

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 12/5/2023
DATE
PUBLIC SESSION: 12/19/2023
DATE**

ITEM (**CHECK ONE**)
 ORDINANCE RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution approving the right-of-way vacation of Lafayette Place located between E. Goodwyn Street and Lafayette Street, known as case number SAC 2023-004

CASE NUMBER: SAC 2023-004

LOCATION: Lafayette Place located between E. Goodwyn Street and Lafayette Street

COUNCIL DISTRICTS: District 7 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: Cindy Reaves, SR Consulting, LLC

REQUEST: Right-of-way vacation of Lafayette Place located between E. Goodwyn Street and Lafayette Street

AREA: +/-0.348 acres

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
 Add to consent agenda requesting public hearing – December 5, 2023
 Public hearing – December 19, 2023

PRIOR ACTION ON ITEM:

(2) _____ APPROVAL - (1) APPROVED (2) DENIED
 11/9/2023 _____ DATE
 (1) Land Use Control Board _____ ORGANIZATION - (1) BOARD / COMMISSION
 _____ (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
<u>Kendra Cobbs</u>	11/27/2023	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
<u>Brett Regado</u>	11/27/2023	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY

_____ **CHIEF ADMINISTRATIVE OFFICER**

_____ **COMMITTEE CHAIRMAN**



Memphis City Council Summary Sheet

SAC 2023-004

RESOLUTION APPROVING THE RIGHT-OF-WAY VACATION OF LAFAYETTE PLACE LOCATED BETWEEN E. GOODWYN STREET AND LAFAYETTE STREET, KNOWN AS CASE NUMBER SAC 2023-004

- This item is a resolution with conditions to allow the above; and
- This item may require a new public improvement contract.

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: SAC 23-004

LOCATION: Lafayette Place between E. Goodwyn Street and Lafayette Street

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

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: Cindy Reaves, SR Consulting, LLC

REQUEST: Right-of-way vacation

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

AREA: 0.348 acres

The following spoke in support of the application: Cindy Reaves, Stuart Frisch, Barton Lynch, Chelsey Savage, Jennifer Williams, Jarod Wilder, Chavanne McDonald, and Jeff Savage

The following spoke in opposition of the application: Lew Wardlaw, Julie Green, Allison, Crone, and John Joyner

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

The motion failed by a vote of 4-3-1 on the regular agenda.

Respectfully,
Kendra Cobbs

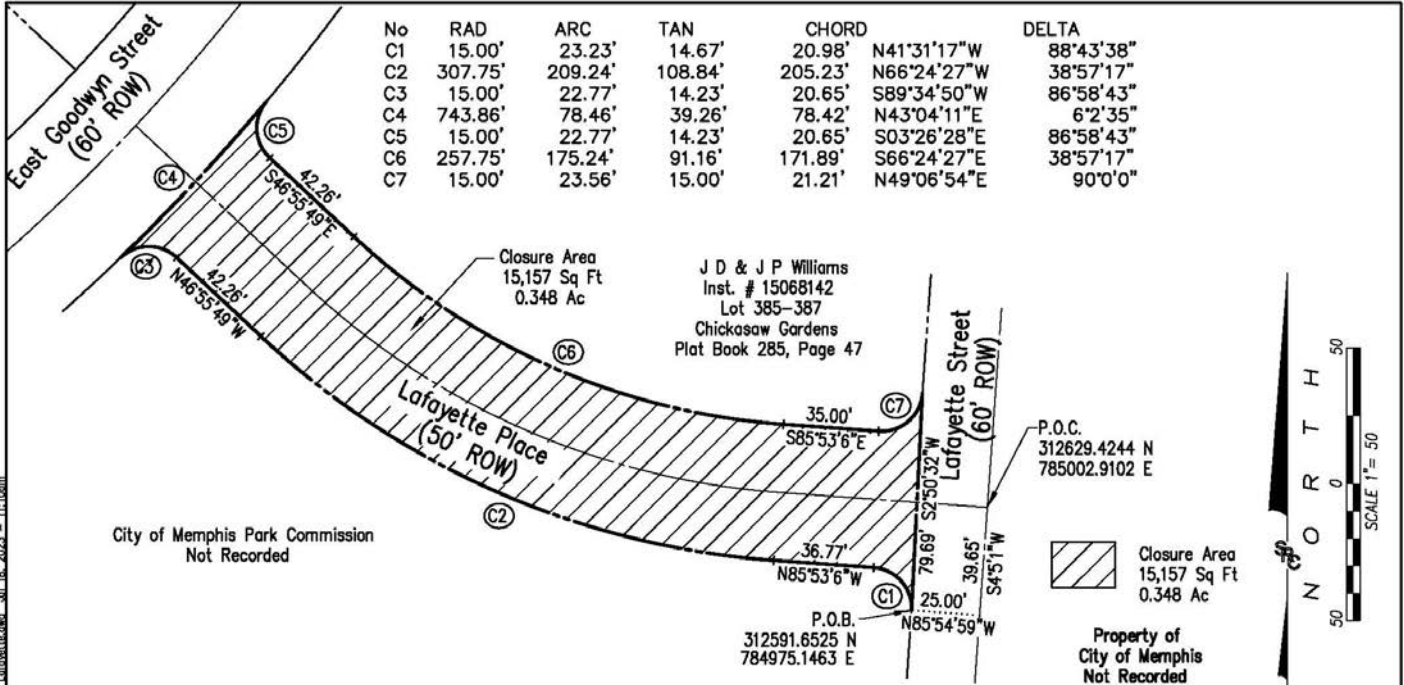
Kendra Cobbs
Planner III
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SAC 23-004
CONDITIONS

1. Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
11. 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.
12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

CLOSURE PLAT



City of Memphis Park Commission Not Recorded

J D & J P Williams
Inst. # 15068142
Lot 385-387
Chickasaw Gardens
Plat Book 285, Page 47

P.O.C.
312629.4244 N
785002.9102 E

Closure Area
15,157 Sq Ft
0.348 Ac

P.O.B.
312591.6525 N
784975.1463 E

Property of City of Memphis Not Recorded

Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafayette Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°51'17"W a distance of 39.65 feet to a point; thence N85°54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the left an arc distance of 23.23 feet (chord N41°31'17"W 20.98 feet) to a point; thence N85°53'6"W a distance of 36.77 feet to a point; thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43°04'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°06'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

DIVISION OF ENGINEERING
SAC 23-
LAFAYETTE PLACE CLOSURE PLAT
FROM E. GOODWYN ST. TO LAFAYETTE ST.
MEMPHIS, TN

SURVEY BY Fisher Arnold DATE 4/23 BOOK _____
DRAFTSMAN SR Consulting DATE 5/23 SCALE 1"=50'

REVIEWED _____ DEPUTY CITY ENGINEER
REVIEWED _____ CITY ENGINEER

M:\Missisip... 2022-0087 Chickasaw SAC Closure Plat Lafayette.dwg Jul 18, 2023 - 11:10am



RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF LAFAYETTE PLACE LOCATED BETWEEN E. GOODWYN STREET AND LAFAYETTE STREET, KNOWN AS CASE NUMBER SAC 2023-004

WHEREAS, the City of Memphis is the owner of real property known as Lafayette Place right-of-way located between E. Goodwyn Street and Lafayette Street in Memphis, Tennessee and being more particularly described as follows:

Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafayette Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°5'1"W a distance of 39.65 feet to a point; thence N85°54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the left an arc distance of 23.23 feet (chord N41°31'17"W 20.98 feet) to a point; thence N85°53'6"W a distance of 36.77 feet to a point; thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43°4'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°6'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

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

and recommendation to the Council of the City of Memphis subject to the following conditions pertaining to SAC 2023-004:

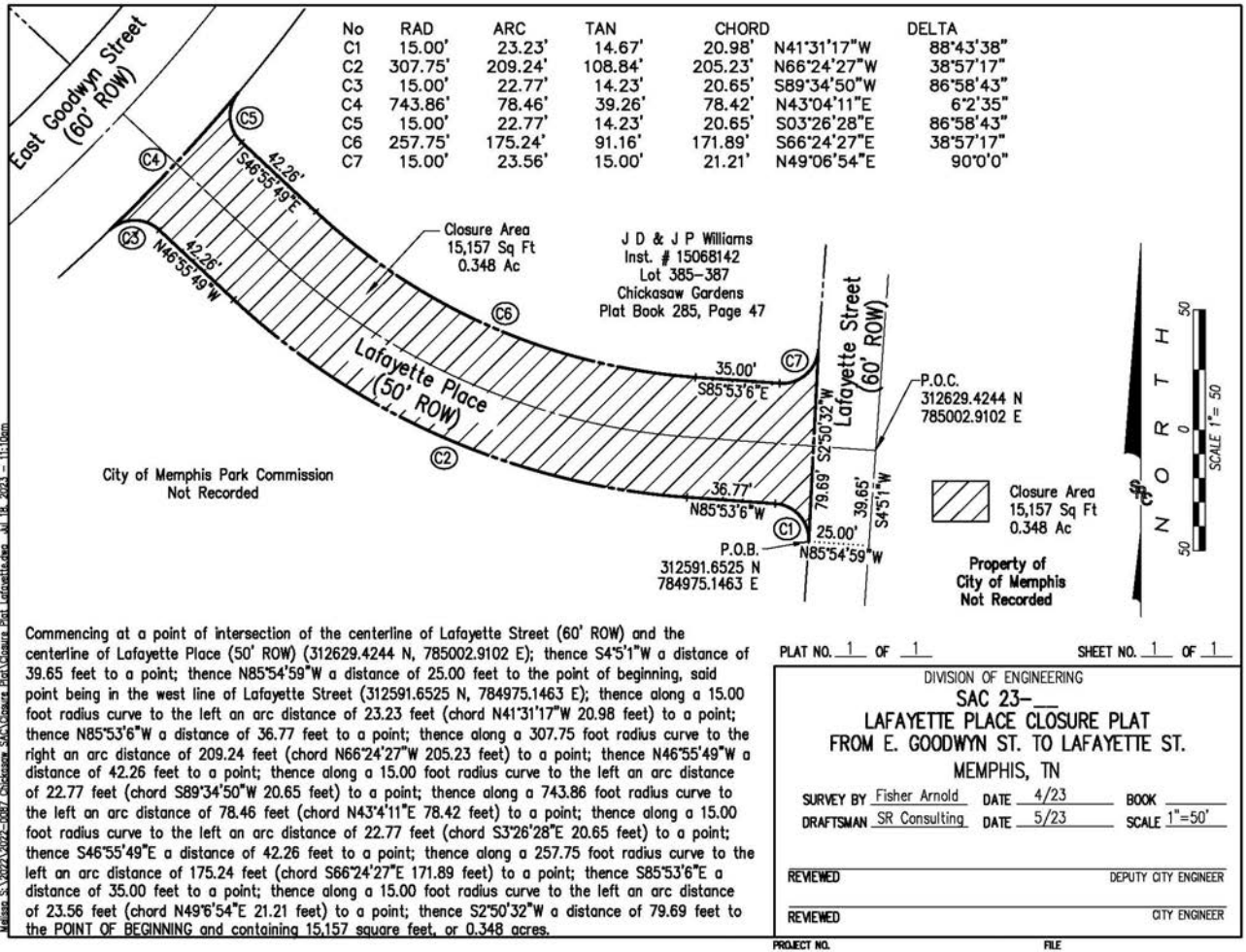
1. Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
11. 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.
12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are

installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above-described public right-of-way be and is hereby closed for public use, subject to the aforementioned conditions.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deed(s) to the owners of the properties abutting on the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company and the Shelby County Property Assessor's Office.



ATTEST:

Cc: Division of Planning and Development – Land Use and Development Services
 City Engineering – Land Development
 City Real Estate

AGENDA ITEM: 15

CASE NUMBER: SAC 2023-004 **L.U.C.B. MEETING:** November 9, 2023

LOCATION: Lafayette Place between E. Goodwyn Street and Lafayette Street

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

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: SR Consulting – Cindy Reaves

REQUEST: Right-of-way vacation of Lafayette Place located between E. Goodwyn Street and Lafayette Street

AREA: +/-0.348 acres

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

CONCLUSIONS

1. The applicant is seeking to vacate the Lafayette Place public right-of-way located between E. Goodwyn Street and Lafayette Street.
2. A gate is proposed to be placed across Lafayette Place at the Lafayette Street intersection, while the opposite end of the right-of-way vacation would remain open.
3. The applicant's letter of intent states that the gate would be designed for emergency vehicle access only, or exit-only access if a clicker is purchased from the HOA. There would also be a bike and pedestrian gate that would stay open during daylight hours.
4. This request is companion to SAC 2023-005, which if granted along with the subject request, would limit neighborhood access to three points from Central Avenue.
5. While the stated reason in the application for the closure request is security of the neighborhood, staff disagrees that a SAC is the appropriate response. Closure on Lafayette Place, and Lombardy Road in the companion case, could negatively impact traffic flow for the over 300 residents and anyone else in the area visiting the public park or lake. Properties to the north exist almost a mile away from entrance to the neighborhood if Central Avenue were the only access.
6. The Public Works and Solid Waste Divisions have also expressed concerns that closure would impede service delivery.
7. Lastly, closure would inhibit access to a park and lake that when dedicated, intended access was achieved from multiple directions. Approved SAC applications in Chickasaw Gardens have further prohibited access to public amenities which is detrimental to the greater good.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 General Plan does not address right-of-way vacation requests.

RECOMMENDATION

Rejection

GENERAL INFORMATION

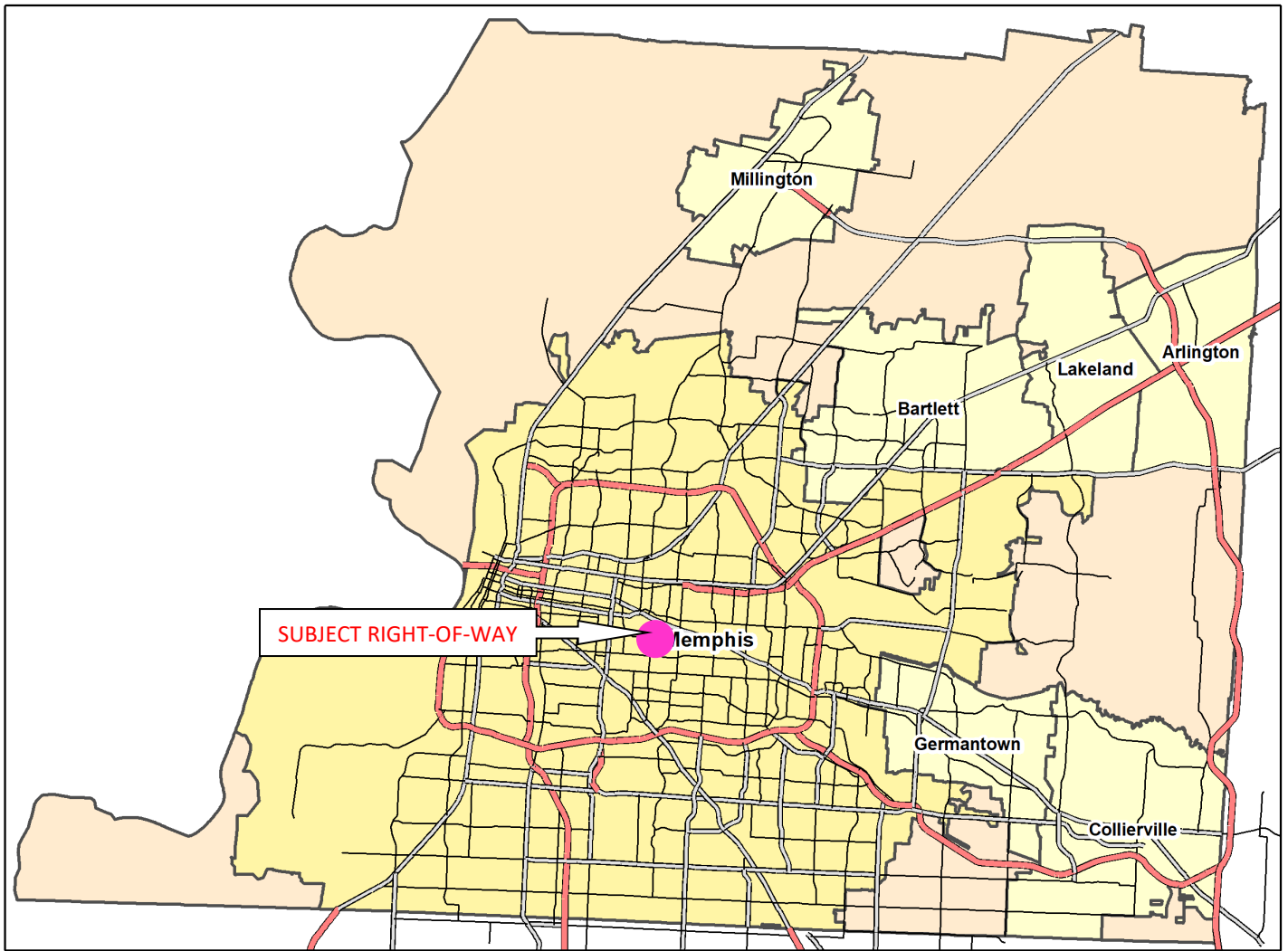
Zoning Atlas Page: 2035

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

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 71 notices were mailed on October 30, 2023, and a total of 2 signs posted on each end of the right-of-way to be closed and vacated. The sign affidavit has been added to this report.

LOCATION MAP



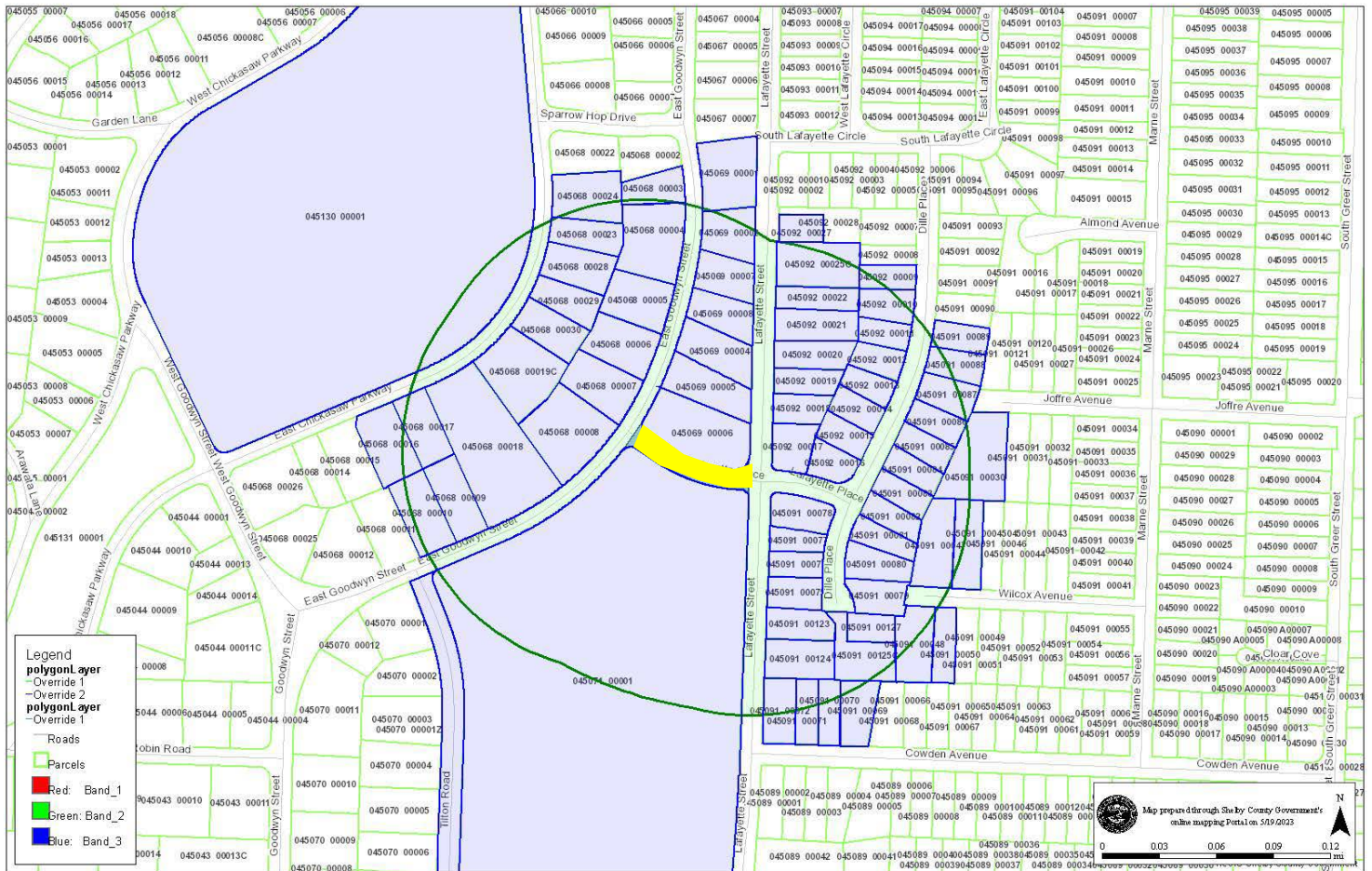
Subject right-of-way located within the pink circle, Chickasaw Gardens Neighborhood

CHICKASAW GARDENS (1926)



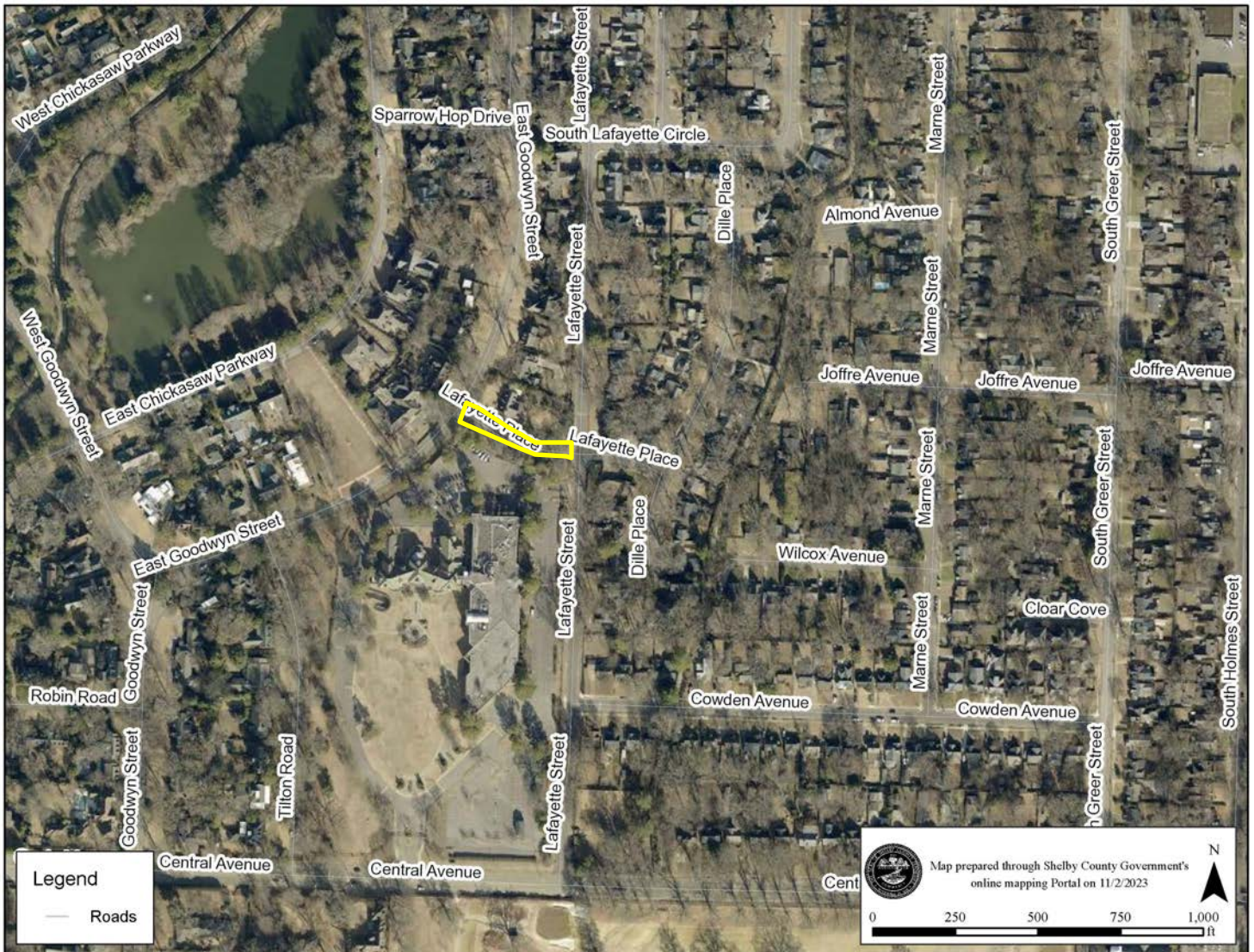
Subject right-of-way highlighted in yellow

VICINITY MAP



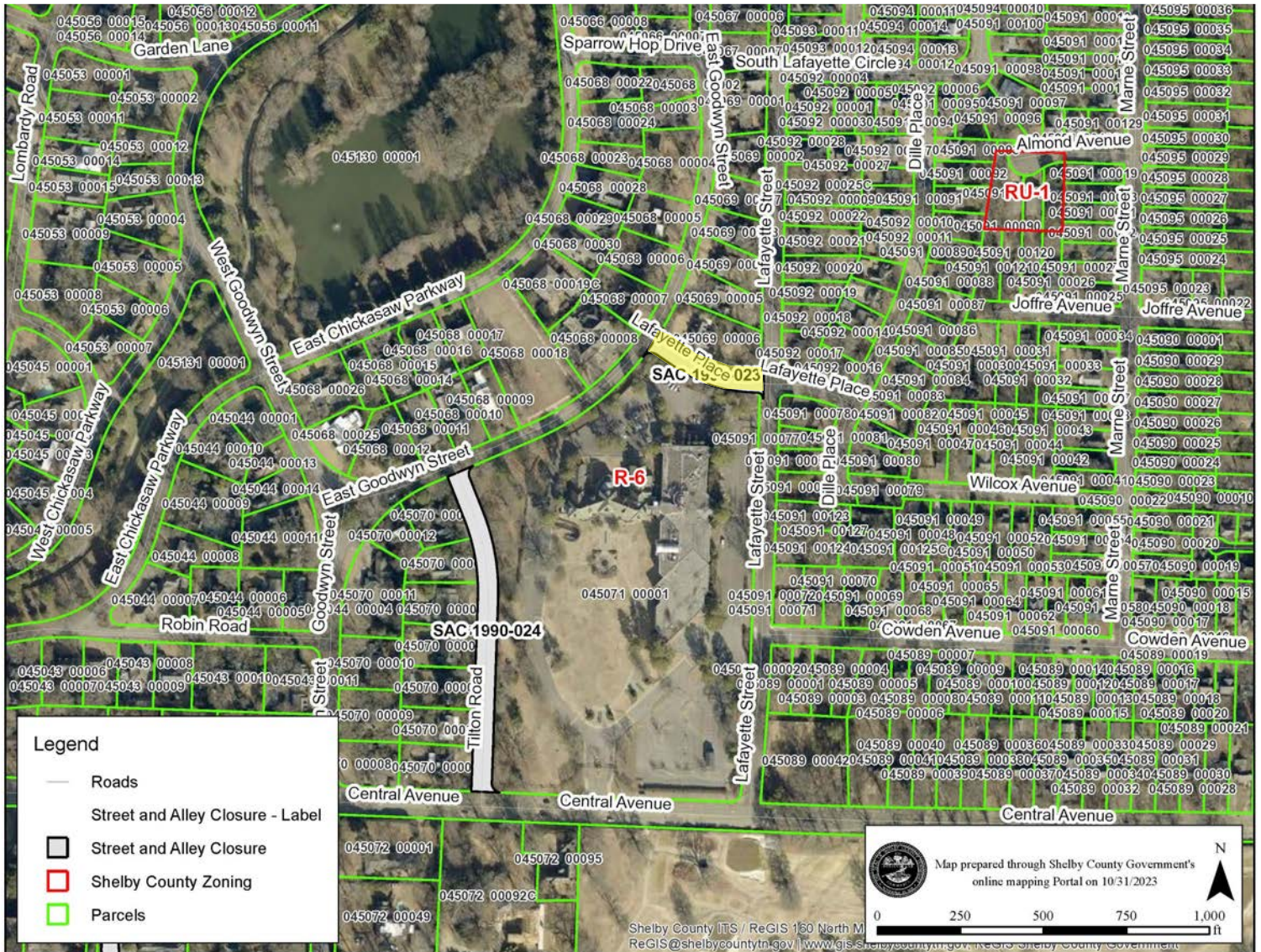
Subject right-of-way highlighted in yellow

AERIAL



Subject right-of-way outlined in yellow

ZONING MAP



Subject right-of-way highlighted in yellow

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

Surrounding Zoning

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

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

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

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

LAND USE MAP



Subject right-of-way outlined in orange

SITE PHOTOS



View of access point where proposed gate would be placed from Lafayette Street looking west



View of access point opposite the proposed gate that would remain open from Lafayette Place looking northeast

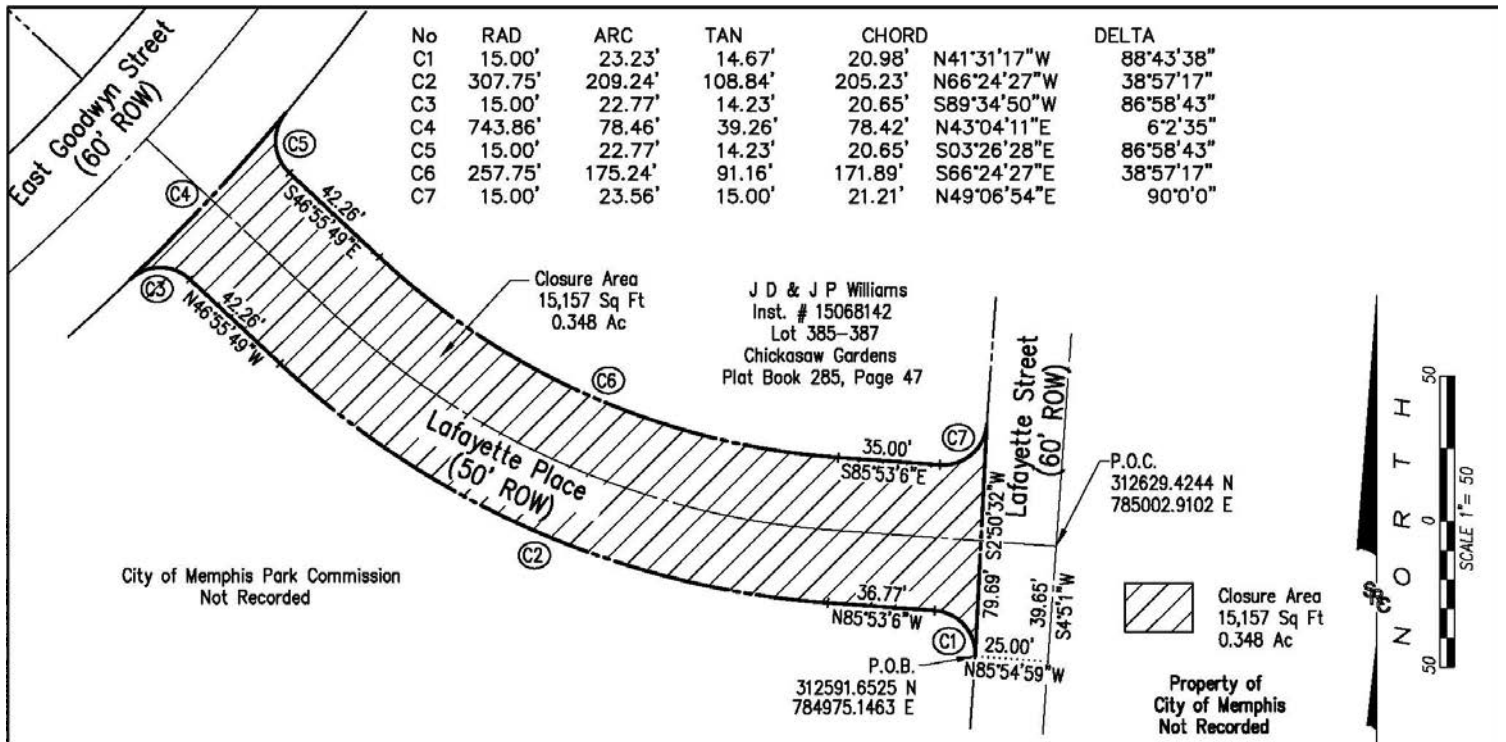


View of access point from E Goodwyn Street looking south



View of proposed right-of-way vacation on Lafayette Place looking east

RIGHT-OF-WAY VACATION PLAT



Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafayette Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°5'1"W a distance of 39.65 feet to a point; thence N85°54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43°4'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°6'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

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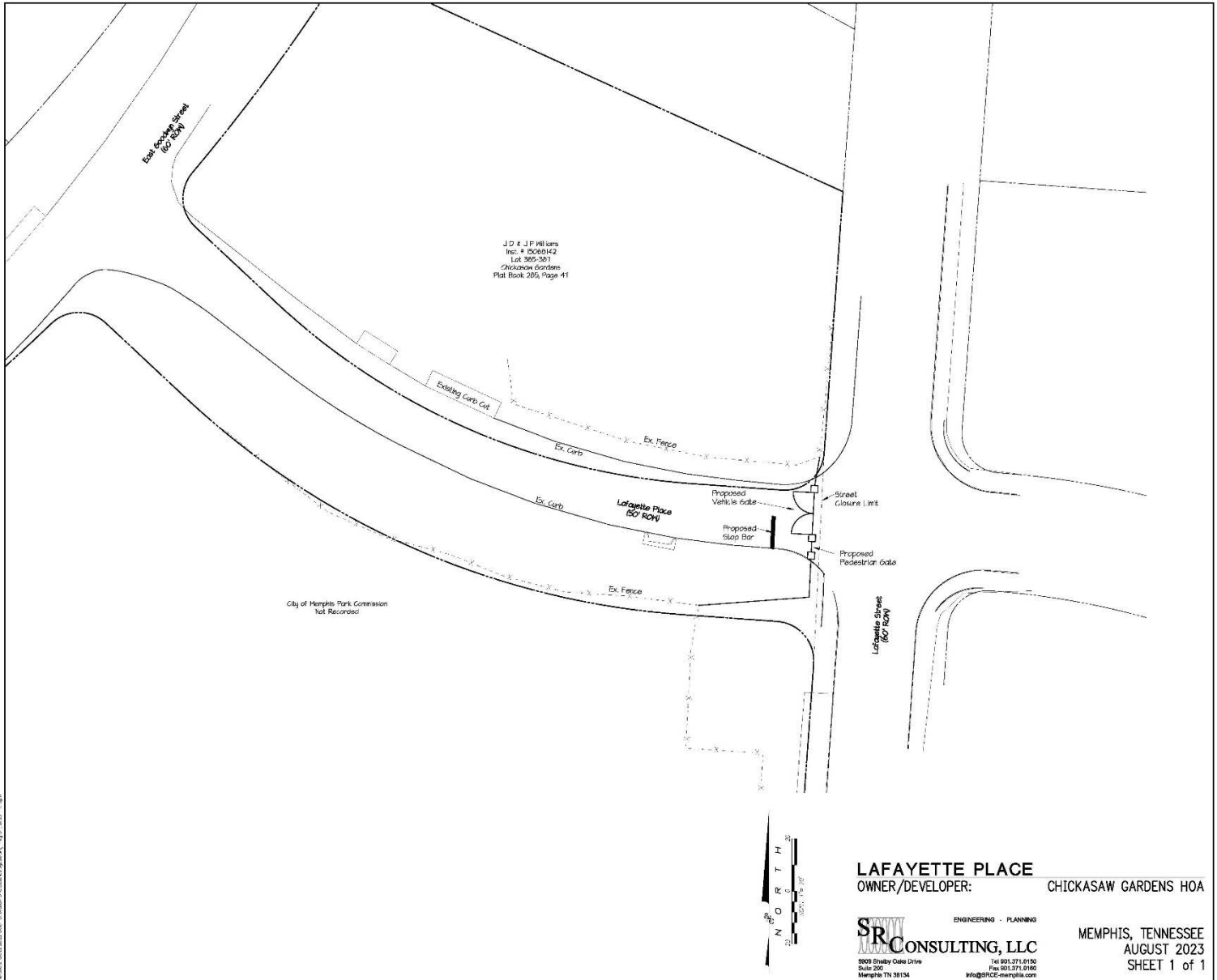
SURVEY BY Fisher Arnold DATE 4/23 BOOK _____
DRAFTSMAN SR Consulting DATE 5/23 SCALE 1"=50'

REVIEWED _____ DEPUTY CITY ENGINEER
REVIEWED _____ CITY ENGINEER

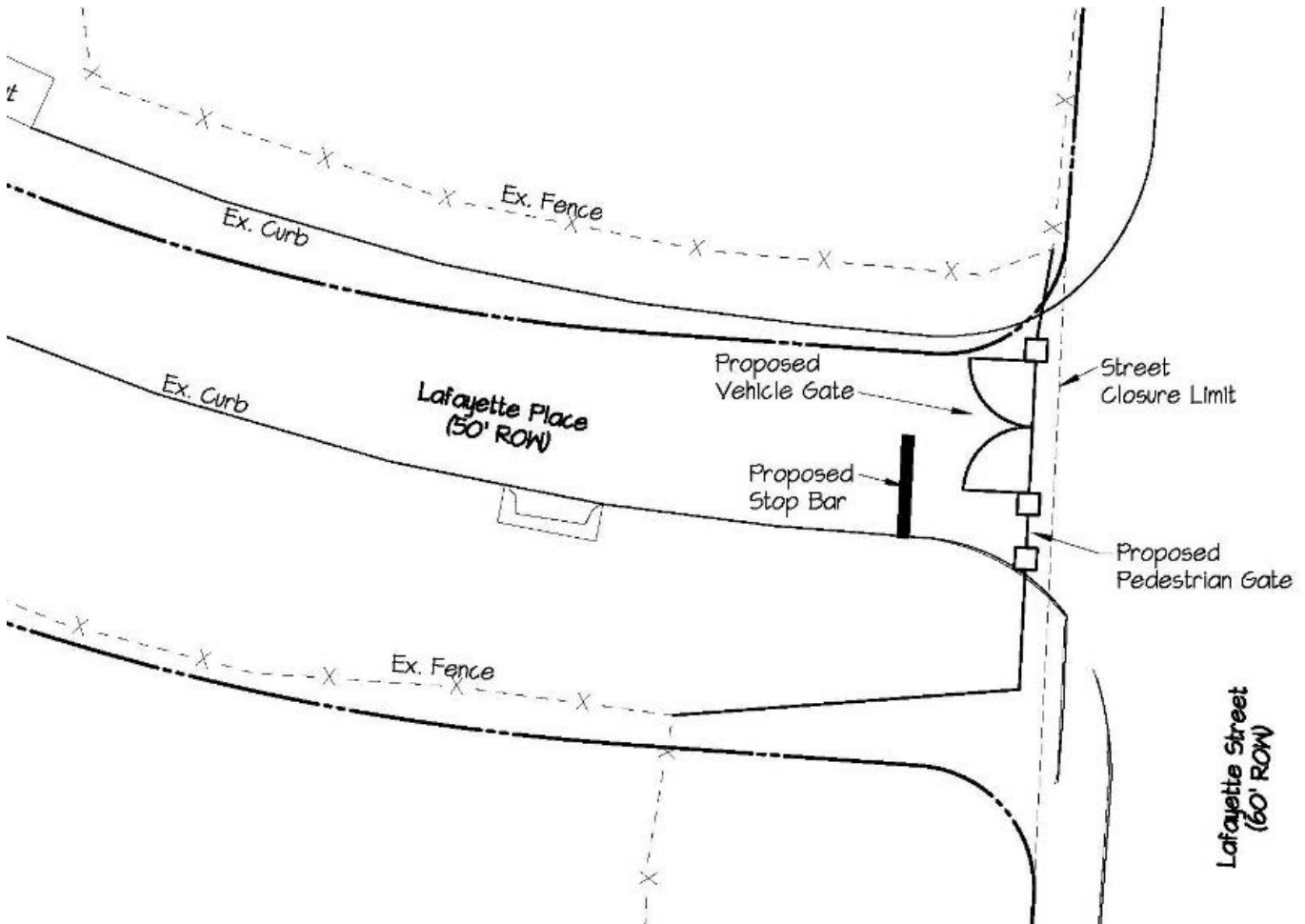
LEGAL DESCRIPTION

Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafayette Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°5'1"W a distance of 39.65 feet to a point; thence N85°54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the left an arc distance of 23.23 feet (chord N41°31'17"W 20.98 feet) to a point; thence N85°53'6"W a distance of 36.77 feet to a point; thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43°4'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°6'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

CONCEPT PLAN



CONCEPT PLAN - MAGNIFIED



SCHEMATIC GATE DESIGN



STAFF ANALYSIS

Request and Reason

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

The request is to vacate the Lafayette Place right-of-way located between E. Goodwyn Street and Lafayette Street. A wrought-iron and brick columned gate is proposed to be placed across Lafayette Place where Lafayette Street intersects (see pages 14-16); however, the opposite end of the proposed vacation where Lafayette Place intersects with E. Goodwyn Street is to remain open. The reason for the request according to the application is to allow the Chickasaw HOA to limit the access points in the neighborhood for more effective private security monitoring.

Site Description

The subject right-of-way is an east-west public street with a total area of +/-0.348 acres between E Goodwyn Street and Lafayette Street. It is platted within the Chickasaw Gardens Subdivision. A private single-family residential property abuts to the north, while Memphis Museum of Science and History/Pink Palace abuts to the south.

Conclusions

The applicant is seeking to vacate the Lafayette Place public right-of-way located between E. Goodwyn Street and Lafayette Street.

A gate is proposed to be placed across Lafayette Place at the Lafayette Street intersection, while the opposite end of the right-of-way vacation would remain open.

The applicant's letter of intent states that the gate would be designed for emergency vehicle access only, or exit-only access if a clicker is purchased from the HOA. There would also be a bike and pedestrian gate that would stay open during daylight hours.

This request is companion to SAC 2023-005, which if granted along with the subject request, would limit neighborhood access to three points from Central Avenue.

The Chickasaw Gardens neighborhood is a platted subdivision dating back to 1926. At the time of development, it was designed as a community of 462 lots and numerous access points existing throughout the development, including access from current major thoroughfares like Poplar Avenue and Central Avenue.

Overtime, the neighborhood has evolved into an eclectic mix of home and lot sizes. There have also been a number of street and alley closure (SAC) applications, the most notable ones being approved along Poplar Avenue in 1982.

One of the last SAC applications in Chickasaw Gardens was SAC 1990-023. It was for the same location as the current request. The Land Use Control Board recommended rejection, and it appears that the case was later withdrawn by the applicant.

A public park and lake are also located at the center of Chickasaw Gardens. These are public amenities that were dedicated when the neighborhood was developed and shown on the 1926 plat.

While the stated reason in the application for the closure request is security of the neighborhood, staff disagrees that a SAC is the appropriate response. Closure on Lafayette Place and Lombardy Road in the companion case could negatively impact traffic flow for the over 300 residents and anyone else in the area visiting the public park or lake. Properties to the north exist almost a mile away from entrance to the neighborhood if Central Avenue were the only access.

The Public Works and Solid Waste Divisions have also expressed concerns that closure would impede service delivery.

Furthermore, crime is an issue affecting all Memphians, but disconnecting from the public street network is not a sustainable remedy for crime prevention.

Lastly, closure would inhibit access to a park and lake that when dedicated, intended access was achieved from multiple directions. Approved SAC applications in Chickasaw Gardens have further prohibited access to public amenities which is detrimental to the greater good.

RECOMMENDATION

Staff recommends rejection; however, if approved, staff recommends the following conditions:

Conditions

1. Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.

9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
11. 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.
12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

DEPARTMENTAL COMMENTS

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

City Engineer: See comments as follows:

NAME: Lafayette Place closure Adjacent to 176 E. Goodwyn St; CHICKASAW GARDENS

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

Sewers:

2. No City sewer on Lafayette Place.

Street Closures:

3. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
4. City sanitary sewers/drainage facilities are located within the proposed closure area.
5. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
6. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
7. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
8. 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 Fire Division: See comments as follows:

Date Reviewed: 11/4/23

Reviewed by: J. Stinson

Address or Site Reference: Lafayette Place

- 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).

- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning: No comments received.

APPLICATION



Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of Way Vacation)

Record Status: Assignment

Opened Date: August 4, 2023

Record Number: SAC 2023-004

Expiration Date:

Record Name: Lafayette Place Closure

Description of Work: Street closure of Lafayette Place between E. Goodwyn Street and Lafayette Street.

Parent Record Number:

Address:

Owner Information

Primary Owner Name

N

Owner Address

Owner Phone

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

N/A

Date of Meeting

-

Pre-application Meeting Type

-

GENERAL INFORMATION

Name of Street where closure will begin

E. Goodwyn Street

Name of Street where closure will end

Lafayette Street

What is the reason for the street closure?

Security of neighborhood

GENERAL INFORMATION

What is the total area of the right-of-way being closed? 15157
 What is the overall length of the street closure? 240
 Name of Street/Alley/ROW Lafayette Place
 Is this application in response to a citation from Construction Code Enforcement or Zoning Letter? No
 If yes, please provide additional information -
 Is this application a time extension? No

RELATED CASE INFORMATION

Previous Case Numbers -

GIS INFORMATION

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

Contact Information

Name	Contact Type
CHICKASAW HOA	APPLICANT
Address	
Phone	
-	

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1491774	Right of Way	1	400.00	INVOICED	0.00	08/04/2023
	Vacation/Closure Fee					
1491774	Credit Card Use Fee (.026 x fee)	1	10.40	INVOICED	0.00	08/04/2023
			Total Fee Invoiced: \$410.40	Total Balance: \$0.00		

Payment Information

Payment Amount	Method of Payment
\$410.40	Credit Card

LETTER OF INTENT



Date: August 2, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Lafayette Place Closure
Lombardy Road Closure

LETTER OF INTENT

Dedrick Brittenum and I are submitting two street closure applications for the Chickasaw Gardens Homeowners Association at Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive. The Chickasaw Gardens Neighborhood currently has five points of access. It has come to our attention from the security consultants and neighborhood that something must be done. The security company cannot control such a large neighborhood with this many access points. If we could limit the access to the three streets on Central Avenue, it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood. The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.

We have submitted schematic drawings of the proposed gates prepared by Blair Parker Design that should give a good feeling of the look we are proposing. The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access. The Lafayette Place gate will swing into Lafayette Place with a stop bar and sign to notify the car to stop for the gate to open and the Lombardy Road gate will slide to the north. These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue.

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

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Kristin Reaves, being duly sworn, depose and say that at 10:06 am on the 20th day of October, 2023 I posted two Public Notice Signs pertaining to Case No. SAC 23-004 one at Lafayette St and Lafayette Place and one at Lafayette Place and East Goodwyn St. providing notice of a Public Hearing before the November 09, 2023 Land Use Control Board for consideration of a proposed Land Use Action (Street and Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Kristin Reaves
Owner, Applicant or Representative 10/24/2023
Date



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

Cynthia J. Reaves
Notary Public
My commission expires: 9/26/27

LETTERS RECEIVED

57 letters of support and 65 letters of opposition were received at the time of completion of this report and have subsequently been attached.

From: [Stringfellow, Alex](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens - Proposed Gates
Date: Wednesday, November 1, 2023 9:39:51 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender Alex.Stringfellow@colliers.com

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Kendra,

I hope you are doing well! I am reaching out this morning in support of the proposed gates in Chickasaw Gardens. My wife and I have lived in CG for 5 years and have a 7-year-old daughter and 5-year-old son. My family loves our neighborhood. The beautiful trees, historic homes and close community have made it a wonderful place to live and raise children the last few years. We also love Memphis! My wife is a residential real estate agent and I work in commercial real estate. We work to sell Memphis to people and companies daily, and it's one of the most rewarding parts of our jobs. Outside of work, I have been involved with the Urban Land Institute, Grizzlies Preparatory Charter School, MAAR, New Memphis Institute, & Mayor Luttrell's Young Professional Council.

Unfortunately, like many communities, we know there has been a struggle with crime in our area the last few years and we've had some incidents hit particularly close to home. Liza Fletcher is my son's godmother, and my wife is Liza's oldest son's godmother. Liza's tragic death not only rocked our family and friends, but it erased any illusion of safety we may have had when it comes to walking early in the morning or late at night. It pains me to say that because I love walking my dog early in the day and initially fell in love with CG 10 years ago when I was training for a half-marathon and my route used to go around the lake.

I am also a realist and understand installing gates won't fix crime. Any real fix is going to take time and collaboration among many within our community. But, gates will give my wife and many others a sense of security that they have not had felt in a year+. I also think the gates will be a major help in reducing the risk of vehicular issues. Chickasaw Gardens does not have sidewalks and there are a lot of windy roads that create blind spots for drivers and pedestrians. Whether it's someone running the lake or my kids riding their bikes together, I just want to keep the street safe and slow down traffic whenever possible. A prime example of this was on display last night for Halloween. We have a lot of neighbors with little kids, and we receive a lot of visitors on Halloween. There were probably 250+

kids running thru the neighborhood last night with no sidewalks and cars driving around bendy and confusing roads. Thankfully, there were no issues, but it is scary nonetheless knowing an accident can happen in an instant.

I understand there has been some criticism of these gates and I want to be clear my support has nothing to do with trying to restrict access to neighbors or the community at large. I want everyone to feel welcome and enjoy the park, lake, and tree lined streets. I just think we have an opportunity to continue providing access to the park, while improving pedestrian safety and hopefully lowering the risk of crime for homeowners.

I appreciate your consideration and time on this matter. If you have any questions for me, please let me know.

Thank you!

Alex

Alex Stringfellow

Vice President | Memphis
alex.stringfellow@colliers.com

Direct: +1 901 312 4920 | Mobile: +1 901 489 3363

6363 Poplar Avenue, Suite 220 | Memphis, TN 38119 | USA



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-



From: [Kenny Jabbour](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens - Street Closures
Date: Thursday, November 2, 2023 7:47:28 AM



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Kendra,

I hope you are well.

I am writing you today in support of closing off

Lafayette St and Fenwick Rd.

I walk daily in Chickasaw Gardens as well

as jog 3-4 times a week.

As you may know there are no sidewalks in Chickasaw

Gardens which makes it a challenge navigating the

traffic while walking/jogging.

The closing off of the two streets **would** encourage other

walkers/joggers/cyclist from surrounding neighborhoods

to enjoy our historical neighborhood.

Thank you

Regards,

Kenny Jabbour

Kenny Jabbour

Jabbour Cotton Company, LLC

65 Union Avenue

Mezzanine Floor

Memphis, TN 38103

901-340-7530 tel

kenny@jabbourcotton.com



JABBOUR
COTTON COMPANY, LLC.

From: [Kate Trammell](#)
To: [Cobbs, Kendra](#)
Cc: worthmorgan@gmail.com; [Carlisle, Chase](#); [Canale, JFord](#)
Subject: Chickasaw Gardens
Date: Wednesday, November 1, 2023 5:17:15 PM



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Dear Ms Cobbs,

My husband and I are longtime residents of Chickasaw Gardens and we support the proposal to gate Fenwick and Lafayette.

The neighborhood's interior traffic has increased in recent years. I believe this is due to Uber/Lyft drivers and also because of the abundance of deliverymen delivering packages in this day and age. Some are coming to Chickasaw Gardens but many are simply cutting through. Most of the deliverymen and ride share drivers are unfamiliar with our streets, and, in addition, are under time constraints. That makes their presence inherently dangerous. Not to mention that they are likely looking at screens to locate delivery/pickup addresses. Since we do not have sidewalks, this makes it hazardous for those walking and biking within the neighborhood. We have many children who play in their front yards or are riding their tricycles around the block and I am concerned for them also.

The point is, in order for the guards to effectively monitor the neighborhood, we need to reduce the number of entrances/exits. The 3 Central entrances would still provide several options for people that want to enjoy the lake, walk the streets or work in the neighborhood. Due to the lack of sidewalks, speeding and erratic driving are a problem for the children playing or adults walking in our neighborhood. Shootings and attempted robberies are a problem. We are not trying to keep everyday people out as much as we are trying to better monitor those who are unmindful of our pedestrians or those with criminal intent. We are trying to make our neighborhood safer.

I hope that we can count on your support of this proposal.

Kate

Kate Trammell

katetram@me.com

h 901.458.9311

c 901.550.1065

2870 Catawba Lane

Memphis, TN 38111

From: [julie.meeks](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Tuesday, October 31, 2023 5:08:54 PM



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Ms Cobbs,

I live at 211 Cherokee Drive Memphis, Tennessee and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Thank you,
Julie Meeks

Julie Meeks
901.335.5853
Sent from my iPhone

From: [Jim Raines](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw gardens
Date: Tuesday, October 31, 2023 2:45:29 PM



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I have lived in the neighborhood for 45 years and totally support the street closings to vehicle closings to assist in crime solutions and traffic safety. People from outside the neighborhood fail to honor speed limits and recognize the limits of sight due to the curves in every street. There is no need for entrance or exit from streets to be closed. Crime in and around the neighborhood is increasing.

Thank you and please accept the applications for the street closings

Jim Raines
211 East Goodwyn Street
901.359.2110

Sent from my iPhone

From: [Natalie B. Shy](#)
To: [Cobbs, Kendra](#)
Cc: [Colvett, Frank](#); [Morgan, Worth](#); [Canale, JFord](#); [Carlisle, Chase](#); [Warren, Dr., Jeff](#)
Subject: Chickasaw Gardens Closure
Date: Wednesday, November 1, 2023 11:23:26 AM



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette Pl @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo. The Memphis citizens that live outside of Chickasaw Gardens will still have access to walk animals or stroll through our neighborhood.

Thank you for considering my letter supporting the street closures in this matter.

Sincerely,

Natalie Bell Shy

From: [Natalie B. Shy](#)
To: [Cobbs, Kendra](#)
Cc: [Colvett, Frank](#); [Morgan, Worth](#); [Canale, JFord](#); [Carlisle, Chase](#); [Warren, Dr., Jeff](#)
Subject: Chickasaw Gardens Closure
Date: Wednesday, November 1, 2023 11:23:26 AM



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette Pl @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo. The Memphis citizens that live outside of Chickasaw Gardens will still have access to walk animals or stroll through our neighborhood.

Thank you for considering my letter supporting the street closures in this matter.

Sincerely,

Natalie Bell Shy

From: [Harris Jordan](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate Advocate
Date: Tuesday, October 31, 2023 2:26:39 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender aharris.jordan@gmail.com

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Kendra,

My name is Harris Jordan and I am writing to you today to express my support for the Chickasaw Gardens gates proposal and the LUCB's recommendation to pass this initiative.

I am a lifelong Memphian (5th generation), was raised in Midtown, and have lived in Chickasaw Gardens since 2015. My wife and I have two children ages 8 and 6, along with a baby due in March.

My wife and I love both the city and our neighborhood. With young children, we go on walks quite frequently. Without sidewalks in our neighborhood, watching for traffic while walking is a constant challenge, and dangerous at times. It's not just residents of the neighborhood who experience this, but a multitude of walkers who come from outside the neighborhood to enjoy the city park and streets.

It is my belief that the addition of gates should help curb some of the non-pedestrian traffic and make the roads and the city park safer for all to enjoy. I can't tell you how many times I have personally seen cars from outside the neighborhood going well over the speed limit, endangering pedestrians who are walking in the road.

As an added benefit, it should also help the neighborhood security guards patrol the neighborhood more effectively (by limiting the number of access points to monitor) which should increase the safety of the park from a criminal perspective. We have had numerous instances of very dangerous criminal activity in our neighborhood over the past year and want to do everything we can to keep our neighborhood as safe as possible for us and our children. Two different friends of ours had traumatic experiences with a home invasion and an attempted robbery that turned into attempted murder. Fortunately they are all ok but we have to do all we can to deter this type of activity.

The purpose of the gates is not to limit access to all the law-abiding citizens enjoying our neighborhood and the city park, but to keep everyone safer.

Thank you for the consideration and have a great day.

Sincerely,
Harris Jordan
2941 Iroquois Rd.
Memphis, TN 38111

From: [Neely Mallory](#)
To: [Cobbs, Kendra](#)
Cc: [Kate Mallory](#)
Subject: Chickasaw Gardens Gate Review
Date: Tuesday, October 31, 2023 3:14:00 PM



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Ms. Cobbs -

My name is Neely Mallory, and my wife (Kate) and I are residents of Chickasaw Gardens. I write to you today in order to express our family's support of the efforts to gate portions of the neighborhood. We live on East Goodwyn Street only ~100 yards from the proposed gate at Lafayette Street. Despite the gate adding time to our commutes to and from home, our family supports the installation of this gate with all of our hearts.

Kate and I have 3 small children (ages 5, 3, and 1). These gates will make walking our streets and accessing our beautiful park and lake a much safer experience for not only our family but the many families both in and around our neighborhood. Limiting car traffic in certain areas will result in fewer incidents or close calls with pedestrians and encourage more outdoor activity. Without a doubt, you will see more people on the streets and kids playing in front yards with the reduced dangers that come with less vehicle traffic.

The best part - the gates accomplish this while not limiting access for walkers/joggers and/or those looking to visit the park and lake from outside the neighborhood in any way. Pedestrians will be able to enter at the gates without issue in the well-designed pedestrian access entrances. And those travelling to the park and lake by car will be able to enter at one of the three Central Avenue vehicle entrances which are well marked and better suited for vehicle access.

Please feel free to contact me with any questions whatsoever. Thank you for your consideration.

Neely Mallory
106 East Goodwyn Street
Memphis, TN 38111
(901) 412-6082

From: [WILLIAM FRAZIER III](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate
Date: Wednesday, November 1, 2023 3:05:57 PM



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> Ms. Cobb,

>>

>> I wanted to contact you regarding the gates for Chickasaw Gardens. I am for the gates as if people want to make our city better during these trying times I am all for it. Citizens of Memphis are trying to spend their money to make it a better place. That in and of itself says to me they are proud of Memphis and want to make it better one step at a time. Per the news reports I have seen the pedestrian gates are open for use from dusk til dawn which is the hours of the park being open as well. I feel like some people don't like change & unfortunately in this day and time people try to be the louder voice when in fact their facts are not always right. In this case they are trying to convey a message that this neighborhood is trying to keep other citizens out and from using a city park when in fact it is not true. This neighborhood is putting out resources to keep the park and streets they enjoy safe during a difficult and trying time for our city with crime.

>> In summary, if Memphians want to make Memphis better, let's let them and maybe at some point the criminals will understand they are not welcomed any longer here.

>> Thank you for your service and time,

>> Will Frazier

>> Proud Memphian

>>

>> Sent from my iPhone

>

From: [Jay McDonald](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate
Date: Tuesday, October 31, 2023 9:01:54 PM



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Hello Ms. Cobbs,

My name Jay McDonald, and I am a resident of Chickasaw Gardens. I grew up in the neighborhood, moved away from Memphis to pursue my education, and moved home to raise my family here. Interestingly, I now live only a few doors down from my childhood home. I mention my history with the neighborhood in order to illustrate how I am in a unique position to see how we currently are in need of your and the city's help. Over the past few years, we have seen a large increase in crime in our neighborhood. We have tried to combat it by hiring an additional security guard and added additional security cameras. Unfortunately, the size, number of streets, and number of entrances into and out of the neighborhood make it difficult to adequately patrol and watch. We are trying to close off two of the five entrances in order to cut down on crimes of opportunity.

Our neighborhood is unique in that we have a park in the middle that is enjoyed by people from all over the city. As residents, we welcome its use and enjoyment by all. Unfortunately, the increase in crime has brought a population of cars that are not here to enjoy the park. I have watched people speed through the neighborhood and almost hit kids on bikes and people walking their dogs on several occasions. Once a car almost hit my kids after speeding away from stealing equipment from a lawn service. We believe that if we reduce the ingress and egress it would reduce this type of traffic. To be clear, we want everyone who comes into the neighborhood to enjoy the park to be safe.

This brings up another point. Some negative comments have been made that we are trying to close off or exclude people from the neighborhood. This is completely false. Our plans maintain pedestrian entrances for both gates, allowing for anyone in the surrounding neighborhoods to continue to walk into ours. We are also leaving three of the five entrances open and un-gated. Again, we simply wish to reduce the number of openings, not close off the neighborhood.

Our mission is to improve safety for residents and non residents alike. I hope you can help us with this plan so that this neighborhood and park can continue to be enjoyed by Memphians for generations to come. Thank you so much for your time and consideration.

Sincerely,
Dr. Jay McDonald

From: [Chip Luter](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gated Streets Proposal
Date: Tuesday, October 31, 2023 2:31:04 PM



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Ms Cobbs, good afternoon, I hope you are having a good start to this chilly week. I live at 275 W Goodwyn St in Chickasaw Gardens and I am **STRONGLY IN FAVOR** of Gating Lafayette and Fenwick street entrances. There has been one homicide, multiple car break ins, home invasions, reckless driving, attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security, therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points which are convenient to contiguous neighborhoods. Every bit of extra safety helps not only our neighborhood, but those using the lake. Neighbors just outside CG will still be able to access the Lake by foot or by car. Please let me know if you have questions or would like to discuss. Thank you for your time.

Chip Luter
275 W Goodwyn St
Memphis, TN 38111
[214-909-9200](tel:214-909-9200) Cell

From: [Donnie Malmo](#)
To: [Cobbs, Kendra](#)
Cc: [Morgan, Worth](#); [Canale, JFord](#); chase.carlisle@memphisitn.gov
Subject: Chickasaw Gardens Gates
Date: Tuesday, October 31, 2023 3:30:56 PM



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Good afternoon Ms. Cobbs,

I am writing to ask that you please give serious consideration to the gates that the Chickasaw Gardens Home Owners Association has proposed on Lombardy/Fenwick and Lafayette Pl/Lafayette St. I walk nearly every day in and out of Chickasaw Garden and most of the time with my three kids (8, 7, and 4 years old). The amount of cut-through traffic and joy riding in and around Chickasaw Gardens has to be at an all time high. Due to the neighborhood not having side walks, I have to continuously warn my kids and watch over them as they ride bikes due to the joy riders. These gates would greatly reduce the amount of cars that are just joy riding, and therefore, would make our streets a much safer place for my kids to be able to enjoy.

On a different note, speaking about safety, just this year I was out of town when I received frantic calls from my wife about shots fired directly outside of our house. I am sure you have heard plenty of the story about Alex Canale, so I don't need to go into detail about that. I returned home the next day to find four 9mm cartridges in my yard directly in front of where my car usually sits. After reviewing video footage from many of our neighbors, we were able to put a timeline of events together and verified that the car used in this crime entered the neighborhood off of Lafayette and left through Fenwick. This was not the first time criminals have used these two entrances. With video evidence, neighbors are beginning to realize that most of the criminals coming into Chickasaw Gardens are using these two entrances due to the ease of escape and ability to get back onto Poplar before most even know what has happened. If we were to gate these two entrances, we could then allow the security guards to efficiently watch who is coming in and out of the neighborhood during the early morning hours.

Our kids deserve to live in a neighborhood where they are safe whether it be from automobiles or criminals and the way to do that is to limit the number of street entrances. Please help us accomplish that for them.

Thank you,

Donnie Malmo

From: [John Barton](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens gates
Date: Thursday, November 2, 2023 10:42:50 AM



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Dear Kendra,

My name is John Barton and I am a resident of Chickasaw Gardens. I am writing to you today to express support for the road closures at the LaFayette and ace wick entrances to the neighborhood. I believe that these gates will help deter crime as well as improve pedestrian safety as we do not have sidewalks in the neighborhood. These gates will minimize automobile traffic and improve conditions for pedestrians.

Thank you,
John Barton

From: [Stacey Hussey](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gates
Date: Wednesday, November 1, 2023 5:23:39 PM



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Ms Cobbs,

I live at 79 Lombardy Road in Chickasaw Gardens and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months. It has gotten so dangerous and we are currently looking to leave Memphis if we can't get crime under control. Sadly, we don't want to leave but might be forced too.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake.

Thank you for your time,
Stacey Hussey
79 Lombardy Rd
38111

From: [Adams, Scott](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gates
Date: Monday, October 30, 2023 12:40:02 PM
Attachments: [image001.png](#)



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Hi Kendra- hope this finds you well on this Monday. It is my understanding that the Land Use Control Board will be reviewing the gate proposal for Lafayette and Fenwick for Chickasaw Gardens next week. We live on East Goodwyn near the Lafayette entrance, and I wanted to send a note showing my support for the gates.

Thank you

Scott

Scott Adams, CFA

Senior Vice President

1000 Ridgeway Loop Road, Suite 200, Memphis, TN 38120

901.435.7943 (o) | 901.219.9161 (c)

scott.adams@fhnfinancial.com



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From: [Tommy Farnsworth III](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens gates
Date: Wednesday, November 1, 2023 7:35:55 AM
Attachments: [pastedGraphic.tiff](#)



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City of Memphis:

I reside at 146 E. Chickasaw Parkway in Chickasaw Gardens.

I encourage the City Council to approve the proposed street closures into and out of Chickasaw Gardens at Fenwick and Lafayette. As a neighborhood first developed 90 years ago or so, it was done so without sidewalks or particularly wide internal streets. Any structural change we can make that will limit the automobile traffic into and out of the neighborhood should be encouraged and implemented as to make it far safer for owners and their guests both in cars and on foot or bike. Further, it is undeniable that given the sharp rise in crime in our city, our privately funded guards will far better be able to monitor the ingress / egress of neighbors and visitors with fewer non-gated entrances.

Many thanks for getting this email into the right hands.

Tommy

Thomas C. Farnsworth III
(901) 409-8300 Mobile
t3@farnsworthco.com



From: [Allison Luter](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens security
Date: Tuesday, October 31, 2023 2:20:57 PM



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Ms Cobbs

I live at 275 W Goodwyn Street and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Allison Luter

From: [Allison Luter](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens security
Date: Tuesday, October 31, 2023 2:20:57 PM



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Ms Cobbs

I live at 275 W Goodwyn Street and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Allison Luter

From: [Scott Warren](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Street Closures
Date: Wednesday, November 1, 2023 9:07:45 PM



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Hi Kendra,

My name is Scott Warren, and I live at 2915 Iroquois rd in the Chickasaw Gardens neighborhood. I wanted to voice my support for the gates and the resulting safety they would bring to all who utilize the neighborhood and park.

The neighborhood is a popular pedestrian destination for those who live in and around the area. I have increasingly noticed a pickup in cars trying to use the neighborhood as a cut through only to find that there are no outlets to their intended route. As a result, these cars typically end up driving at high rates of speed trying to get back out. There are no sidewalks in the neighborhood making these car encounters with speeding drivers very dangerous, especially for people like myself with young kids walking and riding bikes.

Overall, I believe these gates would limit the unnecessary cut-through traffic and provide all users of the neighborhood and park with a safer and more enjoyable experience while still providing adequate access. Thank you for your consideration.

Sincerely,
Scott Warren

From: [Lee Powell](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Tuesday, October 31, 2023 3:35:48 PM



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Hello –

I do not live in Chickasaw Gardens but am supportive (VERY) of them being able to get the entrances they are proposing.

Thanks, Lee

Lee J. Powell, Jr.

Managing Director

Raymond James & Associates, Inc.

1100 Ridgeway Loop

Suite 500

Memphis, TN 38120

(901) 529-3774

(800) 774-7012

Lee.Powell@RaymondJames.com

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From: [Collie Krausnick](#)
To: [Cobbs, Kendra](#)
Cc: [Worth Morgan \(worthmorgan@gmail.com\)](#); [Carlisle, Chase](#); [Canale, JFord](#); [veazey krausnick \(vk2875@gmail.com\)](#)
Subject: Chickasaw Gardens
Date: Wednesday, November 1, 2023 9:35:57 AM
Attachments: [image001.png](#)



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Ms. Cobbs,

I wanted to reach out in support of the two gates proposed in Chickasaw Gardens. I first want to say this in no way is to “keep people out” as there will be three open entrances off Central Ave.

I live at 152 Lombardy Rd., a street running through the neighborhood from Fenwick to Tishomingo. Being one of the longest straight stretches cars tend to speed, often times with people walking and children playing. Being an older neighborhood we do not have sidewalks for pedestrians.

Given the recent increase in crime our hopes are to create a deterrent making it harder for the criminal to get in and out of the neighborhood. Central is a busy street but Fenwick and Lafayette not so much. My understanding is one of the recent shootings on both Iroquois and Garden Lane were committed by a group of kids who entered off Lafayette and exited on Fenwick.

My wife and I have children and grandchildren who live in the neighborhood who are scared of speeding cars, crime, and disruption this all causes. We feel strongly that gating the two less frequently used entrances will make it easier for our security guards to monitor traffic hoping to alleviate crime and make safer for all.

Thanks for your leadership and consideration. Feel free to reach out to me if I can help in anyway.

Collie Krausnick

Collie Krausnick

Senior Managing Director

Raymond James & Associates, Inc.
T 901.529.5321 // 800.774.1872
1100 Ridgeway Loop Rd., 5th Floor

Memphis, TN 38120

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From: [Boyd Wade](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Wednesday, November 1, 2023 5:17:45 PM



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Ms. Cobbs:

My name is Boyd Wade, my wife, Lucy, and I live at 2896 Natchez Lane in Chickasaw Gardens. We live in my grandparents' home built around the 1930s. I am the 3rd ever owner of this home. I am also head of the security on the board of trustees in Chickasaw Gardens. I grew up in Central Gardens and am a lifelong Memphian. I am currently 60 years old. I share my information with you and the city council so that you understand my perspective.

Our goal at Chickasaw Gardens is to make the neighborhood safer for everyone, residents and nonresidents. Since we do not have any sidewalks, cars are dangerous to our walkers, joggers, and bikers. By limiting access of cars to our streets we believe that we will make it safer.

I remember when my daughter, Larson was 9 years old, out playing in the neighborhood with her friends. She came home that night a described to me how she was almost run over by a car that did not see her. I am sure there have been many close calls. Not too many years ago we had a lady on a bike hit by a car on Tishomingo. She survived but we injured.

We do not want to limit our neighbors that live outside the neighborhood. They can come in via the Central access points and continue to enjoy the streets and the park. The only difference is that they to will be safer.

Thank you for your consideration for this effort to close Lafayette and Lombardy at Fenwick.

A. Boyd Wade, III, CPA

Financial Consulting Group, LLC

Life Insurance Specialist/Director of Bank Relations

9040 Garden Arbor Drive, Suite 206

Germantown, TN 38138

Cell: 901-619-4876

Office-Direct: 901-259-3066

www.fcgt.com

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From: [Lane Whitehead](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Thursday, November 2, 2023 9:34:46 AM



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Ms Cobb,

Good morning! I am a long time Chickasaw Gardens resident and strong Memphis cheerleader. I believe we have a great city with an incredible community of doers and givers and just good people.

One of my favorite activities is my daily walk. I love the fresh air and the smiles or nods from the people I encounter. One of my not favorite activities is dodging the cars that zoom through. Our neighborhood does not have sidewalks and the streets are often curved so it does make the walking somewhat treacherous. The park in the center of the neighborhood is a draw and a welcome relief for our neighborhood but also for many of the surrounding neighborhoods. We currently have six egress points and are proposing to close two of those to vehicular traffic.

It is my belief that the proposed street closures would help reduce pass through traffic and casual drivers who are unfamiliar with the warren of streets and looking for a quick way to Central Avenue or Poplar Avenue. Daily I have encountered drivers who are frustrated and speeding through the neighborhood. In addition to the exercise walkers, we have younger kids, older residents, strollers, bikers, dog walkers and other people enjoying the area. These frustrated speeding drivers are a threat to all. Closing the peripheral entrances would help direct the vehicle traffic to the main streets, making the pathways more clear and direct. Closure would also help decrease the overall vehicle traffic which will increase safety for all users.

As proposed, the method of closing the two entrances would allow for well lit, pedestrian access to the lake, park and safer streets for recreation. Residents from neighboring areas may continue to access the park and lake as they do now, by bicycle, walking, strolling or running. Vehicular traffic will have access from three entrances on Central Avenue, which will make the pathway to the lake and park much more direct.

It is my hope that the street closure proposal is approved as presented. I believe our neighborhood and all surrounding neighborhoods would benefit.

Sincerely,

Lane Whitehead

Lane Southern Whitehead
901.634.0391

From: [L. Madison Michael II](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Tuesday, October 31, 2023 2:13:47 PM



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Dear Ms. Cobbs,

I am writing you in support closing the Lafayette and Fenwick entrances in Chickasaw Gardens in midtown Memphis.

I have three teenage boys and a wife. The amount of traffic that comes through the neighborhood has increased exponentially over the last several years. The automobiles seem to be just wandering through without visiting a home or a person. They typically drive over the speed limit and seem reckless. This worries me when it comes to the foot traffic and the children in our neighborhood. It is only a matter of time until someone gets hurt. Closing the 'extra' entrances will address this issue and make the neighborhood a much safer one. In addition, it should also address crime issues which all neighborhoods have seen an uptick.

Please help our neighborhood become a safer one. Thank you for your attention to this matter.

Best regards,

Madison Michael
2921 Iroquois Rd
Memphis, TN 38111

From: [Stephanie Allbritten](#)
To: [Cobbs, Kendra](#)
Subject: Fwd: Chickasaw Gardens gates
Date: Wednesday, November 1, 2023 12:21:18 PM

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Hi Kendra,

Just wanted to send my e mail again, to remind you of my concerns and hopefully see how 2 additional gates would help with safety issues in our neighbors (Chickasaw Gardens).

I greatly appreciate your help in this matter.
Hoping it will pass and we can all move on and feel safer in the place we call home.

Sincerely,
Stephanie Allbritten

Sent from my iPhone

Begin forwarded message:

From: Stephanie Allbritten <stephallb@yahoo.com>
Date: August 17, 2023 at 9:54:15 PM CDT
To: Kendra.Cobbs@memphis.gov
Subject: Chickasaw Gardens gates

Hi Kendra,

I am a resident of Chickasaw Gardens for 23 year. I moved in my home on Cherokee Drive after my husband passed. I felt safe living alone for many years, but for the past few years and especially after the break ins, car jacking and my neighbor being followed in by a suspicious car tailgate her all the way home and the man that was shot at and attempted robbery in his own driveway one street over from me, I do not feel safe any longer, but refuse to move from my home that I love.

I never walk alone in my neighborhood any longer which is frustrating to think I can't , in fear of being attacked.

I still think of sweet Liza Fletcher and what her last few minutes of her life must have been. It haunts me.

Her parents lived a few blocks over form me. They have moved .

The people that have opposed our gates , use the excuse that the Lake is public and they would have to enter on Central, that is such a lame excuse to not have our gates . So come in on Central.

We are only asking to close 2 entries so the guard can monitor the cars that come in , more closely.

Please help us get our 2 gates so I/we especially women , can feel somewhat safer knowing we can walk alone in our neighborhood and get back to our homes safely.

Thank you for taking the time to read my email.

Sincerely,
Stephanie Allbritten

Sent from my iPhone

From: [dee dee pera](#)
To: [Cobbs, Kendra](#)
Subject: Fwd: Closing of Fenwick And Lombardy 38111
Date: Thursday, November 2, 2023 4:09:30 PM



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Begin forwarded message:

From: dee dee pera <dd.pera@gmail.com>
Subject: Closing of Fenwick And Lombardy 38111
Date: November 2, 2023 at 3:48:56 PM CDT
To: Kendra .cobbs@memphistn.gov

Ms Cobbs,

I am Dee Dee Bryan, my husband, Larry and I live at 191 Cherokee Drive in Chickasaw Gardens. We are strongly in favor of closing Layfayette and Fenwick Street entrances. Our neighborhood has had one homicide, shootings, attempted murder and several home invasions in the last 13 months. We have even found bullet casings in our driveway!

It is imperative for our neighborhood to have added security. Therefore we strongly support having gates added to Lombardy and Fenwick entrances. This leaves 3 remaining PUBLIC access points to our lake area and neighborhood. It does however cut down on the easy exit onto Lombardy and Fenwick. I have personally witnessed a car driving in our neighborhood looking into cars parked on the street. When I alerted security they quickly exited onto Fenwick. Having these side exits closed will cut down on this type of crime.

Thank you for your time.

Dee Dee and Larry Bryan
191 Cherokee Dr

From: [Pam hill](#)
To: [Cobbs, Kendra](#)
Subject: Gates needed!
Date: Tuesday, October 31, 2023 6:21:42 PM



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Every week my lawn guy has to back his truck into our driveway because guys drive around the neighborhood looking for their equipment to steal. They are armed and will shoot. My lawn guy has witnessed this in our neighborhood. There are so many examples of girls jogging and walking in the neighborhood and guys in cars stopping them. I've totally stopped walking except close by. We live on the corner of East Chickasaw pkwy and Goodwyn. Countless cars speed thru the stop sign. Just pulling into my driveway after dark is risky unless your garage door and gate close quickly.

Pam Hill
901.834.1545

From: [Shibahn Singh](#)
To: [Cobbs, Kendra](#)
Subject: In favor of Chickasaw gardens gates!
Date: Wednesday, November 1, 2023 2:48:53 PM



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Ms Cobbs,

Good afternoon!

I live at 270 W Goodwyn St, Memphis TN 38111. and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

We have two young children and am terrified to live here right now. We have had speeding cars come close to hitting them when they play outside multiple times. We don't have sidewalks in our neighborhood.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. We will have pedestrian access at those points, just closing access at these 2 points to cars.

This leaves 3 remaining public access points.

Every bit of extra safety helps not only our neighborhood but those using the lake.

Those who oppose the gates have trivial reasons (compared to the safety of our lives) for their opposition.

Thank you for your time.

Shibahn Rodda
(901) 484-7563

From: [Emily Lowrance](#)
To: [Cobbs, Kendra](#)
Subject: In Favor of gates in Chickasaw Gardens
Date: Wednesday, November 1, 2023 5:32:10 PM



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Dear Ms. Cobbs,

My husband and I live on Arawata Lane in Chickasaw Gardens. I write to you to express our support for the gates proposed at the entrances of Fenwick and Lafayette.

This neighborhood was designed with no sidewalks and when for example we are strolling our two year old grandson, we are often surprised and scared of speeding cars and trucks.

We feel that closing the two side street entrances will reduce pass-through traffic that will help protect walkers, joggers, children skating as well as bikers of all ages.

We appreciate your consideration.

Sincerely,
Emily and Charlie Lowrance

Sent from my iPhone

From: lmagness@me.com
To: [Cobbs, Kendra](#)
Cc: [Swearengen Washington, Jana](#); [Colvett, Frank](#); [Johnson, Cheyenne](#); [Morgan, Worth](#); [Ford Sr., Edmund](#); [Warren, Dr., Jeff](#); [Canale, JFord](#); [Robinson, Patrice](#); chase.carlilse@memphistn.gov
Subject: In support of Chickasaw Gardens street closures
Date: Tuesday, October 31, 2023 3:54:26 PM



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I write in support of the request by the Chickasaw Gardens Homes Association to close two of its six entrances to vehicular traffic. As a lifelong resident of the neighborhood, I believe that the proposed closures are important to preserve the safety and security of a historic neighborhood that remains a tremendous asset in the core of the city. Chickasaw Gardens is uniquely positioned in Memphis as a residential neighborhood that completely surrounds a public park. The neighborhood was developed with no sidewalks, where pedestrian and vehicle traffic must share the streets of the neighborhood. Reducing vehicular traffic is important for the ongoing safety of all users of the neighborhood, whether they are homeowners, residents of the area, or visitors to the park.

I believe that the proposed closure of the entrances at Fenwick and Lafayette is a pro-active measure that will reduce pass-through traffic in the neighborhood, which has noticeably increased in recent years with the growing popularity of ride sharing and the home delivery of packages, groceries, and meals. For unfamiliar drivers, closure of the secondary entrances will make ingress and egress to the neighborhood more clear and direct from Central Avenue, from which drivers would have to traverse anyway. Many of these drivers are hurried or under time constraints, and are often not observant of the children and families with whom they share the neighborhood streets. Reducing the vehicular traffic will benefit and protect the residents of the neighborhood, and will also increase the safety of all who use the area for walking, running, recreation, and access to the park.

Contrary to the criticisms of some residents of adjacent neighborhoods, these closures WILL NOT restrict the ability of anyone to access the neighborhood in any way that they are legitimately using the streets of the neighborhood today, other than to reduce pass through vehicular traffic. Clearly available and well-lit pedestrian/bicycle gates have been incorporated in the designs to allow for continued access to the neighborhood for those in adjacent neighborhoods, and any vehicle traffic will continue to have easy and unimpeded access to the neighborhood from multiple streets directly from Central.

As affirmation of the support for these proposed closings, a documented vote of the homeowners has verified that over 90% of the residents – those most affected by their implementation – are in

favor of the proposals. Emergency services has also reviewed and approved the plans. Approval should not be controversial in any way.

Closing of the proposed entrances is important to safety and viability of multiple city assets, and it is my sincere hope that you will support these proposals.

Lon Magness

10 Tishomingo Cove

Memphis, TN 38111

From: [Richard L Morrow](#)
To: [Cobbs, Kendra](#)
Subject: IN support of closing the Lafayette and Fenwick entrances ...
Date: Tuesday, October 31, 2023 1:51:45 PM



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Ms Cobbs

I live at 155 E Goodwyn, Memphis TN 38111 and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. I have had one homicide on my street and one attempted homicide a few streets over. All in the last 15 months. Liza Fletcher was my cousin who grew up two doors down. I won't even go there.

IMO we need more safety in our neighborhood and in Memphis in general. Every bit of extra safety helps.

Regards

RLM

Richard L Morrow
901-489-1842
richardlmorrow@gmail.com

From: [Jeff Savage](#)
To: [Cobbs, Kendra](#)
Cc: [Chelsey Savage](#)
Subject: LUCB November Meeting - Chickasaw Gardens Vehicle Gates
Date: Wednesday, November 1, 2023 1:13:46 PM



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Kendra,

I am writing you today in support of the request to gate the LaFayette and Lombardi entrances to Chickasaw Gardens that is on the docket for the November Land Use Control Board meeting on November 9th.

Vehicular traffic, speeding and crime has made our neighborhood (without sidewalks) very dangerous and it is a traditionally pedestrian-friendly neighborhood. Given the high number of pedestrian deaths in Memphis in recent years (and this year), we respectfully request the Land Use Control Board give a recommendation to City Council in favor of this safety measure.

As you have seen from our detailed report and the findings of Memphis Fire as well as the Office of Planning and Development Public Right of Way research, we will have pedestrian gates at LaFayette and Lombardi and keep all entrances to the neighborhood for traffic public at the Central Avenue entrances.

This is a pedestrian safety measure that will reduce cut-throughs of vehicles and increase safety and hopefully reduce the chances of a pedestrian incident involving a vehicle.

As I live on Robin Road, this has a high potential of increasing traffic on my street given that we back up to Central Avenue (cars that are lost, vendors that need to turn around and get out, etc), but my family and I recognize it is for the greater good of our community and the City and that is why we are in favor of this.

Please confirm receipt of this email and I appreciate your support.

Sincerely,

Jeff & Chelsey Savage

Jeffrey C. Savage

Vice President, Partner

Metro Construction

*Celebrating 40 Years of **Quality Construction, Exceptional Service***

jeff.savage@metro-gc.com

(901) 215-6567 (cell)

From: [Walter Edge](#)
To: [Cobbs, Kendra](#)
Date: Thursday, November 2, 2023 8:41:30 AM



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2948 iroquios rd

WE VOTE TO CLOSE

From: [Christopher M. Malone](#)
To: [Cobbs, Kendra](#)
Subject: Memphians Writing in Support of Gating Side Streets into Chickasaw Gardens
Date: Tuesday, October 31, 2023 2:46:15 PM



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October 31, 2023

The Honorable Kendra Cobbs
kendra.cobbs@memphistn.gov
125 N. Main Street
Memphis, TN 38103

Dear Kendra Cobbs,

We are writing to express our we are in **full support of gating the entrances to Chickasaw Gardens at Fenwick and Lafayette.**

We are proud Memphians. We love our city and our neighborhood. Unfortunately, despite our HOA's and city's best efforts to provide safety, we no longer feel safe in our neighborhood. In the last year, we've experienced 2 home invasions (both while we were sleeping), multiple instances of people entering our property late at night while masked and dressed head-to-toe in black, we've watched crimes happen in front of our house and cars flee out the side entrance at Lafayette, and recently one of our close friends was car-jacked and almost murdered in our neighborhood. These experiences are clearly not unique to us, it is pervasive. Any encounter with a Memphian these days results in a conversation about crime and how people do not feel safe.

While the city and county do their part to fix these issues, our neighborhood is looking at what we can do to improve a sense of safety and keep residents from fleeing. Our HOA has taken this seriously and hired a security consultant and created a security council. They are acting on the recommendations of this group and have started taking action implenting several changes. One recommendation in particular is to limit entrances (for cars) to the neighborhood to the 3 main entrances on Central Avenue. The HOA pays for security that benefits both our residents and the many people who walk our neighborhood and park. Unfortunately, the security guards are inhibited in their ability to do their job due to cars entering/exiting from side streets. Given the unique contours of our neighborhood's streets all being extreyly curvey, it is impossible for our security guards to manage this. As such, the HOA has smartly decided to put gates at two side entrances (at our own expense), as has been done at 4 other entrances in the past. These gates will have open pedestrian entrances, so our neighboring neighborhoods can still walk to Chickasaw Gardens -- we want them to come and walk here! Car traffic will still have the three entrances on Central, which are very close to the two entrances HOA proposes to gate (less than .4 mi).

This will allow our security guards to create a safer environment for anyone who visits Chickasaw Gardens, including the many non-residents who walk our street and visit the park. With so many people nervous to be outside in Memphis these days, this will be an especially great benefit for all of us. Our friends in nearby neighborhoods (who regularly come here to run for that reason) also

support this.

We previously lived in New York City, which is unfortunately a place where government makes life difficult for all its citizens. It has been refreshing to come back to Memphis, TN where this is not the case and where government still believes in serving the public. We're grateful to live in a place with a city government willing to help our neighborhood improve and enable public safety without creating unnecessary bureaucracy and red tape. This is why we believe in TN and believe this city will rise from its current challenges and get back on the path of growth and prosperity.

Sincerely,
Christopher and Lauren Malone

181 East Goodwyn Street
Memphis, TN 3811

From: [Ashley Adams](#)
To: [Cobbs, Kendra](#)
Subject: PRO GATE- CHICKASAW GARDENS
Date: Thursday, November 2, 2023 11:29:44 AM

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Hi Kendra,

I am writing again in support of the gate at LaFayette and East Goodwyn (where I am a resident) and at Fenwick and Lombardy.

We had had an incident two weeks ago when one of the guys running from the police came and rang our door bell multiple times at 2am. My husband and I and our 3 year old were all unnerved. There is video footage of someone on foot hiding from the police in neighbors yards and running through the streets once they had passed (he entered on Layfayette). I believe the gates would help restrict access and make it easier for law enforcement if something like this happens again.

Not only will it make our neighborhood safer from crime for BOTH residents and non-residents, it will also make those enjoying the neighborhood and park safer from car traffic. People ZOOM in and out of our neighborhood from LaFayette and Fenwick making it dangerous for those walking, running, biking, and walking dogs. Many bring their dogs and small children to stroll through our neighborhood park since we provide security guards, so I think it would benefit ALL neighbors to also have less car traffic. The car traffic can be more easily monitored if there are less driving entrances.

I have talked to many residents that live outside of the neighborhood (mostly in the Joffre area) who have been in support of the gate, especially since there will be pedestrian access. It makes them feel more secure coming to enjoy the streets of Chickasaw Garden. It will bring more value to the park.

Most of the opposition to the gates are those that are uninformed or misinformed and think there is no access for pedestrians. Once that is addressed, most change their minds. I believe that is important to note as well.

Thank you for your consideration.

Ashley Adams
98 East Goodwyn Street

From: [Ellen Morrow](#)
To: [Cobbs, Kendra](#)
Subject: Pro Gates on Fenwick & Lafayette
Date: Tuesday, October 31, 2023 2:24:52 PM



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Ms Cobbs

I live at 155 East Goodwyn, Memphis TN, and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security. Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Sincerely,
Ellen Morrow

Sent from my iPhone
Ellen Morrow

From: [Neely Mallory III](#)
To: [Cobbs, Kendra](#)
Subject: Proposed Chickasaw Gardens gates on Fenwick and Lafayette
Date: Thursday, November 2, 2023 11:01:00 AM



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Ms. Cobb,

Chickasaw Gardens has been my home for nearly 40 years. I write in support of the request by the Chickasaw Gardens Homes Association to close two of its six entrances to vehicular traffic. I believe that the proposed closures are important to preserve the safety and security of a historic neighborhood that remains a tremendous asset in the core of the city. Chickasaw Gardens is uniquely positioned in Memphis as a residential neighborhood that completely surrounds a public park. The neighborhood was developed with no sidewalks, where pedestrian and vehicle traffic must share the streets of the neighborhood. Reducing vehicular traffic is important for the ongoing safety of all users of the neighborhood, whether they are homeowners, residents of the area, or visitors to the park.

I believe that the proposed closure of the entrances at Fenwick and Lafayette is a pro-active measure that will reduce pass-through traffic in the neighborhood, which has noticeably increased in recent years with the growing popularity of ride sharing and the home delivery of packages, groceries, and meals. For unfamiliar drivers, closure of the secondary entrances will make ingress and egress to the neighborhood more clear and direct from Central Avenue, from which drivers would have to traverse anyway. Many of these drivers are hurried or under time constraints, and are often not observant of the children and families with whom they share the neighborhood streets. Reducing the vehicular traffic will benefit and protect the residents of the neighborhood, and will also increase the

safety of all who use the area for walking, running, recreation, and access to the park.

Contrary to the criticisms of some residents of adjacent neighborhoods, these closures WILL NOT restrict the ability of anyone to access the neighborhood in any way that they are legitimately using the streets of the neighborhood today, other than to reduce pass through vehicular traffic. Clearly available and well-lit pedestrian/bicycle gates have been incorporated in the designs to allow for continued access to the neighborhood for those in adjacent neighborhoods, and any vehicle traffic will continue to have easy and unimpeded access to the neighborhood from multiple streets directly from Central.

As affirmation of the support for these proposed closings, a documented vote of the homeowners has verified that over 90% of the residents – those most affected by their implementation – are in favor of the proposals. Emergency services has also reviewed and approved the plans. Approval should not be controversial in any way.

Closing of the proposed entrances is important to safety and viability of multiple city assets, and it is my sincere hope that you will support these proposals.

Regards,

Neely Mallory

From: [Ragsdale, Brett](#)
To: [Courtney Murrah](#)
Cc: [Cobbs, Kendra](#)
Subject: RE: Chickasaw Gardens Proposed Gates
Date: Tuesday, August 22, 2023 9:24:34 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,



Brett Ragsdale, AIA
Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 468 Memphis, TN 38103
Phone: 901-636-6619
Email: brett.ragsdale@memphistn.gov



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From: Courtney Murrah <cwmurrah@yahoo.com>
Sent: Tuesday, August 22, 2023 7:09 PM
To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>
Subject: Chickasaw Gardens Proposed Gates



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To Whom it May Concern,

I'm writing in support of the proposal to add gates at Lombardy/Fenwick Street and at Lafayette Place/Lafayette Street.

There are currently 5 streets open to vehicular traffic into and out of the Chickasaw Gardens neighborhood. This many points of egress for car traffic makes the neighborhood vulnerable to crime as it is easy for criminals to zip out of the neighborhood undetected after committing an offense. The security guards hired by residents cannot effectively cover five exits, but closing the 2 side exits and directing all vehicular traffic to the 3 Central Avenue access points would allow the security guards to more effectively patrol the neighborhood and limit options for those hoping to commit crime and exit hastily. Not only would limiting car traffic to 3 main streets deter criminals and help provide security for those who live and

exercise in the neighborhood, but it would also lessen some of the cut-through traffic on the streets, which have no sidewalks and can be dangerous for walkers and bikers.

The closure of these two side streets would leave as-is the 3 primary streets off of Central Avenue completely open for the public to access the neighborhood, the park and the lake. These three main arteries into and out of the neighborhood from Central onto Goodwyn, East Parkway and West Parkway provide the most direct routes to the public park and lake. At the two side access points where gates are proposed, pedestrian gates would be added so that neighbors to the east and west can continue to walk and bike in the neighborhood and enjoy visiting the park and lake as they always have. These pedestrian gates would be open during park hours, posted by the city as "dawn to dusk."

There has been vocal public opposition to the proposal, most of which seems to be based on incorrect information being disseminated to the public. News stories and social media posts have created sensationalistic headlines with the false statements that the neighborhood is closing its main entrances, gating itself completely, or keeping the public from accessing the public park, lake and streets. A flyer featuring false information has been distributed to those in surrounding neighborhoods urging them to protest. That incorrect information is intended to generate an emotional response from members of the public, who have been misled to believe that the residents of Chickasaw Gardens want to keep the public out of the neighborhood. In fact, the three main streets that would remain open for cars would provide as many access points to Chickasaw Gardens Lake as are available to access Overton Park Lake, Audubon Park Lake and Shelby Farms Lake, if not more.

In reality, Chickasaw Gardens has proposed a plan to allow complete public access to the neighborhood by creating 3 main entrances for auto traffic and two side pedestrian entrances for foot and bike traffic, while making the streets and neighborhood safer for all residents and members of the public to enjoy. I hope the Land Use and Control Board will consider that much of the opposition to the proposal is based on incorrect information about what is being proposed. There are many others who have expressed support for the plan, as well, but may not take steps to do so formally. If the proposal is passed, the issue will long be forgotten as all citizens of Memphis continue to enjoy the neighborhood as they always have, hopefully in a safer environment.

Thank you for your consideration.

Sincerely,

Courtney Murrah
2887 Catawba Lane
Memphis, TN 38111

From: [Ragsdale, Brett](#)
To: [Jennifer James](#); [Cindy Reaves](#)
Cc: [Cobbs, Kendra](#)
Subject: RE: Chickasaw SAC 2023-004 and 005
Date: Wednesday, August 23, 2023 5:31:46 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Ms. James, I have copied Kendra Cobbs who is the planner for these cases so she is in the loop. You can send all correspondence to her and copy me.

Thanks,

Brett Ragsdale, AIA

Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 468 Memphis, TN 38103
Phone: 901-636-6619
Email: brett.ragsdale@memphistn.gov



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From: Jennifer James <jdandjpwilliams@aol.com>
Sent: Wednesday, August 23, 2023 4:31 PM
To: Cindy Reaves <cindy.reaves@srce-memphis.com>; Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>
Subject: RE: Chickasaw SAC 2023-004 and 005
Importance: High



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Brett.

This is Jennifer Williams. Jason and I are in agreement with the proposed gate and street closure at Goodwyn and Lafayette. We are the only abutting property on this side.

Please let me know if you need me to email you the Property Owners Affidavit and I will scan in and send. I am on the way to the other side of the community to get the other signatures needed as it is so important for us to stay on schedule for tomorrow. Thanks Brett.

Jen

From: [dan.springfield](mailto:dan.springfield@gmail.com)
To: [Cobbs, Kendra](mailto:Cobbs,Kendra)
Subject: Request for closure
Date: Thursday, November 2, 2023 4:09:51 PM



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I wanted to let you know that I am in total support of closing Fenwick and Lafayette Street entrances in Chickasaw Gardens. I have lived in this neighborhood, at 54 Lombardy Rd, for over 34 years and have always felt safe, until this past year. As you maybe aware the crime here, as well as in Memphis, has gotten out of hand and anything we can do to help improve/increase the safety in the neighborhood should be done. If these two entrances are closed to car traffic they will still be open to pedestrians during the time the city park is open. This will still leave 3 other entrances to gain access to the neighborhood. Again, I can't convey how much I think we should be proactive to help keep our neighbors, family and kids safe. Thanks you for your consideration of this request.

Dan Springfield
cell:: 901.487.1440
e mail:: dan.Springfield@gmail.com

From: [Ann Roane](#)
To: [Cobbs, Kendra](#)
Subject: Street Closing @ Lafayette/Fenwick
Date: Tuesday, October 31, 2023 3:06:59 PM



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I live at 162 E Goodwyn and have been here for 50 years. We have a a great neighborhood and enjoy a wonderful public park....many memories have been created here.

I have experienced the changes which seem almost unimaginable ...recently, one homicide and one home invasion on my block alone not to mention multiple car breakins, drag racing, attempted car jackings, and one attempted murder in the past 13 months alone. This must stop for the good of our own residents and those who walk, ride , bike and play in the park as visitors.

We must have added security NOW. Residents have long paid for security for ourselves and our visitors and have just significantly increased this security. We have done all we can do. It is imperative that we reduce the number of openings to our neighborhood by closing entrances at Lafayette and Fenwick to improve the safety of all.

I strongly support this effort. Thank you for your time.

Ann Wingate Roane

From: [Judy Douglass](#)
To: [Cobbs, Kendra](#)
Subject: street closings
Date: Tuesday, October 31, 2023 3:36:17 PM



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Ms. Cobbs,

I am writing regarding the street closings pertaining to Chickasaw Gardens neighborhood. I live at 156 Goodwyn Street and am very much in favor of closing Lafayette and Fenwick entrances. We have so much traffic and the closings would help slow down this traffic. With crime on the upswing we all need to do what we can to curtail some of this criminal activity. Thank you for your help!

Sincerely,

Judy Douglass

From: [Robert Shy](#)
To: [Cobbs, Kendra](#)
Cc: [Colvett, Frank](#); [Canale, JFord](#); [Morgan, Worth](#)
Subject: Street closures
Date: Wednesday, November 1, 2023 5:11:39 PM



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Kendra,

I hope this email finds you well.

I am writing you today in support of closing off Lafayette Street and Fenwick Road as they enter Chickasaw gardens. Walking & biking in Chickasaw gardens is very challenging to navigate with there being no sidewalks because of the historic nature of the neighborhood. The closing off of the two streets would encourage more walkers, joggers and bikers from surrounding neighborhoods. And they could do so without the threat of high traffic.

However there will still be three major entrances to Chickasaw Gardens, just like Overton Park and Audubon Park.

All the best,
Robert Shy

ROBERT SHY
2880 Garden Lane
Memphis TN 38111

615-403-2146

From: [laurie hughes](#)
To: [Cobbs, Kendra](#)
Subject: Street closures Chickasaw Gardens
Date: Tuesday, October 31, 2023 5:13:08 PM



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Ms Cobbs,

I live at 175 W Chickasaw Pkwy, Memphis TN 38111 and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings, and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.
Laurie Hughes

Sent from my iPhone

From: [Robert Shy](#)
To: [Cobbs, Kendra](#)
Cc: [Colvett, Frank](#); [Morgan, Worth](#); [Canale, JFord](#); [Carlisle, Chase](#); [Warren, Dr., Jeff](#)
Subject: Street Closures
Date: Wednesday, November 1, 2023 11:19:13 AM
Attachments: [image002.png](#)
[image003.png](#)
[image006.png](#)



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette Pl @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo.

Thank you for considering my letter supporting the street closures in this matter.

Robert

If you would like to schedule a time with me, please click on the blue calendar.



-

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[ROBERT A. SHY, AWMA®, CPFA](#)

[VICE PRESIDENT, WEALTH MANAGEMENT](#)

From: [camille mueller](#)
To: [Cobbs, Kendra](#)
Cc: [Morgan, Worth](#); [Carlisle, Chase](#)
Subject: SUPPORT chickasaw gardens street closures
Date: Wednesday, November 1, 2023 7:36:12 AM



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Dear Ms Cobbs,

I am writing in support of closing 2 of the entrances to Chickasaw Gardens.

I have lived in the same house in front of the lake on East Chickasaw Parkway for 49 years (since I was 16). I realize that the lake and its park are a treasure for all Memphians to enjoy and I am not wishing to limit the number of people who visit. In fact, we all welcome them. However, I am witness on a daily basis to the safety issues created for all by the dramatic increase in the number of cars and the speed with which they travel. I believe that this is truly a safety issue for both the residents and visitors.

It is very easy to get lost within our neighborhood and therefore, I believe that reducing the number of entrances would also make it easier for the guards to assist visitors who are trying to get back to Central or find their way within the neighborhood.

I appreciate your consideration and thank you for any help you can provide

Sincerely

Camille Mueller

96 East Chickasaw Parkway

Memphis 38111

Sent from my iPad

From: [MAURY, TAYLOR](#)
To: [Cobbs, Kendra](#)
Subject: Support for Closing Lafayette & Fenwick
Date: Wednesday, November 1, 2023 1:24:54 PM



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Good afternoon Kendra,

I am in full support of closing Lafayette and Fenwick entrances to the Chickasaw Gardens neighborhood.

I have two small children, ages 2 and 5, and have overwhelming concerns as it relates to traffic and safety. We have had numerous reports of criminals attacking residents of Chickasaw Gardens and cross through traffic driving erratically on a daily basis. This neighborhood is family friendly, and the traffic & crime pose an immediate threat to the safety of children and residents – closing Lafayette and Fenwick would help mitigate these issues.

Contrary to media and grassroots efforts to block the approval of these gates – the closing of these streets to vehicular traffic **WILL NOT** affect pedestrian access and will remain open for those wishing to access the lovely park by foot. There will also still be multiple open streets to provide access into the neighborhood if needed.

Please strongly consider approval to close these streets – the safety of our children and residents depends upon it.

Thank you,

- Taylor Maury

W. Taylor Maury

Vice President | Correspondent Division

From: forblueskies04@aol.com
To: [Cobbs, Kendra](#)
Subject: * SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St. Staff Planner: Kendra.Cobbs@memphistn.gov * * SAC 23-05: CHICKASAW GARDENS: close and vacate Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr. Staff...
Date: Wednesday, August 23, 2023 8:27:19 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender forblueskies04@aol.com

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I strenuously opposed both of the above street closings. I live at 127 S. Humes and have for 42 years had access to the public park and lake in Chickasaw Gardens by walking down Lombardy and crossing Fenwick into Chickasaw Gardens. My daily dog walks and taking my children and now grandchildren to see the beautiful lake has added great joy to my life.

Having to walk down to Central with its very fast-moving traffic and enter the Gardens via the Central entrance is quite inconvenient and frightening with little children and a dog.

There are many reasons to keep the two entrances open, but this is my personal experience.

Cary Schwartz
127 S. Humes Street
Memphis, Tn. 38111

From: [Lowell Yarbrough](#)
To: [Cobbs, Kendra](#)
Subject: Access to Chickasaw Gardens
Date: Wednesday, August 16, 2023 11:28:16 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender drlowell@gmail.com

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I am writing to you today to express my concern about the closing of two of the accesses into Chickasaw Gardens neighborhood. Gates would have a detrimental effect on Fenwick, Lafayette St, and surrounding neighborhoods. I am asking you not to approve this change of access to a public city park.

Thank you,

--

Dr. Lowell Yarbrough, D.C.
drlowell@gmail.com

From: [Lyn Joyner](#)
To: [Cobbs, Kendra](#)
Cc: [Ragsdale, Brett](#)
Subject: Additional concern - SAC 23-04, 23-05 -public roads closings
Date: Friday, August 18, 2023 11:23:07 AM

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Ms. Cobbs, thank you for responding to my message on the lack of crime, as shown in stats, to back CGHOA's claim of a need to decrease crime as their reason for closing two public roads.

ADDITIONAL CONCERN -

How would the City enforce the gate being open dawn-to-dusk on these public roads?

A promise or guarantee from CGHOA to take responsibility for monitoring public road access is Not Acceptable.

There's little reason to trust CG will want to take long-term responsibility for keeping their gate open to the community, and good reason to believe they won't. For instance, Cherokee residences have consistently not maintained their Fenwick-side reverse frontages. CGHOA made an unkept promise to landscape/maintain their side when they needed our NA's approval to close the Tillman entrance, years ago. Over many years, Fenwick Rd. NA has spent untold hours getting CG property owners to comply with Code--including going to Environmental Court--to get them to trim back weeds, etc., to improve driver safety on our street, and to reduce blight.

Would taxpayers need to pay for City enforcement of open gate hours?

I hope this concern about enforcement will be raised in Monday's report.

Thank you,
Lyn Joyner
Fenwick Rd. NA, Community Liaison

From: [Juliet Wischmeyer](#)
To: [Cobbs, Kendra](#)
Subject: Against Lombardy Gate
Date: Tuesday, August 29, 2023 7:08:47 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender juliet.wischmeyer@gmail.com

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Dear Ms. Cobbs, I am a resident of Memphis at 27 in Ashlawn Cove. I am against the obstruction of a city street, Lombardy Avenue, with a gate that will not benefit all or any Memphians but only the homeowners in a certain neighborhood. Furthermore, my 86 year old mother lives at 2724 Lombardy. I often pick her up to drive to the lake to walk. It is unnecessarily inconvenient and obstructive to have to drive all the way around to access to the neighborhood to which she belongs, a Chickasaw Gardens, but would be shut out of. Thank you, Juliet Wischmeyer 901-2 70-4260
Sent from my iPhone

From: [Katie Tamboli](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw / Lombardy closure
Date: Tuesday, August 22, 2023 10:24:57 PM

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I'm writing to oppose gating the entrance to Chickasaw Gardens at Lombardy. Cited from the Memphis Daily News, the number of crimes reported in Central Gardens since 1/1/23 are TWO. One for forgery & the other vandalism. Using the uptick in crime (fed by poverty) to justify building another wall won't solve their catastrophic forgery/vandalism trauma. Instead, it'll fuel the status quo Memphis has followed for decades, separating the elite (white) from impoverished black people. Building another wall will add to the suppression black children already experience as less important, less worthy than others by learning to navigate & survive at nearly a 40% childhood poverty rate. Memphis leads the country as the most impoverished city with over 500k people. Crime & poverty go hand in hand. No wall will fix that.

