

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**FEBRUARY 2, 2022
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the January 19, 2022 Planning Commission meeting.**
- 4. Public Hearings and Recommendations to City Council:**
 - a.** Annexation petition and plan of services [2021-516] for approximately 258.8 acres located along Northwest Broad Street, Hord Family applicant. (Project Planner: Marina Rush)
 - b.** Zoning application [2021-433] for approximately 258.8 acres located along Northwest Broad Street to be zoned CH and GDO-1 simultaneous with annexation, SEC, Inc. on behalf of Legacy Sports Tennessee applicant. (Project Planner: Marina Rush)
- 5. Staff Reports and Other Business:**
 - a.** Mandatory Referral [2021-734] for the abandonment of a sanitary sewer easement located on property along East Northfield Boulevard and Pitts Lane, Huddleston-Steele on behalf of Hassan Eslami applicant (Project Planner: Holly Smyth)
- 6. Adjourn.**

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
FEBRUARY 2, 2022
PROJECT PLANNER: MARINA RUSH**

4.a. Annexation petition and plan of services [2021-516] for approximately 258.81 acres located along Northwest Broad Street, Hord Family applicant.

The property owners, Elizabeth G. Hord and the Estate of Thomas Hord III (collectively the Hord Family), have submitted petitions requesting their property be annexed into the City of Murfreesboro. The subject property is 258.81 acres, located along the east side of Northwest Broad Street and southeast of I-840. The property tax map numbers are:

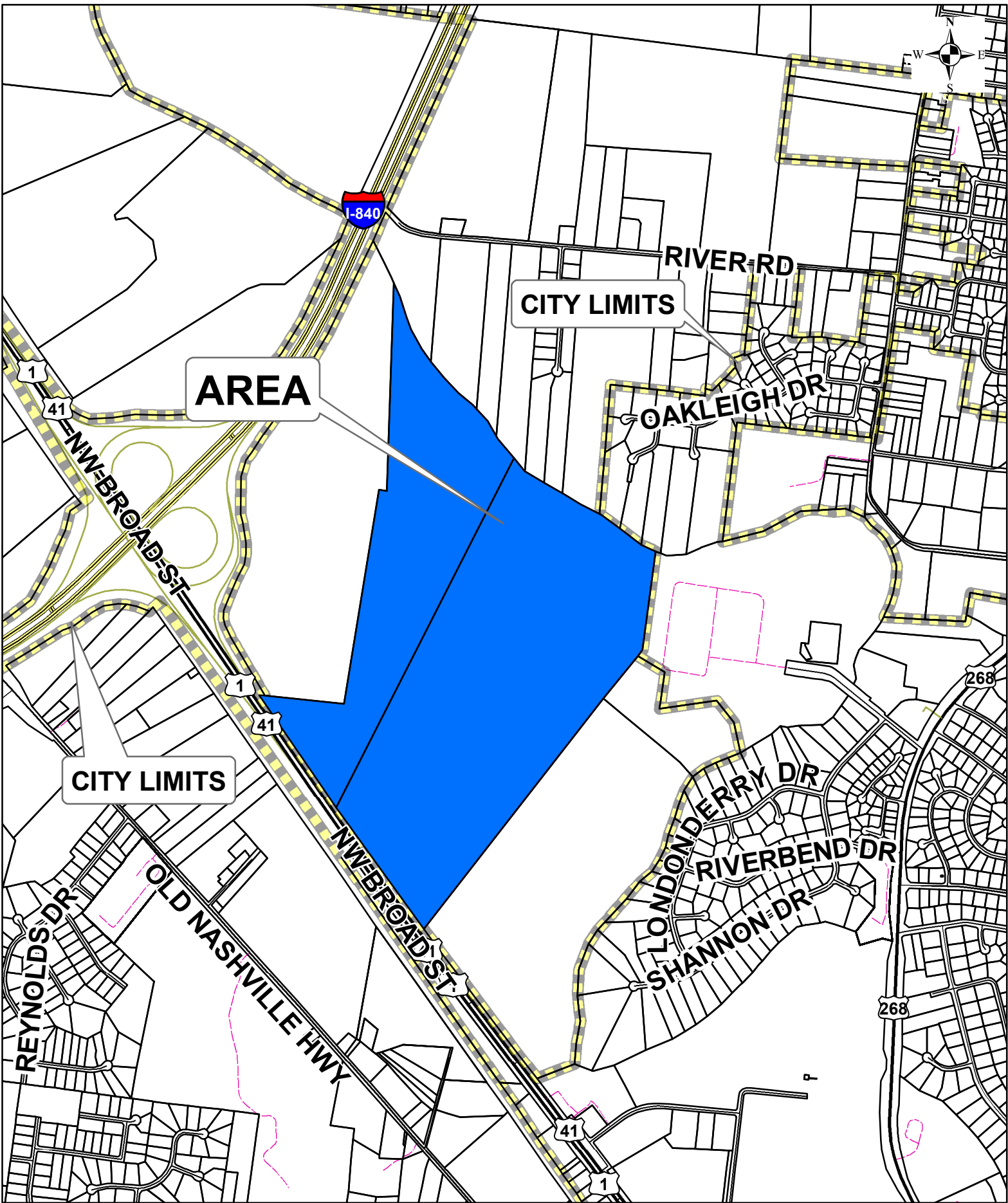
- Tax Map 70, Parcel 7.02 (91.4 acres)
- Tax Map 70, Parcel 7.03 (167.41 acres)

Simultaneous with this application is a request to zone the property to CH and GDO-1 (Commercial Highway and Gateway Design Overlay-1) Districts. No residential structures are currently located on the property. The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along both the northeast property line and the southwestern property line adjacent to Northwest Broad Street.

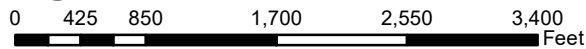
Staff has prepared a plan of services for the proposed annexation and it is attached to this staff report for reference. City services can be provided to the property in its current state upon annexation and with future development of property. The plan of services provides the detailed information regarding each of the City services.

Action Needed:

The Planning Commission will need to conduct a public hearing on this annexation petition and plan of services, after which it will need to discuss the matter and then formulate a recommendation for the City Council.



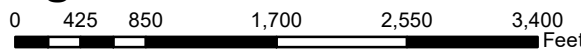
Annexation Request for Property located along Northwest Broad Street



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Annexation Request for Property located along Northwest Broad Street

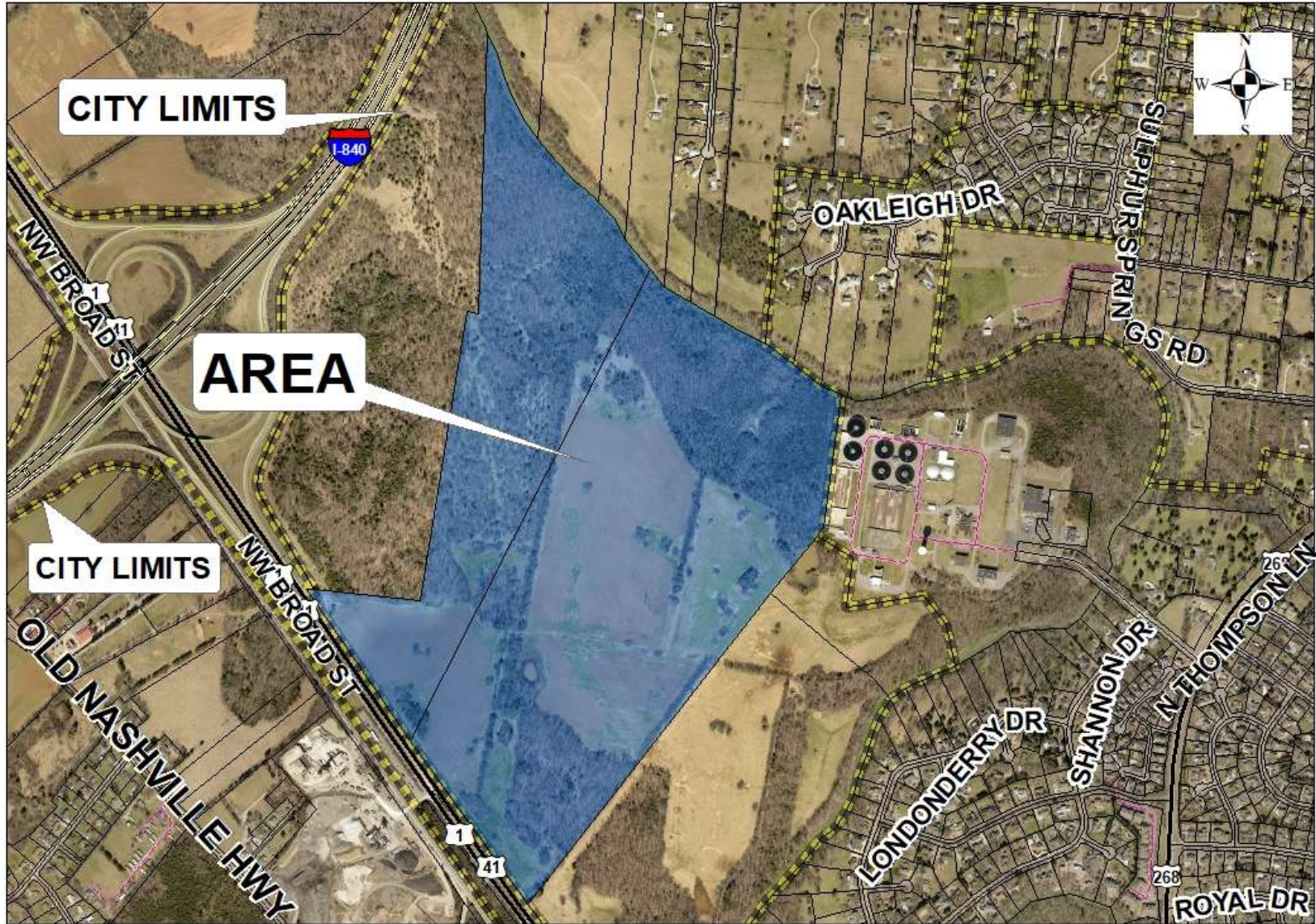


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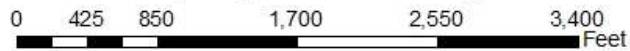
**ANNEXATION REPORT FOR PROPERTY LOCATED ALONG
NW BROAD STREET (HORD FAMILY)
INCLUDING PLAN OF SERVICES
(FILE 2021-516)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
FEBRUARY 2, 2022**



