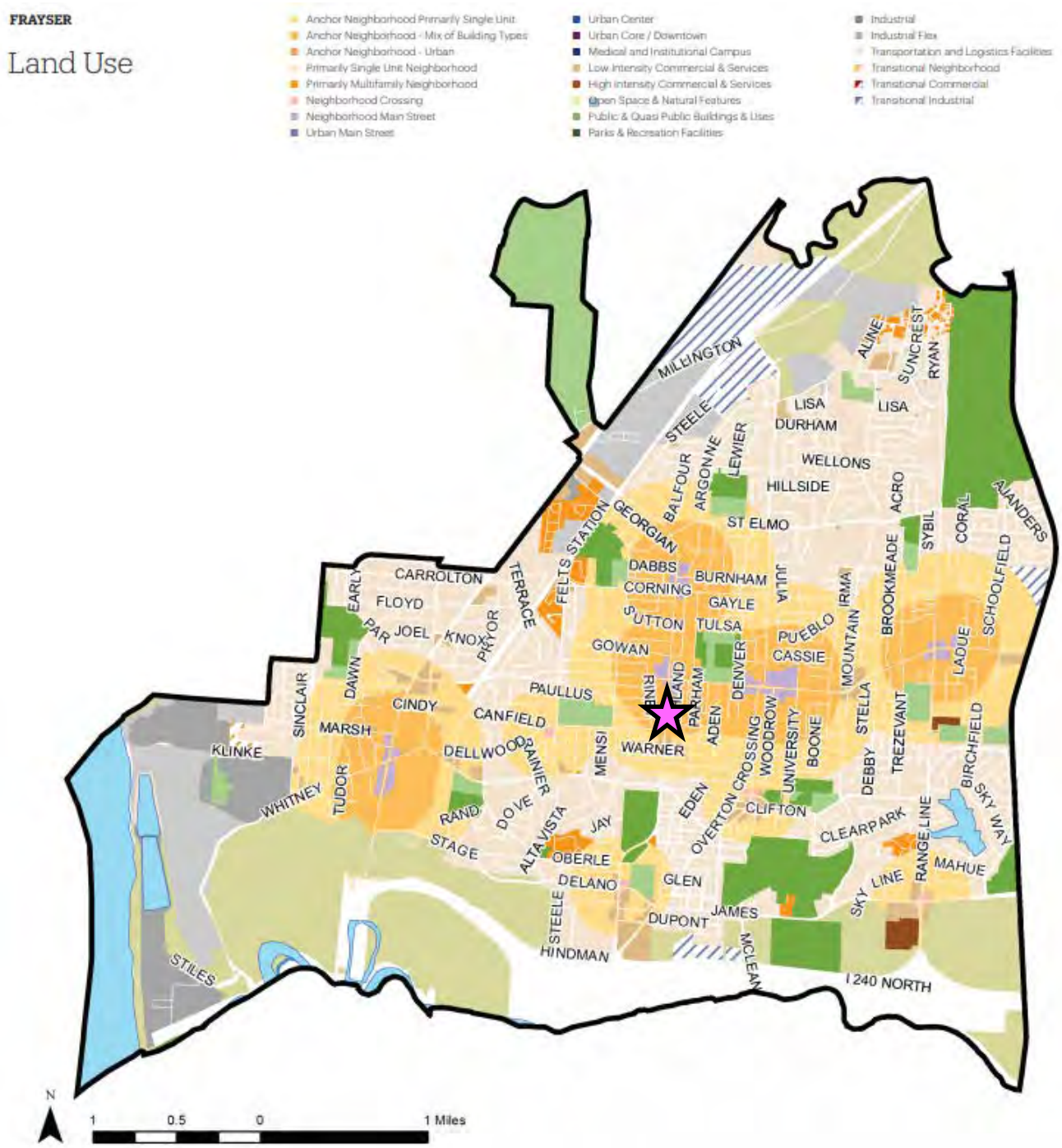
Site Description
This 0.4-acre site consists of two parcels at the corner of North Watkins Street and Thrift Avenue. It is zoned Commercial Mixed Use – 1. The property sits on a slope above Watkins, featuring concrete retaining walls along that frontage and brick retaining walls along the corner. The brick retaining walls contain largely unused planting beds. An unused nonconforming sign structure fronts the corner. There is an overgrown sidewalk and landscape strip along Watkins but no sidewalk, curb, or gutter along Thrift; a desire line at the corner suggests a need for pedestrian facilities on Thrift. Overhead utilities appear on both frontages. The southern parcel has the remnants of a building foundation as well as unstriped paved asphalt, both at slightly different elevations. This parcel has a driveway fronting Thrift, enclosed by a chain link gate. The Thrift frontage has both a brick/metal wall and a chain link fence directly behind one another. Chain link fencing separates the two parcels. The northern parcel contains the site's primary structure; this one-story structure looks like a house, has a front porch, and is 1,064 square feet in area. A brick/metal wall stands at its Watkins perimeter atop the concrete retaining wall. This parcel

also has a driveway, which has space for only one car to pass at a time. This drive leads to the rear of the property, which is enclosed by a metal gate. The residentially-zoned property to the site's east sits further up the Thrift slope, above the subject site. A wood wall in disrepair acts as a buffer between the subject site and this residential lot, but only along the eastern perimeter of the southern lot.

<u>Consistency with Memphis 3.0</u>

Staff has determined that this proposal is ***inconsistent*** with the Memphis 3.0 Comprehensive Plan. Please refer to the following analysis.

1. Designated future land use: Anchor Neighborhood – Mix of Building Types



2. The proposal is inconsistent with the description and graphic portrayal of the designated future land use.

Anchor Neighborhood - Mix of Building Types

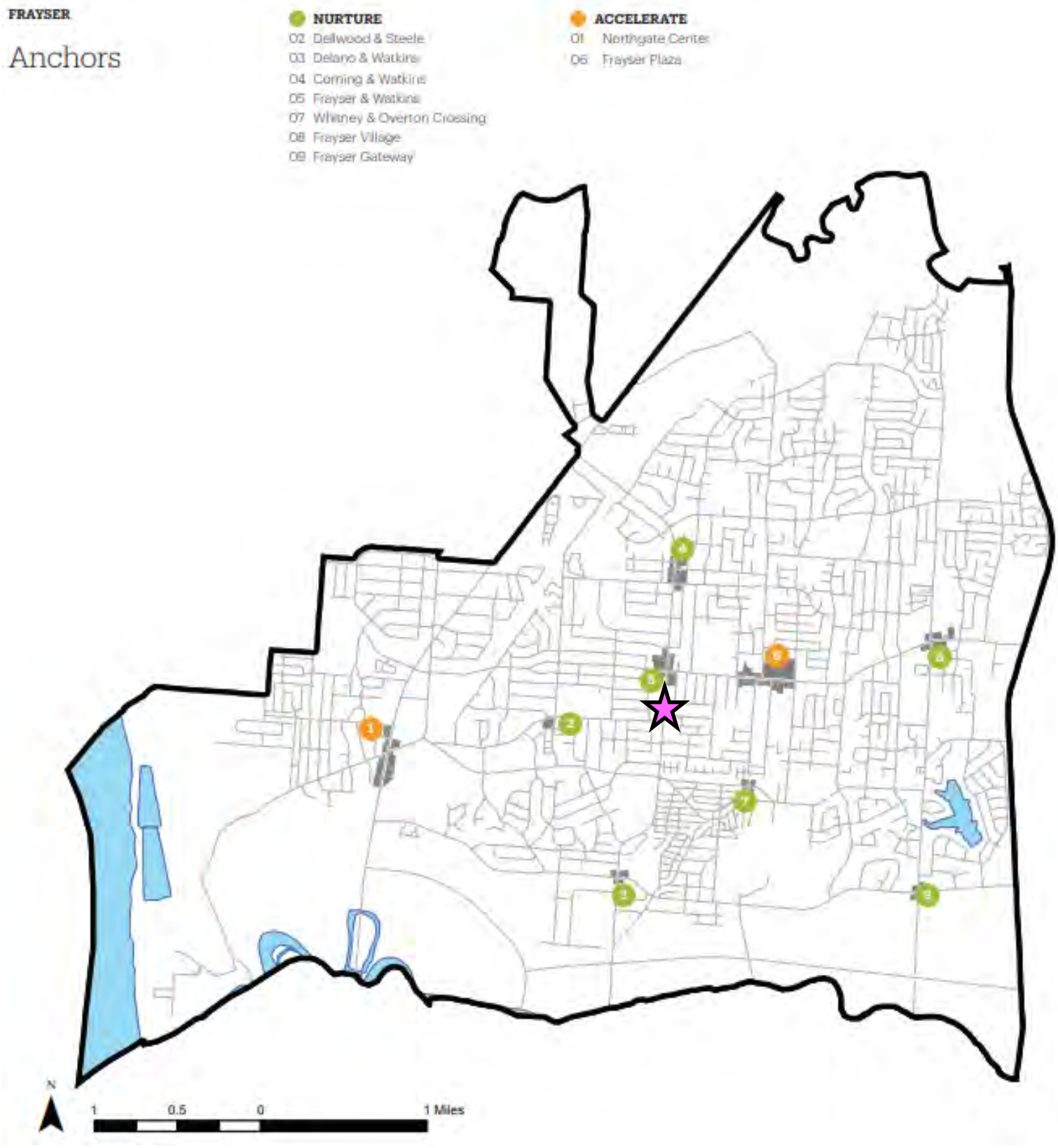
AN-M

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

Description/Intent	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.
Applicability	Places where a mix of residential and mixed-use building types are present or appropriate to encourage through infill in a walkable and transit-oriented/supportive pattern.
Goals/Objectives	Preservation, stabilization, and/or intensification of neighborhoods, focusing investment toward areas that support plan goals and objectives, locating housing near services, jobs, transit, building up not out.
Performance Metrics	Number of renovated housing units in anchor neighborhoods, number and type of infill housing units in anchor neighborhoods.
Zoning Notes	Generally compatible with the following zone districts: RU-2, RU-3, RU-4, R-SEI, R-R, MDR in accordance with Form and characteristics listed below. Consult zoning map and applicable overlays for current and effective regulations. May consider rezonings within anchor neighborhood areas, as appropriate, at the time of a small area plan. Height calibration
Form and Location Characteristics	**NURTURE/SUSTAIN** - Primarily detached, single-family residences. Attached single-family, duplexes, triplexes and quadplexes permitted on parcels within 100 feet of an anchor and at intersections where the presence of such housing type currently exists. Other housing and commercial types along avenues, boulevards and parkways as identified in the Street Types Map where same types exist on two or more adjacent parcels. Height: 1-3 stories. Scale: house-scale. **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.

3. The proposal is inconsistent with the existing, adjacent single-family residential and local commercial land uses and zoning.

4. This property is located in the Frayser and Watkins anchor, designated as a 'Nurture' degree of change.



5. A description of 'nurturing' actions for the Frayser and Watkins anchor is below.

Frayser & Watkins

NEIGHBORHOOD MAIN STREET

Install green infrastructure along major corridors to reduce stormwater runoff.

Medium-term 2-5 years

Improve pedestrian and transit facilities such as sidewalks, benches, and bus shelters.

Medium-term 2-5 years

Incentivize façade and landscaping improvements at commercial businesses.

Medium-term 2-5 years

Conclusions

The applicant is requesting a special use permit for vehicle sales. The applicant seeks to sell used vehicles at the corner of N. Watkins and Thrift in the Frayser neighborhood.

This area features a significant amount of commercial and residential vacancy. Staff believes that a used vehicle sales establishment in this location would stifle future investment that is not of an automotive nature.

The proposed development would introduce vehicle sales to the center of Frayser. The nearest existing vehicle sales establishment is just over one mile away.

This site is zoned Commercial Mixed Use – 1, which is the lowest-intensity commercial zoning district and meant to serve local commercial needs. The district intent statement states that, "Auto-oriented uses are not appropriate in this district."

This site is directly adjacent to single-family residential zoning, and would have an undue adverse impact on the value and enjoyment of nearby homes.

This proposal is inconsistent with the Memphis 3.0 Comprehensive Plan, which designates this land as part of the Frayser and Watkins anchor neighborhood.

For these reasons, this proposal does not meet the criteria for a special use permit.

RECOMMENDATION

Staff recommends ***rejection***.

However, if approved, staff recommends the following conditions:

1. All development standards of Article 4 of the Unified Development Code shall apply to this development. (Required streetscaping and landscape buffers may be modified if approved by the Office of Planning and Development.)
2. No chain link shall be permitted on this site. All existing chain link shall be removed.
3. The existing detached sign structure at the corner of Thrift and Watkins shall be removed.
4. A site plan shall be submitted for administrative review and approval that demonstrates compliance with the above conditions and all other zoning regulations.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. City sanitary sewers are available at developer's expense.

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. Clear Sight Areas shall be provided on the final plat and engineering plans at the intersection of North Watkins St and Thrift St in accordance with the Unified Development Code. The required note regarding Clear Sight Areas shall be placed on the final plat.

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.

Drainage:

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

Site Plan Notes:

13. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.

Memphis Light, Gas and Water:
STREET NAME SHOULD BE SHOWN AS "THRIFT AV"

City/County Fire Division:	No comments received.
City Real Estate:	No comments received.
City/County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Office of Sustainability and Resilience:	No comments received.

APPLICATION

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR SPECIAL USE PERMIT APPROVAL/AMENDMENT

Date: 8/10/2019 Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Otubo Godfrey Phone #: 901-827-1725

Mailing Address: 4101 Long Creek Road City/State: Memphis, TN Zip 38125

Property Owner E-Mail Address: otubo@att.net

Applicant: Otubo Godfrey Phone # 901-827-1725

Mailing Address: 4101 Long Creek Road City/State: Memphis, TN Zip 38125

Applicant E- Mail Address: otubo@att.net

Representative: Ghassemi & Associates LLC Phone #: 901-452-7100

Mailing Address: 2904 Hickory Hill Road City/State: Memphis, TN Zip 38115

Representative E-Mail Address: mrg@ghassemillc.com

Engineer/Surveyor: M. R. Ghassemi PE/RLS Phone # 901-270-6846

Mailing Address: 2904 Hickory Hill Road City/State: Memphis, TN Zip 38115

Engineer/Surveyor E-Mail Address: mrg@ghassemillc.com

Street Address Location: 3240 N. Watkins and 1812 Thrift Ave.

Distance to nearest intersecting street: 248 feet (north) to center line of Gregory Ave. as measure along the center line of N. Watkins Road

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	0.17	0.23	N/A
Existing Zoning:	CMU-1	CMU-1	N/A
Existing Use of Property	Office	Vacant	N/A
Requested Use of Property	Car Sales office	Car Sales	N/A

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

Yes ☐ No ☑

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

Number of Residential Units: None Bedrooms: None

Expected Appraised Value per Unit: None or Total Project: None

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

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

Godfrey Olusa 8/10/2019 Godfrey Olusa 8/10/2019

Property Owner of Record Date Applicant Date

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

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

Pre-Application Conference held on: _____ with _____

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

Neighborhood Meeting Requirement Met: Yes ☐ Not yet ☐

(If yes, documentation must be included with application materials)

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

9.6.9 Special Use Permit Approval Criteria
No special use permit or planned development shall be approved unless the following findings are made concerning the application:

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

- The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare (UDC sub-section 9.6.9A).

  Yes we meet all above mentioned requirements

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

  Yes we meet all above mentioned requirements

- The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services (UDC sub-section 9.6.9C).

  Yes we meet all above mentioned requirements
  No construction on this site except painting the Parking spaces

- The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance (UDC sub-section 9.6.9D).

  NO

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

  Yes

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

  No

LETTER OF INTENT

Ghassemi & Associates LLC

*Engineers * Planners * Surveyors*

Monday, August 12, 2019
Page 1 of 1

OPD
Memphis, Tennessee

Ref: Special Permit for 3240 North Watkins and 1812 Thrift Ave.

To whom it may concern:

These two parcels will be used as Used Cars Sales
3240 No. Watkins will be served as office and 1812 Thrift Ave will be used as parking area for used cars parking's for sale
There will be no construction on this site, except Parking lots painting
There will be 35 Parking spaces on these two lots

If there are any questions please do not hesitate to call

Sincerely,

M. R. Ghassemi PE, RLS

2904 Hickory Hill Road, Memphis, Tennessee 38115
Office 901- 452 -7100, Fax 901- 324- 9300, Ghassemillc.com

SIGN AFFIDAVIT

Staff has not received an affidavit confirming installation of required on-site public notice signs. However, staff has personally confirmed installation of the signs.

LETTERS RECEIVED

One letter of support was received at the time of completion of this report, and has been attached to this report.

PARKS & NEIGHBORHOODS

Traci Sandidge
2907 N.Watkins
Memphis, TN 38127
(901) 636-0708
traci.sandidge@memphistn.gov

Godfrey Otubu
CEO, Furo Cars
3240 N.Watkins
Memphis, TN 38127

To Whom It May Concern,

As the Director of Ed Rice Community Center we appreciate Mr. Otubu contributions to the community. On November 5, 2019 Mr.Otubu held a community meeting to inform people about his new business location in the Frayser community. During his meeting he informed the citizens on the options they have to purchase cars and what to look for when buying a car. This was very important for him to educate the people in the meeting and it showed his passion for his new business. Living in the Frayser area citizen do not have adequate Transportation and Furo Cars will be an opportunity to help the Frayser community with reliable transportation. "Making Frayser Great Again!"

Sincerely,
Traci Sandidge

AGENDA ITEM: 9

CASE NUMBER:	PD 20-5	**L.U.C.B. MEETING:**	11 June 2020
DEVELOPMENT:	Alliance Planned Development		
LOCATION:	3206 Broad Avenue, 602 Malcomb Street, 606 Malcomb Street, 610 Malcomb Street, and 3195 Summer Avenue		
COUNCIL DISTRICT:	District 5 and Super District 9		
OWNER:	Broad Avenue Properties, LLC; Eric Goode; and Goode Development Company, LLC		
APPLICANT:	Alliance Healthcare Services		
REPRESENTATIVE:	Tim McCaskill of McCaskill and Associates, Inc.		
REQUEST:	Planned development to permit a social service institution		
AREA:	0.6 acres and 2.3 acres		
EXISTING ZONING:	Commercial Mixed Use – 1		

CONCLUSIONS (see p. 25)

1. Alliance Healthcare Services is requesting approval of a planned development to permit a social service institution on both sides of Malcomb between Summer and Broad.
2. The subject properties currently contain several decrepit structures, including a strip of zero-setback retail structures built in the 1920s along Summer, four single-family homes built in the 1920s along Malcomb, and an office building built in the 1960s along Broad.
3. Staff finds that this proposal – as conditioned – meets the planned development applicability standards, general provisions, and approval criteria, and would have a positive impact on its vicinity.
4. Staff recommends the conditional restriction of parking and internal drives between the proposed buildings and Malcomb and Summer to preserve the urban character of the neighborhood.

CONSISTENCY WITH MEMPHIS 3.0 (see pp. 27-29)

Staff finds that this proposal is ***consistent*** with the Memphis 3.0 Comprehensive Plan.

RECOMMENDATION (see p. 25)

Approval with conditions

Staff Writer: ***Brett Davis*** **E-mail:** ***brett.davis@memphistn.gov***

GENERAL INFORMATION

Street Frontage:	Broad Avenue	Major Collector	267 linear feet
	Malcomb Street (east)	Local Street	130 linear feet
	Malcomb Street (west)	Local Street	355 linear feet
	Summer Avenue	Principle Arterial	246 linear feet

Zoning Atlas Page: 2035

Parcel ID: 044036 00008C, 044036 00010C, 044037 00015, 044037 00016, and 044037 00018

Existing Zoning: Commercial Mixed Use – 1

NEIGHBORHOOD MEETING

The neighborhood meeting requirement has been waived due to social distancing guidelines associated with the ongoing coronavirus pandemic.

PUBLIC NOTICE

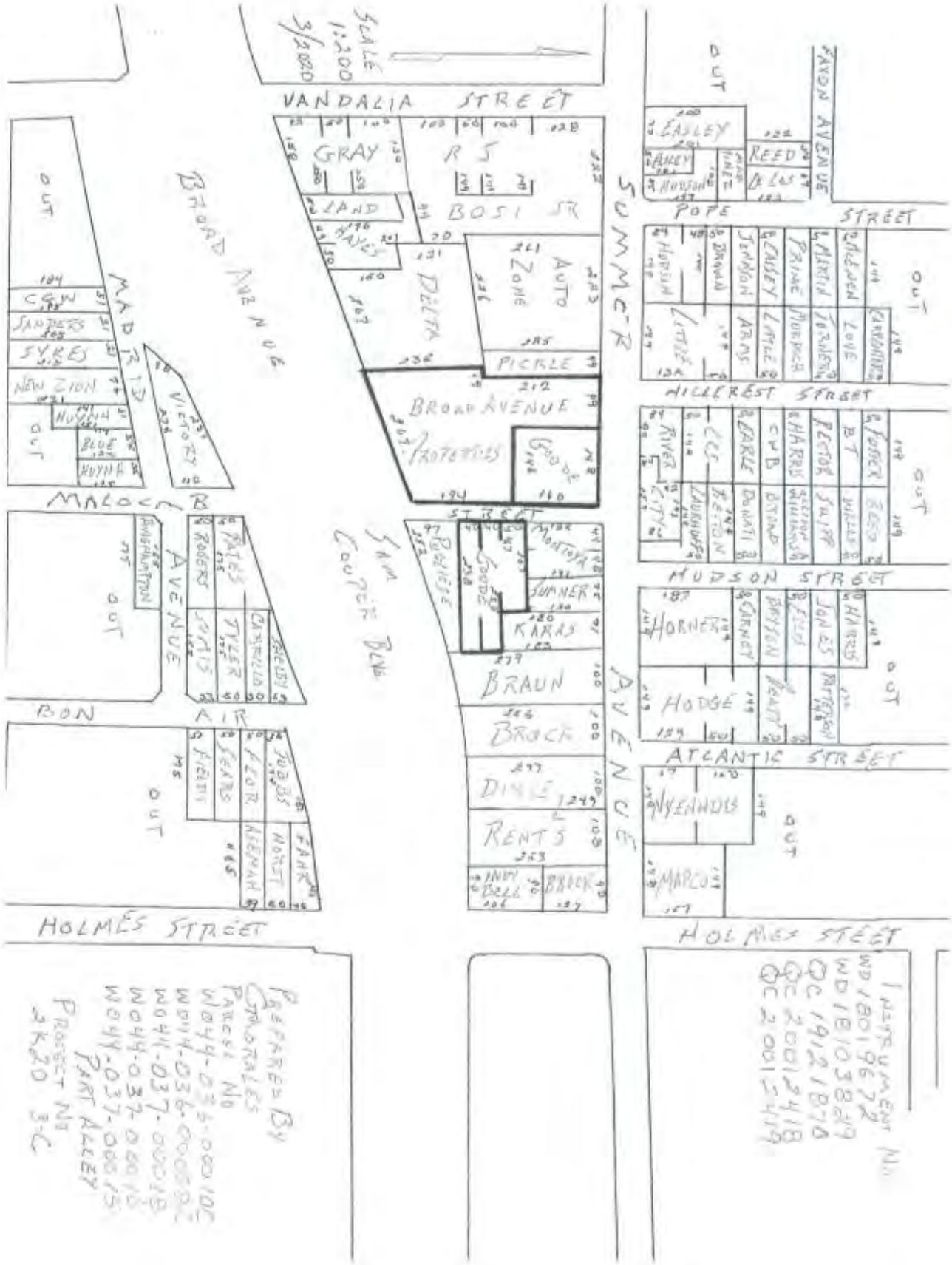
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 90 notices were mailed on 28 May 2020, and a total of four signs posted at the subject properties. The sign affidavit has been added to this report.

The public hearing will be held telephonically.

LOCATION MAP

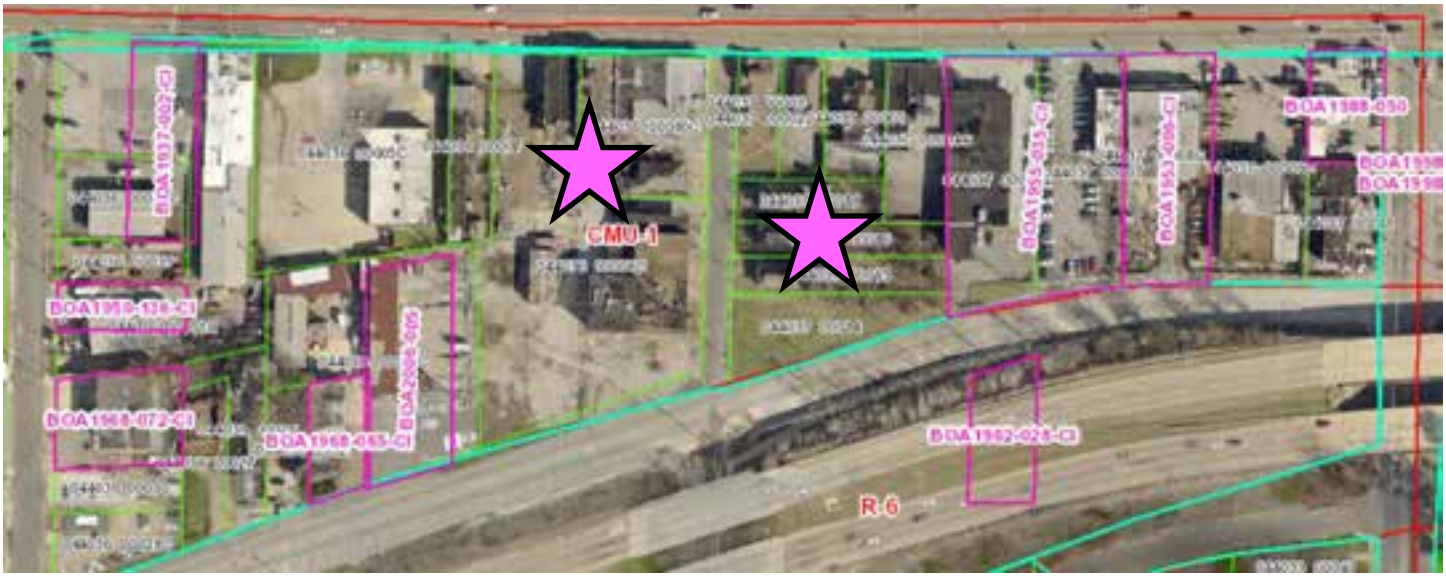
Subject property located in the Highland Heights neighborhood

VICINITY MAP



AERIAL PHOTOGRAPH

ZONING MAP



Existing Zoning: Commercial Mixed Use – 1

Surrounding Zoning

North: Commercial Mixed Use – 1 and Commercial Mixed Use – 3

East: Commercial Mixed Use – 1

South: Commercial Mixed Use – 1 and Residential – 6

West: Commercial Mixed Use – 1

LAND USE MAP

SITE PHOTOS

View of a subject structure from Malcomb

View of three subject structures on east side of Malcomb

View of subject structures along western side of Malcomb

View of a subject structure on west side of Malcomb

View of a subject structure on Summer.

Note the bus stop.

View of two subject structures on Summer.

View north down Malcomb from the intersection of Broad and Malcomb

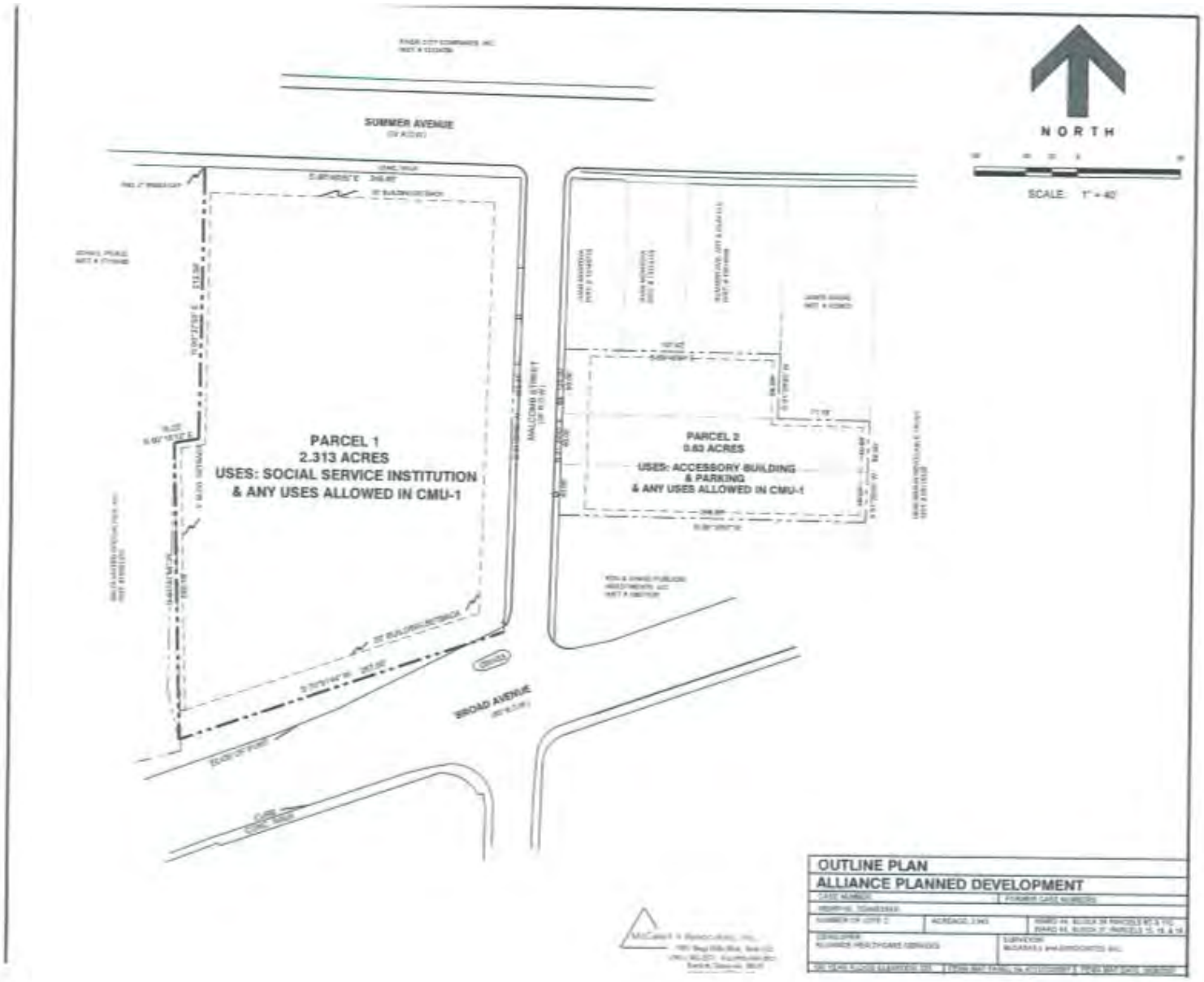
View south down Malcomb

View west down Broad from the intersection of Broad and Malcomb

View west down Summer

View east down Summer

PROPOSED OUTLINE PLAN



PROPOSED OUTLINE PLAN CONDITIONS

I. USES PERMITTED

Any use permitted by right or administrative site plan review in accordance with the CMU-1 use district and a Social Service Institution.

II. BULK REGULATIONS

The building floor area for Parcel 1 shall be a maximum of 50,000 sq. ft. for a FAR of 0.25. Otherwise the bulk regulations of the CMU-1 district shall apply.

III. ACCESS, PARKING, AND CIRCULATION

A. The design, location, and number of curb cuts on Summer Avenue, Broad Street, and Malcomb Street are to be approved by the Memphis City Engineer's Office.

IV. SEWERS AND DRAINAGE

A. Sanitary sewers are currently available to serve this site, and must be coordinated with the Memphis City Engineer's Office.

B. Drainage improvements, including possible on site detention, shall be provided under a standard subdivision contract in accordance with Subdivision regulations and the City of Memphis Drainage Design Manual.

C. Provide drainage data for assessment of on site detention requirements by the City Engineer's Office. All drainage plans shall be submitted to the City Engineer's Office for review.

D. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: the areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention system 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 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 Engineer's Office. Such maintenance shall include but not limited to: removal of sedimentation, fallen objects, debris and trash, mowing outlet cleaning, and repair of drainage structures.

V. The Land Use Control Board may modify the building setback, building height, access, parking, landscaping, and sign requirements if equivalent alternatives are presented; provided, however, any adjacent property owner who is dissatisfied with the modification 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.

VI. LANDSCAPING AND SIGNS:

A. Landscape Plate S-10 shall be provided along Summer Avenue, Broad Street, and the West side of Malcomb Street.

B. Alternatives to the required landscaping above may be submitted at the time of final plat, subject to the review and approval of Office of Planning and Development.

