



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) 576-6601



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

MINUTES
September 10, 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, Nathan Bicks, Homer Branan, David Bray, Scott Brockman, Gene Bryan, Mark Davis, Ezepha Gibson, Sara Hall, R. S. Harris, Shelia Hayslett-Blackwell, Harvey Marcom, Forest Owens, Denise Pittman, Jose Pena Rodriguez, Phillip R. Schechtman, Mike Simpson, Patricia Snell, Brenda Solomito-Basar, Jeff Spears, Christine Sykes, Eddie Sykes, Bob Turner and Sonia Warr, Cindy Reaves.

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: August 13, 2015

Board Member Pritchard made a motion to approve Minutes of August 13, 2015. The motion was seconded by Board Member Wilbanks. 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 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. The Consent Agenda Items were 1, 2, 3, 4, 5, 6, 13, 14, 16, 21, 22 and 25.

Consent Agenda (Items 1, 2, 3, 4, 5, 6, 13, 14, 16, 21, 22 and 25)

- 1. CASE NUMBER:** S.A.C. 15-611
PROJECT LOCATION: Echles Street between Southern Avenue and Spottswood Avenue.
Request: To vacate public right-of-way in the Campus Master Plan-1 (CMP-1) District.
Staff’s Recommendation: 30 Day Hold
- 2. CASE NUMBER:** S.A.C. 15-612
PROJECT LOCATION: Loggins Avenue between Echols Street & Houston St.
Request: To vacate public right-of-way in the Campus Master Plan-1 (CMP-1) District.
Staff’s Recommendation: 30 Day Hold
- 3. CASE NUMBER:** S.A.C. 15-613
PROJECT LOCATION: Alley.
Request: To vacate public right-of-way in the Campus Master Plan-1 (CMP-1) District.
Staff’s Recommendation: 30 Day Hold
- 4. CASE NUMBER:** S.A.C. 15-614
PROJECT LOCATION: Alley.
Request: To vacate public right-of-way in the Campus Master Plan-1 (CMP-1) District.
Staff’s Recommendation: 30 Day Hold
- 5. CASE NUMBER:** U.V. 05-008
PROJECT LOCATION: 61 Keel Avenue, Southeast corner of Keel Avenue and North Front Street.
Request: Major modification to the existing use variance at 61 Keel Avenue to add property to the side plan and provide access to Looney Avenue.
Staff’s Recommendation: Approval with (7) Conditions
Applicant requested for a 30 day hold

- 6. CASE NUMBER:** S.U.P. 15-215
PROJECT LOCATION: South side of Union Avenue at 4th St., extending south to Gayoso Ave.
Request: A Special Use Permit to allow a Hotel.
Staff's Recommendation: 30 Day Hold
- 13. CASE NUMBER:** S.A.C. 15-622
PROJECT NAME: Unnamed alley parallel to and south of Cedar Avenue.
Request: Close a portion of an existing alley as required by the Conditions of Approval for the Bearwater Park Subdivision, 1st Addition.
Staff's Recommendation: Approval with (3) Conditions
- 14. CASE NUMBER:** P.D. 95-310 CC
PROJECT NAME: BUCKINGHAM FARMS PLANNED DEVELOPMENT, PARCEL P.
Request: Site Plan Review for a Charter School-DuBois School of Leadership and Public Policy.
Staff's Recommendation: Approval with Conditions
- 16. CASE NUMBER:** P.D. 02-319 CC
PROJECT NAME: ROYAL OAKS PLANNED DEVELOPMENT.
Request: Revise the Conceptual Land Use Plan currently recorded as part of the Outline Plan to remove a portion of the Lebel Property from the planned development.
Staff's Recommendation: Approval with (1) Condition
- 21. CASE NUMBER:** S.U.P. 15-217
PROJECT LOCATION: North side Alice Avenue; +/-422' east of Alton Avenue.
Request: Establish a Child Care Center.
Staff's Recommendation: Approval with Conditions
- 22. CASE NUMBER:** S.U.P. 15-218
PROJECT LOCATION: 2876 Lamar Avenue; Southeast corner of Lamar Avenue and Dunn Alley.
Request: Special Use Permit to establish a 40 room hotel with a conference room and pool.
Staff's Recommendation: 30 Day Hold
- 25. CASE NUMBER:** Z 15-106
PROJECT LOCATION: 148, 150, 155 & 156 N. Tucker Street.
Request: Campus Master Plan (CMP-1).
Staff's Recommendation: Approval