Annexation Request for Property located along Northwest Broad Street



Planning Department
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 111 W. Vine St.
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INTRODUCTION

OVERVIEW

Elizabeth G. Hord, Estate of Thomas Hord III, and Mary Hord Haymore Children, L.P. by German Pittman Haymore, III and Mary Haymore Pinson (collectively the Hord Family), have submitted petitions requesting their property be annexed into the City of Murfreesboro. The subject property is 258.81 acres, located along the east side of Northwest Broad Street and southeast of I-840. The property tax map numbers are:

- Tax Map 70, Parcel 7.02 (91.4 acres)
- Tax Map 70, Parcel 7.03 (167.41 acres)

Simultaneous with this application is a request to zone the property to CH and GDO-1 (Commercial Highway and Gateway Design Overlay-1) Districts. No residential structures are currently located on the property.

The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along the northeast property line and NW Broad Street along the southwestern property line.



CITY ZONING

Legacy Sports Tennessee has submitted an application to zone the subject property to Commercial Highway and Gateway Design Overlay-1 (CH and GDO-1) Districts. The purpose of this zoning is to allow for the development of a multi-use sports and entertainment complex, the Legacy Sports Tennessee facility, that will include indoor and outdoor athletic facilities for recreational and professional sports as well as related retail, commercial, medical, and hospitality uses.

The adjacent properties located to the north, northwest, west, and south are in the unincorporated portion of Rutherford County and are zoned RM (Residential Medium Density). Across NW Broad St. to the west are properties zoned HI (Heavy Industrial), CG (Commercial General) and RM, and to the northeast and further east are zoned RS-15 (Single-Family Residential District) in the City.



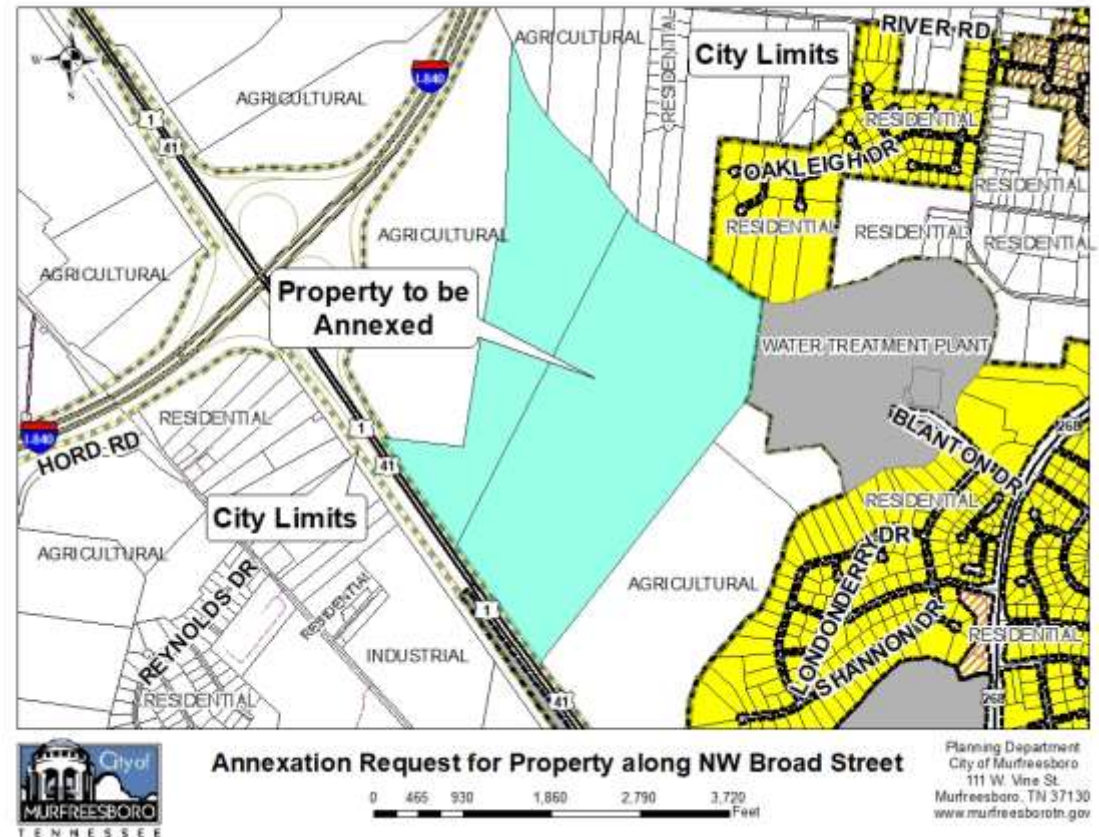
PRESENT AND SURROUNDING LAND USE

The study area is currently undeveloped, vacant agricultural land. There is a small cemetery on the property near NW Broad Street called the “Major Cemetery.”

The adjacent properties are a combination of undeveloped and developed land as shown on the adjacent map.

The properties directly to the north, northwest, and southeast are primarily vacant agricultural land. The properties to the northeast are single family homes within the Oakleigh Subdivision, the Murfreesboro Wastewater Treatment Plant, and further to the east are single family homes within the Riverbend Subdivision.

The properties along the west side of NW Broad Street are in the unincorporated land of Rutherford County. Directly to the west is a rock quarry and plant, and vacant land.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2022 will be due on December 31, 2023. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. The property is vacant. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

***Table I
Estimated Taxes from Site***

| Owner of Record | Tax Map and Parcel | Acres | Land Value | Improvements Value | Total Assessment | Estimated City Taxes |
|------------------------|---------------------------|--------------|-------------------|---------------------------|-------------------------|-----------------------------|
| Hord Family | 70-007.02 | 91.4 | \$111,400 | \$0.00 | \$27,850 | \$359.10 |
| Hord Family | 70-007.03 | 167.41 | \$297,300 | \$0.00 | \$74,325 | \$958.35 |

These figures are for the property in its current state and assessed at the residential rate of 25 percent. After this property is rezoned and when it is developed, an improvement value will be added, which will result in an increase to the City and County taxes.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcels immediately upon the effective date of annexation.

This property is located within Police Zone #6. This annexation will have no negative impact on the Murfreesboro Police Department. No additional costs to the department are expected.

If the property is zoned commercial and developed as a sports and entertainment facility, then due to the proposed size and scale it is recommended the operator consider providing security services or contracting such resources based upon the volume of patrons that may attend during any given time.

ELECTRIC SERVICE

Middle Tennessee Electric Membership (MTE) currently has overhead electric facilities along NW Broad Street. MTE is currently performing upgrades in this area as part of their capital improvement plan, and any future development in the study area will need to submit loading

information to MTE in order to ensure existing capacity will be sufficient. Any new electrical infrastructure installed will be required to adhere to MTE standards. MTE will serve the subject property.

STREET LIGHTING

There are streetlights currently installed along NW Broad Street.

SOLID WASTE COLLECTION

The study area is currently vacant; as such, solid waste collection service will not be needed upon the effective date of annexation. If the property is zoned commercial, any future commercial development that occurs would be required to use a private hauler for solid waste collection as the Solid Waste Department no longer services new commercial uses.

RECREATION

The study area is currently vacant, and there would be no impacts onto the Murfreesboro Parks and Recreation facilities upon the effective date of annexation. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities and programs are wholly funded by the Murfreesboro taxpayers. Children who are residents of the City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees. If the property is zoned commercial and developed as a sports and entertainment facility, this would be a private commercial recreational facility and would not impact the City's recreational facilities.

CITY SCHOOLS

The Murfreesboro City School (MCS) system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area is outside of the Erma Siegel School zone. If the study area is annexed, it would become part of this school's zoned area. However, because this property is proposed to be zoned for commercial uses, no additional student population is anticipated.

BUILDING AND CODES

The property will come within the City's jurisdiction for code enforcement immediately upon the effective date of annexation. The City's Building and Codes Department will begin issuing building and construction permits and enforcing the codes and inspecting new construction for compliance with the City's construction codes immediately upon the effective date of annexation. The Building and Codes Department will also ensure that any new signs associated with the development of the property comply with the Sign Ordinance. No additional costs are expected.

