



STAFF REPORT

AGENDA ITEM: 1

CASE NUMBER: S 18-22 **L.U.C.B. MEETING:** August 9, 2018
LOCATION: 3310 Commercial Parkway
OWNER/APPLICANT: Mark H. Hill
REPRESENTATIVE: Farris Bobango Branan PC – Homer Branan
REQUEST: Two-lot resubdivision (industrial)
AREA: +/-2.5 acres
EXISTING ZONING: Freeway Commercial Park – Section E-2 and Employment (EMP)

CONCLUSIONS

1. This is a two-lot major subdivision, a resubdivision of Lot 19 in the Freeway Commercial Park – Section E-2.
2. This will make the billboard on this site conforming by having it on its own lot (Lot 19B), however, the billboard at 74 feet is still be taller than the 35-foot structure height maximum permitted in the Freeway Commercial Park – Section E-2.
3. The lots meet the bulk regulations of the Employment District and the subdivision is in character and compatible with the existing development of the neighborhood.
4. Requiring sidewalk improvements on this site would be impractical, thus, a waiver is recommended.

RECOMMENDATION:
Approval with one (1) waiver

GENERAL INFORMATION

Street Frontage: Commercial Parkway +/-46.23 curvilinear feet
Interstate 55 +/-363.13 curvilinear feet

Zoning Atlas Page: 2330

Parcel ID: 078001 00025

Existing Zoning: Freeway Commercial Park – Section E-2 and Employment (EMP)

NEIGHBORHOOD MEETING

The meeting was held at 6:00 PM on Monday July 26, 2018, at the offices of the IMC Supply Company, 3310 Commercial Parkway.

PUBLIC NOTICE

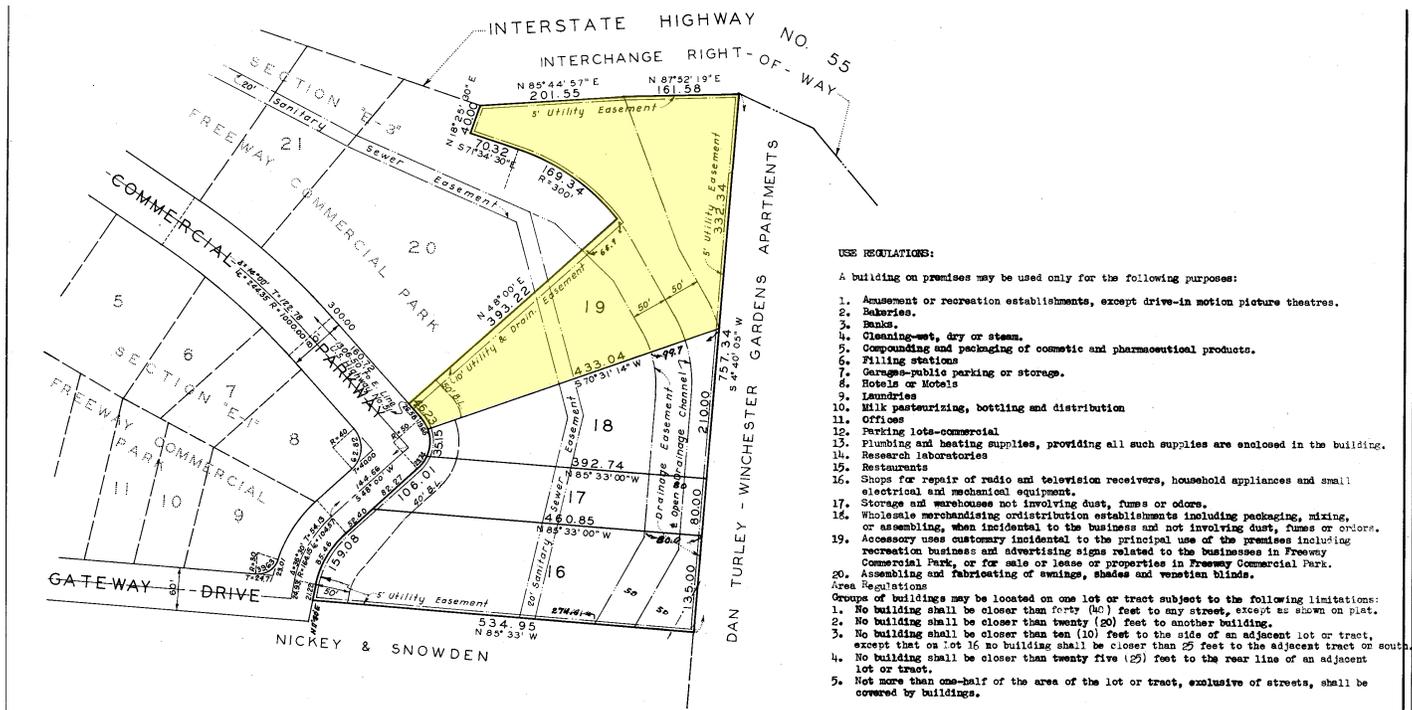
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed. A total of 70 notices were mailed on July 19, 2018.