C. Landscaping and screening shall not be placed on any sewer or drainage easements.

D. Detached signs as regulated by the CMU-1 district.
All detached signs shall be monument style using materials that are similar to the buildings and limited to a maximum height of 15 feet.

E. Attached signs: As regulated by the CMU-1 District.

VII. TIME LIMIT

A final plan shall be filed within five (5) years of the approval of the Outline Plan by the legislative body. The Land Use Control Board may grant extensions at the request of the applicant.

VIII. Any Final Plat shall include the following:

A. The Outline Plan conditions.

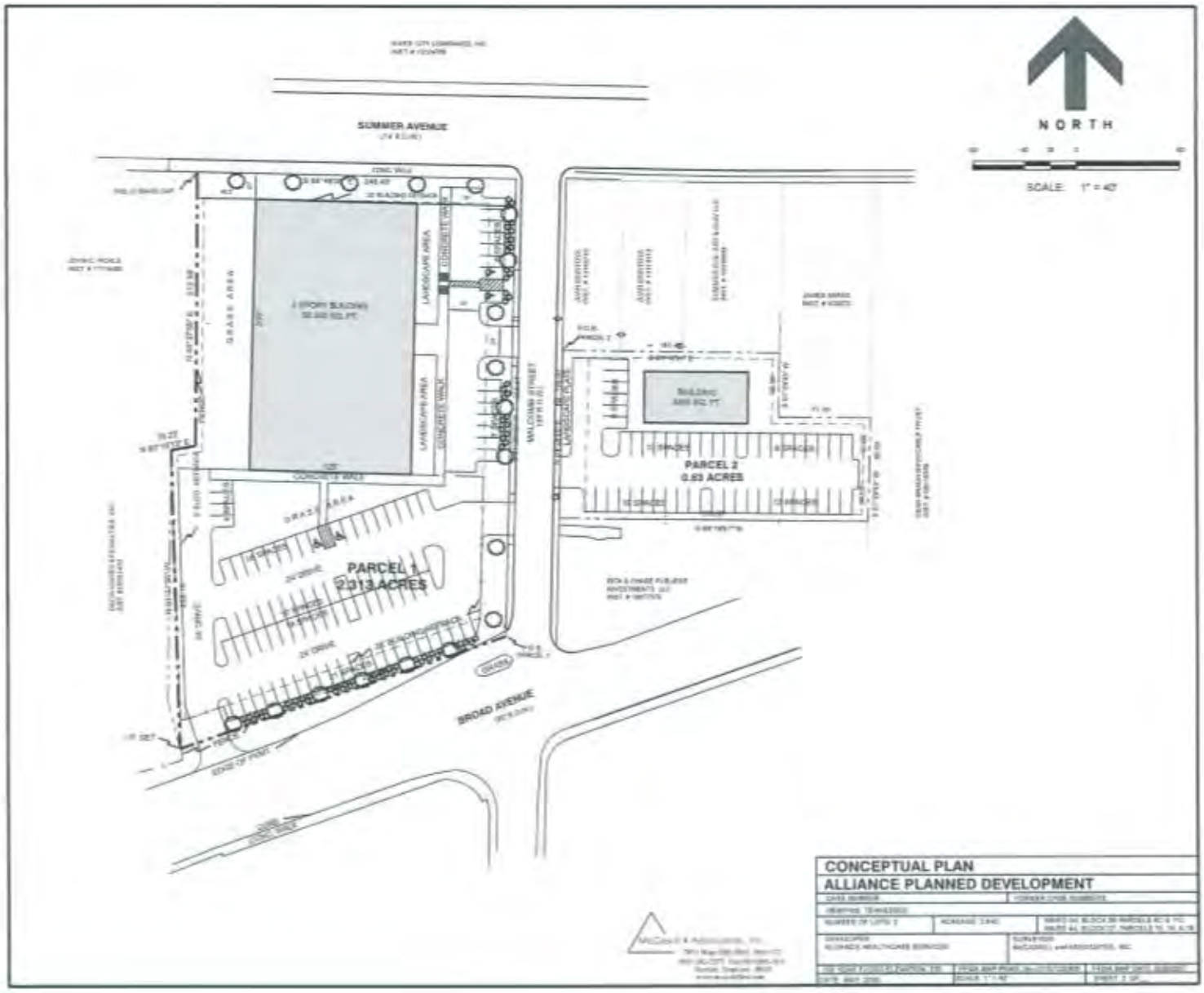
B. A standard improvement contract as defined by the Subdivision Regulations for any needed public improvements.

C. The exact locations and dimensions including height, of all buildings, parking areas, utility easements, trash receptacles, and screening areas.

D. The number of parking spaces.

E. The location and ownership whether public or private of any easement.

PROPOSED CONCEPTUAL SITE PLAN



STAFF ANALYSIS

Request
The request is for a planned development to permit a social service institution.

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

Applicability
Staff ***agrees*** this proposal satisfies at least one of the objectives found in Section 4.10.2 of the Unified Development Code.

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

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

General Provisions
Staff ***agrees*** this proposal complies with the standards found in Section 4.10.3 of the Unified Development Code.

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

A. *The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.*
B. *An approved water supply, community waste water treatment and disposal, and storm water drainage*

facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

C. *The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.*
D. *Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.*
E. *Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.*
F. *Lots of record are created with the recording of a planned development final plan.*

Approval Criteria

Staff ***agrees*** this proposal complies with the approval criteria found in Section 9.6.9 of the Unified Development Code.

9.6.9 Approval Criteria

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

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

Site Description

The subject land consists of five non-contiguous parcels. There are two sets of contiguous parcels: two to the west of Malcomb and three to the east of Malcomb. There is an assortment of dilapidated buildings within the two sites, including four houses built in the 1920s that front Malcomb, a strip of zero-setback commercial structures built in the 1920s that fronts Summer, and an office building built in the 1960s that fronts Broad. The western site has 267 feet of frontage on Broad, 355 feet of frontage on Malcomb, and 246 feet of frontage on Summer; the

eastern site has 130 feet of frontage on Malcomb. There are overhead utilities along the eastern Malcomb frontage and the Summer frontage. Sidewalks are in various states of disrepair; there is no sidewalk along the Broad frontage. There is a bus stop at the southwest corner of the intersection of Broad and Malcomb.

Site Plan Review

A formal site plan review shall be administered at the time of final plan recording in accord with the recorded outline plan and the Unified Development Code.

- The new lots shall be numbered as 'lots' rather than 'parcels.'
- The proposed structure on Lot 2 shall be considered the primary structure and use of that lot, rather than an accessory structure to the primary structure of Lot 1.
- Off-street parking on both proposed lots shall be permitted as an accessory use, and therefore subject to the standards of UDC Section 2.7.1. On both lots, off-street parking shall be "clearly incidental and subordinate" to the primary use and not "likely to attract visitors in larger numbers than would normally be expected…" Off-street parking shall not be permitted as a primary use in this planned development.
- Lot 1 shall have offset access points to inhibit cut-through traffic.
- Reverse frontage lots are prohibited in this location.
- The minimum lot size is 10,000 square feet. The minimum lot width is 25 feet. The maximum height is 48 feet. This land is exempt from the maximum ground floor area regulation because these sites were developed prior to 2011. The proposed lots appear to meet these requirements.
- The proposed lots shall have minimum building setbacks of 20 feet from all rights-of-way and five feet from all other property lines.
- The proposed lots shall have minimum parking setbacks of eight feet from all rights-of-way and five feet from all other property lines.
- Any 20-foot minimum building setback applied to the proposed lots may be reduced to zero if certain blank wall area and transparency standards are met, per UDC Paragraph 3.10.2B(1). A note to this effect shall be included in the outline plan.
- Any sidewalk in disrepair shall be repaired or replaced, subject to the determination of the City Engineer.
- Streetscaping shall be required along all frontages of both lots, including the Broad frontage of Lot 1. Streetscape plates may be modified during final plan review to ensure linear sidewalk continuity. Any streetscape plate shall be permitted subject to administrative approval, except in instances of off-street parking adjacent to a right-of-way, in which case streetscape plates seven through eleven shall be permitted. Special attention shall be paid to the Broad streetscape, which currently has no sidewalk.
- Any off-site off-street parking shall be within 300 feet of the structure served, as measured by the pedestrian route between the nearest points of the structure and the parking area.
- Bicycle parking is required, subject to the standards of UDC Sub-Section 4.5.3C.
- Minimum parking space and drive aisle dimensions are subject to UDC Sub-Section 4.5.5A.
- Parking area landscaping is required per UDC Sub-Section 4.5.5D.
- Pedestrian facilities connecting structures to rights-of-way and parking areas are required per UDC Sub-Section 4.5.5M.
- Service areas and mechanical equipment shall be screened per UDC Sub-Section 4.6.8(B) and 4.6.8(C).
- A lighting plan that demonstrates compliance with UDC Chapter 4.7 shall be provided.
- Any land not used for buildings, parking, access, or so forth, shall be landscaped or otherwise improved.

Conclusions

Alliance Healthcare Services is requesting approval of a planned development to permit a social service institution on both sides of Malcomb between Summer and Broad.

The subject properties currently contain several decrepit structures, including a strip of zero-setback retail structures built in the 1920s along Summer, four single-family homes built in the 1920s along Malcomb, and an office building built in the 1960s along Broad.

Staff finds that this proposal – as conditioned – meets the planned development applicability standards, general provisions, and approval criteria, and would have a positive impact on its vicinity.

Staff recommends the conditional restriction of parking and internal drives between the proposed buildings and Malcomb and Summer to preserve the urban character of the neighborhood.

RECOMMENDATION

Staff recommends ***approval*** of the following outline plan conditions:

I. Permitted Uses of Lots 1 and 2
   A. Social service institution
   B. All uses as regulated by the Commercial Mixed Use – 1 (CMU-1) zoning district

II. Building Envelope Standards
   A. There shall be no maximum building ground floor area.
   B. The primary façade of the primary structure of Lot 1 shall front Malcomb. Said façade shall not be permitted to front Summer or Broad.
   C. The maximum length of blank wall per floor per frontage shall be 30 feet.
   D. Otherwise, all buildings shall be regulated by the Commercial Mixed Use – 1 (CMU-1) zoning district standards.

III. Access Management
   A. Lot 1 shall be permitted a maximum of two curb cuts.
   B. Lot 2 shall be permitted a maximum of one curb cut.
   C. Any unused curb cuts shall be closed in accord with the streetscaping standards.

IV. Parking
   A. The minimum number of required off-street parking spaces shall be 0.
   B. No parking or internal drives shall be permitted between a lot's primary structure and a right-of-way – with the exception of the land between Broad and the primary structure of Lot 1.

V. Fences
   A. No chain link shall be permitted on this site. All existing chain link shall be removed.

VI. Signs
   A. Monument signs shall be the only permitted type of detached signs.
   B. The maximum height of detached signs shall be 15 feet.
   C. Otherwise, all signs shall be regulated by the Commercial Mixed Use – 1 (CMU-1) zoning district standards.

VII. General Provisions
   A. The development shall be served adequately by sanitary sewer, as determined by the City Engineer.
   B. The regulations of the Unified Development Code shall apply to any standard not addressed by the outline plan conditions, subject to the Commercial Mixed Use – 1 (CMU-1) zoning district.

DEPARTMENTAL COMMENTS

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

City Engineer:

1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

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

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

Roads:

4. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
5. All existing sidewalks and curb openings along the frontages 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. Any sidewalk adjacent to the curb shall have a minimum width of 6 feet exclusive of curb width. Any portion of sidewalk outside of the public ROW shall be covered in a pedestrian easement.
7. Dedicate a property line corner radius at Summer / Malcomb in accordance with the UDC.

Traffic Control Provisions:

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

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

10. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

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

12. No access shall be granted to Summer Avenue.

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

Drainage:

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

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

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

City Fire Division:

Date Reviewed: 6/5/20
Reviewed by: J. Stinson

- All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

Office of Comprehensive Planning:

Site Address/location: 3206 Broad Avenue
Land Use Designation (see page 102 for details): Low Intensity Commercial & Services (CSL)

Based on the future land use planning map and existing adjacent uses, the proposal IS CONSISTENT **with the Memphis 3.0 Comprehensive Plan.**

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

1. FUTURE LAND USE PLANNING MAP

The red boxes indicate the application sites on the Future Land Use Map.

2. Land use description & applicability:

The site is designated as Low Intensity Commercial & Services (CSL). CSL 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. See graphic portrayal to the right.

"CSL" Goals/Objectives:
Improved development patterns along auto-oriented commercial corridors, revitalization.

"CSL" Form & Location Characteristics:
Commercial and services uses, 1-4 stories in height.

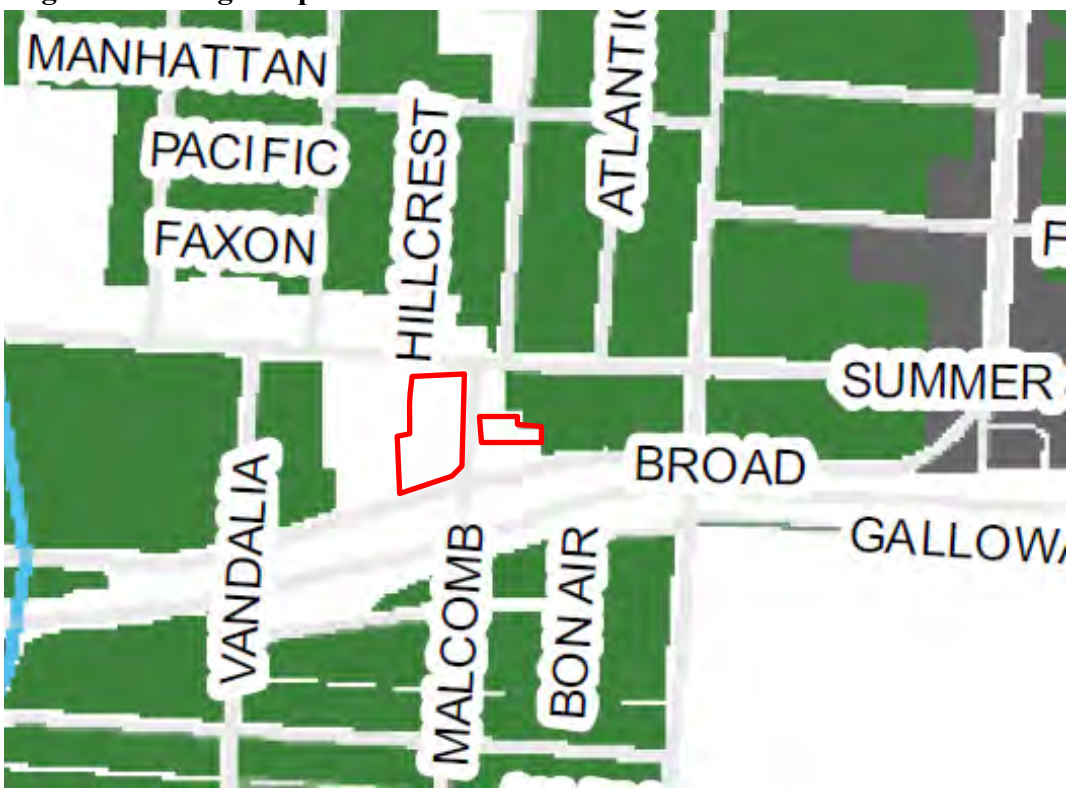
The applicant is seeking approval for a social services institution in a CMU-1 zoning district. The parcels are located in between multiple anchor neighborhoods.
The request meets the criteria because it is a service use which is generally compatible with "CSL".

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land use: Office, Commercial, and Industrial. The subject site is surrounded by the following zoning district: CMU-1 and CMU-3. This requested land use is compatible with these adjacent land uses and zoning districts because *the area is home to other institutions such as churches and*

schools.

4. Degree of Change map



The sites not located in an anchor or anchor neighborhood. No degree of change applies.

5. Degree of Change Descriptions
   N/A

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

Summary Compiled by: Bradyn Carson, Office of Comprehensive Planning

City Real Estate:	No comments received.
City 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.

COMPARISON OF PROPOSED AND RECOMMENDED OUTLINE PLAN CONDITIONS

**Note 1: The proposed conditions are in regular font. Staff's recommended deletions are struck-through and recommended additions are in red. See pages 20 (proposed) and 25 (recommended) for each set of conditions on its own.*
**Note 2: Although the wording and organization of each set of conditions is distinct, their major difference is that staff recommends the restriction of parking spaces and internal drives between buildings and Summer and Malcomb.*

I. ~~USES~~ PERMITTED Uses of Lots 1 and 2
A. ~~Any use permitted by right or administrative site plan review in accordance with the CMU-1 use district and a~~ Social Service Institution
B. All uses as regulated by the Commercial Mixed Use – 1 (CMU-1) zoning district

II~~. BULK REGULATIONS~~ Building Envelope Standards
~~The building floor area for Parcel 1 shall be a maximum of 50,000 sq. ft. for a FAR of 0.25. Otherwise the bulk regulations of the CMU-1 district shall apply.~~
A. There shall be no maximum building ground floor area.
B. The primary façade of the primary structure of Lot 1 shall front Malcomb. Said façade shall not be permitted to front Summer or Broad.
C. The maximum length of blank wall per floor per frontage shall be 30 feet.
D. Otherwise, all buildings shall be regulated by the Commercial Mixed Use – 1 (CMU-1) zoning district standards.

III. ACCESS~~, PARKING, AND CIRCULATION~~ Management
A. ~~The design, location, and number of curb cuts on Summer Avenue, Broad Street, and Malcomb Street are to be approved by the Memphis City Engineer's Office.~~ Lot 1 shall be permitted a maximum of two curb cuts.
B. Lot 2 shall be permitted a maximum of one curb cut.
C. Any unused curb cuts shall be closed in accord with the streetscaping standards.

IV. ~~SEWERS AND DRAINAGE~~ Parking
A. ~~Sanitary sewers are currently available to serve this site, and must be coordinated with the Memphis City Engineer's Office.~~ The minimum number of required off-street parking spaces shall be 0.
B. ~~Drainage improvements, including possible on-site detention, shall be provided under a standard subdivision contract in accordance with Subdivision regulations and the City of Memphis Drainage Design Manual.~~ No parking or internal drives shall be permitted between a lot's primary structure and a right-of-way – with the exception of the land between Broad and the primary structure of Lot 1.
~~C. Provide drainage data for assessment of on-site detention requirements by the City Engineer's Office. All drainage plans shall be submitted to the City Engineer's Office for review.~~
~~D. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: the areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention system 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 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 Engineer's Office. Such maintenance shall include but not limited to: removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.~~
V. Fences ~~The Land Use Control Board may modify the building setbacks, building height, access, parking, landscaping, and sign requirements if equivalent alternatives are presented; provided, however, any adjacent property owner who is dissatisfied with the modification 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.~~

A. No chain link shall be permitted on this site. All existing chain link shall be removed.

VI. ~~LANDSCAPE AND~~ SIGNS

A. ~~Landscape S-10 shall be provided along Summer Avenue, Broad Street, and the west side of Malcomb Street.~~ Monument signs shall be the only permitted type of detached signs.

B. ~~Alternatives to the required landscaping above may be submitted at the time of final plat, subject to the review and approval of Office of Planning and Development.~~ The maximum height of detached signs shall be 15 feet.

C. ~~Landscaping and screening shall not be placed on any sewer or drainage easements.~~ Otherwise, all signs shall be regulated by the Commercial Mixed Use – 1 (CMU-1) zoning district standards.

~~D. Detached signs as regulated by the CMU-1 District. All detached signs shall be monument style using materials that are similar to the buildings and limited to a maximum height of 15 feet.~~

~~E. Attached signs: As regulated by the CMU-1 District.~~

VII. ~~TIME LIMIT~~ General Provisions

~~A final plan shall be filed within five (5) years of the approval of the Outline Plan by the legislative body. The Land Use Control Board may grant extensions at the request of the applicant.~~

A. The development shall be served adequately by sanitary sewer, as determined by the City Engineer.
B. The regulations of the Unified Development Code shall apply to any standard not addressed by the outline plan conditions, subject to the Commercial Mixed Use – 1 (CMU-1) zoning district.

~~VIII. Any Final Plat shall include the following:~~

~~A. The Outline Plan Conditions.~~

~~B. A standard improvement contract as defined by the Subdivision Regulations for any needed public improvements.~~

~~C. The exact locations and dimensions including height of all buildings, parking areas, utility easements trash receptacles, and screening areas.~~

~~D. The number of parking spaces.~~

~~E. The locations and ownership whether public or private of any easement.~~

APPLICATION

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR PLANNED DEVELOPMENT APPROVAL (OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)

Date: May 1, 2020 Case #: _____

PLEASE TYPE OR PRINT

Name of Development: Alliance Planned Development

Property Owner of Record: Broad Avenue Properties LLC ~~Goode Development Co. LLC~~ Phone #: 901-351-8656

Mailing Address: 378 N. Perkins Rd City/State: Memphis, TN Zip 38117

Property Owner E-Mail Address: eric@ericgpodepools.com

Applicant: Alliance Healthcare Services Phone # 901-577-9400

Mailing Address: 2200 Union Ave. City/State: Memphis, TN Zip 38104

Applicant E- Mail Address: lpowell@alliance-hs.org

Representative: Tim McCaskill Phone #: 901-382-2577

Mailing Address: 7891 Stage Hills Blvd. Suite 112 City/State: Bartlett, TN Zip 38133

Representative E-Mail Address: tim@mccaskillinc.com

Engineer/Surveyor: McCaskill & Associates, Inc. Phone # 901-382-2577

Mailing Address: 7891 Stage Hills Blvd. Suite 112 City/State: Bartlett, TN Zip 38133

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

Street Address Location: 7891 Stage Hills Blvd.Suite 112

Distance to nearest intersecting street: Parcel 1 - Southwest corner of Summer Ave. & Malcomb Street
Parcel 2 - East side of Malcomb 132 feet south of Summer Ave.

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	2.313 Acres	0.63 Acres	
Existing Zoning:	CMU-1	CMU-1	
Existing Use of Property	Vacant buildings	Vacant buildings	
Requested Use of Property	Social Service Institution & any uses allowed in CMU-1 zoning	Accessory Building & Parking & any uses allowed in CMU-1 zoning	

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

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

Number of Residential Units: _____ Bedrooms: _____

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

1

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

Yes_____ No x

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

4.10.3 Planned Development General Provisions

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

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

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

  Most of the surrounding property is developed. This project will be an improvement to the entire neighborhood

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

  Utilities and sanitary sewer are existing.

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

  The site design will be superior to surrounding properties.

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

  Modifications and amenities are not inconsistent with the public interest.

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

  Yes

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

  Yes

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

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

Pre-Application Conference held on: _____ with _____

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

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

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

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

5/1/2020 — Property Owner of Record — Date

Leslie MALESW 5/1/2020 — Applicant — Date

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

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

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

B. **LETTER OF INTENT** - The letter shall include the following:

a) A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
b) A list of any professional consultants associated with the proposed development.
c) A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed

LETTER OF INTENT

McCaskill & Associates, Inc.
Land Surveying Civil Design

7891 Stage Hills Blvd, Suite 112
Bartlett, TN 38133
www.mccaskillinc.com
(901)382-2577 (901)385-1813 Fax

Letter of Intent – Alliance Planned Development
May 4, 2020

Alliance Healthcare Services
3206 Broad Avenue

This application is a request for approval of a P.D. Outline Plan located at 3206 Broad Avenue, 3195 Summer Avenue, and 602-610 Malcomb Street. The intent is to add Social Service Institution use to the uses allowed by right in CMU-1 zoning. We have included a Conceptual Plan along with the Outline Plan. The applicant would use the property East of Malcomb Street for additional parking.

Alliance Healthcare Services is a fundamental service provider for Shelby County residents. They are operating at capacity and have the need for an alternative physical space to serve their clients. The intention is to design and build a new facility on this site. According to the Unified Development Code Alliance Healthcare Services is considered a Social Service Institution.

Consultants:

J. Martin Regan, Jr.
Lewis Thomason
One Commerce Square 29th Floor
40 South Main Street
Memphis, Tennessee 38103
901-525-8721

Tim McCaskill
McCaskill and Associates, Inc.
7891 Stage Hills Blvd. Suite 112
Bartlett, Tennessee 38133
901-382-2577

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Tim McCaskill, *being duly sworn, depose and say that at* 2:40 pm *am/pm on the* 28 *day of* May, *20* 20, *I posted* 4 *Public Notice Sign(s) pertaining to Case No.* PD 20-05 *at* 3206 Broad, 3195 Summer Ave. & 606 Malcomb St., *providing notice of a Public Hearing before the* x *Land Use Control Board,* x *Memphis City Council,* _____ *Shelby County Board of Commissioners for consideration of a proposed Land Use Action (* x *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.*

Owner, Applicant or Representative — *Date* 5/29/2020

Subscribed and sworn to before me this 29 *day of* MAY, *20* 20.

Notary Public

My commission expires: June 15, 2022

TERESA H MCCASKILL
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY

LETTERS RECEIVED

One letter of support was received at the time of completion of this report.

Delta/United Specialties, Inc.

3166 Broad Avenue
Memphis, Tennessee 38112
Office: 901- 324-7171
Fax: 901- 324-2372

Date: 6.4.2020

TO: Memphis and Shelby County
Office of Planning and Development

ATTN: Brett Davis

RE: **case number PD 20-5**

DEAR SIRS:

Our firm owns the building and property next to this proposed site. We are definitely in favor of the project moving forward. It will be a welcome them as an asset to this section of Broad Avenue. We have been at this location for over fifty years. There have been some drainage issues in the past and proposed layout appears to increase the paving areas. We would like to just make sure that this issue is addressed in the design.

Please call should you have any questions.

Thank you,

Kenneth W. Fox
Vice President
Delta/United Specialties, Inc.

AGENDA ITEM: 11

CASE NUMBER:	Z 20-01	**L.U.C.B. MEETING:**	**March 12, 2020**
LOCATION:	4195 E. Shelby Drive		
COUNCIL DISTRICT:	District 3 and Super District 8 – Positions 1, 2, and 3		
OWNER/APPLICANT:	JCLP, LLC		
REPRESENTATIVE:	Cindy Reaves, SR Consulting		
REQUEST:	Rezoning of 30.016 acres from Conservation Agriculture (CA) to Employment (EMP)		
AREA:	+/-30.016 acres		
EXISTING ZONING:	Conservation Agriculture (CA)		

CONCLUSIONS

1. The request is to rezone 30.016 acres from Conservation Agriculture (CA) to Employment (EMP).
2. The subject property currently is vacant.
3. This proposal is compatible with the existing, adjacent land uses of industrial and zoning district of Employment.

CONSISTENCY WITH MEMPHIS 3.0

Staff believes this proposal is consistent with Memphis 3.0 based on the Future Land Use Category of Industrial and the existing, adjacent land uses of industrial and zoning district of Employment. See further analysis on pages 12-15 of this staff report.

RECOMMENDATION:
Approval

Staff Writer: ***Somer Smith*** **E-mail:** ***somer.smith@memphistn.gov***

GENERAL INFORMATION

Street Frontage:	E. Shelby Dr.	+/-925 linear feet
Zoning Atlas Page:	2440	
Parcel ID:	094100 00047C	
Existing Zoning:	Conservation Agriculture (CA)	

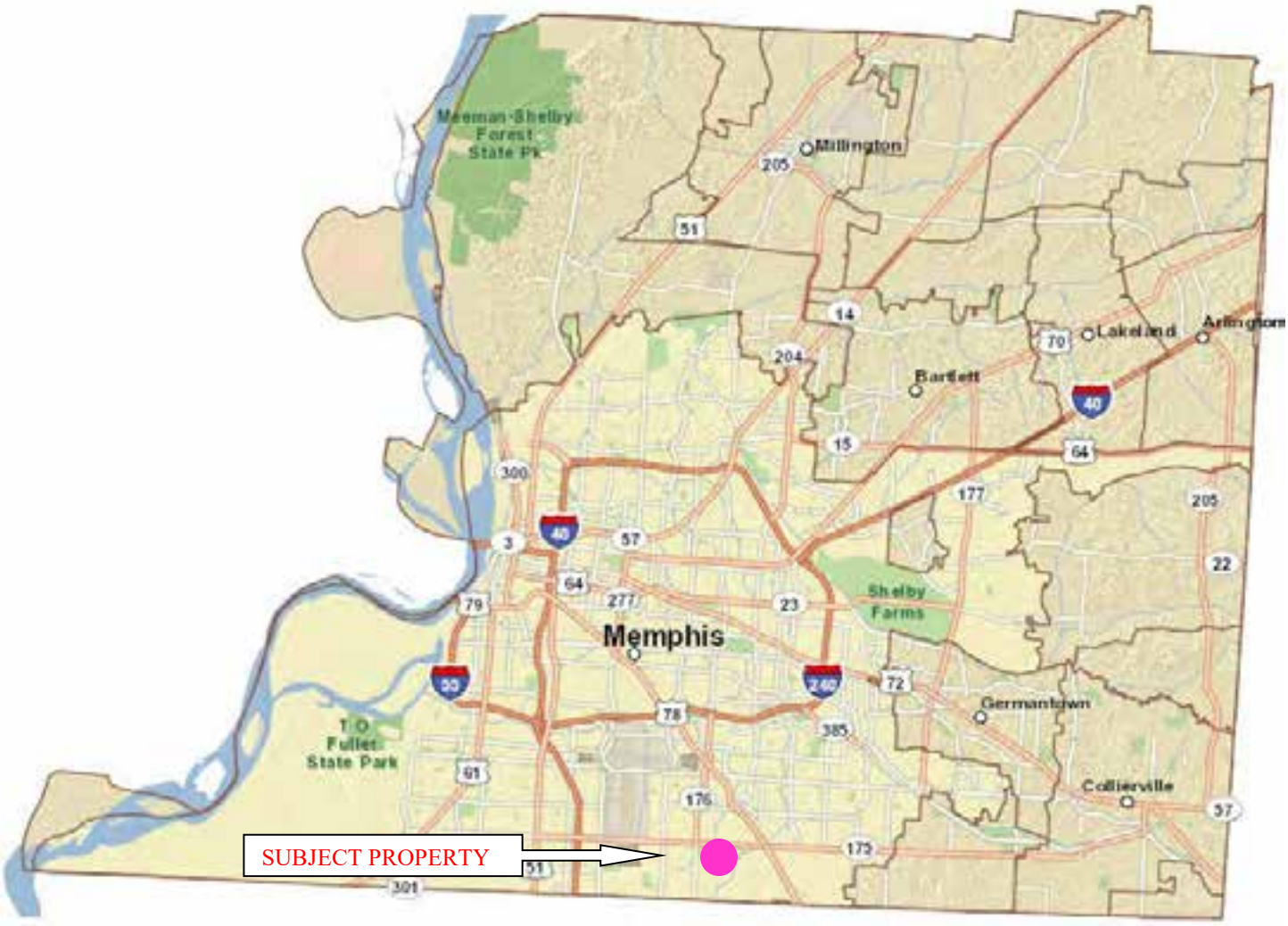
NEIGHBORHOOD MEETING

Not required, zoning change is in compliance with the Memphis 3.0 General Plan.