PLANNING, ENGINEERING, AND ZONING SERVICES

The property will come within the City's jurisdiction for planning and engineering code enforcement immediately upon the effective date of annexation. As new development occurs, the Planning Commission will review all site plans, preliminary plats, and final plats. Among other duties, the Planning and Engineering Departments will inspect and monitor new construction of streets and drainage structures for compliance with the City's development regulations.

GEOGRAPHIC INFORMATION SYSTEMS

The property is within the area photographed and digitized as part of the City's Geographic Information Systems (G.I.S.) program.

STREETS AND ACCESS

The annexation study area does not include any additional public roadway systems. Access to a public roadway system is available through NW Broad Street, which is a State Route. Modifications to the current access to NW Broad Street will require approval of the City Engineer and TDOT.

Any future public roadway facilities to serve the study area must be constructed to City standards.

REGIONAL TRAFFIC & TRANSPORTION

The Study Area is currently served by NW Broad Street as the major roadway facility. NW Broad Street intersects with Interstate 840 to the north and North Thompson Lane to the south. The 2014 Level of Service Model in the 2040 Major Transportation Plan (MTP) indicates NW Broad Street to be operating at a Level of Service D in the Study Area based on average daily traffic (ADT). The 2040 Level of Service Model shows that

NW Broad Street falls to undesirable level of service of F without the proposed improvements recommended in the 2040 MTP.

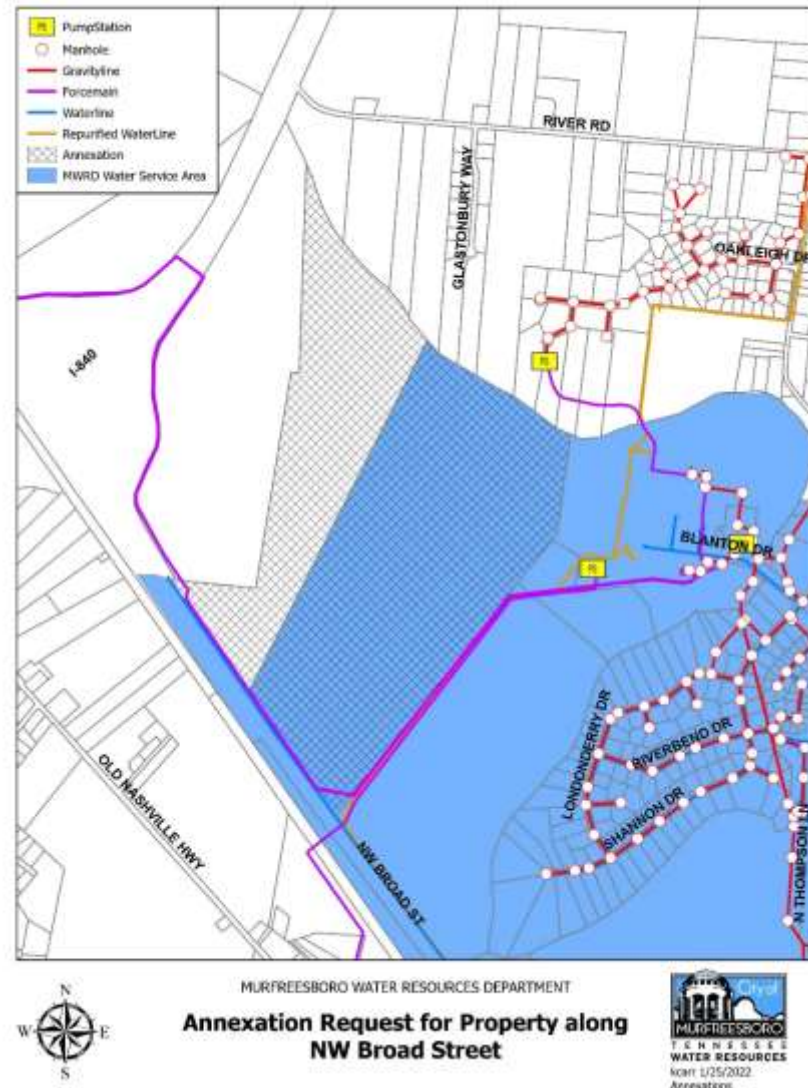
North Thompson Lane is the first major intersection to the south. This intersection is operating at a Level of Service E. Interstate 840 is the first major intersection to the north. This intersection is operating at a Level of Service D.

SANITARY SEWER SERVICE

With regard to sewer service, gravity sewer is not available to the property and will require a pump and forcemain for service. The pump station would be constructed at a location on the property that could be abandoned in the future by an off-site gravity sewer main extension. The proposed forcemain can be manifolded into one of the existing 14” or 18” sewer forcemains on the property, within an easement and parallel to NW Broad Street. This pump station and forcemain would be installed by the Developer with the construction of the project and turned over to MWRD for Operations & Maintenance.

Any water, repurified water and sanitary sewer mains referenced herein are shown on our GIS maps found on the City’s website. All on-site water and sewer main line extensions are the financial responsibility of the Developer and must be extended in accordance with the

Development Policies and Procedures of the Murfreesboro Water Resources Department.



WATER SERVICE

The study area is partially located within Consolidated Utility District of Rutherford County's (CUD) service area and partially within the City of Murfreesboro Water Resources Department's (MWRD) service area. The southern/eastern parcel is within MWRD's service area, and the northern/western parcel is with CUD's service area. There is a 16" water main, owned and operated by MWRD parallel to NW Broad Street for the full frontage of the properties.

If any portion of the study area is to be served by CUD, a complete "Water Service Availability Form" is to be submitted along with a master and preliminary plan to CUD for a feasibility study and to obtain a CUD Will Serve Letter. CUDRC has no existing water main along NW Broad Street (US-41) along the frontage to serve the annexed areas.

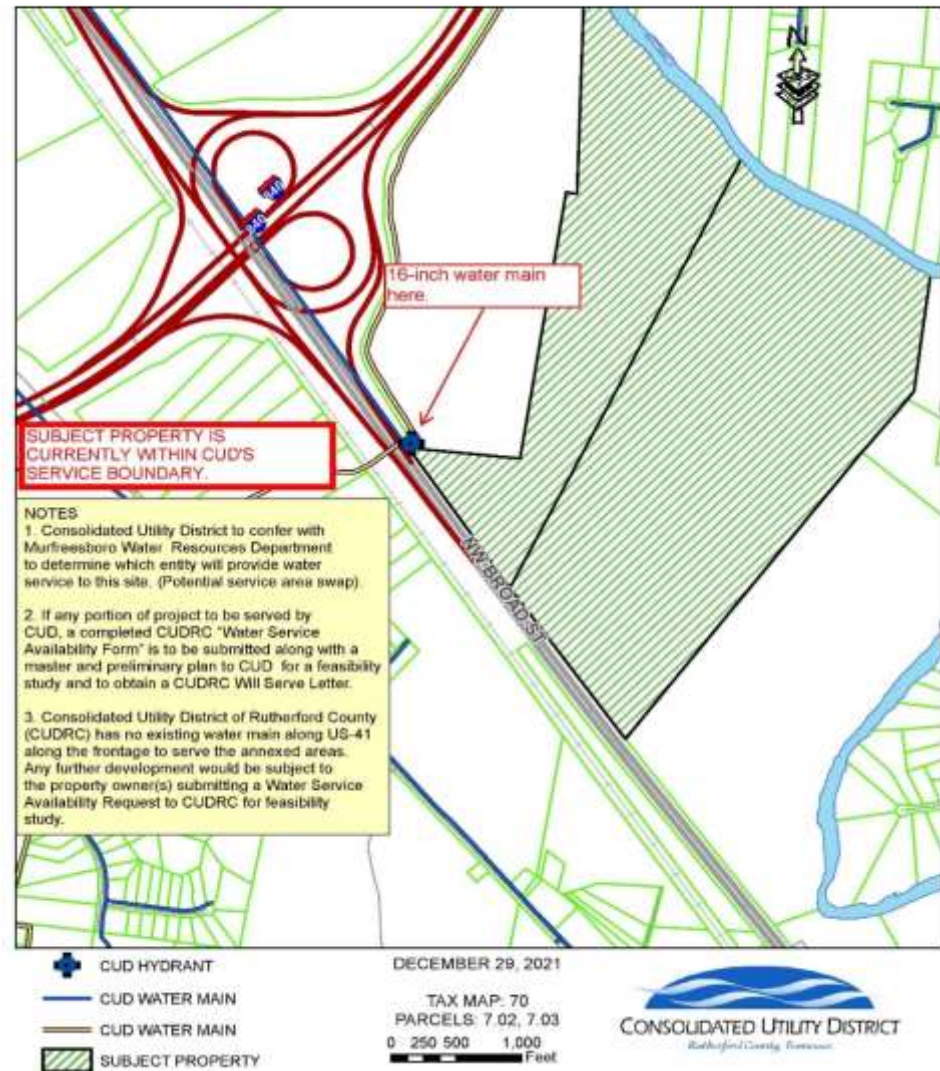
CUD has stated that they do not see any issues with relinquishing their service area over the property to MWRD to serve, however, this hasn't been approved by either advisory Board to date. A request by the Developer must be presented to each Board for approval.

Repurified Water Service

With regard to repurified water service, there is a 24" main located parallel to the

southern/eastern property line of the southern/eastern property. This water is required to be used for irrigation purposes.

