

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

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 04/23/2024
DATE
PUBLIC SESSION: 04/23/2024
DATE

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

ITEM DESCRIPTION: Resolution pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code approving a special use permit at the subject property located at 2961 Lamar Avenue, known as case number SUP 2023-038.

CASE NUMBER: SUP 2023-038

LOCATION: 2961 Lamar Avenue

COUNCIL DISTRICTS: District 4 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Khwaja Nihal

REPRESENTATIVE: Denesha Smith

REQUEST: Special Use Permit to allow sale of new and used tires in the Commercial Mixed Use – 1 (CMU-1 District)

AREA: +/-1.118 acres

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

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**

PRIOR ACTION ON ITEM:

(2) _____ APPROVAL - (1) APPROVED (2) DENIED
 04/11/2024 _____ 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>Mehsan Chakrabarti</u>	<u>April 15, 2024</u>	STAFF PLANNER
		DEPUTY ADMINISTRATOR
<u>Burt O'Keefe</u>	<u>4/15/24</u>	ADMINISTRATOR
		DIRECTOR (JOINT APPROVAL)
		COMPROLLER
		FINANCE DIRECTOR
		CITY ATTORNEY
		CHIEF ADMINISTRATIVE OFFICER
		COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2023-038

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 2961 LAMAR AVENUE, KNOWN AS CASE NUMBER SUP 2023-038.

- This item is a resolution with conditions for a special use permit to allow sale of new and used tires in the Commercial Mixed Use – 1 (CMU-1 District); and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, April 11, 2024**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SUP 2023-038
LOCATION:	2961 Lamar Avenue
COUNCIL DISTRICT(S):	District 4 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT:	Khwaja Nihal
REPRESENTATIVE:	Denesha Smith
REQUEST:	Special Use Permit to allow sale of new and used tires in the Commercial Mixed Use – 1 (CMU-1 District)
EXISTING ZONING:	Commercial Mixed-Use-1 (CMU-1)
AREA:	+/-1.118 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 Rejection.

The motion passed by a vote of 7-0.

Respectfully,

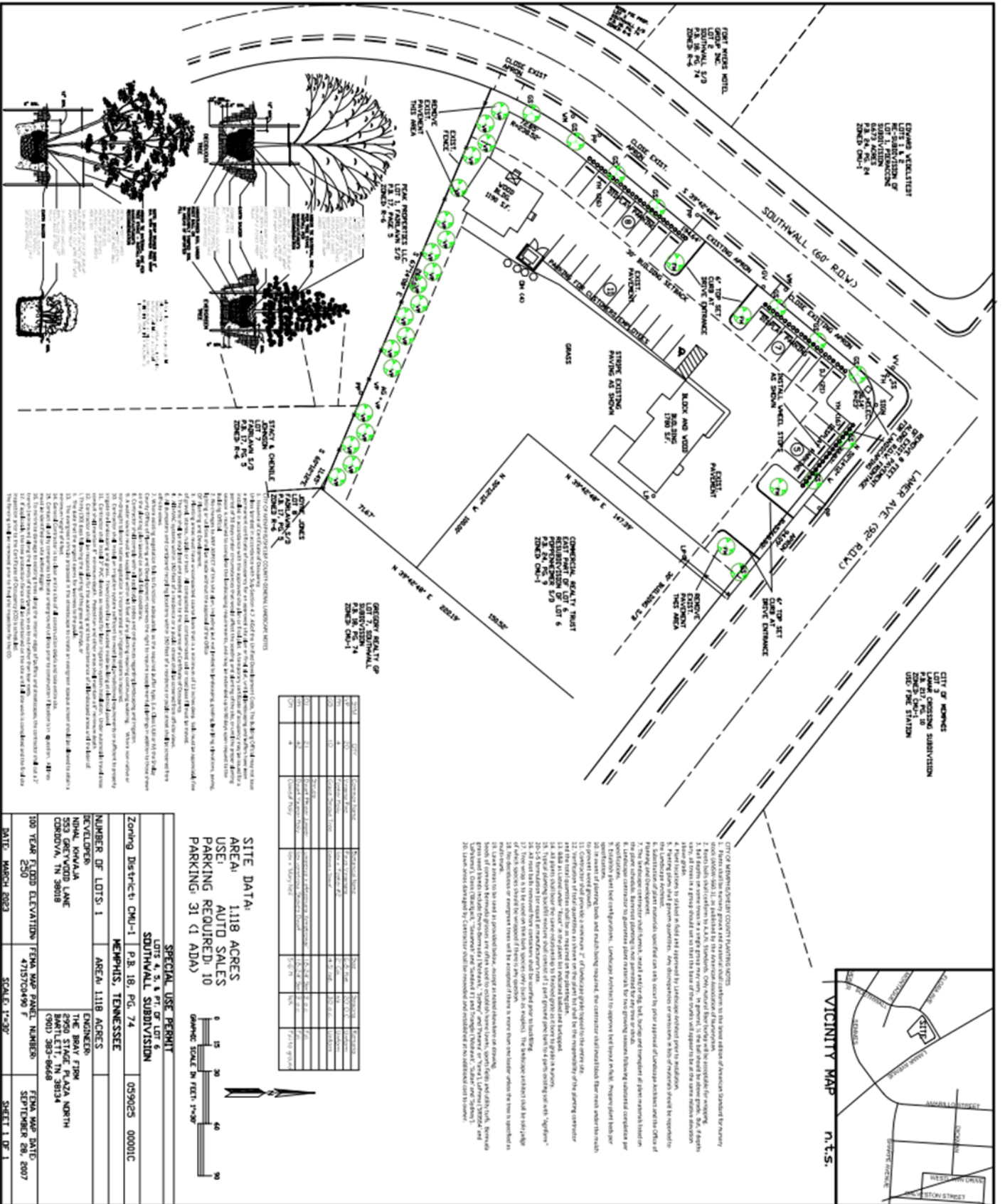
Mahsan Ostadnia

Planner II
Land Use & Development Services
Cc: Committee Members
File

SUP 2023-038
CONDITIONS

1. Outdoor display and sales shall be limited to the requirements of UDC Sub-Section 4.8.4A.
2. No tire inventory for sale or removed tires from automobiles shall be stored outside. All tires must be secured in either building shown on the site plan with the exception of the permitted display areas in Condition 1 above.
3. All existing non-conforming curb cuts shall be closed with curb, gutter, and sidewalk.
4. One curb cut shall be permitted to Lamar Avenue and one curb cut to Southwall Street only if a design and location is approved by the City Engineer.
5. Streetscape Plate Type S-10 or an equivalent approved by the Division of Planning and Development shall be provided along Lamar Avenue and Southwall Street.
6. A Class III Landscaping Buffer shall be provided along the south property line. DPD may approve an equivalent alternative.
7. The dumpster location and screening shall meet the requirements of UDC Sub-Section 4.6.8B.
8. The existing detached pole sign at the corner of Lamar Avenue and Southwall Street shall be upgraded to meet the current requirements for the Commercial Mixed-Use Districts (UDC Sub-Section 4.9.7D) or removed, and a new sign constructed that meets the requirements of UDC Sub-Section 4.9.7D.
9. No overnight parking of vehicles is permitted with the exception that vehicles may be parked overnight in the three available garage work bays attached to the Lamar Avenue facing building.
10. A photometric analysis will be provided if any lighting is provided within 50 feet of the south property line.

SITE PLAN



NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. YDS.)	PERCENTAGE
1	Lot 1	1,118	0.025	100%
2	Lot 2	1,118	0.025	100%
3	Lot 3	1,118	0.025	100%
4	Lot 4	1,118	0.025	100%
5	Lot 5	1,118	0.025	100%
6	Lot 6	1,118	0.025	100%
7	Lot 7	1,118	0.025	100%
8	Lot 8	1,118	0.025	100%
9	Lot 9	1,118	0.025	100%
10	Lot 10	1,118	0.025	100%
11	Lot 11	1,118	0.025	100%
12	Lot 12	1,118	0.025	100%
13	Lot 13	1,118	0.025	100%
14	Lot 14	1,118	0.025	100%
15	Lot 15	1,118	0.025	100%
16	Lot 16	1,118	0.025	100%
17	Lot 17	1,118	0.025	100%
18	Lot 18	1,118	0.025	100%
19	Lot 19	1,118	0.025	100%
20	Lot 20	1,118	0.025	100%
21	Lot 21	1,118	0.025	100%
22	Lot 22	1,118	0.025	100%
23	Lot 23	1,118	0.025	100%
24	Lot 24	1,118	0.025	100%
25	Lot 25	1,118	0.025	100%
26	Lot 26	1,118	0.025	100%
27	Lot 27	1,118	0.025	100%
28	Lot 28	1,118	0.025	100%
29	Lot 29	1,118	0.025	100%
30	Lot 30	1,118	0.025	100%
31	Lot 31	1,118	0.025	100%
32	Lot 32	1,118	0.025	100%
33	Lot 33	1,118	0.025	100%
34	Lot 34	1,118	0.025	100%
35	Lot 35	1,118	0.025	100%
36	Lot 36	1,118	0.025	100%
37	Lot 37	1,118	0.025	100%
38	Lot 38	1,118	0.025	100%
39	Lot 39	1,118	0.025	100%
40	Lot 40	1,118	0.025	100%
41	Lot 41	1,118	0.025	100%
42	Lot 42	1,118	0.025	100%
43	Lot 43	1,118	0.025	100%
44	Lot 44	1,118	0.025	100%
45	Lot 45	1,118	0.025	100%
46	Lot 46	1,118	0.025	100%
47	Lot 47	1,118	0.025	100%
48	Lot 48	1,118	0.025	100%
49	Lot 49	1,118	0.025	100%
50	Lot 50	1,118	0.025	100%

SITE DATA:
 AREA: 1.118 ACRES
 USE: AUTO SALES
 PARKING REQUIRED: 10
 PARKING: 31 (1 ADA)

SPECIAL USE PERMIT
 LOTS 4, 5, 6 & 7 OF LOT 6
 SOUTHWALL SUBDIVISION
 MEMPHIS, TENNESSEE
 P.B. 18, PG. 74
 059025 0001C

REVELOPER:
 553 GARDWOOD LANE
 CORNOVA, TN 38018
 (901) 383-8668

ENGINEER:
 2705 STAGE PLAZA NORTH
 BARTLETT, TN 38134
 (901) 383-8668

DATE: MARCH 2003
SCALE: 1"=30'
SHEET: 1 OF 1



CITY OF MEMPHIS
 CITY ENGINEER
 CITY PLANNING DEPARTMENT

CONTRACTOR:
 [Name]

DATE: [Date]

PROJECT: [Project Name]

LOT: [Lot Number]

AREA: [Area]

USE: [Use]

PARKING: [Parking]

PERMIT: [Permit]

REVISIONS:

1. [Revision 1]
2. [Revision 2]
3. [Revision 3]
4. [Revision 4]
5. [Revision 5]
6. [Revision 6]
7. [Revision 7]
8. [Revision 8]
9. [Revision 9]
10. [Revision 10]
11. [Revision 11]
12. [Revision 12]
13. [Revision 13]
14. [Revision 14]
15. [Revision 15]
16. [Revision 16]
17. [Revision 17]
18. [Revision 18]
19. [Revision 19]
20. [Revision 20]
21. [Revision 21]
22. [Revision 22]
23. [Revision 23]
24. [Revision 24]
25. [Revision 25]
26. [Revision 26]
27. [Revision 27]
28. [Revision 28]
29. [Revision 29]
30. [Revision 30]
31. [Revision 31]
32. [Revision 32]
33. [Revision 33]
34. [Revision 34]
35. [Revision 35]
36. [Revision 36]
37. [Revision 37]
38. [Revision 38]
39. [Revision 39]
40. [Revision 40]
41. [Revision 41]
42. [Revision 42]
43. [Revision 43]
44. [Revision 44]
45. [Revision 45]
46. [Revision 46]
47. [Revision 47]
48. [Revision 48]
49. [Revision 49]
50. [Revision 50]

RESOLUTION PURSUANT TO CHAPTER 9.6 OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 2961 LAMAR AVENUE, KNOWN AS CASE NUMBER SUP 2023-038.

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a special use permit for certain stated purposes in the various zoning districts; and

WHEREAS, Khwaja Nihal filed an application with the Memphis and Shelby County Division of Planning and Development to allow sale of new and used tires in the Commercial Mixed Use – 1 (CMU-1 District); and

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

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on April 11, 2024, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

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

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

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

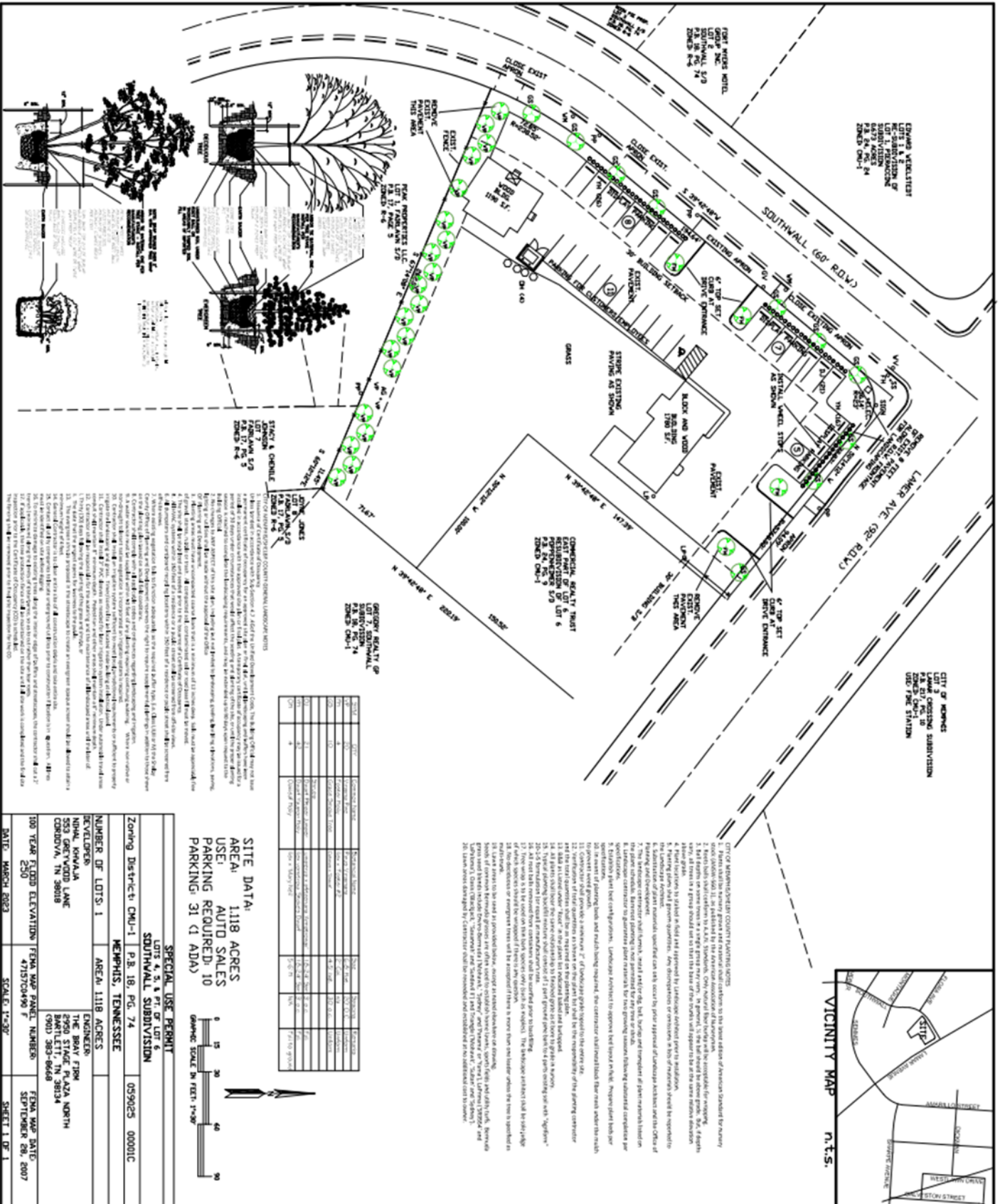
BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

CONDITIONS

1. Outdoor display and sales shall be limited to the requirements of UDC Sub-Section 4.8.4A.
2. No tire inventory for sale or removed tires from automobiles shall be stored outside. All tires must be secured in either building shown on the site plan with the exception of the permitted display areas in Condition 1 above.
3. All existing non-conforming curb cuts shall be closed with curb, gutter, and sidewalk.
4. One curb cut shall be permitted to Lamar Avenue and one curb cut to Southwall Street only if a design and location is approved by the City Engineer.
5. Streetscape Plate Type S-10 or an equivalent approved by the Division of Planning and Development shall be provided along Lamar Avenue and Southwall Street.
6. A Class III Landscaping Buffer shall be provided along the south property line. DPD may approve an equivalent alternative.
7. The dumpster location and screening shall meet the requirements of UDC Sub-Section 4.6.8B.
8. The existing detached pole sign at the corner of Lamar Avenue and Southwall Street shall be upgraded to meet the current requirements for the Commercial Mixed-Use Districts (UDC Sub-Section 4.9.7D) or removed, and a new sign constructed that meets the requirements of UDC Sub-Section 4.9.7D.
9. No overnight parking of vehicles is permitted with the exception that vehicles may be parked overnight in the three available garage work bays attached to the Lamar Avenue facing building.
10. A photometric analysis will be provided if any lighting is provided within 50 feet of the south property line.