LOCATION MAP



Subject property located within the pink circle

FREWAY COMMERCIAL PARK - SECTION E-2 (1971)



USE REGULATIONS:

A building on premises may be used only for the following purposes:

1. Amusement or recreation establishments, except drive-in motion picture theatres.
2. Bakeries.
3. Banks.
4. Cleaning-wet, dry or steam.
5. Compounding and packaging of cosmetic and pharmaceutical products.
6. Filling stations.
7. Garage-public parking or storage.
8. Hotels or Motels.
9. Laundries.
10. Milk pasteurizing, bottling and distribution.
11. Offices.
12. Parking lots-commercial.
13. Plumbing and heating supplies, providing all such supplies are enclosed in the building.
14. Research laboratories.
15. Restaurants.
16. Shops for repair of radio and television receivers, household appliances and small electrical and mechanical equipment.
17. Storage and warehouses not involving dust, fumes or odors.
18. Wholesale merchandising establishments including packaging, mixing, or assembling, when incidental to the business and not involving dust, fumes or odors.
19. Necessary uses customary incidental to the principal use of the premises including recreation business and advertising signs related to the businesses in Freway Commercial Park, or for sale or lease or properties in Freway Commercial Park.
20. Assembling and fabricating of awnings, shades and venetian blinds.

- Groups of buildings may be located on one lot or tract subject to the following limitations:
1. No building shall be closer than forty (40) feet to any street, except as shown on plat.
 2. No building shall be closer than twenty (20) feet to another building.
 3. No building shall be closer than ten (10) feet to the side of an adjacent lot or tract, except that on lot 16 no building shall be closer than 25 feet to the adjacent tract on south.
 4. No building shall be closer than twenty five (25) feet to the rear line of an adjacent lot or tract.
 5. Not more than one-half of the area of the lot or tract, exclusive of streets, shall be covered by buildings.

Height Regulations:

No building shall exceed two stories in height and no structure shall exceed thirty five (35) feet in height, except that this limitation shall not apply to chimneys, chemical processing equipment, conveyors, cooling towers, fire poles, flag poles, ornamental towers and spires, radio or television towers or aerials, smokestacks, water towers and tanks, office buildings (six stories). Regulations controlling height of structures in the airport approach and turning zones are set forth in applicable ordinances.

**STATE OF TENNESSEE
COUNTY OF SHELBY**

I, the undersigned, Willie Mae Acklen, mortgagee of the property shown hereon, hereby adopt this plat as my plan of subdivision and dedicate the streets, rights-of-way, easements and rights of access as shown and/or described to the public use forever. I hereby certify that I am the mortgagee, duly authorized so to act, and that said property is not encumbered by any taxes which have become due and payable.

By Willie Mae Acklen

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Before me, a notary public, in and for said state and county at Memphis, duly commissioned and qualified, personally appeared Willie Mae Acklen, with whom I am personally acquainted and who, upon her oath, acknowledged that she executed the foregoing instrument for the purposes therein contained as her own free act and deed.

Witness my hand and notarial seal this 14th day of August, 1971.

My commission expires July 1, 1972.

Notary Public Katherine W. Bigelow

CERTIFICATE OF SURVEY:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made under my supervision.

RICHARDSON ENGINEERING COMPANY

By Heber H. Carter, Jr.
Heber H. Carter, Jr., Engineer.
Tennessee Certificate No. 2026.

