

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**JANUARY 12, 2022
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the December 15, 2021 Planning Commission meetings**
- 4. Public Hearings and Recommendations to City Council:**
 - a. Mandatory Referral/ROW Abandonment [2021-732] to consider the abandonment of a segment of Elam Road Right-of-Way, Kelley Frank of Kimley-Horn on behalf of Buc-ee's, LTD applicant. (Project Planner: Marina Rush)**
- 5. Staff Reports and Other Business:**
 - a. Mandatory Referral [2021-733] to consider the abandonment of a portion of a drainage easement located on property along John Lee Lane, Matt Taylor of SEC, Inc. applicant. (Project Planner: Amelia Kerr)**
 - b. Mandatory Referral [2027-735] to consider the abandonment and relocation of a drainage easement located on property along Blue Heron Drive, Rivers Edge Investments, LLC on behalf of Davidson Homes applicant. (Project Planner: Amelia Kerr)**
- 6. Adjourn.**

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 12, 2022
PROJECT PLANNER: MARINA RUSH**

4.a Mandatory Referral/ROW Abandonment [2021-732] to consider the abandonment of a segment of Elam Road Right-of-Way, Kelley Frank of Kimley-Horn on behalf of Buc-ee's, LTD applicant.

In this mandatory referral, the Planning Commission is being asked to consider approving the abandonment an approximately 1,250 linear foot segment of Elam Road City right-of-way (ROW) and to abandon the City's interest in an approximately 1,100 linear foot segment of Elam Road right-of-way owned by the Tennessee Department of Transportation, as shown on the attached maps. The proposed City ROW abandonment is 1.44 acres and the City's interest in the TDOT ROW is 7.12 acres, for a total of 8.56 acres. Both segments are located south of Joe B Jackson Parkway west of Interstate 24.

The purpose of the abandonment is to allow for the relocation of Elam Road consistent with the City's 2040 MTP plans and the development plan for an approximately 76,000 sf² Buc-ee's commercial travel center with fueling stations, associated parking, utilities, and stormwater facilities on the adjacent parcels. The relocated Elam Road will be constructed as a 5-lane collector road as detailed in the Buc-ee's Murfreesboro Preliminary Plat (Project 2021-1034).

This report includes an attached map depicting the location of the portion of Elam Road ROW to be abandoned. The red line represents the segment of the City ROW of Elam Road to be abandoned and the green area represents the portion of Elam Road ROW that is the City's interest owned by TDOT. In addition, an attachment to this staff report is a preliminary plat map depicting the specific details of the proposed abandonment segments of Elam Road.

Staff obtained comments from other City departments and utility providers regarding the impact of the proposed abandonment. The responses from the City Departments and utility provides are included in the attached memorandum from Planning staff. Based on the responses received, staff recommends the following conditions of approval:

Recommended Conditions of Approval

1. The applicant has applied for and obtained approval of a preliminary plat, which includes the relocation of Elam Road consistent with the Murfreesboro 2040 MTP. The applicant shall submit an application and obtain approval of a final plat.
2. The applicant shall record the subdivision plat, which shall include any existing or proposed utilities either as ROW or as separate easements to accommodate utilities outside the proposed ROW. Easements may be dedicated with the quitclaim deed, as determined by the City Attorney.
3. The applicant shall be responsible for preparing and submitting the legal descriptions and exhibits necessary for the City Legal Department to draft the necessary legal instruments.
4. The quitclaim deed(s) transferring the subject ROW and recording the required easement(s) shall be executed and recorded prior to the recording of the final plat(s).
5. All recording fees shall be paid by the applicant.

Action Needed

The Planning Commission will need to conduct a public hearing on this request and then formulate a recommendation to the City Council.

Memorandum

To: Greg McKnight, Planning Director
From: Marina Rush, Principal Planner
Date: December 21, 2021
Re: Elam Road Right-of-Way (ROW) abandonment (portion)

Following is a summary of the City department staff and utility provider comments regarding the requested abandonment of an approximately 1,250 linear foot segment of Elam Road City right-of-way (ROW) and to abandon the City's interest in an approximately 1,100 linear foot segment of Elam Road right-of-way owned by the Tennessee Department of Transportation:

Engineering Department

The request to abandon ROW should be subject to submission and recording of a subdivision plat that relocates Elam Road, as proposed by the applicant. The revised and relocated Elam Road plat should additionally include any existing or proposed utilities either as ROW or as separate easements if needed to accommodate utilities outside the proposed ROW.

In order to facilitate the abandonment process, the applicant should be prepared to provide legal descriptions and exhibits necessary for the City to draft the necessary legal documents as well as any recording fees. In addition, the ROW abandonment should be subject to the final approval of the legal documents by the City Attorney.

Fire and Rescue Department

The ROW abandonment will not affect the Murfreesboro Fire and Rescue Department.

Police Department

The ROW abandonment will not affect the Murfreesboro Police Department.

Solid Waste Department

The ROW abandonment will not affect the Murfreesboro Solid Waste Department.

Murfreesboro Water Resources Department (MWRD)

The ROW abandonment will not affect the Murfreesboro Water Resources Department. The Department has no water and sewer infrastructure facilities within the segments of Elam Road

ROW proposed for abandonment.

Consolidated Utility District (CUD)

The ROW abandonment will not affect CUD.

Middle Tennessee Electric Membership Corporation (MTEMC)

MTEMC has overhead electric facilities within the Elam Road ROW. Electric poles are located on the east side of Elam Road and wires cross over to the west side of Elam Road, as depicted on the attached ElectriMap exhibit. The ROW abandonment will require new utility easements to be recorded on the affected properties.

AT&T

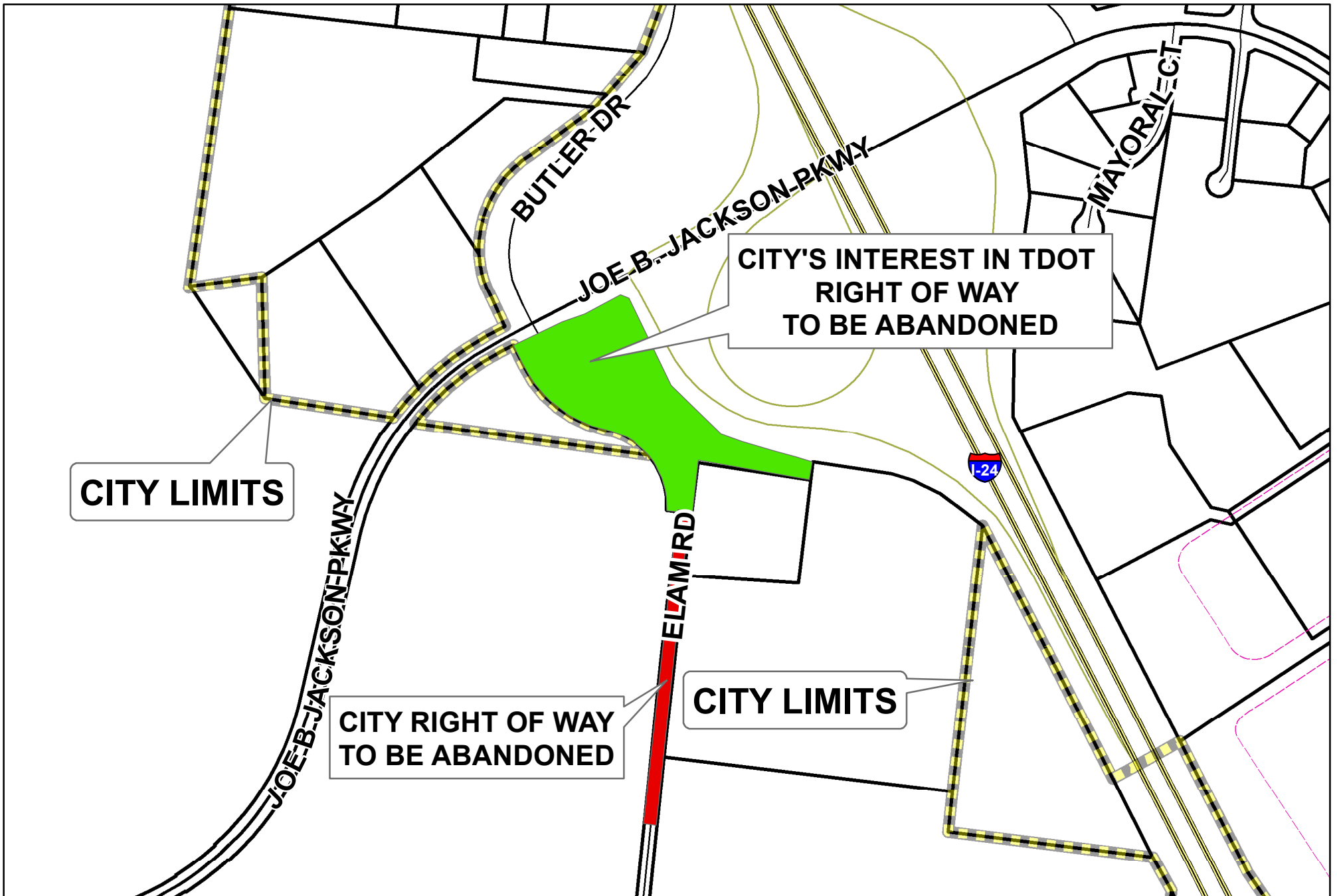
AT&T has existing lines in the Elam Road ROW, extending over Joe B Jackson Parkway to Butler Drive. The ROW abandonment will require new utility easements to be recorded on the affected properties.

Atmos Energy

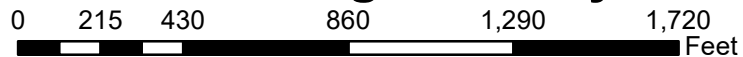
The ROW abandonment will not affect Atmos Energy. Atmos Energy does not have any assets in the subject area.