SITE PLAN



LOT 7, SOUTHWALL
P.L. IN PG. 74
ZONED CM-1

LOT 6, SOUTHWALL
P.L. IN PG. 74
ZONED CM-1

LOT 5, SOUTHWALL
P.L. IN PG. 74
ZONED CM-1

LOT 4, SOUTHWALL
P.L. IN PG. 74
ZONED CM-1

LOT 3, SOUTHWALL
P.L. IN PG. 74
ZONED CM-1

LOT 2, SOUTHWALL
P.L. IN PG. 74
ZONED CM-1

LOT 1, SOUTHWALL
P.L. IN PG. 74
ZONED CM-1

NO.	DESCRIPTION	QUANTITY	REMARKS
1	Planting Area	1	See Schedule 'A'
2	Planting Area	1	See Schedule 'A'
3	Planting Area	1	See Schedule 'A'
4	Planting Area	1	See Schedule 'A'
5	Planting Area	1	See Schedule 'A'
6	Planting Area	1	See Schedule 'A'
7	Planting Area	1	See Schedule 'A'
8	Planting Area	1	See Schedule 'A'
9	Planting Area	1	See Schedule 'A'
10	Planting Area	1	See Schedule 'A'
11	Planting Area	1	See Schedule 'A'
12	Planting Area	1	See Schedule 'A'
13	Planting Area	1	See Schedule 'A'
14	Planting Area	1	See Schedule 'A'
15	Planting Area	1	See Schedule 'A'
16	Planting Area	1	See Schedule 'A'
17	Planting Area	1	See Schedule 'A'
18	Planting Area	1	See Schedule 'A'
19	Planting Area	1	See Schedule 'A'
20	Planting Area	1	See Schedule 'A'

SITE DATA:
 AREA: 1.118 ACRES
 USE: AUTO SALES
 PARKING REQUIRED: 10
 PARKING: 31 (1 ADA)



100 YEAR FLOOD ELEVATION FEMA MAP PANEL NUMBER: 47570C099 F
 DATE: MARCH 2023 SCALE: 1"=30' SHEET 1 OF 1

VICINITY MAP
 n.t.s.

CITY OF MEMPHIS
 PLANNING DEPARTMENT
 1800 CENTRAL AVENUE
 MEMPHIS, TN 38103
 TEL: (901) 527-6500
 WWW.MEMPHIS.GOV

DATE: MARCH 2023 SCALE: 1"=30' SHEET 1 OF 1

ATTEST:

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



Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Pending

Opened Date: December 8, 2023

Record Number: SUP 2023-038

Expiration Date:

Record Name: -

Description of Work: VEHICLE REPAIR - TIRE SHOP

Parent Record Number:

Address:

2961 LAMAR AVE, MEMPHIS 38114

Owner Information

Primary Owner Name

Y KHWAJA NIHAL

Owner Address

533 GREYWOOD LN, CORDOVA, TN 38018

Owner Phone

Parcel Information

059025 00001C

Data Fields

PREAPPLICATION MEETING

Name of OPD Planner

NONE

Date of Meeting

-

Pre-application Meeting Type

-

GENERAL PROJECT INFORMATION

Application Type

New Special Use Permit (SUP)

GENERAL PROJECT INFORMATION

List any relevant former Docket / Case Number(s) related to previous applications on this site -
Is this application in response to a citation, stop work order, or zoning letter No
If yes, please provide a copy of the citation, stop work order, and/or zoning letter along with any other relevant information -

APPROVAL CRITERIA

A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare NO IT WILL NOT
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 YES
UDC Sub-Section 9.6.9C YES
UDC Sub-Section 9.6.9D NO
UDC Sub-Section 9.6.9E YES
UDC Sub-Section 9.6.9F NO. THERE'S USED TIRE SHOPS ON LAMAR AND AUTO MECHANIC SHOPS ON LAMAR ALSO.

GIS INFORMATION

Case Layer -
Central Business Improvement District No
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 EHSAN MOHAMMED Contact Type APPLICANT
Address

Phone

-

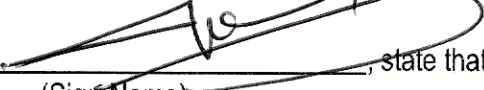
MEMPHIS AND SHELBY COUNTY  **DIVISION OF PLANNING AND DEVELOPMENT**

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, NIHAL KHWASA , 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 2961 LAMAR AVE MEMPHIS TN 38114
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 1 day of March in the year of 2023.


Signature of Notary Public



My Comm. Exp. 04-15-2024

04-15-2024
My Commission Expires

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

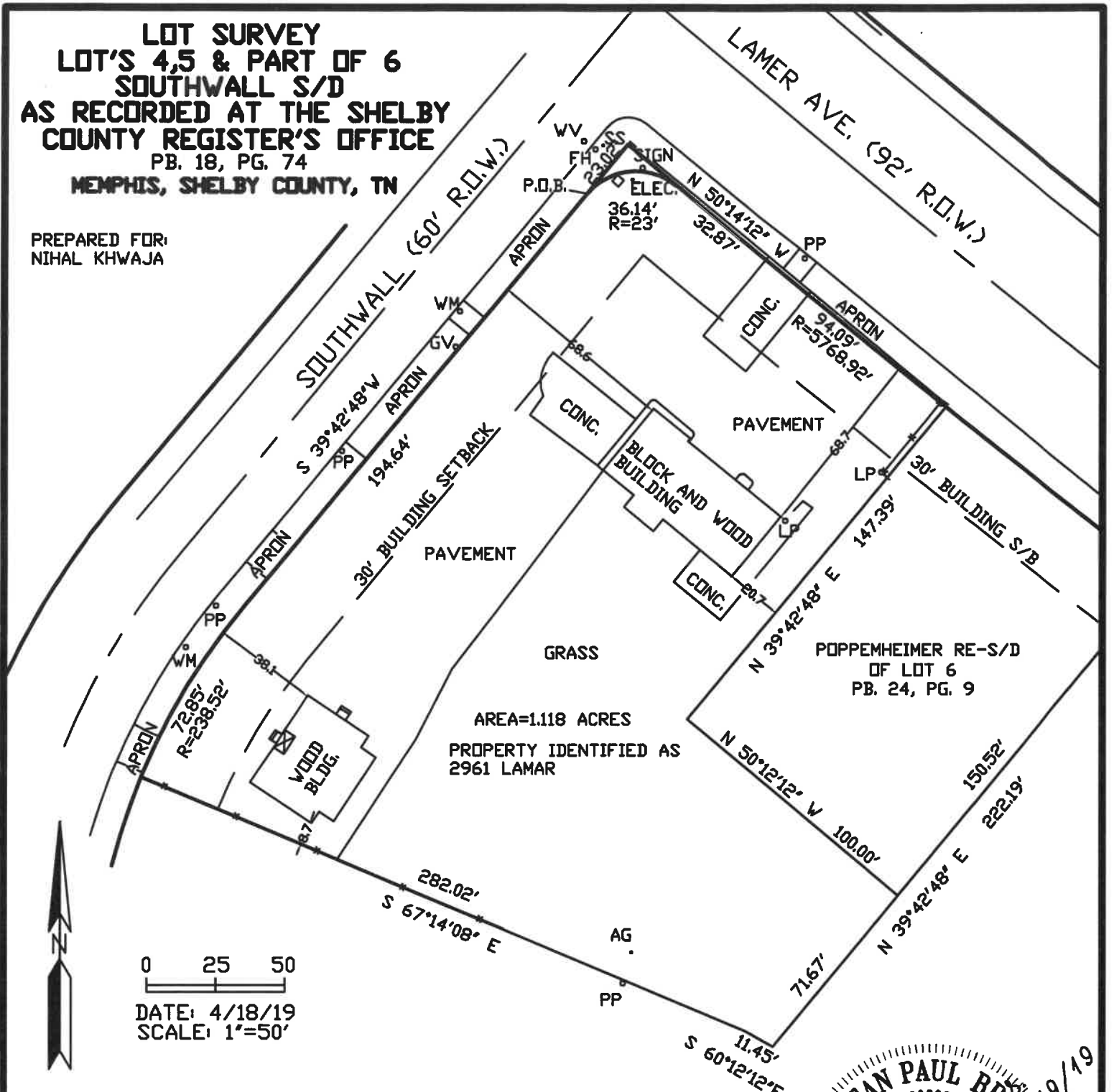
RE: Special Use Permit – Auto Repair (Sale of New & Used Tires)

Lot 4, 5, and part of Lot 6
Southwall Subdivision (P.B. 18. Pg. 74)
2961 Lamar Ave
Memphis, TN 38114

Please find attached an application for a Special Use Permit to allow auto repair (sale of new & used tires) at the above captioned property. This property has previously been utilized for vehicle repair (auto sales) but the uses had lapsed for a period of more than 365 days. Previous site improvements are existing on the site but the previous operations were not in compliance with the current Unified Development Code. Modifications to the site to bring the site in compliance with existing UDC regulations are shown on the attached plan.

**LOT SURVEY
 LOT'S 4,5 & PART OF 6
 SOUTHWALL S/D
 AS RECORDED AT THE SHELBY
 COUNTY REGISTER'S OFFICE
 PB. 18, PG. 74
 MEMPHIS, SHELBY COUNTY, TN**

PREPARED FOR:
 NIHAL KHWAJA



DATE: 4/18/19
 SCALE: 1"=50'

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.

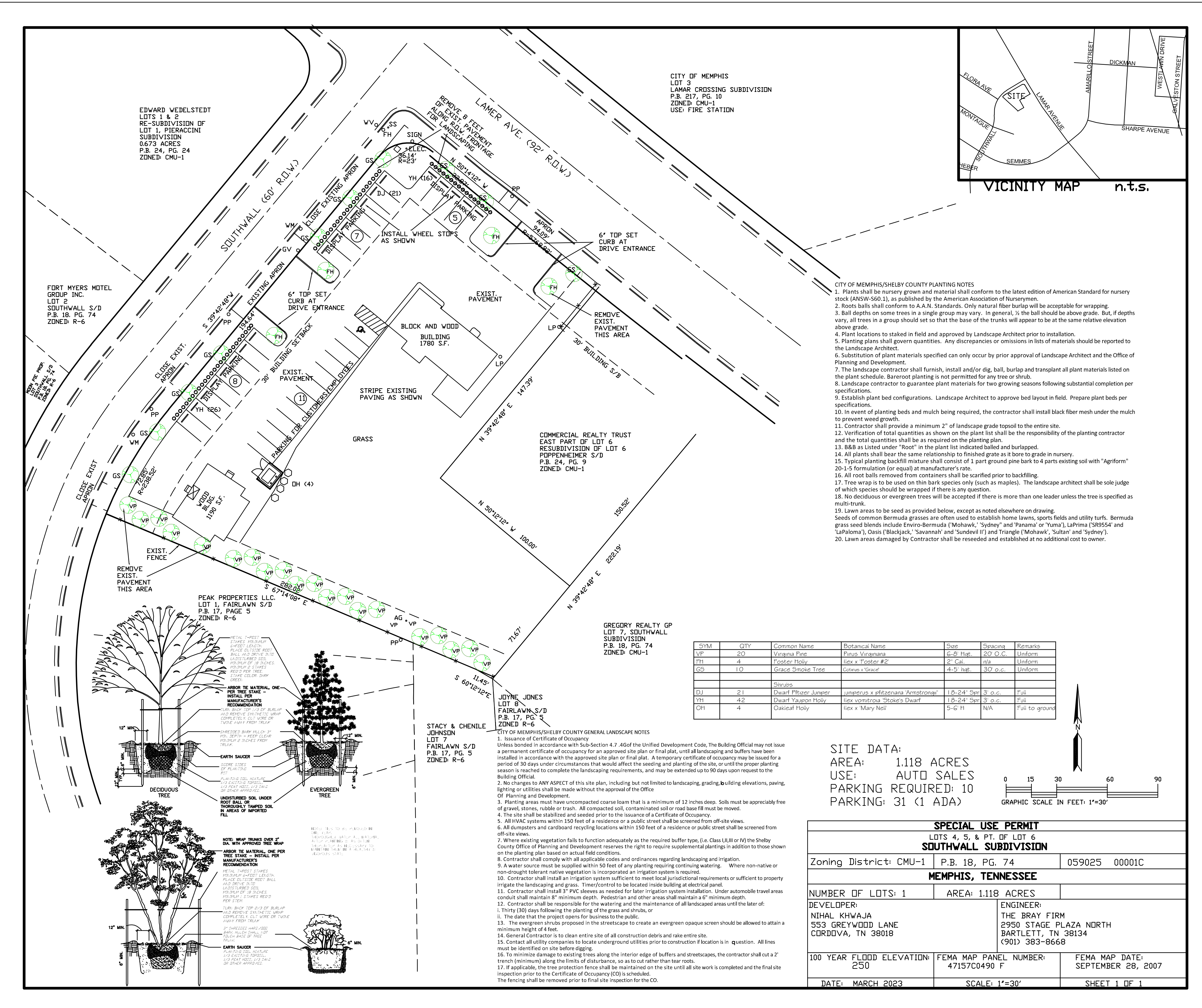
THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEED TO THAT PROPERTY AND SHOWS ANY OTHER PERTINENT INFORMATION SUCH AS EASEMENTS, JOINT DRIVEWAYS, ETC. OF WHICH I HAVE BEEN ADVISED BY THE TITLE ATTORNEY.

NOTE: THIS FIRM DOES NOT PERFORM TITLE SEARCHES.

THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD MAP # 47157C0490 F DATED September 28, 2007



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



CITY OF MEMPHIS
 LOT 3
 LAMAR CROSSING SUBDIVISION
 P.B. 217, PG. 10
 ZONED: CMU-1
 USE: FIRE STATION

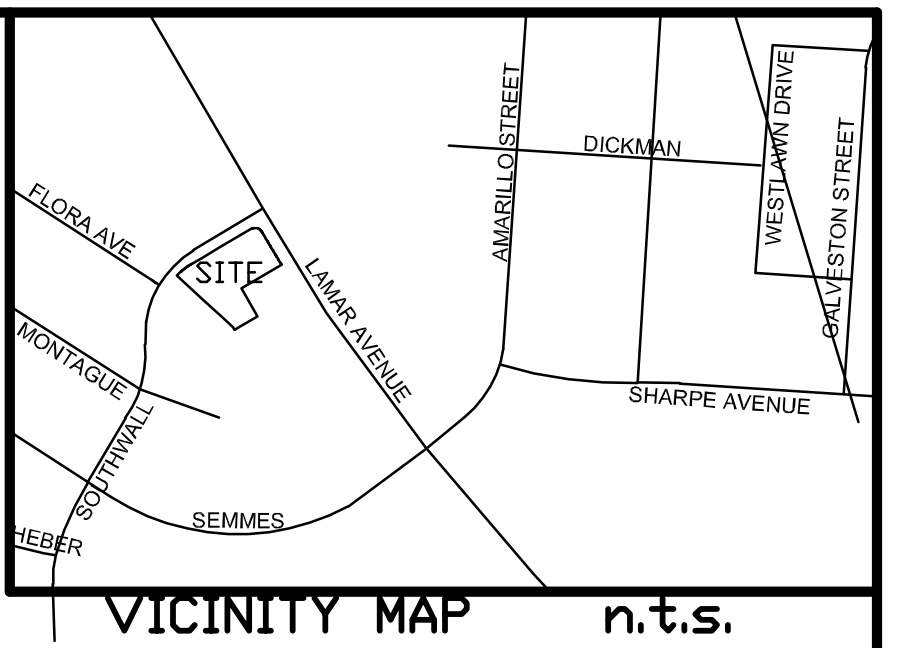
EDWARD WEDELSTEDT
 LOTS 1 & 2
 RE-SUBDIVISION OF
 LOT 1, PIERACCINI
 SUBDIVISION
 0.673 ACRES
 P.B. 24, PG. 24
 ZONED: CMU-1

FORT MYERS MOTEL
 GROUP INC.
 LOT 2
 SOUTHWALL S/D
 P.B. 18, PG. 74
 ZONED: R-6

PEAK PROPERTIES LLC.
 LOT 1, FAIRLAWN S/D
 P.B. 17, PAGE 5
 ZONED: R-6

STACY & CHENILE
 JOHNSON
 LOT 7
 FAIRLAWN S/D
 P.B. 17, PG. 5
 ZONED: R-6

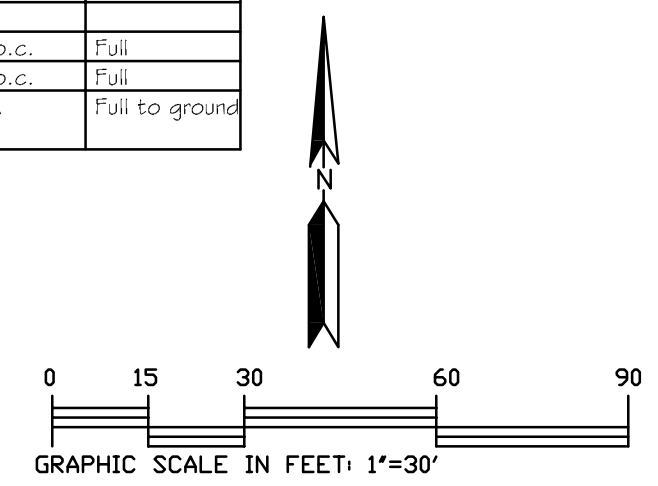
GREGORY REALTY GP
 LOT SOUTHWALL
 SUBDIVISION
 P.B. 18, PG. 74
 ZONED: CMU-1



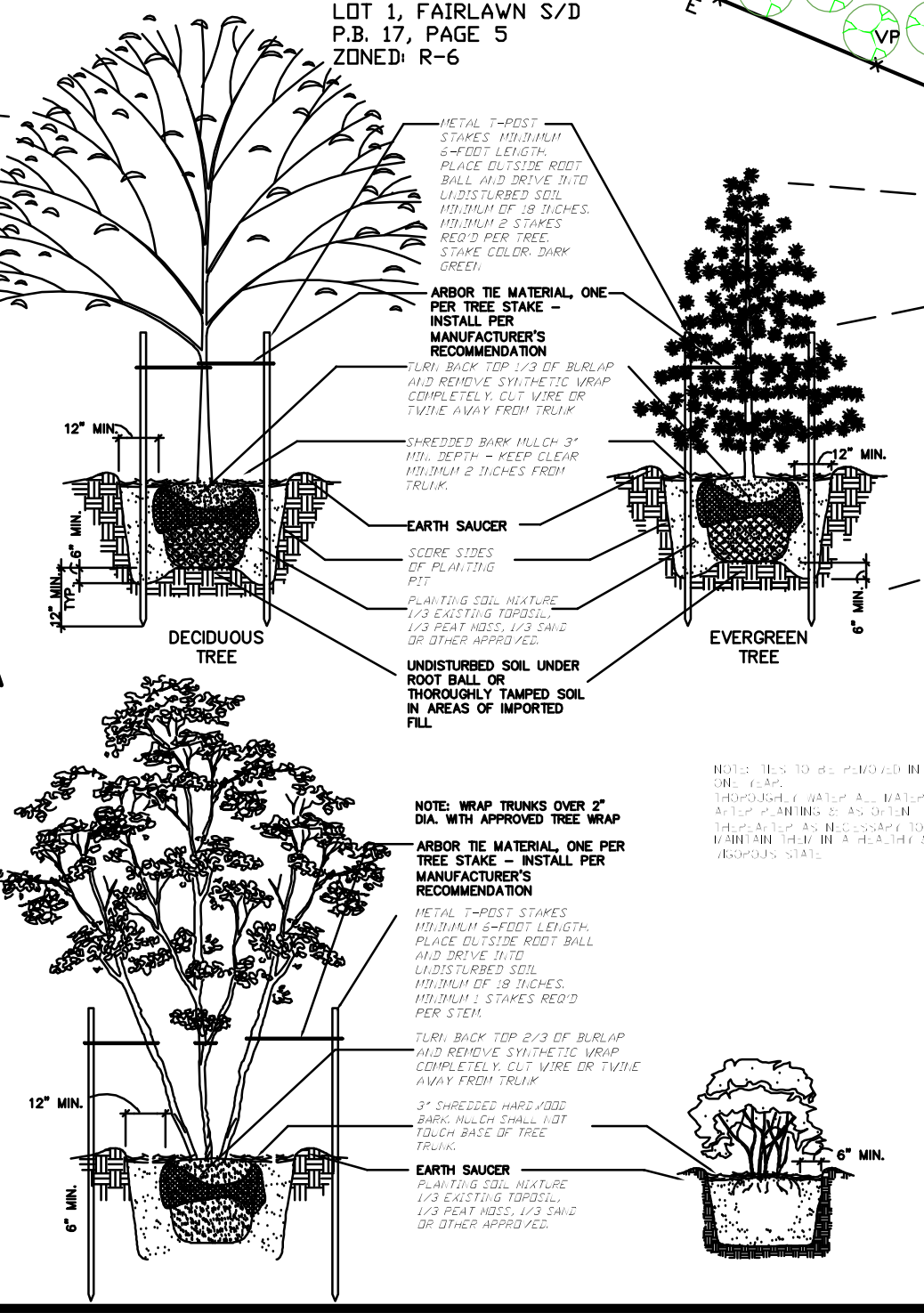
- CITY OF MEMPHIS/SHELBY COUNTY PLANTING NOTES
- Plants shall be nursery grown and material shall conform to the latest edition of American Standard for nursery stock (ANSI-S66.1), as published by the American Association of Nurserymen.
 - Roots balls shall conform to A.A.N. Standards. Only natural fiber burlap will be acceptable for wrapping.
 - Ball depths on some trees in a single group may vary. In general, 1/2 the ball should be above grade. But, if depths vary, all trees in a group should set so that the base of the trunks will appear to be at the same relative elevation above grade.
 - Plant locations to staked in field and approved by Landscape Architect prior to installation.
 - Planting plans shall govern quantities. Any discrepancies or omissions in lists of materials should be reported to the Landscape Architect.
 - Substitution of plant materials specified can only occur by prior approval of Landscape Architect and the Office of Planning and Development.
 - The landscape contractor shall furnish, install and/or dig, ball, burlap and transplant all plant materials listed on the plant schedule. Bareroot planting is not permitted for any tree or shrub.
 - Landscape contractor to guarantee plant materials for two growing seasons following substantial completion per specifications.
 - Establish plant bed configurations. Landscape Architect to approve bed layout in field. Prepare plant beds per specifications.
 - In event of planting beds and mulch being required, the contractor shall install black fiber mesh under the mulch to prevent weed growth.
 - Contractor shall provide a minimum 2" of landscape grade topsoil to the entire site.
 - Verification of total quantities as shown on the plant list shall be the responsibility of the planting contractor and the total quantities shall be as required on the planting plan.
 - B&B as Listed under "Root" in the plant list indicated balled and burlapped.
 - All plants shall bear the same relationship to finished grade as it bore to grade in nursery.
 - Typical planting backfill mixture shall consist of 1 part ground pine bark to 4 parts existing soil with "Agriform" 20-1-5 formulation (or equal) at manufacturer's rate.
 - All root balls removed from containers shall be scarified prior to backfilling.
 - Tree wrap is to be used on thin bark species only (such as maples). The landscape architect shall be sole judge of which species should be wrapped if there is any question.
 - No deciduous or evergreen trees will be accepted if there is more than one leader unless the tree is specified as multi-trunk.
 - Lawn areas to be seed as provided below, except as noted elsewhere on drawing.
 Seeds of common Bermuda grasses are often used to establish home lawns, sports fields and utility turfs. Bermuda grass seed blends include Enviro-Bermuda (Mohawk), Sydney and Panama or Yuma, LaPrima (SR9554) and LaPaloma), Oasis (Blackjack, Savannah and Sundevil II) and Triangle (Mohawk, Sultan and Sydney).
 - Lawn areas damaged by Contractor shall be reseeded and established at no additional cost to owner.

SYM	QTY	Common Name	Botanical Name	Size	Spacing	Remarks
VP	20	Virginia Pine	Pinus Virginiana	6-8' Hgt.	20' O.C.	Uniform
TH	4	Foster Holly	Ilex x Foster #2	2' Cal.	n/a	Uniform
GS	10	Grace Smoke Tree	Cotinus x Grace	4-5' Hgt.	30' o.c.	Uniform
		Shrubs				
DJ	21	Dwarf Pfitzer Juniper	Juniperus x pfitzeniana 'Armstrongii'	18-24" Spr	3' o.c.	Full
YH	42	Dwarf Yaupon Holly	Ilex vomitoria 'Stokes Dwarf'	18-24" Spr	3' o.c.	Full
CH	4	Oakleaf Holly	Ilex x Mary Nell	5-6' H	N/A	Full to ground

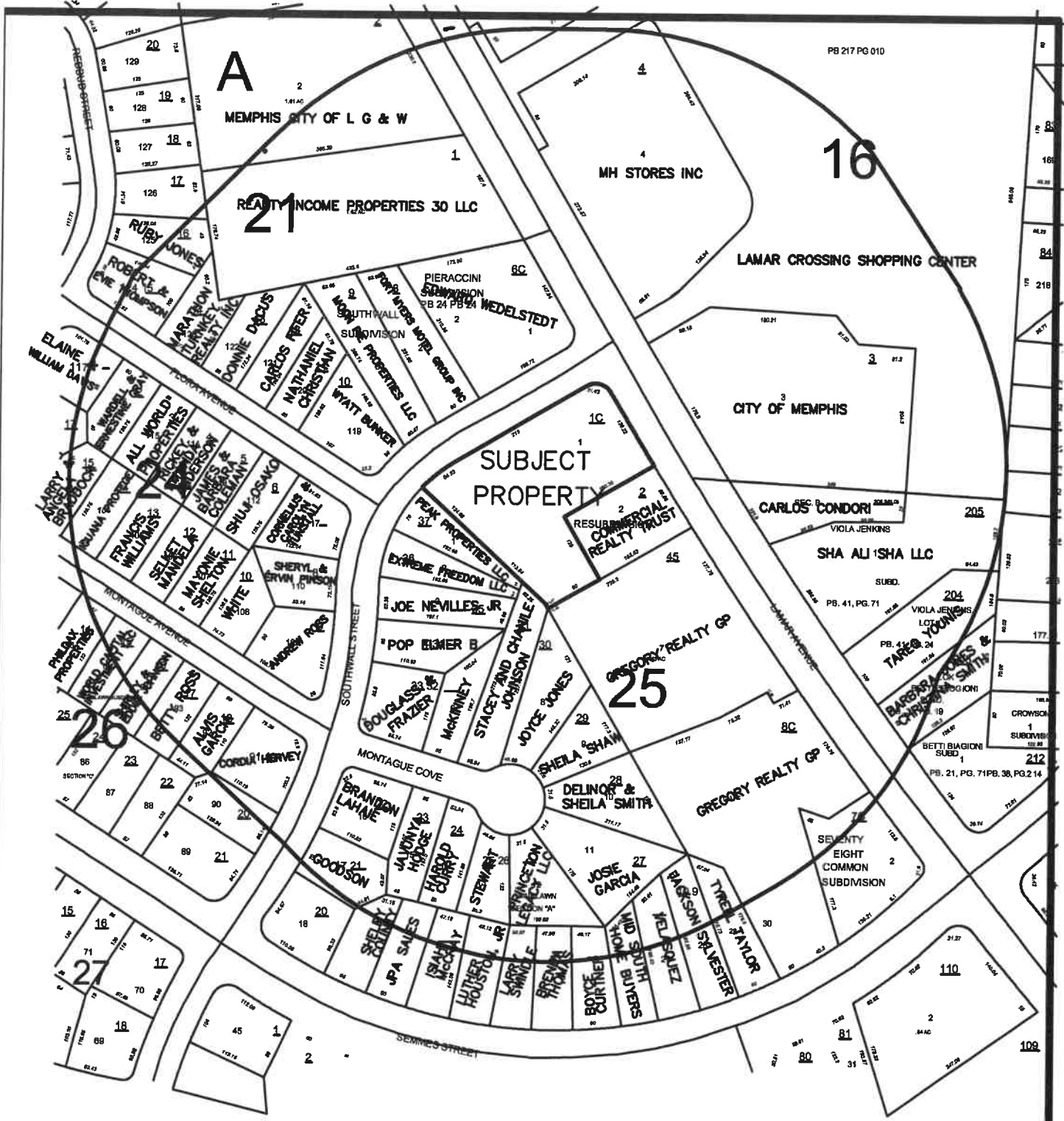
SITE DATA:
 AREA: 1.118 ACRES
 USE: AUTO SALES
 PARKING REQUIRED: 10
 PARKING: 31 (1 ADA)



- CITY OF MEMPHIS/SHELBY COUNTY GENERAL LANDSCAPE NOTES
- Issuance of Certificate of Occupancy Unless bonded in accordance with Sub-Section 4.7.4 of the Unified Development Code, the Building Official may not issue a permanent certificate of occupancy for an approved site plan or final plat, until all landscaping and buffers have been installed in accordance with the approved site plan or final plat. A temporary certificate of occupancy may be issued for a period of 90 days under circumstances that would affect the seeding and planting of the site, or until the proper planting season is reached to complete the landscaping requirements, and may be extended up to 90 days upon request to the Building Official.
 - No changes to ANY ASPECT of this site plan, including but not limited to landscaping, grading, building elevations, paving, lighting or utilities shall be made without the approval of the Office of Planning and Development.
 - Planting areas must have uncompacted coarse loam that is a minimum of 12 inches deep. Soils must be appreciably free of gravel, stones, rubble or trash. All compacted soil, contaminated soil or road base fill must be moved.
 - The site shall be stabilized and seeded prior to the issuance of a Certificate of Occupancy.
 - All HVAC systems within 150 feet of a residence or a public street shall be screened from off-site views.
 - All dumpsters and cardboard recycling locations within 150 feet of a residence or public street shall be screened from off-site views.
 - Where existing vegetation fails to function adequately as the required buffer type, (i.e. Class III, III or IV) the Shelby County Office of Planning and Development reserves the right to require supplemental plantings in addition to those shown on the planting plan based on actual field conditions.
 - Contractor shall comply with all applicable codes and ordinances regarding landscaping and irrigation.
 - A water source must be supplied within 50 feet of any planting requiring continuing watering. Where non-native or non-drought tolerant native vegetation is incorporated an irrigation system is required.
 - Contractor shall install an irrigation system sufficient to meet local jurisdictional requirements or sufficient to properly irrigate the landscaping and grass. Timer/control to be located inside building at electrical panel.
 - Contractor shall install 3" PVC sleeves as needed for later irrigation system installation. Under automobile travel areas conduit shall maintain 8" minimum depth. Pedestrian and other areas shall maintain a 6" minimum depth.
 - Contractor shall be responsible for the watering and the maintenance of all landscaped areas until the later of: i. Thirty (30) days following the planting of the grass and shrubs, or ii. The date that the project opens for business to the public.
 - The evergreen shrubs proposed in the streetscape to create an evergreen opaque screen should be allowed to attain a minimum height of 4 feet.
 - General Contractor is to clean entire site of all construction debris and rake entire site.
 - Contact all utility companies to locate underground utilities prior to construction if location is in question. All lines must be identified on site before digging.
 - To minimize damage to existing trees along the interior edge of buffers and streetscapes, the contractor shall cut a 2' trench (minimum) along the limits of disturbance, so as to cut rather than tear roots.
 - If applicable, the tree protection fence shall be maintained on the site until all site work is completed and the final site inspection prior to the Certificate of Occupancy (CO) is scheduled.
 - The fencing shall be removed prior to final site inspection for the CO.