NOTE BEARINGS AS SHOWN ARE RELATIVE ONLY.

ZONED M-1
5.956 ACRES



FREWAY DEVELOPMENTS INC'S
SECTION "E-2"
FREWAY COMMERCIAL PARK
MEMPHIS, SHELBY COUNTY, TENNESSEE
SEPTEMBER, 1971 SCALE: 1 INCH = 100 FEET
RICHARDSON ENGINEERING COMPANY

STATE TAX
RECORDING FEE
RECORDING FEE 15.00
OCT 26 2 00 PM '71
STATE OF TENNESSEE
SHELBY COUNTY

**STATE OF TENNESSEE
COUNTY OF SHELBY**

We, the undersigned, Guaranty Mortgage and Trust Company, owner of the property shown hereon, hereby adopt this plat as our plan of subdivision and dedicate the streets, rights-of-way, easements and rights of access as shown and/or described to the public use forever. We hereby certify that we are the owner, duly authorized so to act, and that said property is not encumbered by any taxes which have become due and payable.

GUARANTY MORTGAGE AND TRUST COMPANY

By Robert M. Metcalf President Attest Katherine W. Bigelow Secretary

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Before me, a notary public, in and for said state and county at Memphis, duly commissioned and qualified, personally appeared Robert M. Metcalf, Jr., with whom I am personally acquainted, and who upon his oath acknowledged himself to be president of Guaranty Mortgage and Trust Co., a corporation duly organized under the laws of the State of Tennessee, and that he, as such president, being authorized so to act, executed this foregoing instrument for the purposes therein contained by subscribing thereto to the name of Guaranty Mortgage and Trust Company by himself as president.

Witness my hand and notarial seal this 8 day of September, 1971.

My commission expires July 17, 1972.

Notary Public John B. Acknowledged

APPROVED BY THE MEMPHIS AND SHELBY COUNTY PLANNING COMMISSION

By _____ Director

Date March 24, 1971

**STATE OF TENNESSEE
CITY OF MEMPHIS**

I hereby certify that the foregoing is a true copy and that said document was approved by the City Council of the City of Memphis in regular session on the 17 day of October, 1971.

By R. E. Davis Comptroller

APPROVED BY THE MEMPHIS AND SHELBY COUNTY HEALTH DEPT.

By Samuel Thompson, Jr. Director

Date 21 Oct 1971

Subject property is Lot 19, highlighted in yellow

FREEWAY COMMERCIAL PARK - SECTION E-2 (1971) REGULATIONS

USE REGULATIONS:

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2. Bakeries.
3. Banks.
4. Cleaning-wet, dry or steam.
5. Compounding and packaging of cosmetic and pharmaceutical products.
6. Filling stations
7. Garages-public parking or storage.
8. Hotels or Motels
9. Laundries
10. Milk pasteurizing, bottling and distribution
11. Offices
12. Parking lots-commercial
13. Plumbing and heating supplies, providing all such supplies are enclosed in the building.
14. Research laboratories
15. Restaurants
16. Shops for repair of radio and television receivers, household appliances and small electrical and mechanical equipment.
17. Storage and warehouses not involving dust, fumes or odors.
18. Wholesale merchandising or distribution establishments including packaging, mixing, or assembling, when incidental to the business and not involving dust, fumes or odors.
19. Accessory uses customary incidental to the principal use of the premises including recreation business and advertising signs related to the businesses in Freeway Commercial Park, or for sale or lease or properties in Freeway Commercial Park.
20. Assembling and fabricating of awnings, shades and venetian blinds.