A few years ago, Central Gardens residents posted on Nextdoor their concern that a black kid was riding his bike through the neighborhood. It turns out that the child lived on Lombardy just around the corner & his mother was a high ranking, elevated administrative faculty member at CBU. This is point blank profiling by Central Gardens residents. Imagine the trauma poverty stricken children feel being profiled just for riding their bicycle down the street. If it happens to 'well to do' black child, imagine how most of our children in Memphis must feel. Put yourself in their rugged shoes.

Since Central Gardens has a history of not upholding their 'promises,' I object they will uphold this promise of keeping a pedestrian gate accessible. One entrance at a time, they are building walls, It began on Poplar years ago, promising to keep pedestrian/biking access yet the gate remains locked. They've provided only empty promises over the years.

Chickasaw Gardens houses PUBLIC streets & a PUBLIC park. Barricading these commons for all will continue to destroy our city, more than it already is.

Let's bridge Memphis together, not add more walls.

Thank you for considering the opposition to further inequality.

Katie Tamboli
2791 Iroquois Rd
Memphis, TN 38111

Humes Heights

From: ginger.gapr@gmail.com
To: [Cobbs, Kendra](#)
Subject: Chickasaw garden gate proposal
Date: Thursday, August 17, 2023 12:21:39 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender ginger.gapr@gmail.com

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Chickasaw garden gate proposal

My name is Ginger Areas. I am a resident of Humes Heights. I have lived in the neighborhood for over 30 years. I've spent much time enjoying brisk walks to Chickasaw Garden Park. My husband and I were married in the park on May 11, 1996, with approval from The Memphis Park Commission. My children and grandchildren have been fortunate enough to enjoy quiet time at this park for relaxation, exercise and learning activities.

I am asking that you **DO NOT ALLOW GATES**, which would block off the public streets and city park from our community. Division is not the answer!!

Thank you for your time. I hope we have your support.

Sincerely,

Ginger Areas







Sent from my iPhone

From: [Adam Hohenberg](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens access
Date: Tuesday, August 29, 2023 4:35:17 PM



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Dear Ms. Cobbs,

I am writing to voice my objection to closing off access to Chickasaw Gardens.

I have walked there in the neighborhood for many years and making it a "gated community" would deny my ability to exercise there, Also, I think would not be a good precedent for the city.

Sincerely,

Adam Hohenberg

From: [Kim Harden](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate Proposal
Date: Thursday, August 24, 2023 3:35:16 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender kharden@collier.com

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Good afternoon Ms. Cobbs,

My daughter and I moved to 260 S. Fenwick Road earlier this month, making us new residents of Chickasaw Gardens. I was quite surprised to learn about the gates the Chickasaw Gardens HOA has suggested closing off the flow throughout the neighborhood and am not in favor of this being approved. I know how difficult it is to turn left onto Central each morning and don't want the cut-thru closed off. One of the things that attracted us to the neighborhood was the walkability and riding our bikes. If it is gated, riding our bikes becomes a hassle to get through the man gates or you end up going up on Central, which is not safe with the traffic.

Again, absolutely not in favor of the gates getting approved.

Thank you for your time.

Kim Harden



Kim Harden

Administration Manager

Personal Lines Manager

901.529.2900

866.600.COLL

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From: [Alaina Clifton](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate Proposal
Date: Monday, August 21, 2023 3:03:58 PM



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Dear Ms. Cobbs:

I live at 3142 Cowden Ave, Memphis, TN 38111 and I am writing to express my disagreement with Chickasaw Garden's petition to close access at Lafayette and Lombardy.

First of all, the neighborhood has a City of Memphis Park inside of it with a lake and a well used walking trail. I'm not sure how you can prevent access to a city park.

Additionally, the neighborhood is the best place to walk within miles, especially since it has good shade. If you have ever been to Joffre area you will see so many people walking with their dogs, children, riding bikes, etc. It is part of why a lot of us moved to this area.. If the Lafayette and Lombardy entrances are gated people from several streets will not be able to walk there and the Central Avenue entrance is too far away for many to access. Additionally, the traffic on Central is crazy sometimes and I don't even feel safe walking my dogs on the sidewalk on Central for fear that some speeding car might lose control and run up on the sidewalk.

Please consider the other people who live around Chickasaw Gardens, love their beautiful neighborhood for evening and morning walks, and are respectful to the residents.

Sincerely,

Alaina Clifton Vandeventer

From: [Alex Nowlin](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate
Date: Thursday, August 17, 2023 11:16:13 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender alexnowlin@gmail.com

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Dear Ms. Cobb

I am writing to voice my object to Chickasaw Gardens putting up additional gates, thereby limiting access to a public park. I am a nearby resident in Humes Heights and use that park for exercise. My kids use the Lombardy entrance to bike to the park. Otherwise they would have to go on a busy street like Central to get to the park. That would not happen.

The neighborhood does not own the park. It is enjoyed by all surrounding areas, and paid for with tax dollars. Crime in this area is not a problem. I live in the area.

Please make note of my objection. The public interest is not served by gating off this neighborhood, preventing Memphis residents from using their own public park. The public is served by open access to public greenspaces.

Alexandra Nowlin

Sent from my iPhone

From: [Dan Hope](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens gate
Date: Wednesday, August 23, 2023 3:29:50 PM



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Hello, Ms. Cobbs.

I apologize for being a day late to send you and email on the subject of the gates for Chickasaw Gardens. I did feel like I needed to speak up, but I can't attend Thursday's meeting. I will be at work.

I am fond of the access to the Chickasaw Gardens Lake and fully believe it is city property belonging to the citizens of Memphis. When I was recovering from throat cancer last fall, I took many walks by that lake and it was very therapeutic. I live in the Joffre neighborhood, and often walk down Cowden to Lafayette then up Lafayette Circle and across to reach the lake. That whole area is beautiful.

Chickasaw Lake is public property, is it not? And the residents of Chickasaw Gardens don't own it or the streets and park that lead to it, correct?

The folks who live in Chickasaw Gardens are well off, I can tell. I'm just a middle class taxpayer. If this is about cutting down on crime, those residents can surely afford more security rather than cutting off access to a public park and lake for the rest of us Memphis citizens I would think. It belongs to all of us!

Please do not allow the residents of Chickasaw Gardens to punish the good citizens of Memphis who live around that area and wish to take walks to the lake, feed the ducks and geese, or enjoy the fresh air.

Thanks for listening.

Dan Hope
276 S. Greer St.
Memphis, TN 38111
901-326-2000

Your water heater is the third largest energy user in your home, operating 24/7. Adjust the thermostat on your hotwater heater to 120 degrees or medium. To save on your MLGW bill, buy an EnergyStar model which will use less energy.

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Feedback

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From: [Jan Bergk](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gates - Land Use Control Board Meeting
Date: Tuesday, August 22, 2023 8:20:19 PM
Attachments: [logobar_96db38d5-20e4-4fd7-b849-318e56842004.png](#)
[email_header_ca3ce62a-2387-4eb6-b961-816314b1b342.png](#)
[email_linkedin_2dc62973-36cb-40de-b9bc-d86574c1166e.png](#)
[email_twitter_19c333c9-02c1-4170-b98e-41a20c4c56aa.png](#)
[email_facebook_f354d3a3-69f1-4822-a353-03a80c3af28e.png](#)
[email_instagram_efd737fa-1911-4e6b-bfab-2ee7dce2f01e.png](#)
[email_web_4a819531-20b8-4df2-9211-67990b1c3efb.png](#)

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Ms. Cobbs,

I hope you had a great and successful week so far. I am writing in regards to the proposed closure of the Chickasaw Gardens neighborhood due to the installation of gates along Lafayette/Goodwyn and Lombardy/Fenwick.

My wife and I walk our dogs around the Chickasaw Gardens pond multiple times a week, and are expecting an addition to our family next week as well that we can't wait to walk around the pond. We own our house on Dille Place, and pay real estate taxes to the City of Memphis for, but not limited to, public parks, public amenities, and the maintenance of public roads.

To the best of my knowledge, Chickasaw Gardens is a public neighborhood/subdivision and its streets, sidewalks, and the pond are maintained using tax dollars, and should therefore be available to every Memphian. They do not belong to private people living in this neighborhood.

I am still in shock that a gate exists along Poplar Avenue, however, I would not be surprised if someone back in the 2000s somehow got by with getting that passed.

The neighbors of the Chickasaw neighborhood are trying to increase their property values with this petition, as properties in a gated neighborhood sell for a premium typically. However, not having access to the pond and public areas of the Chickasaw Gardens neighborhood, which is a public amenity and financed by tax dollars, would lower property values as this amenity is lost in adjoining neighborhoods, just like ours.

I highly encourage city officials to not give in to "the wealthy few" trying to turn something public private for their own good, disregarding the many others that are directly impacted.

Kind regards and thank you for the time to consider my concerns,

Jan Bergk



Jan Bergk
Director

Valuation

1661 International Drive, Suite 330, Memphis, TN 38120

P 901-902-4481 C 601-951-9964

E jbergk@bbgres.com

Valuation + Assessment



From: [Peter Longoria](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gates
Date: Sunday, August 20, 2023 10:06:23 AM



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Hi Kendra,

I am emailing to let you know I disagree with the proposal at Chickasaw Gardens to put gates up at Lafayette St. The park is owned by the city and that gate would severely limit my families ability to enjoy the public park there. I have a toddler and live in the neighborhood across from the Lafayette entrance. Having to walk to the only proposed opening on Central would not only increase how far we have to walk to get to the park, but is also dangerous for my toddler, as Central Ave is such a busy street. The reality is that everyone is dealing with an increase in crime and car burglaries, but they already have 24 hour security roaming through the neighborhood. Making the neighborhood a fortress with only one entrance or exit, at the detriment of everyone else who lives nearby and uses the public park for family enjoyment, seems ridiculous to me. It is wild that such an affluent neighborhood could even have the option of barring roads to a public park just because they experiences a few car break ins this past year, of which many in the city have.

Sincerely,

Peter Longoria

From: [Dana Johnson](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens land use petition
Date: Sunday, August 20, 2023 7:58:16 PM



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Hi Kendra,

I live on S. Lafayette Circle and was dismayed to hear about the petition to close entry to Chickasaw Gardens at Goodwyn/Lafayette and Lombardy/Fenwick. As a neighboring resident, I regularly walk in the Chickasaw Gardens park and around the lake. Limiting entry to only one point off of Central Avenue would create a significant barrier to mine and my neighbors' ability to access this space.

It is bewildering to think that a Memphis Park would be nearly inaccessible to anyone not living directly around it. Drastically reducing access to this green space would be to the detriment of those of us who live in the surrounding area and doing so would be in direct opposition to the Memphis Parks' mission to "create positive and safe places to provide community-centered experiences that connect all Memphians."

Thank you in advance for helping ensure Chickasaw Gardens park remains a place that everyone in the community can enjoy.

Dana Johnson
513-461-3107

Sent from my iPhone

From: [Brenda Landman](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Park
Date: Thursday, August 17, 2023 8:26:32 AM



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I'm opposed to gating access to Chickasaw Gardens Park. Denying or limiting access to city owned parks to deter crime further divides our community. Deal with the causes of increased crime especially among juveniles instead of band-aiding wealthy neighborhoods. Consider that this may not be the message you want to broadcast.

Brenda Landman
Sent from my iPhone

From: [Carye Jackman](#)
To: [Cobbs, Kendra](#)
Cc: [Ragsdale, Brett](#)
Subject: Chickasaw Gardens Petition
Date: Tuesday, August 22, 2023 10:25:42 PM

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.

Good evening,

I am emailing you in regards to Chickasaw Gardens' request to close off street entrances. I and many other in my neighborhood, Humes heights, are completely against this because we as tax payers pay for the city streets that are in Chickasaw Gardens as well as the city park inside of there. By shutting off access to the two entrances is shutting out neighboring neighborhoods that have always been accessible. Also, by closing these entrances and basically making it a private community, it will negatively affect the property value of all of our homes. Closing off these entrances will not be good because central Ave will be contested. This will also limit emergency vehicles to enter Chickasaw Gardens one way. As far as their proposal for the pedestrian gates, this has been done in the past and we were never able to access them because they were always locked. I vote that this shouldn't happen.

Thanks,
Carye Jackman

From: [Allison Swan](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Proposal
Date: Saturday, August 19, 2023 2:56:23 PM



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Ms. Cobb,

I received the flyer on my front door today regarding the Chickasaw Gardens petition to close Lafayette Place at Goodwyn St. and Lombardy Rd. and Fenwick St.

Thank you for asking for other citizens' input. ***I strongly disagree with the closure of these streets with gates that block both car and foot traffic.***

Chickasaw Gardens Park is a City Park. As a neighbor, my family- me, my husband, my 6-year old son, and 3-year old daughter -often walk or bike over to the Park to enjoy a walk or picnic around the lake. These closures would make this City Park pretty much impossible for us to access other than by car. I wonder too, if the residents of Chickasaw Gardens are prepared for the influx of car traffic around the Park that will occur by blocking foot/bike access.

Blocking these roads and making it so difficult to access will in essence make this City Park, meant to be enjoyed by all residents of Memphis, now a private park for a select few residents in the Chickasaw Gardens neighborhood.

A select few privileged residents, you might say— we're all concerned about the horrible crime in this city, so much so that I wrote a letter to Mayor Strickland just recently about it. If this passes, does that mean that every neighborhood can petition to gate our streets off to prevent crime as well? If so, sign us up in the Joffre neighborhood!

Thank you again for asking for city residents' input on this petition. I sincerely hope it is turned down.

Thank you,
Allison Williams
3213 Cowden Ave.
Memphis, TN 38111

Sent from my iPhone

From: [Mark Pomerantz](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens road closures
Date: Thursday, August 17, 2023 10:16:57 AM



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Hello, Kendra.

My name is Mark Pomerantz. I am a Midtown Memphis resident and currently reside in Evergreen. I came across this news article which links to plans to put gates up around Chickasaw Gardens ostensibly to reduce "criminals" from driving through the neighborhood: <https://www.actionnews5.com/app/2023/08/16/gate-debate-affluent-midtown-neighborhood-considers-limiting-public-access-combat-crime/>

This would impede access to a public park - a park I frequently like to use because of the lake and the quiet surroundings. If this access is blocked off, they may try to further limit access from Central Ave to the neighborhood which would cut off this park completely. If this measure passes, I think it sets a bad precedent not just for Chickasaw but all of Memphis and could lead to further road closures and people from being cut off from public resources.

Please consider voting against the gates. Please keep public parks open to the public.

Thank you,
Mark Pomerantz
208 Angelus St.
38112

From: [Stewart Dismuke](#)
To: [Cobbs, Kendra](#)
Cc: stewarddismuke@gmail.com
Subject: Chickasaw Gardens street closings proposal
Date: Monday, August 21, 2023 5:25:27 PM



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Ms Cobbs, my name is Ed Dismuke and I live on Greer St near Chickasaw Gardens. My wife and I enjoy walking and riding our bicycles in Chickasaw Gardens and we use the Lafayette Place and Lombardy Rd entry ways. We enjoy walking on the streets, the common places and around the lake. I always thought that the Streets, common places and lake were owned by the City. If they are all owned by residents then the owners have the right to shut those entrances. If those areas are owned by the City I strongly oppose the closings. Thank you. Ed Dismuke, 264 S Greer Street.

PS. It might be ok to block car traffic but not walkers or bicycles.

Sent from my iPhone

From: [Carolyn Wills](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Wednesday, August 23, 2023 9:03:02 PM



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Ms. Cobbs: This email serves as my statement of opposition to the proposed gates into Chickasaw Gardens at Fenwick and Lafayette. My opposition is based on the following:

1. We currently live on the corner of Lombardy and Buntyn. To access the Greenline, my husband and I ride our bikes through Chickasaw and up Lafayette to cross Poplar at the light. It's the safest way to get to the Greenline. We regularly walk our dog across Fenwick. He doesn't like the traffic on Central and enjoys the quiet streets of Chickasaw Gardens. Closing Lombardy at Fenwick would have a huge negative impact on our daily routine and enjoyment of our neighborhood.
2. Closing Lombardy would have a negative impact on our property values, while increasing those of the Chickasaw Gardens' residents. Is the role of the government to support neighborhood exclusivity? I do not believe it is.
3. There is no clear evidence that closing streets will reduce crime in this area. If the residents of Chickasaw Gardens believe they would be safer in a gated community, they should be welcome to relocate.
4. All taxpayers should be treated equally, even those who live south of Central and cut through Chickasaw Gardens, just as I do.
5. Our dog loves the lake in Chickasaw Gardens which is a public park. The public, and our dog, should not be impeded from using public resources.

The betterment of a few should not outweigh the good of the many. Thank you for your consideration.

Carolyn Wills, AIA

Bottletree Design Group, LLC

C: 901-481-4743

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From: [KAREN J. ZISSOFF](#)
To: [Cobbs, Kendra](#); [Burkey, Ted](#)
Subject: Chickasaw Gardens
Date: Thursday, August 17, 2023 9:32:30 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender kjzissoff@comcast.net

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.

To: Kendra Cobbs

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Chickasaw Gardens does NOT have a crime problem that calls for two road closings. There is NO VALID REASON for HA's proposed two road closings.

CGHA's Letter of Intent says

"It (less public road access) **should decrease the crime we are currently experiencing** and give the security company a consolidated area to monitor for entry and exiting the neighborhood."

CGHA provides no stats to support their reason for closing two public roads.

Concerned, I checked The Daily News Crime Report Map to count crimes:

Chickasaw Garden's CRIME STATS from 1/16/2023 - 8/16/2023:

TOTAL OF 7 CRIMES reported for the past seven months, of which 3 were for counterfeiting/forgery.

For 3 months in this past 7-month period, **zero reported crimes in CG.**

Hard to decrease from that.

In comparison:

Fenwick to Plainview, neighborhoods west of CG, **crime stats from 1/16/2023 - 8/16/2023:**

TOTAL OF 24 CRIMES reported for the past seven months (zero were for counterfeiting/forgery).

NOTE: In January 2023, just 8 months ago, surrounding neighborhoods overwhelmingly rejected via petition CG's proposal to close off Lombardy, one of the roads in the current filing.

Why is this coming up again, so soon?

HOW DID THIS GET FAST-TRACKED????? Why is there no LUCB hearing. CG has already, over the years, closed 4 of 9 their entrances. Enough!!!! would like not to have to address their uncivic road closing proposals again.

Thank you

Karen Zissoff & Ted Burkey

Across from Lafayette.

From: [Wendy Young](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gates
Date: Sunday, August 20, 2023 9:32:37 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender youngfirehammer@gmail.com

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.

Kendra,

I appreciate you taking the time to read this email.

I oppose the placement of gates to close off Chickasaw Gardens in any capacity. This is a classist move on the part of the Chickasaw HOA. Building walls and gates only keeps YOU safer and therefore you have no incentive to help the greater Memphis community.

If they have the means to build and maintain gates, then they have the means to fund other community based projects that could provide peace of mind for more than just their elite neighborhood.

I live in the adjacent neighborhood of Joffre and work at the “Pink Place “ (MoSH). I am deeply invested in this area and the greater Memphis Community. Everyone deserves to feel safe and enjoy the PUBLIC Park within the Chickasaw walls. Gates do not stop crime. They send it elsewhere.

I wish that people of Chickasaw Gardens would consider an unselfish approach to crime prevention moving forward. I find the literal gatekeeping to be a disgusting abuse of affluence. It is a slap in the face to the greater Memphis community.

Thank you again for your time.

Wendy Young

From: [Joyce Woodley](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gates
Date: Thursday, November 2, 2023 9:51:54 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender jwoodley1s@att.net

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We oppose strongly!! I'm a resident of S.Fenwick. Thank you. Joyce Woodley
Sent from my iPhone

From: [Rob B](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Private Park
Date: Wednesday, August 16, 2023 1:00:14 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender rob_bacon@hotmail.com

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.

Hello - I am emailing about the possibly of the rich getting richer and the Memphis tax payers paying for a park that is becoming increasingly hard to access to the public. I live right outside of Chickasaw and routinely use the park to walk my dogs or run. The closures proposed will greatly limit my access to this park.

There is an up-swelling that I'm not sure the city quite yet understands in regards to awarding this city park to an affluent neighborhood and limiting it to its less affluent neighbors.

If this is approved we already have back up/contingency plans in place to continue to protest what would be a very clear showcase that Memphis government is a plutocracy.

We will fight this.

Thank you and the board for your consideration.

From: [Drew Cadenas](#)
To: [Cobbs, Kendra](#)
Subject: Closing of lombardy at Fenwick
Date: Friday, August 11, 2023 9:12:23 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender cadenasa@gmail.com

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.

Dear Mrs Cobbs,

I am writing to you to express my displeasure at the proposed closing of Lombardy where it intersects with Fenwick Rd. I understand this closure is at the request of residents of Chickasaw gardens, to keep us 'riff-raff' away from their gated island. The city of Memphis operates a public park in Chickasaw gardens. Closing the road will negatively impact any and all users of that park, and will allow Chickasaw gardens to have their own private park maintained by city tax dollars. Additionally, Lombardy is a public road. If Chickasaw gardens wishes to close it I presume the city will no longer pay for maintaining the road? Or will we be on the hook for that as well? What happens when, and I do mean when, someone decides they don't like the gate and runs through it? Will my tax dollars be used to replace it? This entire incident is a gross display of the wealthy using their power to screw over everyone else for a slight gain to themselves. I urge you not to allow this proposed road closure to go through.

Many thanks,

From: [Dale Engelberg](#)
To: [Cobbs, Kendra](#)
Subject: Fw: Failure Notice
Date: Wednesday, August 23, 2023 5:49:15 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender deengelberg@yahoo.com

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i hope this gets to you
DEE

----- Forwarded Message -----

From: MAILER-DAEMON@yahoo.com <mailer-daemon@yahoo.com>
To: "deengelberg@yahoo.com" <deengelberg@yahoo.com>
Sent: Wednesday, August 23, 2023 at 05:28:59 PM CDT
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<Kendra.Cobbs@memphis.gov>:

No mx record found for domain=memphis.gov

----- Forwarded message -----

i just received information to share information to you by today about the proposed street closures around Chickasaw Gardens. i have lived just south of Chicasaw Gardens for the past 49 years. i have thoroughly enjoyed walking almost daily at the lake with from one to three dogs and occasionally friends. i have many lovely photographs of the lake and trees with a special project of photographing the park during each season.

The first 'surprise' was losing access to the city park within Chickasaw Gardens from Poplar as two gates kept me from driving to the lake on the way home from work. That used to be an immediate stress reducer. that happened as a 'housing development' was built next to Poplar within Chickasaw Gardens and claimed the street entrance as their own. i never saw any announcement or publicity about this closure. another street closure came when another 'housing development' was built next to Lafayette at the northeastern end of CG.

I have used all the city streets with now only Fenwick and Lafayette to gain access to the light at Goodwyn and Central to cross at busy times of day.

I have always driven accross Central to one of the city street entrances for my safety and the safety and calmness of my dogs to get to the park. I live a block south of Chickasaw Gardens. the streets have no sidewalks and are uneven for drainage, making it unsafe and painful to walk. after four ruptured disks and two back surgeries, the flat walk around the lake is the most comfortable and very beautiful. going slowly around the lake for my puppy sniffing, exploring, and visiting helps me as well.

The streets need to remain open for all Memphis residents to access a public park. The wealthy residents of Goodwyn and Chickasaw Gardens repeatedly try to limit access on city streets where they live. Goodwyn got large speed bumps when a wall at one end of the street was not approved. i would like to see the children who supposedly play in the front yards and need protection from the two lane street as the reason for slowing traffic! once i saw a father play football with his two small children, and most of the yards have fences. after walking at the lake in Chickasaw Gardens most days, i often see the security guard patrolling and we wave as he passes. in 49 years, i once saw a suspicious looking male wandering through yards and the guard agreed to investigate the situation - and with no

additional gates!

Dale Engelberg

From: [Wright, Britney](#)
To: [Cobbs, Kendra](#)
Cc: [Crichton, Liza](#)
Subject: FW: PROPOSED CHICKASAW GARDENS ROAD CLOSURES
Date: Thursday, August 24, 2023 10:08:13 AM

Kendra,

A constituent emailed the Council members opposing the proposed Chickasaw Gardens Road closures project. I noticed that Richard Parks had your email incorrect, so I am forwarding you the correspondence.

Have a good day! Thank you!

Britney Wright
Executive Assistant
Memphis City Council

125 N. Main St., Suite 514
Memphis, TN 38103-2017
(901) 636-6795
Email: britney.wright@memphistn.gov
Visit: [website](#)
View: [meetings](#)

From: rich parks <freeparksgm@gmail.com>
Sent: Wednesday, August 23, 2023 1:03 PM
To: Kendra.cobbs@memphis.gov; Jones, Martavius <martavius.jones@memphistn.gov>; Logan, Rhonda <Rhonda.Logan@memphistn.gov>; Colvett, Frank <frank.colvettjr@memphistn.gov>; Robinson, Patrice <patrice.robinson@memphistn.gov>; Swarengen Washington, Jana <Jana.Swarengen-Wash@memphistn.gov>; Morgan, Worth <worth.morgan@memphistn.gov>; Ford Sr., Edmund <Edmund.FordSr@memphistn.gov>; Easter-Thomas, Michalyn <Michalyn.Easter-Thomas@memphistn.gov>; Smiley, Jr., JB <JB.SmileyJr@memphistn.gov>; Johnson, Cheyenne <Cheyenne.Johnson@memphistn.gov>; Carlisle, Chase <Chase.Carlisle@memphistn.gov>; Canale, JFord <JFord.Canale@memphistn.gov>; Warren, Dr., Jeff <Jeff.Warren@memphistn.gov>
Cc: Richard Lawparks <lawparks@aol.com>
Subject: PROPOSED CHICKASAW GARDENS ROAD CLOSURES



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender freeparksgm@gmail.com

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.

Greeting to you all:

I am a life-long 70 year old Memphian and a nearby neighbor who will definitely be adversely

affected by the referenced road closures. I am therefore opposed to it and urge all council members to reject the proposal which will cause more harm to others than it will create a solution for all. I and many, many voting citizens are watching and hoping to witness your effective and equal application of the law. This is a slippery slope proposal and we don't need the camel's nose in our tent. There are other, better solutions to this special parochial proposal to a problem that plagues others even more than that seemingly privileged neighborhood. Be a courageous champions/examples for the lesser among us and you and the majority of the citizens of Memphis will no doubt benefit more in the long run.

Richard Parks
901-324-8356

From: [rich_parks](#)
To: [Cobbs, Kendra](#)
Subject: Fwd: PROPOSED CHICKASAW GARDENS ROAD CLOSURES
Date: Friday, August 25, 2023 7:38:18 PM

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.

----- Forwarded message -----

From: rich parks <freeparksgm@gmail.com>
Date: Wed, Aug 23, 2023, 1:02 PM
Subject: PROPOSED CHICKASAW GARDENS ROAD CLOSURES
To: <Kendra.cobbs@memphis.gov>, <Martavius.Jones@memphistn.gov>, <Rhonda.Logan@memphistn.gov>, <frank.colvettjr@memphistn.gov>, <Patrice.Robinson@memphistn.gov>, <Jana.Swearengen-Wash@memphistn.gov>, <Worth.Morgan@memphistn.gov>, <Edmund.FordSr@memphistn.gov>, <Michalyn.Easter-Thomas@memphistn.gov>, <JB.Smileyjr@memphistn.gov>, <Cheyenne.johnson@memphistn.gov>, <Chase.Carlisle@memphistn.gov>, <Jford.canale@memphistn.gov>, <Jeff.Warren@memphistn.gov>
Cc: Richard Lawparks <lawparks@aol.com>

Greeting to you all:

I am a life-long 70 year old Memphian and a nearby neighbor who will definitely be adversely affected by the referenced road closures. I am therefore opposed to it and urge all council members to reject the proposal which will cause more harm to others than it will create a solution for all. I and many, many voting citizens are watching and hoping to witness your effective and equal application of the law. This is a slippery slope proposal and we don't need the camel's nose in our tent. There are other, better solutions to this special parochial proposal to a problem that plagues others even more than that seemingly privileged neighborhood. Be a courageous champions/examples for the lesser among us and you and the majority of the citizens of Memphis will no doubt benefit more in the long run.

Richard Parks
901-324-8356

From: [Paula Payton](#)
To: [Cobbs, Kendra](#)
Subject: Gate at Fenwick
Date: Tuesday, August 22, 2023 8:57:06 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender paypetalpop@icloud.com

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.

Hello Kendra,

I am a homeowner on 205 South Fenwick at Lombardy. I am against the gate for several reasons.

Using Crime is an excuse...Chickasaw does not have any more crime than anywhere else in the city...instead of closing it off why don't we address the real issues of Memphis.

How is closing at Lombardy going to do any different if you have East and West Chickasaw still open.

Even though I am right outside of this proposed gate my neighbors as well as myself enjoy our walks through the area and am relax at the park when we can.

Now, what I can complain about is the constant speeding traffic that flows as a cut through from Poplar to Central!

Also, I feel like the west side Lombardy is getting the short end of the stick with this as well!!

This city is divided already. The beauty of this area is that I enjoy my neighborhood and my neighbors that I know....even those that I don't know have always been very neighborly.

Again,

I am against this gate!

Sincerely,

Paula Rush Payton

From: [David Henderson](#)
To: [Cobbs, Kendra](#)
Subject: In opposition to new gating for Chickasaw Gardens
Date: Saturday, August 19, 2023 8:14:34 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender dhenderson2@unl.edu

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 want to express my concerns about the proposal for further closures of access to Chickasaw Gardens. For a number of years I lived on Lafayette Circle and enjoyed the access provided by the one remaining gate on Lafayette. My wife and I enjoyed regularly walking the area and park. I now live downtown, but my daughter and family lives in the area and take advantage of such walks. (I now live in downtown Memphis.) Certainly for those many living near the park, it affords a very pleasant walk, and one that would be a little less accessible were they to need to walk to and along Central for some significant additional distance. I think that such access to a public park should be maintained—the residents of the area have such, and those in associated neighborhoods should not be disadvantaged. Please, no more gating and closures. It is worth noting that the one gate that was previously installed off Lafayette was originally to afford pedestrian access--but somehow that gates have come to be long locked.

David Henderson

66 S Front St

Memphis, TN 38103

Robert R. Chambers Professor of Philosophy

Department of Philosophy

University of Nebraska, Lincoln

315m Louise Pound Hall

PO. Box 880321

Lincoln, NE 68588-0321

From: [Jan Bergk](#)
To: Cobbs@memphistn.gov; [Cobbs, Kendra](#)
Date: Tuesday, October 31, 2023 8:55:55 AM



The CoM Email Security System finds this email suspicious! We know Jan Bergk by name, but the email was sent from an unfamiliar address janbergk7@googlemail.com | [Know this sender?](#)

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.

Ms. Cobbs,

I am writing in regards to the proposed closure of the Chickasaw Gardens neighborhood due to the installation of gates along Lafayette/Goodwyn and Lombardy/Fenwick.

My wife and I walk our dogs around the Chickasaw Gardens pond multiple times a week, and are expecting an addition to our family next week as well that we can't wait to walk around the pond. We own our house on Dille Place, and pay real estate taxes to the City of Memphis for, but not limited to, public parks, public amenities, and the maintenance of public roads.

To the best of my knowledge, Chickasaw Gardens is a public neighborhood/subdivision and its streets, sidewalks, and the pond are maintained using tax dollars, and should therefore be available to every Memphian. They do not belong to private people living in this neighborhood.

I am still in shock that a gate exists along Poplar Avenue, however, I would not be surprised if someone back in the 2000s somehow got by with getting that passed.

The neighbors of the Chickasaw neighborhood are trying to increase their property values with this petition, as properties in a gated neighborhood sell for a premium typically. However, not having access to the pond and public areas of the Chickasaw Gardens neighborhood, which is a public amenity and financed by tax dollars, would lower property values as this amenity is lost in adjoining neighborhoods, just like ours.

I highly encourage city officials to not give in to "the wealthy few" trying to turn something public private for their own good, disregarding the many others that are directly impacted.

Kind regards and thank you for the time to consider my concerns,

Jan Bergk



Visit our [website](#)

From: webapps.test@shelbycountytn.gov <webapps.test@shelbycountytn.gov> on behalf of DEVELOP 901 <webapps.test@shelbycountytn.gov>
Sent: Thursday, November 2, 2023 9:41 AM
To: nidia.logam@memphistn.gov <nidia.logam@memphistn.gov>; Miller, Breana <Breana.Miller@memphistn.gov>
Subject: [Contact Us] Road Closures in Chickasaw Gardens

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

Marjorie Champion (not verified) (marde_champion@yahoo.com) sent a message using the contact form at <https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.develop901.com%2Fcontact%2Ffeedback&data=05%7C01%7CBreana.Miller%40memphistn.gov%7C20c2ba853abb416ab4230>

Message

Please do not approve the road closures in Chickasaw Gardens, the park is for everyone. I live on Central & walk this park frequently along with others. The ducks, trees, ability to exercise in a lovely environment for everyone in the area. This will set a presedent for other neighborhoods. We love this park and walking around the Pink Palace. Please I am asking for all in the neighborhood to disallow the HOA's request to gate all entries to Chickasaw Gardens. We (I) need a beautiful, serene place to walk and experience nature and this park is for everyone to enjoy not just the wealthy land owners around this park. Thank you for your time in this matter. Please contact me with any questions you may have or wish to discuss. Marjorie Champion

From: [Dana Price](#)
To: [Cobbs, Kendra](#)
Subject: No more gates!
Date: Wednesday, August 16, 2023 10:12:29 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender maven901@gmail.com

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.

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Dana Mansolillo

From: [Elaine Elsas](#)
To: [Cobbs, Kendra](#)
Subject: OBJECT No gates at Lombardy or Lafayette
Date: Thursday, November 2, 2023 9:32:18 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender elaineelsas@gmail.com

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,

I am a homeowner on Picardy near the Chickasaw Garden Park. I walk there to use the city park to enjoy the outdoors in a safe space with my daughter. I teach her about nature while we observe animals at Chickasaw Lake.

Please object to adding gates that would limit our access to the public park maintained by the city. It should be accessible to as many citizens as possible to use for its intended purpose during posted open hours. Gates would negatively impact the quality of life for residents in our neighborhood. This decision impacts so many people and what they're able to do on a daily basis. Please vote NO and help keep the park a positive, accessible space for Memphians.

Sincerely,
Elaine Elsas

From: [ALAN CRONE](#)
To: [Cobbs, Kendra](#)
Subject: Objection to SAC 23-04 and SAC 23-05
Date: Wednesday, August 16, 2023 11:54:39 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender acrone1@comcast.net

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.

Dear Ms. Cobb:

I object to * SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette, and SAC 23-05: CHICKASAW GARDENS: close and vacate Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr. for the following reasons:

1. I have lived at the corner of Fenwick Rd. and Lombardy Rd. for almost twenty years, and the closure of Lombardy into Chickasaw Gardens will negatively impact my property values
2. I regularly walk in Chickasaw Gardens and around the lake in the early morning before work or in the evenings after dinner. Forcing neighbors to cross Fenwick at Central Avenue (since there is no sidewalk on the east side of Fenwick), where there is no traffic light, higher traffic volume, and higher risk of crime generally on Central Avenue, creates a greater risk of harm to the neighbors seeking access to public property
3. I also often walk through Chickasaw Gardens, exit the neighborhood on Lafayette, and walk through the neighborhoods on the east side of Chickasaw Gardens, avoiding walking directly along Central Avenue
4. Lombardy Road and Lafayette are public streets accessing a public neighborhood containing a public park owned and maintained by the City of Memphis
5. To my knowledge, Chickasaw Gardens has produced no data suggesting the actual crime rates in the neighborhood could reasonably justify the proposed gates or that the proposed gates will actually deter crime in the neighborhood. Crime statistics from the Memphis Daily News Crime Report Map for the period 1/1/2023-8/16/2023 list three reported crimes during the period; two vehicle vandalizations, and one counterfeiting/forgery crime. This is lower than the five reported crimes for the same

time period in 2022, and the five crimes reported for the same period in 2020. (There were no reported crimes listed for 2021). While any crime is unacceptable, these numbers do not appear to justify the financial and psychological harm inflicted on the surrounding neighbors that these gates would cause

Allison S. Crone

From: [Lyn Joyner](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#)
Cc: [Dana Mansolillo](#); [John Joyner](#); [Linda Sowell](#)
Subject: Oppose gating CGHOA
Date: Thursday, November 2, 2023 10:10:59 PM

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.

Ms. Cobbs and Mr. Ragsdale:

Again, I'm opposing CGHOA's anti-neighborhood, anti-Memphis proposal to privatize two roads in mid-City and limit access to a City park.

--Gating neighborhoods set a bad precedent for creating walled-off enclaves within the City, does nothing to enhance overall quality of life, or to reduce crime for Memphians.

--CG does not have any significant crime issue. Often CGs one, on average, "crime-of-the-month" for 2023 through Oct. 31, is forgery/embezzlement. Gating two public roads will not improve that.

--Based on my nearly 40 years of living across the street from CG, I can report that a number of CG residents contribute to city blight by refusing to maintain their reverse frontages on Fenwick. We have had to take several to Environmental court to reduce the hazards and eyesores presented by unmaintained property. For our Neighborhood Association, Code violation reporting of CG property bordering our neighborhood is an annoying, time-consuming routine.

--I have seen no enforcement plan for "Dawn to dusk" for unlocking the gate for neighborhood pedestrians/bicyclists/runners/etc. access to the public City park.

I believe it's most likely that the gates, after a few months, perhaps a few years, will remain permanently locked to neighbors, reducing accessibility to the City park.
("Who you gonna call?")

--Of course CG's claim is that the public can enter via Central--a very long detour and far less safe with hazardous street crossing for pedestrians/bicyclists/runners.

I'm requesting that you NOT APPROVE CGHOA's proposal.

Sincerely,

Lyn Joyner

Fenwick Road Neighborhood Assoc.

Community Liaison/Treasurer

From: [Lauren Goller](#)
To: [Cobbs, Kendra](#)
Subject: Opposed to Chickasaw Gardens gating
Date: Thursday, August 17, 2023 11:45:58 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender lauren.goller@gmail.com

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.

Hello Kendra,

As a concerned citizen of Memphis and homeowner in Joffre, I highly oppose the community of Chickasaw Gardens closing their entrances by gate. I often walk over in that area and visit the public park because it's nice and quiet and scenic, and I live a block away. By gating access, they would be excluding nearby tax payers from visiting a park they pay for. I do not believe their privilege should dictate such measures. If you want to gate off access to their community, then we should gate off access to other communities as well. They shouldn't be able to drive through or visit other neighborhoods either. It's unfair and as someone who pays taxes who lives nearby, I'm infuriated this is even on the table for discussion.

Thanks,
Lauren Goller
Resident of Joffre

Sent from my iPhone

From: [Cathy McDonald](#)
To: [Cobbs, Kendra](#)
Subject: Opposition Letter to Chickasaw Gardens Street Closures scheduled TRA 8/24/2023
Date: Sunday, August 20, 2023 4:53:45 PM
Attachments: [Chickasaw Gardens Proposed Street Closures Opposition Letter.pdf](#)



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender cathyacmcdonald@gmail.com

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.

Ms. Cobb,

Attached please find my letter of opposition to items 12 and 11 on the agenda for LUCB review on August 24, 2023.

I am unable to attend this meeting in person, and will not be able to attend the meeting in September either due to work obligations. I do wish for my opposition to these matters to be on record.

Kindest regards,
Cathy McDonald

From: [Robert Hollingsworth](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#)
Subject: Opposition to Closing Entrances to Chickasaw Gardens
Date: Thursday, November 2, 2023 9:19:51 PM

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.

Hello,

My name is Robert Hollingsworth and my husband and I live at 192 Dille Place. I am writing this in opposition to closing access to Chickasaw Gardens via Lombardy/Fenwick and E. Goodwyn St/Lafayette Place.

We have lived in this neighborhood for over 23 years because of its close proximity to everything in the city of Memphis and the ease of being able to walk across the street and access Chickasaw Lake and Park. It is a city owned park and we nor any of our neighbors should be gated out and forced to walk around on Central to access the lake and park due to overly nervous neighbors.

There is already controlled access to Chickasaw Gardens on Poplar Avenue and another completely closed and gated access at N Lafayette Circle/Goodwyn Circle. So adding more gates to a neighborhood that is already gated and heavily patrolled sends the wrong message to not only the residents of the surrounding neighborhood but the entire city. This would set an ugly precedent.

Therefore I urge you both to share this letter with all concerned and especially those that have a vote. Encourage them on our behalf and behalf of all of the residents of this area who enjoy the park and lake and walking our beautiful neighborhoods to vote NO on this issue and keep the roads open.

Best Regards,

Robert Hollingsworth
192 Dille Place
Memphis, TN 38111
901-283-8700

p.s. I can see Lafayette Place as it moves into Chickasaw Gardens from my front porch and it is a lovely view, with all the neighbors and their pets and children enjoying their walks. So much better than a gate.

From: [Steve Wills](#)
To: [Cobbs, Kendra](#)
Subject: Opposition to Requested Road Closures, SAC 2023-004 and SAC 2023-005
Date: Sunday, September 17, 2023 2:49:46 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender coachsteveinmemphis@gmail.com

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Ms Cobb:

I would like to speak against the proposals to vacate the rights-of-way at both Fenwick & Lombardy as well as Lafayette Place & East Goodwyn. Applications for these actions, SAC 2023-004 and SAC 2023-005, respectively, were submitted by the Chickasaw Home Owners Association (CGHOA). My wife and I live on Lombardy, just west of Chickasaw Gardens, per se, and 100 yards or so beyond the distance mandating required notification. We found out about it from neighbors and later observed the required signage at each of the intersections.

I object to approval of these closures for the following reasons:

Potential negative impact on our own property value ...

Despite the innocuous rendering of the proposed gates, I believe that they will be no more aesthetically pleasing than the brick wall(s) running along the east (Chickasaw Gardens) side of Fenwick as well as the west side of Lafayette. Beyond the question of "how does it look", would be the implication that "our" section of Lombardy is unsafe, otherwise why would the gate be needed? Of course, that could certainly have a depressive impact on our residences and future resale value.

Convenience ...

Although this is certainly a personal item, my wife and regularly transit the Chickasaw Gardens, using one or both proposed points of closure. We do this by automobile, bicycle, as well as foot, when we walk our dog.

Privatization of Public Assets ...

That roadways are paid for by taxpayer dollars and are, therefore, public resources, utilized and shared by all citizens and residents of the community, how is it that these roadways can now be placed into the hands of a small private entity, i.e. the (CGHOA), simply as a result of an application submission and its approval? It does not seem appropriate to use the taxpayer dollars of all citizens, regardless of any pro-rata basis, to facilitate the creation of a de facto private, gated community.

History of Reduced Access to Chickasaw Gardens Subdivision ...

Based on the original subdivision platte(s)/maps from 1926, there were 13 separate points, intersections or roadways, providing direct access to Chickasaw Gardens. I cannot say with certainty that the reality of the implementation exactly matched the plan, but today there are 5 points of access. Assuming that the construction matched the plan, 8 points of access have been blocked or built over. I cannot say when they became "missing" from the street maps,

except that Tilton was closed in relatively recent years. Nevertheless, the trend of reduced access since initial design and implementation is obvious.

Currently, approximately 1.8 miles of the subdivision's roughly 2.2-mile circumference is already walled or fenced; that is 82% of the neighborhood. If both of these closures are approved, there will be only 3 points whereby the public will find ingress to or egress from the Chickasaw Gardens subdivision and the walled-off portion of the neighborhood will climb at 86% of the distance around the area. Given this trend, one could forecast that within the next 20 years, all points of access will be closed or gated, despite the presence of a public park within the subdivision.

Reason: "Neighborhood Security" ...

Additionally, although the stated reason for the application is "Neighborhood Security", I do not find any objective data or research regarding criminal activity or even the anticipated reduction of pass-thru traffic. For example, was there a reduction in property crimes after Tilton was closed? Or what is the relationship between crime in an area as a function of the length of a contiguous perimeter? Without such evidence, I must consider the possibility that it is really neighborhood "comfort", rather than actual security. I suspect that the installation and utilization of Flock security cameras might be an equally effective and more efficient/costly resource for bolstering neighborhood security. I also believe that there is good data supporting that.

Unfortunately, from my perspective, I do not believe I can offer a totally rock-solid, inarguable point against this proposal, i.e. no reason you and your office can use to defend a denial of the application, even if such a denial were argued against, all the way to the US Supreme Court, as was the case in *City of Memphis v. Greene*, 451 U.S. 100 (1981). However, to me, it doesn't feel right to further restrict access to this neighborhood, seemingly another white-washed reason for the exercise of exclusivity, partly funded by the public and, in my opinion, possibly based on hysteria, bias, or other unspoken reason.

I certainly understand the desire to, at worst, wall out "the others" and, at best, to reduce extraneous traffic transiting a neighborhood; I believe that our 400+ yards of Lombardy, between Buntyn and Fenwick, immediately west of Chickasaw Gardens appears to experience far more such traffic than any part of Chickasaw Gardens. So, I definitely understand the sentiment, but I do not understand how my neighbors believe that I, or any other citizen, should be denied access to the area nor how that denial will truly improve their neighborhood security.

Thank You,
Steve Wills

From: [John Garza](#)
To: [Cobbs, Kendra](#)
Cc: [Ragsdale, Brett](#)
Subject: Opposition to SAC 23-04 and SAC 23-05
Date: Thursday, August 17, 2023 4:25:06 PM



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Technical Review Committee and Land Use Control Board,

I'm a resident in Humes heights at 2754 Lombardy Ave. I'm writing to you to express my opposition to SAC 23-04 and SAC 23-05; Chickasaw Gardens' applications to close the streets at Fenwick and Lombardy and at Goodwyn and Lafayette Pl. I like many of my neighbors exit onto Central from the stop light at Goodwyn, and we encourage our children to do so for safety reasons. The intersection of Fenwick and Central Ave as well as the intersection of Buntyn and Central Ave. are both dangerous due to limited sight lines and the speed of traffic, especially during evening hours. The proposed gate at Fenwick would force even more traffic into an already dangerous intersection. There are numerous police reports of cars traveling at excessive speed down Central, and adding cars entering unprotected will undoubtedly increase accidents.

Further, the closing off or limiting access to a public street in a residential neighborhood that restricts access to publicly maintained streets, a city park and lake is outrageous. The desire to control crime is one we all share. But there is no evidence that the crime rate will be reduced by the proposed closures.

This proposed change is in direct contrast to the Land Use and Control Boards, Memphis 3.0 initiative. The City of Memphis supports the 10-Minute Walk campaign sponsored by the Trust for Public Land, National Recreation and Park Association, and Urban Land Institute. (Taken from the City of Memphis Park Services Master Plan, 2020 Executive Summary (https://www.memphis3point0.com/_files/ugd/100a0d_2e205537bc844e98b44c69182f3a2ca0.pdf), Noted on page 24 of only 45.8% of Memphians are within a 10-minute walk of a park. These proposed closures would limit access and increase the distance that our elderly or otherwise mobility challenged neighbors would need to traverse to access the Chickasaw public park. The brochure states that "In order to close this gap by 2050 (the target date of the 10-Minute Walk movement), partnerships to

create and facilitate increased public access will be necessary." Further, on page 28 the Master Plan will "Establish partnership policies that demonstrate equity and fairness". Clearly this is NOT

demonstrating equity.

Chickasaw Gardens said the pedestrian access and gates will be open during the day but offer no assurances or recourse for the public if these gates are not accessible each day. This language is not what demonstrates responsibility, nor does it meet the level of trust a city can place on a neighborhood association to ensure access for the citizens who pay for the streets and public spaces within the proposed closure.

For these reasons I remain opposed and ask for your assistance to stand against this proposed closure.

Regards,

John Garza

From: [Julie Green](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#); [Linda Sowell](#); [Alex McCormick](#)
Cc: [mwsharp@bellsouth.net](#); [Scott Fleming](#); [brown@gillprop.com](#); [Tolesassoc@aol.com](#); [dlyleswallace@comcast.net](#); [jmckinnoncre@gmail.com](#); [jenniferbethoconnell@gmail.com](#); [dkthomas@gotci.com](#); [lisa@ethridgeenterprises.com](#); [Morgan, Worth](#)
Subject: OPPOSITION to SAC-23-05 (and SAC-23-04)
Date: Friday, September 1, 2023 11:24:09 AM

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Ms. Dobbs & Mr. Ragsdale, and members of the Land Use Control Board:

I am writing to express my extreme opposition against allowing the Chickasaw Gardens Homeowners Association to gate off Lombardy Road at Fenwick.

Complicating vehicle access and exercise/recreation access to all who enjoy the PUBLIC roads and PUBLIC park within Chickasaw Gardens is concerning to say the least, and elitism at worst.

This attempt is a direct violation of the Memphis 3.0 plan, which the Land Use Control Board adopted in 2019, which clearly states that the goal is to make Memphis "a city of GREATER connectivity and access."

My family has accessed Chickasaw Gardens via Lombardy at Fenwick day & night to exercise, walk, and pick up/drop off my child's friends who live in the neighborhood. I can currently drive through Chickasaw Gardens to access the light at Central & Goodwyn, which has a clear, unobstructed view to turn, unlike the light at Central and Buntyn, which has a sharp curve.

If Eliza Fletcher's death taught us anything, it's that people exercise at times that don't meet the "dusk to dawn" timeframe. Regardless of CGHA's supposed plan to have a pedestrian gate installed, we all know people who often have to exercise at hours that don't fit into this "dusk to dawn" schedule. Pushing local neighborhood residents to Central is NOT an answer.

There is no way to ensure that CGHA will follow through with making sure any pedestrian gates are actually installed, and certainly no way to guarantee that they would be unlocked in perpetuity, providing even less access to the area neighborhoods.

My home's value in Humes Heights is absolutely tied to easy access to the park and lake in that neighborhood without having to get on major roadways like Poplar or Central.

CGHA says "security of the neighborhood" is their reasoning for this request. Crime data from MPD in Chickasaw Gardens shows exactly SIX crimes happening in the entire year of 2023 to date, two of which are "counterfeit/forgery" charges. Six reported crimes over nine months does not equate to a crime wave:

<https://www.memphisdailynews.com/CrimeReport.aspx>

(Attached: screen shot of crimes reported in the entirety of Chickasaw Gardens)

Chickasaw Gardens is using the uptick in crime in the overall Memphis metro to try to create an exclusionary gated neighborhood bit by bit.

Several years ago they were allowed to close off access to Poplar. Brick walls were built along Lafayette and Fenwick, and CG homeowners have failed to keep overgrown areas from encroaching onto Fenwick in particular, making it difficult for automobile traffic.

Now they are trying to close access at Fenwick and Lafayette. The eventual next move will be to close access at Central, citing that all previous attempts "didn't stop crime" yet again.

Chickasaw Gardens currently has MPD camera systems for surveillance, as well as a 24/7 security patrol. They also have the ability to reach out to MPD to request additional patrols, as all of our neighborhoods do.

While I certainly empathize and agree with citizens concerned about crime, that concern doesn't enable neighborhoods to wall themselves off from the city in which they are choosing to reside. I feel confident that attempts of more "middle class" areas like Humes Heights, Fenwick, Joffre, Central Gardens or High Point to gate off their neighborhood from their surrounding communities would be met with rejection.

Perhaps the residents of Chickasaw Gardens who feel gates are needed should consider moving to an existing gated community that pays for their own roads and parks...outside the heart of the city they want to close themselves off from. They should not be allowed to turn public streets & parks into their own private gated community, and reduce home values all around them by doing so.

Please reject both requests SAC-23-05 and SAC-23-04.

Thank you in advance for your attention to this matter,

Julie Green
2770 Iroquois Road
Memphis, TN 38111
901.240.3863

From: [wynne.duong](#)
To: [Cobbs, Kendra](#)
Subject: Opposition to the Chickasaw Gardens Gates
Date: Sunday, August 20, 2023 8:20:25 PM



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To whom it may concern,

I am writing to voice my concerns about the Chickasaw Gardens gates. I live in the Humes Heights neighborhood. I think these gates would hurt all of the surrounding neighborhoods. There is a public park in that area thus it should not be gated from the general public. I oppose the placements of gates at the Fenwick entrance and all other entrances.

Sincerely,
Wynne Duong

Memphis and Shelby County Land Use Control Board
125 N Main St #477
Memphis, Tennessee 38103

September 05, 2023 (original submittal)
Updated October 31, 2023 (updates in *blue italics*)

RE: Public Comment on Case Number SAC 2023-004, “Lafayette Place Closure”, and Case Number SAC 2023-005, “Lombardy Rd. Closure”

Dear Chair Sharp and Board Members,

I am writing to express my significant concerns regarding the two referenced cases which would close public streets, limit access to park space, and significantly restrict connectivity between neighborhoods.

I write as both a resident of Joffre, the neighborhood immediately east of Chickasaw Gardens, and as a transportation engineer and planner who is concerned about the broader impacts on regional connectivity and the precedent this action would set for other communities in the region.

My concerns are as follows:

1. Public Streets Should Remain Public

Closing Lafayette Place and Lombardy Road would represent a privatization of a valuable public resource, our transportation network. In our modern era of cul-de-sacs, the development pattern of inner-loop Memphis is a refreshing throwback to a more connected, more walkable time. However, Chickasaw Gardens is already an exception to this rule, with multiple street access points blocked off by walls or gates, and now this pair of applications proposes to close access further such that there remain zero public access points from the east or west.

This proposal would very much disrupt the current neighborhood fabric, all for the sake of perceived security in a neighborhood that can already afford security patrols and a growing system of video cameras. I worry that this will set a dangerous precedent for other affluent, quasi-gated communities in the region.

In their applications, the Chickasaw Gardens Homeowners Association has indicated a willingness to include “bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy,” *which I assume is meant to read “dawn to dusk”*. While I appreciate their acknowledgment of visitors from adjacent neighborhoods, if the right-of-way vacation is approved I worry that it will not be hard for a future HOA board to renege on this promise. How will this commitment be enforced in perpetuity? What recourse will the surrounding neighborhoods have to challenge a future closure, which I see as all but inevitable?

I would additionally suggest that the Board should question the applicant further about the confusing “open from dusk to dawn” language in the applications that was noted above. The HOA’s stated proposal of including bicycle/pedestrian gates in the design that are only open during daylight hours (as described during media interviews) is already a concerningly strict restriction of access that nearby residents and students are legally entitled to have during overnight hours, as discussed in Section 3. But if the applications’ language is indeed accurate and the gates would only be open at night then this would be an egregious limitation of park access and of connectivity on the local low-stress bicycle network, as discussed in Sections 2 and 3. Access to Lafayette Place and Lombardy Road should be open to all at all times of day.

2. The Closures would Limit Access to Our Local City Park

Gating off Lafayette Place and Lombardy Road would significantly restrict access to Chickasaw Gardens Park. Chickasaw Gardens Park may have the feel of a secluded neighborhood amenity due to its small size and landlocked location within the Chickasaw Gardens Neighborhood, but make no mistake that it is a public park, owned by the City of Memphis and a valued element in our City’s network of parks.

Moreover, Chickasaw Gardens Park is the de-facto local park for several surrounding neighborhoods due to its walkable location. In addition to the Chickasaw Gardens neighborhood, Chickasaw Gardens Park also

serves Humes to the west, Midland-Goodwyn and East Buntyn to the south, and my neighborhood of Joffre to the east. My family loves having a tranquil, tree-filled park within walking/biking distance, and I fear that this proposal would make it so we can no longer make the trip on foot or by bike.

Even if the proposed gates do indeed remain unlocked during daylight hours, what chilling effect will the gates themselves have on the perception of Chickasaw Gardens Park being available for public use? I know I would certainly feel less welcome as a visitor approaching from Lafayette Place or Lombardy Road, and there are significant safety risks from the likely diversion of ped/bike access routes from the relative calm of neighborhood streets onto high-speed Central Avenue.

3. The Closures would Restrict a Key Link in the Local Bicycle Network

A major reason I am compelled to write today is that I feel that the neighborhood streets of Chickasaw Gardens are an underappreciated element in the City of Memphis' bicycle network, and adding impediments to east-west travel through the neighborhood would create a significant gap in the network.

Cyclists in the area know that the low-speed neighborhood streets of Humes, Chickasaw Gardens, Joffre, and East Buntyn provide a continuous, low-stress bike route to access regional destinations. Some representative routes are noted on the attached **Figure 1**.

The dark blue "wiggle" route through Chickasaw Gardens seen on **Figure 1** provides the connection my family in Joffre needs to access major destinations to the west while avoiding high-speed traffic on Central or Poplar. This access is not limited to nearby bike-friendly locales like Cooper-Young and Overton Park/Overton Square; the connection through Chickasaw Gardens also opens up access all the way to Downtown and over the Big River Crossing to Arkansas via the City's relatively new bike lanes on Peabody and MLK.

Again, I recognize that the HOA has indicated a willingness to include gates at the two access points and leave them "open," which I have seen alternatively quoted in media stories as "unlocked." Unlocked but closed gates would still represent a significant impediment to bike travel, as users would need to dismount to open and traverse each gate before remounting and setting off, up a hill in the case of Lafayette Road!

Furthermore, the nighttime closure that the HOA envisions ("open from dusk to dawn" per the application) would divert cyclists onto Central Avenue at a time when they are most vulnerable to being struck by drivers, and it should be noted that the portion of Central Avenue adjacent to Chickasaw Gardens does not have bike lanes and would therefore force riders to interact with high-speed traffic on a posted 40 mph road, where drivers often travel faster particularly during cruising times on evenings and weekends. Cycling during overnight hours is surprisingly common in our neighborhood, which I attribute in large part to the high student population from U of M and CBU, and the significant impact this closure would have on these populations who may not be able to afford a car should not be discounted.

I hope you will consider my concerns and vote to deny both Street and Alley Closures noted above. Lafayette Place and Lombardy Road are valuable connections to the adjacent neighborhoods, and to the region as a whole, and should remain open to all at all times.

Thank you for your attention to this matter. Please do not hesitate to contact me if you would like to discuss these concerns further.

Sincerely,

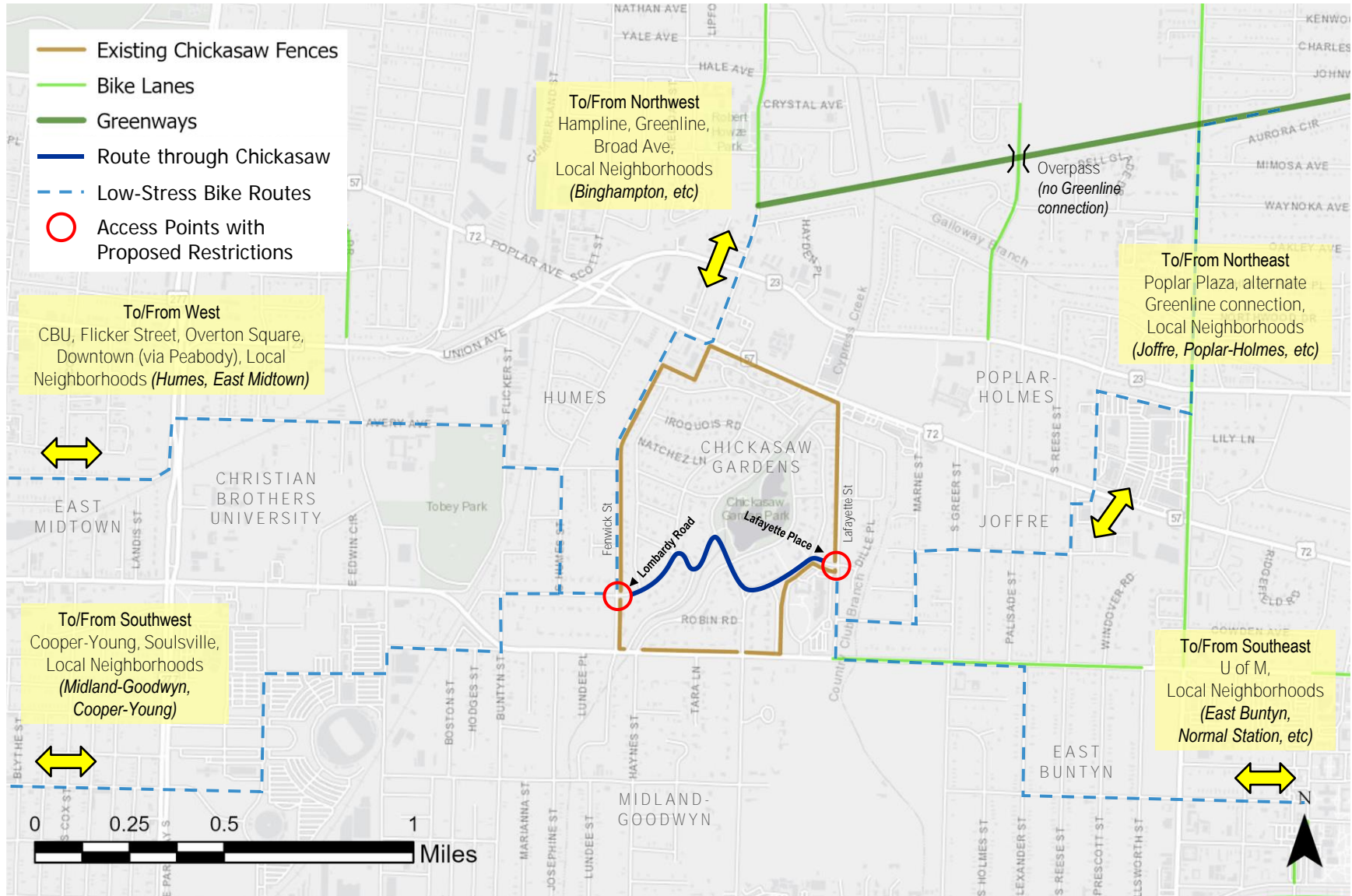


Peter Kauffmann, PE, PTOE, AICP

242 Alexander Street
Memphis, Tennessee 38111

pdkauffmann@gmail.com
804.855.9429

Figure 1: Lombardy Road and Lafayette Place (dark blue) are Critical Elements of the Bicycle Network Serving the Surrounding Neighborhoods



From: [David Norton](#)
To: [Cobbs, Kendra](#)
Subject: Proposed Closure / Access to Chickasaw Gardens
Date: Sunday, August 20, 2023 5:00:03 PM



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Ms. Cobbs,

I am writing to express my concern regarding the current petition to the Land Use Control Board to allow the closure of Chickasaw Gardens. Whereas, there would still be access from Central Avenue, the closures on Lafayette Place and Lombardy Road would greatly diminish any surrounding homeowners' ability to enjoy an early morning stroll or late afternoon walk. Furthermore, the closures completely eliminate any pedestrian access to Memphis Lake, which is one of the nicest pedestrian walkways in the city. Memphis Lake is owned by the City of Memphis and the land surrounding the lake and all non-fishing related activities are owned and managed by the City of Memphis. I would think eliminating access to tax paying residents of the City of Memphis would be a conflict of interest as well.

If the goal of the Chickasaw Homeowner's Association is to protect their neighborhood or limit drive-thru traffic, I would think there would be more well suited alternatives to explore. Perhaps the addition of gates that limit vehicle access, but still have pedestrian access points for foot traffic would be a reasonable alternative. I would think that surrounding residents (such as myself) would even be willing to pay a small stipend to the Homeowner's Association to continue to use the neighborhood for family walks, etc.

I do sympathize and understand the HOA wanting to protect their homeowner's and deter the already increasing crime in our areas, but there has to be a more thoughtful compromise, given the city owned land that is so frequently used.

A more pressing issue in my opinion is the continued dangerous speeds for which vehicles travel on Lafayette Street, between Poplar and Central. Despite the speed bumps, the street is a cut through and cars fly down the street with no regard to children or adults walking the areas. Sorry, that is off topic, but nonetheless needs addressed. I have contacted the Police Patrol Units, but not much success has been made to thwart the speeding.

I appreciate your efforts and more importantly your leadership in making Memphis a better community. Please do not hesitate to reach out to me if I can do anything for you.

Sincerely,

David S. Norton

138 Lafayette Street
Memphis, TN 38111

423-584-0807

David.s.norton10@gmail.com

From: [Harry Kemp](#)
To: [Cobbs, Kendra](#)
Subject: Proposed closure of 2 entrances to Chickasaw Gardens Neighborhood
Date: Thursday, August 24, 2023 12:14:54 PM



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Dear Ms. Cobbs,

Sorry this is late, I kept getting your email address wrong.

My wife Virginia and I live in a neighborhood associated with the Chickasaw Gardens neighborhood. We have looked at a map of Chickasaw Gardens and do not really understand how closing off the Lombardy at Fenwick and Lafayette Place at Lafayette entrances is an improvement. If people are concerned about fast moving cars just passing through, as all neighborhoods are, I do not understand where cars would be passing through to. If the home owners are concerned about crime then maybe having 3 not five ways to get into and out of Chickasaw Gardens would incrementally improve the chances of catching a criminal discovered in the act, but there are still 3 entrance/exits on Central.

I must say that I am opposed to this proposal without clear justification on how the neighborhood would be improved.

Cheers,

Harry S. Kemp

2979 Gardens Way

Memphis, TN 38111

(731) 695-9989

From: [William Maroon](#)
To: [Ragsdale, Brett](#); [Cobbs, Kendra](#)
Subject: Proposed gate closures of public streets at Lombard & Fenwick and Goodwyn & Lafayette
Date: Thursday, August 17, 2023 5:21:45 PM



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To: City of Memphis: Land Use and Control Board

Attn: Brett Ragsdale and Kendra Cobbs

RE: SAC 23-04 and SAC 23-05

As a resident in close proximity to the proposed gate closure at Lombardy and Fenwick, I am very concerned about the proposed closures for several reasons:

1. The [City of Memphis and Shelby County Urban Design Guidelines Final Draft](#) — dated December 2022 states that the proposed “Infrastructure should support and enhance **bicycle connectivity, pedestrian safety, and accessibility** to create a safer, more comfortable environment for people to walk and bike”. The proposed gates would be in direct conflict as it pushes access to a city park from entrances off a quiet street onto a heavily traveled busy four-lane street.
2. The Land Use Control Board mission statement (<https://www.shelbycountyttn.gov/140/Land-Use-Control-Board/>) suggests that the **Land Use Control Board** will “Encourage the development of great, vibrant, healthy urban streets, **open spaces, public places, and neighborhood**”. Not limit access to open, public spaces. The closure, if approved would restrict public access to a city park in direct contrast to the mission statement and discourage the use of a public place... a city-funded park no less. And the mission statement suggests “encouraging vibrant neighborhoods”. This proposal has already created strife among neighbors which I pray will dissipate in time.
3. The **Memphis 3.0 plan** adopted by this very body in 2019 states that “Memphis will be a city that anchors growth on strengths of the core and neighborhoods; a city of greater connectivity and access; a city of opportunity for all. (<https://www.memphis3point0.com/plans-and-maps/>). I challenge anyone to provide a reasonable argument that suggests this proposed street closure would in any way promote greater connectivity or opportunity for all.
4. The City of Memphis Park Services Master Plan, 2020 Executive Summary includes its support of the 10-Minute Walk campaign sponsored by the Trust for Public Land, National Recreation and Park Association, and Urban Land Institute. (https://www.memphis3point0.com/_files/ugd/100a0d_2e205537bc844e98b44c69182f3a2ca0.pdf). Noted on page 24 only 45.8% of Memphians are within a 10-minute walk of a park. These proposed closures would limit access and increase the distance that our elderly or otherwise mobility-challenged neighbors would need to traverse to access the Chickasaw Public Park. The brochure states that “In order to close this gap by 2050 (the target date of the 10-Minute Walk movement), partnerships to **create and facilitate increased public access** will be necessary.” Again, closing access on two of the three accessible sides of this park is in direct conflict with the City Park Services master plan.
5. The proposed closures will force all entry through the Poplar and Central Avenue entrances. This increased traffic will cause an increase of cars in the turn lanes waiting to enter and cause a

build-up of those waiting to exit and create an unnecessary hazard and inconvenience. This should be studied by the city prior to consideration of such a closure.

6. For those of us on the Lombardy side, we will be forced to exit through the Fenwick and Buntyn intersections with Central Avenue which are dangerous already. The Fenwick / Central Avenue intersection has limited sight lines and is not protected by a traffic signal. With numerous reports of vehicles traveling and high rates of speed, we see frequent wrecks and near misses and try to avoid this intersection by crossing and exiting onto Central at Goodwyn. We encourage our young and elderly drivers to do the same. And the intersection at Buntyn and Central is in a curve and even though it has a signal, provides little comfort. Everyone in our community well understands the dangers posed by the flagrant disregard for safety and these intersections are especially dangerous.

7. **We believe that this action will have a direct impact on the property values of homes just outside the gate.**

8. **It's a CITY PARK.** I didn't see in the proposal that the neighborhood association had increased funding to take over the taxpayer expense of upkeep and maintaining the public park. By limiting access, the homeowner's association should be responsible for the cost. By limiting the access to two of five entrances (40%), any consideration of these proposed closures should be accompanied by the discussion of escrow accounts with required balances to cover three-fifths (60%) of the costs to upkeep the park and lake.

I get it. We are all frustrated by crime in our city. But closing streets isn't the answer. It's wrong to remove access for citizens to a public space and that's exactly what is proposed. Do the right thing for the city and for the neighborhood and join me in opposition to these absurd requests.

For these reasons, I remain opposed and ask for your assistance to protect my rights to access public streets and public parks.

Regards,

William Maroon
2754 Lombardy Ave

From: [Johanna Condon](#)
To: [Cobbs, Kendra](#)
Subject: proposed road closures of Lafayette Place and Lombardy Rd.
Date: Saturday, August 19, 2023 2:58:56 PM



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Good day,

I was made aware of the proposal to close these two roads, essentially cutting off access to the neighborhood and park except by Central Ave. I understand the desire for safety and security, we all have that, but cutting adjacent neighbors from walking and enjoying the beautiful park at the center of that neighborhood is not the way to do it. It is a lovely park and area that I have walked frequently since I moved over on Cowden Ave. a year ago. The ability to easily walk to a public park was one of the benefits of the area. Those are public roads and a public park. To gate those roads, cutting off access, creates an enclave enclosing public space that all citizens should have a right to enjoy. This should not be allowed to become a gated community. Thank you for your consideration.

Best regards,
Johanna Pranica

From: [Theodore J Burkey \(tburkey\)](#)
To: [Cobbs, Kendra](#)
Subject: Public Access to Chickasaw Gardens Park....tjb.
Date: Sunday, August 20, 2023 10:48:02 AM

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Greetings Kendra Cobb,

Like many of our neighbors, we live walking distance from Chickasaw Gardens Park and almost daily visit the park. We understand the Chickasaw Gardens residents concern for their safety. However, they decided to move into their homes knowing they were near a public park: they bought into the benefits and risks of living near a public park. Stopping pedestrian and vehicle traffic effectively removes the park from public use, and the park effectively becomes a private park. Logically and legally the Chicksaw Gardens residence should "replace" the park with an equivalent developed space for public use nearby. This could be an expensive proposition requiring the purchase and development of nearby property.

Visitors from the adjoining neighborhoods do not need automobile access and should have, at the the very least, access with multiple unlocked pedestrian/bicycle gates. Vehicle parking should be made available for citizen from the rest of the city. Perhaps this might be made available from the nearby MoSH or City library parking lots (a pedestrian bridge across Poplar Ave might be needed for the latter).

Ted Burkey
Karen Zissoff

From: [Ragsdale, Brett](#)
To: [Kevin Jones](#)
Cc: [Cobbs, Kendra](#)
Subject: RE: Concerning Chickasaw Gardens Proposal
Date: Tuesday, August 22, 2023 9:24:58 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,



Brett Ragsdale, AIA
Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 468 Memphis, TN 38103
Phone: 901-636-6619
Email: brett.ragsdale@memphistn.gov



Visit our [website](#)

From: Kevin Jones <kjones0415@gmail.com>
Sent: Tuesday, August 22, 2023 6:03 PM
To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>
Subject: Concerning Chickasaw Gardens Proposal



The CoM Email Security System finds this email suspicious! The sender of this email Kevin Jones is similar by name to your contact Jones, Kevin, this might be an impersonation attempt.
| [Know this sender?](#)

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To whom it may concern,

Thank you for taking the time to read my thoughts regarding the proposed gate closures in Chickasaw Gardens.

The representatives of Chickasaw Gardens cite crime as their pretext for (severely) limiting access to their neighborhood. If Chickasaw Gardens can use the fear of crime as an excuse to shut out their fellow Memphians, partially or entirely, then almost every other neighborhood in the city would have an even stronger argument to do the same (because most neighborhoods have more crime

than Chickasaw Gardens.) If the city government allows Chickasaw Gardens to close off public streets, it will set a **very bad precedent** for the city. The future will look much more ominous.

I predict that a series of further fragmentations (in wealthy neighborhoods most of all, and maybe middle-class as well) would follow in the coming years (in fact, just today I heard that residents of Hedgmoor are currently attempting a very similar action.) This would devastate the character of the city, turning Memphis into a series of splintered, walled-off compounds. Not only will this make Memphis feel more like a warzone than a real city, it will aggravate the various forms of segregation that already plague the city. Excluding others is fundamentally anti-city.

If residents of any neighborhood become so paranoid about crime, or any other urban problem, that they want to commandeer public spaces and effectively, if not literally, turn them into their private domains, they are better off moving to Fayette County or any other rural setting. Or they could move to an actual private, gated subdivision here in the city, which sadly abound. But to allow an antisocial, anti-urban mentality to go so amok that they are permitted to steal an integral part of the cityscape (via choking public access to the neighborhood) would be a terrible step for this city. Just because someone is tired of urban problems (which we can all understand) does not mean he or she has the right to deprive fellow citizens of use of their city.

In no way am I singling out Chickasaw Gardens...no neighborhood, rich or poor, should be allowed to do this because of the destructive precedent it would set.

However, I think it is worth adding that I can personally attest that Chickasaw Gardens has a long history of intolerance toward even the most innocent visitors to "their" neighborhood. It begins with the multiple, very hostile signs at the entrances to the neighborhood, stating the various warnings and prohibitions that they unilaterally impose.

Even though there is a city park there, I am unaware of even a single designated parking space for it, and I have been scowled at by residents there for doing nothing more than parking on the (public) street to visit the park.

Again, this is a public neighborhood, not a private subdivision. City residents should not be allowed to opt out of city life, at the expense of the city as a whole.

Again, this is a public neighborhood, not a private subdivision. City residents should not be allowed to opt out of city life, at the expense of the city as a whole.

My wife and I appreciate architecture, and from time to time we go to a neighborhood for a drive or a walk to admire the homes. In Chickasaw Gardens, we almost always get tailed by one of their security trucks within a few minutes of arriving, and they stay on us until we leave...of course we cannot enjoy the experience and have to leave even though we do nothing wrong or illegal. We even tried taking my wife's sister (visiting from a foreign country) to see the Christmas decorations in people's yards one night, but we got the same treatment (very embarrassing for a foreign visitor to witness how things are here.) In **no other neighborhood** in Memphis have we received such treatment.

I say all this to emphasize that, although I believe all neighborhoods should be treated equally, the city should keep in mind that Chickasaw Gardens has a track record of behaving as if they were above the law or somehow entitled to enjoy only the benefits but not the burdens of urban living (i.e. the "burden" of having their fellow Memphians dare to enter "their" neighborhood.)

I have seen some Memphians argue against the closings solely because there is a municipal park there. I think that argument fails to address the central issue. Even if there were no park, this is still a neighborhood like any other, made up of land that is part of our city. The streets are no less public than any park, and the residents have no right to exclude the rest of us from any of them. There are plenty of reasons apart from committing crime that Memphians choose to use those or any other streets. For many people, the reason is to visit the park, but also there are people like me who may just like to visit and appreciate a particularly impressive and charming neighborhood in our city. For others, it can be a scenic detour from time to time, a relaxing escape from the main thoroughfares like Central Avenue.

I have heard it argued in defense of the closures that the streets would remain open during park hours. For one, we should all be highly skeptical of this, as the same entitled mindset that pushes for partial closure will inevitably push for total closure. But more importantly, I reiterate that these are public streets, and it is no crime to drive or walk down these streets at any hour of the day (I, for one, enjoy night time drives through pretty areas such as Chickasaw Gardens.) Partial closure is just as wrong as full closure.

It is wrong for public space to be controlled by a small group, and it is contrary to the future of our city as a whole.

Thank you for your time and consideration.

From: [Evan Hurst](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#)
Subject: Re: More opposition to Chickasaw Gardens gate closures
Date: Wednesday, August 23, 2023 8:02:01 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender evanjosephhurst@gmail.com

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Don't know how it got cut off but that sentence missing words was supposed to say "felt too close for comfort for everyone."

On Wed, Aug 23, 2023 at 8:00 AM Evan Hurst <evanjosephhurst@gmail.com> wrote:

To whom it may concern:

Add my name to the list as a homeowner in Humes Heights who is strongly opposed to Chickasaw Gardens gating itself off from the city and making life more difficult for surrounding neighborhoods under the guise of protecting itself from crime.

When I bought my home, which features a rental unit, a selling point was that from my front door to the Chickasaw Gardens park -- a city park, obviously -- was exactly a one-mile walk. Many people who live in Humes Heights have young children and dogs or are cyclists (much like their neighbors in Chickasaw Gardens!) and to have this kind of accessibility to such a gorgeous city park without having to hit a four-lane street is magical. It's the kind of walkability Memphis claims it's aspiring to create throughout the city, the kind of walkability that all real world-class cities are striving to create in the 21st century.

Indeed, as things now stand, one can take huge long walks through Humes Heights, Chickasaw and the Joffre neighborhoods without ever touching a four-lane. Many of us learned all about this during the pandemic.

To once again underline my point, it's on my ad for the unit I lease out, so I am not speaking only a homeowner and resident, but also as a landlord in the area. It's one of the amenities. It's what I signed up for.

And about those four-lanes. It may be hard to see on a map, but there is no scenario under which proposed closures at Fenwick and Lafayette would be anything but a grave inconvenience and nuisance to the neighbors. As a Humes Heights homeowner, I'll speak for Fenwick. (I could speak on Lafayette too, as again these neighborhoods are really all one neighborhood made up of smaller subdivisions, which really kind of strikes at the heart of the point, I think. But Joffre and Lafayette and Cowden and Dille Place homeowners can speak on it even better.)

When we bought our houses, we did so knowing we could walk/bike/run down Humes, hang a left on Lombardy, look both ways (CAREFULLY) and enter Chickasaw Gardens.

We did not do so with the expectation that in order to continue our walks/bike rides/runs through the neighborhood, we'd have to take the scenic route through one of the darkest

sections of Fenwick, with the least visibility from neighbors. Drive down there, you'll see what we mean. There is no visibility from ANY house. It absolutely screams out "Look, a jogger by themselves!" (We'll get back to that.)

Then you get to Central and Fenwick, which is just as dangerous for cars as it is for pedestrians. So is Central and Buntyn, the neighborhood's other southern ingress/egress, despite how it has a light. You've heard a hundred times already that many in this neighborhood like to exit onto Central via Goodwyn for the sake of safe driving.

None of this benefits anyone, and it certainly doesn't prevent crime.

As far as we can see, Chickasaw Gardens has been seeking ways to wall itself off pretty much since its inception. At this point, the status quo works. CG residents can use the Poplar entrance. None of the surrounding neighborhoods are demanding to use that one. Nobody cares about Tilton Street being a private drive, just like nobody is complaining about nearby Tara Lane or Goodwyn Green Circle being private drives.

Closing off Fenwick and Lafayette does nothing but inconvenience neighbors, while doing scant little to deter criminals, who we have heard these days also have access to Google Maps.

The neighborhood assures us there will be a pedestrian gate that's unlocked during daylight hours, so get those walks in before 4:30 p.m. during the winter, kids! You know, unless you want to walk through the creepy stretch of Fenwick next to the house that's always vacant.

But this brings me to my final point, as I know others have addressed many other aspects of this more than adequately. This is almost certainly not about a true and specific spike in crime. We all can access the actual record, and the instances of crime in Chickasaw Gardens lately have been petty and infrequent. Not to discount them, obviously, but it's a manageable issue that neighbors of good will -- across neighborhoods! -- can be concerned about together.

Some really scary things have happened in Memphis lately, crime-wise, things that have been absolutely horrifying for people in town who probably aren't used to dealing with violent crime every single day like many of our neighbors. (Neighbors. Not "people who live somewhere over there." Neighbors.) Obviously the devastating murder of Eliza Fletcher comes to mind, which didn't happen in Chickasaw Gardens, but happened just down the road from all of us and fe

But if that gut-wrenching event taught us anything, it's that we're safer when there are more of us out and about, more of us visible, at all times of the day and night. In the real world we live in, in Humes Heights, Chickasaw Gardens and Joffre, we all have different schedules. We are healthcare workers and teachers and parents and caregivers and quite frankly, we all deserve to feel safe grabbing an hour to go for a run, whenever that works in our schedule. For some people it's 4:30 in the morning.

A locked pedestrian gate and a "keep out" sign from your neighbors sure doesn't make that any easier.

Thank you for your time.

Evan Hurst
72 South Larchmont Drive

From: [Katie B](#)
To: [Cobbs, Kendra](#)
Subject: Re: SAC 23-04: CHICKASAW GARDENS
Date: Wednesday, August 23, 2023 7:47:58 AM

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Kendra - In addition to the below concerns and reasons for disagreeing with SAC 23-04:
CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St., please see additional safety concern:

- The turn from eastbound Central Ave to northbound Lafayette St is not a protected turn lane. The increased traffic coming from Chickasaw Gardens and Chickasaw Park exiting to the only available exits along Central Ave would create queues along eastbound Central Ave at Lafayette St and Central Ave currently does not have the space to add a new turn lane given the utility constraints at the intersection. Not only are there pedestrian and cyclist concerns as stated in my previous email but we would also be creating an increased risk of vehicular collisions.

We believe that first and foremost there is not enough data presented by Chickasaw Gardens in the application to justify the application let alone approval of SAC 23-04. We also believe that there is no justification to negatively impact property values, pedestrian and cyclist safety, access to City of Memphis property, emergency service response time, or accident rates based on the flippant request presented in SAC 23-04.

Thank you,

Katie Burns

On Tue, Aug 22, 2023 at 8:41 PM Katie B <burnskatieanne@gmail.com> wrote:

Hello! I live in the Joffre neighborhood and we have concerns regarding SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

- In the letter from SRC Consulting, LLC, a street closure is proposed as it is referenced in the SAC. Based on the description of the letter for vehicular access westbound on Lafayette Pl is to remain for those who choose to purchase a clicker, meaning that access is not closed it is simply privileged. Based on the drawing set included, it appears that the driveway on Lafayette Pl is to remain, reiterating that the street is neither closed or vacated. Please confirm that the intent is a Public-to-Private Street Conversion and clarify the impacts to adjacent landowners including the City of Memphis Parks Commission land used for the MoSH.
- Please clarify the pedestrian gate access given the conflicting statements in the letter from SRC Consulting, LLC stating "The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.", "The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access.", "These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue."

- Stated in the letter from SRC Consulting, LLC if the bike and pedestrian gates are stated to remain open from dusk til dawn. For those who recreate through walking, running, or biking, in the neighborhoods in the area many will be outside before dawn and after dusk due to the heat index during the daylight hours in the summer months. Restricting current access could have those folks crossing Lafayette St along Central Avenue after dusk and before dawn which is a blind corner for westbound Central Ave traffic turning onto Lafayette St. This would create a higher risk for accidents than what is currently encountered at Lafayette Pl which has a much better line of sight for all vehicular traffic. Please clarify what will be done to protect pedestrians and cyclists that would have to be redirected along Central?
- Please provide the justification for negatively impacting home values in the neighborhoods within walking distance to Chickasaw Park. Convenient access to Chickasaw Park is a selling feature to many of the homes in the Joffre neighborhood. Research published by NIH concluded that parklands can have a 0.5–14.1% value-added effect on property prices in the 850–160-m range in their vicinity which would include the Joffre neighborhood.
- It should be noted that the typical access from the Joffre neighborhood to Chickasaw Park, property of the City of Memphis, would be extended by an additional 10 minutes and .5 miles if current access to the park is not maintained.
- For safety reasons, please define how someone would be able to utilize the pedestrian or vehicular gate for emergencies?
- Please clarify if emergency services would have access to bi-direction use of the gate and what system would be in place to allow for this. Limiting access to Chickasaw Park and Chickasaw Gardens can have a negative impact on emergency services response time if there was a safety concern at the park or within the HOA members. Even with common solutions such as Knox boxes, the implementation and use of such devices takes valuable time away from emergency responses in time critical events like a home break in, heart attack, etc.
- Please clarify the statistics for crime frequency in the neighborhood that would require the City of Memphis to limit access to public spaces such as Chickasaw Park and where else in the City of Memphis this has been successfully implemented? I would like to request the data associated with regards to vehicular and pedestrian statistics to better understand why vehicular, cyclist, and pedestrian access is all being restricted. No reference to data or statistics were given in the provided documents.
- Please clarify the legend used for the map prepared through Shelby County Government's online mapping Portal on 5/19/2023.

We appreciate the review that the TRC is progressing for SAC 23-04: CHICKASAW GARDENS and we want to ensure that decisions are being made with a City wide perspective of impact.

Thank you,

Katie Burns

From: [Katie B](#)
To: [Cobbs, Kendra](#)
Subject: Re: SAC 23-04: CHICKASAW GARDENS
Date: Thursday, August 24, 2023 12:18:58 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

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Kendra - Thanks for following up, I really appreciate it given the volume you must be receiving on this one! I appreciate you sending the link as well!

Thanks!

Katie Burns

On Thu, Aug 24, 2023 at 10:44 AM Cobbs, Kendra <Kendra.Cobbs@memphistn.gov> wrote:

Hello Ms. Burns,

Thank you for introducing yourself earlier. The messages and phone calls on this item have been continuous to say the least. I checked and noticed that I did send a reply to numerous people yesterday morning that may have gone to your spam. It has the subject heading Chickasaw Gardens Cases, but I will include your comments in the file and staff report.

Please note agenda items for our Land Use Control Board are posted by the Monday prior to the Board meeting. The agenda and associated staff reports may be viewed here through the 'Most Recent Agenda' link: <https://www.develop901.com/landuse-developmentservices/zoningSubdivisionAdministration/lucBoard>. I'm not sure if this will be on the September 14th agenda, but you can verify the status at the link.

Sincerely,

Kendra Cobbs, AICP, CNU-A

Planner III

Division of Planning and
Development

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

Phone: 901-636-6619



Email:
Kendra.Cobbs@memphistn.gov



Visit our [website](#)

From: Katie B <burnskatieanne@gmail.com>
Sent: Tuesday, August 22, 2023 8:42 PM
To: Cobbs, Kendra <Kendra.Cobbs@memphistn.gov>
Subject: SAC 23-04: CHICKASAW GARDENS



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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.

Hello! I live in the Joffre neighborhood and we have concerns regarding SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

- In the letter from SRC Consulting, LLC, a street closure is proposed as it is referenced in the SAC. Based on the description of the letter for vehicular access westbound on Lafayette Pl is to remain for those who choose to purchase a clicker, meaning that access is not closed it is simply privileged. Based on the drawing set included, it appears that the driveway on Lafayette Pl is to remain, reiterating that the street is neither closed or vacated. Please confirm that the intent is a Public-to-Private Street Conversion and clarify the impacts to adjacent landowners including the City of Memphis Parks Commission land used for the MoSH.
- Please clarify the pedestrian gate access given the conflicting statements in the letter from SRC Consulting, LLC stating "The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.", "The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access.", "These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue."

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- Please clarify if emergency services would have access to bi-direction use of the gate and what system would be in place to allow for this. Limiting access to Chickasaw Park and Chickasaw Gardens can have a negative impact on emergency services response time if there was a safety concern at the park or within the HOA members. Even with common solutions such as Knox boxes, the implementation and use of such devices takes valuable time away from emergency responses in time critical events like a home break in, heart attack, etc.
- Please clarify the statistics for crime frequency in the neighborhood that would require the City of Memphis to limit access to public spaces such as Chickasaw Park and where else in the City of Memphis this has been successfully implemented? I would like to request the data associated with regards to vehicular and pedestrian statistics to better understand why vehicular, cyclist, and pedestrian access is all being restricted. No reference to data or statistics were given in the provided documents.
- Please clarify the legend used for the map prepared through Shelby County Government's online mapping Portal on 5/19/2023.

We appreciate the review that the TRC is progressing for SAC 23-04: CHICKASAW GARDENS and we want to ensure that decisions are being made with a City wide perspective of impact.

Thank you,

Katie Burns

From: [Katie Tamboli](#)
To: [Cobbs, Kendra](#)
Subject: REVISED Chickasaw / Lombardy closure
Date: Tuesday, August 22, 2023 10:41:05 PM

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I'm writing to oppose gating the entrance to Chickasaw Gardens at Lombardy. Cited from the Memphis Daily News, the number of crimes reported in Chickasaw Gardens since 1/1/23 are TWO. One for forgery & the other vandalism. Using the uptick in crime (fed by poverty) to justify building another wall won't solve their catastrophic forgery/vandalism trauma. Instead, it'll fuel the status quo Memphis has followed for decades, separating the elite (white) from impoverished black people. Building another wall will add to the suppression black children already experience as less important, less worthy than others by learning to navigate & survive at nearly a 40% childhood poverty rate. Memphis leads the country as the most impoverished city with over 500k people. Crime & poverty go hand in hand. No wall will fix that.

A few years ago, Chickasaw Gardens residents posted on Nextdoor their concern that a black kid was riding his bike through the neighborhood. It turns out that the child lived on Lombardy just around the corner & his mother was a high ranking, elevated administrative faculty member at CBU. This is point blank profiling by Chickasaw Gardens residents. Imagine the trauma poverty stricken children feel being profiled just for riding their bicycle down the street. If it happens to 'well to do' black child, imagine how most of our children in Memphis must feel. Put yourself in their rugged shoes.

Since Chickasaw Gardens has a history of not upholding their 'promises,' I object they will uphold this promise of keeping a pedestrian gate accessible. One entrance at a time, they are building walls, It began on Poplar years ago, promising to keep pedestrian/biking access yet the gate remains locked. They've provided only empty promises over the years.

Chickasaw Gardens houses PUBLIC streets & a PUBLIC park. Barricading these commons for all will continue to destroy our city, more than it already is.

Let's bridge Memphis together, not add more walls.

Thank you for considering the opposition to further inequality.

Katie Tamboli
2791 Iroquois Rd
Memphis, TN 38111

From: [Catherine Carroll](#)
To: [Cobbs, Kendra](#)
Subject: Road blockings to affluent neighborhoods
Date: Monday, August 21, 2023 12:28:32 PM



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Dear Kendra,

I first heard about this after reading about it and the Chickasaw neighborhood was the first news; then the Hedgewood neighborhood area was the next. What is going on? I frequent the public park in Chickasaw Gardens. It belongs to all of us and I enter at Lafayette to walk and sometimes bike. I live in a busy street and I have no right to stop the flow of traffic and yes, the Joffre neighborhood where has crime as well! Then the Hedgewood neighborhood area provides through streets for east Memphis streets and locations. Are we becoming a city of catering to elites who want a gated community while enjoying a public maintained park ? This is a nonissue and shouldn't even be considered regardless of who proposed it. I love in Greer. It's a busy street and we have crime in our neighborhood. I do not have the right or nerve to request a closure at Poplar or Central to make my neighborhood more peaceful or less crime friendly. It's a public street! And I don't even have a public park in my neighborhood, so this shouldn't even be considered. Just stop it!

Thank you,
Catherine Carroll (I vote)

From: [Kim Harwood](#)
To: [Cobbs, Kendra](#)
Subject: Road Closure: Lombardy at Fenwick
Date: Friday, August 11, 2023 8:43:24 AM



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Hello,

I am very opposed to the road closure at Lombardy and Fenwick proposed by the residents of Chickasaw Gardens. This is a public road paid for by tax payers, as is the park and lake in the center. This is a walking path for many in my neighborhood. With this closure we would not have access to this public park or streets located in Chickasaw Gardens. This neighborhood was not set up as a gated community.

Please pass along my concerns.

Best,

Kim Harwood
2700 Lombardy
Memphis, TN 38111
901-229-3665

From: [Mark Morrison](#)
To: [Cobbs, Kendra](#)
Subject: SAC 23-04 and 23-05
Date: Wednesday, August 16, 2023 12:11:57 PM



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Ms. Cobbs and Land Use Control Board Members:

I am writing to express my strong objections to the proposed street closures in Chickasaw Gardens (SAC 23-04 and 23-05). These are public streets paid for by taxpayers and should not be converted to private use. Public streets are useless to the general public without an associated network of streets to facilitate transportation and mobility. The proposed closure of these streets degrades transportation and mobility for all citizens.

In addition, a public park maintained by tax money serves as the green heart of Chickasaw Gardens. The closure of these streets will only serve to further "privatize" this public park and keep citizens from accessing their public spaces.

Finally, every street closure like this sets a terrible precedent for the next application. Should my community, Cooper-Young, be able to close off many of the streets that connect it to the rest of the city street network? We, of course, want safety and quiet streets, too. The answer for Cooper-Young, Chickasaw Gardens and other cases should clearly be "no." Taxpayers paid for these streets to provide mobility to our citizens. They should not be closed to appease and favor a few local residents and, at the same time, harm the greater public by degrading our transportation and mobility options.

IF these street closures are approved, Chickasaw Gardens should be required to privatize these streets and buy the park from the city. They should not be able to slowly privatize the use of their streets while putting the costs and burdens of the streets and parks on city taxpayers.

Thank you,
Mark Morrison
1988 Young Ave
901-834-7777

From: [Robert Hollingsworth](#)
To: [Cobbs, Kendra](#)
Subject: SAC 23-04 Chickasaws Gardens and SAC23-05 Chickasaw Gardens
Date: Thursday, August 17, 2023 10:24:04 AM



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Good morning Kendra,

My name is Robert Hollingsworth and I am writing to voice my opposition to the closing and vacating of Lafayette Place between Goodwyn St and Lafayette St as well as the closing and vacating of Lombardy Road between S. Fenwick Rd. and Chickasaw Dr.

My husband and I have lived on Dille Place (which runs parallel to Lafayette St.) for over twenty-three years. Part of the reason (in addition to being close to every part of the city of Memphis) is the easy access to Chickasaw Gardens Park. We have long enjoyed walking around the lake with our dogs, friends and family. Putting up a gate to block access to the joys of a city-owned part that should be enjoyed by all citizens of the city of Memphis, in the name of safety is wrong and unnecessary. There are lots of people in this area that enjoy the natural beauty and ease of access to Chickasaw Gardens Park on a daily basis. Young and old, pet owners and non pet owners alike, we all enjoy the benefits of having such a park within walking distance.

Therefore I urge you and the other staff planners to reject these proposals at the August 24, 2023 Technical Review Meeting and ultimately at the Land Use Control Board on Thursday, September 14, 2023. Chickasaw Gardens already has one entrance that is permanently blocked on North Lafayette and another on Poplar that is access only for residents in Chickasaw Gardens, they don't need two more.

Thank you for your time,

Robert Hollingsworth

From: [Katie B](#)
To: [Cobbs, Kendra](#)
Subject: SAC 23-04: CHICKASAW GARDENS
Date: Tuesday, August 22, 2023 8:42:00 PM



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- In the letter from SRC Consulting, LLC, a street closure is proposed as it is referenced in the SAC. Based on the description of the letter for vehicular access westbound on Lafayette Pl is to remain for those who choose to purchase a clicker, meaning that access is not closed it is simply privileged. Based on the drawing set included, it appears that the driveway on Lafayette Pl is to remain, reiterating that the street is neither closed or vacated. Please confirm that the intent is a Public-to-Private Street Conversion and clarify the impacts to adjacent landowners including the City of Memphis Parks Commission land used for the MoSH.
- Please clarify the pedestrian gate access given the conflicting statements in the letter from SRC Consulting, LLC stating "The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.", "The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access.", "These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue."
- Stated in the letter from SRC Consulting, LLC if the bike and pedestrian gates are stated to remain open from dusk til dawn. For those who recreate through walking, running, or biking, in the neighborhoods in the area many will be outside before dawn and after dusk due to the heat index during the daylight hours in the summer months. Restricting current access could have those folks crossing Lafayette St along Central Avenue after dusk and before dawn which is a blind corner for westbound Central Ave traffic turning onto Lafayette St. This would create a higher risk for accidents than what is currently encountered at Lafayette Pl which has a much better line of sight for all vehicular traffic. Please clarify what will be done to protect pedestrians and cyclists that would have to be redirected along Central?
- Please provide the justification for negatively impacting home values in the neighborhoods within walking distance to Chickasaw Park. Convenient access to Chickasaw Park is a selling feature to many of the homes in the Joffre neighborhood. Research published by NIH concluded that parklands can have a 0.5–14.1% value-added effect on property prices in the 850–160-m range in their vicinity which would include the Joffre neighborhood.
- It should be noted that the typical access from the Joffre neighborhood to Chickasaw Park, property of the City of Memphis, would be extended by an additional 10 minutes and .5 miles if current access to the park is not maintained.
- For safety reasons, please define how someone would be able to utilize the pedestrian or

vehicular gate for emergencies?

- Please clarify if emergency services would have access to bi-direction use of the gate and what system would be in place to allow for this. Limiting access to Chickasaw Park and Chickasaw Gardens can have a negative impact on emergency services response time if there was a safety concern at the park or within the HOA members. Even with common solutions such as Knox boxes, the implementation and use of such devices takes valuable time away from emergency responses in time critical events like a home break in, heart attack, etc.
- Please clarify the statistics for crime frequency in the neighborhood that would require the City of Memphis to limit access to public spaces such as Chickasaw Park and where else in the City of Memphis this has been successfully implemented? I would like to request the data associated with regards to vehicular and pedestrian statistics to better understand why vehicular, cyclist, and pedestrian access is all being restricted. No reference to data or statistics were given in the provided documents.
- Please clarify the legend used for the map prepared through Shelby County Government's online mapping Portal on 5/19/2023.

We appreciate the review that the TRC is progressing for SAC 23-04: CHICKASAW GARDENS and we want to ensure that decisions are being made with a City wide perspective of impact.

Thank you,

Katie Burns

From: [Adam Smith](#)
To: [Cobbs, Kendra](#)
Subject: SAC 23-4, and SAC 23-5
Date: Friday, August 11, 2023 8:02:41 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender gmac5ags@yahoo.com

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I oppose the above motions to close Lombardy Ave at Fenwick and Lafayette at Chickasaw gardens. This will prevent easy access to the Chickasaw gardens park, a publicly funded park. Also the residents on the Buntyn side of Lombardy have expressed strong opposition to the closing. This will limit easy access to the park for residents in Buntyn and Joffre neighborhoods. This should not be addressed as an administrative level decision.

Adam Smith.

[Sent from Yahoo Mail on Android](#)

From: [Alex McCormick](#)
To: [Cobbs, Kendra](#)
Subject: SAC 2023-004 and SAC 2023-005 Comments
Date: Thursday, November 2, 2023 11:21:34 PM

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Kendra,

I am writing to submit my comments on the Lombardy and Lafayette street closures currently being considered by the Land Use Control Board.

My position on these proposals is simple: I believe these closures are antithesis to the betterment of the City of Memphis. These closures are an attempt by the residents of Chickasaw Gardens to combat crime in their neighborhood. We all deal with the issue of crime within the city, and I do understand their desire to take action. However, building exclusionary infrastructure to isolate and separate well-off parts of the city from the rest of the population is not a viable solution.

At the literal heart of this issue is the publicly-funded, city-owned park that lies in the center of Chickasaw Gardens. The residents there are able to enjoy the benefits of a beautiful park inside their neighborhood - a luxury that most within the city do not have. Although the neighborhood is not private, and the park is publicly owned, there has been a history of harassment and questioning by the residents and their private security of people they have determined to not "look like they belong." Unsurprisingly, the stories and reports I've heard of people being stopped and questioned are predominantly people of color. It is plainly obvious to me that one of the goals of this gate closure is to aide in the ability of the neighborhood to racially profile citizens who are trying to take advantage of the amenities that they have a right to. The home page of the Memphis 3.0 development plan states, "Memphis will be a city that anchors growth on strengths of the core and neighborhoods; a city of greater connectivity and access; a city of opportunity for all." It does not seem to me that allowing street closures into neighborhoods that contain public parks aligns with the central tenants of this mission statement.

It is also a concern that the logistics of the gated closure could create traffic risks on Fenwick at Lombardy. I have heard varying proposals on the gate's operation, including providing the residents of the neighborhood with remote access to open the gate from their vehicles. With the proposal to construct the fence directly along Fenwick, without providing room for cars to wait while entering, there cannot be any entry into the neighborhood allowed through the gate. It can also create a hazard for people attempting to leave the neighborhood, if it is only accessible via remote access, that they could become stuck in the dead end and be forced to turn around and find an alternate exit. These issues, though seemingly minor, could increase traffic hazards to pedestrians, other motorists, or even the driver themselves in an emergency.

My hope is that the Land Use Control Board will see that this proposal does not align with the City's values, its long-term plans, or its citizens' wishes. I urge the board to deny this application so that the residents of the neighborhoods around Chickasaw Gardens will still have the access they are owed to the public amenities they help pay for.

Alex McCormick

From: [Almond Daniel](#)
To: [Cobbs, Kendra](#)
Subject: SAC23-04 and SAC23-05 Street closures
Date: Friday, August 18, 2023 4:36:36 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender adaniel2764@gmail.com

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.

Good afternoon,

I am contacting you to express my opposition regarding the two proposals for street closures and gating of public access to Chickasaw Gardens and the city park within this neighborhood.

I am opposed to this as I believe if this is approved it will send the wrong message to many Memphians. The wording in this proposal is troubling as it suggests that security will profile anyone entering this public park. The wording is as follows: *"it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood"*.

I understand that the security guards will be stationed at the remaining entrances to the park to conduct this "monitoring". This will intimidate those citizens that do not belong in this neighborhood. Chickasaw Gardens has a stained history of limiting access to this neighborhood. The original charter for this neighborhood prevented anyone of color from buying property in Chickasaw Gardens.

I ask that you and the other board members deny these two proposals.

Respectfully,

A. Daniel

From: [Lyn Joyner](#)
To: [Cobbs, Kendra](#); [Morgan, Worth](#); [Strickland, Jim](#); [Jackson Baker](#); kbomani@dailymemphian.com
Subject: STRONG OBJECTION to SAC 23-04, 23-05 -public roads closings
Date: Wednesday, August 16, 2023 4:52:56 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender lyn.joyner@gmail.com

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.

To: Kendra Cobbs

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Chickasaw Gardens does NOT have a crime problem that calls for two road closings. There is NO VALID REASON for HA's proposed two road closings.

CGHA's Letter of Intent says

"It (less public road access) **should decrease the crime we are currently experiencing** and give the security company a consolidated area to monitor for entry and exiting the neighborhood."

CGHA provides no stats to support their reason for closing two public roads.

Concerned, I checked The Daily News Crime Report Map to count crimes:

Chickasaw Garden's CRIME STATS from 1/16/2023 - 8/16/2023:

TOTAL OF 7 CRIMES reported for the past seven months, of which 3 were for counterfeiting/forgery.

For 3 months in this past 7-month period, **zero reported crimes in CG.**
Hard to decrease from that.

In comparison:

Fenwick to Plainview, neighborhoods west of CG, crime stats from 1/16/2023 - 8/16/2023:

TOTAL OF 24 CRIMES reported for the past seven months (zero were for counterfeiting/forgery).

NOTE: In January 2023, just 8 months ago, surrounding neighborhoods overwhelmingly rejected via petition CG's proposal to close off Lombardy, one of the roads in the current filing.

Why is this coming up again, so soon?

HOW DID THIS GET FAST-TRACKED????? Why is there no LUCB hearing.

CG has already, over the years, closed 4 of 9 their entrances.

Enough!!!

I would like not to have to address their uncivic road closing proposals again.

Sincerely,
Lyn Joyner and John Joyner
Fenwick Rd. Neighborhood Association
Community Liaisons

Suggestions for HOA:

- pay for more 24-hr surveillance, more cameras
- reach out to MPD for additional patrols
- confer with other neighborhoods, i.e. Central Gardens, for crime-reduction tips
- Neighborhood Watch
- (for those who want to live in a gated community), move to a gated community

From: [Linda Andrews](#)
To: [Cobbs, Kendra](#)
Cc: [Morgan, Worth](#); [Mayor Jim Strickland](#)
Subject: STRONG OBJECTION to SAC 23-0423-05-public roads closings
Date: Sunday, August 20, 2023 2:22:22 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender labeequeen@aol.com

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 request that on August 24 you NOT APPROVE Chickasaw Gardens Homeowner's Association's request for two road closings. This proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers, including emergency vehicles.

Thank you.
Linda Andrews
175 S Fenwick 38111

From: [Becky Childress](#)
To: [Cobbs, Kendra](#)
Subject: Vote No to Chickasaw Gardens Gate
Date: Tuesday, August 22, 2023 8:52:53 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender becky.childress@gmail.com

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 Becky Childress. I live in Humes Heights, the neighborhood adjacent to Chickasaw Gardens.

I live about a 1/2 from the lake and take daily walks there with my dog. I also run there early in the mornings. It is a public lake and a beautiful addition to our community. It is one reason I choose to live in the neighborhood. I do not believe that blocking the entrance to Chickasaw Gardens on 2 sides will prevent crime in a neighborhood that already has 24 hour security. It will only make it harder for others in the community to access the Public park. Please vote No to adding a gate and making the Public park more challenging to access.

As a community, we need to address crime and work on finding a solution. Not build gates or walls and try to cut off from the community.