SPECIAL USE PERMIT		
LOTS 4, 5, & PT. OF LOT 6 SOUTHWALL SUBDIVISION		
Zoning District: CMU-1	P.B. 18, PG. 74	059025 00001C
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1	AREA: 1.118 ACRES	
DEVELOPER: NIHAL KHWAJA 553 GREYWOOD LANE CORDOVA, TN 38018	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668	
100 YEAR FLOOD ELEVATION: 250	FEMA MAP PANEL NUMBER: 47157C0490 F	FEMA MAP DATE: SEPTEMBER 28, 2007
DATE: MARCH 2023	SCALE: 1"=30'	SHEET 1 OF 1



**SUP APPLICATION – 2961 LAMAR
 APPLICANT: NIHAL KHWAJA
 MEMPHIS, TENNESSEE**

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES
 2950 STAGE PLAZA NORTH
 BARTLETT, TENNESSEE
 FEBRUARY 28, 2023

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

2961 Lamar
Page 1 of 4

Nihal Khwaja
2961 Lamar
Memphis, TN 38114

Owner

The Bray Firm
2950 Stage Plaza North
Bartlett, TN 38134

Engineer

Councilman
125 N. Main
Rm. 514
Memphis, TN 38013

Tareq Younis
6110 Wild Oaks Dr
Memphis, TN 38120

Joyce Jones
2944 Montague Cv
Memphis, TN 38114

MH Stores INC
4650 Summer Ave
Memphis, TN 38122

Barbara Jones and
Christina Smith
2992 Lamar Ave
Memphis, TN 38114

Stacey and Chanile Johnson
2940 Montague Cv
Memphis, TN 38114

Lamar Crossing Shopping
Center Equities LLC
55 5th Ave floor 15
New York, NY 10003

Gregory Realty GP
310 Germantown Bend Cv
Memphis, TN 38108

Resident
2934 Montague Cv
Memphis, TN 38114

City of Memphis
125 N. Main St. room 568
Memphis, TN 38103

Resident
9250 Montague Cv
Memphis, TN 38114

Billie and Wallace McKinney
1500 Silver St
Memphis, TN 38106

Carlos Condori
3506 HWY 78
Memphis, TN 38118

Delinor and Sheila Smith
3831 Lakehurst Dr
Memphis, TN 38128

Diane Douglass &
Katrina Davis Frazier
3928 Montague Cv
Memphis, TN 38114

Sha Ali Sha LLC
3264 W Sarazens Cir
Memphis, TN 38125

Sheila Shaw
2948 Montague Cv
Memphis, TN 38114

Pop Elmer B
1646 Southwall St
Memphis, TN 38114

Joe Nevilles JR
1640 Southwall St
Memphis, TN 38114

Wyatt Bunker
2710 Sage Bluff Ct
Reno, Nv 89523

All World Properties
2893 Flora Ave
Memphis, TN 38114

Extreme Freedom LLC
P.O. BOX 190501
MiamiBeach, FL 33119

Nathaniel Christian
2910 Flora Ave
Memphis, TN 38114

Rickey & Amanda Anderson
1486 Lost Brook Dr
Cordova, TN 38016

Peak Properties LLC
1779 Kirby Pkwy suite 143
Gernamtown, TN 38138

Carlos Fifer
723 Bristol Ln
Collierville, TN 38017

James & Barbara Coleman
2903 Flora Ave
Memphis, TN 38114

Commercial Realty Trust
8100 Macon Station Rd suite 105
Cordova, TN 38018

Donnie Dacus
1983 Wirily Cv
Cordova, TN 38016

Shuji Osako
35 Pink Sage Ave
Irvine, CA 92620

Edward Wedelstedt
12740 E Control Tower Rd J 8
Englewood, CO 80112

Marathon Turnkey Realty LLC
3774 Dante Ave
Memphis, TN 38128

Carolyn & Cornelius Tunstall
2915 Flora Ave
Memphis, TN 38114

Realty Income Properties 30 LLC
11995 El Camino Real
San Diego, CA 92130

Robert & Evie Thompson
2884 Flora Ave
Memphis, TN 38114

Sheryl & Ervin Pinson
1637 Southwall St
Memphis, TN 38114

Memphis City of L G & W
220 S Main St
Memphis, TN 38103

Ruby Jones
2088 Redbud St
Memphis, TN 38114

Andrew Ross
2910 Montague Ave
Memphis, TN 38114

Fort Myers Motel Group
310 Union Ave
Memphis, TN 38103

Elaine & William Davis
2883 Flora Ave
Memphis, TN 38114

White Family
2904 Montague Ave
Memphis, TN 38114

Moon Pie Properties LLC
3630 Violet St
Seal Beach, CA 90740

Wardell & Ernestine Gray
2887 Flora Ave
Memphis, TN 38114

Mayonie Shelton
2898 Montague Ave
Memphis, TN 38114

Selket Mandela
2012 Sparks St
Memphis, TN 38106

Phildax Properties
PO Box 383287
Germantown, Tn 38183

Luoja Daniel
408 Fenwick
Memphis, TN 38111

Francis Williams
2888 Montague Ave
Memphis, TN 38114

Elisa & Debra Goodson
1676 Southwall St
Memphis, TN 38114

Jackson Sylvester
2974 Semmes St
Memphis, TN 38114

Iguana Protégé Tn LLC
458 N Oxford Ln
Chandler, AZ 85225

Brandon Lahaie
66 Winchester Ct
Acworth, Ga 30101

Ana Velasquez/Juan Domingo
2428 Ketchum Road
Memphis, TN 38114

Larry & Angela Braddock
3103 Sharpe
Memphis, TN 38114

Javunya Hodge
2931 Montague Ave
Memphis, TN 38114

Resident
2970 Semmes St.
Memphis, TN 38114

Cordia Hervey
2909 Montague Ave
Memphis, TN 38114

Harold Curry
2935 Montague Ave
Memphis, TN 38114

Mid South Home Buyers GP
46 Flicker St
Memphis, TN 38104

Alvis Garcia
3173 James Rd
Memphis, TN 38128

Teresa & Bernard Stewart
2941 Montague Ave
Memphis, TN 38114

Resident
2964 Semmes St.
Memphis, TN 38114

Betty Ross
2899 Montague Ave
Memphis, TN 38114

Princeton Legacy LLC
2885 Sanford Ave SW
Grandville, Mi 49418

Boyce Curtner
9000 Brookhollow Dr.
Olive Branch, MS 38654

Shirley & Eddie Johnson
2893 Montague Ave
Memphis, TN 38114

Josie Garcia
3173 James Rd
Memphis, TN 38128

Resident
2958 Semmes St
Memphis, TN 38114

World Capital Investment LLC
4579 Willow Rd
Memphis, TN 38114

Tyrell Taylor
662 Walker Ave
Memphis, TN 38126

Brenda Thomas
2952 Semmes St
Memphis, TN 38114

2961 Lamar
Page 4 of 4

Luther Houston JR
2940 Semmes St
Memphis, TN 38114

Isiah McCray
276 Fleet Hills Cove
Cordova, TN 38018

Resident
2934 Semmes St
Memphis, TN 38114

JPA Sales
5394 Estate Office Dr. STE 3
Memphis, TN 38119

Resident
2928 Semmes St
Memphis, TN 38114

Shelby County Tax Sale
PO Box 2751
Memphis, TN 38101

Larry Swindle
2946 Semmes St
Memphis, TN 38114




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.

	
19042162	
05/01/2019 - 09:19 AM	
3 PGS	
ALONZO 1864352-19042162	
VALUE	145000.00
MORTGAGE TAX	0.00
TRANSFER TAX	536.50
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	554.50
Shelandra Y Ford	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

Return to:
Quality Title Group
6389 Quail Hollow, Suite 201
Memphis, TN 38120
(901) 249-4787

WARRANTY DEED

THIS INDENTURE, made and entered into this 24th day of April, 2019 by and between **ROBERT E. WOODS**, party of the first part, and **NIHAL KHWAJA**, party of the second part,

WITNESSETH: That for and in consideration of \$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 and being more particularly described as follows:

See attached exhibit "A"

Parcel No. 059025 00001C

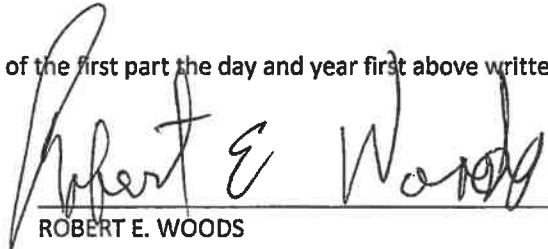
Property known as: 2961 Lamar Ave., Memphis, TN 38114

Being the same property conveyed to Grantor by Quit Claim Deed filed of record in Instrument No. V4 9970, Warranty Deed filed in Instrument No. DE 2157 and Warranty Deed filed in Instrument No. W9 7784 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, their heirs 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 a good right to sell and convey the same; that the same is unencumbered except: any and all existing easements, subdivision restrictions, building lines, declarations of covenants, conditions and restrictions and other matters shown on the plats and instruments of record in the Shelby County Register's Office, as recorded in Plat Book 24, Page 9; Plat Book 18 and Page 74; Easements of record in Plat Book 4348 and Page 345; and 2019 Shelby County and City of Memphis property taxes not yet due and payable and that the title and quiet possession thereto he will warrant and forever defend against the lawful claims of all persons.

WITNESS the signatures of the said party of the first part the day and year first above written.

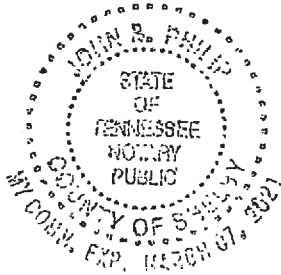


ROBERT E. WOODS

STATE OF TENNESSEE:
COUNTY OF SHELBY:

On this the 24th day of April, 2019, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared, **Robert E. Woods**, to me known, or proved to be the persons described herein and who being first duly sworn, made oath that they executed the foregoing instrument for the purposes therein contained and as their free act and deed.

WITNESS my hand and Notarial Seal at office the day and year above written.



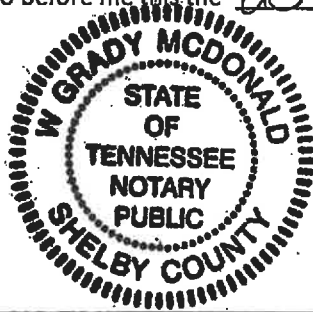
John B. Philip
NOTARY PUBLIC

STATE OF TENNESSEE:
COUNTY OF SHELBY:

I 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 \$145,000.00, which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Emmanuel Mercedes
AFFIANT

Subscribed and sworn to before me this the 25th day of April, 2019.



W. Grady McDonald
NOTARY PUBLIC

REGISTER'S USE ONLY

Property also known as:
2961 Lamar Ave.
Memphis, TN 38114

This instrument prepared by:
John B. Philip, Attorney
Crislip, Philip & Royal
5170 Sanderlin Ave., Ste. 201
Memphis, TN 38117
(901) 525-2427

NEW OWNER & SEND TAX NOTICE TO:

Nihal Khwaja
533 Greywood Lane
Cordova TN 38018

PROPERTY LINE DESCRIPTION

Of the Property Line Survey

Of Lots 4, 5 and part of 6 of the Southwall Subdivision as recorded in Plat Book 18, Page 74 in the Shelby County Register's Office, said property located in Memphis, Shelby County, Tennessee and more particularly described as follows:

Beginning at in the east R.O.W. of Southwall Street (60' Public R.O.W.), said point being 23.02' south of the south R.O.W. of Lamar Avenue (92' Public R.O.W.); thence S39°42'48"W along said east R.O.W of Southwall a distance of 194.64' to a point of curvature; thence along a curve to the left along said R.O.W. having a radius of 238.52', an arc length of 72.85' to a point in the south line of Lot 4; thence leaving said R.O.W. and along the south line of Lot 4, S67°14'08"E a distance of 282.02' to a point; thence S60°12'12"E a distance of 11.45' to a point; thence N39°42'48"E a distance of 71.67' to a point; thence N50°12'12"W along a portion of Lot 6 as recorded in PB. 24, PG. 9 a distance of 100.00' to a point; thence N39°42'48"E a distance of 147.39' to a point in the south R.O.W. of said Lamar Avenue; thence following said south R.O.W. along a curve to the right, having a radius of 5768.92' an arc length of 94.09' to a point; thence continuing along said south R.O.W. N50°14'12"W a distance of 32.87' to a point of curvature; thence along a curve to the left having a radius of 23.00' an arc length of 36.14' to the Point of Beginning and containing 1.118 acres of land.

A one story block and wood building and additional wood building occupy this property and further identified as 2961 Lamar Avenue.