PUBLIC NOTICE

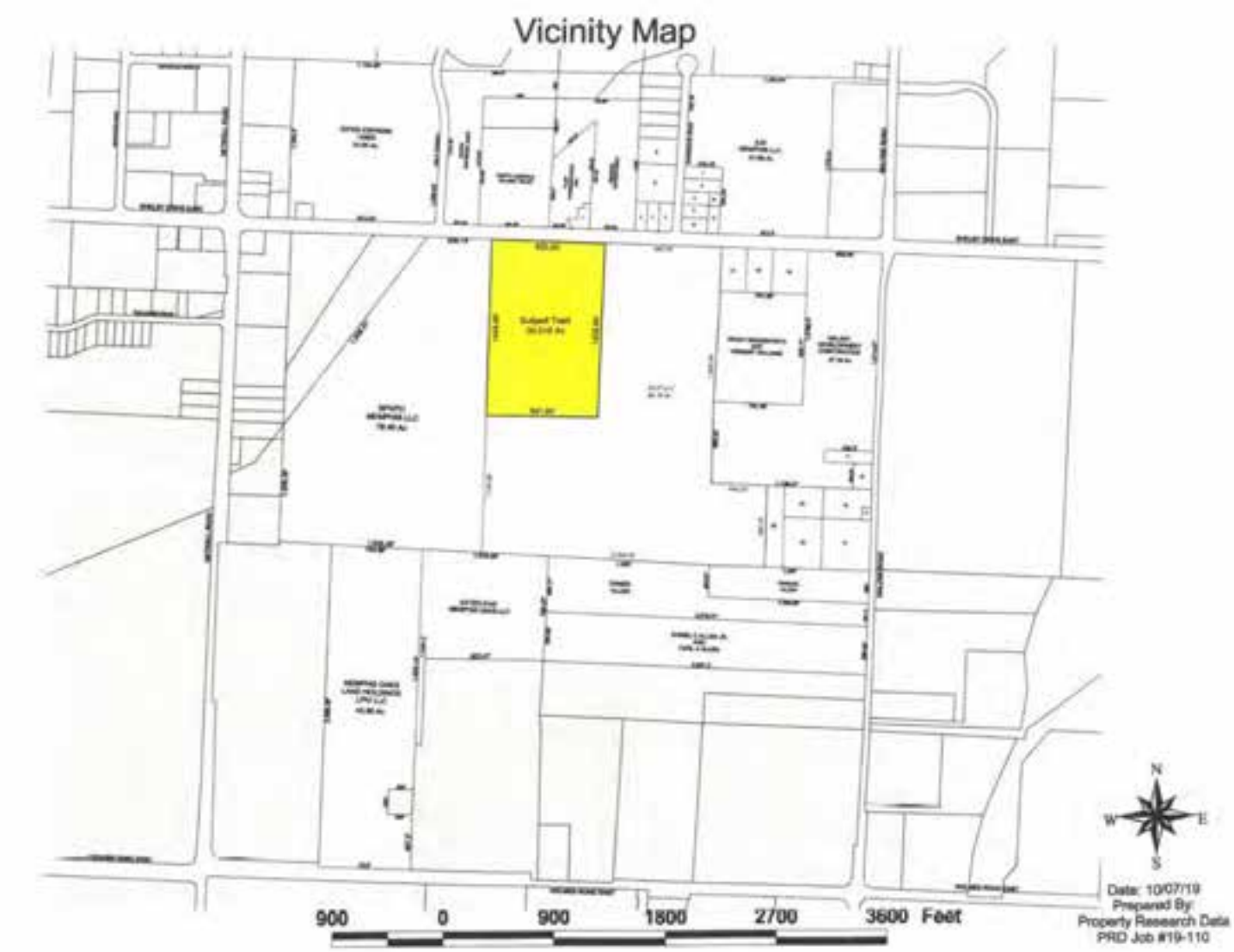
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 29 notices were mailed on February 25, 2020, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle, Capleville neighborhood

VICINITY MAP



Subject property highlighted in yellow

AERIAL

Subject property outlined in yellow

ZONING MAP

Subject property highlighted in yellow

Existing Zoning: Conservation Agriculture (CA)

Surrounding Zoning

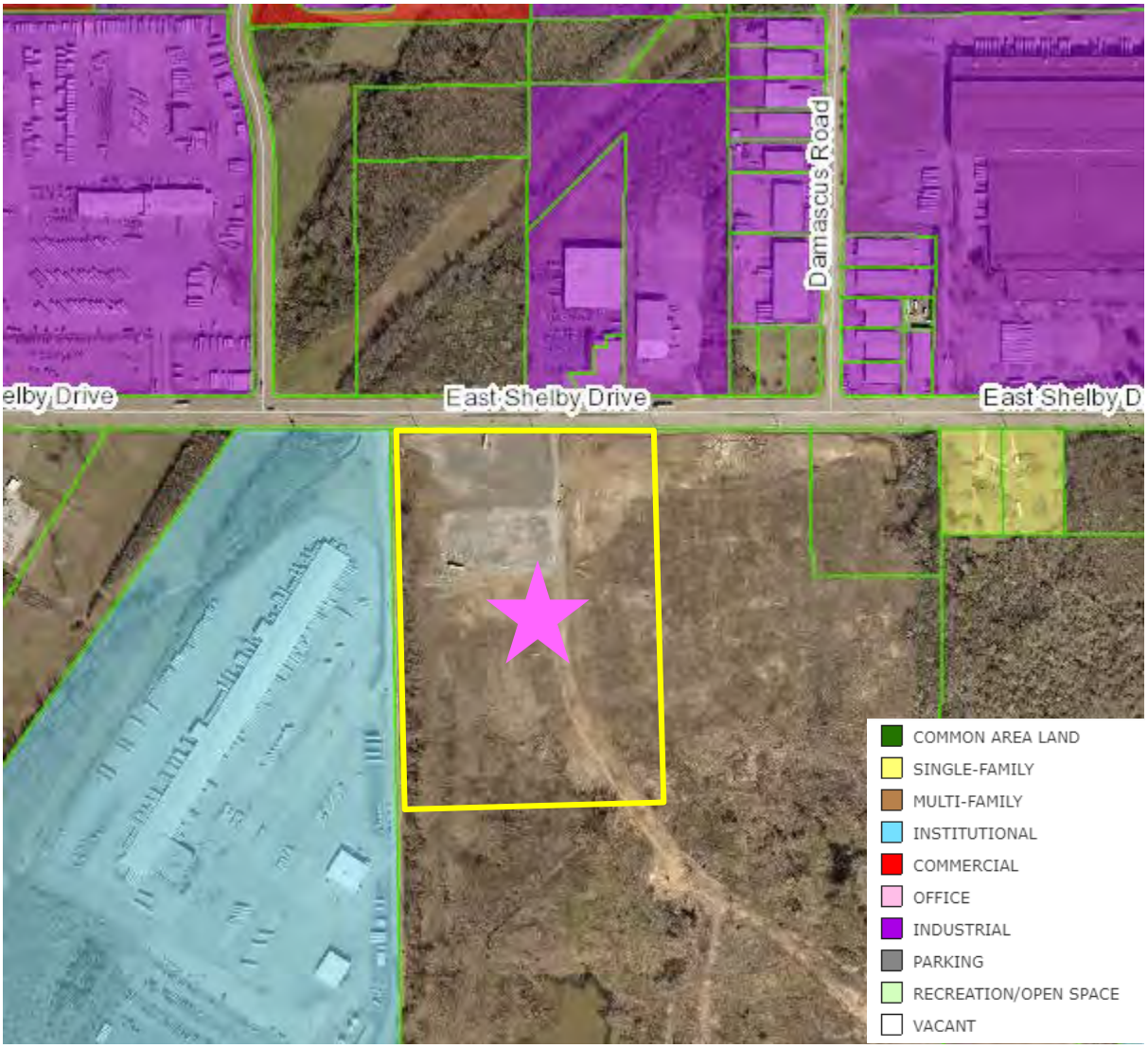
North: Employment, Floodplain Overlay

East: Conservation Agriculture

South: Conservation Agriculture

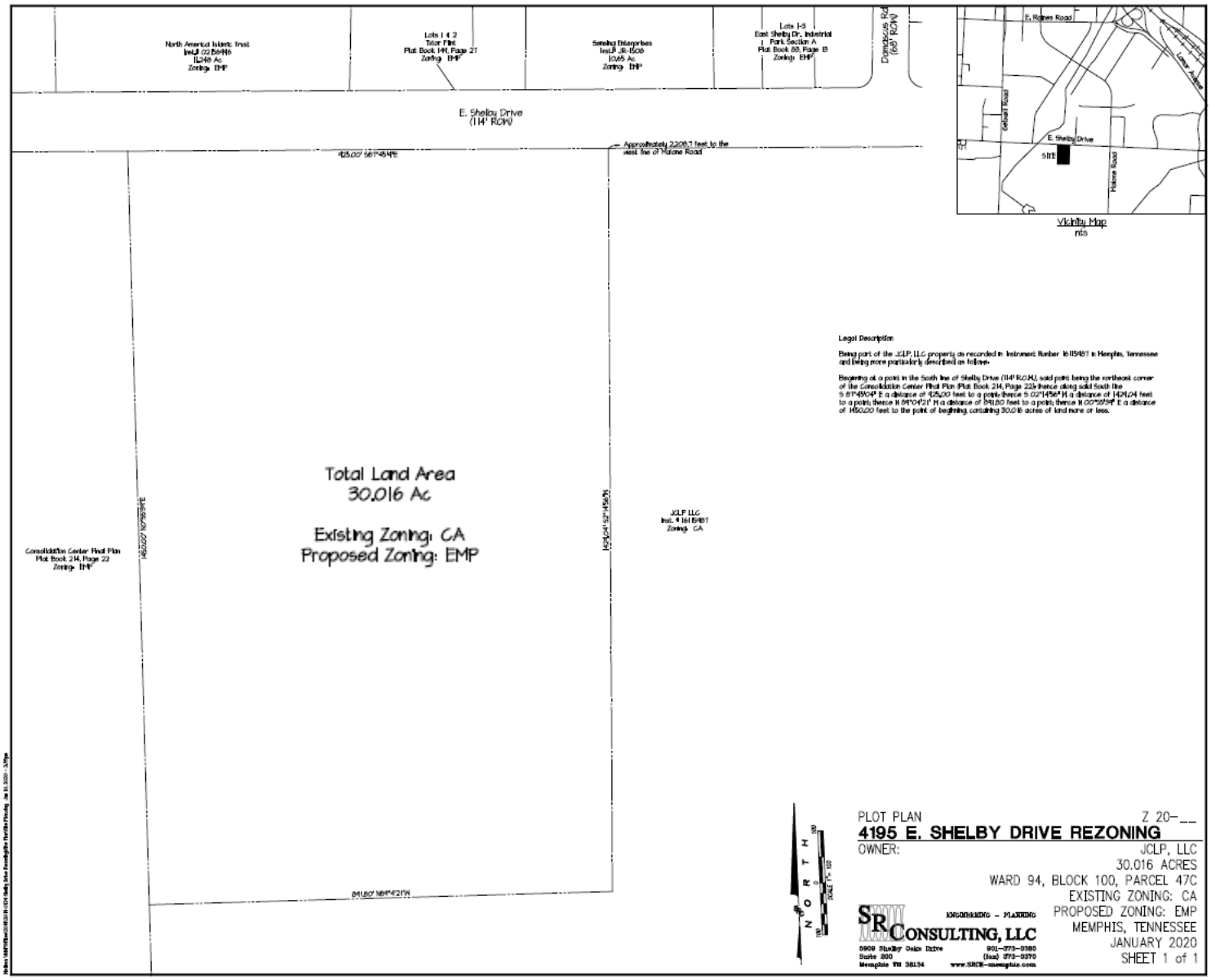
West: Employment, Floodplain Overlay

LAND USE MAP



Subject property outlined in yellow and indicated by pink star

PLOT PLAN


North American Islands Trust
Inst.# 03 B6486
11.248 Ac
Zoning: EMP
Lots 1 & 2
Tolar Plat
Plat Book 141, Page 21
Zoning: EMP
Sensing Enterprises
Inst.# JK-1508
10.65 Ac
Zoning: EMP
Lots 1-3
East Shelby Dr. Industrial
1 Park Section A
Plat Book 83, Page 13
Zoning: EMP
Damascus Rd
(60' ROW)
E. Shelby Drive
(114' ROW)
Approximately 2,208.1 feet to the
west line of Malone Road
425.00' S87°45'41"E
Total Land Area
30.016 Ac
Existing Zoning: CA
Proposed Zoning: EMP
Consolidation Center Plat Plan
Plat Book 214, Page 22
Zoning: EMP
JCLP LLC
Inst. # 16 B1487
Zoning: CA
Legal Description
Being part of the JCLP, LLC property as recorded in Instrument Number 16 B1487 in Memphis, Tennessee and being more particularly described as follows:
Beginning at a point in the South line of Shelby Drive (114' R.O.W.), said point being the northeast corner of the Consolidation Center Plat Plan (Plat Book 214, Page 22); thence along said South line S 87°45'41" E a distance of 425.00 feet to a point; thence S 02°14'56" W a distance of 1424.04 feet to a point; thence N 84°04'21" W a distance of 841.80 feet to a point; thence N 00°55'39" E a distance of 1450.00 feet to the point of beginning, containing 30.016 acres of land more or less.
NORTH
SCALE: 1" = 100'
PLOT PLAN
Z 20-__
4195 E. SHELBY DRIVE REZONING
OWNER:
JCLP, LLC
30.016 ACRES
WARD 94, BLOCK 100, PARCEL 47C
EXISTING ZONING: CA
PROPOSED ZONING: EMP
MEMPHIS, TENNESSEE
JANUARY 2020
SHEET 1 of 1
SR CONSULTING, LLC
ENGINEERING - PLANNING
5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134
901-373-0380
(fax) 373-0370
www.SRCE-memphis.com

SITE PHOTOS

View of subject property from E. Shelby Dr. facing southeast

View of subject property from E. Shelby Dr. facing southwest

SURROUNDING AREA

View of industrial office complex north of the subject property on E. Shelby Dr.

View of adjacent logistics facility to the west of the subject property on E. Shelby Dr.

STAFF ANALYSIS

Request

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

The request is to rezone 30.016 acres from Conservation Agriculture (CA) to Employment (EMP).

Review Criteria

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

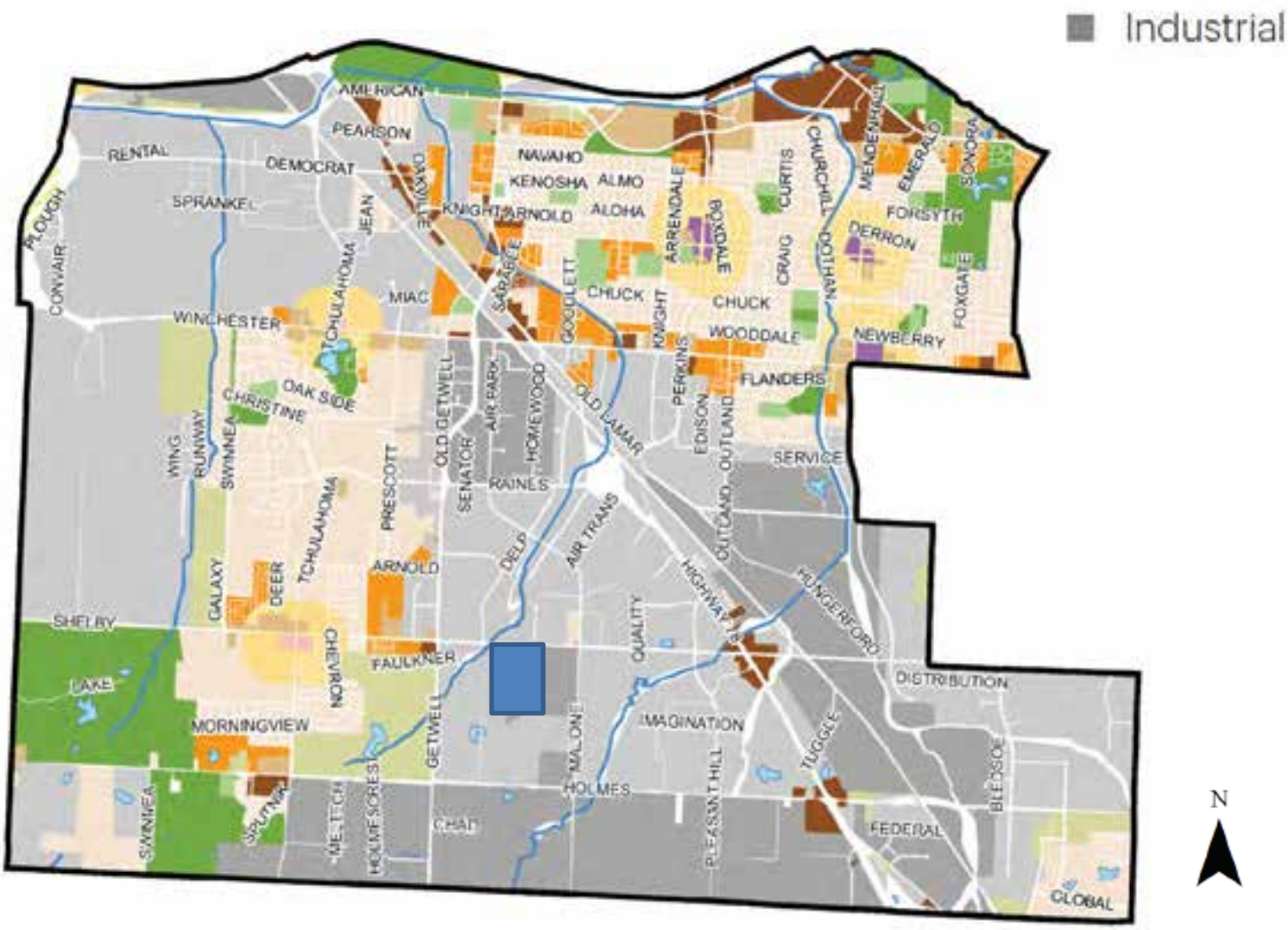
Site Description

The subject property is +/-30.016 acres located on the south side of E. Shelby Dr., +/- 2,209' west of the west line of Malone Rd. The site is a part of a larger +/-103' parcel (094100 00047C) that is zoned Conservation Agriculture (CA) and is vacant land. There are overhead utilities as well as an existing curb cut along E. Shelby Dr. The property is surrounded on the west and north by the EMP zoning district and light industrial uses while vacant land in the CA zoning district is to the south and east.

Consistency with Memphis 3.0

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

1. *The future land use planning map:* The subject site is identified as Industrial on the future land use planning map.



2. *The land use category descriptions and graphic portrayals, including whether the proposed use is compatible with the zone districts listed in the zoning notes and the proposed building(s) fit the listed form and location characteristics:* The request for rezoning to EMP meets the Applicability criteria due to the distance from residential neighborhoods and the large size of the parcel.

Industrial

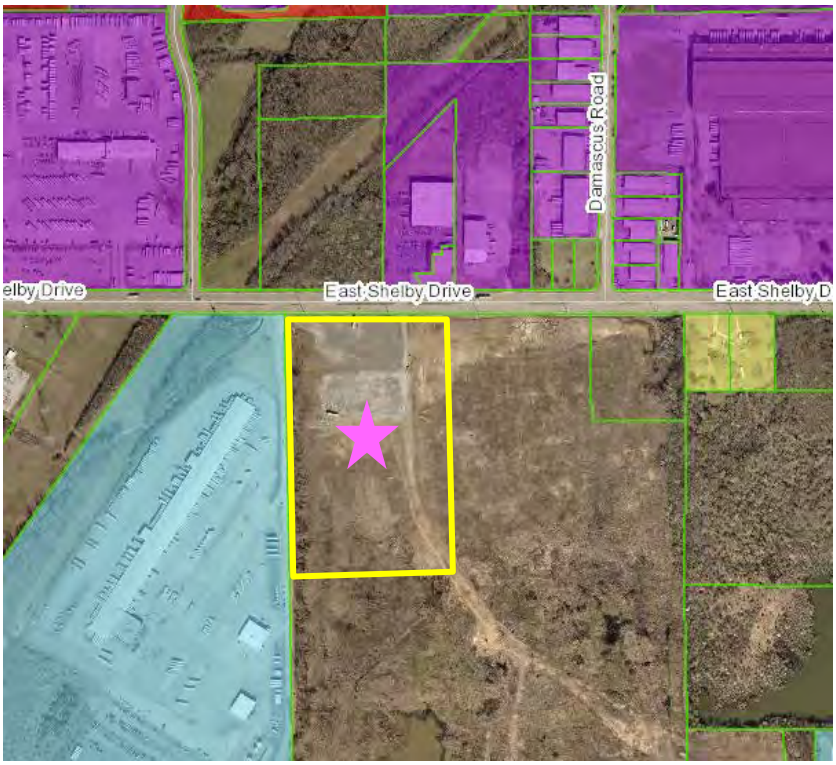
Industrial areas are primarily higher intensity forms that are not suitable next to neighborhoods. These active areas are located on land where it is productive for the continued existence of high impact manufacturing and would not need to change to another usage. Industrial areas are usually located alongside highways and thus are majorly accessed by cars, trucks, and freight infrastructure.

Description/Intent	Higher intensity industrial areas.
Applicability	Single-use heavy and light industrial uses that are not suitable for adjacency to neighborhoods and are located on parcels of a size that is appropriate for continued productive use. "High impact" manufacturing.
Goals/Objectives	Preservation/maintenance of manufacturing/industrial jobs where suitable, protection of neighborhoods from impactful uses and activities
Performance Metrics	Number and type of jobs, new square footage construction, new business starts, rents, redevelopment of existing industrial space, % increase in occupancy, increase in property values
Zoning Notes	Generally compatible with the following zone districts: IH in accordance with Form and characteristics listed above. Consult zoning map and applicable overlays for current and effective regulations. May consider rezonings, as appropriate, at the time of a small area plan to limit the use of this district specifically to noxious and/or incompatible high-intensity industrial uses.
Form and Location Characteristics	Industrial 1-10 stories

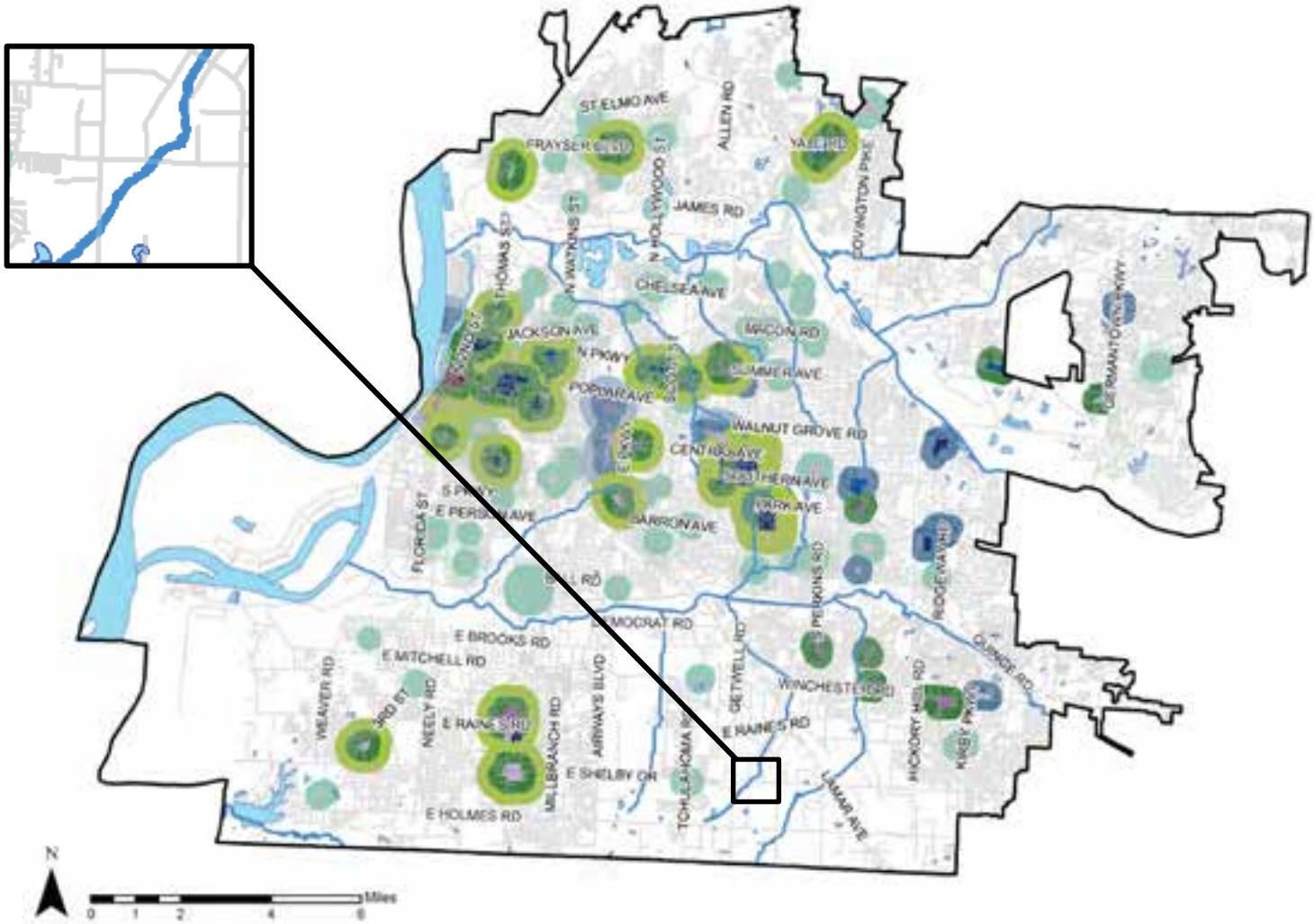
3. *Existing, adjacent land uses and zoning:* The subject site is surrounded by the following land uses: light industrial and vacant land. The subject site is surrounded by the following zoning districts: Employment and Conservation Agriculture. This requested land use is compatible with these adjacent land uses and zoning districts because it will align with the surrounding industrial uses in the Employment zoning district and is over half a mile from the nearest residential neighborhood.

ZONING MAP

LAND USE MAP



4. *The degree of change map:* Degree of Change is not applicable to the subject site.



This proposal is consistent with the Memphis 3.0 General Plan based on the Future Land Use Category of Industrial and the existing, adjacent land uses of industrial and zoning district of Employment.

Conclusions

The request is to rezone 30.016 acres from Conservation Agriculture (CA) to Employment (EMP).

The subject property currently is vacant.

This proposal is compatible with the existing, adjacent land uses of industrial and zoning district of Employment.

RECOMMENDATION

Staff recommends approval.

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

City/County Engineer:
Sewers:
1. City sanitary sewers are available at developer's expense.

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

Site Plan Notes:
3. The 30.016 acre lot reflected in the Developer's plot plan does not match any lot in this vicinity on the Shelby County Register's website.

City/County Fire Division: No comments received.
City Real Estate: No comments received.
City/County Health Department:
Water Quality Branch & Septic Tank Program:
- No comments

Shelby County Schools: No comments received.
Construction Code Enforcement: No comments received.
Memphis Light, Gas and Water:
MLGW has reviewed the referenced application, and has no objection, **subject to** the following conditions:

- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities.
- **No permanent structures, development or improvements** are allowed within any utility easements, without prior MLGW written approval.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **Underground Utility separation and clearance:** The subject property is encumbered by existing utilities which may include overhead and underground facilities. It is the responsibility of the owner/applicant to maintain a minimum 3-foot (3') separation between any existing underground service lines or utilities and any proposed permanent structure or facility. This separation is necessary to provide sufficient space for any excavations to perform service, maintenance or replacement of existing utilities.
- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL** @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
- **It is the responsibility of the owner/applicant** to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations**.**
- **Street Trees are prohibited**, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- **Landscaping is prohibited** within any MLGW utility easement without prior MLGW approval.
- **Street Names: It is the responsibility of the owner/applicant** to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval. Please use the following link to the MLGW Land & Mapping website for **Street Naming Guidelines** and the **Online Street Name Search**:

http://www.mlgw.com/builders/landandmapping

- **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the impact on or conflict with any existing utilities, and the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.
    - All residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.
    - All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Land and Mapping-Address Assignment:

APPLICATION

Memphis and Shelby County
Office of Planning and Development
CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR REZONING APPROVAL

Date: January 10, 2020 Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: JCLP, LLC Phone #: _____
Mailing Address: 2505 Farrisview Road City/State: Memphis, TN Zip 38118
Property Owner E-Mail Address: _____
Applicant: Same as Owner Phone # _____
Mailing Address: _____ City/State: _____ Zip _____
Applicant E- Mail Address: _____
Representative: SR Consulting, LLC (Cindy Reaves) Phone #: 901-373-0380
Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134
Representative E-Mail Address: cindy@srce-memphis.com
Engineer/Surveyor: SR Consulting, LLC Phone # 901-373-0380
Mailing Address: 5909 Shelby Oaks Drive, Suite 200 City/State: Memphis, TN Zip 38134
Engineer/Surveyor E-Mail Address: cindy@srce-memphis.com
Street Address Location: 4195 E. Shelby Drive
Distance to nearest intersecting street: Approximately 2208 feet west of the west line of Malone Road

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	30.016		
Existing Zoning:	CA		
Existing Use of Property	Vacant Land		
Requested Use of Property			
Requested Zoning	EMP		

Pre-Application Conference held on: _____ with _____

Neighborhood Meeting Requirement Met: Yes___ or Not Yet___ or Not Required (see below) X
(If yes, documentation must be included with application materials)

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

JCLP LLC _____ 1-28-20
Property Owner of Record Date Applicant Date

LETTER OF INTENT

ENGINEERING • PLANNING

SR CONSULTING, LLC

5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134

Tel. 901-373-0380
Fax. 901-373-0370
www.SRCE-memphis.com

Date: January 30, 2020

To: Office of Planning & Development

From: Cindy Reaves

Re: 4195 E. Shelby Drive

Job #: 19-0124

LETTER OF INTENT

We are pleased to submit a Rezoning Application for property on the south side of East Shelby Drive, approximately 2,208.7 feet west of Malone Road. The property is approximately 30.016 acres in size and currently in the CA zoning district. We are requesting a rezoning to the EMP zoning district which is consistent with all adjacent property north of E. Shelby Drive and the adjacent property to the west. We feel EMP zoning is appropriate for the area and it allows for future development consistent with the surrounding properties.

