



**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. 468 - MEMPHIS, TENNESSEE 38103 - (901) 576-6819



**COUNTY APPOINTEES**  
 JON MCCREERY, CHAIR  
 ROBERT NORCROSS  
 EMILY TRENHOLM  
 LISA WILBANKS  
 ROSLYN WILLIS

**MINUTES**  
**March 14, 2013**

**Meeting Attendance**

**LUCB Board Members**

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairman	Mary Sharp	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	
Member	Rosalyn Willis	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:** Josh Whitehead, Brian Bacchus, Don Jones, Gregory Love, Terry Langlois, Calvin Abram, Norman Saliba and Keva Jackson.

**Others Present:** Mr. Allen, Wayne Bannon, Daniel Bates, Nathan Bicks, Homer Branan, David Bray, Otha Broome, Eugene Bryan, Dale Crenshaw, Randall Creshaw, Sam Goff, Ronald Harkavey, Jeffrey Higgs, Lou Katzerman, Henry Littleton, Steve Lockwood, Cardell Orrin, Nefertiti Orrin, Alan Parks, Zach Randolph, Cindy Reaves, Eric Robertson, Evelyn Royston, Delinor Smith, Aaron Snowden, Donald Westphal, Shep Wilburn and Hal Williford.

**Chairman's Opening Remarks**

Chairman McCreery read the General Order of the Public Hearing proceedings and the Conflict of Interest Statement. He also noted the new Mission Statement on the Agenda and advised the Board to read it at their convenience.

**Secretary's Report**

Josh Whitehead did not have a Secretary's Report.

**Approval of Minutes: March 14, 2013**

**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. The Consent Agenda Items 1 thru 4 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 1-4)**

**1. CASE NUMBER:** P.D. 95-374  
**DEVELOPMENT NAME:** THE COMMONS AT DEXTER LAKE PLANNED DEVELOPMENT, PHASE II  
Request: Site plan approval for a walk-up automated teller machine (ATM)  
Staff's Recommendation: Approval with conditions

**2. CASE NUMBER:** P.D. 07-346  
**DEVELOPMENT NAME:** CHELSEA AVENUE LANDSCAPING PLANNED DEVELOPMENT  
Request: Outline Plan Time Extension and to create an easement on adjacent property for an existing concrete block greenhouse.  
Staff's Recommendation: Approval with conditions

**3. CASE NUMBER:** P.D. 08-324 CC  
**DEVELOPMENT NAME:** WOODLAND HILLS II PLANNED DEVELOPMENT, AREA 10  
Request: Amend the detached sign conditions for Area 10 to permit the following detached signs along Walnut Grove Road: (1) a detached sign 285 square feet in area and 30 feet in height to advertise a movie theater, and; (2) two separate detached signs no more than 100 square feet in area each and 30 feet in height for two commercial buildings.  
Staff's Recommendation: Approval (Pulled from the Consent Agenda for discussion)

**4. CASE NUMBER:** S 13-003  
**DEVELOPMENT NAME:** BARRY/SHADY GROVE SUBDIVISION  
Request: Four lots to construct single-family homes  
Staff's Recommendation: Approval

**DEFERRED & REGULAR AGENDA ITEMS:**

Chairman McCreery introduced Board Member Pritchard to be the Zoning Chair and to read the Regular Deferred and Agenda Items. She then called the first case.

**REGULAR AGENDA ITEMS:**

**Item 5: CASE #: PD 12-320**

**LEE'S BUSINESS CENTER**

Request: Convenience Store with Gas Pumps  
Location: Southeast corner of College Road and McLemore Street  
Applicant: Otha L. Broome  
Representative for applicant: Delinor Smith , 3831 Lakehurst Dr., Memphis, TN 38128

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

Jeffrey Higgs, 915 E. McLemore, Memphis, Tennessee 38106  
Aaron Snowden, 1203 Fountain Court, Memphis, Tennessee 38106  
Eric Robertson, 1223 Fountain Court, Memphis, Tennessee 38106  
Nefertiti Orrin, 908 Millers Bend Dr., Memphis, Tennessee 38126