Area Regulations

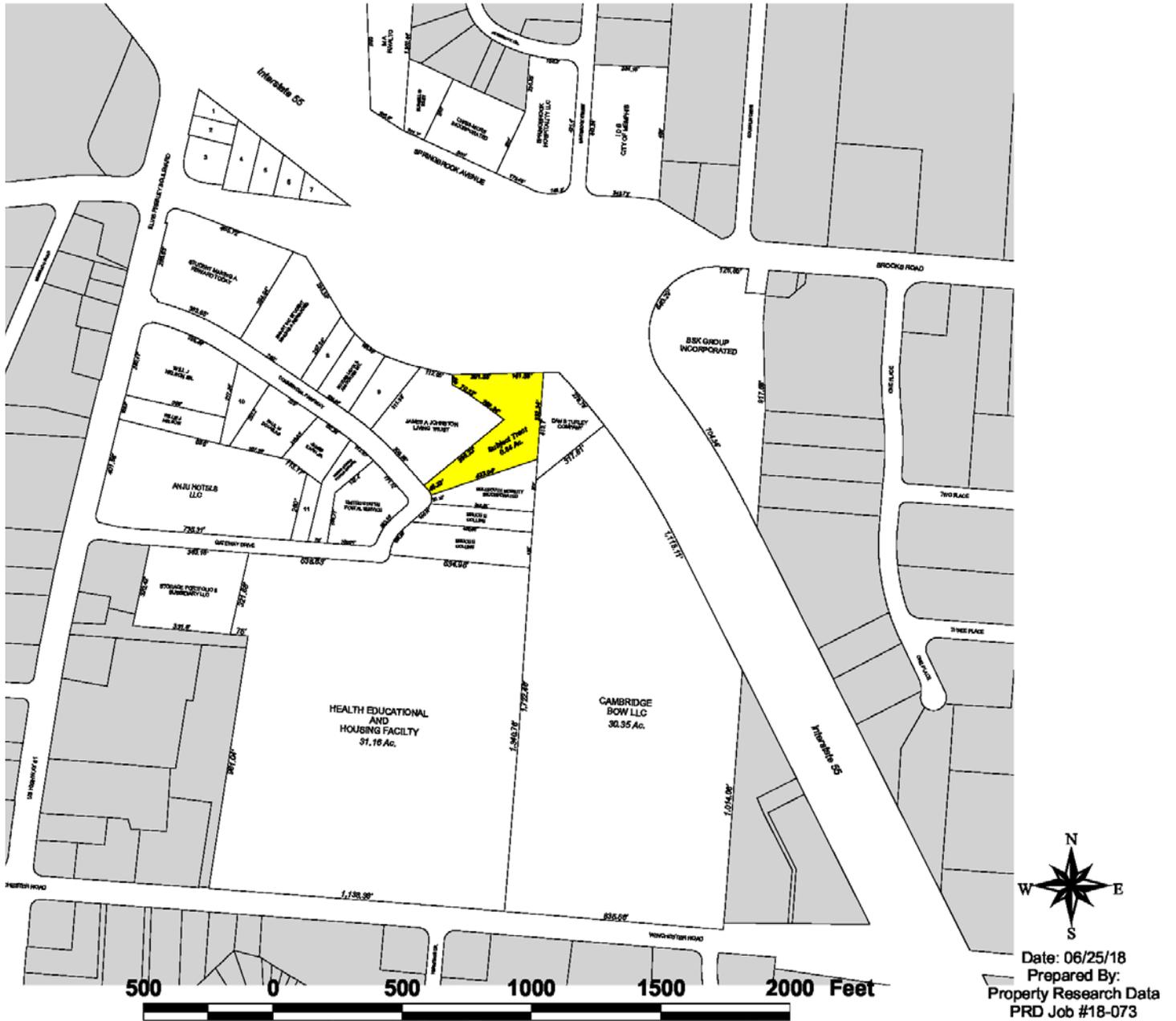
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VICINITY MAP



Subject property highlighted in yellow

AERIAL



Subject property outlined in yellow, imagery from March 14, 2018

ZONING MAP



Subject property highlighted in yellow

Existing Zoning: Freeway Commercial Park – Section E-2 and Employment (EMP)