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

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Dave Watkins, being duly sworn, depose and say that at 12:55 pm on the 28th day of February, 2020 I posted two Public Notice Signs pertaining to Case No. Z 20-01 in front of the property located on East Shelby Dr providing notice of a Public Hearing before the March 12, 2020 Land Use Control Board for consideration of a proposed Land Use Action (Rezoning), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Dave Watkins

Owner, Applicant or Representative

03/02/2020

Date

Subscribed and sworn to before me this 2nd *day of* MARCH, 2020

Notary Public

My commission expires: 9/27/2023

ROBERT M. SWEENEY
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY
MY COMMISSION EXPIRES
9/27/2023

LETTERS RECEIVED

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

STAFF REPORT

AGENDA ITEM: 26

CASE NUMBER:	**Z 20-02**	**L.U.C.B. MEETING**:	April 9th, 2020

LOCATION: Northwest corner of East Holmes Road and Malone Road

COUNCIL DISTRICT(S): District 3; Super District 8-Positions 1, 2 & 3

OWNER(S): Alice Langford, et al

APPLICANT(S): PDC, TN/FL, LLC

REQUEST: Conservation Agriculture(CA) & Conservation Agriculture Flood Plain (CA[FP]) to Employment (EMP) & Employment Flood Plain (EMP[FP]) Districts

AREA: 40.80 Acres

EXISTING LAND USE & ZONING: Vacant, wooded land in Conservation Agriculture (CA) & Conservation Agriculture Flood Plain (CA[FP]) Districts

CONCLUSIONS:

1. **The current zoning of the property is outdated for this southeastern portion of the City of Memphis. The applicant is requesting a zoning reclassification of property to be included in the Employment (EMP) District to develop the property for large office/warehousing development.**

2. **The future land use for the property is consistent with the Memphis 3.0 Plan and this request for industrial zoning coupled with existing land use in the immediate area is compatible with current development trends for employment land uses.**

3. **The concept plan illustrates a request for similar warehouse buildings to continue the existing land use pattern of the area and this industrial zoning reclassification will become a logical extension to the Employment (EMP) District zoning directly adjacent to the subject property to the north and west.**

CONSISTENCY WITH MEMPHIS 3.0

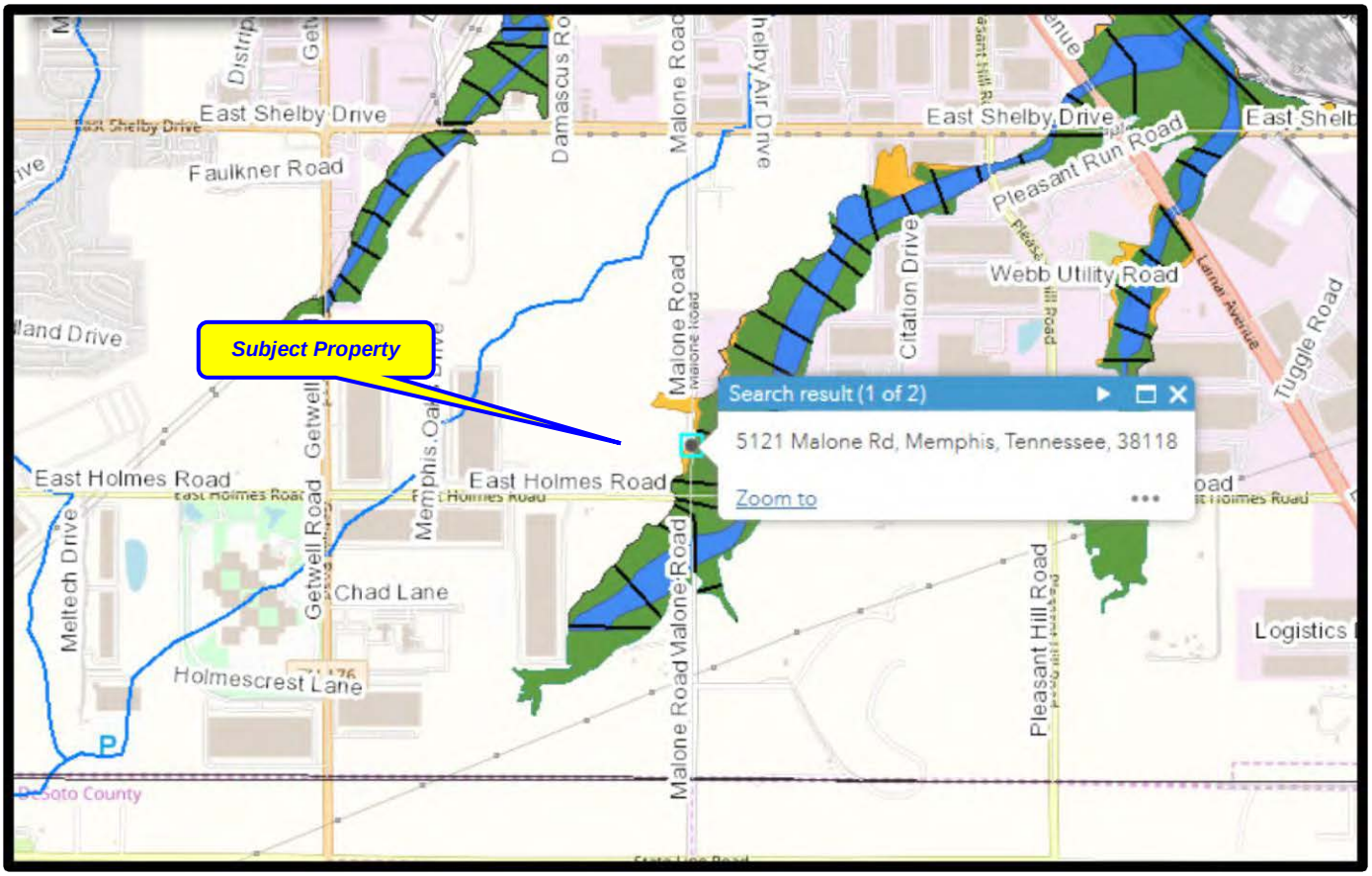
Based on future land use planning, the existing land use and adjacent zoning, this zoning request for a reclassification of property <u>IS CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan

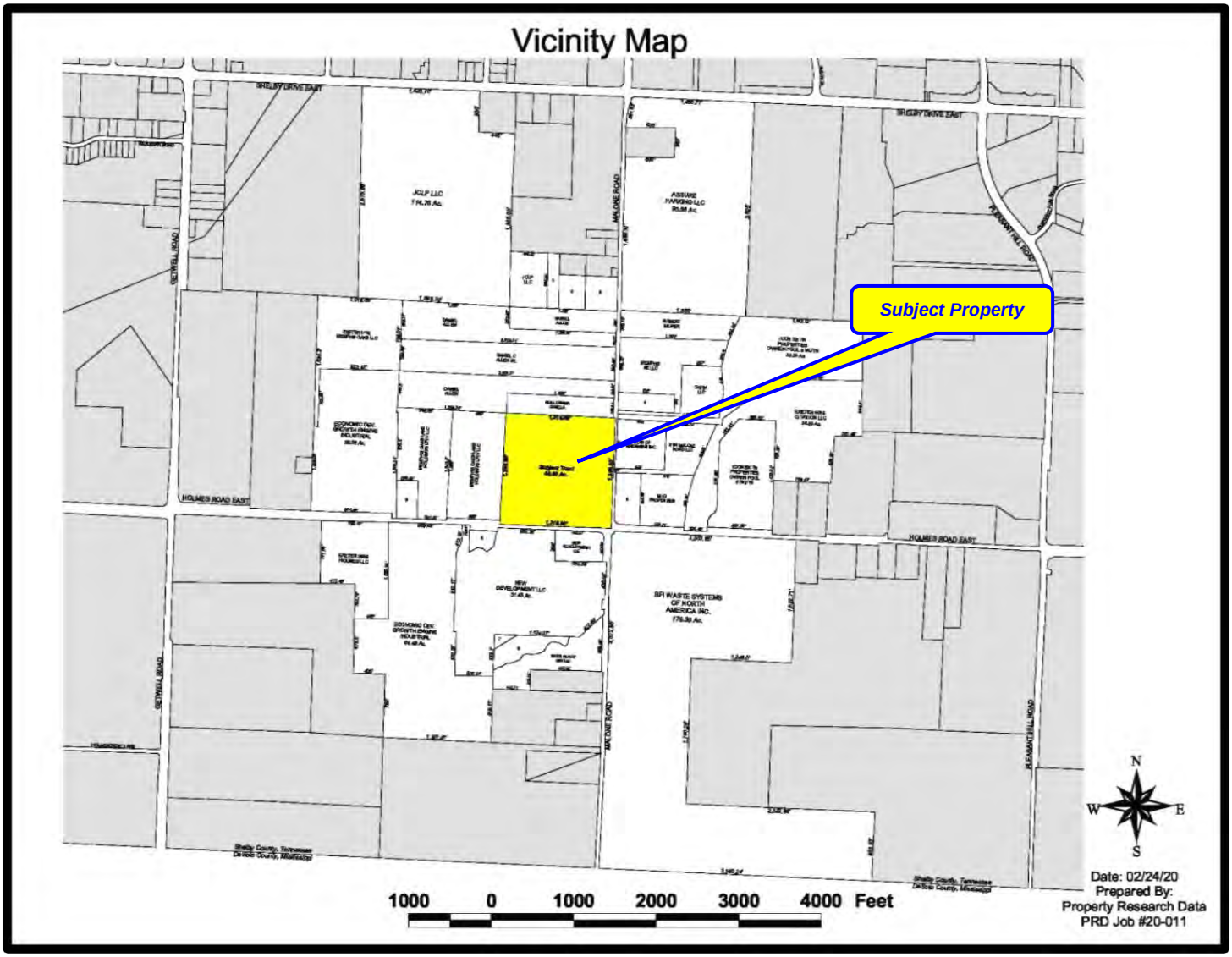
OFFICE OF PLANNING & DEVELOPMENT RECOMMENDATION

Approval

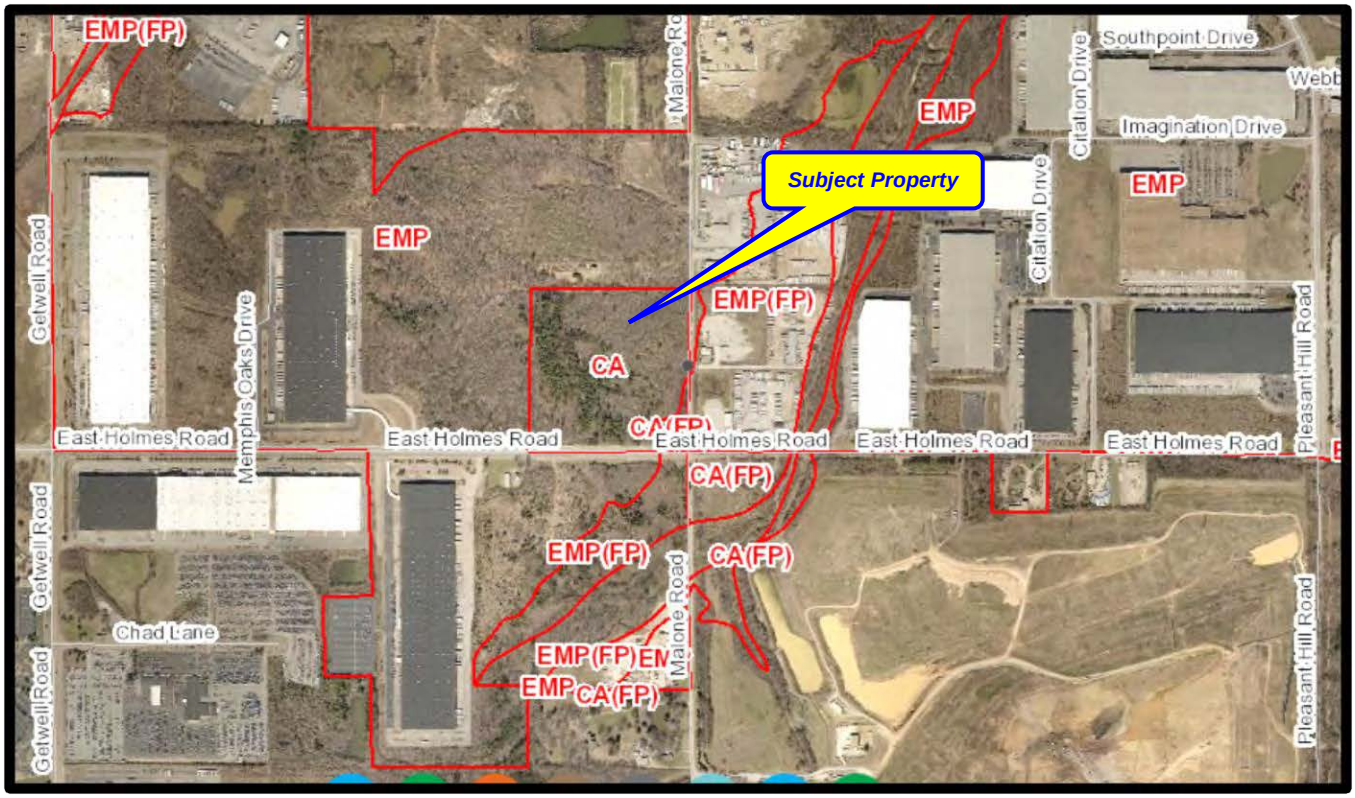
Staff Planner: Brian Bacchus ***Email: brian.bacchus@memphistn.gov***

Planning Area

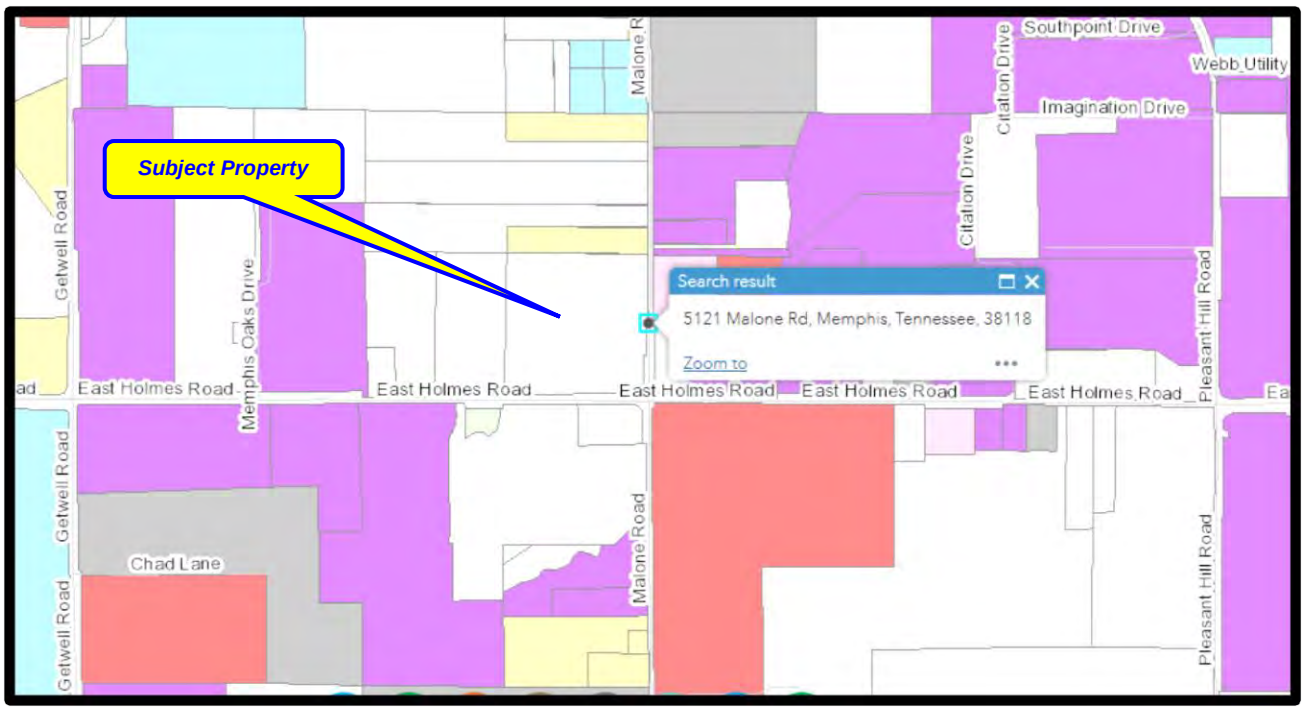



Vicinity Map
Subject Property
SHELBY DRIVE EAST
HOLMES ROAD EAST
MALONE ROAD
SENTINELLO ROAD
ALEXANDER ROAD
BFI WASTE SYSTEMS OF NORTH AMERICA INC.
N
S
E
W
1000 0 1000 2000 3000 4000 Feet
Date: 02/24/20
Prepared By:
Property Research Data
PRD Job #20-011

Zoning Aerial



Land Use



Surrounding Land Use & Zoning

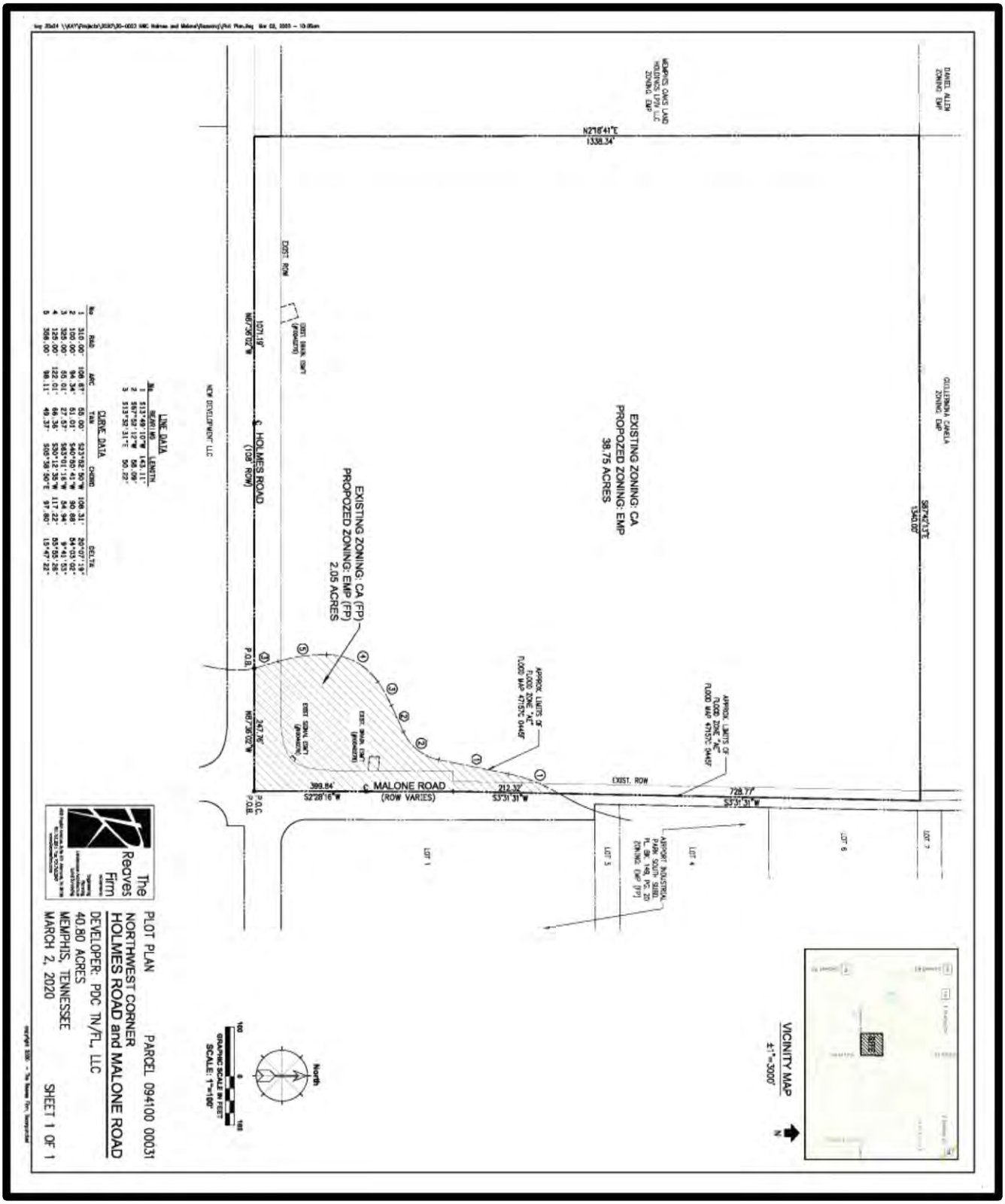
North: Large, vacant tracts and single-family homes on estate sized tracts in the Employment (EMP-Light Industrial) District.

East: Small and large industrial warehouses and trucking facilities in Employment (EMP) & Employment (EMP[FP]) Districts.

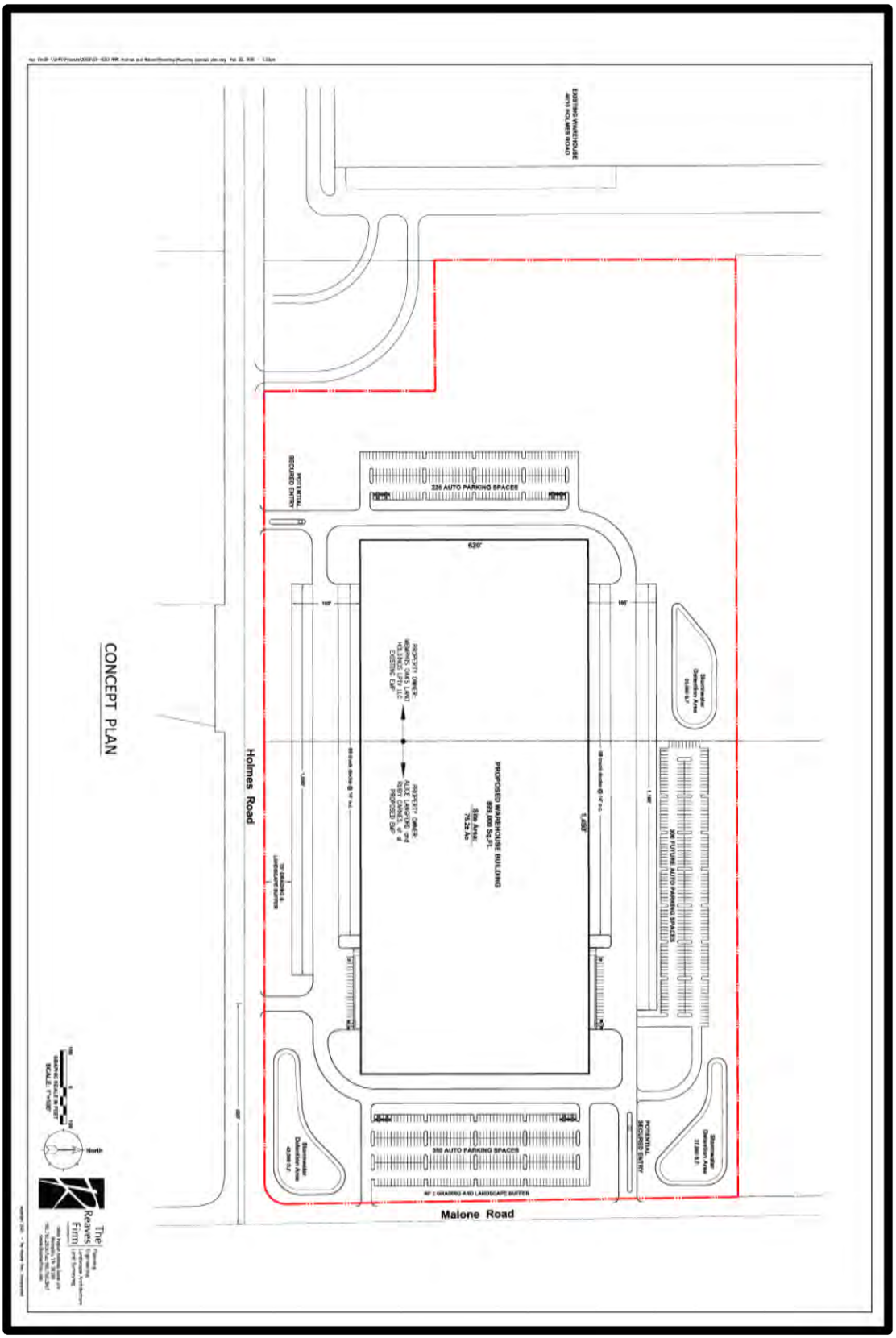
South: Large, vacant tract and convenient store with gasoline sales under construction in the Employment (EMP) & Employment (EMP[FP]) Districts.

West: Large, vacant tracts and large industrial warehouses in the Employment (EMP) District.

Plot Plan


EXISTING ZONING: CA
PROPOSED ZONING: EMP
38.75 ACRES
EXISTING ZONING: CA (FP)
PROPOSED ZONING: EMP (FP)
2.05 ACRES
℄ HOLMES ROAD
(108' ROW)
℄ MALONE ROAD
(ROW VARIES)
N2°16'41"E
1338.34'
S87°43'13"E
1340.07'
N87°36'02"W
1071.19'
N87°36'02"W
247.76'
S2°28'16"W
399.84'
S3°31'31"W
212.32'
S3°31'31"W
728.77'
EXIST. ROW
P.O.B.
P.O.C.
P.O.B.
LINE DATA
CURVE DATA
PLOT PLAN
NORTHWEST CORNER
HOLMES ROAD and MALONE ROAD
DEVELOPER: PDC TN/FL, LLC
40.80 ACRES
MEMPHIS, TENNESSEE
MARCH 2, 2020
PARCEL 094100 00031
SHEET 1 OF 1
The Reaves Firm
VICINITY MAP
North

Concept Plan
(Southern Portion)



Neighborhood Meeting: Neighborhood Meeting Requirement waived due to pandemic.
Sign Posting & Public Notice: Sign Posted on Monday, March 30th and Public Hearing Notices mailed on Friday, March 27th, 2020.

STAFF ANALYSIS:

Site Description

The subject property is a 40.80-acre tract of vacant land located on the northwest corner of two (2) major roads, E. Holmes Road and Malone Road, both dedicated roadways with no improvements along the road frontages. The property is also within the Oakhaven-Parkway Village Planning District and a large tract of land currently in the Conservation Agriculture (CA) District zoning. The current zoning of the property is outdated for this southeastern portion of the City of Memphis. The applicant is requesting a zoning reclassification of property to be included in the Employment (EMP) District to develop the property for large office/warehousing development. The property is located within the Flood Plain (FP) District according to FEMA maps dated September 2007.

Area Overview

The existing land use and zoning to the east of the subject property is predominantly small and large office warehouse buildings, outdoor storage of motor freight and small trucking facilities. The land use to the west is primarily large, vacant tracts of land and large industrial warehouses uses with similar warehouse buildings within one-quarter (¼) mile of the subject property along the south side of E. Holmes Road all within Employment (EMP) District zoning. The properties to the north are also large, vacant tracts and single-family homes on estate-sized tracts in EMP District zoning. The land use south and across E. Holmes Road is a convenience store with gasoline sales currently under construction, sanitary landfill and large, vacant tracts also in EMP District zoning. The dominant land use and zoning in the immediate area is large warehouse development and Employment (EMP) District zoning.

Zoning Analysis

The applicant's request is to allow the reclassification of a large, vacant tract of land to Employment (EMP) & Employment Flood Plain (EMP[FP]) District within the southeast portion of the City of Memphis. The proposed zoning will allow construction of large warehousing development compatible with existing land uses. The future land use for the property is consistent with the Memphis 3.0 Plan and this request for industrial zoning coupled with existing land use in the immediate area is compatible with current development trends for employment land uses. The concept plan illustrates a request for similar warehouse buildings to continue the existing land use pattern of the area and this industrial zoning reclassification will become a logical extension to the Employment (EMP) District zoning directly adjacent to the subject property to the north and west.

Recommendation: ***Approval of Employment (EMP) and Employment Flood Palin (EMP[FP]) Districts***

Office of Comprehensive Planning Review

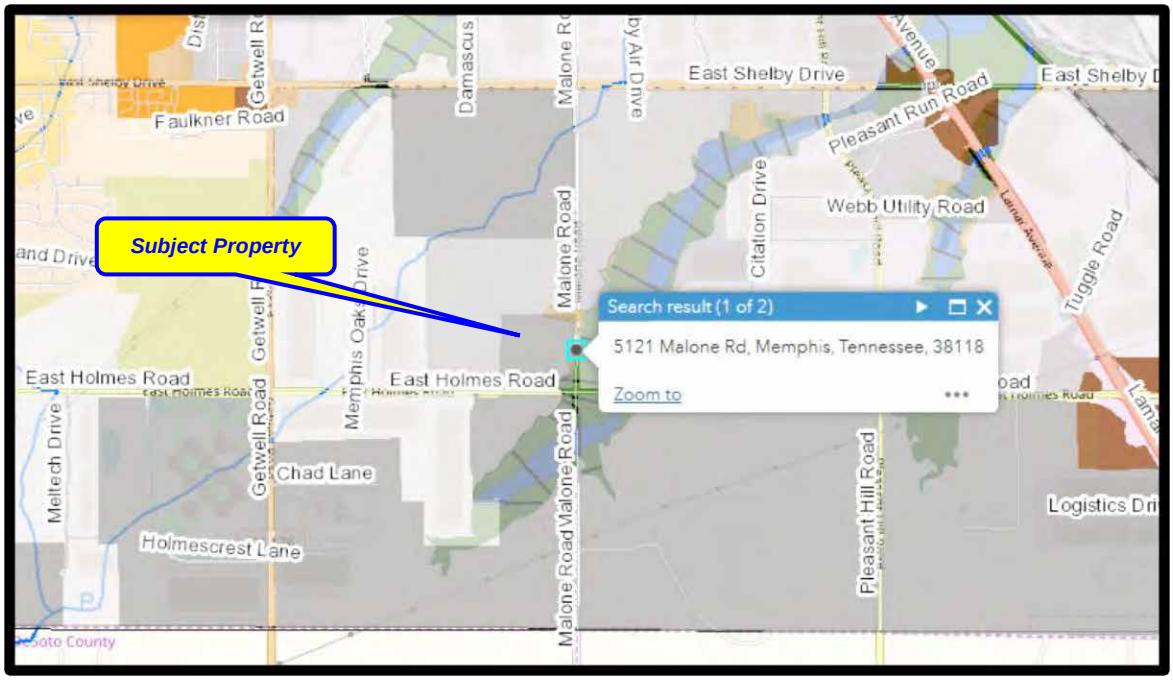
This summary is being produced in response to the following application to support the Office of Planning & Development in their recommendation: Z 20-02

Site Address/location: Northwest corner of E. Holmes Road & Malone Road
Land Use Designation (see pages 86 and 102 for details): Industrial (I).

Based on future land use planning, existing land uses and adjacent zoning, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

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

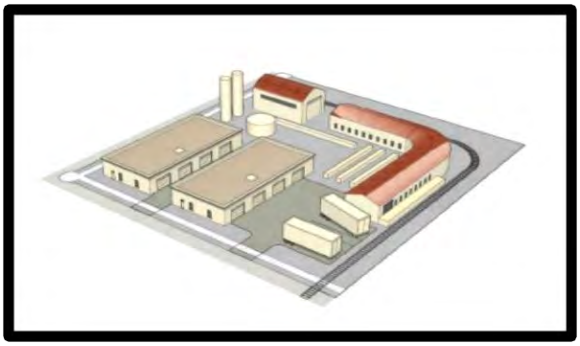
1. FUTURE LAND USE PLANNING MAP



(Figure 01: Arrow denotes the proposed site in the Future Land Use Map)

2. Land Use Description & Applicability:

The applicant's site is within future land use designation: Industrial (I). The description and applicability for (I) are defined in greater detail in the following paragraphs:



The site designation is Industrial (I). The Industrial areas are primarily higher intensity forms that are not suitable next to neighborhoods. These active areas are located on land where it is productive for the continued existence of high impact manufacturing and would not need to change to another use. The Industrial areas are usually located alongside highways and thus are majorly accessed by cars, trucks, and freight infrastructure. See graphic portrayal to the right.

"I" Goals/Objectives:

Preservation/maintenance of manufacturing/industrial jobs where suitable, protection of neighborhoods from impactful uses and activities.

"I" Form & Location Characteristics:

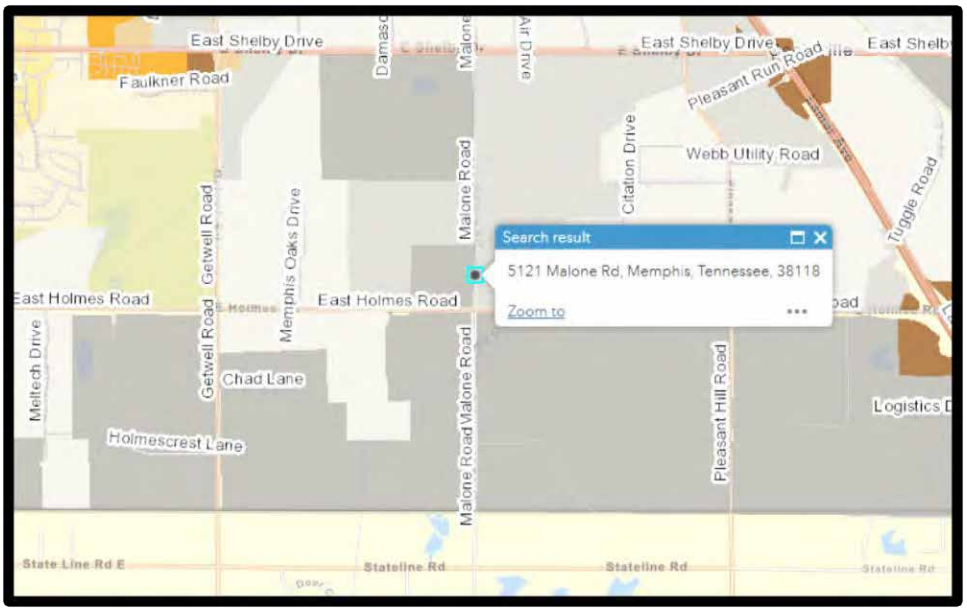
Industrial and 1-10 stories.

The applicant is seeking a zoning change for property on the northwest side of East Holmes Road and Malone Road to *Employment (EMP) District zoning.* The request meets the criteria because the size of the parcel is large enough to accomplish industrial activity which would be a permitted use in the EMP zoning district.

3. Existing, Adjacent Land Use and Zoning

The subject property is surrounded by the following land uses: Vacant land and Light Industrial land uses. The site is surrounded by the following zoning districts: Conservation Agriculture (CA) and Employment (EMP) This requested land use is compatible with adjacent land uses and zoning, because *existing land use surrounding the parcel is similar in nature to the requested land use, which is not interfering with the adjacent use or any plan of the area.* The site is located over one-half (½) mile to the nearest estate-sized residential home.

4. Degree of Change Map



(Figure 02: 5121 Malone Road denotes the proposed site)

5. Degree of Change Descriptions:

N/A

Based on information provided, the proposal <u>IS CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.
(Faria Urmy, Office of Comprehensive Planning(OCP) Review)

RECOMMENDATION: ***Approval***

GENERAL INFORMATION:

Street Frontage: E. Holmes Road----------+/-1,318.95 linear feet.
Malone Road----------+/-1,340.23 linear feet.

Planning District: Oakhaven-Parkway Village

Zoning Atlas Page: 2540

Zoning History: The Conservation Agriculture (CA) & Conservation Flood Plain (CA[FP]) District zoning date to the adoption of the 1980 zoning map amendments.

DEPARTMENTAL COMMENTS:

The following comments were provided by Inter-governmental Agencies/Organizations to which this application was referred:

City Engineer:

1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. City sanitary sewer availability TBD.
3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.
4. Sewer extension is required to serve this development. The sewer capacity will not be determined until the developer provide the proposed discharge to the Engineering Division/Sewer Design Department to check the capacity of the existing system.

Roads:

5. The Developer is advised that both Holmes and Malone are under design to be improved by the City of Memphis. The Developer's Engineer shall be responsible for coordinating this development with the City Civil Engineer.

Fire Services: No comments.

Memphis & Shelby County Health Department:

Water Quality Branch: No comments.
Septic Tank Program: No comments.

Memphis Light, Gas and Water:

MLGW has reviewed the referenced application, and has no objection, subject to the following conditions:

- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities.
- **No permanent structures, development or improvements** are allowed within any utility easements, without prior MLGW written approval.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.

