

**MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT**

**STAFF REPORT**  
**Payday Title Loan Waiver**

**CASE NUMBER:** PDT 09-01                      **COUNCIL MEETING:** May 5, 2009

**LOCATION:**                      5126 Summer Avenue-Suite 103-D/B/A-*'Check Into Cash'*

**COUNCIL DISTRICT(S):** **District 5-Super District 9-Positions 1, 2 & 3**

**OWNERS OF RECORD:** NATIXIS (Mike Fishbein)

**APPLICANT:**                      Check Into Cash of Tennessee, Inc. (Bill Lane, CFO)

**REQUEST:**                      Special permit waiver for a payday/title loan establishment

**AREA:**                      0.99 Acre(43,124 sq. ft.)

**EXISTING LAND USE & ZONING:**      One(1) story retail building in Highway Commercial  
(C-H)District zoning.

**ADJACENT LAND USE AND ZONING:**

**North:**      Summer Commons Shopping Center in Highway Commercial(C-H) District.

**East:**      Gasoline sales, tire sales and service, night club, market and restaurant in Highway Commercial(C-H) District.

**South:**      Pay day loan, retail and four-story office building in Highway Commercial(C-H) District.

**West:**      Apartments and medical office in Multiple Dwelling Residential(R-MM) District and auto sales, retail, plumbing shop, restaurant and grocery store in Highway Commercial(C-H) District.

**SUMMARY**

A waiver of the special permit requirement is requested by the applicant to locate a payday title loan establishment in a new one-story retail building in Summer Commons Subdivision(S06-014) Lot 4 in Highway Commercial(C-H) District zoning. The applicant is requesting to locate in a new tenant space at 5126 Summer Avenue in a small retail building with three(3) other tenants. The recently approved ordinance allows the applicant to file for waiver of the special use permit because the establishment is desiring to change location from 4514 Summer Avenue to 5126 Summer Avenue within the ninety(90) day grace period.

The land use in close proximity is primarily commercial in Highway Commercial(C-H) District zoning with single and multi-family land use and zoning a distance of 545 feet and 320 feet, respectively from the site. The distance requirement for residential is 1,320 feet or ¼ quarter mile. There are also two(2) payday/title loan establishments along Summer Avenue a distance of 290 feet and 960 feet from the site. The distance requirement for payday/title loans is 1,000 feet of any other establishment offering payday or title loans.

