



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. 488 - MEMPHIS, TENNESSEE 38103 - (901) 576-6619



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

**MINUTES**  
**April 11, 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, and Norman Saliba.

**Others Present:** Allen Boone, Valerie Bowen, Gene Bryan, Mike Clary, Rose Doherty, Dalila Early, Burk Forester, Bonny Kinney Jay, Lou Katzerman, Chris Kolehmainen, Jennifer Landon, Harvey Marcom, Davis McCain, John Moses, Frank Palumbo, W.D. Porter, Cindy Reaves, Ross Sackett, Ann Schiller, Mike Sharpe, Ralph Smith, Linda Snyder, Brenda Solomito, Todd Weddle, Richard Winchester.

**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 announced that April's meeting would be Board Member Rosalyn Willis last meeting with the LUCB.

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

Board Member

made a motion to approve LUCB minutes from March 14, 2013. The motion was seconded by Board Member Pritchard.

**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 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 13-002  
**DEVELOPMENT NAME:** CARTER HILL SUBDIVISION  
Request: Four-lot residential subdivision  
Staff's Recommendation: Approval with conditions
- 2. CASE NUMBER:** S.U.P 11-205  
**LOCATION:** 346 feet to the west line of Tena Drive  
Request: Time extension for Child Care Center.  
Staff's Recommendation: Approval until June 7, 2014
- 3. CASE NUMBER:** P.D. 12-311  
**DEVELOPMENT NAME:** CALVARY RESCUE MISSION PLANNED DEVELOPMENT  
Request: Minor modification to include Lot 30 of Lucerne Subdivision to increase the area of the Outline Plan from 3.32 acres to 3.45 acres.  
Staff's Recommendation: Approval with two (2) conditions
- 4. CASE NUMBER:** P.D. 86-322  
**DEVELOPMENT NAME:** HUMPHREYS BOULEVARD PLANNED DEVELOPMENT, PHASE 5  
Request: Height modification to previously-approved Cancer Clinic Building from 45 feet to 69 feet  
Staff's Recommendation: Approval
- 5. CASE NUMBER:** P.D. 95-374  
**DEVELOPMENT NAME:** COMMONS AT DEXTER LAKE PLANNED DEVELOPMENT, PHASE 3  
Request: Parking lot expansion for 61 spaces for existing automobile leasing agency  
Staff's Recommendation: (Pulled from the Consent Agenda for discussion)

**6. CASE NUMBER:** P.D. 88-304  
**DEVELOPMENT NAME:** RHODES COLLEGE PLANNED DEVELOPMENT, AREA C  
Request: Site plan approval for lighting of the football stadium  
Staff's Recommendation: (Pulled from the Consent Agenda for discussion)

**7. CASE NUMBER:** PD 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 with conditions

Cases #5 P.D. 95-374 and #6 P.D. 88-304 were requested to be pulled from the Consent Agenda due to opposition.

Chairman McCreery asked the board members for a motion to approve Consent Agenda Items #1 through #4 and #7. Board Member Wilbanks made a motion to approve the Consent Agenda Items-Cases #1 through #4 and #7. The motion was seconded by Board Member Boyd. (Board member Wilbanks recused herself from voting on Item #7 and Board member Linkous recused himself from voting on Item #3. The motion passed unanimously.

**PULLED CONSENT AGENDA ITEMS 5 AND 6**

**Item 5: CASE #: P.D. 95-374** COMMONS AT DEXTER LAKE PLANNED DEVELOPMENT, PHASE 3  
Request: Parking lot expansion for 61 spaces for existing automobile leasing agency.  
Location: South terminus of Chickering Cove, 335 feet west of Germantown Parkway  
Applicant: American Car Center, LLC  
Representative for applicant: Ralph Smith, 3831 Lakehurst Dr., Memphis, TN 38128  
John Moses, 6400 Winchester Rd., Memphis, TN 38115

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

Gene Bryan, 8923 Hickory Trail, Cordova, Tennessee 38018

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



**Item 9: CASE #: Z 13-103**

Request: Residential Urban (RU-3) District.  
Location: West side of Ramill Road @ Twin Lakes Drive  
Applicant: H & M Carter, Inc.  
Representative for applicant: Frank Palumbo, 5119 Summer Ave., Ste. 402, Memphis, TN 38112

MOTION: Approval according to staff's recommendation for (RU-2) District.  
MADE BY: Pritchard  
SECOND: Sharp  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Tremholm, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 10: CASE #: Z 13-104**

Request: Residential Urban (RU-3) District.  
Location: East side of Ramill Road at western terminus of Lansford Drive  
Applicant: H & M Carter, Inc.  
Representative for applicant: Frank Palumbo, 5119 Summer Ave., Ste. 402, Memphis, TN 38112

MOTION: Approval according to staff's recommendation for (RU-1) District.  
MADE BY: Pritchard  
SECOND: Boyd  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Tremholm, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 11: CASE #: P.D. 13-303**

