



CITY APPOINTEES
 MARY SHARP, VICE CHAIR
 BERLIN BOYD
 RUSTY LINKOUS
 MARGARET PRITCHARD
 JAMES TOLES

MEMPHIS AND SHELBY COUNTY
LAND USE CONTROL BOARD

EST. 1922 AS MEMPHIS PLANNING COMMISSION - REORGANIZED IN 1976

JOSH WHITEHEAD, AICP, SECRETARY

CITY HALL - 125 N. MAIN ST., STE. 400 - MEMPHIS, TENNESSEE 38103 - (901) 670-0910



COUNTY APPOINTEES
 JON MCCREERY, CHAIR
 CASSANDRA BELL-WARREN
 ROBERT NORCROSS
 EMILY TRENHOLM
 LISA WILBANKS

MINUTES
February 13, 2014

Meeting Attendance

LUCB Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairperson	Mary Sharp	X	
Member	Cassandra Bell-Warren	X	
Member	Berlin Boyd		X
Member	Rusty Linkous	X	
Member	Margaret Pritchard	X	
Member	Robert Norcross	X	
Member	James Toles	X	
Member	Emily Trenholm	X	
Member	Lisa Wilbanks	X	
Alt. Member	Frank Colvett, Jr.		X

Call to Order and Roll Call

Chairman McCreery called the meeting to order at 10:00 a.m. Norman Saliba called the roll. There was a quorum.

LUCB Staff: Brian Bacchus, Don Jones, Gregory Love, Terry Langlois, Calvin Abram, Marion Jones, and Chip Saliba.

Others Present: John Bechtold, T. R. Buchanan, Michael Fahy, Justin Ford, Sr., Constance Gregg, Kenneth Gregg, Anastasia Hammond, Ronald Harkavy, Verlinda Henning, Mary P. Patterson, Charles Perkins, Wain Poole, Cindy Reaves, Henry Stratton, Wilma Taylor, Margaret Vandiver.

Chairman's Opening Remarks

Chairman McCreery read the General Order of the Public Hearing proceedings and the Conflict of Interest Statement.

Secretary's Report

Norman Saliba reported there was none.

Approval of Minutes: January 9, 2014

Board Member Sharp made a motion to approve LUCB minutes from January 9, 2014. The motion was seconded by Board Member Toles. The motion passed unanimously.

General Order of Public Hearing

Chairman McCreery explained the procedure for hearing the applications; staff presentation for the application; applicant comments; comments from the public; time limits; rebuttal; and the LUCB's discussion and action. Chairman McCreery made the public aware that Item #9 had been dropped from the Agenda and Item #10 had been placed on a 30 day HOLD would not be heard during the meeting. The Consent Agenda Items 1 through 7 was read. Chairman McCreery also explained the procedure for hearing the Consent Agenda Items. He then introduced Board Member Lisa Wilbanks to be the Subdivision Chair and to read the Consent Agenda Items.

Consent Agenda (Items 1-7)

- 1. CASE NUMBER:** S 14-001
DEVELOPMENT NAME: PLANTERS ROW II
Request: Subdivide one 0.90 acre lot into seven lots
Staff's Recommendation: Approval with conditions
- 2. CASE NUMBER:** SAC 13-617
LOCATION NAME: 10' unnamed alley, north of Monroe Avenue
16' unnamed alley, east of South Lauderdale Street
Request: Close and vacate public right-of-way
Staff's Recommendation: Approval with (7) seven conditions
- 3. CASE NUMBER:** SAC 14-601
DEVELOPMENT NAME: SOUTH FRONT STREET CLOSURE
Request: Close and vacate public right-of-way
Staff's Recommendation: Approval with (5) five conditions
- 4. CASE NUMBER:** P.D. 90-346
DEVELOPMENT NAME: SPOTTSWOOD VILLAGE PLANNED DEVELOPMENT
Request: Site Plan Review
Staff's Recommendation: Approval with conditions
- 5. CASE NUMBER:** P.D. 92-341
DEVELOPMENT NAME: AVIATION FACILITIES PLANNED DEVELOPMENT, PHASE 2 & 3
Request: Site plan approval consisting of a 134, 000 square foot expansion of the existing UPS Hub Building, a trailer expansion, a new employee guardhouse, a new truck guardhouse, trailer staging expansion, and employee parking expansion
Staff's Recommendation: Approval with conditions

6. CASE NUMBER: P.D. 95-311
DEVELOPMENT NAME: FAISON COMMERCIAL CENTER PLANNED DEVELOPMENT PHASE 2
Request: Permit a zero (0) side yard building setback between buildings
Staff's Recommendation: Approval

7. CASE NUMBER: P.D. 06-320
LOCATION NAME: Northwest corner of Midland Ave. and Highland St
Request: Modification to approved site plan to:
1. Reduce area devoted to commercial uses and increase the number of multiple family dwellings from 240 to 354 in Area A
2. Add Townhouses to Area C
Staff's Recommendation: Approval with conditions

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Item #3, Item #4 and Item #7 was requested to be pulled for discussion. Chairman McCreery then asked the board members for a motion to approve Consent Agenda Items 1, 2, 5, 6. Board Member Wilbanks made a motion to approve Consent Agenda Items 1, 2, 5, 6 in agreement with staff's recommendations. The motion was seconded by Board Member Margaret Pritchard. The motion passed unanimously. Chairman McCreery then asked Board Member Wilbanks to read the Consent Agenda Items that was pulled for discussion. She then read the first case.