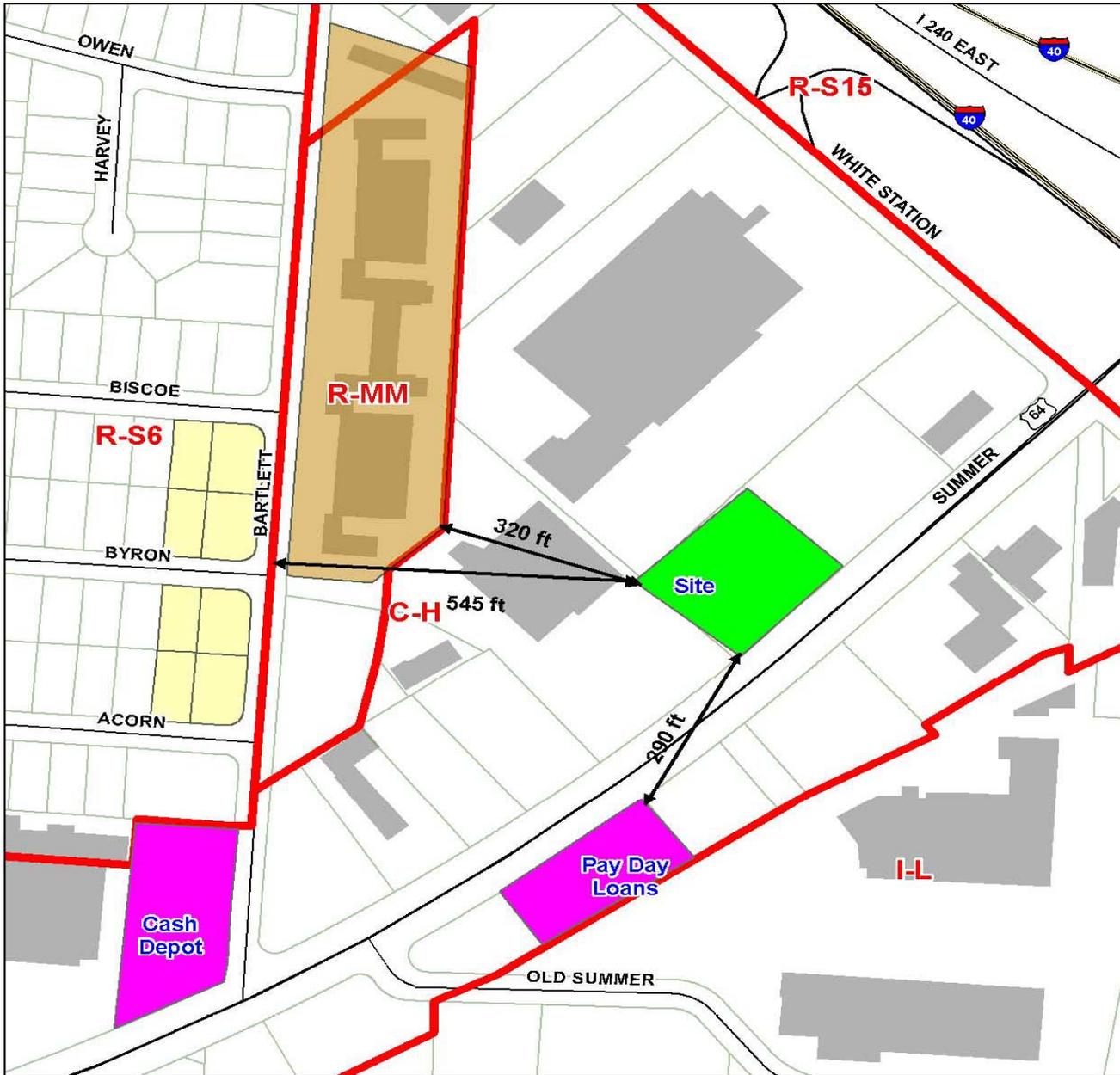
**Staff:** *Brian Bacchus*

**E-mail:** [brian.bacchus@memphistn.gov](mailto:brian.bacchus@memphistn.gov)

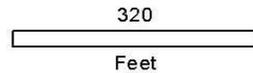
**RESIDENTIAL DISTANCE MAP**  
*(within 1,320 feet or 1/4 Mile)*

*Single Family:.....545 feet*  
*Multi-family:.....320 feet*

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Source:  
Shelby County ReGIS  
Map Date: 5/01/09



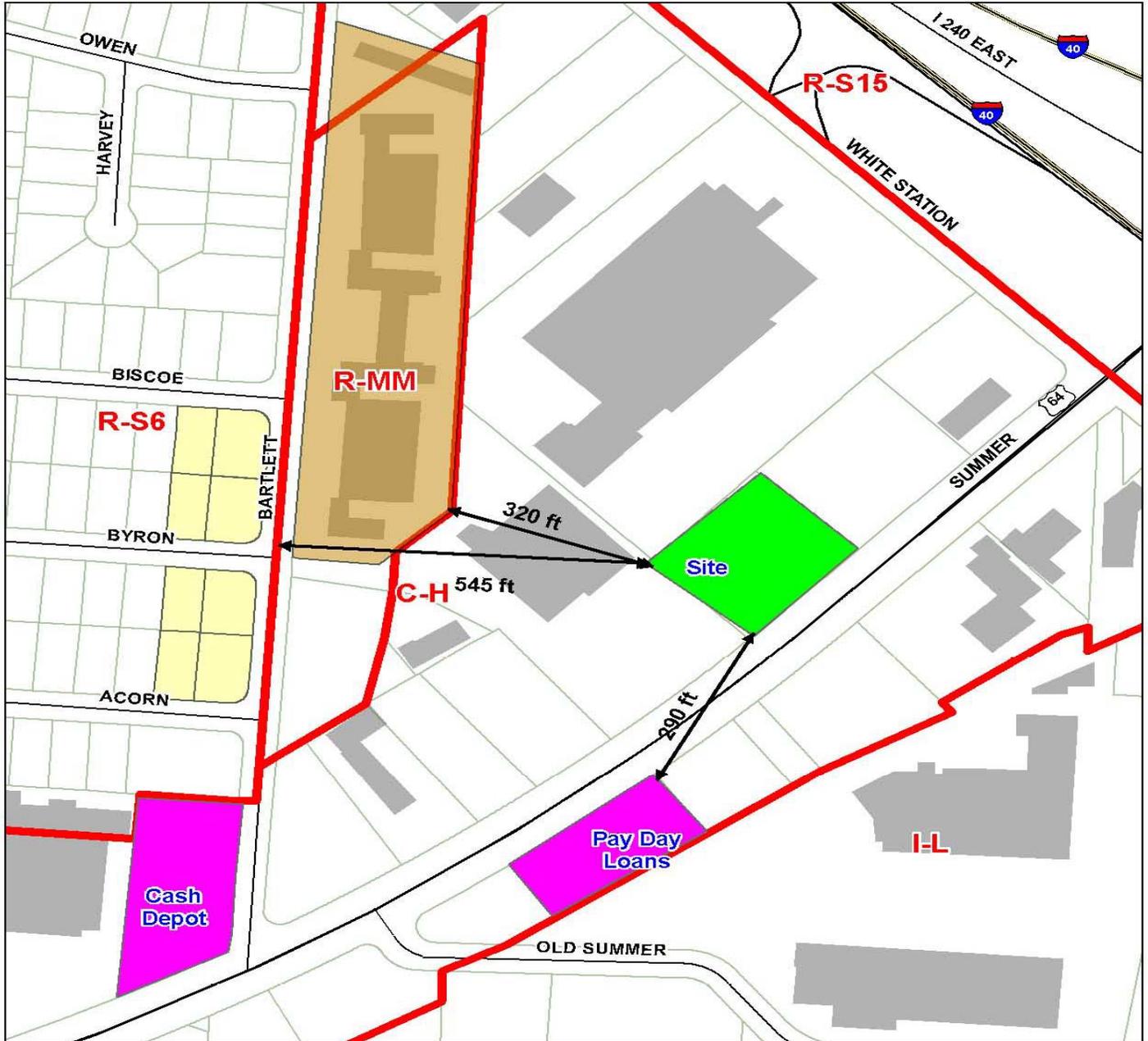
**EXISTING PAYDAY/TITLE LOANS:**

*(within 1,000 feet)*

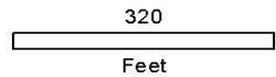
*5079 Summer Avenue:.....290 feet*

*5040 Summer Avenue:.....960 feet*

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Source:  
Shelby County ReGIS  
Map Date: 5/01/09



5126 Summer Avenue  
(Aerial View)



5126 Summer Avenue  
*(Bird's Eye View)*



**NEW ONE-STORY RETAIL BUILDING**  
*(Northwest View)*



**NEW ONE-STORY RETAIL BUILDING**  
*(Northeast View)*



**NEW ONE-STORY RETIAL BUILDING**  
*(Street View)*



**PARKING AREA**  
*(Northeast View)*