Address: 2961 Lamar Ave., Memphis, TN 38114

Parcel No.: 059025 00001C

AGENDA ITEM: 3

CASE NUMBER: SUP 2023-038 **L.U.C.B. MEETING:** April 11, 2024

LOCATION: 2961 Lamar Avenue

COUNCIL DISTRICT: District 4 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Khwaja Nihal

REPRESENTATIVE: Denesha Smith

REQUEST: Special Use Permit to allow sale of new and used tires in the Commercial Mixed Use – 1 (CMU-1 District)

AREA: +/-1.118 acres in total

EXISTING ZONING: Commercial Mixed-Use-1 (CMU-1)

CONCLUSIONS

1. The applicant is requesting a special use permit to allow an auto repair (sale new and used tires) at the subject property.
2. The subject property has previously been utilized for vehicle sales (Hill Stop Motors), but the use has lapsed for a period of more than 365 days and the previous operation is no longer in compliance with the current Unified Development Code. An attempt was made in 2023 (SUP 2023-009) to re-establish auto sales as a use, but the applicant withdrew the application after receiving recommendations of rejection from both DPD Staff and the Land Use Control Board.
3. Per the previously approved comprehensive rezoning (Z 2020-004), the subject property has been downzoned from CMU-3 to CMU-1. This comprehensive zoning was an effort to reduce the promulgation of motor vehicle repair establishments along Lamar Avenue.
4. The granting of this special use permit will cause substantial detriment to the public good, it will substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), it will be injurious to the neighborhood and the general welfare, and it will not be in harmony with the purpose and intent of the UDC.

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 17-19 of this report.

RECOMMENDATION

Rejection

GENERAL INFORMATION

Street Frontage: Lamar Avenue +/-134 linear feet

Zoning Atlas Page: 2235

Parcel ID: 059025 00001C

Existing Zoning: Commercial Mixed-Use-1 (CMU-1)

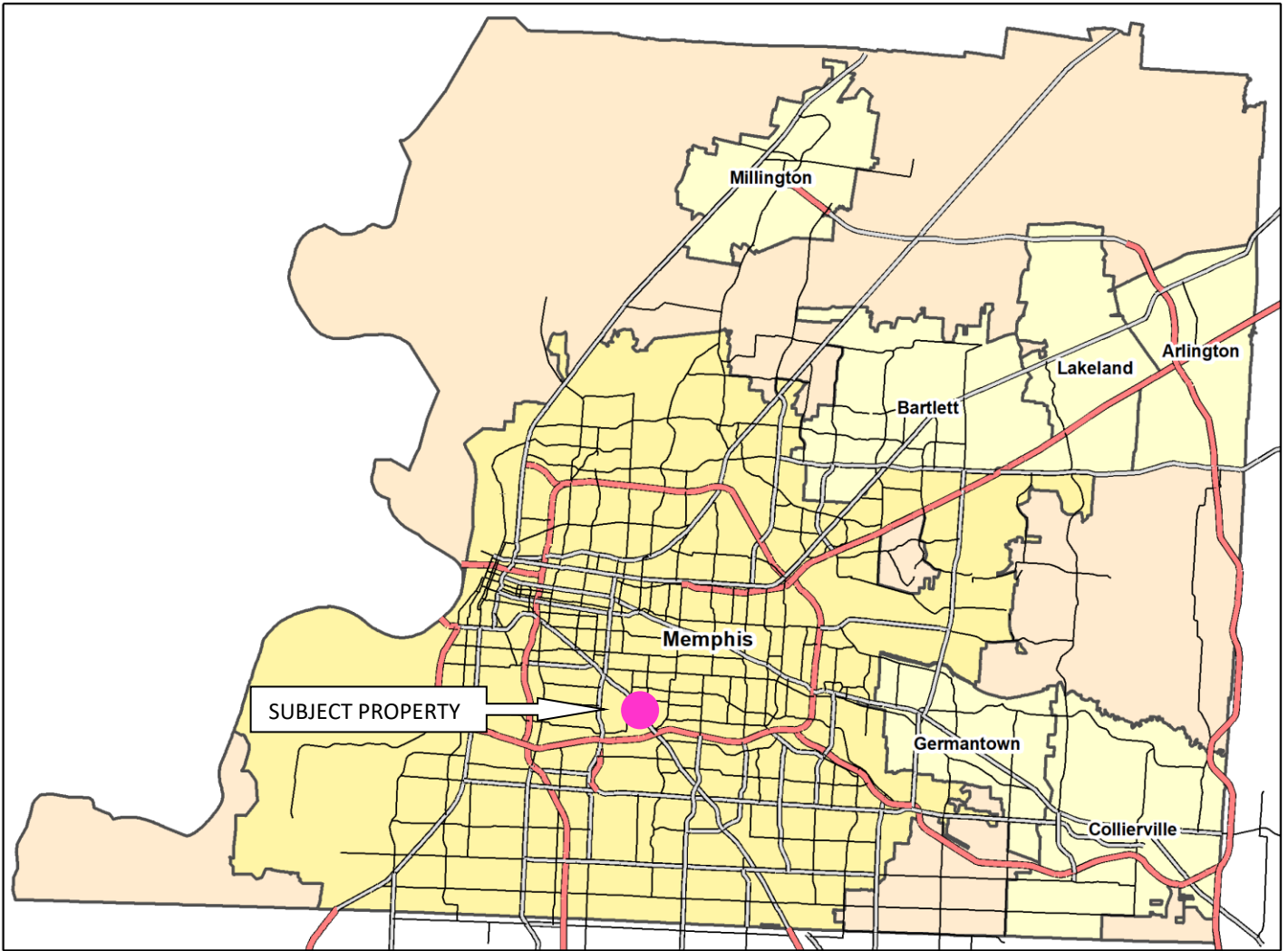
NEIGHBORHOOD MEETING

The meeting was held at 4:30 PM on Monday, March 25, 2024, at the Cherokee Library, 3300 Sharpe Ave, Memphis, TN, 38111.

PUBLIC NOTICE

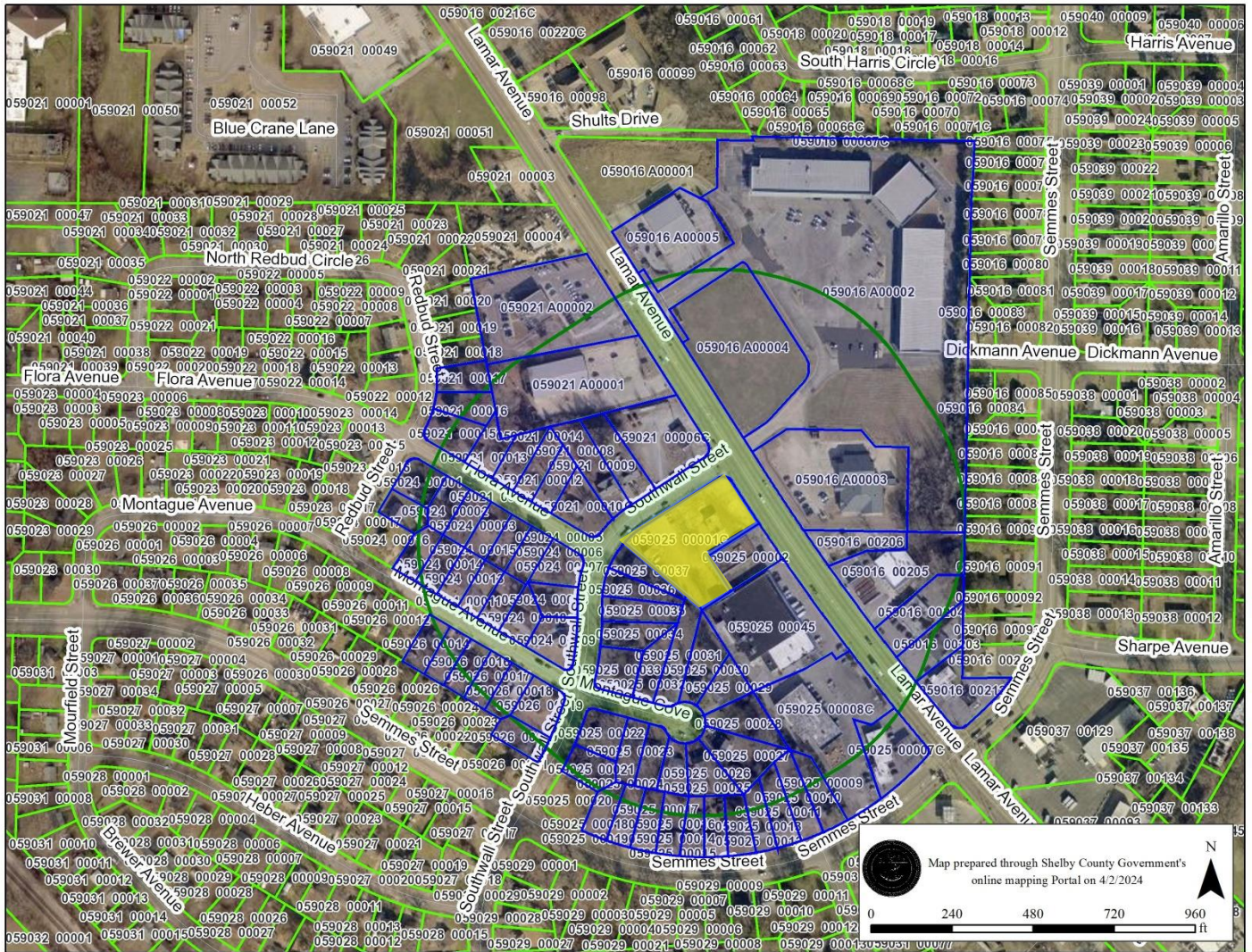
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 78 notices were mailed on December 19, 2023, and a total of 2 signs were posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle.

VICINITY MAP



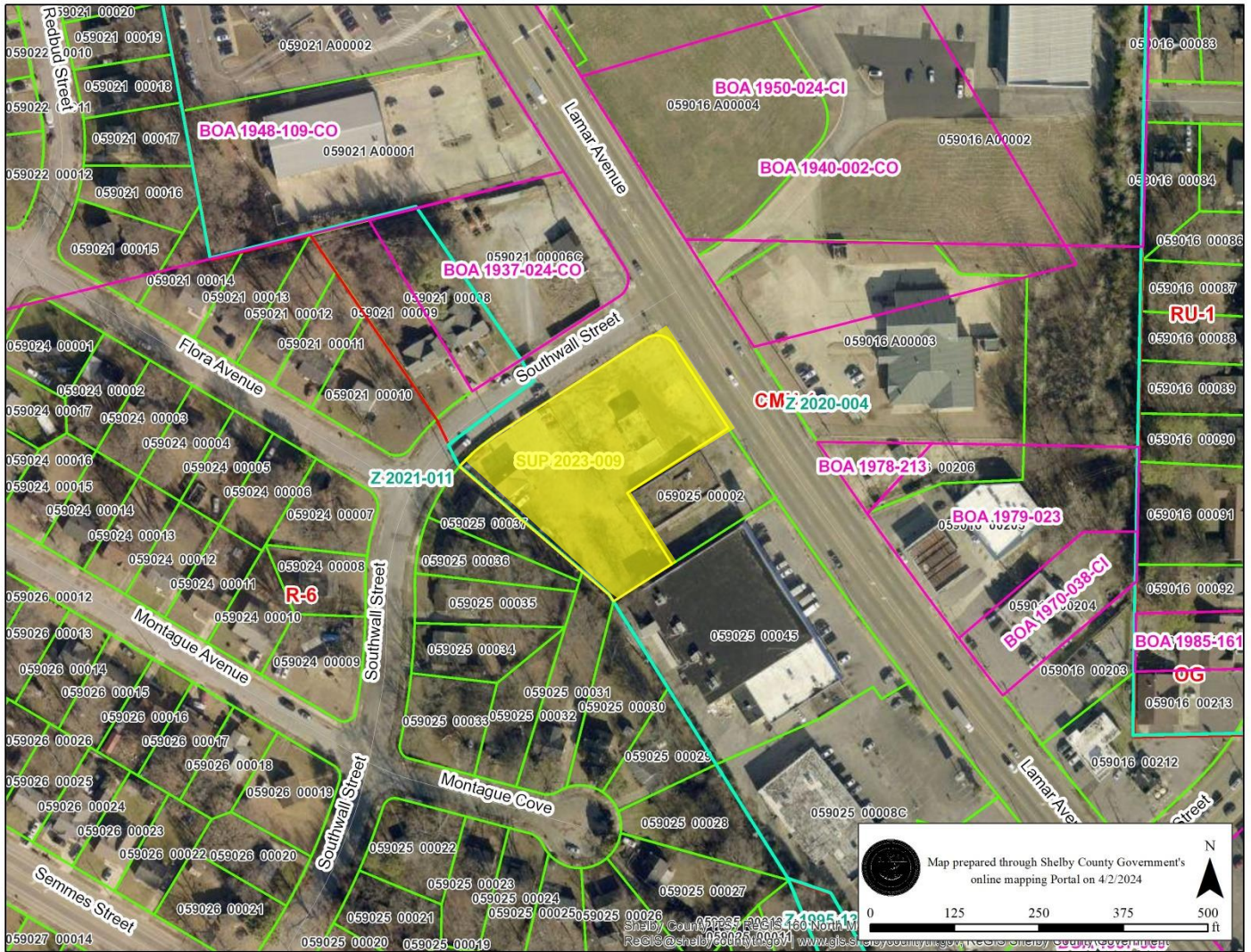
Site highlighted in yellow.

AERIAL



Subject property outlined in yellow.

ZONING MAP



Subject property is highlighted in yellow.

Existing Zoning: Commercial Mixed-use-1 (CMU-1)

Surrounding Zoning

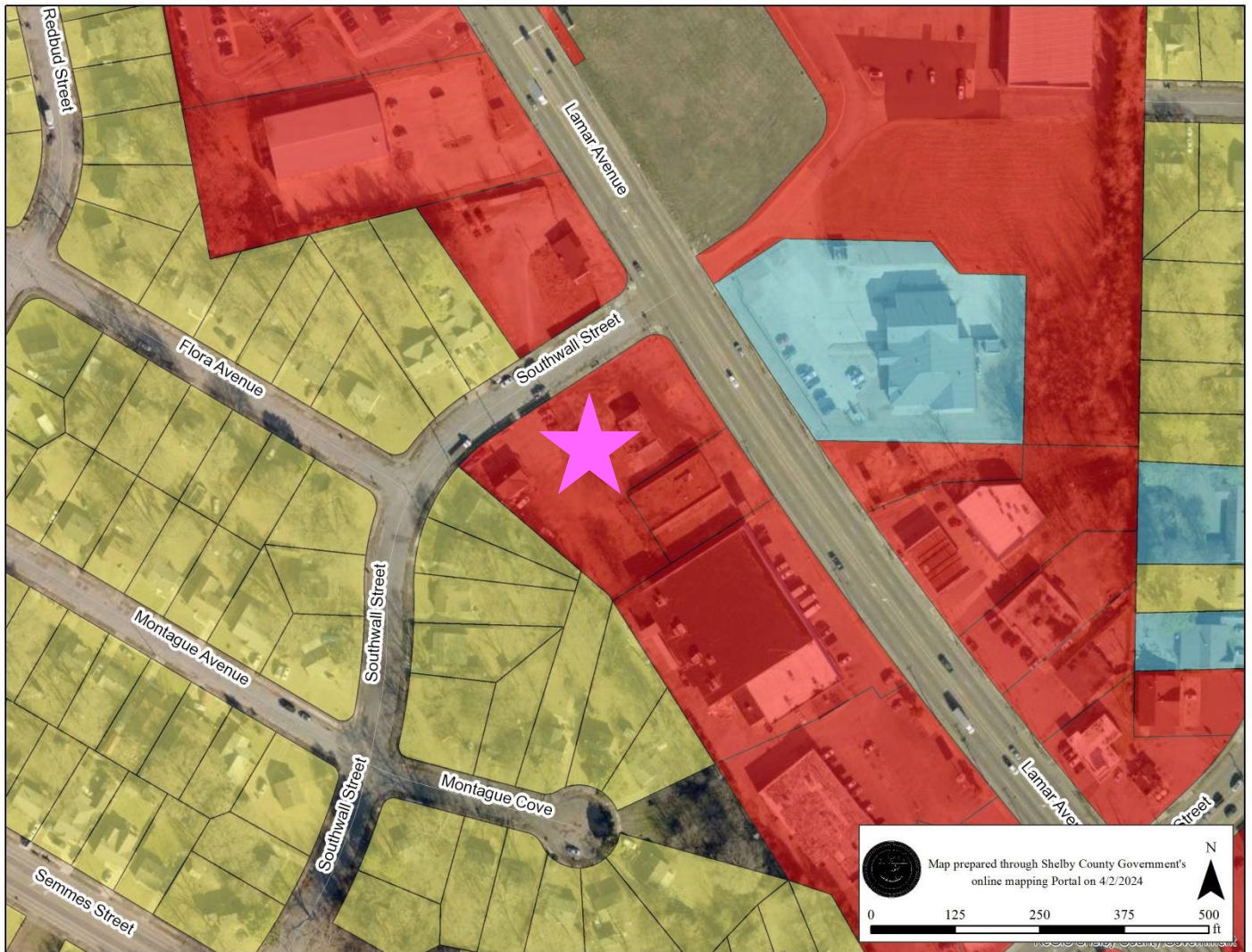
North: CMU-1

East: CMU-1

South: CMU-1, R-6

West: R-6

LAND USE MAP



Subject property indicated by a pink star.