MOTION: Hold for 30 days to return with new design plan for service station and store.  
MADE BY: Boyd  
SECOND: Toles  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Trenholm, Wilbanks, Willis and Chairman McCreery

**APPROVED FOR 30 DAY HOLD**

**\*Board Member Pritchard requested to revisit Agenda Item #3.**

**Item 3: CASE #: P.D. 08-324 CC**

**WOODLAND HILL II PLANNED DEVELOPMENT, AREA 10**

Request: Amend the detached sign conditions for Area 10 to permit the following detached signs along Walnut Grove Road: (1) a detached sign 285 square feet in area and 30 feet in height to advertise a movie theater, and; (2) two separate detached signs no more than 100 square feet in area each and 30 feet in height for two commercial buildings.  
Location: Northwest corner of Walnut Grove Road and Woodland Lake Drive  
Applicant: Jim Ethridge  
Representative for applicant: Ronald Harkavey, 6060 Poplar Ave., Memphis, TN 381

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

Eugene Bryan, 8923 Hickory Trail, Cordova, Tennessee 38018

1<sup>st</sup> MOTION: Approval according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Boyd

2<sup>nd</sup> MOTION: Hold for 30 days.  
MADE BY: Trenholm  
SECOND: Sharp  
AYES: Linkous, Sharp, Toles, Trenholm and Chairman McCreery  
NAYS: Boyd, Norcross, Pritchard and Willis  
RECUSED: Wilbanks

**APPROVED FOR 30 DAY HOLD**

**Item 6: CASE #: P.D. 13-301      MEMPHIS BLUES RV RESORT & VILLAGE**  
Request: Recreational Vehicle Park, & Lots for Manufactured Homes  
Location: East side of Highway 51 North, +/-1,400 feet south of N.  
Watkins St.  
Applicant: United Mobile Homes, Memphis LLC  
Representative(s) for applicant: Nathan Bicks, 130 N. Court Ave., Memphis, TN 38103  
Donald Westphal, 71 N. Livernois, Rochester Hills, MI 48307

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

Henry Littleton, 3700 Thomas, Memphis, TN 38127  
Steve Lockwood, 3684 N. Watkins, Memphis, TN 38127  
Shep Wilburn, 2285 Frayser Blvd., Memphis, TN 38127

MOTION: Hold for 30 days for applicant and neighborhood association to meet.  
MADE BY: Pritchard  
SECOND: Toles  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery  
Trenholm left and was not present the remainder of the meeting.

**APPROVED FOR 30 DAY HOLD**

**Item 7: CASE #: P.D. 13-303      FLETCHER TRACE OFFICE PARK PLANNED DEVELOPMENT**  
Request: Golf Driving Range, Putting/Chipping Green, Miniature Golf, Picnic Playground Area  
Location: Southeast side of Summer Av; +/-532 feet southwest of Munson Road  
Applicant: Shui K. Shen  
Representative for applicant:

MOTION: Hold for 30 days.  
MADE BY: Pritchard  
SECOND: Boyd  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED FOR 30 DAY HOLD**

**Item 8: CASE #: P.D. 13-304**

**CASABLANCA RESTAURANT PLANNED DEVELOPMENT**

Request: Restaurant  
Location: Northeast corner of Central & New York  
Applicant: Aimer Shtaya  
Representative for applicant: David Bray, 2950 N. Stage Plaza, Memphis, TN 38134

MOTION: Approval according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 9: CASE #: P.D. 13-305**

**I-55/HUDGINS ROAD PLANNED DEVELOPMENT**

Request: A Planned Development to develop the property with Warehouse and Distribution Uses.  
Location: South terminus of Hudgins, +/-175 feet south of Kilarney Avenue and +/-1,000 feet west of Airways extending West to the I-55 Right of Way  
Applicant: Ferrell Properties (Keith Ferrell)  
Representative for applicant: Cindy Reaves, 5909 Shelby Oaks Dr., Suite 200, Memphis, TN 38134

