



CITY APPOINTEES
 MARY SHARP, VICE CHAIR
 SCOTT FLEMING
 MARGARET PRITCHARD
 JAMES TOLES
 ALFRED WASHINGTON

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. 468 - MEMPHIS, TENNESSEE 38103 - (901) 676-6601



COUNTY APPOINTEES
 JON MCCREERY, CHAIR
 ROBERT NORCROSS
 EMILY TRENHOLM
 DESIREE LYLES WALLACE
 LISA WILBANKS

MINUTES
November 12, 2015

Meeting Attendance

LUCB Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairperson	Mary Sharp	X	
Member	Scott Fleming	X	
Member	Margaret Pritchard	X	
Member	Robert Norcross	X	
Member	James Toles	X	
Member	Emily Trenholm	X	
Member	Desiree Lyles Wallace	X	
Member	Alfred Washington		X
Member	Lisa Wilbanks	X	

Call to Order and Roll Call

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

LUCB Staff: Calvin Abram, Brian Bacchus, Gene Burse, Don Jones, Marion Jones, and Norman Saliba.

Others Present: Elizabeth Armstrong, David Baker, Ron Bell, Nathan Bicks, Mark Bieber, John Edgar Boggan, Kristen Boyden, David Bray, David Burns, Marvin Coleman, Bob Evans, Michael Fahy, Sam Goff, Cynthia Goodfellow, Elizabeth Kinney, Wei Liu, Tim McCaskill, Sherry Rogers, Mike Rosier, Lisa Royar, Delinor Smith, Brenda Solomito-Basar, Bob Sweeney, David Tuttle, Bruce VanWyngarden, Kevin Wilkins and Tracy Wiswall.

Chairman's Opening Remarks

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

Secretary's Report

There were none.

Approval of Minutes: October 8, 2015

- Brighton Rd.**
Request: Major modification to the existing planned development for an open air market to redevelop the site; extend the of operation; and add uses to the recorded concept/outline plan.
Staff's Recommendation: Withdrawn.
- 6. CASE NUMBER: P.D. 15-318**
PROJECT LOCATION: Northwest corner at the intersection of Sam Cooper Blvd. and Tillman St.
Request: To allow a veterinary clinic and other animal related uses within an R-6 zoning district.
Staff's Recommendation: Approval with Conditions
- 9. CASE NUMBER: Z 15-104**
PROJECT NAME: Northeast, Southeast and Southwest corners of New Allen Road and New Frayser Boulevard
Request: Employment (EMP) District.
Staff's Recommendation: Hold
- 10. CASE NUMBER: Z 89-157**
PROJECT NAME: Southeast side of Austin Peay Highway; +/-373 feet northeast of Covington Pike
Request: Major modification to allow interior sales of new motorcycles and all-terrain vehicles (ATV's) within an existing building.
Staff's Recommendation: Approval with (3) three site plan Conditions
- 12. CASE NUMBER: P.D. 15-326**
PROJECT NAME: Fieldstone P.D. 4th Amendment, Parcel D
Request: Amend the P.D. to allow Self-storage warehouse.
Staff's Recommendation: Approval with Conditions
- 13. CASE NUMBER: P.D. 15-327**
PROJECT NAME: Parkside at Shelby Farms Planned Development
Request: Planned development to allow garden-style and mid-rise apartments with limited ground floor commercial uses.
Staff's Recommendation: 30 Day Hold
- 16. CASE NUMBER: S.U.P. 15-222**
PROJECT LOCATION: 2047 Berryhill Road
Request: To allow a 160-foot tall CMCS tower.
Staff's Recommendation: Approval with Conditions
- 17. CASE NUMBER: S.U.P. 15-223**
PROJECT LOCATION: South side of Winchester Road; +/-372' west of Prescott

	Road
Request:	To allow a 150-foot tall CMCS tower.
Staff's Recommendation:	Approval with Conditions & with Friendly Amendment
18. CASE NUMBER:	S.U.P. 15-224
PROJECT LOCATION:	0 Firestone Avenue
Request:	To allow a 160-foot tall CMCS tower.
Staff's Recommendation:	Approval with Conditions

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Agenda Items 9 and 13 was pulled. Chairman McCreery then asked the board members for a motion to approve Consent Agenda Items 1, 2, 3, 4, 5, 6, 10, 12, 13, 16, 17, and 18. Board Member Wilbanks made a motion to approve Consent Agenda Items , 2, 3, 4, 5, 6, 10, 12, 13, 16, 17, and 18 in agreement with staff's recommendations. The motion was seconded by Board Member Toles. The motion passed unanimously.

REGULAR AGENDA ITEMS:

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

Item 7: CASE #: S.A.C. 15-623

Request:	Installation of a gate to prevent cut-through traffic on residential portion of Idlewild Street.
Location:	235 feet south of the south line of Union Avenue
Applicant:	Belz Investco GP (PSO)
Applicant Representative:	Nathan Bicks, Burch, Porter, & Johnson PLLC, 130 N. Court Ave., Memphis, TN 38103

*Board Members Norcross and Pritchard recused themselves from voting on this Agenda Item. Board Member Wilbanks served as Chair.