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Agenda Items 7, 17, 19, 20, 23 and 24 was pulled. Chairman McCreery then asked the board members for a motion to approve Consent Agenda Items 1, 2, 3, 4, 5, 6, 13, 14, 16, 21, 22 and 25. Board Member Wilbanks made a motion to approve Consent Agenda Items 1, 2, 3, 4, 5, 6, 13, 14, 16, 21, 22 and 25 in agreement with staff's recommendations. The motion was seconded by Board Member Pritchard. The motion passed unanimously.
Mike Simpson

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 15-16

Request: Major subdivision to subdivide one (1) residential lot into two (2) residential lots.
Location: North side of Linden Avenue; +/-55 feet east of Idlewild Street and +/-295.93 feet west of S. McLean Boulevard
Applicant: Robert W. & Rachael A. Russ
Applicant Representative: David Bray, 2950 N. Stage Plaza, Memphis, TN 38134

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

Mike Simpson, 1355 Peabody Ave., Memphis, TN 38104.

MOTION: Approval with (3) Conditions.
MADE BY: Pritchard
SECOND: Sharp
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, Wallace and Washington

Item 7 – ITEM APPROVED WITH THREE (3) CONDITIONS

***Chairman McCreery noted that the following cases (8, 9, 10, 11, 12 and 18 will be heard collaboration since they are all Companion Cases to P.D. 15-319 but voted on separately.**

Item 8: CASE #: S.A.C. 15-617 (Companion Case P.D. 15-319)

Request: Closure of Stallion Street.
Location: 3672 Airways Blvd.
Applicant: Memphis Shelby County Airport Authority
Applicant Representative: Homer Branan, 999 S. Shady Grove Rd., #500, Memphis, TN 38120
1.Scott Brockman, President/CEO, Memphis Shelby County Airport Authority
2.Jeff Spears, The Crump Firm

- 3. Harvey Marcom, The Reaves Firm
- 4. Mark Davis

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

Ms. Ezepha Gibson, 1943 Croydon Ave., Memphis, TN 38116
Ms. Sonia Warr, 3650 W. Big Bend Dr., Memphis TN 38116

MOTION: Approval with (2) Friendly Amendments to Conditions VI. 3 and VIII.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks,
Wallace and Washington

Item 8 – ITEM APPROVED AS AMENDED

Item 9: CASE #: S.A.C. 15-618 (Companion Case P.D. 15-319)

Request: Closure of Florette Street.
Location: 3672 Airways Blvd.
Applicant: Memphis Shelby County Airport Authority
Applicant Representative: Homer Branan, 999 S. Shady Grove Rd., #500, Memphis, TN 38120
1. Scott Brockman, President/CEO, Memphis Shelby County Airport Authority
2. Jeff Spears, The Crump Firm
3. Harvey Marcom, The Reaves Firm
4. Mark Davis

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

Ms. Ezepha Gibson, 1943 Croydon Ave., Memphis, TN 38116
Ms. Sonia Warr, 3650 W. Big Bend Dr., Memphis TN 38116

MOTION: Approval with (2) Friendly Amendments to Conditions VI. 3 and VIII.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks,
Wallace and Washington

Item 9 – ITEM APPROVED AS AMENDED

Item 10: CASE #: S.A.C. 15-619 (Companion Case P.D. 15-319)

Request: Closure of Scottie Street.

Location: 3672 Airways Blvd
Applicant: Memphis Shelby County Airport Authority
Applicant Representative: Homer Branan, 999 S. Shady Grove Rd., #500, Memphis, TN 38120
1. Scott Brockman, President/CEO, Memphis Shelby County Airport Authority
2. Jeff Spears, The Crump Firm
3. Harvey Marcom, The Reaves Firm
4. Mark Davis

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

Ms. Ezepha Gibson, 1943 Croydon Ave., Memphis, TN 38116
Ms. Sonia Warr, 3650 W. Big Bend Dr., Memphis TN 38116

MOTION: Approval with (2) Friendly Amendments to Conditions VI. 3 and VIII.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, Wallace and Washington

Item 10 – ITEM APPROVED AS AMENDED

Item 11: CASE #: S.A.C. 15-620 (Companion Case P.D. 15-319)