Thanks,
Becky Childress

--

Becky Childress



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

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

November 16, 2023

Chickasaw HOA

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

Case Number: SAC 2023-004 and SAC 2023-005

LUCB Recommendation: Rejection

Dear Applicant,

On Thursday, November 9, 2023, the Memphis and Shelby County Land Use Control Board recommended **rejection** of your right-of-way vacation application to vacate portions of Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive.

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

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

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

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

Respectfully,
Kendra Cobbs

Kendra Cobbs
Planner III
Land Use and Development Services
Division of Planning and Development



Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of Way Vacation)

Record Status: Assignment

Opened Date: August 4, 2023

Record Number: SAC 2023-004

Expiration Date:

Record Name: Lafayette Place Closure

Description of Work: Street closure of Lafayette Place between E. Goodwyn Street and Lafayette Street.

Parent Record Number:

Address:

Owner Information

Primary Owner Name

N

Owner Address

Owner Phone

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner N/A

Date of Meeting -

Pre-application Meeting Type -

GENERAL INFORMATION

Name of Street where closure will begin E. Goodwyn Street

Name of Street where closure will end Lafayette Street

What is the reason for the street closure? Security of neighborhood

GENERAL INFORMATION

What is the total area of the right-of-way being closed? 15157
What is the overall length of the street closure? 240
Name of Street/Alley/ROW Lafayette Place
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter? No
If yes, please provide additional information -
Is this application a time extension? No

RELATED CASE INFORMATION

Previous Case Numbers -

GIS INFORMATION

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

Contact Information

Name CHICKASAW HOA **Contact Type** APPLICANT
Address

Phone
-

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1491774	Right of Way Vacation/Closure Fee	1	400.00	INVOICED	0.00	08/04/2023
1491774	Credit Card Use Fee (.026 x fee)	1	10.40	INVOICED	0.00	08/04/2023

Total Fee Invoiced: \$410.40

Total Balance: \$0.00

Payment Information

Payment Amount \$410.40 **Method of Payment** Credit Card



5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134

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

Date: August 2, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Lafayette Place Closure
Lombardy Road Closure

LETTER OF INTENT

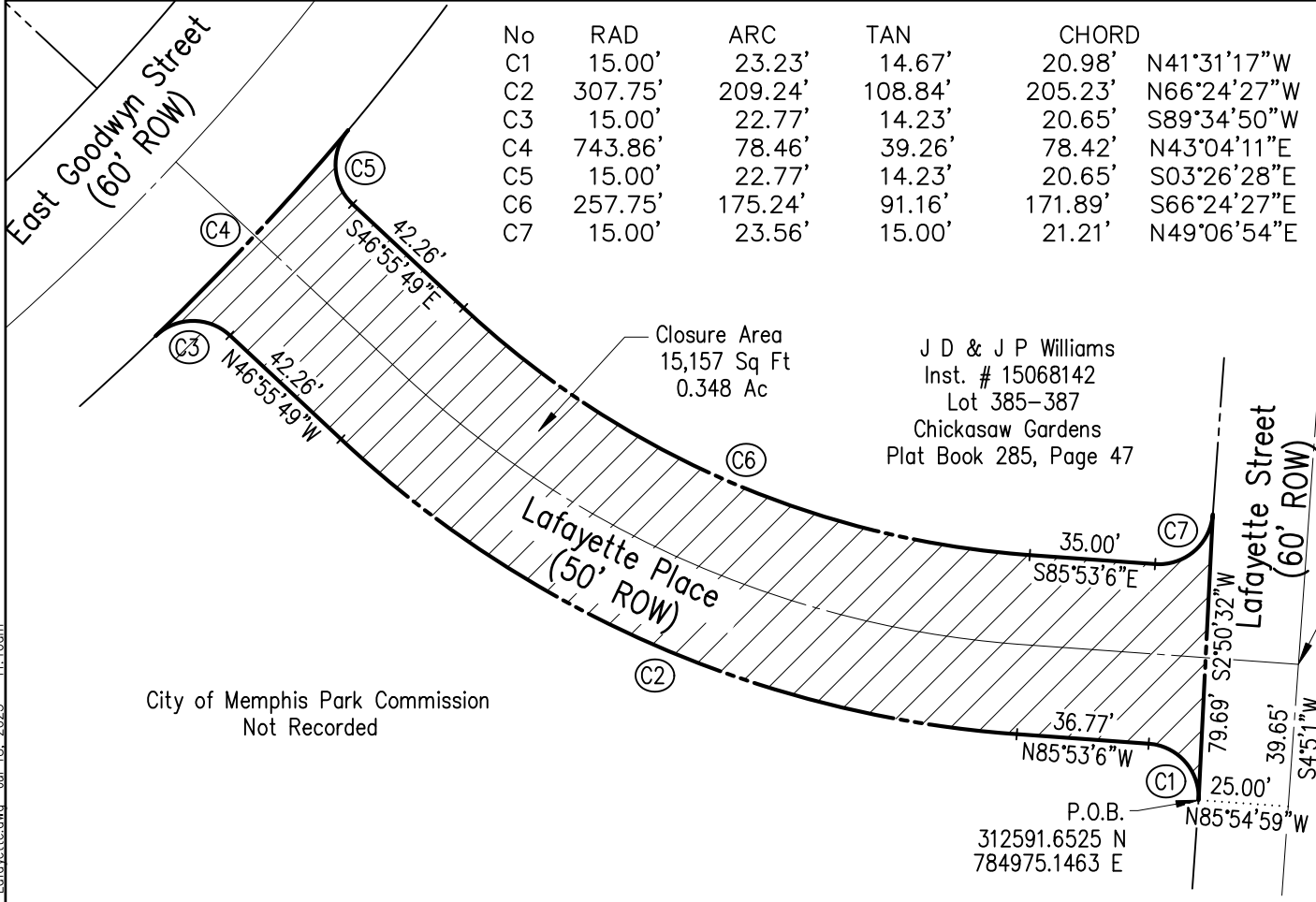
Dedrick Brittenum and I are submitting two street closure applications for the Chickasaw Gardens Homeowners Association at Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive. The Chickasaw Gardens Neighborhood currently has five points of access. It has come to our attention from the security consultants and neighborhood that something must be done. The security company cannot control such a large neighborhood with this many access points. If we could limit the access to the three streets on Central Avenue, it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood. The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.

We have submitted schematic drawings of the proposed gates prepared by Blair Parker Design that should give a good feeling of the look we are proposing. The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access. The Lafayette Place gate will swing into Lafayette Place with a stop bar and sign to notify the car to stop for the gate to open and the Lombardy Road gate will slide to the north. These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue.

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

Melisso S:\2022\2022-0087_Chickasaw SAC\Closure Plat\Lafayette.dwg Jul 18, 2023 - 11:10am

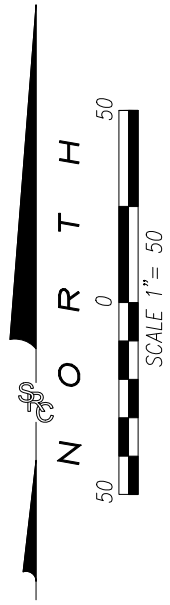
No	RAD	ARC	TAN	CHORD	DELTA
C1	15.00'	23.23'	14.67'	20.98'	N41°31'17"W 88°43'38"
C2	307.75'	209.24'	108.84'	205.23'	N66°24'27"W 38°57'17"
C3	15.00'	22.77'	14.23'	20.65'	S89°34'50"W 86°58'43"
C4	743.86'	78.46'	39.26'	78.42'	N43°04'11"E 6°2'35"
C5	15.00'	22.77'	14.23'	20.65'	S03°26'28"E 86°58'43"
C6	257.75'	175.24'	91.16'	171.89'	S66°24'27"E 38°57'17"
C7	15.00'	23.56'	15.00'	21.21'	N49°06'54"E 90°0'0"



P.O.C.
312629.4244 N
785002.9102 E

Closure Area
15,157 Sq Ft
0.348 Ac

Property of
City of Memphis
Not Recorded



City of Memphis Park Commission
Not Recorded

J D & J P Williams
Inst. # 15068142
Lot 385-387
Chickasaw Gardens
Plat Book 285, Page 47

Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafayette Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°5'1"W a distance of 39.65 feet to a point; thence N85°54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the left an arc distance of 23.23 feet (chord N41°31'17"W 20.98 feet) to a point; thence N85°53'6"W a distance of 36.77 feet to a point; thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43°04'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°06'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

DIVISION OF ENGINEERING

SAC 23-__

LAFAYETTE PLACE CLOSURE PLAT

FROM E. GOODWYN ST. TO LAFAYETTE ST.

MEMPHIS, TN

SURVEY BY <u>Fisher Arnold</u>	DATE <u>4/23</u>	BOOK _____
DRAFTSMAN <u>SR Consulting</u>	DATE <u>5/23</u>	SCALE <u>1"=50'</u>

REVIEWED _____

REVIEWED _____

DEPUTY CITY ENGINEER

CITY ENGINEER

PROJECT NO. _____ FILE _____

East Goodwyn Street
(60' ROW)

JD & J P Williams
Inst. # 15068142
Lot 385-387
Chickasaw Gardens
Plat Book 285, Page 47

Existing Curb Cut

Ex. Curb

Ex. Fence

Ex. Curb

Lafayette Place
(50' ROW)

Proposed
Vehicle Gate

Street
Closure Limit

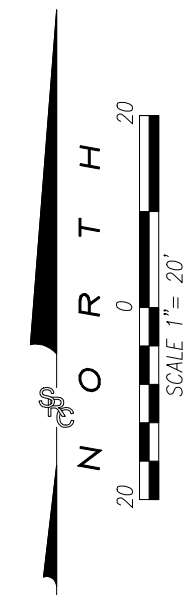
Proposed
Stop Bar

Proposed
Pedestrian Gate

Ex. Fence

Lafayette Street
(60' ROW)

City of Memphis Park Commission
Not Recorded



LAFAYETTE PLACE

OWNER/DEVELOPER:

CHICKASAW GARDENS HOA

SRCONSULTING, LLC
ENGINEERING - PLANNING

5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134

Tel 901.371.0150
Fax 901.371.0160
info@SRCE-memphis.com

MEMPHIS, TENNESSEE
AUGUST 2023
SHEET 1 of 1

File: 21/02/2023-09:01 Chickasaw_SAC/Scale/dfgpltdwg Aug 04, 2023 - 1:42pm

Chickasaw Gardens Lafayette Place Gate Layout



Chickasaw
Gardens
NO OUTLET TO POPLAR AVE
NO SOLICITATION
24 HR SURVEILLANCE

LAFAYETTE ST

←
Central Ave.

Lafayette Street

→
Poplar Ave.

Prepared for
Chickasaw Gardens Homeowners Association

Chickasaw Gardens
Lafayette Place Gate Layout

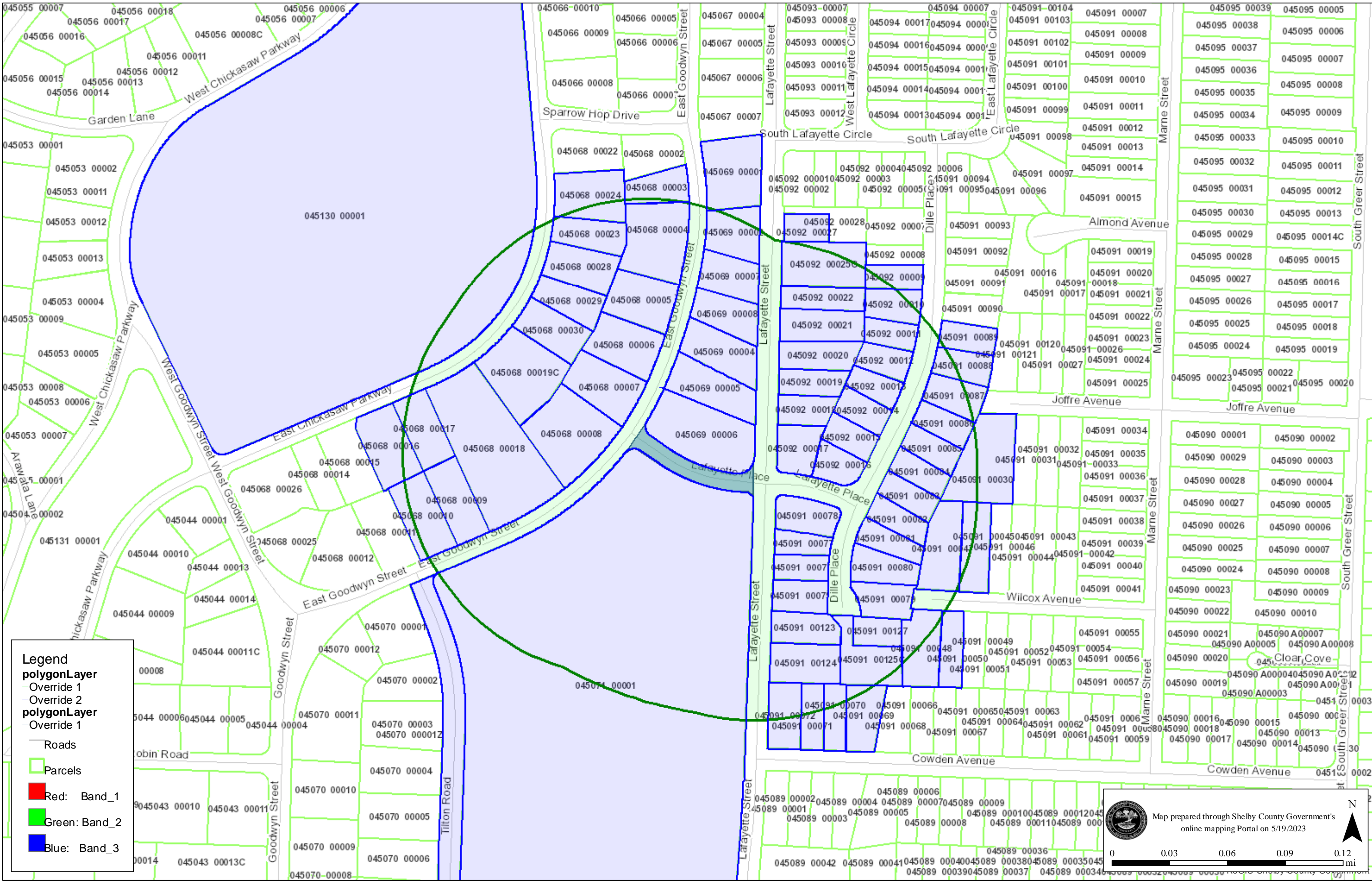


←
Central Ave.

Lafayette Street

→
Poplar Ave.

Prepared for
Chickasaw Gardens Homeowners Association



Legend

polygonLayer

- Override 1
- Override 2


polygonLayer

- Override 1

— Roads

□ Parcels

- Red: Band_1
- Green: Band_2
- Blue: Band_3



Map prepared through Shelby County Government's online mapping Portal on 5/19/2023

0 0.03 0.06 0.09 0.12 mi

N

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

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, J. Edward Beasley, Jr.
(Print Name)

J. Edward Beasley, Jr.
(Sign Name)

, state that I have read the definition of

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

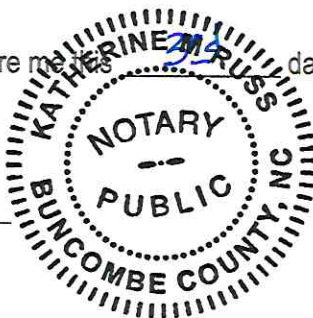
I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in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

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

of the property located at Lafayette Pl. at Lafayette St. and Lombardy Rd. at S. Fenwick Rd.
and further identified by Assessor’s Parcel Number _____,
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 21st day of August in the year of 2023.

Katherine M Russ
Signature of Notary Public



10-29-2024
My Commission Expires

Chickasaw Gardens Homes Association

3009 Gardens Way

Memphis, TN 38111

August 3, 2023

Ms Cindy Reaves

SR Consulting, LLC

5909 Shelby Oaks Drive

Suite 200

Memphis, TN 38134

Dear Ms Reaves,

Please be advised that at the regularly-scheduled meeting of the Trustees of Chickasaw Gardens, February 8, 2023, the following motion was made by Patick Sala and seconded by Boyd Wade:

“The Trustees of Chickasaw Gardens are in favor of closing the Fenwick entrance to Chickasaw Gardens and the Lafayette entrance to Chickasaw Gardens.”

The above motion passed unanimously by the Trustees and the Trustees continue to support closure.

Respectfully submitted,

A handwritten signature in blue ink that reads "J. Edward Beasley, Jr." The signature is written in a cursive style.

J. Edward Beasley, Jr.

Chairman, Trustees of Chickasaw Gardens



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



20039657

04/20/2020 - 09:01:07 AM

3 PGS	
CHRISTINAM 2009061 - 20039657	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

In the undersigned owners of the property shown hereon hereby certify that as per plan of subdivision and lots, etc. the streets shown thereon are hereby authorized by the Garden Communities Corporation
attest
H. S. Speed, President
Garden Communities Corporation
and Secretary

Personally appeared before me L. E. Fahy County Clerk of Shelby County in and for said state and county at Knoxville duly sworn and qualified H. S. Speed with whom I am personally acquainted and who upon oath acknowledged to be the President of the Garden Communities Corporation the within named corporation and that he as such President being authorized as to do should the foregoing instrument for the purposes therein contained by signing the name of the Corporation to himself as President of the Corporation in and for said state and county at Knoxville Tennessee on the 27th day of July 1926
L. E. Fahy
County Clerk

approved by City Planning Commission
May 27-1926
C. C. Paschley
Secretary
approved by Shelby County Commission
7/11/26
Ed. Hale Chairman
Am. J. Hunt Secretary

CHICKASAW GARDENS

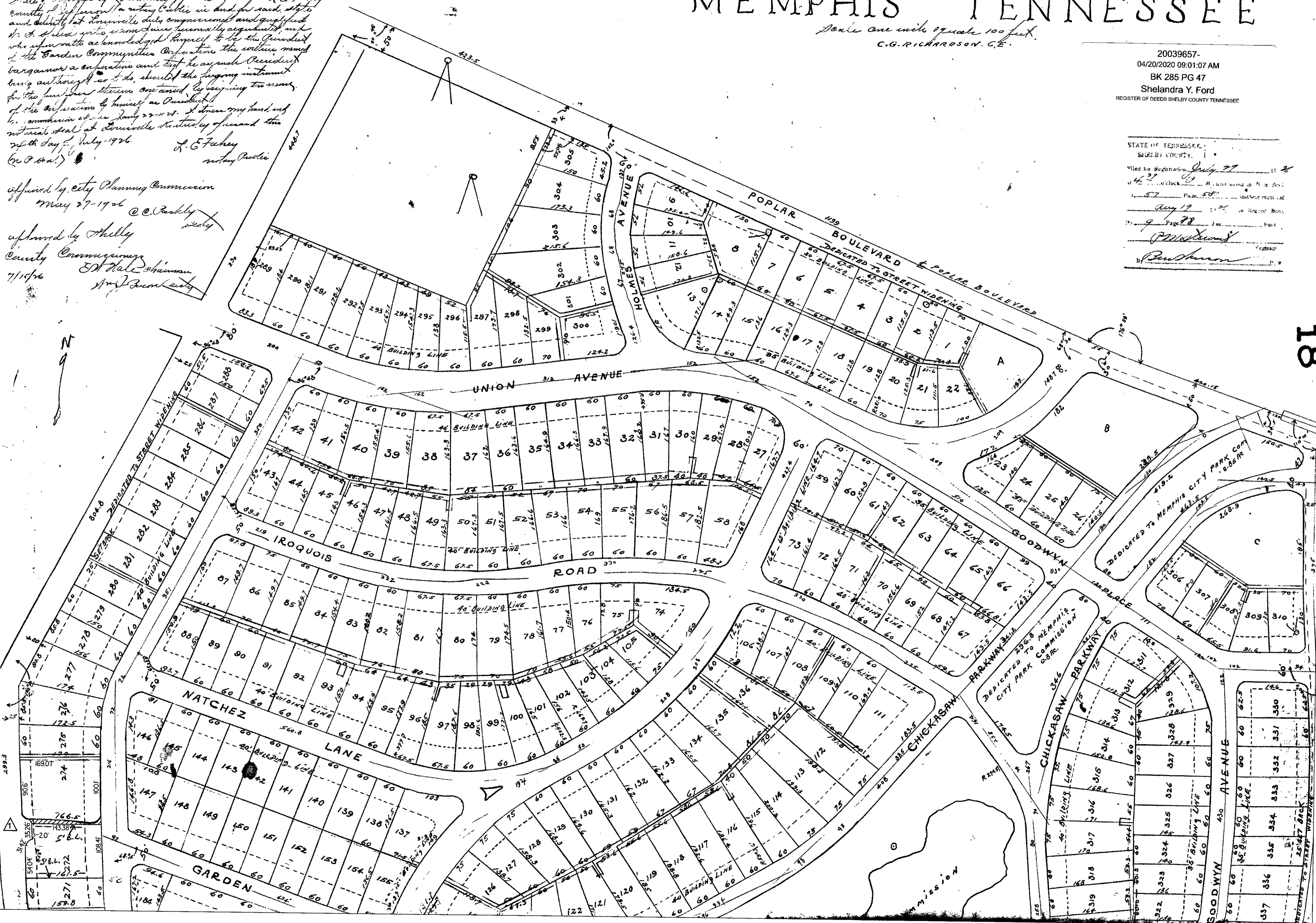
GARDEN COMMUNITIES CORPORATION

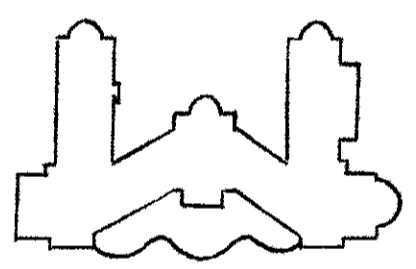
MEMPHIS TENNESSEE

Scale one inch equals 100 feet.
C. G. RICHARDSON, C.E.

20039657-
04/20/2020 09:01:07 AM
BK 285 PG 47
Shelandra Y. Ford
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

STATE OF TENNESSEE
SHELBY COUNTY
Filed for Registration July 27 1926
at 4:30 o'clock P.M. and recorded in the Book
285 Page 47
July 19 1926
C. G. Richardson
C. E.





DEDICATED TO MEMPHIS CITY PARK COMMISSION.

468

Modifications of Restrictions

MODIFICATION OF RESTRICTIONS
PART 9 PG 8 OF 8485812

20039657-
04/20/2020 09:01:07 AM
BK 285 PG 47
Shelandra Y. Ford
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

CHICKASAW GARDENS SUBDIVISION

NOTE ALL EASEMENTS 10' IN WIDTH.

CHICKASAW GARDENS

GARDEN COMMUNITIES CORPORATION

MEMPHIS TENNESSEE

Scale one inch equals 100 feet
C.G. RICHARDSON, C.E.

20039657-
04/20/2020 09:01:07 AM
BK 285 PG 47
Shelandra Y. Ford
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

STATE OF TENNESSEE
SHELBY COUNTY
Filed for Registration July 27
of 2020
Page 588
July 19
Page 28
P. S. W.

OWNER'S CERTIFICATE - 3000 CHEROKEE DRIVE, LOT 272 AND PART OF GARDEN LANE

I/WE, 30, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT IS NOT ENCUMBERED BY ANY TAXES (OR MORTGAGE) WHICH HAVE SAID PROPERTY BECOME DUE AND PAYABLE.

BY: _____ DATE: 4.8.20
SECRETARY

NOTARY'S CERTIFICATE

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TENNESSEE AND SHELBY COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED JENNIFER GUSTE WITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HIS OATH ACKNOWLEDGED HIMSELF TO BE THE WITHIN NAMED BARGAINER, AND THAT THEY EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN MEMPHIS, THIS 8 DAY OF APRIL 2020.

NOTARY PUBLIC J. Johnston
MY COMMISSION EXPIRES 4-30-2020



NOTARY'S CERTIFICATE

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TENNESSEE AND SHELBY COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED ED APPLE WITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HIS OATH ACKNOWLEDGED HIMSELF TO BE THE WITHIN NAMED BARGAINER, AND THAT THEY EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN MEMPHIS, THIS 8 DAY OF APRIL 2020.

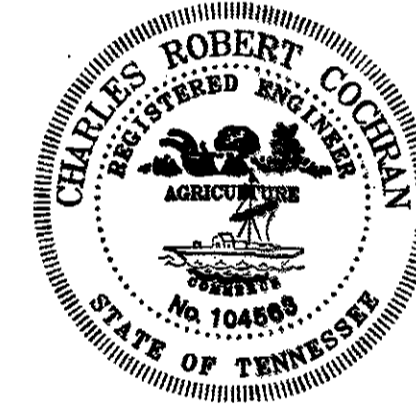
NOTARY PUBLIC J. Johnston
MY COMMISSION EXPIRES 4-30-2020



ENGINEER'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT, IS IN CONFORMANCE WITH THE DESIGN REQUIREMENTS OF THE ZONING ORDINANCE, THE SUBDIVISION REGULATIONS AND THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT, AND TAKES INTO ACCOUNT ALL APPLICABLE FEDERAL, STATE AND LOCAL BUILDING LAWS AND REGULATIONS.

BY C. W. W.
TENNESSEE CERTIFICATE NO. 104563
4/7/2020



OWNER'S CERTIFICATE - 3000 CHEROKEE DRIVE, LOT 273 AND PART OF GARDEN LANE

I/WE, M, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT IS NOT ENCUMBERED BY ANY TAXES (OR MORTGAGE) WHICH HAVE SAID PROPERTY BECOME DUE AND PAYABLE.

BY: _____ DATE: 4-8-20
SECRETARY

OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE

1. THIS PLAN OF DEVELOPMENT IS BEING RE-RECORDED TO ADD SHEET 3 OF 3.
2. REFLECT THE CLOSURE OF GARDEN LANE AND THE INCORPORATION OF THE FORMER GARDEN LANE RIGHT OF WAY WITH THE ADJACENT PROPERTY OWNERS LOT 272 AND 273. HATCHED AREA ON SHEET 1 OF 3 IS AREA OF QUIT CLAIM TO LOT 274. LOT 273 AND THE HATCHED AREA ARE NOW COLLECTIVELY SHOWN AS LOT 274. FIVE FOOT SIDE YARD BUILDING SETBACK LINES HAVE BEEN ADDED TO LOT 272. SEE THE ORIGINAL LOCATION AND DIMENSIONS OF LOTS 272, 273 AND GARDEN LANE IN PLAT BOOK 9, PAGE 18.
3. CLOSURE OF GARDEN LANE WAS APPROVED BY THE MEMPHIS CITY COUNCIL ON DECEMBER 1, 1987 AND RECORDED UNDER INSTRUMENT AE 4728 IN THE SHELBY COUNTY REGISTER'S OFFICE. ANY EASEMENTS IN THE FORMER RIGHT-OF-WAY ARTICULATED BY THESE INSTRUMENTS, AS RECORDED WITH THE SHELBY COUNTY REGISTER OF DEEDS, ARE HEREBY ABANDONED AS THERE IS NO CITY INFRASTRUCTURE WITHIN THIS AREA.

INSTRUMENT # AE4728 AND
BY Shelandra Y. Ford DATE: 04/17/20
DIRECTOR
OFFICE OF PLANNING & DEVELOPMENT



Tom Leatherwood
Shelby County Register / Archives

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

15068142

07/14/2015 - 09:19 AM

3 PGS	
HERTHA	1348562 - 15068142
VALUE	441000.00
MORTGAGE TAX	0.00
TRANSFER TAX	1631.70
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	1649.70

TOM LEATHERWOOD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

WARRANTY DEED

THIS INDENTURE, made and entered into this **8th day of July, 2015**, by and between

DARRELLE B. MILLER, an unmarried woman

, party of the first part, and

J. D. WILLIAMS and J.P. WILLIAMS, husband and wife

, 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 the City of Memphis, County of Shelby, State of Tennessee, to wit:

South part of Lots 385, 386 and 387, CHICKASAW GARDENS Subdivision, as shown on plat of record in Plat Book 9, Page 18, in the Register's Office of Shelby County, Tennessee being more particularly described as follows:

Beginning at an iron stake in the east line of Goodwyn Street at a point 90 feet southwardly from the northwest corner of said Lot 387, as measured along the east line of Goodwyn Street, running thence southeastwardly 208.5 feet in a straight line to an iron stake in the west line of Lafayette Street, at a point which is 82 feet south of the northeast corner of said Lot 385, as measured along the west line of Lafayette Street thence, southwardly along the west line of Lafayette Street 100 feet to the point of intersection of said west line with the north line of Lafayette Place, running thence northwestwardly along the north line of Lafayette Place 260.7 feet to the point of intersection of said north line. of Lafayette Place with the east line of Goodwyn Street, thence northwardly along the east line of Goodwyn Street 100 feet to the point of beginning.

166

Being the same property as conveyed to the party of the first part by Quit Claim Deed of record under Register's No. JR 8559, in said Register's Office.

TO HAVE AND TO HOLD the aforesaid real estate together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the party of the second part, his heirs, successors and assigns in fee simple forever.

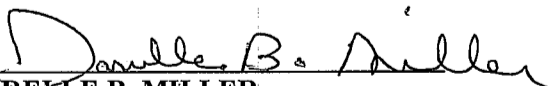
The said party of the first part does hereby covenant with the said party of the second part that he is lawfully seized in fee of the aforesaid real estate; that he has a good right to sell and convey the same; that the same is unencumbered, except for

2016 City of Memphis taxes and 2015 Shelby County taxes real estate taxes, both not yet due and payable, and except for any and all subdivision restrictions, covenants, building lines and easements of record, if any, including, but not limited to subdivision restrictions, building lines and easements of record in Plat Book 9, Page 18 and 19, amended in Book 3151, Pages 391,401 and 415 and under Register's Nos. L7 8130, R7 3249, T2 5143, T2 5144, AA 5846, AK 3462, AN 5392, AU 5964 and BZ 0630; Deed Restrictions of record under Register's No. Book 1093, Page 54, Book 1093, Page 168 and Book 1093, Page 56; Easements of record in Book No. 4140, Page No. 130; Easements of record under Register's No. U8 4035; all references to recording being made to the Register's Office of 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.


DARRELLE B. MILLER

State of Tennessee
County of Shelby

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared DARRELLE B. MILLER, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and acknowledged that she executed the same for the purposes therein contained.

WITNESS my hand and notarial seal at office this 8th day of July, 2015.

Notary Public



My Commission Expires: 01/11/2016

TAX PARCEL NUMBER: 045069-00006

PROPERTY ADDRESS:

176 E. Goodwyn St.
Memphis, TN 38111

TG File #: 5283547

MD&W File #: 150413

THIS INSTRUMENT PREPARED BY:

J. Michael Murphy, Attorney
Murphy, DeZonia & Webb
6389 Quail Hollow Rd., Suite 102
Memphis, TN 38120

RETURN TO:

Tim Rainey
Stanley & Rainey, P.C.
7515 Corporate Centre Drive
Germantown, TN 38138

20150434A
5283547

OWNER'S NAME AND MAILING ADDRESS:

J. D. WILLIAMS and J.P. WILLIAMS
176 E. Goodwyn St.
Memphis, TN 38111

MAIL TAX BILLS TO:

J.D. Williams and J.P. Williams
176 E Goodwyn St.
Memphis TN 38111

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 *****\$441,000.00*****, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

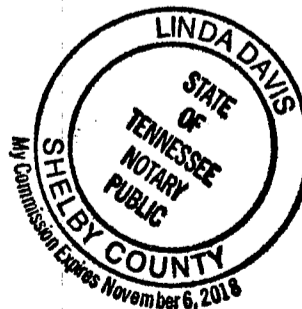
Jawnie Vaughn-Agert
AFFIANT

13th

Subscribed and sworn to before me this 8th day of July, 2015.

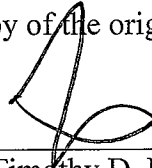
Linda Davis
Notary Public

My Commission Expires:



CERTIFICATION OF AN ELECTRONIC DOCUMENT

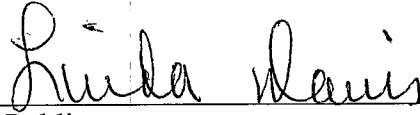
I, Timothy D. Rainey, do hereby make oath that I am a licensed attorney and/or custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original documented executed and authenticated according to law.



Timothy D. Rainey, Attorney

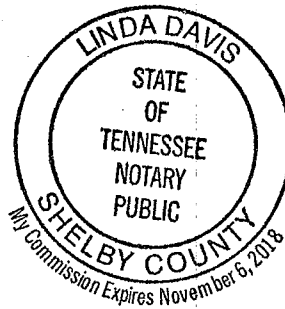
STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me on the 3rd day of July, 2015, the undersigned notary public for this county and state, Timothy D. Rainey, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary Public

My Commission Expires: _____



RAGGHIANI MARY R & JAMES F
150 LAFAYETTE ST #
MEMPHIS TN 38111

BERGK JAN D & MOLLY C AMBROSE
212 DILLE PL #
MEMPHIS TN 38111

FOLK ALEXANDER A
161 DILLE PL #
MEMPHIS TN 38111

HETTINGER EDWARD & HEATHER
149 DILLE PL #
MEMPHIS TN 38111

GOTERA JOHN T AND LEE M GOTERA (RS)
218 DILLE PL #
MEMPHIS TN 38111

HUGHES RACHEL & SEAN
168 LAFAYETTE ST #
MEMPHIS TN 38111

BILLINGS KACI
158 LAFAYETTE ST #
MEMPHIS TN 38111

CASSIDY JOHN M JR
3139 WILCOX AVE #
MEMPHIS TN 38111

MJR HOLDINGS LLC
57 E GOODWYN ST
MEMPHIS TN 38111

SLATERY CHARLES K JR
155 DILLE PL #
MEMPHIS TN 38111

JOHNSON JOSEPH R
232 LAFAYETTE ST #
MEMPHIS TN 38111

TRIMBLE THOMAS J
175 DILLE PL #
MEMPHIS TN 38111

ROBERT JANE E
162 DILLE PL #
MEMPHIS TN 38111

MARGOLIN PETER H & JILL J
226 DILLE PL #
MEMPHIS TN 38111

ARVM 5 LLC
5001 PLAZA ON THE LAKE
AUSTIN TX 78746

BURKEY THEODORE J & KAREN J Z
169 DILLE PL #
MEMPHIS TN 38111

MEMPHIS CITY OF
GENERAL DELIVERY #
MEMPHIS TN 38101

CHILDS RYAN K & CATHERINE
2111 WOODSIDE DR #
GERMANTOWN TN 38138

FARRAR SCOTT A
181 DILLE PL #
MEMPHIS TN 38111

NORTON DAVID S & TRACY C
138 LAFAYETTE ST #
MEMPHIS TN 38111

MCGHEE RENEE & JEWELL
3155 JOFFRE AVE #
MEMPHIS TN 38111

LUYENDYK ASHELY & JOHN GARLAND JR
182 LAFAYETTE ST #
MEMPHIS TN 38111

PHILLIPS ELLEN P AND OWEN PHILLIPS
145 DILLE PL #
MEMPHIS TN 38111

KUO ANGELA T AND KENNETH A MOORE (RS)
187 DILLE PL #
MEMPHIS TN 38111

ROONEY PETER A
180 DILLE PL #
MEMPHIS TN 38111

TEDFORD BRAD W
156 DILLE PL #
MEMPHIS TN 38111

SCHEXNAYDER GERARD
184 DILLE PL #
MEMPHIS TN 38111

CITY OF MEMPHIS PARK COMISSION
GENERAL DELIVERY #
MEMPHIS TN 38101

SIDES MARGARET K SHUTE
162 LAFAYETTE ST #
MEMPHIS TN 38111

GOLLINGSWORTH ROBERT J AND RONALD
192 DILLE PL #
MEMPHIS TN 38111

JOHNS ROGER F & LISA S
198 DILLE PL #
MEMPHIS TN 38111

TAYLOR SAMUEL J & TARA
3145 WILOCX AVE #
MEMPHIS TN 38111

MORROW RICHARD L & ELLEN T
155 E GOODWYN ST #
MEMPHIS TN 38111

FISHER JEREMY A & KRISTEN L
199 DILLE PL #
MEMPHIS TN 38111

WAMBLE BRIAN A
222 DILLE PL #
MEMPHIS TN 38111

CANALE ROBERT A & LYNDAL H
150 E CHICKASAW PKWY #
MEMPHIS TN 38111

YOUNGER JEREMY D
3144 WILCOX AVE #
MEMPHIS TN 38111

HEARN TICHINA D
3100 COWDEN AVE #
MEMPHIS TN 38111

MALONE CHRISTOPHER M & LAUREN K
181 E GOODWYN ST #
MEMPHIS TN 38111

FIANDT EMMALY AND MICHAEL A FIANDT AND
5441 ELLSWORTH DR #
PLAINFIELD IN 46168

SYKORA ROBERT C TRUST AGREEMENT AND
4590 HOPEWELL RD
CUMMING GA 30028

DAVIS REVOCABLE LIVING TRUST (TR)
122 GOODWYN ST #
MEMPHIS TN 38111

GIORGIO JOHN D
204 DILLE PL #
MEMPHIS TN 38111

HAND REBECCA C
3112 COWDEN AVE
MEMPHIS TN 38111

GEARY WILLIAM & JOSEPHINE
125 E GOODWYN ST #
MEMPHIS TN 38111

HOLBROOK VICKIE L
205 DILLE PL #
MEMPHIS TN 38111

GREER DANIEL L III & SIDNEY L R
3118 COWDEN AVE #
MEMPHIS TN 38111

EDGE WALTER CALVIN JR & TINA HUDSPETH
PO BOX 11989 #
MEMPHIS TN 38111

COLE MARK
211 DILLE PL #
MEMPHIS TN 38111

EUBANKS JAMES F AND DEBRA B EUBANKS
1965 EDWARDS MILL RD #
GERMANTOWN TN 38139

FARNSWORTH THOMAS C III & MARY L B
146 E CHICKASAW PKWY #
MEMPHIS TN 38111

CHICKSAW GARDENS HOME ASSOC
1715 UNION AVE #
MEMPHIS TN 38104

HUTTON MARITAL TRUST
2471 MT MORIAH RD #
MEMPHIS TN 38115

DOUGLASS JUDITH L FAMILY TRUST
156 E GOODWYN ST #
MEMPHIS TN 38111

M & L PROPERTIES L P
2950 TISHOMINGO LN #
MEMPHIS TN 38111

WEBB ABIGAL J & PATRICK A SALA
134 E GOODWYN ST #
MEMPHIS TN 38111

AUSTIN DONALD G JR & CLAIRE B
169 E GOODWYN ST #
MEMPHIS TN 38111

FRIZZELL KIRBY
224 LAFAYETTE ST #
MEMPHIS TN 38111

MITCHELL KELLI
150 E GOODWYN ST #
MEMPHIS TN 38111

ROANE ANN W TRUST
162 E GOODWYN ST #
MEMPHIS TN 38111

SMITH FRED S JR & IRENE O
164 E CHICKASAW PKWY #
MEMPHIS TN 38111

HUTTON MARITAL TRUST
2471 MT MORIAH RD #
MEMPHIS TN 38115

WIECK STEPHEN G & WHITNEY P BARTON
168 E GOODWYN ST #
MEMPHIS TN 38111

CITY OF MEMPHIS P C
GENERAL DELIVERY #
MEMPHIS TN 38101

HALL CHRISTOPHER J
2926 TISHOMINGO LN
MEMPHIS TN 38111

SICHVELAND PEGGY JO RAY REVOCABLE TRUST
176 E CHICKASAW PKWY #
MEMPHIS TN 38111

WILLIAMS J D & J P
176 E GOODWYN ST #
MEMPHIS TN 38111

DABOV GREGORY D & DONNA M
180 E CHICKASAW PKWY #
MEMPHIS TN 38111

RAINES J N & JULIA W
211 GOODWYN #
MEMPHIS TN 38111

BARTON CAROLYN P
215 E GOODWYN ST #
MEMPHIS TN 38111

SOLBERG RONALD T AND RHONDA K SOLBERG
130 E CHICKASAW PKWY #
MEMPHIS TN 38111

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

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

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5909 Shelby Oaks Drive, Suite 200
Memphis TN 38134

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

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

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

045092 00022 - RAGGHIANI MARY R & JAMES F
045092 00010 - HETTINGER EDWARD & HEATHER
045092 00021 - BILLINGS KACI
045092 00011 - SLATERY CHARLES K JR
045091 00088 - ROBERT JANE E
045092 00013 - BURKEY THEODORE J & KAREN J Z
045092 00015 - FARRAR SCOTT A
045092 00017 - LUYENDYK ASHELY & JOHN GARLAND JR
045091 00085 - ROONEY PETER A
045071 00001 - CITY OF MEMPHIS PARK COMISSION
045091 00080 - BERGK JAN D & MOLLY C AMBROSE
045091 00079 - GOTERA JOHN T AND LEE M GOTERA (RS)
045091 00048 - CASSIDY JOHN M JR
045091 00124 - JOHNSON JOSEPH R
045091 00125C - MARGOLIN PETER H & JILL J
045130 00001 - MEMPHIS CITY OF
045092 00027 - NORTON DAVID S & TRACY C
045092 00009 - PHILLIPS ELLEN P AND OWEN PHILLIPS
045091 00089 - TEDFORD BRAD W
045092 00020 - SIDES MARGARET K SHUTE
045092 00012 - FOLK ALEXANDER A
045092 00019 - HUGHES RACHEL & SEAN
045091 00087 - MJR HOLDINGS LLC
045092 00014 - TRIMBLE THOMAS J
045092 00018 - ARVM 5 LLC

045091 00086 - CHILDS RYAN K & CATHERINE
045091 00030 - MCGHEE RENEE & JEWELL
045092 00016 - KUO ANGELA T AND KENNETH A MOORE (RS)
045091 00084 - SCHEXNAYDER GERARD
045091 00083 - GOLLINGSWORTH ROBERT J AND RONALD
045091 00082 - JOHNS ROGER F & LISA S
045091 00078 - FISHER JEREMY A & KRISTEN L
045091 00047 - YOUNGER JEREMY D
045091 00046 - FIANDT EMMALY AND MICHAEL A FIANDT AND
045091 00081 - GIORGIO JOHN D
045091 00077 - HOLBROOK VICKIE L
045091 00076 - COLE MARK
045070 00001Z - CHICKSAW GARDENS HOME ASSOC
045091 00075 - M & L PROPERTIES L P
045091 00123 - FRIZZELL KIRBY
045091 00049 - TAYLOR SAMUEL J & TARA
045091 00127 - WAMBLE BRIAN A
045091 00072 - HEARN TICHINA D
045091 00071 - SYKORA ROBERT C TRUST AGREEMENT AND
045091 00070 - HAND REBECCA C
045091 00069 - GREER DANIEL L III & SIDNEY L R
045092 00025C - EUBANKS JAMES F AND DEBRA B EUBANKS
045068 00004 - HUTTON MARITAL TRUST
045069 00002 - WEBB ABIGAL J & PATRICK A SALA
045069 00007 - MITCHELL KELLI

045068 00005 - MORROW RICHARD L & ELLEN T
045068 00030 - CANALE ROBERT A & LYNDAL H
045068 00007 - MALONE CHRISTOPHER M & LAUREN K
045069 00001 - DAVIS REVOCABLE LIVING TRUST (TR)
045068 00003 - GEARY WILLIAM & JOSEPHINE
045068 00028 - EDGE WALTER CALVIN JR & TINA HUDSPETH
045068 00029 - FARNSWORTH THOMAS C III & MARY L B
045069 00008 - DOUGLASS JUDITH L FAMILY TRUST
045068 00006 - AUSTIN DONALD G JR & CLAIRE B
045069 00004 - ROANE ANN W TRUST
045068 00019C - SMITH FRED S JR & IRENE O
045069 00005 - WIECK STEPHEN G & WHITNEY P BARTON
045068 00018 - CITY OF MEMPHIS P C
045068 00008 - HALL CHRISTOPHER J
045068 00017 - SICHVELAND PEGGY JO RAY REVOCABLE TRUST
045069 00006 - WILLIAMS J D & J P
045068 00016 - DABOV GREGORY D & DONNA M
045068 00009 - RAINES J N & JULIA W
045068 00010 - BARTON CAROLYN P
045068 00024 - SOLBERG RONALD T AND RHONDA K SOLBERG
045068 00023 - HUTTON MARITAL TRUST

Commencing at a point of intersection of the centerline of Lafayette Street (60' ROW) and the centerline of Lafayette Place (50' ROW) (312629.4244 N, 785002.9102 E); thence S4°5'1"W a distance of 39.65 feet to a point; thence N85°54'59"W a distance of 25.00 feet to the point of beginning, said point being in the west line of Lafayette Street (312591.6525 N, 784975.1463 E); thence along a 15.00 foot radius curve to the left an arc distance of 23.23 feet (chord N41°31'17"W 20.98 feet) to a point; thence N85°53'6"W a distance of 36.77 feet to a point; thence along a 307.75 foot radius curve to the right an arc distance of 209.24 feet (chord N66°24'27"W 205.23 feet) to a point; thence N46°55'49"W a distance of 42.26 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S89°34'50"W 20.65 feet) to a point; thence along a 743.86 foot radius curve to the left an arc distance of 78.46 feet (chord N43°4'11"E 78.42 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 22.77 feet (chord S3°26'28"E 20.65 feet) to a point; thence S46°55'49"E a distance of 42.26 feet to a point; thence along a 257.75 foot radius curve to the left an arc distance of 175.24 feet (chord S66°24'27"E 171.89 feet) to a point; thence S85°53'6"E a distance of 35.00 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.56 feet (chord N49°6'54"E 21.21 feet) to a point; thence S2°50'32"W a distance of 79.69 feet to the POINT OF BEGINNING and containing 15,157 square feet, or 0.348 acres.

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 12/5/2023

DATE

PUBLIC SESSION: 12/19/2023

DATE

ITEM (CHECK ONE)

 ORDINANCE RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution approving the right-of-way vacation of Lombardy Road between S. Fenwick Road and Cherokee Drive, known as case number SAC 2023-005

CASE NUMBER: SAC 2023-005

LOCATION: Lombardy Road located between S. Fenwick Road and Cherokee Drive

COUNCIL DISTRICTS: District 7 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: Cindy Reaves, SR Consulting, LLC

REQUEST: Right-of-way vacation of Lombardy Road located between S. Fenwick Road and Cherokee Drive

AREA: +/-0.337 acres

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**

Add to consent agenda requesting public hearing – December 5, 2023
Public hearing – December 19, 2023

PRIOR ACTION ON ITEM:

<u>(2)</u>	APPROVAL - (1) APPROVED (2) DENIED
<u>11/9/2023</u>	DATE
<u>(1) Land Use Control Board</u>	ORGANIZATION - (1) BOARD / COMMISSION (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
<u>Kendra Cobbs</u>	<u>11/27/2023</u>	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
<u>Brett Regado</u>	<u>11/27/2023</u>	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SAC 2023-005

RESOLUTION APPROVING THE RIGHT-OF-WAY VACATION OF LOMBARDY ROAD LOCATED BETWEEN S. FENWICK ROAD AND CHEROKEE DRIVE, KNOWN AS CASE NUMBER SAC 2023-005

- This item is a resolution with conditions to allow the above; and
- This item may require a new public improvement contract.

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: SAC 23-005

LOCATION: Lombardy Road between S. Fenwick Road and Cherokee Drive

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

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: Cindy Reaves, SR Consulting, LLC

REQUEST: Right-of-way vacation

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

AREA: 0.337 acres

The following spoke in support of the application: Cindy Reaves, Stuart Frisch, Barton Lynch, Chelsey Savage, Jennifer Williams, Jarod Wilder, Chavanne McDonald, and Jeff Savage

The following spoke in opposition of the application: Lew Wardlaw, Julie Green, Allison, Crone, and John Joyner

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

The motion failed by a vote of 4-3-1 on the regular agenda.

Respectfully,
Kendra Cobbs

Kendra Cobbs
Planner III
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SAC 23-005
CONDITIONS

1. Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
11. 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.
12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

CLOSURE PLAT

No	RAD	ARC	TAN	CHORD	DELTA
C1	15.00'	24.39'	15.85'	21.79' S41°42'26"E	93°9'16"
C2	613.00'	197.70'	99.71'	196.84' N82°28'35"E	18°28'42"
C3	15.00'	24.16'	15.61'	21.63' N27°05'54"E	92°16'41"
C4	15.00'	23.04'	14.49'	20.84' N63°03'03"W	88°1'13"
C5	673.00'	223.87'	112.98'	222.84' S82°28'07"W	19°3'33"
C6	15.00'	23.25'	14.69'	20.99' S47°35'30"W	88°48'48"



Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27°05'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63°03'03"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'07"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

DIVISION OF ENGINEERING
SAC 23-
LOMBARDY ROAD CLOSURE PLAT
FROM S. FENWICK RD. TO CHEROKEE DR.
 MEMPHIS, TN

SURVEY BY Fisher Arnold DATE 4/23 BOOK _____
 DRAFTSMAN SR Consulting DATE 5/23 SCALE 1"=50'

REVIEWED _____ DEPUTY CITY ENGINEER
 REVIEWED _____ CITY ENGINEER



RESOLUTION

RESOLUTION APPROVING THE CLOSURE OF LOMBARDY ROAD BETWEEN S. FENWICK ROAD AND CHEROKEE DRIVE, KNOWN AS CASE NUMBER SAC 2023-005

WHEREAS, the City of Memphis is the owner of real property known as the Lombardy Road right-of-way between S. Fenwick Road and Cherokee Drive in Memphis, Tennessee and being more particularly described as follows:

Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27°5'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63°3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

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

and recommendation to the Council of the City of Memphis subject to the following conditions pertaining to SAC 2023-005:

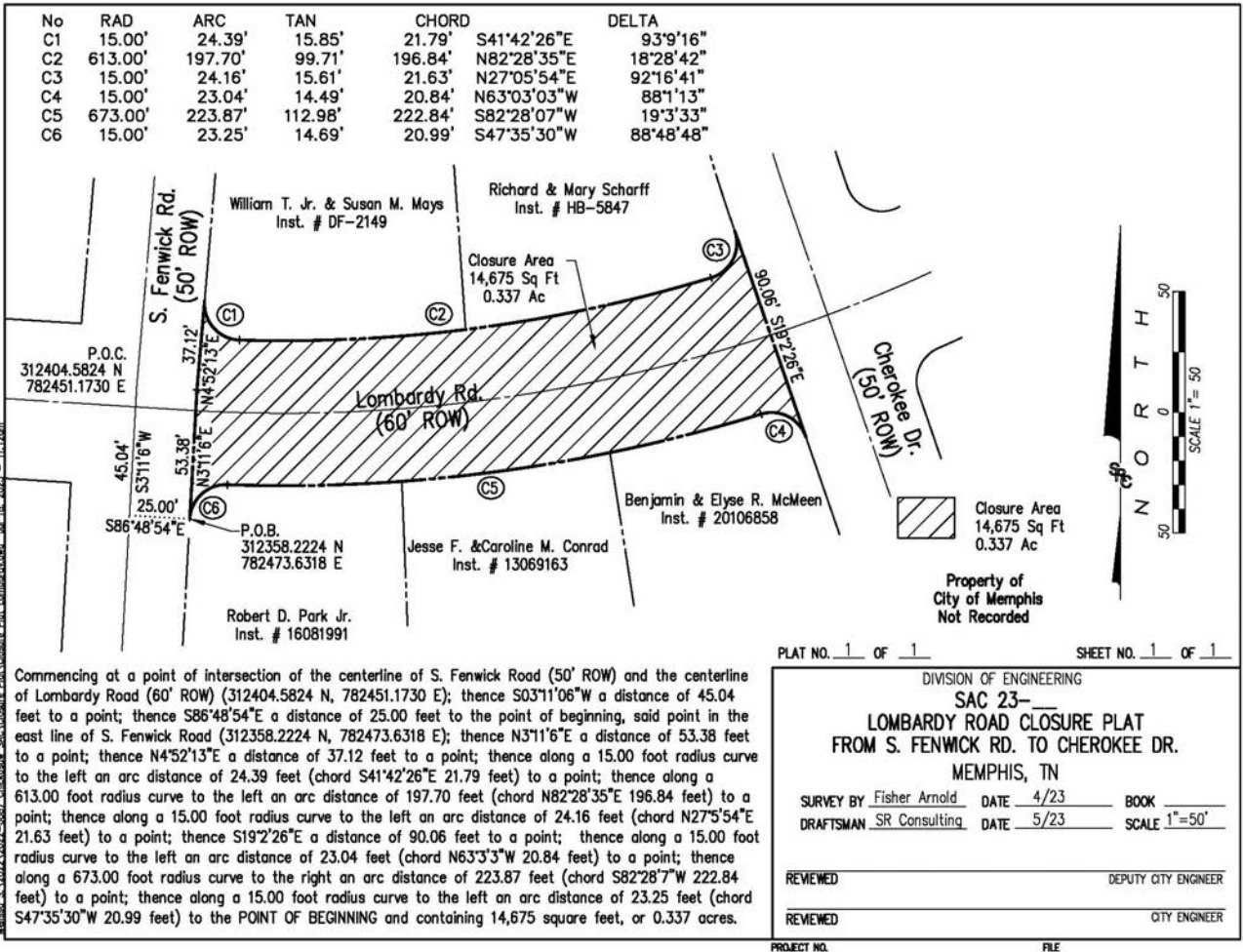
1. Provide Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
11. 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.
12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire

apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above-described public right-of-way be and is hereby closed for public use, subject to the aforementioned conditions.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deed(s) to the owners of the properties abutting on the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company and the Shelby County Property Assessor's Office.



Melissa S. 2/22/2022-0087 Cherokee, East/Closure Plat Lombardy Rd. Jul. 18, 2023 - 11:20am

Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27°05'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63°3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

ATTEST:

Cc: Division of Planning and Development – Land Use and Development Services
City Engineering – Land Development
City Real Estate

AGENDA ITEM: 16

CASE NUMBER: SAC 2023-005 **L.U.C.B. MEETING:** November 9, 2023

LOCATION: Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr.

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

OWNER/APPLICANT: CHICKASAW HOA

REPRESENTATIVE: SR Consulting – Cindy Reaves

REQUEST: Right-of-way vacation of Lombardy Rd. between S. Fenwick Road and Cherokee Drive

AREA: +/-0.337 acres

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

CONCLUSIONS

1. The applicant is seeking to vacate the Lombardy Road public right-of-way located between S. Fenwick Road and Cherokee Drive.
2. A gate is proposed to be placed across Lombardy Road at the S. Fenwick Road intersection, while the opposite end of the right-of-way vacation would remain open.
3. The applicant's letter of intent states that the gate would be designed for emergency vehicle access only, or exit-only access if a clicker is purchased from the HOA. There would also be a bike and pedestrian gate that would stay open during daylight hours.
4. This request is a companion case to SAC 2023-004, which if granted along with the subject request, would limit neighborhood access to three points from Central Avenue.
5. Disconnecting from the public street network is not a sustainable remedy for crime prevention.
6. Lastly, closure would inhibit access to a park and lake that when dedicated, intended access was achieved from multiple directions. Approved SAC applications in Chickasaw Gardens have further prohibited access to public amenities which is detrimental to the greater good.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 General Plan does not address right-of-way vacation requests.

RECOMMENDATION

Rejection

GENERAL INFORMATION

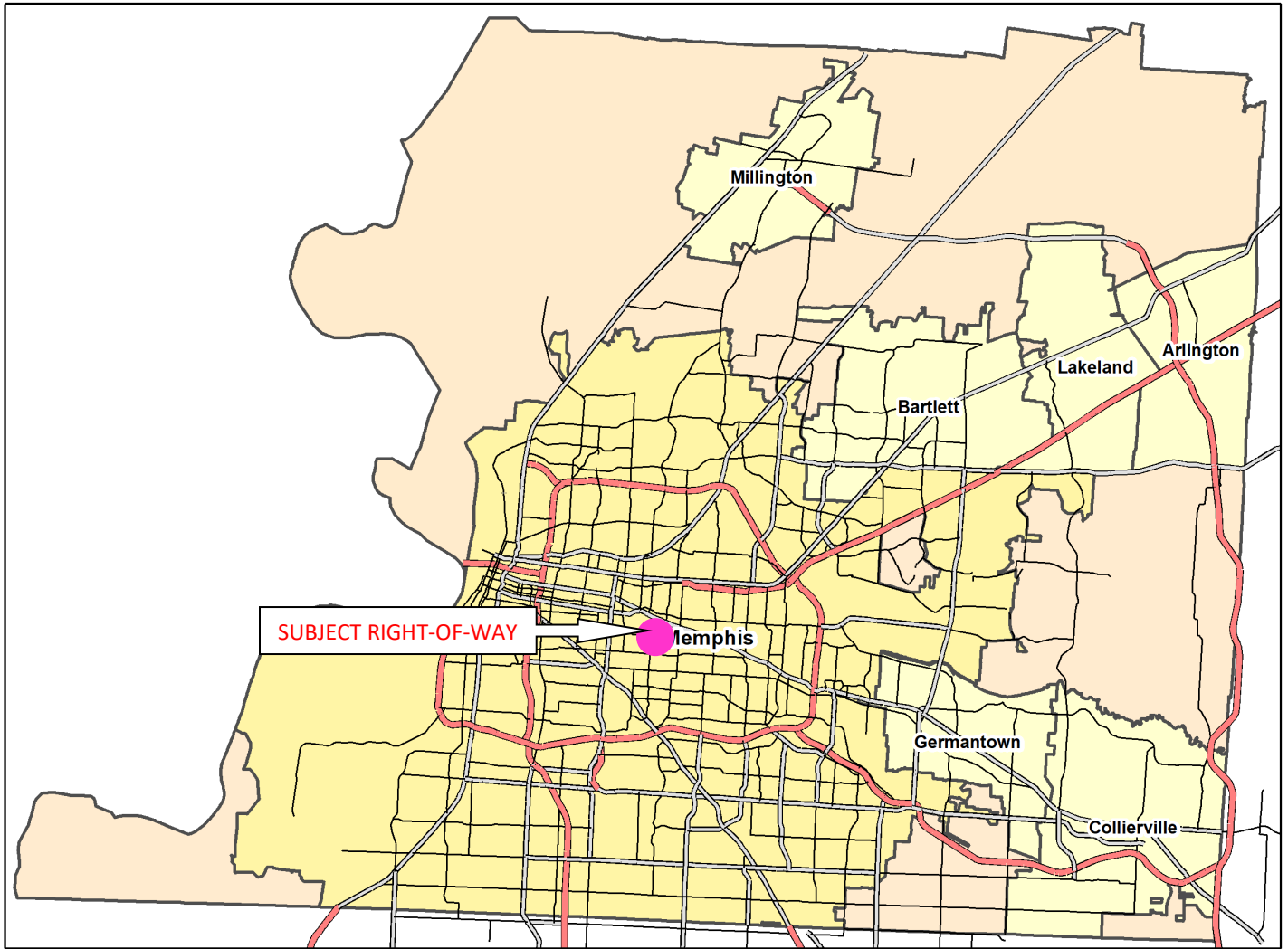
Zoning Atlas Page: 2035

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

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 67 notices were mailed on October 30, 2023, and a total of 2 signs posted on each end of the right-of-way to be closed and vacated. The sign affidavit has been added to this report.

LOCATION MAP



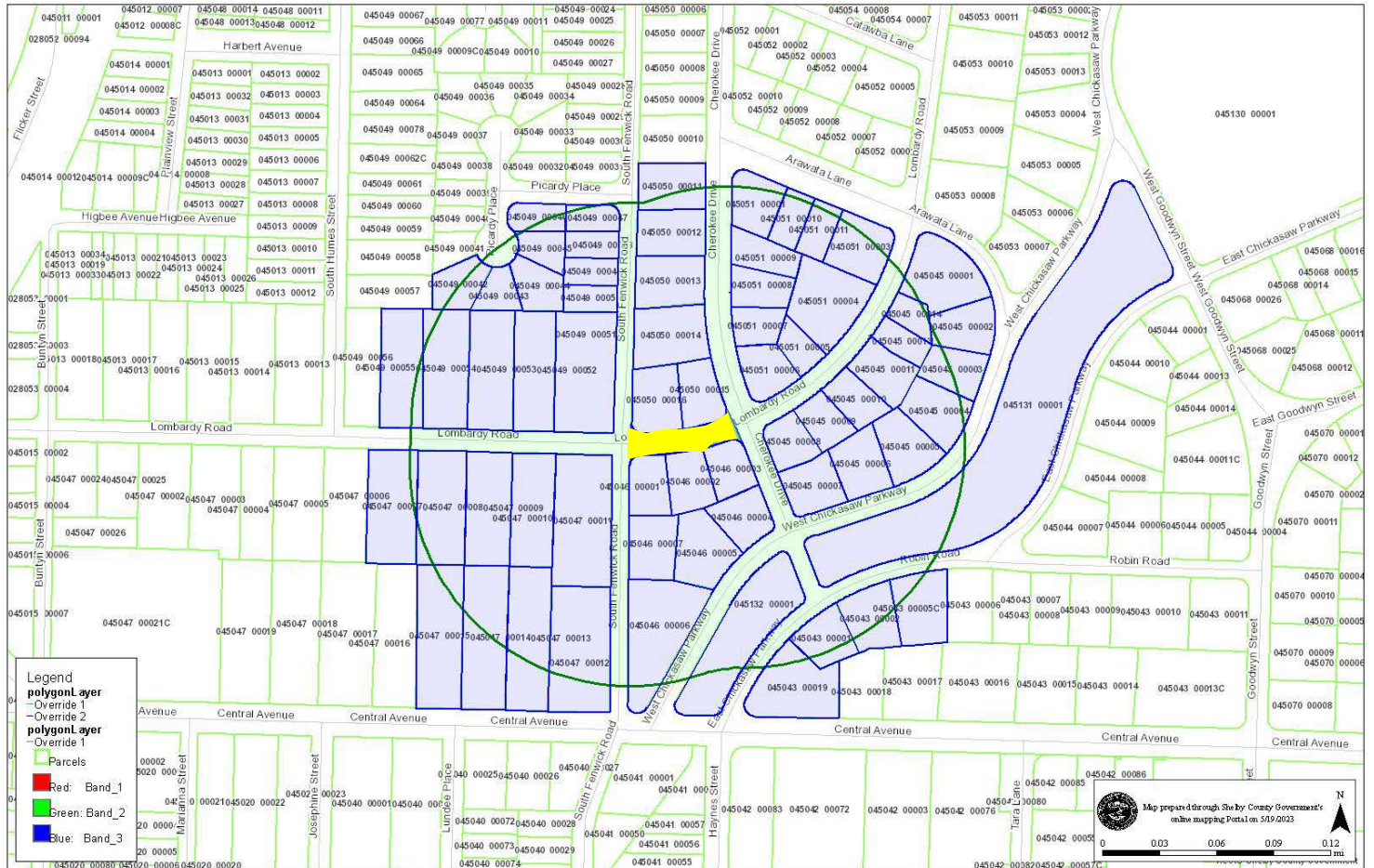
Subject right-of-way located within the pink circle, Chickasaw Gardens Neighborhood

CHICKASAW GARDENS (1926)



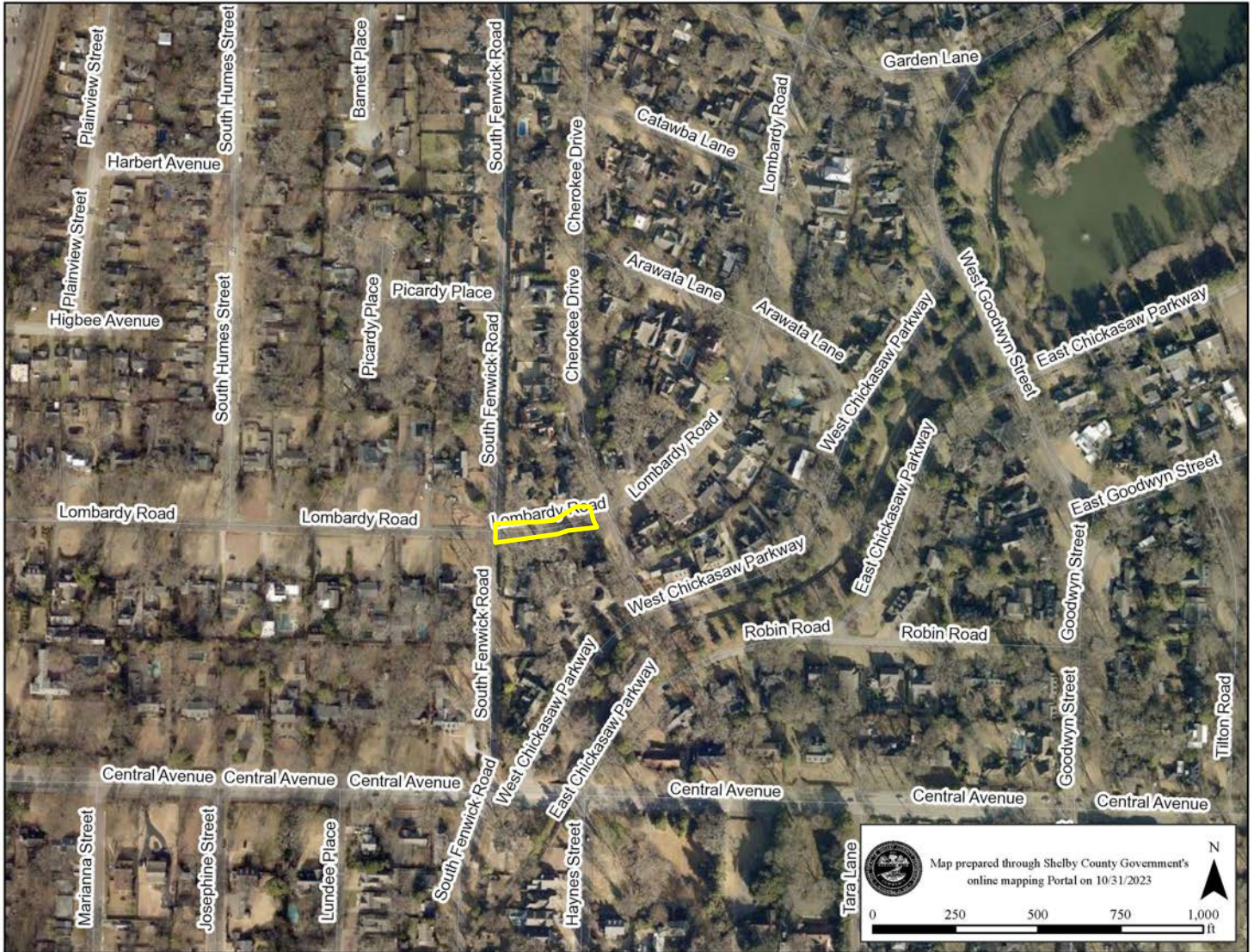
Subject right-of-way highlighted in yellow

VICINITY MAP



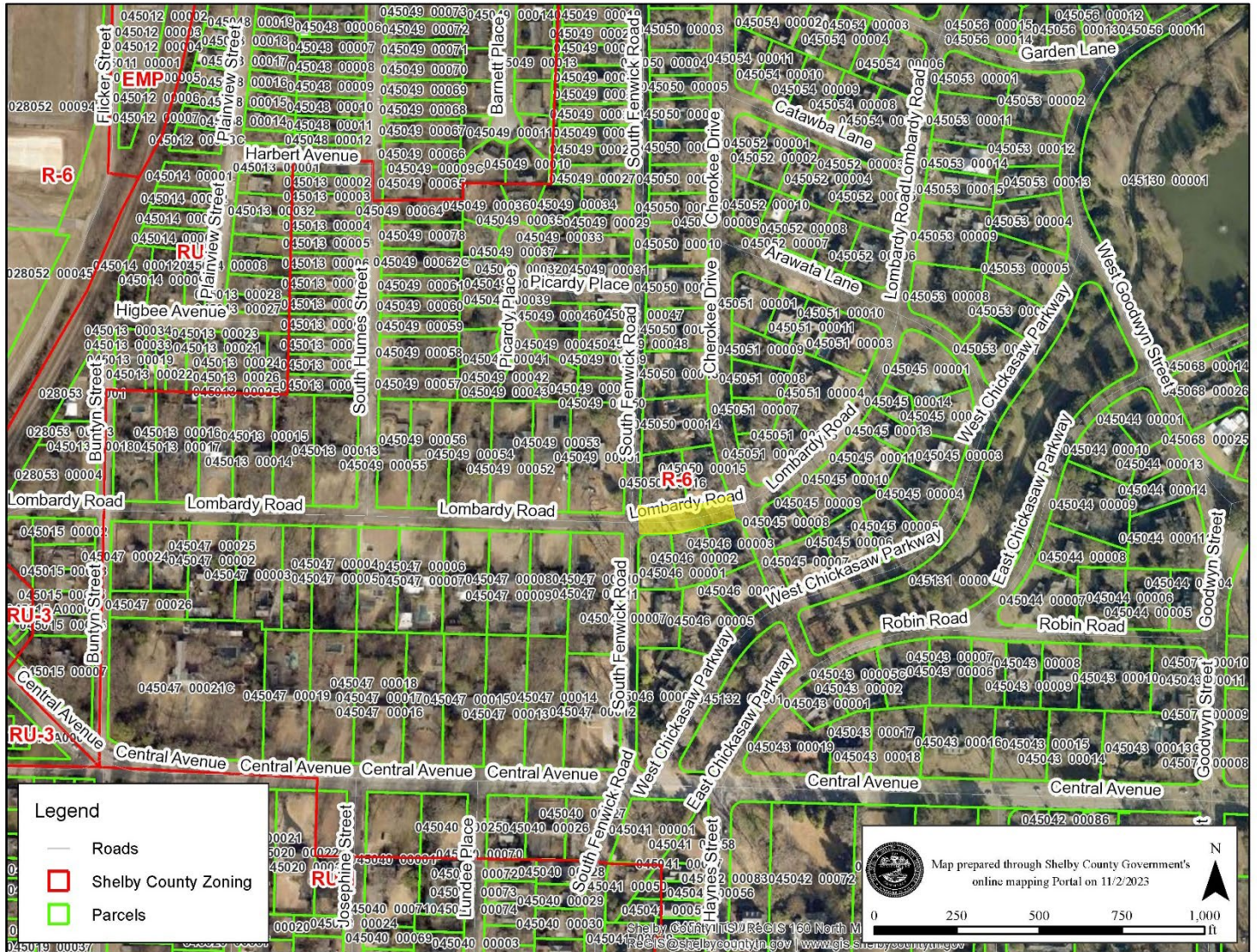
Subject right-of-way highlighted in yellow

AERIAL



Subject right-of-way outlined in yellow

ZONING MAP



Subject right-of-way highlighted in yellow

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

Surrounding Zoning

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

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

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

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

LAND USE MAP



Subject right-of-way outlined in orange

SITE PHOTOS

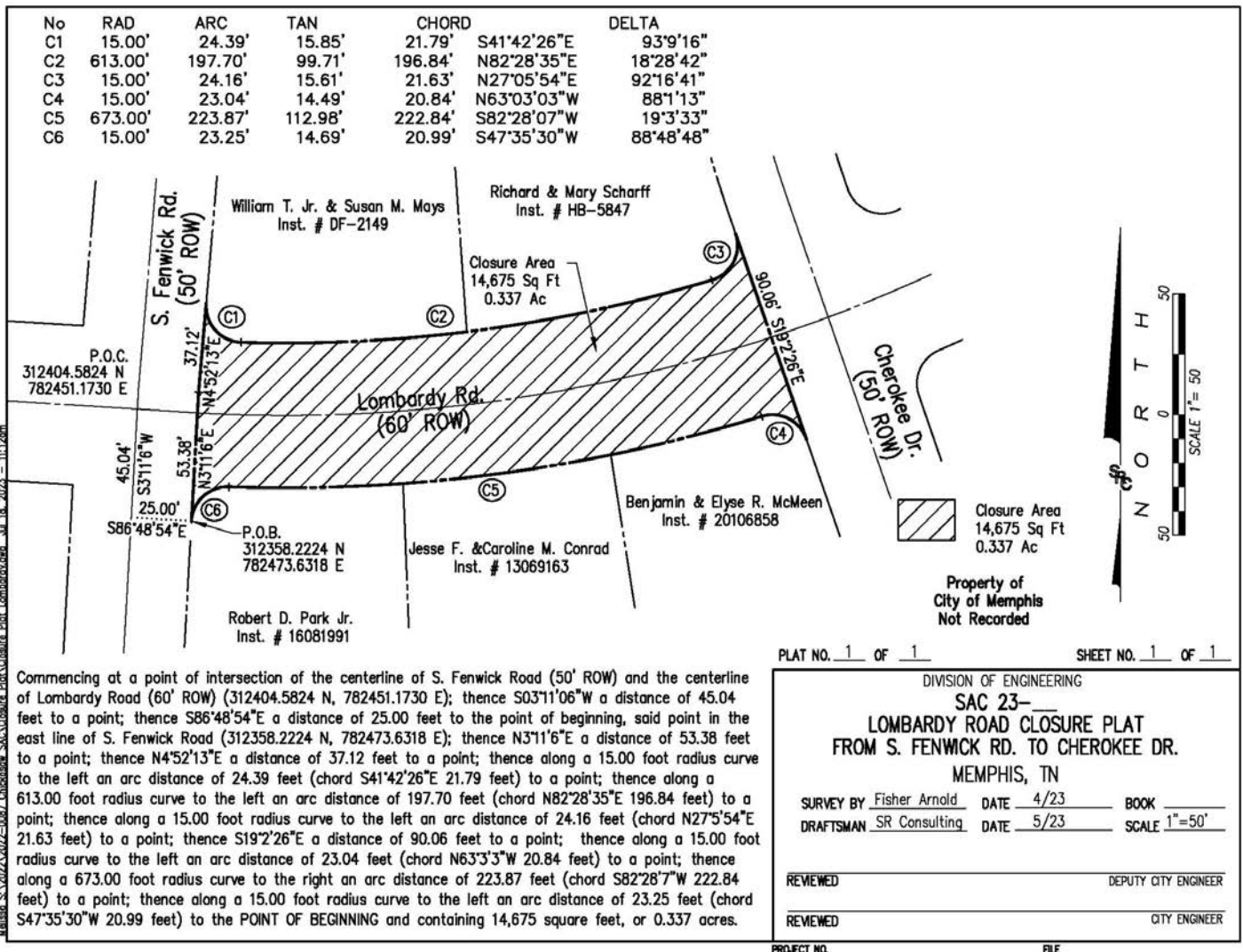


View of access point to the subject right-of-way from Cherokee Drive looking west



View of access point to the subject right-of-way from Cherokee Drive looking east

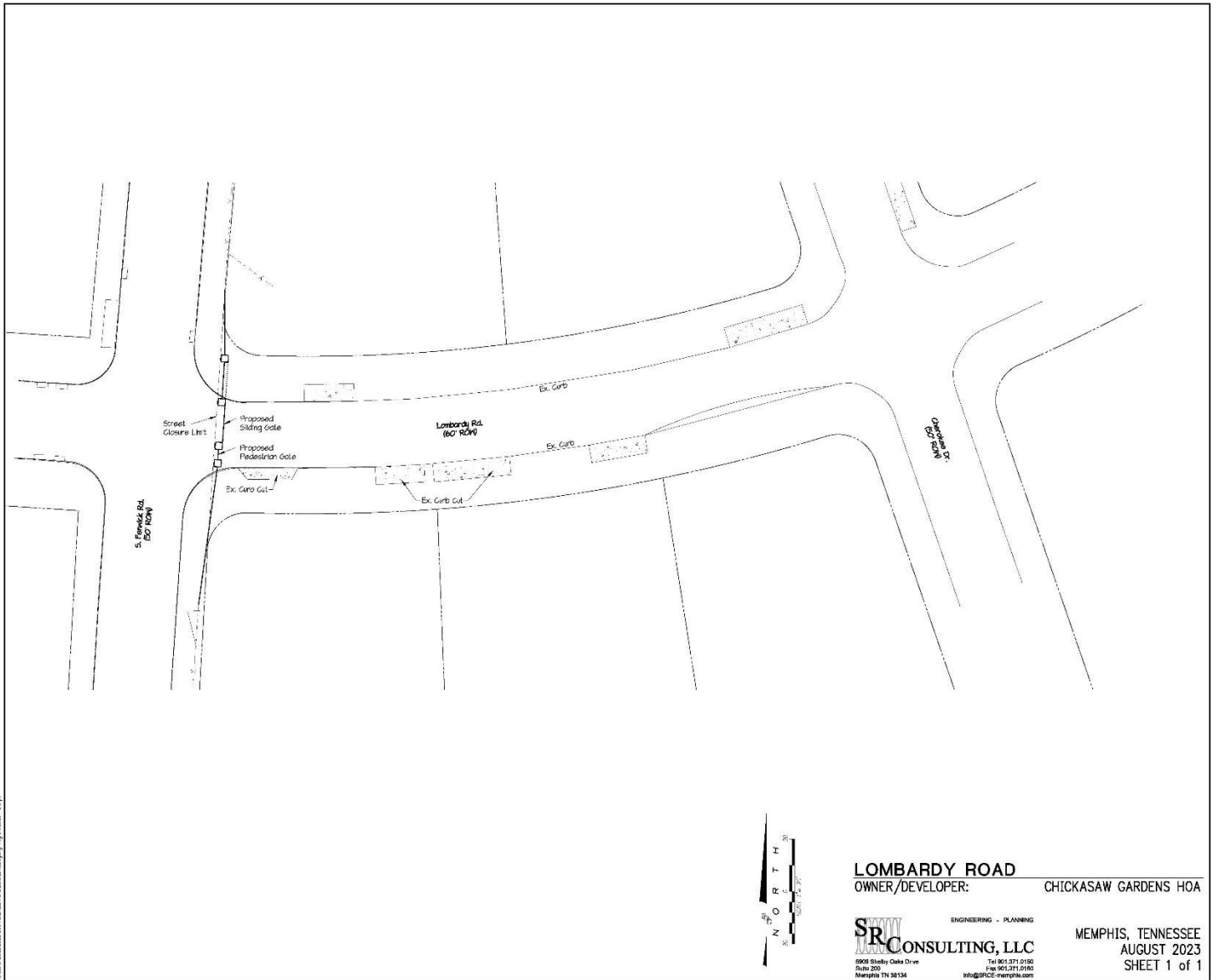
RIGHT-OF-WAY VACATION PLAT



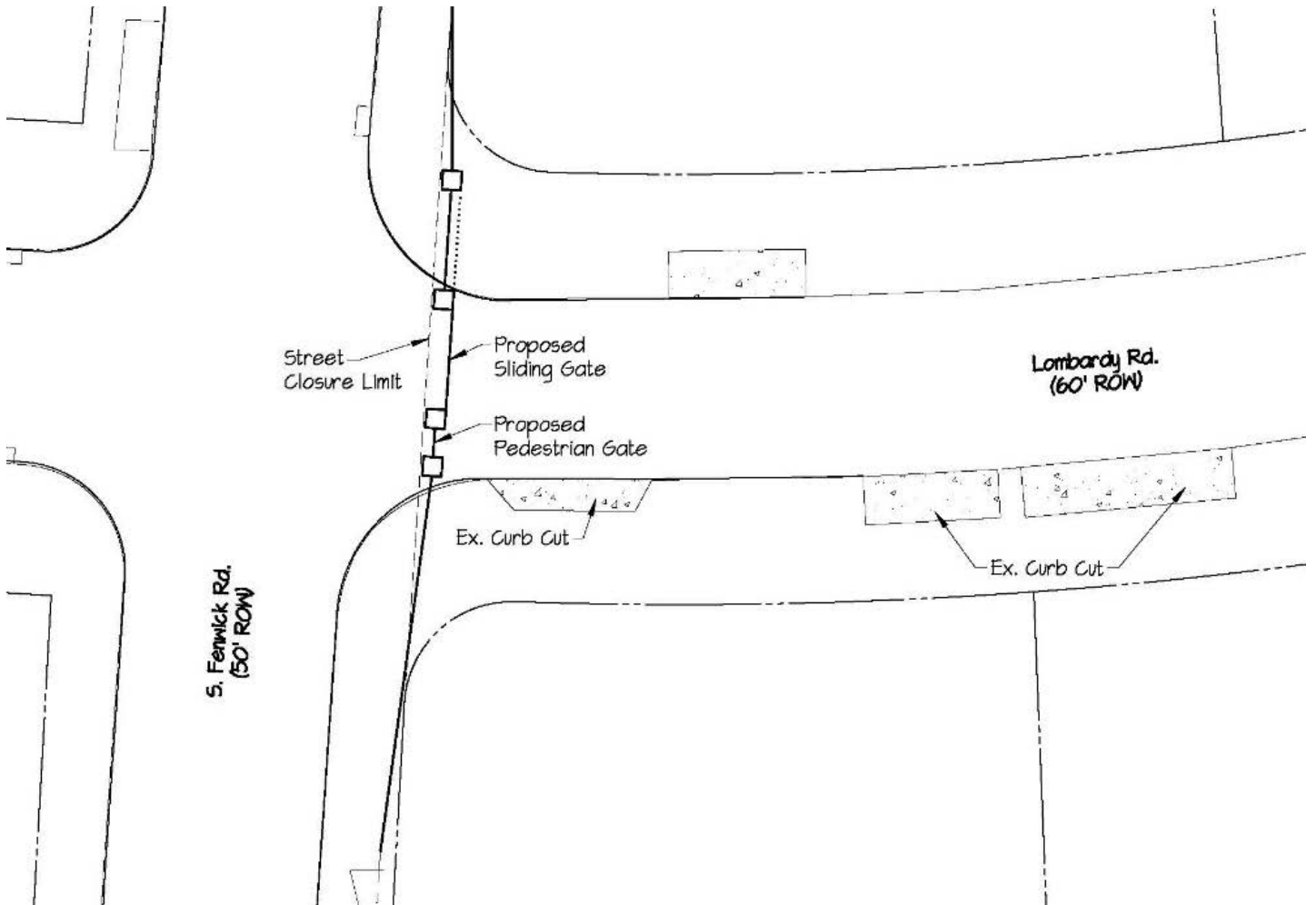
LEGAL DESCRIPTION

Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27°5'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63°3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

CONCEPT PLAN



CONCEPT PLAN - MAGNIFIED



SCHEMATIC GATE DESIGN



STAFF ANALYSIS

Request and Reason

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

The request is to vacate Lombardy Road right-of-way located between S. Fenwick Road and Cherokee Drive. A wrought-iron and brick columned gate is proposed across the Lombardy Road right-of-way where S. Fenwick Road intersects (see pages 14-16); however, the intersection of Lombardy Road and Cherokee Drive is proposed to remain open. The reason for the request is that the Chickasaw HOA would like to limit access points into the neighborhood for private security monitoring.

Site Description

The subject right-of-way is an east-west public street with a total area of +/-0.337 acres between S. Fenwick Road and Cherokee Drive. It is platted within the Chickasaw Gardens Subdivision. Five single-family properties constructed from 1929 to the 1950s border the subject right-of-way.

Conclusions

The applicant is seeking to vacate the Lombardy Road public right-of-way located between S. Fenwick Road and Cherokee Drive.

A gate is proposed to be placed across Lombardy Road at the S. Fenwick Road intersection, while the opposite end of the right-of-way vacation would remain open.

The applicant's letter of intent states that the gate would be designed for emergency vehicle access only, or exit-only access if a clicker is purchased from the HOA. There would also be a bike and pedestrian gate that would stay open during daylight hours.

This request is a companion case to SAC 2023-004, which if granted along with the subject request, would limit neighborhood access to three points from Central Avenue.

The Chickasaw Gardens neighborhood is a platted subdivision dating back to 1926. At the time of development, it was designed as a community of 462 lots and numerous access points existing throughout the development, including access from current major thoroughfares like Poplar Avenue and Central Avenue.

Overtime, the neighborhood has evolved into an eclectic mix of home and lot sizes. There have also been a number of street and alley closure (SAC) applications, the most notable ones being approved along Poplar Avenue in 1982.

A public park and lake are also located at the center of Chickasaw Gardens. These are public amenities that were dedicated when the neighborhood was developed and shown on the 1926 plat.

While the stated reason in the application for the closure request is security of the neighborhood, staff disagrees that a SAC is the appropriate response. Closure on Lafayette Place and Lombardy Road in the companion case could negatively impact traffic flow for the over 300 residents and anyone else in the area visiting the public park or lake. Properties to the north exist almost a mile away from entrance to the neighborhood if Central Avenue were the only access.

The Public Works and Solid Waste Divisions have also expressed concerns that closure would impede service delivery.

Furthermore, crime is an issue affecting all Memphians, but disconnecting from the public street network is not a sustainable remedy for crime prevention.

Lastly, closure would inhibit access to a park and lake that when dedicated, intended access was achieved from multiple directions. Approved SAC applications in Chickasaw Gardens have further prohibited access to public amenities which is detrimental to the greater good.

RECOMMENDATION

Staff recommends rejection; however, if approved, staff recommends the following conditions:

Conditions

1. Provide Perpetual maintenance of the private street is required by a property owners association to the same standards as connecting public streets for the safe use of persons using the streets.
2. The City has absolutely no obligation or intention to ever accept such street as public right-of-way.
3. The private street shall be labeled on the final plat and be assigned a lot and block number from its subdivision.
4. The existing sign blade is to be changed at the applicant's expense to a blue sign blade to signify the street as a private street.
5. Access will be for emergency vehicles only. No remote open access shall be allowed by residents.
6. The city of Memphis shall have ingress/egress rights to use private drives and yards for the purpose of maintaining all public sewer lines and shall bear no responsibility for the maintenance of said private drives, fence, and yards.
7. Any improvements encroaching the sanitary sewer easements which are not authorized by the city of Memphis may be removed by the city at any time and the city shall bear no responsibility for the maintenance of said improvements.
8. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
9. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.

10. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
11. 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.
12. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. Any gated and/or fenced community shall have at least one 20-foot opening gate which shall be designated as the Fire Department primary access. This gate shall conform to sections 503.6.1.1 through 503.6.1.6 and, if automated, shall be siren activated and equipped with both primary and secondary overrides. Exception: Group R-3 occupancies are exempt from the requirements of this section when the fenced area is for a single occupancy.

DEPARTMENTAL COMMENTS

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

City Engineer: See comments as follows:

NAME: Lombardy Rd closure adjacent to 219 Cherokee Dr; CHICKASAW GDN

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

Sewers:

2. No City Sewer on Lombardy Road.

Street Closures:

3. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
4. City sanitary sewers/drainage facilities are located within the proposed closure area.
5. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a Right of Way permit from the City Engineer to cover the above required construction work.
6. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.
7. Adequate queuing spaces in accordance with section 4.4.8 of the UDC shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
8. 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 Fire Division: See comments as follows:

Date Reviewed: 11/4/23

Reviewed by: J. Stinson

Address or Site Reference: Lombardy Rd.

- 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).

- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning: No comments received.

APPLICATION



Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of Way Vacation)

Record Status: Assignment

Opened Date: August 4, 2023

Record Number: SAC 2023-005

Expiration Date:

Record Name: Lombardy Rd. Closure

Description of Work: Street closure between S. Fenwick Rd. and Cherokee Dr.

Parent Record Number:

Address:

Owner Information

Primary Owner Name

N

Owner Address

Owner Phone

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

N/A

Date of Meeting

-

Pre-application Meeting Type

-

GENERAL INFORMATION

Name of Street where closure will begin

S. Fenwick Rd.

Name of Street where closure will end

Cherokee Dr.

What is the reason for the street closure?

Security of neighborhood

GENERAL INFORMATION

What is the total area of the right-of-way being closed? 14675
 What is the overall length of the street closure? 250
 Name of Street/Alley/ROW Lombardy Road
 Is this application in response to a citation from Construction Code Enforcement or Zoning Letter? No
 If yes, please provide additional information -
 Is this application a time extension? No

RELATED CASE INFORMATION

Previous Case Numbers -

GIS INFORMATION

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

Contact Information

Name	Contact Type
CHICKASAW HOA	APPLICANT
Address	
Phone	
-	

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1491775	Right of Way	1	400.00	INVOICED	0.00	08/04/2023
	Vacation/Closure Fee					
1491775	Credit Card Use Fee (.026 x fee)	1	10.40	INVOICED	0.00	08/04/2023
			Total Fee Invoiced: \$410.40	Total Balance: \$0.00		

Payment Information

Payment Amount	Method of Payment
\$410.40	Credit Card

LETTER OF INTENT



Date: August 2, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Lafayette Place Closure
Lombardy Road Closure

LETTER OF INTENT

Dedrick Brittenum and I are submitting two street closure applications for the Chickasaw Gardens Homeowners Association at Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive. The Chickasaw Gardens Neighborhood currently has five points of access. It has come to our attention from the security consultants and neighborhood that something must be done. The security company cannot control such a large neighborhood with this many access points. If we could limit the access to the three streets on Central Avenue, it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood. The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.

We have submitted schematic drawings of the proposed gates prepared by Blair Parker Design that should give a good feeling of the look we are proposing. The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access. The Lafayette Place gate will swing into Lafayette Place with a stop bar and sign to notify the car to stop for the gate to open and the Lombardy Road gate will slide to the north. These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue.

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

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

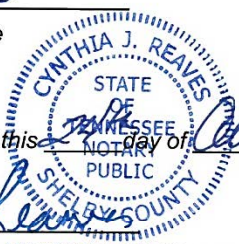
I, Kristin Reaves, being duly sworn, depose and say that at 9:55 am on the 20th day of October, 2023 I posted two Public Notice Signs pertaining to Case No. SAC 23-005 one at Lombardy Rd and Cherokee Dr. and one at Lombardy Rd and South Fenwick Rd providing notice of a Public Hearing before the November 9, 2023 Land Use Control Board for consideration of a proposed Land Use Action (Street and Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Kristin Reaves
Owner, Applicant or Representative

10/24/23
Date

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

Cynthia J. Reaves
Notary Public
My commission expires: 9/26/27



LETTERS RECEIVED

58 letters of support and 72 letters of opposition were received at the time of completion of this report and have subsequently been attached.

From: [Huxley Maury](#)
To: [Cobbs, Kendra](#)
Subject: CG Gate Proposal
Date: Friday, August 18, 2023 1:23:02 PM
Attachments: [image001.png](#)



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender hmaury@harrisshelton.com

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Hi Ms Cobbs,

I have seen the one-sided news stories on the proposed gates in Chickasaw Gardens, and I just wanted to send a quick word from a Chickasaw Gardens resident. The proposed gates are in no way intended to restrict access to anyone enjoying the beautiful, city park. We love neighbors walking our streets, enjoying the lake, playing with their kids in the open grassy areas, etc. These proposed gates would be a means to make it safer for everyone to utilize these great amenities. We do not have sidewalks in the neighborhood, and cars are constantly flying down the streets. Limiting the neighborhood to three entrances would help cut down on car traffic. The proposed gates have pedestrian entrances that would remain open during normal park hours, allowing anyone to enjoy the park when it's open.

Thank you in advance for your consideration of the proposed gates.

Huxley

Huxley Maury | Firm Administrator

harris|shelton

6060 Primacy Parkway

Suite 100

Memphis, TN 38119

Direct 901.672.6858 | Cell 901.828.7691

hmaury@harrisshelton.com

WARNING – WIRE FRAUD ADVISORY If you have a Real Estate Closing Transaction with our Office, please be aware that Wire Fraud and Email Hacking/Phishing attacks are on the increase! To help guard against Wire Fraud

and other Financial Scams, please verify the authenticity of any Wire Transfer Instructions by calling our Office using a known telephone number or an independently confirmed number. DO NOT USE THE TELEPHONE NUMBER THAT IS INCLUDED IN AN EMAIL YOU ARE TRYING TO CONFIRM OR QUESTION AND DO NOT RESPOND TO THE EMAIL OR ANY LINKS IN THE EMAIL! OUR WIRE TRANSFER INSTRUCTIONS WILL NEVER CHANGE DURING THE TRANSACTION. WE WILL NEVER SEND COMPLETE ACCOUNT INFORMATION ON OUR WIRING INSTRUCTIONS. IF IT LOOKS STRANGE, CHANCES ARE IT IS FRAUDULENT.

From: [Stringfellow, Alex](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens - Proposed Gates
Date: Wednesday, November 1, 2023 9:39:51 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)



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Kendra,

I hope you are doing well! I am reaching out this morning in support of the proposed gates in Chickasaw Gardens. My wife and I have lived in CG for 5 years and have a 7-year-old daughter and 5-year-old son. My family loves our neighborhood. The beautiful trees, historic homes and close community have made it a wonderful place to live and raise children the last few years. We also love Memphis! My wife is a residential real estate agent and I work in commercial real estate. We work to sell Memphis to people and companies daily, and it's one of the most rewarding parts of our jobs. Outside of work, I have been involved with the Urban Land Institute, Grizzlies Preparatory Charter School, MAAR, New Memphis Institute, & Mayor Luttrell's Young Professional Council.

Unfortunately, like many communities, we know there has been a struggle with crime in our area the last few years and we've had some incidents hit particularly close to home. Liza Fletcher is my son's godmother, and my wife is Liza's oldest son's godmother. Liza's tragic death not only rocked our family and friends, but it erased any illusion of safety we may have had when it comes to walking early in the morning or late at night. It pains me to say that because I love walking my dog early in the day and initially fell in love with CG 10 years ago when I was training for a half-marathon and my route used to go around the lake.

I am also a realist and understand installing gates won't fix crime. Any real fix is going to take time and collaboration among many within our community. But, gates will give my wife and many others a sense of security that they have not had felt in a year+. I also think the gates will be a major help in reducing the risk of vehicular issues. Chickasaw Gardens does not have sidewalks and there are a lot of windy roads that create blind spots for drivers and pedestrians. Whether it's someone running the lake or my kids riding their bikes together, I just want to keep the street safe and slow down traffic whenever possible. A prime example of this was on display last night for Halloween. We have a lot of neighbors with little kids, and we receive a lot of visitors on Halloween. There were probably 250+

kids running thru the neighborhood last night with no sidewalks and cars driving around bendy and confusing roads. Thankfully, there were no issues, but it is scary nonetheless knowing an accident can happen in an instant.

I understand there has been some criticism of these gates and I want to be clear my support has nothing to do with trying to restrict access to neighbors or the community at large. I want everyone to feel welcome and enjoy the park, lake, and tree lined streets. I just think we have an opportunity to continue providing access to the park, while improving pedestrian safety and hopefully lowering the risk of crime for homeowners.

I appreciate your consideration and time on this matter. If you have any questions for me, please let me know.

Thank you!

Alex

Alex Stringfellow

Vice President | Memphis
alex.stringfellow@colliers.com

Direct: +1 901 312 4920 | Mobile: +1 901 489 3363

6363 Poplar Avenue, Suite 220 | Memphis, TN 38119 | USA



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From: [Kenny Jabbour](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens - Street Closures
Date: Thursday, November 2, 2023 7:47:28 AM



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Kendra,

I hope you are well.

I am writing you today in support of closing off

Lafayette St and Fenwick Rd.

I walk daily in Chickasaw Gardens as well

as jog 3-4 times a week.

As you may know there are no sidewalks in Chickasaw

Gardens which makes it a challenge navigating the

traffic while walking/jogging.

The closing off of the two streets **would** encourage other

walkers/joggers/cyclist from surrounding neighborhoods

to enjoy our historical neighborhood.

Thank you

Regards,

Kenny Jabbour

Kenny Jabbour

Jabbour Cotton Company, LLC

65 Union Avenue

Mezzanine Floor

Memphis, TN 38103

901-340-7530 tel

kenny@jabbourcotton.com



JABBOUR
COTTON COMPANY, LLC.

From: [Kate Trammell](#)
To: [Cobbs, Kendra](#)
Cc: worthmorgan@gmail.com; [Carlisle, Chase](#); [Canale, JFord](#)
Subject: Chickasaw Gardens
Date: Wednesday, November 1, 2023 5:17:15 PM



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Dear Ms Cobbs,

My husband and I are longtime residents of Chickasaw Gardens and we support the proposal to gate Fenwick and Lafayette.

The neighborhood's interior traffic has increased in recent years. I believe this is due to Uber/Lyft drivers and also because of the abundance of deliverymen delivering packages in this day and age. Some are coming to Chickasaw Gardens but many are simply cutting through. Most of the deliverymen and ride share drivers are unfamiliar with our streets, and, in addition, are under time constraints. That makes their presence inherently dangerous. Not to mention that they are likely looking at screens to locate delivery/pickup addresses. Since we do not have sidewalks, this makes it hazardous for those walking and biking within the neighborhood. We have many children who play in their front yards or are riding their tricycles around the block and I am concerned for them also.

The point is, in order for the guards to effectively monitor the neighborhood, we need to reduce the number of entrances/exits. The 3 Central entrances would still provide several options for people that want to enjoy the lake, walk the streets or work in the neighborhood. Due to the lack of sidewalks, speeding and erratic driving are a problem for the children playing or adults walking in our neighborhood. Shootings and attempted robberies are a problem. We are not trying to keep everyday people out as much as we are trying to better monitor those who are unmindful of our pedestrians or those with criminal intent. We are trying to make our neighborhood safer.

I hope that we can count on your support of this proposal.

Kate

Kate Trammell

katetram@me.com

h 901.458.9311

c 901.550.1065

2870 Catawba Lane

Memphis, TN 38111

From: [Jim Raines](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw gardens
Date: Tuesday, October 31, 2023 2:45:29 PM



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I have lived in the neighborhood for 45 years and totally support the street closings to vehicle closings to assist in crime solutions and traffic safety. People from outside the neighborhood fail to honor speed limits and recognize the limits of sight due to the curves in every street. There is no need for entrance or exit from streets to be closed. Crime in and around the neighborhood is increasing.

Thank you and please accept the applications for the street closings

Jim Raines
211 East Goodwyn Street
901.359.2110

Sent from my iPhone

From: [julie.meeks](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Tuesday, October 31, 2023 5:08:54 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender meekettes@me.com

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Ms Cobbs,

I live at 211 Cherokee Drive Memphis, Tennessee and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Thank you,
Julie Meeks

Julie Meeks
901.335.5853
Sent from my iPhone

From: [Natalie B. Shy](#)
To: [Cobbs, Kendra](#)
Cc: [Colvett, Frank](#); [Morgan, Worth](#); [Canale, JFord](#); [Carlisle, Chase](#); [Warren, Dr., Jeff](#)
Subject: Chickasaw Gardens Closure
Date: Wednesday, November 1, 2023 11:23:26 AM



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette Pl @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo. The Memphis citizens that live outside of Chickasaw Gardens will still have access to walk animals or stroll through our neighborhood.

Thank you for considering my letter supporting the street closures in this matter.

Sincerely,

Natalie Bell Shy

From: [Harris Jordan](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate Advocate
Date: Tuesday, October 31, 2023 2:26:39 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender aharris.jordan@gmail.com

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Kendra,

My name is Harris Jordan and I am writing to you today to express my support for the Chickasaw Gardens gates proposal and the LUCB's recommendation to pass this initiative.

I am a lifelong Memphian (5th generation), was raised in Midtown, and have lived in Chickasaw Gardens since 2015. My wife and I have two children ages 8 and 6, along with a baby due in March.

My wife and I love both the city and our neighborhood. With young children, we go on walks quite frequently. Without sidewalks in our neighborhood, watching for traffic while walking is a constant challenge, and dangerous at times. It's not just residents of the neighborhood who experience this, but a multitude of walkers who come from outside the neighborhood to enjoy the city park and streets.

It is my belief that the addition of gates should help curb some of the non-pedestrian traffic and make the roads and the city park safer for all to enjoy. I can't tell you how many times I have personally seen cars from outside the neighborhood going well over the speed limit, endangering pedestrians who are walking in the road.

As an added benefit, it should also help the neighborhood security guards patrol the neighborhood more effectively (by limiting the number of access points to monitor) which should increase the safety of the park from a criminal perspective. We have had numerous instances of very dangerous criminal activity in our neighborhood over the past year and want to do everything we can to keep our neighborhood as safe as possible for us and our children. Two different friends of ours had traumatic experiences with a home invasion and an attempted robbery that turned into attempted murder. Fortunately they are all ok but we have to do all we can to deter this type of activity.

The purpose of the gates is not to limit access to all the law-abiding citizens enjoying our neighborhood and the city park, but to keep everyone safer.

Thank you for the consideration and have a great day.

Sincerely,
Harris Jordan
2941 Iroquois Rd.
Memphis, TN 38111

From: [Anna Lane](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate Closure
Date: Friday, September 15, 2023 6:07:47 PM



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Good evening,

My name is Anna Lane and am a resident on 195 Palisade. I often walk and drive to Chickasaw Gardens to take my dog and enjoy the park. I am writing to let you know that I am absolutely IN FAVOR of their gate closure application. I believe it would make the park safer for everyone, whether they are residents of the neighborhood or visiting neighbors. There have been many occasions where I have been walking in the street (since there are no sidewalks) and have almost been run over by delivery drivers or people cutting through the neighborhood. After hearing the neighbors speak at an informational meeting to let surrounding neighborhoods know about the gates, I felt like the proposed gates would cut down on the flow of cut-through traffic and also allow their current security to patrol more effectively and keep us safe. I realize that some may oppose their efforts but I am strongly in favor of the proposal and wanted to voice my approval to you.

Thanks in advance for your time,
Anna Lane

Anna Lane
c. 901.486.8457

From: [Neely Mallory](#)
To: [Cobbs, Kendra](#)
Cc: [Kate Mallory](#)
Subject: Chickasaw Gardens Gate Review
Date: Tuesday, October 31, 2023 3:14:00 PM



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Ms. Cobbs -

My name is Neely Mallory, and my wife (Kate) and I are residents of Chickasaw Gardens. I write to you today in order to express our family's support of the efforts to gate portions of the neighborhood. We live on East Goodwyn Street only ~100 yards from the proposed gate at Lafayette Street. Despite the gate adding time to our commutes to and from home, our family supports the installation of this gate with all of our hearts.

Kate and I have 3 small children (ages 5, 3, and 1). These gates will make walking our streets and accessing our beautiful park and lake a much safer experience for not only our family but the many families both in and around our neighborhood. Limiting car traffic in certain areas will result in fewer incidents or close calls with pedestrians and encourage more outdoor activity. Without a doubt, you will see more people on the streets and kids playing in front yards with the reduced dangers that come with less vehicle traffic.

The best part - the gates accomplish this while not limiting access for walkers/joggers and/or those looking to visit the park and lake from outside the neighborhood in any way. Pedestrians will be able to enter at the gates without issue in the well-designed pedestrian access entrances. And those travelling to the park and lake by car will be able to enter at one of the three Central Avenue vehicle entrances which are well marked and better suited for vehicle access.

Please feel free to contact me with any questions whatsoever. Thank you for your consideration.

Neely Mallory
106 East Goodwyn Street
Memphis, TN 38111
(901) 412-6082

From: [WILLIAM FRAZIER III](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate
Date: Wednesday, November 1, 2023 3:05:57 PM



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> Ms. Cobb,

>>

>> I wanted to contact you regarding the gates for Chickasaw Gardens. I am for the gates as if people want to make our city better during these trying times I am all for it. Citizens of Memphis are trying to spend their money to make it a better place. That in and of itself says to me they are proud of Memphis and want to make it better one step at a time. Per the news reports I have seen the pedestrian gates are open for use from dusk til dawn which is the hours of the park being open as well. I feel like some people don't like change & unfortunately in this day and time people try to be the louder voice when in fact their facts are not always right. In this case they are trying to convey a message that this neighborhood is trying to keep other citizens out and from using a city park when in fact it is not true. This neighborhood is putting out resources to keep the park and streets they enjoy safe during a difficult and trying time for our city with crime.

>> In summary, if Memphians want to make Memphis better, let's let them and maybe at some point the criminals will understand they are not welcomed any longer here.

>> Thank you for your service and time,

>> Will Frazier

>> Proud Memphian

>>

>> Sent from my iPhone

>

From: [Jay McDonald](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate
Date: Tuesday, October 31, 2023 9:01:54 PM



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Hello Ms. Cobbs,

My name Jay McDonald, and I am a resident of Chickasaw Gardens. I grew up in the neighborhood, moved away from Memphis to pursue my education, and moved home to raise my family here. Interestingly, I now live only a few doors down from my childhood home. I mention my history with the neighborhood in order to illustrate how I am in a unique position to see how we currently are in need of your and the city's help. Over the past few years, we have seen a large increase in crime in our neighborhood. We have tried to combat it by hiring an additional security guard and added additional security cameras. Unfortunately, the size, number of streets, and number of entrances into and out of the neighborhood make it difficult to adequately patrol and watch. We are trying to close off two of the five entrances in order to cut down on crimes of opportunity.

Our neighborhood is unique in that we have a park in the middle that is enjoyed by people from all over the city. As residents, we welcome its use and enjoyment by all. Unfortunately, the increase in crime has brought a population of cars that are not here to enjoy the park. I have watched people speed through the neighborhood and almost hit kids on bikes and people walking their dogs on several occasions. Once a car almost hit my kids after speeding away from stealing equipment from a lawn service. We believe that if we reduce the ingress and egress it would reduce this type of traffic. To be clear, we want everyone who comes into the neighborhood to enjoy the park to be safe.

This brings up another point. Some negative comments have been made that we are trying to close off or exclude people from the neighborhood. This is completely false. Our plans maintain pedestrian entrances for both gates, allowing for anyone in the surrounding neighborhoods to continue to walk into ours. We are also leaving three of the five entrances open and un-gated. Again, we simply wish to reduce the number of openings, not close off the neighborhood.

Our mission is to improve safety for residents and non residents alike. I hope you can help us with this plan so that this neighborhood and park can continue to be enjoyed by Memphians for generations to come. Thank you so much for your time and consideration.