- **Underground Utility separation and clearance:** The subject property is encumbered by existing utilities which may include overhead and underground facilities. It is the responsibility of the owner/applicant to maintain a minimum 3-foot (3') separation between any existing underground service lines or utilities and any proposed permanent structure or facility. This separation is necessary to provide sufficient space for any excavations to perform service, maintenance or replacement of existing utilities.
- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL** @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
- **It is the responsibility of the owner/applicant** to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations**.**
- **Street Trees are prohibited**, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- **Landscaping is prohibited** within any MLGW utility easement without prior MLGW approval.
- **Street Names: It is the responsibility of the owner/applicant** to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval. Please use the following link to the MLGW Land & Mapping website for **Street Naming Guidelines** and the **Online Street Name Search**: http://www.mlgw.com/builders/landandmapping
- **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the impact on or conflict with any existing utilities, and the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.
    - All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Office of Resiliency & Sustainability: No Comments.

AT&T-TN: No comment.

Neighborhood Associations/Organizations: None registered.

Staff: bb

Authentisign ID: 9008DF8A-F869-4784-AD83-D8A4EF40581F

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR REZONING APPROVAL

Date: February 20, 2020 Case #: __

PLEASE TYPE OR PRINT

Property Owner of Record: Alice Langford and Ruby Carnes, et al Phone #: (901) 842-9255

Mailing Address: 5497 Kirk Forest Cv N City/State: Memphis, TN Zip 38141

Property Owner E-Mail Address: [illegible]

Applicant: PDC TN/FL LLC Phone # 615-777-2800

Mailing Address: 35 Music Square East, Ste 301 City/State: Nashville, TN Zip 37203

Applicant E-Mail Address: [illegible]

Representative: Brian Anson Phone #: 615-777-2800

Mailing Address: 35 Music Square East, Ste 301 City/State: Nashville, TN Zip 37203

Representative E-Mail Address: [illegible]

Engineer/Surveyor: [illegible] Inc. Phone # 901-761-2016

Mailing Address: [illegible] Avenue, Suite 101 City/State: Memphis, TN Zip 38126

Engineer/Surveyor E-Mail Address: [illegible]

Street Address Location: 5121 Malone Road

Distance to nearest intersecting street: Property contiguous to E. Holmes Road NWC of E. Holmes Rd and Malone Rd

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	38.76	2.00	
Existing Zoning:	CA	CA (LP)	
Existing Use of Property	Undeveloped	Undeveloped	
Requested Use of Property	Industrial	Industrial	
Requested Zoning	LMI	LMI (LP)	

Pre-Application Conference held on: February 20th with Lucas Skinner

Neighborhood Meeting Requirement Met: Yes ☐ or Not Yet ☑ or Not Required (see below) ☐
(If yes, documentation must be included with application materials)

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

Court Ordered Signatories: 02/27/2020

Property Owner of Record — Paul E. Holmes — 2/27/2020 8:39:11 PM CST — Date

Authentisign — 2/28/2020 3:44:15 PM CDT

Applicant — 3/2/20 — Date

March 2, 2020

Mr. Josh Whitehead, AICP
Planning Director/Administrator
Memphis & Shelby County
Office of Planning & Development
City Hall, 125 N. Main St., Ste. 468
Memphis, TN 38103

RE: 5121 Malone Road

Dear Josh:

On behalf of Panattoni Development Company we respectfully submit the attached application for rezoning at the northwest corner of Holmes Road and Malone Road.

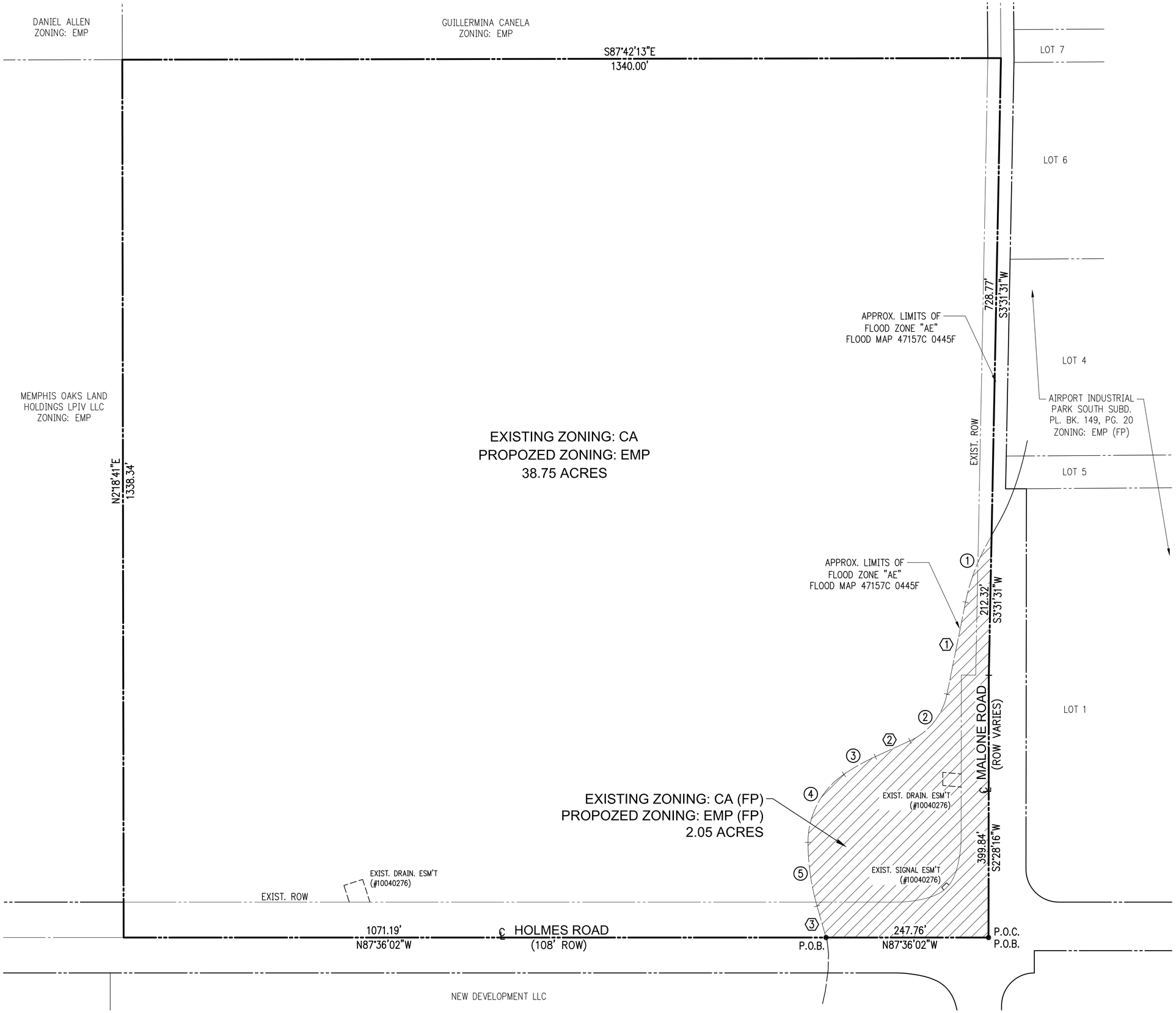
The intent of this application is to rezone the property to EMP which is the same as the surrounding tracts. Panattoni has this property under contract and already owns the property adjacent to the west. If the request is approved, they will develop the combined properties similar to the attached Concept Plan.

Your consideration of this application is greatly appreciated.

Sincerely,

Lee Davidson, P.E.
Vice President
Enc.

Cc: Scott Abbott



VICINITY MAP
±1"=3000'

N

North

100 0 100
GRAPHIC SCALE IN FEET
SCALE: 1"=100'

LINE DATA

No	BEARING	LENGTH
1	S13°49'10"W	143.11'
2	S67°52'12"W	58.09'
3	S13°32'31"E	50.22'

CURVE DATA

No	RAD	ARC	TAN	CHORD		DELTA
1	310.00'	108.87'	55.00'	S23°52'50"W	108.31'	20°07'19"
2	100.00'	94.34'	51.01'	S40°50'41"W	90.88'	54°03'02"
3	325.00'	55.01'	27.57'	S63°01'16"W	54.94'	9°41'53"
4	125.00'	122.01'	66.36'	S30°12'35"W	117.22'	55°55'28"
5	356.00'	98.11'	49.37'	S05°38'50"E	97.80'	15°47'22"

The Reaves Firm
INCORPORATED
Engineering
Planning
Landscape Architecture
Land Surveying
6800 Poplar Avenue, Suite 101 Memphis, TN 38138
901.761.2016 Fax: 901.763.2847
www.ReavesFirm.com

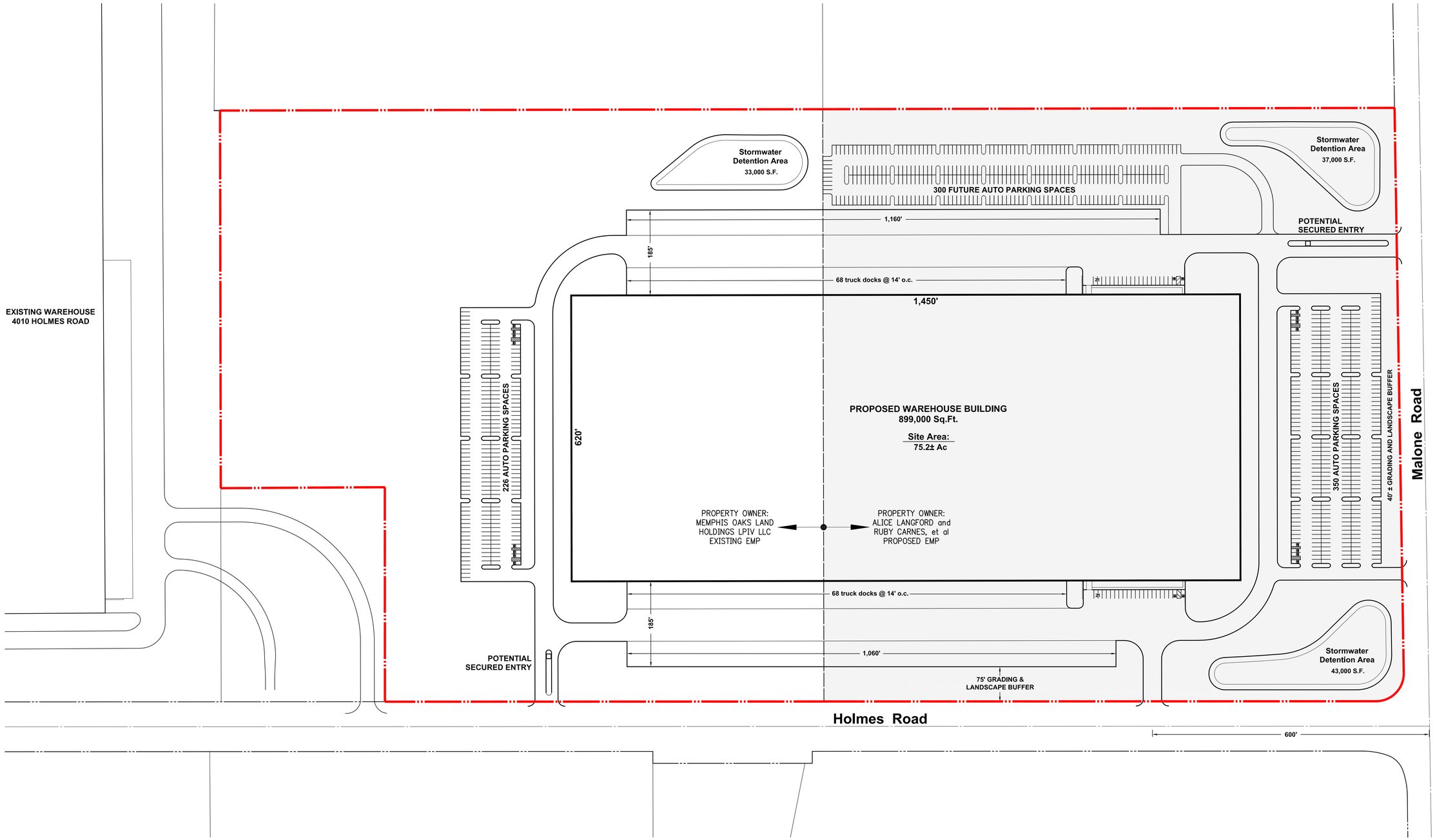
PLOT PLAN PARCEL 094100 00031

NORTHWEST CORNER
HOLMES ROAD and MALONE ROAD

DEVELOPER: PDC TN/FL, LLC
40.80 ACRES
MEMPHIS, TENNESSEE
MARCH 2, 2020 SHEET 1 OF 1

copyright 2020 – The Reaves Firm, Incorporated

kay 20x24 \\K:\Projects\2020\20-0023 NWC Holmes and Malone\Rezoning\Plot Plan.dwg Mar 02, 2020 - 10:05am



CONCEPT PLAN

100 0 100
GRAPHIC SCALE IN FEET
SCALE: 1"=100'

North

The Reaves Firm INCORPORATED
Planning
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Landscape Architecture
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Memphis, TN 38138
901.761.2016 Fax: 901.763.2847
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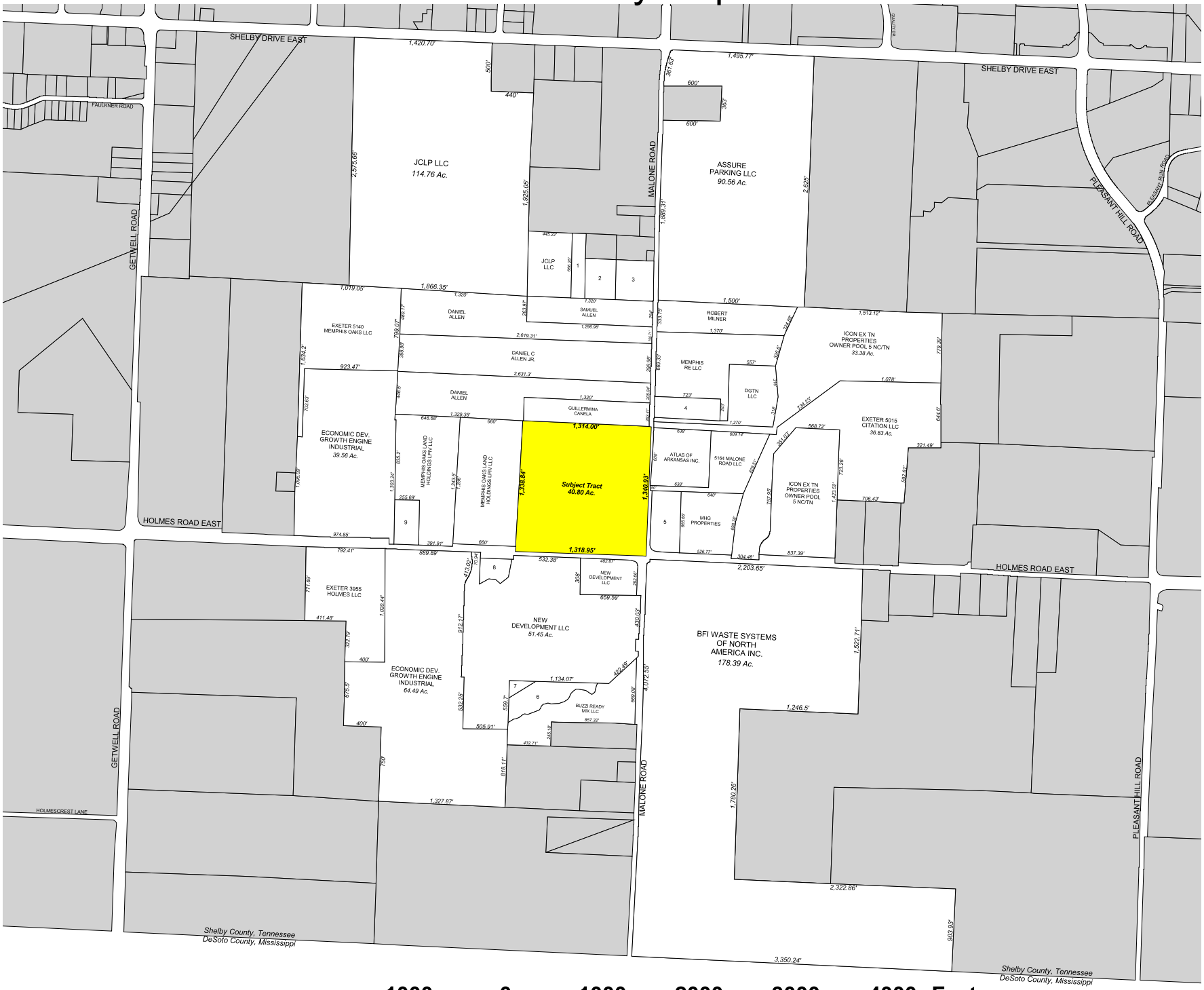
key 24x36 \\RAY\Projects\2020\20-0023 NWC Holmes and Malone\Rezoning\Rezoning concept plan.dwg Feb 25, 2020 – 1:23pm

Vicinity Map



1000 0 1000 2000 3000 4000 Feet

N
W E
S

Date: 02/24/20
Prepared By:
Property Research Data
PRD Job #20-011

AGENDA ITEM: 27

CASE NUMBER:	Z 20-03	**L.U.C.B. MEETING:**	**April 9, 2020**
LOCATION:	North of Ketchum Road, east of Imogene Street, south of Dwight Road, and west of Pendleton Street		
COUNCIL DISTRICT:	District 4 and Super District 8 – Positions 1, 2, and 3		
OWNER/APPLICANT:	Memphis Shelby County Airport Authority / Ketchum Airport Investors, LLC – Bradleigh Kaaber		
REPRESENTATIVE:	Brittenum Law, PLLC – Dedrick Brittenum Jr.		
REQUEST:	To rezone +/-66 acres from the Residential Single-Family – 6 District and the Residential Urban – 1 District to the Employment District (light industrial)		
AREA:	+/-66 acres		
EXISTING ZONING:	Residential Single-Family – 6 (R-6) and Residential Urban – 1 (RU-1)		

CONCLUSIONS

1. This case is a companion to SAC 20-03 through 20-16, which are all requests seeking to close and vacate public right-of-way within the subject property.
2. The subject property was part of a noise buyout in the 1980s due to the north/south flight path of the Memphis International Airport. The 258 homes that existed on subject property at the time were removed and the lots are now vacant. Under the terms of the airport noise abatement program the use of the land cannot revert to residential, school, church, or similar uses.
3. Staff finds the request is consistent with the Council of the City of Memphis and County Commission approved Memphis Airport Area Land Use Study Final Report (1992) which recommended action to support reinvestment and development in this area to encourage employment growth. Furthermore, the Employment District is an appropriate and well-suited zoning district for the subject property to promote these goals.
4. The Employment District zoning that is adjacent to the southeast of the site was rezoned from residential to Employment in 2018 by the Council of the City of Memphis via case numbers Z 17-11 and Z 18-08.
5. If approved, the subject property would provide a large site suitable for employment driven redevelopment opportunities and return to the certified tax roll as nonexempt land.

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 21-22 of this report.

RECOMMENDATION:
Approval

Staff Writer: ***Jeffrey Penzes*** **E-mail:** ***jeffrey.penzes@memphistn.gov***

GENERAL INFORMATION

Street Frontage:	Ketchum Road	+/-1,980.34 curvilinear feet
Zoning Atlas Page:	2235	
Existing Zoning:	Residential Single-Family – 6 (R-6) and Residential Urban – 1 (RU-1)	

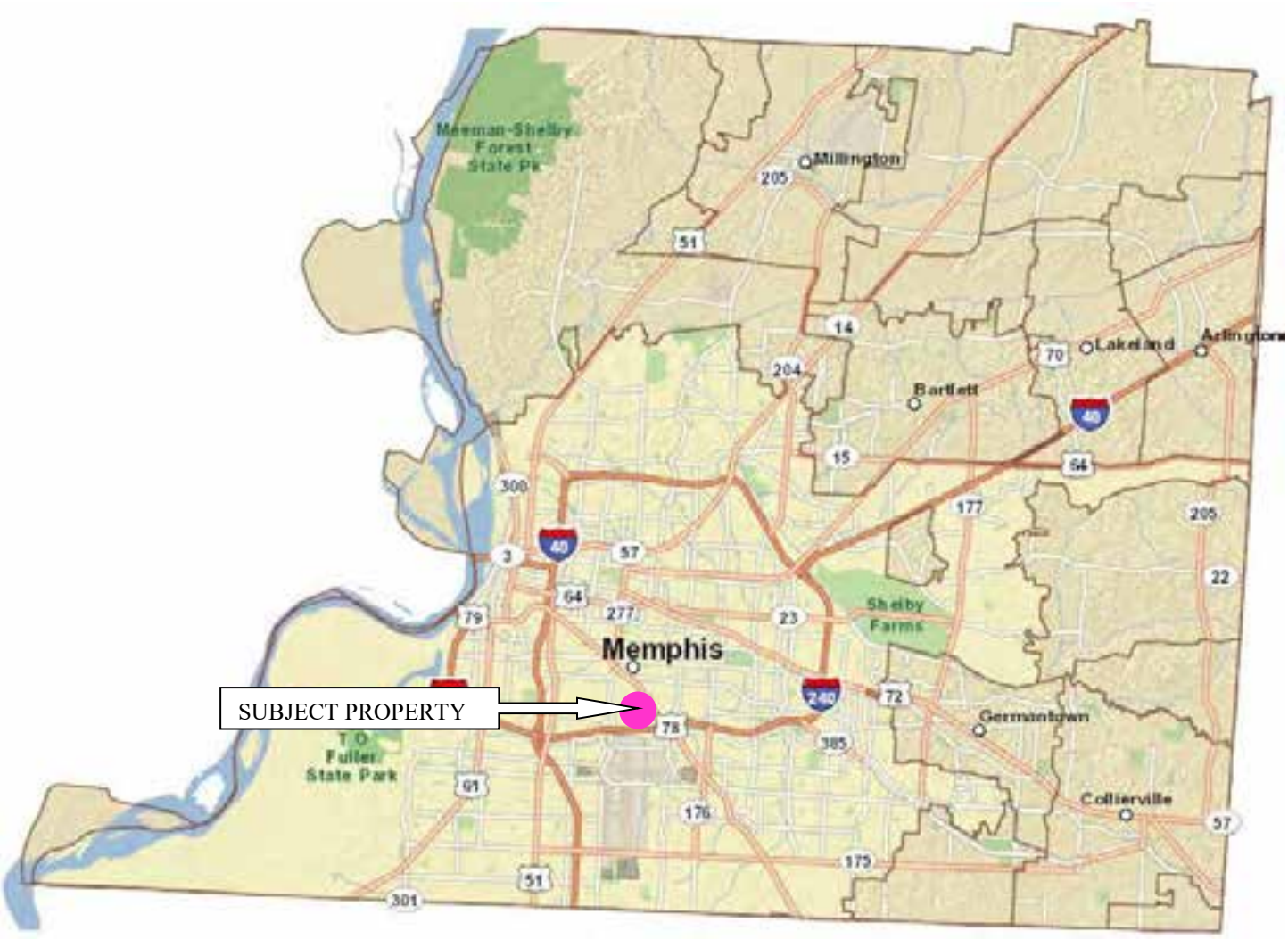
NEIGHBORHOOD MEETING

Waived due to COVID-19 pandemic.

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 233 notices were mailed on March 27, 2020, and a total of 14 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP

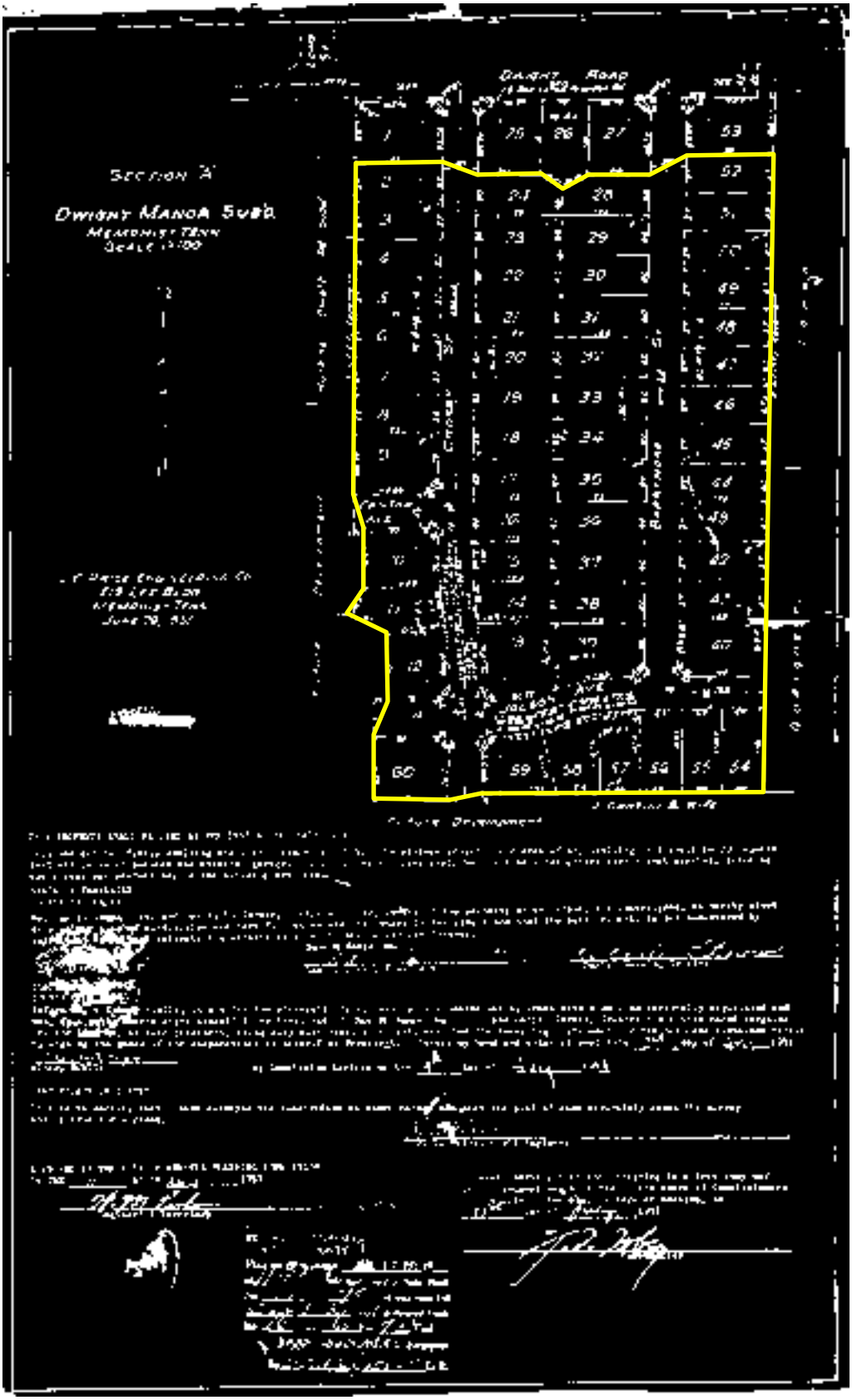


Subject property located within the pink circle, Depot neighborhood

VICINITY MAP

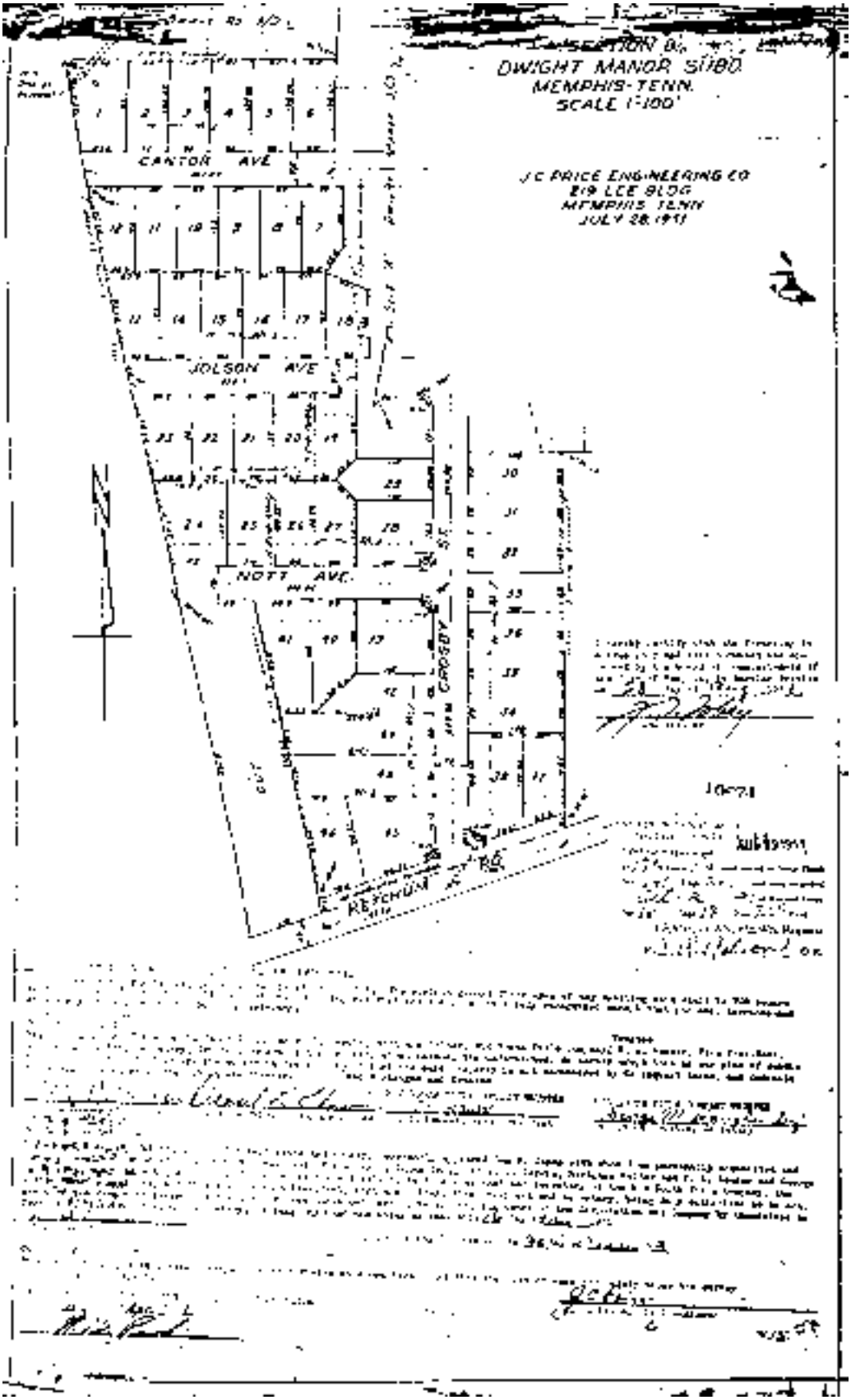
Subject property highlighted in yellow

DWIGHT MANOR SUBDIVISION SECTION A (1951) PB 16 PG 06



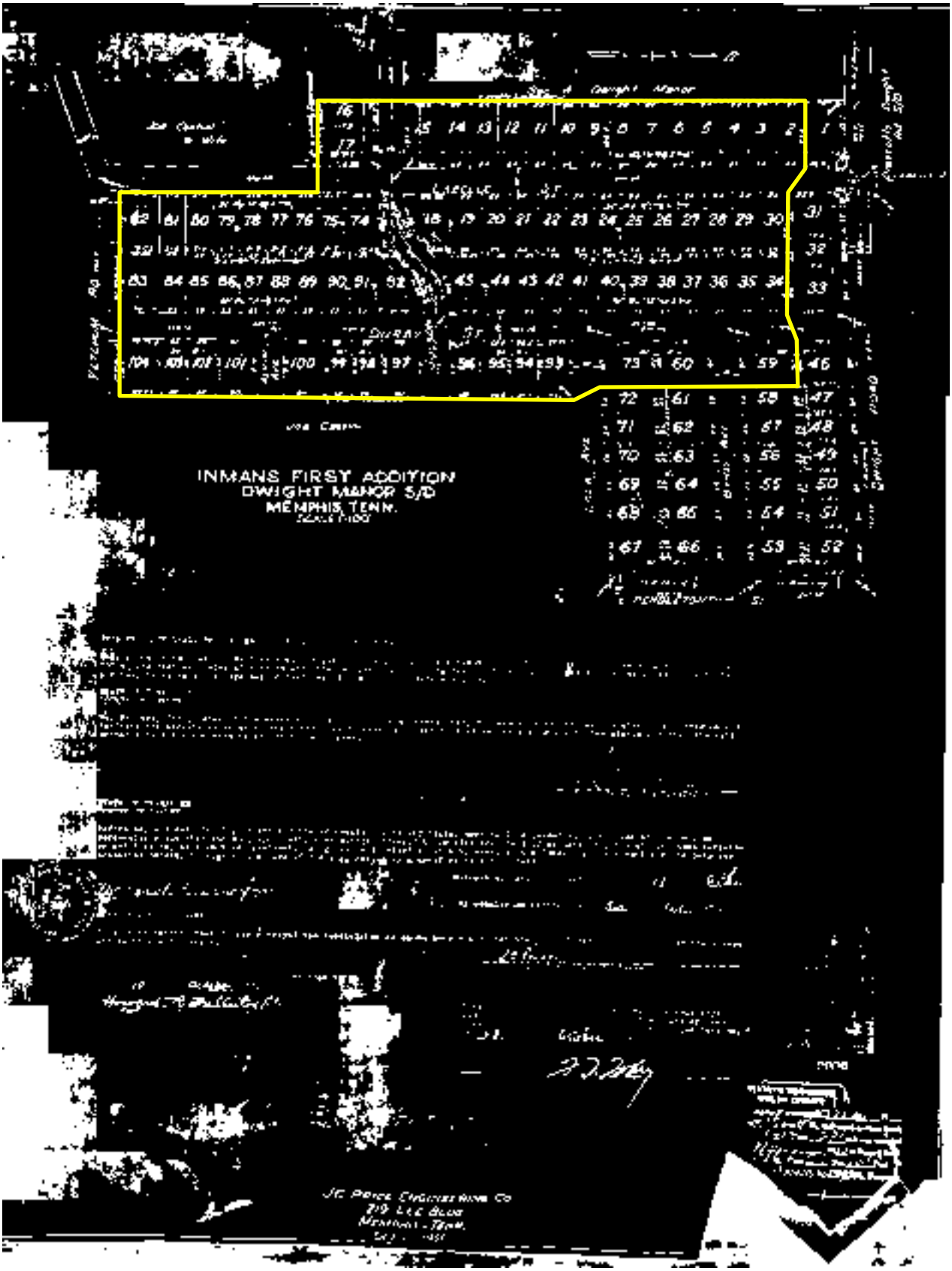
The lots outlined yellow are within the bounds of the subject property.