Comcast

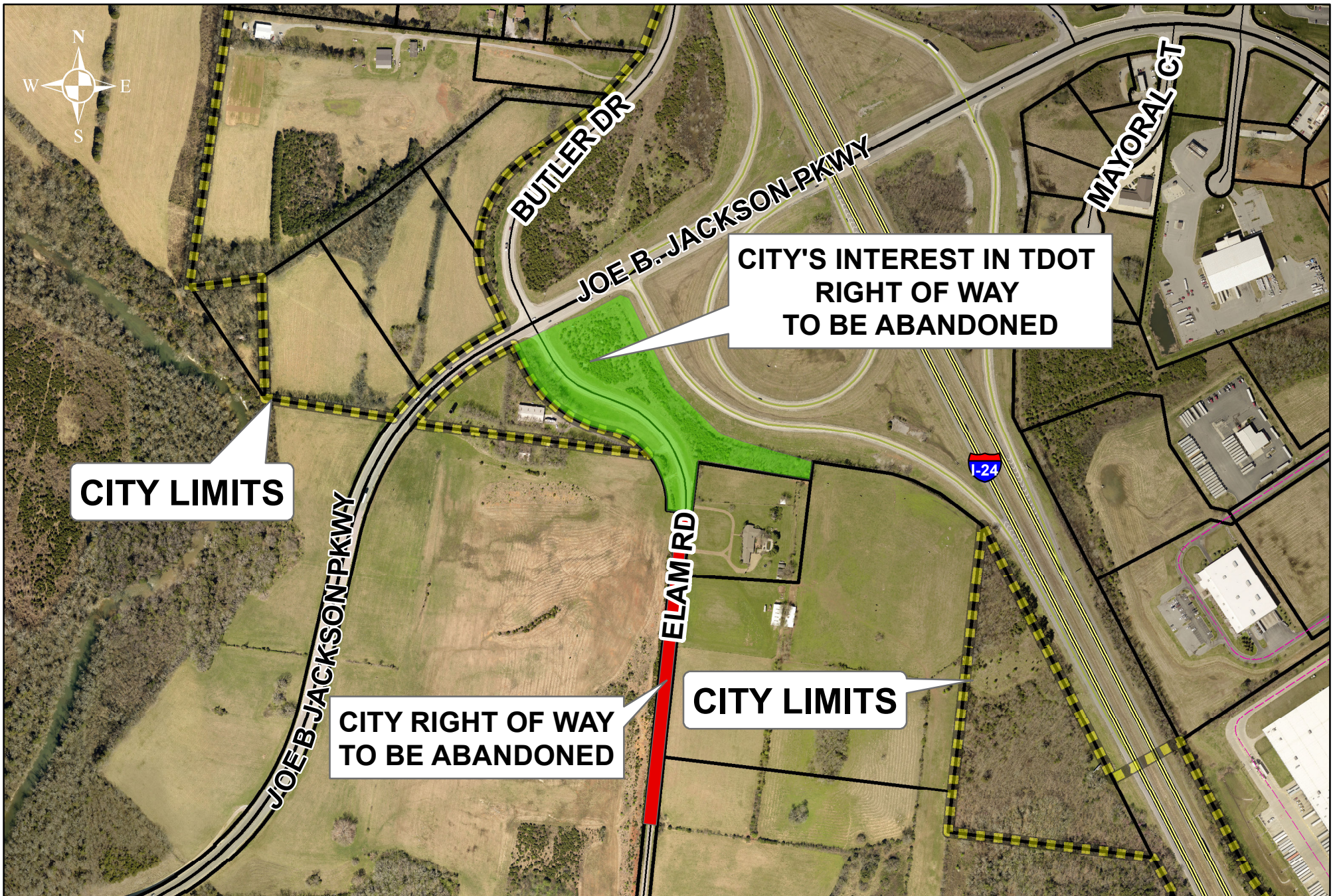
The ROW abandonment will not affect Comcast. Comcast does not have any facilities within the Elam Road ROW.



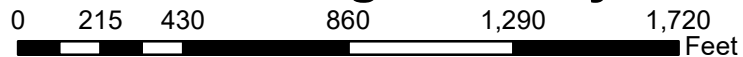
Request to Abandon Right of Way of Elam Road



Planning Department
 City of Murfreesboro
 111 W. Vine St.
 Murfreesboro, TN 37130
www.murfreesborotn.gov



Request to Abandon Right of Way of Elam Road



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**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 12, 2022
PROJECT PLANNER: AMELIA KERR**

5.a. Mandatory Referral [2021-733] to consider the abandonment of a portion of a drainage easement located on property along John Lee Lane, Matt Taylor of SEC, Inc. applicant.

This easement abandonment request is from Matt Taylor with SEC, Inc. The subject property is located in Blackman Meadows subdivision along the east side John Lee Lane south of Manson Pike.



In this mandatory referral, the Planning Commission is being asked to consider abandoning an existing drainage easement on property developed by Blackman Meadows Venture, LLC. The request is to abandon a portion of an existing drainage easement as shown in red on the attached plat exhibit. This drainage easement was recorded with Blackman Meadows Section 1 in plat book 37 page 131, Lot #15 and with Oakton Section 1 in plat book 34 page 22, Lot #17. Matt Taylor with SEC, Inc. has reviewed the original subdivision construction plans and has determined this easement is in excess and has no facilities located within the easement.

The Murfreesboro Public Infrastructure Department recommends approval of this abandonment. A copy of the correspondence from Public Infrastructure has been included in the agenda materials. Staff recommends that approval of this request be made subject to the following conditions:

- 1) The applicant must provide to the City Legal Department all the necessary documentation (including any needed legal descriptions and exhibits) required to prepare and record the legal instrument.
- 2) The drainage easement abandonment should be subject to the final approval of the legal documents by the City Attorney.
- 3) The applicant will be responsible for paying any recording fees.

The Planning Commission will need to discuss this application and make a recommendation to the City Council. If approved by the City Council, then the Mayor will be authorized to sign the necessary documents to convey the City's interest back to the owner.



. . . creating a better quality of life.

MEMORANDUM

DATE: December 13, 2021
TO: Matthew Blomeley
FROM: Michele Emerson
RE: Drainage Easement Abandonment 1604 & 1608 John Lee Lane

In response to your December 8, 2021 request, we have reviewed the drainage easement abandonment request for 1604 and 1608 John Lee Lane and offer the following comments on behalf of the Engineering Department.

This drainage easement was recorded with Blackman Meadows Section 1 in plat book 37 page 131. Matt Taylor with SEC, Inc. has reviewed the original subdivision construction plans and has determined this easement is in excess and has no facilities located within the easement.

In order to facilitate the abandonment process, the applicant should be prepared to provide legal descriptions and exhibits necessary for the City to draft the necessary legal documents as well as any recording fees. In addition, the drainage easement abandonment should be subject to the final approval of the legal documents by the City Attorney.

C: Chris Griffith
David Ives



City of Murfreesboro Mandatory Referral Application

111 W Vine Street • Murfreesboro, TN 37130 • 615-893-6441

Mandatory Referral Fees:

Mandatory Referral, INCLUDING abandonment of right-of-way.....	\$350.00
Mandatory Referral, NOT INCLUDING abandonment of right-of-way.....	\$150.00

Property Information:

78K Group A Parcel 17.00
 Tax Map/Group/Parcel: 78N Group C Parcel 15.00 | Address (if applicable): 1604 & 1608 John Lee Lane
 Street Name (if abandonment of ROW): n/a
 Type of Mandatory Referral: Drainage Easement Abandonment

Applicant Information:

Name of Applicant: Matt Taylor
 Company Name (if applicable): SEC, Inc
 Street Address or PO Box: 850 Middle TN Blvd
 City: Murfreesboro
 State: TN | Zip Code: 37129
 Email Address: mtaylor@sec-civil.com
 Phone Number: 615-890-7901

Required Attachments:

- Letter from applicant detailing the request
- Exhibit of requested area, drawn to scale
- Legal description (if applicable) **after approval**

Matthew Taylor

 Applicant Signature

12/8/2021

 Date

December 8, 2021

Mr. Matthew Blomeley
Murfreesboro Planning & Engineering Dept
111 W. Vine St
Murfreesboro, Tennessee 37130

RE: 1604 & 1608 John Lee Lane
Drainage Easement Abandonment Request
Murfreesboro, Tennessee

Dear Mr. Blomeley:

Please accept this as our formal request for the City of Murfreesboro to abandon a portion of Drainage Easement that is shown between these lots. Furthermore, the attached exhibit highlights this area.

This segment of drainage easement appears to be excess with no facilities located within the easement nor do other properties drain to this location therefore it appears to not be needed.

If you should have any questions concerning this letter, please feel free to call me at (615) 890-7901 or via email at mtaylor@sec-civil.com

Sincerely,



Matt Taylor, P.E.
Vice-President
SEC, Inc

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I (AM WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE ALL STREETS, ALLEYS, WALKS, UTILITIES THEREIN, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

8-23-13
 DATE
 RECORD BOOK #29, PAGE 3437
 BLACKMAN MEADOWS VENTURE, LLC
 A TENNESSEE LIMITED LIABILITY COMPANY
 ROBERT L. LATIMER, MEMBER

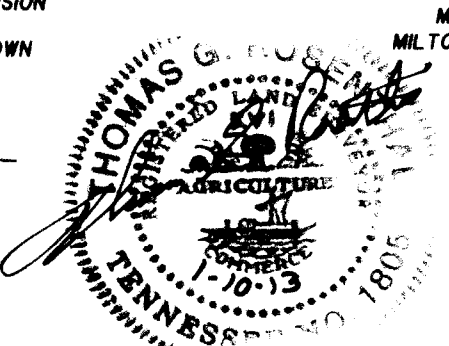
* NOTE: LOTS 4, 5 & 6 ARE NOT IN A F.E.M.A. 100 YEAR FLOOD PLAIN. MINIMUM PADS & FLOOR ELEVATIONS HAVE BEEN ESTABLISHED ON THESE LOTS TO WORK WITH THE SANITARY SEWER SYSTEM.

** NOTE: LOTS 1-3, 8, 7-15 ARE NOT IN A F.E.M.A. 100 YEAR FLOOD PLAIN. MINIMUM PADS & FLOOR ELEVATIONS HAVE BEEN ESTABLISHED ON THESE LOTS TO PROTECT HOMEOWNERS FROM POSSIBLE HIGH WATER IN NEARBY DRAINAGE SYSTEMS.

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 OR GREATER AS SHOWN HEREON. I ALSO CERTIFY THAT THE MONUMENTS HAVE BEEN, OR WILL BE, PLACED AS SHOWN TO THE SPECIFICATIONS OF THE CITY ENGINEER.