Request: Closure of Ravenden Street.
Location: 3672 Airways Blvd
Applicant: Memphis Shelby County Airport Authority
Applicant Representative: Homer Branan, 999 S. Shady Grove Rd., #500, Memphis, TN 38120
1. Scott Brockman, President/CEO, Memphis Shelby County Airport Authority
2. Jeff Spears, The Crump Firm
3. Harvey Marcom, The Reaves Firm
4. Mark Davis

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

Ms. Ezepha Gibson, 1943 Croydon Ave., Memphis, TN 38116
Ms. Sonia Warr, 3650 W. Big Bend Dr., Memphis TN 38116

MOTION: Approval with (2) Friendly Amendments to Conditions VI. 3 and VIII.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks,

Wallace and Washington

Item 11 – ITEM APPROVED AS AMENDED

Item 12: CASE #: S.A.C. 15-621 (Companion Case P.D. 15-319)

Request: Closure of Day Street.
Location: 3672 Airways Blvd
Applicant: Memphis Shelby County Airport Authority
Applicant Representative: Homer Branan, 999 S. Shady Grove Rd., #500, Memphis, TN 38120
1. Scott Brockman, President/CEO, Memphis Shelby County Airport Authority
2. Jeff Spears, The Crump Firm
3. Harvey Marcom, The Reaves Firm
4. Mark Davis

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

Ms. Ezepha Gibson, 1943 Croydon Ave., Memphis, TN 38116
Ms. Sonia Warr, 3650 W. Big Bend Dr., Memphis TN 38116.

MOTION: Approval with (2) Friendly Amendments to Conditions VI. 3 and VIII.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, Wallace and Washington

Item 12 – ITEM APPROVED AS AMENDED

Item 15: CASE #: P.D. 02-303 RIDGEWAY-NONCONNAH PARKWAY CENTER PLANNED DEVELOPMENT, PARCEL A, LOT 1
Request: Revise Condition V.A.2 to increase the height of the free standing sign facing Highway 385 from 35' to 50'.
Location: Northeast corner of Ridgeway Road and Highway 385
Applicant: Lexus of Memphis
Applicant Representative: Forest Owens, ETI Corporation, 1755 Lynnfield Rd., Memphis, TN 38119

MOTION: Approval with Conditions as Amended
MADE BY: Pritchard
SECOND: Sharp
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, Wallace and Washington

2nd MOTION: Add the following Friendly Amendments to:
1. Condition I. add the word "Independent" and

2. Eliminate Cond. II and to record final plat to reflect existing landscaping.

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

Item 15 – ITEM APPROVED AS AMENDED

Item 17: CASE #: P.D. 07-301

Request: Major modification to the existing planned development for an open air market to develop site as one phase; add covered canopy areas for vendor sales; add two metal storage buildings for equipment storage by owner (no mini-storage use); add entertainment elements such as a Ferris wheel, kids rides, merry-go-round, soccer/lacrosse field, horse arena and stables and, a petting zoo; add an auction component in the public assembly area; and extend the hours of operation until midnight on Friday & Saturday nights.

Location: 4010 Jackson Avenue; Northwest side of Jackson Avenue, 479.8 feet south of Brighton Road

Applicant: Anthony Joseph Campos Sy

Applicant Representative: David Bray, 2950 N. Stage Plaza, Memphis, TN 38134

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

Ms. Denise Pittman, 3797 S. Brighton Rd., Memphis, TN 38128
Mr. Jose Pena Rodriguez, 3815 S. Brighton Rd., Memphis, TN 38128

MOTION: Approval
MADE BY: Pritchard
SECOND: Wilbanks
2nd MOTION: 60 Day Hold
MADE BY: Wilbanks
SECOND: Wallace
AYES: Norcross, Toles, Trenholm, Wilbanks, Wallace and Washington
NAYS: McCreery, Pritchard and Sharp

Item 17 – ITEM APPROVED FOR 60 DAY HOLD

Item 18: CASE #: P.D. 15-319 (Companion Cases S.A.C. 15-617 – S.A.C. 15-622)

Request: To allow a Planned Development for a rental car service facility and to close Days Road, Ravenden Road, Florette

Location: Drive, Scottie Drive and Stallion Drive.
3672 Airways Blvd
Applicant: Memphis Shelby County Airport Authority
Applicant Representative: Homer Branam, 999 S. Shady Grove Rd., #500, Memphis,
TN 38120
1. Scott Brockman, President/CEO, Memphis Shelby
County Airport Authority
2. Jeff Spears, The Crump Firm
3. Harvey Marcom, The Reaves Firm
4. Mark Davis