Sincerely,
Dr. Jay McDonald

From: [Chip Luter](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gated Streets Proposal
Date: Tuesday, October 31, 2023 2:31:04 PM



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Ms Cobbs, good afternoon, I hope you are having a good start to this chilly week. I live at 275 W Goodwyn St in Chickasaw Gardens and I am **STRONGLY IN FAVOR** of Gating Lafayette and Fenwick street entrances. There has been one homicide, multiple car break ins, home invasions, reckless driving, attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security, therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points which are convenient to contiguous neighborhoods. Every bit of extra safety helps not only our neighborhood, but those using the lake. Neighbors just outside CG will still be able to access the Lake by foot or by car. Please let me know if you have questions or would like to discuss. Thank you for your time.

Chip Luter
275 W Goodwyn St
Memphis, TN 38111
[214-909-9200](tel:214-909-9200) Cell

From: [Donnie Malmo](#)
To: [Cobbs, Kendra](#)
Cc: [Morgan, Worth](#); [Canale, JFord](#); chase.carlisle@memphisitn.gov
Subject: Chickasaw Gardens Gates
Date: Tuesday, October 31, 2023 3:30:56 PM



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Good afternoon Ms. Cobbs,

I am writing to ask that you please give serious consideration to the gates that the Chickasaw Gardens Home Owners Association has proposed on Lombardy/Fenwick and Lafayette Pl/Lafayette St. I walk nearly every day in and out of Chickasaw Garden and most of the time with my three kids (8, 7, and 4 years old). The amount of cut-through traffic and joy riding in and around Chickasaw Gardens has to be at an all time high. Due to the neighborhood not having side walks, I have to continuously warn my kids and watch over them as they ride bikes due to the joy riders. These gates would greatly reduce the amount of cars that are just joy riding, and therefore, would make our streets a much safer place for my kids to be able to enjoy.

On a different note, speaking about safety, just this year I was out of town when I received frantic calls from my wife about shots fired directly outside of our house. I am sure you have heard plenty of the story about Alex Canale, so I don't need to go into detail about that. I returned home the next day to find four 9mm cartridges in my yard directly in front of where my car usually sits. After reviewing video footage from many of our neighbors, we were able to put a timeline of events together and verified that the car used in this crime entered the neighborhood off of Lafayette and left through Fenwick. This was not the first time criminals have used these two entrances. With video evidence, neighbors are beginning to realize that most of the criminals coming into Chickasaw Gardens are using these two entrances due to the ease of escape and ability to get back onto Poplar before most even know what has happened. If we were to gate these two entrances, we could then allow the security guards to efficiently watch who is coming in and out of the neighborhood during the early morning hours.

Our kids deserve to live in a neighborhood where they are safe whether it be from automobiles or criminals and the way to do that is to limit the number of street entrances. Please help us accomplish that for them.

Thank you,

Donnie Malmo

From: [John Barton](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens gates
Date: Thursday, November 2, 2023 10:42:50 AM



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Dear Kendra,

My name is John Barton and I am a resident of Chickasaw Gardens. I am writing to you today to express support for the road closures at the LaFayette and ace wick entrances to the neighborhood. I believe that these gates will help deter crime as well as improve pedestrian safety as we do not have sidewalks in the neighborhood. These gates will minimize automobile traffic and improve conditions for pedestrians.

Thank you,
John Barton

From: [Stacey Hussey](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gates
Date: Wednesday, November 1, 2023 5:23:39 PM



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Ms Cobbs,

I live at 79 Lombardy Road in Chickasaw Gardens and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months. It has gotten so dangerous and we are currently looking to leave Memphis if we can't get crime under control. Sadly, we don't want to leave but might be forced too.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake.

Thank you for your time,
Stacey Hussey
79 Lombardy Rd
38111

From: [george bryant](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gates
Date: Saturday, August 19, 2023 7:01:12 AM



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Dear Ms Cobbs-

I wanted to share with you my support for the proposed gates on the 2 side streets leading into my neighborhood- Chickasaw Gardens.

I have been a resident here for 12 years and remember when I felt safe here and felt my wife was safe to take her daily walks- I no longer allow her to do that without me going with her. I believe that since our neighborhood has been promoted in media as the “wealthiest neighborhood “ in Memphis, we have been targeted. We face nightly car break- ins, car jacking, a neighbor being followed into the neighborhood and chased as she tried to get away. Recently a man was shot at with automatic weapons as he fled from an attempted robbery in his mother’s driveway. Plus we have daily theft of packages on our porches and equipment from yard crews and contractors parked in front of our homes.

Our neighborhood has tried several things to stop this such as doubling the guards we have patrolling and adding more and more cameras and asking the police to check on us more. It’s really bad and we refuse to give into this Crime Era we are all living in.

In closing, I heard on the news the other day from a few surrounding neighborhoods that oppose the idea that we want to put gates on our 2 side streets. They framed their reasoning as “we are wanting to build walls” etc. They seem to not want to mention that we are only talking about 2 entrances- we will be leaving 3 roads open as they are now plus we will have pedestrian gates at the new proposed gates for any of our neighbors to come through. Our leaders seem to agree with our approach, dealing with what is going on downtown on Beale street they have come up with “pedestrian friendly traffic control plan” which includes blocking certain streets and creating barriers to create a safer environment.

Please help us create a safer place to live in peace and safety for our families and visitors.

Thank you very much for your support.

George Bryant- Chickasaw Gardens Resident

Sent from my iPhone

From: [Adams, Scott](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gates
Date: Monday, October 30, 2023 12:40:02 PM
Attachments: [image001.png](#)



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Hi Kendra- hope this finds you well on this Monday. It is my understanding that the Land Use Control Board will be reviewing the gate proposal for Lafayette and Fenwick for Chickasaw Gardens next week. We live on East Goodwyn near the Lafayette entrance, and I wanted to send a note showing my support for the gates.

Thank you

Scott

Scott Adams, CFA

Senior Vice President

1000 Ridgeway Loop Road, Suite 200, Memphis, TN 38120

901.435.7943 (o) | 901.219.9161 (c)

scott.adams@fhnfinancial.com



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From: [Tommy Farnsworth III](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens gates
Date: Wednesday, November 1, 2023 7:35:55 AM
Attachments: [pastedGraphic.tiff](#)



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City of Memphis:

I reside at 146 E. Chickasaw Parkway in Chickasaw Gardens.

I encourage the City Council to approve the proposed street closures into and out of Chickasaw Gardens at Fenwick and Lafayette. As a neighborhood first developed 90 years ago or so, it was done so without sidewalks or particularly wide internal streets. Any structural change we can make that will limit the automobile traffic into and out of the neighborhood should be encouraged and implemented as to make it far safer for owners and their guests both in cars and on foot or bike. Further, it is undeniable that given the sharp rise in crime in our city, our privately funded guards will far better be able to monitor the ingress / egress of neighbors and visitors with fewer non-gated entrances.

Many thanks for getting this email into the right hands.

Tommy

Thomas C. Farnsworth III
(901) 409-8300 Mobile
t3@farnsworthco.com



From: [Stephanie Allbritten](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Pedestrian Gates
Date: Friday, August 18, 2023 9:13:11 AM

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Hi Kendra,

I sent you an email yesterday, but wanted to add , that I found out the 2 gates that would help our guard monitor , will be pedestrian.

So, the people living in other neighborhoods will be able to walk through. And drive through or walk on Central. Not sure why they would be opposed to our neighborhood being safer. Does not make sense to me. Other neighborhoods have taken measures to b safe, even putting speed bumps in neighborhoods streets to slow traffic.

I have no problem with that, even though my house backs up to Fenwick and I hear sounds of mufflers hitting speed bumps flying over them.

Please help and support with this matter so we can feel safe in our own neighborhood.

Thank you again,
Stephanie Allbritten

Sent from my iPhone

From: [Allison Luter](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens security
Date: Tuesday, October 31, 2023 2:20:57 PM



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Ms Cobbs

I live at 275 W Goodwyn Street and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Allison Luter

From: [Allison Luter](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens security
Date: Tuesday, October 31, 2023 2:20:57 PM



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Ms Cobbs

I live at 275 W Goodwyn Street and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Allison Luter

From: [Scott Warren](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Street Closures
Date: Wednesday, November 1, 2023 9:07:45 PM



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Hi Kendra,

My name is Scott Warren, and I live at 2915 Iroquois rd in the Chickasaw Gardens neighborhood. I wanted to voice my support for the gates and the resulting safety they would bring to all who utilize the neighborhood and park.

The neighborhood is a popular pedestrian destination for those who live in and around the area. I have increasingly noticed a pickup in cars trying to use the neighborhood as a cut through only to find that there are no outlets to their intended route. As a result, these cars typically end up driving at high rates of speed trying to get back out. There are no sidewalks in the neighborhood making these car encounters with speeding drivers very dangerous, especially for people like myself with young kids walking and riding bikes.

Overall, I believe these gates would limit the unnecessary cut-through traffic and provide all users of the neighborhood and park with a safer and more enjoyable experience while still providing adequate access. Thank you for your consideration.

Sincerely,
Scott Warren

From: [Lee Powell](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Tuesday, October 31, 2023 3:35:48 PM



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Hello –

I do not live in Chickasaw Gardens but am supportive (VERY) of them being able to get the entrances they are proposing.

Thanks, Lee

Lee J. Powell, Jr.

Managing Director

Raymond James & Associates, Inc.

1100 Ridgeway Loop

Suite 500

Memphis, TN 38120

(901) 529-3774

(800) 774-7012

Lee.Powell@RaymondJames.com

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From: [Collie Krausnick](#)
To: [Cobbs, Kendra](#)
Cc: [Worth Morgan \(worthmorgan@gmail.com\)](#); [Carlisle, Chase](#); [Canale, JFord](#); [veazey krausnick \(vk2875@gmail.com\)](#)
Subject: Chickasaw Gardens
Date: Wednesday, November 1, 2023 9:35:57 AM
Attachments: [image001.png](#)



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Ms. Cobbs,

I wanted to reach out in support of the two gates proposed in Chickasaw Gardens. I first want to say this in no way is to “keep people out” as there will be three open entrances off Central Ave.

I live at 152 Lombardy Rd., a street running through the neighborhood from Fenwick to Tishomingo. Being one of the longest straight stretches cars tend to speed, often times with people walking and children playing. Being an older neighborhood we do not have sidewalks for pedestrians.

Given the recent increase in crime our hopes are to create a deterrent making it harder for the criminal to get in and out of the neighborhood. Central is a busy street but Fenwick and Lafayette not so much. My understanding is one of the recent shootings on both Iroquois and Garden Lane were committed by a group of kids who entered off Lafayette and exited on Fenwick.

My wife and I have children and grandchildren who live in the neighborhood who are scared of speeding cars, crime, and disruption this all causes. We feel strongly that gating the two less frequently used entrances will make it easier for our security guards to monitor traffic hoping to alleviate crime and make safer for all.

Thanks for your leadership and consideration. Feel free to reach out to me if I can help in anyway.

Collie Krausnick

Collie Krausnick

Senior Managing Director

Raymond James & Associates, Inc.
T 901.529.5321 // 800.774.1872
1100 Ridgeway Loop Rd., 5th Floor

Memphis, TN 38120

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From: [Boyd Wade](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Wednesday, November 1, 2023 5:17:45 PM



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Ms. Cobbs:

My name is Boyd Wade, my wife, Lucy, and I live at 2896 Natchez Lane in Chickasaw Gardens. We live in my grandparents' home built around the 1930s. I am the 3rd ever owner of this home. I am also head of the security on the board of trustees in Chickasaw Gardens. I grew up in Central Gardens and am a lifelong Memphian. I am currently 60 years old. I share my information with you and the city council so that you understand my perspective.

Our goal at Chickasaw Gardens is to make the neighborhood safer for everyone, residents and nonresidents. Since we do not have any sidewalks, cars are dangerous to our walkers, joggers, and bikers. By limiting access of cars to our streets we believe that we will make it safer.

I remember when my daughter, Larson was 9 years old, out playing in the neighborhood with her friends. She came home that night a described to me how she was almost run over by a car that did not see her. I am sure there have been many close calls. Not too many years ago we had a lady on a bike hit by a car on Tishomingo. She survived but we injured.

We do not want to limit our neighbors that live outside the neighborhood. They can come in via the Central access points and continue to enjoy the streets and the park. The only difference is that they to will be safer.

Thank you for your consideration for this effort to close Lafayette and Lombardy at Fenwick.

A. Boyd Wade, III, CPA

Financial Consulting Group, LLC

Life Insurance Specialist/Director of Bank Relations

9040 Garden Arbor Drive, Suite 206

Germantown, TN 38138

Cell: 901-619-4876

Office-Direct: 901-259-3066

www.fcgt.com

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From: [Lane Whitehead](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Thursday, November 2, 2023 9:34:46 AM



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Ms Cobb,

Good morning! I am a long time Chickasaw Gardens resident and strong Memphis cheerleader. I believe we have a great city with an incredible community of doers and givers and just good people.

One of my favorite activities is my daily walk. I love the fresh air and the smiles or nods from the people I encounter. One of my not favorite activities is dodging the cars that zoom through. Our neighborhood does not have sidewalks and the streets are often curved so it does make the walking somewhat treacherous. The park in the center of the neighborhood is a draw and a welcome relief for our neighborhood but also for many of the surrounding neighborhoods. We currently have six egress points and are proposing to close two of those to vehicular traffic.

It is my belief that the proposed street closures would help reduce pass through traffic and casual drivers who are unfamiliar with the warren of streets and looking for a quick way to Central Avenue or Poplar Avenue. Daily I have encountered drivers who are frustrated and speeding through the neighborhood. In addition to the exercise walkers, we have younger kids, older residents, strollers, bikers, dog walkers and other people enjoying the area. These frustrated speeding drivers are a threat to all. Closing the peripheral entrances would help direct the vehicle traffic to the main streets, making the pathways more clear and direct. Closure would also help decrease the overall vehicle traffic which will increase safety for all users.

As proposed, the method of closing the two entrances would allow for well lit, pedestrian access to the lake, park and safer streets for recreation. Residents from neighboring areas may continue to access the park and lake as they do now, by bicycle, walking, strolling or running. Vehicular traffic will have access from three entrances on Central Avenue, which will make the pathway to the lake and park much more direct.

It is my hope that the street closure proposal is approved as presented. I believe our neighborhood and all surrounding neighborhoods would benefit.

Sincerely,

Lane Whitehead

Lane Southern Whitehead
901.634.0391

From: [L. Madison Michael II](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Tuesday, October 31, 2023 2:13:47 PM



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Dear Ms. Cobbs,

I am writing you in support closing the Lafayette and Fenwick entrances in Chickasaw Gardens in midtown Memphis.

I have three teenage boys and a wife. The amount of traffic that comes through the neighborhood has increased exponentially over the last several years. The automobiles seem to be just wandering through without visiting a home or a person. They typically drive over the speed limit and seem reckless. This worries me when it comes to the foot traffic and the children in our neighborhood. It is only a matter of time until someone gets hurt. Closing the 'extra' entrances will address this issue and make the neighborhood a much safer one. In addition, it should also address crime issues which all neighborhoods have seen an uptick.

Please help our neighborhood become a safer one. Thank you for your attention to this matter.

Best regards,

Madison Michael
2921 Iroquois Rd
Memphis, TN 38111

From: [Chavanne McDonald](#)
To: [Cobbs, Kendra](#)
Subject: Fwd: Chickasaw Gardens gate proposals
Date: Thursday, August 17, 2023 10:01:36 PM

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> Good Evening,

> I am writing you today as a resident of Chickasaw Gardens obviously in favor of the gate proposal coming before the land use control board. I realize there are a lot of feelings swirling around regarding this proposal and what has been reported in the media, but I'm afraid the reports have been rather one sided. I am a member of the HOA trustees and helped with the research and drafting of this proposal. We went to GREAT effort to achieve the following:

> 1. Meet with surrounding neighborhoods around us to Answer questions, gauge their feedback and make necessary changes to

> Our initial proposal.

> 2. Allow for pedestrian, bicycle and stroller access during the day to the neighborhood and park that so many enjoy and that good portion of our HOA dues go toward maintaining and upgrading.

> 3. The point of the proposal is NOT to restrict but rather make the city park and streets of

> Our neighborhood safer for all who want to

> Use them.

>

> We have invested a great amount of time and energy in figuring out the best ways to

> Keep the neighborhood safe from

> Criminals and reckless drivers. Based on meetings with safety experts, security companies and public safety officials, this was the best way to help restrict

> Entrances and exits to cars and funnel

> Traffic to three distinct points of entry and exit for monitoring.

>

> Respectfully, we would appreciate your consideration of this proposal. I know a lot of

> Other neighborhoods are submitting proposals as well and we all just want to

> Do all that we can to keep our families safe and

> Remain in Memphis. I fear people

> Will begin to leave in mass numbers

> If we are not able to do the things that are necessary to protect ourselves and our neighborhoods.

> Thanks again for your consideration,

> Chavanne McDonald

>

> Sent from my iPhone

From: [Stephanie Allbritten](#)
To: [Cobbs, Kendra](#)
Subject: Fwd: Chickasaw Gardens gates
Date: Wednesday, November 1, 2023 12:21:18 PM

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Hi Kendra,

Just wanted to send my e mail again, to remind you of my concerns and hopefully see how 2 additional gates would help with safety issues in our neighbors (Chickasaw Gardens).

I greatly appreciate your help in this matter.
Hoping it will pass and we can all move on and feel safer in the place we call home.

Sincerely,
Stephanie Allbritten

Sent from my iPhone

Begin forwarded message:

From: Stephanie Allbritten <stephallb@yahoo.com>
Date: August 17, 2023 at 9:54:15 PM CDT
To: Kendra.Cobbs@memphis.gov
Subject: Chickasaw Gardens gates

Hi Kendra,

I am a resident of Chickasaw Gardens for 23 year. I moved in my home on Cherokee Drive after my husband passed. I felt safe living alone for many years, but for the past few years and especially after the break ins, car jacking and my neighbor being followed in by a suspicious car tailgate her all the way home and the man that was shot at and attempted robbery in his own driveway one street over from me, I do not feel safe any longer, but refuse to move from my home that I love.

I never walk alone in my neighborhood any longer which is frustrating to think I can't , in fear of being attacked.

I still think of sweet Liza Fletcher and what her last few minutes of her life must have been. It haunts me.

Her parents lived a few blocks over form me. They have moved .

The people that have opposed our gates , use the excuse that the Lake is public and they would have to enter on Central, that is such a lame excuse to not have our gates . So come in on Central.

We are only asking to close 2 entries so the guard can monitor the cars that come in , more closely.

Please help us get our 2 gates so I/we especially women , can feel somewhat safer knowing we can walk alone in our neighborhood and get back to our homes safely.

Thank you for taking the time to read my email.

Sincerely,
Stephanie Allbritten

Sent from my iPhone

From: [Stephanie Allbritten](#)
To: [Cobbs, Kendra](#)
Subject: Fwd: Chickasaw Gardens gates
Date: Thursday, August 17, 2023 10:44:46 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender stephallb@yahoo.com

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Sent from my iPhone

Begin forwarded message:

From: Stephanie Allbritten <stephallb@yahoo.com>
Date: August 17, 2023 at 9:54:15 PM CDT
To: Kendra.Cobbs@memphis.gov
Subject: Chickasaw Gardens gates

Hi Kendra,

I am a resident of Chickasaw Gardens for 23 year. I moved in my home on Cherokee Drive after my husband passed. I felt safe living alone for many years, but for the past few years and especially after the break ins, car jacking and my neighbor being followed in by a suspicious car tailgate her all the way home and the man that was shot at and attempted robbery in his own driveway one street over from me, I do not feel safe any longer, but refuse to move from my home that I love.

I never walk alone in my neighborhood any longer which is frustrating to think I can't , in fear of being attacked.

I still think of sweet Liza Fletcher and what her last few minutes of her life must have been. It haunts me.

Her parents lived a few blocks over form me. They have moved .

The people that have opposed our gates , use the excuse that the Lake is public and they would have to enter on Central, that is such a lame excuse to not have our gates . So come in on Central.

We are only asking to close 2 entries so the guard can monitor the cars that come in , more closely.

Please help us get our 2 gates so I/we especially women , can feel somewhat safer knowing we can walk alone in our neighborhood and get back to our homes safely.

Thank you for taking the time to read my email.

Sincerely,
Stephanie Allbritten

Sent from my iPhone

From: [dee dee pera](#)
To: [Cobbs, Kendra](#)
Subject: Fwd: Closing of Fenwick And Lombardy 38111
Date: Thursday, November 2, 2023 4:09:30 PM



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Begin forwarded message:

From: dee dee pera <dd.pera@gmail.com>
Subject: Closing of Fenwick And Lombardy 38111
Date: November 2, 2023 at 3:48:56 PM CDT
To: Kendra .cobbs@memphistn.gov

Ms Cobbs,

I am Dee Dee Bryan, my husband, Larry and I live at 191 Cherokee Drive in Chickasaw Gardens. We are strongly in favor of closing Layfayette and Fenwick Street entrances. Our neighborhood has had one homicide, shootings, attempted murder and several home invasions in the last 13 months. We have even found bullet casings in our driveway!

It is imperative for our neighborhood to have added security. Therefore we strongly support having gates added to Lombardy and Fenwick entrances. This leaves 3 remaining PUBLIC access points to our lake area and neighborhood. It does however cut down on the easy exit onto Lombardy and Fenwick. I have personally witnessed a car driving in our neighborhood looking into cars parked on the street. When I alerted security they quickly exited onto Fenwick. Having these side exits closed will cut down on this type of crime.

Thank you for your time.

Dee Dee and Larry Bryan
191 Cherokee Dr

From: [Pam hill](#)
To: [Cobbs, Kendra](#)
Subject: Gates needed!
Date: Tuesday, October 31, 2023 6:21:42 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender pamhill@hillishere.com

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Every week my lawn guy has to back his truck into our driveway because guys drive around the neighborhood looking for their equipment to steal. They are armed and will shoot. My lawn guy has witnessed this in our neighborhood. There are so many examples of girls jogging and walking in the neighborhood and guys in cars stopping them. I've totally stopped walking except close by. We live on the corner of East Chickasaw pkwy and Goodwyn. Countless cars speed thru the stop sign. Just pulling into my driveway after dark is risky unless your garage door and gate close quickly.

Pam Hill
901.834.1545

From: [Shibahn Singh](#)
To: [Cobbs, Kendra](#)
Subject: In favor of Chickasaw gardens gates!
Date: Wednesday, November 1, 2023 2:48:53 PM



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Ms Cobbs,

Good afternoon!

I live at 270 W Goodwyn St, Memphis TN 38111. and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

We have two young children and am terrified to live here right now. We have had speeding cars come close to hitting them when they play outside multiple times. We don't have sidewalks in our neighborhood.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. We will have pedestrian access at those points, just closing access at these 2 points to cars.

This leaves 3 remaining public access points.

Every bit of extra safety helps not only our neighborhood but those using the lake.

Those who oppose the gates have trivial reasons (compared to the safety of our lives) for their opposition.

Thank you for your time.

Shibahn Rodda
(901) 484-7563

From: [Emily Lowrance](#)
To: [Cobbs, Kendra](#)
Subject: In Favor of gates in Chickasaw Gardens
Date: Wednesday, November 1, 2023 5:32:10 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender elowrance5@gmail.com

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Dear Ms. Cobbs,

My husband and I live on Arawata Lane in Chickasaw Gardens. I write to you to express our support for the gates proposed at the entrances of Fenwick and Lafayette.

This neighborhood was designed with no sidewalks and when for example we are strolling our two year old grandson, we are often surprised and scared of speeding cars and trucks.

We feel that closing the two side street entrances will reduce pass-through traffic that will help protect walkers, joggers, children skating as well as bikers of all ages.

We appreciate your consideration.

Sincerely,
Emily and Charlie Lowrance

Sent from my iPhone

From: lmagness@me.com
To: [Cobbs, Kendra](#)
Cc: [Swearngen Washington, Jana](#); [Colvett, Frank](#); [Johnson, Cheyenne](#); [Morgan, Worth](#); [Ford Sr., Edmund](#); [Warren, Dr., Jeff](#); [Canale, JFord](#); [Robinson, Patrice](#); chase.carlilse@memphistn.gov
Subject: In support of Chickasaw Gardens street closures
Date: Tuesday, October 31, 2023 3:54:26 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender lmagness@me.com

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I write in support of the request by the Chickasaw Gardens Homes Association to close two of its six entrances to vehicular traffic. As a lifelong resident of the neighborhood, I believe that the proposed closures are important to preserve the safety and security of a historic neighborhood that remains a tremendous asset in the core of the city. Chickasaw Gardens is uniquely positioned in Memphis as a residential neighborhood that completely surrounds a public park. The neighborhood was developed with no sidewalks, where pedestrian and vehicle traffic must share the streets of the neighborhood. Reducing vehicular traffic is important for the ongoing safety of all users of the neighborhood, whether they are homeowners, residents of the area, or visitors to the park.

I believe that the proposed closure of the entrances at Fenwick and Lafayette is a pro-active measure that will reduce pass-through traffic in the neighborhood, which has noticeably increased in recent years with the growing popularity of ride sharing and the home delivery of packages, groceries, and meals. For unfamiliar drivers, closure of the secondary entrances will make ingress and egress to the neighborhood more clear and direct from Central Avenue, from which drivers would have to traverse anyway. Many of these drivers are hurried or under time constraints, and are often not observant of the children and families with whom they share the neighborhood streets. Reducing the vehicular traffic will benefit and protect the residents of the neighborhood, and will also increase the safety of all who use the area for walking, running, recreation, and access to the park.

Contrary to the criticisms of some residents of adjacent neighborhoods, these closures WILL NOT restrict the ability of anyone to access the neighborhood in any way that they are legitimately using the streets of the neighborhood today, other than to reduce pass through vehicular traffic. Clearly available and well-lit pedestrian/bicycle gates have been incorporated in the designs to allow for continued access to the neighborhood for those in adjacent neighborhoods, and any vehicle traffic will continue to have easy and unimpeded access to the neighborhood from multiple streets directly from Central.

As affirmation of the support for these proposed closings, a documented vote of the homeowners has verified that over 90% of the residents – those most affected by their implementation – are in

favor of the proposals. Emergency services has also reviewed and approved the plans. Approval should not be controversial in any way.

Closing of the proposed entrances is important to safety and viability of multiple city assets, and it is my sincere hope that you will support these proposals.

Lon Magness

10 Tishomingo Cove

Memphis, TN 38111

From: [Kate Mallory](#)
To: [Cobbs, Kendra](#)
Subject: In Support of Chickasaw Gardens Street Closures
Date: Friday, August 18, 2023 2:04:09 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender katesmithmallory@gmail.com

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Hi Kendra,

I hope this email finds you well. I am a Chickasaw Gardens resident and concerned citizen. Having grown up in Chickasaw Gardens and now a homeowner myself, I have enjoyed the lake and the surrounding walking path for decades. It is a place where people can relax, enjoy the outdoors, have a family picnic, and bike ride with their children. I fully support continuing to welcome all Memphians to enjoy the park by leaving pedestrian access open but closing the 2 entrances to vehicles at Fenwick and Lafayette.

As someone who helps to plan neighborhood family activities, we will continue to welcome families from all over to participate in our events like Halloween trick-or-treating which we advertise on Central to invite families in. I believe that the street closures will help to keep the park safe for all using it and allow for our security to deter criminals by allowing for better monitoring of the entrances and exits.

Happy Friday!

Thank you for your consideration,
Kate Mallory
(901) 490-5471
106 E. Goodwyn St., 38111

From: [Richard L Morrow](#)
To: [Cobbs, Kendra](#)
Subject: IN support of closing the Lafayette and Fenwick entrances ...
Date: Tuesday, October 31, 2023 1:51:45 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender richardlmorrow@gmail.com

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Ms Cobbs

I live at 155 E Goodwyn, Memphis TN 38111 and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. I have had one homicide on my street and one attempted homicide a few streets over. All in the last 15 months. Liza Fletcher was my cousin who grew up two doors down. I won't even go there.

IMO we need more safety in our neighborhood and in Memphis in general. Every bit of extra safety helps.

Regards

RLM

Richard L Morrow
901-489-1842
richardlmorrow@gmail.com

From: [Jeff Savage](#)
To: [Cobbs, Kendra](#)
Cc: [Chelsey Savage](#)
Subject: LUCB November Meeting - Chickasaw Gardens Vehicle Gates
Date: Wednesday, November 1, 2023 1:13:46 PM



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Kendra,

I am writing you today in support of the request to gate the LaFayette and Lombardi entrances to Chickasaw Gardens that is on the docket for the November Land Use Control Board meeting on November 9th.

Vehicular traffic, speeding and crime has made our neighborhood (without sidewalks) very dangerous and it is a traditionally pedestrian-friendly neighborhood. Given the high number of pedestrian deaths in Memphis in recent years (and this year), we respectfully request the Land Use Control Board give a recommendation to City Council in favor of this safety measure.

As you have seen from our detailed report and the findings of Memphis Fire as well as the Office of Planning and Development Public Right of Way research, we will have pedestrian gates at LaFayette and Lombardi and keep all entrances to the neighborhood for traffic public at the Central Avenue entrances.

This is a pedestrian safety measure that will reduce cut-throughs of vehicles and increase safety and hopefully reduce the chances of a pedestrian incident involving a vehicle.

As I live on Robin Road, this has a high potential of increasing traffic on my street given that we back up to Central Avenue (cars that are lost, vendors that need to turn around and get out, etc), but my family and I recognize it is for the greater good of our community and the City and that is why we are in favor of this.

Please confirm receipt of this email and I appreciate your support.

Sincerely,

Jeff & Chelsey Savage

Jeffrey C. Savage

Vice President, Partner

Metro Construction

*Celebrating 40 Years of **Quality Construction, Exceptional Service***

jeff.savage@metro-gc.com

(901) 215-6567 (cell)

From: [Walter Edge](#)
To: [Cobbs, Kendra](#)
Date: Thursday, November 2, 2023 8:41:30 AM



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2948 iroquios rd

WE VOTE TO CLOSE

From: [Christopher M. Malone](#)
To: [Cobbs, Kendra](#)
Subject: Memphians Writing in Support of Gating Side Streets into Chickasaw Gardens
Date: Tuesday, October 31, 2023 2:46:15 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender cmalone82@gmail.com

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October 31, 2023

The Honorable Kendra Cobbs
kendra.cobbs@memphistn.gov
125 N. Main Street
Memphis, TN 38103

Dear Kendra Cobbs,

We are writing to express our we are in **full support of gating the entrances to Chickasaw Gardens at Fenwick and Lafayette.**

We are proud Memphians. We love our city and our neighborhood. Unfortunately, despite our HOA's and city's best efforts to provide safety, we no longer feel safe in our neighborhood. In the last year, we've experienced 2 home invasions (both while we were sleeping), multiple instances of people entering our property late at night while masked and dressed head-to-toe in black, we've watched crimes happen in front of our house and cars flee out the side entrance at Lafayette, and recently one of our close friends was car-jacked and almost murdered in our neighborhood. These experiences are clearly not unique to us, it is pervasive. Any encounter with a Memphian these days results in a conversation about crime and how people do not feel safe.

While the city and county do their part to fix these issues, our neighborhood is looking at what we can do to improve a sense of safety and keep residents from fleeing. Our HOA has taken this seriously and hired a security consultant and created a security council. They are acting on the recommendations of this group and have started taking action implenting several changes. One recommendation in particular is to limit entrances (for cars) to the neighborhood to the 3 main entrances on Central Avenue. The HOA pays for security that benefits both our residents and the many people who walk our neighborhood and park. Unfortunately, the security guards are inhibited in their ability to do their job due to cars entering/exiting from side streets. Given the unique contours of our neighborhood's streets all being extreyly curvey, it is impossible for our security guards to manage this. As such, the HOA has smartly decided to put gates at two side entrances (at our own expense), as has been done at 4 other entrances in the past. These gates will have open pedestrian entrances, so our neighboring neighborhoods can still walk to Chickasaw Gardens -- we want them to come and walk here! Car traffic will still have the three entrances on Central, which are very close to the two entrances HOA proposes to gate (less than .4 mi).

This will allow our security guards to create a safer environment for anyone who visits Chickasaw Gardens, including the many non-residents who walk our street and visit the park. With so many people nervous to be outside in Memphis these days, this will be an especially great benefit for all of us. Our friends in nearby neighborhoods (who regularly come here to run for that reason) also

support this.

We previously lived in New York City, which is unfortunately a place where government makes life difficult for all its citizens. It has been refreshing to come back to Memphis, TN where this is not the case and where government still believes in serving the public. We're grateful to live in a place with a city government willing to help our neighborhood improve and enable public safety without creating unnecessary bureaucracy and red tape. This is why we believe in TN and believe this city will rise from its current challenges and get back on the path of growth and prosperity.

Sincerely,
Christopher and Lauren Malone

181 East Goodwyn Street
Memphis, TN 3811

From: [Ashley Adams](#)
To: [Cobbs, Kendra](#)
Subject: PRO GATE- CHICKASAW GARDENS
Date: Thursday, November 2, 2023 11:29:44 AM

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Hi Kendra,

I am writing again in support of the gate at LaFayette and East Goodwyn (where I am a resident) and at Fenwick and Lombardy.

We had had an incident two weeks ago when one of the guys running from the police came and rang our door bell multiple times at 2am. My husband and I and our 3 year old were all unnerved. There is video footage of someone on foot hiding from the police in neighbors yards and running through the streets once they had passed (he entered on Layfayette). I believe the gates would help restrict access and make it easier for law enforcement if something like this happens again.

Not only will it make our neighborhood safer from crime for BOTH residents and non-residents, it will also make those enjoying the neighborhood and park safer from car traffic. People ZOOM in and out of our neighborhood from LaFayette and Fenwick making it dangerous for those walking, running, biking, and walking dogs. Many bring their dogs and small children to stroll through our neighborhood park since we provide security guards, so I think it would benefit ALL neighbors to also have less car traffic. The car traffic can be more easily monitored if there are less driving entrances.

I have talked to many residents that live outside of the neighborhood (mostly in the Joffre area) who have been in support of the gate, especially since there will be pedestrian access. It makes them feel more secure coming to enjoy the streets of Chickasaw Garden. It will bring more value to the park.

Most of the opposition to the gates are those that are uninformed or misinformed and think there is no access for pedestrians. Once that is addressed, most change their minds. I believe that is important to note as well.

Thank you for your consideration.

Ashley Adams
98 East Goodwyn Street

From: [Ellen Morrow](#)
To: [Cobbs, Kendra](#)
Subject: Pro Gates on Fenwick & Lafayette
Date: Tuesday, October 31, 2023 2:24:52 PM



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Ms Cobbs

I live at 155 East Goodwyn, Memphis TN, and I am STRONGLY IN FAVOR of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security. Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.

Sincerely,
Ellen Morrow

Sent from my iPhone
Ellen Morrow

From: [Neely Mallory III](#)
To: [Cobbs, Kendra](#)
Subject: Proposed Chickasaw Gardens gates on Fenwick and Lafayette
Date: Thursday, November 2, 2023 11:01:00 AM



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Ms. Cobb,

Chickasaw Gardens has been my home for nearly 40 years. I write in support of the request by the Chickasaw Gardens Homes Association to close two of its six entrances to vehicular traffic. I believe that the proposed closures are important to preserve the safety and security of a historic neighborhood that remains a tremendous asset in the core of the city. Chickasaw Gardens is uniquely positioned in Memphis as a residential neighborhood that completely surrounds a public park. The neighborhood was developed with no sidewalks, where pedestrian and vehicle traffic must share the streets of the neighborhood. Reducing vehicular traffic is important for the ongoing safety of all users of the neighborhood, whether they are homeowners, residents of the area, or visitors to the park.

I believe that the proposed closure of the entrances at Fenwick and Lafayette is a pro-active measure that will reduce pass-through traffic in the neighborhood, which has noticeably increased in recent years with the growing popularity of ride sharing and the home delivery of packages, groceries, and meals. For unfamiliar drivers, closure of the secondary entrances will make ingress and egress to the neighborhood more clear and direct from Central Avenue, from which drivers would have to traverse anyway. Many of these drivers are hurried or under time constraints, and are often not observant of the children and families with whom they share the neighborhood streets. Reducing the vehicular traffic will benefit and protect the residents of the neighborhood, and will also increase the

safety of all who use the area for walking, running, recreation, and access to the park.

Contrary to the criticisms of some residents of adjacent neighborhoods, these closures WILL NOT restrict the ability of anyone to access the neighborhood in any way that they are legitimately using the streets of the neighborhood today, other than to reduce pass through vehicular traffic. Clearly available and well-lit pedestrian/bicycle gates have been incorporated in the designs to allow for continued access to the neighborhood for those in adjacent neighborhoods, and any vehicle traffic will continue to have easy and unimpeded access to the neighborhood from multiple streets directly from Central.

As affirmation of the support for these proposed closings, a documented vote of the homeowners has verified that over 90% of the residents – those most affected by their implementation – are in favor of the proposals. Emergency services has also reviewed and approved the plans. Approval should not be controversial in any way.

Closing of the proposed entrances is important to safety and viability of multiple city assets, and it is my sincere hope that you will support these proposals.

Regards,

Neely Mallory

From: [Ragsdale, Brett](#)
To: [Courtney Murrah](#)
Cc: [Cobbs, Kendra](#)
Subject: RE: Chickasaw Gardens Proposed Gates
Date: Tuesday, August 22, 2023 9:24:34 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,



Brett Ragsdale, AIA
Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 468 Memphis, TN 38103
Phone: 901-636-6619
Email: brett.ragsdale@memphistn.gov



Visit our [website](#)

From: Courtney Murrah <cwmurrah@yahoo.com>
Sent: Tuesday, August 22, 2023 7:09 PM
To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>
Subject: Chickasaw Gardens Proposed Gates



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To Whom it May Concern,

I'm writing in support of the proposal to add gates at Lombardy/Fenwick Street and at Lafayette Place/Lafayette Street.

There are currently 5 streets open to vehicular traffic into and out of the Chickasaw Gardens neighborhood. This many points of egress for car traffic makes the neighborhood vulnerable to crime as it is easy for criminals to zip out of the neighborhood undetected after committing an offense. The security guards hired by residents cannot effectively cover five exits, but closing the 2 side exits and directing all vehicular traffic to the 3 Central Avenue access points would allow the security guards to more effectively patrol the neighborhood and limit options for those hoping to commit crime and exit hastily. Not only would limiting car traffic to 3 main streets deter criminals and help provide security for those who live and

exercise in the neighborhood, but it would also lessen some of the cut-through traffic on the streets, which have no sidewalks and can be dangerous for walkers and bikers.

The closure of these two side streets would leave as-is the 3 primary streets off of Central Avenue completely open for the public to access the neighborhood, the park and the lake. These three main arteries into and out of the neighborhood from Central onto Goodwyn, East Parkway and West Parkway provide the most direct routes to the public park and lake. At the two side access points where gates are proposed, pedestrian gates would be added so that neighbors to the east and west can continue to walk and bike in the neighborhood and enjoy visiting the park and lake as they always have. These pedestrian gates would be open during park hours, posted by the city as "dawn to dusk."

There has been vocal public opposition to the proposal, most of which seems to be based on incorrect information being disseminated to the public. News stories and social media posts have created sensationalistic headlines with the false statements that the neighborhood is closing its main entrances, gating itself completely, or keeping the public from accessing the public park, lake and streets. A flyer featuring false information has been distributed to those in surrounding neighborhoods urging them to protest. That incorrect information is intended to generate an emotional response from members of the public, who have been misled to believe that the residents of Chickasaw Gardens want to keep the public out of the neighborhood. In fact, the three main streets that would remain open for cars would provide as many access points to Chickasaw Gardens Lake as are available to access Overton Park Lake, Audubon Park Lake and Shelby Farms Lake, if not more.

In reality, Chickasaw Gardens has proposed a plan to allow complete public access to the neighborhood by creating 3 main entrances for auto traffic and two side pedestrian entrances for foot and bike traffic, while making the streets and neighborhood safer for all residents and members of the public to enjoy. I hope the Land Use and Control Board will consider that much of the opposition to the proposal is based on incorrect information about what is being proposed. There are many others who have expressed support for the plan, as well, but may not take steps to do so formally. If the proposal is passed, the issue will long be forgotten as all citizens of Memphis continue to enjoy the neighborhood as they always have, hopefully in a safer environment.

Thank you for your consideration.

Sincerely,

Courtney Murrah
2887 Catawba Lane
Memphis, TN 38111

From: [Ragsdale, Brett](#)
To: [Courtney Murrah](#)
Cc: [Cobbs, Kendra](#)
Subject: RE: Chickasaw Gardens Proposed Gates
Date: Tuesday, August 22, 2023 9:24:34 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,



Brett Ragsdale, AIA
Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 468 Memphis, TN 38103
Phone: 901-636-6619
Email: brett.ragsdale@memphistn.gov



Visit our [website](#)

From: Courtney Murrah <cwmurrah@yahoo.com>
Sent: Tuesday, August 22, 2023 7:09 PM
To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>
Subject: Chickasaw Gardens Proposed Gates



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender cwmurrah@yahoo.com

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To Whom it May Concern,

I'm writing in support of the proposal to add gates at Lombardy/Fenwick Street and at Lafayette Place/Lafayette Street.

There are currently 5 streets open to vehicular traffic into and out of the Chickasaw Gardens neighborhood. This many points of egress for car traffic makes the neighborhood vulnerable to crime as it is easy for criminals to zip out of the neighborhood undetected after committing an offense. The security guards hired by residents cannot effectively cover the streets, but closing the 2 side streets and directing all vehicular traffic to the 3 Central Avenue access points would allow the security guards to more effectively patrol the neighborhood and limit options for those hoping to commit crime and exit hastily. Not only would limiting car traffic to 3 main streets deter criminals and help provide security for those who live and

exercise in the neighborhood, but it would also lessen some of the cut-through traffic on the streets, which have no sidewalks and can be dangerous for walkers and bikers.

The closure of these two side streets would leave as-is the 3 primary streets off of Central Avenue completely open for the public to access the neighborhood, the park and the lake. These three main arteries into and out of the neighborhood from Central onto Goodwyn, East Parkway and West Parkway provide the most direct routes to the public park and lake. At the two side access points where gates are proposed, pedestrian gates would be added so that neighbors to the east and west can continue to walk and bike in the neighborhood and enjoy visiting the park and lake as they always have. These pedestrian gates would be open during park hours, posted by the city as "dawn to dusk."

There has been vocal public opposition to the proposal, most of which seems to be based on incorrect information being disseminated to the public. News stories and social media posts have created sensationalistic headlines with the false statements that the neighborhood is closing its main entrances, gating itself completely, or keeping the public from accessing the public park, lake and streets. A flyer featuring false information has been distributed to those in surrounding neighborhoods urging them to protest. That incorrect information is intended to generate an emotional response from members of the public, who have been misled to believe that the residents of Chickasaw Gardens want to keep the public out of the neighborhood. In fact, the three main streets that would remain open for cars would provide as many access points to Chickasaw Gardens Lake as are available to access Overton Park Lake, Audubon Park Lake and Shelby Farms Lake, if not more.

In reality, Chickasaw Gardens has proposed a plan to allow complete public access to the neighborhood by creating 3 main entrances for auto traffic and two side pedestrian entrances for foot and bike traffic, while making the streets and neighborhood safer for all residents and members of the public to enjoy. I hope the Land Use and Control Board will consider that much of the opposition to the proposal is based on incorrect information about what is being proposed. There are many others who have expressed support for the plan, as well, but may not take steps to do so formally. If the proposal is passed, the issue will long be forgotten as all citizens of Memphis continue to enjoy the neighborhood as they always have, hopefully in a safer environment.

Thank you for your consideration.

Sincerely,

Courtney Murrah
2887 Catawba Lane
Memphis, TN 38111

From: [Ragsdale, Brett](#)
To: [Jennifer James](#); [Cindy Reaves](#)
Cc: [Cobbs, Kendra](#)
Subject: RE: Chickasaw SAC 2023-004 and 005
Date: Wednesday, August 23, 2023 5:31:46 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Ms. James, I have copied Kendra Cobbs who is the planner for these cases so she is in the loop. You can send all correspondence to her and copy me.

Thanks,

[Brett Ragsdale, AIA](#)

Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 468 Memphis, TN 38103
Phone: 901-636-6619
Email: brett.ragsdale@memphistn.gov



Visit our [website](#)

From: Jennifer James <jdandjpwilliams@aol.com>
Sent: Wednesday, August 23, 2023 4:31 PM
To: Cindy Reaves <cindy.reaves@srce-memphis.com>; Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>
Subject: RE: Chickasaw SAC 2023-004 and 005
Importance: High



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Brett.

This is Jennifer Williams. Jason and I are in agreement with the proposed gate and street closure at Goodwyn and Lafayette. We are the only abutting property on this side.

Please let me know if you need me to email you the Property Owners Affidavit and I will scan in and send. I am on the way to the other side of the community to get the other signatures needed as it is so important for us to stay on schedule for tomorrow. Thanks Brett.

Jen

From: [dan.springfield](mailto:dan.springfield@gmail.com)
To: [Cobbs, Kendra](mailto:Cobbs,Kendra)
Subject: Request for closure
Date: Thursday, November 2, 2023 4:09:51 PM



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I wanted to let you know that I am in total support of closing Fenwick and Lafayette Street entrances in Chickasaw Gardens. I have lived in this neighborhood, at 54 Lombardy Rd, for over 34 years and have always felt safe, until this past year. As you maybe aware the crime here, as well as in Memphis, has gotten out of hand and anything we can do to help improve/increase the safety in the neighborhood should be done. If these two entrances are closed to car traffic they will still be open to pedestrians during the time the city park is open. This will still leave 3 other entrances to gain access to the neighborhood. Again, I can't convey how much I think we should be proactive to help keep our neighbors, family and kids safe. Thanks you for your consideration of this request.

Dan Springfield
cell:: 901.487.1440
e mail:: dan.Springfield@gmail.com

From: [Ann Roane](#)
To: [Cobbs, Kendra](#)
Subject: Street Closing @ Lafayette/Fenwick
Date: Tuesday, October 31, 2023 3:06:59 PM



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I live at 162 E Goodwyn and have been here for 50 years. We have a a great neighborhood and enjoy a wonderful public park....many memories have been created here.

I have experienced the changes which seem almost unimaginable ...recently, one homicide and one home invasion on my block alone not to mention multiple car breakins, drag racing, attempted car jackings, and one attempted murder in the past 13 months alone. This must stop for the good of our own residents and those who walk, ride , bike and play in the park as visitors.

We must have added security NOW. Residents have long paid for security for ourselves and our visitors and have just significantly increased this security. We have done all we can do. It is imperative that we reduce the number of openings to our neighborhood by closing entrances at Lafayette and Fenwick to improve the safety of all.

I strongly support this effort. Thank you for your time.

Ann Wingate Roane

From: [Judy Douglass](#)
To: [Cobbs, Kendra](#)
Subject: street closings
Date: Tuesday, October 31, 2023 3:36:17 PM



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Ms. Cobbs,

I am writing regarding the street closings pertaining to Chickasaw Gardens neighborhood. I live at 156 Goodwyn Street and am very much in favor of closing Lafayette and Fenwick entrances. We have so much traffic and the closings would help slow down this traffic. With crime on the upswing we all need to do what we can to curtail some of this criminal activity. Thank you for your help!

Sincerely,

Judy Douglass

From: [Robert Shy](#)
To: [Cobbs, Kendra](#)
Cc: [Colvett, Frank](#); [Canale, JFord](#); [Morgan, Worth](#)
Subject: Street closures
Date: Wednesday, November 1, 2023 5:11:39 PM



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Kendra,

I hope this email finds you well.

I am writing you today in support of closing off Lafayette Street and Fenwick Road as they enter Chickasaw gardens. Walking & biking in Chickasaw gardens is very challenging to navigate with there being no sidewalks because of the historic nature of the neighborhood. The closing off of the two streets would encourage more walkers, joggers and bikers from surrounding neighborhoods. And they could do so without the threat of high traffic.

However there will still be three major entrances to Chickasaw Gardens, just like Overton Park and Audubon Park.

All the best,
Robert Shy

ROBERT SHY
2880 Garden Lane
Memphis TN 38111

615-403-2146

From: [laurie hughes](#)
To: [Cobbs, Kendra](#)
Subject: Street closures Chickasaw Gardens
Date: Tuesday, October 31, 2023 5:13:08 PM



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Ms Cobbs,

I live at 175 W Chickasaw Pkwy, Memphis TN 38111 and I am **STRONGLY IN FAVOR** of closing Lafayette and Fenwick street entrances. There has been one homicide, multiple car breaks in, home invasions, reckless driving (drag racing), attempted carjackings, and attempted murder in the last 13 months.

It is imperative for our neighborhood to have added security (really Memphis in general). Therefore I strongly support having gates added to the Fenwick & Lafayette entrances. This leaves 3 remaining public access points. Every bit of extra safety helps not only our neighborhood but those using the lake. Thank you for your time.
Laurie Hughes

Sent from my iPhone

From: [Robert Shy](#)
To: [Cobbs, Kendra](#)
Cc: [Colvett, Frank](#); [Morgan, Worth](#); [Canale, JFord](#); [Carlisle, Chase](#); [Warren, Dr., Jeff](#)
Subject: Street Closures
Date: Wednesday, November 1, 2023 11:19:13 AM
Attachments: [image002.png](#)
[image003.png](#)
[image006.png](#)



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Dear Ms. Cobbs,

I am writing to express my **SUPPORT** for the closing to automobile traffic the streets Lombardy @ Fenwick and Lafayette Pl @ Lafayette St. These **pedestrian friendly** closings will reduce automobile traffic around the park increasing safety for people who enjoy walking the inviting streets of Chickasaw Gardens (there are no sidewalks in this historic neighborhood). There will still be three (3) streets fully open to the public just like the much much larger Overton Park which supports the patrons of the golf course and city zoo.

Thank you for considering my letter supporting the street closures in this matter.

Robert

If you would like to schedule a time with me, please click on the blue calendar.



-

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[ROBERT A. SHY, AWMA®, CPFA](#)

[VICE PRESIDENT, WEALTH MANAGEMENT](#)

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MEMPHIS TN 38120**

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JEANICE.SAWYER@RAYMONDJAMES.COM
REGISTERED CLIENT SERVICE ASSOCIATE

901-818-6546

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From: [Amy Yauger](#)
To: [Cobbs, Kendra](#)
Subject: support for additional gates in chickasaw gardens
Date: Friday, August 18, 2023 11:17:03 AM



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Hi Kendra,

I hope this email finds you well. I am a resident in Chickasaw Gardens neighborhood and I am in support of gating 2 of our entrances to help cut down on cut-through traffic. It was a big summer for our family. We added a third child and my 5 year old learned to ride a bike. I didn't realize how much cut through traffic was in our neighborhood until I was going on walks with my oldest riding a bike. Without sidewalks, the traffic can make it hard for walking and bike riding. My hope is that by gating two of our entrances it will reduce traffic in areas of the neighborhood and make walking around the lake safer for all memphians who want to come enjoy the park.

Thank you so much for your service,
Amy Threadgill

From: [MAURY, TAYLOR](#)
To: [Cobbs, Kendra](#)
Subject: Support for Closing Lafayette & Fenwick
Date: Wednesday, November 1, 2023 1:24:54 PM



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Good afternoon Kendra,

I am in full support of closing Lafayette and Fenwick entrances to the Chickasaw Gardens neighborhood.

I have two small children, ages 2 and 5, and have overwhelming concerns as it relates to traffic and safety. We have had numerous reports of criminals attacking residents of Chickasaw Gardens and cross through traffic driving erratically on a daily basis. This neighborhood is family friendly, and the traffic & crime pose an immediate threat to the safety of children and residents – closing Lafayette and Fenwick would help mitigate these issues.

Contrary to media and grassroots efforts to block the approval of these gates – the closing of these streets to vehicular traffic **WILL NOT** affect pedestrian access and will remain open for those wishing to access the lovely park by foot. There will also still be multiple open streets to provide access into the neighborhood if needed.

Please strongly consider approval to close these streets – the safety of our children and residents depends upon it.

Thank you,

- Taylor Maury

W. Taylor Maury

Vice President | Correspondent Division

From: [Anne Wilson](#)
To: [Cobbs, Kendra](#)
Subject: Support for closure of Lombardy and Fenwick
Date: Tuesday, October 31, 2023 3:16:55 PM



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Hi Kendra,

I am writing you to emphasize my support for closing the street entrance at Lombardy and Fenwick. We are residents of Lombardy and the street traffic along Lombardy has increased quite a bit over the last few years. I am in support of closing the street to reduce the traffic and make a safer street. The flow of traffic would be less and the speeding down Lombardy would hopefully be reduced. We would be happy to help answer any questions.

Thank you,

Anne Wilson

76 Lombardy Road

Sent from my iPhone

From: [Will Threadgill](#)
To: [Cobbs, Kendra](#)
Subject: Support for Lombardy/Lafayette Street Closures
Date: Friday, August 18, 2023 8:24:35 AM



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Hi Ms. Cobbs,

I wanted to write you today in support of the two street closures, Lombardy and Lafayette Place, proposed by Chickasaw Gardens. There seems to be a lot of misconceived information about the street closures first reported by Action News 5.

The proposed gates are in no way to restrict access to the city park. The gates actually would make the park safer for visitors as it would limit thru traffic to the neighborhood. The neighborhood does not have sidewalks, so limiting thru traffic in the neighborhood would make it safer for visitors and residents alike. Additionally, the gates would be open for bikers and pedestrians during park hours, and there would be three open entrances for those who drive to the park.

Action News 5 reported a resident on Lombardy west of Fenwick stating they cut through the neighborhood to use the light at Goodwyn to turn onto Central Ave. There is a light just off their street on Buntyn and Central that is actually much closer to this resident's home.

There have been multiple violent incidents over the last 12 months in the neighborhood that have gone unreported by Action News 5. One where a resident shot and killed an intruder, and another where an attempted car-jacking led to a shoot-out on several streets throughout the neighborhood. While still allowing ample access to the park and the neighborhood, we have been advised that reducing the access points to three from five, will dramatically help our security teams keep both residents and visitors safe in the neighborhood.

With all the negative information put out by Action News 5, I felt the need to write you to show my utmost support.

Kindly,

Will Threadgill

(662) 401-3253

From: forblueskies04@aol.com
To: [Cobbs, Kendra](#)
Subject: * SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St. Staff Planner: Kendra.Cobbs@memphistn.gov * * SAC 23-05: CHICKASAW GARDENS: close and vacate Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr. Staff...
Date: Wednesday, August 23, 2023 8:27:19 AM



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I strenuously opposed both of the above street closings. I live at 127 S. Humes and have for 42 years had access to the public park and lake in Chickasaw Gardens by walking down Lombardy and crossing Fenwick into Chickasaw Gardens. My daily dog walks and taking my children and now grandchildren to see the beautiful lake has added great joy to my life.

Having to walk down to Central with its very fast-moving traffic and enter the Gardens via the Central entrance is quite inconvenient and frightening with little children and a dog.

There are many reasons to keep the two entrances open, but this is my personal experience.

Cary Schwartz
127 S. Humes Street
Memphis, Tn. 38111

MARTIN, TATE, MORROW & MARSTON, P.C.

ATTORNEYS AND COUNSELORS

INTERNATIONAL PLACE, TOWER II
6410 POPLAR AVENUE
SUITE 1000
MEMPHIS, TENNESSEE 38119-4839

DAVID WADE

DWADE@MARTINTATE.COM

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FAX (901) 527-3746

NASHVILLE OFFICE

315 DEADERICK STREET, SUITE 1550
NASHVILLE, TN 37238

TELEPHONE (615) 627-0668
FAX (615) 627-0669

November 3, 2023

Via U.S. Mail and Electronic Mail

Brett Ragsdale
Zoning Administrator
Memphis and Shelby County Division of Planning and Development
125 N. Main St., Suite 468
Memphis, TN 38103
Brett.ragsdale@memphistn.gov

Re: SAC 2023-05

Dear Mr. Ragsdale:

I appreciate the time you and Kendra Cobbs allowed to meet with me to discuss the pending Lombardy Street Closure application. I have been asked to represent the Fenwick Road Neighborhood Association, Humes Heights Neighborhood Association, the Lombardy Road neighbors and in excess of 50 neighbors to the west of the closure area. As I explained in our meeting, my clients oppose the street closure and have submitted many letters and emails in opposition.

There are many reasons to oppose the application, but primarily because closure of public streets and access to public thoroughfares and public amenities is bad city planning. This is especially the case when the closure will limit access to a very popular public park.

Article 5.2.4 of the UDC requires that developments shall provide roadways that are permanently open to the public and that existing streets in adjacent or adjoining areas are to be continued into developed areas. This solid rule of development is binding on the LUCB and can only be waived in "Extreme Cases."

There is no extreme situation that is significant only to Chickasaw Gardens any more than to all Memphis citizens.

My clients are historically an essential part of the neighborhood that includes Chickasaw Gardens. The boundaries of the neighborhood and its public streets are not defined by the boundaries of the Chickasaw Gardens HOA. Nor can Chickasaw Gardens claim ownership of the public park within its boundaries. They must be open to the public and not restricted.

MARTIN, TATE, MORROW & MARSTON, P.C.

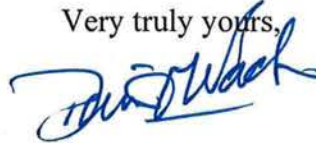
November 3, 2023

Page 2

My clients understand and are sympathetic to the worries about protection from crime. However, crime is not a Chickasaw Gardens issue – it is a City of Memphis issue that cannot be solved by encapsulating select neighborhoods with specific protections. The existence of crime and safety issues that develop from it affect every citizen throughout the entire city. Governmental protection of pockets of communities from city wide problems by limiting access to and gating off public roads is not good policy and not permitted by the UDC.

On behalf of the many persons who are also very much a part of the neighborhood, I request the staff to not recommend the application and the LUCB to deny the closure of streets into and around Chickasaw Gardens.

Very truly yours,



David Wade

DW/kgh

C: Kendra Cobbs, Planner III

From: [Lowell Yarbrough](#)
To: [Cobbs, Kendra](#)
Subject: Access to Chickasaw Gardens
Date: Wednesday, August 16, 2023 11:28:16 PM



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I am writing to you today to express my concern about the closing of two of the accesses into Chickasaw Gardens neighborhood. Gates would have a detrimental effect on Fenwick, Lafayette St, and surrounding neighborhoods. I am asking you not to approve this change of access to a public city park.

Thank you,

--

Dr. Lowell Yarbrough, D.C.
drlowell@gmail.com

From: [Lyn Joyner](#)
To: [Cobbs, Kendra](#)
Cc: [Ragsdale, Brett](#)
Subject: Additional concern - SAC 23-04, 23-05 -public roads closings
Date: Friday, August 18, 2023 11:23:07 AM

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Ms. Cobbs, thank you for responding to my message on the lack of crime, as shown in stats, to back CGHOA's claim of a need to decrease crime as their reason for closing two public roads.

ADDITIONAL CONCERN -

How would the City enforce the gate being open dawn-to-dusk on these public roads?

A promise or guarantee from CGHOA to take responsibility for monitoring public road access is Not Acceptable.


There's little reason to trust CG will want to take long-term responsibility for keeping their gate open to the community, and good reason to believe they won't. For instance, Cherokee residences have consistently not maintained their Fenwick-side reverse frontages. CGHOA made an unkept promise to landscape/maintain their side when they needed our NA's approval to close the Tillman entrance, years ago. Over many years, Fenwick Rd. NA has spent untold hours getting CG property owners to comply with Code--including going to Environmental Court--to get them to trim back weeds, etc., to improve driver safety on our street, and to reduce blight.

Would taxpayers need to pay for City enforcement of open gate hours?

I hope this concern about enforcement will be raised in Monday's report.

Thank you,
Lyn Joyner
Fenwick Rd. NA, Community Liaison

From: [Joshua Cooper](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#)
Subject: Attempted Closure of Lombardy Rd @ Fenwick Rd
Date: Friday, August 11, 2023 1:33:42 PM

 **The CoM Email Security System finds this email suspicious! The sender of this email Joshua Cooper is similar by name to your contact Cooper, Joshua, this might be an impersonation attempt. | [Know this sender?](#)**

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Good afternoon,

I live at 197 Picardy St, Memphis, TN 38111. I am a block away from this intersection, and it has been brought to my attention that Chickasaw Gardens is attempting to close this public road and restrict access to the neighborhood.

There have been multiple petitions to this action, yet it seems Chickasaw Gardens is attempting to circumvent the public's opinion on the closure. I believe the closure should be prohibited, based on the fact that many of the people living on the west side of Fenwick purchased their homes because of their proximity to the public Chickasaw Park in the nearby neighborhood.

Most of all, I hope that the public has a chance to have their voices heard on the matter.

Thank you,

Joshua Cooper

jcooper@sowellrealtors.com

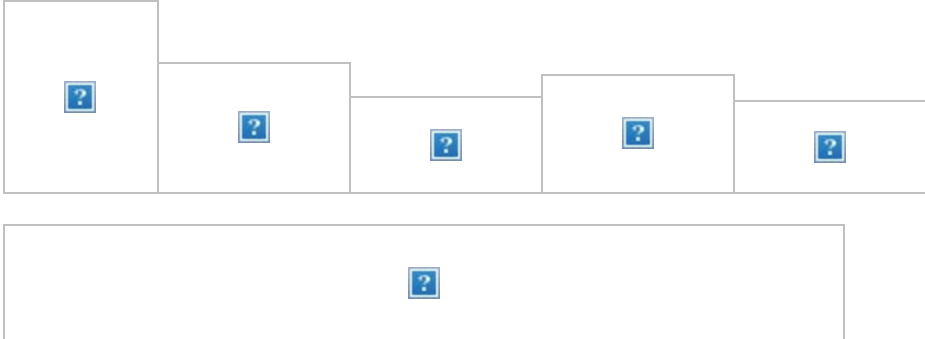
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From: [Katie Tamboli](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw / Lombardy closure
Date: Tuesday, August 22, 2023 10:24:57 PM

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I'm writing to oppose gating the entrance to Chickasaw Gardens at Lombardy. Cited from the Memphis Daily News, the number of crimes reported in Central Gardens since 1/1/23 are TWO. One for forgery & the other vandalism. Using the uptick in crime (fed by poverty) to justify building another wall won't solve their catastrophic forgery/vandalism trauma. Instead, it'll fuel the status quo Memphis has followed for decades, separating the elite (white) from impoverished black people. Building another wall will add to the suppression black children already experience as less important, less worthy than others by learning to navigate & survive at nearly a 40% childhood poverty rate. Memphis leads the country as the most impoverished city with over 500k people. Crime & poverty go hand in hand. No wall will fix that.

A few years ago, Central Gardens residents posted on Nextdoor their concern that a black kid was riding his bike through the neighborhood. It turns out that the child lived on Lombardy just around the corner & his mother was a high ranking, elevated administrative faculty member at CBU. This is point blank profiling by Central Gardens residents. Imagine the trauma poverty stricken children feel being profiled just for riding their bicycle down the street. If it happens to 'well to do' black child, imagine how most of our children in Memphis must feel. Put yourself in their rugged shoes.

Since Central Gardens has a history of not upholding their 'promises,' I object they will uphold this promise of keeping a pedestrian gate accessible. One entrance at a time, they are building walls, It began on Poplar years ago, promising to keep pedestrian/biking access yet the gate remains locked. They've provided only empty promises over the years.

Chickasaw Gardens houses PUBLIC streets & a PUBLIC park. Barricading these commons for all will continue to destroy our city, more than it already is.

Let's bridge Memphis together, not add more walls.

Thank you for considering the opposition to further inequality.

Katie Tamboli
2791 Iroquois Rd
Memphis, TN 38111

Humes Heights

From: ginger.gapr@gmail.com
To: [Cobbs, Kendra](#)
Subject: Chickasaw garden gate proposal
Date: Thursday, August 17, 2023 12:21:39 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)



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Chickasaw garden gate proposal

My name is Ginger Areas. I am a resident of Humes Heights. I have lived in the neighborhood for over 30 years. I've spent much time enjoying brisk walks to Chickasaw Garden Park. My husband and I were married in the park on May 11, 1996, with approval from The Memphis Park Commission. My children and grandchildren have been fortunate enough to enjoy quiet time at this park for relaxation, exercise and learning activities.

I am asking that you **DO NOT ALLOW GATES**, which would block off the public streets and city park from our community. Division is not the answer!!

Thank you for your time. I hope we have your support.

Sincerely,

Ginger Areas







Sent from my iPhone

From: [Adam Hohenberg](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens access
Date: Tuesday, August 29, 2023 4:35:17 PM



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Dear Ms. Cobbs,

I am writing to voice my objection to closing off access to Chickasaw Gardens.

I have walked there in the neighborhood for many years and making it a "gated community" would deny my ability to exercise there, Also, I think would not be a good precedent for the city.

Sincerely,

Adam Hohenberg

From: [Kim Harden](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate Proposal
Date: Thursday, August 24, 2023 3:35:16 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)



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Good afternoon Ms. Cobbs,

My daughter and I moved to 260 S. Fenwick Road earlier this month, making us new residents of Chickasaw Gardens. I was quite surprised to learn about the gates the Chickasaw Gardens HOA has suggested closing off the flow throughout the neighborhood and am not in favor of this being approved. I know how difficult it is to turn left onto Central each morning and don't want the cut-thru closed off. One of the things that attracted us to the neighborhood was the walkability and riding our bikes. If it is gated, riding our bikes becomes a hassle to get through the man gates or you end up going up on Central, which is not safe with the traffic.

Again, absolutely not in favor of the gates getting approved.

Thank you for your time.

Kim Harden



Kim Harden

Administration Manager

Personal Lines Manager

901.529.2900

866.600.COLL

www.collier.com

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From: [Alaina Clifton](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate Proposal
Date: Monday, August 21, 2023 3:03:58 PM



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Dear Ms. Cobbs:

I live at 3142 Cowden Ave, Memphis, TN 38111 and I am writing to express my disagreement with Chickasaw Garden's petition to close access at Lafayette and Lombardy.

First of all, the neighborhood has a City of Memphis Park inside of it with a lake and a well used walking trail. I'm not sure how you can prevent access to a city park.

Additionally, the neighborhood is the best place to walk within miles, especially since it has good shade. If you have ever been to Joffre area you will see so many people walking with their dogs, children, riding bikes, etc. It is part of why a lot of us moved to this area.. If the Lafayette and Lombardy entrances are gated people from several streets will not be able to walk there and the Central Avenue entrance is too far away for many to access. Additionally, the traffic on Central is crazy sometimes and I don't even feel safe walking my dogs on the sidewalk on Central for fear that some speeding car might lose control and run up on the sidewalk.

Please consider the other people who live around Chickasaw Gardens, love their beautiful neighborhood for evening and morning walks, and are respectful to the residents.

Sincerely,

Alaina Clifton Vandeventer

From: [Alex Nowlin](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Gate
Date: Thursday, August 17, 2023 11:16:13 AM



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Dear Ms. Cobb

I am writing to voice my object to Chickasaw Gardens putting up additional gates, thereby limiting access to a public park. I am a nearby resident in Humes Heights and use that park for exercise. My kids use the Lombardy entrance to bike to the park. Otherwise they would have to go on a busy street like Central to get to the park. That would not happen.

The neighborhood does not own the park. It is enjoyed by all surrounding areas, and paid for with tax dollars. Crime in this area is not a problem. I live in the area.

Please make note of my objection. The public interest is not served by gating off this neighborhood, preventing Memphis residents from using their own public park. The public is served by open access to public greenspaces.

Alexandra Nowlin

Sent from my iPhone

From: [Dan Hope](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens gate
Date: Wednesday, August 23, 2023 3:29:50 PM



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Hello, Ms. Cobbs.

I apologize for being a day late to send you and email on the subject of the gates for Chickasaw Gardens. I did feel like I needed to speak up, but I can't attend Thursday's meeting. I will be at work.

I am fond of the access to the Chickasaw Gardens Lake and fully believe it is city property belonging to the citizens of Memphis. When I was recovering from throat cancer last fall, I took many walks by that lake and it was very therapeutic. I live in the Joffre neighborhood, and often walk down Cowden to Lafayette then up Lafayette Circle and across to reach the lake. That whole area is beautiful.

Chickasaw Lake is public property, is it not? And the residents of Chickasaw Gardens don't own it or the streets and park that lead to it, correct?

The folks who live in Chickasaw Gardens are well off, I can tell. I'm just a middle class taxpayer. If this is about cutting down on crime, those residents can surely afford more security rather than cutting off access to a public park and lake for the rest of us Memphis citizens I would think. It belongs to all of us!

Please do not allow the residents of Chickasaw Gardens to punish the good citizens of Memphis who live around that area and wish to take walks to the lake, feed the ducks and geese, or enjoy the fresh air.

Thanks for listening.

Dan Hope
276 S. Greer St.
Memphis, TN 38111
901-326-2000

Your water heater is the third largest energy user in your home, operating 24/7. Adjust the thermostat on your hotwater heater to 120 degrees or medium. To save on your MLGW bill, buy an EnergyStar model which will use less energy.

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Feedback

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From: [Dana Johnson](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens land use petition
Date: Sunday, August 20, 2023 7:58:16 PM



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Hi Kendra,

I live on S. Lafayette Circle and was dismayed to hear about the petition to close entry to Chickasaw Gardens at Goodwyn/Lafayette and Lombardy/Fenwick. As a neighboring resident, I regularly walk in the Chickasaw Gardens park and around the lake. Limiting entry to only one point off of Central Avenue would create a significant barrier to mine and my neighbors' ability to access this space.

It is bewildering to think that a Memphis Park would be nearly inaccessible to anyone not living directly around it. Drastically reducing access to this green space would be to the detriment of those of us who live in the surrounding area and doing so would be in direct opposition to the Memphis Parks' mission to "create positive and safe places to provide community-centered experiences that connect all Memphians."

Thank you in advance for helping ensure Chickasaw Gardens park remains a place that everyone in the community can enjoy.

Dana Johnson
513-461-3107

Sent from my iPhone

From: [Brenda Landman](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Park
Date: Thursday, August 17, 2023 8:26:32 AM



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I'm opposed to gating access to Chickasaw Gardens Park. Denying or limiting access to city owned parks to deter crime further divides our community. Deal with the causes of increased crime especially among juveniles instead of band-aiding wealthy neighborhoods. Consider that this may not be the message you want to broadcast.

Brenda Landman
Sent from my iPhone

From: [Carye Jackman](#)
To: [Cobbs, Kendra](#)
Cc: [Ragsdale, Brett](#)
Subject: Chickasaw Gardens Petition
Date: Tuesday, August 22, 2023 10:25:42 PM

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Good evening,

I am emailing you in regards to Chickasaw Gardens' request to close off street entrances. I and many other in my neighborhood, Humes heights, are completely against this because we as tax payers pay for the city streets that are in Chickasaw Gardens as well as the city park inside of there. By shutting off access to the two entrances is shutting out neighboring neighborhoods that have always been accessible. Also, by closing these entrances and basically making it a private community, it will negatively affect the property value of all of our homes. Closing off these entrances will not be good because central Ave will be contested. This will also limit emergency vehicles to enter Chickasaw Gardens one way. As far as their proposal for the pedestrian gates, this has been done in the past and we were never able to access them because they were always locked. I vote that this shouldn't happen.

Thanks,
Carye Jackman

From: [Allison Swan](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens Proposal
Date: Saturday, August 19, 2023 2:56:23 PM



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Ms. Cobb,

I received the flyer on my front door today regarding the Chickasaw Gardens petition to close Lafayette Place at Goodwyn St. and Lombardy Rd. and Fenwick St.

Thank you for asking for other citizens' input. ***I strongly disagree with the closure of these streets with gates that block both car and foot traffic.***

Chickasaw Gardens Park is a City Park. As a neighbor, my family- me, my husband, my 6-year old son, and 3-year old daughter -often walk or bike over to the Park to enjoy a walk or picnic around the lake. These closures would make this City Park pretty much impossible for us to access other than by car. I wonder too, if the residents of Chickasaw Gardens are prepared for the influx of car traffic around the Park that will occur by blocking foot/bike access.

Blocking these roads and making it so difficult to access will in essence make this City Park, meant to be enjoyed by all residents of Memphis, now a private park for a select few residents in the Chickasaw Gardens neighborhood.

A select few privileged residents, you might say— we're all concerned about the horrible crime in this city, so much so that I wrote a letter to Mayor Strickland just recently about it. If this passes, does that mean that every neighborhood can petition to gate our streets off to prevent crime as well? If so, sign us up in the Joffre neighborhood!

Thank you again for asking for city residents' input on this petition. I sincerely hope it is turned down.

Thank you,
Allison Williams
3213 Cowden Ave.
Memphis, TN 38111

Sent from my iPhone

From: sarahderm@yahoo.com
To: [Cobbs, Kendra](#)
Cc: [Ragsdale, Brett](#)
Subject: Chickasaw Gardens Proposed closure
Date: Monday, August 14, 2023 10:55:15 AM



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Dear Ms. Cobbs and Mr. Ragsdale,

I am writing to you to express my strong opposition to the proposed closure and gating of Chickasaw Gardens. I have lived on Lombardy Avenue, in the block between Fenwick and Humes for 6 years, so just outside where the proposed gate would be.

I object to the proposed gates for several reasons, and my husband and I attended a meeting with our neighbors on Lombardy and representatives of Chickasaw Neighborhood association earlier this year, so I believe I am well-versed on what their proposal is, and what their reasoning purports to be.

I realize they have had an uptick in crime recently, as has all of Memphis. Interestingly, our block, just outside where the gate would go, has had NO similar uptick. I have trouble understanding how if we are not a high crime area outside the proposed gated section, putting a gate at Lombardy will make a difference? Additionally, they are not proposing closing ALL of the entrances. If crime is a problem, and you need gates, why would only closing some of the entrances make a difference? That is not logical. I asked at our meeting with the CGNA representative this EXACT question. I was told that by having fewer entrances, **their private security could better monitor for "people who look like they don't belong."** This sounds like either racial profiling, economic profiling, or both. I ride or walk in CG several times a week. I have never been asked if I am supposed to be there (I am white), but I have seen security pull over a Latino gentleman and question his reasons for being in the neighborhood, even though there is a public park. So the park remains accessible but security is monitoring for people who "look like they don't belong"? Does that mean people of color or people that appear to be less affluent will be asked why they are in the park? Additionally, studies have shown that gated communities have MORE crime. This is a fear-motivated proposal that is not rooted in logic. I fear it will not fix the problem they are concerned with, but it WILL have negative effects on the neighborhood and the city.

Generally, I have a philosophical objection to gates. We live in an urban community. That has plusses and minuses. If you want a homogenous, closed off neighborhood, you should probably not live in a city. You should move to a suburb. It changes the character of our neighborhood to have

this gate. Being outside the gate makes me feel like I am an undesirable. I now feel unwelcome walking over to the park, and I pay taxes to support their streets and the upkeep of the park. **As a larger issue, is this how we want Memphis to be? All the affluent white people gate off the tree-lined streets and limit park access for just themselves and people like them? I would vehemently state no.** Let's fix the crime in Memphis, not just cordon ourselves off.

I also do not like how this has been handled. CGNA tried to sneak this through without notifying anyone because they knew there would be strong objection from their neighbors "outside the gate". Upon finding out, we have written letters to city council members and sent in a petition. CGNA responded by having a representative meet with us. We were offered all sorts of side deals to try to win us over so we would not object, including giving us all a gate clicker. So their affluent neighbors are ok to come in, but not anyone else?

I know that, for now, pedestrians and bikes will be allowed through the gate during daylight hours, but that isn't acceptable. Even if Chickasaw park closes at twilight, I am currently free to walk or bike on the streets around the park at anytime and I still enjoy the view of the park. In the winter, it is difficult to walk before dark if you work or go to school. **I also think CGNA is only guaranteeing entrance to pedestrians and bikes FOR NOW, in order to get this gate approved. I do think the CGNA's ultimate intention is to completely close their neighborhood. They have already closed all of the exits that go out to Poplar Ave. CGNA did not make public their intention to close these streets. We found out through the grapevine. Who is to say that they won't attempt another administrative closure to all outside traffic in another year or so?**

CGNA has also complained about people driving through their neighborhood. My impression is that very few people cut through their neighborhood because there are no direct routes. It isn't faster to go through there. The exception to this is people who want to go east on Central Ave. There is no light at Fenwick and Central, so it is unsafe to turn left there because of bad visibility. I do have neighbors who drive through Chickasaw to be able to turn left onto Central at the light at Goodwyn. In terms of cutting through, our two blocks of Lombardy has much more cutting through, often at a high rate of speed, from people inside Chickasaw Gardens. They blaze down Lombardy to turn at Buntyn, and return that way as well. This unfortunately will continue for our neighborhood. As a frequent biker and pedestrian in CG, the problematic drivers I see are the teenage children of CG homeowners.

Thank you for reading this lengthy email. I feel strongly about this subject, and as you can see, have objections on multiple levels. Please do not approve this change.

Sarah Smith

2775 Lombardy Ave.

From: [Mark Pomerantz](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens road closures
Date: Thursday, August 17, 2023 10:16:57 AM



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Hello, Kendra.

My name is Mark Pomerantz. I am a Midtown Memphis resident and currently reside in Evergreen. I came across this news article which links to plans to put gates up around Chickasaw Gardens ostensibly to reduce "criminals" from driving through the neighborhood: <https://www.actionnews5.com/app/2023/08/16/gate-debate-affluent-midtown-neighborhood-considers-limiting-public-access-combat-crime/>

This would impede access to a public park - a park I frequently like to use because of the lake and the quiet surroundings. If this access is blocked off, they may try to further limit access from Central Ave to the neighborhood which would cut off this park completely. If this measure passes, I think it sets a bad precedent not just for Chickasaw but all of Memphis and could lead to further road closures and people from being cut off from public resources.

Please consider voting against the gates. Please keep public parks open to the public.

Thank you,
Mark Pomerantz
208 Angelus St.
38112

From: [Stewart Dismuke](#)
To: [Cobbs, Kendra](#)
Cc: stewarddismuke@gmail.com
Subject: Chickasaw Gardens street closings proposal
Date: Monday, August 21, 2023 5:25:27 PM



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Ms Cobbs, my name is Ed Dismuke and I live on Greer St near Chickasaw Gardens. My wife and I enjoy walking and riding our bicycles in Chickasaw Gardens and we use the Lafayette Place and Lombardy Rd entry ways. We enjoy walking on the streets, the common places and around the lake. I always thought that the Streets, common places and lake were owned by the City. If they are all owned by residents then the owners have the right to shut those entrances. If those areas are owned by the City I strongly oppose the closings. Thank you. Ed Dismuke, 264 S Greer Street.

PS. It might be ok to block car traffic but not walkers or bicycles.

Sent from my iPhone

From: [Carolyn Wills](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gardens
Date: Wednesday, August 23, 2023 9:03:02 PM



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Ms. Cobbs: This email serves as my statement of opposition to the proposed gates into Chickasaw Gardens at Fenwick and Lafayette. My opposition is based on the following:

1. We currently live on the corner of Lombardy and Buntyn. To access the Greenline, my husband and I ride our bikes through Chickasaw and up Lafayette to cross Poplar at the light. It's the safest way to get to the Greenline. We regularly walk our dog across Fenwick. He doesn't like the traffic on Central and enjoys the quiet streets of Chickasaw Gardens. Closing Lombardy at Fenwick would have a huge negative impact on our daily routine and enjoyment of our neighborhood.
2. Closing Lombardy would have a negative impact on our property values, while increasing those of the Chickasaw Gardens' residents. Is the role of the government to support neighborhood exclusivity? I do not believe it is.
3. There is no clear evidence that closing streets will reduce crime in this area. If the residents of Chickasaw Gardens believe they would be safer in a gated community, they should be welcome to relocate.
4. All taxpayers should be treated equally, even those who live south of Central and cut through Chickasaw Gardens, just as I do.
5. Our dog loves the lake in Chickasaw Gardens which is a public park. The public, and our dog, should not be impeded from using public resources.

The betterment of a few should not outweigh the good of the many. Thank you for your consideration.

Carolyn Wills, AIA

Bottletree Design Group, LLC

C: 901-481-4743

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From: [KAREN J. ZISSOFF](#)
To: [Cobbs, Kendra](#); [Burkey, Ted](#)
Subject: Chickasaw Gardens
Date: Thursday, August 17, 2023 9:32:30 AM



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To: Kendra Cobbs

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Chickasaw Gardens does NOT have a crime problem that calls for two road closings. There is NO VALID REASON for HA's proposed two road closings.

CGHA's Letter of Intent says

"It (less public road access) **should decrease the crime we are currently experiencing** and give the security company a consolidated area to monitor for entry and exiting the neighborhood."

CGHA provides no stats to support their reason for closing two public roads.

Concerned, I checked The Daily News Crime Report Map to count crimes:

Chickasaw Garden's CRIME STATS from 1/16/2023 - 8/16/2023:

TOTAL OF 7 CRIMES reported for the past seven months, of which 3 were for counterfeiting/forgery.

For 3 months in this past 7-month period, **zero reported crimes in CG.**

Hard to decrease from that.

In comparison:

Fenwick to Plainview, neighborhoods west of CG, **crime stats from 1/16/2023 - 8/16/2023:**

TOTAL OF 24 CRIMES reported for the past seven months (zero were for counterfeiting/forgery).

NOTE: In January 2023, just 8 months ago, surrounding neighborhoods overwhelmingly rejected via petition CG's proposal to close off Lombardy, one of the roads in the current filing.

Why is this coming up again, so soon?

HOW DID THIS GET FAST-TRACKED????? Why is there no LUCB hearing. CG has already, over the years, closed 4 of 9 their entrances. Enough!!!! would like not to have to address their uncivic road closing proposals again.

Thank you

Karen Zissoff & Ted Burkey

Across from Lafayette.

From: [Wendy Young](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Gates
Date: Sunday, August 20, 2023 9:32:37 AM



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Kendra,

I appreciate you taking the time to read this email.

I oppose the placement of gates to close off Chickasaw Gardens in any capacity. This is a classist move on the part of the Chickasaw HOA. Building walls and gates only keeps YOU safer and therefore you have no incentive to help the greater Memphis community.

If they have the means to build and maintain gates, then they have the means to fund other community based projects that could provide peace of mind for more than just their elite neighborhood.

I live in the adjacent neighborhood of Joffre and work at the “Pink Place “ (MoSH). I am deeply invested in this area and the greater Memphis Community. Everyone deserves to feel safe and enjoy the PUBLIC Park within the Chickasaw walls. Gates do not stop crime. They send it elsewhere.

I wish that people of Chickasaw Gardens would consider an unselfish approach to crime prevention moving forward. I find the literal gatekeeping to be a disgusting abuse of affluence. It is a slap in the face to the greater Memphis community.

Thank you again for your time.

Wendy Young

From: [Rob B](#)
To: [Cobbs, Kendra](#)
Subject: Chickasaw Private Park
Date: Wednesday, August 16, 2023 1:00:14 PM



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Hello - I am emailing about the possibly of the rich getting richer and the Memphis tax payers paying for a park that is becoming increasingly hard to access to the public. I live right outside of Chickasaw and routinely use the park to walk my dogs or run. The closures proposed will greatly limit my access to this park.

There is an up-swelling that I'm not sure the city quite yet understands in regards to awarding this city park to an affluent neighborhood and limiting it to its less affluent neighbors.

If this is approved we already have back up/contingency plans in place to continue to protest what would be a very clear showcase that Memphis government is a plutocracy.

We will fight this.

Thank you and the board for your consideration.

From: [Jo CRONER](#)
To: [Cobbs, Kendra](#)
Subject: Closing Lombardy at Fenwick
Date: Saturday, August 12, 2023 6:18:39 PM



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Hello Kendra,

Am not sure whether to address this to you, or possibly Linda Sowell, but I am definitely opposed to closing Lombardy at Fenwick. Will be happy to let my opinion be known to anyone that is interested in closing the street. As I remember, this is not the first time they have tried to close it, hope we can stop it again. Please let me know if I can voice my opinion where it might count!! Thanks so much,

Jo Croner
2763 Lombardy Road

901-458-9000

Sent from [Mail](#) for Windows

From: [Ann Leatherman](#)
To: [Cobbs, Kendra](#)
Subject: Closing Lombardy at Fenwick
Date: Thursday, August 10, 2023 3:56:22 PM



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Dear Kendra,

I would like to voice my opposition to the closing of Lombardy at Fenwick in Chickasaw Gardens. I live at 2816 Lombardy and fear that closing that entrance to Chickasaw Gardens will greatly inhibit our access to the neighborhood. I also fear that it will cause excessive traffic on the portion of Lombardy that is West of Fenwick.

I have many other concerns about this issue too.

Please consider the concerns of those of us who live on Lombardy West of Fenwick.

Thank you very much,

Ann Leatherman

Lombardy resident.

From: [Drew Cadenas](#)
To: [Cobbs, Kendra](#)
Subject: Closing of lombardy at Fenwick
Date: Friday, August 11, 2023 9:12:23 AM



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Dear Mrs Cobbs,

I am writing to you to express my displeasure at the proposed closing of Lombardy where it intersects with Fenwick Rd. I understand this closure is at the request of residents of Chickasaw gardens, to keep us 'riff-raff' away from their gated island. The city of Memphis operates a public park in Chickasaw gardens. Closing the road will negatively impact any and all users of that park, and will allow Chickasaw gardens to have their own private park maintained by city tax dollars. Additionally, Lombardy is a public road. If Chickasaw gardens wishes to close it I presume the city will no longer pay for maintaining the road? Or will we be on the hook for that as well? What happens when, and I do mean when, someone decides they don't like the gate and runs through it? Will my tax dollars be used to replace it? This entire incident is a gross display of the wealthy using their power to screw over everyone else for a slight gain to themselves. I urge you not to allow this proposed road closure to go through.

Many thanks,

From: [MARY WALKER](#)
To: [Cobbs, Kendra](#)
Subject: closing off Lombardy at Fenwick
Date: Thursday, August 10, 2023 3:09:57 PM

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Ms Cobbs, I would also point out that Lombardy is a public street leading to a public lake and it should be illegal for a private interest group to fence it off. thank you again, sincerely, Mary Walker (2724 LOMBARDY)

From: [Renee Williford](#)
To: [Cobbs, Kendra](#)
Subject: Closure of Lombardy Ave. at Fenwick
Date: Monday, August 14, 2023 8:55:07 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender willifordrenee@icloud.com

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Ms. Cobbs,

Please note that we oppose the closure of Lombardy Avenue at Fenwick. We don't appreciate that Chickasaw Gardens was trying to get administrative approval for the closure without properly notifying those affected by the closure. What a sneaky thing to do!

We hope the Planning Board will carefully consider this case. Thank you!

Regards,

John and Renee Williford
2806 Lombardy Avenue
Memphis, TN. 38111

Sent from my iPhone

From: [MARY WALKER](#)
To: [Cobbs, Kendra](#)
Subject: Fenwick
Date: Thursday, August 10, 2023 2:48:44 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender mmhoon@bellsouth.net

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I am very opposed to this plan to close off Lombardy at Fenwick. I live on Lombardy (2724 Lombardy) and I think this is a racially motivated plan that will benefit nobody. Please DON'T ALLOW IT! Thank you very much, Mary Walker

From: [Dale Engelberg](#)
To: [Cobbs, Kendra](#)
Subject: Fw: Failure Notice
Date: Wednesday, August 23, 2023 5:49:15 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender deengelberg@yahoo.com

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i hope this gets to you
DEE

----- Forwarded Message -----

From: MAILER-DAEMON@yahoo.com <mailer-daemon@yahoo.com>
To: "deengelberg@yahoo.com" <deengelberg@yahoo.com>
Sent: Wednesday, August 23, 2023 at 05:28:59 PM CDT
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<Kendra.Cobbs@memphis.gov>:

No mx record found for domain=memphis.gov

----- Forwarded message -----

i just received information to share information to you by today about the proposed street closures around Chickasaw Gardens. i have lived just south of Chicasaw Gardens for the past 49 years. i have thoroughly enjoyed walking almost daily at the lake with from one to three dogs and occasionally friends. i have many lovely photographs of the lake and trees with a special project of photographing the park during each season.

The first 'surprise' was losing access to the city park within Chickasaw Gardens from Poplar as two gates kept me from driving to the lake on the way home from work. That used to be an immediate stress reducer. that happened as a 'housing development' was built next to Poplar within Chickasaw Gardens and claimed the street entrance as their own. i never saw any announcement or publicity about this closure. another street closure came when another 'housing development' was built next to Lafayette at the northeastern end of CG.

I have used all the city streets with now only Fenwick and Lafayette to gain access to the light at Goodwyn and Central to cross at busy times of day.

I have always driven accross Central to one of the city street entrances for my safety and the safety and calmness of my dogs to get to the park. I live a block south of Chickasaw Gardens. the streets have no sidewalks and are uneven for drainage, making it unsafe and painful to walk. after four ruptured disks and two back surgeries, the flat walk around the lake is the most comfortable and very beautiful. going slowly around the lake for my puppy sniffing, exploring, and visiting helps me as well.

The streets need to remain open for all Memphis residents to access a public park. The wealthy residents of Goodwyn and Chickasaw Gardens repeatedly try to limit access on city streets where they live. Goodwyn got large speed bumps when a wall at one end of the street was not approved. i would like to see the children who supposedly play in the front yards and need protection from the two lane street as the reason for slowing traffic! once i saw a father play football with his two small children, and most of the yards have fences. after walking at the lake in Chickasaw Gardens most days, i often see the security guard patrolling and we wave as he passes. in 49 years, i once saw a suspicious looking male wandering through yards and the guard agreed to investigate the situation - and with no

additional gates!

Dale Engelberg

From: [Wright, Britney](#)
To: [Cobbs, Kendra](#)
Cc: [Crichton, Liza](#)
Subject: FW: PROPOSED CHICKASAW GARDENS ROAD CLOSURES
Date: Thursday, August 24, 2023 10:08:13 AM

Kendra,

A constituent emailed the Council members opposing the proposed Chickasaw Gardens Road closures project. I noticed that Richard Parks had your email incorrect, so I am forwarding you the correspondence.

Have a good day! Thank you!

Britney Wright
Executive Assistant
Memphis City Council

125 N. Main St., Suite 514
Memphis, TN 38103-2017
(901) 636-6795
Email: britney.wright@memphistn.gov
Visit: [website](#)
View: [meetings](#)

From: rich parks <freeparksgm@gmail.com>
Sent: Wednesday, August 23, 2023 1:03 PM
To: Kendra.cobbs@memphis.gov; Jones, Martavius <martavius.jones@memphistn.gov>; Logan, Rhonda <Rhonda.Logan@memphistn.gov>; Colvett, Frank <frank.colvettjr@memphistn.gov>; Robinson, Patrice <patrice.robinson@memphistn.gov>; Swarengen Washington, Jana <Jana.Swarengen-Wash@memphistn.gov>; Morgan, Worth <worth.morgan@memphistn.gov>; Ford Sr., Edmund <Edmund.FordSr@memphistn.gov>; Easter-Thomas, Michalyn <Michalyn.Easter-Thomas@memphistn.gov>; Smiley, Jr., JB <JB.SmileyJr@memphistn.gov>; Johnson, Cheyenne <Cheyenne.Johnson@memphistn.gov>; Carlisle, Chase <Chase.Carlisle@memphistn.gov>; Canale, JFord <JFord.Canale@memphistn.gov>; Warren, Dr., Jeff <Jeff.Warren@memphistn.gov>
Cc: Richard Lawparks <lawparks@aol.com>
Subject: PROPOSED CHICKASAW GARDENS ROAD CLOSURES



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender freeparksgm@gmail.com

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.

Greeting to you all:

I am a life-long 70 year old Memphian and a nearby neighbor who will definitely be adversely

affected by the referenced road closures. I am therefore opposed to it and urge all council members to reject the proposal which will cause more harm to others than it will create a solution for all. I and many, many voting citizens are watching and hoping to witness your effective and equal application of the law. This is a slippery slope proposal and we don't need the camel's nose in our tent. There are other, better solutions to this special parochial proposal to a problem that plagues others even more than that seemingly privileged neighborhood. Be a courageous champions/examples for the lesser among us and you and the majority of the citizens of Memphis will no doubt benefit more in the long run.

Richard Parks
901-324-8356

From: [Julie Green](#)
To: [Ragsdale, Brett](#); [Cobbs, Kendra](#)
Subject: Fwd: OPPOSITION to SAC - 23-05: closure of Lombardy at Fenwick
Date: Thursday, August 10, 2023 3:44:55 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender juliegreen@gmail.com

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My apologies as I had Ms. Cobbs email incorrect on the previous email. Please see below.

Ms. Cobbs & Mr. Ragsdale,

I am writing to express my extreme opposition against allowing the Chickasaw Gardens Homeowners Association to gate off Lombardy Road at Fenwick.

Complicating emergency vehicle access and exercise/recreation access to all who enjoy the PUBLIC roads and PUBLIC park within Chickasaw Gardens is concerning to say the least, and elitism at worst.

As someone whose family has accessed Chickasaw Gardens via all available streets day & night to exercise, walk, and pick up/drop off my child's friends who live in the neighborhood, there aren't any reasons to justify this.

My home's value in Humes Heights is certainly tied to walking/biking access to the park and lake in that neighborhood without having to get on major roadways like Poplar or Central. Allowing my son to bike over there to meet friends is much more tenable when I know he doesn't have to get on Central to do it.

Regardless of a pedestrian gate, we all know people who often have to exercise at hours that don't fit into this "dusk to dawn" schedule. A quick check of the Poplar pedestrian gate at Chickasaw Gardens' northern boundary (Lafayette & Poplar) shows that it's always locked, no matter the time of day. I feel confident CGHA won't follow through with making sure additional gates are unlocked, either, providing even less access to the area neighborhoods.

CGHA says "security of the neighborhood" is their reasoning for this request. A quick search of crimes in Chickasaw Gardens shows exactly TWO crimes happening in the entire year of 2023 to date: one case of misdemeanor vandalism, and another case of counterfeit/forgery - not exactly the huge numbers or types of crime to warrant closing off public streets & parks.

They are clearly using the uptick in crime in the overall Memphis metro to try to create an exclusionary gated neighborhood - bit by bit they're trying to wall themselves off - years ago they were allowed to close off access to Poplar with the promise of a pedestrian gate that would remain open (but yet is always locked).

Chickasaw Gardens currently has the MPD camera systems for surveillance, as well as a 24/7 security patrol. They also have the ability to reach out to MPD to request additional patrols, as all of our neighborhoods do.

While I certainly empathize and agree with citizens concerned about crime, that concern doesn't enable neighborhoods to wall themselves off from the city in which they are choosing to reside. I feel confident that any attempts of more "middle class" areas like Humes Heights, Fenwick, Joffre, Red Oaks, Central Gardens or High Point to gate off their neighborhood from their surrounding communities would be met with rejection. In fact, in the case of Central Gardens, it's already been rejected, to my understanding. This request from Chickasaw Gardens should be rejected as well.

Perhaps the residents of Chickasaw Gardens who feel gates are needed should consider moving to an existing gated community that pays for their own roads and parks...outside the heart of the city they want to close themselves off from. They should not be allowed to turn public streets & parks into their own private gated community, and reduce home values all around them by doing so.

Please reject both requests SAC-23-05 and SAC-23-04.

Thank you in advance for your attention to this matter,

Julie Green
2770 Iroquois Road
Memphis, TN 38111
901.240.3863

From: [rich_parks](#)
To: [Cobbs, Kendra](#)
Subject: Fwd: PROPOSED CHICKASAW GARDENS ROAD CLOSURES
Date: Friday, August 25, 2023 7:38:18 PM

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----- Forwarded message -----

From: rich parks <freeparksgm@gmail.com>
Date: Wed, Aug 23, 2023, 1:02 PM
Subject: PROPOSED CHICKASAW GARDENS ROAD CLOSURES
To: <Kendra.cobbs@memphis.gov>, <Martavius.Jones@memphistn.gov>, <Rhonda.Logan@memphistn.gov>, <frank.colvettjr@memphistn.gov>, <Patrice.Robinson@memphistn.gov>, <Jana.Swearengen-Wash@memphistn.gov>, <Worth.Morgan@memphistn.gov>, <Edmund.FordSr@memphistn.gov>, <Michalyn.Easter-Thomas@memphistn.gov>, <JB.Smileyjr@memphistn.gov>, <Cheyenne.johnson@memphistn.gov>, <Chase.Carlisle@memphistn.gov>, <Jford.canale@memphistn.gov>, <Jeff.Warren@memphistn.gov>
Cc: Richard Lawparks <lawparks@aol.com>

Greeting to you all:

I am a life-long 70 year old Memphian and a nearby neighbor who will definitely be adversely affected by the referenced road closures. I am therefore opposed to it and urge all council members to reject the proposal which will cause more harm to others than it will create a solution for all. I and many, many voting citizens are watching and hoping to witness your effective and equal application of the law. This is a slippery slope proposal and we don't need the camel's nose in our tent. There are other, better solutions to this special parochial proposal to a problem that plagues others even more than that seemingly privileged neighborhood. Be a courageous champions/examples for the lesser among us and you and the majority of the citizens of Memphis will no doubt benefit more in the long run.

Richard Parks
901-324-8356

From: [Paula Payton](#)
To: [Cobbs, Kendra](#)
Subject: Gate at Fenwick
Date: Tuesday, August 22, 2023 8:57:06 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender paypetalpop@icloud.com

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Hello Kendra,

I am a homeowner on 205 South Fenwick at Lombardy. I am against the gate for several reasons.

Using Crime is an excuse...Chickasaw does not have any more crime than anywhere else in the city...instead of closing it off why don't we address the real issues of Memphis.

How is closing at Lombardy going to do any different if you have East and West Chickasaw still open.

Even though I am right outside of this proposed gate my neighbors as well as myself enjoy our walks through the area and am relax at the park when we can.

Now, what I can complain about is the constant speeding traffic that flows as a cut through from Poplar to Central!

Also, I feel like the west side Lombardy is getting the short end of the stick with this as well!!

This city is divided already. The beauty of this area is that I enjoy my neighborhood and my neighbors that I know....even those that I don't know have always been very neighborly.

Again,

I am against this gate!

Sincerely,

Paula Rush Payton

From: [David Henderson](#)
To: [Cobbs, Kendra](#)
Subject: In opposition to new gating for Chickasaw Gardens
Date: Saturday, August 19, 2023 8:14:34 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender dhenderson2@unl.edu

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I want to express my concerns about the proposal for further closures of access to Chickasaw Gardens. For a number of years I lived on Lafayette Circle and enjoyed the access provided by the one remaining gate on Lafayette. My wife and I enjoyed regularly walking the area and park. I now live downtown, but my daughter and family lives in the area and take advantage of such walks. (I now live in downtown Memphis.) Certainly for those many living near the park, it affords a very pleasant walk, and one that would be a little less accessible were they to need to walk to and along Central for some significant additional distance. I think that such access to a public park should be maintained—the residents of the area have such, and those in associated neighborhoods should not be disadvantaged. Please, no more gating and closures. It is worth noting that the one gate that was previously installed off Lafayette was originally to afford pedestrian access--but somehow that gates have come to be long locked.

David Henderson

66 S Front St

Memphis, TN 38103

Robert R. Chambers Professor of Philosophy

Department of Philosophy

University of Nebraska, Lincoln

315m Louise Pound Hall

PO. Box 880321

Lincoln, NE 68588-0321

From: [901 Games](#)
To: [Cobbs, Kendra](#)
Subject: Lombardy/fenwick closure
Date: Monday, August 14, 2023 1:22:49 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender 901gamesmemphis@gmail.com

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'm writing to you to express my concerns against the closure of the Lombardy entrance from Fenwick to through traffic. We are all citizens of the same city and we share the same rights to access all our city parks and streets. We all pay out taxes. It seems to me that certain citizens of certain income brackets seem to not only want to control though access to their neighborhood but also easy access to a city park in their area. I'm not sure how they think the closure of this entrance will enhance the city in general. It seems to my that it is self serving and adds no benefits but to themselves. As a resident of Humes Heights I oppose this closure. Thank you for your time.

Shannon Merritt
35 N Humes

From: [Susan Daniel](#)
To: [Cobbs, Kendra](#)
Date: Saturday, August 19, 2023 11:38:26 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender swfdaniel50@gmail.com

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Dear Ms. Cobbs,

I am writing you concerning the proposal to put a gate on the corner of Fenwick and Lombardy Avenue (SAC 23-05). I am opposed to this gate for multiple reasons. The stated purpose of the gate is to cut down on crime, and yet, there will still be multiple entrances to Chickasaw Gardens from Central. I cannot imagine that a partially gated community is any safer than a non-gated community. The proposal states that the 3 remaining entrances will be easier for the security guards to monitor who enters the neighborhood. What are the criteria for who needs to be monitored, and what does monitoring consist of?

Chickasaw Gardens also has a city park that sits right in the middle of the neighborhood. This park is enjoyed by people from the surrounding neighborhoods, as well as the residents of the Gardens. Out tax dollars help maintain that park, and making it more difficult to access the park seems to defeat the purpose of what a city park is designed for.

I also oppose gating of entire neighborhoods. PUDS are designed to be gated, a neighborhood of over 300 homes is not. If this neighborhood is allowed to gate entrances, then a precedent will be set for any other affluent neighborhood to gate their entrances. Memphis will become a city of gated enclaves, rather than a community of neighbors. I believe when Memphis is trying to attract businesses or employees from other cities, that large gates and fences closing off nice neighborhoods is a horrible image to project.

For these reasons, I hope you will turn down the proposal to gate off Chickasaw Gardens. Thank you for your consideration.

Sincerely, Susan Daniel



Visit our [website](#)

From: webapps.test@shelbycountytn.gov <webapps.test@shelbycountytn.gov> on behalf of DEVELOP 901 <webapps.test@shelbycountytn.gov>
Sent: Thursday, November 2, 2023 9:41 AM
To: nidia.logam@memphistn.gov <nidia.logam@memphistn.gov>; Miller, Breana <Breana.Miller@memphistn.gov>
Subject: [Contact Us] Road Closures in Chickasaw Gardens

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Marjorie Champion (not verified) (marde_champion@yahoo.com) sent a message using the contact form at <https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.develop901.com%2Fcontact%2Ffeedback&data=05%7C01%7CBreana.Miller%40memphistn.gov%7C20c2ba853abb416ab4230>

Message

Please do not approve the road closures in Chickasaw Gardens, the park is for everyone. I live on Central & walk this park frequently along with others. The ducks, trees, ability to exercise in a lovely environment for everyone in the area. This will set a presedent for other neighborhoods. We love this park and walking around the Pink Palace. Please I am asking for all in the neighborhood to disallow the HOA's request to gate all entries to Chickasaw Gardens. We (I) need a beautiful, serene place to walk and experience nature and this park is for everyone to enjoy not just the wealthy land owners around this park. Thank you for your time in this matter. Please contact me with any questions you may have or wish to discuss. Marjorie Champion

From: [Dana Price](#)
To: [Cobbs, Kendra](#)
Subject: No more gates!
Date: Wednesday, August 16, 2023 10:12:29 PM



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We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Dana Mansolillo

From: [ALAN CRONE](#)
To: [Cobbs, Kendra](#)
Subject: Objection to SAC 23-04 and SAC 23-05
Date: Wednesday, August 16, 2023 11:54:39 AM



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Dear Ms. Cobb:

I object to * SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette, and SAC 23-05: CHICKASAW GARDENS: close and vacate Lombardy Rd. between S. Fenwick Rd. and Cherokee Dr. for the following reasons:

1. I have lived at the corner of Fenwick Rd. and Lombardy Rd. for almost twenty years, and the closure of Lombardy into Chickasaw Gardens will negatively impact my property values
2. I regularly walk in Chickasaw Gardens and around the lake in the early morning before work or in the evenings after dinner. Forcing neighbors to cross Fenwick at Central Avenue (since there is no sidewalk on the east side of Fenwick), where there is no traffic light, higher traffic volume, and higher risk of crime generally on Central Avenue, creates a greater risk of harm to the neighbors seeking access to public property
3. I also often walk through Chickasaw Gardens, exit the neighborhood on Lafayette, and walk through the neighborhoods on the east side of Chickasaw Gardens, avoiding walking directly along Central Avenue
4. Lombardy Road and Lafayette are public streets accessing a public neighborhood containing a public park owned and maintained by the City of Memphis
5. To my knowledge, Chickasaw Gardens has produced no data suggesting the actual crime rates in the neighborhood could reasonably justify the proposed gates or that the proposed gates will actually deter crime in the neighborhood. Crime statistics from the Memphis Daily News Crime Report Map for the period 1/1/2023-8/16/2023 list three reported crimes during the period; two vehicle vandalizations, and one counterfeiting/forgery crime. This is lower than the five reported crimes for the same

time period in 2022, and the five crimes reported for the same period in 2020. (There were no reported crimes listed for 2021). While any crime is unacceptable, these numbers do not appear to justify the financial and psychological harm inflicted on the surrounding neighbors that these gates would cause

Allison S. Crone

From: [Nicholas Gullie](#)
To: [Cobbs, Kendra](#)
Subject: OPPOSE SAC 2023-05 Lombardy Road Closure
Date: Thursday, November 2, 2023 3:36:32 PM

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.

Planner Kendra Cobbs & the Memphis and Shelby County Land Use Control Board-

I have previously submitted this letter of opposition when this case was on past agendas, but am resending my opposition now as this application has been resubmitted, with little notice, for the November 9th meeting.

I am writing to you today on behalf of myself and my wife, Lucienne Auz. We live at 199 S Humes St in Memphis. Our home is 1 & 1/2 blocks, or approximately 1030 feet from the proposed street closure at Lombardy and Fenwick.

I would like you to know that we OPPOSE this request to close Lombardy Road and create a private gated entrance. Our opposition applies both to the closure of the street at Lombardy as well as on the east side of Chickasaw Gardens at Lafayette Place.