1-10-13
 DATE
 REGISTERED SURVEYOR
 TERN. R.L.S. No. 1805



CERTIFICATE OF THE APPROVAL OF STREETS AND DRAINAGE

I HEREBY CERTIFY: (1) THAT STREETS, DRAINAGE STRUCTURES, DRAINAGE IMPROVEMENTS, AND STORMWATER QUALITY CONTROLS FOR THE SUBDIVISION SHOWN HEREON HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY SPECIFICATIONS, OR (2) THAT A SURETY FOR THESE IMPROVEMENTS HAS BEEN POSTED WITH THE CITY OF MURFREESBORO TO ASSURE COMPLETION OF SAME.

9/12/13
 DATE
 CITY ENGINEER

CERTIFICATE FOR APPROVAL OF WATER SYSTEMS

I HEREBY CERTIFY THAT: (1) THE WATER LINES AND APPURTENANCES FOR THE WATER SYSTEM OF THE SUBDIVISION SHOWN HEREON HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY CODES AND SPECIFICATIONS, OR THE SPECIFICATIONS OF THE CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY IF THEY ARE MORE STRINGENT, AND THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION COMMUNITY PUBLIC WATER SYSTEMS DESIGN CRITERIA, OR (2) THAT A SURETY FOR THESE IMPROVEMENTS HAS BEEN POSTED WITH THE CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY TO ASSURE COMPLETION OF SAME.

1-22-13
 DATE
 CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY OFFICIAL

CERTIFICATE OF APPROVAL FOR SEWER SYSTEMS

I HEREBY CERTIFY THAT: (1) THE SEWER LINES AND APPURTENANCES FOR THE SEWER SYSTEM OF THE SUBDIVISION SHOWN HEREON HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY CODES AND SPECIFICATIONS AND REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION DESIGN CRITERIA FOR SEWAGE WORKS; (2) THAT A SURETY FOR THESE IMPROVEMENTS HAS BEEN POSTED WITH THE CITY OF MURFREESBORO TO ASSURE COMPLETION OF SAME; OR (3) THAT A SUBSURFACE SEWAGE SYSTEM WILL BE PERMITTED SUBJECT TO THE APPROVAL OF THE RUTHERFORD COUNTY HEALTH DEPARTMENT.

9/11/13
 DATE
 MURFREESBORO WATER AND SEWER OFFICIAL

CERTIFICATE OF APPROVAL FOR ELECTRIC POWER

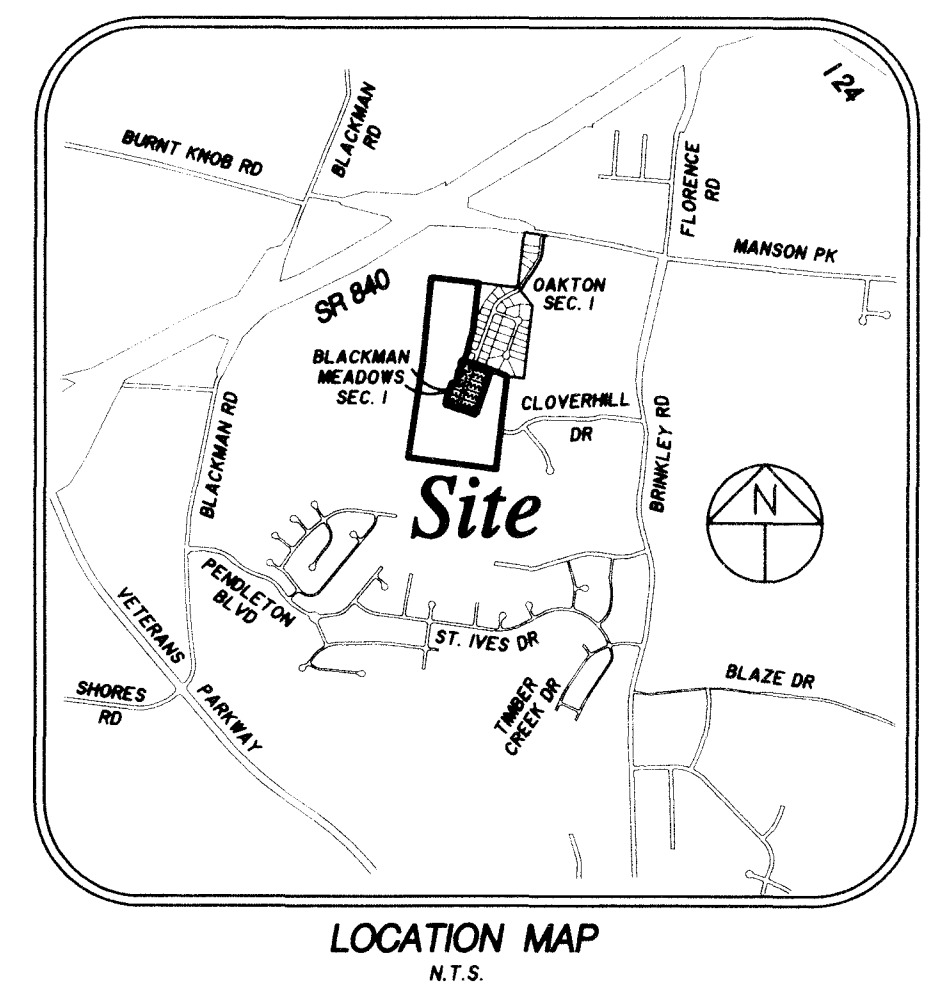
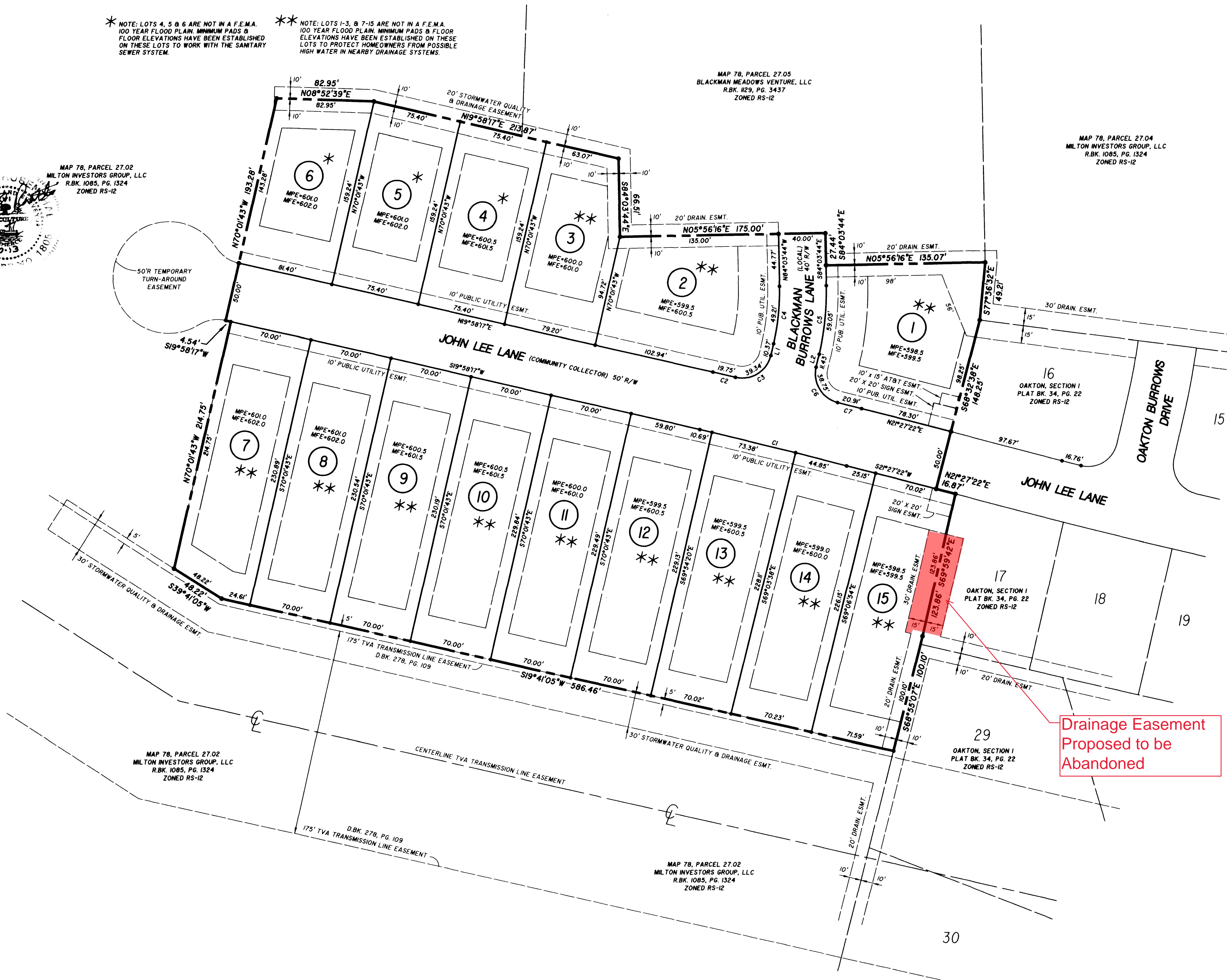
I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN HEREON HAS BEEN APPROVED BY THE MURFREESBORO ELECTRIC DEPARTMENT (MED) FOR ELECTRIC POWER SERVICE; THAT THE SUBDIVISION IS WITHIN THE SERVICE AREA OF MED, AND THAT MED IS ABLE TO PROVIDE ELECTRIC POWER SERVICE TO THE SUBDIVISION SUBJECT TO THE OWNER COMPLYING WITH THE APPLICABLE RULES AND REGULATIONS OF MED. NO ELECTRIC POWER SERVICE WILL BE PROVIDED UNTIL MED'S REQUIREMENTS FOR ELECTRIC POWER SERVICE HAVE BEEN MET.

AUG 23 2013
 DATE
 MURFREESBORO ELECTRIC DEPARTMENT OFFICIAL

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR THE CITY OF MURFREESBORO, TENNESSEE, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RUTHERFORD COUNTY REGISTER OF DEEDS PROVIDED THAT IT IS SO RECORDED WITHIN ONE YEAR OF THIS DATE.