Surrounding Zoning

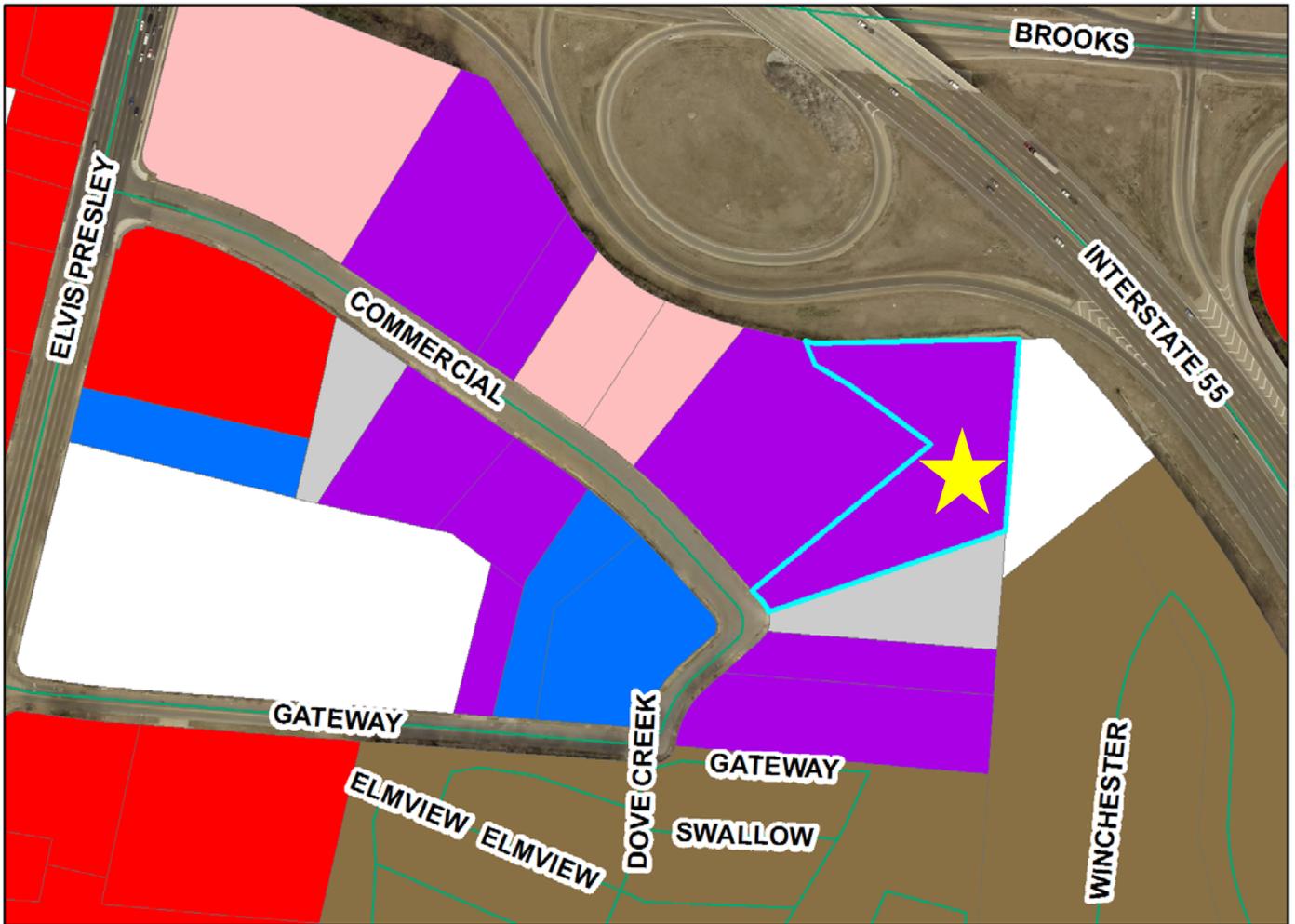
North: R-15 (Interstate 55)

East: RU-3

South: Freeway Commercial Park – Section E-2 and Employment (EMP)

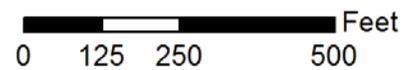
West: Freeway Commercial Park – Section E-3 and Employment (EMP)

LAND USE MAP



LandUse

- | | |
|---|--|
|  SINGLE-FAMILY |  OFFICE |
|  MULTI-FAMILY |  INDUSTRIAL |
|  INSTITUTIONAL |  PARKING |
|  COMMERCIAL |  VACANT |
|  RECREATIONAL / OPEN SPACE | |



Subject property outlined in electric blue and indicated by a yellow star

SITE PHOTOS



View of subject property from Interstate 55 looking southeast



View of subject property from Commercial Parkway looking northeast



View down Commercial Parkway from subject property looking west



View down Commercial Parkway from subject property looking southeast

STAFF ANALYSIS

Request

The application and letter of intent have been added to this report.