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

Ms. Ezepha Gibson, 1943 Croydon Ave., Memphis, TN 38116
Ms. Sonia Warr, 3650 W. Big Bend Dr., Memphis TN 38116

MOTION: Approval with (2) Friendly Amendments to Conditions VI. 3 and VIII.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks,
Wallace and Washington

Item 18 – ITEM APPROVED AS AMENDED

Item 19: CASE #: P.D. 15-321

**GERMANTOWN MARKET PLANNED
DEVELOPMENT**

Request: Planned Development for a retail center or 4-story hotel (80
rooms), including a restaurant with Drive thru lane.
Location: East side of Germantown Parkway; +/-315 feet south of
Timber Creek Dr.
Applicant: Debra Loskovitz Spousal Trust
Applicant Representative: Brenda Solomito-Basar, Solomito Land Planning, 2067
Kirby Parkway Memphis, TN 38119

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

Bob Turner, 150 Timber Creek Dr, #9, Cordova, TN 38018

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

Gene Bryan, Cordova Leadership Council, 5050 Poplar, #120, Memphis, TN
38119

MOTION: Approval with Conditions
MADE BY: Pritchard
SECOND: Toles
AYES: McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks,
Wallace and Washington

Item 19 – ITEM APPROVED

Item 20: CASE #: S.U.P. 15-216

Request: To allow a private tractor and trailer service facility with storage of company.
Location: Southeast corner of Brooks Road and McCorkle Road
Applicant: RS Harris, LLC
Applicant Representative: R. S. Harris, 6366 Old Orchard, Memphis, TN 38119

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

Phillip R. Schechtman, 2190 Idlewood Cove, Germantown, TN 38139

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

Patricia Snell, 3315 Brevard Dr., Memphis, TN 38116
Eddie Sykes, 3240 McCorkle Rd., Memphis, TN 38116
Christine Sykes, 3240 McCorkle Rd., Memphis, TN 38116

MOTION: Approval with Amendment to Condition XI.
MADE BY: Pritchard
SECOND: Toles
AYES: McCreery, Norcross, Pritchard, Toles, Trenholm, Wilbanks, Wallace and Washington
NAYS: Sharp

Item 20 – ITEM APPROVED AS AMENDED

*Board Member Sharp left the meeting at the start of this case.

Item 23: 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 Representative: Nathan Bicks, 130 North Court Avenue, Memphis, TN 38103

*Requested a 60 day hold due to last minute opposition

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

Elizabeth Armstrong, 3868 Old Allen Road, Memphis, TN 38128

MOTION: Hold for 60 days.
MADE BY: Pritchard
SECOND: Toles
AYES: McCreery, Norcross, Pritchard, Toles, Trenholm, Wilbanks, Wallace and Washington

Item 23 – ITEM APPROVED FOR 60 DAY HOLD

*Board Member Norcross recused himself from CASE #Z 15-105.

Item 24: CASE #: Z 15-105 MALLORY DESOTO PLANNED DEVELOPMENT
Request: Uptown Light Industrial (ULI) District.
Location: Northeast quadrant of the intersection of Danny Thomas and St. Jude Place
Applicant: ALSAC
Applicant Representative: Harvey Marcom, The Reaves Firm, 6800 Poplar Ave., Memphis, TN 38138
Sara Hall, General Counsel ALSAC/St. Jude Children's Research Hospital

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

Shelia Hayslett-Blackwell, 748 Lane Avenue, Memphis, TN 38105.

MOTION: Approval.
MADE BY: Pritchard
SECOND: Wilbanks
AYES: McCreery, Pritchard, Toles, Trenholm, Wilbanks, Wallace and Washington

Item 24 – ITEM APPROVED

Item 26: CASE #: Z.T.A. 15-003 CC
Request: Adopt amendments to the Uptown Special Purpose District section of the Memphis and Shelby County Unified Development Code.
Applicant: Memphis and Shelby County Office of Planning and Development
Applicant Representative: Josh Whitehead

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

Sara Hall, General Counsel ALSAC/St. Jude Children's Research Hospital

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

Item 26 – ITEM APPROVED

ADJOURNMENT:

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

MINUTES APPROVED: 10-8-15

CHAIRMAN

SECRETARY