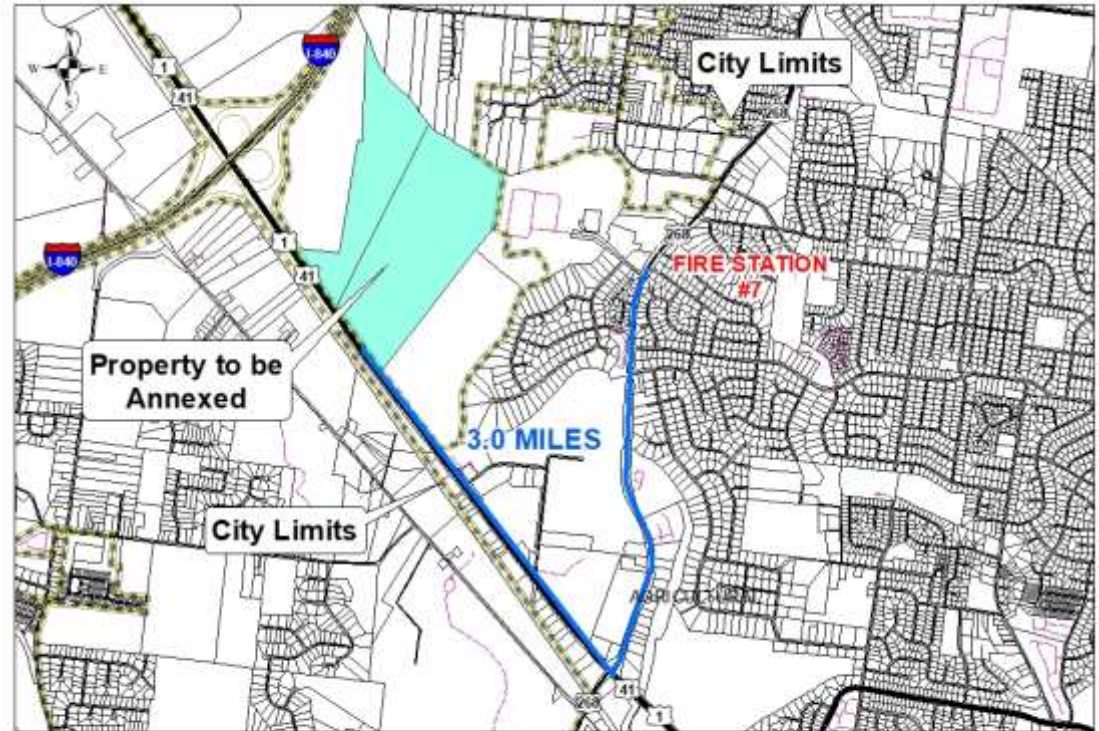
Legacy Sports Park Plan of Service Request Map 70 Parcels 7.02, 7.03



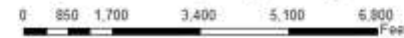
FIRE AND EMERGENCY SERVICE

The Murfreesboro Fire and Rescue Department (MFRD) can provide emergency first responder and fire protection services to the study area immediately upon the effective date of annexation. For future development of the property, the required fire protection will be installed with development, so that ISO Class 1 Fire protection can be provided, and First Responder service will be enhanced.

Currently the study area is located 3.0 roadway miles from Fire Station #7 (North Thompson Lane). The blue line on the adjacent map represents the linear distance range from the nearest fire station.



Annexation Request for Property along NW Broad Street

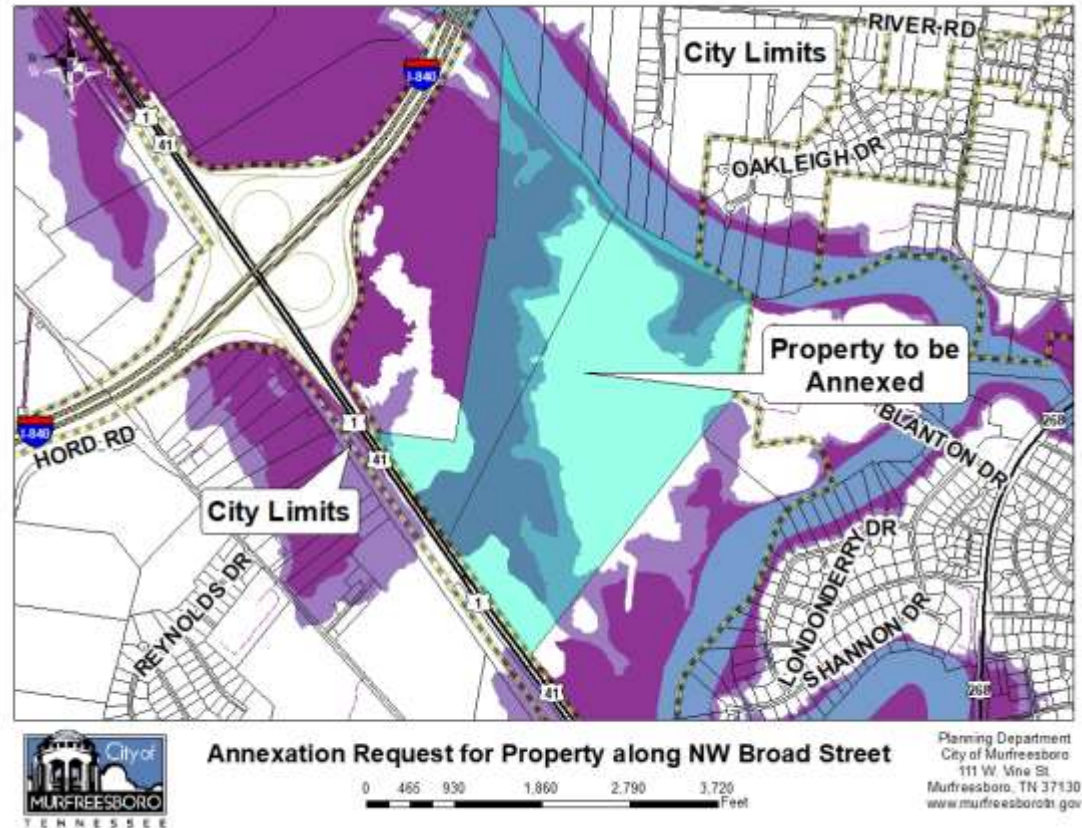


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FLOODWAY

A portion of the study area is located within the floodway and 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA).

The floodway and floodplain are related to the West Fork of the Stones River, located on the study area along the northeast property line, and as depicted on the adjacent map. The floodway boundary location is depicted in the blue color and the 100-year floodplain boundary is the purple color.



DRAINAGE

Public Drainage System

Public drainage facilities available in the study area are within the right-of-way (ROW) of NW Broad Street. Modifications of the drainage discharge to the ROW of NW Broad Street must be approved by the City Engineer and TDOT. This drainage system is the responsibility of TDOT for routine maintenance. No additional public drainage systems are in the study area. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

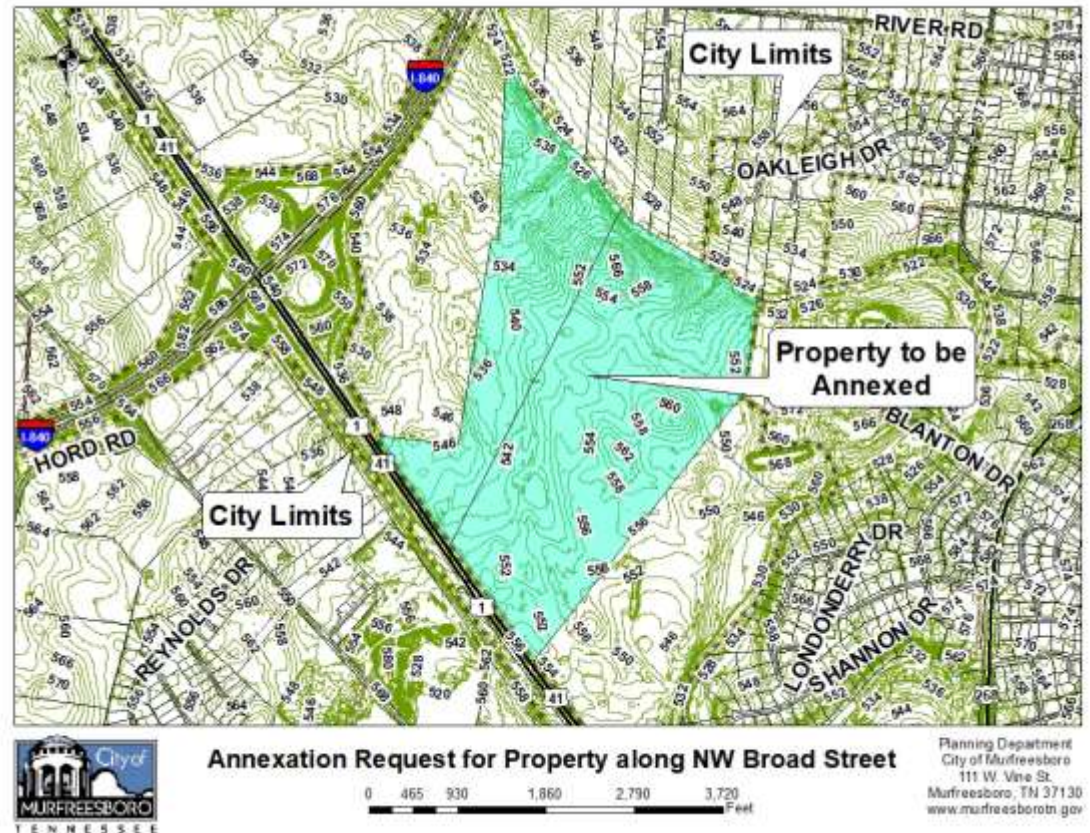
Regional Drainage Conditions

A review of the regional drainage patterns indicates most of the study area drains to the West Fork of the Stones River. A portion of this property is located within the 100-year flood plain.