DWIGHT MANOR SUBDIVISION SECTION B (1951) PB 16 PG 18



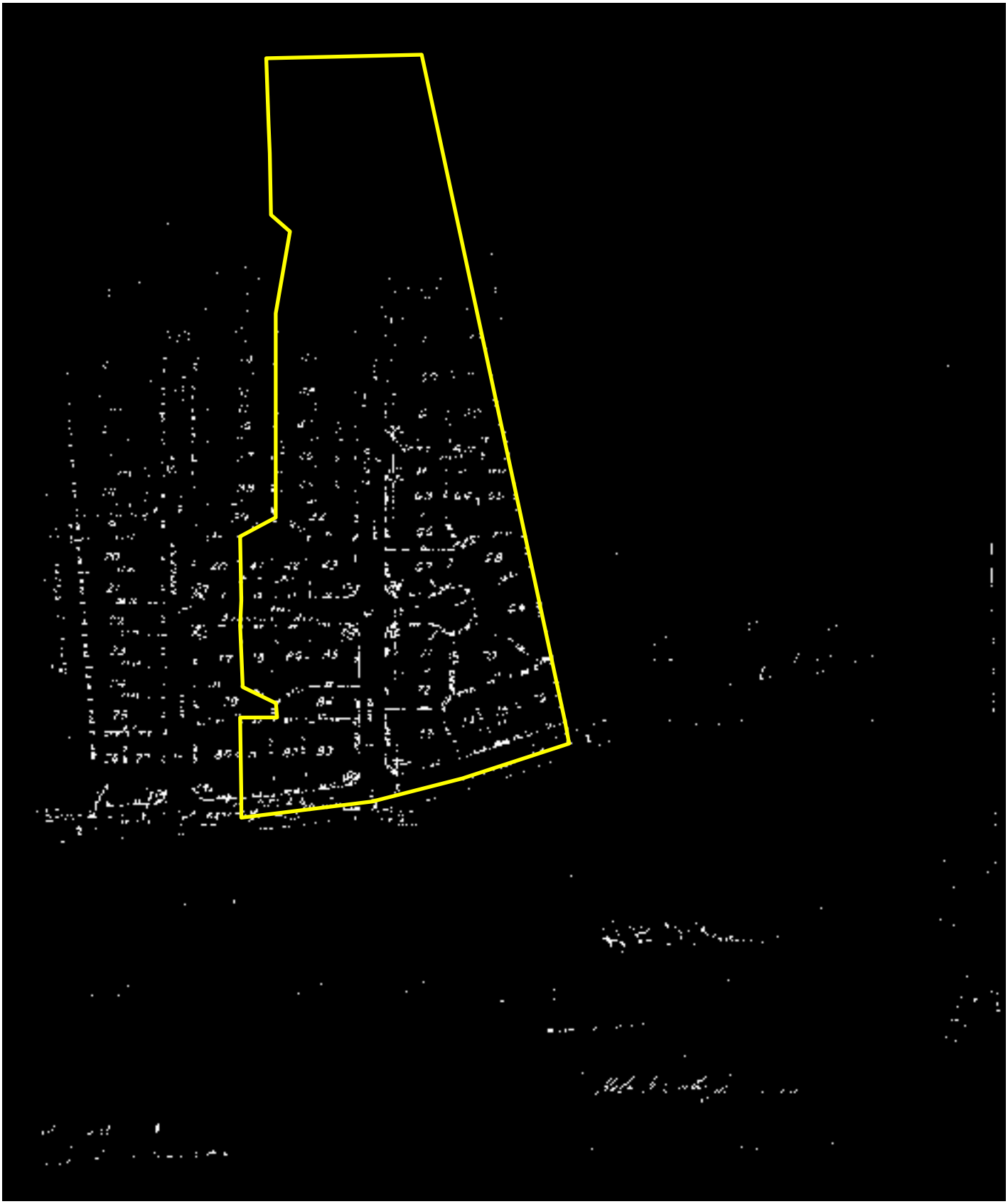
All lots are within the bounds of the subject property.

INMANS FIRST ADDITION DWIGHT MANOR SUBDIVISION (1951) PB 16 PG 26



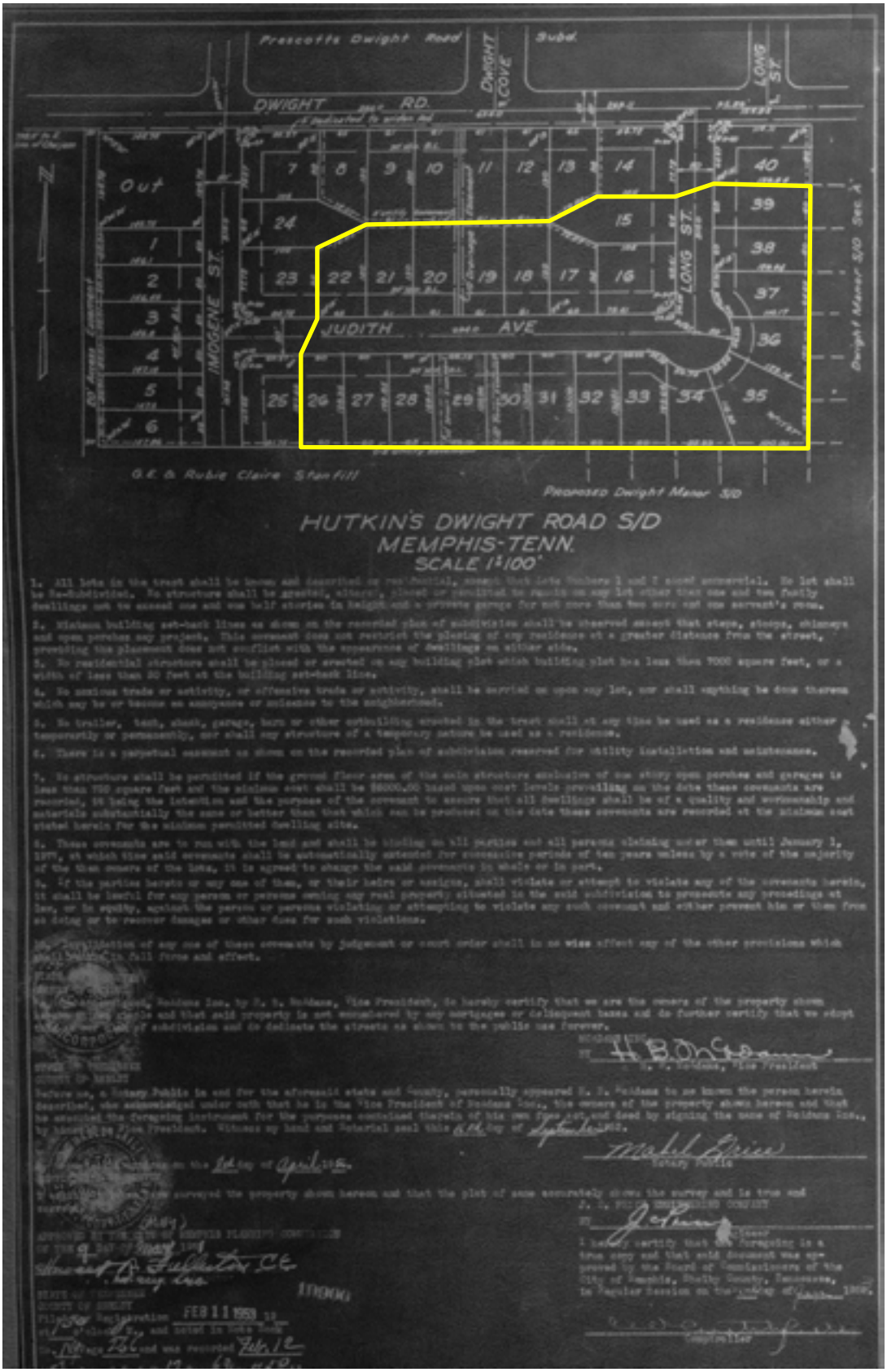
The lots outlined yellow are within the bounds of the subject property.

HUTKIN'S DWIGHT ROAD SUBDIVISION - FIRST ADDITION (1953) PB 17 PG 62



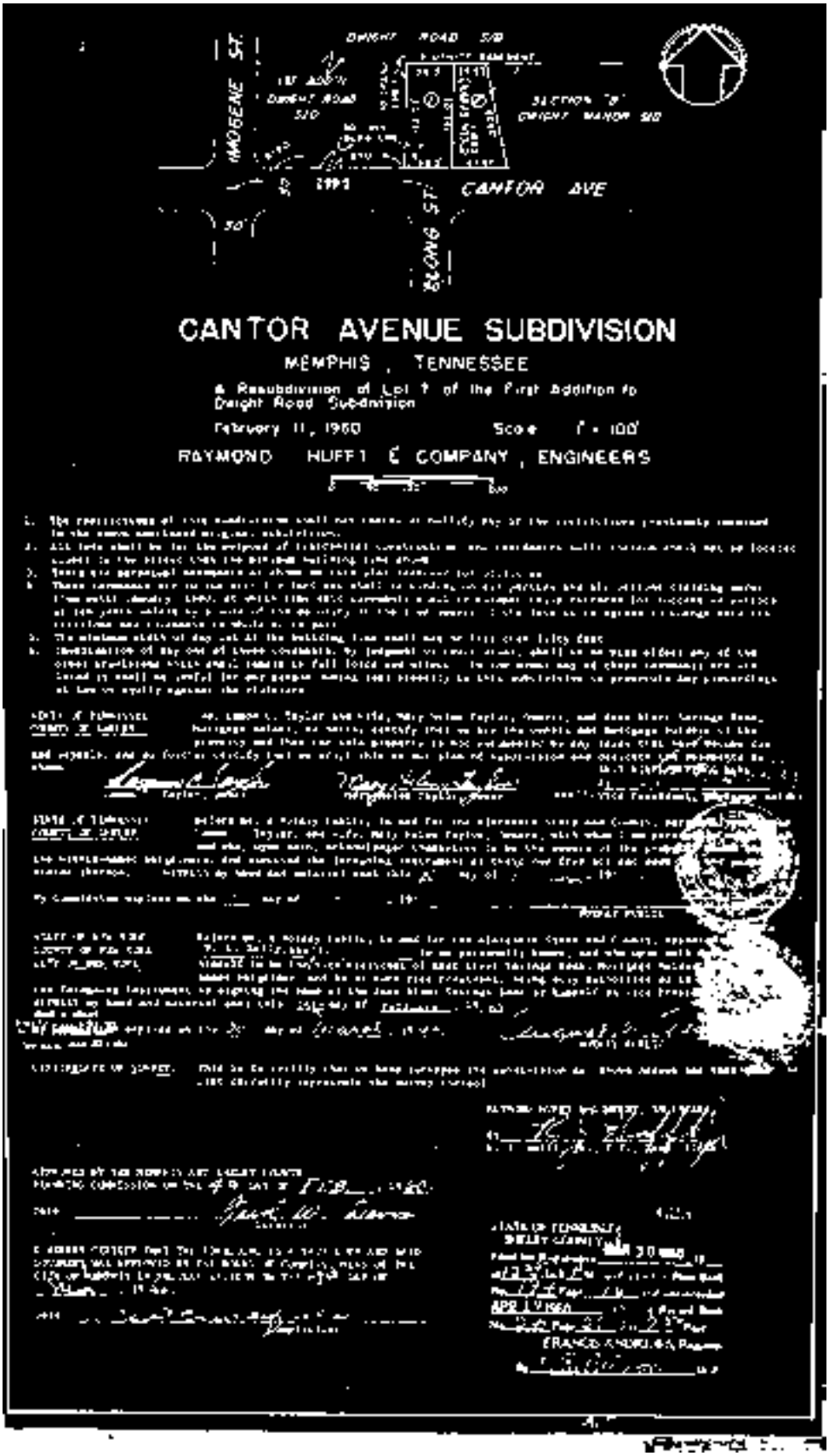
The lots outlined yellow are within the bounds of the subject property.

HUTKIN'S DWIGHT ROAD SUBDIVISION (1953) PB 17 PG 63



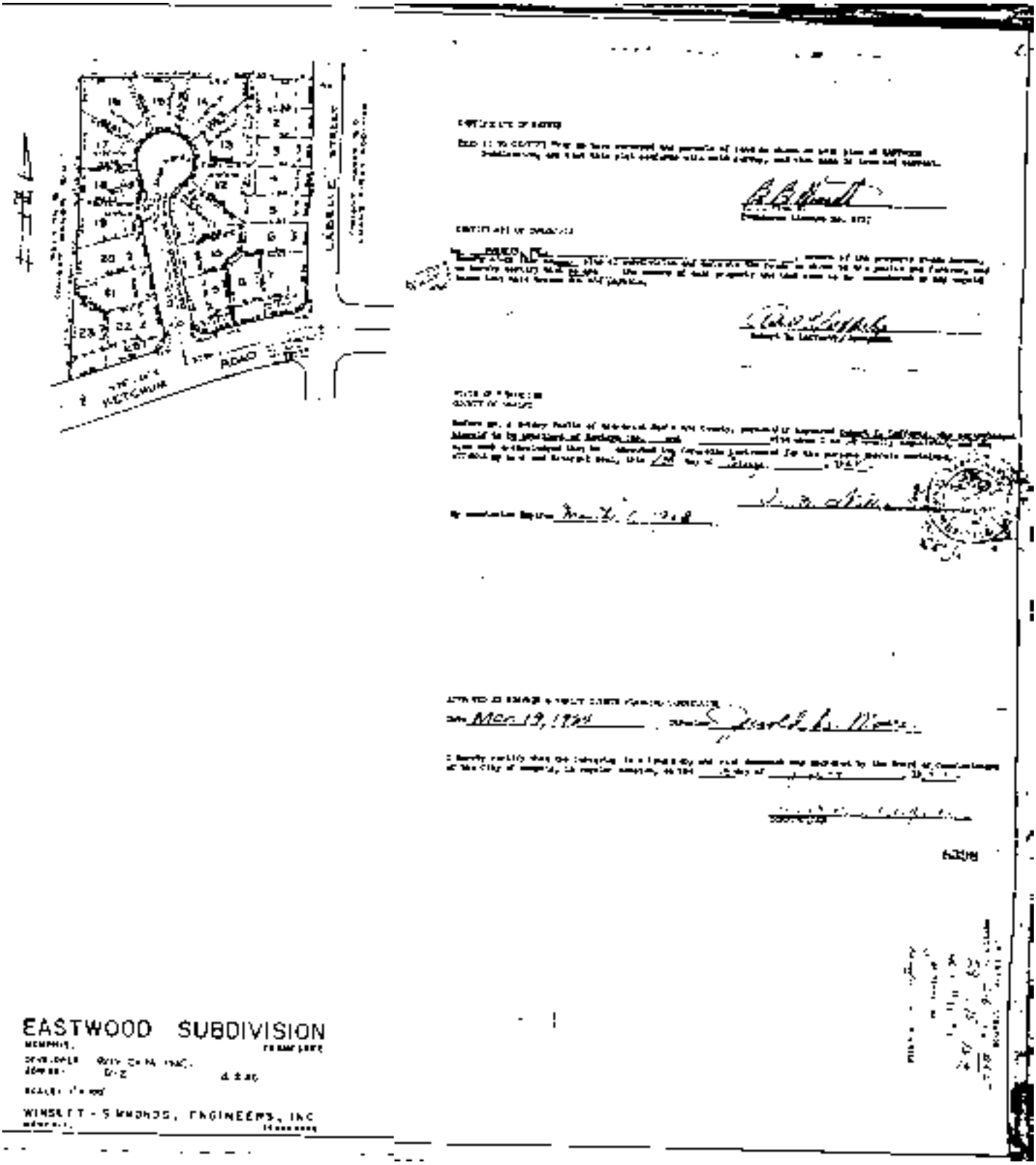
The lots outlined yellow are within the bounds of the subject property.

CANTOR AVENUE SUBDIVISION (1960) PB 24 PG 27



All lots are within the bounds of the subject property.

EASTWOOD SUBDIVISION (1964) PB 29 PG 18



All lots are within the bounds of the subject property.

ZONING MAP

Subject property outlined in yellow

Existing Zoning: Residential Single-Family – 6 (R-6) and Residential Urban – 1 (RU-1)

Surrounding Zoning

North: Residential Single-Family – 6 (R-6)

East: Residential Single-Family – 6 (R-6) and Residential Urban – 3 (RU-3)

South: Residential Single-Family – 6 (R-6) and Employment (EMP)

West: Residential Single-Family – 6 (R-6)

LAND USE MAP

Subject property outlined in pink and indicated by a pink star

SURVEY

Longline Street
Longline Street
Long Street
Long Street
Long

LEGAL DESCRIPTION

BEING A DESCRIPTION OF THE MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY LYING NORTH OF KETCHUM ROAD, LOCATED IN MEMPHIS, SHELBY COUNTY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF KETCHUM ROAD (80 FOOT WIDE PUBLIC RIGHT-OF-WAY), SAID POINT BEING S89°49’02”E A DISTANCE OF 115.27 FEET FROM THE INTERSECTION OF THE CENTERLINE OF SAID KETCHUM ROAD WITH THE CENTERLINE OF IMOGENE STREET (50 FOOT WIDE PUBLIC RIGHT-OF-WAY), SAID POINT OF BEGINNING HAVING A TENNESSEE STATE PLANE COORDINATE OF (N 295816.74 – E 778019.41); THENCE N04°06'21"E ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 80 OF THE HUTKIN’S DWIGHT ROAD SUBDIVISION – FIRST ADDITION (PLAT BOOK 17, PAGE 62) AND ALONG THE EAST LINE OF SAID LOT 80 A DISTANCE OF 185.79 FEET TO A POINT ON THE SOUTH LINE OF LOT 79 (PLAT BOOK 17, PAGE 62); THENCE S85°53'39"E ALONG THE SOUTH LINE OF SAID LOT 79 A DISTANCE OF 65.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 79; THENCE N04°06'21"E ALONG THE EAST LINE OF SAID LOT 79 A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 79; THENCE N56°50'22"W ALONG A NORTH LINE OF SAID LOT 79 A DISTANCE OF 72.07 FEET TO THE SOUTHEAST CORNER OF LOT 77 (PLAT BOOK 17, PAGE 62); THENCE N04°03'57"E ALONG THE EAST LINE OF SAID LOT 77, ACROSS STANFILL AVENUE (50 FOOT WIDE PUBLIC RIGHT-OF-WAY) AND ALONG THE EAST LINE OF LOT 40 (PLAT BOOK 17, PAGE 62) A DISTANCE OF 279.65 FEET TO THE A POINT ON THE SOUTH LINE OF LOT 39 (PLAT BOOK 17, PAGE 62); THENCE N65°03'05"E ALONG A SOUTH LINE OF SAID LOT 39 A DISTANCE OF 72.29 FEET TO THE SOUTHEAST CORNER OF SAID LOT 39; THENCE N04°06'21"E ALONG THE EAST LINE OF LOTS 39, 38, 37 AND 36 (PLAT BOOK 17, PAGE 62) A DISTANCE OF 208.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 35 (PLAT BOOK 17, PAGE 62); THENCE S85°53'39"E ALONG THE SOUTH LINE OF SAID LOT 35 A DISTANCE OF 4.40 FEET TO THE SOUTHWEST CORNER OF SAID LOT 35; THENCE N04°04'56"E ALONG THE EAST LINE OF LOT 35, 34 AND 33 (PLAT BOOK 17, PAGE 62) A DISTANCE OF 179.55 FEET TO THE SOUTHEAST CORNER OF LOT 32 (PLAT BOOK 17, PAGE 62); THENCE N13°34'06"E ALONG THE EAST LINE OF LOT 32, 31 AND 30 (PLAT BOOK 17,PAGE 62) A DISTANCE OF 157.11 FEET TO THE NORTHEAST CORNER OF SAID LOT 30; THENCE N43°44'41"W ALONG A NORTH LINE OF SAID LOT 30 A DISTANCE OF 47.24 FEET TO THE SOUTHEAST CORNER OF LOT 28 (PLAT BOOK 17, PAGE 62); THENCE N04°03'58"E ALONG THE EAST LINE OF SAID LOT 28 AND ACROSS CANTOR AVENUE (50 FOOT WIDE PUBLIC RIGHT-OF-WAY) A DISTANCE OF 164.96 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID CANTOR AVENUE; THENCE N85°56'02"W ALONG THE NORTH RIGHT-OF-WAY OF SAID CANTOR AVENUE A DISTANCE OF 5.05 FEET TO THE SOUTHEAST CORNER OF LOT 3 (PLAT BOOK 17, PAGE 62); THENCE N02°59'07"E ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 140.66 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE N85°44'51"W ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 3.31 FEET TO THE SOUTHEAST CORNER OF LOT 25 OF THE HUTKIN’S DWIGHT ROAD SUBDIVISION AS RECORDED IN PLAT BOOK 17, PAGE 63); THENCE N03°16'41"E ALONG THE EAST LINE OF SAID LOT 25 A DISTANCE OF 127.95 FEET TO THE NORTHEAST CORNER OF SAID LOT 25, SAID POINT LIES ON THE SOUTH RIGHT-OF-WAY LINE OF JUDITH AVENUE (50 FOOT WIDE PUBLIC RIGHT-OF-WAY); THENCE S86°43'19"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID JUDITH AVENUE A DISTANCE OF 24.95 FEET TO A POINT; THENCE N04°02'15"E ACROSS JUDITH AVENUE AND ALONG THE EAST LINE OF LOT 23 (PLAT BOOK 17, PAGE 63) A DISTANCE OF 148.01 FEET TO A POINT ON THE SOUTH LINE OF LOT 24 (PLAT BOOK 17,

PAGE 63); THENCE N67°12'30"E ALONG A SOUTH LINE OF SAID LOT 24 A DISTANCE OF 72.83 FEET TO THE SOUTHWEST CORNER OF LOT 9 (PLAT BOOK 17, PAGE 63); THENCE S86°42'14"E ALONG THE SOUTH LINE OF LOTS 9, 10 11 AND 12 (PLAT BOOK 17, PAGE 63) A DISTANCE OF 243.88 FEET TO THE SOUTHWEST CORNER OF LOT 13 (PLAT BOOK 17, PAGE 63); THENCE N67°16'08"E ALONG THE SOUTH LINE OF SAID LOT 13 A DISTANCE OF 72.93 FEET TO THE SOUTHWEST CORNER OF LOT 14 (PLAT BOOK 17, PAGE 63); THENCE S86°42'14"E ALONG THE SOUTH LINE OF SAID LOT 14 AND ACROSS LONG STREET (50 FOOT WIDE PUBLIC RIGHT-OF-WAY) A DISTANCE OF 155.01 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF SAID LONG STREET; THENCE N04°04'59"E ALONG THE EAST RIGHT-OF-WAY LINE OF SAID LONG STREET A DISTANCE OF 18.01 FEET TO THE SOUTHWEST CORNER OF LOT 40 (PLAT BOOK 17, PAGE 63); THENCE S86°42'14"E ALONG THE SOUTH LINE OF SAID LOT 40 A DISTANCE OF 129.87 FEET TO A POINT ON THE EAST LINE OF LOT 1 OF THE DWIGHT MANOR SUBDIVISION – SECTION “A” AS RECORDED IN PLAT BOOK 16, PAGE 6; THENCE S04°04'07"W ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 10.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE S86°42'32"E ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 125.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CROSBY STREET (50 FOOT WIDE PUBLIC RIGHT-OF-WAY); THENCE S04°03'42"W ALONG THE WEST RIGHT-OF-WAY LINE OF SAID CROSBY STREET A DISTANCE OF 20.02 FEET TO A POINT; THENCE S86°42'32"E ACROSS SAID CROSBY STREET AND ALONG THE SOUTH LINE OF LOT 25 (PLAT BOOK 16, PAGE 6) A DISTANCE OF 140.01 FEET TO THE SOUTHWEST CORNER OF LOT 26 (PLAT BOOK 16, PAGE 6); THENCE S56°50'00"E ALONG A SOUTH LINE OF SAID LOT 26 A DISTANCE OF 40.15 FEET TO AN ANGLE POINT IN THE SOUTH LINE OF SAID LOT 26; THENCE N63°44'02"E ALONG A SOUTH LINE OF SAID LOT 26 A DISTANCE OF 40.54 FEET TO THE SOUTHWEST CORNER OF LOT 27 (PLAT BOOK 16, PAGE 6); THENCE S86°42'32"E ALONG THE SOUTH LINE OF LOT 27 AND ACROSS BARRYMORE STREET (50 FOOT WIDE PUBLIC RIGHT-OF-WAY) A DISTANCE OF 140.01 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID BARRYMORE STREET; THENCE N04°02'25"E ALONG THE EAST RIGHT-OF-WAY LINE OF SAID BARRYMORE STREET A DISTANCE OF 25.96 FEET TO THE SOUTHWEST CORNER OF LOT 53 (PLAT BOOK 16, PAGE 6); THENCE S86°42'33"E ALONG THE SOUTH LINE OF SAID LOT 53 A DISTANCE OF 125.01 FEET TO THE SOUTHEAST CORNER OF LOT 53; THENCE N04°02'25"E ALONG THE EAST LINE OF SAID LOT 53 A DISTANCE OF 9.00 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF INMANS FIRST ADDITION – DWIGHT MANOR SUBDIVISION AS RECORDED IN PLAT BOOK 16, PAGE 26; THENCE S85°54'55"E ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 133.34 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF LABELLE STREET (50 FOOT WIDE PUBLIC RIGHT-OF-WAY); THENCE S04°07'27"W ALONG THE WEST RIGHT-OF-WAY LINE OF SAID LABELLE STREET A DISTANCE OF 32.43 FEET TO A POINT; THENCE S85°52'05"E ACROSS LABELLE STREET AND ALONG THE SOUTH LINE OF LOTS 31, 32 AND 33 (PLAT BOOK 16, PAGE 26) AND ACROSS DURBY STREET (50 FOOT WIDE PUBLIC RIGHT-OF-WAY) A DISTANCE OF 335.42 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID DURBY STREET; THENCE N04°05'51"E ALONG THE EAST RIGHT-OF-WAY LINE OF SAID DURBY STREET A DISTANCE OF 14.71 FEET TO THE SOUTHWEST CORNER OF LOT 46 (PLAT BOOK 16, PAGE 26); THENCE S88°49'42"E ALONG THE SOUTH LINE OF SAID LOT 46 A DISTANCE OF 89.99 FEET TO THE NORTHWEST CORNER OF LOT 58 (PLAT BOOK 16, PAGE 26); THENCE S04°05'48"W ALONG THE WEST LINE OF SAID LOT 58, ACROSS BYRD AVENUE (50 FOOT WIDE PUBLIC RIGHT-OF-WAY), ALONG THE WEST LINE OF LOTS 61 AND 72 (PLAT BOOK 16, PAGE 26) AND ACROSS LOLA AVENUE (5O FOOT WIDE PUBLIC RIGHT-OF-WAY) A DISTANCE OF 430.03 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID LOLA AVENUE; THENCE S88°57'02"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID LOLA AVENUE A

DISTANCE OF 26.21' TO THE NORTHWEST CORNER OF THE ASTRO AT DYER HOLDING COMPANY, LLC PROPERTY (INSTRUMENT 17099475); THENCE S04°27'24"W ALONG THE WEST LINE OF THE SAID ASTRO AT DYER HOLDING COMPANY, LLC PROPERTY A DISTANCE OF 927.05 FEET TO A POINT ON THE CENTERLINE OF SAID KETCHUM ROAD; THENCE N85°49'51"W ALONG THE CENTERLINE OF SAID KETCHUM ROAD A DISTANCE OF 296.07 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG THE CENTERLINE OF SAID KETCHUM ROAD FOLLOWING A CURVE TO THE LEFT HAVING A RADIUS OF 866.53 FEET, AN ARC LENGTH OF 297.04 FEET (CHORD S84°20’56”W – 295.59 FEET) TO THE POINT OF TANGENCY; THENCE S74°31'43"W AND CONTINUING ALONG THE CENTERLINE OF SAID KETCHUM ROAD A DISTANCE OF 869.09 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG THE CENTERLINE OF SAID KETCHUM ROAD FOLLOWING A CURVE TO THE RIGHT HAVING A RADIUS OF 1813.27 FEET, AN ARC LENGTH OF 495.41 FEET (CHORD S82°21’20”W – 493.87 FEET) TO THE POINT OF TANGENCY; THENCE N89°49'02"W AND CONTINUING ALONG THE CENTERLINE OF SAID KETCHUM ROAD A DISTANCE OF 22.73 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,828,490 SQUARE FEET OR 64.933 ACRES.

IT IS THE INTENT OF THIS DESCRIPTION TO DESCRIBE THE FOLLOWING PARCELS OF LAND BELONGING TO THE MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY AND THE PUBLIC ROAD RIGHTS-OF WAY CONTAINED WITHIN THE ABOVE DESCRIBED PROPERTY:

THE PROPERTY DESCRIBED IN INSTRUMENT DM-8156;

LOTS 2-24, LOTS 28-52, AND LOTS 54-60 OF THE DWIGHT MANOR SUBDIVISION – SECTION “A” AS RECORDED IN PLAT BOOK 16, PAGE 6;

LOTS 1-46 OF THE DWIGHT MANOR SUBDIVISION – SECTION “B” AS RECORDED IN PLAT BOOK 16, PAGE 18;

LOTS 2-30, LOTS 34-45, LOTS 59-60, AND LOTS 73-104 OF THE INMANS FIRST ADDITION DWIGHT MANOR SUBDIVISION AS RECORDED IN PLAT BOOK 16, PAGE 26;

LOTS 4-6, LOT 29, LOTS 41-76, LOT 78, AND LOTS 81-86 OF THE FIRST ADDITION TO HUTKIN’S DWIGHT ROAD SUBDIVISION AS RECORDED IN PLAT BOOK 17, PAGE 62;

LOTS 15-22 AND LOTS 26-39 OF THE HUTKIN’S DWIGHT ROAD SUBDIVISION AS RECORDED IN PLAT BOOK 17, PAGE 63;

LOTS 1 AND 2 OF THE CANTOR AVENUE SUBDIVISION AS RECORDED IN PLAT BOOK 24, PAGE 27;

LOTS 1-23 OF THE EASTWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 29, PAGE 18.

SITE PHOTOS

View of subject property from Ketchum Road looking north

View of subject property from Crosby Ave looking south

STAFF ANALYSIS

Request

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

The request is to rezone +/-66 acres from the Residential Single-Family – 6 District and the Residential Urban – 1 District to the Employment District (light industrial).

Review Criteria

Staff agrees the review criteria as set out in the Unified Development Code Sub-Section 9.5.7B 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 is +/-66 acres and comprised of numerous parcels located on the north side of Ketchum Road, east of Imogene Street, south of Dwight Road, and west of Pendleton Street. The site is currently zoned Residential Single-Family – 6 (R-6) and Residential Urban – 1 (RU-1) and it is vacant land. There are overhead powerlines, sidewalks, curb and gutter, streets, and a scattering of mature trees throughout the site.