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

Bruce VanWyngharden, 196 S. Idlewild St., Memphis, TN 38104.
 Elizabeth Kinney, 1784 Linden Ave., Memphis, TN 38104
 Ron Bell, 177 S. Idlewild St., Memphis TN 38104
 Cynthia Goodfellow, 1769 Linden Ave., Memphis, TN 38104
 Bob Sweeney, SR Consulting LLC, 5909 Shelby Oaks Drive, Suite 200, Memphis, TN 38134
 Kevin Wilkins, 190 S. Idlewild St., Memphis, TN 38104

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

Kristen Boyden, 1748 Linden Ave., Memphis, TN 38103.
 Tracy Wiswall, representing residents on LeMaster, Eastmoreland & Linden

David Tuttle, 224 LeMaster St., Memphis, TN 38104
Sam Goff, 143 Clark Place, Memphis, TN 38104
Mark Bieber, 36 N. Evergreen St., Memphis, TN 38104
Mike Rosier, (Kroger-Real Estate Manager), 1224 Island Pl., Memphis, TN 38103

MOTION: Approval as Amended
MADE BY: Wilbanks
SECOND: Toles
AYES: Fleming, McCreery, Toles,
NAYS: Sharp, Trenholm, Wallace and Wilbanks
**Board Members Norcross and Pritchard recused themselves from voting*

Item 7 – REJECTED

Board Member Pritchard resumed as Zoning Chair and called the next case.

Item 8: CASE #: S.A.C. 15-624 KNIGHT ARNOLD ROAD
Request: Close the unused right of way and deed the property back to the abutting owner
Location: Beginning on the west side of Quince Road some 769.50 feet southwest of The Willows Cove
Applicant: Wills & Wills LP
Applicant Representative: David Baker, Fisher & Arnold, Inc., 9180 Crestwyn Hills Dr., Ste. 100, Memphis, TN 38125
Staff Recommendation: Rejection

MOTION: Approval.
MADE BY: Wilbanks
SECOND: Fleming
AYES: Fleming, McCreery, Norcross, Pritchard, Sharp, Toles, Wilbanks and Wallace
NAYS: Trenholm

Item 8 – APPROVED

Item 9: CASE #: Z 15-104
Request: Employment (EMP) District.
Location: Northeast, Southeast and Southwest corners of New Allen Road and New Frayser Boulevard.
Applicant: Belz Investco, GP
Applicant Representatives: Nathan Bicks, Burch, Porter, & Johnson PLLC, 130 N. Court Ave., Memphis, TN 38103
Staff/Applicant Recommendation: Hold for 30 Days

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

Elizabeth Armstrong, 3868 Old Allen Rd., Memphis, TN 38128.

MOTION: Approval.
MADE BY: Pritchard
SECOND: Wilbanks
2nd MOTION: 30 Day Hold
MADE BY: McCreery
SECOND: Sharp
AYES: Fleming, McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm,
Wilbanks and Wallace

Item 9 – ITEM HELD FOR 30 DAYS

Item 11: CASE #: P.D. 15-325 CC WALNUT GROVE PLANNED DEVELOPMENT

Request: Planned development with commercial uses for two parcels located at the northeast corner of Houston Levee Road and Walnut Grove Road.
Location: Northeast corner of the intersection of Walnut Grove Road and Houston Levee Road
Applicant: Orgel Family LP, Weiss Family LP & N. Rosenberg
Applicant Representative: Michael Fahy, Prime Development Group, 7520 Capital Dr., Germantown, TN 38138
Staff Recommendations: Approval with Conditions

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

Bob Evans, Shelby Co. Engineering Office, 160 S. Main St., Memphis, TN 38103.

MOTION: Approval with removal of Condition III. F and modification to Condition III. C.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: Fleming, McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks and Wallace
2nd MOTION: Approval to allow Applicant's recommendation the modification to Condition III. A & B to remain Rural with 24' abatement.
MADE BY: Fleming
SECOND: Pritchard
AYES: Fleming, Norcross, Pritchard, Sharp, Toles, Wilbanks and Wallace
NAYS: McCreery and Trenholm

Item 11 – ITEM APPROVED WITH AMENDED CONDITIONS

MOTION: Approval
MADE BY: Pritchard
SECOND: Wilbanks
AYES: None
NAYS: Fleming, McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm,
Wilbanks and Wallace

Item 14 – ITEM REJECTED

Item 15: CASE #: S.U.P. 15-221

Request: To allow a used sales establishment within the CMU-3 zoning district.
Location: 2119 Chelsea Avenue
Applicant: Marvin Coleman
Applicant Representative: Tim McCaskill, 7891 Stage Hills Blvd., Ste. 112, Memphis, TN 38133
Staff Recommendation: Rejection

Chairman McCreery recognized the following persons who spoke from the audience in favor of the case.

Marvin Coleman, (Applicant) 5756 Northland Dr., Millington, TN 38053

MOTION: Approval
MADE BY: Pritchard
SECOND: Wilbanks
2nd MOTION: Approval with an Amendment of 4 years to obtain Special Use Permit, open and operate in compliance of all of the staff's conditions.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: Pritchard, Toles, Trenholm, Wilbanks and Wallace
NAYS: McCreery, Fleming, Norcross, Sharp

Item 15 – ITEM APPROVED AS AMENDED ITEM APPROVED TO ALLOW A USED CAR SALES ESTABLISHMENT

It was suggested to applicant and Applicant's Representative to work with staff on any additional Amendments to Conditions prior to next City Council meeting.

Item 19: CASE #: S.U.P. 15-225 LINZEY USED AUTO SALES
Request: To allow a used car sales establishment within the CMU-3 zoning district.
Location: 5172 S. Highway 61
Applicant: Antonio Linzey
Applicant Representative: David Bray, 2950 N. Stage Plaza, Memphis, TN 38134
Staff's Recommendation: Rejection

MOTION: Approval
MADE BY: Pritchard
SECOND: Toles
AYES: McCreery, Toles, Trenholm, Wilbanks and Wallace
NAYS: Fleming, Norcross, Pritchard and Sharp

Item 19 – ITEM APPROVED TO ALLOW A USED CAR SALES ESTABLISHMENT

ADJOURNMENT:

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

MINUTES APPROVED: 12-10-15

CHAIRMAN

SECRETARY