Stormwater Management and Utility Fees

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. The area being considered for annexation is undeveloped and will not generate any revenue for the Stormwater Utility Fee in its current state.

The Study Area has a proposed zoning of Commercial Highway-Gateway Design Overlay -1 (CH/GDO-1) and is the proposed location for Legacy Sports Park. Based on this development scenario, it is anticipated that the site will generate approximately \$30,000 in additional revenue per year into the Stormwater Utility Fund upon full build out.



PROPERTY AND DEVELOPMENT

New development on the property must meet overall City of Murfreesboro Stormwater Quality requirements and TDOT requirements if stormwater is diverted to NW Broad Street. Impacts on adjacent properties should also be considered in future development plans to ensure no net impact.

NW Broad Street is on the City's Major Transportation Plan. Improvements to ROW and easement dedication for NW Broad should be incorporated into the development plans. Additional roadway connections to the site should be considered with development.

ANNEXATION FOLLOW-UP

The Murfreesboro City Council will be responsible for ensuring that this property will receive City services described in this plan. According to the Tennessee Growth Policy Act, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

The undersigned is the only owner / are all of the owners of the property identified in the attached legal description (including street address and tax map / parcel number), and hereby petitions the City of Murfreesboro to annex such property into the City.

Signatures must be by owners or those with an appropriate written Power of Attorney from an owner. If the owner is not an individual (eg. corporation, trust, etc.), list the entity's name, the name of the individual signing on behalf of the entity and the status of the individual (eg. president, trustee, partner). If you are signing this Petition based on a Power of Attorney, you must also attach a copy of the Power of Attorney.

1. M.B. Murfree, IV as Trustee of the Elizabeth G. Hord 2013 Irrevocable Trust B
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: *M.B. Murfree* Status: Trustee Date: 12/6/21
805 S. Church Street, Suite 21, Murfreesboro, TN 37130
Mailing Address (if not address of property to be annexed)

2. M.B. Murfree, IV as Personal Representative of the Estate of Thomas E. Hord III
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: *M.B. Murfree* Status: Personal Representative Date: 12/6/21
805 S. Church Street, Suite 21, Murfreesboro, TN 37130
Mailing Address (if not address of property to be annexed)

3.
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: _____ Status: _____ Date: _____
Mailing Address (if not address of property to be annexed)

4.
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: _____ Status: _____ Date: _____
Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

Legal Description is attached: _____ Yes

Power of Attorney applies and is attached: _____ Yes _____ No

PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

The undersigned is the only owner / are all of the owners of the property identified in the attached legal description (including street address and tax map / parcel number), and hereby petitions the City of Murfreesboro to annex such property into the City.

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1. Mary Hord Haymore Children, L.P., a Tennessee limited partnership
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
By: German Pittman Haymore, III
Signature: Status: General Partner Date:
c/o Jeff Reed, Attorney, 16 Public Square N, Murfreesboro, TN 37130
Mailing Address (if not address of property to be annexed)

2. Mary Hord Haymore Children, L.P., a Tennessee limited partnership
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
By: Mary Haymore Pinson
Signature: Mary Haymore Pinson Status: General Partner Date:
c/o Jeff Reed, Attorney, 16 Public Square N, Murfreesboro, TN 37130
Mailing Address (if not address of property to be annexed)

3. GERMAN PITTMAN HAYMORE, III
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: [Signature] Status: Gen. Partner Date: 12/10/21
Mailing Address (if not address of property to be annexed)

4.
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: Status: Date:
Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

Legal Description is attached: Yes

Power of Attorney applies and is attached: Yes No

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Printed Name of Owner (and Owner's Representative, if Owner is an entity)
By: German Pittman Haymore, III
Signature: _____ Status: General Partner Date: _____

c/o Jeff Reed, Attorney, 16 Public Square N, Murfreesboro, TN 37130
Mailing Address (if not address of property to be annexed)

2. Mary Hord Haymore Children, L.P., a Tennessee limited partnership
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
By: Mary Haymore Pinson
Signature: Mary Haymore Pinson Status: General Partner Date: _____

c/o Jeff Reed, Attorney, 16 Public Square N, Murfreesboro, TN 37130
Mailing Address (if not address of property to be annexed)

3. GERMAN PITTMAN HAYMORE, III
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: [Handwritten Signature] Status: Gen. Partner Date: 12/10/21

Mailing Address (if not address of property to be annexed)

4.
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: _____ Status: _____ Date: _____

Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

Legal Description is attached: _____ Yes

Power of Attorney applies and is attached: _____ Yes _____ No

[Go Back to Search Page](#)

Add Property to Your Notifications Account

Results GIS Maps Pictures

Account #: R0041071
 Owner Name: HAYMORE MARY HORD
 Owner Name 2: CHILDREN L P
 Owner Address: 3909 W ROCHELLE RD
 Owner Address 2:
 City, State, Zip: IRVING, TX 75062-4009
 Property Address: NW BROAD ST
 Jurisdiction: 000 - Rutherford
 Parcel #: 070-007.02-000
 Subdivision: HORD PARTITION - HORD PARTITION
 Lot #: TR 6-C
 Map Book: N/R
 Dimensions:
 Land Flag: NODATA
 Units/Acres/Sites: 91.44000
 Class: 11 - Agricultural
 Land Mkt Value: \$111,400
 Improvement Value: \$0
 Yard Item Value: \$0
 Total Market Appraisal: \$111,400
 Assessment %: %
 Assessment: \$27,850
 Greenbelt Value: NODATA

Jan 1st Owner Name:
 Jan 1st Owner Name 2:
 Jan 1st Owner Address:
 Jan 1st Owner Address 2:
 Jan 1st City, State, Zip:

NODATA

[Pay your County Taxes Online](#)
[See your estimated County tax bill](#)

Building Information

[View Square Footage](#)

Sale Information

Non-Sale Document Information

| SaleDate | SalePrice | Book | Page | GrantorName | GranteeName |
|------------|-----------|------|------|-------------|--|
| 2000-04-24 | 0.00 | 5 | 1759 | | MARY HORD HAYMORE CHILDREN L P |
| 1976-12-09 | 0.00 | 306 | 818 | | HAYMORE MARY YOUNG ETAL GERMAN P HAYMORE III |

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
FEBRUARY 2, 2022
PROJECT PLANNER: MARINA RUSH**

4.b. Zoning application [2021-433] for approximately 258.81 acres located along Northwest Broad Street to be zoned CH and GDO-1 simultaneous with annexation, SEC, Inc. on behalf of Legacy Sports Tennessee applicant.

The subject property is a total of 258.81 acres located along the east side of Northwest Broad Street and southeast of I-840. The property is vacant farmland and is proposed to be zoned Commercial Highway and Gateway Design Overlay-1 (CH and GDO-1) Districts. The purpose of this zoning is to allow for the development of a multi-use sports and entertainment complex, the Legacy Sports Tennessee facility, that will include indoor and outdoor athletic facilities for recreational and professional sports as well as related retail, commercial, medical, and hospitality uses. The purpose of the GDO-1 district is to ensure high quality design and site planning for the property and to help regulate the uses that can be established.

The current property owners, Hord Family, submitted petitions for annexation of the 258+ acres simultaneous with this zoning request. The property tax map numbers are:

- Tax Map 70, Parcel 7.02 (91.4 acres)
- Tax Map 70, Parcel 7.03 (167.41 acres)

Adjacent Zoning and Land Uses

The subject property is contiguous to the City limits along the northeastern property line and along Northwest Broad Street. The adjacent properties located to the north, northwest, west, and south are in the unincorporated portion of Rutherford County and are zoned RM (Residential Medium Density) and across Northwest Broad to the west are HI (Heavy Industrial), CG (Commercial General), and RM. The properties to the northeast and further east are zoned RS-15 (Single-Family Residential District 15). The RS-15 properties are located within the Riverbend Subdivision and Oakleigh Subdivision. The Murfreesboro wastewater treatment plant is located northeast of the subject property and is also zoned RS-15.

Future Land Use Map

The Murfreesboro 2035 Comprehensive Plan Future Land Use Map (FLUM) (excerpt below) indicates that “Urban Commercial / Mixed Use” (UC) is the most appropriate land use character for the subject property. Allowed uses in the UC character include the following: “intensive urban character with a multiplicity of uses, including multi-family

residential, entertainment, restaurants, department stores and other retail, general and professional offices, and hotels.”

In addition, the comprehensive plan identifies several different sub-development types for this land use character. One sub-development type is the “Mixed-Use Lifestyle Center” which “promotes pedestrian-oriented mixed-use centers with integrated, complementary uses; with convention/assembly and/or parks and public spaces that draw visitors from surrounding neighborhoods and communities within the region.” Another sub-development type is the “Mixed-Use Corridor”, which “allows a broad range of commercial, office, and high-density residential uses and public spaces serving surrounding neighborhoods, commercial/professional business parks and visitors from nearby communities.”