SITE PHOTOS



View of the subject property looking East on Lamar Avenue.



View of the subject property looking from the front on Lamar Avenue.



View of the subject property looking West on Lamar Avenue.

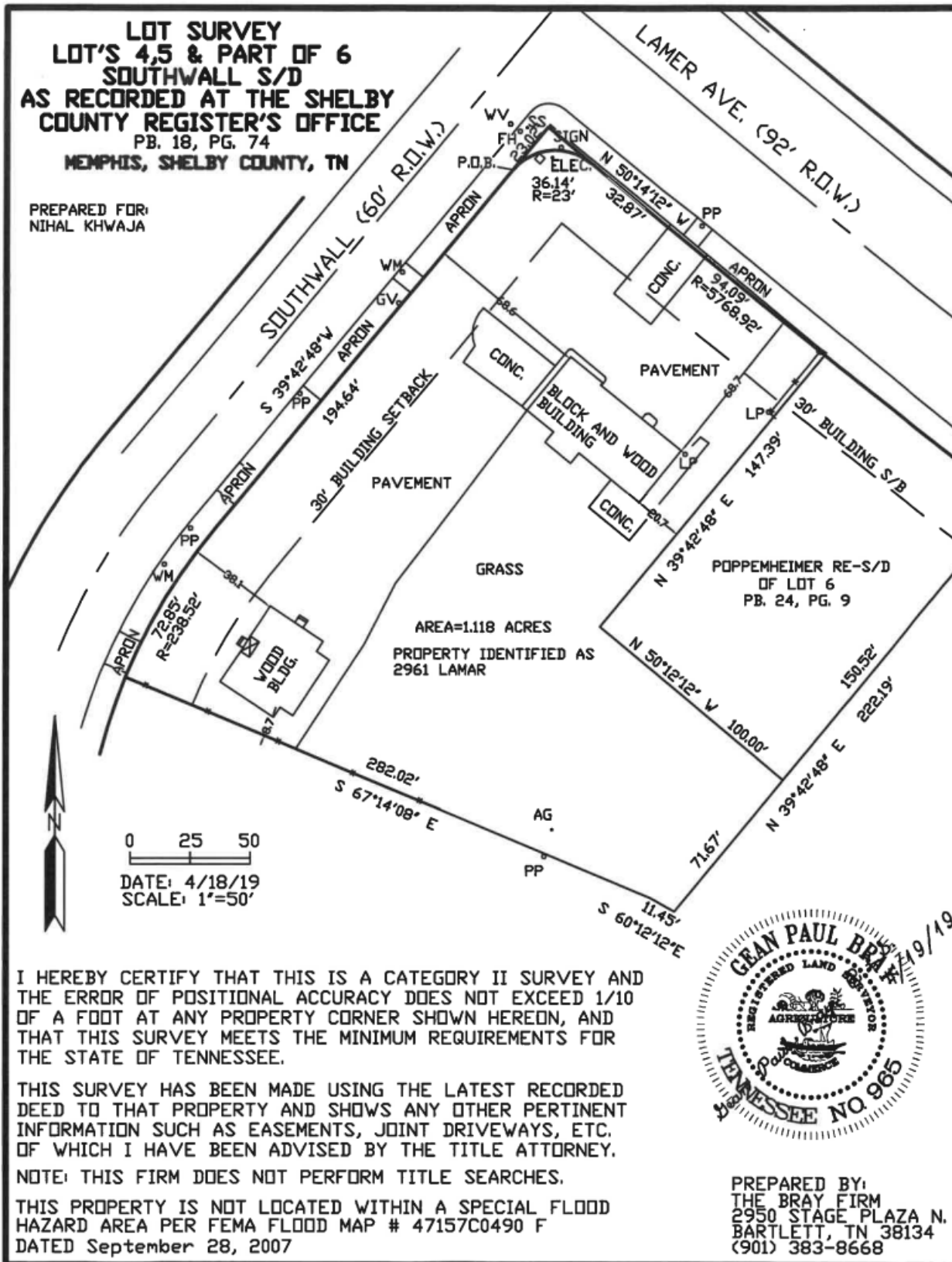


View of the subject property looking from Southwall Street.

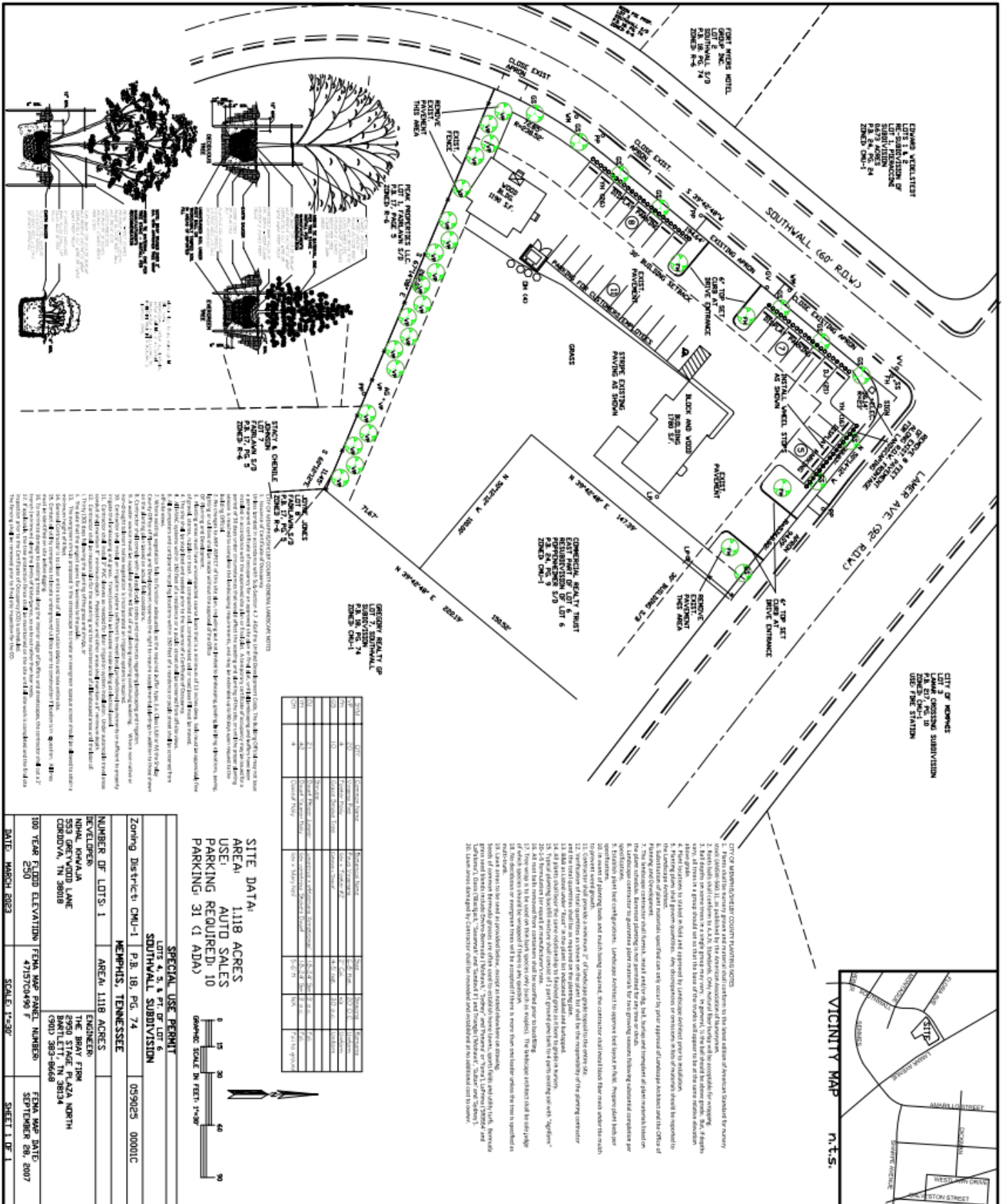


View of the subject property from above.

LOT SURVEY



SITE PLAN



STAFF ANALYSIS

Request

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

The request is for a special use permit to allow sales of new and used tires in the Commercial Mixed Use – 1 (CMU-1 District).

Approval Criteria

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

9.6.9 Approval Criteria

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

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

Site Description

The subject property contains +/-1.118 acres. The site is currently vacant, but in the past was a used car sales lot. Google Street View has an image of the property from September 2023, where it appears an illegal used tires sales business was operating (see page 30 of this report).

The site is nearly all hard-surfaced with concrete and asphalt. At least five driveway aprons exist, and chain link fencing is present along both street frontages.

Two buildings are present. One is block and wood, facing Lamar Avenue. The other building is wood-framed and faces Southwall Street. It appears that it has been a single-family home at one time.

It also appears that a detached, pole sign exists at the corner of Lamar Avenue and Southwall Street.

No streetscape landscaping or perimeter landscaping exists. The south property line of the site appears heavily vegetated with volunteer species, but this growth may be entirely on the abutting property to the south.

Site Zoning History

The current zoning is Commercial Mixed-Use-1 (CMU-1).

On September 01, 2020, the Council of the City of Memphis adopted Ordinance Number 5757 which downzoned the subject property from Commercial Mixed-Use-3 (CMU-3) to Commercial Mixed-Use-1 (CMU-1). See pages 24-29 of this report for said ordinance. This downzoning was part of a comprehensive rezoning (Z 2020-004). Part of the purpose of the downzoning was an effort to reduce the promulgation of more vehicle repair establishments.

Site Plan Review

The applicant appears to be using the same site plan that was filed for Case SUP 2023-009 when used auto sales was formerly applied for on this site. The existing buildings will remain, though the applicant does not say what their specific use will be.

The site plan indicates that three of the four existing driveway aprons will be closed on Southwall Street. One driveway apron will be provided on Lamar Avenue.

In terms of parking, the applicant indicates that while only 10 parking spaces are required, a total of 31 will be provided. Again, this is the same parking layout that was provided for the SUP 2023-009 application.

Streetscaping and interior landscaping is proposed. Any permitted fencing along Lamar Avenue and Southwall Street will have to be behind the required streetscaping areas.

Landscaping abutting the single-family homes along the south property line would consist of a double row of Virginia Pine Trees. A sight proof fence would also be required.

No site lighting plan is shown. A photometric plan will have to be provided if site lighting is added in the vicinity of the south property line or currently exists in this area.

Analysis

In some respects, the sale of new and used tires is more intrusive than the sale of automobiles. Many of these establishments are characterized by stacks of tires outside, be it tires for sale or tires removed from automobiles.

It seems more the exception than the rule that outdoor space at these sites is taken over by tires, even compromising landscaped areas and customer parking spaces. In some instances, the business morphs into other vehicle repair and service operations illegally simply because a type of auto repair is already occurring. On Page 30 is a photo of the aforementioned illegal tire sales that was occurring as of September 2023 on the site.

This helps reinforce the points made above.

Keeping in mind the purpose of the comprehensive downzoning that this property was a part of, introducing tire sales here defeats the purpose of the downzoning and introduces the promulgation of these type of businesses all over again. This site is at a primary single-family neighborhood entrance. A better use than vehicle repair is warranted.

The granting of this special use permit will cause substantial detriment to the public good, it will substantially impair the intent and purpose of an adopted plan or the Unified Development Code (UDC), it will be injurious to the neighborhood and the general welfare, and it will not be in harmony with the purpose and intent of the UDC.

RECOMMENDATION

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

Conditions

1. Outdoor display and sales shall be limited to the requirements of UDC Sub-Section 4.8.4A.
2. No tire inventory for sale or removed tires from automobiles shall be stored outside. All tires must be secured in either building shown on the site plan with the exception of the permitted display areas in Condition 1 above.
3. All existing non-conforming curb cuts shall be closed with curb, gutter, and sidewalk.
4. One curb cut shall be permitted to Lamar Avenue and one curb cut to Southwall Street only if a design and location is approved by the City Engineer.
5. Streetscape Plate Type S-10 or an equivalent approved by the Division of Planning and Development shall be provided along Lamar Avenue and Southwall Street.
6. A Class III Landscaping Buffer shall be provided along the south property line. DPD may approve an equivalent alternative.
7. The dumpster location and screening shall meet the requirements of UDC Sub-Section 4.6.8B.
8. The existing detached pole sign at the corner of Lamar Avenue and Southwall Street shall be upgraded to meet the current requirements for the Commercial Mixed-Use Districts (UDC Sub-Section 4.9.7D) or removed, and a new sign constructed that meets the requirements of UDC Sub-Section 4.9.7D.
9. No overnight parking of vehicles is permitted with the exception that vehicles may be parked overnight in the three available garage work bays attached to the Lamar Avenue facing building.

10. A photometric analysis will be provided if any lighting is provided within 50 feet of the south property line.

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.

Roads:

3. 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.
4. 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:

5. 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.
6. 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.
7. 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:

8. The City Engineer shall approve the design, number, and location of curb cuts.
9. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter, and sidewalk.
10. Will require engineering ASPR.
11. Close any unused curb cut with curb gutter, grass strip and sidewalk.
12. Will need to replace existing curb cuts with City of Memphis standard commercial curb cut.

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:

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: SUP 2023-038: Cherokee.

Site Address/Location: 2961 Lamar Avenue

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

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

Street Type: Parkway

The applicant is requesting a special use permit to allow vehicle repair (sale of new & used tires) in the Commercial Mixed Use-1 (CMU-1) district.

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

1. Future Land Use Planning Map



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

2. Land Use Description/Intent

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



“CSL” Form & Location Characteristics

Commercial and services uses, 1-4 stories height.