9-12-13
 DATE
 PLANNING COMMISSION SECRETARY

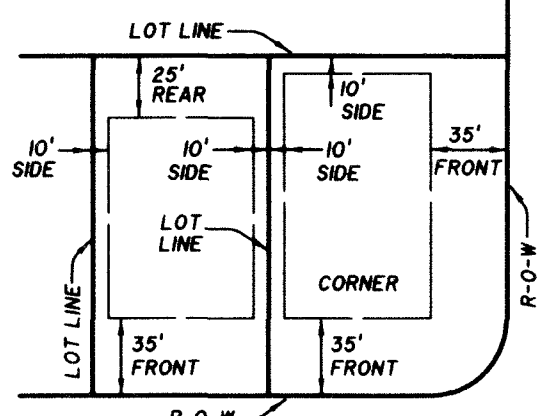


- GENERAL NOTES**
- THE PURPOSE OF THIS FINAL PLAT IS TO CREATE 30 SINGLE FAMILY LOTS COMPLIANT WITH RS-12 ZONING.
 - BEARING SYSTEM IS BASED ON TENNESSEE STATE PLANE COORDINATES TIED TO CITY OF MURFREESBORO USRAN GROWTH BOUNDARY MONUMENTS UG02-187 & UG02-187AZ, (NAD 83-96)
 - THIS PROPERTY LIES WITHIN ZONE X, NOT IN A SPECIAL FLOOD HAZARD AREA, AS DETERMINED FROM ELEVATIONS SHOWN ON FEMA FIRM MAPS FOR RUTHERFORD COUNTY, MAP NO. 4745C0255 H, EFFECTIVE DATE JANUARY 5, 2007.
 - MINIMUM FINISHED FLOOR ELEVATIONS SHOWN ON LOTS 4, 5 & 6, ARE FOR SANITARY SEWER CONSIDERATIONS, NOT STORMWATER.
 - THIS SURVEYOR HAS NOT PHYSICALLY LOCATED ALL OF THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA OR THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. AVAILABILITY AND LOCATION OF UTILITIES SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY.
 - NO TITLE REPORT WAS FURNISHED TO THIS SURVEYOR. THEREFORE, THIS PROPERTY IS SUBJECT TO THE FINDINGS OF A CURRENT AND ACCURATE TITLE SEARCH.
 - SUBJECT PROPERTY IS ZONED RS-12. MINIMUM BUILDING SETBACKS FOR THIS ZONING DESIGNATION ARE AS FOLLOWS:
 FRONT = 35'
 SIDE = 10'
 REAR = 25'
 - THE SOILS MATERIALS ON LOTS SHOWN HEREON MAY BE DISTURBED BY CUTTING OR FILLING OPERATIONS PERFORMED DURING OR BEFORE DEVELOPMENT; THEREFORE, THE BUILDER OF ANY PROPOSED STRUCTURE SHALL INVESTIGATE THE CURRENT CONDITIONS AND CONSULT WITH A GEOTECHNICAL EXPERT OR OTHER QUALIFIED PERSON AS HE DEEMS APPROPRIATE TO ASSURE HIMSELF THAT THE DESIGN OF THE PROPOSED FOUNDATION IS ADEQUATE.
 - IT IS THE RESPONSIBILITY OF EACH LOT BUYER OR BUILDER TO DESIGN AND CONSTRUCT IN ACCORDANCE WITH A SUITABLE GRADING AND DRAINAGE PLAN WHICH WILL CONVEY SURFACE WATER, WITHOUT FLOODING IN THE LOT OR UNDER THE BUILDING, FROM THE BUILDING SITE TO THE DRAINAGE SYSTEM CONSTRUCTED BY THE SUBDIVISION DEVELOPER.
 - PUBLIC UTILITY EASEMENTS AS SHOWN ARE INTENDED FOR NON-EXCLUSIVE USE BY UTILITIES SUCH AS MURFREESBORO ELECTRIC DEPARTMENT, NATURAL GAS COMPANIES, AT&T, CABLE TELEVISION SERVICES, C.U.D. WATER, AND OTHERS.
 - ANY HOUSE OR STRUCTURE WITH A BUILDING DRAIN CONNECTING TO THE PUBLIC SANITARY SEWER WITH A FLOOR ELEVATION AT ANY POINT BELOW THE ELEVATION OF THE CENTER OF THE STREET MAY BE SUBJECT TO MURFREESBORO CITY CODE SECTION 33-35 (10) WHICH REQUIRES THE OWNER(S) TO EXECUTE A RELEASE AND INDEMNIFICATION AGREEMENT IN FAVOR OF THE CITY AS A PREREQUISITE TO CONNECTING TO WATER AND/OR SEWER SERVICES.
 - ANY STREET IN THIS SUBDIVISION MAY BE EXTENDED INTO ADJOINING PROPERTY AT ANY TIME WITHOUT ADDITIONAL NOTICE OR CONSULTATION.
 - THE STREETS IDENTIFIED ON THIS PLAT MAY BE CONSTRUCTED OR RECONSTRUCTED IN THE FUTURE WITHOUT CONSULTATION OR NOTICE TO THE OWNERS OF THE LOTS IN THE SUBDIVISION.
 - EASEMENTS IN THE SUBDIVISION MAY NOT HAVE INFRASTRUCTURE CONSTRUCTED WITHIN THEM UNTIL SOME FUTURE TIME AND THERE MAY BE NO NOTICE OR CONSULTATION WITH THE INDIVIDUAL LOT OWNERS OF THIS CONSTRUCTION.
 - A MANDATORY OWNERS ASSOCIATION IS REQUIRED AS A CONDITION OF APPROVAL IN ORDER TO MEET OBLIGATIONS ESTABLISHED BY THE DEVELOPER.
 - ANY COMMON AREAS IN THE SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE OWNERS ASSOCIATION TO MAINTAIN.
 - PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY LOT IN THIS SUBDIVISION, THE OWNER SHALL POST A BUILDING PERMIT SURETY IN AN AMOUNT TO BE DETERMINED BY THE CITY ENGINEER TO ASSURE CONSTRUCTION OF LOT INFRASTRUCTURE, INCLUDING BUT NOT LIMITED TO SIDEWALKS, DRAINAGE IMPROVEMENTS, OR CONSTRUCTION OF WATER QUALITY ELEMENTS, SUCH CONSTRUCTION SHALL BE COMPLETED WITHIN NINE (9) MONTHS OF ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
 - THIS PROPERTY IS WITHIN THE OVERALL CREEK SANITARY SEWER ASSESSMENT DISTRICT.

Drainage Easement Proposed to be Abandoned

LEGEND

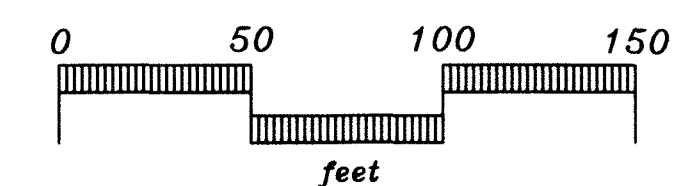
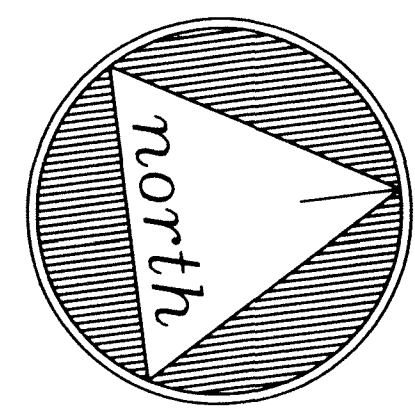
- IRON PIN (FOUND)
- IRON PIN SET (NEW)



RS-12 MINIMUM BUILDING SETBACKS
 N.T.S.

LOT AREAS

LOT	SQ. FT.	ACRES
1	16,463	0.378
2	15,970	0.367
3	12,092	0.278
4	12,007	0.276
5	12,007	0.276
6	12,313	0.283
7	15,800	0.363
8	16,150	0.371
9	16,126	0.370
10	16,101	0.370
11	16,077	0.369
12	16,109	0.370
13	16,397	0.376
14	15,928	0.366
15	16,040	0.368



LINE DATA

LINE	BEARING	DISTANCE
L1	N69°57'55"W	10.37'
L2	S69°57'55"E	11.43'

CURVE DATA

CURVE	DELTA	RAD/US	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	01°29'05"	4975.00'	128.92'	64.46'	128.92'	S20°42'49"W
C2	00°13'31"	5025.00'	19.75'	9.87'	19.75'	N20°05'02"E
C3	90°09'42"	25.00'	39.34'	25.07'	35.41'	N24°53'04"W
C4	14°05'49"	200.00'	49.21'	24.73'	49.08'	N77°00'50"W
C5	14°05'49"	240.00'	59.05'	29.67'	58.90'	S77°00'50"E
C6	88°49'01"	25.00'	38.75'	24.49'	34.99'	N63°37'34"E
C7	00°14'18"	5025.00'	20.91'	10.46'	20.91'	N2°10'13"E

I hereby certify that this plat has been reviewed and payment received for the Rutherford County Development Tax.
 Tax Certificate No. #2035 dated 9-12-13
 Rutherford County Personal Income Commission

OWNER/DEVELOPER:
 BLACKMAN MEADOWS VENTURE, LLC
 CONTACT: ROBERT L. LATIMER
 5312 WEST TRIMBLE ROAD
 MILTON, TN 37188-4307

DEED REFERENCE:
 RECORD BOOK #29, PG. 3437, R.O.R.C.
 PROPERTY MAP 78, P/O PARCEL 27.05

SITE DATA:
 TOTAL AREA SECTION 1 = 6.022 ACRES
 NO. OF LOTS = 15
 AREA IN RIGHT-OF-WAY = 0.844 ACRES
 ZONING = RS-12

FINAL PLAT

Section 1
Blackman Meadows
 SUBDIVISION

CITY OF MURFREESBORO, TENNESSEE
 7th CIVIL DISTRICT OF RUTHERFORD COUNTY

SEC, Inc. SITE ENGINEERING CONSULTANTS
 ENGINEERING • SURVEYING • LAND PLANNING
 850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129
 PHONE (615) 890-7901 • FAX (615) 895-2567