We oppose this request because it would limit access for all citizens to a public park space at Chickasaw Gardens Lake, in a city which overall lacks in adequate access to quality public park spaces. Both I and my wife like to regularly walk to this park from our home and we believe that our access would be limited by the proposed gate. In addition to pedestrian access, we also sometimes find it necessary to drive east on Lombardy past Fenwick due to traffic constraints at Fenwick and Central Ave when traveling east. The intersection at Fenwick and Central Ave does not have a traffic light and sometimes it becomes difficult to make a left turn.

An additional vehicle traffic concern is that by installing a private, electronically controlled gate at Fenwick and Lombardy it would create a traffic hazard as vehicles would need to stop in the middle of Fenwick and wait for the gate to open, on a street that has hills and limited visibility. I believe this would create a heightened possibility for accidents at this intersection both for cars entering into and turning out from the Chickasaw Gardens neighborhood.

I also believe that the applicants and their representatives at SR Consulting have not acted in good faith in approaching the surrounding neighbors to build consensus in supporting these measures. This group has not sought input from myself or any of my other neighbors that I am aware of. No public meetings or requests for input have been made. Instead they wish to get their application passed with as little input and possibility for discussion as possible.

While I understand the safety concerns of the citizens who have requested this street closure, I do not believe the solution is to wall ourselves off from our neighbors and create further divisions.

Thank you for taking the time to read my concerns.

Nicholas Gullic and Lucienne Auz
199 S Humes St. Memphis, TN 38111

From: [Nicholas Gullie](#)
To: [Cobbs, Kendra](#)
Cc: [Lulu](#); [Ragsdale, Brett](#)
Subject: OPPOSE SAC 2023-05 Lombardy Road Closure
Date: Monday, August 14, 2023 8:42:25 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender gullinr@gmail.com

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.

Planner Kendra Cobbs & the Memphis and Shelby County Land Use Control Board-

I am writing you today on behalf of myself and my wife, Lucienne Auz. We live at 199 S Humes St in Memphis. Our home is 1 & 1/2 blocks, or approximately 1030 feet from the proposed street closure at Lombardy and Fenwick.

I would like you to know that we OPPOSE this request to close Lombardy Road and create a private gated entrance. Our opposition applies both to the closure of the street at Lombardy as well as on the east side of Chickasaw Gardens at Lafayette Place.

We oppose this request because it would limit access for all citizens to a public park space at Chickasaw Gardens Lake, in a city which overall lacks in adequate access to quality public park spaces. Both I and my wife like to regularly walk to this park from our home and we believe that our access would be limited by the proposed gate. In addition to pedestrian access, we also sometimes find it necessary to drive east on Lombardy past Fenwick due to traffic constraints at Fenwick and Central Ave when traveling east. The intersection at Fenwick and Central Ave does not have a traffic light and sometimes it becomes difficult to make a left turn.

An additional vehicle traffic concern is that by installing a private, electronically controlled gate at Fenwick and Lombardy it would create a traffic hazard as vehicles would need to stop in the middle of Fenwick and wait for the gate to open, on a street that has hills and limited visibility. I believe this would create a heightened possibility for accidents at this intersection both for cars entering into and turning out from the Chickasaw Gardens neighborhood.

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While I understand the safety concerns of the citizens who have requested this street closure, I do not believe the solution is to wall ourselves off from our neighbors and create further divisions.

Thank you for taking the time to read my concerns.

Nicholas Gullic and Lucienne Auz
199 S Humes St. Memphis, TN 38111

From: [Lauren Goller](#)
To: [Cobbs, Kendra](#)
Subject: Opposed to Chickasaw Gardens gating
Date: Thursday, August 17, 2023 11:45:58 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender lauren.goller@gmail.com

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.

Hello Kendra,

As a concerned citizen of Memphis and homeowner in Joffre, I highly oppose the community of Chickasaw Gardens closing their entrances by gate. I often walk over in that area and visit the public park because it's nice and quiet and scenic, and I live a block away. By gating access, they would be excluding nearby tax payers from visiting a park they pay for. I do not believe their privilege should dictate such measures. If you want to gate off access to their community, then we should gate off access to other communities as well. They shouldn't be able to drive through or visit other neighborhoods either. It's unfair and as someone who pays taxes who lives nearby, I'm infuriated this is even on the table for discussion.

Thanks,
Lauren Goller
Resident of Joffre

Sent from my iPhone

From: [Cathy McDonald](#)
To: [Cobbs, Kendra](#)
Subject: Opposition Letter to Chickasaw Gardens Street Closures scheduled TRA 8/24/2023
Date: Sunday, August 20, 2023 4:53:45 PM
Attachments: [Chickasaw Gardens Proposed Street Closures Opposition Letter.pdf](#)



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender cathyacmcdonald@gmail.com

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Ms. Cobb,

Attached please find my letter of opposition to items 12 and 11 on the agenda for LUCB review on August 24, 2023.

I am unable to attend this meeting in person, and will not be able to attend the meeting in September either due to work obligations. I do wish for my opposition to these matters to be on record.

Kindest regards,
Cathy McDonald

From: [Steve Wills](#)
To: [Cobbs, Kendra](#)
Subject: Opposition to Requested Road Closures, SAC 2023-004 and SAC 2023-005
Date: Sunday, September 17, 2023 2:49:46 PM



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Ms Cobb:

I would like to speak against the proposals to vacate the rights-of-way at both Fenwick & Lombardy as well as Lafayette Place & East Goodwyn. Applications for these actions, SAC 2023-004 and SAC 2023-005, respectively, were submitted by the Chickasaw Home Owners Association (CGHOA). My wife and I live on Lombardy, just west of Chickasaw Gardens, per se, and 100 yards or so beyond the distance mandating required notification. We found out about it from neighbors and later observed the required signage at each of the intersections.

I object to approval of these closures for the following reasons:

Potential negative impact on our own property value ...

Despite the innocuous rendering of the proposed gates, I believe that they will be no more aesthetically pleasing than the brick wall(s) running along the east (Chickasaw Gardens) side of Fenwick as well as the west side of Lafayette. Beyond the question of "how does it look", would be the implication that "our" section of Lombardy is unsafe, otherwise why would the gate be needed? Of course, that could certainly have a depressive impact on our residences and future resale value.

Convenience ...

Although this is certainly a personal item, my wife and regularly transit the Chickasaw Gardens, using one or both proposed points of closure. We do this by automobile, bicycle, as well as foot, when we walk our dog.

Privatization of Public Assets ...

That roadways are paid for by taxpayer dollars and are, therefore, public resources, utilized and shared by all citizens and residents of the community, how is it that these roadways can now be placed into the hands of a small private entity, i.e. the (CGHOA), simply as a result of an application submission and its approval? It does not seem appropriate to use the taxpayer dollars of all citizens, regardless of any pro-rata basis, to facilitate the creation of a de facto private, gated community.

History of Reduced Access to Chickasaw Gardens Subdivision ...

Based on the original subdivision platte(s)/maps from 1926, there were 13 separate points, intersections or roadways, providing direct access to Chickasaw Gardens. I cannot say with certainty that the reality of the implementation exactly matched the plan, but today there are 5 points of access. Assuming that the construction matched the plan, 8 points of access have been blocked or built over. I cannot say when they became "missing" from the street maps,

except that Tilton was closed in relatively recent years. Nevertheless, the trend of reduced access since initial design and implementation is obvious.

Currently, approximately 1.8 miles of the subdivision's roughly 2.2-mile circumference is already walled or fenced; that is 82% of the neighborhood. If both of these closures are approved, there will be only 3 points whereby the public will find ingress to or egress from the Chickasaw Gardens subdivision and the walled-off portion of the neighborhood will climb at 86% of the distance around the area. Given this trend, one could forecast that within the next 20 years, all points of access will be closed or gated, despite the presence of a public park within the subdivision.

Reason: "Neighborhood Security" ...

Additionally, although the stated reason for the application is "Neighborhood Security", I do not find any objective data or research regarding criminal activity or even the anticipated reduction of pass-thru traffic. For example, was there a reduction in property crimes after Tilton was closed? Or what is the relationship between crime in an area as a function of the length of a contiguous perimeter? Without such evidence, I must consider the possibility that it is really neighborhood "comfort", rather than actual security. I suspect that the installation and utilization of Flock security cameras might be an equally effective and more efficient/costly resource for bolstering neighborhood security. I also believe that there is good data supporting that.

Unfortunately, from my perspective, I do not believe I can offer a totally rock-solid, inarguable point against this proposal, i.e. no reason you and your office can use to defend a denial of the application, even if such a denial were argued against, all the way to the US Supreme Court, as was the case in *City of Memphis v. Greene*, 451 U.S. 100 (1981). However, to me, it doesn't feel right to further restrict access to this neighborhood, seemingly another white-washed reason for the exercise of exclusivity, partly funded by the public and, in my opinion, possibly based on hysteria, bias, or other unspoken reason.

I certainly understand the desire to, at worst, wall out "the others" and, at best, to reduce extraneous traffic transiting a neighborhood; I believe that our 400+ yards of Lombardy, between Buntyn and Fenwick, immediately west of Chickasaw Gardens appears to experience far more such traffic than any part of Chickasaw Gardens. So, I definitely understand the sentiment, but I do not understand how my neighbors believe that I, or any other citizen, should be denied access to the area nor how that denial will truly improve their neighborhood security.

Thank You,
Steve Wills

From: [John Garza](#)
To: [Cobbs, Kendra](#)
Cc: [Ragsdale, Brett](#)
Subject: Opposition to SAC 23-04 and SAC 23-05
Date: Thursday, August 17, 2023 4:25:06 PM



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Technical Review Committee and Land Use Control Board,

I'm a resident in Humes heights at 2754 Lombardy Ave. I'm writing to you to express my opposition to SAC 23-04 and SAC 23-05; Chickasaw Gardens' applications to close the streets at Fenwick and Lombardy and at Goodwyn and Lafayette Pl. I like many of my neighbors exit onto Central from the stop light at Goodwyn, and we encourage our children to do so for safety reasons. The intersection of Fenwick and Central Ave as well as the intersection of Buntyn and Central Ave. are both dangerous due to limited sight lines and the speed of traffic, especially during evening hours. The proposed gate at Fenwick would force even more traffic into an already dangerous intersection. There are numerous police reports of cars traveling at excessive speed down Central, and adding cars entering unprotected will undoubtedly increase accidents.

Further, the closing off or limiting access to a public street in a residential neighborhood that restricts access to publicly maintained streets, a city park and lake is outrageous. The desire to control crime is one we all share. But there is no evidence that the crime rate will be reduced by the proposed closures.

This proposed change is in direct contrast to the Land Use and Control Boards, Memphis 3.0 initiative. The City of Memphis supports the 10-Minute Walk campaign sponsored by the Trust for Public Land, National Recreation and Park Association, and Urban Land Institute. (Taken from the City of Memphis Park Services Master Plan, 2020 Executive Summary (https://www.memphis3point0.com/_files/ugd/100a0d_2e205537bc844e98b44c69182f3a2ca0.pdf), Noted on page 24 of only 45.8% of Memphians are within a 10-minute walk of a park. These proposed closures would limit access and increase the distance that our elderly or otherwise mobility challenged neighbors would need to traverse to access the Chickasaw public park. The brochure states that "In order to close this gap by 2050 (the target date of the 10-Minute Walk movement), partnerships to

create and facilitate increased public access will be necessary." Further, on page 28 the Master Plan will "Establish partnership policies that demonstrate equity and fairness". Clearly this is NOT

demonstrating equity.

Chickasaw Gardens said the pedestrian access and gates will be open during the day but offer no assurances or recourse for the public if these gates are not accessible each day. This language is not what demonstrates responsibility, nor does it meet the level of trust a city can place on a neighborhood association to ensure access for the citizens who pay for the streets and public spaces within the proposed closure.

For these reasons I remain opposed and ask for your assistance to stand against this proposed closure.

Regards,

John Garza

From: [Lynn Paczkowski](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#)
Cc: [Morgan, Worth](#); [Carlisle, Chase](#)
Subject: Opposition to SAC 2023-05 S. Fenwick Cherokee Dr Binder 1
Date: Thursday, August 10, 2023 8:25:36 PM

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SAC 2023-05

Dear Ms Kendra Cobbs,

It's been brought to my attention that the Chickasaw Garden's homeowners association is now officially pursuing the closure of Lombardy Road at Fenwick Road to non-Chickasaw Garden residents by closing the road and installation of an automatic emergency and egress gate via SAC 23-05. I previously voiced opposition via email on 1/12/23 to Brett Ragsdale when we first heard of Chickasaw Garden's intent. Although there have been previous letters against this closure, this case is being considered as a minor modification to be reviewed on August 24, 2023.

As a resident of the Humes Heights neighborhood that sits directly west of that intersection and a representative of the Humes Heights Neighborhood, I am deeply concerned. Lombardy Road is a public street that allows direct access from our neighborhood to the Chickasaw Garden Park. Like many of my neighbors, the ease of access to that quiet area via walking or automobile was a factor when I purchased my home. If ingress and egress is limited to Central Avenue for non Chickasaw Garden residents, it will increase traffic and risk by unnecessarily forcing neighbors who walk, ride bikes, or drive onto a busy street to access the Chickasaw Garden area and public park. Leaving a pedestrian gate open from dusk to dawn on Lombardy that might now be considered private property is not sufficient.

The application states that security of the neighborhood is their rationale. That is a concern of most residents of Memphis. We need to think of the ongoing impact of allowing each neighborhood to cite crime as the reason to close public streets and making access to city parks more difficult. Rather than closing a road (two if you take into consideration SAC 23-04) I would suggest Chickasaw Garden's look at other alternatives such as neighborhood watch, working as mentors to city's youth, support the police department or hiring a larger security team just to name a few.

“Memphis will be a city that anchors growth on strengths of the core and neighborhoods; a city of greater connectivity and access; a city of opportunity for all. “

Turning one block of Lombardy Road from a public road into a private drive, only accessible to Chickasaw Garden residents, does not feel in alignment with this quotation from the Memphis3point0.com website. An automatic gate limits access, disconnects

neighborhoods, and make access to a city park intentionally more difficult by way of exclusion.

For the reasons above, I am in opposition and ask that you reject SAC 23-05 to close and vacate Lombardy Road between S. Fenwick Road and Cherokee Drive reducing connectivity and access.

Thank you for taking my concerns and those of my neighbors into consideration.

Respectfully,
Lynn Paczkowski
Humes Heights Neighborhood
14 N Humes Street
Memphis, TN 38111
901-212-9439

From: [Julie Green](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#); [Linda Sowell](#); [Alex McCormick](#)
Cc: [mwsharp@bellsouth.net](#); [Scott Fleming](#); [brown@gillprop.com](#); [Tolesassoc@aol.com](#); [dlyleswallace@comcast.net](#); [jmckinnoncre@gmail.com](#); [jenniferbethoconnell@gmail.com](#); [dkthomas@gotci.com](#); [lisa@ethridgeenterprises.com](#); [Morgan, Worth](#)
Subject: OPPOSITION to SAC-23-05 (and SAC-23-04)
Date: Friday, September 1, 2023 11:24:09 AM

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Ms. Dobbs & Mr. Ragsdale, and members of the Land Use Control Board:

I am writing to express my extreme opposition against allowing the Chickasaw Gardens Homeowners Association to gate off Lombardy Road at Fenwick.

Complicating vehicle access and exercise/recreation access to all who enjoy the PUBLIC roads and PUBLIC park within Chickasaw Gardens is concerning to say the least, and elitism at worst.

This attempt is a direct violation of the Memphis 3.0 plan, which the Land Use Control Board adopted in 2019, which clearly states that the goal is to make Memphis "a city of GREATER connectivity and access."

My family has accessed Chickasaw Gardens via Lombardy at Fenwick day & night to exercise, walk, and pick up/drop off my child's friends who live in the neighborhood. I can currently drive through Chickasaw Gardens to access the light at Central & Goodwyn, which has a clear, unobstructed view to turn, unlike the light at Central and Buntyn, which has a sharp curve.

If Eliza Fletcher's death taught us anything, it's that people exercise at times that don't meet the "dusk to dawn" timeframe. Regardless of CGHA's supposed plan to have a pedestrian gate installed, we all know people who often have to exercise at hours that don't fit into this "dusk to dawn" schedule. Pushing local neighborhood residents to Central is NOT an answer.

There is no way to ensure that CGHA will follow through with making sure any pedestrian gates are actually installed, and certainly no way to guarantee that they would be unlocked in perpetuity, providing even less access to the area neighborhoods.

My home's value in Humes Heights is absolutely tied to easy access to the park and lake in that neighborhood without having to get on major roadways like Poplar or Central.

CGHA says "security of the neighborhood" is their reasoning for this request. Crime data from MPD in Chickasaw Gardens shows exactly SIX crimes happening in the entire year of 2023 to date, two of which are "counterfeit/forgery" charges. Six reported crimes over nine months does not equate to a crime wave:

<https://www.memphisdailynews.com/CrimeReport.aspx>

(Attached: screen shot of crimes reported in the entirety of Chickasaw Gardens)

Chickasaw Gardens is using the uptick in crime in the overall Memphis metro to try to create an exclusionary gated neighborhood bit by bit.

Several years ago they were allowed to close off access to Poplar. Brick walls were built along Lafayette and Fenwick, and CG homeowners have failed to keep overgrown areas from encroaching onto Fenwick in particular, making it difficult for automobile traffic.

Now they are trying to close access at Fenwick and Lafayette. The eventual next move will be to close access at Central, citing that all previous attempts "didn't stop crime" yet again.

Chickasaw Gardens currently has MPD camera systems for surveillance, as well as a 24/7 security patrol. They also have the ability to reach out to MPD to request additional patrols, as all of our neighborhoods do.

While I certainly empathize and agree with citizens concerned about crime, that concern doesn't enable neighborhoods to wall themselves off from the city in which they are choosing to reside. I feel confident that attempts of more "middle class" areas like Humes Heights, Fenwick, Joffre, Central Gardens or High Point to gate off their neighborhood from their surrounding communities would be met with rejection.

Perhaps the residents of Chickasaw Gardens who feel gates are needed should consider moving to an existing gated community that pays for their own roads and parks...outside the heart of the city they want to close themselves off from. They should not be allowed to turn public streets & parks into their own private gated community, and reduce home values all around them by doing so.

Please reject both requests SAC-23-05 and SAC-23-04.

Thank you in advance for your attention to this matter,

Julie Green
2770 Iroquois Road
Memphis, TN 38111
901.240.3863

From: [Julie Green](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#)
Cc: [Carlisle, Chase](#); [Warren, Dr., Jeff](#); [Canale, JFord](#); [mwsharp@bellsouth.net](#); [Scott Fleming](#); [brown@gillprop.com](#); [Tolesassoc@aol.com](#); [dlyleswallace@comcast.net](#); [jmckinnoncre@gmail.com](#); [jenniferbethoconnell@gmail.com](#); [dkthomas@gotci.com](#); [lisa@ethridgeenterprises.com](#)
Subject: OPPOSITION to SAC-23-05
Date: Tuesday, October 31, 2023 12:30:15 PM

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Ms. Dobbs & Mr. Ragsdale, representatives of the Memphis City Council and members of the Land Use Control Board:

Given the updated LUCB agenda with these cases back on the books, I am writing to express my extreme opposition against allowing the Chickasaw Gardens Homeowners Association to gate off Lombardy Road at Fenwick.

Complicating emergency vehicle access and exercise/recreation access to all who enjoy the PUBLIC roads and PUBLIC park within Chickasaw Gardens is concerning to say the least, and elitism at worst.

It is also a blatant violation of the Memphis 3.0 plan that has been approved by the Land Use Control Board, stating "**Memphis communities desire greater connectivity and access. For Memphis to thrive, it must expand residents' ability to connect to mobility options, opportunity, and one another.**"

As someone whose family has accessed Chickasaw Gardens via all available streets day & night to exercise, walk, and pick up/drop off my child's friends who live in the neighborhood, there aren't any reasons to justify the necessity of gates.

My home's value in Humes Heights is certainly tied to walking/biking access to the park and lake in that neighborhood without having to get on major roadways like Poplar or Central. Allowing my son to bike over there to meet friends is much more tenable when I know he doesn't have to get on Central to do it.

Regardless of the offer of a pedestrian gate, we all know people who have to exercise at hours that don't fit into this "dusk to dawn" schedule. There is also no reason to believe that CGHA will ever follow through with checking to make sure any gates are unlocked every single day, providing even less access to the area neighborhoods.

CGHA says "security of the neighborhood" is their reasoning for this request. A quick search of crimes in Chickasaw Gardens shows exactly THREE crimes happening in the entire year of 2023 to date:

- one case of misdemeanor vandalism,
- one car break-in,
- one case of counterfeit/forgery

...not exactly the huge numbers or types of crime to warrant closing off public streets

& parks.

They are using the rise in crime in the overall Memphis metro to try to create an exclusionary gated neighborhood - bit by bit they're trying to wall themselves off - years ago they were allowed to close off access to Poplar, and have built walls all along Fenwick and Lafayette.

A quick drive down Fenwick shows that CG residents haven't even kept those areas clear - they have allowed overgrowth along their own walls on the western boundary of their neighborhood, to the point that cars have to drive in the opposing lane of Fenwick sometimes to get around the overgrowth.

Chickasaw Gardens currently has the MPD camera systems for surveillance, as well as a 24/7 security patrol. They also have the ability to reach out to MPD to request additional patrols, as all of our neighborhoods do.

While I certainly empathize and agree with citizens concerned about crime, that concern doesn't qualify neighborhoods to wall themselves off from the city in which they are choosing to reside.

I feel confident that any attempts of more "middle class" areas like Humes Heights, Fenwick, Joffre, Red Oaks, Central Gardens or High Point to gate off their neighborhood from their surrounding communities would be met with rejection. In fact, in the case of Central Gardens, it's already been rejected, to my understanding. This request from Chickasaw Gardens should be rejected as well.

Perhaps the residents who feel gates are needed should consider moving to an existing gated community that pays for their own roads and parks...outside the heart of the city they want to close themselves off from. They should not be allowed to turn public streets & parks into their own private gated community, and reduce home values all around them by doing so.

Please reject both requests SAC-23-05 and SAC-23-04.

Thank you in advance for your attention to this matter,

Julie Green
2770 Iroquois Road
Memphis, TN 38111
901.240.3863

From: [wynne.duong](#)
To: [Cobbs, Kendra](#)
Subject: Opposition to the Chickasaw Gardens Gates
Date: Sunday, August 20, 2023 8:20:25 PM



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To whom it may concern,

I am writing to voice my concerns about the Chickasaw Gardens gates. I live in the Humes Heights neighborhood. I think these gates would hurt all of the surrounding neighborhoods. There is a public park in that area thus it should not be gated from the general public. I oppose the placements of gates at the Fenwick entrance and all other entrances.

Sincerely,
Wynne Duong

Memphis and Shelby County Land Use Control Board
125 N Main St #477
Memphis, Tennessee 38103

September 05, 2023 (original submittal)
Updated October 31, 2023 (updates in *blue italics*)

RE: Public Comment on Case Number SAC 2023-004, “Lafayette Place Closure”, and Case Number SAC 2023-005, “Lombardy Rd. Closure”

Dear Chair Sharp and Board Members,

I am writing to express my significant concerns regarding the two referenced cases which would close public streets, limit access to park space, and significantly restrict connectivity between neighborhoods.

I write as both a resident of Joffre, the neighborhood immediately east of Chickasaw Gardens, and as a transportation engineer and planner who is concerned about the broader impacts on regional connectivity and the precedent this action would set for other communities in the region.

My concerns are as follows:

1. Public Streets Should Remain Public

Closing Lafayette Place and Lombardy Road would represent a privatization of a valuable public resource, our transportation network. In our modern era of cul-de-sacs, the development pattern of inner-loop Memphis is a refreshing throwback to a more connected, more walkable time. However, Chickasaw Gardens is already an exception to this rule, with multiple street access points blocked off by walls or gates, and now this pair of applications proposes to close access further such that there remain zero public access points from the east or west.

This proposal would very much disrupt the current neighborhood fabric, all for the sake of perceived security in a neighborhood that can already afford security patrols and a growing system of video cameras. I worry that this will set a dangerous precedent for other affluent, quasi-gated communities in the region.

In their applications, the Chickasaw Gardens Homeowners Association has indicated a willingness to include “bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy,” *which I assume is meant to read “dawn to dusk”*. While I appreciate their acknowledgment of visitors from adjacent neighborhoods, if the right-of-way vacation is approved I worry that it will not be hard for a future HOA board to renege on this promise. How will this commitment be enforced in perpetuity? What recourse will the surrounding neighborhoods have to challenge a future closure, which I see as all but inevitable?

I would additionally suggest that the Board should question the applicant further about the confusing “open from dusk to dawn” language in the applications that was noted above. The HOA’s stated proposal of including bicycle/pedestrian gates in the design that are only open during daylight hours (as described during media interviews) is already a concerningly strict restriction of access that nearby residents and students are legally entitled to have during overnight hours, as discussed in Section 3. But if the applications’ language is indeed accurate and the gates would only be open at night then this would be an egregious limitation of park access and of connectivity on the local low-stress bicycle network, as discussed in Sections 2 and 3. Access to Lafayette Place and Lombardy Road should be open to all at all times of day.

2. The Closures would Limit Access to Our Local City Park

Gating off Lafayette Place and Lombardy Road would significantly restrict access to Chickasaw Gardens Park. Chickasaw Gardens Park may have the feel of a secluded neighborhood amenity due to its small size and landlocked location within the Chickasaw Gardens Neighborhood, but make no mistake that it is a public park, owned by the City of Memphis and a valued element in our City’s network of parks.

Moreover, Chickasaw Gardens Park is the de-facto local park for several surrounding neighborhoods due to its walkable location. In addition to the Chickasaw Gardens neighborhood, Chickasaw Gardens Park also

serves Humes to the west, Midland-Goodwyn and East Buntyn to the south, and my neighborhood of Joffre to the east. My family loves having a tranquil, tree-filled park within walking/biking distance, and I fear that this proposal would make it so we can no longer make the trip on foot or by bike.

Even if the proposed gates do indeed remain unlocked during daylight hours, what chilling effect will the gates themselves have on the perception of Chickasaw Gardens Park being available for public use? I know I would certainly feel less welcome as a visitor approaching from Lafayette Place or Lombardy Road, and there are significant safety risks from the likely diversion of ped/bike access routes from the relative calm of neighborhood streets onto high-speed Central Avenue.

3. The Closures would Restrict a Key Link in the Local Bicycle Network

A major reason I am compelled to write today is that I feel that the neighborhood streets of Chickasaw Gardens are an underappreciated element in the City of Memphis' bicycle network, and adding impediments to east-west travel through the neighborhood would create a significant gap in the network.

Cyclists in the area know that the low-speed neighborhood streets of Humes, Chickasaw Gardens, Joffre, and East Buntyn provide a continuous, low-stress bike route to access regional destinations. Some representative routes are noted on the attached **Figure 1**.

The dark blue "wiggle" route through Chickasaw Gardens seen on **Figure 1** provides the connection my family in Joffre needs to access major destinations to the west while avoiding high-speed traffic on Central or Poplar. This access is not limited to nearby bike-friendly locales like Cooper-Young and Overton Park/Overton Square; the connection through Chickasaw Gardens also opens up access all the way to Downtown and over the Big River Crossing to Arkansas via the City's relatively new bike lanes on Peabody and MLK.

Again, I recognize that the HOA has indicated a willingness to include gates at the two access points and leave them "open," which I have seen alternatively quoted in media stories as "unlocked." Unlocked but closed gates would still represent a significant impediment to bike travel, as users would need to dismount to open and traverse each gate before remounting and setting off, up a hill in the case of Lafayette Road!

Furthermore, the nighttime closure that the HOA envisions ("open from dusk to dawn" per the application) would divert cyclists onto Central Avenue at a time when they are most vulnerable to being struck by drivers, and it should be noted that the portion of Central Avenue adjacent to Chickasaw Gardens does not have bike lanes and would therefore force riders to interact with high-speed traffic on a posted 40 mph road, where drivers often travel faster particularly during cruising times on evenings and weekends. Cycling during overnight hours is surprisingly common in our neighborhood, which I attribute in large part to the high student population from U of M and CBU, and the significant impact this closure would have on these populations who may not be able to afford a car should not be discounted.

I hope you will consider my concerns and vote to deny both Street and Alley Closures noted above. Lafayette Place and Lombardy Road are valuable connections to the adjacent neighborhoods, and to the region as a whole, and should remain open to all at all times.

Thank you for your attention to this matter. Please do not hesitate to contact me if you would like to discuss these concerns further.

Sincerely,

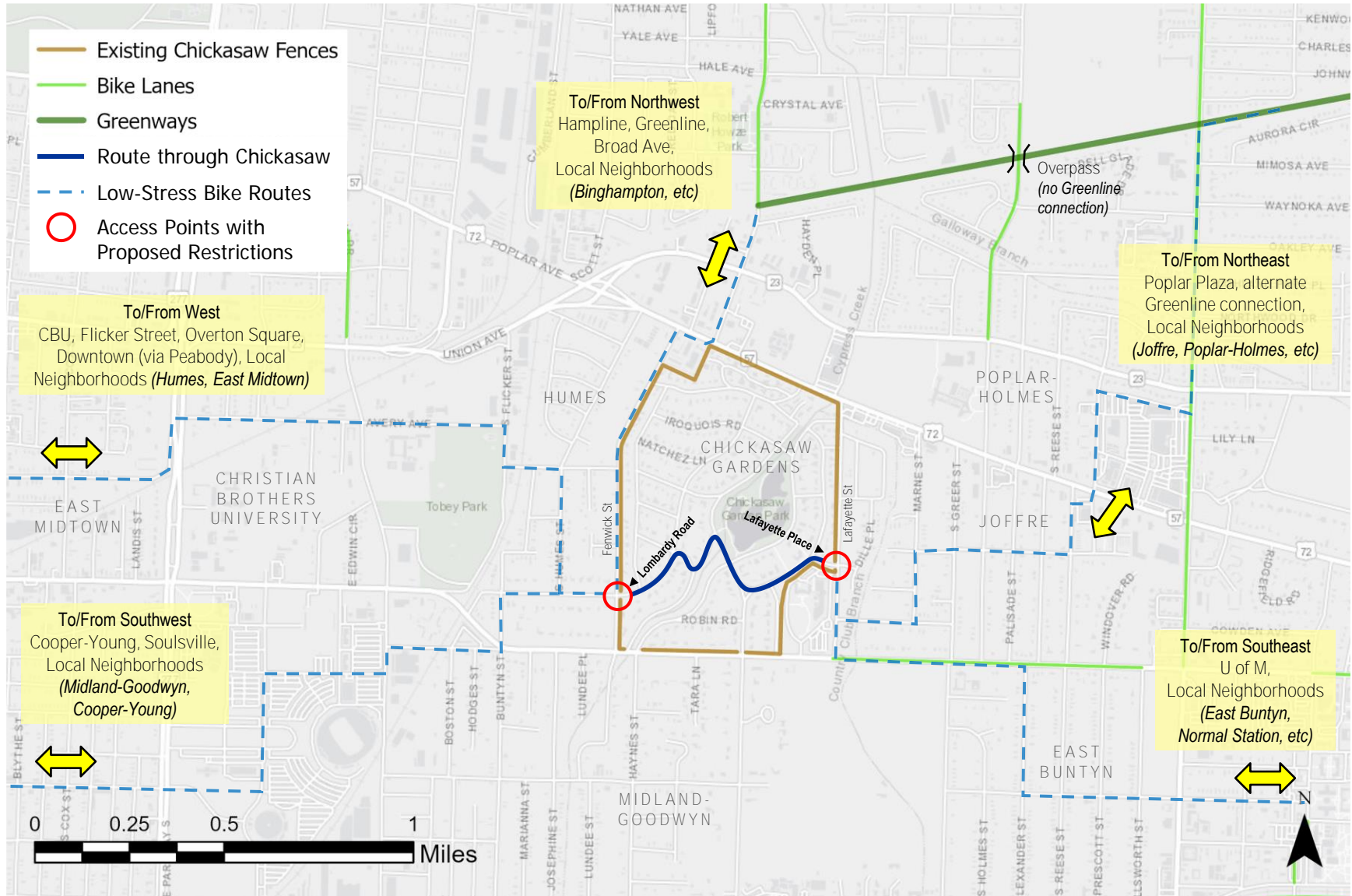


Peter Kauffmann, PE, PTOE, AICP

242 Alexander Street
Memphis, Tennessee 38111

pdkauffmann@gmail.com
804.855.9429

Figure 1: Lombardy Road and Lafayette Place (dark blue) are Critical Elements of the Bicycle Network Serving the Surrounding Neighborhoods



From: [J. Kevin Stamps, Md](#)
To: [Cobbs, Kendra](#)
Cc: [Ragsdale, Brett](#)
Subject: Proposed closing of Lombardy at Fenwick
Date: Wednesday, August 16, 2023 1:11:51 PM



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Hi Kendra,

I know you have probably already received numerous emails (one from my wife) regarding the issue of closing Lombardy Ave. at Fenwick and putting a gate there. I just wanted to send you one myself to help reflect the scope of opposition. I am very much in opposition to this proposed closure. Lombardy has long been a continuous road that connects the surrounding neighborhoods to Chickasaw Gardens. It is used frequently by citizens going to and from Chickasaw Gardens. We use this connection frequently, many time to gain access to the stoplight at Goodwyn and Central to turn left on Central Avenue. We prefer this way when we have our kids in the car due to it being much safer than all the other options.

We understand that the residents of CG feel as though their safety will be improved by closing Lombardy Ave. at Fenwick. I'm not sure that is the case, given that there will still be multiple entrances and exits left open. I would speculate that they feel they need to take some action against the increase in crime that has occurred all over the city. We all want the crime to decrease, but I don't think there is any evidence that would support that this will be solved by a gate at this location. On the contrary, putting a gate here will cause harm to many others by making it difficult for other well-intentioned Memphians to access the only real park we have in this area of the city. The bottom line is that while Chickasaw Gardens is a neighborhood, it is not a private neighborhood and has a public park right in the middle of it. All Memphians deserve to have easy access to the park and this part of the city.

I appreciate your time, Kendra. Please take into account the opposition that you have received regarding this proposed closure. As a physician, we always follow the rule to "first, do no harm". This closure would do more harm than good (and maybe no good at all).

Regards,
Kevin
2795 Lombardy Ave.

--

J. Kevin Stamps, MD
Memphis Pediatric Heart, PLLC
901-259-2440
901-568-6655 (cell)

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From: [David Norton](#)
To: [Cobbs, Kendra](#)
Subject: Proposed Closure / Access to Chickasaw Gardens
Date: Sunday, August 20, 2023 5:00:03 PM



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Ms. Cobbs,

I am writing to express my concern regarding the current petition to the Land Use Control Board to allow the closure of Chickasaw Gardens. Whereas, there would still be access from Central Avenue, the closures on Lafayette Place and Lombardy Road would greatly diminish any surrounding homeowners' ability to enjoy an early morning stroll or late afternoon walk. Furthermore, the closures completely eliminate any pedestrian access to Memphis Lake, which is one of the nicest pedestrian walkways in the city. Memphis Lake is owned by the City of Memphis and the land surrounding the lake and all non-fishing related activities are owned and managed by the City of Memphis. I would think eliminating access to tax paying residents of the City of Memphis would be a conflict of interest as well.

If the goal of the Chickasaw Homeowner's Association is to protect their neighborhood or limit drive-thru traffic, I would think there would be more well suited alternatives to explore. Perhaps the addition of gates that limit vehicle access, but still have pedestrian access points for foot traffic would be a reasonable alternative. I would think that surrounding residents (such as myself) would even be willing to pay a small stipend to the Homeowner's Association to continue to use the neighborhood for family walks, etc.

I do sympathize and understand the HOA wanting to protect their homeowner's and deter the already increasing crime in our areas, but there has to be a more thoughtful compromise, given the city owned land that is so frequently used.

A more pressing issue in my opinion is the continued dangerous speeds for which vehicles travel on Lafayette Street, between Poplar and Central. Despite the speed bumps, the street is a cut through and cars fly down the street with no regard to children or adults walking the areas. Sorry, that is off topic, but nonetheless needs addressed. I have contacted the Police Patrol Units, but not much success has been made to thwart the speeding.

I appreciate your efforts and more importantly your leadership in making Memphis a better community. Please do not hesitate to reach out to me if I can do anything for you.

Sincerely,

David S. Norton

138 Lafayette Street
Memphis, TN 38111

423-584-0807

David.s.norton10@gmail.com

From: [Harry Kemp](#)
To: [Cobbs, Kendra](#)
Subject: Proposed closure of 2 entrances to Chickasaw Gardens Neighborhood
Date: Thursday, August 24, 2023 12:14:54 PM



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Dear Ms. Cobbs,

Sorry this is late, I kept getting your email address wrong.

My wife Virginia and I live in a neighborhood associated with the Chickasaw Gardens neighborhood. We have looked at a map of Chickasaw Gardens and do not really understand how closing off the Lombardy at Fenwick and Lafayette Place at Lafayette entrances is an improvement. If people are concerned about fast moving cars just passing through, as all neighborhoods are, I do not understand where cars would be passing through to. If the home owners are concerned about crime then maybe having 3 not five ways to get into and out of Chickasaw Gardens would incrementally improve the chances of catching a criminal discovered in the act, but there are still 3 entrance/exits on Central.

I must say that I am opposed to this proposal without clear justification on how the neighborhood would be improved.

Cheers,

Harry S. Kemp

2979 Gardens Way

Memphis, TN 38111

(731) 695-9989

From: [William Maroon](#)
To: [Ragsdale, Brett](#); [Cobbs, Kendra](#)
Subject: Proposed gate closures of public streets at Lombard & Fenwick and Goodwyn & Lafayette
Date: Thursday, August 17, 2023 5:21:45 PM



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To: City of Memphis: Land Use and Control Board

Attn: Brett Ragsdale and Kendra Cobbs

RE: SAC 23-04 and SAC 23-05

As a resident in close proximity to the proposed gate closure at Lombardy and Fenwick, I am very concerned about the proposed closures for several reasons:

1. The [City of Memphis and Shelby County Urban Design Guidelines Final Draft](#) — dated December 2022 states that the proposed “Infrastructure should support and enhance **bicycle connectivity, pedestrian safety, and accessibility** to create a safer, more comfortable environment for people to walk and bike”. The proposed gates would be in direct conflict as it pushes access to a city park from entrances off a quiet street onto a heavily traveled busy four-lane street.
2. The Land Use Control Board mission statement (<https://www.shelbycountyttn.gov/140/Land-Use-Control-Board/>) suggests that the **Land Use Control Board** will “Encourage the development of great, vibrant, healthy urban streets, **open spaces, public places, and neighborhood**”. Not limit access to open, public spaces. The closure, if approved would restrict public access to a city park in direct contrast to the mission statement and discourage the use of a public place... a city-funded park no less. And the mission statement suggests “encouraging vibrant neighborhoods”. This proposal has already created strife among neighbors which I pray will dissipate in time.
3. The **Memphis 3.0 plan** adopted by this very body in 2019 states that “Memphis will be a city that anchors growth on strengths of the core and neighborhoods; a city of greater connectivity and access; a city of opportunity for all. (<https://www.memphis3point0.com/plans-and-maps/>). I challenge anyone to provide a reasonable argument that suggests this proposed street closure would in any way promote greater connectivity or opportunity for all.
4. The City of Memphis Park Services Master Plan, 2020 Executive Summary includes its support of the 10-Minute Walk campaign sponsored by the Trust for Public Land, National Recreation and Park Association, and Urban Land Institute. (https://www.memphis3point0.com/_files/ugd/100a0d_2e205537bc844e98b44c69182f3a2ca0.pdf). Noted on page 24 only 45.8% of Memphians are within a 10-minute walk of a park. These proposed closures would limit access and increase the distance that our elderly or otherwise mobility-challenged neighbors would need to traverse to access the Chickasaw Public Park. The brochure states that “In order to close this gap by 2050 (the target date of the 10-Minute Walk movement), partnerships to **create and facilitate increased public access** will be necessary.” Again, closing access on two of the three accessible sides of this park is in direct conflict with the City Park Services master plan.
5. The proposed closures will force all entry through the Poplar and Central Avenue entrances. This increased traffic will cause an increase of cars in the turn lanes waiting to enter and cause a

build-up of those waiting to exit and create an unnecessary hazard and inconvenience. This should be studied by the city prior to consideration of such a closure.

6. For those of us on the Lombardy side, we will be forced to exit through the Fenwick and Buntyn intersections with Central Avenue which are dangerous already. The Fenwick / Central Avenue intersection has limited sight lines and is not protected by a traffic signal. With numerous reports of vehicles traveling and high rates of speed, we see frequent wrecks and near misses and try to avoid this intersection by crossing and exiting onto Central at Goodwyn. We encourage our young and elderly drivers to do the same. And the intersection at Buntyn and Central is in a curve and even though it has a signal, provides little comfort. Everyone in our community well understands the dangers posed by the flagrant disregard for safety and these intersections are especially dangerous.

7. **We believe that this action will have a direct impact on the property values of homes just outside the gate.**

8. **It's a CITY PARK.** I didn't see in the proposal that the neighborhood association had increased funding to take over the taxpayer expense of upkeep and maintaining the public park. By limiting access, the homeowner's association should be responsible for the cost. By limiting the access to two of five entrances (40%), any consideration of these proposed closures should be accompanied by the discussion of escrow accounts with required balances to cover three-fifths (60%) of the costs to upkeep the park and lake.

I get it. We are all frustrated by crime in our city. But closing streets isn't the answer. It's wrong to remove access for citizens to a public space and that's exactly what is proposed. Do the right thing for the city and for the neighborhood and join me in opposition to these absurd requests.

For these reasons, I remain opposed and ask for your assistance to protect my rights to access public streets and public parks.

Regards,

William Maroon
2754 Lombardy Ave

From: [Johanna Condon](#)
To: [Cobbs, Kendra](#)
Subject: proposed road closures of Lafayette Place and Lombardy Rd.
Date: Saturday, August 19, 2023 2:58:56 PM



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Good day,

I was made aware of the proposal to close these two roads, essentially cutting off access to the neighborhood and park except by Central Ave. I understand the desire for safety and security, we all have that, but cutting adjacent neighbors from walking and enjoying the beautiful park at the center of that neighborhood is not the way to do it. It is a lovely park and area that I have walked frequently since I moved over on Cowden Ave. a year ago. The ability to easily walk to a public park was one of the benefits of the area. Those are public roads and a public park. To gate those roads, cutting off access, creates an enclave enclosing public space that all citizens should have a right to enjoy. This should not be allowed to become a gated community. Thank you for your consideration.

Best regards,
Johanna Pranica

From: [John Joyner](#)
To: [Cobbs, Kendra](#)
Subject: Proposed Street Closure
Date: Friday, November 3, 2023 6:50:04 AM



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I hereby register my opposition to the proposed gate closing of Lombardy at Fenwick Rd. That would be the sixth street access to the public park closed in my lifetime.

John Joyner
127 S. Fenwick Rd.
901-486-3206

From: [Ragsdale, Brett](#)
To: [Kevin Jones](#)
Cc: [Cobbs, Kendra](#)
Subject: RE: Concerning Chickasaw Gardens Proposal
Date: Tuesday, August 22, 2023 9:24:58 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Confirming receipt of your comments. I'm copying Kendra Cobbs, the planner for the case. Please send all correspondence to her attention.

Thanks,



Brett Ragsdale, AIA
Zoning Administrator
Division of Planning and Development
125 N. Main, Ste. 468 Memphis, TN 38103
Phone: 901-636-6619
Email: brett.ragsdale@memphistn.gov



Visit our [website](#)

From: Kevin Jones <kjones0415@gmail.com>
Sent: Tuesday, August 22, 2023 6:03 PM
To: Ragsdale, Brett <Brett.Ragsdale@memphistn.gov>
Subject: Concerning Chickasaw Gardens Proposal



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To whom it may concern,

Thank you for taking the time to read my thoughts regarding the proposed gate closures in Chickasaw Gardens.

The representatives of Chickasaw Gardens cite crime as their pretext for (severely) limiting access to their neighborhood. If Chickasaw Gardens can use the fear of crime as an excuse to shut out their fellow Memphians, partially or entirely, then almost every other neighborhood in the city would have an even stronger argument to do the same (because most neighborhoods have more crime

than Chickasaw Gardens.) If the city government allows Chickasaw Gardens to close off public streets, it will set a **very bad precedent** for the city. The future will look much more ominous.

I predict that a series of further fragmentations (in wealthy neighborhoods most of all, and maybe middle-class as well) would follow in the coming years (in fact, just today I heard that residents of Hedgmoor are currently attempting a very similar action.) This would devastate the character of the city, turning Memphis into a series of splintered, walled-off compounds. Not only will this make Memphis feel more like a warzone than a real city, it will aggravate the various forms of segregation that already plague the city. Excluding others is fundamentally anti-city.

If residents of any neighborhood become so paranoid about crime, or any other urban problem, that they want to commandeer public spaces and effectively, if not literally, turn them into their private domains, they are better off moving to Fayette County or any other rural setting. Or they could move to an actual private, gated subdivision here in the city, which sadly abound. But to allow an antisocial, anti-urban mentality to go so amok that they are permitted to steal an integral part of the cityscape (via choking public access to the neighborhood) would be a terrible step for this city. Just because someone is tired of urban problems (which we can all understand) does not mean he or she has the right to deprive fellow citizens of use of their city.

In no way am I singling out Chickasaw Gardens...no neighborhood, rich or poor, should be allowed to do this because of the destructive precedent it would set.

However, I think it is worth adding that I can personally attest that Chickasaw Gardens has a long history of intolerance toward even the most innocent visitors to "their" neighborhood. It begins with the multiple, very hostile signs at the entrances to the neighborhood, stating the various warnings and prohibitions that they unilaterally impose.

Even though there is a city park there, I am unaware of even a single designated parking space for it, and I have been scowled at by residents there for doing nothing more than parking on the (public) street to visit the park.

Again, this is a public neighborhood, not a private subdivision. City residents should not be allowed to opt out of city life, at the expense of the city as a whole.

Again, this is a public neighborhood, not a private subdivision. City residents should not be allowed to opt out of city life, at the expense of the city as a whole.

My wife and I appreciate architecture, and from time to time we go to a neighborhood for a drive or a walk to admire the homes. In Chickasaw Gardens, we almost always get tailed by one of their security trucks within a few minutes of arriving, and they stay on us until we leave...of course we cannot enjoy the experience and have to leave even though we do nothing wrong or illegal. We even tried taking my wife's sister (visiting from a foreign country) to see the Christmas decorations in people's yards one night, but we got the same treatment (very embarrassing for a foreign visitor to witness how things are here.) In **no other neighborhood** in Memphis have we received such treatment.

I say all this to emphasize that, although I believe all neighborhoods should be treated equally, the city should keep in mind that Chickasaw Gardens has a track record of behaving as if they were above the law or somehow entitled to enjoy only the benefits but not the burdens of urban living (i.e. the "burden" of having their fellow Memphians dare to enter "their" neighborhood.)

I have seen some Memphians argue against the closings solely because there is a municipal park there. I think that argument fails to address the central issue. Even if there were no park, this is still a neighborhood like any other, made up of land that is part of our city. The streets are no less public than any park, and the residents have no right to exclude the rest of us from any of them. There are plenty of reasons apart from committing crime that Memphians choose to use those or any other streets. For many people, the reason is to visit the park, but also there are people like me who may just like to visit and appreciate a particularly impressive and charming neighborhood in our city. For others, it can be a scenic detour from time to time, a relaxing escape from the main thoroughfares like Central Avenue.

I have heard it argued in defense of the closures that the streets would remain open during park hours. For one, we should all be highly skeptical of this, as the same entitled mindset that pushes for partial closure will inevitably push for total closure. But more importantly, I reiterate that these are public streets, and it is no crime to drive or walk down these streets at any hour of the day (I, for one, enjoy night time drives through pretty areas such as Chickasaw Gardens.) Partial closure is just as wrong as full closure.

It is wrong for public space to be controlled by a small group, and it is contrary to the future of our city as a whole.

Thank you for your time and consideration.

From: [Evan Hurst](#)
To: [Cobbs, Kendra](#); [Ragsdale, Brett](#)
Subject: Re: More opposition to Chickasaw Gardens gate closures
Date: Wednesday, August 23, 2023 8:02:01 AM



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Don't know how it got cut off but that sentence missing words was supposed to say "felt too close for comfort for everyone."

On Wed, Aug 23, 2023 at 8:00 AM Evan Hurst <evanjosephhurst@gmail.com> wrote:

To whom it may concern:

Add my name to the list as a homeowner in Humes Heights who is strongly opposed to Chickasaw Gardens gating itself off from the city and making life more difficult for surrounding neighborhoods under the guise of protecting itself from crime.

When I bought my home, which features a rental unit, a selling point was that from my front door to the Chickasaw Gardens park -- a city park, obviously -- was exactly a one-mile walk. Many people who live in Humes Heights have young children and dogs or are cyclists (much like their neighbors in Chickasaw Gardens!) and to have this kind of accessibility to such a gorgeous city park without having to hit a four-lane street is magical. It's the kind of walkability Memphis claims it's aspiring to create throughout the city, the kind of walkability that all real world-class cities are striving to create in the 21st century.

Indeed, as things now stand, one can take huge long walks through Humes Heights, Chickasaw and the Joffre neighborhoods without ever touching a four-lane. Many of us learned all about this during the pandemic.

To once again underline my point, it's on my ad for the unit I lease out, so I am not speaking only a homeowner and resident, but also as a landlord in the area. It's one of the amenities. It's what I signed up for.

And about those four-lanes. It may be hard to see on a map, but there is no scenario under which proposed closures at Fenwick and Lafayette would be anything but a grave inconvenience and nuisance to the neighbors. As a Humes Heights homeowner, I'll speak for Fenwick. (I could speak on Lafayette too, as again these neighborhoods are really all one neighborhood made up of smaller subdivisions, which really kind of strikes at the heart of the point, I think. But Joffre and Lafayette and Cowden and Dille Place homeowners can speak on it even better.)

When we bought our houses, we did so knowing we could walk/bike/run down Humes, hang a left on Lombardy, look both ways (CAREFULLY) and enter Chickasaw Gardens.

We did not do so with the expectation that in order to continue our walks/bike rides/runs through the neighborhood, we'd have to take the scenic route through one of the darkest

sections of Fenwick, with the least visibility from neighbors. Drive down there, you'll see what we mean. There is no visibility from ANY house. It absolutely screams out "Look, a jogger by themselves!" (We'll get back to that.)

Then you get to Central and Fenwick, which is just as dangerous for cars as it is for pedestrians. So is Central and Buntyn, the neighborhood's other southern ingress/egress, despite how it has a light. You've heard a hundred times already that many in this neighborhood like to exit onto Central via Goodwyn for the sake of safe driving.

None of this benefits anyone, and it certainly doesn't prevent crime.

As far as we can see, Chickasaw Gardens has been seeking ways to wall itself off pretty much since its inception. At this point, the status quo works. CG residents can use the Poplar entrance. None of the surrounding neighborhoods are demanding to use that one. Nobody cares about Tilton Street being a private drive, just like nobody is complaining about nearby Tara Lane or Goodwyn Green Circle being private drives.

Closing off Fenwick and Lafayette does nothing but inconvenience neighbors, while doing scant little to deter criminals, who we have heard these days also have access to Google Maps.

The neighborhood assures us there will be a pedestrian gate that's unlocked during daylight hours, so get those walks in before 4:30 p.m. during the winter, kids! You know, unless you want to walk through the creepy stretch of Fenwick next to the house that's always vacant.

But this brings me to my final point, as I know others have addressed many other aspects of this more than adequately. This is almost certainly not about a true and specific spike in crime. We all can access the actual record, and the instances of crime in Chickasaw Gardens lately have been petty and infrequent. Not to discount them, obviously, but it's a manageable issue that neighbors of good will -- across neighborhoods! -- can be concerned about together.

Some really scary things have happened in Memphis lately, crime-wise, things that have been absolutely horrifying for people in town who probably aren't used to dealing with violent crime every single day like many of our neighbors. (Neighbors. Not "people who live somewhere over there." Neighbors.) Obviously the devastating murder of Eliza Fletcher comes to mind, which didn't happen in Chickasaw Gardens, but happened just down the road from all of us and fe

But if that gut-wrenching event taught us anything, it's that we're safer when there are more of us out and about, more of us visible, at all times of the day and night. In the real world we live in, in Humes Heights, Chickasaw Gardens and Joffre, we all have different schedules. We are healthcare workers and teachers and parents and caregivers and quite frankly, we all deserve to feel safe grabbing an hour to go for a run, whenever that works in our schedule. For some people it's 4:30 in the morning.

A locked pedestrian gate and a "keep out" sign from your neighbors sure doesn't make that any easier.

Thank you for your time.

Evan Hurst
72 South Larchmont Drive

From: [Katie B](#)
To: [Cobbs, Kendra](#)
Subject: Re: SAC 23-04: CHICKASAW GARDENS
Date: Wednesday, August 23, 2023 7:47:58 AM

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Kendra - In addition to the below concerns and reasons for disagreeing with SAC 23-04:
CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St., please see additional safety concern:

- The turn from eastbound Central Ave to northbound Lafayette St is not a protected turn lane. The increased traffic coming from Chickasaw Gardens and Chickasaw Park exiting to the only available exits along Central Ave would create queues along eastbound Central Ave at Lafayette St and Central Ave currently does not have the space to add a new turn lane given the utility constraints at the intersection. Not only are there pedestrian and cyclist concerns as stated in my previous email but we would also be creating an increased risk of vehicular collisions.

We believe that first and foremost there is not enough data presented by Chickasaw Gardens in the application to justify the application let alone approval of SAC 23-04. We also believe that there is no justification to negatively impact property values, pedestrian and cyclist safety, access to City of Memphis property, emergency service response time, or accident rates based on the flippant request presented in SAC 23-04.

Thank you,

Katie Burns

On Tue, Aug 22, 2023 at 8:41 PM Katie B <burnskatieanne@gmail.com> wrote:

Hello! I live in the Joffre neighborhood and we have concerns regarding SAC 23-04: CHICKASAW GARDENS: close and vacate Lafayette Pl. between Goodwyn St. and Lafayette St.

- In the letter from SRC Consulting, LLC, a street closure is proposed as it is referenced in the SAC. Based on the description of the letter for vehicular access westbound on Lafayette Pl is to remain for those who choose to purchase a clicker, meaning that access is not closed it is simply privileged. Based on the drawing set included, it appears that the driveway on Lafayette Pl is to remain, reiterating that the street is neither closed or vacated. Please confirm that the intent is a Public-to-Private Street Conversion and clarify the impacts to adjacent landowners including the City of Memphis Parks Commission land used for the MoSH.
- Please clarify the pedestrian gate access given the conflicting statements in the letter from SRC Consulting, LLC stating "The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.", "The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access.", "These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue."

- Stated in the letter from SRC Consulting, LLC if the bike and pedestrian gates are stated to remain open from dusk til dawn. For those who recreate through walking, running, or biking, in the neighborhoods in the area many will be outside before dawn and after dusk due to the heat index during the daylight hours in the summer months. Restricting current access could have those folks crossing Lafayette St along Central Avenue after dusk and before dawn which is a blind corner for westbound Central Ave traffic turning onto Lafayette St. This would create a higher risk for accidents than what is currently encountered at Lafayette Pl which has a much better line of sight for all vehicular traffic. Please clarify what will be done to protect pedestrians and cyclists that would have to be redirected along Central?
- Please provide the justification for negatively impacting home values in the neighborhoods within walking distance to Chickasaw Park. Convenient access to Chickasaw Park is a selling feature to many of the homes in the Joffre neighborhood. Research published by NIH concluded that parklands can have a 0.5–14.1% value-added effect on property prices in the 850–160-m range in their vicinity which would include the Joffre neighborhood.
- It should be noted that the typical access from the Joffre neighborhood to Chickasaw Park, property of the City of Memphis, would be extended by an additional 10 minutes and .5 miles if current access to the park is not maintained.
- For safety reasons, please define how someone would be able to utilize the pedestrian or vehicular gate for emergencies?
- Please clarify if emergency services would have access to bi-direction use of the gate and what system would be in place to allow for this. Limiting access to Chickasaw Park and Chickasaw Gardens can have a negative impact on emergency services response time if there was a safety concern at the park or within the HOA members. Even with common solutions such as Knox boxes, the implementation and use of such devices takes valuable time away from emergency responses in time critical events like a home break in, heart attack, etc.
- Please clarify the statistics for crime frequency in the neighborhood that would require the City of Memphis to limit access to public spaces such as Chickasaw Park and where else in the City of Memphis this has been successfully implemented? I would like to request the data associated with regards to vehicular and pedestrian statistics to better understand why vehicular, cyclist, and pedestrian access is all being restricted. No reference to data or statistics were given in the provided documents.
- Please clarify the legend used for the map prepared through Shelby County Government's online mapping Portal on 5/19/2023.

We appreciate the review that the TRC is progressing for SAC 23-04: CHICKASAW GARDENS and we want to ensure that decisions are being made with a City wide perspective of impact.

Thank you,

Katie Burns

From: [Katie Tamboli](#)
To: [Cobbs, Kendra](#)
Subject: REVISED Chickasaw / Lombardy closure
Date: Tuesday, August 22, 2023 10:41:05 PM

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I'm writing to oppose gating the entrance to Chickasaw Gardens at Lombardy. Cited from the Memphis Daily News, the number of crimes reported in Chickasaw Gardens since 1/1/23 are TWO. One for forgery & the other vandalism. Using the uptick in crime (fed by poverty) to justify building another wall won't solve their catastrophic forgery/vandalism trauma. Instead, it'll fuel the status quo Memphis has followed for decades, separating the elite (white) from impoverished black people. Building another wall will add to the suppression black children already experience as less important, less worthy than others by learning to navigate & survive at nearly a 40% childhood poverty rate. Memphis leads the country as the most impoverished city with over 500k people. Crime & poverty go hand in hand. No wall will fix that.

A few years ago, Chickasaw Gardens residents posted on Nextdoor their concern that a black kid was riding his bike through the neighborhood. It turns out that the child lived on Lombardy just around the corner & his mother was a high ranking, elevated administrative faculty member at CBU. This is point blank profiling by Chickasaw Gardens residents. Imagine the trauma poverty stricken children feel being profiled just for riding their bicycle down the street. If it happens to 'well to do' black child, imagine how most of our children in Memphis must feel. Put yourself in their rugged shoes.

Since Chickasaw Gardens has a history of not upholding their 'promises,' I object they will uphold this promise of keeping a pedestrian gate accessible. One entrance at a time, they are building walls, It began on Poplar years ago, promising to keep pedestrian/biking access yet the gate remains locked. They've provided only empty promises over the years.

Chickasaw Gardens houses PUBLIC streets & a PUBLIC park. Barricading these commons for all will continue to destroy our city, more than it already is.

Let's bridge Memphis together, not add more walls.

Thank you for considering the opposition to further inequality.

Katie Tamboli
2791 Iroquois Rd
Memphis, TN 38111

From: [Kim Harwood](#)
To: [Cobbs, Kendra](#)
Subject: Road Closure: Lombardy at Fenwick
Date: Friday, August 11, 2023 8:43:24 AM



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Hello,

I am very opposed to the road closure at Lombardy and Fenwick proposed by the residents of Chickasaw Gardens. This is a public road paid for by tax payers, as is the park and lake in the center. This is a walking path for many in my neighborhood. With this closure we would not have access to this public park or streets located in Chickasaw Gardens. This neighborhood was not set up as a gated community.

Please pass along my concerns.

Best,

Kim Harwood
2700 Lombardy
Memphis, TN 38111
901-229-3665

From: [Mark Morrison](#)
To: [Cobbs, Kendra](#)
Subject: SAC 23-04 and 23-05
Date: Wednesday, August 16, 2023 12:11:57 PM



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Ms. Cobbs and Land Use Control Board Members:

I am writing to express my strong objections to the proposed street closures in Chickasaw Gardens (SAC 23-04 and 23-05). These are public streets paid for by taxpayers and should not be converted to private use. Public streets are useless to the general public without an associated network of streets to facilitate transportation and mobility. The proposed closure of these streets degrades transportation and mobility for all citizens.

In addition, a public park maintained by tax money serves as the green heart of Chickasaw Gardens. The closure of these streets will only serve to further "privatize" this public park and keep citizens from accessing their public spaces.

Finally, every street closure like this sets a terrible precedent for the next application. Should my community, Cooper-Young, be able to close off many of the streets that connect it to the rest of the city street network? We, of course, want safety and quiet streets, too. The answer for Cooper-Young, Chickasaw Gardens and other cases should clearly be "no." Taxpayers paid for these streets to provide mobility to our citizens. They should not be closed to appease and favor a few local residents and, at the same time, harm the greater public by degrading our transportation and mobility options.

IF these street closures are approved, Chickasaw Gardens should be required to privatize these streets and buy the park from the city. They should not be able to slowly privatize the use of their streets while putting the costs and burdens of the streets and parks on city taxpayers.

Thank you,
Mark Morrison
1988 Young Ave
901-834-7777

From: [Robert Hollingsworth](#)
To: [Cobbs, Kendra](#)
Subject: SAC 23-04 Chickasaws Gardens and SAC23-05 Chickasaw Gardens
Date: Thursday, August 17, 2023 10:24:04 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender thedpgg@gmail.com

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Good morning Kendra,

My name is Robert Hollingsworth and I am writing to voice my opposition to the closing and vacating of Lafayette Place between Goodwyn St and Lafayette St as well as the closing and vacating of Lombardy Road between S. Fenwick Rd. and Chickasaw Dr.

My husband and I have lived on Dille Place (which runs parallel to Lafayette St.) for over twenty-three years. Part of the reason (in addition to being close to every part of the city of Memphis) is the easy access to Chickasaw Gardens Park. We have long enjoyed walking around the lake with our dogs, friends and family. Putting up a gate to block access to the joys of a city-owned part that should be enjoyed by all citizens of the city of Memphis, in the name of safety is wrong and unnecessary. There are lots of people in this area that enjoy the natural beauty and ease of access to Chickasaw Gardens Park on a daily basis. Young and old, pet owners and non pet owners alike, we all enjoy the benefits of having such a park within walking distance.

Therefore I urge you and the other staff planners to reject these proposals at the August 24, 2023 Technical Review Meeting and ultimately at the Land Use Control Board on Thursday, September 14, 2023. Chickasaw Gardens already has one entrance that is permanently blocked on North Lafayette and another on Poplar that is access only for residents in Chickasaw Gardens, they don't need two more.

Thank you for your time,

Robert Hollingsworth

From: [Adam Smith](#)
To: [Cobbs, Kendra](#)
Subject: SAC 23-4, and SAC 23-5
Date: Friday, August 11, 2023 8:02:41 AM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender gmac5ags@yahoo.com

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I oppose the above motions to close Lombardy Ave at Fenwick and Lafayette at Chickasaw gardens. This will prevent easy access to the Chickasaw gardens park, a publicly funded park. Also the residents on the Buntyn side of Lombardy have expressed strong opposition to the closing. This will limit easy access to the park for residents in Buntyn and Joffre neighborhoods. This should not be addressed as an administrative level decision.

Adam Smith.

[Sent from Yahoo Mail on Android](#)

From: [Michael Hoots](#)
To: [Cobbs, Kendra](#)
Subject: SAC 2023 - 005 OPPOSITION TO PROPOSED CHICKASAW HOA
Date: Thursday, November 2, 2023 7:32:16 PM

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.

Sincerely,

Michael Hoots
193 South Fenwick

From: [Will Thompson](#)
To: [Cobbs, Kendra](#)
Subject: SAC 2023-005
Date: Thursday, November 2, 2023 4:43:31 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender wjthmpsn@gmail.com

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.

Dear Ms. Cobbs,

I am writing to express my very strong opposition to the application submitted to the Memphis and Shelby County Division of Planning and Development by the Chickasaw HOA proposing that Lombardy Road be closed to traffic entering Chickasaw Gardens where it meets South Fenwick Road. As a resident living on South Fenwick just three houses down from the proposed closure, I am directly affected by this action, and in a negative way.

First, I must object to the fact that I was given less than 24 hours to respond to this notice, having received it in the mail today (11/2/2023) with a deadline of 8:00 a.m. tomorrow (11/3/23) to submit any opposition. This is hardly acceptable given the impact that this possible closure would have on me and my neighbors.

Secondly, receiving the notification less than five business days prior to the hearing provides me with little if any opportunity to make arrangements to attend the hearing in person due to my work schedule. I realize that attendance is not required to voice one's opposition, but that would be the most effective way to do so.

Thirdly, I was told that I should have received and had the option to sign an affidavit regarding this proposal, and I have neither received nor been informed officially about this document, should it exist. I would like to know if it does and what it encompasses.

My objections to the actual proposal are numerous, but I will focus on what I believe to be the most important of them:

- I personally use this street (Normandy, entering from South Fenwick) to walk on an almost daily basis, as do many of my neighbors, with my destination being the park at the center of Chickasaw Gardens, which is a **public park**. My ability to reach this destination in a normal manner would be greatly diminished by the closing. And I do not want to be told that I can simply “walk all the way to Central” to get to the park; that is not acceptable when I have spent the past 23 years living on Fenwick assuming that one of the benefits of the location was the easy access to a public park
- With further reference to the access via Central, many of the residents in my neighborhood are older/retired, and they benefit tremendously from having access to an area that does not have busy through streets, and access this closure would take away from them.
- The Normandy Road entrance to Chickasaw Gardens is the **only** exit going east off of Fenwick between Central and Poplar, a route which residents on my street have on occasion had to rely upon during storms when trees have fallen in the neighborhood, or traffic has otherwise been blocked. I cannot believe that there is not some risk involved, including delaying fire and police response to the very neighborhood whose residents are proposing this.
- **NO** justification **whatsoever** has been provided for taking this measure. I can only assume that the proposers of this closure are striving to keep out in any way possible anyone who does not reside in Chickasaw Gardens. I can understand that they perhaps see this as a safety measure, but if there continue to be numerous access points into the neighborhood from Central, then this is an empty excuse for the proposed closure. In any case, why should the neighborhoods that surround Chickasaw Gardens suffer and run the risk of increased crime (if that is the reasoning) because those that are economically privileged and have the appropriate connections to propose this want this to happen?
- Finally, I believe that a similar proposal is being submitted for the east entrance to Chickasaw Gardens on Lafayette. For most of the same reasons listed above, I vehemently oppose this proposal as well.

I sincerely hope that my objections, as well as those of my fellow citizens in this neighborhood, will receive proper consideration.

Most sincerely,

Dr. Will Thompson, Professor
193 South Fenwick Road, Memphis TN 38111

From: [Almond Daniel](#)
To: [Cobbs, Kendra](#)
Subject: SAC23-04 and SAC23-05 Street closures
Date: Friday, August 18, 2023 4:36:36 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender adaniel2764@gmail.com

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.

Good afternoon,

I am contacting you to express my opposition regarding the two proposals for street closures and gating of public access to Chickasaw Gardens and the city park within this neighborhood.

I am opposed to this as I believe if this is approved it will send the wrong message to many Memphians. The wording in this proposal is troubling as it suggests that security will profile anyone entering this public park. The wording is as follows: *"it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood"*.

I understand that the security guards will be stationed at the remaining entrances to the park to conduct this "monitoring". This will intimidate those citizens that do not belong in this neighborhood. Chickasaw Gardens has a stained history of limiting access to this neighborhood. The original charter for this neighborhood prevented anyone of color from buying property in Chickasaw Gardens.

I ask that you and the other board members deny these two proposals.

Respectfully,

A. Daniel

From: [Michael Hoots](#)
To: [Cobbs, Kendra](#)
Subject: SAC2023-005OPPOSITION TO PROPOSED CHICKASAW HOA
Date: Thursday, November 2, 2023 7:58:03 PM

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.

Dear Ms. Cobbs,

I am writing to express my extreme opposition to the application submitted to the Memphis and Shelby County Division of Planning and Development by the Chickasaw HOA proposing that Lombardy Road be closed to traffic entering Chickasaw Gardens at South Fenwick Road. As a 23 year resident living on South Fenwick just three houses from the proposed closure, I am directly affected by this action, and in a negative way.

First, I must object to the fact that I was given less than 24 hours to respond to this notice, having received it in the mail today (11/2/2023) with a deadline of 8:00 a.m. tomorrow (11/3/23) to submit any opposition. This is hardly acceptable given the impact that this possible closure would have on me and my neighbors.

Secondly, receiving the notification less than five business days prior to the hearing provides me with little if any opportunity to make arrangements to attend the hearing in person due to my work schedule. I realize that attendance is not required to voice one's opposition, but that would be the most effective way to do so. I have not even been given an opportunity to represent myself in any other format. (Video submission, virtual link, etc).

Thirdly, I was told that I should have received and had the option to sign an affidavit regarding this proposal, and I have neither received nor been informed officially about this document, should it exist. As a resident and property owner that lives within 300 feet I have a say so in what happens on my street as a result of this closure. Therefore, I would like to know if it does exist and what it encompasses.

My objections to the actual proposal to close Lombardy at Fenwick are numerous, but I will focus on what I believe to be the most important of them:

- I personally use this street (Normandy, entering from South Fenwick) to walk on an almost daily basis, as do many of my neighbors, with my destination being the public park at the center of Chickasaw Gardens. My ability to reach this destination in a

normal manner would be greatly diminished by the closing. And I do not want to be told that I can simply “walk all the way to Central” to get to the park; that is not acceptable when I have spent the past 23 years living on Fenwick assuming that one of the benefits of the location was the easy access to a public park

- With further reference to the access via Central, many of the residents in my neighborhood are older/retired, and they benefit tremendously from having access to an area that does not have busy through streets, and access this closure would take away from them.
- The Normandy Road entrance to Chickasaw Gardens is the only exit going east off of Fenwick between Central and Poplar, a route which residents on my street have on occasion had to rely upon during storms when trees have fallen in the neighborhood, or traffic has otherwise been blocked. The fire department would not even allow Fenwick to be blocked off at Poplar many years ago due to the route Fenwick allows for easy access into Chickasaw Gardens for potential fires. I cannot believe that there is not some risk involved, including delaying fire and police response to the very neighborhood whose residents are proposing this.
- NO justification whatsoever has been provided for taking this measure. I can only assume that the proposers of this closure are striving to keep out in any way possible anyone who does not reside in Chickasaw Gardens. I can understand that they perhaps see this as a safety measure, but if there continue to be numerous access points into the neighborhood from Central, then this is an empty excuse for the proposed closure. In any case, why should the neighborhoods that surround Chickasaw Gardens suffer and run the risk of increased crime (if that is the reasoning) because those that are economically privileged and have the appropriate connections to propose this want this to happen?
- If the proposed closure is for potential crime, why have the residents of Chickasaw Gardens not ever accepted attempts to join neighboring community neighborhood watch associations?
- As a 23 year resident near the corner of Fenwick and Lombardy we often have to deal with unkept fences that face our houses. This doesn't help with aesthetics of the neighborhood. If these properties owned by Chickasaw Gardens residents are not being kept tightly, how do I know an eyesore of fence, gate, barrier that covers a wide road will be kept up any better than the overgrown grass, shrubs, and bushes that spill into the middle of Fenwick.
- Gates and Fences separate communities negatively. I walk every morning at 6 and often ride my bike late afternoon through the streets of Chickasaw Gardens. I work as an Educator at East High School and use Lombardy and Lafayette as a way to ride my bike to work to avoid busy Poplar Ave. Whatever the hour of day I see numerous people from around the area who I've gotten to know from passing them on the street. We speak and catch up in passing. That is what community is all about. Blocking t community osepar
- Finally, I believe that a similar proposal is being submitted for the east entrance to Chickasaw Gardens on Lafayette. For most of the same reasons listed above, I vehemently oppose this proposal as well.

As a 23 year resident and tax payer, I sincerely hope that my objections, as well as those of my fellow citizens in this neighborhood, will receive proper consideration.

Sincerely,

Michael Hoots

Home Owner 193 South Fenwick Road

From: [Lyn Joyner](#)
To: [Cobbs, Kendra](#); [Morgan, Worth](#); [Strickland, Jim](#); [Jackson Baker](#); kbomani@dailymemphian.com
Subject: STRONG OBJECTION to SAC 23-04, 23-05 -public roads closings
Date: Wednesday, August 16, 2023 4:52:56 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender lyn.joyner@gmail.com

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To: Kendra Cobbs

We request that on Aug. 24 you NOT APPROVE Chickasaw Gardens Homeowners Association's request for two public road closings. HOA's proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers - including emergency vehicles.

Chickasaw Gardens does NOT have a crime problem that calls for two road closings. There is NO VALID REASON for HA's proposed two road closings.

CGHA's Letter of Intent says

"It (less public road access) **should decrease the crime we are currently experiencing** and give the security company a consolidated area to monitor for entry and exiting the neighborhood."

CGHA provides no stats to support their reason for closing two public roads.

Concerned, I checked The Daily News Crime Report Map to count crimes:

Chickasaw Garden's CRIME STATS from 1/16/2023 - 8/16/2023:

TOTAL OF 7 CRIMES reported for the past seven months, of which 3 were for counterfeiting/forgery.

For 3 months in this past 7-month period, **zero reported crimes in CG.**
Hard to decrease from that.

In comparison:

Fenwick to Plainview, neighborhoods west of CG, crime stats from 1/16/2023 - 8/16/2023:

TOTAL OF 24 CRIMES reported for the past seven months (zero were for counterfeiting/forgery).

NOTE: In January 2023, just 8 months ago, surrounding neighborhoods overwhelmingly rejected via petition CG's proposal to close off Lombardy, one of the roads in the current filing.

Why is this coming up again, so soon?

HOW DID THIS GET FAST-TRACKED????? Why is there no LUCB hearing.

CG has already, over the years, closed 4 of 9 their entrances.

Enough!!!

I would like not to have to address their uncivic road closing proposals again.

Sincerely,
Lyn Joyner and John Joyner
Fenwick Rd. Neighborhood Association
Community Liaisons

Suggestions for HOA:

- pay for more 24-hr surveillance, more cameras
- reach out to MPD for additional patrols
- confer with other neighborhoods, i.e. Central Gardens, for crime-reduction tips
- Neighborhood Watch
- (for those who want to live in a gated community), move to a gated community

From: [Linda Andrews](#)
To: [Cobbs, Kendra](#)
Cc: [Morgan, Worth](#); [Mayor Jim Strickland](#)
Subject: STRONG OBJECTION to SAC 23-0423-05-public roads closings
Date: Sunday, August 20, 2023 2:22:22 PM



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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 request that on August 24 you NOT APPROVE Chickasaw Gardens Homeowner's Association's request for two road closings. This proposal would adversely affect surrounding neighborhoods, and City residents overall by limiting access for walkers, runners, bikers, and inconveniencing drivers, including emergency vehicles.

Thank you.
Linda Andrews
175 S Fenwick 38111

From: [Becky Childress](#)
To: [Cobbs, Kendra](#)
Subject: Vote No to Chickasaw Gardens Gate
Date: Tuesday, August 22, 2023 8:52:53 PM



The CoM Email Security System couldn't recognize this email as this is the first time you received an email from this sender becky.childress@gmail.com

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 Becky Childress. I live in Humes Heights, the neighborhood adjacent to Chickasaw Gardens.

I live about a 1/2 from the lake and take daily walks there with my dog. I also run there early in the mornings. It is a public lake and a beautiful addition to our community. It is one reason I choose to live in the neighborhood. I do not believe that blocking the entrance to Chickasaw Gardens on 2 sides will prevent crime in a neighborhood that already has 24 hour security. It will only make it harder for others in the community to access the Public park. Please vote No to adding a gate and making the Public park more challenging to access.

As a community, we need to address crime and work on finding a solution. Not build gates or walls and try to cut off from the community.

Thanks,
Becky Childress

--

Becky Childress



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

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

November 16, 2023

Chickasaw HOA

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

Case Number: SAC 2023-004 and SAC 2023-005

LUCB Recommendation: Rejection

Dear Applicant,

On Thursday, November 9, 2023, the Memphis and Shelby County Land Use Control Board recommended **rejection** of your right-of-way vacation application to vacate portions of Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive.

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

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

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

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

Respectfully,
Kendra Cobbs

Kendra Cobbs
Planner III
Land Use and Development Services
Division of Planning and Development



Record Summary for Street and Alley Closure (Right of Way Vacation)

Record Detail Information

Record Type: Street and Alley Closure (Right of Way Vacation)

Record Status: Assignment

Opened Date: August 4, 2023

Record Number: SAC 2023-005

Expiration Date:

Record Name: Lombardy Rd. Closure

Description of Work: Street closure between S. Fenwick Rd. and Cherokee Dr.

Parent Record Number:

Address:

Owner Information

Primary Owner Name

N

Owner Address

Owner Phone

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner N/A

Date of Meeting -

Pre-application Meeting Type -

GENERAL INFORMATION

Name of Street where closure will begin S. Fenwick Rd.

Name of Street where closure will end Cherokee Dr.

What is the reason for the street closure? Security of neighborhood

GENERAL INFORMATION

What is the total area of the right-of-way being closed? 14675
What is the overall length of the street closure? 250
Name of Street/Alley/ROW Lombardy Road
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter? No
If yes, please provide additional information -
Is this application a time extension? No

RELATED CASE INFORMATION

Previous Case Numbers -

GIS INFORMATION

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

Contact Information

Name CHICKASAW HOA **Contact Type** APPLICANT
Address

Phone
-

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1491775	Right of Way Vacation/Closure Fee	1	400.00	INVOICED	0.00	08/04/2023
1491775	Credit Card Use Fee (.026 x fee)	1	10.40	INVOICED	0.00	08/04/2023

Total Fee Invoiced: \$410.40

Total Balance: \$0.00

Payment Information

Payment Amount \$410.40 **Method of Payment** Credit Card



ENGINEERING • PLANNING
LANDSCAPE ARCHITECTURE

5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134

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

Date: August 2, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: Lafayette Place Closure
Lombardy Road Closure

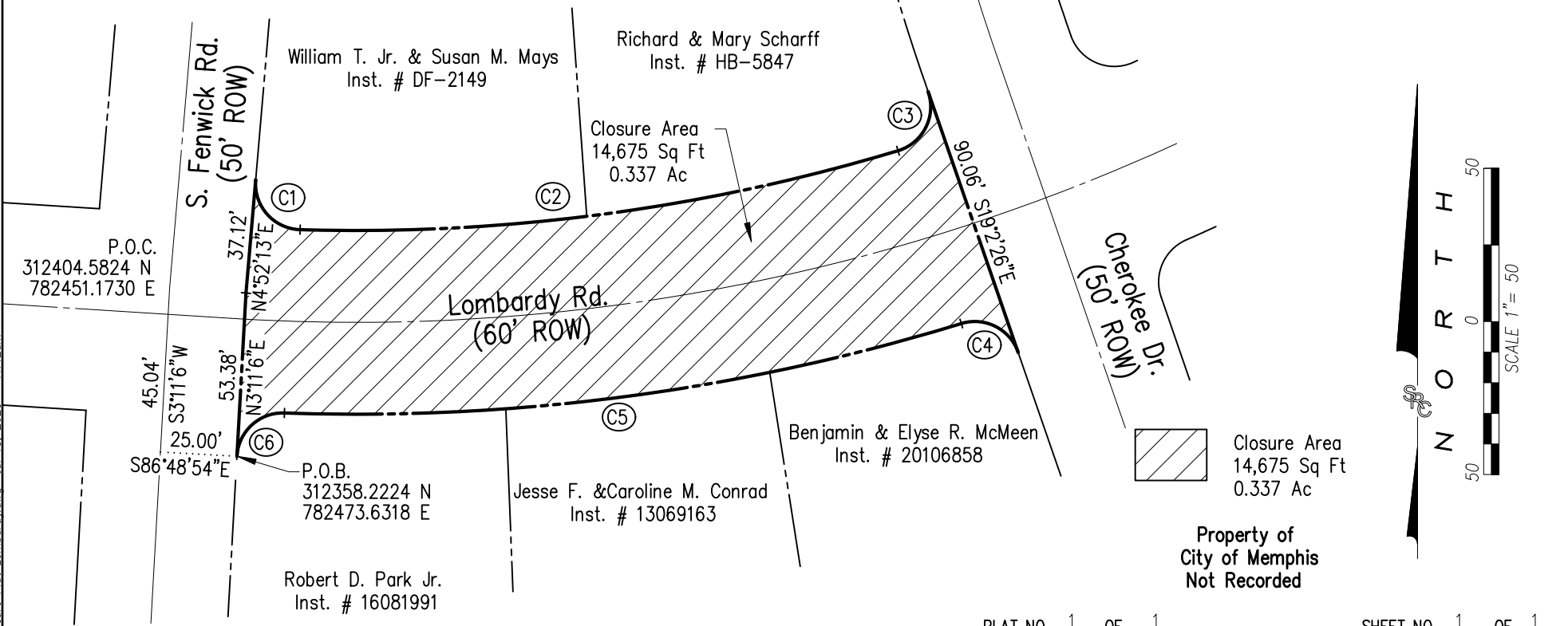
LETTER OF INTENT


Dedrick Brittenum and I are submitting two street closure applications for the Chickasaw Gardens Homeowners Association at Lafayette Place between E. Goodwyn Street and Lafayette Street and Lombardy Road between S. Fenwick Road and Cherokee Drive. The Chickasaw Gardens Neighborhood currently has five points of access. It has come to our attention from the security consultants and neighborhood that something must be done. The security company cannot control such a large neighborhood with this many access points. If we could limit the access to the three streets on Central Avenue, it would allow security to monitor the activity in the neighborhood going in and out and still have ample access for anyone to enjoy the neighborhood. It should decrease the crime we are currently experiencing and give the security company a consolidated area to monitor for entry and exiting the neighborhood. The neighbors enjoy walking and biking in the neighborhood, and we are including bike and pedestrian gates that will remain open from dusk to dawn at Lafayette Place and Lombardy.

We have submitted schematic drawings of the proposed gates prepared by Blair Parker Design that should give a good feeling of the look we are proposing. The gates will be emergency and exit only gates with a clicker that can be purchased from the HOA if they want exit only access. The Lafayette Place gate will swing into Lafayette Place with a stop bar and sign to notify the car to stop for the gate to open and the Lombardy Road gate will slide to the north. These closures still allow the enjoyment of this beautiful neighborhood with the pedestrian gates and access on Central Avenue.

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

No	RAD	ARC	TAN	CHORD	DELTA
C1	15.00'	24.39'	15.85'	21.79'	S41°42'26"E 93°9'16"
C2	613.00'	197.70'	99.71'	196.84'	N82°28'35"E 18°28'42"
C3	15.00'	24.16'	15.61'	21.63'	N27°05'54"E 92°16'41"
C4	15.00'	23.04'	14.49'	20.84'	N63°03'03"W 88°1'13"
C5	673.00'	223.87'	112.98'	222.84'	S82°28'07"W 19°3'33"
C6	15.00'	23.25'	14.69'	20.99'	S47°35'30"W 88°48'48"



 Closure Area
14,675 Sq Ft
0.337 Ac

Property of
City of Memphis
Not Recorded

PLAT NO. 1 OF 1 SHEET NO. 1 OF 1

Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27°5'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63°3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

DIVISION OF ENGINEERING
SAC 23-__
LOMBARDY ROAD CLOSURE PLAT
FROM S. FENWICK RD. TO CHEROKEE DR.
MEMPHIS, TN

SURVEY BY Fisher Arnold DATE 4/23 BOOK _____
DRAFTSMAN SR Consulting DATE 5/23 SCALE 1"=50'

REVIEWED _____ DEPUTY CITY ENGINEER
REVIEWED _____ CITY ENGINEER

PROJECT NO. _____ FILE _____

Melissa S. \2022\2022-0087 Chickasaw SAC\Closure Plat\Lombardy.dwg Jul 18, 2023 - 11:12am

Chickasaw Gardens
Lombardy Road Gate Layout



Poplar Ave.

Fenwick Road

Central Ave.

Prepared for
Chickasaw Gardens Homeowners Association

Chickasaw Gardens
Lombardy Road Gate Layout



←
Poplar Ave.

Fenwick Road

→
Central Ave.

Prepared for
Chickasaw Gardens Homeowners Association

File: 21/002/2022-0081_Chickasaw_SAC/Scale/Lombardy.dwg, Aug 04, 2023 - 2:01 pm

S. Fenwick Rd.
(50' ROW)

Street Closure Limit
Proposed Sliding Gate
Proposed Pedestrian Gate

Lombardy Rd.
(60' ROW)

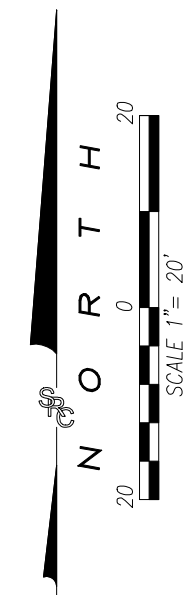
Ex. Curb Cut

Ex. Curb Cut

Ex. Curb

Ex. Curb

Chickasaw
North Dr.



LOMBARDY ROAD
OWNER/DEVELOPER:

CHICKASAW GARDENS HOA

SRCONSULTING, LLC
ENGINEERING - PLANNING
5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134
Tel 901.371.0150
Fax 901.371.0160
info@SRCE-memphis.com

MEMPHIS, TENNESSEE
AUGUST 2023
SHEET 1 of 1

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

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, J. Edward Beasley, Jr.
(Print Name)

J. Edward Beasley, Jr.
(Sign Name)

, state that I have read the definition of

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

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

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

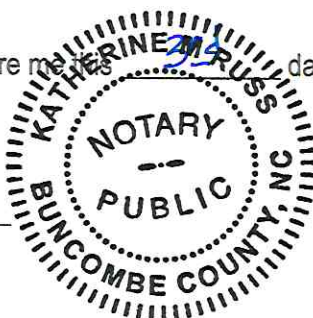
of the property located at Lafayette Pl. at Lafayette St. and Lombardy Rd. at S. Fenwick Rd.

and further identified by Assessor's Parcel Number _____,

for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 21st day of August in the year of 2023.

Katherine M Russ
Signature of Notary Public



10-29-2024
My Commission Expires

Chickasaw Gardens Homes Association

3009 Gardens Way

Memphis, TN 38111

August 3, 2023

Ms Cindy Reaves

SR Consulting, LLC

5909 Shelby Oaks Drive

Suite 200

Memphis, TN 38134

Dear Ms Reaves,

Please be advised that at the regularly-scheduled meeting of the Trustees of Chickasaw Gardens, February 8, 2023, the following motion was made by Patick Sala and seconded by Boyd Wade:

“The Trustees of Chickasaw Gardens are in favor of closing the Fenwick entrance to Chickasaw Gardens and the Lafayette entrance to Chickasaw Gardens.”

The above motion passed unanimously by the Trustees and the Trustees continue to support closure.

Respectfully submitted,

A handwritten signature in blue ink that reads "J. Edward Beasley, Jr." The signature is written in a cursive style.


J. Edward Beasley, Jr.

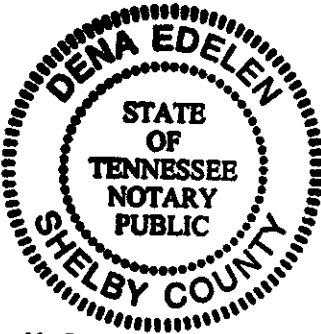
Chairman, Trustees of Chickasaw Gardens



Tom Leatherwood
Shelby County Register

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

	
13069163	
06/10/2013 - 03:31 PM	
2 PGS	
CHRIS	1097901-13069163
VALUE	478000.00
MORTGAGE TAX	0.00
TRANSFER TAX	1768.60
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	1781.60
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

<p>WARRANTY DEED</p>  <p>My Comm. Exp. 10-18-2014</p>	<p>STATE OF <u>Tennessee</u> COUNTY OF <u>Shelby</u> THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$478,000.00</p> <p><i>Jesse Franklin Conrad</i> Affiant</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE <u>17th</u> day of <u>June</u>, <u>2013</u></p> <p><i>Dena Edele</i> Notary Public</p> <p>MY COMMISSION EXPIRES: _____ (AFFIX SEAL)</p>
---	---

THIS INSTRUMENT WAS PREPARED BY
 Sidwell, Barrett & Welch, P.C.
 Stewart Title Company Tennessee Division, 390 Mallory Station Road, Suite 107, Franklin, TN 37067

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBERS
Jesse Franklin Conrad (NAME)	Merchants and Planters Bank Home Loans, ISAOA (NAME)	0450460000002
238 Lombardy Road (ADDRESS)	1125 Schilling Blvd. (ADDRESS)	
Memphis, TN 38111 (CITY) (STATE) (ZIP)	Collierville, TN 38017 (CITY) (STATE) (ZIP)	

For and in consideration of the sum of ten dollars, cash in hand paid by the hereinafter named GRANTEE(S), and other good and valuable considerations, the receipt of which is hereby acknowledged, **Graebel Relocation Services Worldwide**, hereinafter called the GRANTOR(S), has bargained and sold, and by these presents do transfer and convey unto **Jesse Franklin Conrad**,* hereinafter called the GRANTEE(S), their heirs and/or assigns, a certain tract or parcel of land in **Shelby** County, State of Tennessee, described as follows, to-wit:

* and wife, Caroline Marie Conrad
 Land in Shelby County, Tennessee, being Lot No. 248 and part of Lot 247, Chickasaw Gardens Subdivision, as shown on plat of record in Plat Book 9, Pages 18 and 19, in the Register's Office for Shelby County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the southeast line of Lombardy Road, said point being a common corner of Lots 249 and 248; thence southeastwardly along said southeast line a distance of 87.0 feet to a point; thence southeastwardly a distance of 139.80 feet to a point in the Lot 246; thence eastwardly a distance of 7.0 feet to a corner of Lot 242; thence northeastwardly along the line dividing Lots 242 and 248 a distance of 100.0 feet to a corner of Lot 249; thence northwestwardly along the line dividing Lots 249 and 248 a distance of 120.30 feet to the point of beginning.

Being the same property conveyed to Philip A. Hatfield and Anna D. Hatfield, husband and wife by Deed from Bess S. Schaberg, a married person dated 03/27/2006 in Instrument No. 06058415, Register's Office for Shelby County, Tennessee.

This conveyance is subject to: (1) All matters on the Plan of record in Plat Book 9, Pages 18 and 19, (2) Deed Restrictions of record in Book 1093, Page 253 and in Book 2506, Page 219, (3) Restrictions of record in Plat Book 9, Pages 18 and 19, Modified in Book 3151; Pages 391, 401 and 415; Instrument No. L78130; Instrument No. R73249; Instrument No. T25144; Instrument No. AA5846; Instrument No. AK3462; Instrument No. AN5392; Instrument No. BZ0630 and Instrument No. AU5964, (4) Easement of record in Chattel Book 275, Page 26, and (5) Construction Agreement of record in Instrument No. T25143, Register's Office for Shelby County, Tennessee.

This conveyance is further subject to (1) all applicable zoning ordinances (2) utility, sewer, drainage and other easements of record, (3) all subdivision/condominium assessments, covenants, bylaws, restrictions, declarations and easements of record, (4) building restrictions, and (5) other matters of public record.

unimproved

This is improved property, known as 238 Lombardy Road, Memphis, TN 38111
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE(S), their heirs and/or assigns forever; and we do covenant with the said GRANTEE(S) that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEE(S), their heirs and/or assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hands this 21st day of September, 2011.

Philip A. Hatfield
Philip A. Hatfield

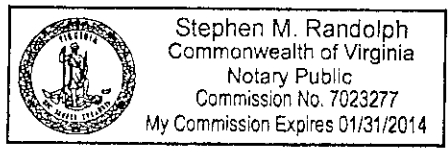
Anna D. Hatfield
Anna D. Hatfield

State of Virginia
County of city of Richmond

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Philip A. Hatfield**, the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence to be the person(s) described herein, and who acknowledge that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and Official seal this 21st day of September, 2011.

Stephen M. Randolph
Notary Public
My Commission Expires: Jan 31 2014

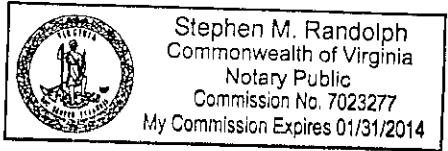


State of Virginia
County of city of Richmond

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Anna D. Hatfield**, the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence to be the person(s) described herein, and who acknowledge that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and Official seal this 21st day of September, 2011.

Stephen M. Randolph
Notary Public
My Commission Expires: Jan 31 2014



RETURN TO: PREPARED BY:
Stewart Title Company Tennessee Division
1604 Westgate Circle
Brentwood, TN 37027

RETURN TO:
Robert K. Alvarez, Esq.
File No.: 01288-4507 5400 Poplar Avenue, Ste. 100
SMG TN Warranty Deed Memphis, TN 38119

THIS INSTRUMENT PREPARED BY AND RETURN TO:
B. DOUGLAS EARTHMAN, Attorney
WARING COX, 50 N. Front Street
Suite 1300, Memphis, Tennessee 38103

DF 2149
2

Parcel # 45-50-16

CORRECTION
WARRANTY DEED

THIS INDENTURE, made and entered into as of the 29th day of May, 1992, by and between ELIZABETH REDWINE MASON ("Grantor") and WILLIAM T. MAYS, JR. and wife, SUSAN M. MAYS ("Grantee").

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 Grantor has conveyed and sold and does hereby bargain, sell, convey and confirm unto the Grantee the following described real estate, situated and being in the City of Memphis, County of Shelby, State of Tennessee, to-wit:

Lot 252 and part of Lot 251, Parkview Gardens Subdivision, as recorded in Plat Book 2, Page 18, at the Shelby County Register's Office; being more particularly described as follows:

Beginning at the southeast corner of the intersection of the north line of Lombardy Road with the east line of Fenwick Road; thence North along the east line of Fenwick Road a distance of 144.88 feet to the southwest corner of Lot 251; thence East along the line dividing Lot 251 from Lot 252 a distance of 41.22 feet to a point 21.22 feet east of the southwest corner of Lot 251; thence South 9 degrees 47 minutes 30 seconds East a distance of 144.75 feet to a point in the north line of Fenwick Road; thence East along the north line of Fenwick Road a distance of 104.50 feet to the point of beginning.

Together with all and singular appurtenances to the land, if any, between the north line of Fenwick Road and the east line of Fenwick (Outlet) Road.

Being the same property conveyed to the Grantor and wife, Elizabeth Redwine Mason, in warranty deed of record at Book 221, Page 51, in the Register's Office of Shelby County, Tennessee, at the City of Memphis, Tennessee, on or about September 1, 1988, leaving the Grantor as owner of the property conveyed by the entirety.

This correction warranty deed, being so executed and recorded to correct the legal description in the original warranty deed of record at Instrument No. 2149, at the Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD the above-described real estate together with all the appurtenances and hereditaments thereto, unto the Grantee, its successors and assigns in fee simple forever.

The Grantor hereby warrants to the Grantee that it is lawfully seized in fee of the aforedescribed real estate and has a good right to sell and convey the same; that the title and quiet enjoyment hereof shall with warrant and forever defend against the lawful claims of all persons, but that the same is encumbered, except for 1992 City of Memphis and 1992 State of Tennessee taxes, but not yet due and payable, but which the Grantee assumes and agrees to pay; subdivision restrictions, building lines and easements of record at Plat Book 2, Page 18, amended by Book 1991, Page 56; Book 2170, Page 363; Book 2151, Page 25; Book 2144; Instrument Numbers L7-8130; R7-1249; T2-5144; AU-5966; AX-3462; AN-392; and the Survey and Construction Agreement of record at Instrument No. T2-5143; and easement of record at Instrument Book 275, Page 26, all of record in the Register's Office of Shelby County, Tennessee.

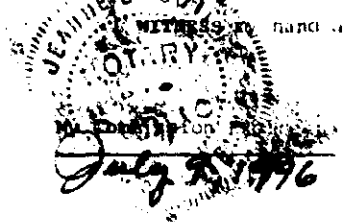
The words Grantor and Grantors used herein shall mean "Grantors" and "Grantees" if more than one person or entity be referred to, and pronouns shall be construed according to their proper number and gender according to the context hereof.

WITNESS the signatures of the Grantor as of the day and year first above written.

GRANTOR:
Elizabeth Redwine Mason
Elizabeth Redwine Mason

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 23rd day of November, 1992, before me personally appeared ELIZABETH REDWINE MASON, to me known, (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.



WITNESS my hand and official seal at office this 23rd day of November, 1992.
Jeannette B. Swift
NOTARY PUBLIC

DF 2149

STATE OF TENNESSEE
COUNTY OF SHELBY

I, or we, hereby certify 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 \$167,500.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Blaise J. Carter *agent for purchase*

Subscribed and sworn to before me this 28th day of ~~November~~ August, 1992.

Jaime B. Northcutt
NOTARY PUBLIC



My Commission Expires: 12/23/98

Property Addresses:

241 Lombardy
Memphis, Tennessee 38114

Person or entity responsible
for payment of taxes:

First Tennessee Bank National Association
P.O. Box 1999, Department 11
Memphis, Tennessee 38114

Name and address of property owner:
Mr. and Mrs. William T. May, Jr.
241 Lombardy
Memphis, Tennessee 38114

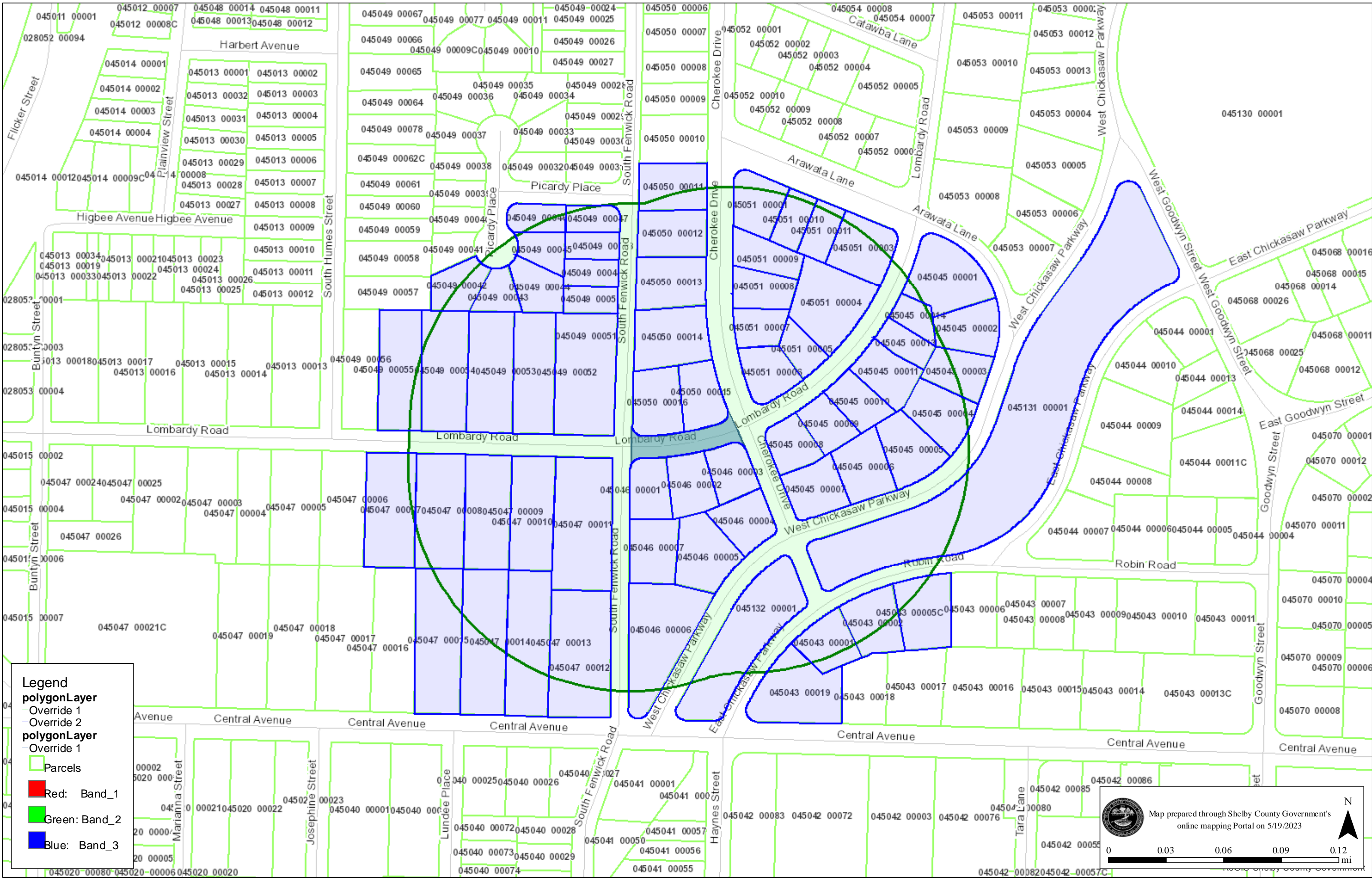
State Tax.....\$ 0.00
Register's Fee..\$ 0.00
Recording Fee..\$ 8.00
Total.....\$ 8.00

DF 2149	
DF#	C 28
POS.	2
VAL.	167,500.00
STATE TAX	
REGISTER'S FEE	
RECORDING FEE	8.00
WT	<input type="checkbox"/> MISC FEE
TOTAL	
STATE OF TENNESSEE SHELBY COUNTY GUY B. BATES REGISTER	

DF2149

SHELBY COUNTY
REGISTER OF DEEDS

92 DEC -7 11:12:12




Legend

polygonLayer


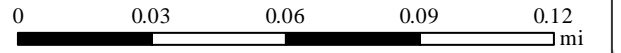
- Override 1
- Override 2

parcelLayer

- Override 1
- Parcels
- Red: Band_1
- Green: Band_2
- Blue: Band_3



Map prepared through Shelby County Government's online mapping Portal on 5/19/2023

WARRANTY DEED

6185/JZT-1980

HB 5847

2

THIS INDENTURE made and entered into this 30th day of December, 1997, by and between Stephen P. Arnold and wife, Kathy A. Arnold, party of the first part, and Richard Scharff and wife, Mary Scharff, 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 the City of Memphis, County of Shelby, State of Tennessee:

Lot 250 and part of Lot 251 of Chickasaw Gardens Subdivision, as shown on plat of record in Plat Book 9, Page 18, in the Register's Office of Shelby County, Tennessee, being more particularly described as follows: BEGINNING at a point of intersection of the north line of Lombardy Road with the west line of Cherokee Drive, and running thence northwardly along the west line of Cherokee Drive 140.8 feet to a point, the southeast corner of Lot 253 of said subdivision; thence westwardly along the south line of said Lot 253, a distance of 98.3 feet to a point; thence southwardly in a straight line 145 feet to a point in the north line of Lombardy Road, which is 45 feet west of the southwest corner of said Lot 250; thence eastwardly along the north line of Lombardy Road 120 feet to the point of beginning.

Being all or part of the same property conveyed to party of the first part by Warranty Deed of record as Instrument No. AB 1715, in said Register's Office.

TO HAVE AND TO HOLD the aforesaid real estate together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said parties of the second part, their heirs, successors and assigns in fee simple forever.


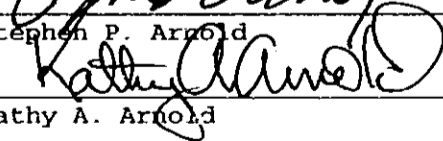
The said party of the first part does hereby covenant with the said party of the second part that they are lawfully seized in fee of the aforescribed real estate; that they have good right to sell and convey the same; that the same is unencumbered,

except for subdivision restrictions, building lines and easements of record in Plat Book 9, Page 18 and 19, Declaration of Covenants, Conditions and Restrictions of record in Book 1093, Page 154, Book 1093, Page 157, Book 3151, Page 391, Book 3151, Page 401, Book 3151, Page 417, Instrument Nos. L7 8130, R7 3249, T2 5144, Modification of Restrictions of record as Instrument Nos. AK 3462, AN 5392, AU 5964, BZ 0630, Easements of record as Instrument No. X6 4854, Agreement of record as Instrument No. T2 5143, all in said Register's Office, and except for 1998 City of Memphis and 1998 Shelby County Taxes, not yet due and payable, which parties of the second part assume and agree to pay.

and that the title and quiet possession thereto they 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.

x 
Stephen P. Arnold
x 
Kathy A. Arnold

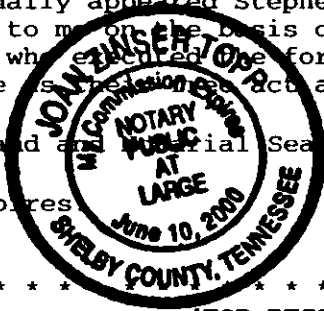
HB 5847

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Stephen P. Arnold and wife, Kathy A. Arnold, to me known (or proved to me on the basis of satisfactory evidence) to be the persons 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 official Seal at office this 30th day of December, 1997.

My commission expires



Joan Zinser Topf
Notary Public

(FOR RECORDING DATA ONLY)

Property Address: 219 Cherokee Drive
Memphis, TN 38111
Mail Tax Bills to:
(Entity responsible for payment of taxes)
This Instrument Prepared By:
H. LEE SHAW, P.C.
6075 Poplar Avenue, Suite 420
Memphis, Tennessee 38119
State tax \$
Register's fee 1.00
Recording fee 7.00
Total 8.00
T.G. Number: Lawyers #385393
Return to: SMITH & SMITH
4917 William Arnold Road
Memphis, TN 38117
Tax Parcel ID #: 045-050-015

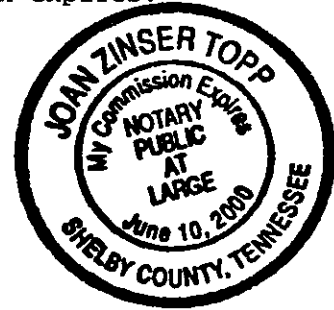
I, or we, swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$420,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Denise Reigh, agent

Affiant
Subscribed and sworn to before me this 30th day of December, 1997.