It is staff’s opinion that the proposed zoning request is consistent with the UC land use character.

Murfreesboro 2035 Comprehensive Plan Future Land Use Map (excerpt)



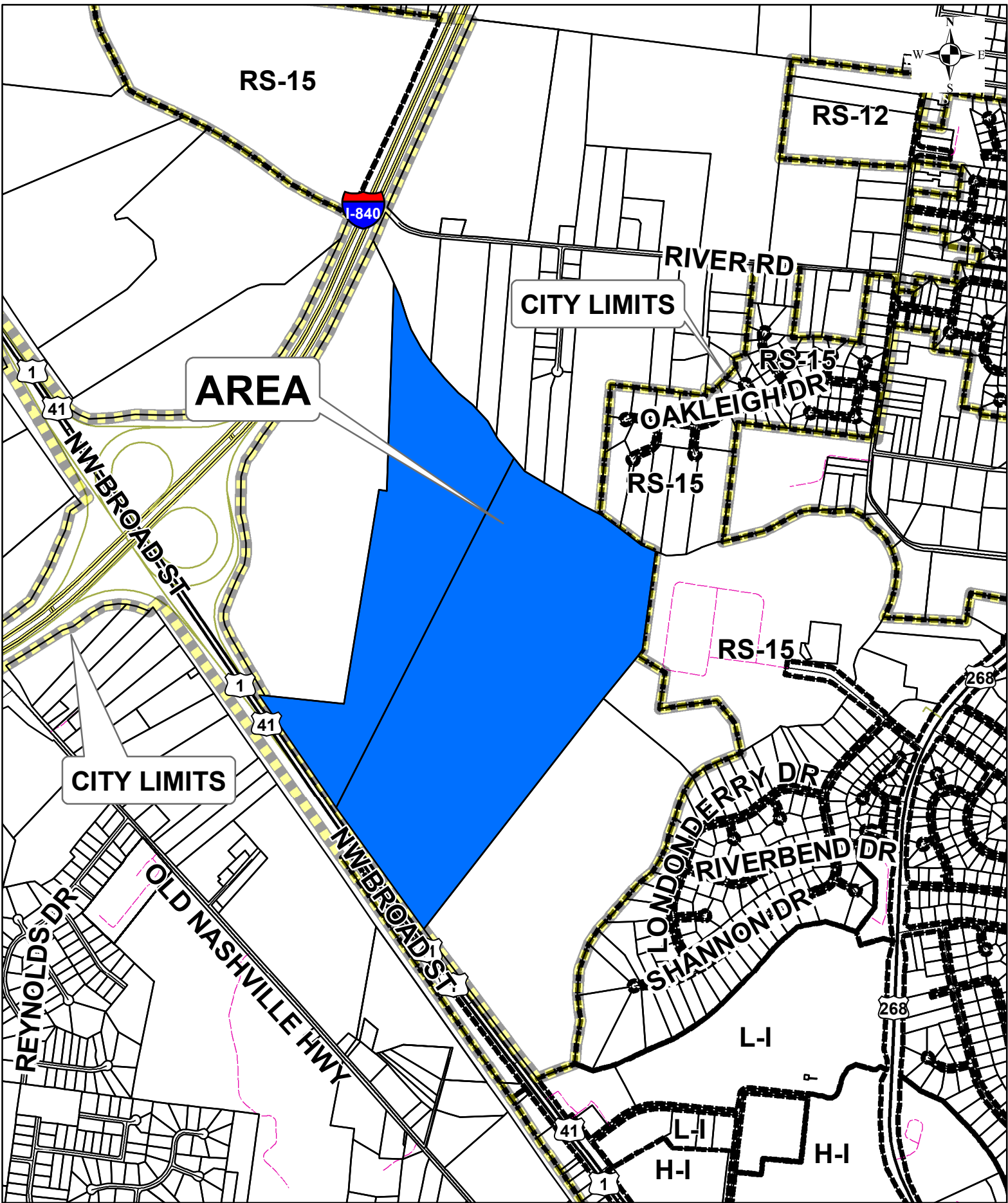
Recommendation:

Staff supports the zoning request to CH and GDO-1 for the following reasons:

- 1) CH and GDO-1 zoning are consistent with the Future Land Use Map's recommended land use character designation of Urban Commercial / Mixed Use.
- 2) GDO-1 zoning is intended to ensure high quality design and site planning for the property and to help regulate the uses that can be established.

Action needed

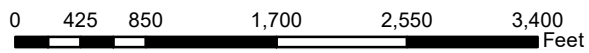
The Planning Commission will need to conduct a public hearing on this zoning request, after which it will need to discuss the matter and then formulate a recommendation for the City Council.



**Zoning Request for Property located along Northwest Broad Street
CH and GDO-1 Simultaneous with Annexation**



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

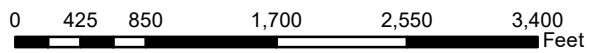




**Zoning Request for Property located along Northwest Broad Street
CH and GDO-1 Simultaneous with Annexation**



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**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
FEBRUARY 2, 2022
PROJECT PLANNER: HOLLY SMYTH**

- 5.a. Mandatory Referral [2021-734] for the abandonment of a sanitary sewer easement located on property along East Northfield Boulevard and Pitts Lane, Huddleston-Steele on behalf of Hassan Eslami applicant.**



This easement abandonment request is from Huddleston Steele on behalf of Hassan Eslami. The 3 properties involved are located on the north side of East Northfield Boulevard and the east side of Pitts Lane. They are requesting the abandonment of approximately 550' long by 20' wide sanitary sewer easement along the north side of three parcels as shown on the hatched area on the attached engineering exhibit. This easement was dedicated by Plat book 19, page 175 when the property was subdivided but no utilities yet exist within this particular easement area. The development proposes a strip center with approximately 18,000 square feet of office space and 18,000 square feet of commercial space. Now, with the pending development proposal of these lots in process, it has been determined that the sewer main will be installed within the paved access drive, which is not along the northern property line, and a new easement will be dedicated.

Murfreesboro Water Resources Department (MWRD) staff does not object to this request and recommended its approval to the Murfreesboro to the Water Resources Board subject to the recording of the new sanitary sewer easement prior to or simultaneous with the abandonment of the existing easement. Correspondence from MWRD is included in the agenda materials. The Murfreesboro Water Resources Board met on January 25, 2022 and voted to recommend approval of the easement abandonment request. Planning Staff recommends that the Planning Commission vote to recommend approval of the request to City Council subject to the following conditions:

1. The new sanitary sewer easement shall be recorded prior to or simultaneous with the abandonment of the existing easement.
2. 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 of abandonment. This instrument will be subject to final review and approval of the City Legal Department.
3. The applicant will be responsible for recording the legal instrument, including paying any recording fees.

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.

Attachments: Water Resources Report
 Abandonment Application



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:

Fountain Place Lots 6, 7, & 8

Tax Map/Group/Parcel: 815, "C", 5, 6, & 7 | Address (if applicable): E. Northfield Blvd. & Pitts Lane

Street Name (if abandonment of ROW): N/A

Type of Mandatory Referral: To remove portion of 30' Sanitary Sewer Easement

Applicant Information:

Name of Applicant: Hassan Eslami

Company Name (if applicable): Vision Design Build LLC.

Street Address or PO Box: 15 Missionary Dr

City: Brentwood

State: TN.

Zip Code: 37027

Email Address: hassan_es7751@yahoo.com

Phone Number: 615-414-3245

Required Attachments:

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

Applicant Signature

12-8-21

Date



December 8, 2021

Mr. Greg McKnight, Planning Director
City of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130

Re: Abandonment of Sanitary Sewer Easement
Fountain Place
Murfreesboro, TN

Dear Mr. McKnight:

At the request of our client, Mr. Hassan Eslami, we hereby make a request to abandon the existing sanitary sewer easement shown on the attached exhibit with a mandatory referral by Planning Commission and City Council.

Property description and an exhibit are attached.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.

A handwritten signature in blue ink, reading "William H. Huddleston IV". The signature is fluid and cursive, with a small flourish at the end.

William H. Huddleston IV, P.E., R.L.S.