Recent Adjacent Rezonings

Z 17-11

The rezoning of +/-26 acres of land adjacent to the southeast of the property subject of this request was rezoned from Residential Single-Family – 6 (R-6) and Residential Urban – 3 (RU-3) to Employment (EMP) by the Council of the City of Memphis on April 10, 2018.

Z 18-08

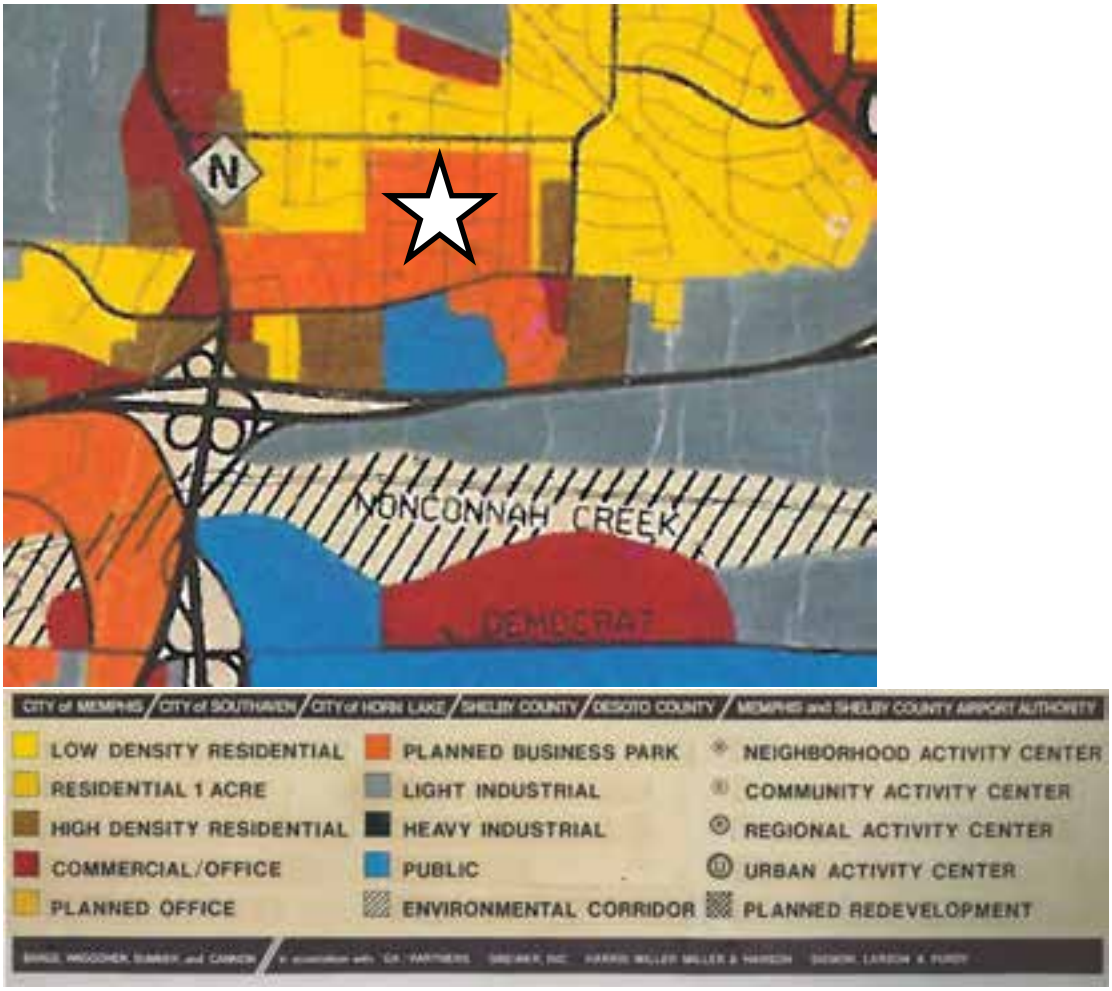
The rezoning of +/-15 acres of land adjacent to the south of the property subject of this request was rezoned from Residential Single-Family – 6 (R-6) to Employment (EMP) by the Council of the City of Memphis on September 25, 2018.

Airport Buyout

The subject property was part of a noise buyout in the 1980s due to the north/south flight path of the Memphis International Airport. The 258 homes that existed on subject property at the time were removed and the lots are now vacant. Under the terms of the airport noise abatement program the use of the land cannot revert to residential, school, church, or similar uses.

Memphis Airport Area Land Use Study Final Report

The Memphis Airport Area Land Use Study Final Report was adopted by Council of the City of Memphis in August of 1992 and by the Shelby County Commission in June 1992. This report indicates that residential uses are inappropriate for the area in which the subject property lies. The plan's goal for this area recommends action to support reinvestment and development in vicinity of the airport to encourage employment growth. The plan indicates Planned Business Park would be more appropriate, however, this is a zoning category that was never codified. Staff believes the Employment District is consistent with this plans recommendation and an appropriate zoning district for the area that is compatible with the surrounding zoning and land uses in which the subject property lies.



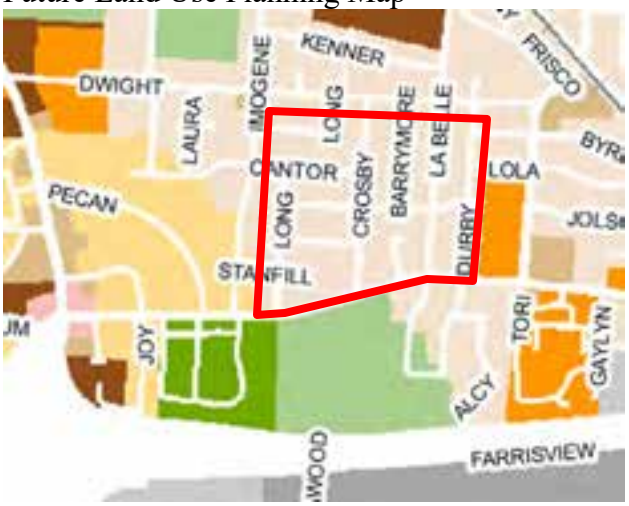
Subject property indicated by a white star

Consistency with Memphis 3.0

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

1. *The future land use planning map:* The subject site is identified as Primarily Single-Unit Neighborhood in the future land use planning map.

   Future Land Use Planning Map

   Subject site outlined in red and identified as Primarily Single-Unit Neighborhood

2. *The land use category descriptions and graphic portrayals, including whether the proposed use is compatible with the zone districts listed in the zoning notes and the proposed building(s) fit the listed form and location characteristics:*

   The subject site is within future land use designation: Primarily Single-Unit Neighborhood (NS). The description and applicability for NS is defined in greater detail in the following paragraphs.

   Primarily Single-Unit Neighborhoods are located greater than a half mile outside of any anchor destination. These neighborhoods contain mostly detached, house-scale residences, serving mostly single-family style living. This is considered the typical suburban community that is not as walkable or accessible from an anchor. See graphic portrayal to the right.

   "NS" Goals/Objectives:
   The goals and objectives of this land use designation are the preservation/maintenance of existing single-family housing stock and neighborhoods

   "NS" Form & Location Characteristics:
   The NS designation recommends an urban form that is primarily detached house-scale buildings that are primarily residential and 1-3 stories in height. This land use designation should be beyond a half-mile from a Community Anchor.

   The applicant is seeking rezoning of +/-66 acres from R-6, Single-Family Residential – 6 and RU-1,

Residential Urban – 1, to EMP, Employment (light industrial).

The request does not meet the Primarily Single-Unit Neighborhood land use recommendations because the Employment District does not permit single-family uses.

3. *Existing, adjacent land uses and zoning:* The subject site is surrounded by the following land uses: Single-Family, Multi-family, Recreational/Open Space, Institutional, and vacant. The subject site is surrounded by the following zoning districts: Residential Single-Family – 6 (R-6), Residential Urban – 3 (RU-3), and Employment (EMP). This requested land use is compatible/incompatible with these adjacent land uses and zoning districts as it is an extension of the of the two recently approved Employment District rezonings adjacent to the southeast in 2018.

4. *The degree of change map:* The subject site is identified as nothing in the degree of change map. The white color on the degree of change map, shown below, indicates there is no degree of change for the subject site.

Degree of Change map

Subject site outlined in red, no color identification

5. *The degree of change descriptions:* Not applicable, see consistency criteria 4 above.

This proposal is consistent with the Memphis 3.0 General Plan when taking into account the adjacent zoning to the southeast. This adjacent area was recently rezoned in 2018 by the Council of the City of Memphis via case numbers Z 17-11 and Z 18-08. Additionally, under the terms of the airport noise abatement program the use of the land cannot revert to residential, school, church, or similar uses.

Conclusions

The request is to rezone +/-66 acres from the Residential Single-Family – 6 District and the Residential Urban – 1 District to the Employment District (light industrial).

This case is a companion to SAC 20-03 through 20-16 which are all requests seeking to close and vacate public right-of-way within the subject property.

The subject property was part of a noise buyout in the 1980s due to the north/south flight path of the Memphis

International Airport. The 258 homes that existed on subject property at the time were removed and the lots are now vacant. Under the terms of the airport noise abatement program the use of the land cannot revert to residential, school, church, or similar uses.

Staff finds the request is consistent with the Council of the City of Memphis and County Commission approved Memphis Airport Area Land Use Study Final Report (1992) which recommended action to support reinvestment and development in this area to encourage employment growth. Furthermore, the Employment District is an appropriate and well-suited zoning district for the subject property to promote these goals.

The Employment District zoning that is adjacent to the southeast of the site was rezoned from residential to Employment in 2018 by the Council of the City of Memphis via case numbers Z 17-11 and Z 18-08.

If approved, the subject property would provide a large site suitable for employment driven redevelopment opportunities and return to the certified tax roll as nonexempt land.

RECOMMENDATION
Staff recommends approval.

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

City/County Engineer:
1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:
2. City sanitary sewer availability TBD.

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. For future planning purposes, if truck traffic is envisioned for this redevelopment, the Developer is requested to funnel truck traffic towards Ketchum via one of the neighboring residential streets.

Sewer Design Department:
The sewer capacity will not be determined until the developer provide the proposed discharge to the Engineering Div./ Sewer Design Dept. to check the capacity of the existing system. The sanitary sewers are existing inside the streets in the vicinity of the provided map.

City/County Fire Division:
- No comments.

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:
MLGW has reviewed the referenced application, and has no objection, **subject to** the following conditions:
· MLGW has existing utility distribution facilities within the present public road/alley right of way. The City of Memphis shall retain an easement across the proposed street closure, from edge to edge of the road right of way, to accommodate any existing public utilities, including electric, gas, water, CATV, telephone, sewer, drainage, etc
· It is the responsibility of the owner/applicant to bear the cost if it is necessary for MLGW facilities to be installed, removed or relocated.
· MLGW reserves the right to retain a utility right-of-way within that portion of the existing public road right of way at all times for existing utilities, or the owner/applicant may choose to relocate existing utilities at the expense of the owner/applicant.
· MLGW must be able to access any overhead or underground facilities. Consequently, no permanent structure(s) shall be constructed or erected within that portion of the existing public road right of way including fences, buildings, patios, vehicle parking or paving.
· No permanent structures, development or improvements are allowed within any utility easements, without prior MLGW written approval.

· Underground Utility separation and clearance: The subject property is encumbered by existing utilities which may include overhead and underground facilities. It is the responsibility of the owner/applicant to maintain a minimum 3-foot (3') separation between any existing underground service lines or utilities and any proposed permanent structure or facility. This separation is necessary to provide sufficient space for any excavations to perform service, maintenance or replacement of existing utilities.

· If there are existing fire hydrants within the proposed closure of the public right-of-way, these hydrants will become public hydrants on private property, and the owner/applicant will be billed an annual maintenance fee on a monthly basis by MLGW.

· If there are existing street lights within the proposed closure of the public right-of-way, MLGW will remove all street lights, and abandon underground electric feeds or remove overhead electric feeds – at the expense of the owner/applicant.

· STREET NAMES: It is the responsibility of the owner/applicant to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval. Please use the following link to the MLGW Land & Mapping website for Street Naming Guidelines and the Online Street Name Search: http://www.mlgw.com/builders/landandmapping

· It is the responsibility of the owner/applicant to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.

· It is the responsibility of the owner/applicant to contact TN-1-CALL @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.

· It is the responsibility of the owner/applicant to contact MLGW-Property Management, Land Rights Specialist @ 901-528-4186 to request a Release Deed for release of easement for any existing MLGW Easement(s) in conflict with the proposed development.

· It is the responsibility of the owner/applicant to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.

· It is the responsibility of the owner/applicant to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.

· It is the responsibility of the owner/applicant to comply with the National Electric Safety Code (NESC) and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.

· It is the responsibility of the owner/applicant to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations.

· Street Trees are prohibited, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.

· Landscaping is prohibited within any MLGW utility easement without prior MLGW approval.

· It is the responsibility of the owner/applicant to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s).

· It is the responsibility of the owner/applicant to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.

- o All residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.
- o All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.

· It is the responsibility of the owner/applicant to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Office of Sustainability and Resilience:

- No comments.

APPLICATION

Memphis and Shelby County Office of Planning and Development

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

APPLICATION FOR REZONING APPROVAL

Date: March 2, 2020 Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Memphis Shelby County Airport Authority Phone #: 901-922-8000

Mailing Address: 2491 Winchester Road, Suite 113 City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: ~~scottb@mscaa.com~~ (Scott A. Brockman) sbrockman@flymemphis.com

Applicant: Ketchum Airport Investors, LLC - Bradleigh Kaaber Phone # 770-436-3409

Mailing Address: 1776 Peachtree Street, NW Suite 1001 City/State: Atlanta, GA Zip 30309

Applicant E- Mail Address: bkaaber@tpa-grp.com

Representative: Brittenum Law, PLLC - Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3385 Airways Blvd. Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: The Reaves Firm, Inc. - Harvey C. Marcom, P.E. Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Street Address Location: ZERO Ketchum Avenue

Distance to nearest intersecting street: 124.91 LF from Imogene Street along Ketchum Road R.O.W. to NW corner

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	66 acres (+/-)		
Existing Zoning:	R-6		
Existing Use of Property	VACANT		
Requested Use of Property	EMP USES		
Requested Zoning	EMP		

Pre-Application Conference held on: 1-28/2-11-20 with Chip Saliba / Josh Whitehead

Neighborhood Meeting Requirement Met: Yes ☐ or Not Yet ☑ or Not Required (see below) ☐
(If yes, documentation must be included with application materials)

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

2/25/20 2/27/2020

Property Owner of Record Date Applicant Date

LETTER OF INTENT

Brittenum

Law pllc

ATTORNEY AT LAW
Airways Professional Center – Aerotropolis
3385 Airways Boulevard, Suite 229
Memphis, Tennessee 38116 USA
Telephone 901.347.3978
Facsimile 901.800.1927
db@brittenumlaw.com

2 March 2020

Via Hand Delivery

Josh Whitehead, AICP
Planning Director / Administrator
Memphis & Shelby County Office of Planning and Development
City Hall
125 North Main Street, Suite 476
Memphis, TN 38103

RE: Memphis-Shelby County Airport Authority North Land Tract on Ketchum Road

Dear Administrator Whitehead:

I represent Ketchum Airport Investors, Inc. for rezoning and street closure applications to redevelop the above tract for employment district (EMP) uses. This large site is rare inside the interstate loop near the airport and its use as residential is prohibited by the FAA. The applications request approval of EMP zoning district and the closure of all the streets within the subject tract. The Airport Master Plan for this area recommends action to support reinvestment and development in the airport vicinity to encourage employment growth. Upon approval, this large land mass will be a magnet for jobs in this community. Enclosed are the Application for Rezoning Approval and the Applications for Right-of-Way Vacation/ Street/Alley/Closure Approval (14, one for each street). Please consider these applications as companion cases.

The subject property was part of a noise buyout south and north of Ketchum Road in the airport north/south flight path. The homes in the various subdivisions have been removed and the lots are vacant with remaining curb, gutter and roadways. The MSCAA property to the south of Ketchum Road was rezoned employment district in April 2018. The street closures are critical to the redevelopment of the tract for return to the certified assessment roll as nonexempt.

Thank you for your attention and should you have questions or comments, please advise. I remain,

Very truly yours,

Dedrick Brittenum, Jr.

enclosure

SIGN AFFIDAVIT

The Reaves Firm
Planning
Engineering
Landscape Architecture
Land Surveying

AFFIDAVIT

Shelby County
State of Tennessee

I, Dianne Higgs, being duly sworn, depose and say that at 9 (am)/pm on the 25th day of March, 2020, I posted a Public Notice Sign(s) pertaining to Case No. Z-20-03 at and SAC 20-08 - 20-16 providing notice of a Public Hearing before the X Land Use Control Board, ___Memphis City Council, ___Shelby County Board of Commissioners for consideration of a proposed ____Land Use Action (Planned Development,____Street /Alley Closure ____Special Use Permit, ____Use Variance, ____Zoning District Map Amendment), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Dianne Higgs 3-25-2020

Owner, Applicant or Representative Date

Subscribed and sworn to before me this 25 day of March, 2020.

Michelle Cortese McIvor

Notary Public

My commission expires: 5-14-22

MICHELLE CORTESE McIVOR
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF SHELBY

6800 Poplar Ave. Suite 101 Memphis, TN 38138 T. 901.761.2016 / F. 901.763.2847

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

However, a presentation submitted by the applicant was received and has been subsequently attached.

Airport City Business Park
Ketchum Redevelopment Opportunity

April 9,2020

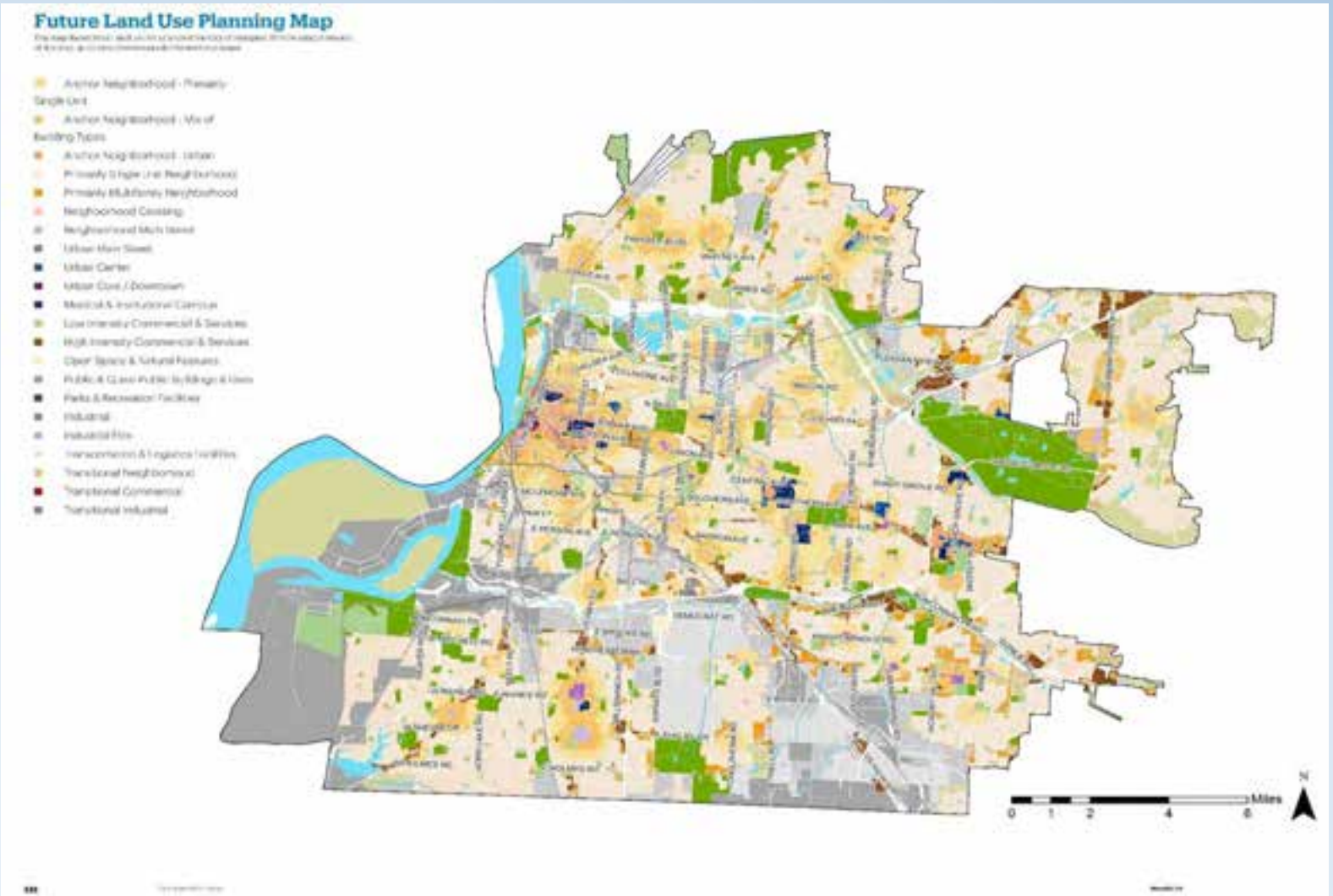
Land Use Control Board
Dedrick Brittenum
Harvey Marcom – Reaves Firm
James Hanna – TPA Group

Request

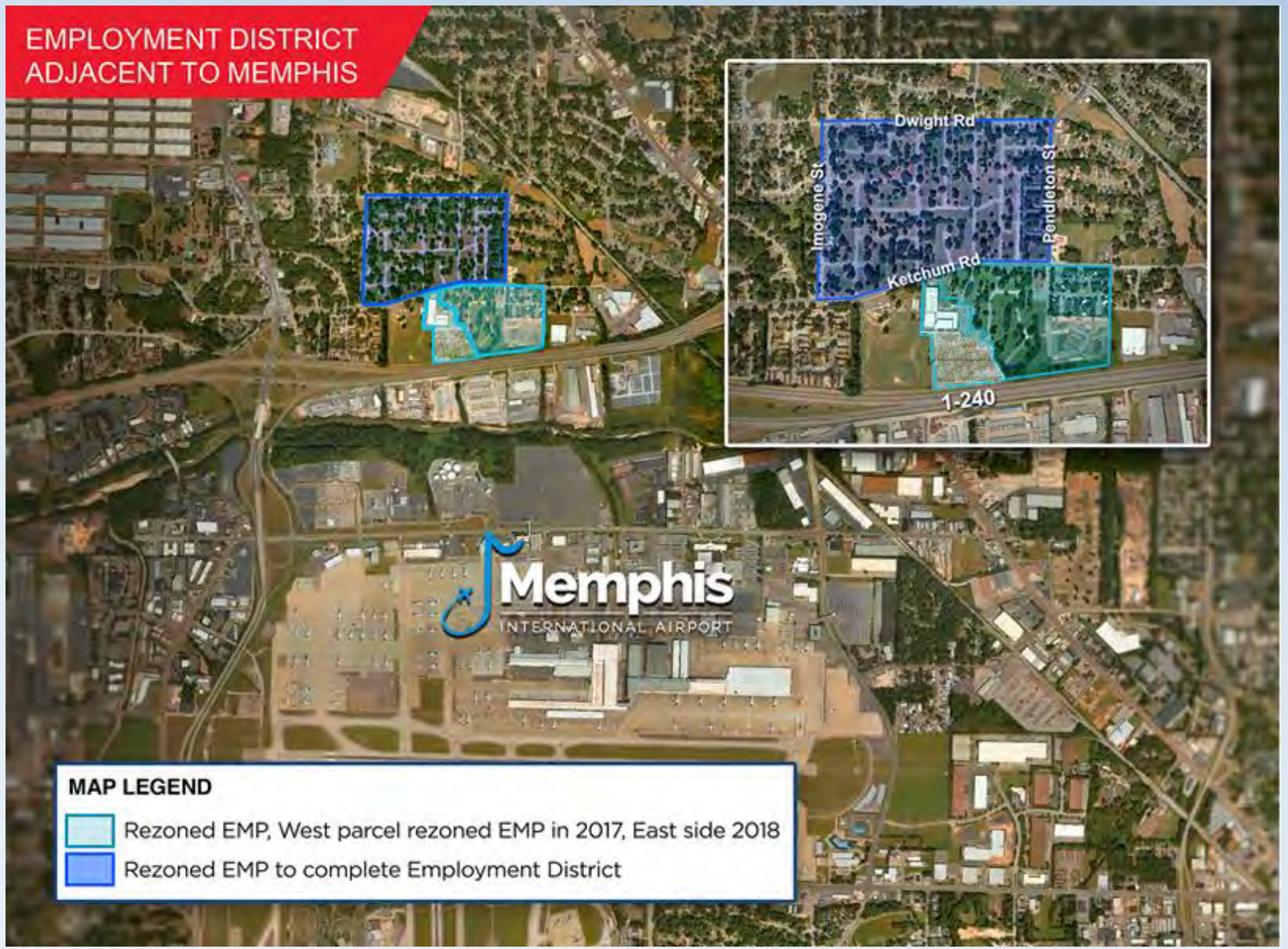
- Rezone the Ketchum site to EMP to create a vibrant, walkable, employment and jobs district for this area – north of the airport and in the airport flight path where residential development is now prohibited.
- A. Employment (EMP)
  - The EMP District is intended to accommodate office, light manufacturing, research and development, warehousing, wholesale, processing and commercial uses in order promote economic viability, encourage employment growth, and limit the encroachment of non-industrial development within established industrial areas. Development should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or commercial uses.

Developer Background

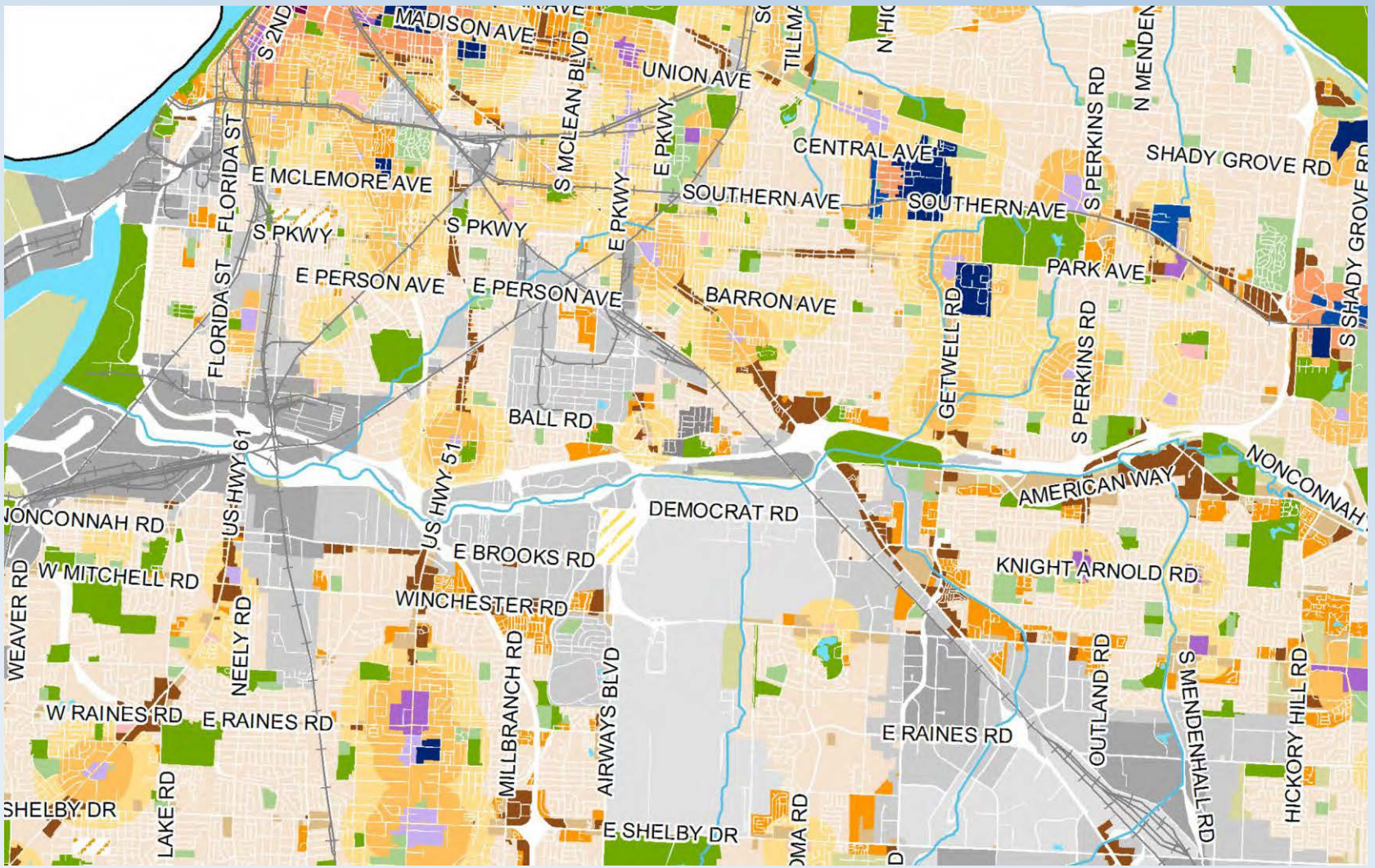
- About TPA: Located in Atlanta TPA Group has successfully acquired, developed and sold investments in all property types totaling in excess of 35 million square feet and $15 billion in value.
- TPA successfully bought, repositioned, and then leased the AMZL location on Pearson – now employing hundred of Memphians.
- TPA also bought and is repositioning a 200K SF facility in the NE submarket and is exploring another $50MM plus investment in the community at Holmes and Airways.
- This project likely, when developed, in excess of $50MM and could employ thousands of Memphians.
- This rezoning also breathes life into the other two sites to the south, already zoned EMP – allowing for scale to attract larger high quality projects.



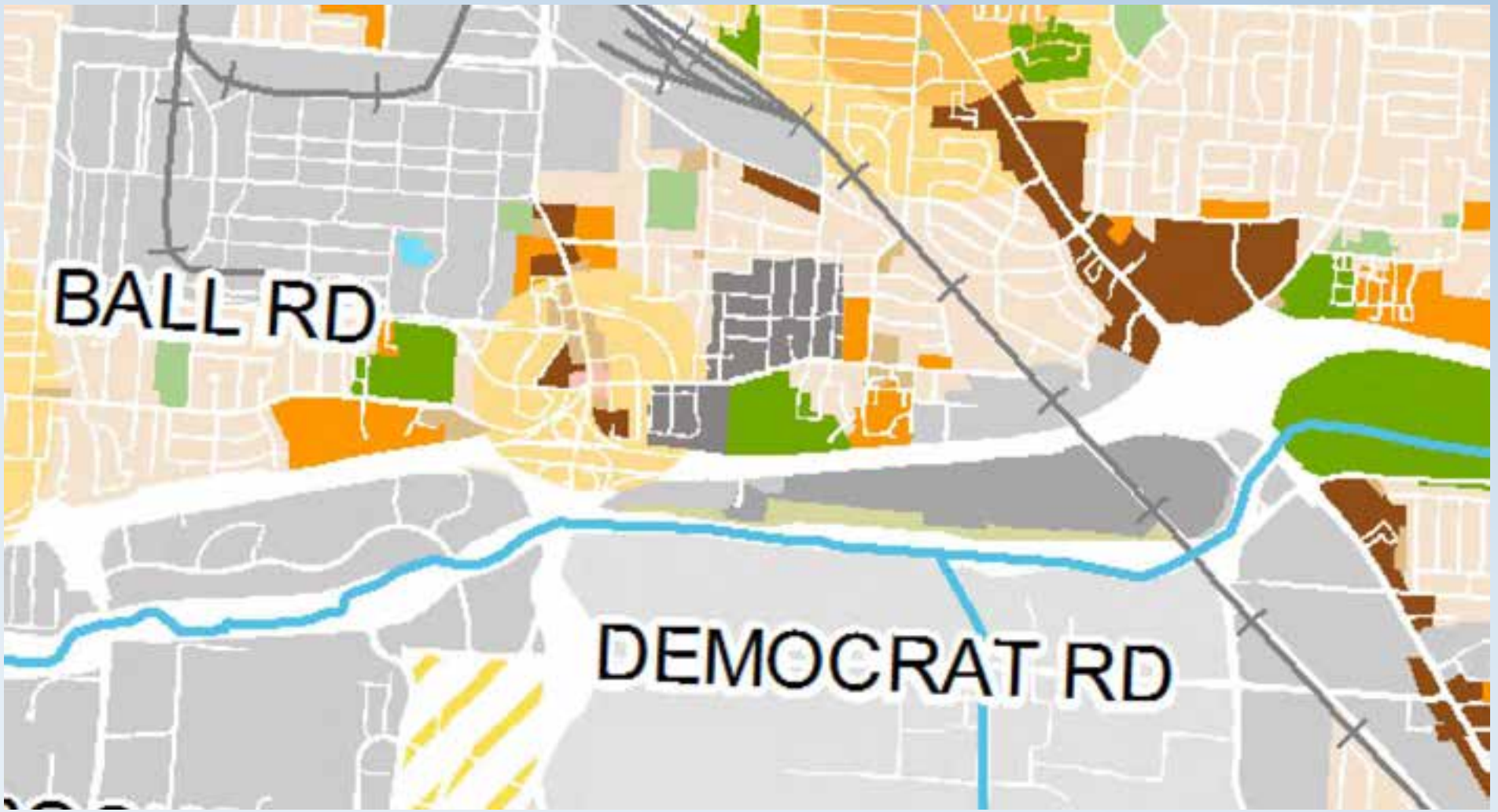
Summary: The 3.0 Map shows two properties south of subject as park-educational use, but both rezoned EMP in 2017/2018.