Joan Zinser Topf
Notary Public
Commission expires:

Name and Address of Property Owner:
Richard Scharff and Mary Scharff
219 Cherokee Drive
Memphis, TN 38111



HB 5847
No. _____
Date _____
Vol. 42000
Page 15540
100
800
1563

HB5847

SHELBY COUNTY REGISTER OF DEEDS
97 DEC 31 AM 10:59



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



20039657

04/20/2020 - 09:01:07 AM

3 PGS	
CHRISTINAM 2009061 - 20039657	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

In the undersigned owners of the property shown hereon hereby certify that as per plan of subdivision and lots, etc. the streets shown thereon are hereby authorized by the Garden Communities Corporation
attest
H. S. Speed, President
Garden Communities Corporation
and Secretary

Personally appeared before me L. E. Fahy County Clerk of Shelby County in and for said state and county at Knoxville duly sworn and qualified H. S. Speed with whom I am personally acquainted and who upon oath acknowledged to be the President of the Garden Communities Corporation the within named corporation and that he as such President being authorized as to do should the foregoing instrument for the purposes therein contained by signing the name of the Corporation to himself as President of the Corporation in and for said state and county at Knoxville Tennessee on the 27th day of July 1926
L. E. Fahy
County Clerk

approved by City Planning Commission
May 27-1926
C. C. Paschley
Secretary
approved by Shelby
County Commission
ED Hale Chairman
7/11/26
Am J. Hunt Secretary

CHICKASAW GARDENS

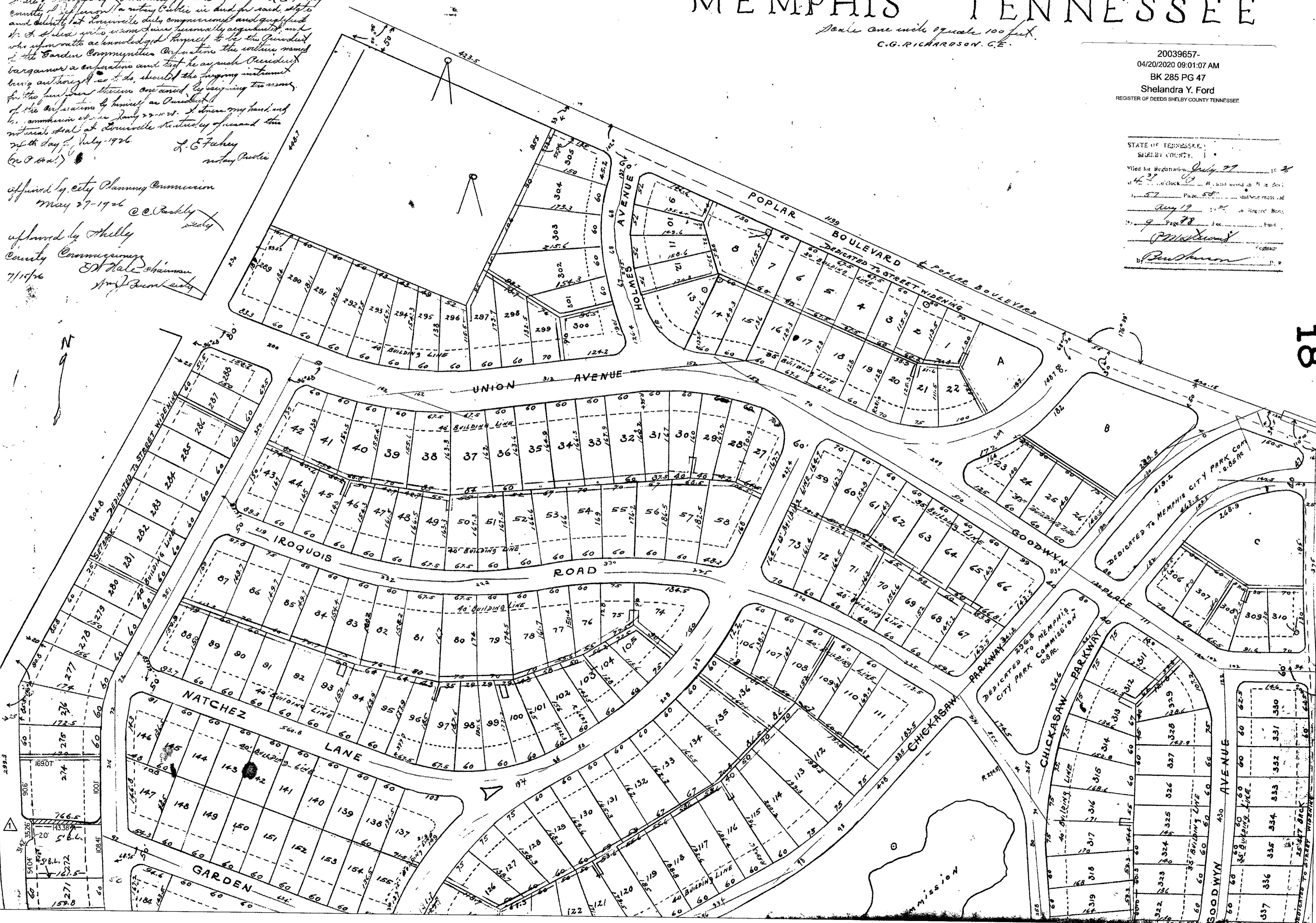
GARDEN COMMUNITIES CORPORATION

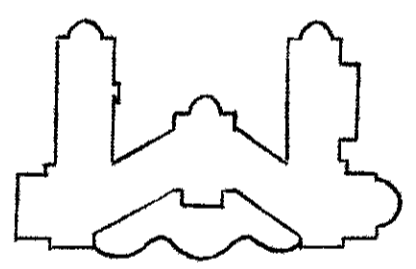
MEMPHIS TENNESSEE

Scale one inch equals 100 feet.
C.G. RICHARDSON, C.E.

20039657-
04/20/2020 09:01:07 AM
BK 285 PG 47
Shelandra Y. Ford
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

STATE OF TENNESSEE
SHELBY COUNTY
Filed for Registration July 27 1926
at 4:23 o'clock PM, and recorded in the Book
285 Page 47
July 19 1926 in Record Room
Page 28
C.G. Richardson
Clerk





DEDICATED TO MEMPHIS CITY PARK COMMISSION.

468

Modifications of Restrictions

MODIFICATION OF RESTRICTIONS
PART 9 PG 8 OF 8485812

CHICKASAW GARDENS SUBDIVISION

20039657-
04/20/2020 09:01:07 AM
BK 285 PG 47
Shelandra Y. Ford
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

NOTE ALL EASEMENTS 10' IN WIDTH.

CHICKASAW GARDENS

GARDEN COMMUNITIES CORPORATION

MEMPHIS TENNESSEE

Scale one inch equals 100 feet
C.G. RICHARDSON, C.E.

20039657-
04/20/2020 09:01:07 AM
BK 285 PG 47
Shelandra Y. Ford
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

STATE OF TENNESSEE
SHELBY COUNTY
Filed for Registration July 27
of 2020
Page 588
July 19
Page 28
P. S. W.

OWNER'S CERTIFICATE - 3000 CHEROKEE DRIVE, LOT 272 AND PART OF GARDEN LANE

I/WE, 30, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT IS NOT ENCUMBERED BY ANY TAXES (OR MORTGAGE) WHICH HAVE SAID PROPERTY BECOME DUE AND PAYABLE.

BY: _____ DATE: 4.8.20
SECRETARY

NOTARY'S CERTIFICATE

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TENNESSEE AND SHELBY COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED JENNIFER GUSTE WITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HIS OATH ACKNOWLEDGED HIMSELF TO BE THE WITHIN NAMED BARGAINER, AND THAT THEY EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN MEMPHIS, THIS 8 DAY OF APRIL 2020.

NOTARY PUBLIC J. Johnston
MY COMMISSION EXPIRES 4-30-2020



NOTARY'S CERTIFICATE

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TENNESSEE AND SHELBY COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED ED APPLE WITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HIS OATH ACKNOWLEDGED HIMSELF TO BE THE WITHIN NAMED BARGAINER, AND THAT THEY EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN MEMPHIS, THIS 8 DAY OF APRIL 2020.

NOTARY PUBLIC J. Johnston
MY COMMISSION EXPIRES 4-30-2020



ENGINEER'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT, IS IN CONFORMANCE WITH THE DESIGN REQUIREMENTS OF THE ZONING ORDINANCE, THE SUBDIVISION REGULATIONS AND THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT, AND TAKES INTO ACCOUNT ALL APPLICABLE FEDERAL, STATE AND LOCAL BUILDING LAWS AND REGULATIONS.

BY C. W. W.
TENNESSEE CERTIFICATE NO. 104565
4/7/2020



OWNER'S CERTIFICATE - 3000 CHEROKEE DRIVE, LOT 273 AND PART OF GARDEN LANE

I/WE, M, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT IS NOT ENCUMBERED BY ANY TAXES (OR MORTGAGE) WHICH HAVE SAID PROPERTY BECOME DUE AND PAYABLE.

BY: _____ DATE: 4-8-20
SECRETARY

OFFICE OF PLANNING AND DEVELOPMENT CERTIFICATE

1. THIS PLAN OF DEVELOPMENT IS BEING RE-RECORDED TO ADD SHEET 3 OF 3.
2. REFLECT THE CLOSURE OF GARDEN LANE AND THE INCORPORATION OF THE FORMER GARDEN LANE RIGHT OF WAY WITH THE ADJACENT PROPERTY OWNERS LOT 272 AND 273. HATCHED AREA ON SHEET 1 OF 3 IS AREA OF QUIT CLAIM TO LOT 274. LOT 273 AND THE HATCHED AREA ARE NOW COLLECTIVELY SHOWN AS LOT 274. FIVE FOOT SIDE YARD BUILDING SETBACK LINES HAVE BEEN ADDED TO LOT 272. SEE THE ORIGINAL LOCATION AND DIMENSIONS OF LOTS 272, 273 AND GARDEN LANE IN PLAT BOOK 9, PAGE 18.
3. CLOSURE OF GARDEN LANE WAS APPROVED BY THE MEMPHIS CITY COUNCIL ON DECEMBER 1, 1987 AND RECORDED UNDER INSTRUMENT AE 4728 IN THE SHELBY COUNTY REGISTER'S OFFICE. ANY EASEMENTS IN THE FORMER RIGHT-OF-WAY ARTICULATED BY THESE INSTRUMENTS, AS RECORDED WITH THE SHELBY COUNTY REGISTER OF DEEDS, ARE HEREBY ABANDONED AS THERE IS NO CITY INFRASTRUCTURE WITHIN THIS AREA.

INSTRUMENT # AE4728 AND
BY Shelandra Y. Ford DATE: 04/17/20
DIRECTOR
OFFICE OF PLANNING & DEVELOPMENT



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.

20106858

10/01/2020 - 10:46:30 AM

3 PGS

IAN 2097573-20106858

VALUE	637000.00
MORTGAGE TAX	0.00
TRANSFER TAX	2356.90
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	2376.90

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

WARRANTY DEED

THIS INDENTURE, made and entered into as of the **23rd day of September, 2020**, by and between **Thomas H. Hutton, III and wife, Laura D. Hutton**, party of the first part, and **Benjamin McMeen and wife, Elyse R. McMeen**, 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 the County of **Shelby**, State of **Tennessee**:

Lot 249, Chickasaw Gardens Subdivision, as shown on plat of record in Plat Book 285, Page 47 in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the party of the first part by Warranty Deed of record at Document Number 07122256 rerecorded at Instrument Number 07166689 in the Shelby County Register's Office, **Shelby County, Tennessee**.

This conveyance is made subject to **Subdivision Restrictions, Building Lines and Easements of record in Plat Book 9, Page 18, Plat Book 9, Page 19, Plat Book 9, Page 76, Plat Book 285, Page 47; Covenants and Restrictions of record in Book 1093, Page 56, Book 2770, Page 363, Book 4014, Page 445, Book 1093, Page 274, Book 3151, Page 391, Book 3151, Page 401, Book 3151, Page 415 and Instrument Numbers L7 8130, R7 3249, T2 5144, AA 5846, AK 3462, AN 5392, AU 5964, BZ 0630, FX 1804, all of record in the Register's Office of Shelby County, Tennessee, together with the City and County taxes, not yet due and payable which are prorated and assumed by Grantee herein.**

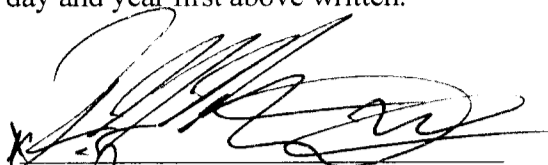
Thomas H. Hutton, III is one and the same person as Thomas H. Hutton as shown in Warranty Deed at Instrument Number 07122256 rerecorded at Instrument Number 07166689 in the Register's Office of Shelby County, Tennessee.

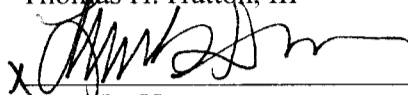
TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that they are lawfully seized in fee of the aforescribed real estate; they have a good right to sell and convey the same; that the same is unencumbered, except as setforth herein and that the title and quiet possession thereto they 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 in their proper gender and number according to the context hereof.

WITNESS the signature of the said party of the first part the day and year first above written.



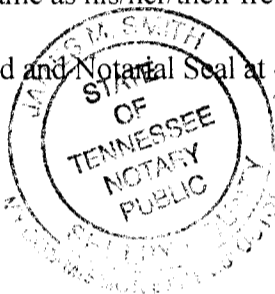
Thomas H. Hutton, III


Laura D. Hutton

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Thomas H. Hutton, III and Laura D. Hutton** to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument and who acknowledged that he/she/they executed the same as his/her/their free act and deed.

WITNESS my hand and Notary Seal at office this **23rd day of September, 2020.**





Notary Public

My Commission expires:

(FOR RECORDING DATA ONLY)

Property Address:
237 Cherokee Drive
Memphis, TN 38111

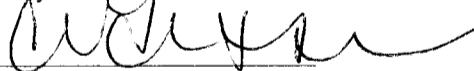
Property Owner:
Benjamin McMeen & Elyse R. McMeen
237 Cherokee Drive
Memphis, TN 38111

Ward, Block or Tax Parcel Number:
45-46-3

Mail tax bills to:
Benjamin McMeen
237 Cherokee Drive
Memphis TN 38111

This instrument prepared by:
Smith and Smith Law Firm
4917 William Arnold Road
Memphis, TN 38117

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 \$637,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

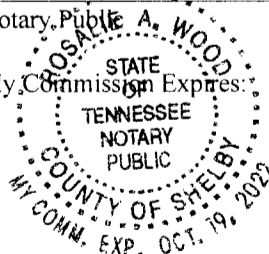


Affiant

Subscribed and sworn to before me this
the 23rd day of September, 2020.

Rosalie A. Wood

Notary Public A. Wood
My Commission Expires:



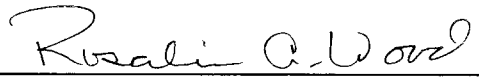
I, **William N. Griffin, Jr.** do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy the original document executed and authenticated according to law.



William N. Griffin, Jr.

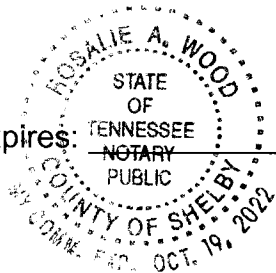
State of Tennessee
County of Shelby

On this 28 day of September 2020, personally appeared before me, a notary public for this county and state, **William N. Griffin, Jr.** who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary's Signature


My Commission Expires:
Notary's Seal





Tom Leatherwood
Shelby County Register / Archives

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

	
16081991	
08/11/2016 - 10:21 AM	
2 PGS	
MELISA 1496335-16081991	
VALUE	470000.00
MORTGAGE TAX	0.00
TRANSFER TAX	1739.00
RECORDING FEE	10.00
DF FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	1.00
TOTAL AMOUNT	1753.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

Prepared by and Return to:	Property Owner:	Property Address:	Mail Tax Bills To:	Tax Parcel No:
Allison T. Gilbert Harris Shelton Hanover Walsh PLLC 999 S. Shady Grove Road, Suite 300 Memphis, TN 38120	Robert D. Park, Jr. 242 Lombardy Road Memphis, TN 38111	242 Lombardy Rd. Memphis, TN 38111	Robert D. Park, Jr. 242 Lombardy Rd. Memphis, TN 38111	04504600000010

WARRANTY DEED

THIS INDENTURE, is made and entered into as of the 29th day of July, 2016, by and between **Kojo N. McLennon and wife, Gretchen K. Wollert**, party of the first part, and **Robert D. Park, Jr., an unmarried person**, 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 the County of Shelby, State of Tennessee:

Part of Lot 247, Chickasaw Gardens Subdivision, as recorded in Plat Book 9, Page 18, in the Register's Office of Shelby County, Tennessee, and being more particularly described as follows.

Beginning at a point in the south line of Lombardy Road 167 feet westwardly from the west line of Cherokee Road, said point being 7.0 feet westwardly from the northeast corner of Lot 247; thence westwardly with the said south line of Lombardy Road 80 feet to the intersection of said south line with the east line of south Fenwick (outlet) Street; thence southwardly with the east line of south Fenwick Street 132.9 feet to a point in the north line of Lot 246; thence eastwardly along the line dividing Lots 246 and 247, 93.5 (call 92.5) feet to a point 7.0 feet westwardly from the southwest corner of Lot 248; thence northwardly 139.8 feet to the point of beginning.

Being the same property conveyed to the party of the first part by Warranty Deed of record at Instrument Number 09016643 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 party of the second part, his heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that they are lawfully seized in fee of the aforescribed real estate; they have a good right to sell and convey the same; that the same is unencumbered, EXCEPT Subdivision restrictions building lines and easements of record in Plat Book 9, Page 18, Plat Book 9, Page 19, Plat Book 9, Page 76, and Amendment to Subdivision Restrictions in Book 1092, Page 574, Book 1093, Page 56, Book 1093, Page 271, Book 2506, Page 218, Book 2770, Page 363, Book 3151, Page 391, Book 3151, Page 401, Book 3151, Page 415, Instrument Number L7 8130, R7 3249, T2 5143, T2 5133, T2 5144, AA 5846, AK 3462, AN 5392, AU 5964, BZ 0630, and Easements of record in Chattel Book 275, Page 26, and Instrument No. 03154236, all in the Register's Office of Shelby County, Tennessee; and 2016 City of Memphis and 2016 Shelby County real estate taxes, which the party of the second part hereby assumes and agrees to pay; and that the title and quiet possession thereto they 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 in their proper gender and number according to the context hereof.

WITNESS the signature of the said party of the first part the day and year first above written.

Kojo N. McLennon
Kojo N. McLennon

Gretchen K. Wollert
Gretchen K. Wollert

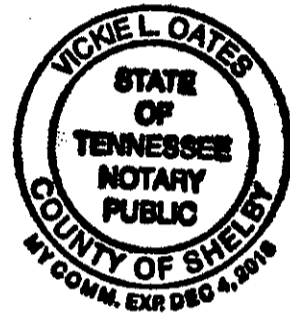
STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Kojo N. McLennon** to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument and who acknowledged that they executed the same as his free act and deed.

WITNESS my hand and Notarial Seal at office this 29th day of July, 2016.

Vickie L. Oates
Notary Public

My Commission expires:



STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **Gretchen K. Wollert** to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument and who acknowledged that they executed the same as her free act and deed.

WITNESS my hand and Notarial Seal at office this 29th day of July, 2016.

Vickie L. Oates
Notary Public

My Commission expires:



AFFIDAVIT OF VALUE

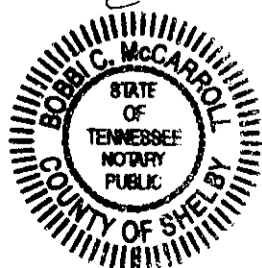
I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$470,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

[Signature]
Affiant

SUBSCRIBED and sworn to me this 29th day of July, 2016.

Bobbi C. McCarroll
Notary Public

My Commission Expires: OCT 21 2015



STONEHOLLOW HOLDINGS I LLC
4111 GWYNNE RD #
MEMPHIS TN 38117

HICKEY MARK A REVOCABLE LIVING TRUST
214 LOMBARDY RD #
MEMPHIS TN 38111

WHITE CHRISTOPHER L & ALLISON P
268 E CHICKASAW PKWY #
MEMPHIS TN 38111

SAKAUYE KENNETH M & BEVERLY C
189 LOMBARDY RD #
MEMPHIS TN 38111

MARCIANO MOLLY L & RICCARDO
219 W CHICKASAW PKWY #
MEMPHIS TN 38111

PATE PERI J
205 W CHICKASAW PKWY #
MEMPHIS TN 38111

THOMPSON WILLIAM AND MICHAEL HOOTS
193 S FENWICK RD #
MEMPHIS TN 38111

MAYS WILLIAM T JR & SUSAN M
241 LOMBARDY RD #
MEMPHIS TN 38111

WATTS GLORIA E P
194 CHEROKEE DR #
MEMPHIS TN 38111

BLAND LAUREN E
197 PICARDY ST #
MEMPHIS TN 38111

SQUITIERI MARK C & DEBRA TURNER SQUITIER
224 LOMBARDY RD #
MEMPHIS TN 38111

FLINN GEORGE S III & AMY R
6019 WOOD TRAIL DR #
MEMPHIS TN 38120

DURBIN ROBERT H & KATHERINE C
199 CHEROKEE DR #
MEMPHIS TN 38111

GOULD JAMES F & KATHERINE S THINNES
2785 LOMBARDY AVE #
MEMPHIS TN 38111

NOEL RANDALL D & LISSA J
2889 ARAWATA LN #
MEMPHIS TN 38111

QUINN EMILY J AND WILLIAM M QUINN
204 CHEROKEE DR #
MEMPHIS TN 38111

LEWIS ANTHONY & SALLY
2805 LOMBARDY AVE #
MEMPHIS TN 38111

SKEFOS JAMES J
2884 WALNUT GROVE RD #
MEMPHIS TN 38111

HARVEY KENNETH AND A ROMAN RUSH III (RS)
5210 GRANADA ST #
LOS ANGELES CA 90042

CONRAD JESSE F & CAROLINE M
238 LOMBARDY RD #
MEMPHIS TN 38111

KRAUSNICK VEAZEY G
2875 ARAWATA LN #
MEMPHIS TN 38111

ERB CATHERINE W & GEORGE K
2796 LOMBARDY AVE #
MEMPHIS TN 38111

FORTAS MILES S & ELLEN L
267 W CHICKASAW PKWY #
MEMPHIS TN 38111

CTY MEMPHIS PK COMMISSION
GENERAL DELIVERY #
MEMPHIS TN 38101

MEEKS GREGG C & JULIE H
211 CHEROKEE DR #
MEMPHIS TN 38111

GENENT LLC
2172 N FOX HOLLOW #1
NIXA MO 65714

CGIENT LLC SERIES 187 S FENWICK
7540 NORTH ST #
GERMANTOWN TN 38138

CHOURASIA NITISH & ANKITA GHOSH
217 LOMBARDY RD #
MEMPHIS TN 38111

JEFCOAT DAVID & CATHERINE
2915 ROBIN RD #
MEMPHIS TN 38111

BRYAN LARRY H
191 CHEROKEE DR #
MEMPHIS TN 38111

MORSE WILLIAM H JR & JANE M
194 PICARDY ST #
MEMPHIS TN 38111

COCKE DAVID J & JERRY H
212 CHEROKEE DR #
MEMPHIS TN 38111

SOWELL JOHN G & LINDA B
2815 LOMBARDY AVE #
MEMPHIS TN 38111

GULLY GEORGE W & JANE H
198 PICARDY ST #
MEMPHIS TN 38111

WILDER DAVID J & CANDACE S
225 LOMBARDY RD #
MEMPHIS TN 38111

GIBBS JOSEPH M
2825 LOMBARDY AVE #
MEMPHIS TN 38111

PAPRITZ DAVID & LEA W
199 S FENWICK RD #
MEMPHIS TN 38111

SCHARFF RICHARD & MARY
219 CHEROKEE DR #
MEMPHIS TN 38111

PARK ROBERT D JR
242 LOMBARDY RD #
MEMPHIS TN 38111

DUGGAN MELISSA
201 PICARDY ST #
MEMPHIS TN 38111

RAWSON EDWIN L & ALISON D
220 LOMBARDY RD #
MEMPHIS TN 38111

ARCHEY JOINT REVOCABLE TRUST
257 W CHICKASAW PKWY #
MEMPHIS TN 38111

ROBBINS E TODD & CHARLOTTE
203 LOMBARDY RD #
MEMPHIS TN 38111

HUSSEY ROBERT J III & JULIE T
227 W CHICKASAW PKWY #
MEMPHIS TN 38111

SCHIRO-GEIST CHRISANN & JOHN J CONWAY SR
261 W CHICKASAW PKWY #
MEMPHIS TN 38111

GLEYSTEEEN JOHN & CASEY
2788 LOMBARDY AVE #
MEMPHIS TN 38111

CULPEPPER MARGARET E
228 LOMBARDY RD #
MEMPHIS TN 38111

BALLENGER PETER L & BARBARA M
2796 CENTRAL AVE #
MEMPHIS TN 38111

DUNN MILTON D JR
210 LOMBARDY ST #
MEMPHIS TN 38111

MULLIS MICHAEL E & LESLIE D
243 W CHICKASAW PKWY #
MEMPHIS TN 38111

CITY OF MEMPHIS PARK COMISSION
GENERAL DELIVERY #
MEMPHIS TN 38101

WILLIFORD JOHN & RENEE
2806 LOMBARDY AVE #
MEMPHIS TN 38111

MCCABE SUZANN S REVOCABLE LIVING TRUST
251 W CHICKASAW PKWY #
MEMPHIS TN 38111

GERALD LEE & LELA
2804 CENTRAL AVE #
MEMPHIS TN 38111

LEATHERMAN ANN H
2816 LOMBARDY AVE #
MEMPHIS TN 38111

STAMPS JAMES K & COURTNEYS SENTER
2795 LOMBARDY AVE #
MEMPHIS TN 38111

FIDLER WILLIAM J JR & SHARON S
2816 CENTRAL AVE #
MEMPHIS TN 38111

CRONE ALAN G & ALLISON S
2826 LOMBARDY AVE #
MEMPHIS TN 38111

MCMEEN BENJAMIN & ELYSE R
237 CHEROKEE DR #
MEMPHIS TN 38111

BADDOUR LYNDA B & ANDREW W
281 W CHICKASAW PKWY #
MEMPHIS TN 38111

ADAMS L R & MELISSA B
2826 CENTRAL AVE #
MEMPHIS TN 38111

COHEN JON M & BEATRICE R ONEILL
278 E CHICKASAW PKWY #
MEMPHIS TN 38111

HEAD BENJAMIN F & CAROLYN H
2884 CENTRAL AVE #
MEMPHIS TN 38111

CONNELL KATHERINE G 2021 LIVING TRUST
560 COLONIAL RD #200
MEMPHIS TN 38117

MONTESI SEAN & DANIELLE
194 LOMBARDY RD #
MEMPHIS TN 38111

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

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

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Memphis TN 38134

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

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

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

Chickasaw HOA
A. Boyd Wade
9040 Garden Arbor Drive, Suite 206
Germantown, TN 38138

045049 00046 - STONEHOLLOW HOLDINGS I LLC
045051 00003 - SAKAUYE KENNETH M & BEVERLY C
045049 00048 - THOMPSON WILLIAM AND MICHAEL HOOTS
045049 00042 - BLAND LAUREN E
045050 00013 - DURBIN ROBERT H & KATHERINE C
045051 00008 - QUINN EMILY J AND WILLIAM M QUINN
045049 00050 - HARVEY KENNETH AND A ROMAN RUSH III (RS)
045049 00054 - ERB CATHERINE W & GEORGE K
045050 00014 - MEEKS GREGG C & JULIE H
045051 00005 - CHOURASIA NITISH & ANKITA GHOSH
045045 00011 - HICKEY MARK A REVOCABLE LIVING TRUST
045045 00003 - MARCIANO MOLLY L & RICCARDO
045050 00016 - MAYS WILLIAM T JR & SUSAN M
045045 00009 - SQUITIERI MARK C & DEBRA TURNER SQUITIER
045047 00007 - GOULD JAMES F & KATHERINE S THINNES
045047 00009 - LEWIS ANTHONY & SALLY
045046 00002 - CONRAD JESSE F & CAROLINE M
045046 00005 - FORTAS MILES S & ELLEN L
045046 00007 - GENENT LLC
045043 00005C - JEFCOAT DAVID & CATHERINE
045043 00002 - WHITE CHRISTOPHER L & ALLISON P
045045 00002 - PATE PERI J
045051 00009 - WATTS GLORIA E P
045051 00011 - FLINN GEORGE S III & AMY R
045051 00010 - NOEL RANDALL D & LISSA J

045050 00011 - SKEFOS JAMES J
045051 00001 - KRAUSNICK VEAZEY G
045131 00001 - CTY MEMPHIS PK COMMISSION
045049 00047 - CGIENT LLC SERIES 187 S FENWICK
045050 00012 - BRYAN LARRY H
045049 00045 - MORSE WILLIAM H JR & JANE M
045049 00044 - GULLY GEORGE W & JANE H
045049 00049 - PAPRITZ DAVID & LEA W
045049 00043 - DUGGAN MELISSA
045051 00004 - ROBBINS E TODD & CHARLOTTE
045049 00055 - GLEYSTEN JOHN & CASEY
045045 00013 - DUNN MILTON D JR
045049 00053 - WILLIFORD JOHN & RENEE
045049 00052 - LEATHERMAN ANN H
045049 00051 - CRONE ALAN G & ALLISON S
045051 00007 - COCKE DAVID J & JERRY H
045051 00006 - WILDER DAVID J & CANDACE S
045050 00015 - SCHARFF RICHARD & MARY
045045 00010 - RAWSON EDWIN L & ALISON D
045045 00004 - HUSSEY ROBERT J III & JULIE T
045045 00008 - CULPEPPER MARGARET E
045045 00005 - MULLIS MICHAEL E & LESLIE D
045045 00006 - MCCABE SUZANN S REVOCABLE LIVING TRUST
045047 00008 - STAMPS JAMES K & COURTNEYS SENTER
045046 00003 - MCMEEN BENJAMIN & ELYSE R

045047 00010 - SOWELL JOHN G & LINDA B
045047 00011 - GIBBS JOSEPH M
045046 00001 - PARK ROBERT D JR
045045 00007 - ARCHEY JOINT REVOCABLE TRUST
045046 00004 - SCHIRO-GEIST CHRISANN & JOHN J CONWAY SR
045047 00015 - BALLENGER PETER L & BARBARA M
045132 00001 - CITY OF MEMPHIS PARK COMISSION
045047 00014 - GERALD LEE & LELA
045047 00013 - FIDLER WILLIAM J JR & SHARON S
045046 00006 - BADDOUR LYNDA B & ANDREW W
045047 00012 - ADAMS L R & MELISSA B
045043 00001 - COHEN JON M & BEATRICE R ONEILL
045043 00019 - HEAD BENJAMIN F & CAROLYN H
045045 00014 - CONNELL KATHERINE G 2021 LIVING TRUST
045045 00001 - MONTESI SEAN & DANIELLE

Commencing at a point of intersection of the centerline of S. Fenwick Road (50' ROW) and the centerline of Lombardy Road (60' ROW) (312404.5824 N, 782451.1730 E); thence S03°11'06"W a distance of 45.04 feet to a point; thence S86°48'54"E a distance of 25.00 feet to the point of beginning, said point in the east line of S. Fenwick Road (312358.2224 N, 782473.6318 E); thence N3°11'6"E a distance of 53.38 feet to a point; thence N4°52'13"E a distance of 37.12 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.39 feet (chord S41°42'26"E 21.79 feet) to a point; thence along a 613.00 foot radius curve to the left an arc distance of 197.70 feet (chord N82°28'35"E 196.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 24.16 feet (chord N27°5'54"E 21.63 feet) to a point; thence S19°2'26"E a distance of 90.06 feet to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.04 feet (chord N63°3'3"W 20.84 feet) to a point; thence along a 673.00 foot radius curve to the right an arc distance of 223.87 feet (chord S82°28'7"W 222.84 feet) to a point; thence along a 15.00 foot radius curve to the left an arc distance of 23.25 feet (chord S47°35'30"W 20.99 feet) to the POINT OF BEGINNING and containing 14,675 square feet, or 0.337 acres.

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 12/19/2023

DATE

PUBLIC SESSION: 12/19/2023

DATE

ITEM (CHECK ONE)

 ORDINANCE X RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a planned development at the subject property located at 1674 Delano Avenue, known as case number PD 23-16

CASE NUMBER: PD 23-16

DEVELOPMENT: Swivel's Storage Planned Development

LOCATION: 1674 Delano Avenue

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

OWNER/APPLICANT: Crook-Boga Community Development Corporation

REPRESENTATIVE: Evelyn Royston, Construction Codes Consultants, LLC

REQUEST: Planned Development to allow a self-service mini-storage facility
AREA: +/- .784 acres

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**
Hearing –December 19, 2023

PRIOR ACTION ON ITEM:

 (1) _____
10/12/2023
(1) Land Use Control Board

APPROVAL - (1) APPROVED (2) DENIED
DATE
ORGANIZATION - (1) BOARD / COMMISSION
(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

 (2) _____
\$ _____
\$ _____

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

SOURCE AND AMOUNT OF FUNDS

\$ _____
\$ _____
\$ _____

OPERATING BUDGET
CIP PROJECT # _____
FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

Brett Regadole

<u>DATE</u>	<u>POSITION</u>
_____	PRINCIPAL PLANNER
_____	DEPUTY ADMINISTRATOR
<u>12/11/2023</u>	ADMINISTRATOR
_____	DIRECTOR (JOINT APPROVAL)
_____	COMPTROLLER
_____	FINANCE DIRECTOR
_____	CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

PD 23-16

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 1674 DELANO AVENUE, KNOWN AS CASE NUMBER PD 23-16

- This item is a resolution with conditions to allow a self-service mini-storage facility; and
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, October 12, 2023** the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: PD 23-16

DEVELOPMENT: Swivel's Storage Planned Development

LOCATION: 1674 Delano Avenue

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

OWNER/APPLICANT: Crook-Boga Community Development Corporation

REPRESENTATIVE: Evelyn Royston, Construction Codes Consultants, LLC

REQUEST: Planned Development to allow a self-service mini-storage facility

EXISTING ZONING: Commercial Mixed Use – 1 (CMU-1)

AREA: +/- .784 acres

The following spoke in support of the application: None

The following spoke in opposition the application: None

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

The motion passed by a vote of 5-3.

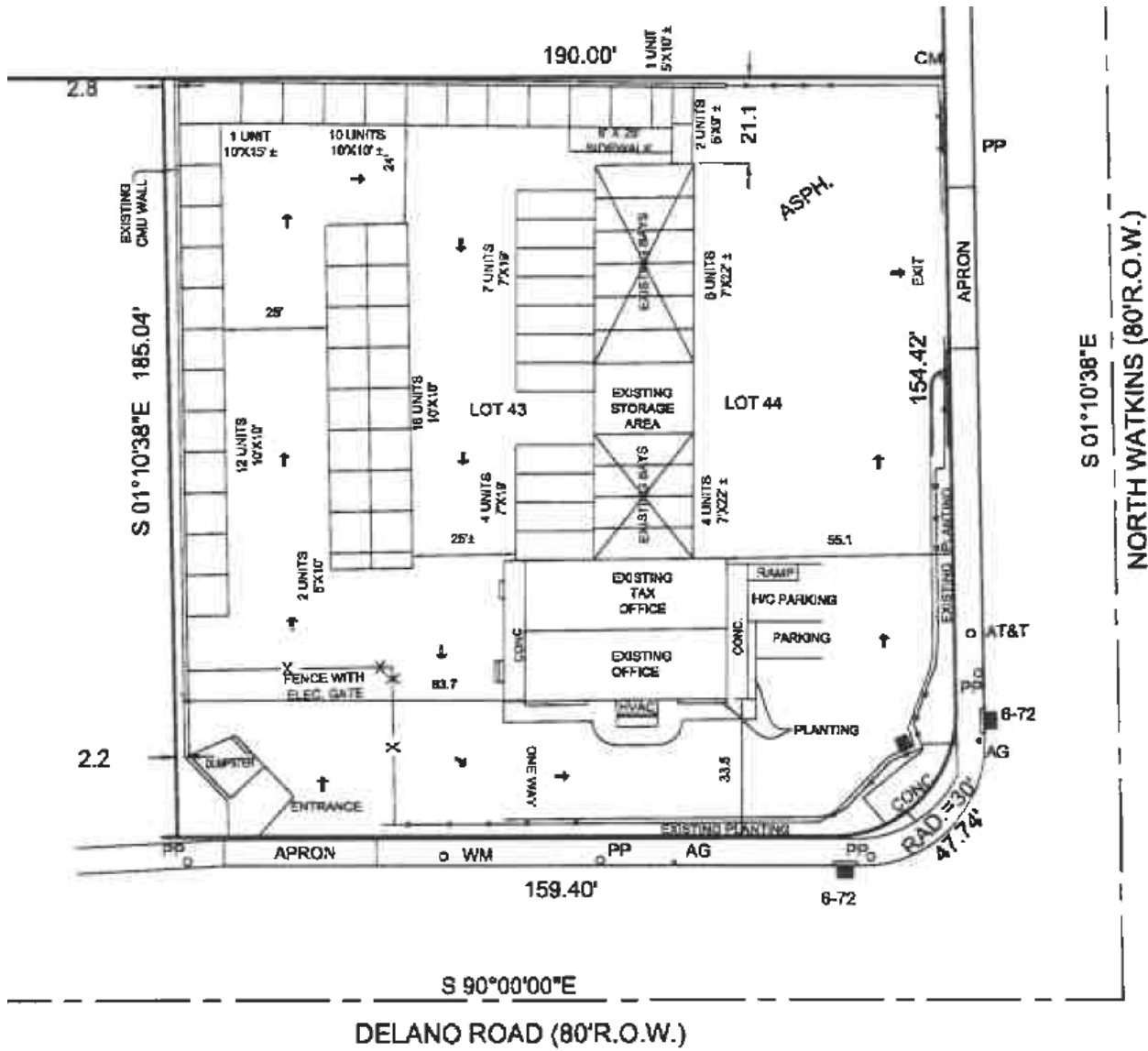
Respectfully,



Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

PD 23-16
 Site Plan



Outline Plan Conditions

- I. Uses Permitted
 - A. All uses permitted in the Commercial Mixed Use – 1 (CMU-1) District with the inclusion of self-service mini-storage.
- II. Bulk Regulations
 - A. CMU-1 District except as modified below:
 - a. West property line side interior yard setback – 7 feet minimum
- III. Parking, Access, and Circulation
 - A. One curb cut permitted Watkins. (existing)
 - B. One curb cut permitted Delano. (existing)
 - C. Any existing nonconforming curb cuts shall be modified to meet current City standards or closed with curb, gutter, and sidewalk.
 - D. The City Engineer shall approve the design, number, and location of curb cuts.
 - E. 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.
 - F. 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.
 - G. All required parking shall be illustrated on the final plat. No parking shall be allowed on adjacent lots or parcels.
 - H. Required queuing spaces shall comply with the Unified Development Code.
- IV. Landscaping and Screening
 - A. Landscaping shall be provided per the requirements of the UDC.
 - B. A Class III buffer shall be installed along the west property line as required by UDC 4.6.5B.
 - C. Refuse containers must not be located between the front facades of a building and the right-of-way and they shall be screened from view of the right-of-way and any abutting residential uses or districts.
- V. Lighting Requirements
 - A. Lighting shall be directed to not glare onto adjacent property or traffic on Watkins, Delano Road or adjacent properties.
 - B. An outdoor light plan detailing the location, height, style, direction, etc. and a photometric plan must be submitted for review and administrative approval.
- VI. Signs
 - A. Signs shall comply with the CMU-1 District regulations.
- VII. A final plan shall be filed within five (5) years of approval of the outline plan. The Land Use Control Board may grant extensions at the applicant request.
- VIII. Any final plan shall include the following:
 - A. The outline plan conditions.
 - B. The location and dimensions, including height of all buildings or buildable areas, pedestrian and utility easements, service drives, parking, refuse containers, loading facilities, required landscaping and screening areas, elevations, building façade materials, circulation, etc.
 - C. The 100 –year flood elevation.

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT 1674 DELANO AVENUE, KNOWN AS CASE NUMBER PD 23-16

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a planned development for certain stated purposes in the various zoning districts; and

WHEREAS, the Crook-Boga Comm/Dev., Corp. filed an application with the Memphis and Shelby County Division of Planning and Development to allow a self-service mini-storage facility; and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on October 12, 2023, and said Board has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Council of the City of Memphis; and

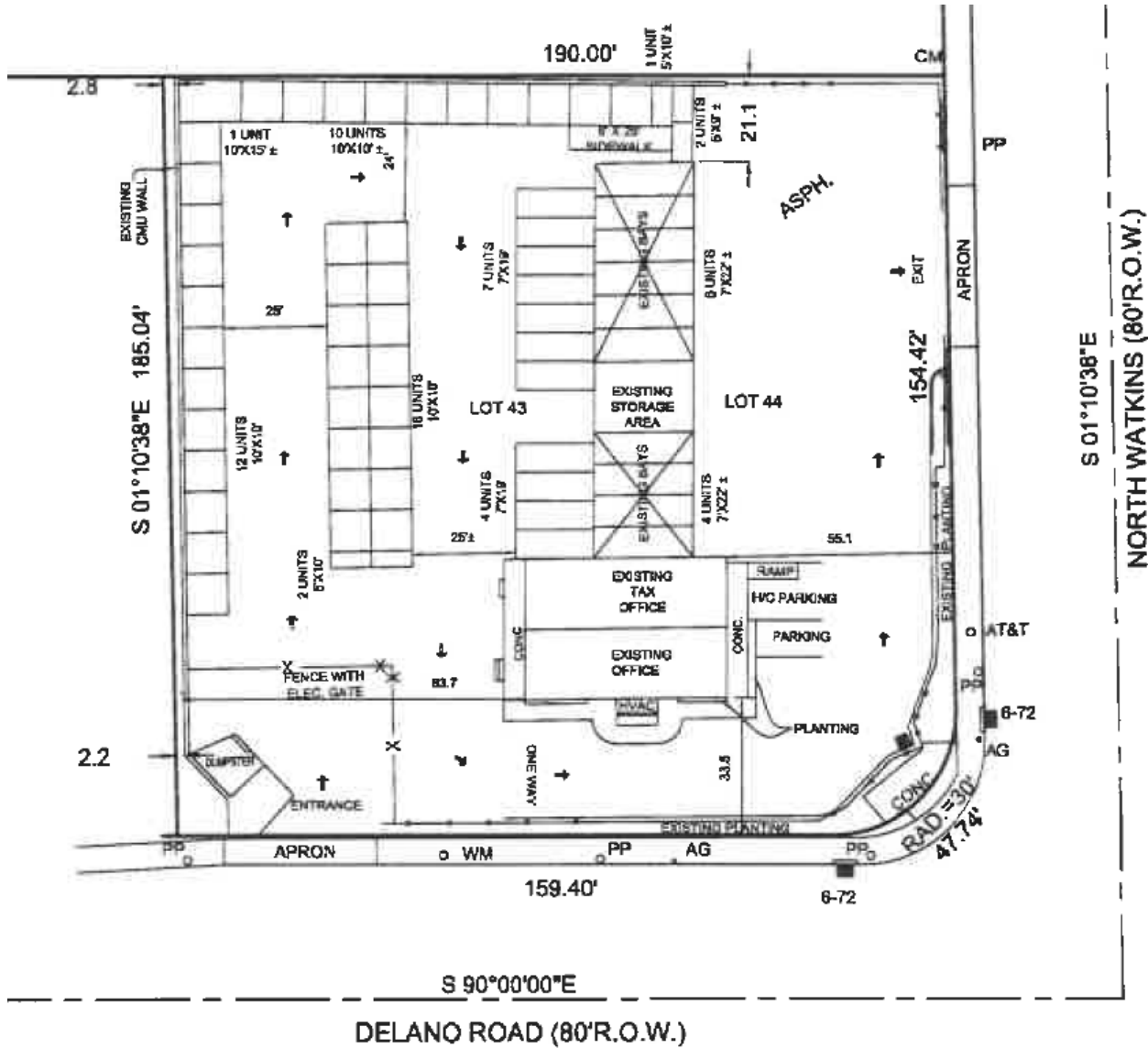
WHEREAS, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

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

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

BE IT FURTHER RESOLVED, that the requirements of said aforementioned clause of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.

Site Plan



Outline Plan Conditions

- I. Uses Permitted
 - A. All uses permitted in the Commercial Mixed Use – 1 (CMU-1) District with the inclusion of self-service mini-storage.
- II. Bulk Regulations
 - A. CMU-1 District except as modified below:
 - a. West property line side interior yard setback – 7 feet minimum
- III. Parking, Access, and Circulation
 - A. One curb cut permitted Watkins. (existing)
 - B. One curb cut permitted Delano. (existing)
 - C. Any existing nonconforming curb cuts shall be modified to meet current City standards or closed with curb, gutter, and sidewalk.
 - D. The City Engineer shall approve the design, number, and location of curb cuts.
 - E. 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.
 - F. 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.
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 - H. Required queuing spaces shall comply with the Unified Development Code.
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 - A. Landscaping shall be provided per the requirements of the UDC.
 - B. A Class III buffer shall be installed along the west property line as required by UDC 4.6.5B.
 - C. Refuse containers must not be located between the front facades of a building and the right-of-way and they shall be screened from view of the right-of-way and any abutting residential uses or districts.
- V. Lighting Requirements
 - A. Lighting shall be directed to not glare onto adjacent property or traffic on Watkins, Delano Road or adjacent properties.
 - B. An outdoor light plan detailing the location, height, style, direction, etc. and a photometric plan must be submitted for review and administrative approval.
- VI. Signs
 - A. Signs shall comply with the CMU-1 District regulations.
- VII. A final plan shall be filed within five (5) years of approval of the outline plan. The Land Use Control Board may grant extensions at the applicant request.
- VIII. Any final plan shall include the following:
 - A. The outline plan conditions.
 - B. The location and dimensions, including height of all buildings or buildable areas, pedestrian and utility easements, service drives, parking, refuse containers, loading facilities, required landscaping and screening areas, elevations, building façade materials, circulation, etc.
 - C. The 100 –year flood elevation.

ATTEST:

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

AGENDA ITEM: 5

CASE NUMBER: PD 2023-016 **L.U.C.B. MEETING:** October 12, 2023

LOCATION: 1674 Delano Avenue

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

OWNER/APPLICANT: SWIVWL'S STORAGE

REPRESENTATIVE: Evelyn Royston, Construction Codes Consultants, LLC

REQUEST: Planned Development to allow a self-service mini-storage facility

AREA: +/- .784 acres

EXISTING ZONING: Commercial Mixed Use – 1 (CMU-1)

CONCLUSIONS

1. The applicant is requesting a planned development of +/- .784 acres to allow a self-service mini-storage facility in a Commercial Mixed Use – 1 (CMU-1) District.
2. The property is currently being used as two office bays and five self-serve car wash bays.
3. Self-service mini-storage facilities are not allowed in the Commercial Mixed Use – 1 (CMU-1) zoning district.
4. Staff does not agree that the intent of a Planned Development in UDC 4.10.1 is met, which states:

“The intent...is to create a more desirable use of the land... a better physical environment than would be possible under a single base zoning district or combination of base zoning districts. Planned developments are intended as a tool to allow creative and imaginative design that will promote amenities beyond those expected in conventional developments.”

CONSISTENCY WITH MEMPHIS 3.0

This proposal is inconsistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 20-22 of this report.

RECOMMENDATION

Rejection

GENERAL INFORMATION

Street Frontage:	Delano Road North Watkins	+/- 159.4 curvilinear feet +/- 154.42 linear feet
Zoning Atlas Page:	1830	
Parcel ID:	070031 00023C	
Existing Zoning:	Commercial Mixed Use – 1 (CMU-1)	

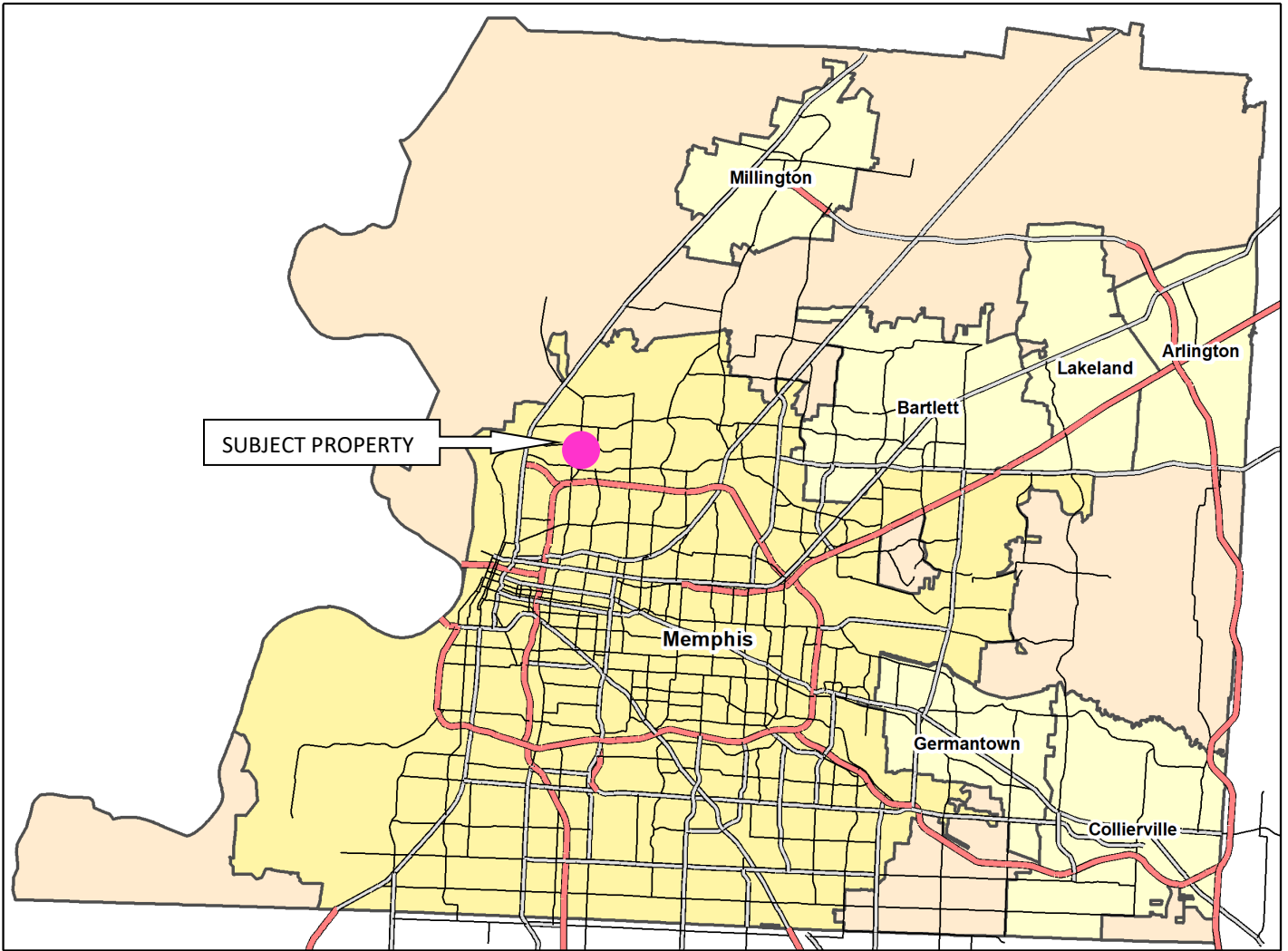
NEIGHBORHOOD MEETING

The meeting was held at 5:00 PM on Monday, July 31, 2023, at 1674 Delano, Suite A, Memphis, Tn., 38127.

PUBLIC NOTICE

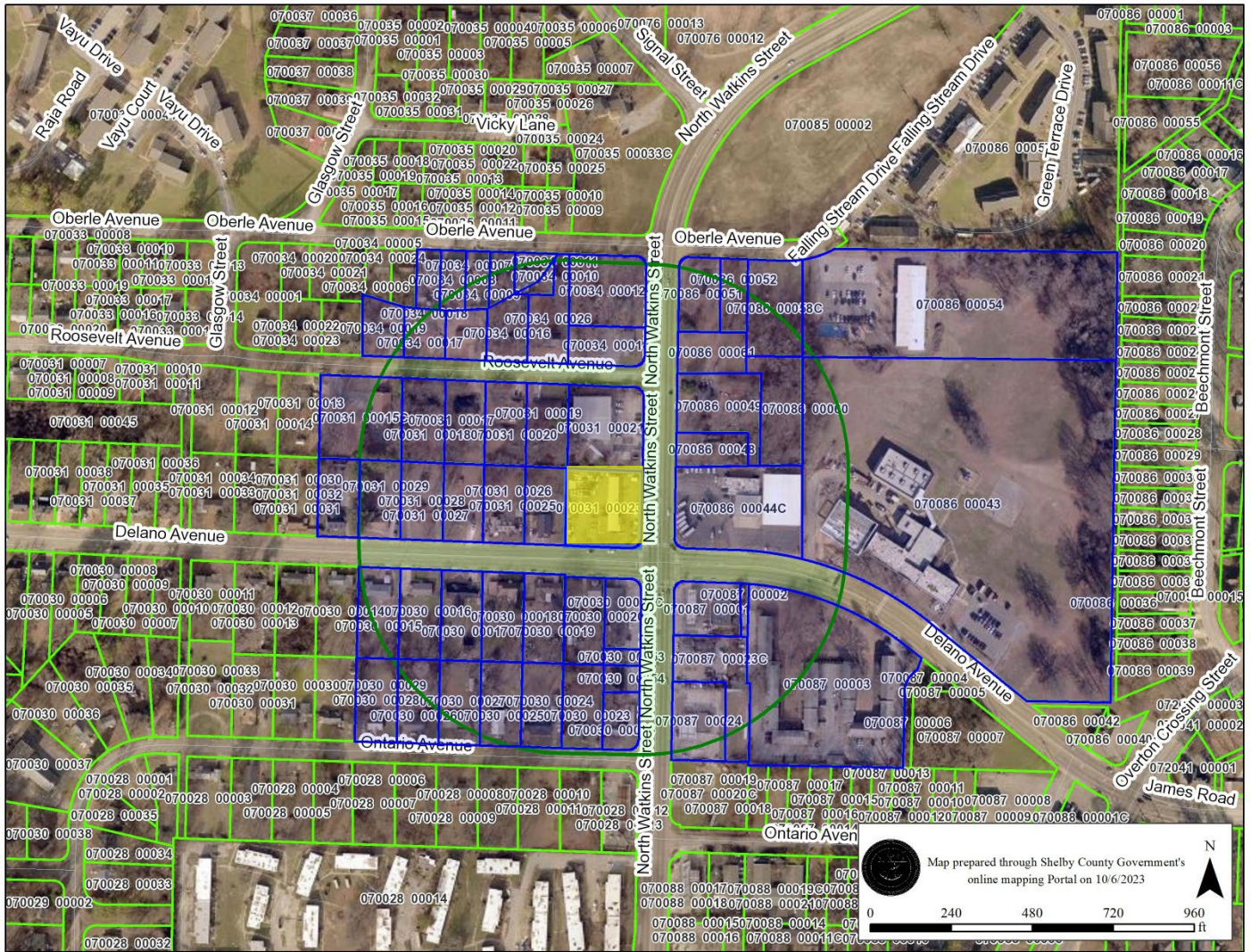
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 51 notices were mailed on July 26, 2023, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle.

VICINITY MAP



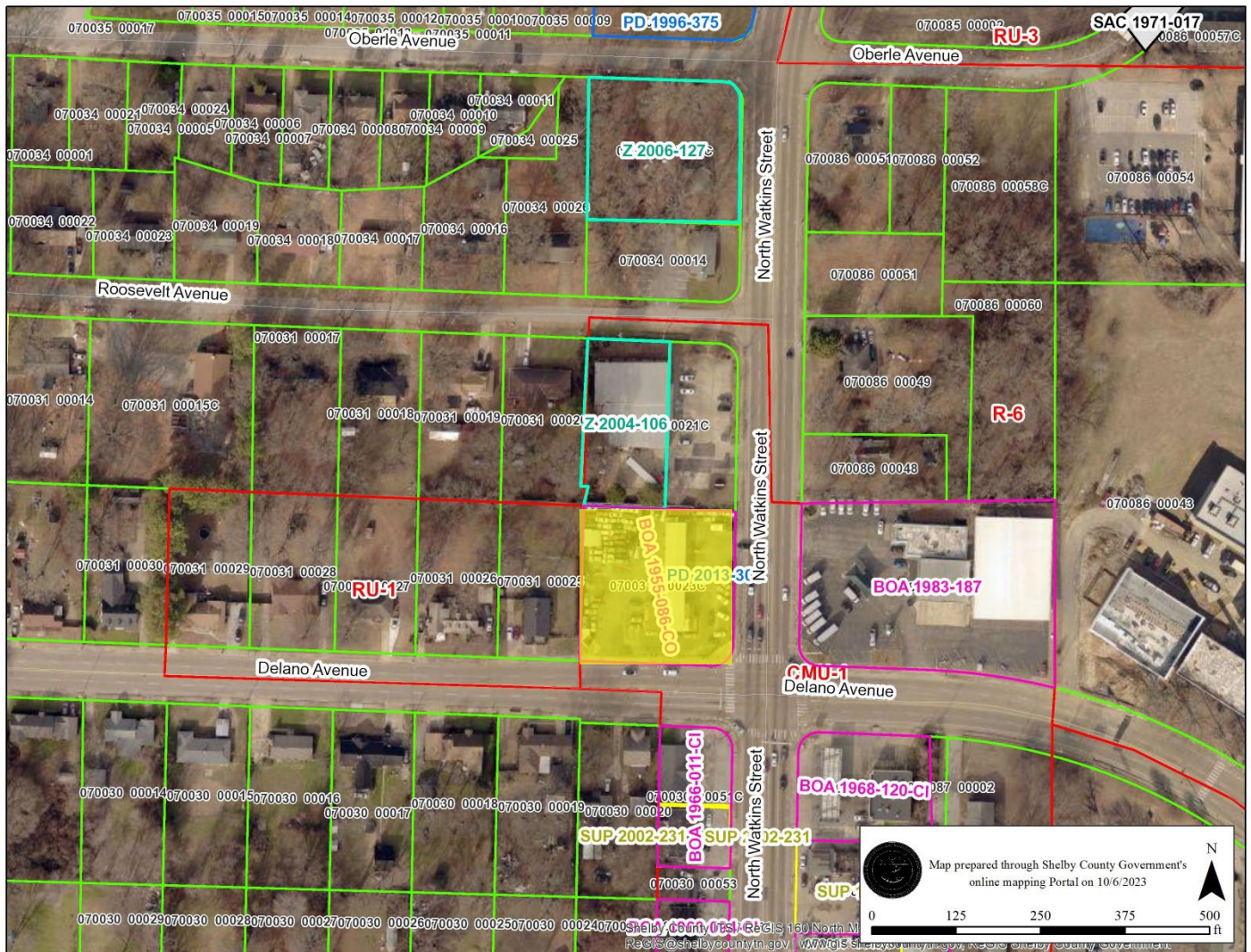
Subject property highlighted in yellow.

AERIAL



Subject property outlined in yellow.

ZONING MAP



Subject property highlighted in yellow.

Existing Zoning: Commercial Mixed Use – 1 (CMU-1), PD 2013-308

Surrounding Zoning

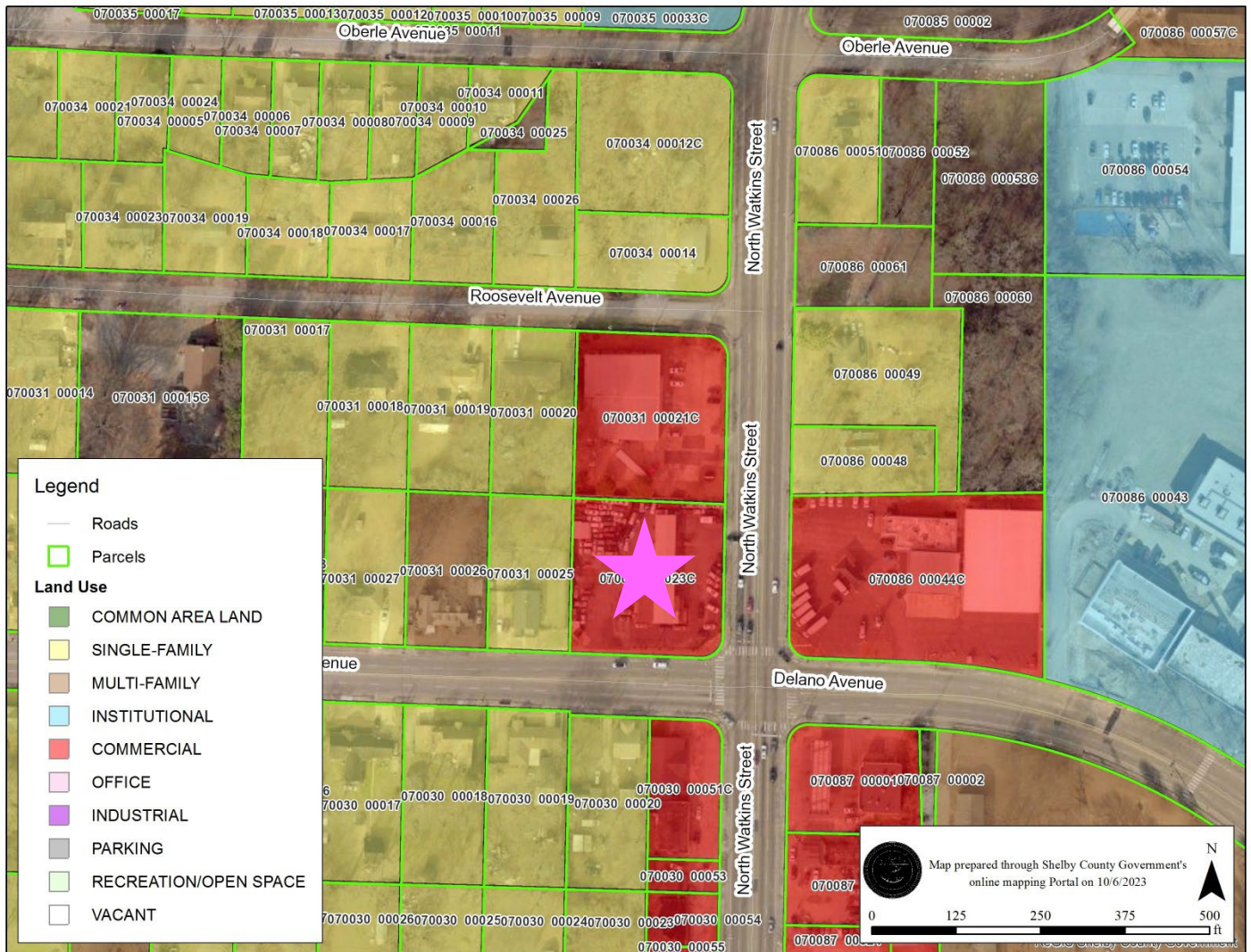
North: Residential Single Family-6(R-6), Z 2004-106, Z 2006-127

East: Residential Single Family-6(R-6), BOA 1983-187

South: Commercial Mixed Use – 1 (CMU-1), Residential Single Family-6(R-6), BOA 1966-011 CI, SUP 2002-231

West: Residential Urban-1 (RU-1)

LAND USE MAP

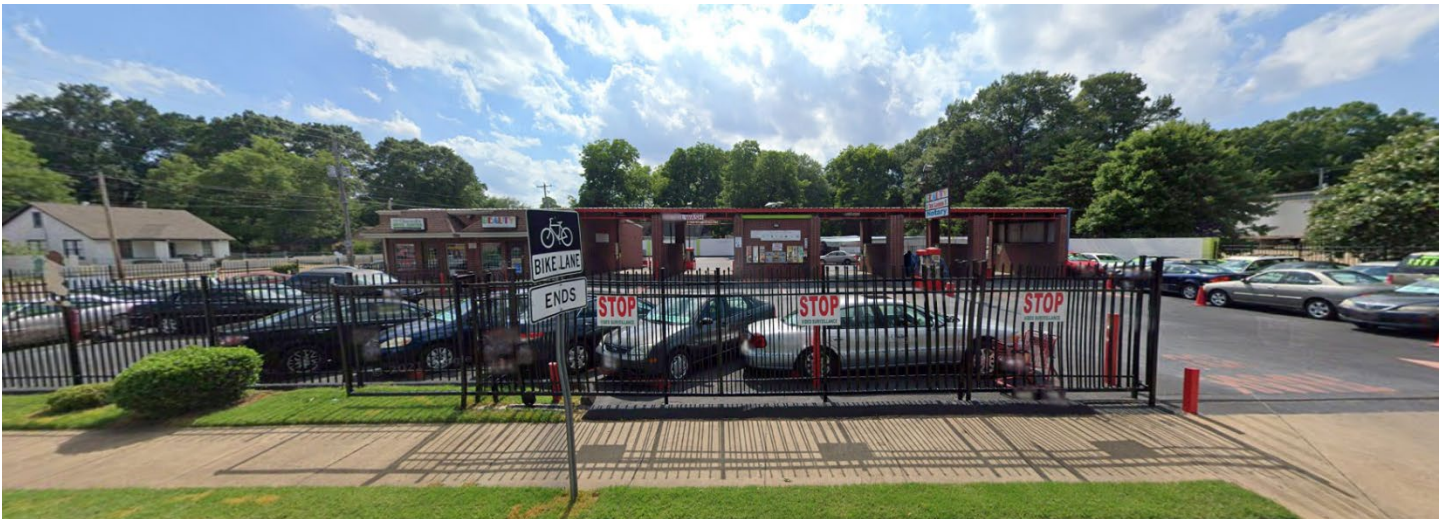


Subject property outlined in electric blue indicated by a pink star.

SITE PHOTOS



View of the subject property from Delano Avenue.



View of the subject property from North Watkins Street.

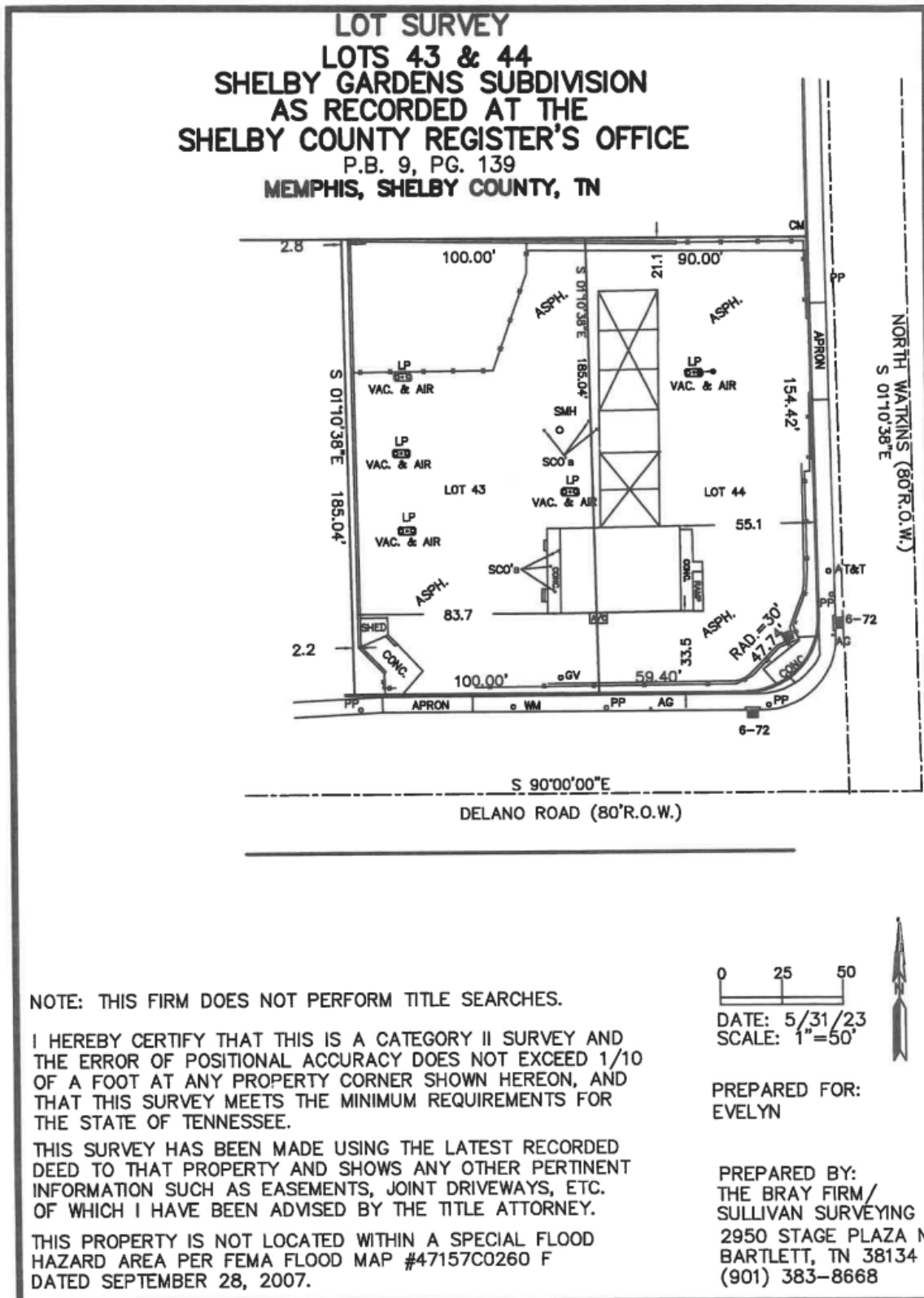


View of the subject property from above (South-east).



View of the subject property from above (South-west).

SURVEY



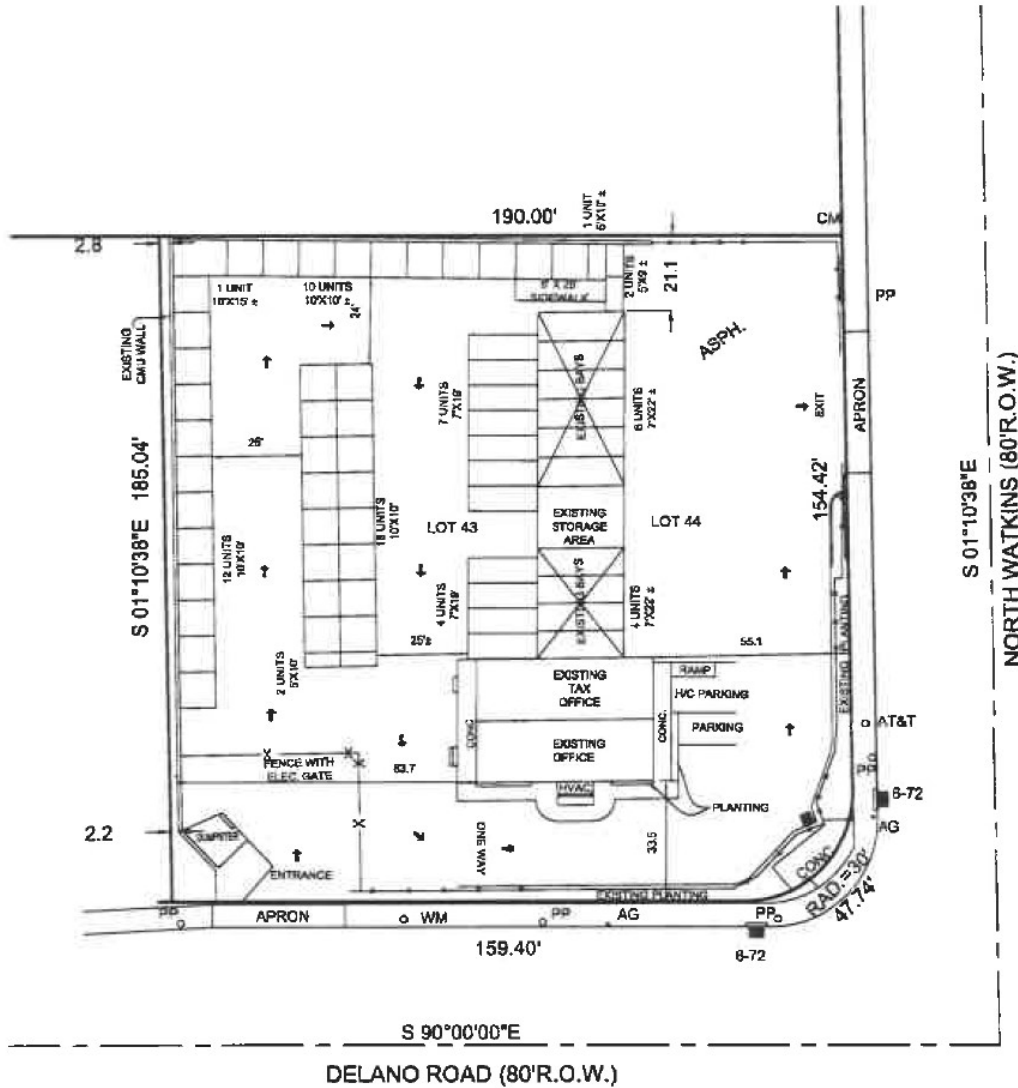
NOTE: THIS FIRM DOES NOT PERFORM TITLE SEARCHES.

I HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE ERROR OF POSITIONAL ACCURACY DOES NOT EXCEED 1/10 OF A FOOT AT ANY PROPERTY CORNER SHOWN HEREON, AND THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THE STATE OF TENNESSEE.

THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED TO THAT PROPERTY AND SHOWS ANY OTHER PERTINENT INFORMATION SUCH AS EASEMENTS, JOINT DRIVEWAYS, ETC. OF WHICH I HAVE BEEN ADVISED BY THE TITLE ATTORNEY.

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

SITE PLAN



- TOTAL 65 UNITS
- 38 - 10'x10' ± UNITS
- 3 - 6'x10' ± UNITS
- 2 - 5'x9' ± UNITS
- 1 - 15'x10' ± UNITS
- 10 - 7'x22' ± UNITS
- 11 - 7'x10' ± UNITS

STAFF ANALYSIS

Request

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

The request is to install approximately 50 self-service mini-storage units on a property currently used for auto sales, carwash, and office type business. The mini-storage units are prefab metal units. The property will be secured with a wrought iron fence with electronic gate entry and egress with queuing for entrance on the premises. The mini-storage units are proposed to be drive-up units with a minimum 24-foot drive aisle for parking at the unit to unload—each mini-storage unit is not the width of a car parking stall, rather, it is presumed not all users will be on-site at the same time. The property will be monitored with adequate outdoor lighting per the applicant.

Applicability

Staff **agrees** the applicability standards and criteria as set out in Section 4.10.2 of the Unified Development Code are or will be met.

4.10.2 Applicability

The governing bodies may, upon proper application, grant a special use permit for a planned development (see Chapter 9.6) for a tract of any size within the City or for tracts of at least three acres in unincorporated Shelby County to facilitate the use of flexible techniques of land development and site design, by providing relief from district requirements designed for conventional developments, and may establish standards and procedures for planned developments in order to obtain one or more of the following objectives:

- A. Environmental design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property.*
- B. Diversification in the uses permitted and variation in the relationship of uses, structures, open space and height of structures in developments intended as cohesive, unified projects.*
- C. Functional and beneficial uses of open space areas.*
- D. Preservation of natural features of a development site.*
- E. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.*
- F. Rational and economic development in relation to public services.*
- G. Efficient and effective traffic circulation, both within and adjacent to the development site, that supports or enhances the approved transportation network.*
- H. Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.*
- I. Revitalization of established commercial centers of integrated design 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** the general provisions standards and criteria as set out in Section 4.10.3 of the Unified Development

Code are or will be met.

4.10.3 General Provisions

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations of the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in this Chapter.

- A. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.*
- B. An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.*
- C. The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.*
- D. Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.*
- E. Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.*
- F. Lots of record are created with the recording of a planned development final plan.*

Commercial or Industrial Criteria

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

4.10.5 Planned Commercial or Industrial Developments

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

- A. Screening*

When commercial or industrial structures or uses in a planned commercial or industrial development about a residential district or permitted residential buildings in the same development, screening may be required by the governing bodies.
- B. Display of Merchandise*

All business, manufacturing and processing shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way, provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.

C. *Accessibility*

The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development.

D. *Landscaping*

Landscaping shall be required to provide screening of objectionable views of uses and the reduction of noise. High-rise buildings shall be located within the development in such a way as to minimize any adverse impact on adjoining low-rise buildings.

Approval Criteria

Staff agrees the approval criteria as set out in Section 9.6.9 of the Unified Development Code are being met.

9.6.9 Approval Criteria

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

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

Site Description

The subject property is +/-0.7840 acres, located on Northwest corner of N. Watkins St and Delano Road. The site is located within the Frayser community and is identified within the Frayser Futures Comprehensive Plan. The area plan supports commercial development at commercial nodes within the community; the subject site is accompanied at the intersection of Watkins Street Delano Road by other commercial land uses.

Site Zoning History

The current zoning is Commercial Mixed Use – 1 (CMU-1).

On August 03, 1955, the Board of Adjustment approved Docket BOA 55-86 to allow a Service Station in Agriculture zone.

On March 14, 2013, Memphis and Shelby County Land Use Control Board approved a special permit for Brian Liberto Cook to permit approval of a Vehicle Sales Office with 25 parking spaces for vehicle display to be located at 1674 Delano Road: northwest corner of N. Watkins St and Delano Road, which also was approved by the Council of the City of Memphis as SUP 2013-308.

Site Plan Review

The subject property is +/-0.7840 acres.

The current zoning is Commercial Mixed Use – 1 (CMU-1) District.

Subject property is part of Halls Shelby Garden Subdivision.

Conclusions

1. The applicant is requesting a planned development of +/- .784 acres to allow a self-service mini-storage facility in a Commercial Mixed Use – 1 (CMU-1) District.
2. The property is currently being used as two office bays and five self-serve car wash bays.
3. Self-service mini-storage facilities are not allowed in the Commercial Mixed Use – 1 (CMU-1) zoning district.
4. Staff does not agree that the intent of a Planned Development in UDC 4.10.1 is met, which states:

“The intent...is to create a more desirable use of the land.... a better physical environment than would be possible under a single base zoning district or combination of base zoning districts. Planned developments are intended as a tool to allow creative and imaginative design that will promote amenities beyond those expected in conventional developments.”

RECOMMENDATION

Staff recommends rejection; however, if approved, staff recommends the following site and outline plan conditions:

Outline Plan Conditions

- I. Uses Permitted
 - A. All uses permitted in the Commercial Mixed Use – 1 (CMU-1) District with the inclusion of self-service mini-storage.

- II. Bulk Regulations
 - A. CMU-1 District except as modified below:
 - a. West property line side interior yard setback – 7 feet minimum

- III. Parking, Access, and Circulation
 - A. One curb cut permitted Watkins. (existing)
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- IV. Landscaping and Screening
 - A. Landscaping shall be provided per the requirements of the UDC.
 - B. A Class III buffer shall be installed along the west property line as required by UDC 4.6.5B.
 - C. Refuse containers must not be located between the front facades of a building and the right-of-way and they shall be screened from view of the right-of-way and any abutting residential uses or districts.

- V. Lighting Requirements
 - A. Lighting shall be directed to not glare onto adjacent property or traffic on Watkins, Delano Road or adjacent properties.
 - B. An outdoor light plan detailing the location, height, style, direction, etc. and a photometric plan must be submitted for review and administrative approval.

- VI. Signs
 - A. Signs shall comply with the CMU-1 District regulations.

- VII. A final plan shall be filed within five (5) years of approval of the outline plan. The Land Use Control Board may grant extensions at the applicant request.

- VIII. Any final plan shall include the following:
 - A. The outline plan conditions.
 - B. The location and dimensions, including height of all buildings or buildable areas, pedestrian and

utility easements, service drives, parking, refuse containers, loading facilities, required landscaping and screening areas, elevations, building façade materials, circulation, etc.

- C. The 100 –year flood elevation.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

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

Sewers:

2. City sanitary sewers are available to serve this development.
3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.
4. An overall sewer plan for the entire site shall be submitted to the City Engineer prior to approval of the first final plat.

Roads:

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

Traffic Control Provisions:

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

Curb Cuts/Access:

10. The City Engineer shall approve the design, number, and location of curb cuts.
11. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter, and sidewalk.
12. Will require engineering ASPR.

City/County Fire Division:

- All design and construction shall comply with the 2021 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

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

**Office of Comprehensive Planning:
Comprehensive Planning Review of Memphis 3.0 Consistency**

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: PD 23-016: Frayser

Site Address/Location: 1674 Delano Ave.

Overlay District/Historic District/Flood Zone: Not in a historic district or in a flood zone.

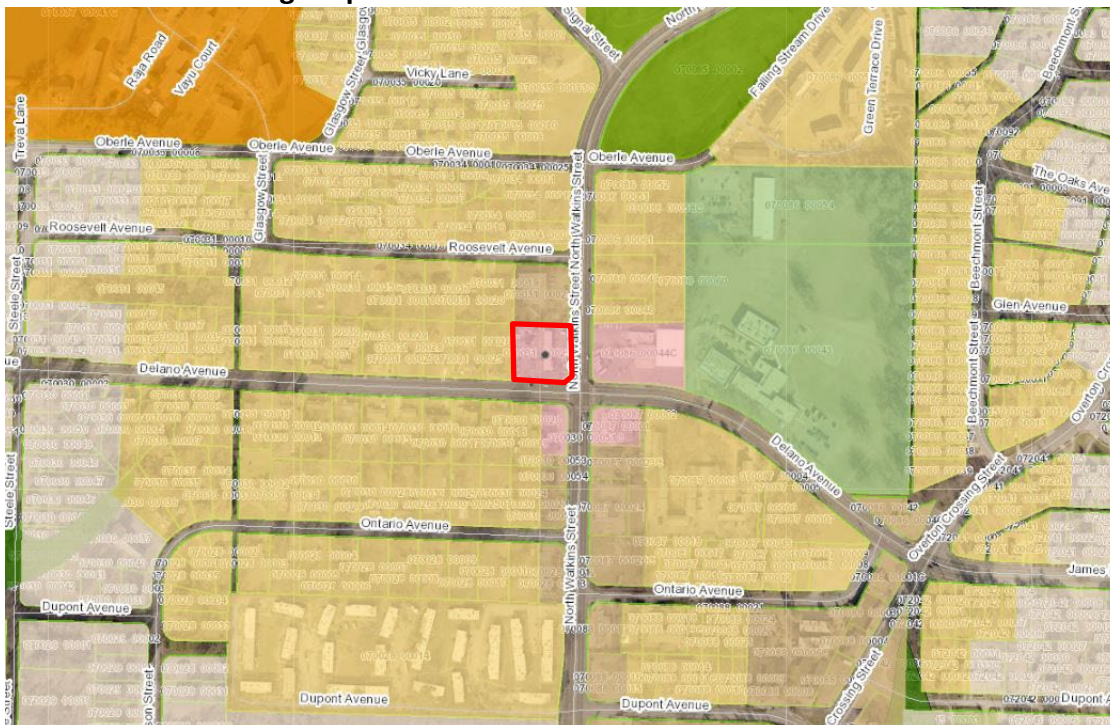
Future Land Use Designation: Anchor Neighborhood Crossing (A-NC)

Street Type: Avenue

The applicant is seeking approval to a planned development to allow a self-storage facility at 1674 Delano Avenue.

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

Future Land Use Planning Map



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

1. Land Use Description/Intent

Anchor Neighborhood Crossings (A-NC) are small, walkable mixed-use centers comprised of house scale buildings embedded within otherwise residential neighborhoods. Graphic portrayal of A-NC is to the right.



“A-NC” Form & Location Characteristics

NURTURE

Primarily detached, single-family residences and commercial and institutional uses. Attached single-family, duplexes, triplexes, quadplexes and large homes (defined in the UDC as those apartment buildings with up to 6 units), including those with active ground floor commercial uses (including live/work) along sidewalk, are also permitted. Height: 1-3 stories. Scale: house-scale.

“A-NC” Zoning Notes

Generally compatible with the following zone districts: RW and CMU-1 in accordance with Form and characteristics listed above.

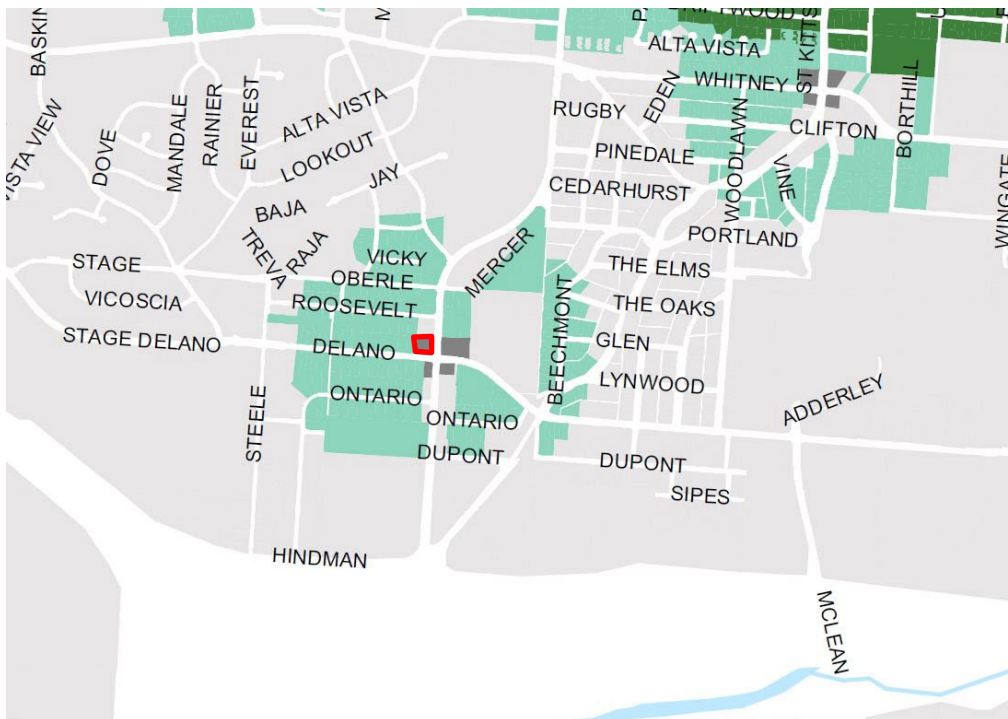
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Commercial, CMU-1

Adjacent Land Use and Zoning: Commercial, Single-Family, Multi-Family, Institutional; RU-1, RU-3, and CMU-1

Overall Compatibility: *This requested use is not compatible with the land use description, intent, form & location characteristics, zoning notes, and adjacent land use and zoning as the proposed self-storage will be too intense in terms of both use and scale for the surrounding neighborhood and the nearby elementary school. Additionally, the site will be separated from the surrounding with wrought iron fencing, which is inconsistent with the active street frontage criteria of A-NC. Lastly, the street typology beside this proposed storage is avenue, which is a walkable, low-speed street serving pedestrians, cyclists, and cars according to Memphis 3.0 street typology parameters. Self-storage facilities serve well beside auto-oriented corridors, which will be conflicting with the present users and street typology.*

2. Degree of Change Map



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

3. Degree of Change Description

Nuture areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place. *The proposed building will be a self storage facility which is not compatible with the ways how nurture anchors stabilize a community.*

Consistency Analysis Summary

The applicant is seeking approval to a planned development to allow a self-storage facility at 1674 Delano Avenue.

This requested use is not compatible with the land use description, intent, form & location characteristics, zoning notes, and adjacent land use and zoning as the proposed self-storage will be too intense in terms of both use and scale for the surrounding neighborhood and the nearby elementary school. Additionally, the site will be separated from the surrounding with wrought iron fencing, which is inconsistent with the active street frontage criteria of A-NC. Lastly, the street typology beside this proposed storage is avenue, which is a walkable, low-speed street serving pedestrians, cyclists, and cars according to Memphis 3.0 street typology parameters. Self-storage facilities serve well beside auto-oriented corridors, which will be conflicting with the present users and street typology.

Nuture areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place. *The proposed building will be a self storage facility which is not compatible with the ways how nurture anchors stabilize a community.*

Based on the information provided, the proposal is NOT CONSISTENT with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Faria Urmy, Comprehensive Planning.

APPLICATION



Record Summary for Planned Development

Record Detail Information

Record Type: Planned Development

Record Status: Pending

Opened Date: July 7, 2023

Record Number: PD 2023-016

Expiration Date:

Record Name: -

Description of Work: INSTALL APPROX. 50 STORAGE UNITS ON PROPERTY CURRENTLY USED FOR AUTO SALES, CARWASH, AND BUSINESS. UNITS ARE PREFAB METAL UNITS. THE PROPERTY WILL BE SECURED WITH AN WROUGH IRON FENCE WITH ELECTRONIC GATE ENTRY AND EGRESS WITH ADEQUATE QUE PARKING FOR ENTRANCE ON THE PREMISES. DRIVE UP STORAGE UNIT WITH 24 FEET DRIVE FOR PARKING AT UNIT TO UNLOAD. PROPERTY WILL BE MONITORED WITH ADEQUATE OUTDOOR LIGHTING.

Parent Record Number:

Address:

1674 DELANO AVE, MEMPHIS 38127

Owner Information

Primary Owner Name

Y CROOK-BOGA COMMUNITY DEVELOPMENT CORP

Owner Address

0 P O BOX 41225, MEMPHIS, TN 38174

Owner Phone

Parcel Information

070031 00023C

Data Fields

PREAPPLICATION MEETING

PREAPPLICATION MEETING

Name of DPD Planner CHIP SALIBA
Date of Meeting 04/14/2023

Pre-application Meeting Type -

GENERAL PROJECT INFORMATION

Planned Development Type New Planned Development (PD)

Previous Docket / Case Number -

Medical Overlay / Uptown No

If this development is located in unincorporated Shelby County, is the tract at least three acres? NO/ 0.784 ACRES

(Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County)

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

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

APPROVAL CRITERIA

UDC Sub-Section 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

UDC Sub-Section 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

UDC Sub-Section 9.6.9C THIS 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 9.6.9D THE PROJECT WILL NOT RESULT IN THE DESTRUCTION, LOSS OR DAMAGE OF ANY FEATURE DETERMINED BY THE GOVERNING BODIES TO BE SIGNIFICANT NATURAL, SCENIC OR HISTORIC IMPORTANCE

APPROVAL CRITERIA

UDC Sub-Section 9.6.9E

THIS PROJECT COMPLIES WITH ALL ADDITIONAL STANDARDS IMPOSED ON IT BY ANY PARTICULAR PROVISIONS AUTHORIZING SUCH USE

UDC Sub-Section 9.6.9F

THIS REQUEST WILL NOT ADVERSLEY AFFECT ANY PLANS TO BE CONSIDERED (SEE CHAPTER 1.9) OR VIOLATE THE CHARACTER OF EXISTING STANDARDS FOR DEVELOPMENT OF THE ADJACENT PROPERTIES

GENERAL PROVISIONS

UDC Sub-Section 4.10.3A

THE PROPOSED DEVELOPMENT WILL NOIT 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

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 and loading 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 such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation

THE LOCATION AND ARRANGEMENT OF THE STRUCTURES, PARKING AND LOADING AREAS, WALKS, LIGHTING AND OTHER SERVICE FACILITIES SHALL BE COMPATIBLE WITH THE SURROUNDING LAND USE, AND ANY PART OF THE PROPOSED DEVELOPMENT NOT USED FOR SUCH FACILITIES 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

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

YES

GENERAL PROVISIONS

F) Lots of record are created with the recording of a planned development final plan YES

GIS INFORMATION

Central Business Improvement District	No
Case Layer	BOA1955-086-CO, PD13-308
Class	C
Downtown Fire District	No
Historic District	-
Land Use	COMMERCIAL
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	CMU-1
State Route	-
Lot	43&PT44
Subdivision	HALLS SHELBY GARDEN
Planned Development District	-
Wellhead Protection Overlay District	No

Contact Information

Name	Contact Type
SWIVWL'S STORAGE	APPLICANT

Address

Phone

(901)219-1234

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1484340	Planned Development - 5 acres or less	1	1,500.00	INVOICED	0.00	07/07/2023

Total Fee Invoiced: \$1,500.00 Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$1,500.00	Check

LETTER OF INTENT

CONSTRUCTION CODES CONSULTANTS, LLC 2809 Kirby Parkway, Suite 116-132	
MEMPHIS, TN 38119 901.340.1878 ; ROYSTONCONSULT@AOL.COM	

LETTER OF INTENT

June 28, 2023

To: Division of Planning and Development
125 N, Main St., Rm. 468
Memphis, Tenn. 38103
From: Evelyn Royston, Const. Code Consult., LLC.
Site: 1674 Delano, Memphis, Tn. 38127

On behalf of the owners/applicant, Byron Cook dba Crook-Boga Comm/Dev., Corp. We are submitting a Planned Use Development application for approval to permit an outdoor single-story mini-storage facility in a CMU-1 zoning. We are also requesting approval for a variance on the North and West side property lines to permit the use of an existing 6 feet block wall on the North and West sides that encroaches 2.9 feet into the side property lines. The existing, permitted uses per Special Use Permit approval are business office and car wash and Auto Sales; If approved this request will eliminate the Car Wash and Auto Sales business. The remaining property and structure will be utilized for Storage operation and existing business.

The subject site will be secured with wrought iron fencing around the perimeter of the property with an electronic gate and pad for entry and egress off Watkins and Delano. Outdoor site lighting shall comply with UDC, Chapter 4.7. The main entrance will be from Delano so as to not obstruct traffic at the intersection of Watkins and Delano. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/card reader. Adequate maneuvering room shall be provided between the right-of-way and the gate/card reader for vehicles to exit by forward motion.

The proposed use of this property will improve the existing commercial development pattern along an auto-oriented corridor and are compatible with the form and location characteristics for CMU-1 zoning, and the Uhaul Storage facility within 300 feet East of the subject site at Watkins and Delano.

We feel the Storage would be an appropriate use for the property and will provide a community service.

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Byron Cook, being duly sworn, depose and say that at 5 am ^(pm)
on the 31st day of July, 2023, I posted Public Notice Sign(s)
pertaining to Case No. PD 2023-016 at 1674 DELANO, MEM, TN. 38127
providing notice of a Public Hearing before the (check one):

- Land Use Control Board PD 2023-016
- Board of Adjustment
- Memphis City Council
- Shelby County Board of Commissioners

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

[Signature] 7-31-23
Owner, Applicant or Representative Date

Subscribed and sworn to before me this July day of 31, 2023.

[Signature]
Notary Public

My commission expires: 8-3-26





LETTERS RECEIVED

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



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Downtown Fire District No
Historic District -
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Overlay/Special Purpose District -
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State Route -
Lot 43&PT44
Subdivision HALLS SHELBY GARDEN
Planned Development District -
Wellhead Protection Overlay District No

Contact Information

Name SWIVWL'S STORAGE **Contact Type** APPLICANT

Address

Phone

(901)219-1234

Fee Information

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Total Balance: \$0.00

Payment Information

Payment Amount \$1,500.00 **Method of Payment** Check

CONSTRUCTION CODES CONSULTANTS, LLC
2809 Kirby Parkway, Suite 116-132

MEMPHIS, TN 38119 901.340.1878 : ROYSTONCONSULT@AOL.COM

LETTER OF INTENT

June 28, 2023

To: Division of Planning and Development
125 N, Main St., Rm. 468
Memphis, Tenn. 38103
From: Evelyn Royston, Const. Code Consult., LLC.
Site: 1674 Delano, Memphis, Tn. 38127

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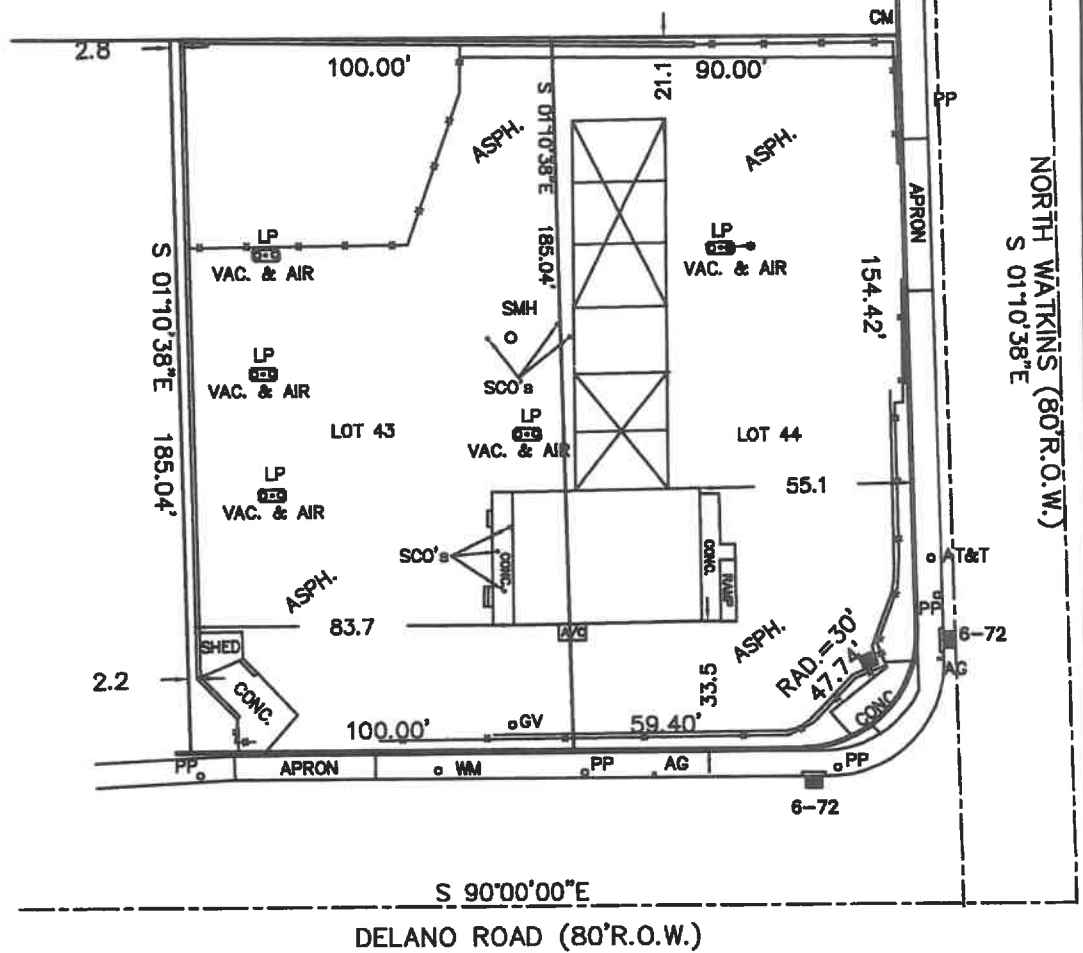
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We feel the Storage would be an appropriate use for the property and will provide a community service.

LOT SURVEY
LOTS 43 & 44
SHELBY GARDENS SUBDIVISION
AS RECORDED AT THE
SHELBY COUNTY REGISTER'S OFFICE
 P.B. 9, PG. 139
MEMPHIS, SHELBY COUNTY, TN

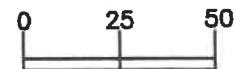


NOTE: THIS FIRM DOES NOT PERFORM TITLE SEARCHES.

I HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY AND THE ERROR OF POSITIONAL ACCURACY DOES NOT EXCEED 1/10 OF A FOOT AT ANY PROPERTY CORNER SHOWN HEREON, AND THAT THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THE STATE OF TENNESSEE.

THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED TO THAT PROPERTY AND SHOWS ANY OTHER PERTINENT INFORMATION SUCH AS EASEMENTS, JOINT DRIVEWAYS, ETC. OF WHICH I HAVE BEEN ADVISED BY THE TITLE ATTORNEY.

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



DATE: 5/31/23
 SCALE: 1"=50'



PREPARED FOR:
 EVELYN

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

Owner's Certificate

We _____
 undersigned owner(s) of the property shown hereon, hereby adopt this plan of development and dedicate the streets, rights of way, and grant the easements as shown and/or described to public use forever. We certify that we are the owners of the said property in fee simple, duly authorized to act, and that said property is not encumbered by any taxes (or mortgages) which have become due and payable.

Signature _____
 Title _____

Notary's Certificate

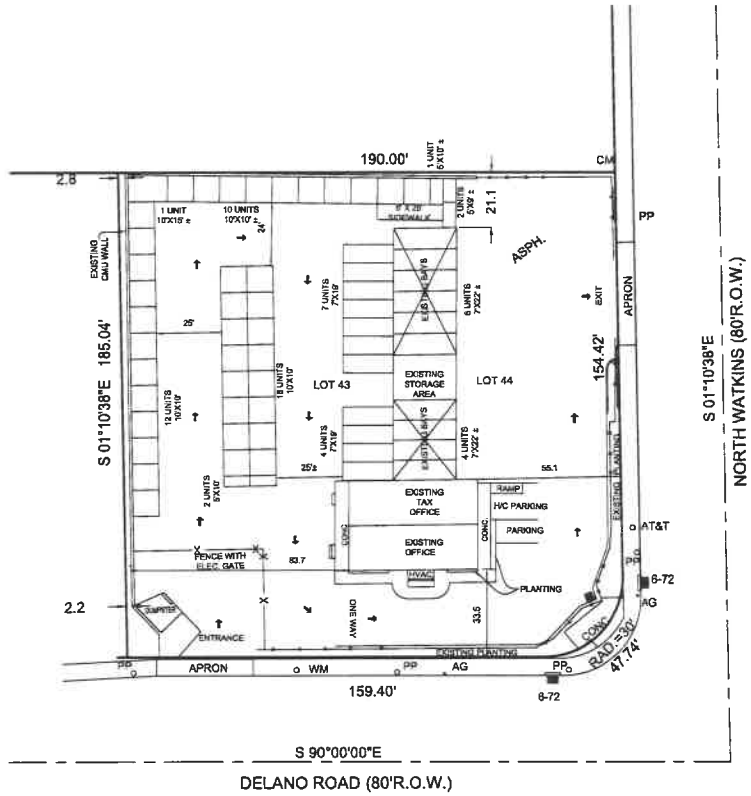
State of _____
 County of _____
 Before me, the undersigned, a Notary Public in and for the said State and County at _____, duly commissioned and qualified, personally appeared _____ with whom I am personally acquainted, and who upon his (her) oath acknowledged himself (herself) to be _____ of the _____ the within named bargainer, and that he whereof, I have hereunto set my hand and affixed my notarial seal at my office in _____ this _____ day of _____, 2023.

Notary Public _____
 My Commission Expires _____

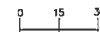
Surveyor's Certificate:

It is hereby certified that this a category 1 survey and that the precision of the unadjusted survey is 1:10,000 or greater; that this plat has been prepared by me or under my individual supervision and conforms with applicable state laws and local zoning ordinances, subdivision regulations and specific conditions imposed on this development relating to the practice of surveying.

Tennessee Certificate No. _____



- TOTAL 85 UNITS
- 38 - 10'x10' ± UNITS
- 3 - 6'x10' ± UNITS
- 2 - 6'x6' ± UNITS
- 1 - 15'x10' ± UNITS
- 10 - 7'x22' ± UNITS
- 11 - 7'x10' ± UNITS



SITE / CONCEPT PLAN		
LOTS 43-44, SHELBY GARDENS S/D		
CASE#		
MEMPHIS, TENNESSEE		
1 LOT	0.80 ac	ward 070, block 037, parcel 00023C
OWNER 00000 00000 00000		SURVEYOR HARRIS AND ASSOCIATES LAND SURVEYORS 354 GREEN TREE COVE, SUITE 102B COLLIERVILLE, TN 38017
NEED FLOOD ELEVATION N/A (zone 1) CLOSES 235' - 1200' SW	PLAN COMPLETION NUMBER 470177 0280F	PLAN MAP DATE SEPT. 28, 2007
JUNE 2023	SCALE: 1" = 30'	SHEET 1 OF 1

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Byron R. Cook (Print Name) [Signature] (Sign Name), state that I have read the definition of

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

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

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

of the property located at 1674 DELANO, MEMPHIS, TN. 38127
and further identified by Assessor's Parcel Number 07003100023C,
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 23 day of MAY in the year of 2023

[Signature]
Signature of Notary Public



06-17-26
My Commission Expires

PD 2023-016



LAND USE CONTROL BOARD PLANNED DEVELOPMENT APPLICATION TO FILE ONLINE USE THE

Date: 06/27/23

Previous Case/Docket #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Crook-Boga Comm/Dev., Corp. Phone #: 901.219.1234

Mailing Address: P.O.Box 41225 City/State: Memphis, Tn Zip: 38174

Property Owner Email Address: bc901invester@yahoo.com

Applicant: Swivel's, Byron Cook Phone #: 901.219.1234

Mailing Address: 1674 Delano Rd City/State: Memphis, Tn Zip: 38127

Applicant Email Address: bc901invester@yahoo.com

Representative: Evelyn Royston, Const. Code Consult., LLC Phone #: 901.340.1878

Mailing Address: 2809 Kirby Parkway, 116-132 City/State: Memphis, Tn Zip: 38119

Representative Email Address: roystonconsult@aol.com

Architect/Engineer/Surveyor: The Bray Firm/Sullivan Surveying Phone #: 901.383.8668

Mailing Address: 2950 Stage Plaza N. City/State: Bartlett, Tn Zip: 38134

Architect/Engineer/Surveyor Email Address: kevinbraydavis@aol.com

PREMISES LOCATION (Describe by street address & directional location description, e.g. 200 Johnson Street, North side of Johnson Street, 100 feet east of Brown Street): 1674 Delano. North west corner of Watkins and Delano

Parcel ID: 070031 00023C

Project Name: Swivel's Storage

Project Description: Install approx. 50 storage units on property currently used for Auto Sales, Carwash, and Business. Units are prefab metal units. The property will be secured with an wrought iron fence with electronic gate entry and egress with adequate que parking for entrance on the premises. Drive up storage unit with 24 feet drive for parking at unit to unload. Property will be monitored with adequate outdoor lighting.