PROJ. # 04188	DATE: 10-05-12	FILE: BlackmanMeadows Sec1Plat	DRAWN BY: ACAD/JWG	SCALE: 1" = 50'	SHEET 1 OF 1
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2012 - 2051



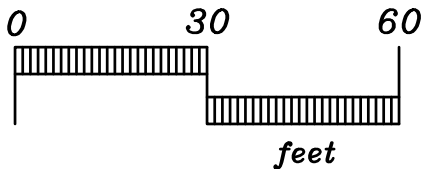
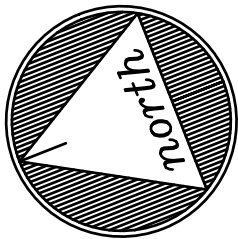
SITE ENGINEERING CONSULTANTS

ENGINEERING · SURVEYING · LAND PLANNING
LANDSCAPE ARCHITECTURE

WWW.SEC-CIVIL.COM

850 MIDDLE TENNESSEE BLVD · MURFREESBORO, TENNESSEE 37129

PHONE: (615) 890-7901 · FAX: (615) 895-2567



MAP 78K, GRP A, PAR 29.00
LOT 29, SEC 1
OAKTON S/D
(P.BK. 34, PG. 22)

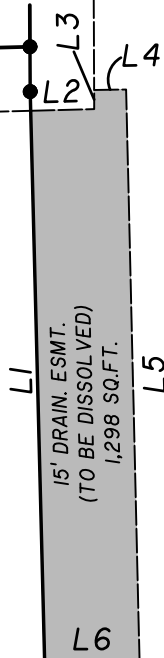
20' DRAIN. ESMT. (P.BK. 34, PG. 22)

10'
10'

(17)
MAP 78K, GRP A, PAR 17.00
SEC 1
OAKTON S/D
(P.BK. 34, PG. 22)

10' P.U.E. (P.BK. 34, PG. 22)

20' DRAIN. ESMT. (P.BK. 34, PG. 22)



35.01'
S69°59'42"E

20' X 20'
SIGN ESMT.

P.O.C.

30' STORMWATER QUALITY
& DRAIN. ESMT.
(P.BK. 37, PG. 131)

175' TVA TRANS.
LINE ESMT.
(D.BK. 278, PG. 109)

LINE DATA

LINE	BEARING	DISTANCE
L1	S69°59'42"E	85.85'
L2	S19°58'17"W	9.94'
L3	S68°48'12"E	2.99'
L4	S20°36'03"W	5.00'
L5	N69°53'14"W	89.18'
L6	N21°27'22"E	14.84'

MAP 78N, GRP C, PAR 14.00
LOT 14, SEC 1
BLACKMAN MEADOWS S/D
(P.BK. 37, PG. 131)

(15)
MAP 78N, GRP C, PAR 15.00
SEC 1
BLACKMAN MEADOWS S/D
(P.BK. 37, PG. 131)

P.O.B.

10' P.U.E. (P.BK. 37, PG. 131)

JOHN LEE LANE

50' R.O.W. (COMMUNITY COLLECTOR)

EXHIBIT
15' DRAINAGE EASEMENT
TO BE DISSOLVED
BLACKMAN MEADOWS SUBDIVISION

MAP 78N, GROUP C, P/O PARCEL 15.00
LOT 15, SECTION I
1604 JOHN LEE LN
KYLE D. SCHALOW ETUX NICOLE L
R.BK. 1347, PG. 2085 R.O.R.C., TN
P.BK. 37, PG. 131 R.O.R.C., TN

S.E.C. # 04188
DATE: 12-14-2021
DRAWN BY: JDG

**15' DRAIN. EASEMENT TO BE DISSOLVED
LOT 15, SECTION 1
BLACKMAN MEADOWS SUBDIVISION
P.BK. 37, PG. 131 (R.O.R.C., TN)
1,298 ± SQ.FT.**

A 15' WIDE DRAINAGE EASEMENT TO BE DISSOLVED ACROSS LOT 15 SECTION 1, BLACKMAN MEADOWS SUBDIVISION (MAP 78N, GROUP C, PARCEL 15.00 - P.BK. 37, PG. 131) LOCATED IN THE CITY OF MURFREESBORO, 7th CIVIL DISTRICT RUTHERFORD COUNTY, TENNESSEE. BEING BOUND IN GENERAL ON THE NORTH BY LOT 17 SECTION 1, OAKTON SUBDIVISION (MAP 78K, GROUP A, PARCEL 17.00 - P.BK. 34, PG. 22), ON THE EAST, SOUTH, AND WEST BY THE REMAINING LANDS OF LOT 15. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN IN THE EAST RIGHT OF WAY OF JOHN LEE LANE. SAID PIN BEING THE COMMON PROPERTY CORNER FOR LOT 15 BLACKMAN MEADOWS SUBDIVISION AND LOT 17 OAKTON SUBDIVISION;

THENCE, LEAVING SAID RIGHT OF WAY AND WITH THE COMMON LINE OF SAID LOTS S 69°59'42" E FOR A DISTANCE OF 35.01' TO THE **POINT OF BEGINNING**;

THENCE, CONTINUING WITH SAID LINE S 69°59'42" E FOR A DISTANCE OF 85.85' TO A POINT;

THENCE, LEAVING LOT 17 AND WITH A LINE ACROSS LOT 15 FOR THE NEXT (5) CALLS:

1) S 19°58'17" W FOR A DISTANCE OF 9.94' TO A POINT;

2) THENCE, S 68°48'12" E FOR A DISTANCE OF 2.99' TO A POINT;

3) THENCE, S 20°36'03" W FOR A DISTANCE OF 5.00' TO A POINT;

4) THENCE, N 69°53'14" W FOR A DISTANCE OF 89.18' TO A POINT;

5) THENCE, N 21°27'22" E FOR A DISTANCE OF 14.84' TO THE **POINT OF BEGINNING**.

HAVING AN AREA OF 1,298 SQUARE FEET.

THIS EASEMENT IS A PORTION OF LOT 15 APPEARING ON A FINAL PLAT ENTITLED "SECTION 1, BLACKMAN MEADOWS SUBDIVISION" OF RECORD IN PLAT BOOK 37, PAGE 131 IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.



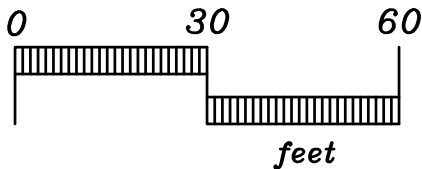
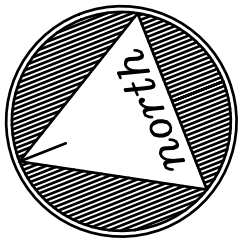
SITE ENGINEERING CONSULTANTS

ENGINEERING · SURVEYING · LAND PLANNING
LANDSCAPE ARCHITECTURE

WWW.SEC-CIVIL.COM

850 MIDDLE TENNESSEE BLVD · MURFREESBORO, TENNESSEE 37129

PHONE: (615) 890-7901 · FAX: (615) 895-2587



MAP 78K, GRP A, PAR 29.00
LOT 29, SEC 1
OAKTON S/D
(P.BK. 34, PG. 22)

20' DRAIN. ESMT. (P.BK. 34, PG. 22)

30' STORMWATER QUALITY
& DRAIN. ESMT.
(P.BK. 37, PG. 131)

MAP 78K, GRP A, PAR 18.00
LOT 18, SEC 1
OAKTON S/D
(P.BK. 34, PG. 22)

17

MAP 78K, GRP A, PAR 17.00
SEC 1
OAKTON S/D
(P.BK. 34, PG. 22)

15

MAP 78N, GRP C, PAR 15.00
SEC 1
BLACKMAN MEADOWS S/D
(P.BK. 37, PG. 131)

LINE DATA

LINE	BEARING	DISTANCE
L1	N21°27'22"E	15.15'
L2	S69°53'43"E	85.46'
L3	S19°58'17"W	15.00'
L4	N69°59'42"W	85.85'

L2

L4

L3

L1

15' DRAIN. ESMT.
(TO BE DISSOLVED)
1,291 SQ.FT.

35.01'

S69°59'42"E

P.O.B.

20' X 20'
SIGN ESMT.

10' P.U.E. (P.BK. 34, PG. 22)

10' P.U.E. (P.BK. 37, PG. 131)

P.O.C.

JOHN LEE LANE

50' R.O.W. (COMMUNITY COLLECTOR)

**EXHIBIT
15' DRAINAGE EASEMENT
TO BE DISSOLVED
OAKTON SUBDIVISION**

MAP 78K, GROUP A, P/O PARCEL 17.00
LOT 17, SECTION I
1608 JOHN LEE LN
GARRET JOHNSON ETUX BRITTNEY
R.BK. 1447, PG. 3750 R.O.R.C., TN
P.BK. 34, PG. 22 R.O.R.C., TN

S.E.C. # 04188

DATE: 12-14-2021

DRAWN BY: JDG

15' DRAIN. EASEMENT TO BE DISSOLVED**LOT 17, SECTION 1****OAKTON SUBDIVISION****P.BK. 34, PG. 22 (R.O.R.C., TN)****1,291 ± SQ.FT.**

A 15' WIDE DRAINAGE EASEMENT TO BE DISSOLVED ACROSS LOT 17 SECTION 1, OAKTON SUBDIVISION (MAP 78K, GROUP A, PARCEL 17.00 - P.BK. 34, PG. 22) LOCATED IN THE CITY OF MURFREESBORO, 7th CIVIL DISTRICT RUTHERFORD COUNTY, TENNESSEE. BEING BOUND IN GENERAL ON THE SOUTH BY LOT 15 SECTION 1, BLACKMAN MEADOWS SUBDIVISION (MAP 78N, GROUP C, PARCEL 15.00 - P.BK. 37, PG. 131), ON THE WEST, NORTH, AND EAST BY THE REMAINING LANDS OF LOT 17. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN IN THE EAST RIGHT OF WAY OF JOHN LEE LANE. SAID PIN BEING THE COMMON PROPERTY CORNER FOR LOT 15 BLACKMAN MEADOWS SUBDIVISION AND LOT 17 OAKTON SUBDIVISION;

THENCE, LEAVING SAID RIGHT OF WAY AND WITH THE COMMON LINE OF SAID LOTS S 69°59'42" E FOR A DISTANCE OF 35.01' TO THE **POINT OF BEGINNING**;

THENCE, LEAVING LOT 15 AND WITH A LINE ACROSS LOT 17 FOR THE NEXT (3) CALLS:

1) N 21°27'22" E FOR A DISTANCE OF 15.15' TO A POINT;

2) THENCE, S 69°53'43" E FOR A DISTANCE OF 85.46' TO A POINT;

3) THENCE, S 19°58'17" W FOR A DISTANCE OF 15.00' TO A POINT IN THE NORTH LINE

OF LOT 15;

THENCE, WITH SAID NORTH LINE N 69°59'42" W FOR A DISTANCE OF 85.85' TO THE **POINT OF BEGINNING**, HAVING AN AREA OF 1,291 SQUARE FEET.