Property Description
Lots 6, 7, & 8, Fountain Place
Tax Map 81J, Group "C"
Parcels 5.00, 6.00 & 7.00
Plat Book 19, Page 175

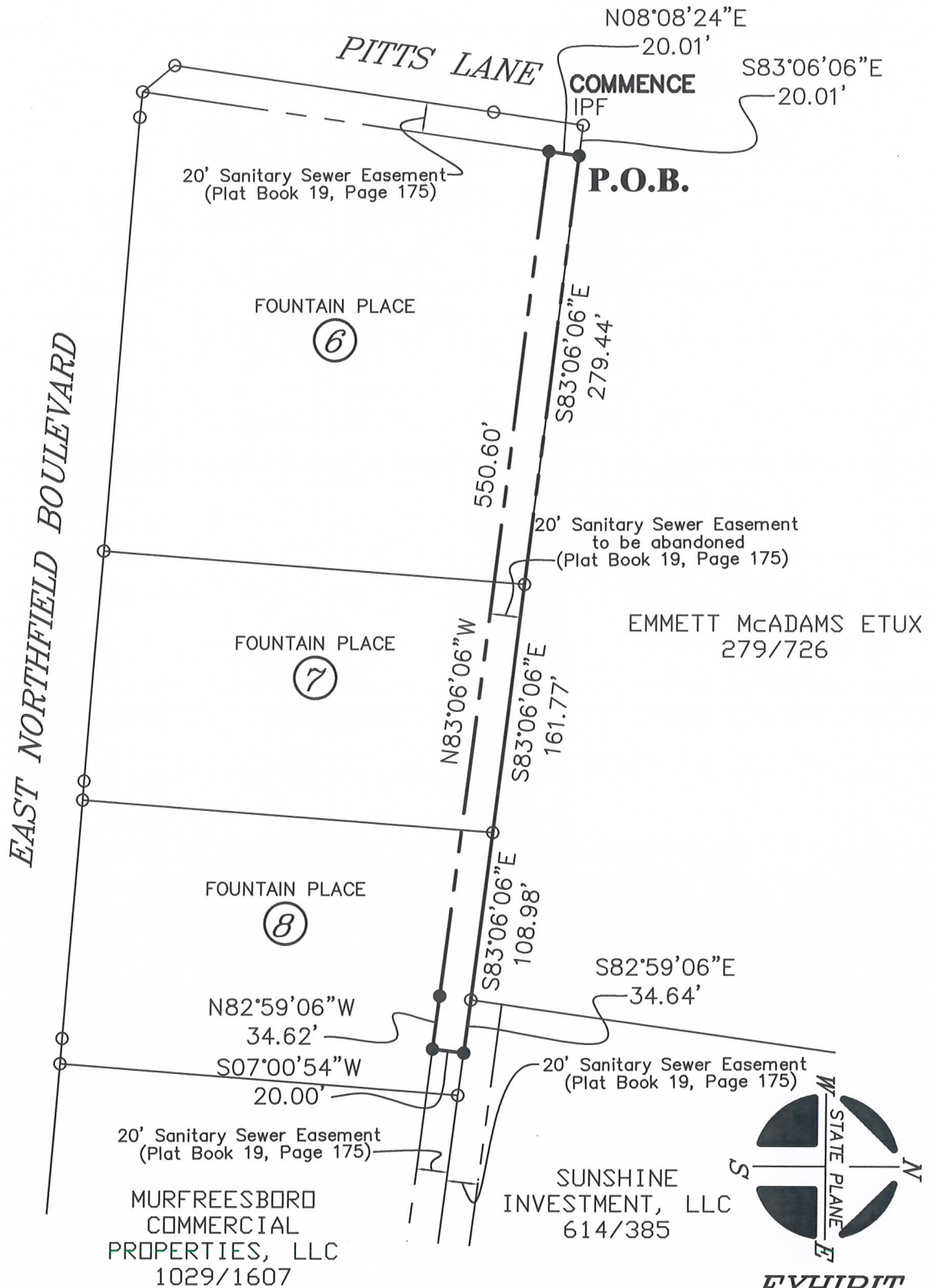
Sanitary Sewer Easement to be Abandoned

Located in the 13th Civil District of Rutherford County, Tennessee. Bound on the west by Pitts Lane, on the north by the Emmett McAdams ETUX property and Sunshine Investment, LLC; on the east by the remaining property of Lot 8, Fountain Place, (Plat Book 19, Page 175); and on the south by the remaining property of Lots 6, 7, & 8, Fountain Place (Plat Book 19, Page 175).

Commencing at an iron pin in the south Right-of-Way of Pitts Lane, thence $S83^{\circ}06'06''E$, 20.01 feet to the **POINT OF BEGINNING**; thence $S83^{\circ}06'06''E$, 279.44 feet along the south line of McAdams ETUX to a point; thence $S83^{\circ}06'06''E$, 161.77 feet along said south line to a point; thence $S83^{\circ}06'06''E$, 108.98 feet along said south line to a point; thence $S82^{\circ}59'06''E$, 34.64 feet along the south line of Sunshine Investment, LLC to an iron pin; thence $S07^{\circ}00'54''W$, 20.00 feet along the west line of the remaining property of Lot 8, Fountain Place to an iron pin; thence $N82^{\circ}59'06''W$, 34.62 feet along the north line of the remaining property of Lot 8, Fountain Place to an iron pin; thence $N83^{\circ}06'06''W$, 550.60 feet along the north line of the remaining property of Lots 8, 7, & 6, Fountain Place to an iron pin; thence $N08^{\circ}08'24''E$, 20.01 feet along the east line of the remaining property of Lot 6, Fountain Place to the **POINT OF BEGINNING** and containing 11,700 square feet or 0.27 acres, more or less.

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





EXHIBIT

**SANITARY SEWER EASEMENT
ABANDONMENT**

FOUNTAIN PLACE

LOTS 6, 7, & 8

PLAT BOOK 19, PAGE 175

TAX MAP 81J, GROUP "C"

PARCELS 5.00, 6.00, & 7.00

CITY OF MURFREESBORO

DECEMBER 2021

SCALE: 1"=100'

THIS SKETCH IS NOT FOR TITLE BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THIS SKETCH IS TO ILLUSTRATE GRAPHICALLY THE INTENT OF THE EASEMENT ABANDONMENT PREMISES.

HS HUDDLESTON-STEELE ENGINEERING, INC.

2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE : (615)893 - 4084, FAX: (615)893 - 0080



... creating a better quality of life

MEMORANDUM

DATE: January 18, 2022
TO: Water Resources Board
FROM: Valerie H. Smith
SUBJECT: Sewer Easement Abandonment
Fountain Place – Northfield Blvd.

Background

This easement abandonment request is from Huddleston Steele on behalf of Hassan Eslami. They are requesting the abandonment of an existing sewer easement as shown as the hatched area on the attached exhibit. This easement was dedicated by plat when the property was subdivided. Now, with the development of these lots the sewer main will be installed within the paved access, which is not along the northern property line, and new easement will be dedicated. Therefore, this easement is no longer needed.

Recommendation

Staff recommends approval of abandoning this existing sewer easement at the time that the new proposed easement is dedicated.

Fiscal Impact

Not applicable. The easement was dedicated through the recording of a plat.

Attachment

Easement Abandonment Request
Abandonment Exhibit



December 8, 2021

Mr. Greg McKnight, Planning Director
City of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130

Re: Abandonment of Sanitary Sewer Easement
Fountain Place
Murfreesboro, TN

Dear Mr. McKnight:

At the request of our client, Mr. Hassan Eslami, we hereby make a request to abandon the existing sanitary sewer easement shown on the attached exhibit with a mandatory referral by Planning Commission and City Council.

Property description and an exhibit are attached.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.

William H. Huddleston IV, P.E., R.L.S.

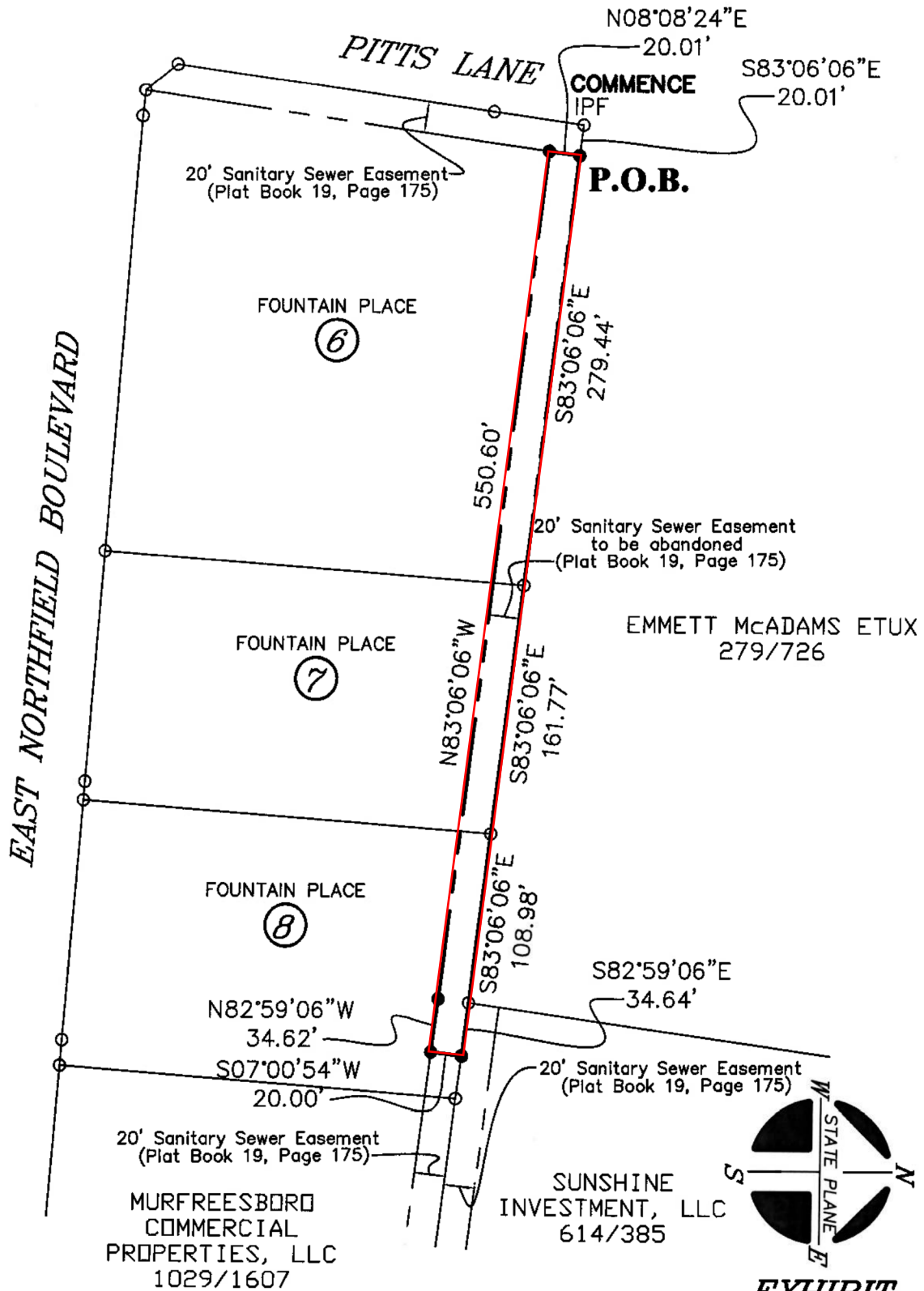


EXHIBIT
SANITARY SEWER EASEMENT
ABANDONMENT
FOUNTAIN PLACE
 LOTS 6, 7, & 8
 PLAT BOOK 19, PAGE 175
 TAX MAP 81J, GROUP "C"
 PARCELS 5.00, 6.00, & 7.00
 CITY OF MURFREESBORO
 DECEMBER 2003
 SCALE: 1"=100'