Item 3: CASE #: SAC 14-601 **SOUTH FRONT STREET CLOSURE**
Request: Close and vacate public right-of-way
Location: Southern terminus of S. Front Street between E. Georgia Avenue & W. Carolina Avenue
Applicant: Citymark Construction & Development, LLC & South Junction Partners
Representative for applicant: Cindy Reaves, SR Consulting, LLC, 5909 Shelby Oaks, Ste. 200, Memphis, TN 38134

*Board Member Norcross recused himself from this case.

MOTION: Approval as amended with language change in Conditions 3 and 4
MADE BY: Wilbanks
SECOND: Toles
AYES: Bell-Warren, Linkous, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 3 – APPROVED AS AMENDED

Item 4: CASE #: P.D. 90-346 **SPOTTSWOOD VILLAGE PLANNED DEVELOPMENT**

Request: Site Plan Review
Location: South side of Spottswood Avenue, +/-317 feet west of Shotwell Street
Applicant: Shepherd Construction, LLC
Representative for applicant: Cindy Reaves, SR Consulting, LLC, 5909 Shelby Oaks, Ste. 200, Memphis, TN 38134

Chairman McCreery recognized the following people who spoke from the audience in opposition of the case.

Margaret Vandiver, 799 S. Graham St., Memphis, TN 38111
Wilma Taylor, 611 Loeb Street, Memphis, TN 38111
T. R. Buchanan, 941 Robinhood Ln., Memphis, TN 38111

MOTION: Approval
MADE BY: Wilbanks
SECOND: Pritchard
AYES: Bell-Warren, Linkous, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 4 – APPROVED

Item 7: CASE #: P.D. 06-320

Request: Modification to approved site plan to:
1. Reduce area devoted to commercial uses and increase the number of multiple family dwellings from 240 to 354 in Area A
2. Add Townhouses to Area C
Location: Northwest corner of Midland Ave. and Highland St
Applicant: HIGHLAND ROW LAND PARTNERS c/o WORTHING HYDE PARTNERS
Representative for applicant: Ronald Harkavy, Harkavy Shainberg Kaplan & Dunstan PLC, 6060 Poplar Ave., Memphis, TN 38119

Chairman McCreery recognized the following people who spoke from the audience in opposition of the case.

Wain Poole, 359 Ellsworth St., Memphis, TN 38111
Verlinda Henning, 405 Ellsworth St., Memphis, TN 38111
Anastasia Hammond, 573 Alexander St., Memphis, TN 38111

MOTION: Approval as staff recommended
MADE BY: Wilbanks
SECOND: Pritchard
AYES: Bell-Warren, Linkous, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 7 – APPROVED
REGULAR AGENDA ITEMS:

Chairman McCreery introduced Board Member Pritchard as Zoning Chair and she then called the first case.

Item 8: CASE #: S.U.P. 13-320 CC

Request: Construct a one hundred fifty foot (150') CMCS Tower.
Location: 1,165' east of the intersection of Raleigh LaGrange Road and Monterey Road
Applicant: TV6W, LLC dba Tower Ventures LLC
Representatives for applicant: Michael Fahy, Prime Development Group, Inc., 7520 Capital Dr., Ste. 200, Germantown, TN 38138
Charles Perkins, 284 German Oak, Cordova, TN 38018

Chairman McCreery recognized the following people who spoke from the audience in opposition of the case.

Constance Gregg, 11005 Forest Lane Cove, Eads, TN 38028
Kenneth Gregg, 11005 Forest Lane Cove, Eads, TN 38028

MOTION: Approval with conditions
MADE BY: Pritchard
SECOND: Toles
AYES: Bell-Warren, Linkous, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 8 – APPROVED

Item 11: CASE #: P.D. 14-301

Request: Planned development to allow warehouse, distribution and wholesale of fireworks within an existing warehouse storage building.
Location: Southeast corner of B. F. Goodrich Boulevard and Pidgeon Roost Road
Applicant: Sprit of '76 Fireworks, LLC
Representative for applicant: John Bechtold, Sprit of '76 Fireworks, LLC, West Highway 40, Columbia, Missouri 65202
Henry Straton, Realtor, 6000 Poplar Ave., Memphis, TN 38119

MOTION: Approval
MADE BY: Pritchard
SECOND: Sharp
AYES: Bell-Warren, Linkous, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 11 – APPROVED AS AMENDED

Item 12: CASE #: P.D. 14-302

Request: Funeral Services.
Location: 1440 E. Shelby Dr.
Applicant: Justin Ford, Sr.
Representative for applicant:

Chairman McCreery recognized the following people who spoke from the audience in opposition of the case.

Mrs. Mary P. Patterson, 1389 Farrow Rd., Memphis, TN 38116

MOTION: Approval
MADE BY: Pritchard
SECOND: Toles
AYES: Bell-Warren, Linkous, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 12 – APPROVED

Item 13: CASE #: P.D. 14-303

Request: Modify the permitted uses in Area A and B to reflect the Employment (EMP) District.
Location: Beginning +/-750' west of the intersection of Appling Road and Appling Farms Pkwy & continuing westward +/-4,500'
Applicant: Belz Investco GP (Ron Belz)
Representative for applicant: Cindy Reaves, SR Consulting, LLC, 5909 Shelby Oaks, Ste. 200, Memphis, TN 38134

MOTION: Approval with conditions
MADE BY: Pritchard
SECOND: Wilbanks
AYES: Bell-Warren, Linkous, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, and Chairman McCreery

Item 13 – APPROVED

ADJOURNMENT:

There being no further business, the meeting there upon was adjourned.

MINUTES APPROVED: _____

CHAIRMAN _____