THIS EASEMENT IS A PORTION OF LOT 17 APPEARING ON A FINAL PLAT ENTITLED "SECTION 1, OAKTON SUBDIVISION" OF RECORD IN PLAT BOOK 34, PAGE 22 IN THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 12, 2022
PROJECT PLANNER: AMELIA KERR**

5.b. Mandatory Referral [2027-735] to consider the abandonment and relocation of a drainage easement located on property along Blue Heron Drive, Rivers Edge Investments, LLC on behalf of Davidson Homes applicant.

This easement relocation request is from Jeremy Moody with Moody, LLC on behalf of Rivers Edge Investments, LLC for property located along the south side of Blue Heron Drive in Section III, Phase II of Rivers Edge Subdivision.



In this mandatory referral, the Planning Commission is being asked to consider the abandonment and relocation of an existing 20' drainage easement on property developed by Rivers Edge Subdivision. The request is to relocate a portion of an existing drainage easement as shown as the hatched area on the attached exhibit. This drainage easement was recorded with Rivers Edge Section 3, Phase 2 in plat book 45, page 58. A copy of the Public Infrastructure memo has been included in the agenda materials.

Staff recommends the approval of the request subject to the following conditions:

- 1) The applicant must provide to the City Legal Department all the necessary documentation (including any needed legal descriptions and exhibits) required to prepare and record the quitclaim deed.
- 2) An easement plat must be submitted for review and approval of the Planning Department depicting the abandoned drainage easement as well as the replacement drainage easement.
- 3) The quitclaim deed and the easement plat must be recorded simultaneously.
- 4) The drainage easement abandonment should be subject to the final approval of the legal documents by the City Attorney.
- 5) The applicant will be responsible for paying any recording fees.

The Planning Commission will need to discuss this application and make a recommendation to the City Council. If approved by the City Council, then the Mayor will be authorized to sign the necessary documents to convey the City's interest back to the owner.



... creating a better quality of life.

MEMORANDUM

DATE: December 13, 2021
TO: Matthew Blomeley
FROM: Michele Emerson
RE: Drainage Easement Abandonment Rivers Edge Section 3 Phase 2

In response to your December 9, 2021 request, we have reviewed the drainage easement abandonment request for Rivers Edge Section 3 Phase 2 and offer the following comments on behalf of the Engineering Department.

This drainage easement was recorded with Rivers Edge Section 3 Phase 2 in plat book 45 page 58. The request to abandon the drainage easement should be subject to submission and recording of a subdivision plat that relocates the easement as proposed by the applicant. The drainage easement abandonment and final plat recording should be done simultaneously.

In order to facilitate the abandonment process, the applicant should be prepared to provide legal descriptions and exhibits necessary for the City to draft the necessary legal documents as well as any recording fees. In addition, the drainage easement abandonment should be subject to the final approval of the legal documents by the City Attorney.

C: Chris Griffith
David Ives



City of Murfreesboro Mandatory Referral Application

111 W Vine Street • Murfreesboro, TN 37130 • 615-893-6441

Mandatory Referral Fees:

Mandatory Referral, INCLUDING abandonment of right-of-way.....	\$350.00
Mandatory Referral, NOT INCLUDING abandonment of right-of-way.....	\$150.00

Property Information:

Tax Map/Group/Parcel: Mapy 124, Parcel 8.00 | Address (if applicable): _____
Street Name (if abandonment of ROW): _____
Type of Mandatory Referral: Drainage ditch abandonment and relocation on lot 158 of Rivers Edge section 3-2

Applicant Information:

Name of Applicant: Davidson Homes
Company Name (if applicable): _____
Street Address or PO Box: 103 N. Maple St.
City: Murfreesboro
State: TN | Zip Code: 37130
Email Address: thomas@ davidsonhomesllc.com
Phone Number: 301-997-4999

Required Attachments:

- Letter from applicant detailing the request
- Exhibit of requested area, drawn to scale
- Legal description (if applicable)

Applicant Signature

12/9/21

Date

Rivers Edge Investments, LLC.

111 Forbus Drive
Christiana, TN 37037

December 9, 2021

To whom it may concern,

This letter is to respectfully request the relocation of the 20' drainage ditch at the rear of the property on lot 158 of Rivers Edge Section 3-2. Currently the ditch and drainage easement are in the building envelope and we would like to shift this easement and ditch to the rear of the property line per the original construction drawings. Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Jeremy Moody".

Jeremy Moody

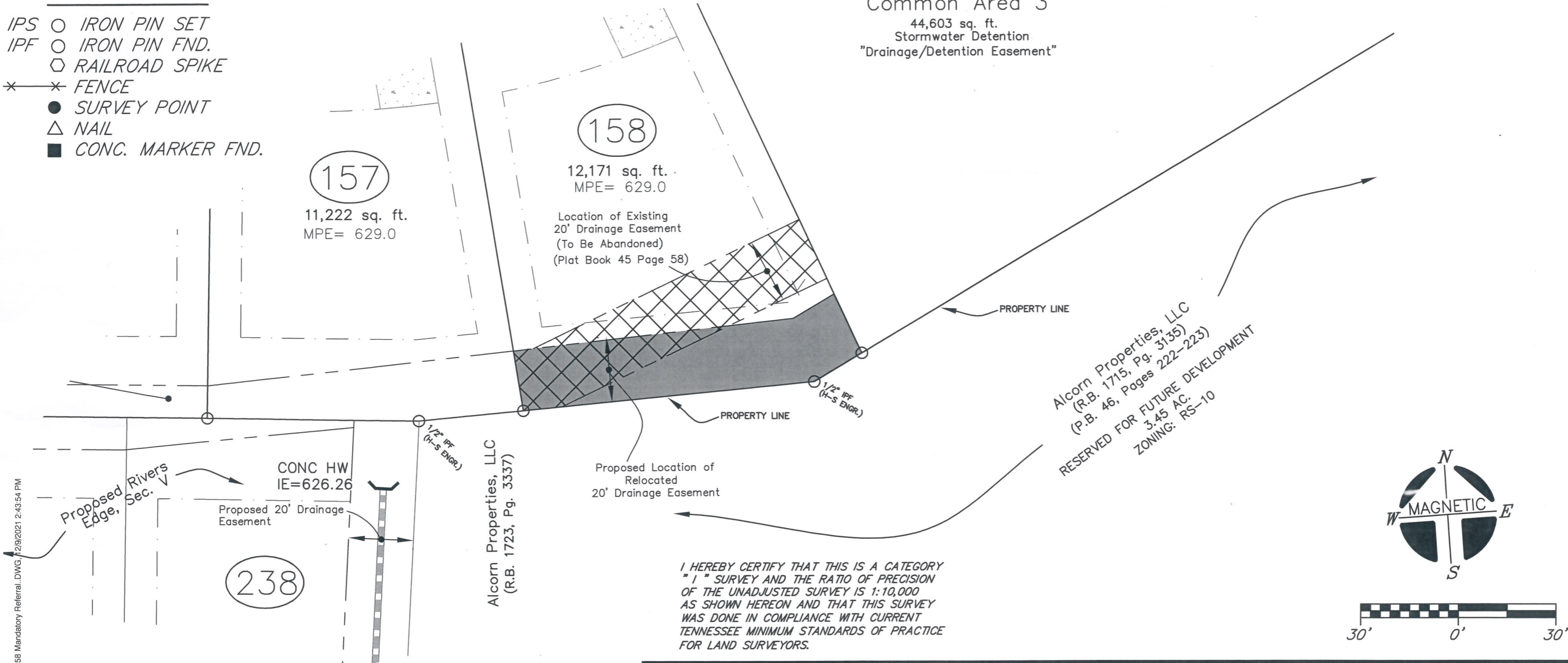
Jeremy.Moody@moody-llc.com

(615) 542-0491

LEGEND

- IPS ○ IRON PIN SET
- IPF ○ IRON PIN FND.
- ◇ RAILROAD SPIKE
- * FENCE
- SURVEY POINT
- △ NAIL
- CONC. MARKER FND.

Common Area 3
44,603 sq. ft.
Stormwater Detention
"Drainage/Detention Easement"



Alcorn Properties, LLC
(R.B. 1723, Pg. 3337)

Alcorn Properties, LLC
(R.B. 1715, Pg. 3135)
(P.B. 46, Pages 222-223)
RESERVED FOR FUTURE DEVELOPMENT
3.45 AC.
ZONING: RS-10

I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS SHOWN HEREON AND THAT THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS.

I:\ACAD209\Land Projects 3\1Rivers Edge\dwg\1Rivers Edge 3-Phase 2 Final Plat LOT 158 Mandatory Referral.DWG, 12/09/2021 2:43:54 PM

LOTS 157-158

OWNER: DAVIDSON HOMES, LLC
ADDRESS: 336 JAMES RECORD RD., SW
HUNTSVILLE, AL. 35824
LOT 157-TAX MAP: 124C, G, PARCEL: 9.00
LOT 158-TAX MAP: 124C, G, PARCEL: 10.00
RECORD BOOK: 2116 PAGE: 1642
PLAT BOOK: 45 PAGE: 58

COMMON AREA 3

OWNER: RIVERS EDGE INVESTMENTS, LLC
ADDRESS: P.O. BOX 38
BRADYVILLE, TN 37026
TAX MAP: 124C, G, PARCEL: 11.00
RECORD BOOK: 1921 PAGE: 2235
PLAT BOOK: 45 PAGE: 58

THESE PARCELS ARE NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY-PANEL NOS. 470165 0265H & 0270H ZONE: X, DATED JANUARY 05, 2007.