THIS SKETCH IS NOT FOR TITLE BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THIS SKETCH IS TO ILLUSTRATE GRAPHICALLY THE INTENT OF THE EASEMENT ABANDONMENT PREMISES.

HS HUDDLESTON-STEELE
ENGINEERING, INC.

2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
 TELEPHONE : (615)893 - 4084, FAX: (615)893 - 0080

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

1:00 P.M.

CITY HALL

MEMBERS PRESENT

Warren Russell, Chair
Jami Averwater
Chase Salas
Shawn Wright

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Holly Smyth, Principal Planner
Brad Barbee, Planner
Joel Aguilera, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Darren Gore, Assistant City Manager

1. Call to order.

In the absence of both the Chair and the Vice-Chair, Mr. Matthew Blomeley called the meeting to order, representing the Planning Commission Secretary and acting as Chair Pro Tem.

2. Determination of a quorum.

Mr. Matthew Blomeley determined that a quorum was present. Therefore, the first portion of this meeting would be to elect a Chair for this meeting.

Mr. Chase Salas moved to elect Mr. Warren Russell as Chair for this Planning Commission meeting; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

3. Approve minutes of the January 12, 2022, Planning Commission meeting.

Mr. Chase Salas moved to approve the Minutes of the January 12, 2022, Planning Commission meeting; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

4. Consent Agenda:

City of Murfreesboro Transit Center [2021-2127] final plat for 1 lot on 5.4 acres zoned PND located along Bridge Avenue and New Salem Highway, City of Murfreesboro developer.

One East College, Lot 1 [2021-2129] final plat for 1 lot on 2.4 acres zoned PUD located along North Church Street, East College Street, North Spring Street, and East Lytle Street, 705 4th Avenue Holding Company, LLC developer.

City Church [2021-2120] final plat for 2 lots on 9.3 acres zoned CF located along Bridge Avenue, City Church developer.

The Crossings of Three Rivers, Resubdivision of Lots 35-36 & 42-43 [2021-2121] final plat for 8 lots on 0.73 acres zoned PRD located along Hospitality Lane, Lennar Homes of Tennessee, LLC developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

Still Waters at Lands End, Section 1, Phase 1 [2021-1037] preliminary plat for 1 lot on 22.5 acres zoned PRD located along New Salem Highway, Bell Tower Investments, LLC developer.

Still Waters at Lands End, Section 1, Phase 1 [2021-2122] final plat for 1 lot on 22.5 acres zoned PRD located along New Salem Highway, Bell Tower Investments, Inc. developer.

Bell Tower Apartments [2021-3161] renewal of a site plan for 384 apartment units on 22.56 acres zoned PRD located along New Salem Highway, Bell Tower Investments, LLC developer.

Evergreen Farms, Section 38, Phase 1A [2021-2124] final plat for 20 lots and 1 common area on 12.62 acres zoned PRD located north of Perlino Drive, Evergreen Farms Development, Inc. developer.

Regal Square, Phase 3 Townhomes [2021-3167] site plan review for 78 single-family attached dwellings on 7.8 acres zoned PRD located along Suzanne Landon Drive and Cedar View Drive, Halo Homes developer.

There being no further discussion, Ms. Jami Averwater moved to approve the Consent Agenda subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

5. GDO:

On Motion

North Church, LLC, 2nd Resubdivision of Lot 2 [2021-2123] final plat for 1 lot on 30.8 acres zoned RS-15, MU, GDO-1, & GDO-2 located along Robert Rose Drive, Willowoak Trail, and Wilkinson Pike, Wilkinson Pike Drainage Association 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.

There being no further discussion, Mr. Chase Salas moved to approve the final plat subject to all staff comments, the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

Avenue [2021-6013 & 2021-3172] initial design review and site plan review for plaza redesign on 97.5 acres zoned CH, GDO-1, & PSO located along Medical Center Parkway, Big V 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. Kevin Guenther (landscape architect) was in attendance to represent the application. Mr. Guenther requested for a deferral to continue working with Staff and Transportation to address the safety concerns discussed by the Planning Commissioners.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

There being no further discussion, Mr. Shawn Wright moved to defer action in order for the applicant to continue working on the traffic and safety concerns; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

6. **Plats and Plans:**

On Motion

Waites Creek Crossing, Section 6 [2021-1039] master plan amendment & preliminary plat for 43 lots on 10.9 acres zoned RS-6 located along Ashers Fork Drive, O'Brien Loyd Venture developer. Mr. Brad Barbee 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, Ms. Jami Averwater moved to approve the master plan amendment and preliminary plat subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

Wyngate [2021-1041] preliminary plat for 77 lots on 33.6 acres zoned RS-8 and CF located along Franklin Road, Lennar developer. WITHDRAWN BY APPLICANT

- c. Westlawn Commercial East [2021-1040] preliminary plat for 7 lots on 23.3 acres zoned PUD located along Veterans Parkway and Blackman Road, Oscar Properties, LLC developer. Mr. Joel Aguilera 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, Ms. Jami Averwater moved to approve the preliminary plat subject to all staff comments, including that the applicants must secure consent from Vanderbilt for the portion of the roadway proposed on its property; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

Westlawn Commercial East [2021-2128] final plat for 7 lots on 23.3 acres zoned PUD located along Veterans Parkway and Blackman Road, Oscar Properties, LLC developer. Mr. Joel Aguilera 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, Ms. Chase Salas moved to approve the final plat subject to all staff comments including that the applicants must secure consent from Vanderbilt for the portion of the roadway proposed on its property; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

Westlawn Commercial North, Lot 1 (Westlawn Retail Center) [2021-3170] site plan review of an 11,480 ft² commercial center and 3,952 ft² gas station located on 1.9 acres zoned PUD located along Veterans Parkway and Westlawn Boulevard, Mike Chaudhary developer. WITHDRAWN BY THE APPLICANT

7. New Business:

Schedule Public Hearings

Annexation petition and plan of services [2021-516] for approximately 258.8 acres located along Northwest Broad Street, Hord Family 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. Shawn Wright moved to schedule a public hearing on February 2, 2022; seconded by Mr. Chase Salas, the motion carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

Zoning application [2021-433] for approximately 258.8 acres located along Northwest Broad Street to be zoned CH and GDO-1 simultaneous with annexation, SEC, Inc. on behalf of Legacy Sports Tennessee 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. Chase Salas moved to schedule a public hearing on February 2, 2022; seconded by Mr. Shawn Wright, the motion carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

Hear updates from the Planning Director regarding the Future Land Use Map Amendments proposed outline of events and to schedule a public hearing. Mr. Greg McKnight presented the following tentative schedule to the Planning Commission.

January 19, 2022; Initial discussion with a proposal to schedule a Public Hearing.

February 9, 2022: Planning Commission and City Council Joint Work Session Meeting at Murfreesboro Airport Business Center 11:30 a.m.

February 23, 2022: Community Meeting at City Hall Rotunda 5:00 P.M.-7:00 P.M.

March 16, 2022: Planning Commission Public Hearing and Adoption.

March 24, 2022: City Council approval of Resolution of Support and Acknowledgement of the Planning Commission's action.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 19, 2022

There being no further discussion, Mr. Shawn Wright made a motion to schedule a public hearing on March 16, 2022; seconded by Ms. Jami Averwater, the motion carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

8. Staff Reports and Other Business:

2021 Sanitary Sewer Allocation Report

Mr. Darren Gore gave a PowerPoint presentation to the Planning Commission regarding the Murfreesboro Water Resources Department's annual report on the Sanitary Sewer Allocation Ordinance.

9. Adjourn.

There being no further business, Mr. Chase Salas moved to adjourn the meeting; seconded by Ms. Jami Averwater, the motion carried by the following vote:

Aye: Warren Russell
Jami Averwater
Chase Salas
Shawn Wright

Nay: None.

The meeting was adjourned at 2:20 PM.

**MINUTES OF THE MURFREESBORO
PLANNING COMMISSION
JANUARY 19, 2022**

Chair

Secretary

GM: cj