“CSL” Zoning Notes

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

Existing, Adjacent Land Use and Zoning

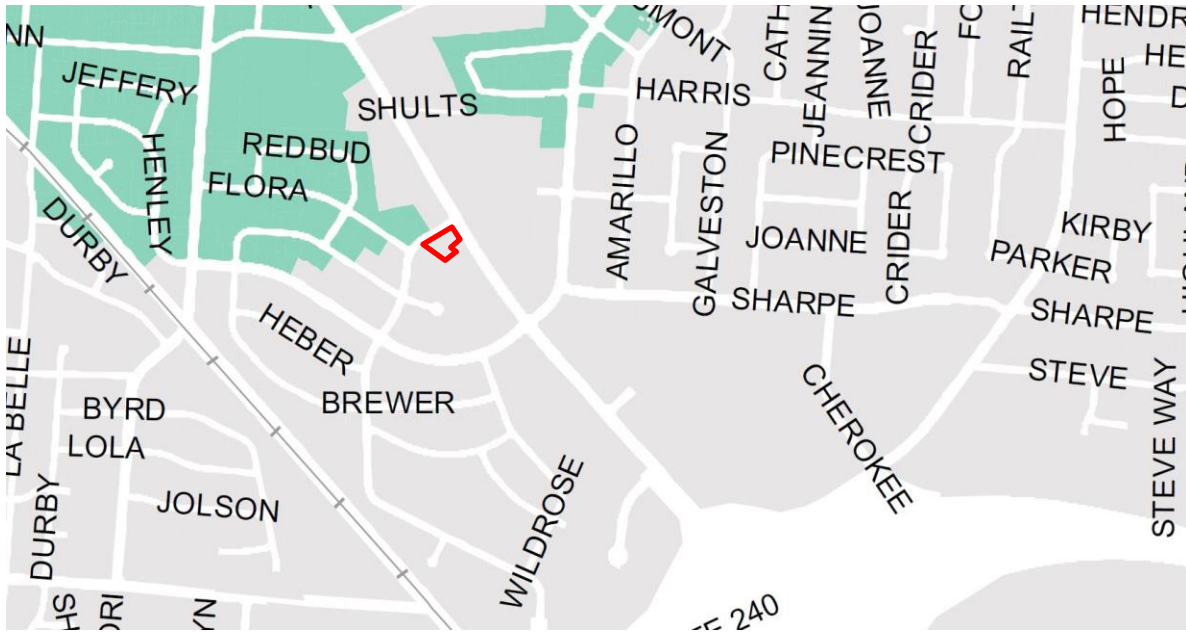
Existing Land Use and Zoning: Commercial, CMU-1

Adjacent Land Use and Zoning: Commercial, Single-Family; CMU-1, R-6

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 proposal to allow new & used tires sale and repair is too intense for low-intensity commercial and is incompatible with the neighboring residential. Additionally, the parcel was part of a rezoning, approved by the City Council in May 2020, along the Lamar Avenue Corridor. The*

purpose of the rezoning was to discourage future auto-centric uses along the corridor. Therefore, the requested use is inconsistent.

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 requesting a special use permit to allow vehicle repair (sale of new & used tires) in the Commercial Mixed Use-1 (CMU-1) district.

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 proposal to allow new & used tires sale and repair is too intense for low-intensity commercial and is incompatible with the neighboring residential. Additionally, the parcel was part of a rezoning, approved by the City Council in May 2020, along the Lamar Avenue Corridor. The purpose of the rezoning was to discourage future auto-centric uses along the corridor. Therefore, the requested use is inconsistent.

Based on the information provided, the proposal is NOT CONSISTENT with the Memphis 3.0 Comprehensive Plan.

DPD REQUIREMENTS OF RECOMMENDED CONDITION 1

4.8.3 Permitted by District Table

Outdoor storage and display is allowed by district as designated below. Outside storage and display may be allowed in a district not specifically designated in accordance with the special exception process (see Chapter 9.14).

	Blank Cell = Not Permitted ■ = Permitted										
	RW	OG	CMU-1	CMU-2	CMU-3	CBD	CMP-1	CMP-2	EMP	WD	IH
Outdoor Display and Sales			■	■	■	■	■	■	■	■	■
Limited Outdoor Storage				■	■	■	■	■	■	■	■
General Outdoor Storage									■	■	■

4.8.4 Categories of Outside Storage and Display

Outside storage and display is classified as follows.

A. Outdoor Display and Sales

1. Outdoor display is the outdoor display of products actively available for sale. The outdoor location of soft drink, liquid propane gas storage racks, ice storage bins, or similar vending machines shall be considered outdoor display. Outdoor display shall not include merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers (such merchandise shall be considered limited or general outdoor storage).
2. Outdoor display shall be permitted in association with any permitted nonresidential use (in accordance with Section 4.8.3) following review and approval of a site plan illustrating the extent of the permitted area for outdoor display provided it meets the standards below.
 - a. Outdoor display shall be permitted adjacent to the building façade of the principal use and shall extend no more than eight feet from the façade.
 - b. Outdoor display shall be located no closer than five feet from any public entrance.
 - c. Outdoor display shall occupy no more than 30% of the horizontal length of the building façade.
 - d. Outdoor display shall not impair the ability of pedestrians to use the sidewalk or parking areas.
 - e. Outdoor display shall not be located in parking or vehicular use areas.

APPLICATION



Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Pending

Opened Date: December 8, 2023

Record Number: SUP 2023-038

Expiration Date:

Record Name: -

Description of Work: VEHICLE REPAIR - TIRE SHOP

Parent Record Number:

Address:

2961 LAMAR AVE, MEMPHIS 38114

Owner Information

Primary	Owner Name
Y	KHWAJA NIHAL

Owner Address	Owner Phone
533 GREYWOOD LN, CORDOVA, TN 38018	

Parcel Information

059025 00001C

Data Fields

PREAPPLICATION MEETING

Name of OPD Planner	NONE
Date of Meeting	-
Pre-application Meeting Type	-

GENERAL PROJECT INFORMATION

Application Type	New Special Use Permit (SUP)
------------------	------------------------------

GENERAL PROJECT INFORMATION

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

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

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

APPROVAL CRITERIA

A) The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare NO IT WILL NOT

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 YES

UDC Sub-Section 9.6.9C YES

UDC Sub-Section 9.6.9D NO

UDC Sub-Section 9.6.9E YES

UDC Sub-Section 9.6.9F NO. THERE'S USED TIRE SHOPS ON LAMAR AND AUTO MECHANIC SHOPS ON LAMAR ALSO.

GIS INFORMATION

Case Layer -

Central Business Improvement District No

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

EHSAN MOHAMMED

Contact Type

APPLICANT

Address

LETTER OF INTENT

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

RE: Special Use Permit – Auto Repair (Sale of New & Used Tires)

Lot 4, 5, and part of Lot 6
Southwall Subdivision (P.B. 18. Pg. 74)
2961 Lamar Ave
Memphis, TN 38114

Please find attached an application for a Special Use Permit to allow auto repair (sale of new & used tires) at the above captioned property. This property has previously been utilized for vehicle repair (auto sales) but the uses had lapsed for a period of more than 365 days. Previous site improvements are existing on the site but the previous operations were not in compliance with the current Unified Development Code. Modifications to the site to bring the site in compliance with existing UDC regulations are shown on the attached plan.

ATTESTED RESOLUTION

ORDINANCE NO: 5757

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, SO AS TO MAKE CERTAIN CHANGES IN THE USE DISTRICTS PROVIDED IN SAID ORDINANCE

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 20-4**; and

WHEREAS, the Memphis and Shelby County Land Use Control Board reviewed this proposal on 14 May 2020 and has filed its recommendation, and the Office 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 proposal pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said proposal is consistent with the Memphis 3.0 Comprehensive 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 articulated in the attached table.

SECTION 2:

THAT, the Administrator of the Office 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 Chair 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:

THE FOREGOING ORDINANCE
5757 PASSED
1st Reading 7-21-2020
2nd Reading 8-4-2020
3rd Reading 9-01-2020
Approved Patrice G. Robinson
Chairman of Council

Date Signed: 9/3/2020

[Signature]
APPROVED
Mayor, City of Memphis

Date Signed: 9/14/20

I hereby certify that the foregoing is a true
copy, and said document was adopted by the
Council of the City of Memphis as above indi-
cated and approved by the Mayor.
Valerie C. Sripis
Comptroller

TABLE WITH DATA ON EACH AFFECTED PARCEL

Lamar Report Label	PARCEL ID	Current Zoning	Proposed Rezoning	Property Address	Owner Name
1	059031 00083	CMU-3	CMU-1	3039 LAMAR AVE	BARRASSO ANTHONY J
2	059031 00084	CMU-3	CMU-1	3061 LAMAR AVE	FLOIED GLENN Z
3	059031 00085	CMU-3	CMU-1	3073 LAMAR	FLOIED GLEN Z
4	059031 00087	CMU-3	CMU-1	3095 LAMAR AVE	DARRAS ABDEL AND ANWER ALMOMANI
5	059031 00104	CMU-3	CMU-1	3075 LAMAR AVE	LIBERTY INN OF MEMPHIS INC
6	059031 00109	CMU-3	CMU-1	3023 LAMAR AVE	S AND T LLC
7	059031 00110	CMU-3	CMU-1	3015 LAMAR AVE	BEST CORNER EXPRESS LLC
8	059031 00111	CMU-3/CMU-3(FP)	CMU-1/CMU-1 (FP)	0 JOHN PAUL DR	L AND W SUPPLY CORP
9	059037 00088	CMU-3	CMU-1	3108 LAMAR AVE	HENG SOPHEAP
10	059037 00089C	CMU-3	CMU-1	3096 LAMAR AVE	RAMERIZ RAPHAEL & ALICIA
11	059037 00092	CMU-3	CMU-1	3050 LAMAR AVE	FLOIED GLENN Z
12	059037 00093	CMU-3	CMU-1	3028 LAMAR AVE	AREC 7 LLC
13	059037 00125	CMU-3	CMU-1	3080 LAMAR AVE	AL CIELO IGLESIA C P
14	059037 00128	CMU-3	CMU-1	3060 LAMAR AVE	FLOIED GLENN
15	059037 00129	CMU-3	CMU-1	3020 LAMAR AVE	AREC 7 LLC
16	059037 00149	CMU-3	CMU-1	3088 LAMAR AVE	WALKER PHILLIPS P
17	047073 00034	CMU-3	CMU-1	0 LAMAR AVE	DOZIER CARROLL T REV BISHOP
18	047020 00027C	CMU-3	CMU-1	2277 LAMAR AVE	SYKES O T
19	047020 00038C	CMU-3	CMU-1	1489 AIRWAYS BLVD	TOWER VENTURES CRE LLC
20	047020 00121	CMU-3	CMU-1	2279 LAMAR AVE	LAMAR INVESTMENTS LLC
21	047021 00014	CMU-3	CMU-1	2294 LAMAR	AHN KHUN B
22	047021 00015	CMU-3	CMU-1	2284 LAMAR AVE	FIRST NATIONAL BANK OF MEMPHIS
23	047021 00017	CMU-3	CMU-1	2306 LAMAR AVE	LAMAR PETROLEUM INC
24	047021 00018	CMU-3	CMU-1	2244 LAMAR AVE STE 101-102	SEVEN BROTHERS PROPERTIES LLC
25	047021 00019	CMU-3	CMU-1	2246 PARK AVE	SEVEN BROTHERS PROPERTIES LLC
26	047022 00002	CMU-3	CMU-1	2320 LAMAR AVE	ZAM GROUP TN LLC
27	047022 00003	CMU-3	CMU-1	0 LAMAR AVE	MCCREIGHT MALCOLM
28	047023 00001	CMU-3	CMU-1	2315 LAMAR AVE	BURKL TANJO AND HONG STRAW
29	047023 00013C	CMU-3/CMU-2	CMU-1	2300 LAMAR	AUTO SHACK INC
30	047057 00001	CMU-3	CMU-1	0 LAMAR	MONUMENT OF LOVE BAPTIST CH
31	047058 00001C	CMU-3	CMU-1	2567 LAMAR	COTHRAN CHARLIE L
32	047058 00004	CMU-3	CMU-1	2587 LAMAR AVE	COTHRAN CHARLES
33	047059 00001	CMU-3	CMU-1	2471 LAMAR AVE	LE PHUONG
34	047061 00051	CMU-3	CMU-1	2414 LAMAR AVE	COOPERWOOD BEVERLY
35	047061 00053	CMU-3	CMU-1	2402 LAMAR AVE	BASMA BASMAN AND FAHAD SAYANI
36	047061 00054	CMU-3	CMU-1	2398 LAMAR AVE	MOSLEY JOHN D
37	047061 00055	CMU-3	CMU-1	2394 LAMAR AVE	GRAY THURMAN & BONNIE J
38	047061 00056	CMU-3	CMU-1	2390 LAMAR CIR	MEEKINS RICHARD D
39	047059 00041C	CMU-3	CMU-1	2507 LAMAR AVE	LUNA VICTOR AND OLGA LUNA
40	047059 00011	CMU-3	CMU-1	2523 LAMAR AVE	SYKES O T
41	047059 00012C	CMU-3	CMU-1	2531 LAMAR AVE	WELLS AUGUSTA M (ESTATE OF)
42	047059 00038	CMU-3	CMU-1	2549 LAMAR AVE	POWER CLEANING EQUIPMENT LLC
43	047060 00002C	CMU-3	CMU-1	2355 LAMAR AVE	O'REILLY AUTOMOTIVE, INC
44	047060 00003	CMU-3	CMU-1	2367 LAMAR AVE	PATRICK TONY
45	047060 00004	CMU-3	CMU-1	2369 LAMAR AVE	FARRIS TRISH M
46	047060 00005	CMU-3	CMU-1	2373 LAMAR AVE	ALLIED CLINIC LLC
47	047060 00006	CMU-3	CMU-1	2377 LAMAR AVE	AMERICAN PROPERTIES CO G P
48	047060 00007	CMU-3	CMU-1	2383 LAMAR AVE	AMERICAN PROPERTIES CO GP