Did you have a pre-application meeting with the Division of Planning and Development (DPD)?

Planner: Chip Saliba Date of Meeting: 04/14/23

Type of Planned Development (PD) (check one)? New PD Amendment to Existing PD

Is the development located within the Medical Overlay District or Uptown Special Purpose District (Note these areas do not permit new planned developments)? no (yes or no)

If this development is located in unincorporated Shelby County, is the tract at least three acres (Note a tract of less than three acres is not eligible for a planned development in unincorporated Shelby County)? (yes, no, or n/a)

	Area A	Area B	Area C
Acres:	<u>0.784</u>	_____	_____
Existing Use of Property:	<u>Auto Sales/Carwash/Bus.</u>	_____	_____
Requested Use of Property:	<u>Self-Storage</u>	_____	_____

Is this application in response to a citation, stop work order, or zoning letter? no (yes or no)

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

APPROVAL CRITERIA (UDC Section 9.6.9)

No 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: 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: 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: This 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: 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: This 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: This 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.

GENERAL PROVISIONS (UDC Section 4.10.3)

No planned development shall be approved unless the following findings are made concerning the application:

- 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: 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: 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 and loading 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 such facilities shall be landscaped or otherwise improved except where natural features are such as to justify preservation: The location and arrangement of the structures, parking and loading 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 such facilities 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: 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: yes
- F) Lots of record are created with the recording of a planned development final plan: yes

LAND USE CONTROL BOARD PLANNED DEVELOPMENT APPLICATION GUIDE

To file online use the Develop 901 Citizen Portal: www.acplanning.com od.accela.com HELBYCO/

GENERAL INFORMATION

UNIFIED DEVELOPMENT CODE (UDC) REFERENCES FOR PLANNED DEVELOPMENTS:

- a) Planned Development – UDC Chapter 9.6 and Section 9.6.11
- b) Planned Development Amendment – UDC Paragraph 9.6.11E(1)

PRE-APPLICATION MEETING – This is a meeting in which the Division of Planning and Development Land Use and Development Services discusses the procedures, standards, and regulations required of a request in accordance with the Unified Development Code with the applicant(s) and/or their representative(s), see Section 9.3.1 of [UDC](#) for additional information. To schedule a pre-application meeting please call Land Use and Development Services at (901) 636-6619.

APPLICATION REVIEW PROCESS – [Click here](#) to view a flowchart that explains the review process by application type, as well as the expected review time for each.

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than one hundred twenty (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, see Section 9.3.2 of the [Unified Development Code](#) for additional information, procedures, standards, and requirements.

APPLICATION DEADLINES – A link to the Applications Deadlines Calendar can be found on the Land Use and Development Services' [web page](#).

SET 1 ENTERPRISES LLC
1643 VENABLES ST #
VANCOUVER BC

EL-TAYEB-GHASSAN AND KRAMI-KHLOUK
2145 LITTLEMORE DR =
CORDOVA TN 38016

AREC 13 LLC
P O BOX 29046 #
PHOENIX AZ 85038

SR FLATS INC
PO BOX 443 #
SLIPPERY ROCK PA 16057

DELIVERANCE TEMPLE CHURCH OF GOD
2755 N WATKINS =
MEMPHIS TN 38127

MCFARLAND NOBIE
6701 WILLOW BROOK ST #
MILLINGTON TN 38053

GUNTER SUVILLA C
1635 OBERLE AVE #
MEMPHIS TN 38127

SHELBY COUNTY TAX SALE 17.04
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LIN HUI
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MEMPHIS TN 38117

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MEMPHIS TN 38127

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2899 LAREDO ST =
MEMPHIS TN 38127

SMITH JABBAR L
N PO BOX 280336
MEMPHIS TN 38168

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1624 ROOSEVELT AVE #
MEMPHIS TN 38127

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2666 N WATKINS ST #
MEMPHIS TN 38127

MASON TERRANCE L JR
1632 ONTARIO AVE #
MEMPHIS TN 38127

HORTON VINCENT E JR
1643 ROOSEVELT AVE #
MEMPHIS TN 38127

REALTY INCOME PROPERTIES LLC
500 VOLVO PKWY #
CHESAPEAKE VA 23320

MIRANDA ANA M R
1939 THE ELMS AVE #
MEMPHIS TN 38127

GARRETT-BROOME LAMETRICE
9011 PEMBROKE ELLIS #
MEMPHIS TN 38133

JNJ PARTNERS
4564 WARDEN RD #
MEMPHIS TN 38122

ALBERT STEPHEN
9305 E ASBURY PL #
DENVER CO 80231

PHILLIPS BOBBY R
1644 DELANO #
MEMPHIS TN 38127

CHRIST BAPTIST CHURCH
1615 ROOSEVELT AVE #
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3640 ARSENAL ST #
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MEMPHIS TN 38127

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3640 ARSENAL ST #
MEMPHIS TN 38128

FRASER COMMUNITY DEVELOPMENT CORP
P O BOX 41225 #
MEMPHIS TN 38174

P FIN VII MEM LLC
3525 PIEDMONT RD #5
ATLANTA GA 30305

PRIME RENTAL LLC
3707 MACON RD #
MEMPHIS TN 38122

POWELL CHRISTOPHER & ANNIE
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MEMPHIS TN 38127

GARRETT-BROOME LAMETRICE
9011 PEMBROKE ELLIS
BARTLETT TN 38133

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070034 00008 - SR FLATS INC
070034 00009 - GUNTER SUVILLA C
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070034 00026 - BRANCH DAVID K & SHIRLEY
070034 00012C - MARSHALL SCOTT
070034 00025 - ORWIG EARL L SR & MARY L K
070086 00051 - WRATH KEVIN
070086 00052 - WATSON JAMES C
070086 00058C - FRAYSER COMMUNITY DEVELOPMENT CORP INC
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070086 00043 - BOARD OF EDUC MPHS CITY SCH
070031 00018 - GRAY LEISA A
070086 00049 - VAUGHN RAY
070031 00020 - HORTON TANYA Y
070031 00030 - EVANS LAKSHMIN
070031 00029 - JAMES KERMIT AND LINDA S
070031 00028 - STRICKLAND JASPER E & ANNETTE M
070031 00027 - POWELL CHRISTOPHER & ANN
070086 00044C - AREC 13 LLC
070030 00015 - MCFARLAND NOBIE
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070030 00017 - POWELL CHRISTOPHER & ANN

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070034 00010 - PRIME RENTAL LLC
070086 00054 - BOARD OF EDU MPHS CITY SCH
070034 00019 - BEESON ROBERT J II
070034 00016 - STANFORD DANIEL A JR & LINDA K
070034 00018 - BENSON JAMES C (1/2) AND SHEILA BENSON
070031 00019 - HORTON VINCENT E JR
070086 00048 - GARRETT-BROOME LAMETRICE
070031 00026 - PHILLIPS BOBBY R
070031 00025 - POWELL CHRISTOPHER & ANN
070031 00023C - CROOK-BOGA COMMUNITY DEVELOPMENT CORP
070030 00019 - POWELL CHRISTOPHER & ANNIE
070030 00020 - NICKLOS CLARISSA
070087 00002 - KAYODE BUSAYO & INDIRA E
070087 00023C - MASOUD RAFAT

070087 00024 - RICKS MARKET INC

070031 00021C - REALTY INCOME PROPERTIES LLC

070030 00051C - JNJ PARTNERS

070031 00015C - CHRIST BAPTIST CHURCH

070086 00060 - FRAYSER COMMUNITY DEVELOPMENT CORP INC

070031 00017 - P FIN VII MEM LLC

070030 00023 - GARRETT-BROOME LAMETRICE

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 11/21/2023
DATE
PUBLIC SESSION: 12/19/2023
DATE**

ITEM (CHECK ONE)

ORDINANCE _____ RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification of land municipally addressed as 3549, 3555, and 3561 Fuller Rd. from the Residential Single-Family – 6 (R-6) Use District and including it in the Employment (EMP) Use District, known as case number Z 2023-013

CASE NUMBER: Z 2023-013

LOCATION: 3549, 3555, and 3561 Fuller Rd.

COUNCIL DISTRICTS: District 3 and Super District 8

OWNER/APPLICANT: Fleet Equipment, LLC

REPRESENTATIVES: Cindy Reaves of SR Consulting, LLC

REQUEST: Rezoning of +/-0.538 acres from Residential Single-Family – 6 (R-6) to Employment (EMP)

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
First reading / Set date for public hearing – November 21, 2023
Second reading – December 5, 2023
Third reading / Public hearing – December 19, 2023

PRIOR ACTION ON ITEM:

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

FUNDING:

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

SOURCE AND AMOUNT OF FUNDS

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

ADMINISTRATIVE APPROVAL:

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



Memphis City Council Summary Sheet

Z 2023-013

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION OF LAND MUNICIPALLY ADDRESSED AS 3549, 3555, AND 3561 FULLER RD. FROM THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2023-013

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

LAND USE CONTROL BOARD RECOMMENDATION

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

CASE NUMBER: Z 2023-013
LOCATION: 3549, 3555, and 3561 Fuller Rd.
COUNCIL DISTRICTS: District 3 and Super District 8
OWNER/APPLICANT: Fleet Equipment, LLC
REPRESENTATIVES: Cindy Reaves of SR Consulting, LLC
REQUEST: Rezoning of +/-0.538 acres from Residential Single-Family – 6 (R-6) to Employment (EMP)

The following spoke in support of the application: Cindy Reaves

The following spoke in opposition of the application: None

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

The motion **passed.**

ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION OF LAND MUNICIPALLY ADDRESSED AS 3549, 3555, AND 3561 FULLER RD. FROM THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2023-013

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: 2023-013**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT.

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

BOUNDARY

Beginning at a point in the south line of Fuller Road (40' ROW), approximately 319 feet east of the east line of Lamar Avenue; thence S88°22'41"E a distance of 182.07 feet to a point; thence S00°05'01"W a distance of 126.31 feet to a point; thence N89°54'59"W a distance of 182.00 feet to a point; thence N00°05'01"E a distance of 131.20 feet to the point of beginning and containing 0.538 acres of land more or less.

SECTION 2:

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

SECTION 3:

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

AGENDA ITEM: 21

CASE NUMBER: Z 2023-013 **L.U.C.B. MEETING:** November 9, 2023

LOCATION: 3549, 3555, and 3561 Fuller Rd.

COUNCIL DISTRICT: District 3 and Super District 8

OWNER/APPLICANT: Fleet Equipment, LLC

REPRESENTATIVE: Cindy Reaves of SR Consulting, LLC

REQUEST: Rezone from Residential Single-Family – 6 to Employment

AREA: 0.538 acres

CONCLUSIONS

1. The applicant has requested the rezoning of three properties on Fuller Rd. from Residential Single-Family – 6 to Employment.
2. This request is inconsistent with the Memphis 3.0 Comprehensive Plan.
3. Additionally, it would have a significantly injurious impact on adjacent residential properties, while providing little benefit to the applicant other than legitimizing illegal work and occupancy.
4. For these reasons, staff recommends rejection.

CONSISTENCY WITH MEMPHIS 3.0

This request is *inconsistent* with the Memphis 3.0 Comprehensive Plan, according to the Office of Comprehensive Planning.

RECOMMENDATION

Rejection

GENERAL INFORMATION

Street Frontage: Fuller Rd. 182'
Zoning Atlas Page: 2235
Parcel ID: 073017 00117, 073017 00118, and 073017 00119
Existing Zoning: Residential Single-Family – 6
Requested Zoning: Employment

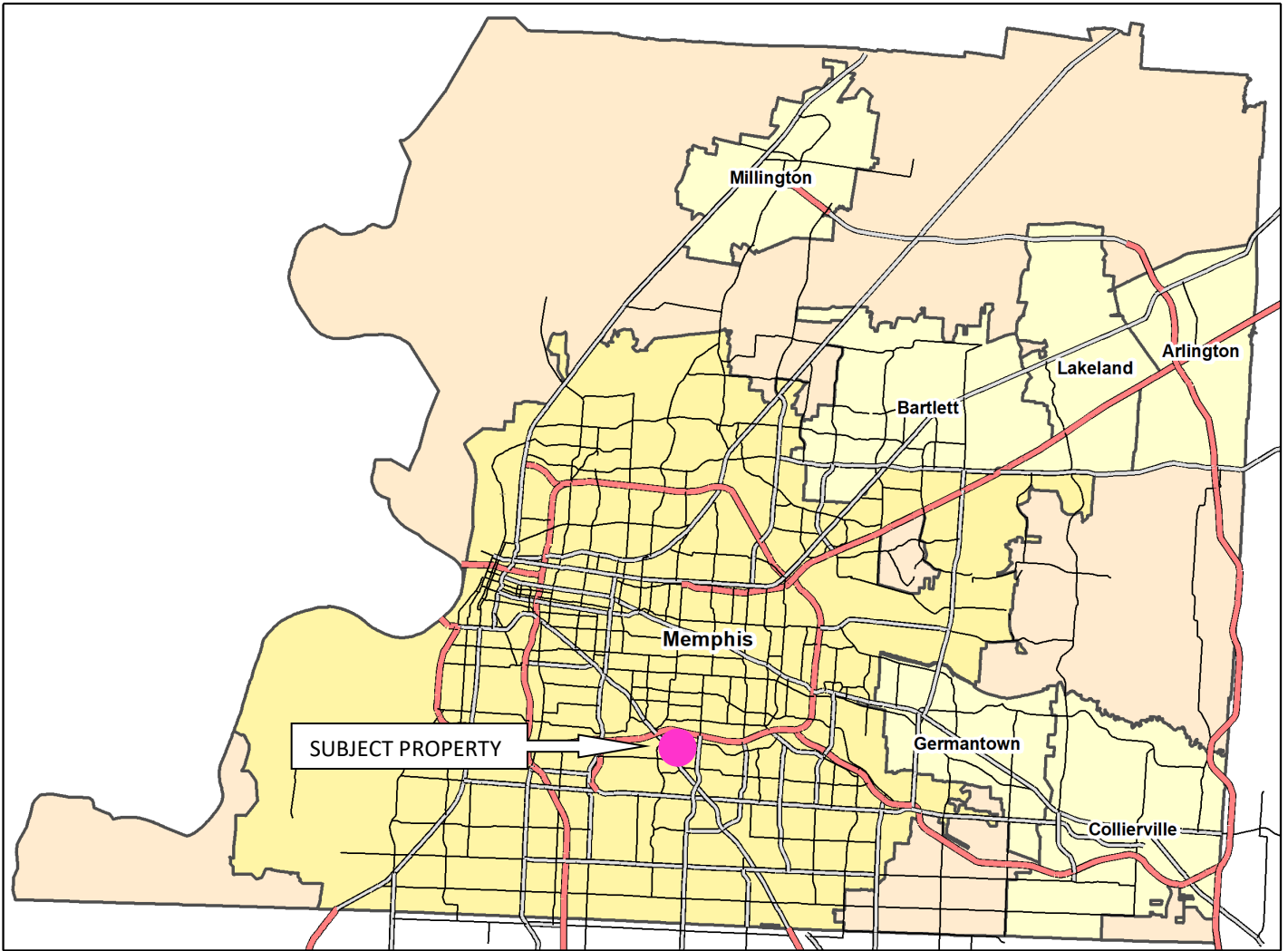
NEIGHBORHOOD MEETING

The required neighborhood meeting was held at 5:30 p.m. at 3549 Fuller Rd. on October 25, 2023.

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, notice of public hearing is required to be mailed and posted. 38 notices were mailed on October 26, 2023, and one sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



FULLER SUBDIVISION (1945)

We, C. H. Fuller and wife Emily Scott Fuller the undersigned owners of the property shown hereon, hereby adopt this as our plan of Subdivision and dedicate the streets as shown hereon to the public use forever and hereby certify that we are the owners in fee simple of the property, and that said tract is not encumbered by any mortgage or delinquent taxes.

C. H. Fuller : Emily Scott Fuller
owners.

State of Tennessee, County of Shelby.
Personally appeared before me the undersigned A. Notary Public, in and for said State and County, duly commissioned and qualified, C. H. Fuller and wife Emily Scott Fuller with whom I am personally acquainted and who under oath acknowledged that they executed the foregoing instrument for the purpose therein contained.

Witness my hand and Notarial Seal.
This 25 day of July 1945.
A. C. Humphrey
Notary Public.
My Commission expires April 28-1949.

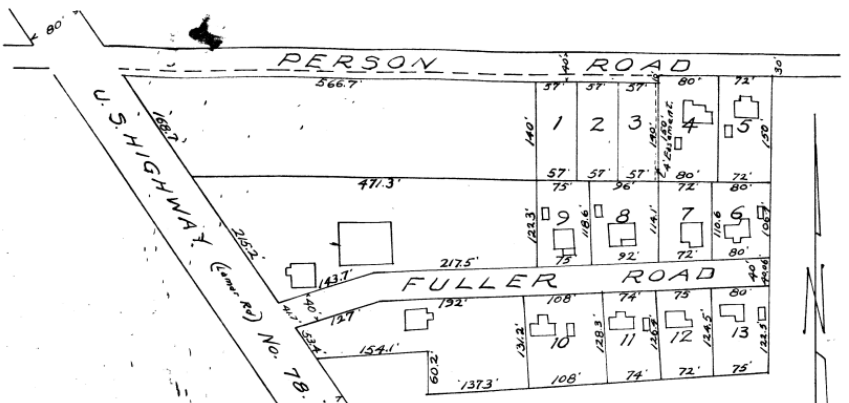


RESTRICTIONS

No person of any race other than the Caucasian race shall use or occupy any building on the lots except that this covenant shall not prevent occupancy by domestic servants of a different race or color.

Easement as may be necessary as to be reserved for public utilities and maintenance.

#1538
SEPT-11-45
107 38
SEPT-17-45
11 12
Buy E. Jopner
S. H. Nelson



FULLER SUBDIVISION
OF PART OF LOTS 2 AND 4, OF CONNELL TRACT EAST OF HIGHWAY NO. 78 IN THE SECOND CIVIL DISTRICT OF SHELBY COUNTY, TENNESSEE.
AUG 1945 SCALE 1"=100'
SAM W. MCLESKEY
COUNTY SURVEYOR.

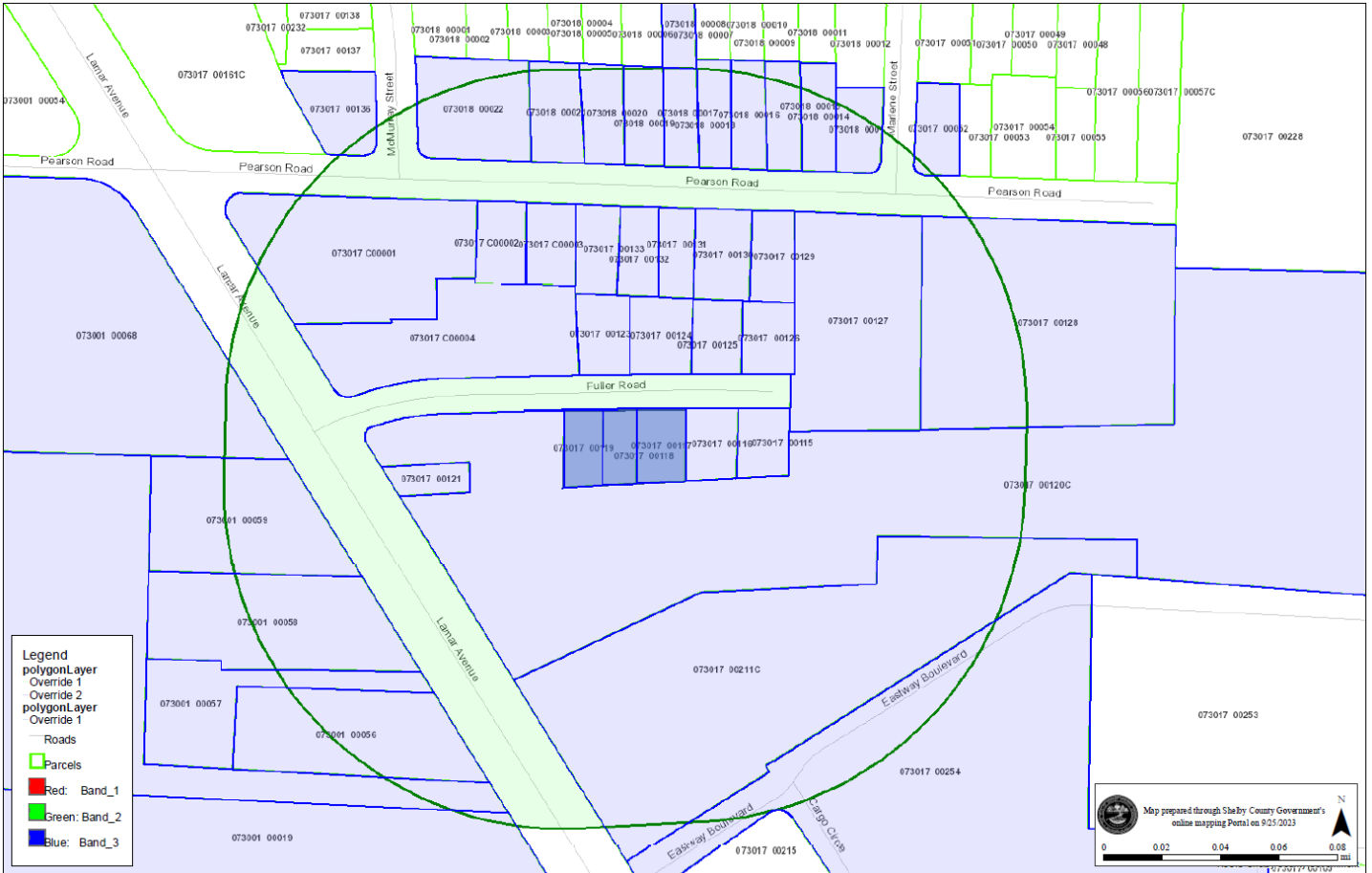
Approved by the City of Memphis Planning Commission
7-25-45 L. P. Cockrill
DATE Engineer & Secretary.

Approved by the Shelby County Commission
Sept. 10, 1945 B. J. Bell
DATE Commissioner of Roads.

This is to certify that I have surveyed the above plan of Subdivision and that same is true and correct.
Sam W. McLeskey
Civil Engineer
State of Tennessee Certificate No. 27.

ZONED A. RESIDENTIAL.

VICINITY MAP



ZONING MAP



Existing Zoning: Residential Single-Family – 6

Surrounding Zoning

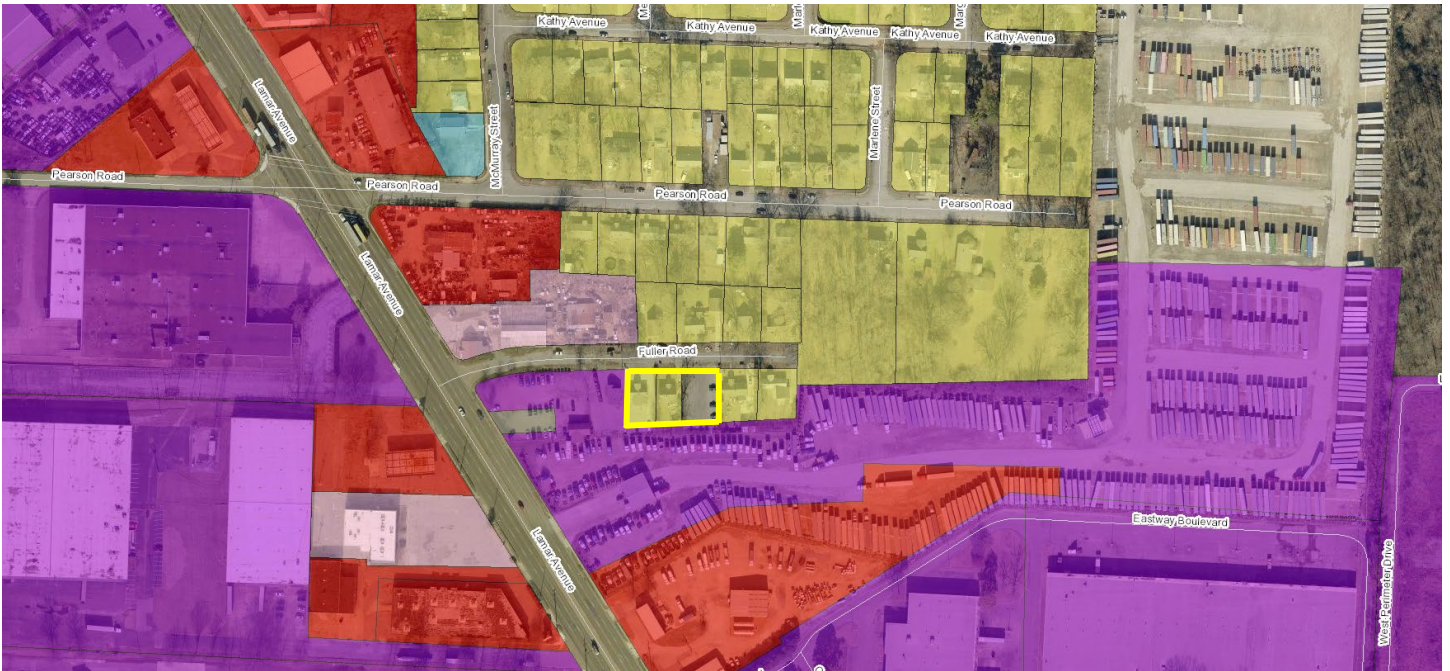
North: Residential Single-Family – 6

East: Residential Single-Family – 6

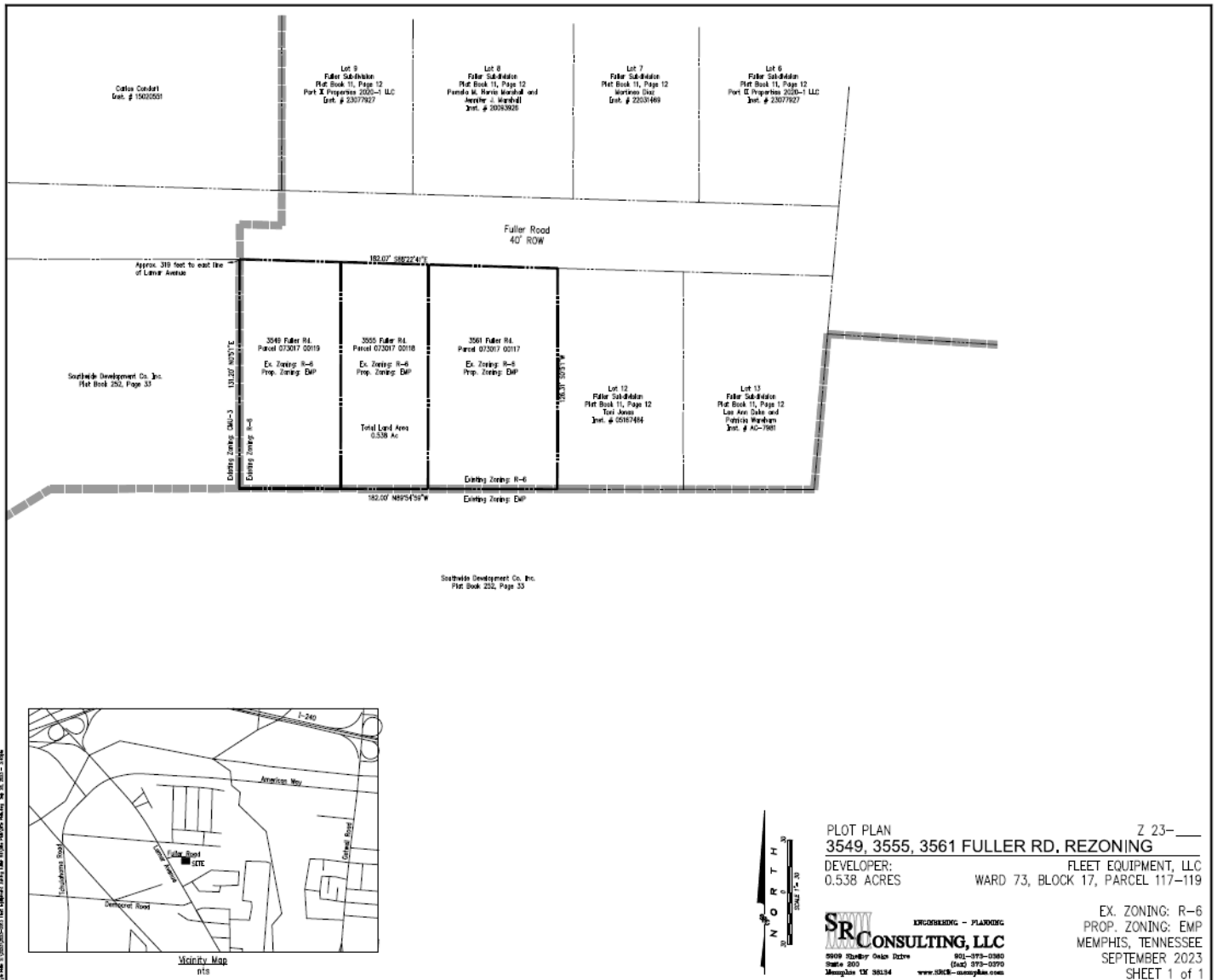
South: Employment

West: Commercial Mixed Use – 3

LAND USE MAP



PLOT PLAN



SITE PHOTOS



3549 Fuller



3555 Fuller



3561 Fuller



View west down Fuller



Adjacent houses

STAFF ANALYSIS

Request

The request is to rezone 0.538 acres from Residential Single-Family – 6 to Employment.

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

Review Criteria

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

9.5.7B Review Criteria

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

9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);

9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;

9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;

9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and

9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.

Conclusions

The applicant has requested the rezoning of three properties on Fuller Rd. from Residential Single-Family – 6 to Employment.

This request is inconsistent with the Memphis 3.0 Comprehensive Plan.

Additionally, it would have a significantly injurious impact on adjacent residential properties, while providing little benefit to the applicant other than legitimizing illegal work and occupancy.

For these reasons, staff recommends rejection.

RECOMMENDATION

Staff recommends **rejection**.

DEPARTMENTAL COMMENTS

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

Office of Comprehensive Planning:

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: LUCB Z 23-13: Oakville

Site Address/Location: 3549, 3555, 3561 Fuller Road

Overlay District/Historic District/Flood Zone: N/A

Future Land Use Designation: Primarily Single-Unit Neighborhood (NS)

Street Type: N/A

The applicant is seeking approval to rezone three parcels located in R-6 zoning district to EMP.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

Primarily Single-Unit Neighborhood (NS) are residential neighborhoods consisting primarily of single-unit houses that are not near a Community Anchor. Graphic portrayal of NS is to the right.



“NS” Form & Location Characteristics

Primarily detached, House scale buildings, Primarily residential, 1 – 3 stories; Beyond ½ mile from a Community Anchor

“NS” Zoning Notes

Generally compatible with the following zone districts: R-E, R-15, R-10, R-8, R-6 in accordance with Form and characteristics listed above.

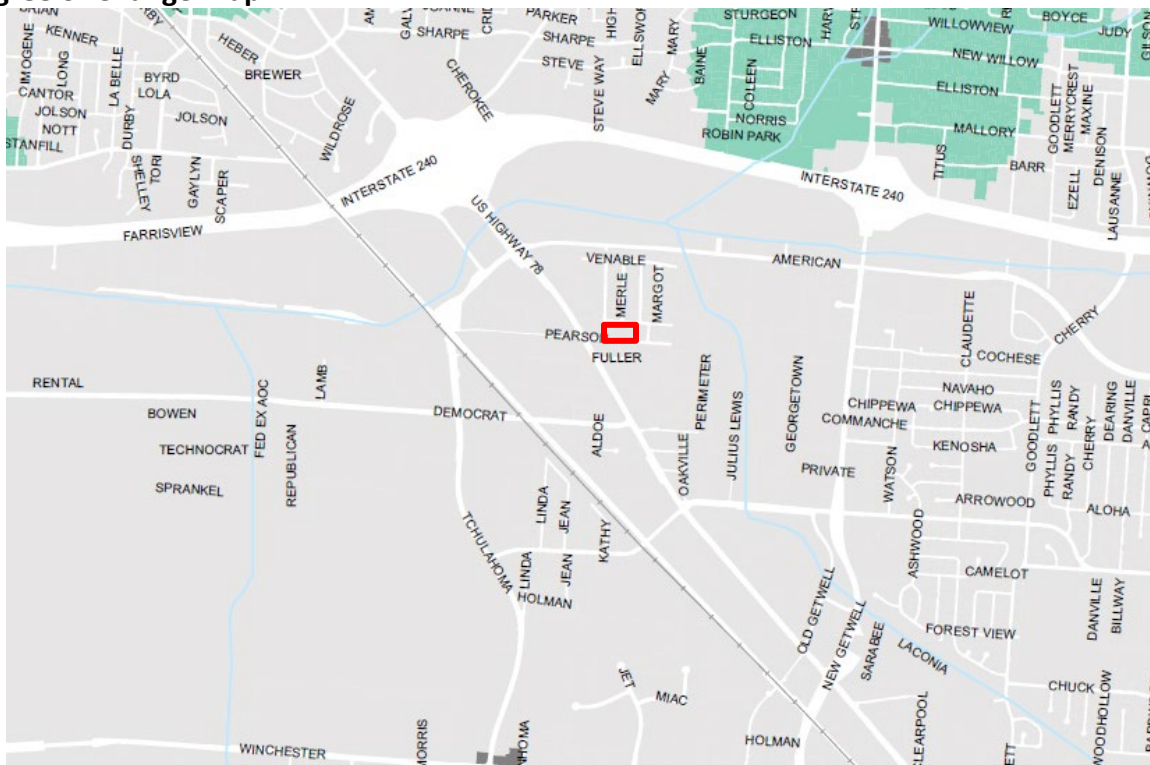
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Single-Family, R-6

Adjacent Land Use and Zoning: Single-Family, Truck Storage; EMP

Overall Compatibility: *This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use is not a single-family home.*

Degree of Change Map



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

3. Degree of Change Description N/A

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

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

Consistency Analysis Summary

The applicant is seeking approval to rezone three parcels located in R-6 zoning district to EMP.

This requested use is not compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed use is not a single-family home.

Based on the information provided, the proposal is NOT CONSISTENT with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Melanie Batke Olejarczyk, Comprehensive Planning.

City Engineer:

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

Sewers:

2. The availability of City sanitary sewer capacity 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. No further comments from City Engineering.

APPLICATION FORM



Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Assignment

Opened Date: October 2, 2023

Record Number: Z 2023-013

Expiration Date:

Record Name: 3549, 3555, 3561 Fuller Rd. Rezoning

Description of Work: Rezoning from R-6 to EMP

Parent Record Number:

Address:

3549 FULLER RD, MEMPHIS 38118

Owner Information

Primary Owner Name

Y INTERSTATE DROP YARD LLC

Owner Address

2505 FARRISVIEW BLVD, MEMPHIS, TN 38118

Owner Phone

Parcel Information

073017 00119

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner Chip Saliba

Date of Meeting 09/22/2023

Pre-application Meeting Type -

GENERAL INFORMATION

Is this application in response to a citation from No

GENERAL INFORMATION

Construction Code Enforcement or Zoning Letter?
Have you held a neighborhood meeting? No
If yes, please provide additional information -

GIS INFORMATION

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

Data Tables

ADDRESS AND PARCEL LIST

Property Address: 3549 Fuller Rd.
Property Parcel Number: 073017 00119

Property Address: 3555 Fuller Rd.
Property Parcel Number: 073017 00118

Property Address: 3561 Fuller Rd.
Property Parcel Number: 073017 00117

Contact Information

Name FLEET EQUIPMENT LLC Contact Type APPLICANT

Address

Phone

-

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1507377	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	26.00	10/04/2023
1507377	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	1,000.00	10/04/2023
1506407	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	10/02/2023

Total Fee Invoiced: \$1,026.00

Total Balance: \$1,026.00

LETTER OF INTENT



Date: September 25, 2023

To: Division of Planning & Development

From: Cindy Reaves

Re: 3549, 3555, 3561 Fuller Rd. Rezoning

LETTER OF INTENT

We are submitting a rezoning application for property at 3549, 3555, and 3561 Fuller Rd. The property is within the R-6 zoning district. We are requesting a rezoning to EMP to incorporate the property into the adjacent property of Interstate Drop Yard.

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

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

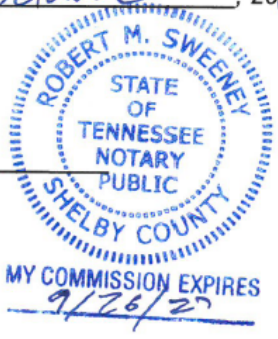
I, Cindy Reaves, being duly sworn, depose and say that at 5:46 pm on the 25th day of October, 2023 I posted one Public Notice Signs pertaining to Case No. Z 2023-013 along the property located 3555 Fuller Road providing notice of a Public Hearing before the November 9, 2023 Land Use Control Board for consideration of a proposed Land Use Action (Subdivision), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Cindy Reaves
Owner, Applicant or Representative

10/26/23
Date

Subscribed and sworn to before me this 26th day of October, 2023

Robert Sweeney
Notary Public
My commission expires: 9/26/2027



LETTERS RECEIVED

No letters received by the comment deadline.

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 11/07/2023

DATE

PUBLIC SESSION: 11/07/2023

DATE

ITEM (CHECK ONE)

ORDINANCE _____ RESOLUTION REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on the south side of Cornell St. between Felts Station Rd. and Thomas St. By taking the land out of the Residential Urban – 3 (RU-3) Use District and including it in the Heavy Industrial (IH) Use District, known as case number Z 23-11

CASE NUMBER: Z 23-11

LOCATION: South side of Cornell St. between Felts Station Rd. and Thomas St.

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

OWNER/APPLICANT: Marcino Pigram

REPRESENTATIVES: The Bray Firm, David Bray

REQUEST: Rezoning of +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**

Set date for first reading – October 10, 2023

Second reading – October 24, 2023

Third reading – November 7, 2023

PRIOR ACTION ON ITEM:

(1) _____
09/14/2023
(1) Land Use Control Board

APPROVAL - (1) APPROVED (2) DENIED
DATE
ORGANIZATION - (1) BOARD / COMMISSION
(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____
\$ _____
\$ _____

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

SOURCE AND AMOUNT OF FUNDS

\$ _____
\$ _____
\$ _____

OPERATING BUDGET
CIP PROJECT # _____
FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

DATE POSITION

LUDS STAFF PLANNER
DEPUTY ADMINISTRATOR
ADMINISTRATOR
DIRECTOR (JOINT APPROVAL)
COMPTROLLER
FINANCE DIRECTOR
CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 23-11

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE SOUTH SIDE OF CORNELL ST. BETWEEN FELTS STATION RD. AND THOMAS ST. BY TAKING THE LAND OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE HEAVY INDUSTRIAL (IH) USE DISTRICT, KNOWN AS CASE NUMBER Z 23-11

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, September 14, 2023**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 23-11

LOCATION: South side of Cornell St. between Felts Station Rd. and Thomas St.

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

OWNER/APPLICANT: Marcino Pigram

REPRESENTATIVE: The Bray Firm, David Bray

REQUEST: Rezoning of +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)

The following spoke in support of the application: David Bray, Marcino Pigram

The following spoke in opposition of the application: None

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

The motion **passed by a unanimous vote of 8-0**

Respectfully,

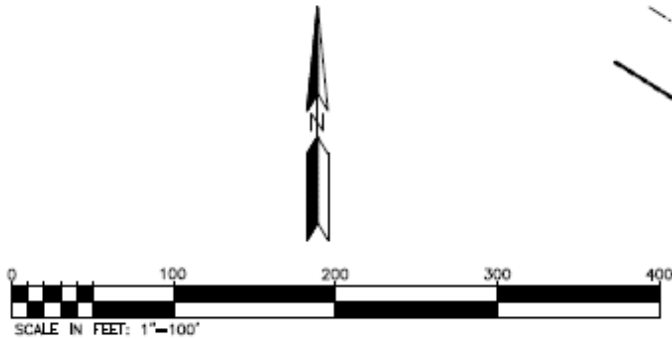


Nicholas Wardroup
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

PLOT PLAN

PLOT PLAN
PART OF LOT 1, OVERTON S/D
O CORNELL
AS RECORDED AT THE
SHELBY COUNTY REGISTER'S OFFICE
21114498
MEMPHIS, SHELBY COUNTY, TN



JPR INC.
 LOTS 3 & 7
 OVERTON S/D
 INST. EJ 9654
 ZONED: CMU-3

SWAIN/SWAIN
 GEORGETOWN
 VILLAGE
 ZONED: RU-3

CORNELL ROAD
 635.0' TO EAST
 LINE OF HIGHWAY 51
 S58°02'26"E

Lots 1-7
 Overton S/D
 Inst. # 20072987
 Mateo LLC.
 Zoned: RU-3

AREA TO
 BE RE-
 ZONED
 TO IH

HAMILTON
 LOT 1
 OVERTON S/D
 INST. # 06181066
 ZONED: RU-3

Zoned: IH

approx. limits of zoning

N 44°40'00"E 707.04'
 S 45°03'00"W 630.06'

BEGINNING AT A POINT IN THE SOUTHWEST LINE OF CORNELL AVENUE A DISTANCE OF 635.0 FEET SOUTHWARDLY AS MEASURED ALONG THE SOUTHWEST LINE OF CORNELL AVENUE FROM ITS TANGENT INTERSECTION WITH THE EAST LINE OF U.S. HIGHWAY 51; THENCE SOUTH 57 DEGREES 30 MINUTES EAST A DISTANCE OF 90.0 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 45 DEGREES 3 MINUTES WEST A DISTANCE OF 630.6 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 129.5 FEET, MORE OR LESS TO A POINT; THENCE NORTH 44 DEGREES 40 MINUTES EAST A DISTANCE OF 707.4 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

129.05'
 S 86°30'00"W

MEMPHIS
 BLUES PD
 P.B. 298,
 PG. 036
 ZONED: R-MP

CITY OF MEMPHIS
 LOT 1, OVERTON S/D
 ZONED: RU-3

PREPARED FOR:
 MARCINO PIGRAM

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

A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0260 F DATED SEPTEMBER 28, 2007. BFE: 234

ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON THE SOUTH SIDE OF CORNELL ST. BETWEEN FELTS STATION RD. AND THOMAS ST. BY TAKING THE LAND OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE HEAVY INDUSTRIAL USE DISTRICT, KNOWN AS CASE NUMBER Z 23-11

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 23-11**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL URBAN – 3 (RU-3) USE DISTRICT AND INCLUDING IT IN THE HEAVY INDUSTRIAL USE DISTRICT.

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

PARCEL 1

PART OF THE R.L. PHELPS 27.6 ACRE TRACT, UNRECORDED, IN MEMPHIS, SHELBY COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHWEST LINE OF CORNELL AVENUE A DISTANCE OF

635 FEET SOUTHWESTARDLY AS MEASURED ALONG THE SOUTHWEST LINE OF CORNELL AVENUE FROM ITS TANGENT INTERSECTION WITH THE EAST LINE OF U.S. HIGHWAY 51; THENCE SOUTH 57 DEGREES 30 MINUTES EAST A DISTANCE OF 90 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 45 DEGREES 3 MINUTES WEST A DISTANCE OF 630.6 FEET, MORE OR LESS TO A POINT, THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 129.5 FEET, MORE OR LESS TO A POINT; THENCE NORTH 44 DEGREES 40 MINUTES EAST A DISTANCE OF 707.4 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

SECTION 2:

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

SECTION 3:

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

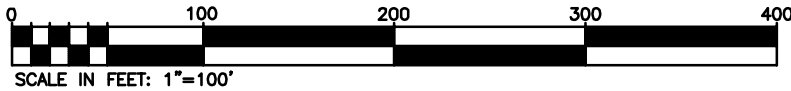
ATTEST:

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

**//: ATTACHMENTS
Plot Plan**

PLOT PLAN
PART OF LOT 1, OVERTON S/D
O CORNELL
AS RECORDED AT THE
SHELBY COUNTY REGISTER'S OFFICE
21114498
MEMPHIS, SHELBY COUNTY, TN

JPR INC.
 LOTS 3 & 7
 OVERTON S/D
 INST. EJ 9654
 ZONED: CMU-3



SWAIM & SWAIM
 GEORGETOWN
 VILLAGE
 ZONED: RU-3

CORNELL ROAD
 S58°02'26"E
 635.0' TO EAST
 LINE OF HIGHWAY 51

Lots 1-7
 Overton S/D
 Inst. # 20072987
 Mateo LLC.

Zoned: RU-3

AREA TO
 BE RE-
 ZONED
 TO IH

HAMILTON
 LOT 1
 OVERTON S/D
 INST. # 06161066
 ZONED: RU-3

Zoned: IH

approx. limits of zoning

RU-3

IH

N 44°40'00"E 707.04'

S 45°03'00"W 630.06'

BEGINNING AT A POINT IN THE SOUTHWEST LINE OF CORNELL AVENUE A DISTANCE OF 635.0 FEET SOUTHWARDLY AS MEASURED ALONG THE SOUTHWEST LINE OF CORNELL AVENUE FROM ITS TANGENT INTERSECTION WITH THE EAST LINE OF U.S. HIGHWAY 51: THENCE SOUTH 57 DEGREES 30 MINUTES EAST A DISTANCE OF 90.0 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 45 DEGREES 3 MINUTES WEST A DISTANCE OF 630.6 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 129.5 FEET, MORE OR LESS TO A POINT; THENCE NORTH 44 DEGREES 40 MINUTES EAST A DISTANCE OF 707.4 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

129.05'
 S 86°30'00"W

MEMPHIS
 BLUES PD
 P.B. 298,
 PG. 036
 ZONED: R-MP

CITY OF MEMPHIS
 LOT 1, OVERTON S/D
 ZONED: RU-3

PREPARED FOR:
 MARCINO PIGRAM

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

A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0260 F DATED SEPTEMBER 28, 2007. BFE: 234

AGENDA ITEM: 10

CASE NUMBER: Z 2023-011 **L.U.C.B. MEETING:** September 14, 2023

LOCATION: 0 Cornell St, Frayser

COUNCIL DISTRICT: District 7 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Marcino Pigram

REPRESENTATIVE: David G. Bray, P.E., The Bray Firm

REQUEST: Rezone +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)

AREA: +/-0.5 acres

EXISTING ZONING: Residential Urban – 3 (RU-3)

CONCLUSIONS

1. The request is to rezone +/- 0.5 Acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH).
2. Staff recommends **rejection** of this request due to its inconsistency with the Memphis 3.0 Comprehensive Plan.
3. Even if comprehensive plan consistency were not considered, staff would find the allowance of additional industrial uses in the proximity of nearby residences inappropriate.
4. This request is also inconsistent with the Mid-South Resiliency Plan, see Office of Sustainability and Resilience comments pg. 14.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is **inconsistent** with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 16 of this report.

RECOMMENDATION

Rejection

GENERAL INFORMATION

Street Frontage: Cornell Street +/- 90 linear feet
Zoning Atlas Page: 1630
Parcel ID: 069065 00005
Existing Zoning: Residential Urban – 3 (RU-3)
Requested Zoning: Heavy Industrial (IH)

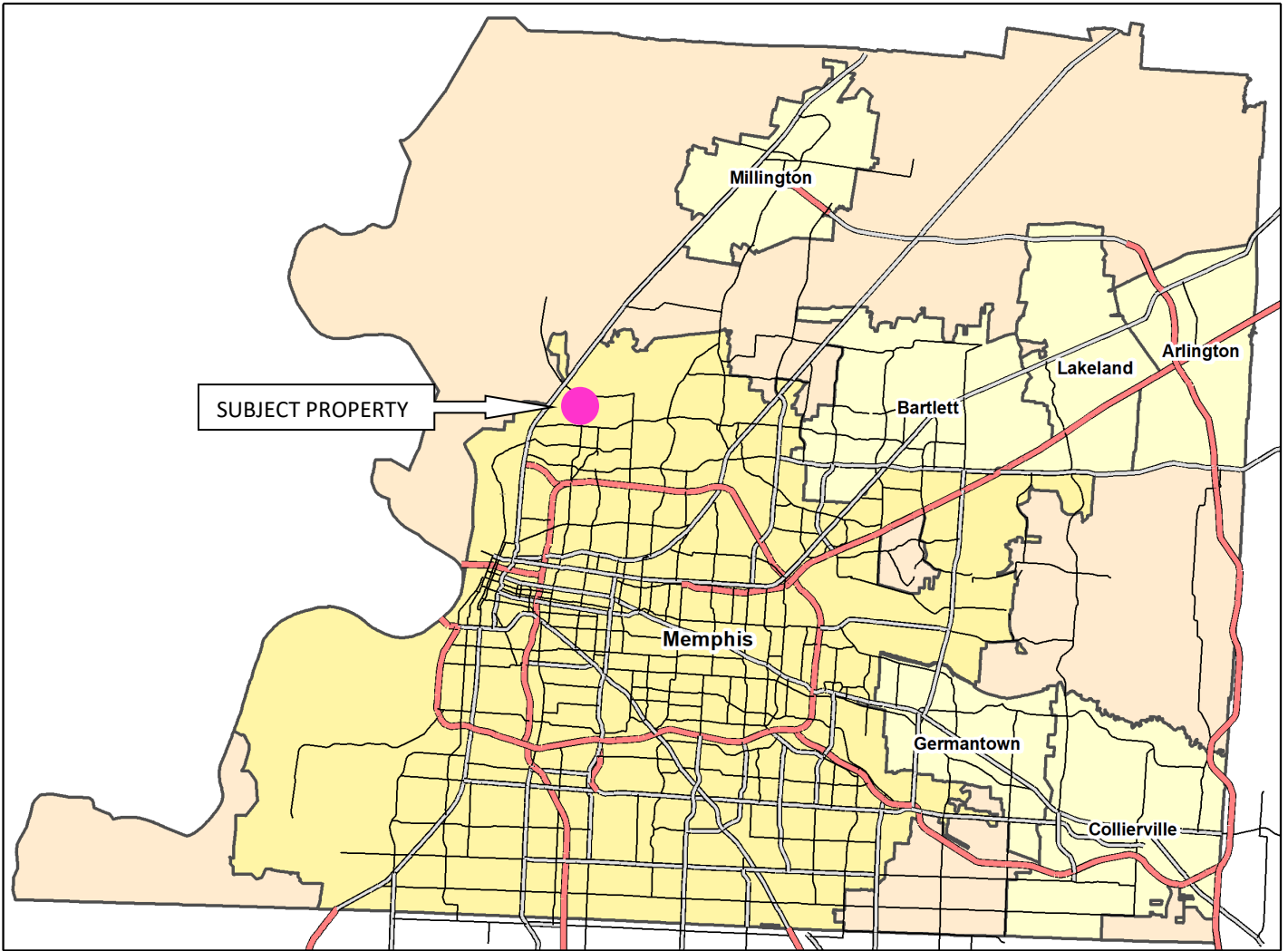
NEIGHBORHOOD MEETING

The meeting was held on Monday, July 24, 2023.

PUBLIC NOTICE

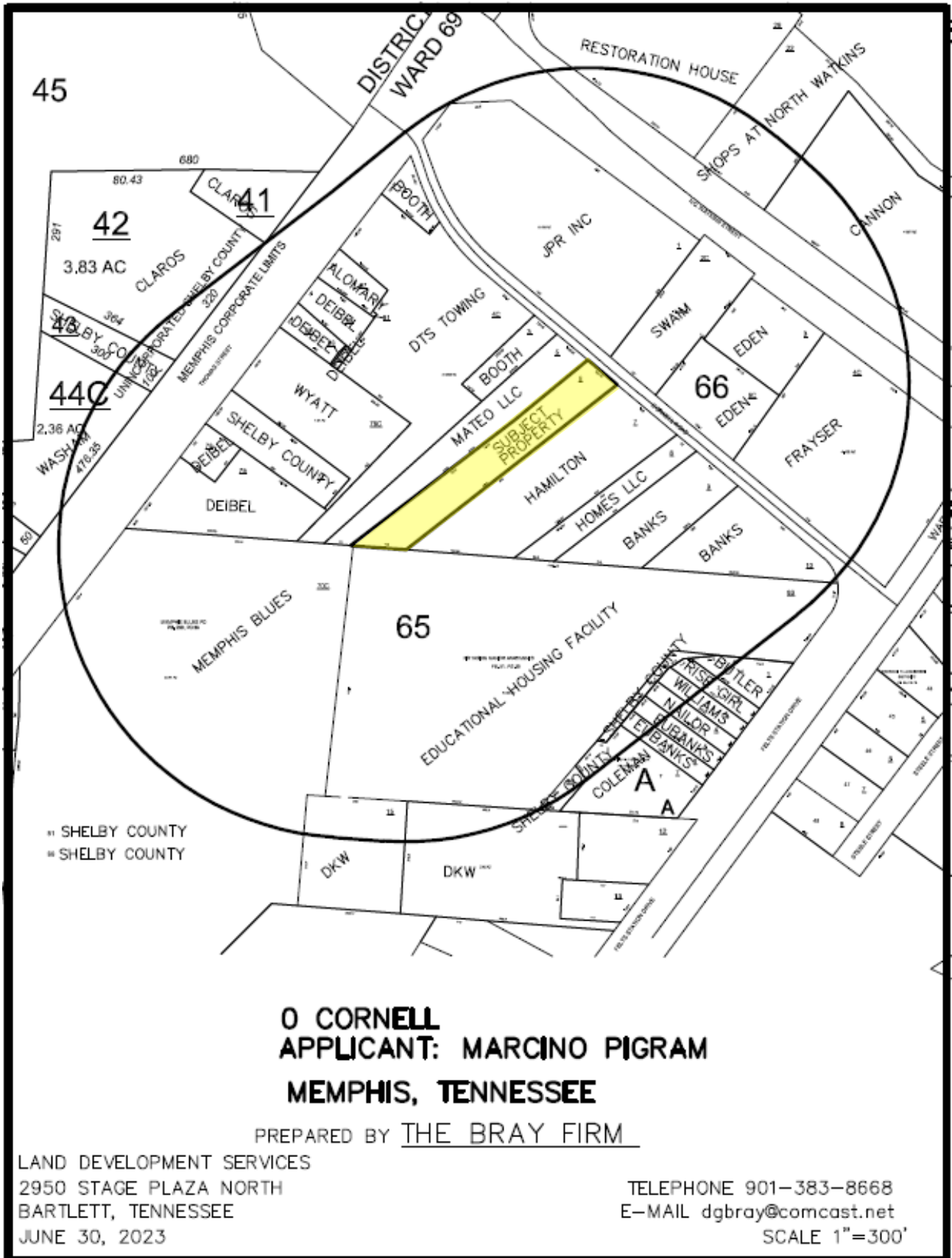
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 30 notices were mailed on August 24, 2023, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



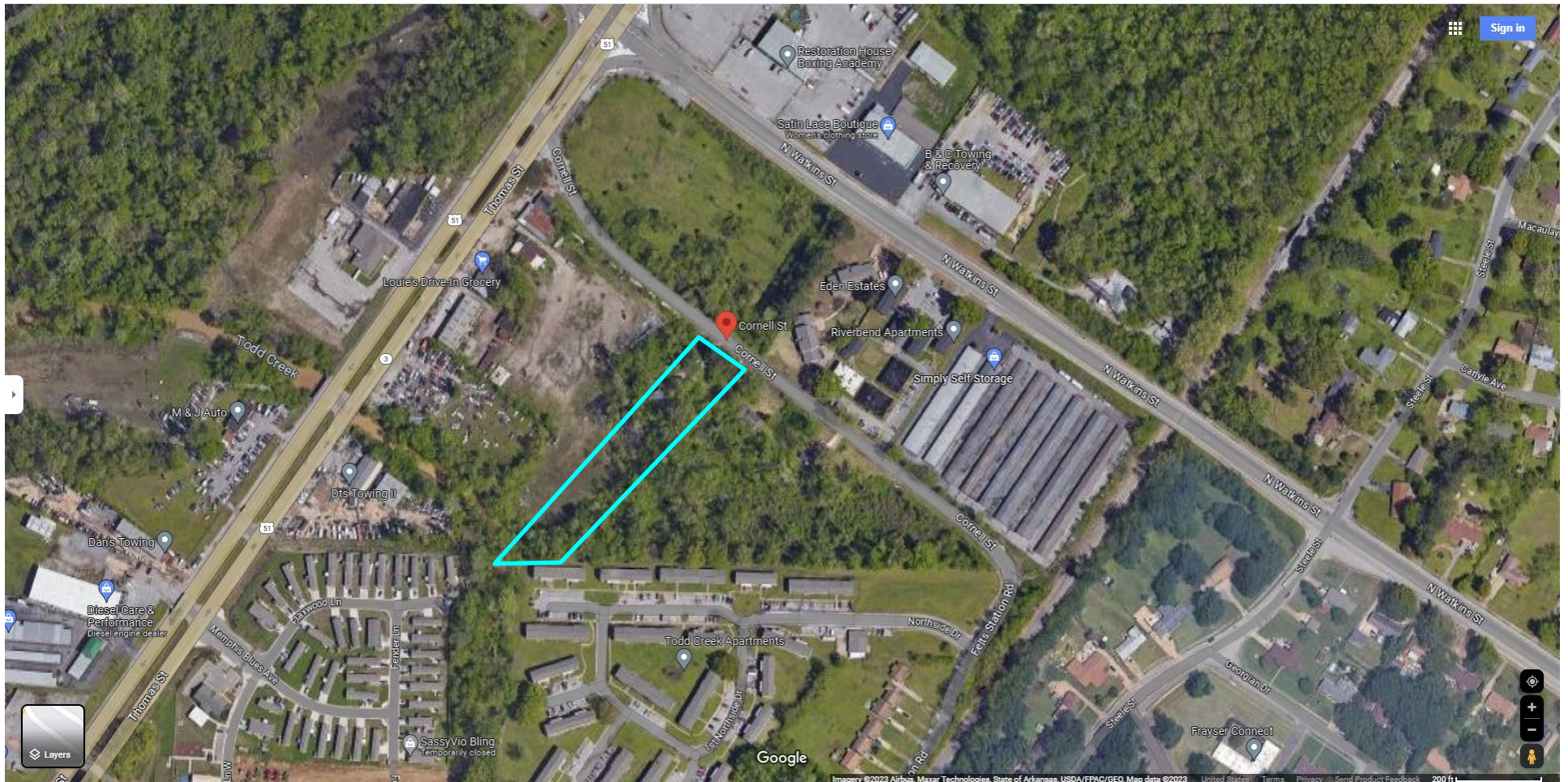
Subject property located within the pink circle, Frayser

VICINITY MAP



In the following maps, the subject property is outlined in cyan.

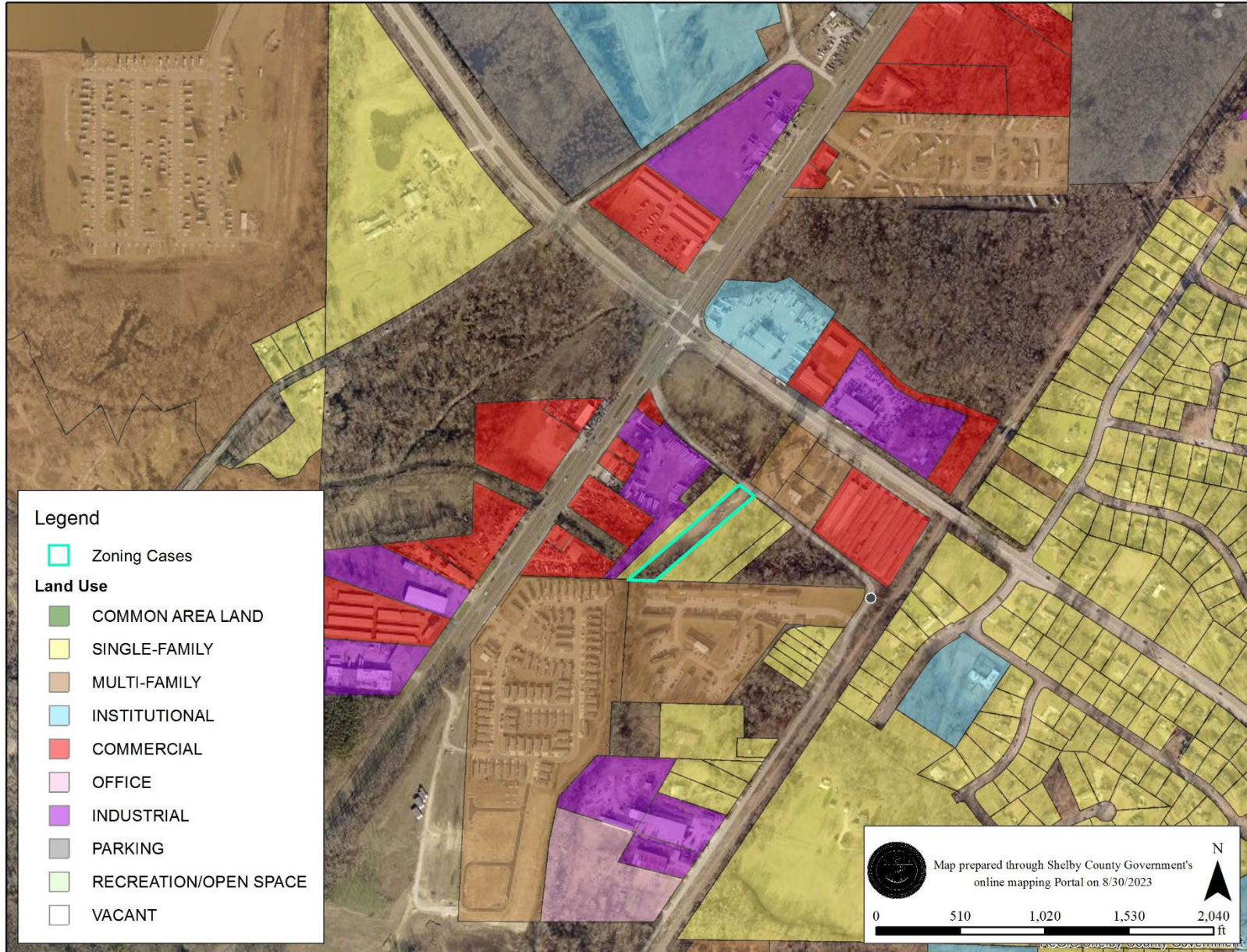
AERIAL



ZONING MAP



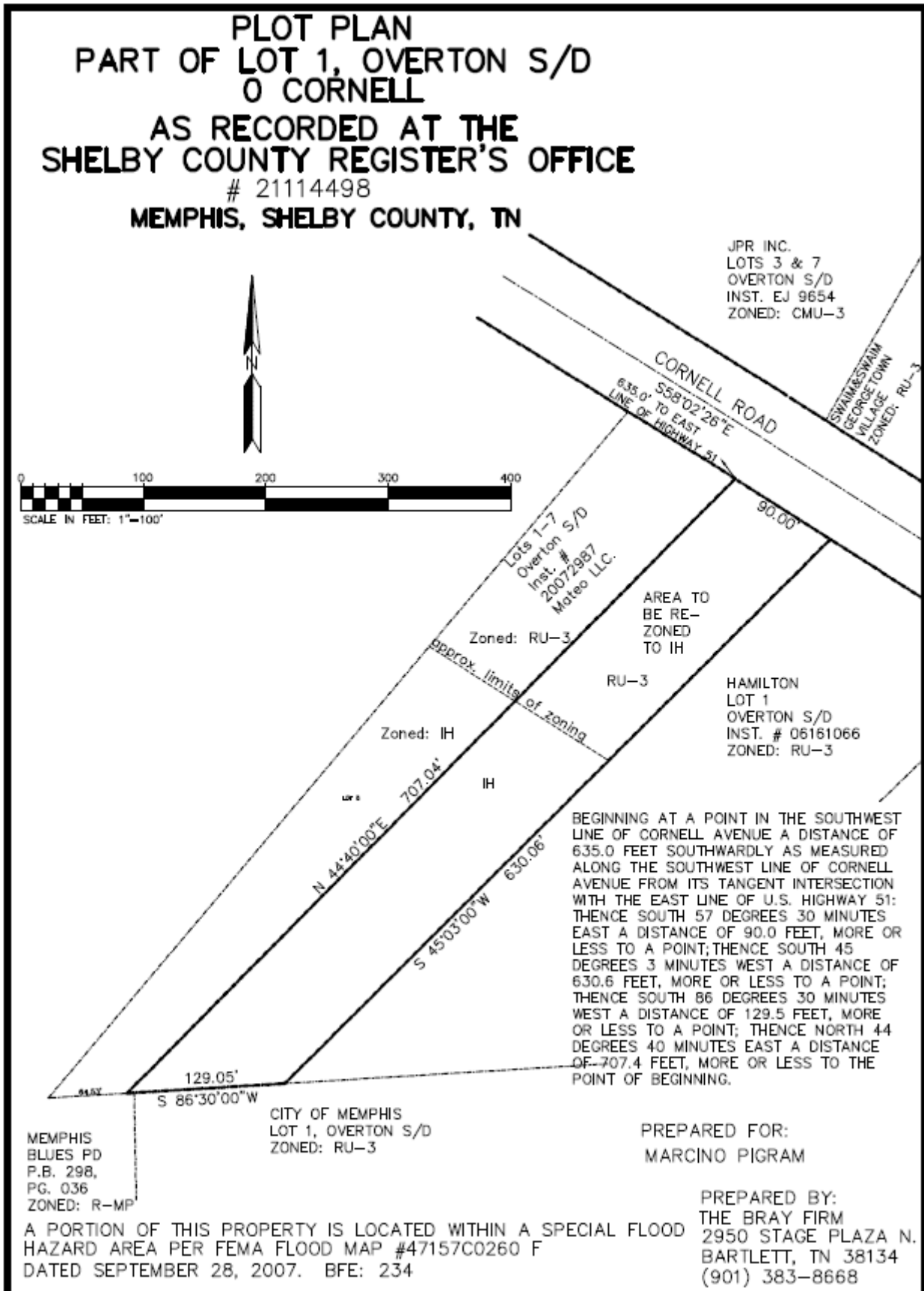
LAND USE MAP



MEMPHIS 3.0 FUTURE LAND USE



PLOT PLAN



SITE PHOTOS



View of subject property from Cornell St. looking southeast.



View of subject property from Cornell St. looking southwest.

STAFF ANALYSIS

Request

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

The request is to rezone +/- 0.5 acres from Residential Urban – 3 (RU-10) to Heavy Industrial (IH) zoning district.

Review Criteria

Staff **disagrees** the review criteria as set out in Sub-Section 9.5.7B of the Unified Development Code are met. The exact language of these criteria is listed below and followed by more detailed staff analysis.

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.*

Criteria Analysis

1. The requested rezoning is inconsistent with the Memphis 3.0 comprehensive plan. This site is designated as a primarily multifamily neighborhood by the future land use map. Memphis 3.0's land use decision criteria, in combination with Tennessee state law's requirement that zoning changes be consistent with the approved comprehensive plan (if one exists), are sufficient to recommend rejection of this request. The exact language of the Memphis 3.0 land use decision criteria is included on pages 19-20.

Staff recognizes that the site's proximity to future industrial uses may lead the Board to reasonably disagree with our consistency determination. We find however, that this request also falls short several of the other UDC 9.5.7B criteria (see below). Our recommendation, therefore, would stand even if comprehensive planning consistency were not to be considered.

2. Staff has determined that the allowance of additional IH uses would be incompatible with the existing multifamily land uses in the immediate vicinity, potentially damaging property owners and residents.
3. Staff cites the Memphis 3.0 future land use map, sewer availability, and proximity to existing multifamily developments in determining that this site is suitable for RU-3 uses. Our analysis of criterion #3 therefore supports our general recommendation of rejection.
4. Staff does not find that the proposed change would improve the balance of uses in the City. We are concerned that it would further undermine the potential for future residential development of the nearby vacant parcels zoned RU-3.

5. This site is adequately served by the necessary public services for both the existing and requested permissible uses.

Site Description

The subject site roughly the northeastern third of a lot known as parcel 069065 00006 located near the City of Memphis's northwestern boundary. The remainder of the lot already zoned IH and the applicant is seeking to rezone the subject portion to facilitate the use of the entire lot for similar uses. The site is currently vacant.

As shown by the land use map (pg. 7), the site primarily abuts single-family residential uses. Commercial, industrial, and auto-oriented uses exist to the west along Thomas St and to the north along N Watkins St. Three large multifamily complexes surround the site to the south and northeast.

Conclusions

1. The request is to rezone +/- 0.5 Acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH).
2. Staff recommends **rejection** of this request due to its inconsistency with the Memphis 3.0 Comprehensive Plan.
3. Even if comprehensive plan consistency were not considered, staff would find the allowance of additional industrial uses in the proximity of nearby residences undesirable.
4. This request is also inconsistent with the Mid-South Resiliency Plan, see Office of Sustainability and Resilience comments pg. 14.

RECOMMENDATION

Staff recommends rejection.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

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

Sewers:

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

City/County Fire Division: No comments received.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience:



MEMORANDUM

To: Nicholas Wardroup, LUDS Intern
From: Robin Richardson, Planner
Date: August 28, 2023
Subject: OSR Comments on Z 23-011: FRAYSER

General Comments & Analysis:

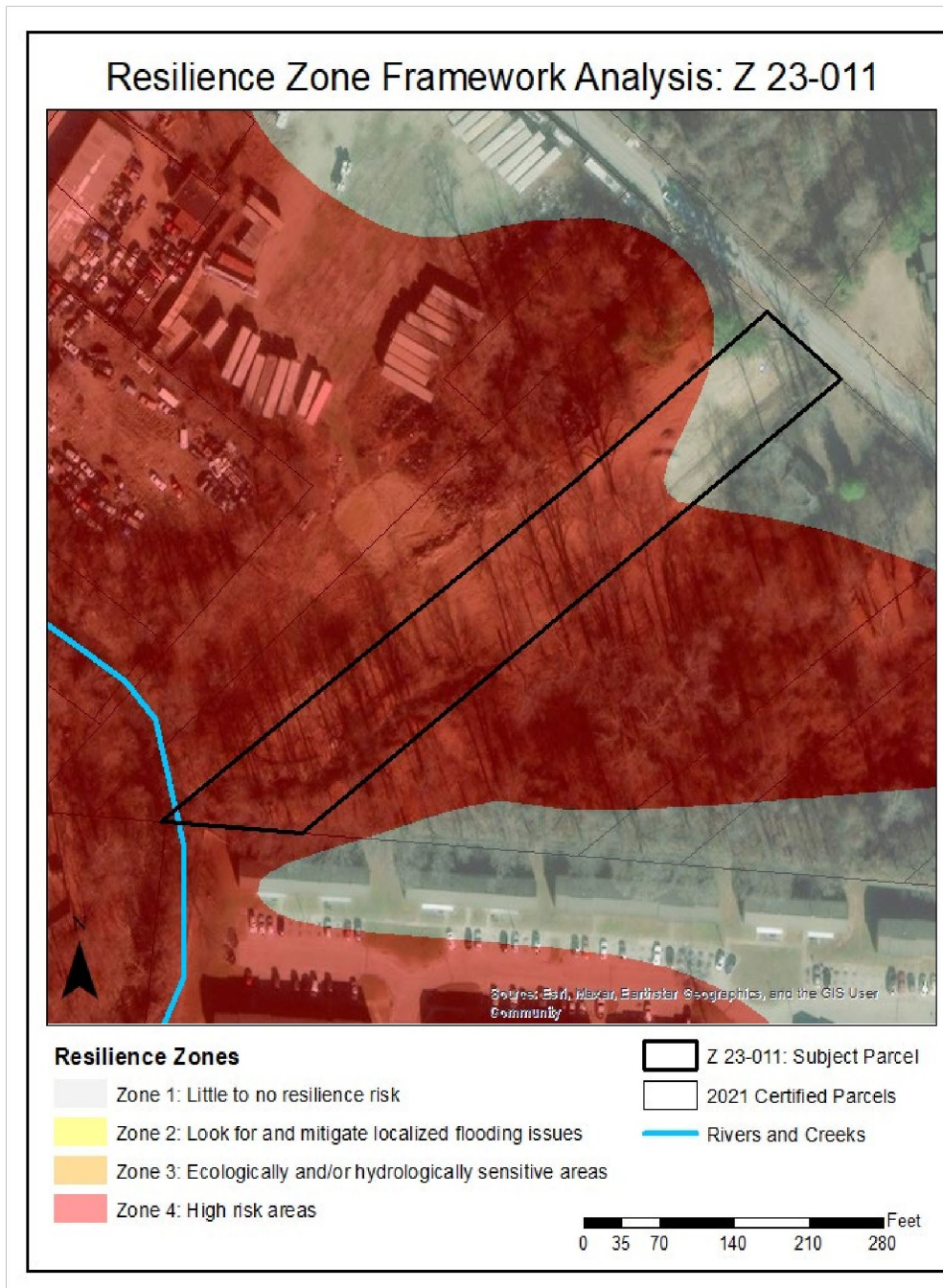
Located in Zones 1 and 4 of the Resilience Zone Framework:

Zone 1 areas have the lowest level of development risk and conflict. These areas avoid high risk disaster zones, such as floodplains, and they also do not conflict with sensitive ecological areas. These areas are the most straightforward for development, and development would have the lowest impact on regional resilience. Consider incorporating the protection of ecological assets while balancing the promotion of low-impact site design and compact development typologies in appropriate areas.

Zone 4 areas are high risk locations, namely riparian corridors, floodplains, and especially high vulnerability to earthquakes. Development in these locations is often directly at risk for flooding. Although these risks could be mitigated through the construction of major flood control infrastructure and higher seismic construction standards, it is generally advisable to avoid these areas for future development whenever possible. Efforts should be made to protect and further prevent development within Zone 4 for the purposes of mitigating the risk exposure to health and safety.

The site's designation in Zone 4 is due to its location within the 100-year and 500-year floodplains for Todd Creek. This creek is a tributary of the Loosahatchie River, which is located just over a mile west of the site. The Tennessee Department of Environmental Conservation (TDEC) has determined that neither body of water is currently supporting its classified uses due to poor water quality.

The applicant is requesting a rezoning of this parcel to IH in order for the parcel to be located in only one zone as opposed to two. According to the Shelby County Zoning Atlas, this parcel is currently zoned in both Residential Urban-3 (RU-3) and Industrial-Heavy (IH).



Consistent with the Mid-South Regional Resilience Master Plan best practices: No

This rezoning request is generally inconsistent with the Mid-South Regional Resilience Master Plan. Section 4.1 – Resilient Sites discourages development within sensitive areas such as floodplains, and increasing the intensity of zoning for a parcel within the floodplain would be in conflict with that part of the plan.

Consistent with the Memphis Area Climate Action Plan best practices: N/A

Recommendations: Staff recommends denial of this rezoning request.

Office of Comprehensive Planning:

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: LUCB Z 23-11: Frayser

Site Address/Location: 0 Cornell Avenue (Parcel 069065 00006)

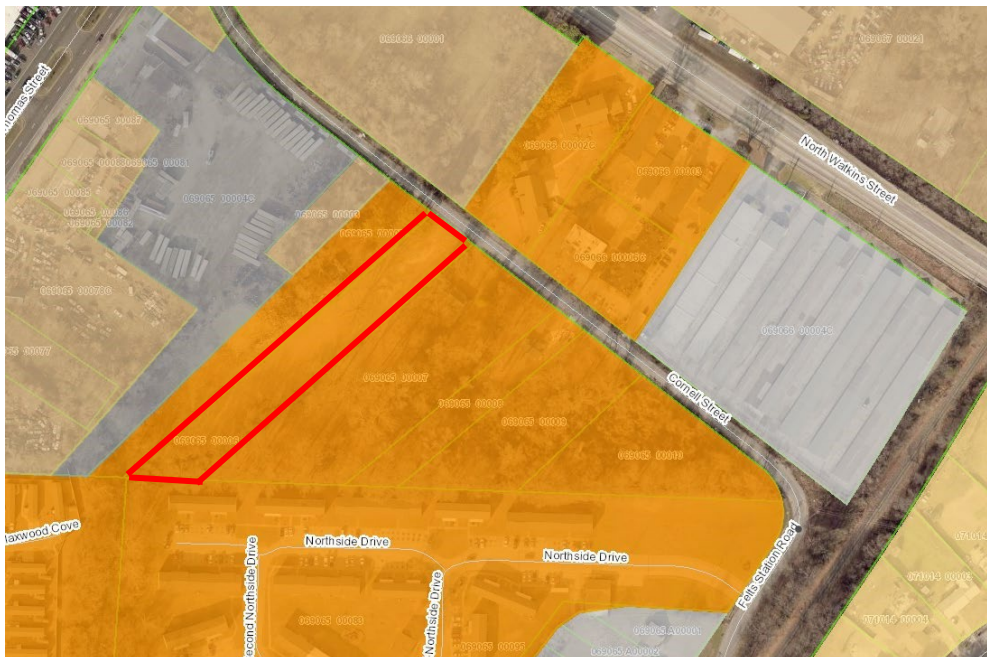
Overlay District/Historic District/Flood Zone: Not located in an overlay or historic district, Located in a floodplain and flood zone with a 0.2% Annual Chance Flood Hazard Future Land Use Designation: Primarily Multifamily Neighborhood (NM)

Street Type: N/A

The applicant is seeking to rezone a parcel with RU-3 zoning to EMP zoning.

The following information about the land use designation can be found on pages 76 – 122: **1. Future**

Land Use Planning Map



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

2. Land Use Description/Intent

Primarily Multifamily Neighborhood (NM) are residential neighborhoods consisting primarily of multi-unit buildings that are not near a Community Anchor. Graphic portrayal of NM is to the right. **“NM” Form & Location Characteristics**



Attached, semi-detached, and detached House-scale and some block-scale buildings, Primarily residential with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map, 1-3+ stories height; Beyond 1/2 mile from a Community Anchor

“NM” Zoning Notes

Generally compatible with the following zone districts: R-E, R-15, R-10, R-8, R-6 in accordance with Form and characteristics listed above.

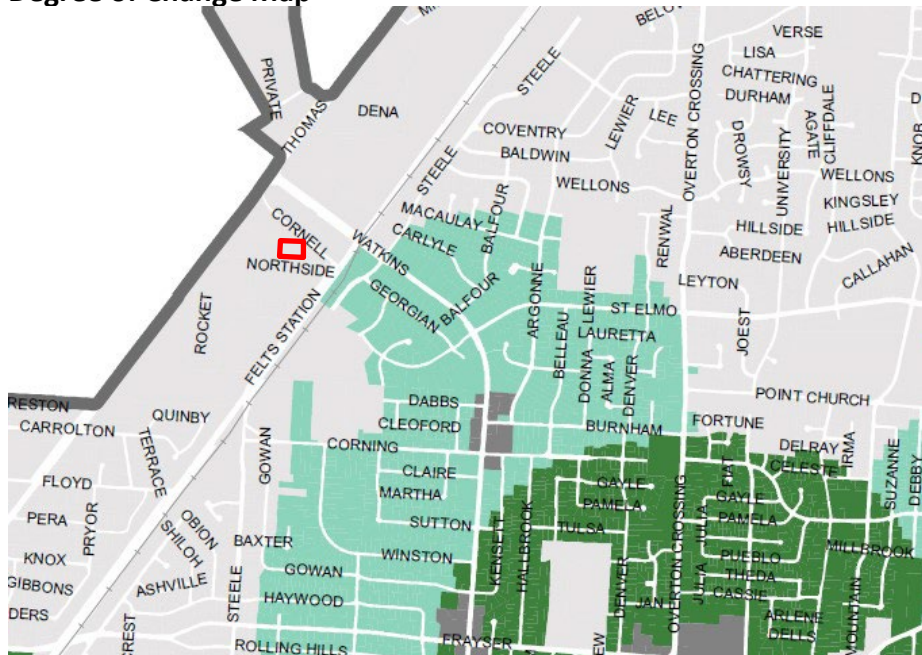
Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Vacant lot, RU-3

Adjacent Land Use and Zoning: Multifamily, Industrial, Vacant; IH, CMU-3

Overall Compatibility: *This requested use is not compatible with the land use description/intent, form & location characteristics. Additionally, it is not compatible with zoning notes, and existing, adjacent land use and zoning.*

3. Degree of Change Map



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

4. Degree of Change Description N/A

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

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

Consistency Analysis Summary

The applicant is seeking to rezone a parcel with RU-3 zoning to EMP zoning. This requested use is not compatible with the land use description/intent, form & location characteristics. Additionally, it is not compatible with zoning notes, and existing, adjacent land use and zoning.

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

Summary Compiled by: Melanie Batke Olejarczyk, Comprehensive Planning.

MEMPHIS 3.0 LAND USE DECISION CRITERIA

Using The Plan

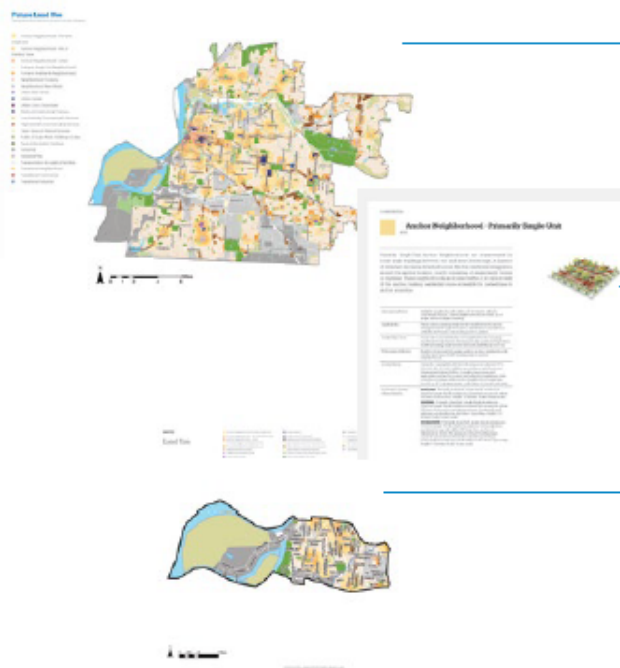
Legal Basis

Tennessee Code Annotated Section 13-4-202 provides for the manner in which a general plan is adopted by the Board and the City Council. TCA Section 13-4-202(B)(2)(B)(iii) states once the general plan is adopted by the Council, all land use decisions in the City shall thereafter be consistent with the plan. For the purposes of defining "consistency," only those elements of the plan related to land use decisions become effective pursuant to the guidance on the following pages. **All other sections of the plan are intended as a guide and only for planning purposes.**

Future Land Use Planning Map Purpose

The heart of the Memphis 3.0 Comprehensive Plan is the Future Land Use Planning Map. The Future Land Use Planning Map helps guide the City on land use decisions, streets, transportation, transit, public investments in infrastructure and civic spaces, and investments and incentives in housing, neighborhoods, and job centers. The value of the Future Land Use Planning Map is its clarity and predictability in how these resources can be invested in Memphis.

Between November, 2017, through August, 2018, the planning team combined its efforts with various organizations, artists, and architects/designers to engage Memphians in all 14 districts in a series of three



Future Land Use Planning Map. The Future Land Use Planning Map recommends uses for all areas of the City based on community input, existing conditions, market potential, and the plan's vision.

Land Use Categories. Each land use is described in detail on the following pages. This detail is essential to understanding what the designation recommends.

District Land Use. A more detailed version of each district's Future Land Use Planning Map is found in Part 4, District Priorities.

USING THE PLAN

workshops conducted to envision the future of the neighborhoods that shaped the Future Land Use Planning Map. Each set of district workshops culminated in a draft map for the area.

It is important to understand what the Future Land Use Planning Map is not. The Future Land Use Planning Map does not replace or change zoning. The Future Land Use Planning Map does not have the authority to allow the uses shown to be built by-right; it guides. Only the zoning code (the Unified Development Code or UDC) and decision-making bodies such as the Memphis City Council, Memphis and Shelby County Land Use Control Board, and Memphis and Shelby County Board of Adjustment can allow uses to be built. In those instances where a request goes before one of these bodies, the Future land use planning map is a guide for the decisions made. The guidelines, review, and process for applications subject to historic zoning through the Memphis Landmarks Commission do not change as a result of the Comprehensive Plan.

Zoning and Overlays

Adopted land use does not alter, circumvent, or supersede established zoning or overlays in the Unified Development Code (UDC). The zoning map in the UDC is not changed as a result of the adoption of the Comprehensive Plan, nor does the effect of zoning change. Proposed developments that meet zoning standards are still by-right. And proposed developments requiring a variance from zoning standards still require approval from City Council, Land Use Control Board, Board of Adjustment, even if they conform to recommended land use.

Likewise, areas of the City that are zoned with an overlay (such as the Midtown Overlay) or historic overlay (or local Landmarks district) are not changed as a result of plan adoption. If anything, these areas are strengthened by the recommended land use, degree of change, and recommended actions of the plan. Any changes to zoning as a result of recommended land use will be addressed in a Small Area Plan, which is described in more detail in a later section of the plan.

In order to reinforce this point, the following language shall be added to the UDC: "The Memphis 3.0 General Plan shall be used to guide land use decisions but not in any way supplant the regulations of this Code [the UDC], including but not limited to its Zoning Map or Overlay Districts. A determination of consistency with Memphis 3.0 shall not supersede the approval criteria and findings of fact required for individual land use decisions, as provided in this Code."

Decision Criteria

Pursuant to the legal basis of the plan, the test of "consistency" with the plan is only applied to land use decisions, or when an application is made to change or deviate from zoning. The steps below describe the decision process that will be used to determine consistency, and that will be added to the UDC. This criteria is to be used by staff from Office of Planning and Development (OPD) and Office of Comprehensive Planning (OCP) to review development proposal applications submitted to OPD in order to make an interpretation of consistency in their staff recommendations. This criteria is intended to guide the various bodies in position of making decisions on applications in their interpretations of consistency, as well. In instances where a determination is made that consistency is met, this does not constitute or require approval of a proposal. A determination of consistency shall not supercede the approval criteria and findings of fact for individual land use decisions as provided in the Unified Development Code (UDC).

When making land use decisions, the Land Use Control Board, Memphis City Council and Board of Adjustment shall consider all of the following elements of the Memphis 3.0 General Plan in its determination of consistency:

1. The Future Land Use Planning Map;
2. The land use category descriptions and graphic portrayals, including whether the proposed use would be compatible with the zone districts listed in the zoning notes, the proposed building(s) fit the listed form and location characteristics, and existing, adjacent land uses and zoning;
3. The degree of change map;
4. The degree of change descriptions;
5. The objectives and actions articulated in Goal 1, Complete, Cohesive Communities; and
6. Any other pertinent sections of the Memphis 3.0 General Plan that address land use recommendations.
7. When making recommendations to the Land Use Control Board, Memphis City Council and Board of Adjustment and when consulting with applicants on the appropriateness of a particular land use application, the Office of Planning and Development shall consider all of the sections of the Memphis 3.0 General Plan cited in Paragraphs 1 through 6 of this Sub-Section in its determination of consistency.

LETTER OF INTENT



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

June 30, 2023

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

RE: Re-zoning application for 0 Cornell (Parcel ID 069065 00006)
Existing zoning: RU-3 on front ½ of property
Proposed zoning: IH to match rear of property

Mr. Ragsdale;

Please find attached the above referenced application for a rezoning of the front portion (approximately 250 feet deep) of the subject property, a 1.685 acre tract, from RU-3 to IH. The subject property has frontage on Cornell. The rear of the property is zoned IH but the property cannot be utilized in this manner as the front portion is zoned RU-3. Rezoning of the front portion of this tract would allow this property to be utilized in a similar fashion as the other parcels west of this site towards Thomas Street.

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

Sincerely,

David Gean Bray, P.E.

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

MARCINO PIGRAM, being duly sworn, depose and say that at 5:00 PM am/pm on the 9th day of August, 2023, I posted a Public Notice Sign(s) pertaining to Case No. Z 2023-11 at _____ providing notice of a Public Hearing before the Land Use Control Board Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development Special Use Permit, Zoning District Map Amendment, Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Marcino Pigran
Owner, Applicant or Representative

8/10/2023
Date

Subscribed and sworn to before me this 10th day of August, 2023.

Lisa Nash
Notary Public

My commission expires: 08/08/24



LETTERS RECEIVED

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



Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: June 30, 2023

Record Number: Z 2023-011

Expiration Date:

Record Name: 0 Cornell Rezoning

Description of Work: Reznoring request for 0 Cornell from RU-3 to EMP

Parent Record Number:

Address:

0 cornell 38105

Owner Information

Primary Owner Name

Y PIGRAM MARCINO

Owner Address

21 NEELY ST, MEMPHIS, TN 38105

Owner Phone

Parcel Information

069065 00006

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Chip Saliba

Date of Meeting

06/07/2023

Pre-application Meeting Type

In Person

GENERAL INFORMATION

Is this application in response to a citation from

No

GENERAL INFORMATION

Construction Code Enforcement or Zoning Letter?
 Have you held a neighborhood meeting? No
 If yes, please provide additional information -

GIS INFORMATION

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

Contact Information

Name PIGRAM MARCINO **Contact Type** APPLICANT
Address

Phone
 (901)288-6437

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1482796	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	06/30/2023
1482796	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	06/30/2023

Total Fee Invoiced: \$1,026.00 Total Balance: \$0.00

Payment Information

Payment Amount \$1,026.00 **Method of Payment** Credit Card

MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, MARCINO FIGRAM Marcino Figram, state that I have read the definition of (Print Name) (Sign Name)

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

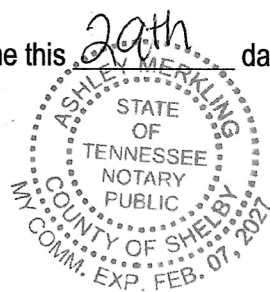
6/29/2023

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

of the property located at 0 Cornell st and further identified by Assessor's Parcel Number 0690650000060 for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 29th day of June in the year of 2023.

Ashley Merkling
Signature of Notary Public



02/07/2027
My Commission Expires



Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: June 30, 2023

Record Number: Z 2023-011

Expiration Date:

Record Name: 0 Cornell Rezoning

Description of Work: Reznoring request for 0 Cornell from RU-3 to EMP

Parent Record Number:

Address:

0 cornell 38105

Owner Information

Primary Owner Name

Y PIGRAM MARCINO

Owner Address

21 NEELY ST, MEMPHIS, TN 38105

Owner Phone

Parcel Information

069065 00006

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Chip Saliba

Date of Meeting

06/07/2023

Pre-application Meeting Type

In Person

GENERAL INFORMATION

Is this application in response to a citation from

No

GENERAL INFORMATION

Construction Code Enforcement or Zoning Letter?
 Have you held a neighborhood meeting? No
 If yes, please provide additional information -

GIS INFORMATION

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

Contact Information

Name PIGRAM MARCINO **Contact Type** APPLICANT
Address

Phone
 (901)288-6437

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
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1482796	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	06/30/2023

Total Fee Invoiced: \$1,026.00 Total Balance: \$0.00

Payment Information

Payment Amount \$1,026.00 **Method of Payment** Credit Card

MEMPHIS AND SHELBY COUNTY DIVISION OF PLANNING AND DEVELOPMENT

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, MARCINO FIGRAM Marcino Figram, state that I have read the definition of (Print Name) (Sign Name)

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

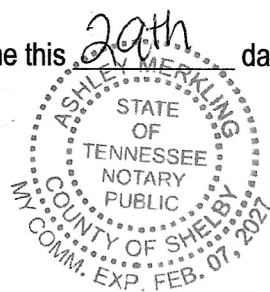
6/29/2023

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

of the property located at 0 Cornell st and further identified by Assessor's Parcel Number 0690650000060 for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 29th day of June in the year of 2023.

Ashley Merkling
Signature of Notary Public



02/07/2027
My Commission Expires



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

June 30, 2023

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

RE: Re-zoning application for 0 Cornell (Parcel ID 069065 00006)
Existing zoning: RU-3 on front ½ of property
Proposed zoning: IH to match rear of property

Mr. Ragsdale;

Please find attached the above referenced application for a rezoning of the front portion (approximately 250 feet deep) of the subject property, a 1.685 acre tract, from RU-3 to IH. The subject property has frontage on Cornell. The rear of the property is zoned IH but the property cannot be utilized in this manner as the front portion is zoned RU-3. Rezoning of the front portion of this tract would allow this property to be utilized in a similar fashion as the other parcels west of this site towards Thomas Street.

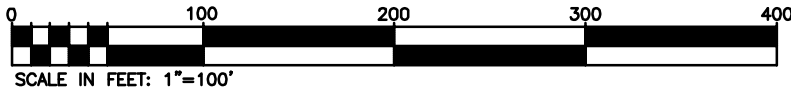
Thank you for considering this request. If you have any questions or need any additional information, please feel free to call.

Sincerely,

David Gean Bray, P.E.

PLOT PLAN
PART OF LOT 1, OVERTON S/D
O CORNELL
AS RECORDED AT THE
SHELBY COUNTY REGISTER'S OFFICE
21114498
MEMPHIS, SHELBY COUNTY, TN

JPR INC.
 LOTS 3 & 7
 OVERTON S/D
 INST. EJ 9654
 ZONED: CMU-3



SWAIM & SWAIM
 GEORGETOWN
 VILLAGE
 ZONED: RU-3

CORNELL ROAD
 S58°02'26"E
 635.0' TO EAST
 LINE OF HIGHWAY 51

Lots 1-7
 Overton S/D
 Inst. # 20072987
 Mateo LLC.

Zoned: RU-3

AREA TO
 BE RE-
 ZONED
 TO IH

HAMILTON
 LOT 1
 OVERTON S/D
 INST. # 06161066
 ZONED: RU-3

Zoned: IH

approx. limits of zoning

RU-3

IH

N 44°40'00"E 707.04'

S 45°03'00"W 630.06'

BEGINNING AT A POINT IN THE SOUTHWEST LINE OF CORNELL AVENUE A DISTANCE OF 635.0 FEET SOUTHWARDLY AS MEASURED ALONG THE SOUTHWEST LINE OF CORNELL AVENUE FROM ITS TANGENT INTERSECTION WITH THE EAST LINE OF U.S. HIGHWAY 51: THENCE SOUTH 57 DEGREES 30 MINUTES EAST A DISTANCE OF 90.0 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 45 DEGREES 3 MINUTES WEST A DISTANCE OF 630.6 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 86 DEGREES 30 MINUTES WEST A DISTANCE OF 129.5 FEET, MORE OR LESS TO A POINT; THENCE NORTH 44 DEGREES 40 MINUTES EAST A DISTANCE OF 707.4 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

129.05'
 S 86°30'00"W

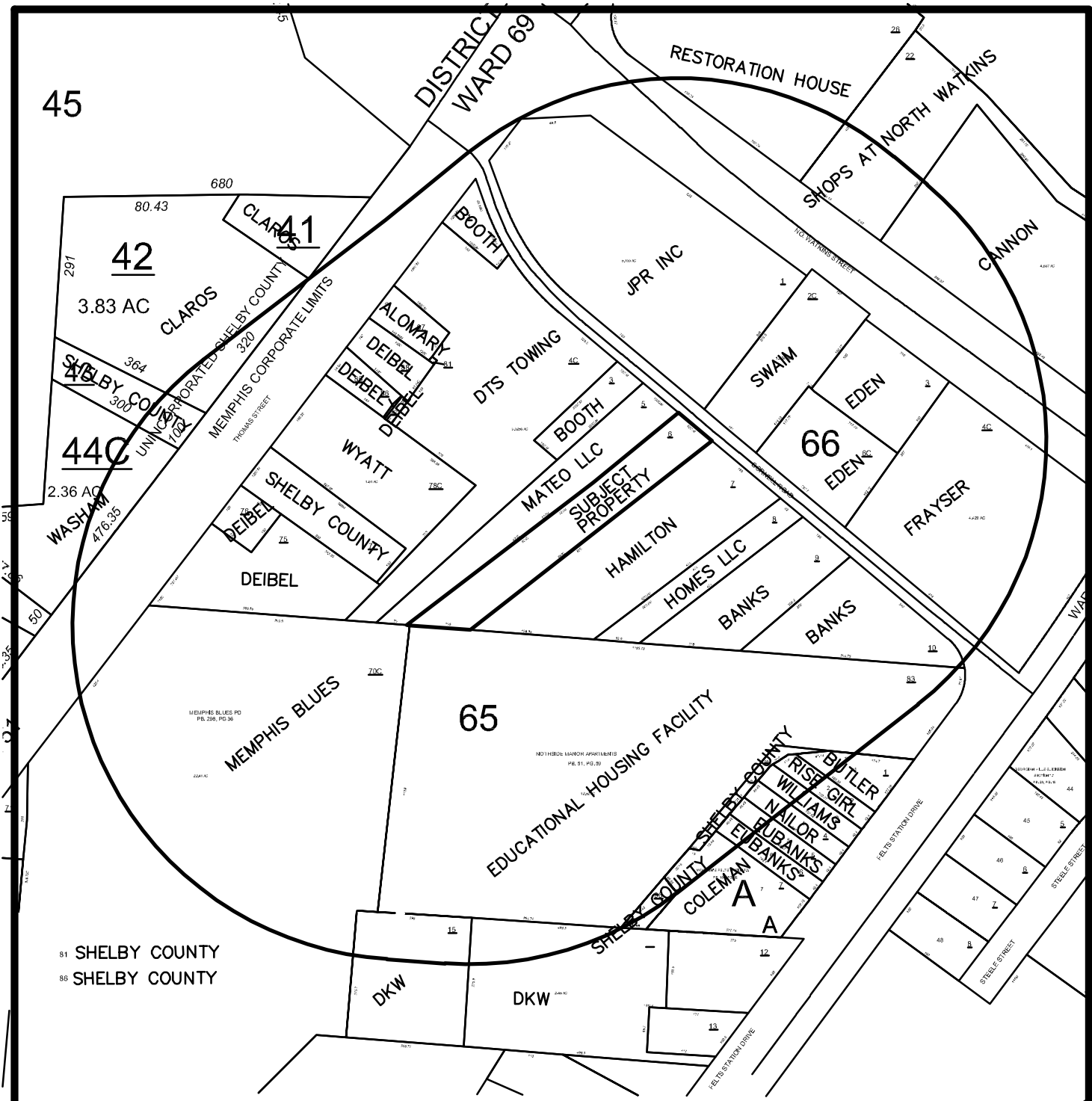
MEMPHIS
 BLUES PD
 P.B. 298,
 PG. 036
 ZONED: R-MP

CITY OF MEMPHIS
 LOT 1, OVERTON S/D
 ZONED: RU-3

PREPARED FOR:
 MARCINO PIGRAM

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

A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0260 F DATED SEPTEMBER 28, 2007. BFE: 234



**O CORNELL
 APPLICANT: MARCINO PIGRAM
 MEMPHIS, TENNESSEE**

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES
 2950 STAGE PLAZA NORTH
 BARTLETT, TENNESSEE
 JUNE 30, 2023

TELEPHONE 901-383-8668
 E-MAIL dgbray@comcast.net
 SCALE 1"=300'

Marcino Pigram
21 Neely Street
Memphis, TN 38105

The Bray Firm
2950 Stage Plaza North
Bartlett, TN 38134

Owner

Engineer

Mateo LLC
1735 SWANSEA CV
CORDOVA TN 38016 3541

Roy F Booth
6719 HOLSTON RD
SARDIS MS 38666 3384

DTS Towing LLC
3930 THOMAS ST
MEMPHIS TN 38127 3732

Ismail A Alomary
3990 THOMAS ST
MEMPHIS TN 38127 3732

Robert E Deibel III
1255 FITE RD
MILLINGTON TN 38053 6963

Shelby County
165 N MAIN ST
MEMPHIS TN 38103 1802

Connon D Wyatt
9330 NEW BETHEL RD
MILLINGTON TN 38053 8829

Memphis Blues
1401 MEMPHIS BLUES AVE N
MEMPHIS TN 38127

Health Educational and Housing Facility
Board of the City of Memphis
35 UNION AVE STE 200
MEMPHIS TN 38103

Vennie B Butler
3899 FELTS STATION RD
MEMPHIS TN 38127 3808

Rise Girl Walk Woman LLC
3737 OUTLAND RD
MEMPHIS TN 38118 6475

Resident
3893 Felts Station PD
MEMPHIS TN 38127

Canzater Williams
3887 FELTS STATION RD
MEMPHIS TN 38127 3808

Gloria Nailor
3881 FELTS STATION RD
MEMPHIS TN 38127 3808

Joyce Eubanks
3869 FELTS STATION RD
MEMPHIS TN 38127 3808

Resident
3875 FELTS STATION DR
MEMPHIS TN 38127

Coleman Enterprises and Holding
41 CALLOWAY CV
MEDINA TN 38355 8928

DKW Professional Removal Services
2262 SANTA FE AVE
TORRANCE CA 90501 4314

Joe Hamilton
1115 W 57TH ST
LOS ANGELES CA 90037

Ashley Homes LLC
924 DOLAN DR
DRUMMONDS TN 38023 6416

Dion M Banks
1735 SWANSEA CV
CORDOVA TN 38016

0 Cornell
Page 2 of 2

SS North Watkins Frayser LLC
PO BOX 800729
DALLAS TX 75380 0729

Eden Estates
3171 SIGNAL ST
MEMPHIS TN 38127 7273

Swaim and Swaim West LLC
PO BOX 33
MARTIN TN 38237

JPR INC
1208 FOXWOOD DR
MIDLAND MI 48642 7106

Shops at North Watkins LLC
4485 RAINFORD CV
MEMPHIS TN 38128 1919

Darren & Vealer L Cannon
4000 N WATKINS AVE
MEMPHIS TN 38127 4336

Erick Claros & Kriscia L P De Alas
8915 GERMANTOWN RD
OLIVE BRANCH MS 38654 8533

|

|



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.

21114498

09/14/2021 - 03:56:30 PM

4 PGS

LINDA 2299638-21114498

VALUE	3080.00
MORTGAGE TAX	0.00
TRANSFER TAX	11.40
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	34.40

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the County of Shelby, a political subdivision of the State of Tennessee, for and in consideration of:

THREE THOUSAND EIGHTY DOLLARS & NO/100 **\$3,080.00 Dollars,**

does hereby bargain, sell, remise, quit claim and convey unto the said:

MARCINO PIGRAM

the following described real estate located in Shelby County, Tennessee, to-wit:

(SEE ATTACHED EXHIBIT "A")

Being the same property conveyed to Shelby County Government in Tax Sale 1502 on 10/23/2018 which sale was confirmed in Docket # 2017-1

Property Address: 0 CORNELL Parcel # 06906500000060

Conveyance of the above described property is made without warranties of any sort.

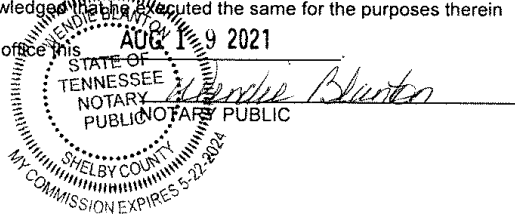
IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Trustee, this Aug 17, 2021

BY [Signature]
REGINA MORRISON NEWMAN, SHELBY COUNTY TRUSTEE

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Regina Morrison Newman, as Trustee of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this AUG 17 2021



My Commission Expires:

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Mayor, this 12 day of AUGUST, 2021.

BY [Signature]
LEE HARRIS, SHELBY COUNTY MAYOR

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Lee Harris as Mayor of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 12 day of AUGUST, 2021.

[Signature]
NOTARY PUBLIC

My Commission Expires:



APPROVED AS TO FORM:

BY [Signature]
Thomas Koelbl #037574)
DELINQUENT TAX ATTORNEY

RECORDING DATA ONLY

Return Address:

Office of the Shelby County Trustee
157 Poplar Avenue - Third Floor
Memphis, TN 38103

ATTENTION: LESLIE BLESSIKE

Property Address:

0 CORNELL
0690650000060

Mail Tax Bills To:

MARCINO PIGRAM
21 NEELY STREET
MEMPHIS TN 38105

Property Owner:

MARCINO PIGRAM
21 NEELY STREET
MEMPHIS TN 38105

I/We hereby swear/affirm that to the best of
affiant's knowledge, information, and belief,
the actual consideration for this transfer
is \$3,080.00

Leslie Blessike

AFFIANT

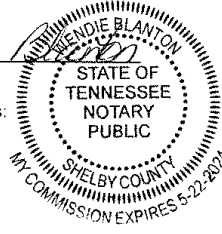
This instrument prepared by:
Thomas Koelbl #037574)
DELINQUENT TAX ATTORNEY
157 POPLAR AVENUE, 2ND FLOOR
MEMPHIS, TN 38103

Subscribed and sworn to before me

this AUG 19 2021

STATE TAX _____
REGISTER'S FEE _____
RECORDING FEE _____
TOTAL _____

Wendie Blanton

NOTARY
My Commission expires: _____


“Exhibit A”

Part of the R. L. Phelps 27.6 Acre Tract, Unrecorded, in Memphis, Shelby County, Tennessee, and being more particularly described as follows:

Beginning at a point in the southwest line of Cornell Avenue a distance of 635.0 feet southwardly as measured along the southwest line of Cornell Avenue from its tangent intersection with the east line of U.S. Highway 51; thence south 57 degrees 30 minutes east a distance of 90.0 feet, more or less to a point; thence south 45 degrees 3 minutes west a distance of 630.6 feet, more or less to a point; thence south 86 degrees 30 minutes west a distance of 129.5 feet, more or less to a point; thence north 44 degrees 40 minutes east a distance of 707.4 feet, more or less to the point of beginning.