The request is for a two-lot major subdivision, a resubdivision of Lot 19 in the Freeway Commercial Park – Section E-2

Review Criteria

Staff agrees the major preliminary plan review approval criteria as set out in the Unified Development Code Sub-Section 9.7.7H are met.

9.7.7H Approval Criteria

1. A major preliminary plan shall be approved by the Land Use Control Board if it meets the following criteria:
 - a. Conforms with all the provisions and requirements of any plans to be considered (see Chapter 1.9);
 - b. There are adequate public facilities available, to be provided by the applicant or programmed within the five-year capital improvements program of the governing bodies to accommodate the proposed development;
 - c. Conforms with all the applicable provisions and requirements of this development code; and
 - d. Conforms with all the provisions and requirements of other applicable codes and ordinances relating to land development not included in this development code.
2. The LUCB or governing body(s) may reject a preliminary plan if it is determined that the proposed subdivision is not in keeping with the character of development in the neighborhood. The LUCB or governing body(s) shall consider the following in the determination of the character of the development in the neighborhood.
 - a. Building setback lines of all principal structures that lie within 500 feet of the proposed subdivision.
 - b. Size and width of all lots within 500 feet of the proposed subdivision.
 - c. Proximity of arterial and connector streets within 500 feet of the proposed subdivision.
 - d. Diversity of land uses within 500 feet of the proposed subdivision.

Site Description

The subject property is +/-2.5 acres and located at 3310 Commercial Parkway with additional frontage along Interstate 55. The site is zoned and Employment (EMP) and Lot 19 of Freeway Commercial Park – Section E-2. According to the Assessor's office the existing building on-site, located in the southern portion of the site, was constructed in 1985, is approximately 5,750 square feet, and classified as an industrial use (manufacturing mill). Additionally, there is a billboard on the subject site in the northern portion of the site.

Billboard on Subject Property

The existing billboard on this site is currently non-conforming for two known reasons.

The first being that it is not the principal use on the subject property as existing. However, with this subdivision the billboard would become conforming in regard to this matter due to the fact it would be the principal use on the proposed Lot 19B.

Additionally, the billboard exceeds the height limitations of the commercial park development and thus will remain nonconforming. On Friday, July 13, 2018, Felecia Campbell, Senior Inspector, went to the subject property and measured the sign to be 22.6 meters in height (74 feet). This is in violation of the height regulations in the Freeway Commercial Park – Section E-2 (1971) which state that, “no structure shall exceed thirty five (35)

feet in height...” This billboard is a nonconforming off-premise sign.

Conclusions

This is a two-lot major subdivision, a resubdivision of Lot 19 in the Freeway Commercial Park – Section E-2.

This will make the billboard on this site conforming by having it on its own lot (Lot 19B), however, the billboard at 74 feet is still be taller than the 35-foot structure height maximum permitted in the Freeway Commercial Park – Section E-2.

The lots meet the bulk regulations of the Employment District and the subdivision is in character and compatible with the existing development of the neighborhood.

Requiring sidewalk improvements on this site would be impractical, thus, a waiver is recommended.

RECOMMENDATION

Staff recommends approval with one (1) waiver.

Waivers

1. A waiver to Sub-Section 5.2.2B is granted to relieve the developer and/or building permit holder of the installation of sidewalk improvements along Commercial Parkway.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City/County Engineer:

1. Standard Subdivision Contract as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. City sanitary sewers are available at developer's expense.

Roads:

3. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
4. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards,
5. This development does not appear to be affected by a project that has been identified by TDOT or the MPO on the LTRP to receive future improvements. However, the applicant is advised to inquire with the MPO, MATA, TDOT and any adjacent railroad authority regarding any future projects that may impact this site.

Traffic Control Provisions:

6. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5-foot-wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5-foot clear pedestrian path, an exception may be considered.
7. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
8. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number of projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for land Development of the City of Memphis Division of Engineering Design and Policy Review Manual.

Curb Cuts/Access:

9. The City Engineer shall approve the design, number and location of curb cuts.
10. This project will be required to share a commercial curb cut between lots. Common ingress/egress easement shall be shown on the plat and plans.
11. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

Drainage:

12. A full set of engineered civil drawings will be required for this project.
13. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
14. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis Drainage Design Manual.
15. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.