Lamar Report Label	PARCEL ID	Current Zoning	Proposed Rezoning	Property Address	Owner Name
50	047060 00008	CMU-3	CMU-1	2391 LAMAR AVE	AMERICAN PROPERTIES COMPANY LP
51	047060 00009	CMU-3	CMU-1	2399 LAMAR AVE	HOURN HOUN AND VIRAK HEAN
52	047060 00010	CMU-3	CMU-1	2403 LAMAR AVE	HEAN VIRAK AND HOUN HOUN
53	047060 00011	CMU-3	CMU-1	0 LAMAR AVE.	MITCHELL RONNIE L
54	047060 00012	CMU-3	CMU-1	2411 LAMAR AVE	MITCHELL RONNIE
55	047060 00013	CMU-3	CMU-1	2417 LAMAR AVE	STEELE-GULTNER INC
56	047060 00014C	CMU-3	CMU-1	2421 LAMAR AVE	MONRO INC null
57	047060 00017	CMU-3	CMU-1	2443 LAMAR AVE	TAYLOR DEREK & ZIAN
58	047060 00019	CMU-3	CMU-1	2455 LAMAR AVE	NEW HOPE CHURCH OF GOD IN CHRIST (TRS)
60	047061 00001C	CMU-3	CMU-1	2348 LAMAR AVE	SOUND BEACH POSTAL LLC AND CALVERTON
61	047061 00032C	CMU-3	CMU-1	2508 LAMAR AVE	MCKEE CONSTANCE AND ARCHER A COLEMAN
62	047061 00040	CMU-3	CMU-1	2524 LAMAR AVE	SHELBY COUNTY TAX SALE 16.02
63	047061 00041	CMU-3	CMU-1	2518 LAMAR AVE	HERRERA HUGO AND CAMILA MEDINA AND HUGO A HERRERA MEDINA (RS)
64	047061 00044	CMU-3	CMU-1	2504 LAMAR AVE	2504 LAMAR AVE LAND TRUST
65	047061 00045	CMU-3	CMU-1	2500 LAMAR AVE	CHURCH OF GOD IN CHRIST INC
66	047061 00046	CMU-3	CMU-1	2466 LAMAR AVE	DIAMOND INVESTMENTS AND MANAGEMENT INC
68	047061 00050	CMU-3	CMU-1	2426 LAMAR AVE	IVY ALTON
75	047061 00088	CMU-3	CMU-1	2378 LAMAR AVE	CONOVER INN LLC
76	047061 00089	CMU-3	CMU-1	2448 LAMAR AVE	DIAMOND INVESTMENTS AND MANAGEMENT INC
78	047063 00031	CMU-3	CMU-1	1622 HAMILTON ST	RAMOS-CRUZ IGNACIO S AND J PROPERTY HOLDINGS LLC
79	047071 00001	CMU-3	CMU-1	2542 LAMAR AVE	CRAINE JERRY
80	047071 00018	CMU-3	CMU-1	2618 FIZER RD	PARKER MARIO
81	047071 00019C	CMU-3	CMU-1	2614 LAMAR AVE	CRAINE JERRY
82	047071 00021	CMU-3	CMU-1	2598 LAMAR AVE	CRAINE JERRY
83	047071 00022	CMU-3	CMU-1	2590 LAMAR AVE	CRAINE JERRY
84	047071 00023	CMU-3	CMU-1	0 LAMAR AVE	FIELDS BRIAN H
85	047071 00024	CMU-3	CMU-1	2574 LAMAR AVE	MACK-CATRON LUCILLE AND MELANA
86	047071 00025	CMU-3	CMU-1	2560 LAMAR AVE	SABEHA KHALED
87	047071 00026	CMU-3	CMU-1	2566 LAMAR AVE	SABEHA KHALED H
88	047072 00001	CMU-3	CMU-1	0 LAMAR AVE	CITY OF MEMPHIS
89	047073 00029	CMU-3	CMU-1	2754 LAMAR AVE	LAMAR COMMONS LLC
90	047073 00030	CMU-3	CMU-1	2764 LAMAR AVE	DAVIS CLEO (DBA) ALL ABOUT US
91	047073 00031	CMU-3	CMU-1	2772 LAMAR AVE	LGP REALTY HOLDINGS LP
92	047073 00032	CMU-3	CMU-1	2748 LAMAR AVE	LAMAR COMMONS LLC
93	047073 00033	CMU-3	CMU-1	2718 LAMAR AVE	DOZIER CARROLL T REV BISHOP
94	047073 00035	CMU-3	CMU-1	2700 LAMAR AVE	CARVER REALTY CO
96	047073 00039	CMU-3	CMU-1	2656 LAMAR AVE	MOORE TENNESSEE INVESTMENT SERVICES TRUST
97	047073 00040C	CMU-3	CMU-1	2648 HIGHWAY 78	PAYNE DAVID E
98	047073 00042	CMU-3	CMU-1	2642 LAMAR AVE	KIM SANG W & HYUN-JOO
99	047073 00043	CMU-3	CMU-1	2636 LAMAR AVE	KIM SANG W & HYUN-JOO
100	047073 00044	CMU-3	CMU-1	2684 LAMAR AVE	ALSHUJAA KAMAL
103	047074 00001C	CMU-3	CMU-1	2657 LAMAR AVE	PRICE CATHERINE
104	047074 00003C	CMU-3	CMU-1	2669 LAMAR AVE	NATIONAL CITIES CORP
106	047074 00005	CMU-3	CMU-1	2689 LAMAR AVE	MEMPHIS CITY OF
108	047074 00006	CMU-3	CMU-1	LAMAR AVE	MEMPHIS CITY OF
107	047076 00001	CMU-3	CMU-1	2713 LAMAR AVE	BROOME OTHA L
108	047076 00002	CMU-3	CMU-1	2731 LAMAR AVE	HILL DARIUS E
109	047076 00003	CMU-3	CMU-1	2737 LAMAR AVE	ALLEN DONALD W

Lamar Report Label	PARCEL ID	Current Zoning	Proposed Rezoning	Property Address	Owner Name
110	047076 00004	CMU-3	CMU-1	2739 LAMAR AVE	ELKHAYYAT FAYEZ
111	047077 00043	CMU-3/R-6	CMU-1	2759 LAMAR AVE	BLOOMINGDALE INVESTMENTS LLC
112	047077 00044	CMU-3	CMU-1	0 LOWELL AVE	KIM EUGENE J
113	047078 00017C	CMU-3	CMU-1	2757 KIMBALL AVE	PAK YONG T AND HYON K HAN
114	059011 00069	CMU-3	CMU-1	2778 E E KIMBALL	SKEFOS HARRY J
					FUNDAMENTALS 1ST LEARNING ACADEMY LLC
115	059016 00098	CMU-3	CMU-1	2904 LAMAR AVE	MURSHED MAHMOUD
117	059016 00121	CMU-3	CMU-1	2850 LAMAR AVE	JONES MORRIS G
118	059016 00203	CMU-3	CMU-1	2992 LAMAR AVE	YOUNIS TAREQ
119	059016 00204	CMU-3	CMU-1	2990 LAMAR AVE	SHAH ALI SHAH LLC
120	059016 00205	CMU-3	CMU-1	2986 LAMAR AVE	CONDORI CARLOS
121	059016 00206	CMU-3	CMU-1	2972 LAMAR AVE	PAIK PAUL M & MIJA
122	059016 00212	CMU-3	CMU-1	3004 LAMAR AVE	VISTA LAMAR HOSPITALITY LLC
123	059016 00216C	CMU-3	EMP	2876 LAMAR AVE	KUMAR PUNAM
124	059016 00220C	CMU-3/RU-1	CMU-1	2896 LAMAR AVE	BHAKTA MOHANBAI
126	059016 A00001	CMU-3	CMU-1	0 LAMAR AVE	LAMAR CROSSING SHOPPING CENTER EQUITIES
128	059016 A00002	CMU-3	CMU-1	2926 LAMAR AVE	CITY OF MEMPHIS
127	059016 A00003	CMU-3	CMU-1	0 LAMAR AVE	MH STORES INC
128	059016 A00004	CMU-3	CMU-1	0 LAMAR AVE	FSC FD MEMPHIS TN LLC
129	059016 A00005	CMU-3	CMU-1	2920 LAMAR AVE	YOUNG ACTORS GUILD INC
130	059017 00001	CMU-3	CMU-1	2788 LAMAR AVE	PRICE WARREN & ELLA
131	059017 00033C	CMU-3	CMU-1	2836 LAMAR AVE	PRICE WARREN
132	059017 00037	CMU-3	CMU-1	2830 LAMAR AVE	YI YONG S & BOK H
133	059017 00038	CMU-3	CMU-1	2824 LAMAR AVE	JANET ANTHONY
134	059017 00039	CMU-3	CMU-1	2802 LAMAR AVE	UNION PLANTERS NATIONAL BANK
135	059017 00041	CMU-3	CMU-1	2800 LAMAR AVE	MEMPHIS FOODS LLC
138	059019 00002	CMU-3	CMU-1	2785 LAMAR AVE	HERRERA MARTIN T & ADA M C ZAMORA
137	059019 00003	CMU-3	CMU-1	2803 LAMAR AVE	HERRERA MARTIN T & ADA M C ZAMORA
138	059019 00004	CMU-3	CMU-1	2807 LAMAR AVE	B & W PROPERTIES
138	059019 00005	CMU-3	CMU-1	2809 LAMAR AVE	B & W PROPERTIES
140	059019 00006	CMU-3	CMU-1	0 LAMAR AVE	MOLME ABDI A
141	059019 00008	CMU-3	CMU-1	2861 LAMAR AVE	CHANEY JOSEPHINE M
142	059019 00009	CMU-3	CMU-1	2865 LAMAR AVE	GREER JOE C
143	059019 00027	CMU-3	CMU-1	2833 LAMAR AVE	GREER JOE C
144	059019 00028	CMU-3	CMU-1	2829 LAMAR AVE	HOWARD JAMES E & MARTHA L
146	059021 00003	CMU-3	CMU-1	2905 LAMAR AVE	COLE SHERMAN E & WILLIE J
148	059021 00004	CMU-3	CMU-1	2915 LAMAR AVE	WEDELSTEDT EDWARD J
147	059021 00006C	CMU-3	CMU-1	2947 LAMAR AVE	ALDI INC
148	059021 00049	CMU-3	CMU-1	2877 LAMAR AVE	LAMAR INC
148	059021 00051	CMU-3	CMU-1	0 LAMAR AVE	REALTY INCOME PROPERTIES 30 LLC
160	059021 A00001	CMU-3	CMU-1	2939 LAMAR AVE	MEMPHIS CITY OF L G & W
161	059021 A00002	CMU-3	CMU-1	2935 LAMAR AVE	KHWAJA NIHAJ
162	059025 00001C	CMU-3	CMU-1	2991 LAMAR AVE	JOHNSTON WALLACE E JR
163	059025 00002	CMU-3	CMU-1	2975 LAMAR AVE	LOEB REALTY L P
164	059025 00007C	CMU-3	CMU-1	3001 LAMAR AVE	AMERICAN PROPERTIES CO L P
166	059025 00008C	CMU-3	CMU-1	2995 LAMAR AVE	AMERICAN PROPERTIES CO L P
168	059025 00045	CMU-3	CMU-1	2987 LAMAR AVE	MCDONALD'S REAL ESTATE CO
167	061004 00078	CMU-3	CMU-1	1472 S TREZEVANT ST	SPENCER REAL ESTATE CO
168	031103 00001	CMU-3 (MDO)	CMU-1 (MDO)	2014 LAMAR AVE	COLE DONOVAN
168	031103 00002	CMU-3 (MDO)	CMU-1 (MDO)	2016 LAMAR AVE	SPENCER REAL ESTATE CO
160	031103 00003	CMU-3 (MDO)	RU-1 (MDO)	0 E LAMAR AVE	

Lamar Report Label	PARCEL ID	Current Zoning	Proposed Rezoning	Property Address	Owner Name
161	031073 00003	CMU-3 (H) (MDO)	CMU-1 (H) (MDO)	1883 E LAMAR AVE	CGIENT LLC SERIES 1883 LAMAR
162	031105 00030	CMU-3/RU-3 (MDO)	CMU-1 (MDO)	1916 LAMAR AVE	MILLAR DOUGLAS D
163	031105 00031	CMU-3 (MDO)	CMU-1 (MDO)	1912 LAMAR AVE	MILLARD DOUGLAD D
164	031105 00032	CMU-3 (MDO)	CMU-1 (MDO)	1915 E MCLEMORE AVE	MONTOYA IVAN
165	031105 00033	CMU-3 (MDO)	CMU-1 (MDO)	1904 LAMAR	HESTER SONJA R
166	031105 00034	CMU-3 (MDO)	CMU-1 (MDO)	1900 LAMAR	ASFAW SEBLE W
167	031114 00001C	CMU-3 (MDO)	RU-1 (MDO)	1886 LAMAR	URBAN FAMILY MINISTRIES
168	031114 00003	CMU-3 (MDO)	RU-1 (MDO)	1890 E MCLEMORE AVE	ASKEW EDMOND
169	031114 00004	CMU-3 (MDO)	RU-1 (MDO)	1894 E MCLEMORE AVE	SHAW JOHN E & LINDA
170	031114 00005	CMU-3 (MDO)	RU-1 (MDO)	1898 E MCLEMORE AVE	SHAW JOHN E & LINDA
171	015008 00004	CMU-3 (MDO)	RU-4 (MDO)	775 MELROSE ST	MELROSE MIDTOWN LLC
172	015008 00005	CMU-3 (MDO)	RU-4 (MDO)	1442 LAMAR AVE	MELROSE MIDTOWN LLC
173	015008 A00001C	CMU-3/RU-4 (RC) (MDO)	RU-4 (RC) (MDO)	1387 CENTRAL AVE	VENUE APARTMENTS LLC
174	015009 00001	CMU-3 (MDO)	RU-4 (MDO)	0 LAMAR AVE	LIPINISKI MARTIN E & LINDA F
175	015009 00002	CMU-3 (MDO)	CMU-1 (MDO)	1377 LAMAR AVE	ALFUNCOON INC
176	015009 00003C	CMU-3 (MDO)	CMU-1 (MDO)	1385 LAMAR AVE	BREATH OF LIFE SEVENTH DAY ADVENTIST CHU
177	015009 00005	CMU-3 (MDO)	RU-4 (MDO)	0 LAMAR AVE	BREATH OF LIFE SEVENTH DAY ADVENTIST CHU
178	015009 00006	CMU-3 (MDO)	RU-4 (MDO)	1403 LAMAR AVE	SCHUERMAN JOHN
179	015009 00007	CMU-3 (MDO)	RU-4 (MDO)	1407 LAMAR AVE	HAILE TSEGAYE
180	015009 00008	CMU-3 (MDO)	RU-4 (MDO)	1421 LAMAR AVE	DELIMITROS MARY
181	015015 00011	CMU-3/EMP (MDO)	EMP (MDO)	1449 LAMAR AVE	DACUS JAMES T & JEFFIE M
182	015015 00028	CMU-3 (MDO)	EMP (MDO)	1443 LAMAR AVE	DACUS JAMES T JR AND EDWARD T DACUS
183	015029 00022	CMU-3 (MDO)	EMP (MDO)	1458 LAMAR AVE	MELROSE MIDTOWN LLC
184	015001 00073	CMU-3 (MDO)	CMU-1 (MDO)	1290 LAMAR AVE	DEVMAR PARTNERS LLC
185	015001 00074	CMU-3 (MDO)	CMU-1 (MDO)	1270 LAMAR AVE	SPIRIT MASTER FUNDING X LLC
186	015001 00076	CMU-3 (MDO)	CMU-1 (MDO)	1234 LAMAR AVE	EASTVIEW PROPERTIES LLC
187	015001 00080	CMU-3 (MDO)	CMU-1 (MDO)	1246 LAMAR AVE	PEKIN PROPERTIES LLC
188	015001 00081	CMU-3 (MDO)	CMU-1 (MDO)	0 LAMAR AVE	BAUMAN S RICHARD REVOCABLE TRUST
26a	047061 00090	CMU-3	CMU-1	2444 LAMAR AVE	DIAMOND INVESTMENTS AND MANAGEMENT INC
27a	047061 00049	CMU-3	CMU-1	2434 LAMAR AVE	DIAMOND INVESTMENTS AND MANAGEMENT INC
34a	047061 00052	CMU-3	CMU-1	2408 LAMAR AVE	BASMA BASMAN AND FAHAD SAYANI
34b	047059 00002	CMU-3	CMU-1	2479 LAMAR AVE	LE PHUONG
35a	047059 00003	CMU-3	CMU-1	0 LAMAR AVE	MACE WILLIAM H JR & MARGARET A
36a	047059 00004	CMU-3	CMU-1	2491 LAMAR AVE	SMITH BRIAN A AND RANDALL T SMITH
37a	047059 00005	CMU-3	CMU-	2495 LAMAR AVE	MACE WILLIAM H JR & MARGARET A
38a	047059 00006	CMU-3	CMU-1	2499 LAMAR AVE	TAYLOR DEREK & ZIAN
51a	047060 00018	CMU-3	CMU-1	2455 LAMAR AVE	NEW HOPE CHURCH OF GOD IN CHRIST (TRS)
62a	059016 00120	CMU-3	CMU-1	0 LAMAR AVE	LAMAR INC
66a	047073 00045	CMU-3	CMU-1	2668 LAMAR AVE	LESTER DARRYL
67a	047073 00046	CMU-3	CMU-1	2666 LAMAR AVE	LESTER DARRYL
67b	047073 00036	CMU-3	CMU-1	2668 LAMAR AVE	AFFANEH JAMAL D

USED TIRE SALES BEING CONDUCTED ON SITE- SEPTEMBER 2023



SIGN AFFIDAVIT

AFFIDAVIT

*Shelby County
State of Tennessee*

I, _____, being duly sworn, depose and say that at 5:11pm am/pm on the 27 th day of FEBRUARY, 2024, I posted 2 Public Notice Sign(s) pertaining to Case No. SUP 2023-038 at 2961 LAMAR AVE.

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.

Owner, Applicant or Representative

Date

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

My commission expires: _____



LETTERS RECEIVED

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