	<p>MANDATORY REFERRAL EXHIBIT RIVERS EDGE, SECTION III, PHASE II 20' DRAINAGE EASEMENT LOT 158</p> <p>CITY OF MURFREESBORO 13th CIVIL DISTRICT - RUTHERFORD COUNTY - TN.</p>
<p>HS HUDDLESTON-STEELE ENGINEERING, INC.</p> <p>2115 N.W. BROAD STREET, MURFREESBORO, TN 37129 PHONE: 893 - 4084, FAX: 893 - 0080</p>	<p>DATE: DECEMBER, 2021 SCALE: 1"=30' SH. 1 OF 1</p>

Public 20' Drainage Easement
(To Be Abandoned)
Davidson Homes, LLC
Record Book 2116, Page 1642
Tax Map 124C, G, Part of Parcel 10.00
Rivers Edge, Section III, Phase II
(Plat Book 45, Page 58)

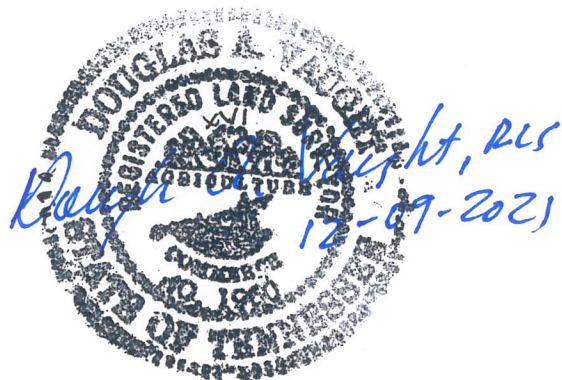
Located in the 13th Civil District of Rutherford County, Tennessee. Bound on the north by the remaining property of Davidson Homes, LLC (Lot 158); on the east by Common Area 3 of Rivers Edge Section III, Phase II (P.B.. 45, Pg. 58); on the south by the remaining property of Davidson Homes, LLC (Lot 158) and Alcorn Properties, LLC (Record Book 1723, Page 3337); and on the west by Lot 157, Rivers Edge, Section III, Phase II (P.B. 45, Pg. 58).

BEGINNING at the southeast corner of Lot 157, Rivers Edge, Section III, Phase II (P.B. 45, Pg. 58), being located on the north line of Alcorn Properties, LLC (Record Book 1723, Page 3337), and being the southwest corner of Lot 158, Rivers Edge, Section III, Phase II, and the southwest corner of this easement; thence with the east line of Lot 157, Rivers Edge, Section III, Phase II, N05°36'58"W, 20.00 feet to a point at the northwest corner of this easement; thence leaving the east line of Lot 157, Rivers Edge, Section III, Phase II, and crossing Lot 158, Rivers Edge, Section III, Phase II, with the following calls:

N88°08'02"E, 9.96 feet to a point;
N68°18'52"E, 87.40 feet to a point on the west line of Common Area 3 and the east line Lot 157, Rivers Edge, Section III, Phase II, being the northeast corner of this easement;
Thence, with the west line of the aforesaid Common Area 3, S21°05'49"E, 20.00 feet to the southeast corner of this easement; Thence, leaving the west line of Common Area 3, and crossing Lot 158, Rivers Edge, Section III, Phase II, S68°18'52"W, 90.73 feet to the north line of Alcorn Properties, LLC (Record Book 1723, Page 3337), being a southerly corner of this easement; Thence, with the north line of Alcorn Properties, LLC (Record Book 1723, Page 3337), S88°28'08"W, 12.11 feet to the POINT of BEGINNING, containing 2,002 square feet or 0.05 acres, more or less.

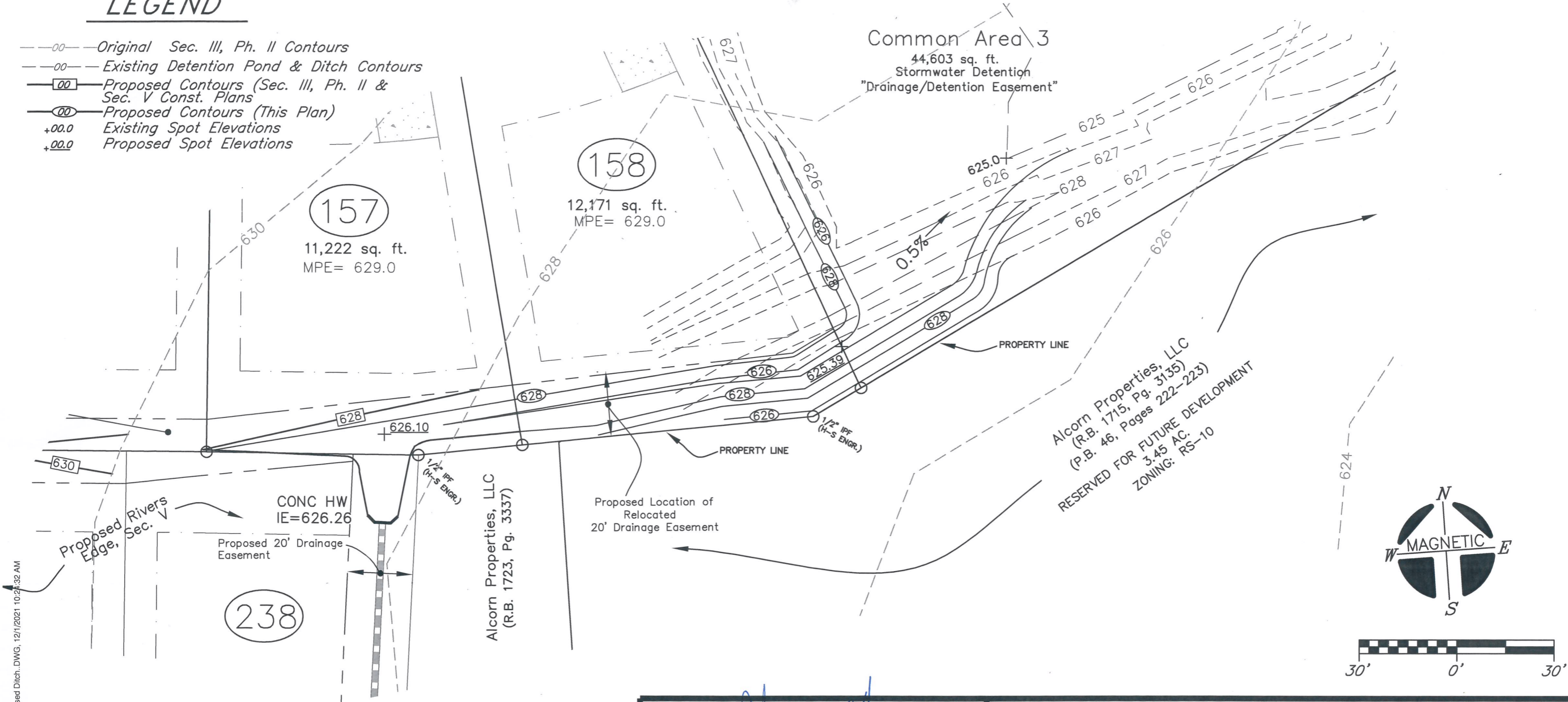
This easement is subject to all other easements and/or restrictions either recorded or by prescription that a complete title search may reveal.

Prepared by:
Huddleston-Steele Engineering, Inc.
2115 Northwest Broad Street
Murfreesboro, Tennessee 37129



LEGEND

- 00— Original Sec. III, Ph. II Contours
- 00— Existing Detention Pond & Ditch Contours
- 00— Proposed Contours (Sec. III, Ph. II & Sec. V Const. Plans)
- 00— Proposed Contours (This Plan)
- +00.0 Existing Spot Elevations
- +00.0 Proposed Spot Elevations



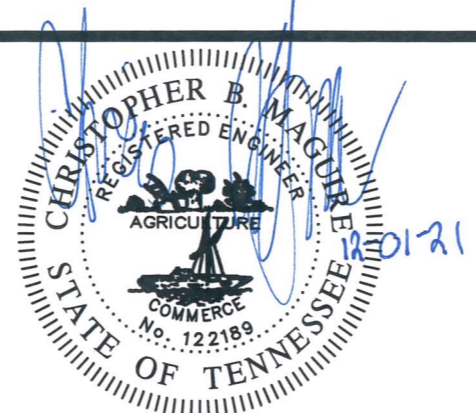
LOTS 157-158

OWNER: DAVIDSON HOMES, LLC
 ADDRESS: 336 JAMES RECORD RD., SW
 HUNTSVILLE, AL. 35824
 LOT 157-TAX MAP: 124C, G, PARCEL: 9.00
 LOT 158-TAX MAP: 124C, G, PARCEL: 10.00
 RECORD BOOK: 2116 PAGE: 1642
 PLAT BOOK: 45 PAGE: 58

COMMON AREA 3

OWNER: RIVERS EDGE INVESTMENTS, LLC
 ADDRESS: P.O. BOX 38
 BRADYVILLE, TN 37026
 TAX MAP: 124C, G, PARCEL: 11.00
 RECORD BOOK: 1921 PAGE: 2235
 PLAT BOOK: 45 PAGE: 58

THESE PARCELS ARE NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY-PANEL NOS. 470165 0265H & 0270H ZONE: X, DATED JANUARY 05, 2007.



HS HUDDLESTON-STEELE
 ENGINEERING, INC.
 2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
 PHONE: 893 - 4084, FAX: 893 - 0080

DITCH MODIFICATION PLAN RIVERS EDGE, SECTION III, PHASE II

LOT 157, RESUBDIVISION OF LOT 158, (NOT RECORDED AS OF THIS DATE), AND COMMON AREA 3

CITY OF MURFREESBORO
 13th CIVIL DISTRICT - RUTHERFORD COUNTY - TN.