Site Plan Notes:

16. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
17. Prior to recording, the following note shall be placed on the plat:
 18. No permit for construction shall be granted for lot 19B except for the installation of an off-premise sign. Any other use of this property will require re-recording of the plat, the payment of sewer development fees and the installation of the sewer connection to this property.

General Notes:

19. The width of all existing off-street sewer easements shall be widened to meet current city standards.
20. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.
21. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.
22. Required landscaping shall not be placed on sewer or drainage easements.

Sewer Design Department

- The sanitary sewer capacity is available to serve this development.

City/County Fire Division:

No comments received.

City Real Estate:

No comments received.

City/County Health Department:

Water Quality Branch & Septic Tank Program:

- No comments.

Shelby County Schools:

No comments received.

Construction Code Enforcement:

No comments received.

Memphis Light, Gas and Water:

MLGW has reviewed the referenced application, and has no objection, subject to the following conditions:

- It is the responsibility of the owner/applicant to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities.
- No permanent structures, development or improvements are allowed within any utility easements, without prior MLGW written approval.
- It is the responsibility of the owner/applicant to comply with the National Electric Safety Code (NESC) and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- Underground Utility separation and clearance: The subject property is encumbered by existing utilities which may include overhead and underground facilities. It is the responsibility of the owner/applicant to maintain a minimum 3-foot (3') separation between any existing underground service lines or utilities and any proposed permanent structure or facility. This separation is necessary to provide sufficient space for any excavations to perform service, maintenance or replacement of existing utilities.
- It is the responsibility of the owner/applicant to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- It is the responsibility of the owner/applicant to contact TN-1-CALL @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
- It is the responsibility of the owner/applicant to comply with Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations.
- Street Trees are prohibited, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- Landscaping is prohibited within any MLGW utility easement without prior MLGW approval.
- Street Names: It is the responsibility of the owner/applicant to contact MLGW–Address Assignment @ 729-8628 and submit proposed street names for review and approval. Please use the following link to the MLGW Land & Mapping website for Street Naming Guidelines and the Online Street Name Search: <http://www.mlgw.com/builders/landandmapping>
- It is the responsibility of the owner/applicant to submit a detailed plan to MLGW Engineering for the purposes of determining the impact on or conflict with any existing utilities, and the availability and capacity of existing utility services to serve any proposed or future development(s). Application for utility service is necessary before plats can be recorded.
 - o All residential developers must contact MLGW's Residential Engineer at Builder Services: (901) 729-8675 to initiate the utility application process.
 - o All commercial developers must contact MLGW's Builder Services line at 729-8630 (select option 2) to initiate the utility application process.
- It is the responsibility of the owner/applicant to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Address Assignment:

- No street name changes

APPLICATION



Memphis and Shelby County
Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

**APPLICATION FOR PRELIMINARY
MAJOR SUBDIVISION PLAN APPROVAL**

Date: July 2, 2018

Case #: _____

PLEASE TYPE OR PRINT

Name of Development: Freeway Commercial Park S.D. (Re-subdivide Lot 19)

Property Owner of Record: Mark H. Hill Phone #: 901-345-6001

Mailing Address: 3310 Commercial Parkway City/State: Memphis, TN Zip 38116

Property Owner E-Mail Address: markhill@imsupply.com

Applicant: Mark H. Hill Phone # 901-345-6001

Mailing Address: 3310 Commercial Parkway City/State: Memphis, TN Zip 38116

Applicant E- Mail Address: markhill@imsupply.com

Representative: Homer Branan- Farris Bobango Branan PC Phone #: 901-259-7100

Mailing Address: 999 S. Shady Grove Road City/State: Memphis, TN Zip 38120

Representative E-Mail Address: hbranan@farris-law.com

Engineer/Surveyor Harvey C. Marcom, P.E. The Reaves Firm Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave. Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: hmarcom@reavesfirm.com

Plat Street Address Location: 3310 Commercial Parkway (Lot 19)

Inside of Memphis City Limits Yes No

Unincorporated Shelby County Yes No

City of _____ Reserve Area Yes No

Access to Public Water Yes No

Access to Sanitary Sewer Yes No

Distance to nearest intersecting street: Commercial Parkway at Gateway

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: NA Bedrooms: NA

Expected Appraised Value per Unit: NA or Total Project: NA

	Parcel 1	Parcel 2	Parcel 3
Existing Zoning:	EMP		
Existing Use of Property			
Requested Use of Property	EMP		

Number of Acres: 2.50 Number of Lots: 2 Minimum Lot Area: 1.25 ACS

Deed Instrument # (s): WG 9343 Please attach a copy of all deeds.