**FLETCHER CREEK OFFICE PARK PLANNED DEVELOPMENT**

Request: Golf Driving Range, Putting/Chipping Green, Miniature Golf, Picnic Playground Area.  
Location: East side of Summer Avenue; +/- 1,047 feet north of the Intersection with Sycamore View Road  
Applicant: Shui K. Shen  
Representative for applicant: Harvey Marcom, 5880 Ridge Bend Rd., Memphis, TN 38120

Friendly Amendment Requested: Sunday hours of operation amended from 12 noon to 9am.  
MOTION: Approval according to staff's recommendations and as mutually amended.  
MADE BY: Pritchard  
SECOND: Sharp  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Tremholm, Wilbanks, Willis and Chairman McCreery

**APPROVED**

\*Item 12 Neighborhood Notices stated this case would be heard at 1:00 p.m. LUCB reconvened meeting at 1:00 p.m. LUCB members not present were Boyd and Trenholm.

**Item 12: CASE #: P.D. 13-309      NATURAL LEARNING SCHOOL PLANNED DEVELOPMENT**

Request: To allow an A PD within an R-6 zoning district.  
Location: 2368 Circle Avenue  
Applicant: Dalila Early, 1992 Nelson Ave., Memphis TN 38104  
Representative for applicant: Valerie Bowen, 159 S. Humes St., Memphis, TN 38111

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

Chris Kolehmainen, 1795 Linden Ave., Memphis, Tennessee 38104  
Ann Schiller, 4859 Hummingbird Lane, Memphis, Tennessee 38117  
Jennifer Landon, 1717 Powell Run Cv., Collierville, Tennessee 38017

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

Rose Doherty, 2399 Autumn Ave., Memphis, Tennessee 38112  
Linda Snyder, 2371 Circle Ave., Memphis, Tennessee 38112  
Bonny Kinney Jay, 2367 Circle Ave., Memphis, Tennessee 38112

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

**APPROVED**

**Item 13: CASE #: P.D. 13-310      MSM PLANNED DEVELOPMENT**  
Request: Collision Center  
Location: 100 Feet south of Varnavas  
Applicant: Lynch & Weddle Holdings  
Representative for applicant: Todd Weddle, 315 Fountain Lake Dr., Memphis, TN 38120  
W. D. Porter, 4821 American Way, Memphis, TN 38118

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

Mike Sharpe, 8207 Traditional Place, Cordova, Tennessee 38018  
Burk Forester, 2272 N. Germantown Pkwy., Cordova, Tennessee 38018  
Gene Bryan, 8923 Hickory Trail, Cordova, Tennessee 38018

Motion for Amendment: A limit of ten (10) cars allowed for outside storage for a maximum of ten (10) days to be stored on the lot.

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

**APPROVED**

**Item 14: CASE #: P.D. 13-311      PARKS EDGE AT SHELBY FARMS PLANNED DEVELOPMENT**  
Request: Apartments.  
Location: South side of Trinity Road; 390 feet west of Trinity Creek Cove  
Applicant: Shelby Farms Apartments  
Representative for applicant: Brenda Solomito, 2067 Kirby Parkway, Memphis, TN 38119

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

**APPROVED**

**Item 15: CASE #: P.D. 13-312      NEIGHBORHOOD CHRISTIAN PLANNED DEVELOPMENT**  
Request: To allow a PD within a RU-1 zoning district.  
Location: 3028 Carnes Avenue  
Applicant: Neighborhood Christian Center  
Representative for applicant: Cindy Reaves, 5909 Shelby Oaks Dr., Ste. 200, Memphis, TN 38134

Approved added Condition: (3F) –5ft. property line easement at corner of Semmes and Carnes  
MOTION: Approval with conditions according to staff's recommendation.  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Boyd, Linkous, Norcross, Pritchard, Sharp, Toles, Tremholm, Wilbanks, Willis and Chairman McCreery

**APPROVED**

**Item 16: CASE #: P.D. 13-312**

**LEE'S BUSINESS CENTER**

Request: Convenience Store with Gas Pumps.  
Location: 964 McLemore Avenue; SE corner of College St. & McLemore Ave.  
Applicant: Otha L. Broome  
Representative for applicant: Definor Smith

**Item 16 was placed on HOLD**

**Item 17: CASE #: S.U.P. 13-210**

Request: Construct a 160 foot cell tower.  
Location: 5963 Knight Arnold Rd.; 408 feet west of Hickory Hill rd.  
Applicant: TV6 Signal Source, LLC  
Representative for applicant: Lou Katzerman, 4091 Viscount Ave., Memphis, TN 38118

Friendly Amendments Requested: 1. Cond. #2 – mutually work to find appropriate landscaping for the area.  
2. Cond. #4 – remove brick panel fence and mutually work to find appropriate fencing material.

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

**APPROVED**

**ADJOURNMENT:**

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

MINUTES APPROVED: May 9, 2013

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CHAIRMAN

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SECRETARY