Summary: The light blue sites were zoned EMP in 2017 & 2018 – although shown as green on 3.0 map.



Summary: Here – the 2018/2018 sites to south shown in dark gray – and the subject to the north in dark gray – fitting in with the other industrial zoning surrounding the site. ALSO – THIS SITE, PER FAA, CAN'T BE USED FOR RESIDENTIAL PURPOSES.



Summary: Closer look at the proposed site – southern portion already rezoned EMP. Subject to the North & surrounded by industrial.

Zoning Airport and FAA Restrictions

- FAA buyout land restricts residential development
- Prohibits residential development as currently zoned
- Airport Authority bought, with federal noise abatement funds, these homes were demolished and currently are vacant lots

Districts and Uses 2.2.4

- A. Employment (EMP)
  - The EMP District is intended to accommodate office, light manufacturing, research and development, warehousing, wholesale, processing and commercial uses in order promote economic viability, encourage employment growth, and limit the encroachment of non-industrial development within established industrial areas. Development should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or commercial uses.

The following list of uses is permitted in the employment district (EMP). This is the preferred category of businesses the applicant is recruiting:

- Light manufacturing or assembly of equipment, instruments or goods
- Education Facility, academy, College, Community College, University, Trade School
- Wholesale trade of food, auto parts, clothing, building hardware, etc.
- Warehouse and showroom businesses
- Catering establishments, large scale
- Repair of scientific or professional instrument
- Cabinet making and woodworking
- Lawn, tree or garden service
- Sale or rental of equipment
- Mail order house
- Medical or Dental Laboratory
- Repair of scientific or professional instruments, electric motors
- Research, testing and development laboratory

UDC 2.9

Working with the Memphis Chamber to locate possible users such as:

- Wholesale grocery distribution
- Light manufacturing-Modern Logistics Space
- Office flex

8.3 KEY DEVELOPMENT TYPOLOGIES

Key development typologies are integral to improving Airport City's market competitiveness and attracting target industries. These include flexible space and large footprint industrial formats, as well as necessary support typologies, such as quality office space and hotel accommodations.

AIRSIDE-GROUNDSIDE LOGISTICS FACILITY / AIR CARGO TERMINAL

Description: Facilities provide airside to groundside interface for the movement, storage and distribution of goods; favored by "just-in-time" logistics companies, cold-chain and cold storage facilities may be incorporated.
Target Economic Sectors: Advanced Manufacturing; Bio-Life Sciences; Green Industry; Logistics & Distribution
Employment Density: 1.0 – 2.0 Employees / 1,000 SF
Site Area: 5 – 40+ Acres
FAR: 0.20 – 0.40
Building Size: 50,000 – 300,000+ SF
Building Height: 1 Floor with 28' – 36' Floor to Ceiling Height
Parking Ratio: 1.5 – 2 / 1,000 SF
Additional Requirements: Manicured landscape entry; 5 – 10% office space with windows typical; dock high or drive-in doors
Typical Site Layout:

WAREHOUSE / DISTRIBUTION CENTER

Description: Comprised of large footprint, single story building(s), primarily for the storage and distribution of goods (e.g., regional warehouse, bulk warehouse, etc.); this typology may accommodate logistics firms that coordinate the distribution of products for a number of companies or function as the distribution center for a single, large company.
Target Economic Sectors: Logistics & Distribution
Employment Density: 1.0 – 2.0 Employees / 1,000 SF
Site Area: 5 – 80+ Acres
FAR: 0.20 – 0.50
Building Size: 50,000 – 500,000+ SF
Building Height: 1 Floor with 28' – 36' Floor to Ceiling Height
Parking Ratio: 1.5 – 2 / 1,000 SF
Additional Requirements: Manicured landscape entry; 5 – 10% office space with windows typical; dock high or drive-in doors
Typical Site Layout:

MULTI-TENANT FLEX

Description: Provides versatile and economical space for a combination of tenants and functions, including office, R&D, light industrial processing, small scale distribution & showrooms, etc.; development is speculative, offering space that is especially suitable for small start-ups.
Target Economic Sectors: Advanced Manufacturing; Aerospace; Bio-Life Sciences; Green Industry; Information Technology
Employment Density: 2.0 – 3.0 Employees / 1,000 SF
Site Area: 5 – 40+ Acres
FAR: 0.30 – 0.45
Building Size: 20,000 – 100,000+ SF
Building Height: 1 – 2 Floors with Floor to Ceiling Height <18'
Parking Ratio: 2.5 – 3 / 1,000 SF
Additional Requirements: Manicured landscape entry; building with abundant windows; 25% office, 75% warehouse / industrial
Typical Site Layout:

Source: Memphis Aerotropolis Airport City Master Plan-Final Report April 2014

MEMPHIS AIRPORT CITY: STRATEGIC EXECUTION

Dr. Kasarda describes Memphis Aerotropolis as a strategy for leveraging the area's key assets for economic development, with a focus on 1) maintaining or expanding market share and 2) increasing local employment and prosperity. In summary, the challenge is how to "capture more benefit from existing resources." To meet this challenge, he makes the following recommendations:

- Create a mechanism for cost effective assembly and development of land parcels to better meet contemporary business needs and help rejuvenate the Airport area.
- Develop the region's "human capital" with an emphasis on cultivating a labor supply with specialized "mid-level skills" that will improve the match between persons and jobs and create a competitive advantage.
- Integrate land use, economic development and transportation planning to increase operational efficiency (e.g., infrastructure upgrades) and promote economic, environmental, and social sustainability (e.g., enhance neighborhood livability).
- Recruit firms that will "ratchet" the region up the skills ladder and thereby increase prosperity (i.e., "recruiting firms which have skill needs just a notch above the ability of the labor force to provide, and then developing the labor supply the firm needs.")
- Create an organization that will establish priorities for action, set targets, and measure achievement, and moreover, effectively command the resources required for success.

The common thread is community development – "creating a community of shared investment, shared risk, and shared reward." Dr. Kasarda proceeds to identify two primary tools necessary to move forward: 1) a strategic roadmap and 2) an implementing organization. The Master Plan addresses this need, setting forth a plan of action while specifying an organizational structure with the capacity to effectively manage progress, marshal financial resources, and attract investment.

Source: Memphis Aerotropolis Airport City Master Plan- Final Report April 2014

PROMOTING COLLABORATION

8 FACILITATE COMMERCIAL REDEVELOPMENT

Airport City faces pervasive blight, industrial obsolescence, commercial disinvestment, and an oversupply of unproductive vacant and underutilized land. Fractured land ownership is a major hindrance to economic development, as are anti-competitive tax rates and incentives policies that fuel competition from outlying suburbs. Renewal will come with redevelopment of strategic commercial and industrial sites and a comprehensive program of corridor revitalization. Public investment in land assembly, infrastructure upgrades, public realm beautification projects, and financial incentives are key strategies to stimulate economic development.

Supports HUD Livability Principles #3, #4, & #5.

9 PROMOTE GREEN ECONOMY

A high percentage of Airport City's land area is vacant or extremely underutilized, encouraging blight and exacerbating the negative perception of the area. However, these properties can be put to much more productive use, even supporting a strategy of land banking. Many properties hold the capacity for short-term community-based farming, while some larger land holdings are suitable for long term agribusiness and renewable energy infrastructure. This activity boosts local food and energy production, builds the region's emerging green industry sector, and supports related sectors such as bio-life sciences. It also communicates that Memphis is serious about changing perceptions and promoting sustainable practices.

Supports HUD Livability Principles #3 & #5

10 ESTABLISH ORGANIZATIONAL EFFICIENCY

Airport City lacks a single entity devoted to the planning, development and management of the area. The existing situation inhibits Memphis' ability to adequately leverage airport assets and stay competitive, and leaves the impression that actions are uncoordinated and that the City and County are not business friendly. An organizational entity responsible for the community and economic development of Airport City is imperative. This entity must retain the capacity to marshal resources, target investment, deliver financial incentives, and facilitate projects. It must also coordinate the actions of numerous stakeholders, including multiple layers of government, non-profit organizations and private enterprise.

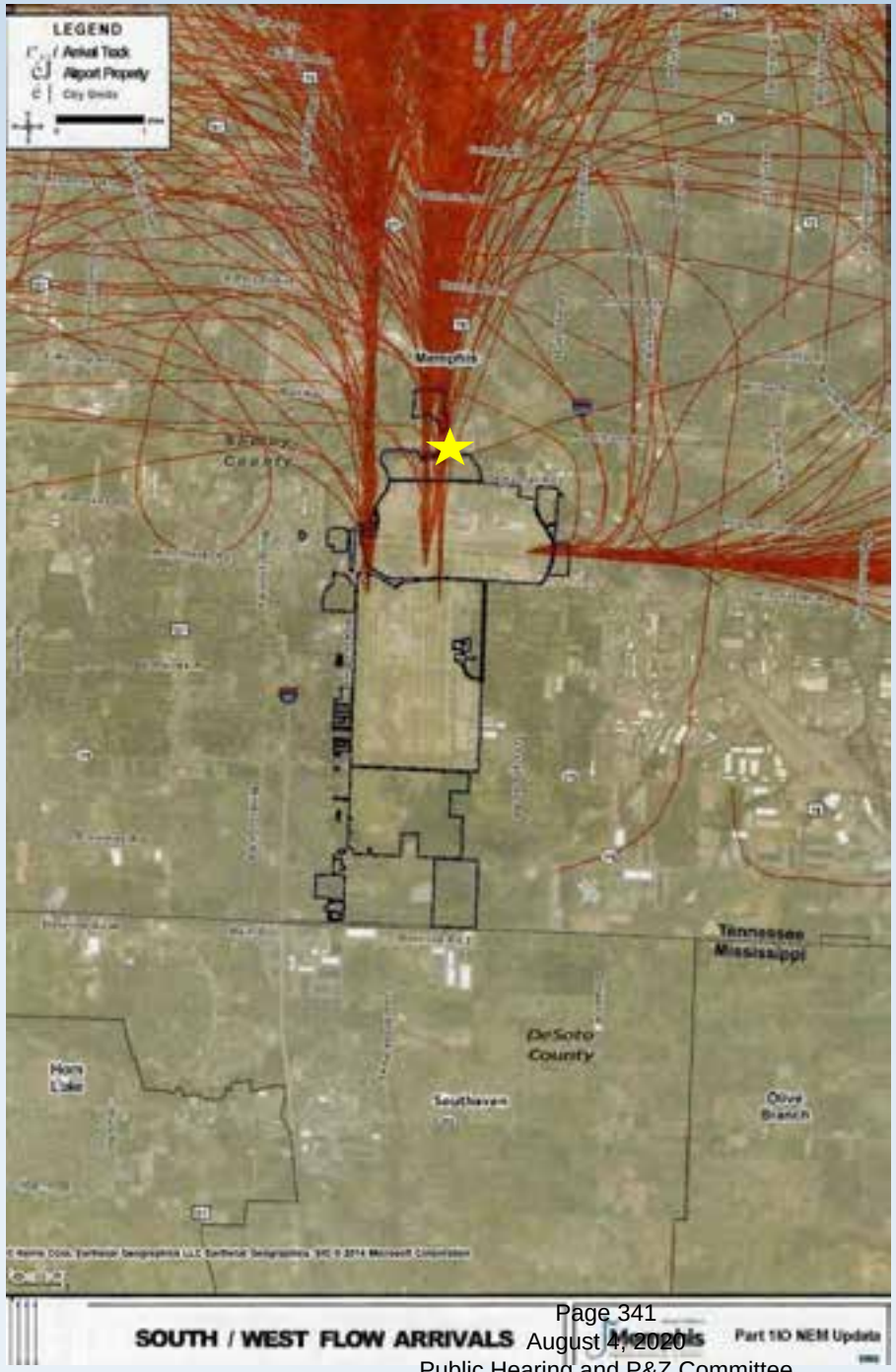
Supports HUD Livability Principles #3 & #5.

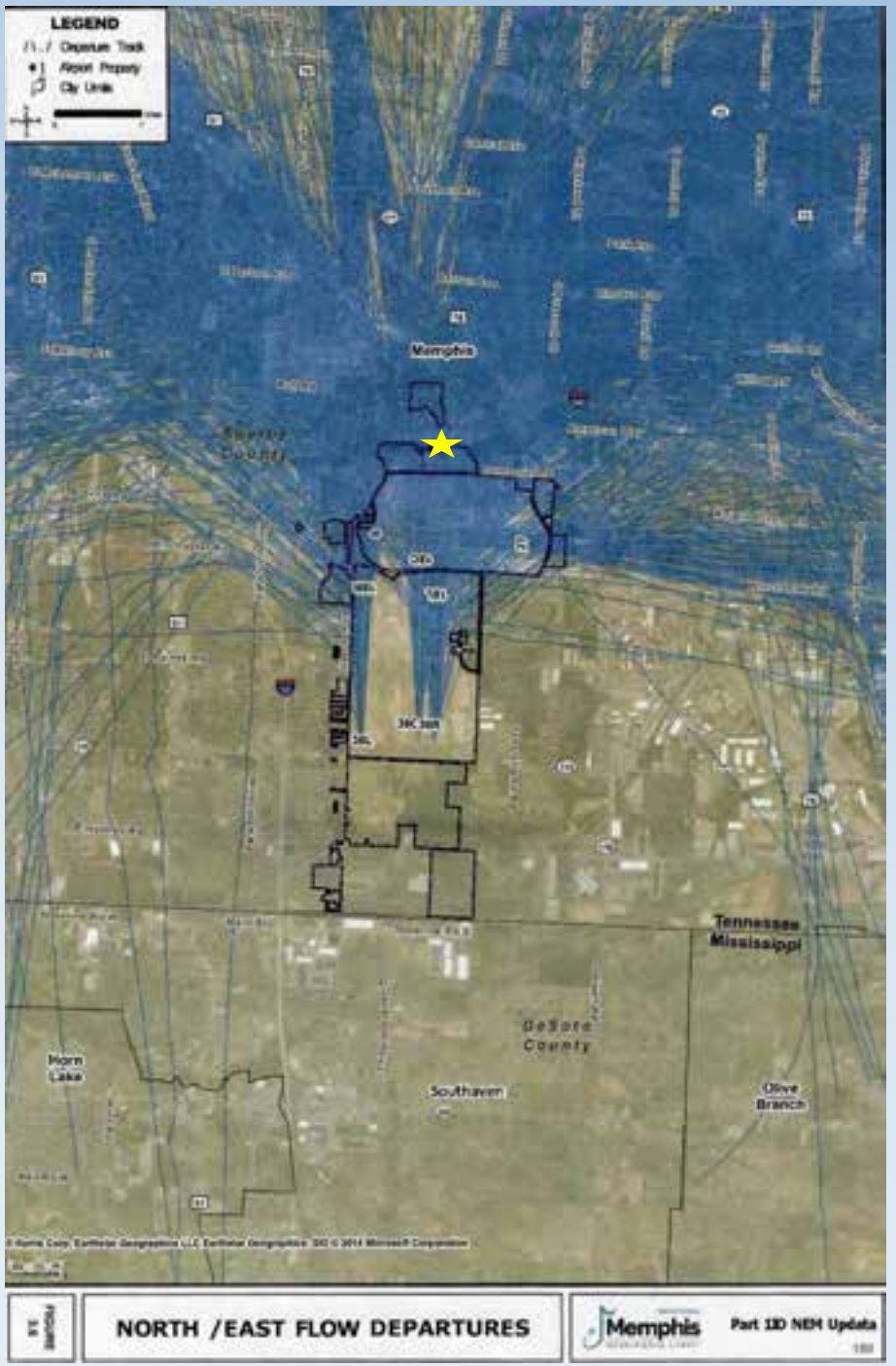
Memphis International Flight Tracking

Arrivals & Departures

Legend

-Subject Site





Projected Noise Exposure

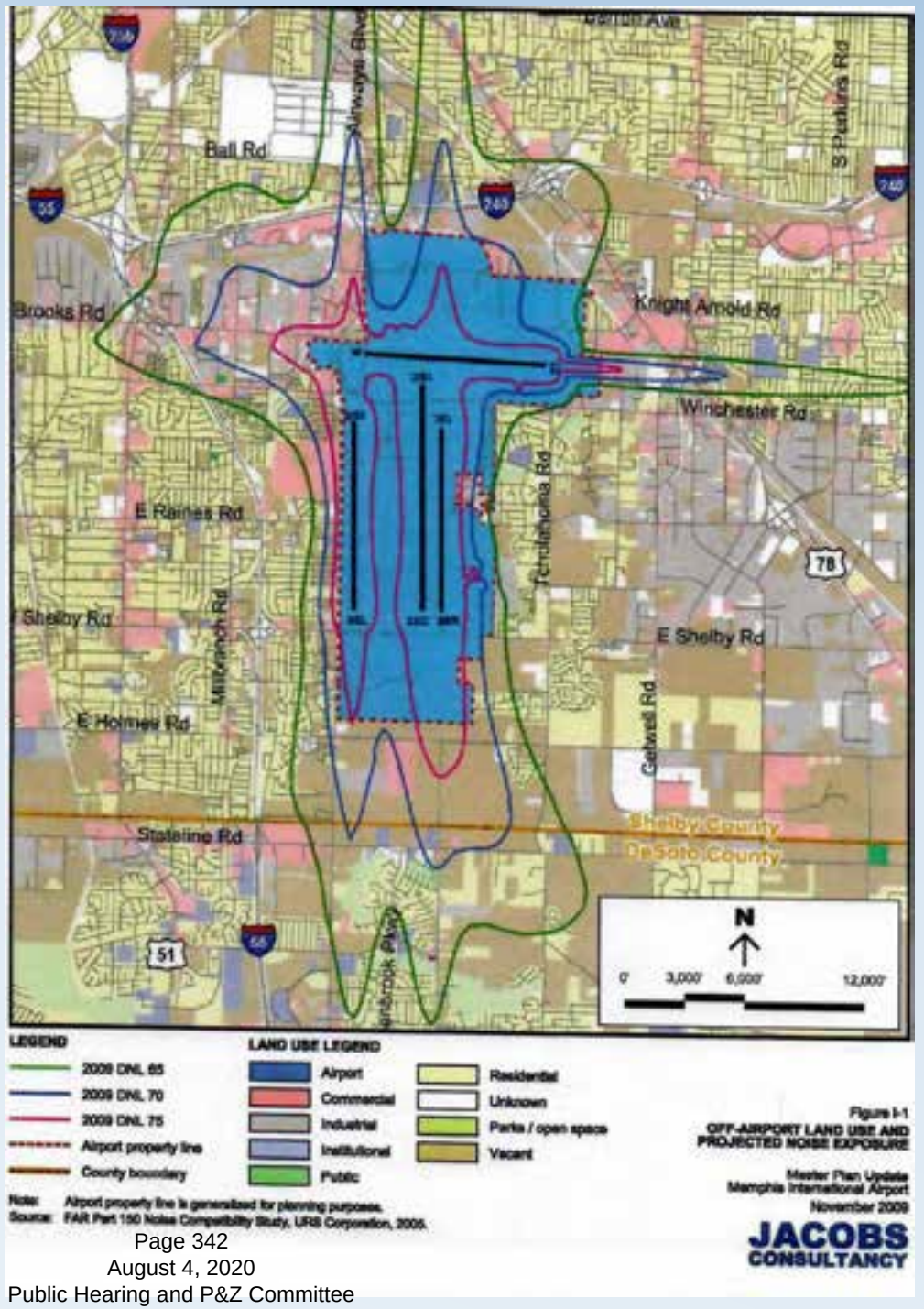
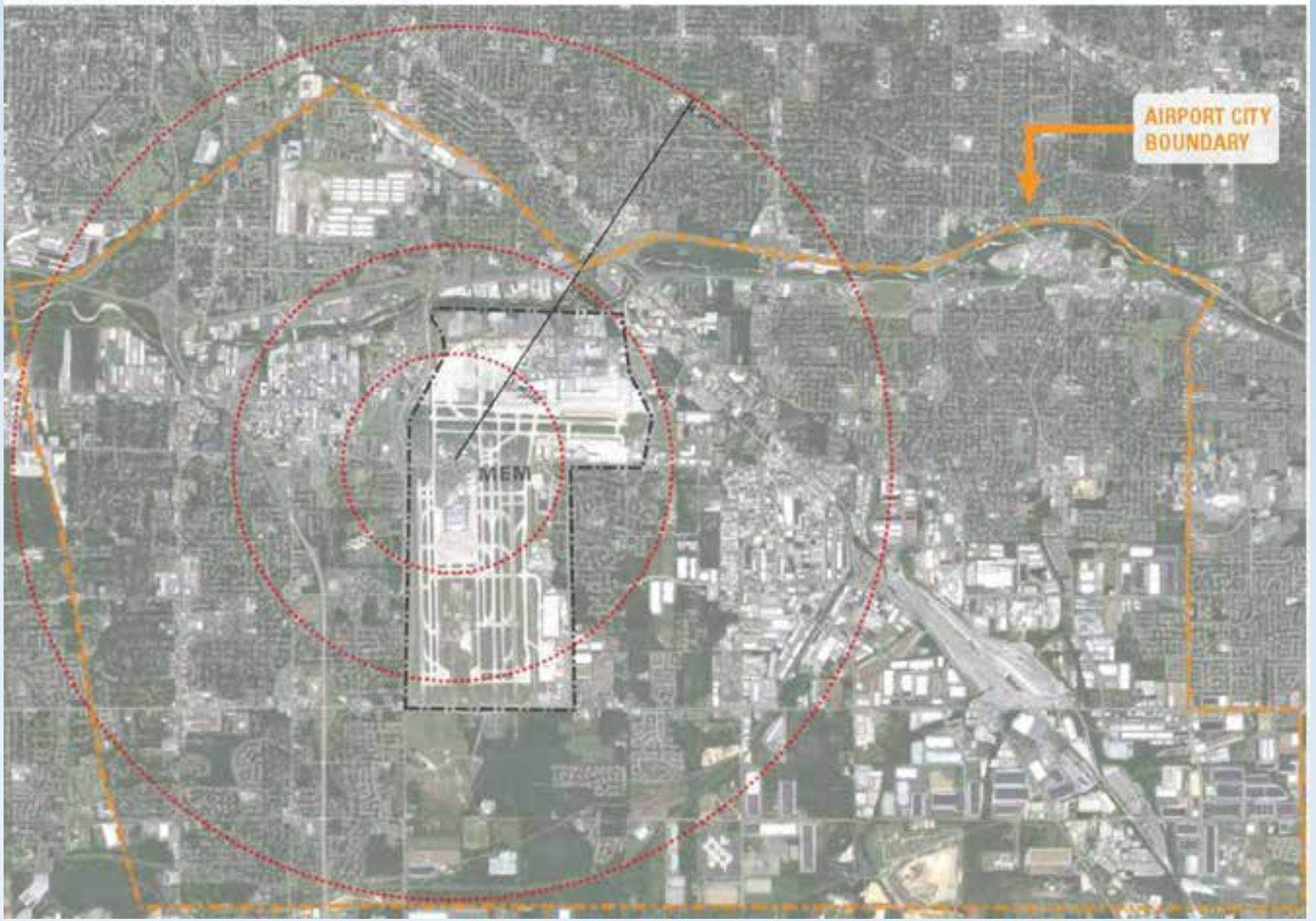
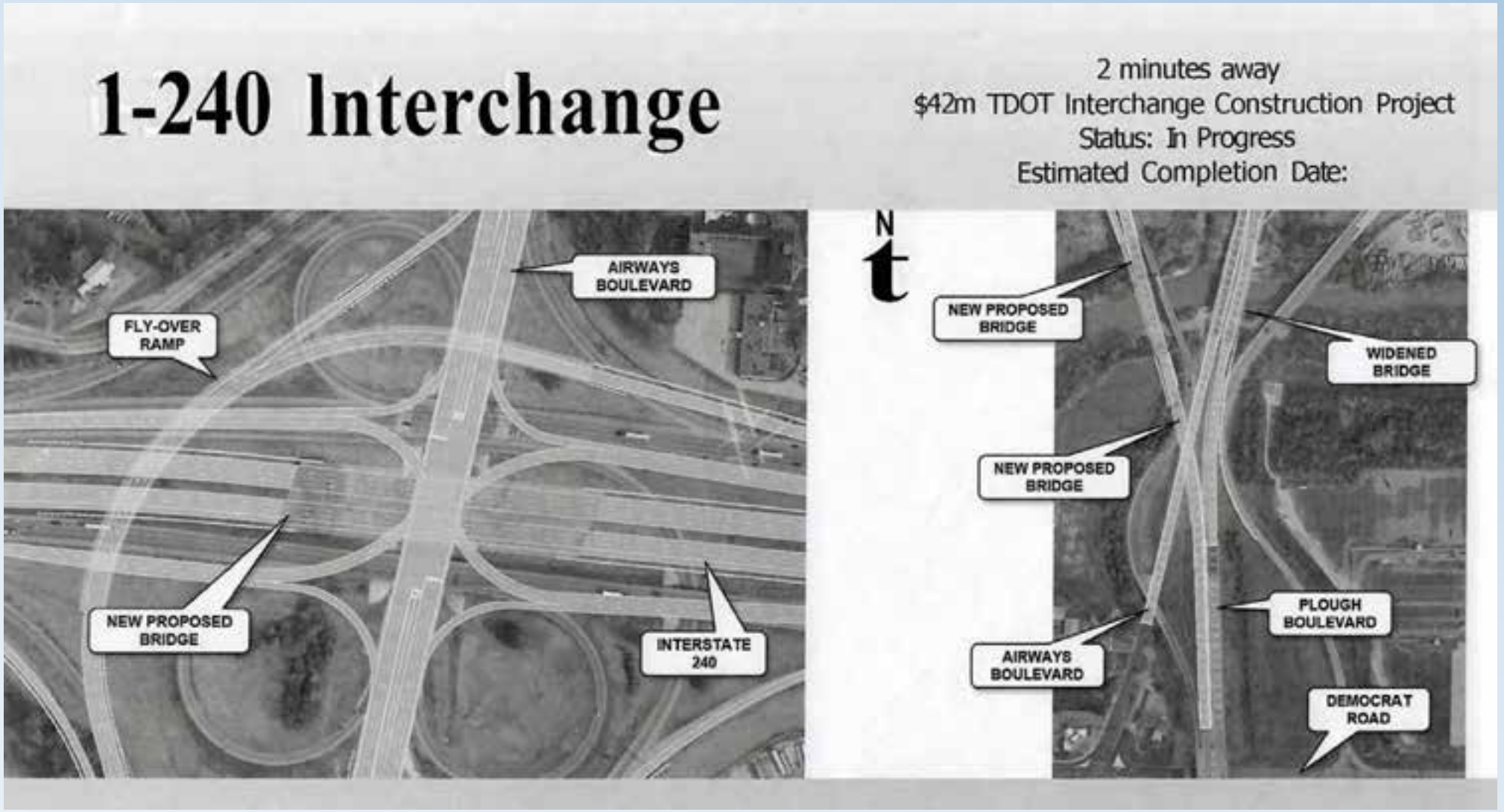


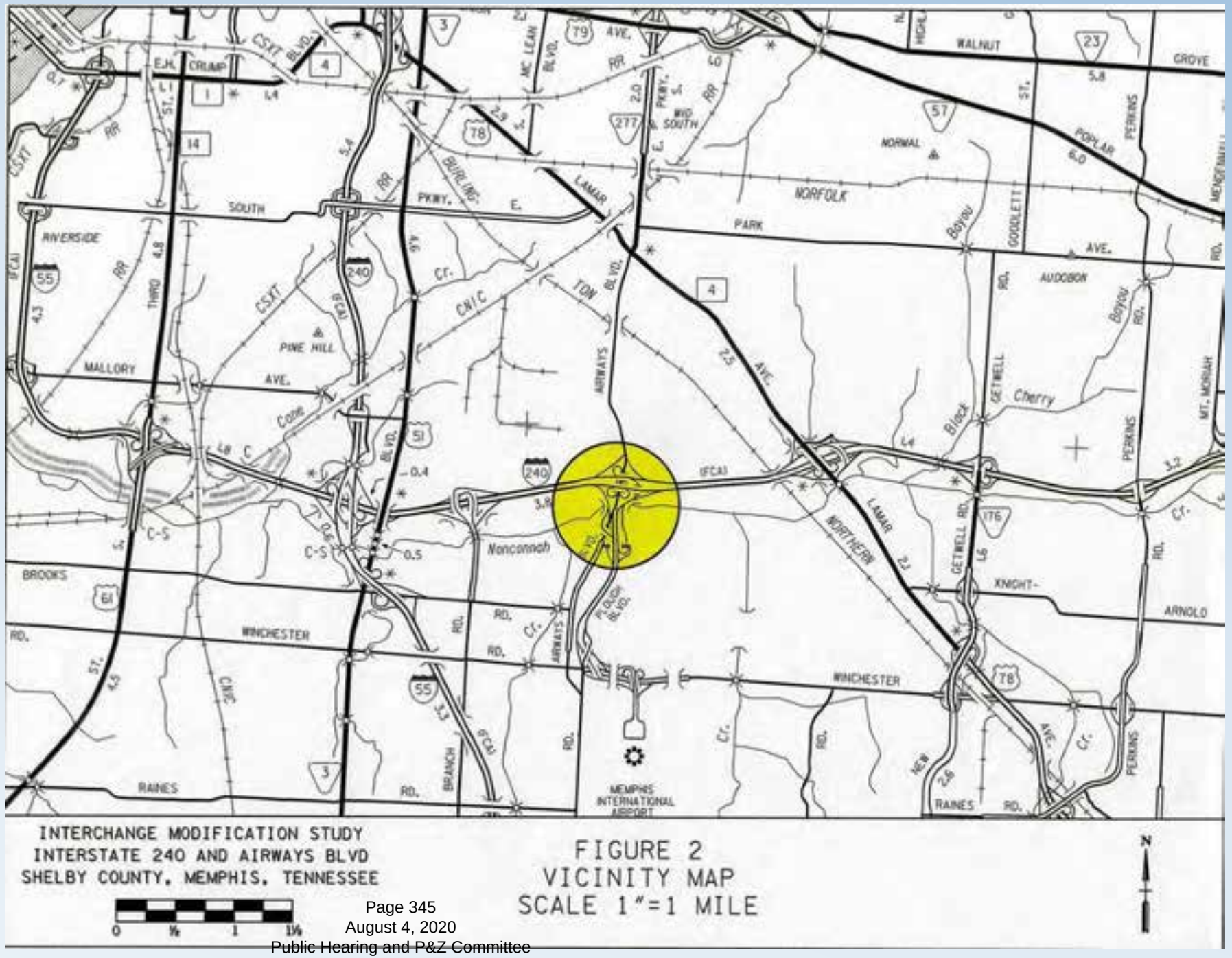
FIG 1.4: PLANNING STUDY AREA: AIRPORT CITY





Proposed I-240 Future Construction

Interchange Modification Study Interstate 240 and Airways



GREATER MEMPHIS CHAMBER

April 4, 2020

To Whom it May Concern:

The Greater Memphis Chamber full supports the rezoning of the Ketchum project to Emp. As a community, we lack large parcels of land to compete for the many high-quality jobs that are available in the manufacturing and logistics space. Hundreds of millions of dollars and thousands upon thousands of high paying jobs are going just south of the state line into Mississippi.

Once rezoned and in the hands of a capable developer, this Airport City Jobs District can be a true magnet for great jobs. We also vouch for the TPA Group and we have worked closely with them as they bought, invested and repositioned the former Grand Rental Event Center on Pearson and then lured Amazon's Last Mile Depot – now employing hundreds of Memphians.

We are confident that with a blank canvas to paint on at Ketchum, more high-quality jobs will soon some to Memphis.

Thank you for your consideration.

Sincerely,

Susan Hadley Maynor

Susan Hadley Maynor
Interim Senior Vice President, Economic Development
Greater Memphis Chamber

Summary: This site, once rezoned, will be the best and largest site to attract jobs to the City so Memphis not at a competitive disadvantage to MS competing for jobs and capital.

Thank you!
Q&A