



Memphis and Shelby County Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET MEMPHIS, TENNESSEE 38103-2084 (901) 576-6619

January 27, 2011

Councilman Edmund Ford, Jr.; Chairman, Planning and Zoning Committee
Councilman Harold Collins, District Representative

RE: Z 10-115 and SAC 10-609

Messrs. Ford and Collins:

The purpose of this letter is to provide you with the status and background information of the billboards in and around the property associated with Zoning Case Z 10-115 and Street Closure Case SAC 10-609. These applications are companion cases and are relevant to property located on the south side of Interstate 240 East; +/-1,760 feet east of Getwell Road.

Case Z 10-115 is a request to rezone 7.62 acres of land located at the south side of Interstate 240 east of Getwell Road. The Third and Final Reading of this case will be held on Tuesday, February 1. This parcel of land is currently zoned AG (Agriculture); the request is to rezone this property to I-L (Light Industrial). Under the Unified Development Code (UDC), the I-L zoning district will convert to the EMP (Employment) zoning district. The requested rezoning will allow the property to be used in conjunction with the adjacent trucking terminal business, which is also zoned EMP.

The companion case for this site, Case SAC 10-609, is a request for the closure of Watson Street, currently a 50 foot wide unimproved wooded area, extending from Interstate 240 to American Way. Watson street traverses north - south and dissects the above mentioned 7.62 acres of land. The street closure was approved by City Council by unanimous vote on January 18, 2011. The applicant requested that this street be closed in an effort to consolidate the land allowing for full utility of the property.

There are six (6) billboards along the south side of Interstate 240 between Getwell Road and Perkins; however, only one (1) billboard is situated within the property boundaries of land being considered as part of the Street Closure and companion Rezoning application. Please see attached Existing Sign Location Map. The site subject to rezoning is indicated in Grey; Sign No. 3 is located within this area.

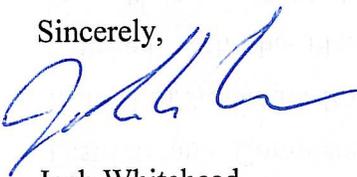
According to the Tennessee Department of Transportation, Beautification Office, all four billboards indicated on the attached Existing Sign Location Map were constructed under valid permits. They also meet the current Memphis and Shelby County Sign Regulations in that they are within 300 feet

of an interstate highway. However, Signs No. 2 and 3, as well as the sign on the adjacent property to the east are within 1000 feet of one another, which is not in compliance with the distance requirements of the Memphis and Shelby County Sign Regulations. They were constructed prior to the 1000-foot separation going into effect. As such, they are considered by the Office of Planning and Development to be Nonconforming Signs, and as a result, cannot be intensified, nor replaced, if damaged or demolished. Furthermore, under the Unified Development Code (UDC), these signs cannot be converted to digital LED technology. Paragraph 4.10.8(L)(3) of the UDC reads:

...Converting a sign to a different technology, such as tri-vision or changeable copy technology is prohibited unless the modified sign fully conforms to the applicable restrictions of this Chapter, including but not limited to those that specify the locations at which such technology is permitted.

This Ordinance requires all billboard location and vicinity requirements be met prior to the conversion of any nonconforming sign. Since the three eastern signs indicated on the attached Existing Sign Location Map are within 1000 feet of one another, they cannot be converted to digital LED technology.

Sincerely,

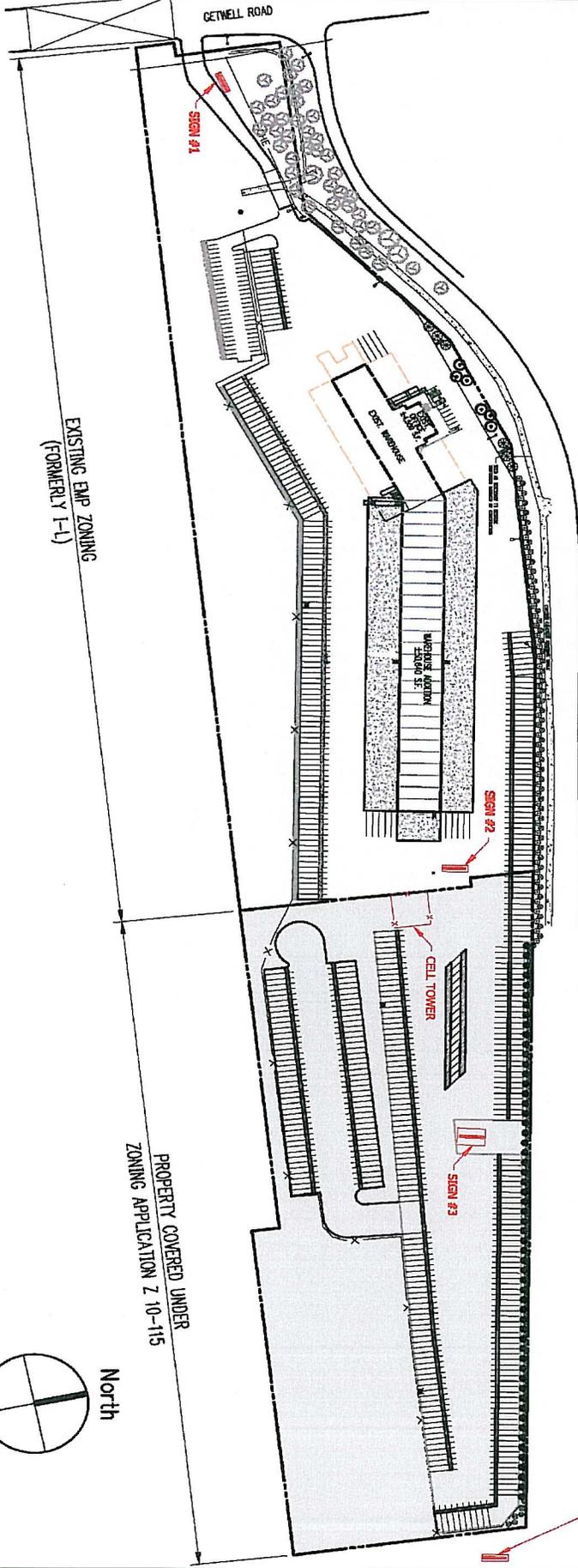


Josh Whitehead
Planning Director
Division of Planning and Development

C: Memphis of the Memphis City Council
Allen Medlock, Administrator/Building Official, Office of Construction Code Enforcement

LANDSCAPE PLAN B-4 MODIFIED - IMPORTANT NOTE:
 LANDSCAPE SCREEN SHOWN TO BE PLANTED WITHIN R.O.W. MUST BE APPROVED
 BY T.D.O.T. PRIOR TO INSTALLATION
 PLAN SHALL BE SUBMITTED TO T.D.O.T. NO LATER THAN JAN. 31, 2011

I-240 EASTBOUND LANES



EXISTING MAP ZONING
 (FORMERLY I-1)

PROPERTY COVERED UNDER
 ZONING APPLICATION Z 10-115

SIGN LOCATED ON
 ADJACENT PROPERTY



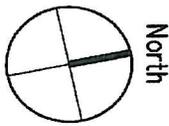
SIGN #1



SIGN #2



SIGN #3



GRAPHIC SCALE IN FEET
 SCALE: 1"=200'

EXISTING SIGN LOCATIONS
 GETWELL @ I-240

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