Proposed Electrical Distribution Method: Overhead Underground

Article 5/Section 3.9.2 Waivers

Is any Waiver from Article 5 or Section 3.9.2 of the UDC requested? Yes No

If yes, attach a letter requesting said variance(s) referencing the specific section of the Unified Development Code from which relief is sought with appropriate justification in accordance with Section 9.7.7F of the UDC.

Variances

If the Office of Planning and Development (OPD) determines your submitted site plan requires Board of Adjustment (BOA) action on a particular standard of the Unified Development Code, this application will not be heard by the Land Use Control Board (LUCB) until an application is submitted to the BOA. Once a BOA application is received by OPD, OPD will proceed to send any public notices, including neighborhood meeting notification, for the next available LUCB meeting. Notices will not be sent out prior to a BOA application being received. All neighborhood notification and public notices shall meet the timing provided in Sections 9.3.2 and 9.3.4 of the UDC. In lieu of a BOA application being filed, this application for a Preliminary Major Subdivision may be replaced with an application for a Planned Development within 14 days of the filing deadline for this application, unless the site is located within the Medical Overlay District (see Sec. 8.2.2D of the UDC). If neither a Board of Adjustment nor a Planned Development application is received within 90 days of the filing deadline for this application, then this application shall be considered defective and withdrawn from any future consideration by the Land Use Control Board.

Pre-Application Conference held on: 6/20/2018 with Chip Saliba

Neighborhood Meeting Requirement Met: Yes or Not Yet
(If yes, documentation must be included with application materials)

PRELIMINARY MAJOR SUBDIVISION PLAN APPROVAL

I (we) hereby make application for the approval of a subdivision or land described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

<u>[Signature]</u>	<u>6-26-18</u>	<u>H. MARK HILL</u>	<u>6-26-18</u>
Property Owner of Record	Date	Applicant	Date

LETTER OF INTENT

FARRIS BOBANGO BRANAN PLC

ATTORNEYS AT LAW

999 S. Shady Grove Road, Suite 500 / Memphis, TN 38120
901-259-7100 / Fax 901-259-7150
www.farrisbobango.com

June 26, 2018

Josh Whitehead, Director
Office of Planning and Development
4th Floor
City Hall
Memphis, TN 38103

**RE: Resubdivision of Lot 19 Freeway Commercial Park Subdivision
Section E-2**

Dear Josh:

We respectfully request a resubdivision of Lot 19 of the Freeway Commercial Park Subdivision into two lots. The original subdivision was approved in 1971 as an industrial park zone M-1, which is now Employment (EMP). Mark Hill, the owner of the property, purchased it in 1980 and built his industrial building on the southern portion of Lot 19 in 1985. The subject property is located south of Interstate 55, south of Brooks Road and east of Elvis Presley. The remainder of the subdivision is developed in industrial uses.

The subject property is an unusual shape with the main portion on the south side occupied by the existing business and the northern portion is across a drainage ditch with a small undersized crossing that needs to be replaced. The crossing was installed by a previous user. If this lot is divided, a new crossing which is right-sized will be installed in accordance with the City Engineer's requirements.

The Applicant requests this resubdivision so he will be in a position to sell his building on the high portion of Lot 19 and retain ownership of the remainder which is low.

The request for two lots complies with the area size and set backs as required by the Unified Development Code after being reviewed with the staff of the Office of Planning and Development.

The Applicant requests approval of the resubdivision of Lot 19 and if there are any questions, suggestions, or comments, please do not hesitate to contact us at your earliest convenience.

Yours very truly,

FARRIS BOBANGO & BRANAN PLC



Homer B. Branam, III

HBB:gc
G:\HBB\WHITEHEAD, Josh Letter dated 6-15-18.docx



LETTERS RECEIVED

No letters received at the time of completion of this report.