DATE: DECEMBER, 2021 SCALE: 1"=30' SH. 1 OF 1

\\ACAD209\Land Projects 3\Rivers Edge\dwg\Rivers Edge 3-Phase 2 Final Plat_ Revised Ditch.dwg, 12/1/2021 10:21:32 AM

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

1:00 P.M.

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Jami Averwater
Rick LaLance
Chase Salas
Warren Russell
Shawn Wright

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Brad Barbee, Planner
Joel Aguilera, Planner
Katie Noel, Project Engineer
Carolyn Jaco, Recording Assistant
Roman Hankins, Assistant City Attorney
Sam Huddleston, Executive Dir. Dev. Services
Darren Gore, Assistant City Manager
Valerie Smith, Water Resources Asst. Director
Marshall Fall, Water Resources Engineer

1. Call to order.

Chair Kathy Jones called the meeting to order at 1:00 p.m.

2. Determination of a quorum.

Chair Jones determined that a quorum was present.

3. Approve minutes of the November 17, 2021 and December 1, 2021 Planning Commission meetings.

Mr. Chase Salas moved to approve the Minutes of the November 17, 2021 and December 1, 2021 Planning Commission meetings; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

Chase Salas

Warren Russell

Shawn Wright

Nay: None.

4. Consent Agenda:

The Maples, Section 8 [2021-1038] preliminary plat for 31 lots on 16.42 acres zoned RS-10 located along Sinclair Street east of Manchester Pike, The Maples, Inc. developer.

Capital Business Park, 4th Resubdivision of Lot 2 [2021-2110] final plat for 2 lots on 11.75 acres served as an outside the City sewer customer and zoned EAC (Rutherford County) located along Capital Way, Rhodes Development Co. developer.

The Gardens of Three Rivers, Section 2, Phase 1 [2021-2112] final plat for 8 lots on 4.05 acres zoned PRD located along Elmcroft Avenue and Eldin Creek Drive, G3R Partners, LLC developer.

The Gardens of Three Rivers, Section 2, Phase 2 [2021-2113] final plat for 11 lots on 5.08 acres zoned PRD located along Audubon Lane and Barringer Lane, G3R Partners, LLC developer.

Mankin Point, Section 2, Phase 3 [2021-2114] final plat for 59 lots on 13.7 acres zoned PRD located along Plum Leaf Place and Pear Blossom Way, Mankin Pointe, LLC developer.

Rivers Edge, Section 5 [2021-2109] final plat for 59 lots on 19.06 acres zoned RS-10 located along Parkwood Drive, Rivers Edge Investments, LLC developer.

Victory Station South, Lot 4 [2021-2111] final plat for 1 lot on 2.25 acres zoned PUD

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

located along Franklin Road and Victory Station Way, Swanson Irrevocable Family Trust developer.

The Crossings of Three Rivers, Resubdivision of Lots 33-34 & 44-45 [2021-2115] final plat for 8 lots on 0.73 acres zoned PRD located along Hospitality Lane, Lennar Homes of Tennessee, LLC developer.

River Landing, Section 1 [2021-2116] final plat for 18 lots and common area on 34.56 acres zoned PUD located along Northwest Broad Street, Forestar (USA) Real Estate Group, Inc. developer.

North Maple Street and North Public Square [2021-2118] final plat for 1 lot on 0.23 acres zoned CBD & CCO located along North Maple Street and North Public Square, 124 North Maple Street, LLC developer.

Legacy Pointe, Section 1, Phase 2 [2021-2119] final plat for 20 lots on 5.9 acres zoned RS-6 located along Humanity Trail and Twin Oak Drive, Rutherford County Area Habitat for Humanity, Inc. developer.

Mandatory Referral [2027-728] to consider the abandonment of a portion of a sanitary sewer easement located on property along Butler Drive, Josh Hutcheson of Fulmer Lucas on behalf of Mahle applicant.

Mandatory Referral [2021-729] to consider the abandonment of a water line easement located on property along the south side of Industrial Drive, MTE applicant.

Mandatory Referral [2021-730] to consider the abandonment of a sanitary sewer easement located on property along Robert Rose Drive and Medical Center Parkway, Matt Taylor applicant.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

There being no further discussion, Mr. Rick LaLance moved to approve the Consent Agenda subject to all staff comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Chase Salas
Warren Russell
Shawn Wright

Nay: None.

5. **Plats and Plans:**

On Motion

Singer Park [2021-1036] master plan and preliminary plat for 4 lots on 5.1 acres zoned L-I located along Northwest Broad Street and Singer Road, Michael Hazlett developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) was in attendance to represent the application.

There being no further discussion, Mr. Rick LaLance moved to approve the master plan and preliminary plat subject to all staff comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

Jami Averwater

Rick LaLance

Chase Salas

Warren Russell

Shawn Wright

Nay: None.

Singer Park, Lot 1 (Northwest Broad Street Convenience Market) [2021-3159] site plan review for 4,500 ft2 gas station/convenience store on 1-acre zoned L-I located along Northwest Broad Street and Singer Road, Prasant Maheta developer. Ms.

Margaret Ann Green presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) was in attendance to represent the application.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Chase Salas

Warren Russell

Shawn Wright

Nay: None.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

Sanders Corner Phase 1 & 2 [2021-3164] site plan review for 10,708 ft2 commercial center and 5,238 ft2 gas station on 2.8 acres zoned PCD located along West Northfield Boulevard and Sulphur Springs Road, P & H Joint Venture developer.

Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. She requested to continue working with the design team on outstanding issues, including formal open space and landscaping around the stormwater ponds, prior to the issuance of building permits for this proposal.

Mr. Matt Taylor (design engineer) said that the stormwater ponds would be screened with a berm that will be higher than the roadway. He stated that he would continue to work with Ms. Green on this issue. Mr. Rick LaLance requested for additional landscaping to screen the stormwater ponds. Mr. Taylor agreed to provide a double row of landscaping for the stormwater ponds.

There being no further discussion, Mr. Warren Russell moved to approve the site plan subject to all staff comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

- Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Chase Salas
Warren Russell
Shawn Wright

Nay: None.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

Sanders Corner [2021-1035] integrated preliminary plat for 3 lots on 4.6 acres zoned PCD located along West Northfield Boulevard and Sulphur Springs Road, P & H Venture developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) was in attendance to represent the application.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the integrated preliminary plat subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Chase Salas
Warren Russell
Shawn Wright

Nay: None.

Parkside MHA [2021-3158] site plan for 46 multi-family residential dwelling units on 2.78 acres zoned PUD located along East Castle Street and South Highland Avenue, Murfreesboro Housing Authority developer. Mr. Matthew Blomeley presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Ms. Margaret Butler (architect) was in attendance to represent the application. Ms. Butler stated she would continue working with Staff to address all outstanding staff comments.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

There being no further discussion, Mr. Warren Russell moved to approve the site plan subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Chase Salas
Warren Russell
Shawn Wright

Nay: None.

Buc-ee's [2021-1034] preliminary plat for 2 lots on 52.81 acres zoned G-I located along Elam Road and Joe B Jackson Parkway, Buc-ee's, LTD developer. Ms. Marina Rush presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Mr. Matthew Blomeley added that any approval should be subject to final approval by City Council of the associated annexation, zoning, and right-of-way abandonment requests.

Ms. Kelley Frank (design engineer) was in attendance to represent the application.

There being no further discussion, Mr. Chase Salas moved to approve the preliminary plat subject to all staff comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

Rick LaLance

Chase Salas

Warren Russell

Shawn Wright

Nay: None.

6. Public Hearings and Recommendations to City Council:

Mandatory Referral/ROW Abandonment [2021-732] to consider the abandonment of a segment of Elam Road Right-of-Way, Kelley Frank of Kimley-Horn on behalf of Bucee's, LTD applicant. Ms. Marina Rush presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

There being no further discussion, Mr. Rick LaLance moved to schedule a public hearing on January 12, 2022; seconded by Mr. Shawn Wright, the motion carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Chase Salas

Warren Russell

Shawn Wright

Nay: None.

Mandatory Referral to consider the purchase of land and buildings at 750 S. Church Street from AEDC Federal Credit Union. Mr. Roman Hankins presented the Staff

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

There being no further discussion, Ms. Jami Averwater moved to approve the Mandatory Referral; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Chase Salas
Warren Russell
Shawn Wright

Nay: None.

7. Staff Reports and Other Business:

Hear report from Assistant City Manager/Utility Enterprises Executive Director, Darren Gore, regarding Salem Highway Sanitary Sewer Basin Study (MF11). Mr. Darren Gore gave a PowerPoint presentation to the Commission members, explaining the Salem Highway Sanitary Sewer Basin Study (MF11). He said that, based on capacity limitations and overflow concerns, MWRD staff cannot support any increased rezoning requests (or new projects) that results in an increase in sewer connections until improvements are made. MWRD hopes to start improvements in fall of 2022 and recommence issuing “will serve” letters for sanitary sewer service to new projects and support increased density (should PC deem it appropriate).

At the conclusion of the presentation, the Planning Commission had the opportunity to ask questions of Mr. Gore.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 15, 2021

Mandatory Referral [2021-736] easement to MTEMC for Rutherford County One Stop Facility on Blaze Drive, City of Murfreesboro applicant. Mr. Roman Hankins presented the need for an MTEMC electric easement across a portion of City-owned property at Blaze and Fortress that has been leased to Rutherford County for construction of a “One Stop” facility.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the request; the motion was seconded by Mr. Rick LaLance and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Chase Salas

Warren Russell

Shawn Wright

Nay: None.

Mandatory Referral [2021-724] for the abandonment of right-of-way of a segment of an alley approximately 220 linear feet in length located north of Bridge Avenue between Kings Highway and Battle Avenue, Jon Troutt applicant. Mr. Matthew Blomeley provided an update on this abandonment that will be presented to City Council December 16, 2021. After consultation with the Legal Department, Staff is recommending to Council that its action also include any interest that the City may have in the portion of the alley right-of-way that is already shown to be incorporated into the adjacent parcel just north of Bridge Avenue. Staff is bringing this to the Planning Commission for information only and no action is needed.

**MINUTES OF THE MURFREESBORO
PLANNING COMMISSION
DECEMBER 15, 2021**

8. Adjourn.

There being no further business the meeting adjourned at 2:30 p.m.

Chair

Secretary

GM: cj