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

Mr. Allen, 1971 Kilarney, Memphis, TN 38116  
Wayne Bannon, 5482 Lastrada, Memphis, TN 38116

MOTION: Approval according to staff's recommendation as amended.  
MADE BY: Pritchard  
SECOND: Boyd  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 10: CASE #: P.D. 13-306CC**

**GARDENS OF GRAY'S CREEK PLANNED DEVELOPMENT, AMENDED**

Request: Plan amendment to allow multi-family apartment units in accordance with Residential Urban (RU-3) District within the Outline Plan.

Location: Southeast side of Lenow Road; +/-581 feet southwest of Dexter Road  
Applicant: Regency Homebuilders, LLC  
Representative for applicant: Zach Randolph, 3350 Players Club, Memphis, TN 38125

MOTION: Approval according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 11: CASE #: P.D. 13-307      SHELBY OAKS-NORTH BUSINESS CENTER PD, AMENDED**

Request: Plan amendment to allow a television transmission tower 185.90 feet in height, including ground-mounted satellite dishes.  
Location: West side of Shelby Oaks Drive-North; +/-2,344.14 feet south of Raleigh-Lagrange Road  
Applicant: Nello Corporation/Precision Communications, Incorporated  
Representative for applicant: Cindy Reaves, 5909 Shelby Oaks Dr., Suite 200, Memphis, TN 38134

MOTION: Approval according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Sharp  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 12: CASE #: P.D. 13-308      DELANO ROAD AUTO SALES PLANNED DEVELOPMENT**

Request: Automobile Sales (with outdoor vehicle display)  
Location: Northwest corner of N. Watkins Street and Delano Road  
Applicant: Brian Liberto Cook  
Representative for applicant: Evelyn Royston, 1016 Poplar Ave., Memphis, TN 38105

MOTION: Approval according to staff's recommendation with Friendly Amendment.  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 13: CASE #: S.U.P. 13-202     6415 U.S. HIGHWAY 70 - CELL TOWER**  
Request: Construct a one hundred eighty foot (180') CMCS Tower  
Location: Northeast corner of Highway 70 and Elmore  
Applicant: Tower Ventures V, LLC/TV6-W, LLC  
Representative for applicant: Lou Katzerman, 409 Viscount Ave., Memphis, TN 38118

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

Mr. Daniel Bates, 2411 Charles Bryant Rd., Memphis, TN 38134

MOTION: Approval according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Boyd  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 14: CASE #: S.U.P. 13-205     WHITNEY II**  
Request: Construct a one hundred seventy five foot (175')  
CMCS Tower  
Location: 2985 Thomas Street  
Applicant: Tower Ventures V, LLC/TV6-W, LLC  
Representative for applicant: Lou Katzerman, 409 Viscount Ave., Memphis, TN 38118

MOTION: Approval according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 15: CASE #: S.U.P. 13-206 CO Location: 10750 Pleasant Ridge Road**  
Request: Stone and Gravel Company  
Location: 10750 Pleasant Ridge Road  
Applicant: Memphis Stone & Gravel Company  
Representative for applicant: Homer Branan, 999 S. Shady Grove, Memphis, TN 38120

MOTION: Approval according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Toles  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

Item 16: CASE #: S.U.P. 13-207

Location: 1130 College Street; 215 feet north of McLemore Avenue

Request: Neighborhood Arts Center  
Location: 1130 College Street; 215 feet north of McLemore Avenue  
Applicant: Community Lift  
Representative for applicant: Linx Consulting- Cardell Orrin, 915 E. McLemore, Memphis, TN 38106

MOTION: Approval according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Toles  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**ADJOURNMENT:**

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

MINUTES APPROVED: April 11, 2013

CHAIRMAN

SECRETARY