Being part of the same property as described in Instrument No. M8 7253. The above description is the same as found in prior deed of record as a boundary line survey was not done at the time of this conveyance.

PARCEL ID: 06906500000060

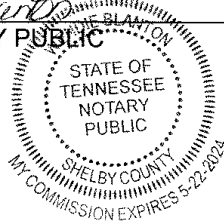
I, Thomas Koelbl, do hereby make oath that I am a licensed attorney and/or the custodian of the paper version of the electronic record tendered for registration herewith and that this is a true and correct copy of the electronic record executed pursuant to § 47-10-112 and other provisions of the Uniform Electronic Transactions Act or other provisions of law.

Thomas Koelbl
Signature

STATE OF TENNESSEE)
COUNTY OF SHELBY)

On this AUG 05 2021 before me personally appeared Thomas Koelbl, to me known to be the person described in and who acknowledges that this certification is true and correct and whose signature I have witnessed.

Wendie Blanton
NOTARY PUBLIC



My Commission Expires: _____



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.

21114498

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LINDA 2299638-21114498

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TOTAL AMOUNT	34.40

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the County of Shelby, a political subdivision of the State of Tennessee, for and in consideration of:

THREE THOUSAND EIGHTY DOLLARS & NO/100 **\$3,080.00 Dollars,**
does hereby bargain, sell, remise, quit claim and convey unto the said:

MARCINO PIGRAM

the following described real estate located in Shelby County, Tennessee, to-wit:

(SEE ATTACHED EXHIBIT "A")

Being the same property conveyed to Shelby County Government in Tax Sale 1502 on 10/23/2018 which sale was confirmed in Docket # 2017-1

Property Address: 0 CORNELL Parcel # 06906500000060

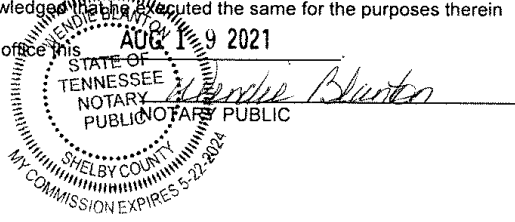
Conveyance of the above described property is made without warranties of any sort.

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Trustee, this Aug 17, 2021

BY [Signature]
REGINA MORRISON NEWMAN, SHELBY COUNTY TRUSTEE

STATE OF TENNESSEE, COUNTY OF SHELBY
Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Regina Morrison Newman, as Trustee of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this AUG 19 2021



My Commission Expires:

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Mayor, this 12 day of AUGUST, 2021.

BY [Signature]
LEE HARRIS, SHELBY COUNTY MAYOR

STATE OF TENNESSEE, COUNTY OF SHELBY
Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Lee Harris as Mayor of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 12 day of AUGUST, 2021.

[Signature]
NOTARY PUBLIC

My Commission Expires:



APPROVED AS TO FORM:

BY Thomas Koelbl
Thomas Koelbl #037574)
DELINQUENT TAX ATTORNEY

RECORDING DATA ONLY

Return Address:

Office of the Shelby County Trustee
157 Poplar Avenue - Third Floor
Memphis, TN 38103

ATTENTION: LESLIE BLESSIKE

Property Address:

0 CORNELL
0690650000060

Mail Tax Bills To:

MARCINO PIGRAM
21 NEELY STREET
MEMPHIS TN 38105

Property Owner:

MARCINO PIGRAM
21 NEELY STREET
MEMPHIS TN 38105

I/We hereby swear/affirm that to the best of
affiant's knowledge, information, and belief,
the actual consideration for this transfer
is \$3,080.00

Leslie Blessike

AFFIANT

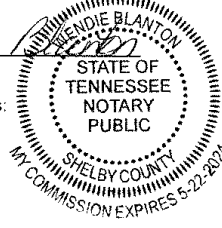
This instrument prepared by:
Thomas Koelbl #037574)
DELINQUENT TAX ATTORNEY
157 POPLAR AVENUE, 2ND FLOOR
MEMPHIS, TN 38103

Subscribed and sworn to before me

this AUG 19 2021

STATE TAX _____
REGISTER'S FEE _____
RECORDING FEE _____
TOTAL _____

Wendie Blanton

NOTARY
My Commission expires: _____


“Exhibit A”

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PARCEL ID: 06906500000060

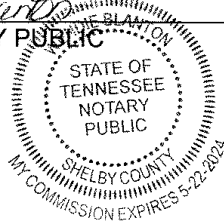
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Thomas Koelbl
Signature

STATE OF TENNESSEE)
COUNTY OF SHELBY)

On this AUG 05 2021 before me personally appeared Thomas Koelbl, to me known to be the person described in and who acknowledges that this certification is true and correct and whose signature I have witnessed.

Wendie Blanton
NOTARY PUBLIC



My Commission Expires: _____

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

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, November 27, 2023 at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

- CASE NUMBER:** Z 23-11
- LOCATION:** South side of Cornell St. between Felts Station Rd. and Thomas St.
- COUNCIL DISTRICTS:** District 7 and Super District 8 – Positions 1, 2, and 3
- OWNER/APPLICANT:** Marcino Pigram
- REPRESENTATIVE:** The Bray Firm, David Bray
- REQUEST:** Rezoning of +/- 0.5 acres from Residential Urban – 3 (RU-3) to Heavy Industrial (IH)
- RECOMMENDATIONS:**

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

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

NOW, THEREFORE, you will take notice that on Tuesday, November 27, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance's or protests against the making of such changes; such remonstrance's or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

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

THIS THE _____, _____

MARTAVIUS JONES
CHAIRMAN OF COUNCIL


ATTEST:

WALTER PERSON
CITY COMPTROLLER

TO BE PUBLISHED:



Legend
polygonLayer
-Override 1
-Override 2
polygonLayer
-Override 1
■ Parcels

 Map prepared through Shelby County Government's online mapping Portal on 10/2/2023

0 0.06 0.12 0.18 0.24 mi

N

CLAROS ERICK & KRISCIA PARADA
4182 BRIGHTON DR #
HORN LAKE MS 38637

ASHLEY HOMES LLC
924 DOLAN DR #
DRUMMONDS TN 38023

SHELBY COUNTY TAX SALE #83.1 EXH #6841
160 N MAIN ST #
MEMPHIS TN 38103

CLAROS ERICK & KRISCIA L P DE ALAS
8915 GERMANTOWN RD #
OLIVE BRANCH MS 38654

BANKS DION M
1735 SWANSEA CV #
CORDOVA TN 38016

DEIBEL ROBERT E III
1255 FITE RD #
MILLINGTON TN 38053

SHELBY COUNTY
160 N MAIN ST #
MEMPHIS TN 38103

BANKS DION M
1735 SWANSEA CV #
CORDOVA TN 38016

HEALTH EDUCATIONAL AND HOUSING FACILITY
35 UNION AVE #
MEMPHIS TN 38103

WASHAM SHIRLEY
6930 HEDGEWOOD LN #
BARTLETT TN 38135

DKW PROFESSIONAL REMOVAL SERVICES
2262 SANTA FE AVE #
TORRANCE CA 90501

DEIBEL ROBERT E III
1255 FITE RD #
MILLINGTON TN 38053

BOOTH ROY F
6719 HOLSTON RD #
SARDIS MS 38666

DKW PROFESSIONAL REMOVAL SERVICES
2262 SANTA FE AVE #
TORRANCE CA 90501

SHELBY COUNTY TAX SALE 15.02
PO BOX 2751 #
MEMPHIS TN 38101

BOOTH ROY F
6719 HOLSTON RD #
SARDIS MS 38666

MEMPHIS BLUES
1401 MEMPHIS BLUES AVE #
MEMPHIS TN 38127

ALOMARY ISMAIL A A
3990 THOMAS ST #
MEMPHIS TN 38127

DTS TOWING LLC
3930 THOMAS ST #
MEMPHIS TN 38127

DEIBEL ROBERT E III
1255 FITE RD #
MILLINGTON TN 38053

DEIBEL ROBERT E III
1255 FITE RD #
MILLINGTON TN 38053

MATEO LLC
1735 SWANSEA CV #
CORDOVA TN 38016

DEIBEL ROBERT
1255 FITE RD #
MILLINGTON TN 38053

SHELBY COUNTY TAX SALE 16.03
PO BOX 2751 #
MEMPHIS TN 38101

PIGRAM MARCINO
21 NEELY ST #
MEMPHIS TN 38105

SHELBY COUNTY
165 N MAIN ST #
MEMPHIS TN 38103

SHELBY COUNTY TAX SALE 16.03
PO BOX 2751 #
MEMPHIS TN 38101

HAMILTON JOE
1115 W 57TH ST #
LOS ANGELES CA 90037

WYATT CONNON D IRREVOCABLE TRUST
9330 NEW BETHEL RD #
MILLINGTON TN 38053

BUTLER VENNIE B
3899 FELTS STATION RD #
MEMPHIS TN 38127

RISE GIRL WALK WOMAN INC
3737 OUTLAND RD #
MEMPHIS TN 38118

EDEN ESTATES INC
3171 SIGNAL ST #
MEMPHIS TN 38127

WILLIAMS CANZATER
3887 FELTS STATION RD #
MEMPHIS TN 38127

CANNON DARREN & VEALER L
4000 N WATKINS AVE #
MEMPHIS TN 38127

NAILOR GLORIA
3881 FELTS STATION RD #
MEMPHIS TN 38127

SHOPS AT NORTH WATKINS LLC
4485 RAINFORD CV #
MEMPHIS TN 38128

EUBANKS JOYCE
3869 FELTS STATION RD #
MEMPHIS TN 38127

RESTORATION HOUSE
4050 THOMAS ST #
MEMPHIS TN 38127

EUBANKS JOYCE
3869 FELTS STATION RD #
MEMPHIS TN 38127

COLEMAN ENTERPRISES AND HOLDING
41 CALLOWAY CV #
MEDINA TN 38355

JPR INC
1208 FOXWOOD DR #
MIDLAND MI 48642

SWAIM AND SWAIM WEST LLC
PO BOX 33 #
MARTIN TN 38237

EDEN ESTATES INC
3171 SIGNAL ST #
MEMPHIS TN 38127

SS NORTH WATKINS FRAYSER LLC
PO BOX 800729 #
DALLAS TX 75380

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

ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS

Planning & Development
DIVISION

Planning & Zoning COMMITTEE: 12/05/2023.
DATE
PUBLIC SESSION: 12/05/2023
DATE

ITEM (CHECK ONE)

X ORDINANCE _____ RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on 5516 Raines Road. By taking the land out of the Residential Single-Family – 6 (R-6) Use District and including it in the Employment (EMP) Use District, known as case number Z 2023-012.

CASE NUMBER: Z 2023-012

LOCATION: 5516 Raines Road

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

OWNER/APPLICANT: Brooks James E and Odell Brooks III(RS)

REPRESENTATIVES: The Bray Firm

REQUEST: Rezoning of +/-70,070 SQF from Residential Single-Family – 6 (R-6) to Employment (EMP)

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
Set date for first reading – December 5, 2023
Second reading – December 19, 2023
Third reading – January 10, 2024

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
<u>12/05/2023</u>	DATE
(1) Land Use Control Board	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED
SOURCE AND AMOUNT OF FUNDS	
\$ _____	OPERATING BUDGET
\$ _____	CIP PROJECT # _____
\$ _____	FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____ Mahsan Ostadnia	11/27/2023	STAFF PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2023-012

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION OF LAND MUNICIPALLY ADDRESSED AS 5516 RAINES ROAD FROM THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2023-012.

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

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, September 14, 2023** the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 2023-012

LOCATION: 5516 Raines Road

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

OWNER/APPLICANT: Brooks James E and Odell Brooks III(RS)

REPRESENTATIVE: The Bray Firm

REQUEST: Rezoning of +/-70,070 SQF from Residential Single-Family – 6 (R-6) to Employment (EMP)

The following spoke in support of the application: None

The following spoke in opposition of the application: None

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

The motion passed by a unanimous vote of 7-0 on the consent agenda.

Respectfully,

Maksan Ostadnia

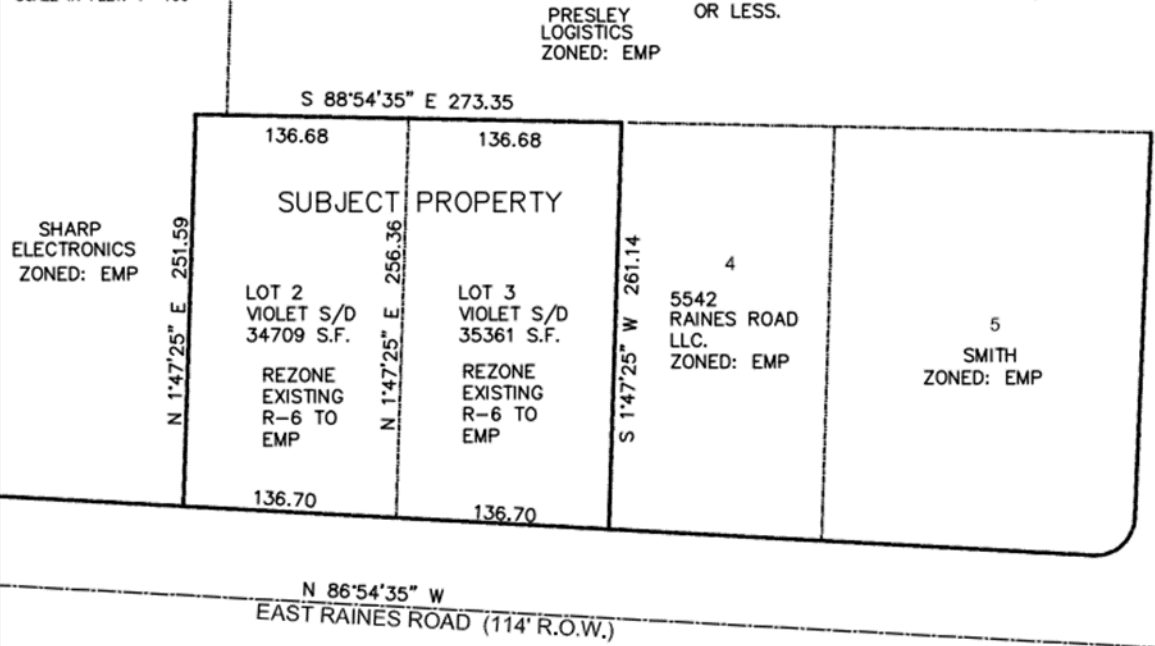
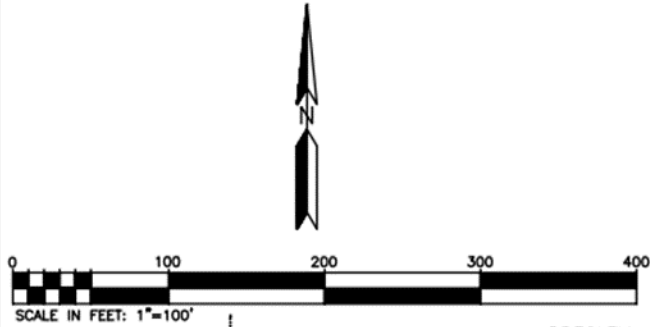
Planner II
Land Use & Development Services

Cc: Committee Members
File

PLOT PLAN

**PLOT PLAN
 LOTS 2 AND 3, VIOLET SUBDIVISION
 5516 & 5530 E. RAINES
 AS RECORDED AT THE
 SHELBY COUNTY REGISTER'S OFFICE
 P.B. 22, PAGE 13
 MEMPHIS, SHELBY COUNTY, TN**

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, VIOLET SUBDIVISION, SAID POINT BEING IN THE NORTH LINE OF EAST RAINES ROAD (57 FEET DEDICATED FROM CENTERLINE); THENCE ALONG THE WEST LINE OF SAID LOT 2 N 1°47'25" W A DISTANCE OF 251.59 FEET TO A POINT; THENCE ALONG THE NORTH LINE OF LOTS 2 AND 3 OF SAID VIOLET SUBDIVISION S 88°54'35" E A DISTANCE OF 273.35 FEET TO A POINT; THENCE ALONG THE EAST LI OF SAID LOT 3 S 1°47'25" W A DISTANCE OF 261.14 FEET TO A POINT IN THE SAID NORTH LINE OF EAST RAINES ROAD; THENCE ALONG SAID NORTH LINE N 86°54'35" W A DISTANCE OF 273.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.608 ACRES OF LAND, MORE OR LESS.



G & I
ZONED: EMP

SEALY-RAINES
ZONED: EMP

PREPARED FOR:
JAMES BROOKS/JAKE MANGUM

A PORTION OF THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0445 F DATED SEPTEMBER 28, 2007. BFE: 291

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

ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED AT 5516 RAINES ROAD BY TAKING THE LAND OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT, KNOWN AS CASE NUMBER Z 2023-012.

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2023-012**; and

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

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

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

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

SECTION 1:

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

BY TAKING THE FOLLOWING PROPERTY OUT OF THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT.

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

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, VIOLET SUBDIVISION, SAID POINT BEING IN THE NORTH LINE OF EAST RAINES ROAD (57 FEET DEDICATED FROM CENTERLINE); THENCE ALONG THE WEST LINE OF SAID LOT 2 N 1°47'25" W A DISTANCE OF 251.59 FEET TO A POINT; THENCE ALONG THE NORTH LINE OF LOTS 2 AND 3 OF SAID VIOLET SUBDIVISION S 88°54'35" E A DISTANCE OF 273.35 FEET TO A POINT; THENCE ALONG THE EAST LI OF SAID LOT 3 S 1°47'25" W A DISTANCE OF 261.14 FEET TO A POINT IN THE

SAID NORTH LINE OF EAST RAINES ROAD; THENCE ALONG SAID NORTH LINE N 86°54'35" W A DISTANCE OF 273.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.608 ACRES OF LAND, MORE OR LESS.

SECTION 2:

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

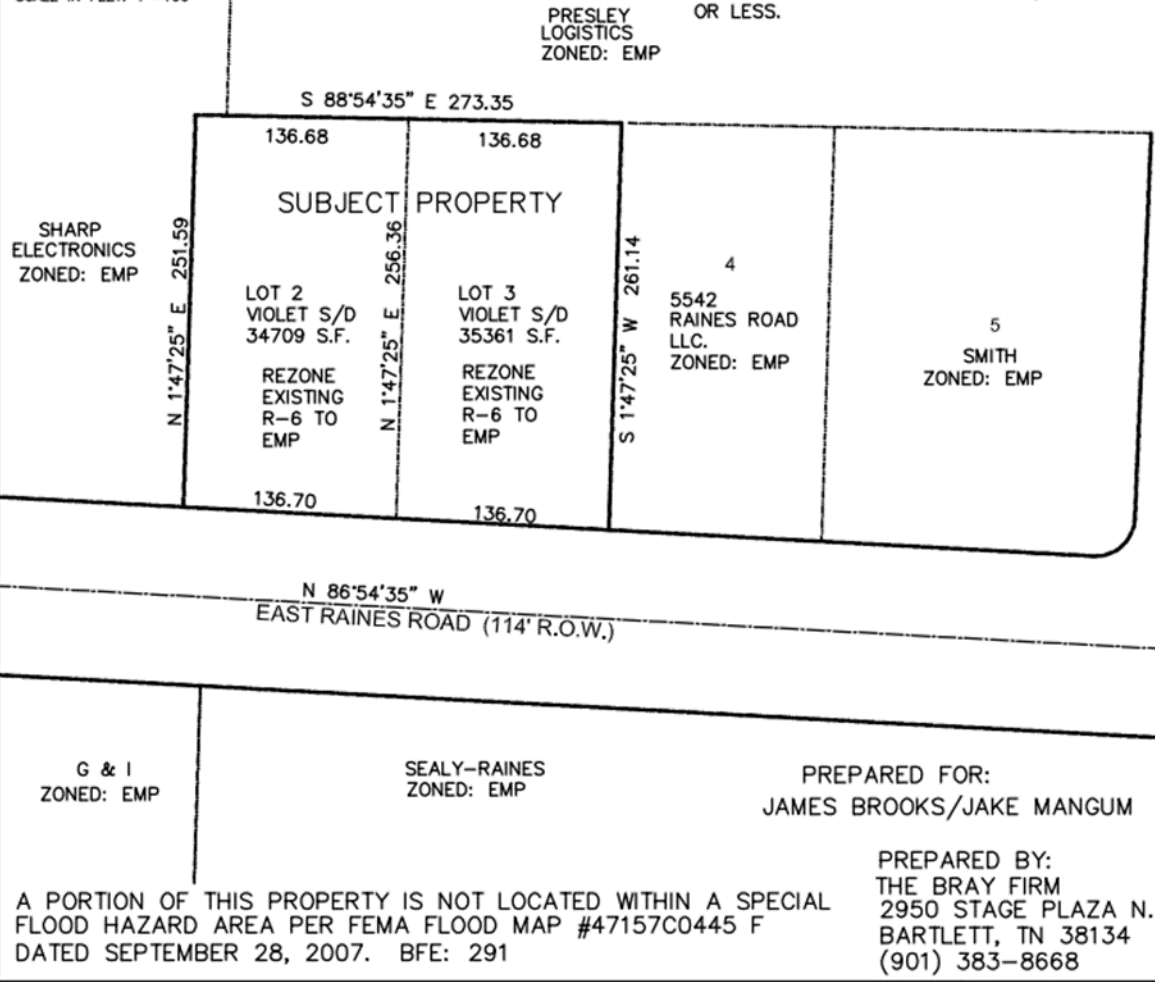
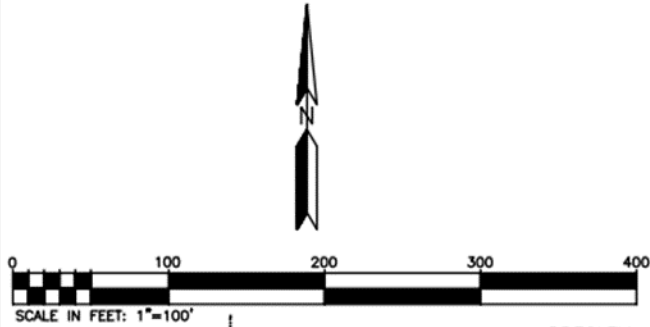
SECTION 3:

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

PLOT PLAN

PLOT PLAN
LOTS 2 AND 3, VIOLET SUBDIVISION
5516 & 5530 E. RAINES
AS RECORDED AT THE
SHELBY COUNTY REGISTER'S OFFICE
 P.B. 22, PAGE 13
MEMPHIS, SHELBY COUNTY, TN

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, VIOLET SUBDIVISION, SAID POINT BEING IN THE NORTH LINE OF EAST RAINES ROAD (57 FEET DEDICATED FROM CENTERLINE); THENCE ALONG THE WEST LINE OF SAID LOT 2 N 1°47'25" W A DISTANCE OF 251.59 FEET TO A POINT; THENCE ALONG THE NORTH LINE OF LOTS 2 AND 3 OF SAID VIOLET SUBDIVISION S 88°54'35" E A DISTANCE OF 273.35 FEET TO A POINT; THENCE ALONG THE EAST LI OF SAID LOT 3 S 1°47'25" W A DISTANCE OF 261.14 FEET TO A POINT IN THE SAID NORTH LINE OF EAST RAINES ROAD; THENCE ALONG SAID NORTH LINE N 86°54'35" W A DISTANCE OF 273.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.608 ACRES OF LAND, MORE OR LESS.



ATTEST:

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

AGENDA ITEM: 25

CASE NUMBER: Z 2023-012

L.U.C.B. MEETING: September 14, 2023

LOCATION: 5516 Raines Road

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

OWNER/APPLICANT: Brooks James E and Odell Brooks III(RS)

REPRESENTATIVE: The Bray Firm

REQUEST: Rezoning of 5516 and 5530 E. Raines Road from R-6 to EMP

CONCLUSIONS

1. The request is to rezone +/- 1.608 acres of land from Residential Single-Family – 6 (R-6) to Employment (EMP).
2. The subject property includes two parcels, which is indicated as lot 2 and lot 3 on the site plan.
3. The surrounding parcels are all zoned as Employment (EMP), and it appears that these parcels remaining in the R-6 zoning district is an anomaly.
4. Staff believes the Employment District is consistent with this plan’s recommendation and an appropriate zoning district for the area that is compatible with the surrounding land uses in which the subject property lies.
5. 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) and is an appropriate zoning district for the area that is compatible with the surrounding land uses.
6. The subject property is vacant at this time.

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 12-13 of this report.

RECOMMENDATION

Approval

GENERAL INFORMATION

Street Frontage:	East Raines Road Lot 2	+/- 136.70 linear feet
	East Raines Road Lot 3	+/-136.70 linear feet
Zoning Atlas Page:	2445	
Parcel ID:	093407 A00002	
Area:	+/-70,070 SQF	
Existing Zoning:	Residential Single Family-6 (R-6)	
Requested Zoning:	Employment (EMP)	

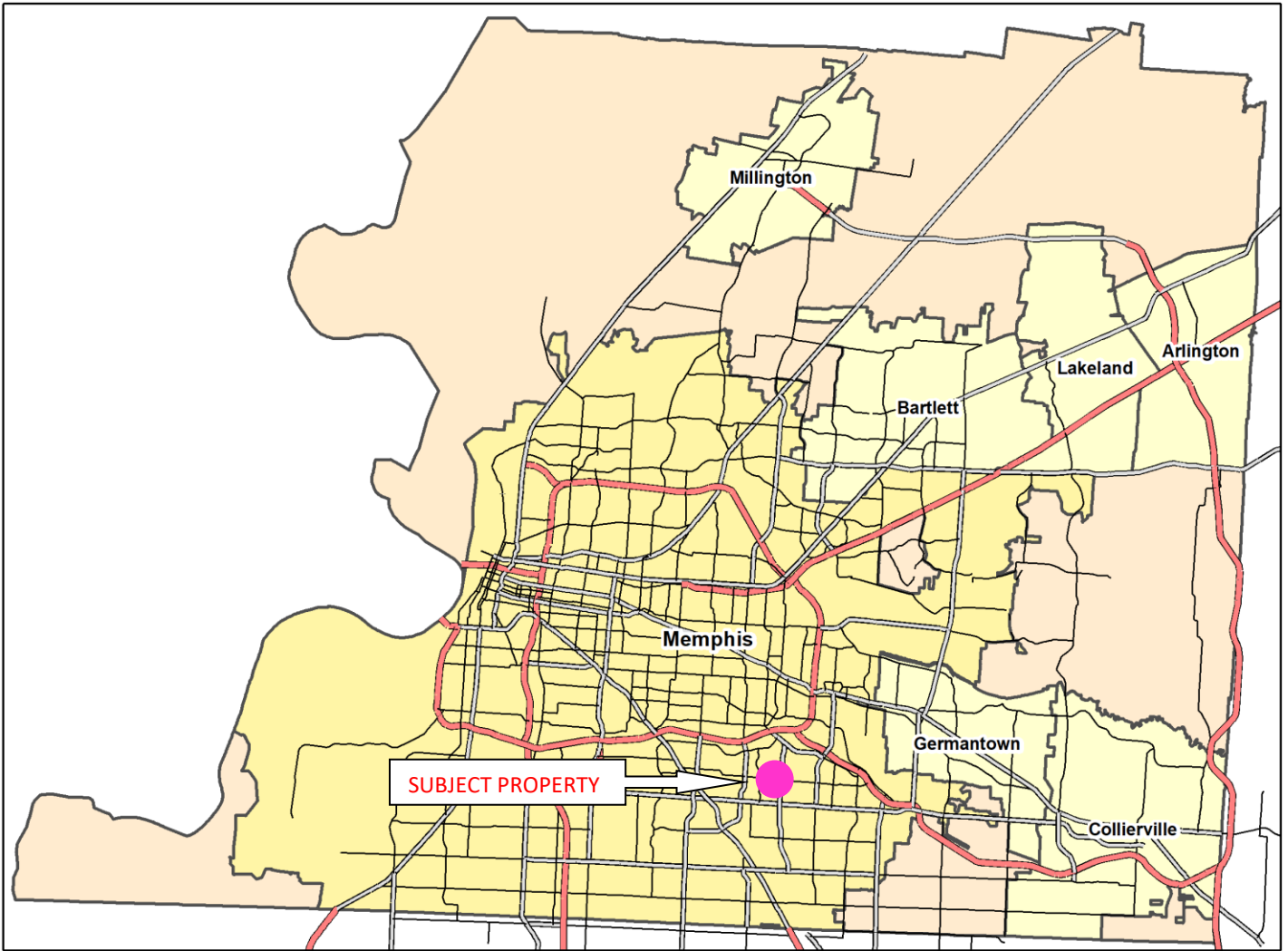
NEIGHBORHOOD MEETING

The meeting was held at 5:00 to 6:00 PM on Tuesday, August 29, 2023, at the East Shelby Library, 7200 East Shelby Dr.

PUBLIC NOTICE

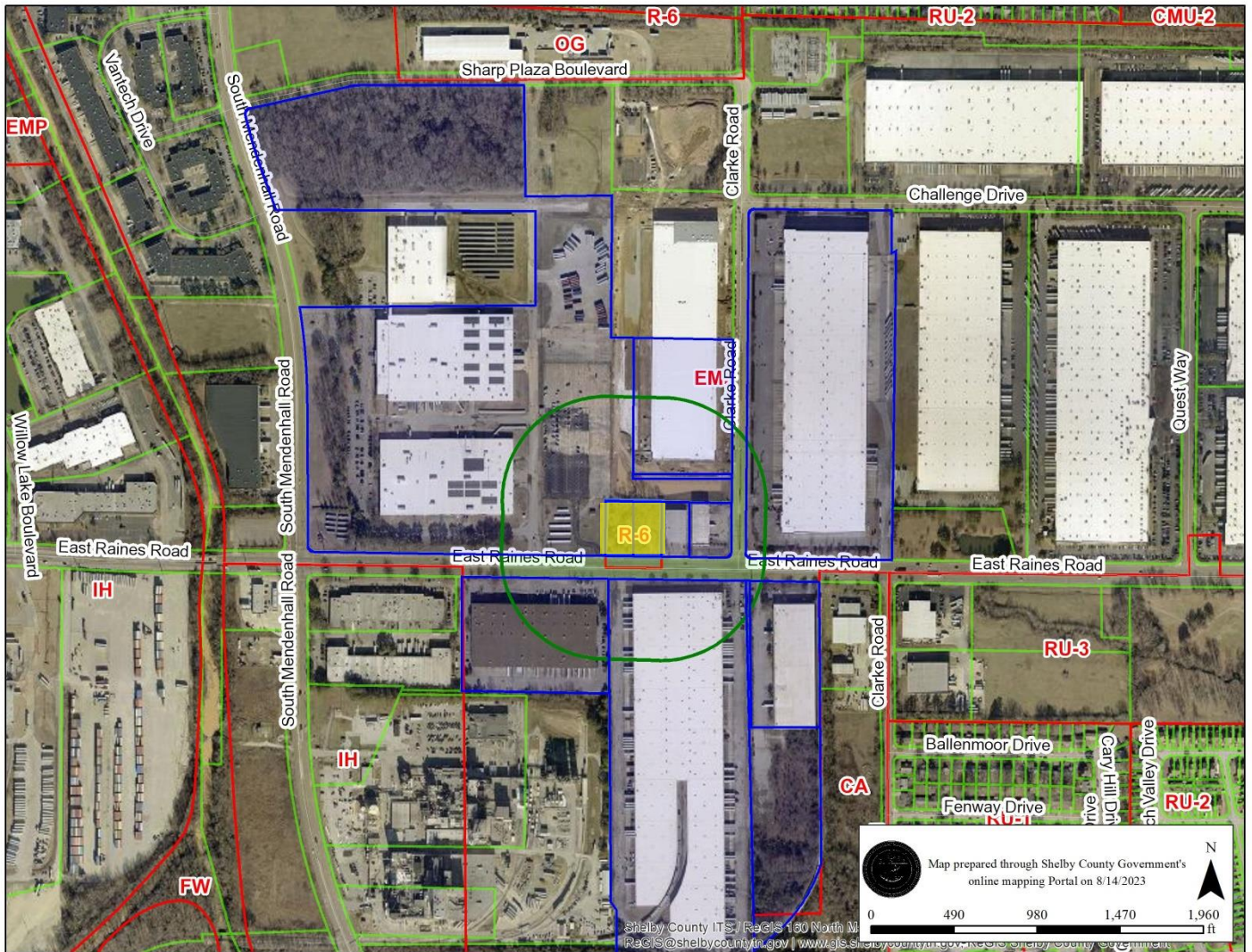
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 24 notices were mailed on August 15, 2023, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



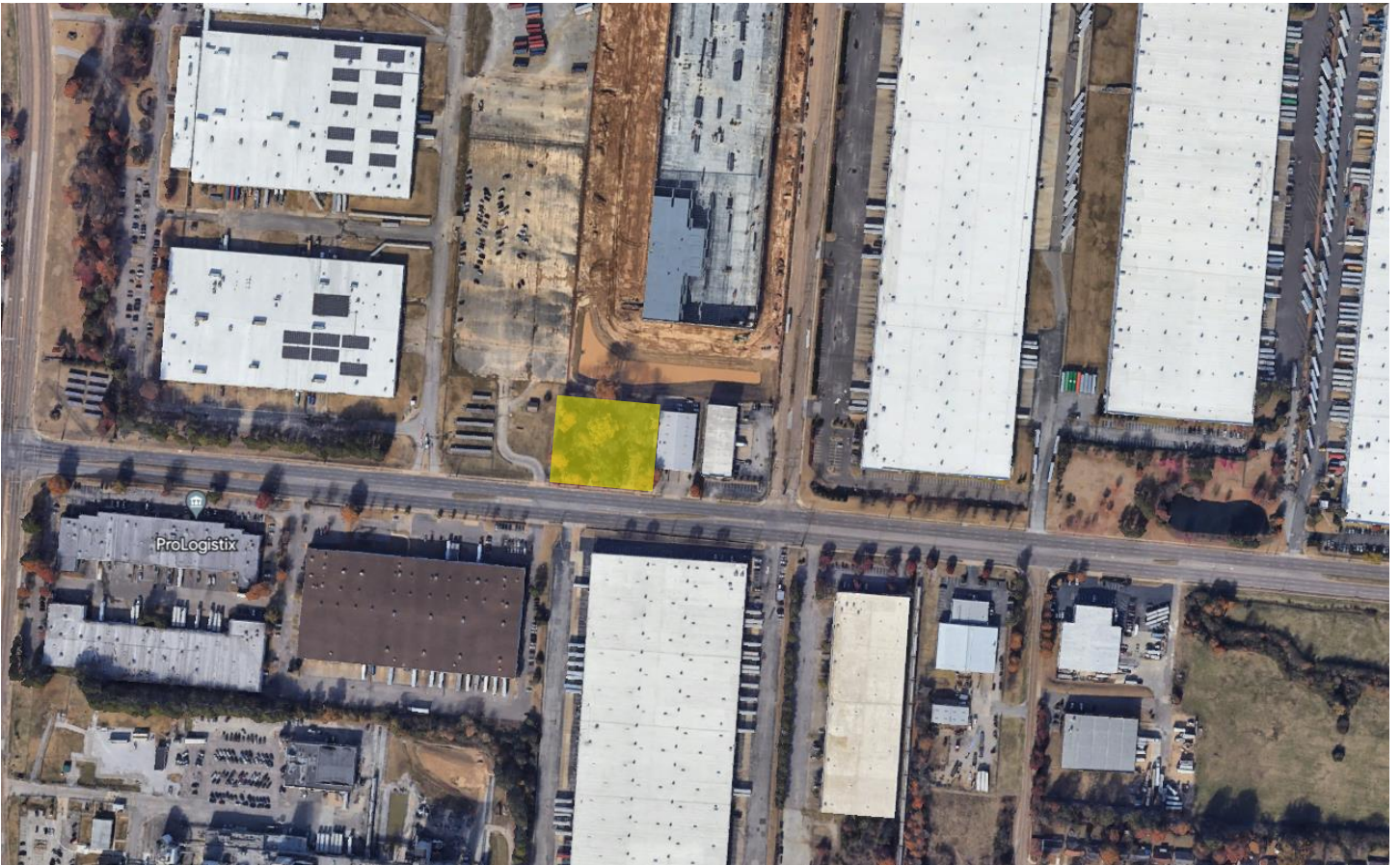
Subject property located within the pink circle.

VICINITY MAP



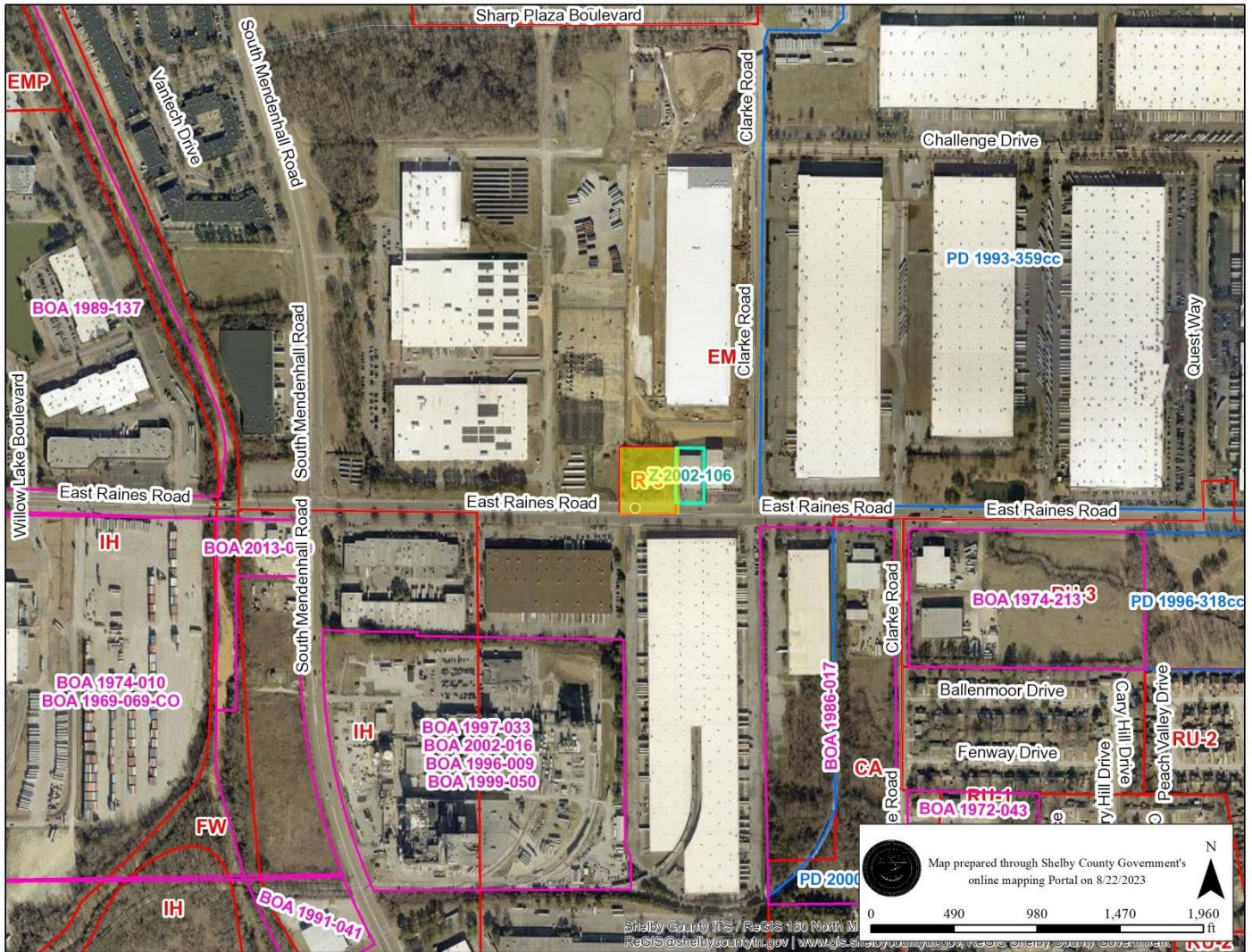
Subject property highlighted in yellow.

AERIAL



Subject property outlined in yellow.

ZONING MAP



Subject property highlighted in yellow.

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

surrounding Zoning

North: EMP

East: EMP

South: EMP, IH

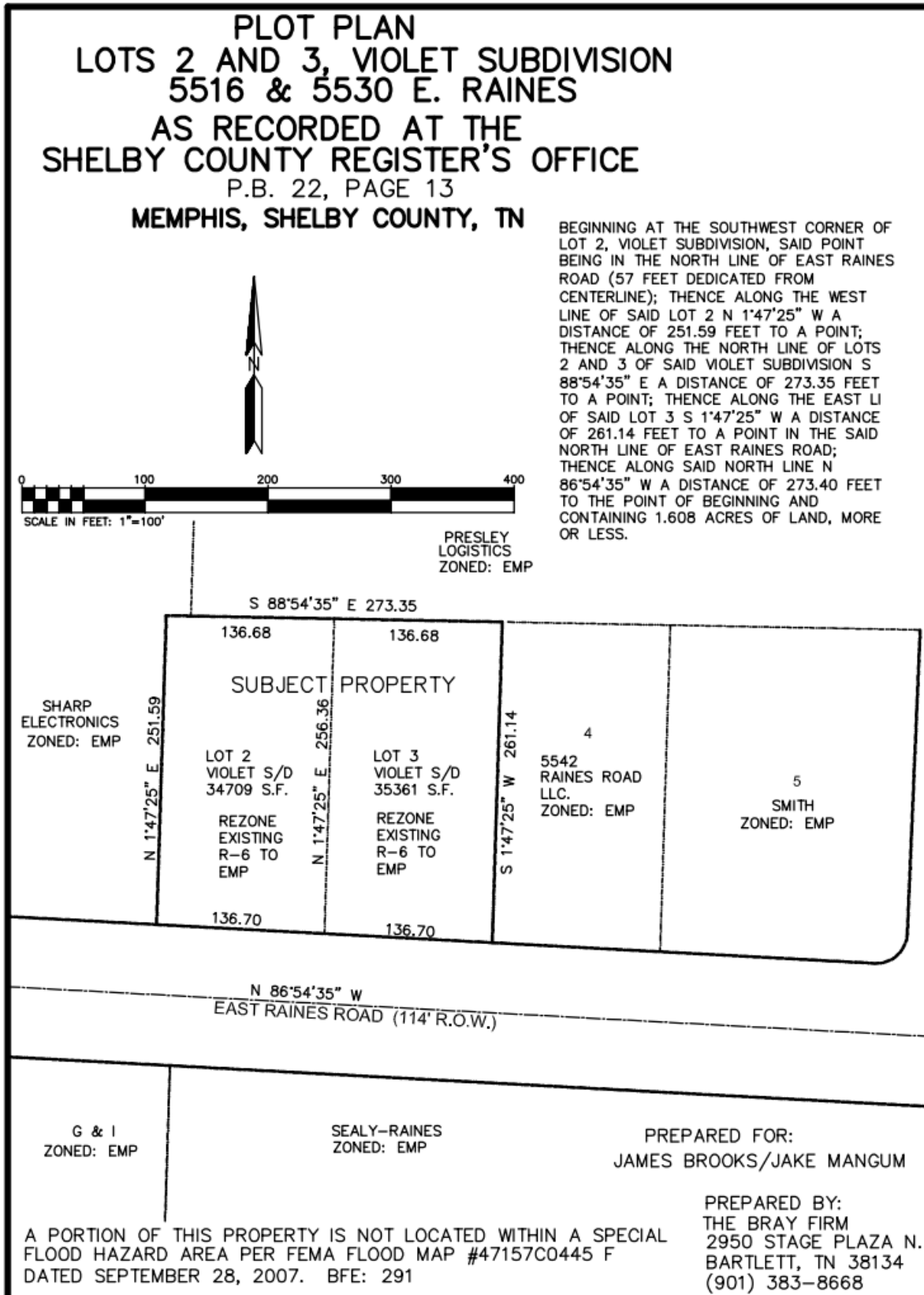
West: EMP

LAND USE MAP

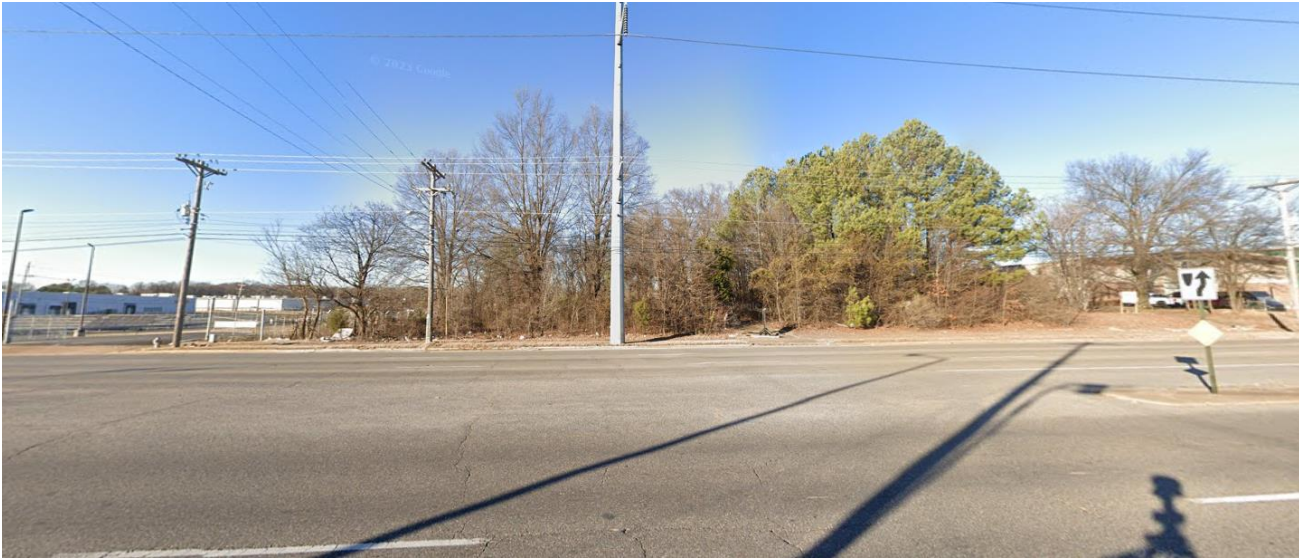


Subject property outlined in electric blue and indicated by pink star.

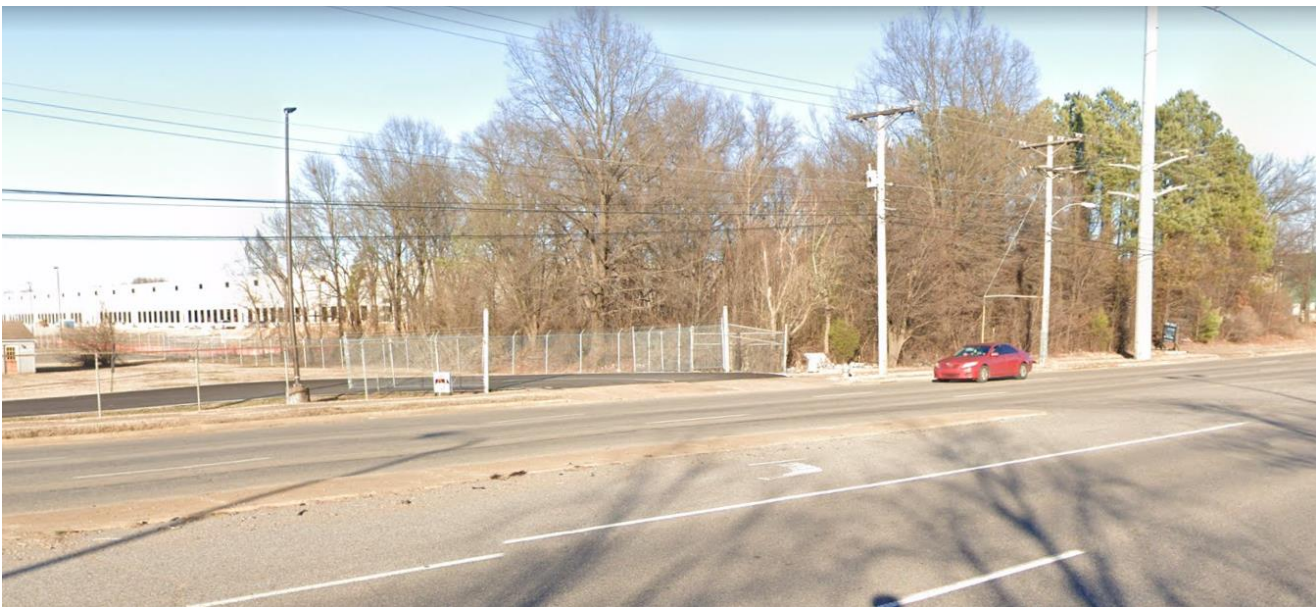
PLOT PLAN



SITE PHOTOS



View of subject property from East Raines Road (Front)



View of subject property from East Raines Road (West)



View of subject property from East Raines Road (East)

STAFF ANALYSIS

Request

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

Rezoning of 5516 and 5530 E. Raines Road from R-6 to EMP.

Review Criteria

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

9.5.7B Review Criteria

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

9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);

9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;

9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;

9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and

9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.

Site Description

The subject property includes two parcels, which is indicated as lot 2 and lot 3 on the site plan. Lot 2 is +/- 34709 square Feet and lot 3 is +/- 35361 square feet in total. The subject property is located on East Raines Road.

Beginning at the southwest corner of lot 2, violet subdivision, said point being in the north line of East Raines Road (57 feet dedicated from centerline); thence along the west line of said lot 2 n 1°47'25" w a distance of 251.59 feet to a point; thence along the north line of lots 2 and 3 of said violet subdivision s 88°54'35" e a distance of 273.35 feet to a point; thence along the east li of said lot 3 s 1°47'25" w a distance of 261.14 feet to a point in the said north line of East Raines Road; thence along said north line n 86°54'35" w a distance of 273.40 feet to the point of beginning and containing 1.608 acres of land, more or less.

A portion of this property is not located within a special flood hazard area per FEMA flood map #47157C0445 F, dated September 28, 2007.

Site Zoning History

The current zoning is Residential Single Family-6 (R-6). The surrounding parcels are all zoned as Employment (EMP), and it appears that these parcels remaining in the R-6 zoning district is an anomaly.

Conclusions

1. The request is to rezone +/- 1.608 acres of land from Residential Single-Family – 6 (R-6) to Employment (EMP).
2. The subject property includes two parcels, which is indicated as lot 2 and lot 3 on the site plan.
3. The surrounding parcels are all zoned as Employment (EMP), and it appears that these parcels remaining in the R-6 zoning district is an anomaly.
4. Staff believes the Employment District is consistent with this plan's recommendation and an appropriate zoning district for the area that is compatible with the surrounding land uses in which the subject property lies.
5. 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) and is an appropriate zoning district for the area that is compatible with the surrounding land uses.
6. The subject property is vacant at this time.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

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

City/County Engineer:

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

Sewers:

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

City/County Fire Division: No comments received.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning:

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: [LUCB Case Z 23-012: SE Memphis](#)

Site Address/Location: 5516 and 5530 E. Raines Rd.

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

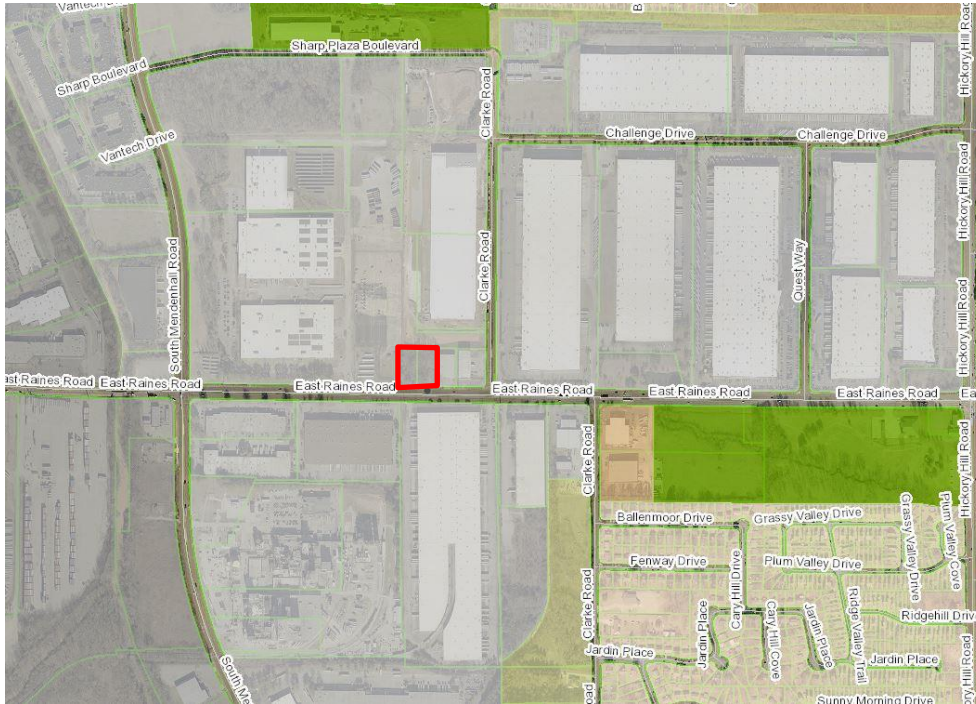
Future Land Use Designation: Industrial Flex (IF)

Street Type: Avenue

The applicant is proposing to rezone +/-1.6 acres from Residential Single-Family -6 (R-6) to Employment (EMP) at 5516 and 5530 E. Raines Rd.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

Lower intensity industrial areas with a mix of uses and building scales that are generally compatible with nearby neighborhoods. Graphic portrayal of IF is to the right.

“IF” Form & Location Characteristics

Industrial with some commercial and service uses 1-6 stories.

“IF” Zoning Notes

Generally compatible with the following zone districts: EMP, IH in accordance with Form and characteristics listed above.

Existing, Adjacent Land Use and Zoning

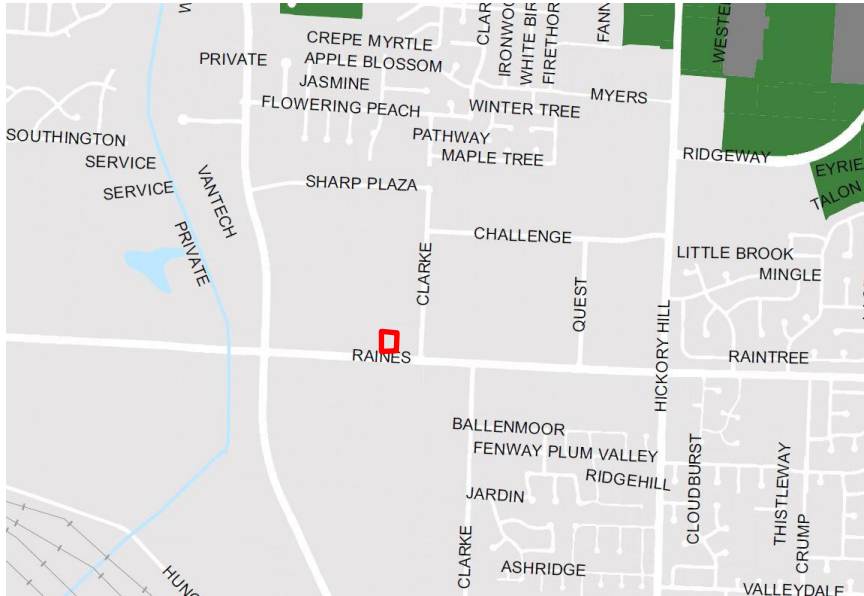
Existing Land Use and Zoning: Vacant, R-6

Adjacent Land Use and Zoning: Industrial, Vacant, and Commercial; IH, CA, and EMP

Overall Compatibility: *This request to rezone the two parcels from Residential Single-Family to Employment is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed rezoning will meet the criteria in form, scale, or use in the EMP Zoning District.*

3. Degree of Change Map





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

- 4. Degree of Change Description N/A
- 5. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities: N/A
- 6. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations: N/A

Consistency Analysis Summary

The applicant is proposing to rezone +/-1.6 acres from Residential Single-Family -6 (R-6) to Employment (EMP) at 5516 and 5530 E. Raines Rd.

This request to rezone the two parcels from Residential Single-Family to Employment is compatible with the land use description/intent, form & location characteristics, zoning notes, and existing, adjacent land use and zoning as the proposed rezoning will meet the criteria in form, scale, or use in the EMP Zoning District.

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

Summary Compiled by: Faria Army, Comprehensive Planning.

APPLICATION



Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Assignment

Opened Date: August 3, 2023

Record Number: Z 2023-012

Expiration Date:

Record Name: Lots 2 and 3, Violet Subdivision - Rezone from R-6 to EMP

Description of Work: Rezoning of 5516 and 5530 E. Raines Road from R-6 to EMP

Parent Record Number:

Address:

5516 RAINES RD, MEMPHIS 38115

Owner Information

Primary Owner Name

Y BROOKS JAMES E AND ODELL BROOKS III (RS)

Owner Address

13263 OLD LOCKE RD, OLIVE BRANCH, MS 38654

Owner Phone

Parcel Information

093407 A00002

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner	help desk
Date of Meeting	06/20/2023
Pre-application Meeting Type	In Person

GENERAL INFORMATION

Is this application in response to a citation from	No
--	----

GENERAL INFORMATION

Construction Code Enforcement or Zoning Letter?

Have you held a neighborhood meeting? No
If yes, please provide additional information n/a

GIS INFORMATION

Central Business Improvement District No
Case Layer -
Class I
Downtown Fire District No
Historic District -
Land Use VACANT
Municipality MEMPHIS
Overlay/Special Purpose District -
Zoning R-6
State Route -
Lot 2
Subdivision VIOLET OF W PT LOT 24 JAMES N BROWN
ESTA
Planned Development District -
Wellhead Protection Overlay District Yes

Contact Information

Name BROOKS JAMES E AND ODELL BROOKS III (RS) Contact Type APPLICANT

Address

Phone

-

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1491531	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	08/03/2023
1491531	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	08/03/2023

Total Fee Invoiced: \$1,026.00

Total Balance: \$0.00

Payment Information

Payment Amount \$1,026.00 Method of Payment Credit Card



Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, James E. Brooks James E. Brooks, state that I have read the definition of
(Print Name) (Sign Name)

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

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

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

of the property located at 5516 E. Raines Rd Memphis TN 38118
and further identified by Assessor's Parcel Number 093-4070-A-00002-0
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 3rd day of August in the year of 2023.

[Signature]
Signature of Notary Public



03/30/2027
My Commission Expires

LETTER OF INTENT

The Bray Firm

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

August 2, 2023

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

**RE: Rezoning from R-6 to EMP: Lots 2 and 3, Violet Subdivision (P.B. 22, Pg. 13)
5516 and 5530 E. Raines
Memphis, Shelby County, Tennessee**

Mr. Ragsdale:

Please find attached an application for to rezone the above captioned property from R-6 to EMP. The subject parcels are vacant tracts with 130+- feet (each) of frontage on E. Raines Road. The surrounding parcels are all zoned EMP and it appears that these parcels remaining in the R-6 zoning district is an anomaly.

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

Sincerely,

David Gean Bray, P.E.

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Jake Mangum Jr., being duly sworn, depose and say that at 6:27 am (pm) on the 26 day of August, 2023, I posted 1 Public Notice Sign(s) pertaining to Case No. Z23-12 at 5530 E. Raines providing notice of a Public Hearing before the (check one):

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

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

[Signature]
Owner, Applicant or Representative

8/28/2023
Date

Subscribed and sworn to before me this 28th day of August, 2023.

[Signature]
Notary Public

My commission expires: 9/23/2026



AFFIDAVIT

Shelby County
State of Tennessee

I, James E. Brooks, being duly sworn, depose and say that at 6:28 am/pm on the 26 day of August, 2023, I posted one Public Notice Sign(s) pertaining to Case No. Z2023-012 at 5514 E. Raines Road, providing notice of a Public Hearing before the (check one):

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

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

James E. Brooks
Owner, Applicant or Representative

8-28-2023
Date

Subscribed and sworn to before me this 28th day of August, 2023

Jerry Camp
Notary Public

My commission expires: 10-25-2026





LETTERS RECEIVED

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



Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Assignment

Opened Date: August 3, 2023

Record Number: Z 2023-012

Expiration Date:

Record Name: Lots 2 and 3, Violet Subdivision - Rezone from R-6 to EMP

Description of Work: Rezoning of 5516 and 5530 E. Raines Road from R-6 to EMP

Parent Record Number:

Address:

5516 RAINES RD, MEMPHIS 38115

Owner Information

Primary Owner Name

Y BROOKS JAMES E AND ODELL BROOKS III (RS)

Owner Address

13263 OLD LOCKE RD, OLIVE BRANCH, MS 38654

Owner Phone

Parcel Information

093407 A00002

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner	help desk
Date of Meeting	06/20/2023
Pre-application Meeting Type	In Person

GENERAL INFORMATION

Is this application in response to a citation from	No
--	----

GENERAL INFORMATION

Construction Code Enforcement or Zoning Letter?
Have you held a neighborhood meeting? No
If yes, please provide additional information n/a

GIS INFORMATION

Central Business Improvement District No
Case Layer -
Class I
Downtown Fire District No
Historic District -
Land Use VACANT
Municipality MEMPHIS
Overlay/Special Purpose District -
Zoning R-6
State Route -
Lot 2
Subdivision VIOLET OF W PT LOT 24 JAMES N BROWN ESTA

Planned Development District -
Wellhead Protection Overlay District Yes

Contact Information

Name BROOKS JAMES E AND ODELL BROOKS III (RS) **Contact Type** APPLICANT
Address

Phone
-

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1491531	Non-Residential Rezoning - 5 acres or less	1	1,000.00	INVOICED	0.00	08/03/2023
1491531	Credit Card Use Fee (.026 x fee)	1	26.00	INVOICED	0.00	08/03/2023
			Total Fee Invoiced: \$1,026.00	Total Balance: \$0.00		

Payment Information

Payment Amount \$1,026.00 **Method of Payment** Credit Card

The Bray Firm

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

August 2, 2023

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

**RE: Rezoning from R-6 to EMP: Lots 2 and 3, Violet Subdivision (P.B. 22, Pg. 13)
5516 and 5530 E. Raines
Memphis, Shelby County, Tennessee**

Mr. Ragsdale:

Please find attached an application for to rezone the above captioned property from R-6 to EMP. The subject parcels are vacant tracts with 130+- feet (each) of frontage on E. Raines Road. The surrounding parcels are all zoned EMP and it appears that these parcels remaining in the R-6 zoning district is an anomaly.

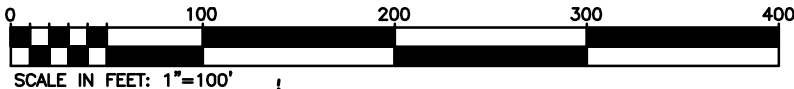
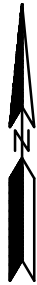
Thank you for considering this request. If you have any questions or need any additional information, please feel free to call.

Sincerely,

David Gean Bray, P.E.

PLOT PLAN
LOTS 2 AND 3, VIOLET SUBDIVISION
5516 & 5530 E. RAINES
AS RECORDED AT THE
SHELBY COUNTY REGISTER'S OFFICE
P.B. 22, PAGE 13
MEMPHIS, SHELBY COUNTY, TN

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, VIOLET SUBDIVISION, SAID POINT BEING IN THE NORTH LINE OF EAST RAINES ROAD (57 FEET DEDICATED FROM CENTERLINE); THENCE ALONG THE WEST LINE OF SAID LOT 2 N 1°47'25" W A DISTANCE OF 251.59 FEET TO A POINT; THENCE ALONG THE NORTH LINE OF LOTS 2 AND 3 OF SAID VIOLET SUBDIVISION S 88°54'35" E A DISTANCE OF 273.35 FEET TO A POINT; THENCE ALONG THE EAST LI OF SAID LOT 3 S 1°47'25" W A DISTANCE OF 261.14 FEET TO A POINT IN THE SAID NORTH LINE OF EAST RAINES ROAD; THENCE ALONG SAID NORTH LINE N 86°54'35" W A DISTANCE OF 273.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.608 ACRES OF LAND, MORE OR LESS.



PRESLEY LOGISTICS
 ZONED: EMP

S 88°54'35" E 273.35

SHARP ELECTRONICS
 ZONED: EMP

N 1°47'25" E 251.59

136.68

136.68

SUBJECT PROPERTY

LOT 2
 VIOLET S/D
 34709 S.F.

REZONE
 EXISTING
 R-6 TO
 EMP

136.70

N 1°47'25" E 256.36

LOT 3
 VIOLET S/D
 35361 S.F.

REZONE
 EXISTING
 R-6 TO
 EMP

136.70

S 1°47'25" W 261.14

4

5542
 RAINES ROAD
 LLC.
 ZONED: EMP

5

SMITH
 ZONED: EMP

N 86°54'35" W
 EAST RAINES ROAD (114' R.O.W.)

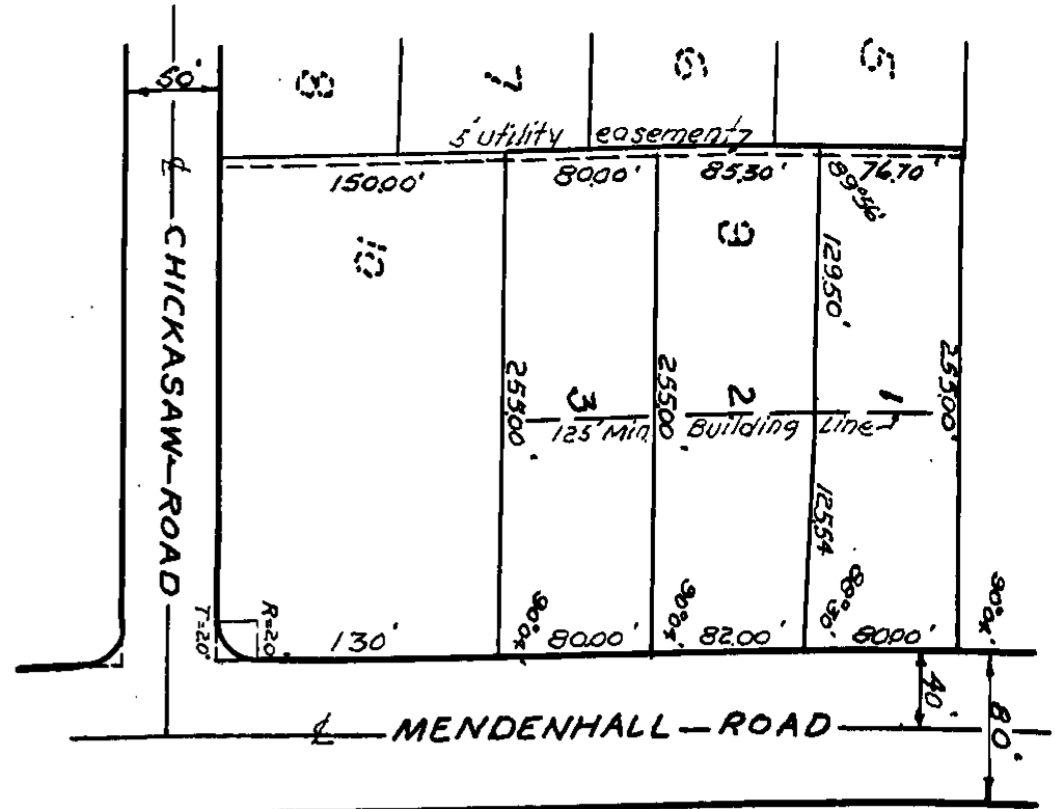
G & I
 ZONED: EMP

SEALY-RAINES
 ZONED: EMP

PREPARED FOR:
 JAMES BROOKS/JAKE MANGUM

A PORTION OF THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP #47157C0445 F DATED SEPTEMBER 28, 2007. BFE: 291

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



S. DAVIS
 RESUBDIVISION OF LOT NO. 9
 DAVIS-MENDENHALL ROAD SUBDIV.
 MEMPHIS, TENN.
 SCALE 1"=100'
 JAN 23, 1958
 J.C. Price Engineering Co.
 Memphis, Tenn.

THIS PROJECT IS ZONED R-1 RESIDENTIAL

1. All the restrictions as shown on the plat shall be strictly observed except that steps, porches, chimneys and open porches may be added to the lot and the dimensions of the street to building shall meet the approval of the Building Department, but in no case shall the setback lines be less than those shown on the plat.
2. No noxious trade or offensive activity shall be carried on on any lot, nor shall anything be done which may become an annoyance or nuisance to the neighborhood.
3. No trailer, tent, shack, or any other building erected in the tract shall at any time be used as a residence either temporarily or permanently, nor shall any structure a temporary nature be used as a residence.
4. There is a perpetual easement shown on the recorded plat of subdivision reserved for utility installations.
5. The minimum ground floor area exclusive of one story open porches and garages shall be not less than 1250 square feet for any dwelling.
6. These covenants shall run with the land and shall bind all parties and all persons claiming under them until January 1, 1961, at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of the majority of the then owners of the lots, it is agreed to change the said covenants in whole or in part.
7. If the parties hereto or a party, firm, or heir hereof or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in the subdivision to prosecute any proceedings at law, or in equity, against the violator or person violator or attempting to violate any such covenants and either prevent him or them from so doing or to recover damages or other dues for such violations.
8. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

ST. O. T. ESSE
 O. N. Y. O. P. SH. LEY

We, the undersigned, Carol A. Davis, owners of the property shown hereon, do certify that we are the owners in fee simple and that the said property is not encumbered by any taxes which have become due and payable, and do further certify that we adopt the same as our plan of subdivision and edit the same as shown on the plat use in reverse.

Carol A. Davis
 Carol A. Davis, Owner

Before me, a Notary Public, for the aforesaid State and County, personally appeared Sherman G. Davis and wife, Carol A. Davis, with whom I am personally acquainted and an who, upon oath, acknowledged themselves to be the owners of the property shown hereon, the within named bargainers, and they executed this instrument as their own free act and deed for the purposes therein contained. Witness my hand and seal this 25th day of January 1958.

Sherman G. Davis
 Sherman G. Davis, Notary Public



APPROVED BY THE MEMPHIS AND SHELBY PLANNING COMMISSION
 ON THE 16 DAY OF JAN 1958
 11126

Frank W. Davis
 Frank W. Davis, Director

J. C. PRICE ENGINEERING COMPANY
 BY *J. C. Price*
 J. C. Price, Civil Engineer
 Tenn. License No. 261

Francis Andrews
 Francis Andrews, Registrar

STATE OF TENNESSEE
 COUNTY OF SH. LEY
 Filed for Registration FEB 7 - 1958 19 at 11:46
 o'clock P.M. and FEB 19 1958 19 in Record Book No. 219
 and was recorded in Record Book No. 219
 at Page No. 13 Fee 13 Paid 7/9

STATE OF TENNESSEE
 COUNTY OF SHELBY

I, the undersigned, *Alice Morris Whitley* owner of the property shown hereon, hereby, adopt this as our plan of subdivision, and hereby certify that we are the owners in fee simple, duly authorized so to act, and that said property is not encumbered by any mortgage or taxes which have become due and payable. Except that mortgage shown hereon.

Alice Morris Whitley Owner.

I the undersigned holder of mortgage on property shown here on hereby agree with plan of subdivision as shown on this plat.

James S. Schmidt
 Mortgagee

CERTIFICATE OF SURVEY:
 This is to certify that we have surveyed the parcels of land as shown on this plan of subdivision, and that this plat conforms with said survey, and that same is true and correct.

B. B. Winsett
 B. B. Winsett, Engineer

Tennessee Certificate No. 2217

BUILDING RESTRICTION IN THIS SUBDIVISION

1. All lots are to be used for residential purposes only.
2. No structure other than a single family dwelling not greater than 1 1/2 stories in height, a private garage for not more than 2 automobiles, together with necessary outbuildings shall be erected on any lot.
3. No noxious or offensive activity or commercial trade shall be conducted upon any lot.
4. No trailer, tent, shack, garage or other outbuilding erected upon any lot shall at any time be used as a residence either temporarily or permanently.
5. Ground floor area of main dwelling shall be not less than 750 square feet.
6. Minimum requirements for Septic tank installation shall provide for two bedroom residences with washers, tank capacity 750 gals. 350 ft. of absorption trench 3 ft. wide with 10 ft. centers.

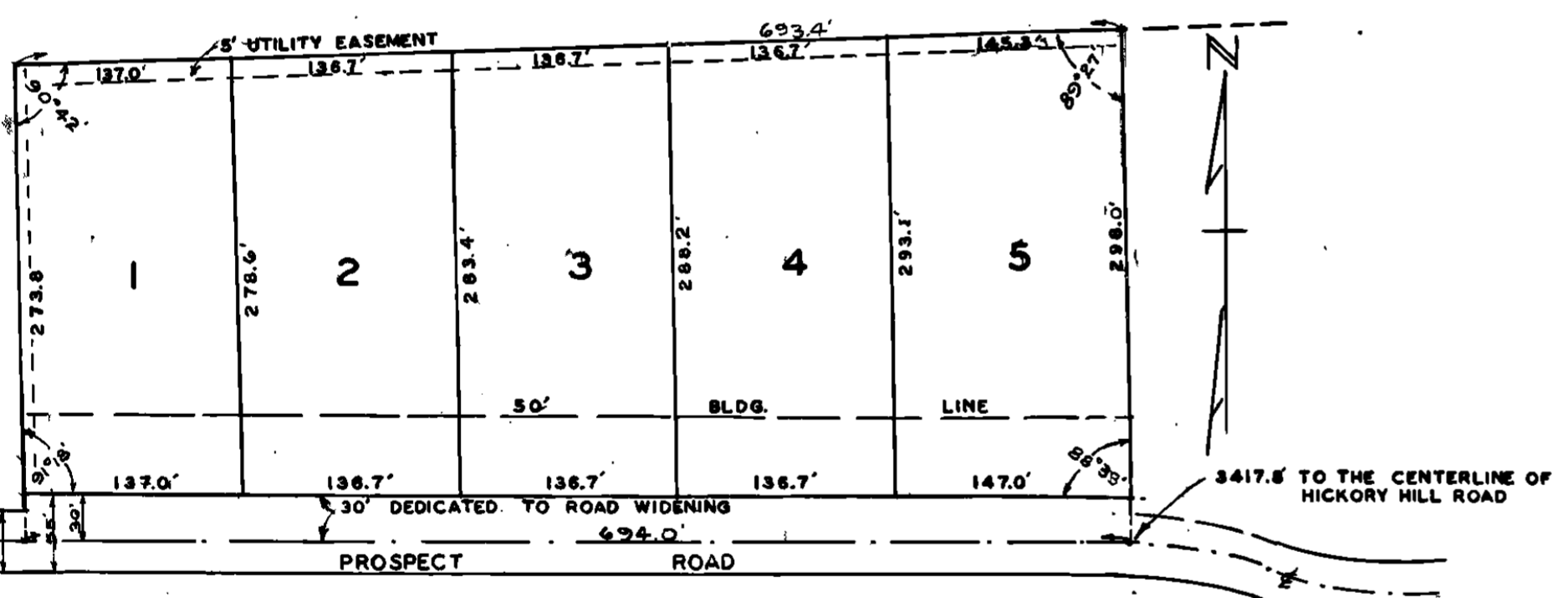
STATE OF TENNESSEE
 COUNTY OF SHELBY

Before me, a Notary Public, in and for the said State and County at Memphis, duly commissioned and qualified, personally appeared *Iver S. Schmidt* and *Alice Morris Whitley* the within named bargainers, with whom I am personally acquainted, and who upon their oaths acknowledge that they executed the foregoing instrument for the uses and purposes therein contained. In witness whereof, I have hereunto set my hand and affixed my Notarial Seal at my office in Memphis, this the 21 day of *January*.

Iver S. Schmidt
 My Commission expires *1961*

APPROVED BY MEMPHIS AND SHELBY COUNTY PLANNING COMMISSION
 Date *NOVEMBER 19, 1957*
 By *Frank W. Davis* Director

Approved: *Shelby County Commissioners*
 Date *5 Feb 1958*
 By *Dudley Jones* Commissioner of Roads



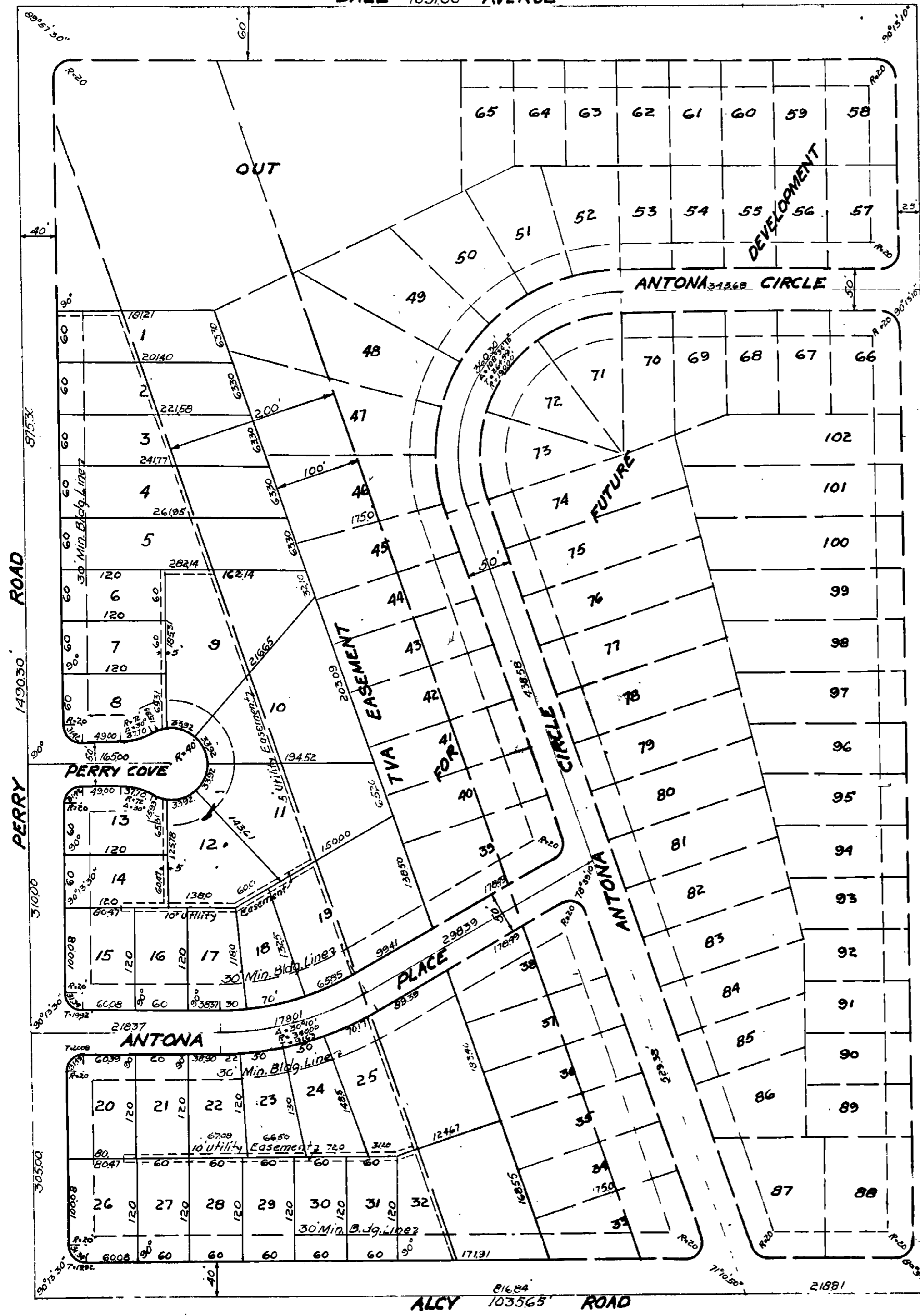
VIOLET SUBDIVISION
 OF LOT 24 JAMES N BROWN ESTATE
 SECTION 6 TOWNSHIP 1 RANGE 6 WEST
 SHELBY COUNTY TENNESSEE
 SCALE 1 IN = 100 FT.

WINSETT - SIMMONDS ENGINEERS INC.
 MEMPHIS, TENNESSEE
 DECEMBER 1957

STATE OF TENNESSEE
 SHELBY COUNTY
 Filed for Registration FEB 13 1958 19
 at *11:46* o'clock P.M. and noted in Note Book
 No. *219* Page *6* and was recorded
 FEB 19 1958 19 in Record Book
 No. *219* Page *13* Fee *13* Paid
 FRANCIS ANDREWS, Register
 By *J. P. Nelson* D. R.

SECTION "A"
NORRIS HILLS SUBDIVISION
MEMPHIS, TENN.
SCALE 1" = 100'

J.C. PRICE ENG. CO.
219 LEE BLDG.
MEMPHIS, TENN.
FEB. 1957



1. All lots in the tract shall be known and described as residential. No structure shall be erected, altered, placed or permitted to remain on any lot other than one one family dwelling not to exceed one and one half stories in height and a private garage for not more than two cars and one servant's room.
2. Minimum building set-back lines as shown on the recorded plan of subdivision shall be observed except that steps, stoops, chimneys and open porches may project. This covenant does not restrict the placing of any residence at a greater distance from the street, the minimum setback from street to building shall meet the approval of the Building Department, but in no case shall the setback be less than the minimum building line shown on the plat.
3. No noxious trade or activity, or offensive trade or activity, shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
4. No trailer, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence either temporarily or permanently, nor shall any structure of a temporary nature be used as a residence.
5. There is a perpetual easement as shown on the recorded plan of subdivision reserved for utility installation and maintenance.
6. No structure shall be permitted if the ground floor area of the main structure exclusive of one story open porches and garages is less than 650 square feet.
7. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1962 at which time said covenants shall be automatically extended for successive periods of ten years unless by a vote of the majority of the then owners of the lots, it is agreed to change the said covenants in whole or in part.
8. If the parties hereto or any one of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in the said subdivision to prosecute any proceedings at law, or in equity, against the person or persons violating or attempting to violate any such covenant and either prevent him or them from so doing or to recover damages or other dues for such violations.
9. Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which remain in full force and effect.

STATE OF TENNESSEE 12360
 COUNTY OF SHELBY
 Filed for registration FEB 12 1958
 by Notary Public M., and noted in Note Book
 No. 1000 and was recorded FEB 14 1958
 Fee \$1.00 Paid

I hereby certify that the foregoing is a true copy and said document was approved by the Board of Commissioners of the City of Memphis in Regular Session, on the 11th day of Feb. 1957.
 Comptroller

FRANCIS ANDREWS REGISTER
 E. P. Nelson D.R.

STATE OF TENNESSEE
 COUNTY OF SHELBY
 We, the undersigned, Marywood Inc., by Kyle Tapp, President, Owner and Ernest Antona and wife Mary Antona, Mortgage Holders, do hereby certify that we are the Owner and Mortgage Holders of the property shown hereon in fee simple and that the said property is not encumbered by any taxes that have become due and payable, and do further certify that we adopt this as our plan of subdivision and dedicate the streets as shown to the public use forever.

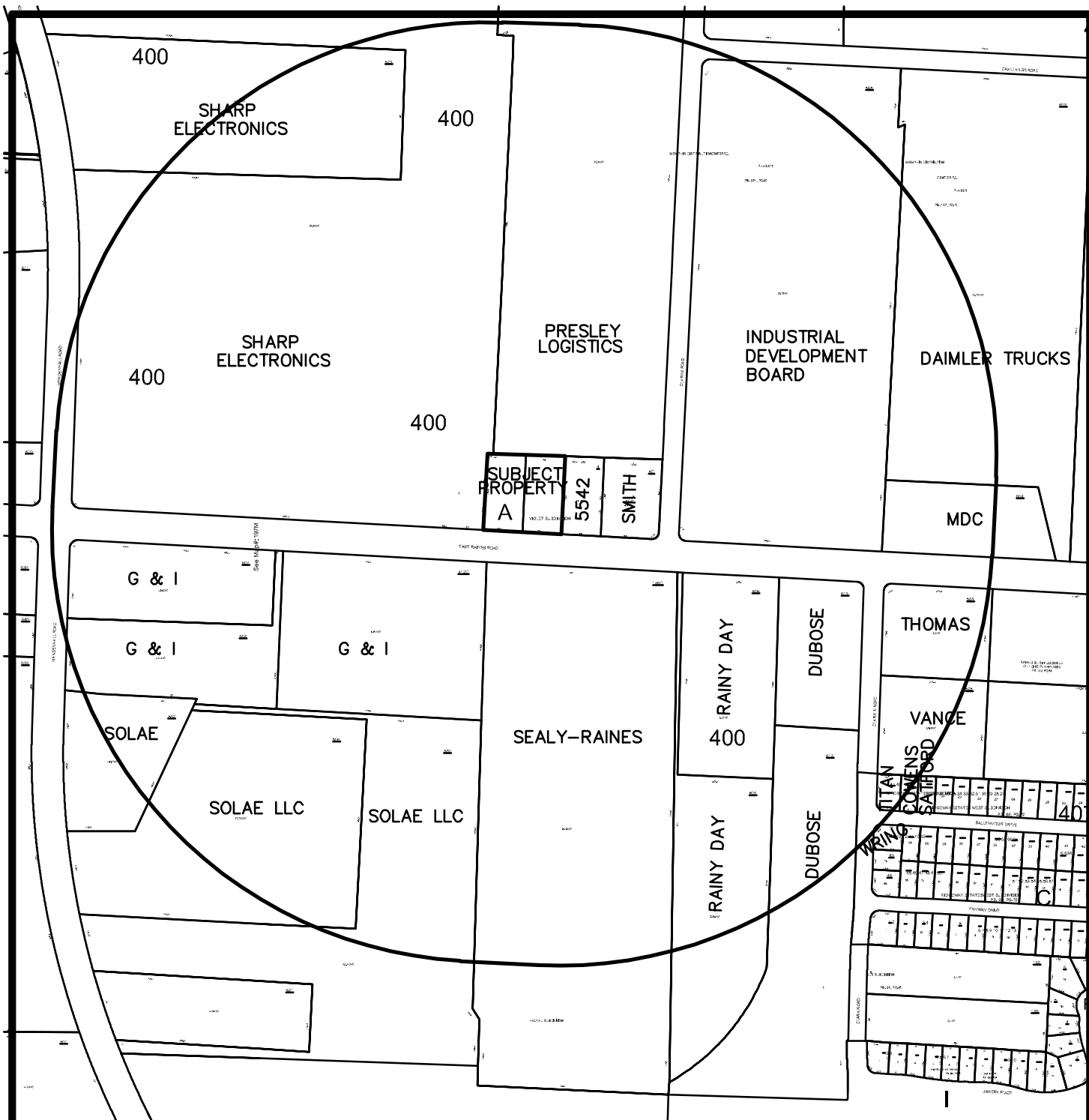
MARYWOOD INC.
 BY Kyle Tapp
 President
 ATTEST
 BY Fanner Davis
 Secretary
 BY Ernest Antona
 Ernest Antona, Mgt. Holder
 BY Mary Antona
 Mary Antona, Mgt. Holder

STATE OF TENNESSEE
 COUNTY OF SHELBY
 Before me, a Notary Public, in and for the aforesaid State and County, personally appeared Kyle Tapp, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be President of Marywood Inc., the within named bargainer, and that he, as such President, being duly authorized so to act, executed the foregoing instrument for the purposes contained therein, by signing the name of the Corporation by himself as President.
 Witness my hand and notarial seal this 13 day of March, 1957.
 Notary Public
 Commission expires on the 8 day of July 1958

STATE OF TENNESSEE
 COUNTY OF SHELBY
 Before me, a Notary Public, in and for the aforesaid State and County, personally appeared Ernest Antona and wife, Mary Antona, with whom I am personally acquainted, and who, upon oath, acknowledged themselves to be the Mortgage Holders of the property shown hereon, the within named bargainers, and they as such Mortgage Holders, being duly authorized so to act, executed the foregoing instrument for the purposes contained therein. Witness my hand and notarial seal this 14 day of March 1957.
 Notary Public

My Commission expires on the 22 day of March 1958.
 CERTIFICATE OF SURVEY
 This is to certify that we have surveyed the subdivision as shown hereon and that the plat of same accurately shows the survey and is true and correct.

J. C. PRICE ENGINEERING COMPANY
 BY J. C. Price
 Shelby County Civil Engineer
 APPROVED BY THE CITY OF MEMPHIS PLANNING COMMISSION
 ON THE 20th DAY OF December 1956.
 Fred W. Davis
 Director



**RE-ZONING APPLICATION FOR 5416/5530 E. RAINES
 APPLICANT: BROOKS & MANGUM**

MEMPHIS, TENNESSEE

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES
 2950 STAGE PLAZA NORTH
 BARTLETT, TENNESSEE
 JULY 24, 2023

TELEPHONE 901-383-8668
 E-MAIL dgbray@comcast.net
 SCALE 1"=500'

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, James E. Brooks James E. Brooks, state that I have read the definition of
(Print Name) (Sign Name)

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

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

of the property located at 5516 E. Raines Rd Memphis Tn 38118
and further identified by Assessor's Parcel Number 093-4070-A-00002-0
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 3rd day of August in the year of 2003.

Charva C. Gyp
Signature of Notary Public



03/30/2027
My Commission Expires

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

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

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

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

I, Jake Mangum Jr.
(Print Name)


(Sign Name)

, state that I have read the definition of

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

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

of the property located at 5530 E. Raines Rd., Memphis, Tn.
and further identified by Assessor's Parcel Number 093407 A00003
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me on this 18 day of August in the year of 2023


Signature of Notary Public



5-4-27
My Commission Expires



Shelby County Tennessee

Willie F. Brooks Jr

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



23009030

02/03/2023 - 02:44:31 PM

2 PGS	
HERTHA 2538889 - 23009030	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	12.00

WILLIE F. BROOKS JR
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This Instrument Prepared By:
Marie A. Washington, Attorney At Law
P. O. Box 2221, Memphis, Tennessee 38103
(901) 774-6046

AFFIDAVIT AS TO SURVIVORSHIP

STATE OF TENNESSEE:
COUNTY OF SHELBY:

PARCEL IDENTIFICATION NUMBER: 093407 A00002

On this 25 Day of January, 2023 before me personally
appeared Oteria Sowell who address is 4253 Hickory Grove Dr.
and who being first duly sworn states the following: Mphs. TN 38141

That **HATTIE BROOKS AND LINDA REED** whom last known address and
homestead was **5516 E. RAINES ROAD, MEMPHIS, TN. 38115**.

PARCEL IDENTIFICATION NUMBER: 093407 A00002

That **HATTIE BROOKS** died in MEMPHIS, TN. on NOVEMBER 9, 2009
at the age of 95 years. That **LINDA REED** died in MEMPHIS, TN. on MARCH 24
2022 at the age of 66 years.

That on the date of death of **HATTIE BROOKS AND LINDA REED**, they were partial
owners of certain described real estate more commonly known as 5516 RAINES ROAD,
MEMPHIS, TN. 38115

On the date of death of **HATTIE BROOKS AND LINDA REED**, they did not have
valid Last Wills and Testaments that disposed of there interests in the above-described real
estate.

That pursuant to Tennessee Code Annotated Section 31-2-101, Intestate Estate (Any part
of the estate of a decedent not effectively disposed of by the deceased's will passes to the
deceased heirs).

Being the same property conveyed to Hattie Brooks and Linda Reed as recorded in the
Register's Office of Shelby County, Tennessee under Instrument Number DA-8117.

That the surviving equal and joint owners for the above described real estate are;

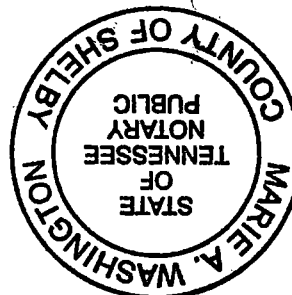
JAMES ERVIN BROOKS
13263 OLD LOCKE RD.
OLIVE BRANCH, MS. 38654.

ODELL BROOKS, III
5553 KINDLE CREEK DRIVE
MEMPHIS, TN. 38141

Otera Knell

Dated: 1/25/2023

Affiant



State of Tennessee:

County of Shelby:

25th January, 2023

On this 25th day of January, before me, a Notary Public in and for said county of Shelby, State of Tennessee, personally appeared OTERIA DOWELL

to me known that he/she executed the foregoing document as his/her free act and will.

Sworn to and subscribed before me this 25th Day of January, in witness thereof, I have set my hand and official seal.

Marie A. Washington February 23, 2025

Marie A. Washington, Notary Public

My Commission Expires

MAIL TAX NOTICES TO:

JAMES ERVIN BROOKS
13263 OLD LOCKE RD
OLIVE BRANCH, MS 38654



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



201906250062435

06/25/2019 - 09:38:26 AM

1 PGS	
KRISTIN 1884203 - 201906250062435	
VALUE	1.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	12.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This instrument prepared by: Jake Mangum, Jr., 1377 Craft RD, South, Hernando, MS 38632

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that All Siblings on this the 20th day of June, 2019, for and in consideration of the sum of One and no/100 Dollars, do(es) hereby bargain, sell, release, quit claim and convey unto Jake Mangum, Jr. all their right, title, and interest in and to the following described real estate, to wit:

Beginning a point in the centerline of New Raines Road and located a distance of 1642.82 feet, more or less. Eastwardly from the intersection of Raines Road and Mendenhall Road; thence commencing in a northwardly direction a distance of 39.72 feet, more or less, to the said point of beginning; thence continuing in a northwardly direction along the east property line of the Elder D. and Hattie Brooks property a distance of 17.29 feet, more or less, to a point in the new north right-of-way line of Raines Road; thence along the new right-of-way line an eastwardly direction a distance of 136.72 feet, more or less, to a point in the west property line of the Earnest and Lena Anderson property; thence along the said Anderson west property line in a southwardly direction a distance of 19.6 feet, more or less, to a point in the old right-of-way line; thence in a westwardly direction along said old right-of-way line a distance of 136.7 feet, more or less, to the said point of beginning. ALL BEARINGS ARE RELATIVE. The above described property contains 2521 square feet, more or less.

Last deed of Record 201906250062432 | 201906250062434
201906250062433

IN TESTIMONY WHEREOF I/we have hereunto set my/our hand(s) this 20th day of June, 2019.

STATE OF TENNESSEE
COUNTY OF Shelby

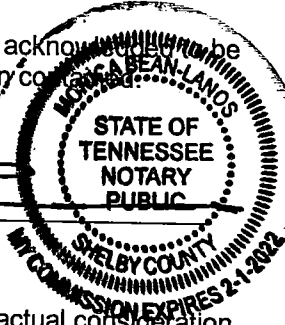
Before me, the undersigned Notary Public in and for the County and State aforesaid, personally appeared

Lila Mangum
Dorothy J. Mangum
Annette M. Fields
Mary Steinberg
[Signature]

Melvin Mangum
Gloria M. Brown
Felix Mangum
Marvin Mangum
[Signature]

with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledge to be person(s) within named and that executed the foregoing instrument for the purpose therein contained.

Witness my hand and seal this 20th day of June, 2019.



My commission expires: 02.01.2022

Notary Public

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

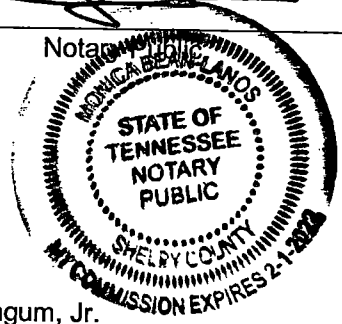
All Siblings [Signature] Affiant

*Mary A. Steinberg- 1349 Gill, Memphis, TN, 38106; Gloria M. Brown- 4082 Eagle River RD, Memphis, TN 38118; Marvin Mangum- 605 Andrew Rucker Lane, Nashville, TN 37211; Melvin Mangum- 3815 Maulden Dr., Memphis, TN 38116; Jake Mangum Jr.- 1377 Craft RD, Hernando, MS 38632; Annette M. Fields- 2578 Bridgeport, Memphis, TN 38114; Elbert Mangum- 4960 Royston Loop, Memphis, TN 38125; Felix Mangum- 2427 Warren St, Memphis, TN 38106; Dorothy J. Mangum-4743 Bradford Dr, Memphis, TN 38109; Linda Mangum- 2427 Warren St, Memphis, TN 38106.

STATE OF TENNESSEE
COUNTY OF Shelby

Subscribed and sworn before me this the 20th day of June, 2019.

My commission expires: 02.01.2022



The following information is not a part of this Deed:

Property Address: 5530 E. Raines RD
Memphis, TN

Owner's Name and Address
Marvin Mangum
605 Andrew Rucker Lane
Nashville, TN 37211
Jake Mangum, Jr.
1377 Craft Road
Hernando, MS 38632

Parcel Number
093407 A00003

Mail Tax Bills to:
Dorothy Jean Mangum
4743 Bradford Drive
Memphis, TN 38109

Brooks & Mangum
1377 Craft Road
Hernando, MS 38632

The Bray Firm
2950 Stage Plaza North
Bartlett, TN 38134

Owner

Engineer

Fifty Five Fourty Two Raines Road LLC
4633 SANFORD ST
METAIRIE LA 70006

Henry T Smith Co Inc.
4141 CLARKE RD
MEMPHIS TN 38115 5021

TPP 419 Presley Logistics LLC
1717 MAIN ST 2600
DALLAS TX 75201

Sharp Electronics Corporation
SHARP PLAZA BLVD
MEMPHIS TN 38115

Sharp Electronics Corp
4020 S MENDENHALL RD
MEMPHIS TN 38115

Economic Development Growth Engine
Industrial Development Board
100 PEABODY PL STE 1100
MEMPHIS TN 38103 3652

Daimler Trucks North America LLC
4555 N CHANNEL AVE
PORTLAND OR 97217

MDC Association Inc.
2620 THOUSAND OAKS BLVD STE
4000
MEMPHIS TN 38118

James R Thomason Jr.
PO BOX 751376
MEMPHIS TN 38175

Owen H Jr. & Lisa M Vance
4226 CLARKE RD
MEMPHIS TN 38141

Titan Legacy Holdings LLC
3225 MCLEOD DR STE 100
LAS VEGAS NV 89121 2257

Resident
5656 Ballenmoor Dr
MEMPHIS TN 38115

Lorraine Cowans
5664 BALLEENMOOR DR
MEMPHIS TN 38141 6802

Satford LLC / Resident
5668 Ballenmoor Dr
MEMPHIS TN 38115

Dubose-5625 LLC
3333 MOUNT PROSPECT RD
FRANKLIN PARK IL 60131

Rainy Day II LLC and Joel A Fulmer Jr.
2030 HARRISON ST
SAN FRANCISCO CA 94110 1310

Sealy Raines Road LLC
8401 N CENTRAL EXPY STE 150
DALLAS TX 75225 4404

G & I IX Raines LLC
10123 ALLIANCE RD STE 300
CINCINNATI OH 45242 4714

Solae LLC
2045 W GRAND PMB 27091 AVE STE B
CHICAGO IL 60612 1577

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, VIOLET SUBDIVISION, SAID POINT BEING IN THE NORTH LINE OF EAST RAINES ROAD (57 FEET DEDICATED FROM CENTERLINE); THENCE ALONG THE WEST LINE OF SAID LOT 2 N 1°47'25" W A DISTANCE OF 251.59 FEET TO A POINT; THENCE ALONG THE NORTH LINE OF LOTS 2 AND 3 OF SAID VIOLET SUBDIVISION S 88°54'35" E A DISTANCE OF 273.35 FEET TO A POINT; THENCE ALONG THE EAST LI OF SAID LOT 3 S 1°47'25" W A DISTANCE OF 261.14 FEET TO A POINT IN THE SAID NORTH LINE OF EAST RAINES ROAD; THENCE ALONG SAID NORTH LINE N 86°54'35" W A DISTANCE OF 273.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.608 ACRES OF LAND, MORE OR LESS.

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

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, December 05, 2023 at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

CASE NUMBER: Z 2023-012
LOCATION: 5516 Raines Road
COUNCIL DISTRICTS: District 3 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT: Brooks James E and Odell Brooks III(RS)
REPRESENTATIVE: The Bray Firm
REQUEST: Rezoning of +/-70,070 SQF from Residential Single-Family – 6 (R-6) to Employment (EMP)

RECOMMENDATIONS:

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

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

NOW, THEREFORE, you will take notice that on Tuesday, December 05, 2023, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance’s or protests against the making of such changes; such remonstrance’s or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

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

THIS THE _____, _____

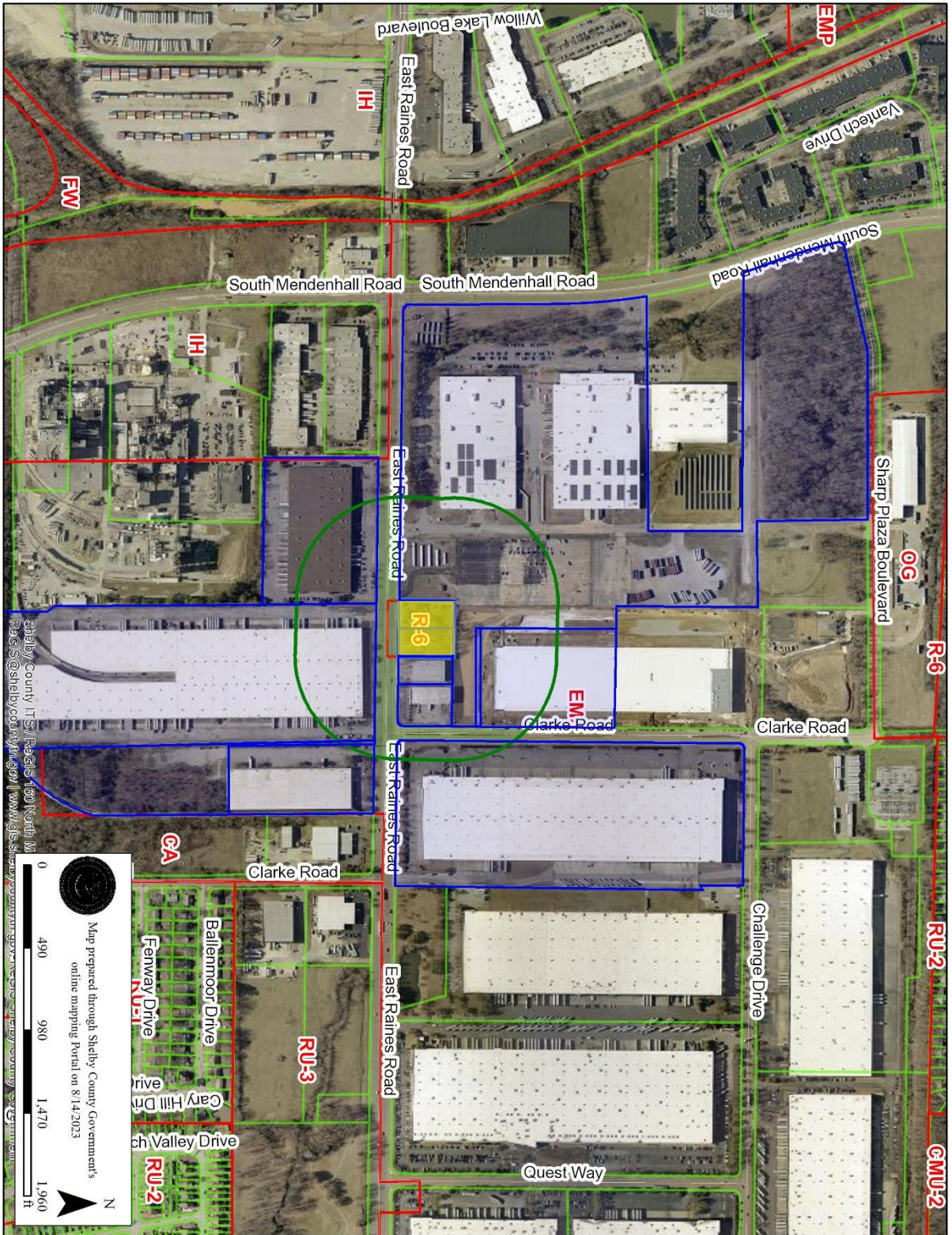
CHAIRMAN OF COUNCIL

ATTEST:

CITY COMPTROLLER

TO BE PUBLISHED:

VICINITY MAP



SHARP ELECTRONICS CORP
SHARP PLAZA BLVD #
MEMPHIS TN 38118

G & I X E RAINES LLC
10123 ALLIANCE RD #300
CINCINNATI OH 45242

SHARP ELECTRONICS CORP
SHARP PLAZA BLVD #
MEMPHIS TN 38193

SEALY RAINES ROAD L L C
8401 N CENTRAL EXPY #150
DALLAS TX 75225

FIFTY FIVE FOURTY TWO RAINES ROAD LLC
4633 SANFORD ST #
METAIRIE LA 70006

RAINY DAY II LLC
2030 HARRISON ST #
SAN FRANCISCO CA 94110

SHARP ELECTRONICS CORPORATION
SHARP PLAZA BLVD #
MEMPHIS TN 38115

BROOKS HATTIE (LE) AND JAMES E BROOKS
13263 OLD LOCKE RD #
OLIVE BRANCH MS 38654

STEINBERG MARY A AND GLORIA M BROWN AND
2427 WARREN ST #
MEMPHIS TN 38106

HENRY T SMITH CO INC
905 GLADE SPRINGS DR
SOMERVILLE TN 38068

RAINY DAY II LLC AND JOEL A FULMER JR
2030 HARRISON ST #
SAN FRANCISCO CA 94110

ECONOMIC DEVELOPMENT GROWTH ENGINE
100 PEABODY PL #1100
MEMPHIS TN 38103